

# 407 East Extension

## 407 East Advisory Committee (EAC) Meeting #5

### Agenda

June 2, 2011

9:30 a.m. – 12:00 p.m.

Regional Municipality of Durham, Regional Headquarters  
605 Rossland Rd. E, Whitby, ON  
Meeting Room I-B

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**Purpose:**

- a) To approve the 407 EAC meeting #3 minutes and to discuss the 407 EAC meeting #4 draft minutes;
- b) To provide the 407 EAC members with an update on the implementation of Phase 1 and Phase 2, CEAA status, and EA Conditions of Approval;
- c) To update the 407 EAC members on the committee's role for Phase 1 and Phase 2
- d) To discuss the procedure of amending the 407 EAC ToR; and,
- e) To provide an opportunity for a Questions and Answers discussion period.

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| <b>9:30 am</b>  | <b>1. Networking and light refreshments</b>  |
| <b>9:40 am</b>  | <b>2. Opening remarks, purpose of the meeting and agenda review</b><br>Lou Politano, Regional Director   |
| <b>9:50 am</b>  | <b>3. Approve Minutes from 407 EAC meeting #3</b><br>Lou Politano / All  |
| <b>9:55 am</b>  | <b>4. Discuss draft Minutes from the 407 EAC meeting #4</b><br>Lou Politano / All  |
| <b>10:15 am</b> | <b>5. General Updates – Implementation of Phase 1 and Phase 2, CEAA status, and EA Conditions of Approval</b><br>Peter Chackeris and Dan Remollino   |
| <b>11:15 am</b> | <b>6. Break</b>  |
| <b>11:30 am</b> | <b>7. Update on 407 EAC: Phase 1 and Phase 2</b><br>Dan Remollino <ul style="list-style-type: none"><li>• Procedure to amend 407 EAC Terms of Reference for Phase 1</li><li>• 407 EAC role for Phase 2</li></ul> |
| <b>12:00 pm</b> | <b>8. Other Business, Next Meeting and Adjourn</b>   |

**407 East Extension – 407 East Advisory Committee (407 EAC)  
Minutes of Meeting #5**

**Held On:** Thursday, June 2, 2011 between 9:30 and 12:00 PM

**Held At:** Regional Municipality of Durham, Regional Headquarters, Whitby. Meeting Room I-B

**Present:**

**Project Team:** Lou Politano (MTO, Regional Director, Central Region)  
Peter Chackeris (MTO, Head, 407 East Implementation)  
Dan Remollino (MTO, Head, Planning and Engineering)  
Darlene Proudfoot (MTO, Senior Environmental Planner)  
Diane Naluzny (MTO, Communications Specialist)  
Rita Venneri (MTO, Senior Project Engineer)  
Khaled El-Dalati (Delcan, 407 Owner's Engineer, Project Manager)  
Lisa Josephson (Delcan, 407 Owner's Engineer, EAC Coordinator)  
Grant Kauffman (LGL, 407 Owner's Engineer, Lead Environmental Planner)

**Members:** Beth Williston (Toronto Region Conservation Authority, Manager of Environmental Assessment Planning)  
Cliff Curtis (The Regional Municipality of Durham, Commissioner of Works)  
Edward Terry (Town of Ajax, Policy Planner)  
Gary Carroll (City of Oshawa, Director, Engineering Services)  
Greg Wells (Ganaraska Region Conservation Authority, Manager, Planning Regulations)  
Jeff Hagan, for Suzanne Beale (The Corporation of the Town of Whitby, Acting Transportation Project Engineer)  
Nisha Shirali, for Dan Orr (Ministry of Environment, Environmental Resource Planner)  
Perry Sisson (Central Lakes Ontario Conservation Authority, Director, Engineering and Field Operations)  
Steve Gaunt (The Corporation of the City of Pickering, Principal Planner, Policy Planning & Development Department)  
Stu Niven (Fisheries and Oceans Canada, Habitat Team Leader)  
Tony Cannella (Municipality of Clarington, Director, Engineering Services)

**CC'd:**

**Members:** Dan Orr, observer (Ministry of Environment, Manager, Technical Support)  
Darla Cameron (Canadian Environmental Assessment Agency, Section Lead)  
Debbie Pella Keen (Ministry of Natural Resources, District Manager)  
Dorothy Moszynski (Ministry of Environment, Issues Project Coordinator)  
Melinda Thompson-Black (Ministry of Natural Resources, Species at Risk Biologist)  
Rob Dobos (Environment Canada, Manager, Environmental Assessment Section)  
Suzanne Beale (The Corporation of the Town of Whitby, Commissioner of Public Works)  
Tom Hoggarth (Fisheries and Oceans Canada, Eastern Ontario District)

**Purpose of Meeting:**

The purpose of this meeting was to: approve the 407 EAC meeting #3 minutes; review the minutes from the 407 EAC meeting #4; provide an update on the implementation of Phase 1 and Phase 2, CEAA status, and EA Conditions of Approval; provide an update s on the committee's role for Phase 1 and Phase 2; and discuss the procedure for amending the 407 EAC Terms of Reference.

Hard copies of the final Minutes from the 407 EAC meeting #3 and draft Minutes from the 407 EAC meeting #4 were distributed. Discussions were led by Lou Politano, Dan Remollino and Peter Chackeris from MTO. Throughout the meeting, there was an opportunity for questions and answers.

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No.	Item	Action
1.0	<p><b>Opening Remarks, Introductions, Purpose of the Meeting and Agenda Review</b> Lou Politano welcomed participants and chaired the meeting. Following introductions, Lou reviewed the meeting purpose and the agenda for the morning. He continued by briefly addressing updates to the project and timelines announced by the Minister in March 2011.</p>	
2.0	<p><b>Approval of Minutes from the 407 EAC Meeting #3</b> Dan Remollino asked the committee if further changes were required to Meeting #3 Minutes. No other issues were tabled and the final Minutes were approved.</p>	
3.0	<p><b>Review and Discussion of Draft Minutes from the 407 EAC Meeting #4</b> Dan Remollino reviewed the action items from the Minutes from Meeting #4.</p>	
3.1	<ul style="list-style-type: none"> <li>• <b>Action:</b> Delcan to send all final documents to the EAC members (Compliance Monitoring Program, Stormwater Management Plan and Complaints Protocol).</li> </ul>	Delcan
3.2	<ul style="list-style-type: none"> <li>• <b>Action:</b> 407 EAC to review the Minutes from meeting #4 and send comments back to Delcan within the week. If changes are required, Delcan to update minutes from meeting #4 and re-circulate them as final “draft” to 407 EAC for approval.</li> </ul>	407 EAC / Delcan
3.3	<ul style="list-style-type: none"> <li>• <b>Action:</b> Once approved, final Minutes from meeting #4 to be circulated to the 407 EAC and posted on the project website.</li> </ul>	Delcan / LGL
4.0	<p><b>Update on the EA and CEAA Status</b> Dan Remollino provided an update on the EA and CEAA status, as well as other associated items.</p>	
4.1	<ul style="list-style-type: none"> <li>• Provincial EA: MTO is working to meet the EA Conditions of Approval.</li> </ul>	
4.2	<ul style="list-style-type: none"> <li>• CEAA status: MTO is awaiting a decision by CEAA, most likely to occur in late spring/early summer.</li> </ul>	
4.3	<ul style="list-style-type: none"> <li>• Hydro One is working on a Class EA (to be completed in late July/August, 2011)</li> </ul>	
4.4	<ul style="list-style-type: none"> <li>• Brock Road amendment includes minor refinement to the alignment (slightly to the west) due to location of Aboriginal site (not a part of the RFP).</li> </ul>	
4.5	<ul style="list-style-type: none"> <li>• Limits of Phase 1 in the RFP (to east of Brock Road). Connection to 407 ETR to be procured separately.</li> </ul>	
5.0	<p><b>Update on Implementation and Procurement</b> Peter Chackeris provided an update on the implementation and procurement. Key dates were provided for construction and opening day timelines, as were preconstruction details. This included updates to utilities, properties being acquired and archaeological assessments.</p>	
5.1	<ul style="list-style-type: none"> <li>• Stage 2 archaeological assessments are almost complete.</li> </ul>	
5.2	<ul style="list-style-type: none"> <li>• MTO is now proceeding with Stage 3 archaeological assessments. There is a recommendation to do a Stage 4 assessment at the Aboriginal site at Highway 407 East and the West Durham Link.</li> </ul>	
5.2.1	<ul style="list-style-type: none"> <li>○ MTO is planning on starting the Stage 4 assessment in June or July of this year, to remove artefacts from the site in order to clear it. This is the most significant site found to date.</li> </ul>	
5.3	<ul style="list-style-type: none"> <li>• Meetings have been ongoing with regulatory agencies and municipalities.</li> </ul>	

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No.	Item	Action
5.4	<ul style="list-style-type: none"> <li>• Three separate Species at Risk (SAR) permits are required for: Redside Dace, Bobolink and Butternut.</li> </ul>	
5.4.1	<ul style="list-style-type: none"> <li>○ All permits will be received by end of year / financial close (next year).</li> </ul>	
5.4.2	<ul style="list-style-type: none"> <li>○ MTO is working with DFO regarding conceptual crossings.</li> </ul>	
5.4.3	<ul style="list-style-type: none"> <li>○ Project Co will be responsible for getting the required fisheries authorizations.</li> </ul>	
5.5	<ul style="list-style-type: none"> <li>• Commercially confidential meetings with bidders were discussed.</li> </ul>	
5.5.1	<ul style="list-style-type: none"> <li>○ MTO will have an initial information session with senior officials who will participate in the bidding information sessions (late July – 20th).</li> </ul>	
5.5.2	<ul style="list-style-type: none"> <li>○ No binding information will be provided in the bidding information sessions.</li> </ul>	
5.5.3	<ul style="list-style-type: none"> <li>○ The information sessions will include all municipalities.</li> </ul>	
5.5.4	<ul style="list-style-type: none"> <li>○ IO will be convening the bidding information sessions.</li> </ul>	
5.5.5	<ul style="list-style-type: none"> <li>○ Standard questions will be shared with all bidders.</li> </ul>	
5.5.6	<ul style="list-style-type: none"> <li>○ Questions that are commercially confidential will be examined by a fairness advisor who may deem it as such.</li> </ul>	
5.5.7	<ul style="list-style-type: none"> <li>○ <b>Action:</b> MTO to talk with IO about this (issue of commercially confidential questions) and will get back to 407 EAC.</li> </ul>	MTO
5.6	<ul style="list-style-type: none"> <li>• Phase 2 will require a separate procurement process.</li> </ul>	
5.7	<ul style="list-style-type: none"> <li>• Utility meetings:</li> </ul>	
5.7.1	<ul style="list-style-type: none"> <li>○ MTO has met with utility companies to provide updates on Phase 1 and 2.</li> </ul>	
5.7.2	<ul style="list-style-type: none"> <li>○ Municipalities will also get involved in utility meetings.</li> </ul>	
5.7.3	<ul style="list-style-type: none"> <li>○ Each bidding team meet with the utility companies.</li> </ul>	
5.8	<ul style="list-style-type: none"> <li>• Communication with Bidding Teams:</li> </ul>	
5.8.1	<ul style="list-style-type: none"> <li>○ <b>Action:</b> If municipalities/agencies receive too many calls from bidders, they are to inform MTO.</li> </ul>	407 EAC
5.9	<ul style="list-style-type: none"> <li>• Road closures:</li> </ul>	
5.9.1	<ul style="list-style-type: none"> <li>○ MTO has begun the process to close roads identified in the EA (twelve in Phase 1).</li> </ul>	
5.9.2	<ul style="list-style-type: none"> <li>○ MTO is going through the OMB process. The letter and package have been prepared and will go to the OMB in the next week to get a hearing date for closures.</li> </ul>	
5.9.3	<ul style="list-style-type: none"> <li>○ MTO met with municipalities and the region and asked them to help with closures.</li> </ul>	
5.9.4	<ul style="list-style-type: none"> <li>○ MTO is hoping for late summer / early fall for a hearing date.</li> </ul>	

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No.	Item	Action
5.9.5	<ul style="list-style-type: none"> <li>○ Notification to residents will be at the discretion of the OMB and may include: advertisement in the newspaper; signs to be posted on the road (to be closed); direct mailing notification to any property within 1 km of the road closure; and letters to municipalities.</li> </ul>	
5.9.6	<ul style="list-style-type: none"> <li>○ MTO recently hosted a meeting with residents on Paddock Road.</li> </ul>	
5.9.6.1	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>▪ <b>Action:</b> MTO to continue to send information to residents on Paddock Road regarding closure.</li> </ul> </li> </ul>	MTO
5.10	<ul style="list-style-type: none"> <li>● Negotiation meetings continuing with individual municipalities regarding road impacts.</li> </ul>	
5.10.1	<ul style="list-style-type: none"> <li>○ <b>Action:</b> MTO to provide general update on this at the next 407 EAC meeting.</li> </ul>	MTO
6.0	<p><b>Update on EA Conditions of Approval</b></p> <p>Dan Remollino provided an update on the EA Conditions of Approval.</p>	
6.1	<ul style="list-style-type: none"> <li>● 10 Conditions of Approval require completion before issuing the procurement document.</li> </ul>	
6.2	<ul style="list-style-type: none"> <li>● 9 of 10 frameworks have been provided to MOE for review and comment.</li> </ul>	
6.3	<ul style="list-style-type: none"> <li>● Condition 4, Compliance Monitoring Program (CMP):</li> </ul>	
6.3.1	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>○ CMP to provide the framework for all Annual Compliance Reports (ACR).</li> </ul> </li> </ul>	
6.3.2	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>○ MTO is committed to providing a copy of the CMP to the 407 EAC.</li> </ul> </li> </ul>	
6.4	<ul style="list-style-type: none"> <li>● Condition 5, ACR:</li> </ul>	
6.4.1	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>○ The first ACR was submitted on May 31, 2011. The next one to be submitted by MTO on May 31, 2012. Following this, Project Co will be responsible for submitting the ACRs, with input and review by MTO.</li> </ul> </li> </ul>	
6.4.2	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>○ There is nothing that prohibits Project Co from going above and beyond what's included in the ACR.</li> </ul> </li> </ul>	
6.5	<ul style="list-style-type: none"> <li>● Condition 7, Stormwater Management Plan:</li> </ul>	
6.5.1	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>○ The framework identified two pilot projects: filter sock and grass liners.</li> </ul> </li> </ul>	
6.5.2	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>○ MTO is implementing the pilot projects on an existing corridor. If results are favourable, MTO to implement measures on Highway 407 East.</li> </ul> </li> </ul>	
6.6	<ul style="list-style-type: none"> <li>● Condition 8, Surface Water Monitoring and Mitigation:</li> </ul>	
6.6.1	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>○ MTO is monitoring, upstream and downstream, 4 watercourses for: suspended solids, turbidity and temperature.</li> </ul> </li> </ul>	
6.7	<ul style="list-style-type: none"> <li>● Condition 9, Winter Maintenance:</li> </ul>	
6.7.1	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>○ MTO is implementing jurisdictional scans and have identified salt vulnerable areas.</li> </ul> </li> </ul>	
6.7.2	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>○ Since salt management policies are standardized across the province, Highway 407 East will not be different from other highways.</li> </ul> </li> </ul>	

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No.	Item	Action
6.8 6.8.1 6.8.2 6.8.3 6.9 6.9.1 6.10 6.10.1 6.10.2 6.10.3 6.10.4 6.11	<ul style="list-style-type: none"> <li>• Condition 10, Noise Mitigation               <ul style="list-style-type: none"> <li>○ 10 to 14 receptors have been identified with noise levels above the acceptable threshold.</li> <li>○ MTO will further consult with affected property owners in Phase 1.</li> <li>○ MOE will review framework.</li> </ul> </li> <li>• Condition 13, Complaint Protocol:               <ul style="list-style-type: none"> <li>○ The protocol has been submitted and accepted / signed off by MOE.</li> </ul> </li> <li>• Condition 15, Construction Noise, Vibration and Air Quality Impacts:               <ul style="list-style-type: none"> <li>○ Air Quality: two locations will be monitored before and during construction (Brooklin and West Whitby).</li> <li>○ Noise and Vibration: The framework outlines typical construction activities to be monitored along with regulatory requirements and potential impacts and recommends mitigation measure.</li> <li>○ Vibration: MTO to complete a pre-survey of homes in the area, in case claims are made at a later date.</li> <li>○ Complaints Protocol will serve as the mechanism to deal with this during construction.</li> </ul> </li> <li>• <b>Action:</b> MTO to discuss with MOE whether there's an issue with posting the approved frameworks on the project website.</li> </ul>	MTO
7.0 7.1 7.1.1 7.1.1.1 7.1.1.2 7.1.2 7.2	<p><b>Update on 407 EAC: Phase 1 and Phase 2</b></p> <ul style="list-style-type: none"> <li>• 407 EAC agreed to expand mandate of group to include Phase 2. 407 EAC Terms of Reference (ToR) will be updated to include this.               <ul style="list-style-type: none"> <li>○ <b>Action:</b> Delcan to update the ToR and distribute it to 407 EAC once complete.                   <ul style="list-style-type: none"> <li>▪ Sentence to be added at the end to have the 407 EAC review the ToR at the end of each year to see if changes/updates are required.</li> <li>▪ Changing process: Track changes will be used when updating the document. Once emailed to the committee, members will be given a week to review and provide comments. Any required changes will be incorporated and the updated ToR will be resent to the committee members. Following this stage, members will be asked to accept the ToR. If accepted by all 407 EAC members, the final ToR will be added to website.</li> </ul> </li> <li>○ 407 EAC to accept / approve the ToR at next meeting.</li> </ul> </li> <li>• MTO explained that each member of the committee is important (and mandated by the Condition of Approval #6.3). However, as the project moves forward into Phase 2, issues might not be as important to the different agencies/municipalities.</li> </ul>	Delcan

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No.	Item	Action
8.0	<b>Upcoming Open House</b>	
8.1	<ul style="list-style-type: none"> <li>• An open house to provide an update on Phase 1 (primarily) and Phase 2 will be held during the last week of June in either Oshawa or Whitby.</li> </ul>	
8.1.2	<ul style="list-style-type: none"> <li>○ The event may run from 3 to 8 pm, with the first hour open to agency and municipal staff and the following four hours open to the public.</li> </ul>	
8.1.3	<ul style="list-style-type: none"> <li>○ Notifications will be placed in local newspapers and on the project website.</li> </ul>	
8.1.4	<ul style="list-style-type: none"> <li>○ MTO clarified that there will not be a separate media session, although media are welcome to attend the open house as they wish.</li> </ul>	
9.0	<b>New Website for Highway 407 East</b>	
9.1	<ul style="list-style-type: none"> <li>• Once a decision has been made in regards to the Federal EA, the old project EA website will go dormant. Until then, a link will be provided to the old website.</li> </ul>	
9.2	<ul style="list-style-type: none"> <li>• The new project website will contain all information from the old project website.</li> </ul>	
9.3	<ul style="list-style-type: none"> <li>• The new project website, <a href="http://www.highway407east.com">www.highway407east.com</a>, launched on June 1, 2011.</li> </ul>	
9.4	<ul style="list-style-type: none"> <li>• At this point, there is no provision for social media, but the new site will have the ability to offer social media at a later date.</li> </ul>	
9.5	<ul style="list-style-type: none"> <li>• The website will provide information from the upcoming open house.</li> </ul>	
9.6	<ul style="list-style-type: none"> <li>• Information and documents from the 407 EAC will be made available through the website and may include: meeting minutes, agendas, ToR, etc.</li> </ul>	
9.7	<ul style="list-style-type: none"> <li>• Only the final version of the meeting minutes will be posted on the website.</li> </ul>	
10.0	<b>Questions, Other Business and Next Meeting</b>	
10.1	<ul style="list-style-type: none"> <li>• Steven Gaunt asked about the status of the Rogers Farm property/structures.</li> </ul>	
10.2	<ul style="list-style-type: none"> <li>○ MTO explained that they are in the process of getting consultants to complete the Cultural Heritage Evaluation Report for the property. The farm and outbuildings will be a part of the heritage strategy and may become candidates for adaptive reuse, resale and/or relocation.</li> </ul>	
10.3	<ul style="list-style-type: none"> <li>○ <b>Action:</b> MTO to keep the Pickering Heritage Committee informed about the status of the Rogers Farm.</li> </ul>	MTO
10.4	<ul style="list-style-type: none"> <li>• <b>Action:</b> A copy of the 407 EAC meeting #4 presentation will be emailed to the 407 EAC members.</li> </ul>	Delcan
10.5	<ul style="list-style-type: none"> <li>• Next Meeting: Mid-September and will discuss property that has been acquired, results from meetings with municipalities, etc.</li> </ul>	
10.6	<ul style="list-style-type: none"> <li>○ <b>Action:</b> Send Region of Durham proposed meeting dates.</li> </ul>	Delcan

If there are any errors or omissions, please advise [l.josephson@delcan.com](mailto:l.josephson@delcan.com) within seven days of the issuance of these minutes.

Minutes prepared by  
 DELCAN CORPORATION