

**Highway 407 East – 407 East Advisory Committee (407 EAC)  
Minutes of Meeting #9**

**Date:** Monday, March 4, 2013; 9:30 a.m. – 11:30 a.m.

**Location:** Meeting Room: I-G, Regional Municipality of Durham, Regional Headquarters, Whitby

**Present:**     **Project Team:**     Lou Politano (MTO, Regional Director, Central Region)  
Peter Chackeris (MTO, Manger, MPO)  
Calvin Curtis (MTO, Head, Planning and Engineering, MPO)  
Darlene Proudfoot (MTO, Senior Environmental Planner)  
Diane Naluzny (MTO, Communications Specialist, MPO)  
Chris Brown (MTO, Senior Environmental Planner, MPO)  
Grant Kauffman (LGL, 407 Owner's Engineer, Lead Environmental Planner)  
Alia Eid, alternate for Lisa Josephson (Delcan, 407 Owner's Engineer)

**Members:**             Dan Orr, observer (MOE, Manager, Technical Support)  
Perry Sisson (CLOCA, Director, Engineering and Field Operations)  
Ranjit S. Gill (Town of Ajax, Senior Transportation Planner)  
Steve Gaunt (The Corporation of the City of Pickering, Principal Planner)  
Susan Siopis, alternate for Cliff Curtis (Regional Municipality of Durham,  
Director, Transportation & Field Services)  
Suzanne Beale (The Corporation of the Town of Whitby, Commissioner of  
Public Works)

**CC:**           **Project Team:**     Pauline Van Roon (MTO, Senior Project Engineer, MPO)  
Rita Venneri (MTO, Senior Project Engineer, MPO)  
Lisa Josephson (Delcan, 407 Owner's Engineer, EAC Coordinator)

**Members:**             Beth Williston (TRCA, Manager of Environmental Assessment Planning)  
Cliff Curtis (Regional Municipality of Durham, Commissioner of Works)  
Darla Cameron (CEAA, Section Lead)  
Debbie Pella Keen (MNR, District Manager)  
Gary Carroll (City of Oshawa, Director, Engineering Services)  
Greg Wells (GRCA, Manager, Planning & Regulations)  
Rob Dobos (Environment Canada, Manager, Environmental Assessment Section)  
Tom Hoggarth (DFO, Habitat Team Leader)  
Tony Cannella (Municipality of Clarington, Director, Engineering Services)

**Meeting Purpose:**

The purpose of this meeting was to: review and confirm approval of the minutes from the 407 EAC meeting #7 and meetings #8; provide an update on Phase 1 implementation and environmental issues; provide an update on Phase 2 procurement process and environmental issues; and provide an opportunity for Questions and Answers.

Hard copies of the meeting agenda and minutes from the 407 EAC meeting #7 and meeting #8 were distributed. Discussions were led by Lou Politano, Calvin Curtis, Peter Chackeris, Darlene Proudfoot and Chris Brown from MTO.

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No.	Item	Action
<b>1.0</b>	<b>Opening remarks, Purpose of the Meeting, and Agenda Review</b>	
1.1	– Lou Politano (MTO) chaired the meeting and initiated a round table of introductions.	
1.2	– The purpose of the meeting was briefly outlined. Lou indicated that the status of the Phase 2 procurement will be discussed later in the meeting.	
<b>2.0</b>	<b>Review of Minutes from 407 EAC Meetings #7 and #8</b>	
2.1	– Calvin reviewed the action items from meetings #7 and #8 minutes. All actions items were confirmed to have been completed.	
2.2	– Meeting #7 (held on Tuesday, April 17, 2012):	
2.2.1	• Minutes approved at November 2012 meeting and posted to the website.	
2.3	– Meeting #8 (held on Tuesday, October 30, 2012):	
2.3.1	• Minutes approved via email following the meeting and posted to the website.	
2.4	– Meeting #8 action items:	
2.4.1	• Item 2.1 – Completed; Meeting #6 Minutes uploaded to the project website.	
2.4.2	• Item 4.1.4 – Completed; section 8.5 of the 407 EAC Terms of Reference (ToR) was updated, addressing the method of reviewing and approving minutes. The review and approval will now be carried out via email to expedite review and issuance of final minutes.	
2.4.3	• Items 4.2.3 and 4.2.4 – Completed; Diane Naluzny (MTO) added that the 407 EAC ToR were updated, circulated and posted on the project website.	
2.5	– Calvin noted that Lisa Josephson was not able to attend the meeting and Alia Eid of Delcan is attending on Lisa’s behalf.	
<b>3.0</b>	<b>Highway 407 East – Phase 1 Updates</b>	
<b>3.1</b>	<b>Construction Segment Breakdown</b>	
3.1.1	– The construction segment breakdown was developed by 407EDG and is based on the phasing/staging of project work based on the design schedule.	
3.1.2	– All their Public Information Centres (PICs) and Design & Construction Reports (DCRs) are structured to reflect this internal division of work.	
<b>3.2</b>	<b>Implementation Update, PICs and DCR Publications</b>	
3.2.1	– 407EDG submitted their 50% design submission for all sections except A2 (north end of the West Durham Link; freeway-to-freeway connection at the Highway 407 East mainline). The submissions were reviewed by HMQ review teams consisting of MTO and their Owner’s Engineer (Delcan), and Infrastructure Ontario and their Technical Advisor (CH2M HILL). Certain aspects were non-compliant with the Project Agreement and will require further design development prior to the 90% design stage. 407EDG is updating their design work based on these comments.	
3.2.2	– Comments received from the Region of Durham, City of Oshawa, and Town of Whitby will be taken into consideration during design reviews.	

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No.	Item	Action
3.2.3	– Future 407EDG submissions to include 90% and 100% issue for construction drawings.	
3.2.4	– Calvin reviewed 407EDG’s DCR submission schedule as part of the Phase 1 work. 6 DCRs will be issued by 407EDG.	
3.2.5	– Darlene noted that the works involved are based on activities, not horizontally along the corridor. The DCRs and work structure are based on a vertical perspective, which is a different approach than typical MTO projects.	
<b>3.3</b>	<b>Environmental Updates (General)</b>	
3.3.1	– Darlene provided general environmental updates for Phase 1.	
3.3.2	<u>Archaeology:</u>	
3.3.2.1	– MTO has a few remaining sites, mostly on the mitigation lands, for Stage 3 and 4 archaeological assessments.	
3.3.2.2	– 407EDG is conducting Stage 3 and 4 archaeological assessments on the lands covered under the Project Agreement.	
3.3.2.3	– MTO is maintaining the works and relations with the Aboriginal Groups for the Aboriginal sites.	
3.3.2.4	– MTO has met with all the Heritage Committees, each of which has expressed an interest in reviewing the archaeological studies for the project. A meeting with these committees will be set in the spring to review the archaeological work on the project.	
3.3.3	<u>Community Value Plan (CVP):</u>	
3.3.3.1	– The CVP results will be shown at the next 407EDG PIC in late fall 2013.	
3.3.4	<u>Endangered Species Act (ESA):</u>	
3.3.4.1	– MTO has setup communications with MNR, 407EDG & IO to establish the roles and responsibilities for each party. This is a new process and dealing with these permits is complex for this project. MTO needs MNR to understand the permits, conditions and project schedule implications.	
3.3.4.2	– MTO is ultimately responsible for the ESA permits. 407EDG is preparing related plans, constructing and monitoring on behalf of MTO.	
3.3.5	<u>Heritage:</u>	
3.3.5.1	– The City of Pickering did not submit a salvage list as done by the Town of Whitby and the City of Oshawa.	
3.3.5.2	– Prior to demolition of the Heritage Buildings, 407EDG is arranging salvaging opportunities.	
3.4.5.3	– 407EDG is facilitating the demolition and salvage for the adaptive reuse of materials. Some of the salvage from larger buildings will be used for commemorative features along the corridor to showcase the history of the region.	
3.4.6	<u>Aboriginal Strategy:</u>	
3.4.6.1	– MTO has received great feedback from Aboriginal representatives regarding the commemoration of regions with aboriginal artifacts/residence/villages within the project corridor, covering Phases 1 and 2.	

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3.4.6.2	<ul style="list-style-type: none"> <li>– The Huron-Wendat First Nation has undergone some personnel changes since their election last fall. There is a new main contact and team to review development applications in Ontario. The Huron-Wendat are based in Quebec but were recently in Toronto to get up to speed on various projects. MTO met with them to discuss the project, the consultation to date and inform the group of the commemorative installation process for the project.</li> </ul>	
3.4.7	<p><u>Vegetation Restoration Plan:</u></p>	
3.4.7.1	<ul style="list-style-type: none"> <li>– Comments have been received from the conservation authorities on the Plans.</li> </ul>	
3.4.7.2	<ul style="list-style-type: none"> <li>– Comments from the 407 EAC can be submitted to Lisa Josephson (Delcan).</li> </ul>	
<b>3.5</b>	<b>Environmental Updates (MOE Conditions of Approval)</b>	
3.5.1	<ul style="list-style-type: none"> <li>– Darlene continued by providing environmental updates related to MOE’s Conditions of Approval.</li> </ul>	
3.5.2	<ul style="list-style-type: none"> <li>– <u>Condition 7 (Stormwater Management Plan):</u> The Plan involves looking at the surface water drainage methods from the highway. A report on the pilot project will be submitted by MTO this spring and made available to the 407 EAC for their information.</li> </ul>	
3.5.3	<ul style="list-style-type: none"> <li>– <u>Condition 8 (Surface Water):</u> Monitoring at 4 watercourse locations is being completed by Delcan. This work will be carried over to 407EDG in the summer 2013.</li> </ul>	
3.5.4	<ul style="list-style-type: none"> <li>– <u>Conditions 11 (Major Biological Features) and 12 (Municipal Infrastructure):</u> 407EDG’s responsibility.</li> </ul>	
3.5.5	<ul style="list-style-type: none"> <li>– <u>Condition 15 (Construction Noise, Vibration and Air Quality):</u> 407EDG is carrying out air quality monitoring programs at two locations: one in Brooklin and one in Almond Village). MTO conducted pre-construction monitoring at these locations last year.</li> </ul>	
<b>3.6</b>	<b>Brock Road Interchange</b>	
3.6.1	<ul style="list-style-type: none"> <li>– Calvin provided an update on the Brock Road Interchange.</li> </ul>	
3.6.2	<ul style="list-style-type: none"> <li>– Work is being carried out by 407 ETR on behalf of MTO, in consultation with Durham Region and 407EDG.</li> </ul>	
3.6.3	<ul style="list-style-type: none"> <li>– Steve Gaunt (City of Pickering) asked if 407EDG can compete for the contract. Calvin indicated that they cannot since tendering is going through the 407 ETR under a separate tendering contract. The tender is established on an invitational bid, where 4 companies were selected to bid.</li> </ul>	
3.6.4	<ul style="list-style-type: none"> <li>– Steve noted that the Phase 3 Planning for the Seaton Lands (scheduled for the end of May) will not be completed by the time work begins at the Brock Road Interchange, since the regional EA has not yet been completed.</li> </ul>	
<b>3.7</b>	<b>Questions and Answers</b>	
3.7.1	<ul style="list-style-type: none"> <li>– Lou Politano (MTO) asked if there were any further questions for Phase 1.</li> </ul>	
3.7.2	<ul style="list-style-type: none"> <li>– Perry Sisson (CLOCA) asked about revisions to the DCR.</li> </ul>	
3.7.2.1	<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>• MTO noted that comments from PICs and DCRs will be incorporated into the 90% design submission package.</li> </ul> </li> </ul>	

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3.7.3	– Lou asked the MTO team if they are keeping track of the comments.	
3.7.3.1	<ul style="list-style-type: none"> <li>• Calvin indicated that comments are being tracked by MTO. In addition, action tracking is part of 407EDG’s regular work.</li> </ul>	
3.7.3.2	<ul style="list-style-type: none"> <li>• <b>Action:</b> Tracking document to be circulated to the 407 EAC.</li> </ul>	MTO
3.7.4	– Susan Siopis (Regional Municipality of Durham) asked how EAC members will understand the evaluation of DCRs and how comments will or will not be incorporated.	
3.7.4.1	<ul style="list-style-type: none"> <li>• Calvin commented that there will be additional discussions and meetings, attended by himself or Gustavo Rojas (MTO). 407EDG will be responsible for responding to the comments. If any questions result from the additional meetings, Calvin can be contacted directly.</li> </ul>	
3.7.4.2	<ul style="list-style-type: none"> <li>• Darlene suggested that Susan ask how the comments will be addressed and tracked at the next Municipal Technical Advisory Group meeting.</li> </ul>	
3.7.4.3	<ul style="list-style-type: none"> <li>• Calvin explained that 407EDG will address and respond to the comments before MTO. Any questions beyond that can be sent directly to him.</li> </ul>	
3.7.5	– Dan Orr (MOE) asked if there are any plans for moving soil out of the corridor as a result of the soil testing activities.	
3.7.5.1	<ul style="list-style-type: none"> <li>• Darlene responded that she has not seen any of the documents produced by 407EDG regarding the plans for the soil requirements and needs. However, she explained that they plan on keeping as much soil in the corridor as possible and that they can use the soil for berms and landscaping.</li> </ul>	
3.7.6	– Lou asked the group if EDG is engaging with the municipalities appropriately.	
3.7.6.1	<ul style="list-style-type: none"> <li>• Steve volunteered that it seems to be ok.</li> </ul>	
<b>4.0</b>	<b>Highway 407 East – Phase 2 Updates</b>	
<b>4.1</b>	<b>Procurement Update</b>	
4.1.1	– Peter Chackeris (MTO) began with the review of the Phase 2 Procurement process.	
4.1.2	– The draft RFQ document is being developed. Typically four to five parties express their interest and three would be selected for further negotiation.	
<b>4.2</b>	<b>Property Acquisition Status</b>	
4.2.1	– Calvin commented on the status of the property acquisition efforts.	
4.2.2	– MTO is in the final stages of property acquisition. Within the process, there have been some normal negotiation/ possession issues.	
4.2.3	– Steve Gaunt (City of Pickering) asked if there are any expropriation issues outstanding.	
4.2.3.1	<ul style="list-style-type: none"> <li>• Peter Chackeris noted that an issue is ongoing and that MTO is working towards a resolution.</li> </ul>	
4.2.4	– Suzanne Beale (Town of Whitby) asked if there are any capital budget opportunities for the municipality to benefit from MTO works.	

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No.	Item	Action
4.2.4.1	<ul style="list-style-type: none"> <li>MTO noted that they will work with municipalities. For example, they will begin discussions with the Municipality of Clarington soon, addressing temporary and long term works.</li> </ul>	
<b>4.3</b>	<b>Environmental Updates</b>	
4.3.1	Chris Brown (MTO) provided an update on the environmental works within Phase 2. He indicated that he is responsible for the Phase 2 environmental scope and Darlene Proudfoot is responsible for Phase 1.	
4.3.2	<u>Archaeology:</u>	
4.3.2.1	– The archaeological work will continue in the spring of 2013.	
4.3.3	<u>Natural Terrestrial and Aquatic Impacts:</u>	
4.3.3.1	– Currently, MTO is looking through the EA background documents to identify the amount of forest/wetland impacts.	
4.3.3.2	– MTO will have a better idea of the environmental impacts by late summer 2013 after the field investigations have been conducted.	
4.3.4	<u>MOE Conditions of Approval:</u>	
4.3.4.1	– As with Phase 1, various frameworks will be incorporated in the Project Agreement to ensure that Project Co. for Phase 2 will satisfy the conditions.	
4.3.5	<u>Agricultural Land Use</u>	
4.3.5.1	– MTO is carrying out a review of agricultural lands to determine which properties may be farmed for the 2013 crop season. Sufficient notice will be provided to the farmers to inform them whether they will be able to farm the land or not.	
4.3.5.2	– Chris Brown and Pauline Van Roon (MTO) have been contacting property owners and tenant farmers to discuss MTO's efforts to have some land available for farming in 2013.	
4.3.5.3	– Pre-engineering work includes such activities as borehole drilling for foundations and waste and contamination evaluations, as well as archaeological investigations. MTO is currently developing a strategy to schedule field work for early spring.	
<b>5.0</b>	<b>Highway Tolling (Phase 1)</b>	
5.1	– Peter Chackeris (MTO) updated the group on the tolling efforts.	
5.2	– Cantoll, a subsidiary group to 407 ETR, will be the service provider for the toll collection for the province. The province will retain the revenue.	
5.3	– The billing will still be distributed by 407 ETR but separated between the existing 407 ETR and the new Highway 407 East.	
<b>6.0</b>	<b>Key Dates (Phase 1 and 2)</b>	
6.1	– Peter Chackeris (MTO) reviewed the key dates for Phase 1 and 2.	
6.2	– Delivery of Phase 1 is on track for late 2015 opening.	
6.3	– RFP release for Phase 2 is expected to be in the summer of 2013. MTO is working with regulatory agencies, but delays may arise involving ESA permits; archaeological discoveries; contamination issues; etc.	

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No.	Item	Action
7.0	<b>Closing Remarks, Next Meeting, and Adjournment</b>	
7.1	– Calvin Curtis thanked everyone for attending the meeting.	
7.2	– Susan Siopis (Regional Municipality of Durham) asked how soon the presentation will be made available and if it could be distributed separately from the minutes. Calvin noted that it will be sent by the OE after the meeting.	
7.2.1	<ul style="list-style-type: none"> <li>• <b>Action:</b> Delcan to send out the presentation from this meeting.</li> </ul>	Delcan
7.3	– Next meeting will be schedule for mid July 2013.	
7.3.1	<ul style="list-style-type: none"> <li>• <b>Action:</b> Lisa to send the 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 ten business days of the issuance of these minutes.

Minutes prepared by  
DELSCAN CORPORATION