

## Highway 407 East Project - 407 East Advisory Committee (407 EAC) Minutes of Meeting #18

**Date:** Monday, June 19, 2017; 1:30 p.m. – 3:30 p.m.  
**Location:** Meeting Room: I-B, Regional Municipality of Durham, Regional Headquarters, Whitby

**Present: Project Team:** Calvin Curtis (MTO, Manager, MPO)  
Martin Michalek (MTO, Head, Planning and Engineering, MPO)  
Chris Brown (MTO, Environmental Planner, MPO)  
Diane Naluzny (MTO, Communications Specialist, MPO)  
Roxanne Lypka (Parsons, 407 Owner's Engineer)

**Members:** Jeff Brooks (City of Pickering, Manager of Policy and Geomatics)  
Paul Gee (Durham Region, Manager, Transportation Design)  
Mike May (Town of Whitby, Project Engineer)  
Perry Sisson (CLOCA, Director, Engineering and Field Operations)

**CC: Project Team:**

**Members:** Beth Williston (TRCA, Associate Director)  
Gary Cooper (DFO, Fisheries Protection Biologist)  
Greg Wells (GRCA, Manager, Planning & Regulations)  
Greg Hardy (Town of Whitby, Manager, Engineering Services)  
Rob Dobos (Environment Canada, Manager, Environmental Assessment Section)  
Ross Lashbrook (MOECC, Manager, Technical Support- Central Region)  
Suzanne Beale (Town of Whitby, Commissioner of Public Works)  
Teepu Khawja, (MTO, Regional Director)  
Dawnett Allen (MTO, Environmental Planner, MPO)  
Darlene Proudfoot (MTO, Senior Environmental Planner, MPO)  
Hubert Ng (Town of Ajax, Supervisor of Transportation)  
Sharon Lingertat (TRCA, Senior Planner, Environmental Assessment)  
Tony Cannella (Municipality of Clarington, Director, Engineering Services)

### Meeting Purpose:

The purpose of this meeting is to review outstanding items from the minutes of the 407 EAC meeting #17 (November 2017); provide an update on Phase 1, and Phase 2; and provide an opportunity for questions and answers.

Hard copies of the meeting agenda and minutes from the 407 EAC meeting #17 were distributed. Discussions were led by Calvin Curtis from MTO.

**Highway 407 East Project - 407 East Advisory Committee (407 EAC)  
Minutes of Meeting #18**

No.	Item	Action
<b>1.0</b>	<b>Opening remarks, Purpose of the Meeting and Agenda Review</b>	
1.1	Calvin Curtis chaired the meeting and initiated a round table of introductions.	
<b>2.0</b>	<b>Review of Meeting #17 Minutes</b>	
2.1	The last 407 EAC Meeting was held November 21 <sup>st</sup> , 2016. Draft minutes were emailed to 407 EAC members for review February 21 <sup>st</sup> , 2017. Comments were received and incorporated into the minutes. Parsons sent an email March 23 <sup>rd</sup> , 2017 confirming that the minutes were finalized and uploaded to the website at: <a href="http://highway407east.com/documents/407-EAC-Meeting-17-Minutes.pdf">http://highway407east.com/documents/407-EAC-Meeting-17-Minutes.pdf</a>	
2.2	Phase 1 Update	
2.2.1	<ul style="list-style-type: none"> <li>Deficiency Corrections - EDG is working to address all deficiencies and that is anticipated to be completed within a couple of months</li> </ul>	
2.3	Name change for East Creek to Oshawa Creek	
2.3.1	Update: MTO currently arranging for manufacture of sign, 407EDG will install when ready.	
2.4	Commuter Parking Lot	
2.4.1	<ul style="list-style-type: none"> <li>Dundas and Halls Road is moving forward, Baldwin Street anticipated construction in 2018. Simcoe Street and Winchester Road is not going forward at request of Metrolinx/Go Transit</li> </ul>	
2.5	Continuation of EAC Meetings	
2.5.1	<ul style="list-style-type: none"> <li>Meetings to continue</li> </ul>	
<b>3.0</b>	<b>Update on Phase 1 Implementation and Brock Road Interchange</b>	
3.0	Martin Michalek provided the following for Phase 1:	
3.1	Deficiency corrections	
3.1.1	<ul style="list-style-type: none"> <li>EDG is currently addressing all deficiencies working towards Final Completion. MTO is advised that the majority of deficiencies should be addressed sometime in Fall 2017.</li> </ul>	
3.2	Municipal Deficiency List:	
3.2.1	<ul style="list-style-type: none"> <li>All municipalities will receive response letters and notification when work complete. Oshawa and Whitby were provided a hard copy of the EDG deficiency list response.</li> </ul>	
3.3	MTO Cul-de-Sac Review	
3.3.1	<ul style="list-style-type: none"> <li>This review is being completed by Parsons via an Owners Engineer assignment. The recommendations have been received. The intention is to look at enhancements and deficiencies. This is a key issue for the municipalities. Report preparation is under review and it can be shared with all the municipalities once final.</li> </ul>	
3.4	OM&R Phase	
3.4.1	<ul style="list-style-type: none"> <li>Started June 9<sup>th</sup> 2017. There is a 30 year period for Operations, Maintenance and Rehabilitation (OM&amp;R). The Ministry will continue to provide oversight, including completion of audits. 407EDG are responsible for regular reporting on maintenance and asset management.</li> </ul>	
3.5	Winter maintenance	

**Highway 407 East Project - 407 East Advisory Committee (407 EAC)  
Minutes of Meeting #18**

3.5.1	<ul style="list-style-type: none"> <li>No issues.</li> </ul>	
3.6	Commuter Parking lots	
3.6.1	<ul style="list-style-type: none"> <li>Halls and Dundas lot is under construction. Anticipated to be complete by fall 2017.</li> </ul>	
3.6.2	<ul style="list-style-type: none"> <li>Baldwin Street is not yet tendered. Should be tendered in 2018.</li> </ul>	
3.7	Finalization of Project Plans	
3.7.1	<ul style="list-style-type: none"> <li>Requirement to transfer portions of the crossing roads beyond the CAH back to the municipalities. MTO is setting up meetings to discuss the transfers. These lands were initially assumed by MTO for construction purposes.</li> </ul>	
3.8	Tolling	
3.8.1	<ul style="list-style-type: none"> <li>Implemented as of February 2017 and is working well.</li> </ul>	
3.8.2	<ul style="list-style-type: none"> <li>Statistics for Tolling, monthly trips: Workday trips total approximately 31,300 (February); 31,000 in March; and 34,200 in April. Volumes are lower on weekends.</li> </ul>	MTO
3.9	The following four conditions are still on-going for the entire project (Chris Brown, MTO:	
A	<ul style="list-style-type: none"> <li>Condition 5: Compliance Reporting: The ACR was submitted May 31<sup>st</sup> and MOECC is reviewing it. This report covers both Phase 1 and 2. Once approved, correspondence will be sent to the EAC.</li> </ul>	
B	<ul style="list-style-type: none"> <li>Condition 6: 407 EAC (ongoing)</li> </ul>	
C	<ul style="list-style-type: none"> <li>Condition 7: Continuing with the Pilot SWM program. Liners will be installed on Highway 412 in Phase 1 and Highway 407 in Phase 2. (Update: Phase 2 Pilot was cancelled) Information can be provided upon request. Monitoring of these ditches will be for a period of 3 years.</li> </ul>	
D	<ul style="list-style-type: none"> <li>Condition 19: Aboriginal Consultation (ongoing)</li> </ul>	
3.10	The following Conditions are still on-going for Phase 1 only:	
A	<ul style="list-style-type: none"> <li>Condition 8, Monitoring of sensitive water courses: MTO will be monitoring 20 high sensitive watercourses along the entire mainline (Brock Rd. to Harmony Rd.) to satisfy EA conditions and ESA permit requirements, as well as the Federal EA follow-up program. MTO has initiated a stormwater pond monitoring study that will last 5 years and is a condition of the ESA permit for redbside dace.</li> </ul>	
B	<ul style="list-style-type: none"> <li>Condition 9, Winter Maintenance: EDG has completed their winter maintenance documentation and is under review with MTO.</li> </ul>	
C	<ul style="list-style-type: none"> <li>Condition 13, Complaint Protocol: will continue into OM&amp;R stage</li> </ul>	
D	<ul style="list-style-type: none"> <li>Condition 14, Construction Management and Mitigation Plan: Complete</li> </ul>	
3.11	Community Value Plan	
3.11.1	<ul style="list-style-type: none"> <li>Plaques will be installed on the cairns shortly. Landscaping is complete. Design elements for artwork is ongoing. Update: plaques were installed summer 2017.</li> </ul>	
3.12	Endangered Species Act	
3.12.1	<ul style="list-style-type: none"> <li>ESA measures have been completed except installation of Bobolink habitat which is ongoing.</li> </ul>	
3.13	Monitoring	
3.13.1	<ul style="list-style-type: none"> <li>407EDG monitoring: groundwater (16 sites), well water (24 private wells, 15 general wells), 3 wetland sites, and 20 wildlife crossings. Monitoring at some of these sites was initiated in in 2016, with the monitoring at all sites initiated by the end of 2017.</li> </ul>	

**Highway 407 East Project - 407 East Advisory Committee (407 EAC)  
Minutes of Meeting #18**

3.14	Vegetation Restoration Plan	
3.14.1	<ul style="list-style-type: none"> <li>Almost complete and will continue to be monitored.</li> </ul>	
<b>4.0</b>	<b>Phase 1 Questions and Answers</b>	
4.0	A question and answer period followed.	
4.1.1	<ul style="list-style-type: none"> <li>Perry Sisson - regarding Vegetation and Restoration Plan asked if the monitoring has just started.</li> </ul>	
4.1.2	<ul style="list-style-type: none"> <li>MTO responded that monitoring has just started and will continue over 5 years.</li> </ul>	
4.2.1	<ul style="list-style-type: none"> <li>Paul Gee asked if there is seeding on sideroads.</li> </ul>	
4.2.2	<ul style="list-style-type: none"> <li>MTO responded that progress has been made to address wash-outs and clean up. Will continue to look at road crossings and confirmation of work</li> </ul>	
4.3.1	<ul style="list-style-type: none"> <li>Paul Gee asked about erosion to MTO roads and does MNR do any monitoring?</li> </ul>	
4.3.2	<ul style="list-style-type: none"> <li>There is a biologist assigned to Phase 2. Visitations from Environment Canada and DFO representatives occur periodically, usually as result of reported spills. They are not required to check on Phase 1. They do receive reporting on the condition of specific sites that have permits. Environmental inspections continue for Phase 1. EDG continue to address these deficiencies in the OM&amp;R.</li> </ul>	
4.4.1	<ul style="list-style-type: none"> <li>Paul Gee asked about a response about deficiencies and transfer to municipalities</li> </ul>	
4.4.2	<ul style="list-style-type: none"> <li>In 4-6 weeks, discussions will occur with regard to the transfer of lands back to municipalities. MTO will continue to monitor EDG and discuss progress to address deficiencies that have been identified either by MTO or municipalities in a timely fashion during the summer/fall of 2017.</li> </ul>	
4.5.1	<ul style="list-style-type: none"> <li>Paul Gee asked about enhanced landscaping to provide a visual barrier and to reduce noise to the extent possible between Almond Village and the West Durham Link that ECGP committed to the Region in the November 3, 2014 Letter of Understanding regarding the closure of Lake Ridge Road. What is the status of the enhanced landscaping plan?</li> </ul>	
4.5.2	<ul style="list-style-type: none"> <li><b>Action Item</b> – Chris Brown will follow up with Darlene Proudfoot. Update: Landscaping has been installed and no fencing is required at this location.</li> </ul>	MTO
4.6.1	<ul style="list-style-type: none"> <li>Michael May asked about erosion of Michael Boulevard in Whitby.</li> </ul>	
4.6.2	<ul style="list-style-type: none"> <li>MTO – Whitby issued permits for that area. Michael May to send Martin Michalek copies of the permits.</li> </ul>	
4.7.1	<ul style="list-style-type: none"> <li>Jeff Brooks asked about Trans Canada Trail connection. Concerns with the maintenance and design, and there was an issue with a culvert. As it is now identified as part of the provincial cycling network, what should the design be to accommodate that type of facility (should it be paved?) What happens in terms of the ownership of that facility?</li> </ul>	
4.7.2	<ul style="list-style-type: none"> <li><b>Action Item</b> – MTO is aware of the drainage issues and spoke to 407EDG and have taken contractual measures to address the issue. Maintenance and rehabilitation of the trail is EDG responsibility. For winter maintenance, MTO will not require EDG to remove snow on the trail itself within the right of way limits, but will be responsible repairs related to drainage.</li> </ul>	MTO
	<ul style="list-style-type: none"> <li>Regarding ownership, MTO will confirm and follow up.</li> </ul>	MTO
4.8.1	<ul style="list-style-type: none"> <li>Jeff Brooks asked about notifications for the plaques on the cairns that will be installed.</li> </ul>	

**Highway 407 East Project - 407 East Advisory Committee (407 EAC)  
Minutes of Meeting #18**

4.8.2	<ul style="list-style-type: none"> <li>There are no unveiling plans at this point. Update: plaques installed summer 2017.</li> </ul>	
4.9.1	<ul style="list-style-type: none"> <li>Jeff Brooks asked if the trail will be recognized as part of the draft provincial cycling network.</li> </ul>	
4.9.2	<ul style="list-style-type: none"> <li><b>Action Item:</b> Calvin Curtis will follow up.</li> </ul>	MTO
4.10.1	<ul style="list-style-type: none"> <li>Calvin Curtis asked where the trail goes to the north. Does it follow Concession 6?</li> </ul>	
4.10.2	<ul style="list-style-type: none"> <li>Jeff Brooks will confirm.</li> </ul>	Pickering
<b>5.0</b>	<b>Update on Phase 2</b>	
5.0	Martin Michalek provided an update on the status of Phase 2.	
5.1	BBI Design Submissions	
5.1.1	<ul style="list-style-type: none"> <li>Nearly complete. Design at 99% for Phase 2A and 95% for Phase 2B. On schedule for substantial completion for 2A by December 31, 2017. Project is on schedule. Anticipate the highway opening at the end of 2017 or early January 2018.</li> </ul>	
5.2	Active Transportation :	
5.2.1	<ul style="list-style-type: none"> <li>Emails recently sent to municipalities of all active transportation provisions incorporated into Phase 2. MTO looking for any additional feedback.</li> </ul>	
5.3	Commissioning Process for 2A	
5.3.1	<ul style="list-style-type: none"> <li>BBI has provided a schedule starting next week. MTO looking ahead and in discussions with BBI regarding a more robust commissioning process with respect to municipal facilities</li> </ul>	
5.4	Tolling Infrastructure is being put in place	
5.4.1	<ul style="list-style-type: none"> <li>Tolling charges for 2A will be in place when highway is open to traffic.</li> </ul>	
5.5	Road Closures	
5.5.1	<ul style="list-style-type: none"> <li>Enfield Road to be opened at the end of November</li> </ul>	
5.6.2	<ul style="list-style-type: none"> <li>Old Scugog Road planned for long term closure of 1 year commencing July/August</li> </ul>	
5.6.3	<ul style="list-style-type: none"> <li>Various short term closures planned for Summer 2017</li> </ul>	
5.6.4	<ul style="list-style-type: none"> <li>Sign-up for traffic notices at: <a href="http://www.407eastphase2.ca">www.407eastphase2.ca</a></li> </ul>	
5.6.5	<ul style="list-style-type: none"> <li><b>Action Item</b> – MTO to confirm date of Enfield Road re-opening</li> <li><b>Update:</b> Weekly BBI meetings taking place to provide update to municipalities</li> </ul>	MTO
5.7	Highway 401 and Highway 35/115 Construction	
5.7.1	<ul style="list-style-type: none"> <li>Highway 401 / Courtice Road traffic staging is complete, Stages 1B and 1C are being implemented to allow connector road and ramp structure pier construction.</li> </ul>	
5.7.2	<ul style="list-style-type: none"> <li>Courtice Road eastbound on ramp closed until late 2018. Municipalities have been consulted and Portable Variable Message signs are deployed to advise the public.</li> <li>Hwy 35/115 lanes due to be closed intermittently through summer 2017 for interchange construction.</li> </ul>	
5.8	Agricultural Lands (Chris Brown, MTO)	
5.8.1	<ul style="list-style-type: none"> <li>MTO extended agreements (PTU's) to use MTO-owned land adjacent to the highway corridor for agricultural purposes to existing local farmers for the 2017 season. BBI is also doing the same thing for some of the lands within the Project Agreement. This ensures there is no excessive weed growth.</li> </ul>	

**Highway 407 East Project - 407 East Advisory Committee (407 EAC)  
Minutes of Meeting #18**

<p>5.8.2</p> <p>5.9</p> <p>5.9.1</p> <p>A</p> <p>B</p> <p>C</p> <p>D</p> <p>5.9.2</p> <p>A</p> <p>B</p> <p>5.10</p> <p>A</p> <p>B</p>	<ul style="list-style-type: none"> <li>• 34 PTUs were mailed in January, covering approx. 258 ha of farmland. All PTUs expire December 1, 2017.</li> <li>• BBI attended the Clarington Agricultural Committee Meeting on May 11, 2017</li> </ul> <p>Environmental Update: MOECC Conditions of Approval</p> <ul style="list-style-type: none"> <li>• Ongoing by BBI: <ul style="list-style-type: none"> <li>• Condition 8, Surface Water: MTO conducted pre-construction background surface water monitoring up to July 2015. BBI will conduct post-construction monitoring.</li> <li>• Condition 13, Complaint Protocol – BBI has finalized their Complaint Protocol based on MTO’s Framework. The Protocol was distributed to EAC in July 2016.</li> <li>• Condition 15, Construction Noise, Vibration &amp; AQ – BBI has completed the construction period AQ monitoring. A final report will be provided to MOECC shortly. Air Quality monitoring was completed in March 2017, so they are not currently monitoring. MOECC is reviewing the data and will review the final report. MTO/Blackbird do not expect any further Air Quality monitoring.</li> <li>• Condition 18, Vegetation Restoration Plans: for Phase 2A, the plan is finalized. Work will begin in the summer of 2017. Plans for 2B are expected in the fall of 2017. Will be provided to EAC for review.</li> </ul> </li> <li>• Endangered Species <ul style="list-style-type: none"> <li>• Seeding of restoration sites should be complete for Bobolink and Eastern Meadowlark in September, 2017.</li> <li>• Butternut Tree – Planting will begin in 2018.</li> <li>• Two species registered with MNRF per O. Reg 242/08: <ul style="list-style-type: none"> <li>• Barn Swallow – Monitoring completed. Final report completed by MTO in April 2017.</li> <li>• Little Brown Myotis – Monitoring completed. Final report completed by MTO in April 2016.</li> </ul> </li> <li>• Barn Swallow monitoring has continued throughout construction.</li> </ul> </li> </ul> <p>Consultation</p> <ul style="list-style-type: none"> <li>• Agencies, Municipalities, and other key stakeholders: <ul style="list-style-type: none"> <li>• Recent regulatory agency meeting with all environmental agencies in February 2017. The next one will be scheduled for summer 2017 to focus on Phase 2A completion.</li> <li>• A requirement for one more DCR likely scheduled for the winter, which is expected to be the final DCR for Phase 2B.</li> </ul> </li> <li>• Public: <ul style="list-style-type: none"> <li>• Inquiries addressed through project websites, as well as direct calls or emails.</li> <li>• Five Public Information Centres (PIC) held to date: July 2015, October 2015, and February 2016 July 2016 and February 2017.</li> <li>• Five DCRs and one DCR Addendum published to date: DCR#1 - Aug. 14, 2015; DCR #2 - Nov. 23, 2015; DCR #3 - Mar. 11, 2016, and DCR#3 Addendum June 6, 2016; DCR #4 – Sept. 2016; DCR #5- Mar. 2017.</li> <li>• One more PIC and DCR are anticipated; likely in late 2017 or early 2018.</li> </ul> </li> </ul>	
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**Highway 407 East Project - 407 East Advisory Committee (407 EAC)  
Minutes of Meeting #18**

C	<ul style="list-style-type: none"> <li>Aboriginal <ul style="list-style-type: none"> <li>Bridge with artwork scheduled for 2017. Williams Treaty commemorative statue by 115 interchange.</li> </ul> </li> </ul>	
5.11	Environmental Update	
A	<ul style="list-style-type: none"> <li>Archaeology <ul style="list-style-type: none"> <li>All Stage 4 archaeological investigations complete.</li> </ul> </li> </ul>	
5.12	Heritage	
A	<ul style="list-style-type: none"> <li>Community Value Plan is underway for 2A, and design for 2B has been provided publicly for comment. MTO and BBI to attend Clarington Heritage Committee on June 20<sup>th</sup> to discuss plans for 2A and 2B.</li> </ul>	
5.13	<ul style="list-style-type: none"> <li>Monitoring and Salvage Activities <ul style="list-style-type: none"> <li>MTO employs LGL for conditions of various sites to ensure environmental compliance.</li> <li>Ongoing monitoring for groundwater, wildlife and fish rescue/relocation, and surface water.</li> </ul> </li> </ul>	
<b>6.0</b>	<b>Phase 2 Questions and Answers</b>	
6.0	A question and answer period followed.	
6.1	<ul style="list-style-type: none"> <li>Paul Gee asked about paved shoulders in PA limits – Hwy 2 is urban, so does that mean that there will be cycling lanes within the PA limits. The width does not seem to be wide enough. Are the cycling lanes being built off the structure similar to the pavement off the structure. Is the additional width being provided between the curb and edge of travel lane? What is BBI's responsibility for street lighting?</li> </ul>	
6.1.2	<ul style="list-style-type: none"> <li>MTO – no provisions for marked cycling lanes are being made, but 1.5 m 'urban shoulders' are being placed adjacent to the curb on the approaches to the structure. Summary table provided to Durham previously.</li> </ul>	
6.1.3	<ul style="list-style-type: none"> <li><b>Action Item</b> - MTO to check on lighting warrants. Update: BBI confirmed lighting was not warranted in the vicinity of Hwy. 2 crossing.</li> </ul>	MTO
6.2.1	<ul style="list-style-type: none"> <li>Paul Gee inquired about slow responses from BBI.</li> </ul>	
6.2.2	<ul style="list-style-type: none"> <li>MTO – there is a 4 day turn around maximum. However, they do provide an update in the interim. If there are long delays, can contact MTO to resolve. Weekly meetings will facilitate communication.</li> </ul>	
<b>7.0</b>	<b>Other Business, Next Meeting and Adjourn</b>	
7.0	Prior to adjourning, other business and the next meeting were discussed.	
7.1	<ul style="list-style-type: none"> <li>Process and improvement – What are the improvements for consultation for Phase 2?</li> </ul>	
7.1.2	<ul style="list-style-type: none"> <li>Durham Region suggested greater consultation between MTO and municipality with respect to road closures and maintenance agreements. HQM should consider future PA enhancements to better define municipal lighting commitments.</li> </ul>	
7.1.3	<ul style="list-style-type: none"> <li>Next EAC Meeting: To be scheduled for mid-November, 2017</li> </ul>	Parsons

If there are any errors or omissions, please advise roxanne.lypka@parsons.com within ten business days of the issuance of these minutes.

Minutes prepared by Roxanne Lypka.