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**MUNICIPAL TECHNICAL ADVISORY
GROUP (MTAG) MEETING SUMMARY #5**

Project: 407 East Completion EA Terms of Reference

TSH No. 42-80227-23

Meeting Date: May 19, 2004

Meeting Time: 9:00 a.m.
May 25, 2004

Report Date: (Revised June 2, 2004)
(Revised July 12, 2004)

Recorder: C. O'Toole

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Note: If any of the contents of this meeting report differ in any respect from your own recollection of the points discussed or decisions reached, please notify us immediately. In the meantime, we will proceed in accordance with the understanding described herein.

LOCATION: Durham Regional Works Department

PRESENT:

Janice Szwarc	Municipality of Clarington Planning Department
Leslie Benson	Municipality of Clarington Engineering
Tom Melymuk	City of Pickering
Kevin Heritage	Town of Ajax Planning Department
Steven Rowe	Consultant (on behalf of the Town of Ajax)
Larry Cavanagh	Town of Whitby – Planning
Suzanne Beale	Town of Whitby – Works
Bruno Bianco	Town of Whitby – Works
Rory Williams	City of Oshawa
Craig Kelly	City of Oshawa
Nestor Chornobay	Region of Durham Planning Department
Gene Chartier	Region of Durham Works Department
Susan Siopis	Region of Durham Works Department
John Slobodzian	MTO
Linda Fischer	MTO
Doug Allingham	TSH
Mike Delsey	TSH
Colleen O'Toole	TSH

This summary report contains the questions, comments and responses that were put forth during the third meeting of the Municipal Technical Advisory Group. The questions asked, and comments made by attendees are noted in italics. The response is written below each question or comment. General comments are noted in bold.

PURPOSE: To provide a summary of the May 2004 public consultation and an overview of the revised draft EA Terms of Reference

Action By

1.0 Introductions

Attendees introduced themselves and their affiliation. D. Allingham gave a presentation regarding the May 2004 public consultation undertaken by the Project Team as well as provided an overview of the revised draft EA ToR. Following the presentation, MTAG members were encouraged to ask questions of clarification.

Info

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2.0 Question and Answer Period

Section 4.2 of the EA ToR is confusing (Selecting the Preferred "Alternative To")

J. Slobodzian replied that this section was included in the EA ToR to better clarify jurisdictional responsibility and the potential of choosing a solution outside of the jurisdiction of the Ontario Ministry of Transportation.

Info

How will MTO ensure that alternatives outside the jurisdiction of MTO are completed?

J. Slobodzian replied that there is not much MTO can do to ensure that other ministries or levels of government carry through with an alternative. MTO will encourage the implementation of these alternatives by other jurisdictions. MTO would not move forward without trying to build consensus for a preferred alternative.

MTO

Would MTO consider joint-proponency if the preferred alternative was a Regional or municipal solution?

MTO would not consider joint-proponency, however joint-participation could be considered. MTO may also have to consider financial assistance.

Info

How has the schedule for this project been affected?

There have been changes to the EA process due to the court decision in the summer of 2003. This has impacted the length and duration of the EA ToR and Individual EA process for this project.

Info

Is the definition of "Concept Design" going to change?

Traditional MTO route planning studies did not provide enough detail to allow federal agencies to determine adverse environmental effects. As a result, MTO will undertake Concept Design during the Individual EA once a preferred alternative to the undertaking is chosen. Concept Design will be defined further in the Individual EA. It will be a step between route location and preliminary design.

MTO

Is Concept Design meant to be a guidebook for other projects?

Although the Canadian Environmental Assessment Agency (CEAA) and the federal regulatory agencies have not stressed that 407 East be consistent with other projects, the definition of Concept Design for 407 East Completion is meant to provide a baseline for other projects.

Info

What is the status of the harmonization agreement between the federal government and provincial government regarding the federal and provincial environmental assessment acts?

J. Slobodzian replied that the appropriate Ministers are close to signing an agreement, however, it is a very high-level agreement and is not project-specific. It does not provide specific details for this Individual Environmental Assessment.

Info

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J. Slobodzian added that the Ministry of Environment (MOE) has become very involved with this study. Gemma Connolly, MOE Project Officer for the 407 East Completion project attended the Brooklin PIC.

Info

J. Slobodzian also noted that the Province is striking an EA Panel to examine the EA process in detail. An announcement regarding this Panel is expected before the summer. It is not known who will be on the panel or what aspects of the EA process will be examined.

J. Slobodzian asked the members of MTAG to consider what the best forum was to receive information regarding alternative methods. This feedback should be forwarded to the Project Team by September 2004.

All

Are the comments made by municipalities during the 2003 review of the EA ToR reflected in this draft of the EA ToR?

D. Allingham replied that all ToR comments are on record. The Project Team has committed to re-examining identified issues across the Region. Any comments that do not fit into the "scope" of the revised draft EA ToR will remain on record and will be carried forward to the Individual EA.

Info

How does the potential implementation of other planning alternatives impact the need for Highway 407?

D. Allingham replied that the Transportation Planning/Need will be re-confirmed during the Individual EA however, the need for 407 East that was previously determined, did include the implementation of a range of transportation improvements, both provincial and municipal (i.e. increase in transit mode split).

Info

Why would workshops/other forums be held just for route alignments? The same treatment should be given to alternatives to the undertaking (planning alternatives).

J. Slobodzian replied that the ToR establishes minimum requirements for consultation. Workshops or additional meetings can be scheduled to discuss planning alternatives or alternative methods as required. These workshops would exceed requirements of the EA ToR.

Info

There is a concern regarding the difference between an "add-on" to the EA ToR or finding "fault" or a "missing item" in the ToR.

The Project Team would appreciate comments on whether or not you feel the EA ToR is sufficient. The add-ons, which will be developed during the Individual EA on an as-needed basis will not be described in the EA ToR. The Project Team does not want the EA ToR to prevent implementation of enhancements to the EA process. Examples of enhancing the process could be additional meetings or applying a third assessment/evaluation method.

Info

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Should members of MTAG be going to our respective Councils for feedback on when we want Council to be more involved in the EA process?

J. Slobodzian stated that the Project Team would like this type of input from MTAG for identifying any additional meetings during the Individual EA. Councils can be given the opportunity to provide input on a number of interim reports released by the Project Team.

All

Concern has been raised over the concept of Local Citizen Panels. Are you worried that these may fuel public frustration?

J. Slobodzian explained that the LCPs are an experimental form of consultation for the Ministry. Depending on the success of the LCPs, these forums may be used in the Individual EA.

Info

At the conclusion of the Individual EA, what will happen next in the process?

D. Allingham replied that at the conclusion of the EA, a concept design level of detail will be completed. This will allow the Ministry to protect property and begin to acquire property on a willing-seller, willing-buyer basis. The Ministry will then have to complete design through a Class EA process.

Info

In the EA ToR document, where is the "description of the undertaking"

J. Slobodzian replied that the Purpose of the Undertaking is described in Section 2.0 of the document. "The purpose of a transportation Individual EA is to seek solutions to the identified problems and opportunities.....Exhibit 2.1 shows the area in which transportation problems and opportunities, have, and will be considered."

Info

Does the Assessment of Alternative Methods take place first and then the two Evaluations (methods) would then be undertaken?

D. Allingham replied that yes, this was correct.

Info

What is the timing for this project?

There is no schedule for project implementation (i.e. construction). The EA ToR will be revised over the summer and submitted to MOE by September 2004. A 12-week MOE review period will be undertaken, which includes a 30-day formal public review. It is expected that the Individual EA will commence in January 2005. The Individual EA is expected to be completed by the end of 2006. It will then be submitted to MOE for approval. MTO will be looking at ways to expedite the individual EA process.

Info

Can MTO start preparing Class EAs prior to approval?

J. Slobodzian replied that the Class EA process for design cannot start prior to approval of the individual EA.

Info

When was the Advance Property Purchase suspended?

The Ministry of Transportation suspended the Advance Property Purchase program in June 2003. MTO is examining options to continue with an advance purchase program to address "hardship".

Info

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END OF MEETING REPORT.

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