

**Terms of Reference for the
Eastern Ontario Waste Handling Facility Landfill
Expansion Environmental Assessment
Supporting Document #1 - Record of Consultation**

July 2015



Lafleche Environmental Inc.



Table of Contents

1. Introduction	1
2. Codes of Practice and Consultation Principles	2
3. Stakeholders	3
4. Consultation Activities during Development of the Terms of Reference	3
4.1 Consultation Activities.....	4
4.1.1 Notice of Commencement and Open House	4
4.1.2 Project Website, Email and Telephone Number.....	5
4.1.3 Consultation with Aboriginal Communities	5
4.1.4 Council Meetings	6
4.1.5 Community Liaison Committee Meetings	6
4.1.6 EOWHF tours and presentations.....	7
4.1.7 In-person meetings	7
4.1.8 Draft Terms of Reference Review	7
5. Comments Received and Their Consideration in the Terms of Reference	8

List of Tables

Table 5.1 Summary of Public Comments or Issues Raised and their Consideration

Table 5.2 Summary of Comments from Government Review Team Members and their Consideration

Table 5.3 Summary of Comments from Aboriginal Communities and Organizations and their Consideration

Appendices

- A. Contact Lists – Aboriginal Communities and Organizations, Government Review Team and Public
- B. Notice of Commencement and Open House Materials
- C. Correspondence with Aboriginal Communities and Organizations
- D. Correspondence Received
- E. Municipal Correspondences
- F. Draft Terms of Reference Review Correspondence



Terms of Reference for the Eastern Ontario Waste Handling Facility Landfill Expansion Environmental Assessment Supporting Document #1 – Record of Consultation

1. Introduction

This document describes the consultation activities undertaken during the development of the Terms of Reference (ToR) for the Lafleche Environmental Inc. Eastern Ontario Waste Handling Facility (EOWHF) Landfill Expansion Environmental Assessment (EA) and the results of those consultation activities. These consultation activities were designed to accommodate the needs and characteristics of local residents and neighbours, Aboriginal communities and other stakeholders in the site vicinity.

As identified in the original EA in 1999, the site initially included the development of Stages 1 to 3A, and subsequently Stages 3B and 4 would be developed at a time when the volume and operational requirements justified its expansion. The landfill has been built in a series of Stages and each Stage containing 8 Phases. The community, Aboriginal communities and public agencies were advised of the total Stages 1 - 4 and all drawings and presentations have included the identification of Stages 3B/4. Since 1999, Lafleche has conducted several hundred presentations and delegations of public, regulatory agencies, governmental departments and special interest groups, during which time all presentations showed, and it was described, the total site Stages 1 to 4 and that there is the plan to develop Stages 3B/4 when required. During these presentations and since 1999, there has been no objection to or concern from any agencies, individuals or groups about the development of Stages 3B/4.

*Section 5.1 of the Environmental Assessment Act states that consultation with "such persons as may be interested" should take place during the preparation of the ToR. Consequently a Consultation Plan for the EOWHF landfill expansion ToR was prepared in accordance with the Ministry of the Environment and Climate Change (MOECC) Codes of Practice Consultation in Ontario's Environmental Assessment Process, January 2014 and Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario, January 2014 (see **Section 2.0**). The consultation plan had three objectives:*

- identify and develop good working relationships with all key stakeholders and Aboriginal communities;*
- manage identified issues in order to minimize risks that could affect study timelines; and,*
- support and promote the positive environmental sustainability aspects of the study.*

*Interested participants included review agencies, Aboriginal communities, and the public (see **Section 3.0**). Participants were engaged through a number of consultation activities held during the preparation of the ToR. The activities carried out with review agencies, Aboriginal communities, and the public are summarized in **Section 4.0**. Comments received in response to the consultation activities and how they were considered during preparation of the ToR are provided in **Section 5.0**.*

In accordance with the MOECC's Code of Practice Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario, this Record of Consultation is provided as a stand-alone document to accompany the proposed EOWHF Landfill Expansion Environmental Assessment ToR submitted to the Minister of the Environment and Climate Change for review and approval.

2. Codes of Practice and Consultation Principles

The MOECC has produced Code of Practice documents for use when preparing various Environmental Assessment documents. The EOWHF Landfill Expansion ToR was prepared using the Code of Practice Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario. Similarly the EA will be prepared using the Code of Practice Preparing and Reviewing Environmental Assessments in Ontario. In addition, consultation was undertaken during the ToR in accordance with the Code of Practice Consultation in Ontario's Environmental Assessment Process. The Code of Practice documents outline aspects of consultation that must be adhered to during the preparation of Terms of Reference.

The following components of the Codes of Practice were included in the consultation activities undertaken during development of the ToR:

- Provided opportunities for participation to potentially affected or interested parties that were reasonable and meaningful;*
- Took into account input received during the consultation process by addressing comments and concerns;*
- Used a variety of consultation methods including an Open House, in-person meetings, presentations, site tours, Community Liaison Committee, etc.;*
- Consulted with government reviewers, Aboriginal communities and organizations, and any other interested persons;*
- Prepared a Record of Consultation describing the various activities carried out during the development of the ToR (which will be included as a Supporting Document to the ToR);*
- Considered the details of the undertaking and the potential level of concern and interest in the community;*
- Provided the mandatory notifications, including the Notice of Commencement;*
- Integrated the input from the consultation into comment and response tables included in this Record of Consultation; and,*
- Responded to all concerns by meeting with individuals in person.*

The approach to consultation during the development of the ToR was intended to be proactive, open, inclusive, flexible and transparent. Consultation activities were designed to accommodate the needs and characteristics of adjacent residents, Aboriginal communities, the public and other stakeholders to facilitate their full participation in the process.

The following principles, established in the Consultation Plan for the ToR, guided the consultation carried out during the preparation of the ToR:

- Engage residents and neighbours within proximity of the proposed undertaking, Aboriginal communities and other stakeholders from the beginning of the process through the use of a variety of consultation events and activities including open houses and to ensure that there were adequate opportunities to provide input, feedback and comments concerning the EA undertaking and process, and that these comments are considered by the project team;*
- Engage local elected officials in the development of the ToR and to ensure that they were provided with regular and timely information concerning the ToR development process;*
- Ensure the consultation process is open, transparent and inclusive; and,*
- Document all issues and concerns identified by the public, Aboriginal communities, agencies and other stakeholders and to demonstrate how these concerns and issues have been considered during development of the ToR.*

3. Stakeholders

Prior to initiating the Terms of Reference, a preliminary list of stakeholders was developed based on Lafleche’s existing mailing list for the EOWHF, input from the MOECC, and project team experience with other EAs. All landowners within approximately 1.5 km of the EOWHF were added to the project mailing list.

Aboriginal communities and organizations contacted during development of the ToR were:

- *Mohawks of Akwesasne*
- *Mohawks of the Bay of Quinte*
- *Ottawa Metis Council*
- *Huron Wendat Nation Council*
- *Algonquins of Ontario*
- *Métis Nation of Ontario*

*A complete list of the Aboriginal communities and organizations contacts are included in **Appendix A**.*

*All appropriate review agencies were contacted during development of the ToR, including federal ministries and departments, provincial ministries, municipalities, conservation authorities, emergency services, school boards, etc. A complete list of the Government Review Team is provided in **Appendix A**.*

*Approximately 125 public individuals and groups were contacted during the preparation of the ToR, including ratepayer groups, local and regional environmental organizations, special interest groups, and municipal advisory committees, etc. A complete list is included in **Appendix A**.*

As appropriate, the preliminary list was updated during the ToR process to reflect:

1. *Requested changes to contact information;*
2. *Those stakeholders who wish no further involvement in the ToR and EA; and,*
3. *New stakeholders who wish to be directly notified of future events.*

4. Consultation Activities during Development of the Terms of Reference

An Open House, presentations, meetings and facility tours were among the consultation events organized by Lafleche during the development of the ToR. General information on the process, proposed project, schedule and opportunities on how to become involved in the ToR development were also be provided through activities including notices, letter mailings, electronic mailings, and a project website. The attendees were able to provide their comments and feedback both verbally and in writing.

Specific consultation events are described below. Open houses will be conducted during the process of developing both the ToR and the EA. These events will be designed to be open and provide opportunities for attendees to speak directly with Lafleche staff and the project team. Attendees will be encouraged to fill out comment sheets in order to provide feedback on the project to Lafleche and the project team on the various findings and recommendations.

4.1 Consultation Activities

The following consultation activities took place with review agencies, Aboriginal communities and organizations, and the public during preparation of the ToR:

- *Notice of Commencement*
- *Open House*
- *Project Website, E-mail, and Telephone Number*
- *Consultation with Aboriginal Communities*
- *Township of North Stormont Council Meeting*
- *Community Liaison Committee meetings*
- *EOWHF tours*
- *In-person meetings*
- *Draft Terms of Reference review*

Each of these consultation activities are described in the following sub-sections.

4.1.1 Notice of Commencement and Open House

An Open House was held on February 25th, 2015. Advance notification of the Open House was provided to review agencies and the public to ensure maximum attendance, and was combined with the Notice of Commencement. The following forms of notification were sent out prior to the Open House:

- *Direct mailing or e-mailing to stakeholders in the contact list, including government review team members, Aboriginal communities and organizations, interested members of the public, and the local municipal representatives;*
- *Placing newspaper advertisements in the following local newspapers during the week of February 11th, 2015:*
 - *Cornwall Standard Freeholder (English) February 11, 2015*
 - *Journal Le Reflet (French) February 11, 2015*
- *On Monday, February 09, 2015, area First Nation Chiefs, as well as site neighbours were sent a letter by mail to advise of the ToR and upcoming Open House. The notice was also mailed to members of the Government Review Team on February 09, 2015.*
- *A copy of the notice was uploaded to the project website on February 11, 2015.*

*Copies of the notification materials are included in the Open House Summary Report in **Appendix B**.*

Using an open house drop-in format, information was presented through display boards arranged around the room. This information included:

- *background information about Lafleche Environmental and the Eastern Ontario Waste Handling Facility (EOWHF),*
- *the EA process,*
- *a description of the proposed project and rationale,*
- *alternatives to the undertaking,*
- *alternative methods,*
- *proposed EA evaluation process and criteria,*
- *the consultation plans for the ToR and EA,*
- *next steps and project contact information.*



Terms of Reference for the Eastern Ontario Waste Handling Facility Landfill Expansion Environmental Assessment Supporting Document #1 – Record of Consultation

Project team members were in attendance to facilitate discussions and answer questions.

A total of 10 attendees participated at the Open House. As members of the public arrived, they were asked to sign-in and were then given a comment sheet which included questions regarding the information presented. The members of the public were given the option of filling out the forms on-site or providing their comments via mail, email or fax to the project team.

All presentation material at the Open House was available in both French and English. Bilingual staff were also present at the Open House.

All individuals and/or agency representatives who signed in with their contact information were added to the project contact list. This contact list will be used during the EA to contact and inform interested public and key stakeholders of study issues and events.

*Comments received at the Open House and how they were considered are documented in the Open House Summary Report (**Appendix B**). As well, a summary of the comments received at the Open House is included in the report.*

4.1.2 Project Website, Email and Telephone Number

A project specific website (www.leic.com/about/projects) was launched as part of the commencement of the ToR. The website was established to provide clear and accurate information to stakeholders as well as opportunities for participants to give feedback to Lafleche.

The website includes up-to-date information about the project, notices of upcoming events, details and summary of previous consultation events. Materials and notices will continue to be added to the website as the project progresses.

All notification and project materials identify the email address and telephone number for the Lafleche contact person.

4.1.3 Consultation with Aboriginal Communities

As discussed in Section 3.1, the following Aboriginal communities and organizations were contacted during development of the ToR:

- *Mohawks of Akwesasne*
- *Mohawks of the Bay of Quinte*
- *Ottawa Metis Council*
- *Huron Wendat Nation Council*
- *Algonquins of Ontario*
- *Métis Nation of Ontario*



Terms of Reference for the Eastern Ontario Waste Handling Facility Landfill Expansion Environmental Assessment Supporting Document #1 – Record of Consultation

Consultation activities associated with Aboriginal communities included the following:

- A letter was sent to the above mentioned Aboriginal communities along with a copy of the Notice of Commencement and an invitation to attend the February 25, 2015 Open House.
- A letter was sent to the Aboriginal communities along with a copy of the Notice of Review for the Draft Terms of Reference along with a copy of the Draft Terms of Reference.

No responses have been received from these Aboriginal communities in response to the above correspondence. All information was sent to the Aboriginal communities by courier and email. Lafleche followed-up with each Aboriginal community by telephone and email in order to confirm that the materials were received and if any additional information or a meeting was required by the Aboriginal communities. Copies of the above correspondence are included in **Appendix C**.

4.1.4 Council Meetings

Host Community – Township of North Stormont

The President of Lafleche (Brian King) presented on February 17th, 2015 to the Host Community – Township of North Stormont Council Meeting. The presentation discussed the proposed expansion of Stage 3B and 4. No issues were raised by Council and attendees, all in attendance were supportive of the Project. With the support of the Mayor and full Council members, a resolution was passed. An earlier letter from Council was received on August 07, 2014, showing their support of the Stages 3B and 4 expansion of the landfill. A copy of the resolution and letter is attached in **Appendix E**.

Nation Municipality

The President of Lafleche (Brian King) presented at the March 30th, 2015 Nation Municipality Council Meeting, where he presented the proposed expansion of Stages 3B and 4. No issues were raised by Council and meeting attendees. With the support of the Mayor and full Council members, a full support resolution was passed. A copy of the Council motion showing their support of the Stage 3B/4 expansion of the landfill is attached in **Appendix E**.

4.1.5 Community Liaison Committee Meetings

On December 3rd, 2014, the Community Liaison Committee (CLC) met and held a discussion of the proposed expansion project. The purpose of the meeting was to provide the CLC with notice of the proposed project and its announcement. The Committee was explained the EA process and the various steps of the process where their input and comments would be encouraged. The CLC discussed the support and need to have the landfill site.

The CLC also held a meeting on May 21st, 2015. The committee discussed the Terms of Reference (ToR) and Environmental Assessment (EA) process for the EOWHF expansion. Using several of the 'information panels' (that were displayed at the Open House in February 2015) as a backdrop, the Committee was provided with the ToR and EA process, indicating visually which step Lafleche is currently at (i.e. draft Terms



Terms of Reference for the Eastern Ontario Waste Handling Facility Landfill Expansion Environmental Assessment Supporting Document #1 – Record of Consultation

of Reference out for circulation and review). Discussion regarding the timeline, review periods, opportunity for public comment, and the purpose of the ToR occurred. The Committee was also informed about communication seeking input/consultation from the public, the Government Review Team, and First Nations. A sample of the transmittal letter accompanying the draft ToR was provided to the Committee in the meeting package. No further discussion ensued and no comments were received.

4.1.6 EOWHF tours and presentations

Since 1999, Lafleche has conducted several hundred presentations and tours of the EOWHF with numerous groups over the past year, including educational scholarly tours, municipal groups, special interest groups, government agencies, clients, the general public, etc. Tours include a physical tour of the 500-acre site and installations (i.e. BioReactor landfill, compost facilities and waste water treatment plant). All tours were preceded or succeeded by a presentation and discussion of the various EOWHF activities and planned projects such as recycling initiatives and the proposed expansion of Stages 3B and 4. During these presentations and tours, there were no negative issues or concerns identified about the development of Stages 3B and 4.

4.1.7 In-person meetings

The President and staff of Lafleche conduct ongoing meetings with community members, neighbours, public agencies and proactively discuss the projects and planned activities at the EOWHF including the development of Stages 3B/4.

As a follow-up to the Open House on February 25, 2015, a meeting was held with adjacent property owners to discuss and clarify the municipal By-law regarding the Zone of Influence around the landfill. The Zone of Influence is a municipal by-law imposed by the Township of North Stormont limiting development within a specified distance of the EOWHF boundaries.

4.1.8 Draft Terms of Reference Review

A Draft Terms of Reference was prepared and made available to the public, Aboriginal communities, government review team, and all other stakeholders on the project mailing list for their review and comments. Review comments on the draft were requested within a 30 day time period. The following forms of notification and distribution of the Draft Terms of Reference are outlined below. Copies of all correspondence, notification and consultation materials are included in **Appendix F**.

- A Notice of Review for the Draft ToR was published in the Cornwall Standard Freeholder (English) on May 8, 2015 and in the Journal Le Reflet (French) on May 13, 2015.
- The Notice and Draft ToR were uploaded on the project website (www.leic.com/projects) on May 8, 2015

Aboriginal Communities and Organizations

- A letter, the Notice of Review and a copy of the Draft ToR were couriered on May 8, 2015 to each Aboriginal community and organization.



Terms of Reference for the Eastern Ontario Waste Handling Facility Landfill Expansion Environmental Assessment Supporting Document #1 – Record of Consultation

- *Electronic copies of the Draft ToR were sent via email on May 8, 2015 to each Aboriginal community and organization*
- *A reminder email of the Draft ToR Review was also sent on June 4, 2015.*
- *Each Aboriginal community and organization was contacted by telephone during the week of May 25th to confirm that they had received the Draft ToR for review and to determine if any additional information was required.*

Government Review Team (GRT)

- *A letter, the Notice of Review and a copy of the Draft ToR were couriered on May 8, 2015 to the government review agencies.*
- *Electronic copies of the Draft ToR were sent via email on May 8, 2015.*

A reminder email of the Draft ToR Review was also sent on June 4, 2015.

Public

- *A letter and the Notice of review were mailed on May 8, 2015 to those members of the public on the project mailing list.*
- *Hard copies of the Draft ToR were available for public viewing at the Lafleche Environmental Inc. office, Township of North Stormont Municipal Office and MOECC Cornwall as of May 8, 2015.*
- *Held a Community Liaison Committee meeting (CLC) on May 21, 2015. Please refer to Section 4.1.5 for more details.*
- *A public zoning meeting related to the EOWHF was held at the North Stormont Township Council Meeting on May 26, 2015. A presentation by Lafleche included a brief discussion about the ToR and the proposed expansion. Meeting attendees were given the opportunity to ask questions about the project.*

5. Comments Received and Their Consideration in the Terms of Reference

The preceding consultation activities resulted in a range of comments being received from stakeholders. A summary of these comments and how they were considered in preparing the proposed ToR is provided in this section.

Comments were received from the public primarily at the Open House. Approximately 30 agencies were contacted during the ToR stage of this EA providing comments following the Notice of Commencement and as part of the Draft ToR review. None of the Aboriginal communities contacted provided comments.

*As required by Section 4.3.1 of the Ministry's Code of Practice for Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario, **Table 5.1** groups the comments received from the public by issue along with how they have been considered in preparing the proposed ToR. Comments received from the Government Review Team and how they were considered are included in **Table 5.2**.*

*Copies of correspondence received are included in **Appendix D***

Table 5.1 Summary of Public Comments or Issues Raised and their Consideration

No.	Public Comment or Issue Raise	Lafleche Response
1	Off-site litter control	<p>Lafleche will continue to control litter through a number of methods. Portable litter fences will continue to be used around the active working face. The fences are placed immediately downwind of the working area to maximize the capture of windblown litter. The portable litter fence units are mounted on skids so that they may be moved by landfill equipment on a daily basis to remain downwind of the working face. Their location is determined based on the prevailing wind conditions. During windy conditions, waste will be stockpiled to prevent off-site litter.</p> <p>Drivers of waste trucks are required to properly cover their loads to prevent escape of waste and cannot only remove tarpaulins once on site.</p> <p>As there are no controls that will completely stop blowing litter on windy days, a regular program of litter pick-up is operated at the site. Extra staff is assigned to litter collection after windy days and in the spring, after the snowmelt. Litter collection off-site on adjacent properties is conducted on an as required basis.</p>
2	Vector control	<p>The presence of animals at the landfill site is of concern because of their potential to create a nuisance to surrounding residences and agricultural activities. Animals may be attracted to a landfill because it provides a suitable foraging habitat. Consequently they could move onto the landfill temporarily or permanently. Because the working area is compacted and covered daily with soil, rodents and insects do not survive at modern landfills and do not create problems.</p> <p>Birds such as seagulls may become a nuisance by attending adjacent or nearby properties, creating noise and fouling those sites. The landfill operates with a program to exclude birds from the site. The program is based on habitat management, and, as a contingency measure, the use of pyrotechnics.</p> <p>Specific control measures include:</p> <ul style="list-style-type: none"> • Falconry program; • Daily cover of waste; • Minimize size of working face; • Minimize areas of bare ground; • Encourage growth of tall grass (discourage loafing); • Vegetated banks at the stormwater management ponds; • Canadian Wildlife Service - Scare Permit (annual renewal); • Use of scare pistols (bangers, crackers) to discourage seagulls at tipping faces, overhead, and in loafing areas; and, • Daily observation and recording of seagull numbers. <p>LEI has a bird kill permit from the Canadian Wildlife Service.</p>
3	Location of future greenhouses	<p>While Lafleche still anticipates to construct and operate greenhouses on site, their location has not yet been determined.</p>
4	Noise from the compactors and other equipment/activities	<p>Sources of noise include the operation of waste trucks, excavation equipment, and compactors. Recognizing the existing operations (peat extraction) both on-site, and on surrounding (soil farming) lands, and the proximity to a major 400 series highway (Highway 417), noise from landfill operations produces a minimal increase in noise beyond the background noise levels. Standard landfill noise control practices are sufficient and the site is operated in accordance with the MOECC "Noise Guidelines for Landfill Site". Below is a listing of measures which are practised:</p> <ul style="list-style-type: none"> • U-shaped working berm to provide an obstacle to break the line-of-sight between the noise sources and the closest receptor; • Screening berms (west and north perimeters); • Development stages sequences to place equipment and haul routes behind the landfill mound; • Equipment is maintained to manufacturer specifications to ensure that undue noise does not occur (e.g. mufflers maintained); • Construction activities are limited to site hours of operation under normal conditions (unless usual weather conditions dictate otherwise); and, • Ongoing tree planting is carried out to enhance their noise screening.
5	Placement of daily cover	<p>At the end of each working day the entire working face is graded smooth and compacted. Exposed waste is covered by approximately 0.15 metres of suitable cover material or appropriate approved alternative cover, as described above, on a daily basis. Areas not visited for more than 6 months are covered with a minimum of 0.3 metres of cover material. Daily or interim cover is removed, as much as possible, prior to resuming placement of waste in an area.</p>

Table 5.2 Summary of Comments from Government Review Team Members and their Consideration

GRT Agency	Date Comment Received	Comment/Recommendations	Lafleche Response
<p>Canadian Environmental Assessment Agency</p>	<p><i>Letter dated February 20, 2015 from Anjala Puvananathan</i></p>	<p><i>The CEAA 2012 applies to the projects described in the Regulations Designating Physical Activities (the Regulations). Based on the information provided, your project does not appear to be described in Regulations. Kindly review the Regulations to confirm applicability to the proposed project.</i></p> <p><i>If your project is in a federally designated wildlife area or migratory bird sanctuary please check section 1 of the Regulations, which details the designated projects specific to those locations.</i></p> <p><i>If it appears that CEAA 2012 may apply to your proposed project, you must provide the Agency with a description of the proposed project.</i></p>	<p><i>Comments acknowledged.</i></p>

<p>Ministry of Tourism and Culture - Cultural Services Unit</p>	<p>Letter dated March 6, 2015 from Chris Mahood</p>	<p>Under the EA process, the proponent is required to determine a project's potential impact on cultural heritage resources.</p> <p>While some cultural heritage resources may have already been formally identified, others may be identified through screening an evaluation. Aboriginal communities may have knowledge that can contribute to the identification of cultural heritage resources, and we suggest that any engagement with Aboriginal communities includes a discussion about known or potential cultural heritage resources that are of value to these communities. Municipal Heritage Committees, historical societies and other local heritage organizations may also have knowledge that contributes to the identification of cultural heritage resources.</p> <p>Your EA project may impact archaeological resources and you may screen the project with the attached MTCS <u>Criteria for Evaluating Archaeological Potential</u>. MTCS archaeological sites data are available at archaeologicalsites@ontario.ca. If your EA project area has archaeological potential, then an archaeological assessment will be required to assess potential project impacts. Archaeological assessments are undertaken by Ontario Heritage Act licensed consultant archaeologists and submitted directly to MTCS for review.</p> <p>The attached MTCS checklist Screening for Impacts to Built Heritage and Cultural Heritage and Cultural Heritage Landscapes helps determine whether your EA project may impact cultural heritage resources. Municipal clerks can provide information on property listed on a municipal heritage register or designated under Ontario Heritage Act. Municipal planners can also provide information that will assist you in completing the checklist.</p> <p>If there are cultural heritage resources in or adjacent to the project area, a Heritage Impact Assessment (HIA), prepared by a qualified consultant, will need to be completed to assess potential project impacts. Our Ministry's Info Sheet #5: Heritage Impact Assessments and Conservation Plans outlines the scope of HIAs. Please send the HIA to MTCS and the local municipality for review, and make it available to local organizations or individuals who have experienced interest in heritage.</p> <p>All technical heritage studies and their recommendations are to be addressed and incorporated into EA projects. Please advise MTCS whether the technical heritage studies will be completed for your EA project, and provide them to MTCS before issuing a Notice of Completion. If your screening has identified no known or potential cultural heritage resources, or no impacts to these resources, please include the completed checklists and supporting documentation in the EA report or file. MTCS is in no way liable if the information in the completed checklists is found to be inaccurate or incomplete.</p>	<p>Comments acknowledged.</p>
<p>Ministry of Natural Resources, Kingston District</p>	<p>Letter dated March 17, 2015 from Erin Seabert</p>	<p>Please see the original letter for detailed comments provided on Natural Heritage Values, Water, and Species at Risk.</p>	<p>Comments acknowledged. Lafleche will continue to consult with the Ministry and other appropriate agencies with respect to these matters during the preparation of the EA.</p>

<p>Ministry of Aboriginal Affairs</p>	<p>Letter dated May 19, 2015 from Corwin Troje</p>	<p>You should be aware that many First Nations and/or Métis communities either have or assert rights to hunt and fish in their traditional territories. For First Nations, these territories typically include lands and waters outside of their reserves.</p> <p>In some instances, project work may impact Aboriginal archaeological resources could be impacted by your project, you should contact your regulating or approving Ministry to inquire about whether any additional Aboriginal communities should be contacted. Aboriginal communities with an interest in archaeological resources may include communities who are not presently located in the vicinity of the proposed project.</p> <p>With respect to your project, and based on the brief materials you have provided, we can advise that the project appears to be located in an area where First Nations may have existing or asserted rights or claims in Ontario's land claims process or litigation, that could be impacted by your project. Contact information is below:</p> <ul style="list-style-type: none"> • Mohawks of Akwesasne, Grand Chief Mike Mitchell • Algonquins Consultations Office, Janet Stavinga <p>For your information, MAA notes that the following Métis community may be interested in your project given the proximity of their community to the area of the proposed project or because of your project's potential environmental impacts:</p> <ul style="list-style-type: none"> • Ottawa Region Métis Council, Benny Michaud <p>Please copy any correspondence to Ottawa Region Métis Council to the Métis Nation of Ontario. Contact information is below:</p> <ul style="list-style-type: none"> • Métis Nation of Ontario Head Office, Métis Consultation Unit <p>The information upon which the above comments are based is subject to change. First Nation or Métis communities can make claims at any time, and other developments can occur that could result in additional communities being affected by or interested in your undertaking.</p> <p>Through Aboriginal Affairs and Northern Development (AANDC), the Government of Canada sometimes receives claims that Ontario does not receive, or with which Ontario does not become involved. AANDC's Consultation and Accommodation Unit (CAU) established a "single window" to respond to requests for baseline information held by AANDC on established or potential Aboriginal Treaty and rights. To request information from the Ontario Subject Matter Expert send an email to: UCA-CAU@aadnc-aandc.gc.ca.</p> <p>Additional details about your project or changes to it that suggest impacts beyond what you have provided to date may necessitate further consideration of which Aboriginal communities may be affected by or interested in your undertaking. If you think that further consideration may be required, please bring your inquiry to whatever government body oversees the regulatory process for your project. MAA does not wish to be kept informed of the progress of the project; please be sure to remove MAA from the mailing list.</p>	<p>The Mohawks of Akwesasne, Algonquins of Ontario, Ottawa Region Métis Council, Métis Nation of Ontario, Huron Wendat Nation Council, and the Mohawks of the Bay of Quinte have been consulted during the development of the ToR. They will be consulted with during the development of the EA.</p> <p>Lafleche has consulted with the ministry of Tourism and Culture during the preparation of the ToR and confirmed that MTCS has no further concerns for archaeological resources within the identified project scope.</p>
--	--	---	---

<p>MOECC – Technical Support Section, Eastern Region (Water Resources Unit – Surface Water Group)</p>	<p>Letter dated May 21, 2015 from Bruce W. Metcalfe</p>	<p>Relative to the proposed site expansion the EOWHF Owner must ensure that the design of the on-site wastewater treatment plant continues to achieve the required effluent quality and have the hydraulic capacity to effectively manage and treat the landfill leachate impacted waters such that the effluent discharge does not cause adverse impact to the surface water receiver to be protected.</p> <p>Of primary concern relative to surface water impact concerns to be addressed is the wastewater treatment facility and stormwater management works to be employed and their respective effectiveness in treating the EOWHF contaminants of concerns such that the quantity and quality does not pose adverse impact to the receiving surface water regime to be protected.</p>	<p>The ECA for the new wastewater treatment plant confirms that it has been designed to accommodate the hydraulic and contaminant loading and meet effluent quality standards as required for the complete build out of the landfill including Stages 1 through 4.</p> <p>The approval for Industrial Sewage Works at the EOWHF was amended and approved by MOECC in early 2015, authorizing the construction and operation of tertiary level treatment equipment capable of meeting the hydraulic and contaminant loading calculated for all leachate generated by Stages 1 through 4 and the compost facility.</p> <p>A revised Stormwater Management (SWM) Plan is being completed for the EOWHF which addresses the proposed build out of Stages 1 through 4 at the EOWHF. This SWM Plan addresses quantity and quality issues by employing accepted engineering systems for treatment and retention of stormwater to meet acceptable standards. Submission of the SWM Plan for MOECC approval is scheduled for September 2015.</p>
<p>Ministry of Tourism and Culture - Cultural Services Unit</p>	<p>Letter dated June 8, 2015 from Joseph Muller</p>	<p>As noted in our correspondence of February 25, 2015, and documented in Section 8.2.3.1 of the draft Terms of Reference, there are no further concerns for archaeology within the identified project scope.</p> <p>The attached MTCS checklist Screening for Impacts to Built Heritage and Cultural Heritage Landscapes should be completed to help determine whether your EA project may impact cultural heritage resources. The Clerks for the Township of North Stormont and the united Counties of Stormont, Dundas and Glengarry can provide information on property registered or designated under the Ontario Heritage Act. Municipal Heritage Planners can also provide information that will assist you in completing the checklist.</p> <p>If potential or known heritage resources exist, MTCS recommends that a Heritage Impact Assessment (HIA), prepared by a qualified consultant, should be completed to assess potential project impacts. Our Ministry's Info Sheet #5: Heritage Impact Assessments and Conservation Plans outlines the scope of HIAs. Please send the HIA to MTCS for review, and make it available to local organizations or individuals who have expressed interest in heritage.</p> <p>Although Section 8.2.3.1 of the draft Terms of Reference states that no built heritage features exist on- or off-site, nor are any along the access route, identified or potential cultural heritage landscapes should also be addressed in this portion of the Terms of Reference. While mention is made of “cultural and heritage” resources on page 36 of the Record of Consultation, a copy of the completed screening checklist is not provided in either of the draft Terms of Reference or the Record of Consultation.</p> <p>All technical heritage studies and their recommendations are to be addressed and incorporated into EA projects. Please advise MTCS whether any technical heritage studies will be completed for your EA project, and provide them to MTCS before issuing a Notice of Completion. If your screening has identified no known or potential cultural heritage resources, or no impacts to these resources, please include the completed checklists and supporting documentation in the EA report or file.</p>	<p>Comment acknowledged.</p> <p>The “Screening for Impacts to Built Heritage and Cultural Heritage Landscapes” checklist will be completed as part of the Environmental Assessment in consultation with the local municipalities. This has been noted in the Data Sources for the proposed Cultural and Heritage Resources criteria included in Appendix B of the ToR.</p> <p>Section 8.2.3.1 of the ToR has been revised to include cultural heritage landscapes. The checklist will be completed as part of the EA to confirm that no built heritage features or cultural heritage landscapes exist or will be affected by the project.</p> <p>The Screening checklist will be completed during the EA and included as part of the EA documentation. If heritage resources are identified, appropriate heritage studies will be completed as part of the EA and provided to MTCS for review.</p>

<p>MOECC – Technical Support Section, Eastern Region (Air Quality)</p>	<p><i>Letter dated June 5, 2015 from Ross Kircher</i></p>	<p><i>The submission outlines the air quality impacts typically associated with landfills- emissions, odour, and noise.</i></p> <p><i>The 2012 guideline LANDFILL STANDARDS: A GUIDELINE ON THE REGULATORY AND APPROVAL REQUIREMENTS FOR NEW OR EXPANDING LANDFILLING SITES describes four major air quality related areas for new or expanding landfill sites:</i></p> <ul style="list-style-type: none"> • <i>Subsurface migration of landfill gas (LFG) (4.10)</i> • <i>Atmospheric emissions of LFG (4.11)</i> • <i>Design Criteria for Engineered Facilities (4.12)</i> • <i>Design Criteria for Noise (4.13)</i> <p><i>Regulation 232/98 requires an assessment of the potential for subsurface migration of methane and sets concentration limits for:</i></p> <ul style="list-style-type: none"> • <i>Property boundary subsurface,</i> • <i>On-site building, and;</i> • <i>Off-site building locations.</i> <p><i>Regulation 232/98 requires the mandatory collection of landfill gas for sites expanding to a total disposal capacity greater than 3.0 million cubic metres. The proponent should include in the TOR an approach to evaluate proposed LFG collection expansion, and develop a plan to do so.</i></p> <p><i>The proponent should carefully consider the LFG-to-energy plant on site and its impact to emissions under both current operations and proposed alternatives. Owing to the uniqueness of such systems, it is unknown under what circumstances worst case emissions may be. Lafleche should thoroughly examine emissions from the landfill and plant during full operation and inactivity to determine how each level of operation impacts emissions with respect to all relevant regulations.</i></p> <p><i>Air quality, odour and noise impacts should be evaluated as per ministry guidance and using approved ministry models. Meteorological and/or background data used for evaluation should be from approved ambient monitoring stations.</i></p> <p><i>I accept the commitment to include a compliance monitoring plan in the EA, and note that it should encompass noise, odour, and other emissions including but not limited to landfill gas.</i></p> <p><i>I have reviewed Appendix B – Evaluation Criteria, Indicators and Data Sources related to the atmospheric environment. I recommend that air quality indicators include all potential contaminants released through operations at the site, not just particulates/dust. For example, LFG has approximately 50 different constituents which may pose impacts to local air quality.</i></p> <p><i>The draft TOR proposes the evaluation of air quality, noise and odour using acceptable methods, models, data and standards, with the recommendations and exceptions noted above.</i></p>	<p><i>Comment acknowledged. An assessment of the potential for subsurface migration of methane will be prepared as part of the ECA approval for the landfill expansion.</i></p> <p><i>The existing LFG collection system will be expanded to incorporate either expansion alternative. This will be described at a conceptual level of detail in the EA. A more detailed plan for expansion of the LFG collection system will be prepared as part of the ECA approval for the landfill expansion.</i></p> <p><i>The existing LFG to energy plant has been designed to accommodate gas from an expanded landfill and emissions from the plant will not differ between the two alternatives.</i></p> <p><i>Potential effects associated with air quality, noise and odour will be predicted as per MOECC guidance and using approved ministry models.</i></p> <p><i>As described in the ToR, the compliance monitoring plan is intended to assess if the commitments in the EA document and the conditions of approval have been met. The contents of the compliance monitoring plan will not be known until the EA has been prepared. Monitoring of air quality, noise and odour relative to applicable standards will be identified as part of the effects monitoring plan, as appropriate</i></p> <p><i>Comment acknowledged. The Air Quality criteria indicator has been revised to consider predicted off-site point of impingement air concentrations of indicator compounds.</i></p> <p><i>Comment acknowledged.</i></p>
---	---	---	---

Ministry of Agriculture, Food and Rural Affairs	<i>Letter dated June 9, 2015, from John O'Neill</i>	<p><i>Although the subject lands are not shown to be designated as part of the prime agricultural area (Agricultural Resource Lands on the County of Stormont, Dundas and Glengarry OP Schedule), it is observed that the some of the immediately adjacent lands which are within the 'Off-site study area' as described in Section 8.1 of the Terms of Reference (TOR) are designated Agricultural Policy Area, and/or used for agricultural purposes.</i></p> <p><i>Section 8.2 (Existing Conditions by Environmental Component) and particularly 8.2.2.1 and 8.2.2.2 of the Terms of Reference includes references to agricultural resources. OMAFRA requests that agricultural resources in the area continue to be considered as part of the EA and that the Environmental Assessment Methodology and Evaluation of Alternatives identified in Section 9 will consider impacts on the adjacent agricultural land base as well as any accompanying agricultural investment/infrastructure.</i></p> <p><i>Minimize the loss of agricultural lands and minimize any disruptions of agricultural infrastructure such as field tiles, drainage ditches, culverts, field entrances and fences and if unavoidable be appropriately repaired.</i></p>	<i>Appendix B of the ToR includes the proposed evaluation criteria, indicators and data sources that will be applied in the EA to identify the potential effects from each alternative and support the qualitative comparison of the alternatives to identify a preferred alternative. "Effects on agricultural land" is a proposed evaluation criteria and potential effects on adjacent agricultural land will be assessed during the EA for both alternatives.</i>
South Nation Conservation Authority	<i>Telephone James Holland on June 4, 2015</i>	<i>No comment on Draft ToR at this time.</i>	<i>Comment acknowledged</i>
Ministry of Transportation	<i>Telephone on June 4, 2015</i>	<i>No comment on Draft ToR at this time.</i>	<i>Comment acknowledged</i>
Ministry of Natural Resources and Forestry	<i>Telephone on June 4, 2015</i>	<i>No comment on Draft ToR at this time.</i>	<i>Comment acknowledged</i>

Table 5.3 Summary of Comments from Aboriginal Communities and Organizations and their Consideration

Aboriginal Community or Organization	Date Comment Received	Comment/Recommendations	Lafleche Response