# 9.0 OTHER APPROVAL REQUIREMENTS

# 9.1 APPROVALS REQUIRED FOR THE UNDERTAKING

In addition to requiring Ontario Environmental Assessment Act approval, there are a number of other provincial, federal, municipal and utility approvals/permits required to implement the Recommended Plan. The following provides an overview of the permits and approvals required for this project. All permit and approval requirements will be confirmed during Detail Design.

### 9.1.1 Provincial

Approvals/requirements from the Ministry of the Environment, Ministry of Natural Resources, Ministry of Tourism, Culture and Sport, Infrastructure Ontario and Hydro One Networks will be necessary for the Recommended Plan.

#### 9.1.1.1 Ministry of the Environment

The Ministry of the Environment (MOE) is the approval authority for a number of approvals that will be required for the Recommended Plan. These approvals include:

- Permits to Take Water (PTTW) are issued under Section 34 of the Ontario Water Resources Act for temporary water takings that exceed the threshold of 50,000 L/day (or 7.5 lgpm). The groundwater takings for this project will be temporary but may exceed the threshold in some areas of the project. Application for any necessary PTTWs will be made during Detail Design. The PTTW applications will comply with the requirements of Ontario Regulation 387/04.
- Ontario Regulation 347, which identifies hazardous wastes through a series of listings and tests. For this study the regulation will be applied to determine the disposal options of any contaminated materials identified during contaminated site investigations and any site clean-ups (e.g. determining that soil is either hazardous or non-hazardous).

#### 9.1.1.2 Ministry of Natural Resources

Potential Endangered Species Act (ESA) Permit requirements will be reviewed during subsequent design phases relative to known species in the context of the most current list of regulated species (including species protected by anticipated 'general habitat regulations').

#### 9.1.1.3 Ministry of Tourism, Culture and Sport

As the provincial regulatory agency responsible for built heritage, cultural landscapes, and archaeological resources in Ontario, the Archaeology and Heritage Planning Unit of the Ministry of Tourism, Culture and Sport (MTCS) assists MTO in meeting the relevant requirements of the Ontario Heritage Act. These requirements are detailed in the MTO document entitled, *Environmental Protection Requirements for Transportation Planning and Highway* 

Design, Construction, Operation and Maintenance (October 2006), specifically, Section 9: Built Heritage and Cultural Heritage Landscapes and Section 10: Archaeological Resources.

All archaeological fieldwork undertaken to satisfy the conservation requirements tied to the EA process must be conducted by a consultant archaeologist holding a valid archaeological license issued by MTCS under the Ontario Heritage Act. MTCS acts as reviewer of the investigations conducted by licensed archaeologists, manages the resources documented by those investigations, and develops and implements operational policies, technical standards, and guidelines regulating the practice of archaeological conservation in Ontario. Once archaeological resources that may be disturbed by highway design investigations, construction, operation or maintenance have been identified and conserved to the satisfaction of the MTCS, in accordance with the Ontario Heritage Act, MTCS will provide written notification of concurrence with recommendations and acknowledgement that Provincial concerns for archaeological resources have been met. Receipt of this notification from MTCS will fulfill MTO's obligations with respect to archaeological resources under the EA process for the Recommended Plan.

Currently, while there is no parallel licensing and review process in place regulating the assessment and conservation of built heritage and cultural landscapes, MTCS does routinely participate in the review of all relevant EA documentation and thereby provides comment on whether or not provincial concerns for heritage resources have been addressed in accordance with the Ontario Heritage Act.

MTO and MTCS are currently developing proper guidance to assist in the preparation of Conservation Plans that can be employed for MTO projects. This may result in additional documentation requirements for future design phases.

# 9.1.1.4 Infrastructure Ontario and Hydro One Networks

Property will be required from Infrastructure Ontario (IO) as part of the project. This property is owned by IO, but is occupied by Hydro One Networks. IO and Hydro One have received project notification and have participated in the study through agency consultation. Through consultation IO has noted that they own and manage the property, and therefore the property transfer process. IO has confirmed that as part of the property transfer/acquisition process they consult with Hydro One, and all other potentially interested provincial authorities.

Typically when IO disposes or leases land, they have EA requirements under the Ministry of Energy and Infrastructure (MEI) Class EA. Given that the 'IO project' is ancillary to the project, it is intended that their EA requirements are addressed as part of this EA process. This is in keeping with direction provided by the Ministry of the Environment and Section 9.7.1 of the MEI Class EA.

Through discussions with IO, it has been established that this project would be considered a Category A project. Category A projects have low or negligible potential environmental effects, and have been pre-approved by the Minister of the Environment and require no further documentation.

# 9.1.1.5 Compliance with Provincial Plans and Policies

In addition to requiring the preceding approvals, the Recommended Plan was reviewed against the applicable requirements of a number of provincial plans and policies to ensure these were adhered to. A total of three plans and policies were determined to be applicable:

- The Ontario Provincial Policy Statement (2005);
- Growth Plan for the Greater Golden Horseshoe (2006); and
- Metrolinx Regional Transportation Plan: The Big Move (2008).

As part of identifying the Recommended Plan, it was determined that the QEW Credit River Bridge EA has fulfilled all of the relevant requirements of the preceding provincial plans and policies.

### 9.1.2 Federal

The new Canadian Environmental Assessment Act, 2012 (CEAA 2012) and associated regulations came into effect on July 6, 2012. Under CEAA 2012, an environmental assessment is required of "designated projects."

This Study (QEW Credit River Bridge EA Study) was reviewed by the Project Team against the "designated projects" list contained in the new regulation. The highway and bridge aspects of the study are not "designated" and therefore will not require federal assessment.

The project will include the relocation of a section of the Trans-Northern Pipeline (TNPI), regulated by the National Energy Board (NEB). It has been determined, based on the scope of the proposed pipeline relocation, that it is not a "designated" activity and therefore will not require assessment under CEAA. However, the NEB review process for TNPI remains unchanged, even for projects that do not invoke CEAA. It is possible that the pipeline relocation will be categorized as operations / maintenance since there is no upgrade to the facility and no change in transmission parameters. Under these circumstances, TNPI would only be subject to an NEB notification process. However, the final decision depends on specific design details that are not yet available e.g., whether the existing pipe is decommissioned or removed. This NEB process will be confirmed by TNPI, in consultation with NEB, once additional design detail has been developed around pipeline relocation. TNPI will coordinate their reporting and approvals requirements with NEB. MTO will directly support TNPI in this process, particularly with respect to consultation.

With respect to potential future Federal Fisheries Act authorization, the watercourse crossings will be reviewed in accordance with the MTO/DFO/OMNR Fisheries Protocol (2006) during Detail Design, as the valley access and construction methods will need to be factored into the risk assessment. If an authorization under the Federal Fisheries Act is required, this will be obtained prior to construction.

# 9.1.3 Municipal

Typically, as a provincial agency, MTO does not require municipal permits or approvals; however, MTO's policy is to adhere to the intent of specific municipal permit and approval requirements and submit applications for review and information.

Property acquisition will be required from the City of Mississauga. The Ministry will negotiate the transfer of all necessary properties during the Detail Design phase.

### 9.1.4 Utility Agreement Requirements

Contact has been made and discussions have taken place with all potentially affected utility companies/authorities within the study corridor. The Recommended Plan requires a number of utilities to be relocated. During subsequent design phases, formal notification and consent will be obtained from relevant authorities including Hydro One, Enersource Hydro Mississauga, Trans-Northern Pipelines Inc., City of Mississauga and the Region of Peel. Details regarding potential effects to utilities are provided in **Section 8.4.1**.

The following table summarizes applicability and requirements related to any relocation work which may be necessary as part of the proposed improvements.

		Agreement Requirements	
Authority Regulation	Approvals	Design / Relocation	
Trans-Northern Pipelines	Federal NEB Regulated	CEAA not required – not a "designated project" Federal NEB Approval – operations/maintenance work requires NEB notification process	Design and relocation construction – TNPI has indicated their designated contractors would undertake this work; further discussions require moving forward.
Hydro One Networks / Infrastructure Ontario (IO)	Provincial	Property Acquisition – triggers IO Class EA Process; the requirements of that process have been met by this Class EA Report Hydro One facility is not directly impacted by the undertaking and therefore the Hydro One Class EA process is not triggered	IO initiates the inter-provincial property transfer process when MTO submits the formal request for property acquisition. All provincial agencies will be consulted prior to IO finalizing the property transfer.

	Agreement Requirements		
Authority Regulation		Approvals	Design / Relocation
		Hydro One to complete a feasibility study to examine requirements and costs for options for their future twinning within the existing corridor.	
Enersource Hydro Mississauga	Municipal	No EA approvals required prior to design and construction of relocation.	Design and relocation construction – Enersource has indicated they typically undertake this work in advance of the MTO design and construction; further discussions required moving forward.

# 10.0 CLASS EA PRINCIPLES

This study has followed the requirements of the MTO's *Class Environmental Assessment for Provincial Transportation Facilities* which was approved under the Ontario Environmental Assessment Act in the fall of 1999 and amended in 2000.

The goal of all projects and activities covered by the Class EA is to provide a safe and effective transportation system while avoiding or minimizing negative environmental effects. To achieve this goal the Class EA specifies certain mandatory principles which must be achieved. Where appropriate this document has referenced the principles to be applied and how they were achieved during the environmental assessment process.

The following principles underlie the Class EA process for Group A, B and C projects:

- Transportation engineering;
- Environmental protection;
- External consultation;
- Evaluation that is intended to achieve the best overall balance;
- Documentation;
- Bump-up; and,
- Environmental clearance to proceed.

Exhibit 10-1 below summarizes how the principles of the Class EA were addressed in this project.

<b>EXHIBIT 10-1: CLASS EA PRI</b>	NCIPLES
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PRINCIPLES (SECTION OF CLASS EA)	HOW THE CLASS EA PRINCIPLES WERE ADDRESSED
Transportation Engineering (Section 4.1)	
• Provide for the efficient movement of people and goods.	• Deck of existing bridge will be replaced to ensure the efficient and safe movement of people and goods.
	• All traffic lanes will be maintained during construction. Short-term partial lane closures may be required during non-peak periods. As with all MTO projects involving lane, ramp and roadway closures, Advanced Notification Signing will be specified to inform motorists of the closures.
	• Operational improvements, such as auxiliary lanes and improved roadway geometrics will improve safety and operations.
• Meet the needs of the traveling public as a whole, by maximizing opportunities to satisfy existing and future provincial travel demand.	• The proposed improvements will address the long-term needs of the bridge, thus ensuring a continuous, reliable crossing of the Credit River.
• Reflect sound engineering judgment, site specific transportation engineering and / or environmental constraints, transportation demand, capacity of existing and future transportation facilities, traffic composition, trip length, population density and land development, and traffic habits of the overall transportation system users, in meeting or exceeding current provincial design standards and practices.	• The proposed improvements reflect sound engineering and design judgment; including rehabilitating a deteriorating bridge and building a new twinned bridge so as not to impede traffic flow.
• Ensure compatibility with the existing and future provincial and municipal transportation system and system needs, and improve the level of service, safety and operation for the provincial transportation system users.	<ul> <li>The proposed improvements are compatible with existing and future provincial and municipal transportation system and system needs.</li> <li>The level of service, safety and operations will also improve with the proposed improvements as the existing structural deterioration will be eliminated.</li> </ul>

PRINCIPLES (SECTION OF CLASS EA)	HOW THE CLASS EA PRINCIPLES WERE ADDRESSED
• Ensure consistency with other transportation facilities in the vicinity to ensure rational and predictable behaviour of users.	• The proposed improvements will provide a reliable crossing of the Credit River to ensure the continued efficient use of the QEW.
• Ensure the technical feasibility of construction, operation and maintenance.	• The proposed improvements are technically feasible from a construction, operation and maintenance point of view and meet MTO design standards for geometrics. A Constructability Review Workshop focusing on the Recommended Plan was completed.
• Minimize environmental impacts and the use of non- renewable natural resources such as aggregates.	• Environmental impacts have been minimized through mitigation measures (refer to Section 8.0).
• Minimize property requirements and impacts on adjacent properties.	• The alternative with the fewest property impacts was selected.
• Minimize net energy usage of the transportation system.	• The implementation of the proposed improvements will help in avoiding possible traffic disruptions which could lead to reduced access and increased fuel consumption during idling.
• Avoid directing large volumes of long-distance provincial traffic through settlement areas.	• The QEW is within an existing transportation corridor - settlement areas not affected.
	• Traffic staging has been designed to avoid lane closures, so as not to impede QEW traffic flow.
• Maximize opportunities to make the facility "more safe".	<ul> <li>Possible safety concerns associated with structure nearing the end of its useful service life will be addressed by the proposed improvements.</li> </ul>
	Navigational clearance is maintained.
• In consideration of all of the above, provide the maximum	• The maximum benefit has been provided for the lowest cost in addressing the

PRINCIPLES (SECTION OF CLASS EA)	HOW THE CLASS EA PRINCIPLES WERE ADDRESSED
benefit for the lowest cost (considering construction, maintenance and operation costs).	study area issues.
Environmental Protection (Section 4.2)	
• Conduct studies and / or projects with an inherent approach of avoiding or minimizing overall environmental impacts through consideration of alternatives.	<ul> <li>Studies were conducted for natural, cultural and socio-economic features to determine environmental sensitivities and constraints.</li> <li>Alternatives were developed / assessed which best met the study objective and minimized overall environmental impact.</li> </ul>
• Identify existing environmental conditions and potential impacts relevant to the study and / or project.	<ul><li>Existing environmental conditions presented in Section 5.0 of the TESR.</li><li>Potential impacts and mitigation presented in Section 8.0 of the TESR.</li></ul>
• Meet the statutory duties and other requirements of federal and provincial environmental legislation	<ul> <li>Statutory requirements of the Environmental Assessment Act addressed through adherence to the <i>Class Environmental Assessment for Provincial Transportation Facilities</i> (1999, as amended 2000).</li> <li>The watercourse crossings will be reviewed in accordance with the</li> </ul>
	<ul> <li>MTO/DFO/OMNR Fisheries Protocol (2006) during Detail Design. If an authorization under the Federal Fisheries Act is required, this will be obtained prior to construction.</li> <li>National Energy Board authorization will be required.</li> </ul>
• Most the intent of government approved policy and inter-	
• Meet the intent of government-approved policy and inter- ministerial protocols.	• Intent of all relevant government approved policies and protocols have been and will be met, including OPSS 180, Ontario Heritage Bridge Guidelines, MTO's Environmental Guide for Fish and Fish Habitat, MTO's Guide for Erosion and Sediment Control, MTO's Guide for Noise, and MTO's Environmental Reference for Highway Design.

PRINCIPLES (SECTION OF CLASS EA)	HOW THE CLASS EA PRINCIPLES WERE ADDRESSED
• Address the Ministry of Transportation's Statement of Environmental Values.	• The preliminary design has demonstrated protection of the natural environment by minimizing impacts and incorporating mitigation.
	• Environmental concerns in decision-making have been demonstrated in this design through inclusion of environmental criteria in the evaluation of alternatives.
	• Integrated transportation planning has been provided through the application of sound transportation engineering and environmental planning principles.
	• Consultation has been addressed, and green practices promoted through general protection mitigation measures.
• Balance environmental protection considerations with transportation engineering considerations during each stage of the study and / or project process, recognizing that safety and effectiveness of the transportation system is fundamental to such decisions.	• Environmental protection considerations have been balanced with transportation engineering considerations, as demonstrated in the evaluation of alternatives, selection of a Recommended Plan and mitigation measures.
• Recognize that it is seldom possible to satisfy all interests when making the tradeoffs necessary in the EA process, and that no single environmental factor is always "paramount".	• Evaluation of alternatives involved the factors of natural environment, cultural environment, socio-economic environment, technical considerations and cost.
• Recognize that environmental mitigation measures themselves may have environmental impacts which offset their benefit.	• It is recognized that environmental mitigation measures themselves may have environmental impacts which offset their benefit (i.e. additional vegetation removal may be required to install silt fence barriers for erosion).
• Provide mitigation effort in proportion to environmental significance and ability to reasonably mitigate.	• Appropriate mitigation effort provided. Emphasis has been placed on reducing impacts and providing mitigation, especially fisheries and aquatic habitat mitigation.

PRINCIPLES (SECTION OF CLASS EA)	HOW THE CLASS EA PRINCIPLES WERE ADDRESSED
• Monitor the implementation of environmental protection and mitigation measures during construction.	• Monitoring requirements are specified (refer to Section 8.0 of the TESR).
External Consultation (Chapter 5)	
• External stakeholders, including external agencies and the public will be notified of the proponent's intention to carry out a study at the beginning of the study, before the proponent becomes committed to a particular solution.	• External stakeholders were notified at the beginning of the study by email / letter and by newspaper advertisements in local newspapers ( <i>Mississauga News, Toronto Star, and Toronto L'Express</i> ).
• In all cases, the consultation plan will be developed to place emphasis on consultation with the stakeholders most directly affected.	• Emphasis was placed on consulting with local stakeholders by advertising in local newspapers, through direct distribution of update brochures, registered letters to affected property owners, and by contacting local municipal authorities and agencies in addition to provincial and federal ministries.
• The consultation plan will provide timely, user-friendly opportunities for input by the public and the agencies whose mandates are most directly affected.	• The consultation plan provided opportunity for timely, user-friendly input throughout the project through a variety of consultation methods (including website comment form, Public Information Centre's and Community Workshops).
• Consultation will be used to assist in the identification of data requirements.	• External agencies were contacted initially to determine existing background information and sensitivities and assist in determining further data requirements.
• The proponent will constructively address input received during the consultation process.	• Input received during the consultation process was addressed (refer to Section 4.0 of the TESR).
• During later planning and design phases, the proponent will show how the input received in earlier stages affected the project.	• The outcome from input received is documented in Section 4.0.

PRINCIPLES (SECTION OF CLASS EA)	HOW THE CLASS EA PRINCIPLES WERE ADDRESSED
• The amount, extent and timing of consultation will vary according to the complexity of a specific project, the nature of the specific environmental issues, and the concerns expressed by the public and external agencies.	<ul><li>The extent of consultation focused on local stakeholders and relevant external agencies, as per the nature of the project.</li><li>The timing of consultation provided opportunity for input throughout the project.</li></ul>
• For each study, appropriate methods of notification will be selected based on the nature of the study area, the external parties to be contacted, the stage of the study, and the issues to be addressed.	• Appropriate methods of notification were utilized during this study including email / letter notification, newspaper advertisements, brochures, community workshops, and the use of portable signage.
• The proponent will make reasonable efforts to resolve concerns. Mediation will be considered for major issues, at key decision points.	• All reasonable effort has been undertaken to address concerns (refer to Section 4.0).
Evaluation (Section 4.3)	
• The evaluation process must be traceable, replicable, and must be understandable by those who may be affected by the decisions.	<ul> <li>The evaluation process is traceable, replicable and understandable and was based on a qualitative trade-off analysis and is clearly explained using a variety of factors (refer to Exhibits 6-18 and 6-19 of the TESR).</li> <li>This evaluation process is commonly used in MTO projects for alternative selection and is generally accepted as a reasonable methodology for projects of this scope and complexity.</li> </ul>
• All relevant factors, including transportation engineering and environmental protection, will be given due consideration.	• All relevant factors were considered (refer to Exhibit 6-19 of the TESR) including the natural, cultural and socio-economic environments, transportation/technical considerations and cost.
• The evaluation may be subjective (based on reasoned argument) or objective (using quantifiable data).	• The evaluation was based on reasoned argument and augmented with qualitative research and background/field information where appropriate.

PRINCIPLES (SECTION OF CLASS EA)	HOW THE CLASS EA PRINCIPLES WERE ADDRESSED
• For Group A projects, the proposed evaluation process in planning will be established through consultation with external stakeholders	• Not applicable, as this is a Group B project.
• Factors may be refined from one stage of a project to the next.	• Factors were refined throughout the course of the study through field investigations, engineering work and understanding of stakeholder concerns.
Environmental Documentation (Section 6.1)	
• The document content requirements will be fulfilled.	• The document content requirements have been fulfilled. The content requirements and the corresponding sections in the TESR are as follows:
	o study objectives - Sections 1.3 and 3.2
	• earlier and related work – noted throughout
	• transportation engineering issues – Sections 1.3 and 3.2
	• environmental issues – Section 5.0 and Section 8.0
	• alternatives developed and evaluated – Section 6.0
	• external consultation – Section 4.0
	• changes made as a result of external consultation – Section 4.0
	• Recommended Plan – Section 7.0
	• commitments to future action – Section 8.0
• Documentation will deal with project-specific details and issues. Information presented in this Class EA will not be repeated.	• This TESR addresses project specific details and issues (i.e. problems and opportunities, site specific natural, cultural and socio-economic features, alternatives selection, impact assessment and mitigation).
	• Information in the Class EA is not repeated except where necessary.

PRINCIPLES (SECTION OF CLASS EA)	HOW THE CLASS EA PRINCIPLES WERE ADDRESSED
• Documentation will cover the results of the study to date.	• This TESR covers the results of the study to date.
• A TESR and DCR must cover full phases.	• This TESR covers the full preliminary design phase.
• Where a Study Design Report, TESR or DCR is required, an opportunity to review the documentation and provide comments will be provided.	<ul> <li>An opportunity to review the TESR will be provided at the review locations as noted in The Public Record (page i).</li> <li>An opportunity to provide comments on the TESR has been provided for in the newspaper notification for filing this TESR.</li> </ul>
• The review period for Study Design Reports, TESRs and DCRs will be at least 30 days.	• A review period of 45 days was provided for the TESR.
Bump-up (Section 6.2)	
• Notice of bump-up opportunity will be provided upon formal submission of the TESR in all cases, and if applicable, upon submission of the DCR.	• Bump-up opportunity notification has been provided for in the newspaper notification for filing the TESR.
• The review period following the notice of bump-up opportunity will be at least 30 days in all cases.	• A review period of 45 days has been provided.
• Environmental Clearance - Construction Start will not be issued, and the construction of physical works will not begin, until the 30-day review period is over and any bump-up requests have been dealt with.	• N/A for a Preliminary Design project.
Environmental Clearance (Chapter 8)	
• The study principles for transportation engineering, environmental protection, evaluation, consultation,	• Study principles have been applied to this project as detailed in this exhibit.

PRINCIPLES (SECTION OF CLASS EA)	HOW THE CLASS EA PRINCIPLES WERE ADDRESSED
documentation, and bump-up set out in this Class EA have been applied to the project.	
• The study process set out in this Class EA has been applied.	• The study process for a Group 'B' project under the Class EA have been applied, as detailed throughout the TESR.

# 11.0 NEXT STEPS

The Transportation Environmental Study Report (TESR) has been filed with the Ministry of the Environment and is available for a 45-day public review period. Review locations have been published in local newspapers.

Interested persons are encouraged to review this document and provide comments. If, after consulting with the Ministry's consultants and staff, you have serious unresolved concerns, you have the right to request the Minister of the Environment (11th Floor Ferguson Block, 77 Wellesley Street West, Toronto, Ontario, M7A 2T5) to "bump-up" (i.e. make a Part II Order for this project). A Part II Order may lead to preparation of an individual environmental assessment. A copy of the "bump-up" request should be forwarded to the Ministry of Transportation at the address provided in **Section 2.4** of this TESR.

Following the filing of the TESR and Environmental Clearance for utility relocation, rightof-way designation and property aquistion, MTO may proceed to the Detail Design stage as outlined in the MTO's *Class Environmental Assessment for Provincial Transportation Facilities* (2000).

A Design and Construction Report (DCR) will be prepared during Detail Design to address all issues which were outstanding at the end of Preliminary Design and identified during Detail Design.

Detail Design and Construction activities will include:

- Commencement of Detail Design public notice;
- Complete Drawings and Tender Documents;
- Cross section details;
- Resolution of all utility conflicts;
- Final property requirements;
- DCR submitted and 30-day review for construction start after 30-day review period;
- Design and Construction Report;
- Environmental Clearance for Construction Start;
- Construction; and,
- Monitor for Environmental Provisions and commitments.

Monitoring objectives during construction include:

- Individual measures and issues such as those outlined in **Section 8.0** (e.g. erosion and sedimentation control, waste handling and materials /equipment storage); and,
- Monitoring of overall effectiveness of control measures.

MTO or contracted environmental inspectors will make regular visits to the work site to ensure that mitigation measures described in this report and in the subsequent contract document provisions are carried out effectively. The timing and frequency of these visits will coincide with the schedule of the construction operations and will be adjusted to reflect the sensitivity of site concerns and the development of unforeseen environmental problems during and after construction.