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## **12.0 Compliance with Terms of Reference**

This EA has been prepared in accordance with the approved Terms of Reference which can be found in Appendix E. Compliance with the Terms of Reference is documented in Table 12-1.

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**Table 12-1: Concordance with Approved Terms of Reference**

Commitment (Location of Where Commitment was Made)	Commitment Status	Commitment Completion Timeline	Documentation Addressing Commitment	
<b>Terms of Reference – Notice of Approval</b>				
<b>Errata Letter</b>				
The annual fill rate, annual waste disposal tonnage, and population projection will be reassessed as part of the EA. <b>In parallel with the EA process, the Town will review increased waste diversion opportunities.</b> This may result in the proposed landfill capacity, the planning period or both being adjusted to reflect future estimates/requirements.	<b>Completed.</b> During the EA planning process, the annual fill rate, annual waste disposal tonnage and population projections were reviewed and used to determine the required landfill capacity. Increased waste diversion opportunities and new provincial policies were also considered in the calculation of landfill needs.	Completed during EA	Volume I	Section 3.1
The Town will review and implement diversion activities as opportunities arise, outside of this EA process.	<b>To be completed on an ongoing basis.</b> The Town will continue to review diversion opportunities as they arise.	40-year planning period	Volume I	Section 3.1.3
Increased waste diversion will be considered for the proposed undertaking but will not constitute part of the undertaking.	<b>Completed.</b> Waste diversion was considered and discussed but was not part of the undertaking.	Completed during EA	Volume I	Section 3.1.3
<b>Phase 1</b>				
The Alternatives To the Undertaking to provide additional landfill disposal capacity at the St. Marys Landfill will be assessed, with consideration to increasing diversion. (ToR Section 5.1)	<b>Completed.</b> The Evaluation of Alternatives to the Undertaking was completed including and evaluation of the following: (1) Do Nothing; (2) Landfilling at an Expansion of the Existing Landfill Site in St. Marys; (3) Exporting Waste to Another Jurisdiction.	Completed during EA	Volume I	Sections 3.8, 3.9, and 3.10
As part of waste diversion potential evaluation, a survey will be administered to the operators of a number of potential waste disposal facilities, expected to be mainly landfills, which may be able to accept the Town's waste. (ToR Section 5.1.2)	<b>Completed.</b> The municipal survey was sent to 14 municipalities that operate landfills within approximately 100 km of St. Marys.	Completed during EA	Volume I	Section 3.4
The annual fill rate, annual waste disposal tonnage, and population projection will be reassessed as par to the EA. In parallel with the EA process, the Town will review increased waste diversion opportunities. This may result in the proposed landfill capacity, the planning period or both being adjusted to reflect estimates/requirements. (ToR Section 2.1.2)	<b>Completed.</b> The annual fill rate, annual waste disposal tonnage, population projections and potential waste diversion opportunities were reviewed and used to determine the required landfill capacity.	Completed during EA	Volume I	Section 3.1
The EA consultation program will be open by making all reasonable efforts to ensure that potentially affected or interested parties have full information made available to them and are given the opportunity to make their views known. (ToR Section 6.0)	<b>Completed.</b> Consultation with potentially affected and other interested parties was completed according to the plan for consultation prepared during the preparation of the EA (provided in the approved TOR).	Completed during EA	Volume I Volume IV	Section 10.0
All comments from the public, agencies, Indigenous communities, and other interested persons will be documented and summarized in the EA. All other consultation activities, such as PICs and agency and Indigenous meetings, will also be documented. (ToR Section 6.4)	<b>Completed.</b> The Study Team has documented all communications in the Record of Consultation Report including copies of all letters, emails, faxes and other correspondence that the Study Team sent to and received from members of the public, government agencies, public utilities, Indigenous communities and other interested parties; as well as minutes from meetings held and copies of written comments received; records of public information events, including information about the event locations	Completed during EA	Volume I Volume IV	Section 10.0

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Commitment (Location of Where Commitment was Made)	Commitment Status	Commitment Completion Timeline	Documentation Addressing Commitment	
	and layout/programs, copies of materials provided, sign-in sheets, comment sheets, news media communications, notices published, etc.			
Conflict Resolution: The Town is committed to working with all interested parties to address and resolve concerns to the greatest extent possible. (ToR Section 6.5)	<b>Completed.</b>	Completed during EA	Volume I Volume IV	Section 10.0
<b>Phase 2</b>				
Depending on the Preferred <i>Alternative to the Undertaking</i> , the Individual EA process may continue, it may be halted, or it may trigger an alternate environmental approval process. This will be reassessed in Phase 2.	<b>Completed.</b>	Completed during EA	Volume I	Section 4.0
<b>Phase 3</b>				
Once it is clear that the Individual EA process will continue, the definition of the Undertaking as well as its purpose and rationale will be re-defined. A detailed description and statement of rationale for the Undertaking will be provided in the EA based on the findings of the work completed through the EA process, in Phases 1 and 2. (ToR Section 5.3)	<b>Completed.</b> A detailed description and statement of rationale for the Undertaking was provided in the EA based on the findings of the work completed through the EA process, in Phases 1 and 2.	Completed during EA	Volume I	Section 5.0
<b>Phase 4</b>				
Three Alternative Methods will be reviewed (plus any additional potential alternatives identified during EA) as identified in Table 5.3 of the TOR document. (ToR Section 5.4.1)	<b>Completed.</b> Based on the consideration of design factors and comments from the GRT, the Study Team developed and identified seven Alternative Methods (including 'Do Nothing') including Alternative 3A which was developed in response to comments raised by the GRT on the August 2021 EA submission (see Appendix F 'Comments with Respect to the August 2021 EA).	Completed during EA	Volume I	Section 7.0
Work Plans will be developed during the EA, specific to each component of the environment or discipline that will outline in further detail the methodology to be used to characterize and assess each component. (ToR Section 5.4.5)	<b>Completed.</b> Work Plans were created in the early stages of the EA process. They provided a detailed methodology for characterizing each component of the environment and how the evaluation would be carried out.	Completed during EA	Volume I Volume II	Section 6.3 Appendices A through E
Draft Work Plans will be available for public, Indigenous and agency comments prior to the initiation of field studies and survey programs. (ToR Section 5.4.5)	<b>Completed.</b> Work Plans were circulated to relevant agencies for review and comment. Work Plans were also circulated to Indigenous communities and presented to the public at the first Public Information Centre.	Completed during EA	Volume I	Section 6.3 and Section 10.0
The EA will consider the potential effects on various environmental components over two time periods: Construction and operation of the expanded landfill, and Closure and post-closure of the landfill. (ToR Section 5.4.3)	<b>Completed.</b> Potential impact resulting from the Undertaking during construction, operation, and decommissioning (closure and post-closure) of the landfill expansion to the natural, cultural, social and built environments as well as mitigation measures and net effects were identified during the EA.	Completed during EA	Volume I	Section 7.0 and Section 9
The Existing Environment will be Characterized for Natural Environment, Cultural Environment, Indigenous Connections to the Land, and	<b>Completed.</b> The Existing Environment was characterized in both Phase 1 and Phase 5. In Phase 5 of the EA, additional field investigations were undertaken to characterize	Completed during EA	Volume I	Sections 3.7 and 6.4

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Socio-Economic Environment, with the sub-components listed in Section 5.4.5 of the TOR document. (ToR Section 5.4.5)	the environment in greater detail and in accordance with the sub-components listed in Section 5.4.5 of the TOR document.			
The Alternative Methods will be evaluated based on the criteria including Natural Environment, Cultural Environment, Indigenous Connections to the Land, and Socio-Economic Environment, and the sub-criteria identified under Section 5.4.7 of the TOR document. <i>Criteria may be further refined as a result of comments received from the public, Aboriginal communities and agencies during the EA process.</i> (ToR Section 5.4.5)	<b>Completed.</b> The Alternative Methods were evaluated using the criteria including Natural Environment, Cultural Environment, Indigenous Connections to the Land, and Socio-Economic Environment, and the sub-criteria identified under Section 5.4.7 of the TOR document. Note: The indicators listed in the TOR were updated as described in Section 7.2	Completed during EA	Volume I	Section 7.0
The site will be reviewed by a qualified person to determine if the site, accounting for its past land use, has the potential for archaeological findings. If this is the case, a Cultural Heritage and Archaeological Assessment of the site will be undertaken. (ToR Section 5.4.6)	<b>Completed.</b> An Archaeological Assessment Study and a Cultural Heritage Assessment Study has been completed as part of the EA Study.	Completed during EA	Volume III	Appendices F and E
Additional information will be gathered through consultation process with the Indigenous communities in Section 5.4.6 of the TOR document during the EA consultation process. (ToR Section 5.4.6)	<b>Completed.</b>	Completed during EA	Volume I Volume IV	Section 10.5
<b>Phase 5</b>				
Positive and negative environmental effects that could potentially arise from the undertaking and from <i>Alternative Methods</i> will be identified and described for each of the Alternatives. (ToR Section 5.5.1)	<b>Completed.</b> The advantages and disadvantages of the proposed Alternative Methods were identified based on the net effects identified for each of the Methods.	Completed during EA	Volume I	Section 7.0
Measures for mitigating potential negative environmental effects from the undertaking and from <i>Alternative Methods</i> will be identified and described. Any residual impacts that cannot be fully mitigated will be identified. (ToR Section 5.5.2)	<b>Completed.</b> Potential impact resulting from the Undertaking during construction, operation and decommissioning (closure and post-closure) of the landfill expansion to the natural, cultural, social and built environments as well as mitigation measures and net effects were identified during the EA (including Land Use).	Completed during EA	Volume I	Section 9 (including Table 9.1)
<b>Phase 6</b>				
The EA process will be fully documented and available for public, Indigenous and agency review at various stages throughout the process. (ToR Section 5.6)	<b>Ongoing.</b>	Completed	Volume I	Section 10.0
A draft EA report will be submitted to the MOE, Government Review Team and other interested stakeholders, if applicable, prior to final submission in order to ensure that it meets all requirements. (ToR Section 5.6)	<b>Completed.</b> Draft EA report has been submitted for MECP review on June 5, 2017, Feb 10, 2020 Dec 9, 2020. A Final EA was submitted for MECP review on August 13, 2021.	Completed during EA	N/A	N/A

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## 13.0 References

BMA Management Consulting Inc. 2012. Municipal Study 2012

B.M. Ross. 2014. Town of St. Marys Municipal Infrastructure Projects Public Information Meeting

Conservation Ontario and Department of Fisheries and Oceans. 2013. Aquatic Species at Risk Distribution Maps. Retrieved September 23, 2013 from <http://www.conservation-ontario.on.ca/projects/DFO.html>

GM BluePlan Engineering, 2021. Town of St. Mary's, Annual Operations & Monitoring Report (2020), St. Mary's Landfill Site, MOECC Certificate of Approval No. A150203, March 2021. (GMBP File 318007).

Golder Associates Ltd. 2005. CKD Stockpile, St. Marys Plantsite. Letter dated March 3, 2005.

Halliday, Chris – Orangeville Banner. 2013. Change to dump-in-Michigan solution sought

Hoffman, D.W. and N.R. Richards. 1952. Soil Survey of Perth County. Report No. 15 of the Ontario Soil Survey. Retrieved September 23, 2013 from <http://sis.agr.gc.ca/cansis/publications/surveys/on/index.html>

Indigenous Foundations – University of British Columbia. 2016. Aboriginal Rights – What are Aboriginal Rights? Accessed April 14, 2016 from <http://indigenousfoundations.arts.ubc.ca/home/land-rights/aboriginal-rights.html>

Miller Dickinson Blais Inc. 2010. County of Perth, Town of St. Marys and City of Stratford Labour Market Analysis Study.

MOECC, January 2014. Code of Practice – Preparing and Reviewing Environmental Assessments in Ontario

MOECC, January 2014. Code of Practice for Consultation in Ontario's Environmental Assessment Process

MOECC, March 2007. Guide to Environmental Assessment Requirements for Waste Management Projects in Ontario

MOECC. December 2015. Ontario's Climate Change Strategy. Available at: <https://www.ontario.ca/page/climate-change-strategy>. Accessed June 7, 2016.

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MOECC. August 2016. (Draft) Guideline, Consideration of Climate Change in Environmental Assessment in Ontario

MTCS, 2010. Standards and Guidelines for Conservation of Provincial Heritage Properties.

Taylor, I., Thames River Recovery Team, 2004. Aquatic Ecosystem Recovery in the Thames River Watershed. Retrieved from [https://www.arlis.org/docs/vol1/69415913/taylori\\_edited\\_final.pdf](https://www.arlis.org/docs/vol1/69415913/taylori_edited_final.pdf)

Upper Thames River Conservation Authority. 2012. Plover Mills Watershed Report Card. Accessed September 23, 2013 from [http://www.thamesriver.on.ca/Watershed\\_Report\\_Cards/Watershed\\_Report\\_Cards-2012.htm](http://www.thamesriver.on.ca/Watershed_Report_Cards/Watershed_Report_Cards-2012.htm)

Upper Thames River Conservation Authority. 2013. The Thames River, Ontario Canadian Heritage Rivers System Ten Year Monitoring Report 2000 – 2012. Retrieved from <http://thamesriver.on.ca/wp-content/uploads/Publications/CHRS-10YearReport.pdf>.

Vokes, Stephen A – Municipality of Meaford. 2015. Report No. OP2015-01 Miller Waste System – Waste Disposal Contract Extension 5 Year Term.

Jean, Kristine – Mitchell Advocate. Taking others' garbage discussed as revenue option for West Perth, March 30, 2015.

DeBono, Norman – The London Free Press. Mining for cash in trash, April 16, 2015.

Desmond, Paige – Waterloo Region Record. Mixed bag of reactions to garbage plan at public meeting, May 06, 2015.

