



BURNSIDE

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## Appendix F

### Comments with Respect to the August 2021 EA Submission

**Table 1: Draft Amended Environmental Assessment – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
Submitter: <b>Environmental Assessment Branch</b> , Ministry of the Environment, Conservation and Parks August 25, 2022			
1	<p><b>Ministry review of responses to MECP EA Branch comments to August 13, 2021 version as shared on October 4, 2021</b></p> <p>The ministry is satisfied with responses provided in the comment response table for all October 4, 2021 dated comments except for those listed in the comments below.</p>	Comment noted.	
2	<p><b>Existing Comment to August 13, 2021 version shared on October 4, 2021: Diversion – Comment 2a</b>                      Page 23 and throughout the document</p> <p>Section 11.4 clarifies the intent to meet the diversion targets set out by provincial policy and to review the landfill waste diversion rates every 10 years. This commitment was also added to the Compliance Monitoring Plan commitments summary table in section 11.5, however there was no reference to the frequency of the commitment. The commitment summary table should be amended to further clarify the intent to review the diversion rates every 10 years.</p> <p><del>Action 2a:</del> Please update table 11-2 in the Compliance Monitoring section 11.5 to clarify the intent to review the diversion rates every 10 years.</p> <p><b>Proponent Response Provided in June-August 2022:</b></p> <p>Vol. I, Section 11 'Future Commitments and Environmental Compliance' has been rewritten. Table 11-1, 'Summary of EA Commitments', has been updated to include the Town's commitment to:</p> <p>Review applicable diversion programs every 10 years and meet any future diversion targets set out in provincial policy.</p> <p><b>New Comment: Diversion Policy Review Every 10 Years</b></p> <p>Although previous iterations of the EA referenced reviewing applicable diversion policies every 10 years. The draft amended version does not qualify the frequency.</p> <p><b>Action A:</b> Please update both section 3.1.3.6 'Effect of Provincial Policies' and Table 11-1 Summary of EA Commitments to reflect the commitment to review applicable diversion programs every 10 years as outlined.</p>	Action A: Both Section 3.1.3.6 "Effect of Provincial Policies" and Table 11-1 "Summary of EA Commitments" have been updated to reflect the commitment to review applicable diversion programs every 10 years.	
3	<p><b>Existing Comment to August 13, 2021 version shared on October 4, 2021: Cement Kiln Dust (CKD) Pile – Comment 3b</b>                      Section 7 and 9 and throughout the document</p> <p>Section 11.1 of the final EA was updated to reference consideration for a subsurface drain, the review of the potential effects of the CKD pile on the watercourse and the development of a monitoring and adaptive</p>	Action B1: Edits have been made to Section 11 to clarify that the existing monitoring plan and existing Design and Operations Report will be updated as part of the ECA application process to include the information contained in this EA relevant to the application. This includes the updated mitigation measures, monitoring and adaptive management plan and applicable commitments.	

**Table 1: Draft Amended Environmental Assessment – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
	<p>management plan to address potential impacts during construction and operation. It was noted that the table 11-2 which outlines specific commitments does not include reference to an adaptive management plan or review of potential effects of the CKD pile on the watercourse as per the request in the comment. Section 4.3.5 of the EA Code of Practice requires that all commitments made in the EA should be summarized in a single table, with columns for a brief description of all commitments, where in the document the commitment is mentioned and when each commitment will be fulfilled.</p> <p><del>Action 3b:</del> The ministry strongly recommends that the EA be revised to contain commitments to assessing the potential effects of the CKD pile on the watercourse, monitoring the effects during construction and operation, and proposing mitigation and/or adaptive management if impacts are identified through the monitoring. Please update Table 11-2 to include all commitments made in the EA including those regarding the adaptive management plan and review of potential effects to the CKD pile.</p> <p><b>Proponent Response Provided in June-August 2022:</b></p> <p>Vol. I, Section 11.0, 'Future Commitments and Environmental Compliance' has been rewritten. Section 11.1, 'Monitoring Program' describes the monitoring programs that will feed into the adaptive management plan described in Vol. I, Section 11.2 'Adaptive Environmental Management'. Table 11-1, 'Summary of EA Commitments', summarizes the commitments as outlined in Section 4.3.5 of the Code of Practice and includes all the commitments made in the EA.</p> <p><b>New Comment: Update Chapter 11 to reflect MECP technical comments provided on August 10, 2022.</b></p> <p><b>Action B1:</b> As indicated in email on August 10, 2022 - Please ensure that Chapter 11 and its commitments table reflect the findings and recommendations outlined in the Alternative 3A Groundwater and Surface Water Evaluation Technical memo. For example, a) to be inline with the Technical memo the existing monitoring program must be updated to reflect the additional monitoring stations, parameters, triggers and possible adaptive management plans related to the CKD pile and b) the "post-EA Design and Operations Plan" must be updated to include potential contingency strategies in the event that landfill/CKD pile effects are detected.</p> <p>When updating the draft amended EA please consider the following: Is the intent that existing monitoring and contingency plans for the landfill will be updated and submitted in support of an ECA amendment application following EA approval to reflect the additional monitoring stations, parameters, triggers and adaptive management plans related to the CKD pile as per the Technical memo/EA sections? What will the updated plans include? Are there additional plans intended? What is the role of the part of the "post-EA Design and Operations Report"?</p> <p><b>Action B2:</b> Please submit an updated version of Chapter 11 of the amended EA which reflects the recommendations of the memo. It is requested that clear commitments outlining the recommendations of the report be added to the commitments table in addition to text in the Chapter to meet Section 4.3.5 of the Code.</p> <p><b>Action B3:</b> Please clarify what the "post-EA Design and Operations Report" is and its purpose.</p>	<p>Action B2: Section 11 Table 11-1 has been updated to reflect the updated monitoring and adaptive management in Sections 11.2 and 11.3.</p> <p>Action B3: The introductory paragraphs to Section 9 have been updated to include reference to the requirement pursuant to O.Reg. 232/98 for the Town to update the existing Design and Operations report as part of the ECA application with the information contained in this EA particularly the mitigative measures outlined in Table 9-1, the commitments in Table 11-1 as applicable and the updated monitoring program and adaptive management plan outlined in Sections 11.2 and 11.3.</p>	

**Table 1: Draft Amended Environmental Assessment – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
4	<p><b>New Comment: Chapter 9 and Chapter 11 – Mitigation Reporting and Commitments Tables</b></p> <p>Single table with all commitments and reporting clarification: Section 4.3.5 'Commitments and Monitoring' of the Code of Practice outlines that "The environmental assessment must provide a plan that sets out how and when all commitments, including impact management measures, made in the document and any conditions of approval will be fulfilled and how the proponent will report to the ministry about compliance. This information should be summarized in a single table, with columns for a brief description of all commitments, where in the document the commitment is mentioned and when each commitment will be fulfilled".</p> <p>Table 9-1 references several impact mitigations measures where potential reporting requirements are listed as none. It is the expectation that the Town will implement its impact management measures and will report them to the MECP. It is MECP's understanding that some of these will be reported on/conveyed to MECP as part of the existing 'Environmental Effects Monitoring Program'. For example, if complaints regarding dust are received, the complaint will be reported to MECP as part of the existing "Environmental Effects Monitoring Program' annual EA monitoring report.</p> <p><b>Action D:</b> Please update Table 9-1 to accurately reflect impact mitigation measures reporting to MECP.</p> <ul style="list-style-type: none"> <li>The commitments table in Chapter 11 only references the impact management mitigation during construction. There are many other phases where Table 9-1 mitigation measures apply.</li> </ul> <p><b>Action D2:</b> To align with the requirement of section 4.3.5 of the code please add a line item to flag the implementation of all mitigation measures in Table 9-1 and provide reference to each applicable project phase for each mitigation measure in Table 9-1.</p> <p>There are commitments outlined in the text of Chapter 11 that are not reflected in the Commitment table. For example, commitments regarding the environmental effects monitoring and adaptive management plan are not referenced in the table.</p> <p><b>Action D3:</b> Please ensure that each commitment in the entire EA has a line item in the commitments table. For example, there should a line item for the implementation of the existing and augmented (to reflect new water quality parameters) Effect Monitoring Plan.</p>	<p>Action D: Table 11-1 has been updated to reflect the commitment to apply mitigation measures during all project phases.</p> <p>Actions D2 &amp; D3: Commitments with respect to environmental effects monitoring and adaptive management are reflected in Table 11-1 wherever there is a reference to Sections 11.2 Monitoring Program and 11.3 Adaptive Management Plan. A commitment has been added to Table 11-1 to indicate that the Annual Monitoring Report and Annual Compliance Monitoring Report will be sent to MECP annually.</p>	
5	<p><b>New Comment: Table 1-1 Listed Reports and Studies</b></p> <p>Table 1-1: A field study and updates to existing reports was initiated in response to reviewer concerns with potential water quality impacts of the Cement Kiln Dust (CKD) Pile following the final EA which submitted on August 13, 2021.</p> <p><b>Action E:</b> Please update Table 1-1 to reflect the additional studies and reports in response to comments from the EA submitted on August 13, 2021.</p>	<p>Additional information discussing the field study and updates to reports has been added to Section 1.2 'Technical Report Volumes and Appendices' rather than to Table 1-1, which only discusses reports appended in Volumes III and IV.</p>	

**Table 1: Draft Amended Environmental Assessment – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
6	<p><b>New Comment: Chapter 7 – Assessment of Alternative Methods</b></p> <p>Effects assessment: The updated text and tables in Chapter 7.0 – Phase 5: Assess Alternative Methods for Carrying Out the Undertaking address all previous comments. The re-written chapter clearly explains each alternative's effects and how are assessed and compared against each other. All comments to Chapter 7 have been addressed.</p> <p>Consistency in EA version references: Please ensure that reference to the EA submitted in August 2021 is consistently referenced. For example, the first 3 paragraphs in Chapter 7 reference the July 2021 EA and the EA submitted in August 2021 however they relate to the same version of the EA.</p> <p><b>Action F:</b> Please update the entire EA to reference the final EA document submitted in August 2021 consistently.</p>	<p>The dates in Section 7 have been corrected and the EA has been reviewed to ensure dates are correct throughout.</p>	
7	<p><b>New Comment: Section 10.6 – Consultation Summary - Submission of Environmental Assessment</b></p> <p>Appendix F reference: To meet the EAA requirement of s.6.1(2)(e) there must be clear documentation as to how issues and concerns have been addressed. It is MECP's anticipation that Appendix F 'Comments with respect to the August 2021 EA Submission' will provide a summary of comments received and actions taken since the submission of the final EA in August 2021. Section 10.6 references how comments received since the submission of the final EA in Aug 2021 led to changes to the EA. To improve clarity please consider adding a summary of the changes to the final EA in response to comments and provide reference to Appendix F.</p> <p><b>Action G:</b> Please consider adding a summary of the changes to the final EA in response to comments and provide reference to appendix F in Section 10.6.</p>	<p>Action G: A new Section 10.4.5 has been added to provide a summary of the changes to the final EA in response to the GRT comments received on the August 2021 EA submission.</p>	
8	<p><b>New Comment: Chapter 12 – Applicability with TORs</b></p> <ul style="list-style-type: none"> <li>• Changes to Evaluation Criteria Indicators: The St Marys TOR reads that Indicator "Criteria may be further refined as a result of comments received from the public, Aboriginal communities and agencies during the EA process". The Code (Section 4.2.4) further explains that "the proponent will provide justification for any change to the criteria or indicators outlined in the approved terms of reference. The reasons for selecting the criteria and indicators should be clearly explained." In this case, Table 7-3 Evaluation Indicators provides a clear justification for each revised indicators as per the Code.</li> <li>• New Alternative Method: Table 5-3 of the St Marys TOR allows for additional alternative methods: "Other methods may be identified during public, Aboriginal and agency consultation". The evaluation of the new alternative 3a is inline with the TOR.</li> </ul> <p><b>Action H:</b> Please update Table 12-1 "Concordance with Approved Terms of Reference" to reference the 3 alternative methods assessed while referencing the additional alternative 3A as a result of consultation activities. Consider adding a "Note" as per information provided for indicators.</p>	<p>Actions H and H2: Table 12-1 has been updated to clarify why additional alternatives were considered and to provide a complete record of the draft and final EAs submitted to MECP.</p>	

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Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
	<ul style="list-style-type: none"> <li>• Dates of Drafts submitted: There is an incomplete record of draft EAs submitted to MECP.</li> </ul> <p><b>Action H2:</b> Please update Phase 6 of Table 12-1 "Concordance with Approved Terms of Reference" to reflect all draft submissions by Burnside (i.e., July 2021, etc.).</p>		

**Table 2: Final Environmental Assessment (August 2021) – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
Submitter: <b>Environmental Assessment Branch</b> , Ministry of the Environment, Conservation and Parks October 4, 2021			
1	<p><b>Interim Environmental Compliance Approval (ECA) Amendment Comment1-A</b>                      Several Sections of the Revised Draft EA (e.g., Sections 1.0, 3.1, and 3.1.2.2)</p> <p>Sections 3.1.2.2, 3.1.3.7 and 3.1.3.8 have been amended, MECP also requested that Section 1 be updated to reflect the new ECA issued on November 16, 2020.</p> <p><b>Action 1a:</b> Please update section 1 to clarify that the operation of the facility is under an ECA issued on November 16, 2020, while also referencing the added capacity and timeframe for continued operations. This section currently incorrectly references that it operates under the ECA dated June 24, 2010. Please update the EA to reflect the most recent approvals.</p>	<p>Vol. I, Section 1 'Introduction', has been updated to reflect that the operation of the landfill is under the ECA Issued January 10, 2022, including references for the added capacity and timeframe for continued operations.</p>	
	<p><b>Interim Environmental Compliance Approval (ECA) Amendment Comment1-B</b>                      Several Sections of the Revised Draft EA (e.g., Sections 1.0, 3.1, and 3.1.2.2)</p> <p>In section 5 the proponent highlights that the overall landfill must have a capacity of 708,000m<sup>3</sup> to meet the projected need. This section also outlines section 3.1.3.8 which also specifically outlines that the Town is requesting 669,097m<sup>3</sup>. There is also clarification that the capacity volume "consumed during the EA approval process, and subsequent approvals, will be accounted for when determining the final capacity of the landfill". The current ECA dated November 16, 2020 specifies an approved capacity of 440,050 m<sup>3</sup> which is 60,050 m<sup>3</sup> more than the original approved capacity of 380,000 m<sup>3</sup>. Section 3.1.3.8 of the EA subtracts the "volume consumed" from 2017 to 2020 of 38,903 m<sup>3</sup>.</p> <p><b>Action 1b:</b> The EA should clearly identify that it is requesting the remaining, unapproved value (708,000 m<sup>3</sup> minus the approved capacity via the interim ECAs of 60,050 m<sup>3</sup>) via the EA process.</p>	<p>The EA is seeking approval of 708,000 m<sup>3</sup> of total waste and operational cover (disposal) capacity for the full 40 year planning period. The additional capacity already approved for the site is accounted for within this volume, including all ECA Notices through the January 10, 2022, ECA, totaling 73,050 m<sup>3</sup>. As such, the remaining, unapproved volume of waste capacity being sought is 635,950 m<sup>3</sup> (708,000 m<sup>3</sup> minus the approved additional capacity to date).</p> <p>Vol. I, Section 3.1.3.8 'Interim Fill and Planning Period Capacity', of the EA has been updated to clarify requested capacity. Vol. I, Table 3.3 'ECA No. A150203 Amendments and Approved Capacity' has been updated to reflect the cumulative additional volume as of the January 2022 ECA.</p>	
	<p><b>Interim Environmental Compliance Approval (ECA) Amendment Comment 1-C</b>                      Several Sections of the Revised Draft EA (e.g., Sections 1.0, 3.1, and 3.1.2.2)</p> <p>Section 6.1 was modified to indicate that as per section 3.1.3.8, of the 708,000 requested "some of the volume has already been used". Section 3.1.3.8 outlines that the Town is requesting 669,097m<sup>3</sup> since a portion has already been used to date through ECA interim approvals.</p> <p><b>Action 1c:</b> Please clarify how the interim capacity has been considered in the conceptual design of the preferred undertaking.</p>	<p>Vol. I, Section 7.1 'Alternative Methods to be Assessed' and Section 3.1.3.8 'Interim Fill and Planning Period Capacity' have been updated to clarify that the remaining, unapproved volume of waste capacity being sought is 635,950 m<sup>3</sup> (708,000 m<sup>3</sup> minus the approved additional capacity to date – see response to 1-B). The interim approved capacity has been incorporated into the conceptual designs of all alternative methods as part of Cell 1 of the expansion.</p>	
2	<p><b>Diversion – Comment 2a</b>                      Page 23 and throughout the document</p> <p>Section 11.4 clarifies the intent to meet the diversion targets set out by provincial policy and to review the landfill waste diversion rates every 10 years. This commitment was also added to the Compliance Monitoring Plan commitments summary table in section 11.5, however there was no reference to the frequency of the commitment. The commitment summary table should be amended to further clarify the intent to review the diversion rates every 10 years.</p>	<p>Vol. I, Section 11 'Future Commitments and Environmental Compliance' has been rewritten. Table 11.1, 'Summary of EA Commitments', has been updated to include the Town's commitment to:</p> <p style="padding-left: 40px;">Review applicable diversion programs every 10 years and meet any future diversion targets set out in provincial policy.</p>	

**Table 2: Final Environmental Assessment (August 2021) – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
	<p><b>Action 2a:</b> Please update table 11-2 in the Compliance Monitoring section 11.5 to clarify the intent to review the diversion rates every 10 years.</p>		
3	<p><b>Cement Kiln Dust (CKD) Pile – Comment 3a</b> Section 7 and 9 and throughout the document</p> <p>Changes were made to 7.1.4. to provide consistency in how the impacts related to the CKD pile were assessed relative to each alternative. Table 7-16 no longer incorrectly references the fact that alternatives methods do not disturb the CKD pile. Although Tables 7-5 and 7-7 attempt to provide a detailed assessment of mitigation measures and ranking, it is unclear what assessment measures were considered and how they relate. It is suggested that additional rationale be provided to clearly explain the environmental planning and decision-making process followed to assess the potential impacts of the CKD pile. As a reminder, the EA should be a stand-alone document, the EA Code of Practice (page 11) for EA provides an outline as to how to prepare an environmental assessment. The EA Code of Practice states that “any interested person reading the environmental assessment document should be able to easily follow the process used by the proponent in determining the undertaking including the rationale for making certain choices. Clarity, simplicity, completeness, and precision are objectives for which to strive when preparing the environmental assessment document.</p> <p><b>Action 3a:</b> Please update the EA to provide a clear description of the contents of Table 7-5 and Table 7- 7 and any additional rationale to explain the environmental planning and decision-making process you followed to assess the potential impacts of the CKD pile impacts.</p>	<p>Government Review Team (GRT) comments on the Final EA raised several concerns regarding preferred Alternative 3 particularly the proximity to, and the potential impacts of the Cement Kiln Dust (CKD) Pile on the relocated watercourse. To address these concerns, the Town re-engaged with St. Marys Cement (SMC) to discuss the watercourse relocation and how far onto SMC lands it might extend. SMC undertook further review and indicated that encroachment onto their lands would not be possible without affecting their Aggregate Resources Act license. Reflecting on both the comments on the Final EA and the limitations with respect to SMC lands, the study team revisited the preferred Alternative 3. The team was challenged to determine if refinements to the preferred alternative could minimize the need to relocate the watercourse while maintaining the target capacity of the preferred alternative and its attributes. To this end, the team identified a refinement to the preferred alternative, Alternative 3A. The new Alternative 3A was incorporated and assessed as part of the alternative methods evaluation onward (i.e., Vol. I, Section 7.0 ‘Phase 5: Assess Alternative Methods for Carrying Out the Undertaking’).</p> <p>Vol. I, Section 7 ‘Phase 5: Assess Alternative Methods for Carrying Out the Undertaking’, including all the evaluation tables have been revised to reflect the addition of Alternative 3A, specifically, Vol. I, Table 7 8 ‘Groundwater Effects Assessment’, Table 7 9 ‘Potential Effects to Surface Water Quality’ and Table 7 10 ‘Potential Effects to Surface Water Quantity’. Sections 7.5 ‘Hydrogeology’ and 7.6 ‘Surface Water’ and the associated text has been revised to provide clarity and completeness with respect to both the impacts of the CKD pile and the traceability of trade-offs and environmental decision-making</p>	
3	<p><b>Cement Kiln Dust (CKD) Pile – Comment 3b</b> Section 7 and 9 and throughout the document</p> <p>Section 11.1 of the final EA was updated to reference consideration for a subsurface drain, the review of the potential effects of the CKD pile on the watercourse and the development of a monitoring and adaptive management plan to address potential impacts during construction and operation. It was noted that the table 11-2 which outlines specific commitments does not include reference to an adaptive management plan or review of potential effects of the CKD pile on the watercourse as per the request in the comment. Section 4.3.5 of the EA Code of Practice requires that all commitments made in the EA should be summarized in a single table, with columns for a brief description of all commitments, where in the document the commitment is mentioned and when each commitment will be fulfilled.</p> <p><b>Action 3b:</b> The ministry strongly recommends that the EA be revised to contain commitments to assessing the potential effects of the CKD pile on the watercourse, monitoring the effects during construction and operation, and proposing mitigation and/or adaptive management if impacts are identified through the monitoring. Please update Table 11-2 to include all commitments made in the EA including those regarding the adaptive management plan and review of potential effects to the CKD pile.</p>	<p>Vol. I, Section 11.0, ‘Future Commitments and Environmental Compliance’ has been rewritten. Section 11.1, ‘Monitoring Program’ describes the monitoring programs that will feed into the adaptive management plan described in Vol. I, Section 11.2 ‘Adaptive Environmental Management’. Table 11.1, ‘Summary of EA Commitments’, summarizes the commitments as outlined in Section 4.3.5 of the Code of Practice and includes all the commitments made in the EA.</p>	

**Table 2: Final Environmental Assessment (August 2021) – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
5	<p><b>Effects Assessment – Comment 5d</b> Sections 3, 6 and 7</p> <p>Table 7-4 was added with the intention of showcasing alternative method-specific evaluation of effects, however, it is unclear how each alternative's ground water effects are assessed and compare against each other according to this table alone.</p> <p><b>Action 5d:</b> Please provide supplementary text to describe the potential effects in relation to the alternative methods being evaluated and how they differ among various stages of the project (e.g., placing waste on top of the CKD pile for Alternative 5).</p>	<p>Vol. I, Section 7 'Phase 5: Assess Alternative Methods for Carrying Out the Undertaking', including all the evaluation tables have been revised to reflect the addition of Alternative 3A. The previous Table 7-4 'Potential Impacts' [for groundwater and surface water] has been removed. Additional clarity has been added to Vol. I, Sections 7.5 'Hydrogeology' and 7.6 'Surface Water' to better explain each alternative's groundwater and surface water effects are assessed and compared against each other.</p>	
5	<p><b>Effects Assessment – Comment 5e</b> Sections 3, 6 and 7</p> <p>Several tables including Tables 7-4 (groundwater and surface water impacts), 7-5 (groundwater) and 7-7 (surface water) were added and provide additional information on the factors considered in the decision-making process. Supplementary text to outline the key factors in decision making would better allow readers to "easily follow the process used by the proponent in determining the undertaking including the rationale for making certain choices" as per page 11 of the EA Code of Practice. As per the example provided in the February 2021 comment, table 7-6 outlines that Alternative 5 differs from Alternatives 2 and 3 since it requires an assessment of the leachate from waste and the CKD pile and the need to construct a liner and leachate collection system above the CKD pile, yet there is no clear explanation as to why or how alternative 5 is less preferred.</p> <p><b>Action 5e:</b> Please provide supplementary text to outline key decision-making factors considered in the comparison of the net effects regarding the hydrogeological components of the environment.</p>	<p>Vol. I, Section 7 'Phase 5: Assess Alternative Methods for Carrying Out the Undertaking', including all the evaluation tables have been revised to reflect the addition of Alternative 3A. The previous Vol. I, Tables 7.6 'Groundwater Effects Assessment' and 7.7 'Surface Water Effects Assessment' and the associated text has been revised to provide additional information on the factors considered in the decision-making process. Supplementary text outlining key decision-making factors considered in the comparison of the net effects regarding the hydrogeological components of the environment have been added.</p>	
5	<p><b>Effects Assessment – Comment 5e2</b> Sections 3, 6 and 7</p> <p>Section 4.2.4 of the EA Code of Practice clarifies that the identification of positive and negative effects of alternatives are required to provide a balanced picture of the potential environmental effects. Please ensure that positive effects of alternative methods are also demonstrated. This will further explain the rationale behind decision making. For example, Section 7.1.5.1 Surface Water Quality describes the potential negative impacts of realigning the watercourse closer to the CKD pile however the potential positive effects of moving the watercourse away from the active landfill area (i.e. reduced risk of waste contaminates entering watercourse) are not clearly articulated.</p> <p><b>Action 5e2:</b> Please ensure that both positive and negative environmental effects are discussed when describing the effects and assessing alternatives throughout the EA.</p>	<p>Vol. I, Section 7 'Phase 5: Assess Alternative Methods for Carrying Out the Undertaking', including all the evaluation tables have been revised to reflect the addition of Alternative 3A. Additional information and clarity with respect to both positive and negative impacts has been added.</p>	
5	<p><b>Effects Assessment- Comment 5g</b> Sections 3, 6 and 7</p> <p>Although Table 7-8 and 7-10 were modified to reference that measures to relocate the watercourse offer an opportunity to improve conditions (including design for aquatic habitat) and further separates the majority of the watercourse from the landfill area it is still unclear what measures would be considered to improve the conditions.</p>	<p>Vol. I, Section 7 'Phase 5: Assess Alternative Methods for Carrying Out the Undertaking', including all the evaluation tables have been revised to reflect the addition of Alternative 3A. Additional information and clarity with respect to both positive and negative impacts has been added.</p>	

**Table 2: Final Environmental Assessment (August 2021) – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
	<b>Action 5g:</b> Please clearly describe how conditions would improve from the relocation.		
6	<p><b>New Comment:</b></p> <p>Please ensure that all commitments made in the EA are outlined in applicable tables. Section 4.3.5 of the EA Code of Practice reads: “The environmental assessment must provide a plan that sets out how and when all commitments, including impact management measures, made in the document and any conditions of approval will be fulfilled and how the proponent will report to the ministry about compliance. This information should be summarized in a single table, with columns for a brief description of all commitments, where in the document the commitment is mentioned and when each commitment will be fulfilled”. For example: Alternative methods 2 and 3 require the relocating of a watercourse. In the analysis of alternatives, the relocation of the watercourse was identified as a benefit since a “new channel can be designed to incorporate habitat features, including appropriate width/depth, substrate, and riparian vegetation” This fact played a key role in in the analysis of alternatives. There are several commitments to 6 a) study the effects of the watercourse relocation b) implement an Erosion and Sediment Control Plan c) and seek DFO approvals included in Table 9-1. However, it is unclear as to which impact management measures are intended to be incorporated into the construction and design of the relocated water course.</p> <p><b>Action 6:</b> Please ensure that all commitments made throughout the EA report are summarized in a single table</p>	<p>Vol. I, Section 11 ‘Future Commitments and Environmental Compliance’ has been rewritten. Section 11.2 ‘Adaptive Environmental Management’ describes the adaptive management plan while Section 11.1.3 ‘Environmental Effects Monitoring’ describes the monitoring programs that will feed into the adaptive management plan. Table 11.1, ‘Summary of EA Commitments’, summarizes the commitments in a format consistent with Section 4.3.5 of the Code of Practice and includes all the commitments made in the EA.</p>	
7	<p><b>New Comment:</b></p> <p>The description of the Undertaking reads (p.238): “Much of the site infrastructure already exists under the current approval. This includes the site entrance, weigh scale, scale house, internal access roads, public drop-off facility and buffer areas. Existing site facilities may or may not need to be relocated as part of the development of the expansion. Initially, there is no requirement to relocate the existing public drop-off and MHSW depot situated between Phase I and Phase II/III. The depot will need to be moved before Cell 2 begins operation. We note that the Town may upgrade the depot area for more efficient operation without seeking an EA amendment.</p> <p><b>Action 7:</b> Considering the MHSW depot is a known aspect of the preferred undertaking please include a detailed description of the potential effects and mitigation proposed.</p>	<p>Vol I, Section 8, ‘Description of the Undertaking’ has been completely revised to reflect a the conceptual design of Alternative 3A, including construction activities, which occur together with the ongoing (overlapping) operation of the site, closure and post-closure care.</p> <p>The MHSW depot (component) of the public drop-off area has been removed from the Site. A detailed description of the potential effects and mitigation proposed is not required for the MHSW depot.</p>	
<p>Submitter: <b>Indigenous Communities Comments</b>, Ministry of the Environment, Conservation and Parks September 14, 2021</p>			
1.	<p><b>Reference to EA: 2.4.2 Screening Process, 4.1.1. Data Collection and/or 5.5.4 Aboriginal Comments on Draft EA &amp; Rationale (January 2020 version of EA Report):</b></p> <p>It will be important for the proponent to demonstrate in the final EA report that they have obtained, or at least made meaningful attempts to obtain, input on the screening of alternatives from, at minimum, the communities that did not request to be excluded from the consultation process.</p> <p>The Nanfan Treaty of 1701 is between the Haudenosaunee Confederacy and the Crown. The most proximate Haudenosaunee communities to the St. Marys Landfill are Oneida Nation of the Thames and Six Nations of the Grand River. Further, the St Marys Landfill appears to be within the Treaty 29, 1827 area (not Treaty 3), the modern signatories to which include Aamjiwnaang First Nation, Caldwell First Nation, Chippewas of Kettle and</p>	<p>Vol. I, Section 3.7.1.2 ‘Social and Cultural Environment’ now includes the following text:</p> <p>‘The St. Marys Landfill is within the lands covered by Treaty 29 (1827). The modern signatories to this treaty are:</p> <ul style="list-style-type: none"> <li>• Aamjiwnaang First Nation (formerly Chippewas of Sarnia First Nation);</li> <li>• Caldwell First Nation;</li> <li>• Chippewas of Kettle &amp; Stoney Point;</li> <li>• Chippewas of the Thames First Nation; and</li> <li>• Walpole Island First Nation.</li> </ul> <p>The Haudenosaunee Development Institute (representing the Haudenosaunee Confederacy) and Six Nations of the Grand River Territory were also contacted as</p>	

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	<p>Stony Point, Chippewas of the Thames First Nation and Walpole Island First Nation. The Twin Creeks Landfill also appears to be in Treaty 29, and the same communities may have Aboriginal Treaty rights in this area.</p> <p><b>Proposed Action/Solution:</b></p> <p>Please describe in section 2.4.2, 4.1.1 and/or 5.5.4 what attempts were made to obtain input from Indigenous communities as part of the screening of alternatives and if any information specific to the screening was obtained from communities through consultation. In section 5.5.4 specifically it should be clarified that the Nanfan Treaty of 1701 is between the Haudenosaunee Confederacy and the Crown. Further, please clarify that the St Marys Landfill appears to be within the Treaty 29, 1827 area (not Treaty 3), the modern signatories to which include Aamjiwnaang First Nation, Caldwell First Nation, Chippewas of Kettle and Stony Point, Chippewas of the Thames First Nation and Walpole Island First Nation. Please also clarify that the Twin Creeks Landfill also appears to be in Treaty 29. Please reference sources or cross-reference consultation throughout section 5.5.4.</p> <p><b>Comments on Final EA (July 2021 version of the EA Report):</b></p> <p>It does not appear as though meaningful input has been received from Indigenous during the development and review of the EA. Section 10.5.6 refers to several comments from Indigenous communities. Please ensure that all feedback is recorded, included in the record of consultation and considered in the EA. It is recommended that the proponent and Ontario continue to reach out to the identified communities to see if they have any input, prior to a decision on the EA. That said, any information provided from communities should be considered in the EA, e.g., Chippewas of the Thames (see below). It should be indicated that the signatories to Treaty 29 are believed to include the communities listed, as the list may not be exhaustive.</p>	<p>they expressed interest due to the site's location within the area covered by the Nanfan Treaty. The Indigenous communities listed above are believed to have Indigenous Rights, Treaty Rights, or both, affecting the subject property. However, this list may not be exhaustive.'</p> <p>The same text has been added to Section 3.7.2.2 'Social and Cultural Environment' to describe the treaties associated with the Twin Creeks Landfill property.</p> <p>Consultation with Indigenous communities is ongoing. The communities noted above were contacted by email and telephone in February and March of 2021. Meetings were held with HDI and Six Nations in September 2021. Additional detail regarding the feedback received during this consultation with Indigenous communities and how it's been addressed within the EA has been added to Vol. I, Sections 3.11 'Input Received During Phase 1, Evaluation of Alternatives to the Undertaking', and 10.5 'Indigenous Community Consultation'. Cross references to documents provided in Appendices are now included in these sections.</p> <p>Chippewas of the Thames noted that the Thames River is of significance to the community as an important fishing area and source of drinking water. The evaluation indicators provided in Vol. I, Section 7.2 'Evaluation Indicators' for the 'Indigenous Connections to the Land' have been revised to better articulate potential impacts to Indigenous Rights and Interests such as the importance of the Thames River. One indicator has been developed to synthesize the results of all of the technical assessments with respect to how features of cultural and/or environmental significance to Indigenous communities are impacted. The new indicator is impacts to culturally and/or environmentally significant features to Indigenous communities.</p> <p>Other communities, including HDI, Six Nations, Walpole Island First Nation indicated an interest in participating in various aspects of the detailed design and/or construction. Commitments to ensure this continued participation have been added to Vol. I, Table 11.1 'Summary of EA Commitments.'</p>	
2.	<p><b>Reference to EA: 6.4.6 Aboriginal Connections to the Land</b></p> <p><b>Comments on Draft EA &amp; Rationale January 2020 version):</b></p> <p>The St Marys Landfill appears to be within the Treaty 29, 1827 area (not Treaty 3), the modern signatories to which include Aamjiwnaang First Nation, Caldwell First Nation, Chippewas of Kettle and Stony Point, Chippewas of the Thames First Nation and Walpole Island First Nation.</p>	<p>Vol. I, Section 6.4.6, 'Indigenous Communities and Treaty Rights 'has been updated to read:</p> <p>'The St. Marys Landfill is located within lands subject to Treaty 29, 1827. Aamjiwnaang First Nation, Caldwell First Nation, Chippewas of Kettle and Stony Point, Chippewas of the Thames First Nation and Walpole Island First Nation and the Haudenosaunee Confederacy have Indigenous and Treaty Rights associated with lands in, and around, the landfill, as described in Section 3.7.1.2 'Social and Cultural Environment'. The most proximate Haudenosaunee communities to the St. Marys Landfill are Oneida Nation of the Thames and Six Nations of the Grand River.'</p> <p>All references to the term "Aboriginal" have been replaced with the term "Indigenous" for greater consistency.</p>	

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	<p>Please also note that the most proximate Haudenosaunee communities to the St. Marys Landfill are Oneida Nation of the Thames and Six Nations of the Grand River. All of these communities may have Aboriginal or treaty rights in the area of the undertaking.</p> <p><b>Proposed Action/Solution:</b></p> <p>Please clarify that the St Marys Landfill appears to be within the Treaty 29, 1827 area (not Treaty 3), the modern signatories to which include Aamjiwnaang First Nation, Caldwell First Nation, Chippewas of Kettle and Stony Point, Chippewas of the Thames First Nation and Walpole Island First Nation. Please also note that the most proximate Haudenosaunee communities to the St. Marys Landfill are Oneida Nation of the Thames and Six Nations of the Grand River. Please reference sources or cross-reference consultation throughout this section. Please use consistent terminology as appropriate (e.g., Indigenous Connections to the Land, Aboriginal or treaty rights).</p> <p><b>Comments on Final EA (July 2021 version):</b></p> <p>See above [refers to comment on Final EA under Comment #1, not the comments on the previous version of the EA above].</p>	<p>Additional information regarding consultation with Indigenous communities, including cross-references to the Consultation Record in Vol IV have been added to Vol. I, Sections 3.11 'Input Received During Phase 1', and 10.5 'Indigenous Community Consultation'.</p>	
3.	<p><b>Reference to EA: 6.5.2 Evaluation Criteria and 6.6.4 Indigenous Connections to the Land</b></p> <p><b>Comments on Draft EA &amp; Rationale (January 2020 version):</b></p> <p>Traditional and/or historic uses should refer to current uses of the land or resources for traditional purposes. Presumably the undertaking will have no impact on things that happened in the past.</p> <p><b>Proposed Action/Solution:</b></p> <p>Please reference traditional and/or historic uses as current uses of the land or resources for traditional purposes. Please correct the description of the treaty areas and communities in section 6.6.4 as per above. Please clarify if there would be no opportunity for traditional uses to be re-established in the next 40 years on the landfill property and/or within the site vicinity. Please clarify the expected impacts on site and within the vicinity. Please reference sources or cross-reference consultation throughout this section. Please include information, e.g. mitigation measures, obtained through consultation in the final EA report.</p> <p><b>Comments on Final EA (July 2021 version):</b></p> <p>Although the proponent was not able to obtain meaningful input from Indigenous communities during the development and review of the draft and final EA, some input was provided e.g., by the Chippewas of the Thames First Nation during a February 4, 2014 meeting (Vol IV, Appendix H). The community indicated the importance of the Thames River and water quality and offered to provide info from a previous traditional land use plan – anything relevant should have been incorporated into the baseline and assessment of effects. For example, sections 3.7.1.2 (p.46) and 3.8.5 (p.85) make no mention of the current use/importance of the Thames River. These sections, as well as 3.7.2.2 (p. 52), 3.8.5 (p. 86), 6.6.6 (p.169) and 7.4.1 (p. 219-221) reflect a view, using past tense, etc. that Indigenous uses in the study area were historic only. It should be made clear that there are no current uses of the <u>landfill property or onsite study area</u> for traditional purposes. Sections 6.6.6 (p.169) and 7.4.1 (p. 219-221) should be updated to, at minimum, reflect the current use/importance of the</p>	<p>The evaluation indicators provided in Vol. I, Table 6.3 'Evaluation Criteria and Indicators' for the 'Indigenous Connections to the Land' have been revised to better articulate potential impacts to Indigenous Rights and Interests such as the importance of the Thames River. One indicator has been developed to synthesize the results of all of the technical assessments with respect to how features of cultural and/or environmental significance to Indigenous communities are impacted. The new indicator is impacts to culturally and/or environmentally significant features to Indigenous communities.</p> <p>Potential impact to the Thames River, identified by COTTFN, is assessed under this new indicator.</p> <p>Vol. I, Section 3.7.1.2 'Social and Cultural Environment' has been revised to indicate that, 'There are no current uses of the [St. Marys] landfill property for traditional purposes or resources. However, The Thames River and its banks continue to be used by Indigenous communities for hunting, gathering of traditional and medicinal plants and for spiritual purposes.'</p> <p>Similar text is provided in Vol. I, Section 3.7.2.2 'Social and Cultural Environment' to describe current uses of lands around the Twin Creeks landfill.</p> <p>Vol. I, Section 3.8.5, 'Indigenous Connections to the Land' has been updated to note the following:</p> <p>'The St. Marys Landfill is located in close proximity to the Thames River, which was an important travel corridor, source of sustenance and culturally significant feature for the Indigenous people who historically lived in the area. The Thames River continues to be used for hunting, gathering of traditional and</p>	

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	<p>Thames River and potentially other resources within the site vicinity study area. The baseline and assessment of effects in Sections 6 and 7 should reflect the updated study areas (i.e., on-site and site vicinity study areas).</p> <p>Table 6-3 (p. 119) lists the criteria and indicators for the Indigenous component, comprising environmental, cultural and land use sub-components, including "Impacts to any environmental items brought forward as concerns by Indigenous communities". The results of the assessment indicate no differences between the alternative methods (Table 7-14, p. 220); however results from the surface water quality (and biology) discipline, indicate that Alternative 5 is somewhat less preferred (and less preferred respectively), and this should likely have been considered in the assessment of effects on Indigenous communities in Section 7.41 (pp. 219-221).</p>	<p>medicinal plants and for spiritual purposes. Traditional uses may occur in the vicinity, including the Thames River, but have not occurred on the landfill property since before St. Marys Cement was active on the site. There would be no opportunity for traditional uses to be re-established in the foreseeable future if the landfill is expanded.'</p> <p>Vol. I, Section 7.12, 'Impacts to Indigenous Communities' has been updated to better reflect the potential effects to the Thames River in the evaluation of Indigenous Connections to the Land.</p>	
4.	<p><b>Reference to EA: 8 Potential Impacts, Mitigation Measures and Net Effects</b></p> <p><b>Comments on Draft EA &amp; Rationale:</b></p> <p>The Terms of Reference (ToR) identifies "Aboriginal" as an environmental component to be included in the assessment. The sub-components are "cultural" and "land use" as indicated by:</p> <ul style="list-style-type: none"> <li>• Presence of known sites within the area. Records of previous site disturbances</li> <li>• Distance to established communities</li> <li>• Expressed concerns</li> <li>• Existing land use focusing on First Nation's significance, size of area, presence of any sensitive uses</li> </ul> <p>This environmental component is not carried through as described in the ToR to the summary of potential impacts, mitigation measures and recommended monitoring activities in Section 8 of the Draft EA Report.</p> <p><b>Proposed Action/Solution:</b></p> <p>It is expected that a summary of potential impacts, mitigation measures and recommended monitoring activities include all environmental components identified in the ToR, or justification be explicitly provided as to why the evaluation for an environmental component is not carried out as described in the ToR.</p> <p><b>Comments on Final EA:</b></p> <p>Comment does not appear to have been addressed - it is not clear why these indicators were not used to evaluate alternatives. See above.</p>	<p>The evaluation indicators provided in Vol. I, Table 6.3 'Evaluation Criteria and Indicators' for the 'Indigenous Connections to the Land' have been revised to better articulate potential impacts to Indigenous Rights and Interests such as the importance of the Thames River. One indicator has been developed to synthesize the results of all of the technical assessments with respect to how features of cultural and/or environmental significance to Indigenous communities are impacted. The new indicator is impacts to culturally and/or environmentally significant features to Indigenous communities.</p> <p>The assessment of impacts to Indigenous Connections to the land for the comparative evaluation of Alternative methods is provided in Vol. I, Section 7.4 'Indigenous Communities'.</p> <p>Table 9.1 'Effects, Mitigation, Net effects, and Monitoring Requirements' details the effects, mitigation measures and net effects for these criteria and indicators for the preferred alternative.</p>	
5.	<p><b>Reference to EA: 9.1 Project Notices</b></p> <p><b>Comments on Draft EA &amp; Rationale:</b></p> <p>It is important to know who received which notices.</p> <p><b>Proposed Action/Solution:</b></p> <p>Please provide a cross-reference to the Project Contact List so it is apparent who received the project notices.</p>	Noted.	

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	<p><b>Comments on Final EA:</b></p> <p>Thank-you, comment addressed.</p>		
6.	<p><b>Reference to EA: 9.4.1 Work Plan Review</b></p> <p><b>Comments on Draft EA &amp; Rationale:</b></p> <p>Consultation with Indigenous communities should be summarized separately from public or agency consultation. This does not seem like an appropriate section to first list the Indigenous communities being consulted.</p> <p><b>Proposed Action/Solution:</b></p> <p>Please summarize consultation with Indigenous communities and agencies in a separate section or sub-section, organized by community. Were these the only communities that expressed interest (e.g., why were Oneida of the Thames, Munsee-Delaware not included)? Please include a summary for all communities identified by the Crown for consultation.</p> <p><b>Comments on Final EA:</b></p> <p>Comment addressed. In future please also organize relevant appendices by community for ease of reference.</p>	<p>Acknowledged.</p>	
<p>Submitter: <b>Air Quality</b>, Ministry of the Environment, Conservation and Parks September 24, 2021</p>			
1.	<p><b>Reference to EA: Volume 1 –Environmental Assessment Report, Executive Summary, ES12.6 Natural Environment</b></p> <p><b>Comments &amp; Rationale:</b></p> <p>The EA states, “The model indicates that the receptors generally do not exceed 6 Odour Units (OU) which is the level at which odour complaints are received. The frequency of this is <u>less than 0.5% at all receptors.</u>”</p> <p>This is inconsistent with the ESDM report (Volume III –Technical Reports, Appendix A – Expansion Emission Summary and Dispersion Modelling Report, August 2020, s. 8.13 General Odour, p. 19), which shows that “<u>a few sensitive receptors show 0.5% or more impacts over 6 OU.</u>”</p> <p><b>Proposed Action/Solution:</b></p> <p>The wording in the Executive Summary should be corrected for consistency with the ESDM report. The proponent has committed to reassess potential odour effects during the permitting stage (Environmental Compliance Approval (ECA) amendment application). This commitment is referenced throughout the EA, e.g.:</p> <ul style="list-style-type: none"> <li>• P.255: Section 9.0 Potential Impacts, Mitigation Measures, and Net Effects, Table 9-1; Natural Environment, Air Quality and Odour row, Mitigation Measures column, “odour will be re-evaluated and modeled based on detailed design plans during preparation of the ECA application.”</li> <li>• P.299: Section 11.0 Future Commitments and Environmental Compliance; s.11.1 Additional Studies and Design Considerations, “Update of the odour modeling results based on the detailed design plans.”)</li> </ul>	<p>Changes were made to the Executive Summary to shorten the summary and focus it and as a result the referenced edit and associated section was removed. The odour effects are discussed in Section 7.4.2.</p> <p>The Town has committed to re-evaluate odour at the permitting stage. This commitment is referenced in Table 11.1, ‘Summary of EA Commitments’ in the revised Final EA, specifically:</p> <p>Review and re-model potential odour impacts based on the detailed design plans. From the modelling, the Town will identify and develop plans for additional mitigation, monitoring, and contingency measures for odour as required.</p>	

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	<p>Given that the modelled frequency of odour threshold exceedances at sensitive receptors is above the MECP guidance limit of 0.5%, I am satisfied with the proponent's commitment to re-evaluate odour at the permitting stage, as previously discussed with the MECP.</p>		
2.	<p><b>Reference to EA: Volume 1 –Environmental Assessment Report P.255: Section 9.0 Potential Impacts, Mitigation Measures, and Net Effects, Table 9-1; Natural Environment; Air Quality and Odour</b></p> <p><b>Comments &amp; Rationale:</b></p> <p>I am satisfied with the proposed mitigation measures, recommended monitoring activities and contingency measures for dust and odour.</p> <p><b>Proposed Action/Solution:</b></p> <p>I support the proponent's plan to include the proposed mitigation, monitoring, and contingency measures for dust and odour in their Environmental Management Plan (EMP). The proponent has committed to submitting their EMP to the MECP as a part of their ECA amendment application (p.299: Section 11.0 Future Commitments and Environmental Compliance, s.11.1 Additional Studies and Design Considerations).</p>	<p>Comment noted.</p>	
<p>Submitter: <b>Groundwater Study</b>, Ministry of the Environment, Conservation and Parks, Southwest Region September 22, 2021</p>			
1.	<p>I have reviewed the final Hydrogeology Study prepared for the St. Marys Landfill EA. My comments on the draft version were provided by way of a series of memoranda addressed to Project Officers at your branch. The most recent memo, dated March 18, 2020, was addressed to Jenny Archibald.</p> <p>In the above-noted memo, the draft hydrogeological study did not address the Reasonable Use Guideline (RUG). This is the measure by which any landfill is shown to be protective of ground water resources. In response, a June 30, 2020, memo from the consultant presented an analysis showing that we could be reasonably certain that the site would comply with the RUG. In my July 15, 2020, email to the MECP project officer, Jenny Archibald, I indicated that this new analysis was acceptable.</p> <p>The final hydrogeological study still does not include a statement about the RUG. I recognize that the RUG concept is discussed in detail in Appendix J, and that is summarized in the main EA document.</p> <p>The prediction of compliance with the RUG is a key outcome of any ground water study for a waste site. In my opinion, this outcome should be identified in the hydrogeology study. It would be reasonable to keep this as a general summary, similar to what was presented in the main EA document. Either way, a person reading the final hydrogeology study should know that the site is likely to comply with the RUG. This is too important for being left to an appendix.</p>	<p>The prediction of compliance with the Reasonable Use Guideline (RUG) has been added in greater detail to Vol. I, Appendix D 'Supplementary Information in Support of Alternative 3A' Section 3.2.1.9 'Reasonable Use Guideline (RUG)'.</p>	
2.	<p>On page 64 (section 6.2) it is identified that moving the watercourse may result in a change in the ground flow direction. This could occur because the watercourse, which acts as a local discharge boundary, will be moved further from the landfill. This may reduce the gradient and result in a change in flow direction. A passage in the section reads:</p>	<p>Vol. I, Table 9.1 'Summary of Effects, Mitigation, and Net Effects', Section 11 'Future Commitments and Environmental Compliance' and Appendix D 'Supplementary Information in Support of Alternative 3A' have been rewritten to reflect the new preferred Alternative 3A and the mitigation, monitoring, and adaptive management framework that will support both the anticipated effects of the watercourse realignment and any unanticipated effects.</p>	

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	<p><i>“A conceptual model of current flow and potential flow taking into account the mounding in the waste, in the CKD mound, the location of the new watercourse may be needed to design new footprint areas.”</i></p> <p>The text should be changed to read that a conceptual model that considers the changes “...will be needed...”. As identified later in the section, the ground water level monitoring program will need to be adjusted to detect any changes in flow direction. This requirement should be addressed prior to approval of the Environmental Compliance Approval.</p>		
3.	<p>In section 6.2.3 the report identifies that “Major enhancement of the LCS (such as adding a liner) may need to be considered to provide additional separation between waste and bedrock.” The report does not identify the test that would need to be met for this to be deemed necessary. Is there a minimum required overburden thickness? What outcome would trigger this mitigative measure?</p>	<p>Vol. I, Section 8 ‘Description of the Undertaking’ has been rewritten to describe the new preferred Alternative 3A, with the LCS described in Section 8.2.2 ‘Leachate Collection System’. Vol. I, Appendix D ‘Supplementary Information in Support of Alternative 3A) provides additional information to support the conceptual design of Alternative 3A. Vol. I, Section 11 ‘Future Commitments and Environmental Compliance’ outlines the monitoring plan to ensure there are no unforeseen effects to groundwater quality and the Adaptive Management Framework which will be used to identify if additional mitigation measures are warranted.</p>	
<p>Submitter: <b>Land Use Planning</b>, Ministry of the Environment, Conservation and Parks, Environmental Assessment Branch September 28, 2021</p>			
1.	<p><b>Reference to EA: Volume I, Section 3.8.4.2</b></p> <p><b>Comment &amp; Rationale:</b></p> <p>The first bullet in this section states, “<i>No changes in zoning or Official Plan designations would be required to expand the landfill</i>”, presumably in reference to the Town of St Marys. In contrast, the “<i>Net Effects</i>” subsection and Table 3-13 note that zoning of adjacent lands will need to be updated, presumably referring to zoning provisions of the Township of Perth South. Further, it is noted that as a result of Alternative 1 the zoning of adjacent lands will need to be updated, resulting in a minor benefit.</p> <p><b>Proposed Action/Solution:</b></p> <p>Statements referring to zoning, particularly in the “Net Effects” subsection and Table 3-13, should be clarified to:</p> <p>a) Specify the municipality that does or does not require zoning by-law updates, and;</p> <p>b) Indicate why undertaking zoning updates is beneficial, compared to the Do Nothing alternative.</p> <p>This comment is of minor significance.</p>	<p>It has been clarified that no changes to zoning are required in the Town of St. Marys or the Township of Perth South. As such, the text related to zoning in Vol. I, Section 3.8.4.2 ‘Land Use’ and Table 3-13 ‘Net Effects to Land Use’ was removed.</p>	

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2.	<p><b>Reference to EA: Volume I, Section 7.3.2</b></p> <p><b>Comment &amp; Rationale:</b></p> <p>The EA fulfills the requirements of the MECP Guideline D-4. Guideline D-4 suggests that 50m be considered as an influence area requiring an assessment of impacts for any existing or proposed sensitive land uses. This EA has taken a comprehensive look at the impacts that may result both during construction and due to its operation.</p> <p><b>Proposed Action/Solution:</b></p> <p>No additional action recommended.</p>	Noted.	
Submitter: <b>Noise</b> , Environmental Permissions Branch, Ministry of the Environment, Conservation and Parks September 20, 2021			
1.	<p><b>Reference to EA: Appendix B – Noise Impact Assessment - Section 2.3.4:</b></p> <p><b>Comments &amp; Rationale:</b></p> <p>Construction and Rehabilitation: reference was made to MECP Publication NPC-115. Reference should have also been made to Publication NPC- 118 and to the Town of St. Marys Noise By-Law No. 43 of 2007.</p> <p><b>Proposed Action/Solution:</b></p> <p>Include reference to MECP Publication NPC-118 and to the Town of St. Marys Noise By-Law No. 43 of 2007.</p>	<p>Section 2.3.4 'Construction and Rehabilitation' of the Noise Impact Assessment (Vol. III, Appendix B), and Section 7.4.3 'Noise' of Vol. 1, the Environmental Assessment Report, has been revised to read:</p> <p>"Site construction activities would likely include one or more of each of the following equipment: excavator, wheel tractor scraper, bulldozer, construction truck, and a compactor, along with vehicles arriving for onsite delivery of materials. It is expected that all construction activities will conform to the criteria set out in NPC115 of 83 dB, NPC- 118 and to the Town of St. Marys Noise By-Law No. 43 of 2007.</p>	
2.	<p><b>Reference to EA: Appendix B – Noise Impact Section 2.3.2.4.</b></p> <p><b>Comments &amp; Rationale:</b></p> <p>Ancillary Facilities – Stationary Sources: impulse noises from filling / emptying the bins of recycled materials should have been included in the noise report.</p> <p><b>Proposed Action/Solution:</b></p> <p>Include impulse noises from filling / emptying the bins of recycled materials.</p>	<p>Added Section 2.3.2.3 'Bin Impulses (Bin_Exist and Bin_Future)', to the Noise Impact Assessment (Vol. III, Appendix B), detailing the impulses generated when the waste bin transport truck contacts the bin. Source "Bin" was added to the model. Addition of source does not change the result of the report; all PORs remain in compliance. No changes to Vol I Section 7.4.3 'Noise' are required.</p> <p>Updated Tables 1-Exist 'Noise Source Summary Table (Existing)', Table 1-M2 'Noise Source Summary Table (Method 2)', Table 1-M3 'Noise Source Summary Table (Method 3)', Table 1-M5 'Noise Source Summary Table (Method 5)', Table 3-Exist 'Point of Reception Noise Impact Table (Un-Mitigated Existing)', Table 3-M2 'Point of Reception Noise Impact Table (Un-Mitigated Method 2)', Table 3-M3 'Point of Reception Noise Impact Table (Un-Mitigated Method 3)', Table 3-M5 'Point of Reception Noise Impact Table (Un-Mitigated Method 5)', Table 4-Exist Acoustic Assessment Summary Table: Daytime (Un-Mitigated Current), Table 4-M2 Acoustic Assessment Summary Table: Daytime (Un-Mitigated Method 2), Table 4-M3 Acoustic Assessment Summary Table: Daytime (Unmitigated Method 3), and Table 4-M5 Acoustic Assessment Summary Table: Daytime (Un-Mitigated Method 5) to reflect current model results.</p>	

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Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
3.	<p><b>Reference to EA: Appendix B – Noise Impact Assessment - Sections 2.3.3, 2.4.2, 2.5.2, Table 5 &amp; Appendix A</b>  <b>Comments &amp; Rationale:</b></p> <p>Off-Site Vehicles: the noise impact due to off-site vehicles was assessed in terms of the Leq 16 hour daytime sound levels. This noise impact should have been assessed in terms of the Leq 1hour sound levels. The effect of the off-site vehicles on the existing noise environment should be described qualitatively and quantitatively, as shown in the table on page 5 of the MECP Noise Guidelines for Landfill sites (October 1998).</p> <p><b>Proposed Action/Solution:</b></p> <p>Address the noise impact due to off-site vehicles as per the MECP Noise Guidelines for Landfill sites (October 1998).</p>	<p>The calculation for noise impact due to off-site vehicles has been revised to assess minimum 1 hour sound levels at POR01 (the closest sensitive receptor). In addition, the effect of the off-site vehicles on the existing noise environment have been described qualitatively and quantitatively in Section 2.5.2 'Off-Site Noise' of the Noise Impact Assessment (Vol. III, Appendix B). No changes to Vol I Section 7.4.3 'Noise' are required.</p>	
4.	<p><b>Reference to EA: Appendix B – Noise Impact Assessment - Tables 3 &amp; 4:</b>  <b>Comments &amp; Rationale:</b></p> <p>Points of Reception: two heights were used to assess the Plane of Window (POW) and the Outdoor Living Area (OLA) was used to assess the Outdoor Point of Reception (OPOR). The height of the POW should be based on the highest window (1.5 metres for 1-storey house and 4.5 metres for 2-storey house). The location of the OPOR is 30 metres from the building façade (not at the OLA).</p> <p><b>Proposed Action/Solution:</b></p> <p>The height of the POW should be based on the highest window (1.5 metres for 1-storey house and 4.5 metres for 2-storey house). The location of the OPOR is 30 metres from the building façade (not at the OLA).</p>	<p>Within the Noise Impact Assessment (Vol. III, Appendix B), Table 3-Exist Point of Reception Noise Impact Table (Un-Mitigated Existing), Table 3-M2 Point of Reception Noise Impact Table (Un-Mitigated Method 2), Table 3-M3 Point of Reception Noise Impact Table (Un-Mitigated Method 3), Table 3-M5 Point of Reception Noise Impact Table (Un-Mitigated Method 5)</p> <p>Table 4-Exist Acoustic Assessment Summary Table: Daytime (Un-Mitigated Current), Table 4-M2 Acoustic Assessment Summary Table: Daytime (Un-Mitigated Method 2), Table 4-M3 Acoustic Assessment Summary Table: Daytime (Unmitigated Method 3), and Table 4-M5 Acoustic Assessment Summary Table: Daytime (Un-Mitigated Method 5) have been revised removing references to POR height of 1.5m as all the receptors are two-storey houses. The location of the OPOR is 30 m from the building façade. No changes to Vol I Section 7.4.3 'Noise' are required.</p>	
5.	<p><b>Reference to EA: Appendix B – Noise Impact Assessment -Figure 2:</b>  <b>Comments &amp; Rationale:</b></p> <p>Vacant Lots: confirmation should have been included in the noise report that there are no vacant lots closer and more exposed to the landfill site than the six selected points of reception (POR_01 to POR_06).</p> <p><b>Proposed Action/Solution:</b></p> <p>Include confirmation that there are no vacant lots closer and more exposed to the landfill site than the six selected points of reception (POR_01 to POR_06).</p>	<p>Within the Noise Impact Assessment (Vol. III, Appendix B ) Section 2.2, 'Sensitive Receptors' detailing surrounding receptors of interest, has been revised to indicate there are no vacant lots closer to and more exposed to the landfill than the 6 selected receptors. No changes to Vol I Section 7.4.3 'Noise' are required.</p>	
6.	<p><b>Reference to EA: Appendix B – Noise Impact Assessment – Section 2.4.3:</b>  <b>Comments &amp; Rationale:</b></p> <p>Existing Noise Barriers: figures (to scale) should have been included in the noise report to show the locations, extents, lengths, and heights of these noise barriers.</p>	<p>With the Noise Impact Assessment (Vol. III, Appendix B ) Section 2.4.3, 'Elevation Contours', has been revised to indicate there are no noise barriers at the site. Elevation contours were used in the modelling to account for existing topography and are shown in Figure 4: 'Noise Contours'. No changes to Vol I Section 7.4.3 'Noise' are required.</p>	

**Table 2: Final Environmental Assessment (August 2021) – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
	<p><b>Proposed Action/Solution:</b></p> <p>Include figures (to scale) to show the locations, extents, lengths, and heights of these noise barriers.</p>		
7.	<p><b>Reference to EA: Appendix B – Noise Impact Assessment - Sections 3.0, 6.0 &amp; Table 6:</b></p> <p><b>Comments &amp; Rationale:</b></p> <p>Reference was made to Publication NPC-205 and to the MOEE/GO Transit Noise and Vibration Protocol.</p> <p><b>Proposed Action/Solution:</b></p> <p>Delete reference to Publication NPC-205 and to the MOEE/GO Transit Noise and Vibration Protocol. Both documents are not applicable to this project.</p>	<p>Within the Noise Impact Assessment (Vol. III, Appendix B) Section 3, Table 3-1 'Noise Impact Objectives' has been revised to reference MECP Noise Guidelines for Landfill sites (October 1998). This reference has been updated in Sections 3 'Comparison of Alternative Methods' and 6 'References' and Table 6 'Comparison of the Change in Sound Levels'.</p> <p>The references to both NPC-205 and MOEE/GO Transit have been deleted.</p>	
8.	<p><b>Reference to EA: Appendix B – Noise Impact Assessment - Tables 2, 4 and 6:</b></p> <p><b>Comments &amp; Rationale:</b></p> <p>Where did the 50 dBA daytime noise limit come from? The 55 dBA daytime limit should be used instead for landfilling operations (ref. Noise Guidelines for Landfill Sites, October 1998).</p> <p><b>Proposed Action/Solution:</b></p> <p>Use the daytime limit of 55 dBA daytime for landfilling operations (ref. Noise Guidelines for Landfill Sites, October 1998).</p>	<p>Within the Noise Impact Assessment (Vol. III, Appendix B), Revised Table 2 'Performance Limit(s) Summary Table', Table 4-Exist 'Acoustic Assessment Summary Table: Daytime (Un-Mitigated Current)', Table 4-M2 'Acoustic Assessment Summary Table: Daytime (Un-Mitigated Method 2)', Table 4-M3 'Acoustic Assessment Summary Table: Daytime (Unmitigated Method 3)', Table 4-M5 'Acoustic Assessment Summary Table: Daytime (Un-Mitigated Method 5)', and Table 6 'Comparison of the Change in Sound Levels' to use 55 dBA daytime limit.</p>	
9.	<p><b>Reference to EA: Appendix B – Noise Impact Assessment - Table 3:</b></p> <p><b>Comments &amp; Rationale:</b></p> <p>Twelve tables are included with one table number (Table 3). The titles of these tables should explain the difference between the twelve listed tables.</p> <p><b>Proposed Action/Solution:</b></p> <p>The titles of these tables should explain the difference between the twelve listed tables.</p>	<p>Within Appendix B of the Noise Impact Assessment (Vol. III, Appendix B) the table numbering and titles explain the difference between the tables. For example, the first one is "Table 3-Exist: Point of Reception Impact Table (Un-mitigated Existing). This shows the impact at each POR under the (current) existing conditions. Tables "3-M2", "3-M3" and "3-M5" show impacts under each Alternative Method (2, 3 and 5 respectively) at each POR.</p> <p>The data in tables has been updated. The Predictor model was updated to version 2022 and added a source for "bins" which caused a small increase in the predicted sound levels at each receptor. No changes to Vol I Section 7.4.3 'Noise' are required.</p>	
10.	<p><b>Reference to EA: Appendix B – Noise Impact Assessment - Table 5:</b></p> <p><b>Comments &amp; Rationale:</b></p> <p>The daily (24 hour) traffic volumes are listed in this table. The hourly (not daily) traffic volumes should have been used to calculate the noise impact due to the off-site vehicles.</p> <p><b>Proposed Action/Solution:</b></p> <p>Use the hourly (not daily) traffic volumes to calculate the noise impact due to the off-site vehicles.</p>	<p>Within the Noise Impact Assessment (Vol. III, Appendix B), Revised Table 5 'STAMSON: Daytime Sound Levels for Off-site Road Traffic'.</p> <p>Calculated the results from minimum 1-hr traffic volumes at POR01 (closest sensitive receptor to the road).</p>	

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Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

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11.	<p><b>Reference to EA: Appendix B – Noise Impact Assessment - Figure 2:</b>  <b>Comments &amp; Rationale:</b></p> <p>The zoning of the surrounding lands south and west of the landfill site is missing.</p> <p><b>Proposed Action/Solution:</b></p> <p>Include a zoning map to show the locations of the landfill site as well as the surrounding land uses from the north / south / east / west sides.</p>	<p>Within Noise Impact Assessment (Vol. III, Appendix B), Figure 2 'Zoning Land Use Plan' has been updated to include zoning of surrounding lands to the west and south of the Site.</p>	
12.	<p><b>Reference to EA: Appendix B – Noise Impact Assessment – Appendix B</b>  <b>Comments &amp; Rationale:</b></p> <p>Appendix B: The following items should be noted:</p> <p>Day (16 hour) and night (8 hour) vehicular traffic volumes are used. Hourly vehicular traffic volumes should have been used instead; and</p> <p>Ten-year future traffic projections are used. The calculations should have been based on the current year (not a future horizon year).</p> <p><b>Proposed Action/Solution:</b></p> <p>Use hourly vehicular traffic volumes should have been used instead;</p> <p>Use calculations based on the current year (not a future horizon year).</p>	<p>Revised Appendix B "STAMSON Noise Model Output".</p> <p>Within the Noise Impact Assessment (Vol. III, Appendix B), revised calculation to assess minimum 1 hour sound levels at POR01 (the closest sensitive receptor). The output from STAMSON is included in Appendix B of the Noise Impact Assessment.</p>	
<p>Submitter: <b>Species at Risk</b>, Permissions and Compliance Section of Species at Risk Branch, Ministry of the Environment, Conservation and Parks                      October 4, 2021</p>			
1.	<p><b>Reference to EA: General</b>  <b>Comment &amp; Rationale:</b></p> <p>Given that the fieldwork was completed over six years ago, Species at Risk Branch (SARB) recommends that the property is surveyed for Bank Swallow and possible nesting habitat prior to the start of any site alteration/construction activities. If Bank Swallow is found to be nesting on the property and impacts to individuals and/or habitat is likely, MECP should be contacted for guidance under the ESA</p> <p><b>Proposed Action/Solution:</b></p> <p>Recommended that commitment to survey site for Bank Swallow habitat prior to any site alteration be included in EA (e.g. Section 11). Permissions and Compliance of Species at Risk Branch (SAROntario@ontario.ca) should be contacted for guidance under the <i>Endangered Species Act, 2007</i> if Bank Swallow is found to be nesting on site.</p>	<p>The following commitment was added to Vol. I, Section 9.0 'Potential Impacts, Mitigation Measures and Net Effects', Table 9.1 'Effects, Mitigation, Net Effects and Monitoring Requirements' and Table 11.1 'Summary of EA Commitments':</p> <p>The site will be surveyed for Bank Swallow habitat prior to any site alteration. The Permissions and Compliance of Species at Risk Branch (SAROntario@ontario.ca) will be contacted for guidance under the Endangered Species Act, 2007 if Bank Swallow is found to be nesting on site.</p>	

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Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
2.	<p><b>Reference to EA: General – throughout EA</b>  <b>For example– Table 9.1 (page 265)</b></p> <p><b>Comment &amp; Rationale:</b></p> <p>Throughout the Natural Heritage Assessment, there are references to contacting the Ministry of Natural Resources and Forestry regarding species at risk and/or the <i>Endangered Species Act, 2007</i>. Given the transition of the SAR/ESA program to MECP, Permissions and Compliance Section of SARB is now the sole contact for SAR and the ESA and can be reached at <a href="mailto:SAROntario@ontario.ca">SAROntario@ontario.ca</a>. References to contacting MNR regarding species at risk throughout the document should be removed for clarity and to ensure the appropriate ministry is contacted if SAR are encountered on site. For example, Table 9.1 – Removal of Habitat for Endangered and Threatened Species states that MNR <u>and/or</u> MECP should be contacted for further advice. MNR (now MNDMNR) remains responsible for special concern species and significant wildlife habitat, so references to MECP in these sections should be removed.</p> <p><b>Proposed Action/Solution:</b></p> <p>Update to only include MECP contact for ESA protected species and MNDMNR for special concern species and Significant Wildlife Habitat.</p>	<p>Text updated in Vol. I Section 9.0, Table 9.1 'Effects, Mitigation, Net Effects and Monitoring Requirements' to include only the MECP contact for ESA protected species MNDMNR for special concern species and Significant Wildlife Habitat.</p> <p>Section 11.1 'Future Commitments and Environmental Compliance', Table 11.1 'Summary of EA Commitments' – was updated to note the commitment:</p> <p>Complete online project registration to address removal of impacted Eastern Meadowlark habitat under O. Reg. 830/21 of the Endangered Species Act (and throughout report where applicable).</p>	
3.	<p><b>Reference to EA: Section 3.7.1.3 – Natural Environment (page 48)</b>  <b>Section 3.8.2.4 Potential Impacts to Biology (page 69)</b></p> <p><b>Comment &amp; Rationale:</b></p> <p>These sections state "Grassland areas <i>may</i> provide habitat for grassland birds or snakes, including species at risk."</p> <p>Species at risk habitat has been confirmed on site, and therefore, protection under the ESA applies to grassland habitat for Eastern Meadowlark.</p> <p>Authorization under the ESA (e.g., permit or registration) is required for any impacts to Eastern Meadowlark or its habitat.</p> <p><b>Proposed Action/Solution:</b></p> <p>This section should be updated to reflect confirmed Eastern Meadowlark habitat on site.</p>	<p>Updated text in Vol. 1 Section 3.7.1.3 '<i>Natural Environment</i>' and 3.8.2.4 '<i>Potential Impacts to Biology</i>' to confirm Eastern Meadowlark habitat on site.</p> <p>Authorization under the ESA (conditional exemptions under O.Reg. 830/21) is required for any impacts to Eastern Meadowlark or its habitat. The following commitment is in Table 11.1 'Summary of EA Commitments' (ESA italicised and underlined for context):</p> <p>Acquire all necessary permits and/or approvals pursuant to the:</p> <ul style="list-style-type: none"> <li>• Environmental Protection Act</li> <li>• Ontario Water Resources Act</li> <li>• Conservation Authorities Act</li> <li>• Planning Act</li> <li>• <u><i>Endangered Species Act</i></u></li> <li>• Fisheries Act</li> <li>• Fish and Wildlife Conservation Act</li> <li>• Ontario Heritage Act</li> </ul> <p>Others, as identified during the design phase (e.g., changes to electrical supply will be addressed through Festival Hydro and/or Hydro One etc.)</p>	
4.	<p><b>Reference to EA: Table 7-10: Summary of Potential Impacts to Biology Row: Mitigation to be applied to all Alternatives (page 205)</b></p> <p><b>Comment &amp; Rationale:</b></p> <p>This section states that mitigation measures to avoid creation suitable nesting habitat for Bank Swallow should be applied during operation of the landfill. Mitigation measures should also be applied during the</p>	<p>Vol. I Section 7.1, Table 7 2 'Standard Mitigation and Operating Practices Common to All Alternatives', and Section 9.0, Table 9-1 'Effects, Mitigation, Net Effects, and Monitoring Equipment' have been updated to ensure appropriate mitigation measures are applied during construction, to prevent Bank Swallow from establishing nesting burrows (i.e., slope management, deterrents, and exclusion measures).</p>	

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#	Summary of Comments	Proponent's Response	Status
	<p>construction phase (in addition to operation).</p> <p><b>Proposed Action/Solution:</b></p> <p>Updates to table recommended to include appropriate mitigation measures during construction.</p>		
5.	<p><b>Reference to EA: Table 9-1 – Impacts, Mitigation, Net Effects and Monitoring Requirements</b></p> <p><b>Rows: Removal of Habitat for Endangered and Threatened Species and Species at Risk (page 263 and 264)</b></p> <p><b>Comment &amp; Rationale:</b></p> <p>This section states that mitigation measures to avoid creation suitable nesting habitat for Bank Swallow should be applied during operation of the landfill. Mitigation measures should also be applied during the <u>construction</u> phase (in addition to operation).</p> <p>This is highly significant, given that the species has nested on the site previously, and should be addressed in the EA phase. If mitigation measures for Bank Swallow are not undertaken, there is an increased likelihood that Bank Swallow will continue nesting attempts, which triggers protection under the <i>Endangered Species Act, 2007</i> (ESA). Activities that impact Bank Swallow individuals and their habitat (e.g., grading of stockpiles being used as nesting habitat by Bank Swallow) are prohibited under the ESA and authorization under the ESA may be required.</p> <p>The bullet for Bank Swallow under the Mitigation Measures column should be updated to “a no- disturbance 50m setback from the nesting site shall be placed around the site” removing the wording “until no further evidence of breeding is observed.” If Bank Swallow is found to be nesting on the property, either during landfill construction or operation, the individuals and their nests receive protection under the ESA. An authorization under the ESA may be required for the alteration or removal of Bank Swallow nesting habitat, unless it has been determined that the habitat is no longer suitable (e.g., slumping) or being used. Species at Risk Branch of MECP should be contacted if it's determined that Bank Swallow is nesting on site.</p> <p><b>Proposed Action/Solution:</b></p> <p>Updates to the table recommended to include appropriate mitigation measures during construction. Mitigation measures should include appropriate site management (e.g. grading stockpile faces to avoid nesting), given that Bank Swallow (threatened) is known to occur in the area and previous nesting attempts by the species have been made on the site. The Best Management Practices for the Protection, Creation and Maintenance of Bank Swallow Habitat in Ontario should be followed during construction and when the landfill is in operation.</p> <p><b>Additional Comments (October 2022):</b></p> <p>Table 9.1 does not include a reference to avoiding the creation of nesting habitat during construction. SARB recommends that this table clearly states that mitigation measures for Bank Swallow should be implemented during landfill construction and operation.</p> <p>SARB's previous comments provided advice regarding a 50m setback from Bank Swallow nesting habitat. This bullet has been removed from Table 9.1. Please clarify why this bullet has been removed (e.g., the reference to implementation of the Bank Swallow BMP and the habitat description is intended to cover this).</p>	<p>Mitigation measures during construction have been added to Vol. I Section 9.0, Table 9-1 'Effects, Mitigation, Net Effects, and Monitoring Equipment', including measures to prevent Bank Swallow from establishing nesting burrows. Table 9-1 has also be updated to include the Best Management Practices for the Protection, Creation and Maintenance of Bank Swallow Habitat in Ontario (MNRF, 2017).</p> <p><b>Response to October 2022 Comments:</b></p> <p>Table 9-1 has been updated to note that the requirement to avoid creating habitat applies to both construction and operations. The text now reads:</p> <p>“Avoid the creation of temporary vertical or near-vertical spoil piles within the landfill and compost pile that are prone to frequent disturbance from landfill construction and operations to reduce the chance of attracting nesting Bank Swallow. Following Best Management Practices for the Protection, Creation and Maintenance of Bank Swallow Habitat in Ontario (MNRF, 2017).”</p> <p>This has also been added to the construction-related mitigation listed in Table 7-2.</p> <p>There are currently no active Bank Swallow nests on the site. Table 9-1 and Table 11-1 have been updated to include the following:</p> <p>“Should Bank Swallow be found nesting on-site, apply a 50 m buffer around the active nest.”</p> <p>Section 7.7.1 has also been updated to include the following mitigation:</p> <p>“Survey site for Bank Swallow habitat prior to any site alteration and contact SAROntario@ontario.ca for guidance under the Endangered Species Act 2007 if Bank Swallow is found to be nesting on site. Should Bank Swallow be found nesting on-site, apply a 50 m buffer around the active nest.”</p>	

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Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

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#	Summary of Comments	Proponent's Response	Status
Submitter: <b>Surface Water</b> , Ministry of the Environment, Conservation and Parks October 4, 2021			
1.	<p><b>Reference to EA: Volume III, Appendix C, Hydrogeological Study, Section Appendix J Pages 1-3</b>  <b>Comments &amp; Rationale:</b></p> <p>There are still several unknowns regarding the contents and extent of the northern half of the CKD pile which need to be addressed during the EA phase. This contamination has a high risk of accessing the relocated watercourse and without a full characterization, risk reduction and monitoring/mitigation plans cannot be developed.</p> <p>On numerous iterations of my comments, I have asked that the proponent characterize the CKD pile so that the risk of water quality impairment to the unnamed watercourse and therefore the Thames River is assessed.</p> <p>Most recently, I provided comments on the Draft Hydrogeology Study Report Dated December 2019 in a memo dated March 27,2020.</p> <p>On page 1 and 2 of this memo, I identified that the proponent has not properly characterized, delineated or identified how the CKD pile may affect surface water or groundwater resources at the site once the landfill expansion and watercourse realignment occur through the selection of Alternative #3.</p> <p>The pile still contains several contaminants of concern with elevated concentrations capable of causing unacceptable surface water quality impairment if it were to access the proposed relocated watercourse.</p> <p>Using the guidance provided by O. Reg 153/04 is a reasonable approach and one that could provide the necessary direction to assess the potential impacts from the CKD pile to the proposed surface water receiver.</p> <p>If further characterization work around the pile were to identify that the risk to the watercourse is limited to overland flow and not through groundwater, the risk assessment could be scoped and limited to the section of the pile that will need to be excavated/modified to accommodate the watercourse alteration.</p> <p>The report has identified “potential effects from relocating the watercourse” and therefore, the MECP will require, as a minimum, - a plan identifying the types of work which will be required to characterize chemicals of concern, - delineate the areas of exposure, - identify potential migration pathways (overland vs leachate creation) and - develop a monitoring/contingency plan to “consider mitigation measures, net effects and monitoring measures”.</p> <p>In response to my concerns, the consultant identified that previous work had been conducted (see Volume III, Appendix C, Hydrogeological Study, Section Appendix J pages 1-3).</p> <p>Though they provided updated information, on page 3 of 7 they agreed that <b>“the monitoring wells are located in the south part of the CKD stockpile and the extent of the CKD material has not been determined, particularly along the north edge of the stockpile.”</b></p> <p>Further, with regards to Surface Water Quality in the CKD stockpile, on page 3 of the memo, the consultant states that monitoring wells were installed in the CKD pile in 2004. <b>These results showed elevated levels of alkalinity, sulphate and total dissolved solids concentrations above the site background levels.</b> They identify that</p>	<p>Government Review Team (GRT) comments on the Final EA raised several concerns regarding preferred Alternative 3 particularly the proximity to, and the potential impacts of the Cement Kiln Dust (CKD) Pile on the relocated watercourse. To address these concerns, the Town re-engaged with St. Marys Cement (SMC) to discuss the watercourse relocation and how far onto SMC lands it might extend. SMC undertook further review and indicated that encroachment onto their lands would not be possible without affecting their Aggregate Resources Act license. Reflecting on both the comments on the Final EA and the limitations with respect to SMC lands, the study team revisited the preferred Alternative 3. The team was challenged to determine if refinements to the preferred alternative could minimize the need to relocate the watercourse while maintaining the target capacity of the preferred alternative and its attributes. To this end, the team identified a new Alternative, Alternative 3A. The new Alternative 3A was incorporated and assessed as part of the alternative methods evaluation onward.</p> <p>Section 7: ‘Phase 5: Assess Alternative Methods for Carrying out the Undertaking’ of Volume I, including Tables 7.6 ‘Groundwater Effects Assessment’ and 7.7 ‘Surface Water Effects Assessment’ reflect the addition of Alternative 3A and have been revised to provide additional information on the decision-making process.</p> <p>Additional baseline information with respect to hydrogeology including historic sampling data, a field work program (hydrogeological drilling program) implemented in April 2022 and evaluation of the potential risks and pathways for contamination from the CKD pile has been included within Vol. I, Appendix D ‘Supplementary Information in Support of Alternative 3A’.</p>	

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	<p>water quality improves between the center of the pile and the southeast corner, however, the “water quality between the center of the pile and the proposed watercourse along the north side of the stockpile is not known.”</p> <p>Further, they state that <b>“engineered measures may be required to address the quantity and quality of groundwater flow north toward the proposed watercourse.”</b></p> <p>Note: These above statements support the need to complete the CKD pile characterization which has been requested.</p> <p><b>Proposed Action/Solution:</b></p> <p>As per my previous comments, during the EA phase, the proponent must:</p> <ol style="list-style-type: none"> <li>1. characterize the CKD pile which includes but will not be limited to: delineation; characterization of the chemicals of concern and potential migration pathways (i.e overland vs leachate creation), and</li> <li>2. develop monitoring/contingency plans in order to address these risks</li> </ol> <p>Note: It was previously discussed to use the characterization protocols described in O. Reg 153/04. This information can be included in a separate report which can be added to the EA. Ultimately, this work will lead to the development of monitoring and mitigation conditions which will be applied to the approvals during the ECA phase.</p>		
2.	<p><b>Reference to EA:</b></p> <ul style="list-style-type: none"> <li>• <b>Volume I, Section 3.8.2.2 Page 62;</b></li> <li>• <b>Volume I, Section 6.6.1.3 Page 138;</b></li> <li>• <b>Volume I, Section 6.6.1.4, Page 140;</b></li> <li>• <b>Volume I, Section 6.6.1.5 Page 157;</b></li> <li>• <b>Volume I, Section 7.1.5.1, Page 193;</b></li> <li>• <b>Volume I, Table 7-19, Page 233;</b></li> <li>• <b>Volume I, Table 9-1, Page 259.</b></li> </ul> <p><b>Comments &amp; Rationale:</b></p> <p>To further summarize the information collected to date as well as identifying the risks surrounding the CKD pile, I offer the comments and specific supporting sections here:</p> <p><b>NOTE: These comments are simply to support the characterization requirement and are of less significance.</b></p> <p>Volume I section 3.8.2.2 states that some work in proximity may be required if the watercourse needs to be relocated. The proponent correctly identifies that <b>there is some risk that disturbing the pile could release contaminants into the ground and surface water.</b></p> <p>Alternative 3 clearly states that the relocation of the watercourse will occur, placing it closer to the CKD pile.</p> <p>Volume I, section 6.6.1.3 page.138, state that there are two conclusions from the water quality testing conducted on the CKD pile which were <b>that the water quality is not homogeneous throughout the stockpile</b>, since the</p>	<p>Government Review Team (GRT) comments on the Final EA raised several concerns regarding preferred Alternative 3 particularly the proximity to, and the potential impacts of the Cement Kiln Dust (CKD) Pile on the relocated watercourse. To address these concerns, the Town re-engaged with St. Marys Cement (SMC) to discuss the watercourse relocation and how far onto SMC lands it might extend. SMC undertook further review and indicated that encroachment onto their lands would not be possible without affecting their Aggregate Resources Act license. Reflecting on both the comments on the Final EA and the limitations with respect to SMC lands, the study team revisited the preferred Alternative 3. The team was challenged to determine if refinements to the preferred alternative could minimize the need to relocate the watercourse while maintaining the target capacity of the preferred alternative and its attributes. The new Alternative 3A was incorporated and assessed as part of the alternative methods evaluation onward.</p> <p>Vol. I, Section 7 ‘Phase 5: Assess Alternative Methods for Carrying out the Undertaking’ of Volume 1, including Tables 7.6 ‘Groundwater Effects Assessment’, and 7.7 ‘Surface Water Effects Assessment’ reflect the addition of Alternative 3A and have been revised to provide additional information on the factors considered in the decision-making process.</p> <p>Supplementary text outlining key decision-making factors considered in the comparison of the alternatives regarding the hydrogeologic component of the environment, has been added to Section 7 ‘Phase 5: Assess Alternative Methods for Carrying out the Undertaking’. Additional baseline information with respect to hydrogeology including historic sampling data, a field work program (hydrogeological drilling program)</p>	

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Proponent: **Town of St Marys**

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	<p>water quality at the southeast corner of the stockpile is considerably better than the quality in the centre; and further that <b>the water quality data shows an overall improvement with concentrations of many parameters lower in 2019 than 2005.</b></p> <p>Further, it states that groundwater samples collected in 2005 from two of the monitoring wells in stockpile were tested for inorganics, PCB and PAH. <b>Samples were found to be alkaline with a pH of 10 and high in sulphate, chloride, potassium, and sodium. These contaminants are capable of causing water quality impairment to the unnamed watercourse and ultimately the Thames River if not mitigated.</b></p> <p>As for groundwater flow, it states that groundwater is mounded below the cement kiln dust stockpile, creating <b>radial flow out from the stockpile, toward the (existing) watercourse and the exposed edge of the quarry.</b> Both watercourse and quarry would be discharge points for the shallow flow and that flow mapping indicates discharge to the (existing) watercourse.</p> <p>Volume I, Section 6.6.1.4, page 140 states that drainage on the east side of the site is less defined and that <b>surface water runoff from the slopes of the CKD stockpile flows radially in all directions,</b> including west towards the (existing) watercourse and north towards the quarry and that <b>the watercourse (existing and proposed) will leave the site by a culvert under Perth Road 123, eventually discharging into the Thames River.</b></p> <p>Volume I, Section 6.6.1.5 page 157 further supports the importance of protecting these watercourses since it is <b>considered to be indirect fish habitat and contributes to the water quality and quantity of the Thames River.</b></p> <p>Volume I, section 7.1.5.1, page 193 states that <b>cutting a new channel near the toe of the stockpile could induce shallow flow from the stockpile into the channel.</b></p> <p>This section further indicates that the relocation of the watercourse may necessitate acquisition of additional land from St. Mary's Cement or <b>relocating some of the CKD material along the north side of the stockpile.</b></p> <p>Further, CKD relocation efforts, including re-establishing cover materials, would need to be completed prior to relocation of the watercourse.</p> <p>This section also states that runoff from the surface of the stockpile does not appear to be a significant issue. <b>Of more importance is ensuring that the realigned watercourse is separated from the actual CKD material and that groundwater discharge from the stockpile to the watercourse is minimized.</b> Mitigation will be designed, as required, to ensure adequate separation.</p> <p>Volume I, Table 7-19 page 233 states that Alternative 3 requires the relocation of the watercourse which will require Mitigation and Monitoring to ensure potential impacts from the CKD stockpile are minimized <b>since the footprint of the CKD pile may be encroached by the watercourse realignment.</b></p> <p>Volume I, Table 9-1, page 259 warns that the <b>proximity of work to the CKD pile creates a potential for slope failure or leaching of CKD contaminants to watercourses.</b> Specifically, it states that this watercourse will be relocated closer to the CKD pile increasing the risk of slope failure or CKD contaminants entering the watercourse.</p> <p><b>Proposed Action/Solution:</b></p>	<p>implemented in April 2022 and evaluation of the potential risks and pathways for contamination from the CKD pile has been included within Vol. I, Appendix D 'Supplementary Information in Support of Alternative 3A'.</p>	

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	<p>These points further re-iterate the missing information and the need to conduct the characterization of the CKD pile during the EA phase. As above, ensure that the work is completed prior to the completion of the EA.</p>		
3.	<p><b>Reference to EA:</b></p> <ul style="list-style-type: none"> <li>• <b>Volume III, Appendix C, Hydrogeological Study, Section Appendix J Pages 4-6</b></li> <li>• <b>Volume I, Section 8.3, Page 243</b></li> </ul> <p><b>Comments &amp; Rationale:</b></p> <p>Page 4 of the memo also discusses the concern about the pathway of contamination through overland flow from stormwater and entrained sediment from the CKD pile.</p> <p>Specifically, the consultant indicates on page 4 that “the final channel design will require an investigation to determine if the CKD extends beyond the toe of the stockpile and the type of soil below the channel.”</p> <p>The potential mitigation measures are identified on page 5 of the memo and include completing an investigation within the grading limits of the proposed watercourse to <b>determine the soil adjacent to and below the watercourse, as well as to determine whether further CKD material must be relocated.</b></p> <p>Further, they suggest the installation of groundwater monitoring wells between the watercourse and the CKD pile to determine if further mitigation measures are needed.</p> <p>As for stormwater runoff and mobilization of entrained sediment, they suggest that shallow stormwater ditches can be incorporated into the watercourse construction to divert runoff to a stormwater basin.</p> <p>Page 6 of the memo addresses the concern of impacted groundwater discharging to the watercourse. In the memo they state that a collection drain can be constructed between the CKD stockpile and the watercourse to prevent impacted groundwater from accessing the watercourse.</p> <p>Volume I, Section 8.3, page 243 also recommends and summarizes these mitigation actions.</p> <p><b>Proposed Action/Solution:</b></p> <p>I recommend that the MECP agree to these mitigation strategies and have them included in a monitoring/mitigation plan that can ultimately form a condition of the future ECA.</p>	<p>As noted above (item 1), because of questions raised by MECP a new Alternative 3A has been introduced and assessed. Relevant monitoring, identified in Vol. I, Section 11.2 'Monitoring Program', are listed below:</p> <ul style="list-style-type: none"> <li>• Weekly and monthly site operations monitoring</li> <li>• Spring and fall groundwater and surface water sampling program</li> <li>• Review of public complaints on an as-received basis</li> <li>• Periodic MECP site inspection reports</li> <li>• Changes to address immediate needs, regulatory requirements, etc.</li> <li>• Annual assessment of operations, monitoring results and complaints, making recommendations for future design, operation and monitoring changes.</li> </ul> <p>The monitoring will be used in an Adaptive Management framework (see Section 11.3 'Adaptive Management Plan') to identify if changes are required to mitigate any unforeseen effects.</p>	
<p>Submitter: <b>Wastewater Review</b>, Municipal Water and Wastewater Permissions, Ministry of the Environment, Conservation and Parks September 20, 2021</p>			
1.	<p><b>Reference to EA: P. 22 (Sanitary Sewer Design Sheet) of the Leachate Treatment and Disposal</b></p> <p><b>Comment &amp; Rationale:</b></p> <p>Velocity of the sanitary sewer in several segments are noted to be 5.64 m/s. As per the Ministry's 2008 Design Guidelines for Sewage Works, the velocities in sanitary sewer systems should not be more than 3 m/s, especially where high grit loads are expected. Higher velocities should be avoided unless special precautions are taken.</p>	<p>The calculation of sewer segment velocity is based on 100% of the pipe's flow capacity. The landfill expansion anticipates flows significantly below the pipe's flow capacity. The pipe has been in place since the mid 1990's and the Town reports there has been no damage associated with this velocity. Therefore, no provisions are required to protect against pipe displacement by impact and erosion.</p>	

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	<p>Where velocities greater than 4.6 m/s are attained, special provision should be made to protect against pipe displacement by impact and erosion.</p> <p><b>Proposed Action/Solution:</b></p> <p>Proponent should provide clear reasoning as to why the velocity range is above the recommended 3 m/s, and/or indicate the provisions in place to protect against pipe displacement by impact and erosion.</p>		
2.	<p><b>Reference to EA: Page 18 of the Leachate Treatment and Disposal St. Marys Landfill Site Expansion, Town of St. Marys dated January 2020</b></p> <p>The report adequately addresses existing and future leachate flows to the St. Marys Wastewater Treatment Plant (WWTP). The report concludes that it is not expected that the additional leachate will adversely affect the ability of the St. Mary's WWTP to meet its effluent requirements. This conclusion is acceptable as the estimated current and future leachate volume generated represents only 1% of the average daily flow currently processed by the WWTP. The report also addresses increase in sludge production, handling, disposal, future estimated leachate production and leachate conveyance.</p> <p>NA [no action required]</p>	No Action required.	
3.	<p><b>Reference to EA: P. 244 of the St. Marys Future Solid Waste Disposal Needs Environmental Assessment Report Volume I – Environmental Assessment Report, dated July 2021</b></p> <p><b>Comment &amp; Rationale:</b></p> <p>It is indicated that stormwater management basins currently exist at the site for stormwater management, and that possible removal and relocation of basins may occur. However, there is no clear indication of the impact of the expansion on potentially additional stormwater flows/ increased runoff from increased footprint, whether or not the existing stormwater management basins have sufficient capacity for the increased runoff, and/or what additional stormwater management controls are proposed to be in place due to the landfill expansion.</p> <p><b>Proposed Action/Solution:</b></p> <p>Please prepare and submit a stormwater management report outlining the quantification of stormwater flows to the stormwater management basins as well as additional stormwater flows due to the expansion and how these flows will be contained/released from the site to ensure quantity control is provided, such that there is no appreciable change in the potential for flooding in the watercourses receiving surface water discharges. Proponent should also indicate if there are any groundwater interactions with the stormwater basin. Proponent to append stormwater management report into the EA and include explanatory summary in the EA report.</p>	<p>Vol I, Section 7 'Phase 5: Assess Alternative Methods for Carrying Out the Undertaking', including all of the evaluation tables have been revised to reflect the addition of Alternative 3A. Alternative 3A is the preferred alternative and will require relocation of the stormwater ponds. Vol. 1 Section 8.2.6, 'Stormwater Management', details the changes to the stormwater management system for Alternative 3A.</p> <p>Quantification of stormwater flows to the stormwater management basins as well as additional stormwater flows due to the expansion and how these flows will be contained/released from the site are discussed in Vol. I, Appendix D 'Supplementary Information in Support of Alternative 3A'.</p> <p>A Stormwater Management Report will be submitted to the MECP and UTRCA for review at the detailed design stage of the project. The following commitment will be added to Vol. 1, Table 11.1 'Summary of EA Commitments':</p> <p>Develop a Stormwater Management Plan and submit to MECP and UTRCA for approval prior to construction. Plan will provide additional detail including velocities at the basin outlets for various storm events, cross sections of the stormwater facilities showing flood water surface elevations for the 100 and 250 year storm event as well as pond inlet and outlet details.</p>	
4.	<p><b>Reference to EA: P. 199 of the St. Marys Future Solid Waste Disposal Needs Environmental Assessment Report Volume I – Environmental Assessment Report, dated July 2021</b></p> <p><b>Comment &amp; Rationale:</b></p> <p>Vertical expansion of the landfill can lead to an increase inside slopes, which can result in increased erosion and sediment deposition. A general indication of the possible erosion controls to be implemented at the site to</p>	<p>A Sediment and Erosion Control Plan will be submitted to MECP for review at the detailed design stage, as noted in Vol. 1, Table 11.1 'Summary of EA Commitments':</p> <p>'Develop an Erosion and Sediment Control Plan in consultation with the UTRCA and MECP.'</p>	

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	<p>mitigate increased runoff has been provided. However, the report does not clearly address the erosion and sediment controls to be implemented both during the construction period and operational period of the expanded landfill.</p> <p><b>Proposed Action/Solution:</b></p> <p>Commit to preparation of erosion and sediment control plan and indicate specific measures intended to be included in the erosion and sediment control plan during construction and operation.</p>		
<p>Submitter: <b>Ministry of Northern Development, Mines, Natural Resources and Forestry</b> August 25, 2021</p>			
1.	<p>The Town of St. Marys has undertaken detailed conversations with the NDMNRF in the past to determine the necessary steps as per applicable policies and legislations. This past correspondence included the Town making a direct submission to the NDMNRF's Dave Marriott on February 28, 2018 – responding to Mr. Marriott's previous Aug. 18, 2018, comments on the EA. These responses were incorporated into the Response Action Plan (Volume IV, Appendix E) and addressed as noted on Vol. 1, Section 10.4.3 in the EA Report (including the Natural Heritage Assessment - in Volume III). Mr. Marriott replied (May 15, 2018) asking that the EA also update the NDMNRF's Species at Risk (SAR) Observation Form (see Volume IV, Appendix D). This too has been completed as part of the EA Report. [We note that the MECP is now responsible for SAR review and will be involved in reviewing the Observation Form.]</p> <p>Following the August 2021 Notice of Submission of the EA, NDMNRF sent a form letter typical of pre-consultation activities outlining the relevant policies and legislation to guide the identification and assessment of natural features. No additional comments were provided.</p>	<p>The Town of St. Marys has undertaken detailed conversations with the NDMNRF in the past and have responded to all comments received to date.</p> <p>To ensure that the NDMNRF, and applicable policies and legislation will be consulted as the project continues, the Town has added the following commitment to Vol. 1 Section 11.3 'Commitments to Ongoing Consultation'. Thank you for your email. The Town of St. Marys has added the following commitment to Vol. 1 Table 11.1 'Summary of EA Commitments':</p> <p>Contact the NDMNRF should there be any potential need for a permit under the Petroleum Wells &amp; Oil, Gas and Salt Resource Act, or Public Lands Act &amp; Lakes and Rivers Improvement Act. Obtain approvals as required.</p>	
<p>Submitter: <b>Ministry of Heritage, Sport, Tourism and Culture Industries</b> October 1, 2021</p>			
	<p>MHSTCI's interest in this EA project relates to its mandate of conserving Ontario's cultural heritage, which includes:</p> <ul style="list-style-type: none"> <li>• archaeological resources, including land and marine;</li> <li>• built heritage resources, including bridges and monuments; and</li> <li>• cultural heritage landscapes.</li> </ul> <p>Under the EA process, the proponent is required to determine a project's potential impact on known (previously recognized) and potential cultural heritage resources.</p> <p><b>Project Comments:</b></p> <p>Given there are no direct impacts to cultural heritage resources through this undertaking, and the mitigation measures included in the EA report in the case of unexpected impacts, MHSTCI does not have any substantive concern with this project. However, we would suggest editorial revisions.</p>	<p>Acknowledged.</p>	
A.	<p><b>General Comment:</b> Update the ministry name from Ministry of Tourism, Culture and Sport to Ministry of Heritage, Sport, Tourism, and Culture Industries (MHSTCI) throughout the Environmental Assessment Report and appendices.</p>	<p>All references to the former <i>Ministry of Tourism, Culture and Sport</i> (MTCS) have been replaced with <i>Ministry of Heritage, Sport, Tourism, and Culture Industries</i> (MHSTCI).</p>	

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B.	<p><b>General Comment:</b> Any references to the Guidelines for Preparing the Cultural Heritage Resource Component of Environmental Assessments (1992) and Guidelines on the Man-Made Heritage Components of Environmental Assessments (1981) can be removed as they have been superseded by other policies, plans and regulations.</p>	<p>References to the Guidelines for Preparing the Cultural Heritage Resource Component of Environmental Assessment (1992) and Guidelines on the Man-Made Heritage Components of Environmental Assessments (1981) made in Section 6.4.2.1 'Built Heritage Resources and Cultural Heritage Landscapes' have been removed.</p> <p>The text in this section was replaced with the following:</p> <p>The CHRA assessed the presence of Built Heritage Resources and Cultural Heritage Landscapes in accordance with the Standards and Guidelines for Conservation of Provincial Heritage Properties (April 2010), Provincial Policy Statement and policies listed in the Town of St. Marys Official Plan (2007 Consolidation, Section 2.3).</p>	
C.	<p><b>Section 3.7.1.2 (Existing St. Marys Landfill, Page 46) / Section 3.7.2.2 (Twin Creeks Landfill, Page 52):</b> These sections need to describe existing conditions of the cultural environment informed by the technical cultural heritage studies (i.e., archaeological assessment and cultural heritage resource assessment).</p>	<p>For the purposes of the evaluation of the Alternatives to the Undertaking, a coarse level evaluation was completed using information available in the Town of St. Marys Official Plan, Twin Creeks Landfill website and aerial photography. This is consistent with the process outlined in the Terms of Reference.</p> <p>The Stage 1 Archaeological Assessment and Cultural Heritage Resource Assessment were conducted after the evaluation of Alternatives to the Undertaking had been completed.</p> <p>The results of the Stage 1 Archaeological Assessment and CHRA were incorporated into the evaluation of Alternative Methods.</p> <p>In addition, Section 3.7.1.2 'Social and Cultural Environment' has been updated to clarify the sources of information that were used during this portion of the EA.</p>	
D.	<p><b>Section 3.8.3.1 Potential Impacts to Archaeological Resources (Page 72):</b> A Stage 1 AA was undertaken for the St. Marys Landfill expansion. The report concluded that the entire on-site study area has been documented to not retain archaeological potential and that these lands do not require further archaeological assessment. The AA report also recommended that should the proposed work extend beyond the current study area then further Stage 1 AA should be conducted to determine the archaeological potential of the surrounding lands. This section needs to be revised to clearly articulate the due diligence undertaken to date, potential impacts and future commitments.</p>	<p>As per the response to comment C, above, the Stage 1 AA was not completed during the Alternatives to the Undertaking phase of the EA documented in Section 3.8.3.1 'Potential Impacts to Archaeological Resources'</p> <p>A Stage 1 AA was undertaken for the landfill property including all of the lands required for the landfill expansion and concluded that no archaeological resources are likely to be present at, or around, the St. Marys landfill.</p>	
E.	<p><b>Section 3.8.3.2 Potential Impacts to Built Heritage / 3.8.3.3 Potential Impacts to Cultural Heritage Landscapes (Pages 72-73):</b> A Cultural Heritage Resource Assessment has been undertaken and identified 12 resources including 11 cultural heritage landscapes and one built heritage resource within the study area vicinity. The Assessment report also included recommendations. These sections should be consolidated and revised.</p>	<p>As per the response comment C, above, the CHRA was not completed during the Alternatives to the Undertaking phase of the EA documented in Section 3.8.3.2 'Impacts to Built Heritage'.</p> <p>The Cultural Heritage Resource Assessment informed the evaluation of Alternative Methods. The recommendations from the CHRA have been added to Section 7.9.1 'Built Heritage and Cultural Heritage Landscapes'.</p>	
F.	<p><b>Section 6.6.2.1 Built Heritage Resources and Cultural Heritage Landscapes (Page 158-160):</b> Section 6.6 is the description of the existing environment. This section should be revised to align with the proposed wording in Section 3.7.1.2 (See Comment C above).</p>	<p>Section 6.4.2.1 'Built Heritage and Cultural Heritage Landscapes' has been updated. The previous text was replaced with the wording noted below:</p>	

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	<p>The Executive Summary will need to be revised accordingly.</p>	<p>“A Cultural Heritage Resource Assessment (CHRA): Built Heritage Resources and Cultural Heritage Landscapes- Existing Conditions was undertaken by ASI in November 2015. The CHRA assessed the presence of Built Heritage Resources and Cultural Heritage Landscapes in accordance with the Standards and Guidelines for Conservation of Provincial Heritage Properties (April 2010), Provincial Policy Statement and policies listed in the Town of St. Marys Official Plan (2007 Consolidation, Section 2.3). The assessment consisted of data collection, background historic research, review of secondary source material and field review. The purpose was to present an inventory of known or potential built heritage resources and/or cultural heritage landscapes as well as identify any potential impacts and proposed appropriate mitigation measures to minimize effects. The CHRA can be found in Volume III, Appendix E.</p> <p>The background research, data collection, and field review conducted for the Study Area determined that 12 cultural heritage resources are located within the Study Area Vicinity, as summarized in 6-13 ‘Cultural Heritage Resources in the Study Area Vicinity’. Of these, 11 are Cultural Heritage Landscapes and one is a Built Heritage Resource. No cultural heritage resources were identified within the On-Site Study Area.”</p> <p>A figure showing the location of the 12 resources is provided in Figure 6-6 ‘Cultural Heritage Resources’ of the Vol. I EA document.</p> <p>The following recommendations have been added to Section 7.9.1 ‘Built Heritage and Cultural Heritage Landscapes’ and Table 7-13 ‘Potential Effects to Cultural Heritage Landscapes’:</p> <ol style="list-style-type: none"> <li>1. Construction activities and staging should be suitably planned and undertaken to avoid impacts to identified cultural heritage resources.</li> <li>2. Once designs of the proposed work are available, this report will be updated with a confirmation of impacts of the undertaking on cultural heritage resources identified within and/or adjacent to the study area and will recommend appropriate mitigation measures. Mitigation measures may include, but are not limited to, completing a heritage impact assessment or documentation report, or employing suitable measures such as landscaping, buffering or other forms of mitigation, where appropriate. In this regard, provincial guidelines should be consulted for advice and further heritage assessment work should be undertaken as necessary.</li> <li>3. Should future work require an expansion of the study area then a qualified heritage consultant should be contacted in order to confirm the impacts of the proposed work on potential heritage resources.</li> </ol> <p>The Executive Summary has been similarly revised.</p>	

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G.	<p><b>Section 6.6.2.2 Archaeological Resources (Page 161):</b> This section should be revised to align with the proposed wording in Section 3.7.1.2 (See Comment #3 above).</p> <p>The Executive Summary will need to be revised accordingly.</p>	<p>Section 6.4.2.2 'Archaeology Resources' has been updated. The previous text was replaced with the following:</p> <p><b>Methodology</b></p> <p>A Stage 1 Archaeological Assessment (under Project Information Form number P392-0171- 2015) was completed by ASI. A Stage 1 AA consists of a review of geographic, land use and historical information for the property and the relevant surrounding area, a property visit to inspect its current condition and contacting MHSTCI to find out whether, or not, there are any known archaeological sites on or near the property. Its purpose is to identify areas of archaeological potential and further archaeological assessment (e.g., Stage 2-4) as necessary. The Stage 1 assessment was conducted in accordance with the <i>Ontario Heritage Act</i> and the Standards and Guidelines for Consultant Archaeologists (Ministry of Tourism and Culture, 2011).</p> <p><b>Existing Archaeological Resources</b></p> <p>The Stage 1 Archaeological Assessment report has been entered into the Ontario Public Register of Archaeological Reports. The report concluded that the entire on-site study area has been documented to not retain archaeological potential and that these lands do not require further archaeological assessment. The Stage 1 assessment is included in Volume III - Appendix F."</p> <p>The Executive Summary has been revised accordingly.</p>	
H.	<p><b>Section 7.2.1 Built Heritage Resources / Section 7.2.2 Cultural Heritage Landscapes (Pages 207-211):</b> A Cultural Heritage Resource Assessment has been undertaken and identified 12 resources, including 11 cultural heritage landscapes and one built heritage resource within the study area vicinity. No built heritage resources and/or cultural heritage landscapes were identified within the onsite study area. The Assessment report also included recommendations. These sections should be consolidated and revised (See Comment E) above).</p> <p>Furthermore, it is not clear how the assessment of impacts on built heritage resources and cultural heritage landscapes were determined. Any discussion should be based on technical cultural heritage landscapes.</p> <p>There is no need to include a definition of cultural heritage landscapes in the EAR, as it is articulated in the CHRA. Should you wish to include one, the definition should be the one from the Provincial Policy Statement, 2020.</p>	<p>It is understood that Built Heritage Resources and Cultural Heritage Landscapes are both considered to be Cultural Heritage Resources. However, these two sections have not been consolidated as they were identified as separate criteria in the Terms of Reference.</p> <p>The impact assessments in Section 7.9.1 'Built Heritage and Cultural Heritage Landscapes' have been changed to better align with the CHRA. These sections now include the following text and recommendations from the CHRA:</p> <ol style="list-style-type: none"> <li>1. Construction activities and staging should be suitably planned and undertaken to avoid impacts to identified cultural heritage resources.</li> <li>2. Once detailed designs of the proposed work are available, this report will be updated with a confirmation of impacts of the undertaking on cultural heritage resources identified within and/or adjacent to the study area and will recommend appropriate mitigation measures. Mitigation measures may include, but are not limited to, completing a heritage impact assessment or documentation report, or employing suitable measures such as landscaping, buffering or other forms of mitigation, where appropriate. In this regard, provincial guidelines should be consulted for advice and further heritage assessment work should be undertaken as necessary.</li> </ol>	

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		<p>3. Should future work require an expansion of the study area then a qualified heritage consultant should be contacted in order to confirm the impacts of the proposed work on potential heritage resources.</p> <p>The definition of cultural heritage landscapes in Section 7.9.1 'Built Heritage and Cultural Heritage Landscapes' has been removed.</p>	
I.	<p><b>Section 7.2.3 Archaeological Resources (Page 212):</b> A sentence to acknowledge that further archaeological assessment be undertaken should the proposed work extend the current study area should be included. (See Comment D).</p> <p><b>Additional Comments (October 2022):</b></p> <p><b>Amended Section 7.8.2 Archaeological Resources (Page 228)</b> . MCM has reviewed the revised text and recommends that the amended section include the language provided in your response dated September 20<sup>th</sup>.</p>	<p>The following sentence has been added to Section 7.8.2 'Archaeological Resources':</p> <p>"Should the proposed work extend the current study area, then further Stage 1 Archaeological Assessment (and further assessments, if recommended) will be conducted by a licensed archaeologist as early as possible during detailed design and prior to any ground disturbing activities."</p> <p><b>Response to Additional Comments:</b></p> <p>Section 7.8.2 has been updated to include the following language:</p> <p>"Should the proposed work extend the current study area, then further Stage 1 Archaeological Assessment (and further assessments, if recommended) will be conducted by a licensed archaeologist as early as possible during detailed design and prior to any ground disturbing activities."</p> <p>This language has also been added to Table 9-1.</p>	
J.	<p><b>Table 9-1 Impacts, Mitigation, Net Effects and Monitoring Requirements / Environmental Component: Archaeological Resources (Page 266):</b> Under the Mitigation Measures column, the name of the unit to be contacted at MHSTCI should be Archaeology Program Unit at archaeology@ontario.ca.</p> <p>The AA report also recommended that should the proposed work extend beyond the current study area then further Stage 1 AA should be conducted to determine the archaeological potential of the surrounding lands. MHSTCI recommends that a paragraph be included to acknowledge that under the Recommended Monitoring Activities and Contingency Measures (See Comment D) above.</p> <p><b>Additional Comments (October 2022):</b></p> <p><b>Amended Table 11-1 Summary of EA Commitments (Page 357)</b> MCM has reviewed the revised text and recommends that the list of commitments include the language provided in your response dated September 20<sup>th</sup>.</p>	<p>The contact noted in Vol. I, Table 9-1 'Effects, Mitigation, Net Effects, and Monitoring Requirements' has been updated to reference MHSTCI, Archaeology Program Unit at <a href="mailto:archaeology@ontario.ca">archaeology@ontario.ca</a>.</p> <p>The following wording has been added to the list of commitments in Table 11-1:</p> <p>Conduct a further Stage 1 Archaeological Assessment (and further assessment, if required) to determine the archaeological potential of the surrounding lands if the proposed work extend beyond the current On-site Study Area.</p> <p><b>Response to Additional Comments:</b></p> <p>Table 11-1 has been updated to include the following language:</p> <p>"Should the proposed work extend the current study area, then further Stage 1 Archaeological Assessment (and further assessments, if recommended) will be conducted by a licensed archaeologist as early as possible during detailed design and prior to any ground disturbing activities."</p>	

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Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
K.	<p><b>Table 9-1 Impacts, Mitigation, Net Effects and Monitoring Requirements / Environmental Component: Cultural Heritage Landscapes (Page 266):</b> The environmental component should be <b>Built Heritage Resources</b> and Cultural Heritage Landscape. The row will need to be revised to better describe the impact assessment as per Comments D), E) and H) above.</p> <p><b>Additional Comments (October 2022):</b>  <b>Amended Table 11-1 Summary of EA Commitments (Page 357)</b> MCM has reviewed the revised text and recommends that the list of commitments include the language provided in your response dated September 20<sup>th</sup>.</p>	<p>Vol. I, Table 9-1 'Effects, Mitigation, Net Effects, and Monitoring Requirements' has been updated to include both the Built Heritage Resources and Cultural Heritage Landscapes as the environmental component.</p> <p>The row has been updated to note that impacts will be further assessed in an updated CHRA to be prepared during detailed design. The following recommendations have now been added to Table 11.1 'Summary of EA Commitments':</p> <ul style="list-style-type: none"> <li>• Construction activities and staging should be suitably planned and undertaken to avoid impacts to identified cultural heritage resources.</li> <li>• Once detailed designs of the proposed work are available, this report will be updated with a confirmation of impacts of the undertaking on cultural heritage resources identified within and/or adjacent to the study area and will recommend appropriate mitigation measures. Mitigation measures may include, but are not limited to, completing a heritage impact assessment or documentation report, or employing suitable measures such as landscaping, buffering or other forms of mitigation, where appropriate. In this regard, provincial guidelines should be consulted for advice and further heritage assessment work should be undertaken as necessary.</li> <li>• Should future work require an expansion of the study area then a qualified heritage consultant should be contacted in order to confirm the impacts of the proposed work on potential heritage resources.</li> </ul> <p><b>Response to Additional Comments:</b></p> <p>The following wording has been added to Table 11-1 and Table 9-1:</p> <ul style="list-style-type: none"> <li>• Construction activities and staging should be suitably planned and undertaken to avoid impacts to identified cultural heritage resources.</li> <li>• Once detailed designs of the proposed work are available, the Cultural Heritage Resources Assessment will be updated with a confirmation of impacts of the undertaking on cultural heritage resources identified within and/or adjacent to the study area and will recommend appropriate mitigation measures. Mitigation measures may include, but are not limited to, completing a heritage impact assessment or documentation report, or employing suitable measures such as landscaping, buffering or other forms of mitigation, where appropriate. In this regard, provincial guidelines should be consulted for advice and further heritage assessment work should be undertaken as necessary.</li> <li>• Should future work require an expansion of the study area then a qualified heritage consultant should be contacted in order to confirm the impacts of the proposed work on potential heritage resources.</li> </ul>	

**Table 2: Final Environmental Assessment (August 2021) – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
1.	<p>Upper Thames River Conservation Authority (UTRCA) staff is in receipt of your email (dated August 12, 2021) regarding the St. Marys Future Solid Waste Disposal Needs Environmental Assessment and associated Study Reports (Volume I-Environmental Assessment Report). We offer the following comments under Ontario Regulation 157/06 and our responsibilities as a commenting agency providing technical review and advisement related to natural heritage, water resources and natural hazard management pursuant to relevant legislation and policies set out in the UTRCA Planning Policy Manual (June 28, 2006):</p> <p>A portion of the landfill property is regulated by the Conservation Authority due to the presence of the flooding hazard associated with an unnamed tributary of the North Thames River.</p>	<p>Comment noted.</p> <p>Government Review Team (GRT) comments on the Final EA raised several concerns regarding preferred Alternative 3 particularly the proximity to, and the potential impacts of the Cement Kiln Dust (CKD) Pile on the relocated watercourse. To address these concerns, the Town re-engaged with St. Marys Cement (SMC) to discuss the watercourse relocation and how far onto SMC lands it might extend. SMC undertook further review and indicated that encroachment onto their lands would not be possible without affecting their Aggregate Resources Act license. Reflecting on both the comments on the Final EA and the limitations with respect to SMC lands, the study team revisited the preferred Alternative 3. The team was challenged to determine if refinements to the preferred alternative could minimize the need to relocate the watercourse while maintaining the target capacity of the preferred alternative and its attributes. To this end, the team identified a refinement to the preferred alternative, Alternative 3A.</p> <p>Section 7 'Phase 5: Assess Alternative Methods for Carrying out the Undertaking' of Volume I, including all evaluation tables, have been revised to reflect the addition of Alternative 3A. Sections 8 'Description of the Undertaking' and 9 'Potential Impacts, Mitigation Measures, and Net Effects' have been revised to reflect Alternative 3A as the new preferred alternative.</p> <p>Instead of the watercourse being relocated to north of the CKD pile, the new Alternative 3A retains the watercourse in its existing location, except for a ~230 metre reach within the middle of the site which will be realigned to the northeast to facilitate landfill expansion. This realigned stretch is conceptually designed to have a:</p> <ul style="list-style-type: none"> <li>• 3:1 embankment;</li> <li>• 2.5m to 3.0m wide riparian channel;</li> <li>• ±15m wide watercourse bottom;</li> <li>• 50m to 60m wide corridor;</li> <li>• ±20m buffer to CKD pile; and</li> <li>• CKD pile interception swale.</li> </ul> <p>Enhancing the natural features of the watercourse's riparian channel, to improve aquatic habitat will be considered during detailed design.</p>	
2.	<p>The UTRCA regulates development within the Regulation Limit in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the Conservation Authorities Act. This regulation requires proponents to obtain written approval from the UTRCA prior to undertaking any works in the regulated area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.</p>	<p>The Town of St Mary's acknowledges that UTRCA approval will be required for any realignment of the watercourse associated with the preferred Alternative 3A. A commitment to obtain all necessary approvals from the UTRCA prior to any applicable works within the regulated area is listed in Vol. I, Table 11.1, 'Summary of EA Commitments'.</p> <p>Acquire all necessary permits and/or approvals for the undertaking.</p>	
3.	<p>A Conservation Authorities Act – Section 28 – Development, Interference with Wetlands and Alterations to</p>	<p>The Town of St Mary's acknowledges that UTRCA approval will be required for any realignment of the watercourse associated with the preferred Alternative 3A. A</p>	

**Table 2: Final Environmental Assessment (August 2021) – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
	Shorelines and Watercourses Permit will be required for any development, filling, excavation, site grading/alteration (including a channel realignment) within the regulated area of the property.	commitment to obtain all necessary approvals from the UTRCA prior to any applicable works within the regulated area is listed in Table 11.1, 'Summary of EA Commitments':  Acquire all necessary permits and/or approvals for the undertaking.	
4.	A Stormwater Management Report should be provided to the UTRCA at the detailed design and permitting stage for review and approval for any proposed expansion or relocation of SWM Basin A and B as part of the landfill expansion.	A Stormwater Management Report will be submitted to the UTRCA for review at the detailed design stage of the project. Vol. 1 Section 8.2.6 'Stormwater Management' and Appendix D 'Supplementary Information in Support of Alternative 3A' includes more detailed information about the stormwater management plan for Alternative 3A  The following commitment has been added to Table 11.1, 'Summary of EA Commitments'.  Develop a Stormwater Management Plan and submit to MECP and UTRCA for approval prior to construction. Plan will provide additional detail including velocities at the basin outlets for various storm events, cross sections of the stormwater facilities showing flood water surface elevations for the 100- and 250-year storm event as well as pond inlet and outlet details.	
5.	The proposed stormwater management system for any relocation of SWM Basin A and B shall convey the runoff under the 250-year storm without flooding. Please provide cross sections of the proposed SWM systems showing flood water surface elevations for the 100 and 250-year storm events.	Vol. 1 Section 8.2.6 'Stormwater Management' and Appendix D 'Supplementary Information in Support of Alternative 3A' includes information demonstrating the 250-year storm capacity compliance. Cross-sections for the SWM systems showing flood water surface elevations for 100 and 250-year storm event will be included in the Stormwater Management Plan as discussed above.	
6.	The implications of any proposed SWM pond and its outlet construction should be discussed in detail to make sure that the proposed SWM pond and its outlet will not cause flooding and erosion downstream. Also, please report velocities at the outlet of the pond for various storm events.	Preliminary design of the ponds includes outlet structures and permanent pool plus extended detention, both exceeding standard design guidelines and relevant information can be found in Section 8.2.6 'Stormwater Management'. Additionally, pond outlets will have erosion protection. Velocities at the outlet of the pond for various storm events will be provided in the Stormwater Management Report (to be provided during detailed design, per Comment 4).	
7.	The inside slopes for the proposed SWM facility should be according to the MECP guidelines. The outside slope should not be steeper than 5:1. Please submit cross sections during detailed design of the pond showing inlet and outlet details including slopes, inlet and outlet structure design details such as: pipe sizes, orifice sizes, weir length, invert elevations, berms, etc.	Section 8.2.6 includes information about the design of the ponds including slopes. The requested cross sections will be developed as part of detailed design, in accordance with EPA-O.Reg. 232 and included with the Stormwater Management Plan discussed above to be circulated for review by MECP and UTRCA during detailed design.	
8.	At the detailed design stage, please provide a detailed Sediment and Erosion Control (SEC) drawing signed, sealed and dated by a professional engineer showing the SEC measures on the site, including temporary and permanent control SEC measures and notes for any proposed expansion or relocation of SWM Basin A and B.	A signed, sealed, Sediment and Erosion Control drawing will be submitted to UTRCA for review at the detailed design stage of the project. This commitment is listed in Vol. I, Table 11.1. 'Summary of EA Commitments':  An Erosion and Sediment Control (ESC) Plan will be developed and submitted to UTRCA for review at the detail design stage.	

**Table 2: Final Environmental Assessment (August 2021) – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
9.	The EA suggests a shallow ground water seam in an overburden layer in proximity to SWM Basins A and B. Based on UTRCA mapping contours, surface water elevations of SWM A and B appear to be in close proximity to ground water elevations in the overburden layer. Further detail will be required for proposed mitigations to ensure there will be no interaction between any of the proposed SWM facilities and the groundwater table during Phase II/III expansion phase.	Further mitigation measures to ensure there is no interaction between the proposed SWM facilities are discussed in Section 9.0 'Potential Impacts, Mitigation Measures, and Net Effects'.	
10.	If the ground water seam is proposed to be excavated and replaced with impermeable soil, prior to expansion as mentioned as a mitigation measure in the EA during the phase II/III footprint, further monitoring may be required to ensure there is no groundwater interactions between SWM basins A and B and the filled groundwater seam. Furthermore, proposed relocation or expansion of SWM A <u>and B should be monitored as to not extend below overburden ground water levels.</u>	As discussed in Vol. I, Section 8.0, 'Description of the Undertaking', SWM basins A and B will be removed to accommodate the waste footprint of Alternative 3A. New ponds, as described in Section 8.2.6 'Stormwater Management' (described as West and East Ponds) will be constructed. Partial or full excavation (removal) of the existing sand-silt seam is anticipated when preparing the base of the expansion. Any exposed sand-silt seam will be overlain by the landfill liner and leachate collection system. Further, monitoring of the sand-silt seam will continue using either existing monitoring wells or new wells as detailed in Sections 11.1 'Future Commitments', 11.2.2 'Environmental Effects Monitoring', and 11.3 'Adaptive Management Plan'.	
11.	A hydrogeological study should address SWM basin-groundwater interactions during the EA process.	An updated hydrogeological study will be completed as part of the detailed design effort. Per item 10, SWM basins A and B will be removed by the Alternative 3A design. The updated hydrogeological study will assess the interaction of the expanded waste footprint, with its liner and leachate collection system, and the sand-silt seam. We anticipate the detailed design will prevent such interactions, monitoring will be in place to detect any interaction, and contingency measures will be available should interactions occur.	
12.	The proposed relocation of the unnamed tributary to the North Thames River should be addressed at the EA/Permitting stages. More specifically, at the detailed design stage, a Conservation Authorities Act Section 28 Permit will be required.	The design of the realigned watercourse is presented in Section 8.2.5 and will be refined during the detailed design phase and submitted to the UTRCA as part of the Town's commitment to obtain a Conservation Authorities Act Section 28 Permit, as included in Vol. I, Table 11.1 'Summary of EA Commitments' (see response to Comment #3).	
13.	Further discussion/information would be required to determine the conditions of permit, starting with a channel design brief. This should detail how the watercourse would be realigned without loss of flood storage as well as propose appropriate geomorphology in the design.	Section 8.2.5 'Watercourse Realignment' includes information about the design of the realigned watercourse.	
14.	Sediment and Erosion Control (ESC)/Dewatering Plans will be required and reviewed by UTRCA staff for the proposed watercourse relocation. Staff has concerns and would like to be involved in the review of SEC plans for proposed relocation of the watercourse most specifically to works in proximity to the CKD stockpile.	An Erosion and Sediment Control (ESC) Plan / Dewatering Plan will be submitted to the UTRCA for review at the detailed design stage of the project (prior to watercourse realignment construction). The following commitment is included in Vol. I, Table 11.1 'Summary of EA Commitments':  An Erosion and Sediment Control (ESC) Plan / Dewatering Plan will be developed during the detailed design of the proposed watercourse realignment and submitted to UTRCA and MECF for review.	
15.	Geotechnical input may be required for the CKD stockpile prior to disturbance of slope as part of proposed watercourse relocation.	Vol. I, Section 7.0 'Phase 5: Assess Alternative Methods for Carrying Out the Undertaking' has been extensively revised based on Government Review Team comments raised about the relocation of the watercourse. A new Alternative 3A has	

**Table 2: Final Environmental Assessment (August 2021) – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
		been added and assessed which requires realignment of a ~230 metre section of the watercourse and avoids changes to the CKD pile.	
16.	There should be extended monitoring of the newly designed watercourse (flowing into Thames River) to ensure no interaction of groundwater in proximity to the CKD stockpile with surface water of the newly realigned watercourse.	Additional monitoring of water quality in the watercourse has been added (see Vol. I, Section 11.2 'Monitoring Program' and Appendix D 'Supplementary Information in Support of Alternative 3A') to ensure no interaction between groundwater and the realigned watercourse. This monitoring will be used in an Adaptive Management framework (see Section 11.2 'Adaptive Environmental Management') to identify if changes are required to mitigate any unforeseen effects.	
17.	The proposed watercourse realignment should be undertaken using the principals of Natural Channel Design.	As discussed in Item 1, the Town intends enhancement of natural channel features within the existing riparian channel along entire on-site watercourse. These will be implemented where opportunities exist. We anticipate pool and riffle sequences, native plantings, etc. Details will be developed as part of the Conservation Authorities Act, Section 28 Permit application.	
18.	Any realignment which pushes the watercourse floodplain or Conservation Area Regulated land onto property owned by others would require written permission from the other landowner prior to issuing permits.	Further to Item 1, Alternative 3A will maintain the Conservation Area regulated land on the Town's property. We do not anticipate a need for permission from other land owners but will work with them and UTRCA as may be required.	
19.	<p>While the UTRCA defers to the MECP/MNRF for their responsibilities under the Endangered Species Act, we have provided comments as part of our advisory role related to all natural heritage matters.</p> <p>In table 9-1 there is no mention of the potential destruction of turtle nesting habitat. Please include a discussion on this environmental impact and possible mitigation and monitoring activities.</p>	Vol. I, Table 9.1 'Effects, Mitigation, and Net Effects' has been updated to reflect the potential destruction of turtle nesting habitat and possible mitigation and monitoring opportunities.	
20.	In table 10-3, it was explained that basking surveys were not the best method to sample for snapping turtles, and wading surveys (most productive method) was deemed unsafe and not completed. As basking surveys were the next best and safest alternative, please ensure they are considered.	<p>Basking turtle surveys have been completed, as summarized in Vol. I Section 6.6 'Description of the Existing Environment', Table 6.5 'Methodology of Natural Heritage Field Investigations'. We note that Vol. I, Section 10.0 'Consultation Summary', Table 10.3 'Agency Review and Comment on Work Plans', is a summary of agency review and work plans. At the time, the UTRCA's input on the work plan was that "Basking surveys are not the best method to sample for snapping turtles. Wading through ponds is more productive". Burnside's response was "Wading surveys through landfill SWM ponds were not conducted for health and safety reasons". Our response was not intended to indicate turtle basking surveys would not be completed.</p> <p>The Natural Heritage Assessment (Vol. 3, Appendix D) describes the methodology and findings of these surveys (Section 4.1.3.2 'Reptile Surveys' and 4.2.3.2 'Reptiles'). Per the Natural Heritage Assessment, "basking surveys were conducted at potential sites on warm, sunny days when the landfill was closed, thereby reducing noise disturbances. Wetland features were approached carefully and quietly, and the perimeter was surveyed with high-powered binoculars. One Midland Painted Turtle was observed in the existing watercourse on May 27, 2015. A second individual was observed on July 3, 2015, in the stormwater management basin located in the central portion of the landfill."</p>	

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Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
21.	<p>In Table 10-3, it is noted that the Eastern Milksnake is no longer a SAR under COSSARO. It is to be noted that it remains on COSEWIC as a species of concern. While the UTRCA defers to the MECP/MNRF for their responsibilities under the Endangered Species Act, we would recommend opportunities for habitat enhancement and increased net environmental benefit for any terrestrial or aquatic habitat removed as part of the landfill expansion works.</p>	<p>Vol. I, Table 9.1 'Impacts, Mitigation, and Net Effects', outlines specifics pertaining to Snake Hibernaculum; and Special Concern and Rare Wildlife Species: Eastern Milksnake (Confirmed Refuge Habitat). The associated mitigation has been updated to indicate that the Town will, during detailed design, investigate opportunities for habitat enhancement and increased net environmental benefit for any habitat removed.</p> <p>The following commitment has been added to Vol. I, Table 11.1 'Summary of EA Commitments':</p> <p style="padding-left: 40px;">Opportunities for habitat enhancement and increased net environmental benefit for any terrestrial or aquatic habitat removed as part of the landfill expansion works will be further assessed and incorporated during the detailed design phase. These measures will be developed in consultation with the UTRCA.</p>	
22.	<p>Include discussion about the likelihood of creating / enhancing areas of potential Significant Wildlife Habitat for the species listed in table 6-13 as potential mitigation measures.</p>	<p>Further to item 21, Vol. III, Appendix D, 'Natural Heritage Assessment', Section 5.5 'Significant Wildlife Habitat', considered the potential impacts of the landfill expansion on Significant Wildlife Habitat and concluded that the habitat would not be affected. Appendix H of the Natural Heritage Assessment discusses Potential Environmental Impacts, Mitigation Measures and Recommended Monitoring Activities for the Design of Alternative Methods within the On-site Study Area for both the Construction and Operational Phase. This includes measures to mitigate impacts to Significant Wildlife Habitat. Additionally, Natural Heritage Assessment Report, Section 7.2, 'Evaluation of Relative Impacts on Terrestrial Wildlife Habitat including Species at Risk and Significant Wildlife Habitat' and Section 8.0, 'Potential Impacts and Mitigation' further discuss the possible measures to minimize impacts.</p>	
23.	<p>Please specify why benthic biomonitoring was not included. Discussion as provided in Section 3.7.1 in the EA was not sufficient. Water quality monitoring includes both chemistry and benthic sampling to ensure the watercourses / drains do not become further impaired once the appropriate alternative has been selected. Monitoring should occur before the alternative is selected, and throughout the life of the landfill expansion.</p>	<p>As discussed in a letter to the UTRCA dated September 7, 2016, Burnside has discussed with the UTRCA previously that:</p> <p>"Benthic sampling was not an identified requirement of the Terms of Reference and was not planned as part of this EA Report. However, based on site observations (watercourse function, fish presence, substrate type) and the preferred Alternative Method 3 (substantial watercourse realignment), the potential information that would be collected through benthic sampling would be of low value for the EA Report".</p> <p>Additionally, as noted in a response to the MECP's Surface Water Specialist (April 9, 2019):</p> <p>"Benthic monitoring had historically been undertaken in the existing watercourse but was discontinued as it found that the landfill had no impact on the benthic communities..."</p>	
24.	<p>Given the fact that the site is adjacent to softshell habitat, we do not recommend alteration of the watercourse or the shoreline, unless proper monitoring or mitigation is provided to ensure no detrimental impacts to these protected SAR species.</p>	<p>As described in the Natural Heritage Assessment (Vol. III, Appendix D), Spiny Softshell habitat is not considered present within the On-site Study Area. Turtle basking and nesting surveys were completed as part of the Natural Heritage Assessment and Spiny Softshell was not observed. As per Section 4.1.3.2 'Reptile Surveys': "There is one watercourse present within the On-site Study Area. This feature is characterized on</p>	

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Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
		<p>Figure 4 'Ecological Land Classification On-site Study Area' of the Natural Heritage Assessment as a graminoid mineral shallow marsh/willow mineral deciduous thicket swamp community complex. As described in Natural Heritage Assessment Section 4.2.1 'Vegetation Communities', this mixed wetland extends from the northwest corner of the site to the central east property limit, at the base of the slopes. A perched culvert is located at Water Street where the watercourse drains into the Thames River, thereby creating a significant barrier to turtles entering the watercourse from the river system."</p> <p>Further, per Natural Heritage Assessment, Section 4.2.3.2 'Reptiles':</p> <p>"Turtle habitat for species that are highly aquatic and that inhabit mainly larger waterbodies such as the Thames River is present within the Study Area Vicinity and the Thames River generally (e.g., Spiny Softshell and Northern Map Turtle). Given the large, perched culvert located at the downstream end of the landfill watercourse at Water Street South (i.e., draining into the Thames River), this culvert is considered a significant barrier for these two highly aquatic turtle species to access the watercourse present within the On-site Study Area."</p>	
25.	<p>Please note that the MECP is the official hydrogeological review agency. We are simply providing comments on this section given that our office is the lead Source Protection Authority under the Ontario Clean Water Act for matters pertaining to drinking water source protection in the Thames-Sydenham and Region.</p> <p>Although the landfill is not located in the Wellhead Protection Areas (WHPA), further Drinking Water Source Protection considerations were looked at during the EA. UTRCA has no objection, as the Landfill expansion appears to be outside of a Significant Threat Policy Area. Any moderate or low threats to drinking water should be managed through provincially approved prescribed instruments.</p>	<p>Understood. Should there be any low or moderate drinking water threats, they will be managed through provincially approved, prescribed instruments.</p>	
26.	<p>Our office would like to be included in future circulations regarding this project (please address all future project correspondence to the undersigned). We would appreciate receiving information and reports as they become available in order to ensure that we can meet the project deadlines with our comments.</p>	<p>The UTRCA will be consulted during the detailed design period as detailed in Vol. I., Table 11.1 'Summary of EA Commitments'.</p>	
<p>Submitter: <b>Impact Assessment Agency of Canada</b> August 26, 2021</p>			
1.	<p>Thank you for your correspondence, dated August 11, 2021, regarding the Project (the Project) proposed by The Town of St. Marys (the proponent). Based on the information you provided to the Agency on August 11, 2021, it is the Agency's view that the Project is not a designated project. As a result, the proponent is not required to submit an Initial Project Description. Should details or design aspects of the Project change such that the Project may include physical activities that are described in the Regulations, contact the Agency to discuss these changes and the implications on the applicability of the IAA.</p>	<p>We note that the Impact Assessment Agency of Canada (IAAC) has determined that the St. Marys Future Solid Waste Disposal Needs EA is not a designated project.</p> <p>IAAC will be consulted on the project, should details or design aspects of the Project change such that the Project may include physical activities that are described in The Physical Activities Regulations under the Impact Assessment Act. A commitment has been added to Vol. 1 Section 11.1 'Future Commitments':</p> <p>Contact the Impact Assessment Agency of Canada to confirm if an IAAC review is required, should details or design aspects of the Project change such that the Project may include physical activities that are described in The Physical Activities Regulations under the Impact Assessment Act."</p>	

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Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
Submitter: <b>Fisheries and Oceans Canada</b> October 4, 2021			
1.	<p>The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) received your proposal on August 20, 2021. We understand that you propose to:</p> <ul style="list-style-type: none"> <li>• Realign and construct a new open drain system 750m in length as part of a proposed landfill improvement project; and</li> <li>• The channel will tie into the existing Unrated Municipal Drain and outlet into an existing culvert crossing under Water Street; and</li> <li>• The new channel will be constructed in the dry, then existing flows will be redirected to the new channel, then the existing channel will be decommissioned; and</li> <li>• Work in isolation of flow to avoid sedimentation of the watercourse.</li> </ul> <p>Our review considered the following information:</p> <ul style="list-style-type: none"> <li>• Request for Review form and associated documents.</li> </ul> <p>Your proposal has been reviewed to determine whether it is likely to result in:</p> <ul style="list-style-type: none"> <li>• the death of fish by means other than fishing and the harmful alteration, disruption or destruction of fish habitat which are prohibited under subsections 34.4(1) and 35(1) of the Fisheries Act;</li> <li>• effects to listed aquatic species at risk, any part of their critical habitat or the residences of their individuals in a manner which is prohibited under sections 32, 33 and subsection 58(1) of the Species at Risk Act; and</li> <li>• The aforementioned impacts are prohibited unless authorized under their respective legislation and regulations.</li> </ul> <p>To avoid and mitigate the potential for prohibited effects to fish and fish habitat (as listed above), we recommend implementing the measures listed below:</p> <ul style="list-style-type: none"> <li>• Plan in-water works, undertakings and activities to respect timing windows to protect fish, including their eggs, juveniles, spawning adults</li> <li>• Capture, relocate and monitor for fish trapped within isolated, enclosed, or dewatered areas;                         <ul style="list-style-type: none"> <li>○ Dewater gradually to reduce the potential for stranding fish</li> </ul> </li> <li>• Conduct in-water undertakings and activities during periods of low water levels</li> <li>• Screen intake pipes to prevent entrainment or impingement of fish;                         <ul style="list-style-type: none"> <li>○ Use the code of practice for water intake screens</li> </ul> </li> <li>• Limit impacts on riparian vegetation to those approved for the work, undertaking or activity;                         <ul style="list-style-type: none"> <li>○ Limit access to banks or areas adjacent to waterbodies</li> <li>○ Construct access points and approaches perpendicular to the watercourse or waterbody</li> <li>○ Re-vegetate the disturbed area with native species suitable for the site</li> </ul> </li> <li>• Restore stream geomorphology (i.e., restore the bed and banks, gradient and contour of the waterbody) to its initial state;</li> <li>• Avoid introducing sediments (e.g., silts, clays and sand) in the water</li> <li>• Develop and implement an erosion and sediment control plan to avoid or minimize the introduction of sediment into any waterbody during all phases of the work, undertaking or activity; and                         <ul style="list-style-type: none"> <li>○ Conduct all in-water works, undertakings or activities in isolation of open or flowing water to reduce the</li> </ul> </li> </ul>	<p>Government Review Team (GRT) comments on the Final EA raised several concerns regarding preferred Alternative 3 particularly the proximity to, and the potential impacts of the Cement Kiln Dust (CKD) Pile on the relocated watercourse. To address these concerns, the Town re-engaged with St. Marys Cement (SMC) to discuss the watercourse relocation and how far onto SMC lands it might extend. SMC undertook further review and indicated that encroachment onto their lands would not be possible without affecting their Aggregate Resources Act license. Reflecting on both the comments on the Final EA and the limitations with respect to SMC lands, the study team revisited the preferred Alternative 3. The team was challenged to determine if refinements to the preferred alternative could minimize the need to relocate the watercourse while maintaining the target capacity of the preferred alternative and its attributes. To this end, the team identified a refinement to the preferred alternative, Alternative 3A.</p> <p>Section 7 'Phase 5: Assess Alternative Methods for Carrying out the Undertaking' of Volume I, including all evaluation tables, have been revised to reflect the addition of Alternative 3A. Sections 8 'Description of the Undertaking' and 9 'Potential Impacts, Mitigation Measures, and Net Effects' have been revised to reflect Alternative 3A as the new preferred alternative.</p> <p>Instead of the watercourse being relocated to north of the CKD pile, the new Alternative 3A retains the watercourse in its existing location, except for a ~230 metre reach within the middle of the site which will be realigned to the northeast to facilitate landfill expansion. This realigned stretch is conceptually designed to have a:</p> <ul style="list-style-type: none"> <li>• 3:1 embankment;</li> <li>• 2.5m to 3.0m wide riparian channel;</li> <li>• ±15m wide watercourse bottom;</li> <li>• 50m to 60m wide corridor;</li> <li>• ±20m buffer to CKD pile; and</li> <li>• CKD pile interception swale.</li> </ul> <p>Enhancing the natural features of the watercourse's riparian channel, to improve aquatic habitat will be considered during detailed design.</p> <p>Per the commitments in EA Vol. I, Table 11.1 'Summary of EA Commitments', the Town is committed to:</p> <ul style="list-style-type: none"> <li>• Working with the Department of Fisheries and Oceans Canada (DFO) through the permitting process, to obtain all applicable permits for construction.</li> <li>• Developing a Watercourse Realignment Plan for approval by DFO and UTRCA which will reflect the use of natural channel design principles and incorporate mitigation measures already identified by DFO.</li> </ul>	

**Table 2: Final Environmental Assessment (August 2021) – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
	<p>introduction of sediment into the watercourse</p> <ul style="list-style-type: none"> <li>○ Monitor the watercourse to observe signs of sedimentation during all phases of the work, undertaking or activity and take corrective action</li> <li>● Develop and implement a response plan to avoid a spill of deleterious substances.</li> </ul> <p>Provided that you incorporate these measures into your plans, the Program is of the view that your proposal will not require an authorization under the Fisheries Act, or the Species at Risk Act.</p>	<p>Also, per the response to Comment #6 (detailed below), the received DFO letter (including mitigation measures) will be kept on Site during construction to ensure these measures are considered.</p>	
2.	<p>Should your plans change or if you have omitted some information in your proposal, further review by the Program may be required. Consult our website (<a href="http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html">http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html</a>) or consult with a qualified environmental consultant to determine if further review may be necessary. It remains your responsibility to remain in compliance with the Fisheries Act, or the Species at Risk Act.</p>	<p><i>The Town will consult with DFO during detailed design.</i> Per the commitments in EA Vol. I, Table 11.1 'Summary of EA Commitments', the Town is committed to:</p> <ul style="list-style-type: none"> <li>● Working with the Department of Fisheries and Oceans Canada (DFO) through the permitting process, to obtain all applicable permits for construction.</li> </ul>	
3.	<p>Provided that you incorporate these measures into your plans, the Program is of the view that your proposal will not require an authorization under the Fisheries Act, or the Species at Risk Act.</p>	<p>Comment noted.</p>	
4.	<p>It is also your Duty to Notify DFO if you have caused, or are about to cause, the death of fish by means other than fishing and/or the harmful alteration, disruption or destruction of fish habitat. Such notifications should be directed to (<a href="http://www.dfo-mpo.gc.ca/pnw-ppe/CONTACT-eng.html">http://www.dfo-mpo.gc.ca/pnw-ppe/CONTACT-eng.html</a>).</p>	<p>Comment noted.</p>	
5.	<p>We recommend that you notify this office at least 10 days before starting your project.</p>	<p><i>The Town has added the following commitment to Vol. I Section 11 'Future Commitments and Environmental Compliance', Table 11.1 'Summary of EA Commitments' to ensure and record compliance:</i></p> <p>'Notifying the DFO greater than 10 days prior to the commencement of the landfill expansion construction.'</p>	
6.	<p>We recommend that a copy of this letter be kept on site while the work is in progress. It remains your responsibility to meet all other federal, territorial, provincial and municipal requirements that apply to your proposal.</p>	<p><i>The Town commits to adding the following commitment to Vol. I, Section 11 'Future Commitments and Environmental Compliance', Table 11.1 'Summary of EA Commitments':</i></p> <p>A copy of DFO's provided letter of advice from the DFO, dated October 4, 2021, will be kept on Site during the construction period.</p>	
<p>Submitter: <b>CN Rail</b> August 20, 2021 (via phone)</p>			
1.	<p>During a follow-up call regarding the 'Notice of Submission' with CN Rail, it was noted that:</p> <p>"Our only concern would be that it impacts the nearby CN Rail operations or infrastructure."</p> <p><b>Additional Comments (October 2022)</b></p> <p>CN EA review team has recommended following the regulations as set out in Mining Near Lines of Railways Regulations (<a href="http://justice.gc.ca">justice.gc.ca</a>). This would ensure a 50 metre setback from the nearest rail, along with safe operations of the railway.</p>	<p>Based on our current technical studies and project work, the proposed expansion of the landfill will not impact CN Rail operations or infrastructure in any way – there are no rail lines within or to be crossed for access to the St. Marys Landfill. The entire property of the landfill is displayed on Vol. I, Figure 3-2, which shows that no rail lines are within the site perimeter or need to be crossed for site access.</p> <p><b>Response to October 2022 Comments:</b></p> <p>As illustrated on Figure 3-2, there are no rail lines in proximity to the St. Marys Landfill expansion. The closest rail line is approximately 900 m to the east.</p>	

**Table 2: Final Environmental Assessment (August 2021) – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
	<p>Other than a potential to line-of-sight being obscured if the wind is blowing dust from the landfill in the direction of the track, the proposal at the moment would not have an adverse effect on the CN right of way. Although, the Quarry Licence boundary does go up to the CN right of way, the proponent should be made aware of the regulations within the Mining Near Lines of Railways if there is future expansion of the landfill.</p>	<p>The Town of St Marys is aware of the regulations within the Mining Near Lines of Railways Regulations (justice.gc.ca). Given the distance between landfill operations and the rail line (approximately 900 m) blowing dust is not anticipated to be an issue.</p>	
<p>Submitter: <b>Huron Perth Catholic District School Board</b> September 28, 2021</p>			
A.	<p>Thank you for considering our interest in this project. There are no concerns or impacts the Huron-Perth Catholic District School Board is aware of.</p>	<p>Thank you for your response, we confirm receipt of your comments.</p>	
<p>Submitter: <b>Huron Perth Public Health</b> October 1, 2021</p>			
A.	<p>The role of public health within the review of this environmental assessment is to ensure risks to public health are considered and, where identified, mitigated to reduce impacts to overall community health. At this time, we do not feel significant risks to public health are associated with your preferred method of "Alternative 3 – A combination of Vertical and Horizontal Expansion" for the existing landfill site.</p> <p>Public Health has reviewed the environmental health assessment, and considered the potential impacts to public health, through the lens of the following themes:</p> <ul style="list-style-type: none"> <li>• Potential impacts to the use and sustainability of the built, natural and socio-economic environments</li> <li>• Potential impacts to air quality</li> <li>• Potential impacts to soil and water quality (source water protection)</li> <li>• Land use, aesthetics and enjoyment of life, employment/economic effects</li> <li>• Potential future contributors to climate change</li> </ul> <p>It will be critical throughout the continued process of adopting "alternative 3" as the preferred option related to the landfill expansion, that the Town continues to ensure prompt and comprehensive follow up with respect to complaints and concerns received. We note this, as proposed alternatives (e.g. those with higher elevations) and mitigation measures such as berms and trees may not be sufficient to mitigate all impacts related to dust, noise and odour. We know public tolerance to be low with regard to these parameters as well as perceived impacts to water quality. Public acceptance centers around the principles associated with the "NIMBY phenomenon" as well as a dedication to the protection and sustainability of natural environments.</p>	<p>To ensure that HPPH's comment is addressed during the operation of the expanded landfill, in Vol. 1, Section 11.5, '<i>Compliance Monitoring</i>', which provides a compliance monitoring framework to ensure all existing commitments and conditions are met during the remaining stages of the Project, the Town has committed to:</p> <p style="padding-left: 40px;">"Review, update (if required) and enact the site's complaint-response framework and procedures and communication plan."</p> <p>In addition,</p> <ul style="list-style-type: none"> <li>• "The complaint-response framework will be submitted to MECP as part of the ECA approvals process.</li> </ul> <p>Ongoing complaints and Town responses will be documented in the landfill's Annual Monitoring Reports."</p>	
<p>Submitter: <b>Secondary Land Use, Asset Optimization, Strategy &amp; Integrated Planning, Hydro One Networks Inc.</b> September 21, 2021</p>			
1.	<p>Thank you for sending us notification regarding (Future Solid Waste Disposal Needs). In our preliminary assessment, we have confirmed that Hydro One has existing high voltage Transmission facilities within your study area. At this time, we do not have sufficient information to comment on the potential resulting impacts that your project may have on our infrastructure. As such, we must stay informed as more information becomes available so that we can advise if any of the alternative solutions present actual conflicts with our assets, and if so; what resulting measures and costs could be incurred by the proponent. Note that this response does not constitute</p>	<p>Hydro One has existing high voltage transmission facilities and associated transmission corridor(s) in the Study Area.</p> <p>The high voltage transmission facilities feeding the St. Marys Cement plant are within the <i>Study Area Vicinity (a 1,000 m radius of the On-Site Study Area)</i>. There is also the main 115 kV Hydro One corridor located approximately 1,700 m east of the <i>On-Site Study Area (site)</i>. These are shown on Figure 1-2, 'Town Limits and St. Marys Landfill', and Figure 6-6, 'Study Areas' within the EA Report (Vol. I). We confirm that Hydro One</p>	

**Table 2: Final Environmental Assessment (August 2021) – Government Review Team Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
	approval for your plans and is being sent to you as a courtesy to inform you that we must continue to be consulted on your project.	<p>infrastructure and associated right-of-way will be avoided with the EA's Preferred Expansion Method.</p> <p>To address Hydro One's request to continue to be consulted on the project, the following commitment has been added to Vol. 1 Table 11.1 'Summary of EA Commitments':</p> <p>Acquire all necessary permits and/or approvals pursuant to the:</p> <ul style="list-style-type: none"> <li>• Environmental Protection Act</li> <li>• Ontario Water Resources Act</li> <li>• Conservation Authorities Act</li> <li>• Endangered Species Act</li> <li>• Fisheries Act</li> <li>• Fish and Wildlife Conservation Act</li> </ul> <p>Others, as identified during the design phase</p>	
<p>Submitter: <b>The Town of St. Marys Fire Department</b> August 23, 2021 (via email)</p>			
1.	<p>From the fire departments perspective there is nothing that really pertains to us. Other than the fact we are and will be able to maneuver our fire apparatus in and around the area.</p> <p>Thanks</p>	<p>We understand the Fire Department's concern regarding the fire apparatus having full access to the landfill site. Following Environmental Assessment approval, the Town will initiate a detailed design process. At this stage, the design will consider the Town's development guidelines, including fire route requirements in accordance with applicable municipal by-law(s).</p> <p>To ensure that the Fire Department is consulted further during the project's detailed design and construction, the Town has added the following commitment to Vol. I, Section 11.1 'Future Commitments', Table 11.1 "Summary of EA Commitments":</p> <p>Consult with the St. Marys Fire Department during the detailed design and construction process.</p>	

**Table 3: Final Environmental Assessment (August 2021) – Public Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
Submitter: <b>Mr. Bruce Grant</b> Sep. 17, 2021 (email)			
	<p>I am a long-time resident of St. Marys with an interest in environmental matters. I support the ongoing use and expansion of the current Town of St. Marys landfill site.</p> <p>Society will continue to need solid waste disposal sites for a very long time. I have seen multiple waste diversion initiatives with significant success over the past 40 years. Achieving zero solid waste may be a noble thought, however in practical terms it is unattainable in the foreseeable future.</p> <p>The current site is situated in an industrial area that was previously used as a clay source for cement production. Clay has been excavated to a depth of approximately 6 metres leaving an industrial scar with no original natural or archaeological surface features. The site has berming and significant tree screening that continues to mature and can easily be augmented to provide a pleasant, natural perimeter to fully screen site activities from passers-by.</p> <p>The Town of St. Marys landfill site is an engineered facility that operates at the convenience of the local municipality. Transportation impacts are minimized by keeping waste disposal local. Leachate is collected and flows by gravity to the St. Marys wastewater treatment facility. Monitoring, sampling, testing and resultant annual landfill activity reports have consistently demonstrated minimal off-site landfill related impacts.</p> <p>Since inception of the landfill site, all proponents of new houses in the immediate vicinity have, prior to construction, signed documentation acknowledging the presence of the site. Adjacent residential neighbours are comfortable with their proximity to the site.</p> <p>Construction, operation and expansion of a fully engineered solid waste disposal facility makes abundant good sense by concentrating landfilling activities in fewer locations rather than scattering disposal into other locales. Establishing, monitoring, reporting and continually improving controls to mitigate off-site impacts is a practical approach to a solid waste disposal problem.</p> <p>Thank you for the opportunity to comment on this important matter. I look forward to positive support from the Ministry on the expansion initiative.</p>	<p>The Town acknowledges and appreciates the support.</p>	

**Table 4: Final Environmental Assessment (August 2021) – Indigenous Communities Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
Submitter: <b>Chippewas of the Thames First Nation</b> Sep. 8, 2021 email and letter			
1.	The report has been reviewed and there are minimal concerns with it and the project. The Chippewas of the Thames First Nation request to be informed of any substantive future project details.	As requested, the EA Team will keep Chippewas of the Thames First Nation (COTTFN) informed of any substantive future project details such as the Environmental Compliance Approvals. The Town has (and remains) committed to further consultation with COTTFN and other Indigenous communities as the detailed design and construction of the St. Marys Landfill Expansion proceeds.  The Town will add the following commitment to Vol. I, Table 11.1 'Summary of EA Commitments':  Consult with WIFN, COTTFN, Six Nations and HDI to review the detailed design and build the Town's long-term relationship with each community to identify any opportunities, mutually beneficial benefits and accommodations.	
Submitter: <b>Haudenosaunee Confederacy Chiefs Council – Haudenosaunee Development Institute (HDI)</b> Sep. 7, 2021 Letter, Sept 27, 2021 Teams meeting, and Sep. 30, 2021 follow-up email			
1.	<p><b>September 7, 2021 Letter:</b></p> <p>I the undersigned, confirm on behalf of HDI Environmental Division show interest in the abovementioned project. The HDI Environmental Division requests to be involved and informed about:</p> <ul style="list-style-type: none"> <li>• The progress of this project,</li> <li>• Natural impact studies e.g., aquatic, terrestrial and botanical surveys</li> <li>• Species at risk (SARS)</li> <li>• Archaeological Reports</li> <li>• Archaeological Field Assessments (Stage 2, 3 &amp; 4)</li> <li>• Applicable permits</li> <li>• Environmental management plan (EMP)</li> <li>• Stormwater management plan (SWMP)</li> <li>• Erosion and sediment control plan (ESCP)Site inspections to ensure these measures are being followed through.</li> </ul> <p>As part of our rights as Haudenosaunee and people of the land, we encourage to have a representee from HDI Environmental Division or Archaeology Division to be involved. We have the ongoing obligations to ensure the protection of our cultural and natural resources for the next seven generations. This is our duty and responsibility of our rights as Haudenosaunee People.</p> <p>The HDI Environmental Division has worked on numerous projects in the past and have overseen a variety of development within our treaty rights. As part of HDI Environmental Division we provide monitors for any field work and site inspections. Being able to witness and report field active conditions and contingency plans is a key part of HDI quality assurance (QA).</p>	<p>The Town of St. Marys would be pleased to have HDI involved with the landfill's post-EA development, approvals, operations and monitoring programs. Although EA studies have been completed, the Town is committed to keeping HDI (alongside other Indigenous Communities) informed of detailed design and construction efforts. This may allow for field monitoring opportunities, particularly during construction.</p> <p><i>To address HDI's request to continue to be consulted and involved in field monitoring opportunities as the project progresses, the Town has committed to on-going engagement to identify when these opportunities arise. The following commitment can be found in Table 11.1 "Summary of EA Commitments":</i></p> <p>Consult with WIFN, COTTFN, Six Nations and HDI to review the detailed design and build the Town's long-term relationship with each community to identify any opportunities, mutually beneficial benefits and accommodations.</p>	

**Table 4: Final Environmental Assessment (August 2021) – Indigenous Communities Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
	<p>The monitoring provides a way ensuring all guidelines are met throughout the whole process of the project and strengthens the areas most sensitive to the Haudenosaunee people.</p> <p>HDI ask RJ Burnside and Town of St. Marys to have a meeting to further discuss involving HDI Environmental Division on the project and once week inspection. We hope we can navigate through these issues towards a relationship of respect, partnership, and mutual benefit.</p>		
2.	<p><b>September 30, 2021 Email:</b></p> <p>As mentioned during the meeting on Monday September 27<sup>th</sup>, 2021, HDI Environmental Division requests to be involved during the detailed design and construction phase. We strongly feel this is important to be involved in especially if alternative (method) 3 is being used. Rerouting the watercourse is something we feel strongly about having an environmental monitor in the field to ensure all applicable permits and Environmental Management plans are being followed through.</p>	<p>Vol. 1 Section 7 'Phase 5: Assess Alternative Methods for Carrying Out the Undertaking' has been amended to include a new Alternative Method 3A as issues with the feasibility of Alternative 3 arose during the final stages of the approval process. Alternative 3A has been identified as the preferred alternative and rather than a relocation of the watercourse there is only a small realignment of the watercourse. It is expected that construction of the watercourse realignment will proceed in parallel with the construction of the expansion footprint. Per Commitment A. (above), the Town of St. Marys is committed to identify opportunities where an HDI environmental monitor may be present during construction.</p>	
<p>Submitter: <b>Six Nations of the Grand River</b> August 23, 2021 phone call and follow-on email dated Sep. 24, 2021.</p>			
1.	<p>Will the landfill be lined?</p>	<p>Consistent with the Town's existing landfill design, we are using the site's native clay to act as a liner. Above this there will be a leachate collection system. The Town's current monitoring program has shown this design to be effective. Section 8.0 entitled 'Description of the Undertaking', describes the preferred Alternative Method for expanding the landfill in more detail. Further design details will be developed and refined as part of the next step, under the Environmental Protection Act.</p>	
2.	<p>How is landfill gas addressed?</p>	<p>The expanded site will be smaller than 1.5 million cubic metres which is the trigger volume under the Environmental Protection Act (O.Reg. 347) to study if landfill gas collection and destruction is, or is not, required. The site receives waste slowly, which affects landfill gas generation rates (i.e., also slow) and the potential effectiveness of a landfill gas collection system. As a result, there are no plans to install a landfill gas collection and destruction system for the St. Marys Landfill (reference, Vol. I, Section 7.4.1 'Air Quality').</p>	
3.	<p>Will there be tree removal, and what are we proposing to avoid and replace habitat? Simply committing to tree removal outside of the bird breeding season is not sufficient - the birds will return and need habitat.</p>	<p>The landfill is sited within the former "clay-quarry". Quarrying disturbed most of the site (resulted in removal of habitat) before the landfilling began.</p> <p>Table 9.1 entitled "Effects, Mitigation, and Net Effects", summarizes the 'Impact to Other Wildlife' indicator which addresses vegetation loss. Mitigation measures specific to tree removal and the replacement of vegetation are:</p> <ul style="list-style-type: none"> <li>• Complete a Tree Inventory and Landscape Plan for the landfill property.</li> <li>• Tree replacement will be at a 10:1 ratio. For clarity, this means that ten tree seedlings will be planted for each tree that is removed. Replacement seedlings will be located on the landfill property or another Town property, if space does not permit.</li> </ul>	

**Table 4: Final Environmental Assessment (August 2021) – Indigenous Communities Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
		<ul style="list-style-type: none"> <li>• Install woody plants adjacent to the realigned watercourse to enhance watercourse shading, fish, and wildlife habitat, as well as improve tree cover within the watershed.</li> <li>• Revegetate disturbed areas including closed landfill cells as soon as possible with native groundcover species to minimize potential for reseeding of non-native and/or invasive species.</li> <li>• Conduct post-construction monitoring of plantings for vegetation success. Replacements may be necessary where vegetation does not survive.</li> </ul> <p>This information has also been included as a commitment in Vol. 1 Table 11.1 'Summary of EA Commitments'.</p> <p>The Town has committed to consult with Six Nations of the Grand River (alongside other indigenous communities) throughout the detailed design and construction phase, as detailed in Table 11.1 'Summary of EA Commitments'.</p>	
4.	<p>One thing that Six Nations of the Grand River routinely ask for is a 10:1 tree replacement ratio. That is, for every tree removed (healthy or not) we ask that 10 trees be planted to replace it. The 10 trees do not need to be planted in the same area obviously, we just ask for that commitment. The reason for that is two-fold. The first is that a 1:1 ratio is not enough because a new tree may not survive and secondly the environmental benefits of a mature tree (healthy or not) far outweigh the environmental benefits of a sapling.</p>	<p>To address Six Nations of the Grand River request for a 10:1 tree replacement ratio to be used, the Town will add the following commitment to Vol. I, Table 11.1 'Summary of EA Commitments':</p> <ul style="list-style-type: none"> <li>• Tree replacements will be at a 10:1 ratio.</li> </ul> <p>For clarity, this means that ten tree seedlings will be planted for each tree that must be (is) removed.</p>	
<p>Submitter: <b>Walpole Island First Nation</b> Sep. 28, 2021 email</p>			
1.	<p>We have reviewed the project in the context of Relationship and Reconciliation. We look forward to an on-going relationship with the proponent for the life of the project.</p>	<p>Acknowledged.</p>	
2.	<p>We request at least one meeting a year to review annual report.</p>	<p>The Town completes annual monitoring of the landfill. The Town is happy to commit to a meeting on an annual basis to review the results of the monitoring and any follow-up that may be required. To address WIFN's request, the Town has added the following commitment to Vol. I, Table 11.1 'Summary of EA Commitments':</p> <p>Meet annually with the Walpole Island First Nation to discuss annual monitoring reports, landfill performance and potential benefits and opportunities that the work may present for the Walpole Island First Nation. At each meeting it will be determined if additional meetings are required.</p>	
3.	<p>We look to secure all opportunities, benefits and accommodation for WIFN hosting this project in our territory.</p>	<p>The Town of St. Marys is a relatively small community with limited resources; however, we would be happy to explore opportunities which may be mutually beneficial to the Town and WIFN. To address WIFN's request to be consulted on all potential opportunities, benefits and accommodations, the Town has added the following commitment to Vol. I, Table 11.1 'Summary of EA Commitments':</p>	

**Table 4: Final Environmental Assessment (August 2021) – Indigenous Communities Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status
		<p>The Town will participate in discussions regarding opportunities, benefits and accommodations which may be mutually beneficial with Walpole Island First Nation.</p>	
4.	<p>Special attention and concern are expressed in terms of cumulative impact.</p>	<p>Cumulative impacts were assessed in Vol. 1 Section 9.2 'Cumulative Impacts' of the EA report. The landfill has been in operation since 1984 and the lands immediately surrounding the landfill include large-scale aggregate extraction and large-scale farming, all of which impact the local landscape and environment. The landfill expansion will continue to serve the local community – just the Town of St. Marys. Therefore, on an annual basis, no more waste will be accepted than the current annual limit (taking into consideration some growth in the community over the next 40 years).</p> <p>The landfill will contribute to greenhouse gas (GHG) emissions in Ontario. The expansion is estimated to produce approximately 79,000 tonnes CO<sub>2</sub>e over its entire (40-year) life. This is less than one quarter of a percent (0.25%) of Ontario's annual solid waste related GHG emissions and less than 0.001% of the province's total annual GHG emissions. However, the Town continues to work with residents and businesses to increase waste diversion and reduce GHG emissions. The Town will meet requirements under the Waste-Free Ontario Act and will work to improve composting and recycling rates.</p> <p>There is also potential for methane production in the landfill to decrease over time because of the province's proposed organics disposal ban under the Waste-Free Ontario Act. The current schedule is for the proposed organics disposal ban to come into effect by 2022. The landfill may generate less landfill gas during filling of its final cells if there are changes in organics as a result. This will decrease the overall contribution of fugitive and combustion emissions from the St. Marys Landfill.</p>	

## **Additional Comments During Final Review**

**Final Environmental Assessment (August 2021) – MECP Species at Risk Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status	October 2022 Comments	Proponent's Response
Submitter: <b>Species at Risk</b> , Permissions and Compliance Section of Species at Risk Branch, Ministry of the Environment, Conservation and Parks October 4, 2021					
1.	<p><b>Reference to EA: General Comment &amp; Rationale:</b></p> <p>Given that the fieldwork was completed over six years ago, Species at Risk Branch (SARB) recommends that the property is surveyed for Bank Swallow and possible nesting habitat prior to the start of any site alteration/construction activities. If Bank Swallow is found to be nesting on the property and impacts to individuals and/or habitat is likely, MECP should be contacted for guidance under the ESA</p> <p><b>Proposed Action/Solution:</b></p> <p>Recommended that commitment to survey site for Bank Swallow habitat prior to any site alteration be included in EA (e.g. Section 11). Permissions and Compliance of Species at Risk Branch (SAROntario@ontario.ca) should be contacted for guidance under the <i>Endangered Species Act, 2007</i> if Bank Swallow is found to be nesting on site.</p>	<p>The following commitment was added to Vol. I, Section 9.0 'Potential Impacts, Mitigation Measures and Net Effects', Table 9.1 'Effects, Mitigation, Net Effects and Monitoring Requirements' and Table 11.1 'Summary of EA Commitments':</p> <p>The site will be surveyed for Bank Swallow habitat prior to any site alteration. The Permissions and Compliance of Species at Risk Branch (SAROntario@ontario.ca) will be contacted for guidance under the <i>Endangered Species Act, 2007</i> if Bank Swallow is found to be nesting on site.</p>		Sufficient	
2.	<p><b>Reference to EA: General – throughout EA For example– Table 9.1 (page 265)</b></p> <p><b>Comment &amp; Rationale:</b></p> <p>Throughout the Natural Heritage Assessment, there are references to contacting the Ministry of Natural Resources and Forestry regarding species at risk and/or the <i>Endangered Species Act, 2007</i>. Given the transition of the SAR/ESA program to MECP, Permissions and Compliance Section of SARB is now the sole contact for SAR and the ESA and can be reached at <a href="mailto:SAROntario@ontario.ca">SAROntario@ontario.ca</a>. References to contacting MNRF regarding species at risk throughout the document should be removed for clarity and to ensure the appropriate ministry is contacted if SAR are encountered on site. For example, Table 9.1 – Removal of Habitat for Endangered and Threatened Species states that MNRF <u>and/or</u> MECP should be contacted for further advice. MNRF (now MNDMNR) remains responsible for special concern species and significant wildlife habitat, so references to MECP in these sections should be removed.</p>	<p>Text updated in Vol. I Section 9.0, Table 9.1 'Effects, Mitigation, Net Effects and Monitoring Requirements' to include only the MECP contact for ESA protected species MNDMNR for special concern species and Significant Wildlife Habitat.</p> <p>Section 11.1 'Future Commitments and Environmental Compliance', Table 11.1 'Summary of EA Commitments' – was updated to note the commitment:</p> <p>Complete online project registration to address removal of impacted Eastern Meadowlark habitat under O. Reg. 830/21 of the <i>Endangered Species Act</i> (and throughout report where applicable).</p>		Sufficient	

**Final Environmental Assessment (August 2021) – MECP Species at Risk Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status	October 2022 Comments	Proponent's Response
	<p><b>Proposed Action/Solution:</b></p> <p>Update to only include MECP contact for ESA protected species and MNDMNR for special concern species and Significant Wildlife Habitat.</p>				
3.	<p><b>Reference to EA: Section 3.7.1.3 – Natural Environment (page 48)</b>  <b>Section 3.8.2.4 Potential Impacts to Biology (page 69)</b></p> <p><b>Comment &amp; Rationale:</b></p> <p>These sections state “Grassland areas <i>may</i> provide habitat for grassland birds or snakes, including species at risk.”</p> <p>Species at risk habitat has been confirmed on site, and therefore, protection under the ESA applies to grassland habitat for Eastern Meadowlark.</p> <p>Authorization under the ESA (e.g., permit or registration) is required for any impacts to Eastern Meadowlark or its habitat.</p> <p><b>Proposed Action/Solution:</b></p> <p>This section should be updated to reflect confirmed Eastern Meadowlark habitat on site.</p>	<p>Updated text in Vol. 1 Section 3.7.1.3 '<i>Natural Environment</i>' and 3.8.2.4 '<i>Potential Impacts to Biology</i>' to confirm Eastern Meadowlark habitat on site.</p> <p>Authorization under the ESA (conditional exemptions under O.Reg. 830/21) is required for any impacts to Eastern Meadowlark or its habitat. The following commitment is in Table 11.1 'Summary of EA Commitments' (ESA italicised and underlined for context):</p> <p>Acquire all necessary permits and/or approvals pursuant to the:</p> <ul style="list-style-type: none"> <li>• Environmental Protection Act</li> <li>• Ontario Water Resources Act</li> <li>• Conservation Authorities Act</li> <li>• Planning Act</li> <li>• <u><i>Endangered Species Act</i></u></li> <li>• Fisheries Act</li> <li>• Fish and Wildlife Conservation Act</li> <li>• Ontario Heritage Act</li> </ul> <p>Others, as identified during the design phase (e.g., changes to electrical supply will be addressed through Festival Hydro and/or Hydro One etc.)</p>		Sufficient	
4.	<p><b>Reference to EA: Table 7-10: Summary of Potential Impacts to Biology Row: Mitigation to be applied to all Alternatives (page 205)</b></p> <p><b>Comment &amp; Rationale:</b></p> <p>This section states that mitigation measures to avoid creation suitable nesting habitat for Bank Swallow should be applied during operation of the landfill. Mitigation measures should also be applied during the construction phase (in addition to operation).</p> <p><b>Proposed Action/Solution:</b></p> <p>Updates to table recommended to include appropriate mitigation measures during construction.</p>	<p>Vol. I Section 7.1, Table 7 2 'Standard Mitigation and Operating Practices Common to All Alternatives', and Section 9.0, Table 9-1 'Effects, Mitigation, Net Effects, and Monitoring Equipment' have been updated to ensure appropriate mitigation measures are applied during construction, to prevent Bank Swallow from establishing nesting burrows (i.e., slope management, deterrents, and exclusion measures).</p>		Sufficient	

**Final Environmental Assessment (August 2021) – MECP Species at Risk Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status	October 2022 Comments	Proponent's Response
5.	<p><b>Reference to EA: Table 9-1 – Impacts, Mitigation, Net Effects and Monitoring Requirements</b></p> <p><b>Rows: Removal of Habitat for Endangered and Threatened Species and Species at Risk (page 263 and 264)</b></p> <p><b>Comment &amp; Rationale:</b></p> <p>This section states that mitigation measures to avoid creation suitable nesting habitat for Bank Swallow should be applied during operation of the landfill. Mitigation measures should also be applied during the <u>construction</u> phase (in addition to operation).</p> <p>This is highly significant, given that the species has nested on the site previously, and should be addressed in the EA phase. If mitigation measures for Bank Swallow are not undertaken, there is an increased likelihood that Bank Swallow will continue nesting attempts, which triggers protection under the <i>Endangered Species Act, 2007</i> (ESA). Activities that impact Bank Swallow individuals and their habitat (e.g., grading of stockpiles being used as nesting habitat by Bank Swallow) are prohibited under the ESA and authorization under the ESA may be required.</p> <p>The bullet for Bank Swallow under the Mitigation Measures column should be updated to “a no- disturbance 50m setback from the nesting site shall be placed around the site” removing the wording “until no further evidence of breeding is observed.” If Bank Swallow is found to be nesting on the property, either during landfill construction or operation, the individuals and their nests receive protection under the ESA. An authorization under the ESA may be required for the alteration or removal of Bank Swallow nesting habitat, unless it has been determined that the habitat is no longer suitable (e.g., slumping) or being used. Species at Risk Branch of MECP should be contacted if it's determined that Bank Swallow is nesting on site.</p> <p><b>Proposed Action/Solution:</b></p> <p>Updates to the table recommended to include appropriate mitigation measures during construction. Mitigation measures should include appropriate site management (e.g. grading stockpile faces to avoid nesting), given that Bank Swallow (threatened) is known to occur in the area and previous nesting attempts by the species have been made on the site. The Best</p>	<p>Mitigation measures during construction have been added to Vol. I Section 9.0, Table 9-1 'Effects, Mitigation, Net Effects, and Monitoring Equipment', including measures to prevent Bank Swallow from establishing nesting burrows. Table 9-1 has also be updated to include the Best Management Practices for the Protection, Creation and Maintenance of Bank Swallow Habitat in Ontario (MNRF, 2017).</p>		<p>Table 9.1 does not include a reference to avoiding the creation of nesting habitat during construction. SARB recommends that this table clearly states that mitigation measures for Bank Swallow should be implemented during landfill construction and operation.</p> <p>SARB's previous comments provided advice regarding a 50m setback from Bank Swallow nesting habitat. This bullet has been removed from Table 9.1. Please clarify why this bullet has been removed (e.g., the reference to implementation of the Bank Swallow BMP and the habitat description is intended to cover this).</p>	<p>Table 9-1 has been updated to note that the requirement to avoid creating habitat applies to both construction and operations. The text now reads:</p> <p>“Avoid the creation of temporary vertical or near-vertical spoil piles within the landfill and compost pile that are prone to frequent disturbance from landfill construction and operations to reduce the chance of attracting nesting Bank Swallow. Following Best Management Practices for the Protection, Creation and Maintenance of Bank Swallow Habitat in Ontario (MNRF, 2017).”</p> <p>This has also been added to the construction-related mitigation listed in Table 7-2.</p> <p>There are currently no active Bank Swallow nests on the site. Table 9-1 and Table 11-1 have been updated to include the following:</p> <p>“Should Bank Swallow be found nesting on-site, apply a 50 m buffer around the active nest.”</p> <p>Section 7.7.1 has also been updated to include the following mitigation:</p> <p>“Survey site for Bank Swallow habitat prior to any site alteration</p>

**Final Environmental Assessment (August 2021) – MECP Species at Risk Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status	October 2022 Comments	Proponent's Response
	Management Practices for the Protection, Creation and Maintenance of Bank Swallow Habitat in Ontario should be followed during construction and when the landfill is in operation.				and contact SAROntario@ontario.ca for guidance under the Endangered Species Act 2007 if Bank Swallow is found to be nesting on site. Should Bank Swallow be found nesting on-site, apply a 50 m buffer around the active nest."

**Final Environmental Assessment (August 2021) – MHSTCI Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status	October 11, 2022 Comments	Proponent's Response
Submitter: <b>Ministry of Heritage, Sport, Tourism and Culture Industries</b> October 1, 2021					
	<p>MHSTCI's interest in this EA project relates to its mandate of conserving Ontario's cultural heritage, which includes:</p> <ul style="list-style-type: none"> <li>• archaeological resources, including land and marine;</li> <li>• built heritage resources, including bridges and monuments; and</li> <li>• cultural heritage landscapes.</li> </ul> <p>Under the EA process, the proponent is required to determine a project's potential impact on known (previously recognized) and potential cultural heritage resources.</p> <p><b>Project Comments:</b></p> <p>Given there are no direct impacts to cultural heritage resources through this undertaking, and the mitigation measures included in the EA report in the case of unexpected impacts, MHSTCI does not have any substantive concern with this project. However, we would suggest editorial revisions.</p>	Acknowledged.		MCM has no further concerns	Noted
A.	<p><b>General Comment:</b> Update the ministry name from Ministry of Tourism, Culture and Sport to Ministry of Heritage, Sport, Tourism, and Culture Industries (MHSTCI) throughout the Environmental Assessment Report and appendices.</p>	<p>All references to the former <i>Ministry of Tourism, Culture and Sport</i> (MTCS) have been replaced with <i>Ministry of Heritage, Sport, Tourism, and Culture Industries</i> (MHSTCI).</p>		MCM has no further concerns	Noted
B.	<p><b>General Comment:</b> Any references to the Guidelines for Preparing the Cultural Heritage Resource Component of Environmental Assessments (1992) and Guidelines on the Man-Made Heritage Components of Environmental Assessments (1981) can be removed as they have been superseded by other policies, plans and regulations.</p>	<p>References to the Guidelines for Preparing the Cultural Heritage Resource Component of Environmental Assessment (1992) and Guidelines on the Man-Made Heritage Components of Environmental Assessments (1981) made in Section 6.4.2.1 'Built Heritage Resources and Cultural Heritage Landscapes' have been removed.</p> <p>The text in this section was replaced with the following:</p> <p>The CHRA assessed the presence of Built Heritage Resources and Cultural Heritage Landscapes in accordance with the Standards and Guidelines for Conservation of Provincial Heritage Properties (April 2010), Provincial Policy Statement and policies</p>		MCM has no further concerns	Noted

**Final Environmental Assessment (August 2021) – MHSTCI Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status	October 11, 2022 Comments	Proponent's Response
		listed in the Town of St. Marys Official Plan (2007 Consolidation, Section 2.3).			
C.	<p><b>Section 3.7.1.2 (Existing St. Marys Landfill, Page 46) / Section 3.7.2.2 (Twin Creeks Landfill, Page 52):</b> These sections need to describe existing conditions of the cultural environment informed by the technical cultural heritage studies (i.e., archaeological assessment and cultural heritage resource assessment).</p>	<p>For the purposes of the evaluation of the Alternatives to the Undertaking, a coarse level evaluation was completed using information available in the Town of St. Marys Official Plan, Twin Creeks Landfill website and aerial photography. This is consistent with the process outlined in the Terms of Reference.</p> <p>The Stage 1 Archaeological Assessment and Cultural Heritage Resource Assessment were conducted after the evaluation of Alternatives to the Undertaking had been completed.</p> <p>The results of the Stage 1 Archaeological Assessment and CHRA were incorporated into the evaluation of Alternative Methods.</p> <p>In addition, Section 3.7.1.2 'Social and Cultural Environment' has been updated to clarify the sources of information that were used during this portion of the EA.</p>		MCM has no further concerns	Noted
D.	<p><b>Section 3.8.3.1 Potential Impacts to Archaeological Resources (Page 72):</b> A Stage 1 AA was undertaken for the St. Marys Landfill expansion. The report concluded that the entire on-site study area has been documented to not retain archaeological potential and that these lands do not require further archaeological assessment. The AA report also recommended that should the proposed work extend beyond the current study area then further Stage 1 AA should be conducted to determine the archaeological potential of the surrounding lands. This section needs to be revised to clearly articulate the due diligence undertaken to date, potential impacts and future commitments.</p>	<p>As per the response to comment C, above, the Stage 1 AA was not completed during the Alternatives to the Undertaking phase of the EA documented in Section 3.8.3.1 'Potential Impacts to Archaeological Resources'</p> <p>A Stage 1 AA was undertaken for the landfill property including all of the lands required for the landfill expansion and concluded that no archaeological resources are likely to be present at, or around, the St. Marys landfill.</p>		MCM has no further concerns	Noted
E.	<p><b>Section 3.8.3.2 Potential Impacts to Built Heritage / 3.8.3.3 Potential Impacts to Cultural Heritage Landscapes (Pages 72-73):</b> A Cultural Heritage Resource Assessment has been undertaken and identified 12 resources including 11 cultural heritage landscapes and one built heritage resource within the study area vicinity. The Assessment report also included</p>	<p>As per the response comment C, above, the CHRA was not completed during the Alternatives to the Undertaking phase of the EA documented in Section 3.8.3.2 'Impacts to Built Heritage'.</p> <p>The Cultural Heritage Resource Assessment informed the evaluation of Alternative Methods. The recommendations from the CHRA have been</p>		MCM has no further concerns	Noted

**Final Environmental Assessment (August 2021) – MHSTCI Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status	October 11, 2022 Comments	Proponent's Response
	recommendations. These sections should be consolidated and revised.	added to Section 7.9.1 'Built Heritage and Cultural Heritage Landscapes'.			
F.	<p><b>Section 6.6.2.1 Built Heritage Resources and Cultural Heritage Landscapes (Page 158-160):</b> Section 6.6 is the description of the existing environment. This section should be revised to align with the proposed wording in Section 3.7.1.2 (See Comment C above).</p> <p>The Executive Summary will need to be revised accordingly.</p>	<p>Section 6.4.2.1 'Built Heritage and Cultural Heritage Landscapes' has been updated. The previous text was replaced with the wording noted below:</p> <p>"A Cultural Heritage Resource Assessment (CHRA): Built Heritage Resources and Cultural Heritage Landscapes- Existing Conditions was undertaken by ASI in November 2015. The CHRA assessed the presence of Built Heritage Resources and Cultural Heritage Landscapes in accordance with the Standards and Guidelines for Conservation of Provincial Heritage Properties (April 2010), Provincial Policy Statement and policies listed in the Town of St. Marys Official Plan (2007 Consolidation, Section 2.3). The assessment consisted of data collection, background historic research, review of secondary source material and field review. The purpose was to present an inventory of known or potential built heritage resources and/or cultural heritage landscapes as well as identify any potential impacts and proposed appropriate mitigation measures to minimize effects. The CHRA can be found in Volume III, Appendix E.</p> <p>The background research, data collection, and field review conducted for the Study Area determined that 12 cultural heritage resources are located within the Study Area Vicinity, as summarized in 6-13 'Cultural Heritage Resources in the Study Area Vicinity'. Of these, 11 are Cultural Heritage Landscapes and one is a Built Heritage Resource. No cultural heritage resources were identified within the On-Site Study Area."</p> <p>A figure showing the location of the 12 resources is provided in Figure 6-6 'Cultural Heritage Resources' of the Vol. I EA document.</p> <p>The following recommendations have been added to Section 7.9.1 'Built Heritage and Cultural Heritage Landscapes' and Table 7-13 'Potential Effects to Cultural Heritage Landscapes':</p>		MCM has no further concerns	Noted

**Final Environmental Assessment (August 2021) – MHSTCI Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status	October 11, 2022 Comments	Proponent's Response
		<ol style="list-style-type: none"> <li>1. Construction activities and staging should be suitably planned and undertaken to avoid impacts to identified cultural heritage resources.</li> <li>2. Once designs of the proposed work are available, this report will be updated with a confirmation of impacts of the undertaking on cultural heritage resources identified within and/or adjacent to the study area and will recommend appropriate mitigation measures. Mitigation measures may include, but are not limited to, completing a heritage impact assessment or documentation report, or employing suitable measures such as landscaping, buffering or other forms of mitigation, where appropriate. In this regard, provincial guidelines should be consulted for advice and further heritage assessment work should be undertaken as necessary.</li> <li>3. Should future work require an expansion of the study area then a qualified heritage consultant should be contacted in order to confirm the impacts of the proposed work on potential heritage resources.</li> </ol> <p>The Executive Summary has been similarly revised.</p>			
G.	<p><b>Section 6.6.2.2 Archaeological Resources (Page 161):</b> This section should be revised to align with the proposed wording in Section 3.7.1.2 (See Comment #3 above).</p> <p>The Executive Summary will need to be revised accordingly.</p>	<p>Section 6.4.2.2 'Archaeology Resources' has been updated. The previous text was replaced with the following:</p> <p><b>Methodology</b></p> <p>A Stage 1 Archaeological Assessment (under Project Information Form number P392-0171- 2015) was completed by ASI. A Stage 1 AA consists of a review of geographic, land use and historical information for the property and the relevant surrounding area, a property visit to inspect its current condition and contacting MHSTCI to find out whether, or not, there are any known archaeological sites on or near the property. Its purpose is to identify areas of archaeological potential and further archaeological assessment (e.g., Stage 2-4) as</p>		MCM has no further concerns	Noted

**Final Environmental Assessment (August 2021) – MHSTCI Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status	October 11, 2022 Comments	Proponent's Response
		<p>necessary. The Stage 1 assessment was conducted in accordance with the <i>Ontario Heritage Act</i> and the Standards and Guidelines for Consultant Archaeologists (Ministry of Tourism and Culture, 2011).</p> <p><b>Existing Archaeological Resources</b></p> <p>The Stage 1 Archaeological Assessment report has been entered into the Ontario Public Register of Archaeological Reports. The report concluded that the entire on-site study area has been documented to not retain archaeological potential and that these lands do not require further archaeological assessment. The Stage 1 assessment is included in Volume III - Appendix F."</p> <p>The Executive Summary has been revised accordingly.</p>			
H.	<p><b>Section 7.2.1 Built Heritage Resources / Section 7.2.2 Cultural Heritage Landscapes (Pages 207-211):</b> A Cultural Heritage Resource Assessment has been undertaken and identified 12 resources, including 11 cultural heritage landscapes and one built heritage resource within the study area vicinity. No built heritage resources and/or cultural heritage landscapes were identified within the onsite study area. The Assessment report also included recommendations. These sections should be consolidated and revised (See Comment E) above).</p> <p>Furthermore, it is not clear how the assessment of impacts on built heritage resources and cultural heritage landscapes were determined. Any discussion should be based on technical cultural heritage landscapes.</p> <p>There is no need to include a definition of cultural heritage landscapes in the EAR, as it is articulated in the CHRA. Should you wish to include one, the definition should be the one from the Provincial Policy Statement, 2020.</p>	<p>It is understood that Built Heritage Resources and Cultural Heritage Landscapes are both considered to be Cultural Heritage Resources. However, these two sections have not been consolidated as they were identified as separate criteria in the Terms of Reference.</p> <p>The impact assessments in Section 7.9.1 'Built Heritage and Cultural Heritage Landscapes' have been changed to better align with the CHRA. These sections now include the following text and recommendations from the CHRA:</p> <ol style="list-style-type: none"> <li>1. Construction activities and staging should be suitably planned and undertaken to avoid impacts to identified cultural heritage resources.</li> <li>2. Once detailed designs of the proposed work are available, this report will be updated with a confirmation of impacts of the undertaking on cultural heritage resources identified within and/or adjacent to the study area and will recommend appropriate mitigation measures. Mitigation measures may include, but are not limited to, completing a heritage impact</li> </ol>		MCM has no further concerns	Noted

**Final Environmental Assessment (August 2021) – MHSTCI Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status	October 11, 2022 Comments	Proponent's Response
		<p>assessment or documentation report, or employing suitable measures such as landscaping, buffering or other forms of mitigation, where appropriate. In this regard, provincial guidelines should be consulted for advice and further heritage assessment work should be undertaken as necessary.</p> <p>3. Should future work require an expansion of the study area then a qualified heritage consultant should be contacted in order to confirm the impacts of the proposed work on potential heritage resources.</p> <p>The definition of cultural heritage landscapes in Section 7.9.1 'Built Heritage and Cultural Heritage Landscapes' has been removed.</p>			
I.	<p><b>Section 7.2.3 Archaeological Resources (Page 212):</b> A sentence to acknowledge that further archaeological assessment be undertaken should the proposed work extend the current study area should be included. (See Comment D).</p>	<p>The following sentence has been added to Section 7.9.2 'Archaeological Resources':</p> <p>"Should the proposed work extend the current study area, then further Stage 1 Archaeological Assessment (and further assessments, if recommended) will be conducted by a licensed archaeologist as early as possible during detailed design and prior to any ground disturbing activities."</p>		<p><b>Amended Section 7.8.2 Archaeological Resources (Page 228)</b> . MCM has reviewed the revised text and recommends that the amended section include the language provided in your response dated September 20<sup>th</sup>:</p>	<p>Section 7.8.2 has been updated to include the following language:</p> <p>"Should the proposed work extend the current study area, then further Stage 1 Archaeological Assessment (and further assessments, if recommended) will be conducted by a licensed archaeologist as early as possible during detailed design and prior to any ground disturbing activities."</p> <p>This language has also been added to Table 9-1.</p>
J.	<p><b>Table 9-1 Impacts, Mitigation, Net Effects and Monitoring Requirements / Environmental Component: Archaeological Resources (Page 266):</b> Under the Mitigation Measures column, the name of the unit to be contacted at MHSTCI should be Archaeology Program Unit at <a href="mailto:archaeology@ontario.ca">archaeology@ontario.ca</a>.</p> <p>The AA report also recommended that should the proposed work extend beyond the current study area then further Stage 1 AA should be conducted to determine the archaeological potential of the surrounding lands. MHSTCI recommends that a paragraph be</p>	<p>The contact noted in Vol. I, Table 9-1 'Effects, Mitigation, Net Effects, and Monitoring Requirements' has been updated to reference MHSTCI, Archaeology Program Unit at <a href="mailto:archaeology@ontario.ca">archaeology@ontario.ca</a>.</p> <p>The following wording has been added to the list of commitments in Table 11-1:</p> <p>Conduct a further Stage 1 Archaeological Assessment (and further assessment, if required) to determine the archaeological potential of the</p>		<p><b>Amended Table 11-1 Summary of EA Commitments (Page 357)</b> MCM has reviewed the revised text and recommends that the list of commitments include the language provided in your response dated September 20<sup>th</sup>:</p>	<p>Table 11-1 has been updated to include the following language:</p> <p>"Should the proposed work extend the current study area, then further Stage 1 Archaeological Assessment (and further assessments, if recommended) will be conducted by a licensed archaeologist as early as possible during detailed design and prior to any ground disturbing</p>

**Final Environmental Assessment (August 2021) – MHSTCI Comment Summary Table**

Proposal: **St. Marys Future Solid Waste Disposal Needs Environmental Assessment**

Proponent: **Town of St Marys**

#	Summary of Comments	Proponent's Response	Status	October 11, 2022 Comments	Proponent's Response
	included to acknowledge that under the Recommended Monitoring Activities and Contingency Measures (See Comment D) above.	surrounding lands if the proposed work extend beyond the current On-site Study Area.			activities.”
K.	<p><b>Table 9-1 Impacts, Mitigation, Net Effects and Monitoring Requirements / Environmental Component: Cultural Heritage Landscapes (Page 266):</b> The environmental component should be <b>Built Heritage Resources</b> and Cultural Heritage Landscape. The row will need to be revised to better describe the impact assessment as per Comments D), E) and H) above.</p>	<p>Vol. I, Table 9-1 ‘Effects, Mitigation, Net Effects, and Monitoring Requirements’ has been updated to include both the Built Heritage Resources and Cultural Heritage Landscapes as the environmental component.</p> <p>The row has been updated to note that impacts will be further assessed in an updated CHRA to be prepared during detailed design. The following recommendations have now been added to Table 11.1 ‘Summary of EA Commitments’:</p> <ul style="list-style-type: none"> <li>• Construction activities and staging should be suitably planned and undertaken to avoid impacts to identified cultural heritage resources.</li> <li>• Once detailed designs of the proposed work are available, this report will be updated with a confirmation of impacts of the undertaking on cultural heritage resources identified within and/or adjacent to the study area and will recommend appropriate mitigation measures. Mitigation measures may include, but are not limited to, completing a heritage impact assessment or documentation report, or employing suitable measures such as landscaping, buffering or other forms of mitigation, where appropriate. In this regard, provincial guidelines should be consulted for advice and further heritage assessment work should be undertaken as necessary.</li> <li>• Should future work require an expansion of the study area then a qualified heritage consultant should be contacted in order to confirm the impacts of the proposed work on potential heritage resources.</li> </ul>		<p><b>Amended Table 11-1 Summary of EA Commitments (Page 357)</b> MCM has reviewed the revised text and recommends that the list of commitments include the language provided in your response dated September 20<sup>th</sup>:</p>	<p>The following wording has been added to Table 11-1 and Table 9-1:</p> <ul style="list-style-type: none"> <li>• Construction activities and staging should be suitably planned and undertaken to avoid impacts to identified cultural heritage resources.</li> <li>• Once detailed designs of the proposed work are available, this report will be updated with a confirmation of impacts of the undertaking on cultural heritage resources identified within and/or adjacent to the study area and will recommend appropriate mitigation measures. Mitigation measures may include, but are not limited to, completing a heritage impact assessment or documentation report, or employing suitable measures such as landscaping, buffering or other forms of mitigation, where appropriate. In this regard, provincial guidelines should be consulted for advice and further heritage assessment work should be undertaken as necessary.</li> <li>• Should future work require an expansion of the study area then a qualified heritage consultant should be contacted in order to confirm the impacts of the proposed work on potential heritage resources.</li> </ul>