

August 2019



**Proposed Terms of Reference
Environmental Assessment of the
Township of North Dundas
Waste Management Plan**

Volume 1

PROPOSED TERMS OF REFERENCE - ENVIRONMENTAL ASSESSMENT OF THE TOWNSHIP OF NORTH DUNDAS WASTE MANAGEMENT PLAN

Executive Summary

Phase 1: Terms of Reference

An Individual Environmental Assessment (EA) for the waste management plan (EA Study) is being undertaken by the Township of North Dundas and requires approval under the provincial Environmental Assessment Act (EAA). The first phase in the EA process is preparation of a Terms of Reference (ToR). Work on the ToR, which is the framework for carrying out the EA, started in February 2017.

This is an Executive Summary of the content of the proposed ToR, which has been prepared by the Township and will be circulated to government review agencies, Indigenous communities and the public for comment. The comments received on the draft ToR have been considered by the Township in making revisions and preparing the proposed ToR, which will then be submitted to the Minister of Environment, Conservation and Parks (Minister) for a decision. Once approved by the Minister, the ToR provides the framework or work plan that must be subsequently completed to prepare the EA, and the basis for its review and approval.

Current Waste Management System

The Township has implemented a number of waste diversion programs within the municipality over the past 20 years that are practical and affordable for this type of municipality with a small, spread out total population of about 12,000 in 2016, and recognizing the reality that the Township is largely rural in nature with a limited number of small villages. The Township provides curbside pickup of waste, blue box recyclables and leaf and yard materials to all residences and some institutional, commercial and industrial businesses. The Township also operates diversion facilities at the Boyne Road Landfill site consisting of a municipal material recycling facility, tire recycling, brush and wood, a Waste Electrical and Electronic Equipment (WEEE) facility, and a Household Hazardous Waste (HHW) facility that also serves the neighbouring Township of South Dundas. The Township's diversion rate, as reported in 2016 and 2017 to Waste Diversion Ontario or Resource Productivity and Recovery Authority is approximately 25 and 23 percent, respectively.

The Township has and continues to look for opportunities to further increase waste diversion in this sparsely populated rural municipality. In comparison to larger urban centres where the addition of municipal-scale composting/processing of household and IC&I organics is often evaluated to progress towards achieving the province's interim diversion target of 30% by 2020, 50% by 2030 and 80% by 2050 (Strategy for a Waste-Free Ontario: Building the Circular Economy, February 2017), it is noted that the majority of the Township's residents live on larger rural properties where individual composting of leaf and yard materials and food wastes is already a fairly common practice. This composting is not accounted for in the Township's reported diversion rate.

The Boyne Road Landfill operations are located in the former Township of Winchester, along the south side of Boyne Road about 1.5 km east of the Village of Winchester. The site has been operating as a licenced landfill for the disposal of solid, non-hazardous waste since 1965. The Boyne Road Landfill is the only operational waste disposal site in the Township and receives

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all the residential and some of the industrial, commercial and institutional (IC&I) waste from the entire Township.

The Boyne Road Landfill currently has an approved disposal area of 8.1 hectares (ha). The land area that comprises the landfill property consists of the original disposal area and the addition of a number of parcels of adjoining land between 1992 and 2018 located around the original disposal area on both the south and north sides of Boyne Road, corresponding to a total land area of approximately 97.13 ha. In addition to the landfill property, the Township has acquired groundwater easements on adjacent lands, referred to as Contamination Attenuation Zones. The site operates under Environmental Compliance Approval (ECA) No. A482101.

Based on the original application for licensing of the landfill in 1971, the approved site capacity was approximately 395,000 cubic metres (m³). When it was first determined in late 2014 that the site was in an overfill situation, the volume of waste in place was approximately 462,000 m³. As of December 24, 2018, the volume of waste in place was about 533,780 m³, corresponding to an overfill of approximately 139,000 m³.

The existing landfill site is a natural attenuation landfill, without an engineered bottom liner and leachate collection system. Compliance of the site with the applicable requirements for protection of off-site groundwater quality relies on natural processes in the subsurface. An annual monitoring program, consisting of groundwater and surface water monitoring, is part of the current site operations. The results of the 2017 monitoring program indicate that with respect to protection of off-site groundwater quality, the landfill is operating in compliance with the MECP Reasonable Use Guideline. Surface water quality in the often-stagnant water within the drainage ditch along the north side of Boyne Road that receives surface water runoff from the landfill site is interpreted to experience discontinuous marginal impacts by landfill leachate but is generally in compliance with provincial surface water management policies. The results of the site monitoring programs show the landfill is performing acceptably and the impacts on the natural environment are deemed acceptable as described in the most recent extension of approval for continued landfilling at the Boyne Road Landfill.

Rationale for the EA Study

As part of a previous 2013 application procedure intended to update a number of items related to site operations and amend the Boyne Road Landfill's ECA, the Ministry of the Environment, Conservation and Parks (MECP) determined in late 2014 that the site had exceeded its approved capacity and is in an overfill situation. Due to the elements governing the originally approved site capacity, the Township was unexpectedly required to evaluate waste management alternatives to deal with this overfill situation at the site. It is this overfill situation that triggered the need for the EA process.

To continue using the Boyne Road Landfill site in the short-term, an extension of approval for continued landfilling (emergency ECA) was received from the MECP and required the Township to evaluate long term waste management alternatives. Using a planning period of 25 years, the evaluation considered: site closure and waste export, Boyne Road Landfill site expansion, a new landfill site and alternative waste technologies. In this assessment, only the first two alternatives were considered in detail; the last two were not expected to be financially viable alternatives for

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a small rural municipality. The evaluation of these waste management alternatives considered a combination of technical, social and economic factors. The result of the comparative evaluation was that expansion of the Boyne Road Landfill, together with current and future waste diversion activities, was identified as the Township's preferred long-term waste management alternative. Based on the findings of this evaluation, a Council resolution was passed in November 2015 to pursue approval to expand the site via an EA pursuant to the Ontario EAA. Extensions of the ECA will continue to be required to allow continued site operations until the EA process is completed and the preferred alternative can be implemented, including obtaining the other required regulatory approvals.

The Environmental Assessment commenced in late February 2017 and open houses on preparation of this ToR were held in March and October 2017, followed by preparation and circulation of the Draft ToR in late April 2018. Based on comments received on the Draft ToR from the MECP, it was determined that the 2015 assessment of alternative waste management alternatives was not completed with the necessary detail to support the identified preferred alternative - expansion of the Boyne Road Landfill - at an EA level of detail. As such, key changes have been made to the Draft ToR (and are presented in this Proposed ToR) to review and re-assess the waste management alternatives that are reasonable for the Township to consider within the EA process and identify the preferred alternative. To reflect this revised approach, the title of the project has been changed to Environmental Assessment of the Township of North Dundas Waste Management Plan.

Description of the EA Study

The proposed EA Study is the EA of the Township's waste management plan for disposal of post-diversion waste for a 25-year planning period. The Township is seeking to accommodate waste disposal corresponding to the consumption of approximately 400,000 m³ of waste disposal (excluding final cover and to be confirmed during the EA Study) from 2022 to 2047 as the Boyne Road Landfill is currently at capacity; the EA Study will be investigating long-term solid waste management options to achieve this objective. The results of a diversion study can influence the amount of waste for disposal requiring management over the planning period and diversion is proposed as an 'Alternative To' including completion of a diversion study concurrently with the EA.

The description and rationale will evolve during the preparation of the Environmental Assessment. Therefore, the final description of the proposed project and the rationale for it will be included in the Environmental Assessment once alternatives have been considered and evaluated.

Phase 2: Environmental Assessment

The two main components of the EA will be the assessment of 'Alternatives To' to identify the preferred approach for the long-term waste management plan and the assessment of 'Alternative Methods' for the preferred alternative.

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In terms of 'Alternatives To', the Township has considered the range of alternatives that are reasonably available to it as a small rural municipality and has determined that the four alternatives considered in the previously completed preliminary study represent the range of the 'Alternatives To' that will be considered in the EA, along with the Do Nothing alternative and a waste diversion alternative.

As such, the six 'Alternatives To' that will be considered are:

- Alternative 1 – Landfill Site Closure and Export of Waste for Disposal
- Alternative 2 – Landfill Site Expansion
- Alternative 3 – Establish New Landfill Site in the Township
- Alternative 4 – Alternative Waste Management Technologies (thermal treatment)
- Alternative 5 – Enhanced At-Source Waste Diversion
- Alternative 6 – Do-Nothing. In EAs, the Do-Nothing alternative is considered in the evaluation of 'Alternatives To' as a benchmark against which the potential environmental impacts and the advantages and disadvantages of the alternatives being considered can be measured and compared.

A broad set of environmental criteria is proposed to be used for comparative evaluation of the 'Alternatives To'. These environmental criteria will cover the components that comprise the natural environment, social, economic / financial and technical. The potential effects and/or implications of each of the Alternatives will be generally identified and described for each of the environmental criteria. It is proposed to then complete a comparative assessment of the Alternatives. The outcome of this ranking exercise will be the identification of the preferred 'Alternative To' for waste management for the Township of North Dundas.

In terms of 'Alternative Methods', following the identification of the preferred 'Alternative To', a reasonable range of 'Alternative Methods' to implement the EA Study will be developed. The assessment and evaluation of 'Alternative Methods' will involve the following steps:

- Identification of the appropriate Study Areas and time frames where potential effects from the preferred 'Alternative To' will be studied.
- Characterize the existing environmental conditions relevant to the preferred 'Alternative To'.
- Develop the 'Alternative Methods'.
- For the purpose of comparative evaluation of 'Alternative Methods', develop a set of environmental components, the rationale for their inclusion, indicators that will be used to assess potential effects and data sources.
- Develop detailed work plans for each of the environmental components.

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- Quantitatively or qualitatively (as appropriate for the environmental component) assess the potential effects of the 'Alternative Methods' relative to baseline environmental conditions.
- Compare the 'Alternative Methods' and identify the overall preferred 'Alternative Method'.
- Complete a predictive assessment of environmental effects of the preferred 'Alternative Method' and determine the net effects, including comparison to the Do-Nothing alternative.
- Complete a cumulative effects assessment of the net effects of the preferred alternative with the predicted effects of other existing and identified and probable projects in the area of the preferred alternative, where there are overlapping effects. Consider effects associated with climate change.
- Prepare the EA Study report, technical supporting documents as appropriate and a Consultation Record.

Consultation Program

The ToR describes the Consultation Program prepared and undertaken by the Township for the development of this ToR, as well as the program proposed for the subsequent EA process.

Engagement and consultation with the public and other stakeholders are a key component of the EA process. It enables stakeholders to participate in the planning process and enhance the quality of the EA Study. The key instruments in the program that were used to engage the public and the other stakeholders and seek feedback during the ToR preparation were open houses, letter/email correspondence, the Township of North Dundas' EA website and newspaper advertisements. Input received from this program was considered by the Township in preparing the proposed ToR.

A list of potentially affected Indigenous communities was developed in consultation with the MECP during the development of this ToR. Initially a list of thirteen Indigenous communities was identified as possibly having an interest in this EA Study. All these communities received the Notice of Commencement of the EA Study and invitation to Open House #1. Subsequently the MECP advised that three Indigenous communities have or may have constitutional or Indigenous treaty rights that could be affected by the outcome of the EA study via letter. The MECP has delegated the procedural aspects of the Crown's duty to consult with Indigenous communities through this letter. The Township will be consulting with the three communities in the letter as these are the communities identified that have or may have constitutionally protected Aboriginal or treaty rights that could be adversely affected by the EA Study based on preliminary information.

As a result, a letter was prepared explaining that the consultation on this EA would continue with three of the communities, indicating that the other Indigenous communities could still participate in the EA if they had an interest to continue to receive information and/or engage in the EA Study. None of the communities that were removed from the consultation list indicated that they still wished to be engaged in this EA process. The Indigenous communities were consulted on how they would like to be involved in the EA process. Township staff were available to meet

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with interested Indigenous communities and discuss the proposed EA Study at any time during the development of the ToR.

During the ToR the Huron-Wendat Nation identified an interest in archaeological studies at the Boyne Road Landfill site. It was communicated to the Huron-Wendat Nation that no studies have yet occurred, but as they advance the Township will communicate with the Huron-Wendat Nation the planned schedule, studies and results.

In addition, pre-consultation regarding the Chesterville municipal water supply well, existing Boyne Road Landfill and possible expansion of the landfill were conducted with the MECP Source Protection Programs Branch and the Raisin-South Nation Protection Region (RSNPR).

Following approval of this ToR and during preparation of the EA, a consultation program will be continued to engage the public, businesses, the Government review team and Indigenous communities. Input will be obtained through a number of engagement activities, which will be generally similar to the activities completed during preparation of the ToR.

The draft ToR was circulated for a five-week public comment period prior to finalization and submission to the MECP of this proposed ToR for approval.

Other Regulatory Approvals

In addition to EA approval, the proposed undertaking is expected to require other regulatory approvals. The other regulatory approvals specific to the proposed EA Study will be determined during the EA process. The Township proposes to seek EA approval prior to proceeding with the other approval processes.

Overview of EA Schedule

Following circulation of the draft ToR for comments, the proposed ToR is subject to a 30-day comment period that will be followed by the Minister's decision. With submission of the proposed ToR in July 2019, the Minister's decision is anticipated in the fourth quarter of 2019. The EA studies will be carried out following ToR approval and then the draft and final EA will be submitted for the Minister's approval. Processes to obtain the other approvals required to implement the EA Study will proceed after EA approval.

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Acronyms, Units of Measure and Glossary of Terms

Acronyms

Acronym	Definition
CAZ	Contaminant Attenuation Zone
CEAA	<i>Canadian Environmental Assessment Act</i>
EA	Environmental Assessment
EAA	<i>Environmental Assessment Act</i>
ECA	Environmental Compliance Approval
EOWHF	Eastern Ontario Waste Handling Facility
EPA	<i>Environmental Protection Act</i>
GHG	Greenhouse Gas
GRT	Government Review Team
HHW	Household Hazardous Waste
IC&I	Industrial, Commercial and Institutional
MMA	Ministry of Municipal Affairs
MNRF	Ministry of Natural Resources and Forestry
MECP	Ministry of the Environment, Conservation and Parks
MRF	Material Recycling Facility
MTCS	Ministry of Tourism, Culture and Sport
NoC	Notice of Commencement
O.Reg.	Ontario Regulation
OWRA	<i>Ontario Water Resources Act</i>
RSNPR	Raisin-South Nation Protection Region
SNC	South Nation Conservation
SPPB	Source Protection Programs Branch
SWM	Stormwater Management
ToR	Terms of Reference
WEEE	Waste Electrical and Electronic Equipment

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Units of Measure

Acronym	Definition of Units
%	percent
ha	hectare
km	kilometre
km ²	square kilometre
m	metre
m ³	cubic metre

Glossary of Terms

Term	Definition
'Alternative Methods'	Alternative methods of carrying out the proposed undertaking are different ways of doing the same activity associated with an undertaking. 'Alternative Methods' could include consideration of one or more of the following: alternative technologies; alternative methods of applying specific technologies; alternative sites for a proposed undertaking; alternative design methods; and, alternative methods of operating any facilities associated with a proposed undertaking.
'Alternatives To'	'Alternatives To' the proposed undertaking are functionally different ways of approaching and dealing with a problem or opportunity.
Contaminant Attenuation Zone	An area of land outside the landfill site property within which the use of groundwater is controlled by the landfill site owner, and within which landfill leachate impacts on groundwater are attenuated (reduced) to achieve landfill site compliance with the Reasonable Use Guideline.
Criteria	A description of each environmental component to be considered in the environmental assessment, consisting of the rationale for including the component and the indicator(s) to be used in the assessment.
Cumulative Effects	The net effects of the proposed undertaking combined with the predicted effects of other existing and identified certain and probable projects in the area of the proposed undertaking, where the effects would overlap.
Disposal Area	The area within the landfill property approved for the disposal of post-diversion waste; also referred to as the waste footprint.

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Term	Definition
Environment	As defined by the <i>Environmental Assessment Act</i> , environment means: <ul style="list-style-type: none"> • Air, land or water, • Plant and animal life, including human life, • The social, economic and cultural conditions that influence the life of humans or a community, • Any building, structure, machine or other device or thing made by humans, • Any solid, liquid, gas, odour, heat, sound, vibration or radiation resulting directly or indirectly from human activities, or • Any part or combination of the foregoing and the interrelationships between any two or more of them (ecosystem approach).
Environmental Assessment	An environmental assessment, commonly known as an individual EA, is a study that is completed by the proponent to assess the potential environmental effects (positive or negative) of an individual project. Key components of an environmental assessment include consultation with government agencies and the public, consideration and evaluation of alternatives, and, the management of potential environmental effects. Conducting an environmental assessment promotes good environmental planning before decisions are made about proceeding with a proposal.
Environmental Compliance Approval	An approval issued by the Ministry of the Environment, Conservation and Parks for the establishment and operation of a waste management site/facility. Previously referred to as a Certificate of Approval (C of A).
Environmental Components	Environmental components are different aspects of the physical, biological and human environments.
Greenfield Site	A parcel of land that has not been previously developed for urban use, i.e., rural or agricultural land or green space.
Groundwater	Water below the ground surface contained in the pore spaces in soil or in openings within the bedrock.
Hazardous Waste	Waste generated from any source that is defined as hazardous by the regulations of Ontario.
Indicators	Specific characteristics of the environmental components that can be measured, qualified, quantified or determined in some way.
IC&I Waste	Waste generated by the Industrial, Commercial & Institutional sector of the economy.
Landfill	An approved site used for the long-term disposal of post-diversion waste.

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Term	Definition
Landfill Capacity	The volume approved for disposal of post-diversion wastes and cover materials, described in cubic metres. Also referred to as the approved airspace.
Landfill Expansion	An increase in the approved landfill capacity.
Landfill Gas	Gases generated from the anaerobic decomposition of organic waste materials; mainly consisting of methane and carbon dioxide and traces of other gases
Leachate	The liquid produced when water (typically rainwater or snowmelt) passes through a landfill and contains contaminants as a result of coming in contact with the waste.
Leachate Collection System	The system used to collect leachate generated by a landfill, usually consisting of a network of piping and drainage stone beneath or around the perimeter of the disposal area.
Liner	An engineered constructed barrier layer that minimizes/controls leachate from entering the environment; at landfills, typically constructed on the base and below grade sideslopes to contain leachate from entering the groundwater or surface water systems.
Mitigation Measures	Design features and/or operational approaches used to control the potential effects of the landfill on the environment.
Non-hazardous Solid Waste	Waste generated from any source that is defined as non-hazardous and solid by the regulations of Ontario.
Ontario Regulation 232/98	The regulation that governs the design, operation, closure and post-closure of new or expanding waste disposal sites in the province of Ontario.
Proponent	A person, agency, group or organization that who: a) Carries out or proposes to carry out an undertaking, or b) Is the owner or person having charge, management or control of an undertaking. For this undertaking (EA Study), the proponent is the Township of North Dundas.
Reasonable Use Guideline (or Concept)	The Ministry of Environment, Conservation and Parks guideline used to determine the acceptable level of impact from landfill leachate on off-site groundwater quality and used to assess compliance of landfill sites in terms of effects on groundwater resources.
Receptor	A specific location where the effect(s) from a waste management facility may be received. Also referred to as Points of Reception (PORs).
Residential Waste	Waste generated by residences (ranging from single to multi-residential units).

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Term	Definition
Service Area	The geographic area from which generated waste can be received at a recycling or disposal site, in accordance with the approval for the recycling or disposal site.
Stormwater Management System	An engineered system to manage/control the quantity and/or quality of stormwater runoff from the site, typically consisting of ditches and ponds that discharge to the natural environment.
Surface Water	Water on top of or flowing across the ground surface, i.e., lakes, rivers, ditches.
Terms of Reference	A document prepared by the proponent and submitted to the Ministry of the Environment, Conservation and Parks for approval. The Terms of Reference (ToR) document sets out the framework for the planning and decision-making process to be followed by the proponent during the preparation of an EA. In other words, it is the Township of North Dundas's (the proponent's) work plan for what is going to be studied. If approved, the EA must be prepared according to this ToR. The ToR also provides the framework for evaluating the EA.
(the) Undertaking	The enterprise, activity or a proposal, plan, or program that the Township of North Dundas initiates or proposes to initiate. Also referred to herein as the 'EA Study'.
Waste Generation Rate	The quantity of waste generated by an individual(s) on a daily or annual basis, typically described in tonnes (or kilograms) per person per year.

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1.0 INTRODUCTION

This is the Terms of Reference (ToR) document for the Environmental Assessment (EA) of the Township of North Dundas (Township) long-term waste management plan (EA Study). The following subsections provide an introduction to the current waste management system within the municipality and the purpose of the EA Study. An overall map of the Township, which comprises the EA Study Area, is provided on Figure 1.0-1.

1.1 Identification of the Proponent

The Township of North Dundas is the proponent for the proposed EA Study. The Township is located in eastern Ontario about 40 kilometres (km) south of Ottawa within the United Counties of Stormont, Dundas and Glengarry, has a total area of 503 square kilometres (km²) and a 2016 population of 11,278. The contacts for this EA Study are as follows:

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Township of North Dundas
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Fax: 613-774-5699
E-mail: dfroats@northdundas.com

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EA Project Manager
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Fax: 613-592-9601
E-mail: trish_edmond@golder.com

1.2 Current Waste Management System

The Township, through its Waste Management department and its waste hauling contractors, currently provides curbside waste collection and disposal services to its ratepayers for residential and some institutional, commercial and industrial waste. It also provides waste diversion services, including recyclable materials and leaf and yard waste curbside collection, tire recycling, as well as the collection of household hazardous waste (HHW) and Waste Electrical and Electronic Equipment (WEEE) for export to authorized processing facilities. The HHW facility also serves the Township of South Dundas. The Township's diversion rate, as reported in 2016 and 2017 to Waste Diversion Ontario and Resource Productivity and Recovery Authority, is approximately 25 and 23 percent (%) (WDO, 2016 and RPRA, 2017).

The material recycling facility, the HHW and WEEE transfer station as well as the waste disposal facility are located at the Township's Boyne Road Landfill site. All recyclables (metal, plastic, paper, cardboard) collected within the Township are taken to the recycling transfer station at the Boyne Road Landfill site, from where they are transferred out of the Township by a recycling contractor. In 2016 and 2017, approximately 650 tonnes and 760 tonnes, respectively, of recyclable materials were collected. The Boyne Road Landfill is located on Lot 8, Concession VI in the former Township of Winchester, along the south side of Boyne Road about 1.5 km east of the Village of Winchester, which is approximately mid-way between the two main population centres within the Township – the Villages of Winchester and

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Chesterville. The service area for the landfill is the Township of North Dundas. The current extent of the landfill site property is shown on Figure 1.0-1. The site has been operating as a licenced landfill for the disposal of solid, non-hazardous waste since 1965. The Boyne Road Landfill is the only operational waste disposal site in the Township and receives all the residential and some of the industrial, commercial and institutional (IC&I) waste from the entire Township. The waste collection vehicles haul along the municipal road network directly to disposal at the landfill site; there is no transfer station facility. The Township is mainly rural with several small villages, with Winchester and Chesterville being the two largest villages. The main haul routes to the Boyne Road Landfill are indicated on Figure 1.0-1. The site operates under Environmental Compliance Approval (ECA) No. A482101.

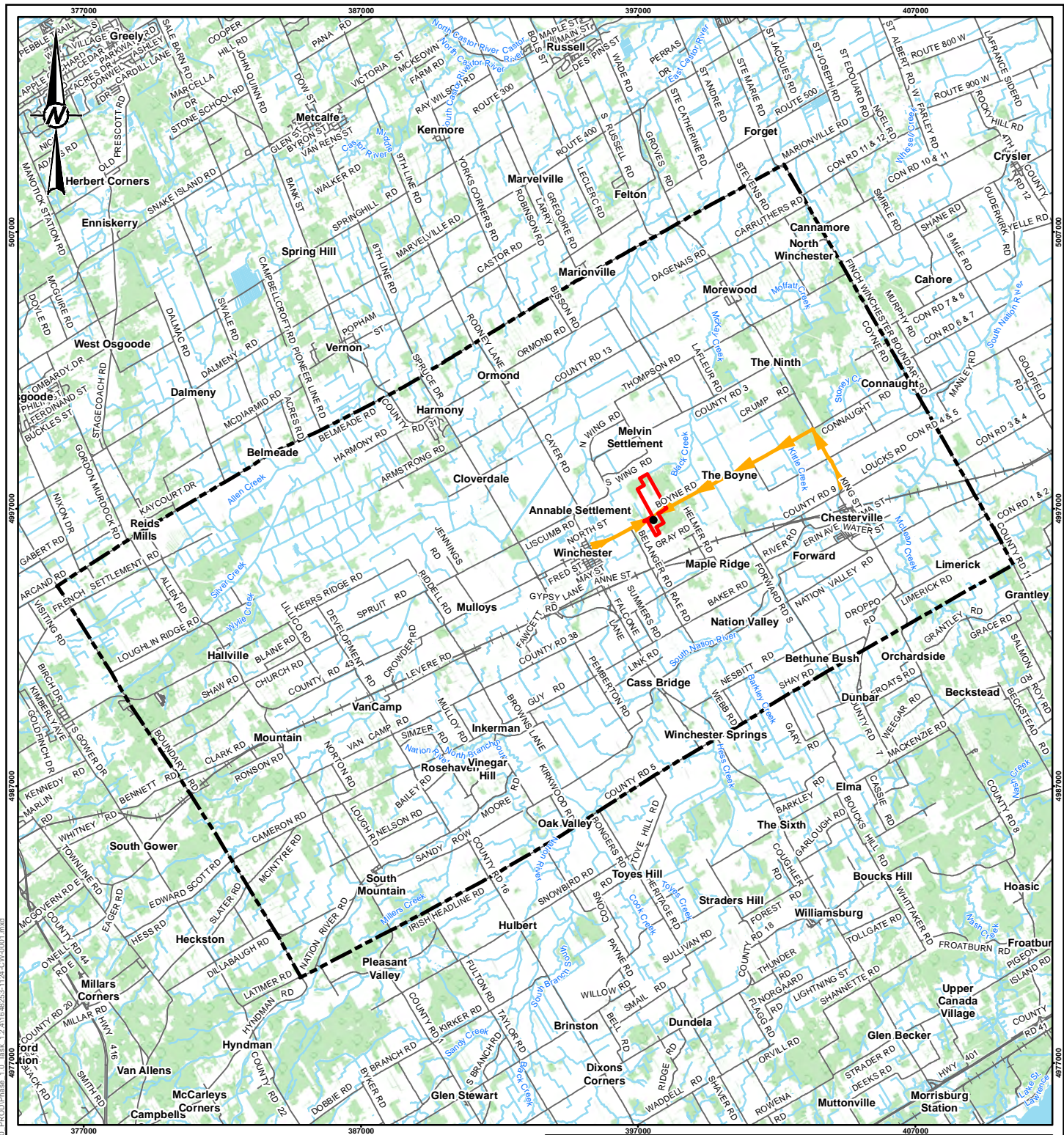
The Boyne Road Landfill currently has an approved disposal area of 8.1 hectares (ha). The land area that comprises the landfill property consists of the original disposal area and the addition of a number of parcels of adjoining land between 1992 and 2018 located around the original disposal area, corresponding to a total land area of approximately 97.13 ha. This includes a 20 metre wide strip of Boyne Road across the northern edge of the landfill footprint and a 73.48 ha parcel of land located north of Boyne Road, both added to the landfill in 2018 as per Notice No. 9 of the ECA dated January 31, 2018. For purposes of this EA, which proposes to consider the alternative of expanding the Boyne Road Landfill, the Township acquired an additional 16.21 ha (40.05 acres) of property to the east and southeast to possibly be added to the site pending the outcome of the EA, eventually bringing the total site area to approximately 113.34 ha. In addition to the landfill property, the Township has acquired groundwater easements (referred to as Contamination Attenuation Zones 1 and 2 in the ECA). These parcels are shown on Figure 1.0-1: Township of North Dundas (EA Study Area)

PROPOSED TERMS OF REFERENCE - ENVIRONMENTAL ASSESSMENT OF THE TOWNSHIP OF NORTH DUNDAS WASTE MANAGEMENT PLAN

Figure 1.2-1a groundwater easement to the south for contaminant attenuation may also likely be required for an expansion of the landfill if selected as the preferred alternative during the EA; negotiations to secure an option on this parcel have commenced although they are not complete as of the time of this proposed ToR.

Based on the original application for licensing of the landfill in 1971, the approved site capacity was approximately 395,000 cubic metres (m^3). When it was first determined in late 2014 that the site was in an overfill situation, the volume of waste in place was approximately 462,000 m^3 . As of December 24, 2018, the volume of waste in place was about 533,780 m^3 , corresponding to an overfill of approximately 139,000 m^3 . Additional details regarding the overfill situation are provided in Section 3.1 of this ToR.

Operation of the landfill site, including its diversion facilities, is carried out by the Township in accordance with the requirements of its ECA conditions. The existing landfill site is a natural attenuation landfill, without an engineered bottom liner and leachate collection system. Compliance of the landfill with the applicable requirements for protection of off-site groundwater quality relies on natural processes in the subsurface. An annual monitoring program, consisting of groundwater and surface water monitoring, is part of the current site operations. The results of the 2017 monitoring program (Golder 2018) indicate that with respect to protection of off-site groundwater quality, the landfill is operating in compliance with the Ministry of Environment, Conservation and Parks (MECP) Reasonable Use Guideline (MECP, 1994). Surface water quality in the often-stagnant water within the drainage ditch along the north side of Boyne Road that receives surface water runoff from the landfill site is interpreted to experience discontinuous marginal impacts by landfill leachate but is generally in compliance with provincial surface water management policies. The results of the landfill monitoring programs show that the Boyne Road Landfill is performing acceptably and the impacts on the natural environment are deemed acceptable as described in the most recent extension of approval for continued landfilling (dated January 30, 2019).



LEGEND

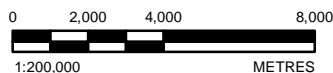


TOWNSHIP OF NORTH DUNDAS

CURRENT ACTIVE BOYNES ROAD LANDFILL SITE PROPERTY

DISPOSAL AREA

HAUL ROUTES



NOTE(S)

1. THIS FIGURE IS TO BE READ IN CONJUNCTION WITH THE ACCOMPANYING REPORT

REFERENCE(S)

1. SERVICE LAYER CREDITS:
2. PROJECTION: TRANSVERSE MERCATOR DATUM: NAD 83
COORDINATE SYSTEM: MTM ZONE 9 VERTICAL DATUM: CGVD28

CLIENT

TOWNSHIP OF NORTH DUNDAS

PROJECT

TERMS OF REFERENCE FOR THE ENVIRONMENTAL
ASSESSMENT OF THE TOWNSHIP OF NORTH DUNDAS
RESIDUAL WASTE MANAGEMENT PLAN

TITLE

TOWNSHIP OF NORTH DUNDAS (EA STUDY AREA)

CONSULTANT



YYYY-MM-DD 2019-02-25

DESIGNED PLE

PREPARED JEM

REVIEWED YJM

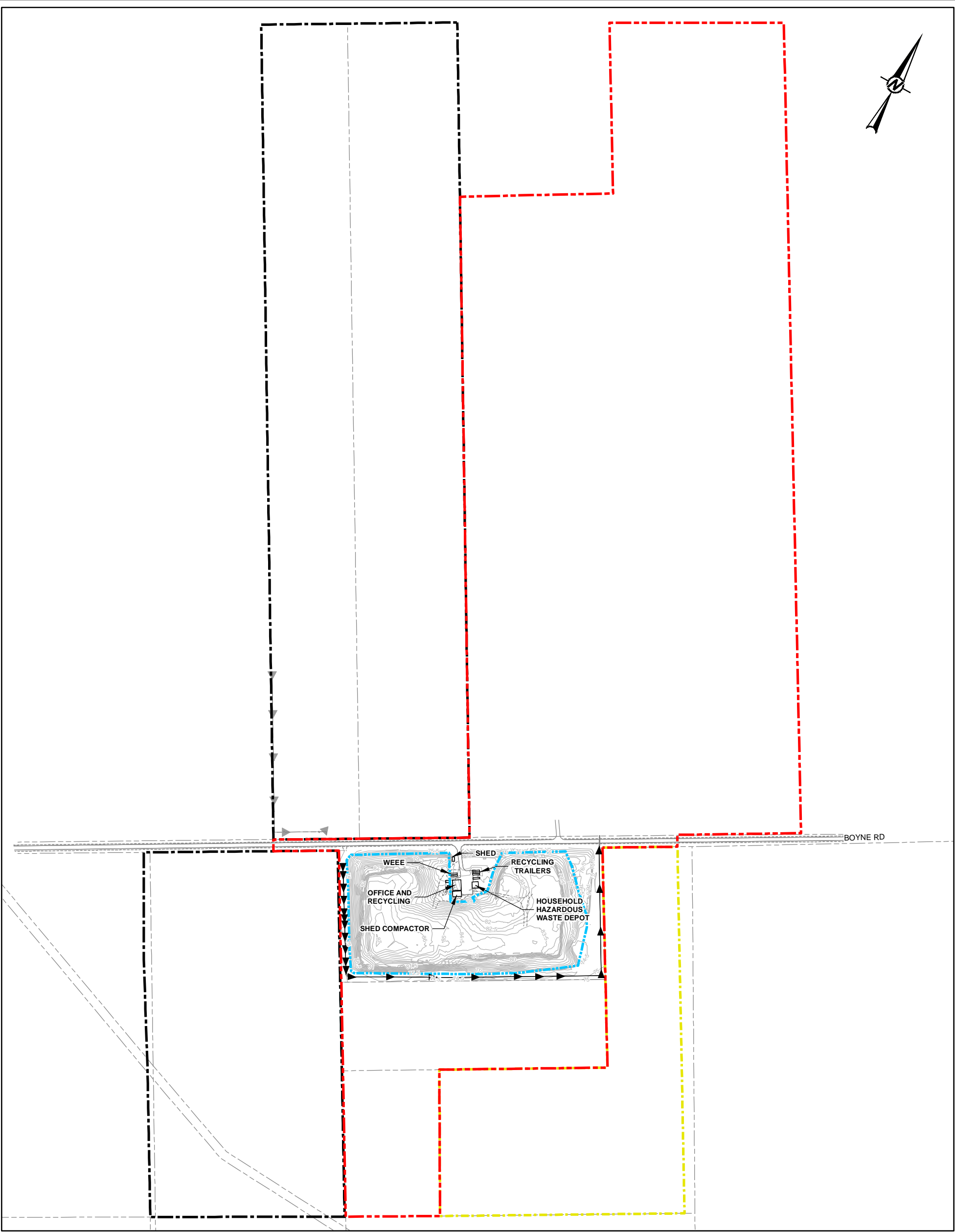
APPROVED PLE

PROJECT NO.
1648253

PHASE/TASK
1.0/1.2.4

REV.
0

FIGURE
1.0-1



LEGEND

EXISTING LANDFILL FILL AREA

APPROXIMATE BOUNDARY OF CONTAMINATION ATTENUATION ZONE

TOWNSHIP OWNED PROPERTY

APPROXIMATE LANDFILL SITE PROPERTY BOUNDARY

APPROXIMATE LOCATION OF PERIMETER DITCH AND FLOW DIRECTION

GROUND SURFACE CONTOURS (m), BASED ON RESULTS OF THE SURVEYS CONDUCTED IN 2008, 2010, AND 2012 THROUGH 2017

REFERENCES

1. BASE PLAN SUPPLIED IN ELECTRONIC FORMAT BY STANTEC CONSULTING LTD.

2. 2008 AND 2010 SURVEYS COMPLETED BY STANTEC CONSULTING LTD.

3. MAY 2012, JULY 2013, NOVEMBER 2014, DECEMBER 2015, NOVEMBER 2016, AND DECEMBER 2017 SURVEYS COMPLETED BY GOLDER ASSOCIATES LTD.

NOTES

1. THIS FIGURE IS TO BE READ IN CONJUNCTION WITH THE ACCOMPANYING REPORT

CLIENT
TOWNSHIP OF NORTH DUNDAS

PROJECT
TERMS OF REFERENCE FOR THE ENVIRONMENTAL ASSESSMENT OF THE TOWNSHIP OF NORTH DUNDAS RESIDUAL WASTE MANAGEMENT PLAN

TITLE
BOYNE ROAD LANDFILL SITE PLAN

PROJECT NO. 1648253	PHASE/TASK 1.0/1.2.4	REV. 0	FIGURE 1.2-1
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CONSULTANT	YYYY-MM-DD	2017-03-15
	PREPARED	JEM
	DESIGN	PLE
	REVIEW	YJM
	APPROVED	PLE

Path: N:\Active\Spatial_1M\Township of North Dundas\BoyrneRoad\an#99a_PROJ\1648253\40_PROD\Phase_1.0_Task_1.2.4\1648253-1124-CIV-0002.mxd

IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM: 28mm

PROPOSED TERMS OF REFERENCE - ENVIRONMENTAL ASSESSMENT OF THE TOWNSHIP OF NORTH DUNDAS WASTE MANAGEMENT PLAN

1.3 Purpose of the EA Study or Undertaking

As part of a 2013 application procedure intended to update a number of items related to the Boyne Road Landfill operations and amend the Boyne Road Landfill ECA, the MECP determined in late 2014 that the landfill had exceeded its originally approved capacity and is in an overfill situation. At that time, it had been estimated that the landfill had approved disposal capacity through 2022. Due to the elements governing the originally approved site capacity, the Township was unexpectedly required to evaluate waste management alternatives to deal with this overfill situation at the landfill.

To continue using the landfill in the short-term, an amendment to the ECA for extension of approval for continued landfilling (emergency ECA) was received from the MECP and required the Township to evaluate long-term waste management alternatives (Golder, 2015). Using an assumed planning period of 25 years, the evaluation considered four alternatives: site closure and waste export, site expansion, a new landfill site and alternative waste technologies. The result of the comparative evaluation was that expansion of the existing Boyne Road Landfill was identified as the preferred long-term waste management alternative. Based on the findings of this evaluation, a Council resolution was passed in November 2015 to pursue approval to expand the site via an Environmental Assessment pursuant to the Ontario *Environmental Assessment Act* (EAA).

The Environmental Assessment commenced in late February 2017 and open houses on preparation of this ToR were held in March and October 2017, followed by preparation and circulation of the Draft ToR in late April 2018. Based on comments received on the Draft ToR from the MECP in December 2018, it was determined that the 2015 assessment of alternative waste management alternatives was not completed with the necessary detail to support the identified preferred alternative - expansion of the Boyne Road Landfill - at an EA level of detail. As such, key changes have been made to the Draft ToR (and are presented in this Proposed ToR) to review and re-assess the waste management alternatives that are reasonable for the Township to consider within the EA process and identify the preferred alternative. To reflect this revised approach, the title of the EA Study has been changed to Environmental Assessment of the Township of North Dundas Waste Management Plan.

Extensions to the emergency ECA have been obtained, with the current permitted operations to the end of January 2020; it is noted that annual applications for and approval of emergency ECA amendments will continue to be required to allow continued site operations until the EA of the long-term waste management plan, associated diversion opportunities and any other associated approvals are completed and the plan can be implemented. An EA Study location map is provided on **Figure 1.0-1** showing the Township of North Dundas and the location of the current active Boyne Road Landfill.

The purpose of the proposed EA Study is:

To provide environmentally safe and cost-effective long-term waste management for the Township of North Dundas for a 25 year planning period.

PROPOSED TERMS OF REFERENCE - ENVIRONMENTAL ASSESSMENT OF THE TOWNSHIP OF NORTH DUNDAS WASTE MANAGEMENT PLAN

The purpose statement will be influenced by diversion studies proposed by the Township and made as a commitment in this ToR. It is proposed that the diversion studies be conducted during the EA, early in the process to provide input into post-diversion waste management requirements. Diversion is also an 'Alternative To' in this EA. The purpose statement will be refined as the EA proceeds through the planning process and the final purpose statement will be provided in the EA.

The first step in the EA process is the preparation of the ToR. Once approved, the ToR becomes the framework for conducting the EA. This document is the proposed ToR for the EA of the Township of North Dundas long-term waste management plan. This ToR has been prepared considering the Ontario MECP Code of Practice for "Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario" (MECP, 2014).

This proposed ToR is being submitted to the MECP, GRT members, Indigenous communities and the public for review and comments. The comments received by the MECP will be considered in their review of the proposed ToR and in the decision regarding approval to carry out an individual EA under the EAA.

2.0 EA PROCESS

This section describes the EA process that applies to the EA Study. Note that 'Alternatives To' for this waste management plan are described in Section 4.0 of this report. Technically an EA does not apply to all of the 'Alternatives To'; for example, exporting waste to an alternate disposal location. However, if the preferred 'Alternative To' identified during the EA is similar to the conclusion of the waste management study already completed (Golder, 2015) in that the preferred alternative is expansion of the Boyne Road landfill site, then the EA process applies.

2.1 Environmental Assessment Act (Ontario)

The EAA is a provincial statute that sets out a planning and decision-making process to evaluate the potential environmental effects of a proposed project (Ontario, 2010). *Ontario Regulation (O.Reg.) 101/07 for Waste Management Projects*, which was made under the EAA, states (in part) that some waste management projects, regardless of whether the proponent is public or private, are designated under the Act. Various projects are then exempted. According to *O.Reg. 101/07*, the EAA applies to a proposed change to a landfill site if the total waste disposal capacity exceeds that authorized under the EPA by more than 100,000 m³ or to incineration without energy from waste (EFW) if the rate of incineration is greater than 10 tonnes of waste per day. The North Dundas Waste Management Plan is subject to the EAA because additional disposal capacity of more than 100,000 m³ is expected to be required for a landfill alternative and greater than 10 tonnes of waste per day is expected for an incineration facility alternative. Accordingly, the Township's EA Study may be subject to an individual EA process, depending on the preferred alternative identified.

An EA under the EAA is a planning study that assesses environmental effects and advantages and disadvantages of a proposed project. The environment is considered in broad terms that include the environmental (natural) and social (including cultural and economic) aspects of the environment. In an individual EA, the first phase in the process is to develop a ToR for the EA studies (this document). Two public open houses were hosted by the Township as part of the consultation process for the development of the ToR. A draft ToR was then prepared and submitted to the MECP, Government Review Team (GRT), Indigenous groups and the public for review. After giving consideration to the comments received on the draft ToR, a proposed ToR (this document) was then prepared and submitted to the MECP for consideration by the Minister who will decide whether to approve, approve with conditions, or not approve the proposed ToR. If approved, the final ToR will become the framework for preparation and review of the EA. An overview of the entire approval process was presented to the public as part of open house #1 and is available in Volume 3 - Appendix D4.

On February 23, 2017, the Township initiated the EA process by publishing a Notice of Commencement (NoC) of the ToR in local newspapers, on the Township's website, and by mail to the GRT, Indigenous groups and other identified community stakeholders. A copy of the NoC is contained in Volume 3 - Appendix D1.

PROPOSED TERMS OF REFERENCE - ENVIRONMENTAL ASSESSMENT OF THE TOWNSHIP OF NORTH DUNDAS WASTE MANAGEMENT PLAN

2.2 Canadian Environmental Assessment Act 2012

In July 2012, the *Canadian Environmental Assessment Act* (CEAA) was repealed and replaced with the CEAA 2012. CEAA 2012 is a federal statute that requires federal agencies to conduct an EA for designated projects and activities and projects on federal lands. The waste management plan is not a designated project and it is not expected that the preferred alternative identified will involve any federal lands; therefore, no federal EA is expected to be required.

2.3 Organization of this ToR

This submission consists of three volumes: Volume 1 – ToR; Volume 2 - Supporting Documents; and Volume 3 - Record of Consultation.

Volume 1 is organized into the following sections:

- Section 1.0 provides an introduction to this ToR, identifies the proponent, presents the purpose of the EA Study and describes, in general, existing waste management system in the Township;
- Section 2.0 describes the EA process, presents the purpose and organization of this ToR, includes the submission statement (i.e., how this ToR is being submitted for approval), and discusses flexibility in this ToR;
- Section 3.0 provides the rationale and description of the EA Study;
- Section 4.0 presents a description of and rationale for the ‘Alternatives To’ that will be evaluated in the EA Study;
- Section 5.0 provides a description of and the rationale for the ‘Alternative Methods’ of carrying out the preferred ‘Alternative To’ including the assessment and evaluation methodology;
- Section 6.0 provides an overview of the existing environmental conditions in the Township of North Dundas that may be affected by the EA Study;
- Section 7.0 presents the consultation plan for developing this ToR and for preparing the EA;
- Section 8.0 provides an overview of other regulatory approvals that may be required;
- Section 9.0 discusses the proposed schedule for preparing the EA;
- Section 10.0 provides statements of commitments and monitoring strategies by the proponent to be completed during the EA; and
- Section 11.0 lists the documents referenced in this ToR.

Volume 2 – Supporting Documents contains Supporting Document #1 – Waste Management Alternatives Evaluation (Golder, 2015).

PROPOSED TERMS OF REFERENCE - ENVIRONMENTAL ASSESSMENT OF THE TOWNSHIP OF NORTH DUNDAS WASTE MANAGEMENT PLAN

Volume 3 – Record of Consultation presents the record of the consultation process for the development of this ToR. This includes a summary of events, stakeholder feedback received, and how stakeholder feedback was incorporated into the development of this ToR or a rationale for why it was not considered appropriate for inclusion.

2.4 ToR Submission Statement

This ToR is submitted to the MECP for approval in accordance with *O.Reg. 101/07*, and specifically pursuant to subsections 6(2)(a) and 6.1(2) of the EAA.

The Township of North Dundas will prepare and submit an EA to the MECP for review and approval in accordance with the approved ToR as required by subsection 6.1(1) of the EAA, and in accordance with the requirements of subsection 6.1(2) of the EAA. The subsections that will be addressed by the EA are listed in Table 2.4-1.

Table 2.4-1: Requirements for the EA

Subsection of EAA (Ontario, 2010)	EA Requirements
6.1(2)(a)	A description of the purpose of the undertaking.
6.1(2)(b)(i)	A description of and statement of the rationale for the undertaking.
6.1(2)(b)(ii)	A description of and statement of the rationale for the 'Alternative Methods' of carrying out the undertaking.
6.1(2)(b)(iii)	A description of and a statement of the rationale for the 'Alternative To' the undertaking.
6.1(2)(c)(i)	A description of the environment that will be affected or that might reasonably be expected to be affected, directly or indirectly by the undertaking.
6.1(2)(c)(ii)	A description of the effects that will be caused or that might reasonably be expected to be caused to the environment.
6.1(2)(c)(iii)	The actions or mitigation measures that are necessary or that may reasonably be expected to be necessary to prevent, change, mitigate or remedy the effects upon or the effects that might reasonably be expected upon the environment.
6.1(2)(d)	An evaluation of the advantages and disadvantages to the environment of the undertaking, the 'Alternative Methods' of carrying out the undertaking and the 'Alternatives To' the undertaking.
6.1(2)(e)	A description of any consultation about the undertaking by the Township and the results of the consultation.

2.5 Flexibility of the ToR to Accommodate New Circumstances

The MECP Code of Practice (MECP, 2014) and subsection 6.1(1) of the EAA states that the EA must be prepared as set out in the approved ToR. While these ToR are intended to set out in detail the requirements for preparing the EA, this document cannot present every detail of every aspect of the EA; as such, circumstances could arise under which minor modifications are necessary or desirable. Accordingly, the Code of Practice (MECP, 2014) recognizes that it is important to incorporate flexibility into the ToR to accommodate such circumstances.

Examples of such circumstances may include:

- Situations that arise during the EA that do not allow commitments made in the ToR to be fulfilled. In such a scenario, it may be necessary to modify the commitment during the EA.
- Modifications to the proposed public consultation program.

The information provided in the ToR sets out the minimum requirements for the EA, and hence is preliminary. The information will be confirmed during the preparation of the EA in consultation with the public, Indigenous communities and government agencies. Any proposed minor modifications to this ToR would be documented and discussed in advance with the MECP. The modifications described above and other similar modifications would be considered minor changes that could be included within the overall scope of this ToR without need for seeking approval for a new ToR.

The justification for any proposed minor modifications will be provided to and discussed with the MECP when and if they occur during the EA process, in advance of submitting the EA. Any modifications will be documented, together with justification, in the EA Study report.

3.0 RATIONALE AND DESCRIPTION OF THE EA STUDY

This section of the ToR describes the Township's rationale for the EA Study, a rationale for the proposed 25 year planning period for the waste management plan and a description of the proposed EA Study, including the analysis to estimate the Township's waste management requirements for the 25 year planning period.

3.1 Overview of the Rationale

In May 2013, the Township applied for an amendment to the Boyne Road Landfill site's ECA to recognize an updated Design and Operations plan for the landfill and to add some diversion activities for the site. At that time, it was anticipated that the site operations would continue for approximately 10 years after 2012 (i.e., until 2022), and possibly more. In the fall of 2014, the MECP advised the Township that the approved site capacity based on the original 1971 registration of the site as a landfill had been exceeded and the site was in an overfill situation. The 1971 registration site capacity was determined to be lower than the basis of the site design and was not recognized by MECP, the Township and consultants until 2014. This overfill was confirmed by a survey of the landfill in the late fall of 2014. In view of this unexpected situation, the Township applied for and the MECP issued an amendment to the ECA for extension of approval for continued landfilling (emergency ECA) to allow the Township to continue using the Boyne Road Landfill site for both waste diversion activities and waste disposal until January 2016. One of the conditions of the Emergency ECA was that the Township undertake an evaluation of waste management alternatives and identify the preferred course of action to provide long term waste management services to the Township.

In 2015 the Township undertook an evaluation of waste management alternatives (Golder, 2015), which is provided as Supporting Document #1 to this ToR. The Township Council decided that their preferred alternative to provide long term waste management services for disposal of post-diversion waste (referred to as residual waste) was to expand the Boyne Road Landfill site and passed a resolution on November 10, 2015 to direct staff to commence the EA process required to obtain approval for the expansion. It was acknowledged that annual application to the MECP and their approval to extend the Emergency ECA would be required to continue to operate the landfill during the approvals period. As a result of consultation with MECP regarding the draft ToR, it was concluded that the previous evaluation would not be sufficient to satisfy the requirements of the EAA to define landfill expansion as the preferred alternative for the long-term waste management plan and, as such, an evaluation of 'Alternatives To' will be required in the EA.

Recognizing that the approvals process and then construction associated with implementation of the preferred waste management plan could extend over a 5 or 6 year period commencing in 2016, it is proposed that the planning period commence in 2022.

As an Ontario municipality responsible for providing waste services for its ratepayers, the Township's objective in undertaking this EA is to obtain approval for a long-term solution for waste disposal while concurrently evaluating diversion opportunities to reduce the amount of waste generated for disposal over the planning period.

PROPOSED TERMS OF REFERENCE - ENVIRONMENTAL ASSESSMENT OF THE TOWNSHIP OF NORTH DUNDAS WASTE MANAGEMENT PLAN

The Township proposes a 25 year planning period, i.e., 2022 through 2047 for the following reasons:

- As it relates to building strong and healthy communities, the Provincial Policy Statement (2014) states under policies in section 1.1.1 that “...necessary infrastructure, electricity generation facilities and transmission and distribution systems and public service facilities are or will be available to meet current and projected needs. Section 1.1.2 states that “Nothing in policy 1.1.2 limits the planning for infrastructure and public service facilities beyond a 20-year time horizon.” The provision of waste management and waste disposal services is a major component of municipal infrastructure; as such, a waste management planning period of 25 years is consistent with the Provincial Policy Statement
- A planning period of 25 years is the same as has been approved in many waste management EAs in Ontario in recent years, for both public and private sector proponents
- It is expected that the initiatives made by the province towards achieving zero-waste are likely to take time regarding planning and policy development followed by implementation. The Township needs to have secure waste management available during this time period. It is expected that some waste policy will be first implemented in urban centres, and therefore will only come later to rural municipalities like North Dundas. This is supported by comments regarding food and organic waste being applicable to larger cities found in “A-Made-in Ontario Environment Plan”, November 2018. The plan also says that the MECP recognizes while we work to reduce the amount of waste we produce, it is also recognized that there will be a need for landfills in the future. It is acknowledged that Section 6.8 of the “Policy Statement on Ontario’s Food and Organic Waste”, April 2018 states that proponents of new or expanded waste management systems for disposal should consider resource recovery opportunities for food and organic waste. The Policy goes on to note that for municipalities the size of the Township the appropriate mechanism for organic waste management would be through home composting, community composting and local event days; the Township currently encourages home composting. The Township will consider waste diversion initiatives in alignment with Provincial policies and will study diversion opportunities as a commitment of this EA. The Township welcomes further information, requirements, regulation and funding on how this will work across the province. Despite a diversion study and Provincial policy, the Township of North Dundas is likely to be reliant on having secure post-diversion waste management available for an extended period of time, which is reasonably proposed by the Township as a 25 year planning period

During this ToR development, the Township updated its required existing post-diversion waste management projections through 2047, as presented in Section 3.2.

3.2 Problem and Opportunity Assessment

As described previously, the Boyne Road Landfill is the only active waste disposal site in the Township and currently serves all the Township of North Dundas. The landfill is currently in an overfill situation (the volume of waste in place exceeds that allowed under the original approval for the site by approximately 139,000 m³). The landfill site is currently permitted to continue waste disposal through annual extensions of ECA A482101 while the Township explores alternatives for long-term waste management. It is this overfill situation that triggered the need for the EA process. The landfill provides disposal for residential waste as well as a portion of the Township industrial, commercial and institutional (IC&I) waste. The landfill also operates as the location for the Township's diversion activities as described below.

The Township has implemented a number of waste diversion programs within the municipality over the past 20 years that are practical and affordable for this type of municipality with a small, spread out total population of about 12,000 in 2016 with a small growth rate, and recognizing the reality that the Township is largely rural in nature with a limited number of small villages. The Township provides:

- Curbside pickup of residential and small commercial waste throughout the municipality
- Curbside pickup of recyclables throughout the municipality
- Curbside pickup of leaf and yard waste materials
- Drop off for recyclables at the Boyne Road Landfill site
- Operation of a municipal material recycling facility (MRF) at the Boyne Road Landfill site, where collected materials are sorted and then transferred out of the Township by a recycling contractor
- Tire recycling program at the Boyne Road Landfill site
- Receipt of brush and wood at the Boyne Road Landfill site for subsequent chipping
- Operation of a Waste Electrical and Electronic Equipment (WEEE) facility for receipt, storage and transfer of WEEE at the Boyne Road Landfill site
- Operation of a Household Hazardous Waste (HHW) facility at the Boyne Road Landfill site to serve the Townships of North Dundas and South Dundas

The following recyclable materials were collected and diverted from landfill in 2016 and 2017, respectively: 28/175 tonnes of steel; 68/62 tonnes of plastic; 8.7/9.5 tonnes of aluminum; 211/175 tonnes of (news) paper; and 324/336 tonnes of cardboard. The Township's estimated municipal waste diversion rate, as reported in 2016 and 2017 to Waste Diversion Ontario and Resource Productivity and Recovery Authority, is approximately 25 and 23 percent (%), respectively (WDO, 2016 and RPRA, 2017).

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The *Waste-Free Ontario Act* is the short-form reference for two pieces of legislation: *Resource Recovery and Circular Economy Act* and the *Waste Diversion Transition Act*, 2016. While the province recognizes that additional waste disposal is needed to meet demands over the next several years, the goal of the *Waste-Free Ontario Act* and subsequent *Strategy for a Waste-Free Ontario* is to shift from waste disposal to waste diversion and make waste management a carbon neutral industry. The Township supports these goals and is taking proactive steps, as practical and affordable for a small rural municipality, toward these goals. The Township commits to evaluating waste diversion initiatives in alignment with current Provincial policies during this EA.

The Township has and continues to look for opportunities to further increase waste diversion in this sparsely populated rural municipality. In comparison to larger urban centres where the addition of municipal-scale composting/processing of household and IC&I organics is often evaluated to progress towards achieving the province's overall interim diversion target of 30% by 2020, 50% by 2030 and 80% by 2050 (*Strategy for a Waste-Free Ontario: Building the Circular Economy*, February 2017), it is noted that the majority of the Township's residents live on larger rural properties where individual composting of leaf and yard materials and food wastes is already a fairly common practice and not documented nor counted in the Township's reported diversion rate.

Residual solid waste is the waste remaining for disposal (by means of a number of possible alternatives) after diversion/recycling activities. For purposes of estimating the residual waste management requirements for the 25 year planning period, projections were initially based on the latest population growth statistics available for the Township as shown in Table 3.2-1.

Table 3.2-1: Total Population – Township of North Dundas

	Census Year				
	1996	2001	2006	2011	2016
Total Population	11,064	11,014	11,095	11,225	11,278

Source: Statistics Canada <http://www.statcan.gc.ca>

The Statistics Canada data indicates the Township will increase by 0.09% per year in the next 20 to 30 years based on a percentage change of 0.4% in the Township's population from 2011 to 2016. The United Counties of Stormont, Dundas and Glengarry Official Plan consolidated in 2018 suggests that the population compounded annual growth rate between 2016 and 2036 is expected to be 0.6%. As such, the more conservative compounded annual growth rate was used to determine the post-diversion waste management requirements for the 25 year planning period.

The results of previous surveys of the active portion of the landfill completed since 2008 indicate that the annual fill rate ranges from approximately 10,400 to 18,900 cubic metres per year (with one higher fill rate in 2017), with an average of 14,100 cubic metres per year. Prior to 2008

PROPOSED TERMS OF REFERENCE - ENVIRONMENTAL ASSESSMENT OF THE TOWNSHIP OF NORTH DUNDAS WASTE MANAGEMENT PLAN

these parameters were estimated based on car counts, which were later found to be inaccurate. It is also noted that there is not a weigh scale at the current landfill by which to determine tonnage received, diverted and disposed. The landfill does not differentiate between municipal and industrial, commercial and institutional (IC&I) waste and hence detailed information on the volume of waste from each of these sectors is not available.

Based on the range indicated above, the annual landfill airspace consumed varies considerably from year to year, depending on specific events that occur within the Township, i.e., construction and demolition projects, structure fires, etc., and the corresponding need for disposal capacity. For purposes of estimating the initial post-diversion waste management requirements for the 2022-2047 (25 year) planning period to be provided, the current waste diversion rate of 23 to 25% and an allowance for 14,100 cubic metres (m³) per year of post-diversion waste starting in 2017 have been assumed. The Township intends to promote composting through an education program and possible composter bin rebate to try and increase diversion of organics from the landfill in the near future. But in view of the rural agricultural nature of the Township it is known that there is already residential organics diversion taking place and so it is difficult to estimate what percentage increase in the overall diversion rate will result and over what time period. So, for initial planning purposes, it is proposed to continue to use a 23 to 25 % diversion rate. The proposed post-diversion waste amount is equivalent to approximately 1.15 cubic metres of waste per capita per year. The projected initial future post-diversion waste management requirements are provided in Table 3.2-2 below.

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**Table 3.2-2: Projected Post-Diversion Waste Management Requirements,
Township of North Dundas**

Year	Estimated Annual Waste Disposal (m³)
2017	14,115
2018	14,200
2019	14,285
2020	14,370
2021	14,455
2022	14,545
2023	14,630
2024	14,720
2025	14,805
2026	14,895
2027	14,985
2028	15,075
2029	15,165
2030	15,255
2031	15,350
2032	15,440
2033	15,335
2034	15,625
2035	15,720
2036	15,815
2037	15,910
2038	16,005
2039	16,100
2040	16,195
2041	16,295
2042	16,390
2043	16,490
2044	16,590
2045	16,690
2046	16,790
2047	16,890
TOTAL for 2022 to 2047	407,900 m³

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Based on the above assumptions and projection, the waste management plan for 25 years beyond 2022 will have to accommodate waste corresponding to the consumption of approximately 400,000 m³ (to be confirmed during the EA) of landfill airspace (excluding final cover) that would be required if landfilling is selected as the preferred 'Alternative To' through the EA process. The results of the proposed diversion study can influence and reduce the amount of post-diversion waste requiring management.

3.3 Need for the EA Study

It has previously been determined that the Boyne Road Landfill is currently in an overfill situation in terms of approved site capacity. It is this overfill situation that triggered the need for the EA process. Based on a 25 year planning period commencing in 2022 (which allows time for all approvals for a waste management plan to be in place and for construction associated with the plan), it is estimated that there will be a need to accommodate post-diversion waste corresponding to the consumption of approximately 400,000 m³ of additional landfill airspace.

3.4 Description of the Proposed EA Study

The proposed EA Study is the EA of the Township's waste management plan for a 25-year planning period. The description and rationale will evolve during the preparation of the Environmental Assessment. Therefore, the final description of the proposed project and the rationale for it will be included in the Environmental Assessment once alternatives have been considered and evaluated.

4.0 RANGE OF ALTERNATIVES TO BE EVALUATED IN THE EA

After a determination that the Boyne Road Landfill site had exceeded its approved disposal capacity and is in an overfill situation and concluding that there was a need for additional waste disposal capacity to continue to provide waste disposal service for the Township of North Dundas, the Township looked at different ways of meeting this need. In EA terminology, this is referred to as assessment of 'Alternatives To', which are the functionally different ways of addressing the need.

The assessment previously conducted by the Township that led to the identification of expansion of the Boyne Road Landfill as the preferred waste management alternative considered both landfilling and non-landfilling options. The previously completed Waste Management Alternatives Evaluation (Golder, 2015) is provided as Supporting Document #1 to this ToR and is described in Section 4.1.

4.1 Waste Management Study Conducted Prior to the EA

This section of the ToR summarizes the findings of the previously completed preliminary assessment study and is included to provide the reader with an overview of the work that has already been done.

The previously completed study provided an evaluation of waste management options to address the overfill situation at the Boyne Road Landfill using a combination of technical, approvability and financial factors to assist the Township in identifying a preferred course of action to provide both short-term and long-term waste management services for the municipality.

The alternatives considered by the Township consisted of the following:

Alternative 1 – Landfill Site Closure and Export of Waste for Disposal

Alternative 2 – Landfill Site Expansion

Alternative 3 – Establish New Landfill Site in the Township

Alternative 4 – Alternative Waste Management Technologies (thermal treatment, e.g., Energy from-Waste).

Alternatives 3 and 4 were not expected to be financially viable alternatives for a small rural municipality considering the small population and relatively small volume of waste generated within the Township; as well, these alternatives would involve a lengthier and likely more contentious approvals process, and/or the need to collaborate with other municipalities. Alternatives 3 and 4 were therefore screened out early in the evaluation, and in the assessment only Alternatives 1 and 2 were considered in detail.

Alternative 1 would involve the following steps: 1) preparation of a closure plan for the landfill site; 2) application to establish a waste transfer facility at the site; 3) negotiation of a disposal contract at a privately owned landfill facility and commence hauling for disposal; and 4) completion of the landfill closure works. Post-closure monitoring and maintenance of the

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landfill would be ongoing. For Alternative 1, two scenarios were considered: Alternative 1a where services would be provided to export both the residential and non-residential waste that is currently disposed at the Boyne Road Landfill (estimated 8,000 tonnes/year), and Alternative 1b where service would be provided for only the residential waste component (estimated 2,900 tonnes/year). For Alternative 1b, the owners of all non-residential generated waste would have to make their own arrangements for disposal at facilities other than those provided by the Township.

Alternative 2 would involve a landfill expansion of more than 100,000 m³ of capacity and require an individual EA according to the *Waste Management Projects Regulation (Ontario Regulation 101/07)* and the following steps would be followed: 1) obtain MECP approval to continue landfilling operations on the existing approved footprint at the Boyne Road Landfill site during the expansion approvals process; 2) identify the property and easements that may be required for the expansion and if possible secure options to acquire them during the ToR or EA; 3) commence EA process; 4) assuming landfill expansion was selected during the EA, after EA approval, apply for an amended ECA for expanded site operations (expected 5 to 6 year combined EA and ECA approvals process); and 5) construct initial phase and associated works for the expansion area and commence landfilling within the expansion.

For Alternative 2, preliminary studies were undertaken to assess potential impacts associated with a conceptual expanded Boyne Road Landfill layout on specific aspects of the environment: groundwater, surface water, atmospheric (air, odour, noise) and natural environment (biology). For purposes of this preliminary assessment, a conceptual design configuration of the expansion was located on the south side of the existing landfill to provide an assumed additional airspace of 550,000 m³. Details on each of these studies and the key findings and implications on the landfill expansion are provided in the report. Of the technical considerations associated with the expansion, in terms of both operating considerations and costs, it was identified that the only economically viable approach for the Township is to continue operating an expanded Boyne Road Landfill as a natural attenuation site (one without a bottom liner, a leachate collection system and a requirement for treatment of the collected leachate), recognizing that it may be necessary for the Township to acquire additional property and/or groundwater easement agreements for contaminant attenuation. As such, the groundwater and surface water technical feasibility studies only considered proceeding with a landfill expansion based on a continued natural attenuation landfill design approach.

Using the considerable amount of information available from subsurface investigations and ongoing site monitoring programs, a preliminary assessment of the potential effects of landfill leachate on groundwater quality and the likelihood that the expanded site will satisfy the requirements of the MECP Reasonable Use Guideline (MECP, 1994) in the long term was carried out using predictive contaminant modelling. The assessment concluded that an expansion of the landfill as contemplated in the 2015 preliminary assessment could be expected to satisfy the Reasonable Use Guideline with specific enlargements of the Contamination Attenuation Zones. Because this is the primary technical factor in determining

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whether expansion of the Boyne Road Landfill as a natural attenuation site is feasible, and because of the importance of this in the Township's decision-making, a technical consultation meeting was held in October 2015 between the Township and MECP hydrogeologists and surface water staff who are familiar with the Boyne Road Landfill. The purposes of this technical meeting were: 1) to present the results of recent additional site investigations, the predictive calculation approach, and the results of the assessment; and 2) to obtain MECP feedback on the approach taken and whether or not they would likely be supportive of this approach if the expansion of the Boyne Road landfill was decided as the preferred approach and the findings were presented in the context of EA studies undertaken for a natural attenuation expansion design of the Boyne Road Landfill. The MECP technical staff considered that the approach taken in the assessment was appropriate. The assessment of potential impacts of an expanded Boyne Road Landfill on off-site groundwater resources will be further assessed in the EA, if expansion of the landfill is identified as the preferred alternative.

Pre-consultation was also carried out with the MECP Source Protection Programs Branch (MECP SPPB) and the Raisin-South Nation Protection Region (RSNPR) because the Chesterville Water Supply is obtained from a high capacity overburden well located some 3 km southeast from the Boyne Road Landfill. Both the current and possible expanded fill areas are located within a well head protection area with a vulnerability score of 4. The pre-consultation conducted with the MECP SPPB was regarding the water supply well, existing landfill and the alternative to expand the landfill. Correspondence related to this pre-consultation is documented in Volume 3 - Appendix F including a summary memo of the issues and outcomes. The issue of source water protection will be further assessed in the EA, as appropriate.

To compare Alternatives 1 and 2, the following evaluation factors were considered:

- Technical feasibility
- Likelihood to obtain MECP Approval
- Opinion of Probable Costs (capital expenditures and long-term annual operating costs over 30 years)

Alternative 1 – Closure of the Boyne Road Landfill and waste export for disposal – was considered to be technically feasible. The only landfill licensed to accept waste from the Township in eastern Ontario and in operation at the time of the 2015 study was the privately-owned Eastern Ontario Waste Handling Facility (EOWHF). The only uncertainty for the Township under Alternative 1 would be the Conditions imposed by the MECP for approval of the landfill site closure and the establishment of a waste transfer station at the location of the existing landfill, but these requirements are common to many landfill sites and the Conditions were not expected to be onerous. Beyond the 30-year planning period considered in the study, there is uncertainty that the Township may face related to the remaining capacity at the selected private waste disposal facility (the EOWHF landfill), although it was assumed that the continuing demand for waste disposal in eastern Ontario would result in the

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availability of an alternative to this facility in the longer-term, in the event the EOWHF site is not able to provide continuing services to the Township.

Alternative 2 – Expand the Boyne Road Landfill site – was considered to have a reasonable likelihood of obtaining EA approval as a natural attenuation landfill, with the understanding that the Township can secure the required additional lands for the expansion and negotiate the required CAZ easements with adjacent landowners. If these cannot be secured, then an expansion application is unlikely to be successful since there is insufficient land area available on the currently owned landfill property and (based on the preliminary predictive modelling for the conceptual expansion configuration) the CAZ does not extend far enough beyond the property in the required directions. It was considered that if EA approval is received, there is little risk that the ECA amendment would not be subsequently approved. The technical feasibility of Alternative 2 appeared favourable, although in view of changing EA requirements, Ministerial approvals, and waste management practices, as well as potential stakeholder concerns, there is always a degree of uncertainty inherent in the outcome of an EA process.

The comparison of the Financial Implications of each Alternative is provided in Table 4.1-1 below.

Table 4.1-1: Comparison of Financial Implications of Waste Management Alternatives

Alternatives	Quantities Considered (in 2015)	Capital Expenditures (in 2015 dollars)	Estimated Annual Operating Costs ¹ (in 2015 dollars)	Estimated Overall Probable Costs over 30 years ² (in 2015 dollars)
<u>Alternative 1a:</u> Closure of Boyne Road Landfill and Waste Export (Residential and Non-Residential Waste)	8,000 tonnes	\$1,130,000	\$550,000	\$17,630,000
<u>Alternative 1b:</u> Closure of Boyne Road Landfill and Waste Export (Residential Waste Only)	2,900 tonnes	\$1,115,000	\$200,000	\$7,115,000
<u>Alternative 2:</u> Boyne Road Landfill Expansion	18,900 m ³ *	\$5,500,000	\$55,000	\$7,150,000

Notes:

¹ Curbside collection costs are not taken into consideration in this evaluation and only the incremental costs to haul waste to the EOWHF site for disposal are included in Alternative 1.

² For this calculation, annual operating costs were not adjusted for inflation or for an increase in waste disposal requirements, as they are not meant to reflect future values. Instead, it is intended to evaluate the general financial implications of each Alternative.

* The quantity considered in the 2015 study was larger than is anticipated for the expansion planning period based on more recent data.

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The comparison of the Financial Implications of each Alternative indicated that Alternative 2 would yield an overall probable cost over 30 years approximately three times lower than Alternative 1a, and similar overall probable costs to Alternative 1b over 30 years. The costs associated with operating a landfill site do not cease once the landfill has reached capacity and is closed. Post-closure care (PCC) costs are expected to be required for many years after closure (over the remainder of the contaminating lifespan of the landfill site), mainly continued monitoring and reporting activities as well as site maintenance. Based on current MECP requirements, PCC costs for the landfill are expected to be generally similar between the two Alternatives.

Although the capital costs for Alternative 2 are greater than those of Alternative 1, the difference in operating costs over the course of the expected expansion life time favours Alternative 2 over Alternative 1a and results in Alternative 2 being similar to Alternative 1b in terms of overall financial implications. It is noted that the capital costs for Alternatives 1a and 1b were expected to all occur in 2016 (assumed closure date) whereas much of the capital costs for Alternative 2 were expected to occur over the course of the lengthy approval process and the initial phase of construction of the expansion (assumed from 2016 to 2022). Moreover, the difference in operating costs between the three Alternatives is due to waste hauling costs and tipping fees associated with Alternatives 1a and 1b. Although the Township would be able to tender the hauling contract regularly (often on a 3 to 5 year basis), the waste disposal service provider was the only viable option available for the Township. The Township would consider negotiation of a long-term contract for the tipping fees to avoid unforeseen future cost increases. Based on this assessment, it was determined that expanding the existing landfill was considered feasible from a technical and economic standpoint.

The summary of the previously completed waste management alternatives evaluation, including the main advantages and disadvantages, is presented in Table 4.1-2 below.

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Table 4.1-2: Summary of Waste Management Alternatives Evaluation

Alternatives	Considerations			Main Advantages	Main Disadvantages
	Technical Feasibility	MECP Approvals	Capital and Operating Costs		
Alternative 1: Closure of Boyne Road Landfill and Waste Export	High degree of certainty	High degree of certainty	Less favourable	1) High certainty 2) Fast transition from current waste management service 3) Lower capital expenditures	1) Higher operating costs 2) Dependency on a single waste disposal service provider
Alternative 2: Boyne Road Landfill Expansion	Likely	Reasonable likelihood to obtain approvals for a natural attenuation landfill	More favourable	1) Lower operating costs 2) Lower overall financial implications 3) Continued operations at the site under Township control	1) Higher capital expenditures 2) Relative uncertainty of EA approval 3) Lengthy approval process

The findings of this study were provided to the Township and discussed at a meeting of Council on November 10, 2014. Township Council decided that Alternative 2- Expand the Boyne Road Landfill - was the preferred option and by Council resolution directed staff to pursue the EA process required to obtain approval for the landfill expansion.

Information on consultation related to the Golder 2015 study is provided in Section 7.0 of the ToR.

4.2 Development and Evaluation of ‘Alternatives To’

The evaluation of ‘Alternatives To’ for the purpose of providing waste management for the Township of North Dundas for a 25-year planning period will be carried out as an initial step of the EA.

In preparing this ToR, the Township has considered the range of alternatives that are possibly available to it as a small rural municipality and has determined that the four options considered in the previously completed preliminary study (Golder, 2015) represent the range of the ‘Alternatives To’ that will be considered in the EA, along with the Do Nothing alternative and enhanced waste diversion programs.

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As such, the six 'Alternatives To' that will be considered are:

- **Alternative 1 – Landfill Site Closure and Export of Waste for Disposal:** This alternative would involve closure of the Boyne Road landfill site and export of post-diversion waste to a waste disposal facility outside the municipality that is licensed to accept the waste. It is noted that the only landfill whose service area includes the Township of North Dundas and is currently in operation is the EOWHS, as was assessed in the preliminary assessment.
- **Alternative 2 – Landfill Site Expansion:** This alternative would involve the expansion of the Boyne Road landfill site and its continued use.
- **Alternative 3 – Establish New Landfill Site in the Township:** This alternative would involve the closure of the Boyne Road landfill and the establishment of a new landfill facility, a greenfield site, at a new location to be determined within the geographic boundaries of the Township.
- **Alternative 4 – Alternative Waste Management Technologies (thermal treatment):** This alternative would consider the potential to use an alternative waste management technology for waste management. Although there are various thermal processes on the market, most have not been demonstrated successful at a commercial scale operation in Ontario. As such, and in view of thermal facilities currently licensed and operating in Ontario (albeit for municipalities far larger than North Dundas, the only thermal treatment technology that will be considered in this assessment is incineration (energy-from-waste or EFW). The use of this technology would require the service to be provided by a private sector operator of this type of facility, since it is beyond the capability of the Township both financially and operationally. It is expected that a new site within the Township would have to be established for this process. It is also noted that with this technology there remains a need for a landfill for the disposal of ash, which could be a limited expansion of the Boyne Road landfill site, a new small landfill at the same site of the incinerator or export of the ash outside the Township for disposal at a licensed landfill.
- **Alternative 5 – Enhanced At-Source Waste Diversion:** This alternative will require the Township to consider and look for opportunities to increase diversion from disposal by considering public feedback, evaluating current legislation and funding mechanisms and assessing diversion opportunities in alignment with the small, rural nature of the Township. With the exception of a zero waste solution, this alternative does not have the ability to fully address the stated problem being assessed but can reduce the amount of post-diversion waste requiring management. A zero waste solution is not presently considered possible or available to the Township given its small size and tax base to pay for this system and no control over IC&I waste generators (which are provincially legislated).

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- Alternative 6 – Do-Nothing: In EAs, the Do-Nothing alternative is considered in the evaluation of ‘Alternatives To’ as a benchmark against which the potential environmental impacts and the advantages and disadvantages of the alternatives being considered can be measured and compared. For the Township of North Dundas, the Do-Nothing alternative would be to close the Boyne Road Landfill (since it has already exceeded its originally approved capacity) and not pursue any other solution for waste management for the Township. It is noted that one of the Township’s basic requirements as a municipality is to provide municipal services and infrastructure for its ratepayers. As such, the Do-Nothing alternative is not an ‘Alternative To’ that could be considered to resolve the long-term waste management problem; rather, as stated above, it provides a basis of comparison as part of the EA process.

To provide a basis for comparative evaluation, each of Alternatives 1 to 5 will be developed at a conceptual level so that their feasibility of implementation, potential effects on the environment and relative advantages and disadvantages can be identified. This will involve the following:

- For Alternative 1, the concept as described in the preliminary assessment will be updated, including soliciting an updated tipping fee cost from the EOWHF.
- For Alternative 2, an envelope that could be used to accommodate 400,000 m³ of additional landfill airspace will be developed and considered.
- For Alternative 3, a set of general exclusionary criteria that are typically used for landfill siting will be decided for the purpose of screening out areas of the Township that are not suitable and could not be considered for a new landfill site. Published mapping sources would provide the information used in this screening exercise. Areas surviving this screening will represent potential locations for siting a new landfill. A preliminary total land area required for development of a landfill having a new airspace of 400,000 m³ and following the requirements of O.Reg. 232/98 will be determined, and the size of the potential locations assessed to determine whether they are large enough. If there are no potential areas large enough remaining, Alternative 3 will be eliminated from the comparative evaluation.
- For Alternative 4, published information sources would be used to describe the general characteristics of an incineration facility for the Township of North Dundas. The screening exercise for siting a new landfill site would also provide relevant information for a possible incineration site.
- For Alternative 5, the existing diversion program including how estimates of diversion are made without a weigh scale will be considered with assistance from the Township. Potential waste diversion options will be developed with the Township, considering the small, rural nature of the municipality as well as MECP policy and any programming or funding. Waste diversion options will be presented to the public for comment as well as to discuss the mechanism for their comparison and evaluation. A solid waste diversion report will be prepared that summarizes the work completed and provides recommendations and an implementation plan.

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- For Alternative 6, the general characteristics of Do Nothing would be as described above.

Given the fundamentally different characteristics of each of the 'Alternatives To', a broad set of environmental criteria is proposed to be used for comparative evaluation of the 'Alternatives To'. The proposed preliminary evaluation criteria, which will be finalized during the EA in consultation with the MECP, Indigenous communities and the public, are provided in Table 4.2-1.

Table 4.2-1: Preliminary Criteria for Evaluation of 'Alternatives To' the Undertaking

Environmental Category	Preliminary Evaluation Criteria
Natural Environment	<ul style="list-style-type: none">• Potential effects on groundwater resources• Potential effects on surface water resources• Potential effects on natural environment features (aquatic and terrestrial biology)• Potential effects on air quality, including consideration of transportation effects
Social	<ul style="list-style-type: none">• Potential effects on cultural environment (archaeology and built heritage)• Potential impacts on existing land use• Potential site operational effects on sensitive receptors (i.e., noise, air quality)
Economic/Financial	<ul style="list-style-type: none">• Relative costs and timing of approvals• Relative cost of implementation (capital and operational costs)
Technical Considerations	<ul style="list-style-type: none">• Potential effect on road network and airports• Ability of the Township to operate• Technical risks associated with the operation of the alternative

The potential effects and/or implications of each of Alternatives 1 to 5 will be generally identified and described for each of the environmental criteria. It is proposed to then use a qualitative assessment methodology to complete a comparative assessment of Alternatives 1 to 5. The methodology would consist of assigning an overall relative ranking from most preferred to least preferred for each alternative, first for each of the criteria and then for the environmental category.

As part of the comparative assessment, the advantages and disadvantages of each 'Alternative To' would then be described. The Do-Nothing alternative would be included in this comparison.

The outcome of this ranking exercise will be the identification of the preferred 'Alternative To' for waste management for the Township of North Dundas.

5.0 DEVELOPMENT AND EVALUATION OF ‘ALTERNATIVE METHODS’

Following the identification of the preferred ‘Alternative To’, a reasonable range of ‘Alternative Methods’ will be developed.

In EA terminology, ‘Alternative Methods’ are the different ways that the preferred ‘Alternative To’ can be implemented. The MECP Code of Practice (MECP, 2014) states that a reasonable range of alternative methods should be considered that address the need and are within the proponent’s ability to implement. The alternative methods should be determined by the significance of potential environmental effects of the preferred ‘Alternative To’ and the circumstances specific to the preferred ‘Alternative To’, such as the proponent’s situation, timing and financing. For example, should expansion of the Boyne Road Landfill site be identified as the preferred ‘Alternative To’, the ‘Alternative Methods’ would consist of alternative expanded landfill site designs and configurations to satisfy the requirements of O.Reg. 232/98, such as location of the expansion on the existing site, landfill expansion geometry and various approaches of managing leachate and landfill gas.

The individual ‘Alternative Methods’ will be identified, refined and confirmed during the EA.

5.1 Assessment and Evaluation of ‘Alternative Methods’

In general, the assessment and evaluation of ‘Alternative Methods’ will form the EA methodology and is expected to involve the following steps:

- Identification of the appropriate Study Areas and time frames where potential effects from the preferred ‘Alternative To’ will be studied.
- Characterize the existing environmental conditions relevant to the preferred ‘Alternative To’.
- Develop the ‘Alternative Methods’.
- For the purpose of comparative evaluation of ‘Alternative Methods’, develop a set of environmental criteria, the rationale for their inclusion, indicators that will be used to assess potential effects and data sources. These will be established during the EA in consultation with the MECP, Indigenous groups, GRT and the public. In general, the environmental criteria cover the components of the environment and typically include some or all of atmosphere, geology and hydrogeology, surface water, biology, land use, archaeology and cultural heritage, socio-economic, transportation and site design & operational considerations.
- Develop detailed work plans for each of the environmental components and include input from the agencies, Indigenous communities and the public; where relevant, pre-consult with the appropriate regulatory agency prior to undertaking the work plans.

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- Quantitatively or qualitatively (as appropriate for the environmental component) assess the potential effects of the 'Alternative Methods',
- Compare the 'Alternative Methods' and identify the overall preferred 'Alternative Method'.
- Complete a predictive assessment of environmental effects of the preferred 'Alternative Method' and determine the net effects, including comparison to the Do-Nothing alternative.
- Complete a cumulative effects assessment of the net effects of the preferred alternative with the predicted effects of other existing and identified and probable projects in the area of the preferred alternative, where there are overlapping effects. Consider effects associated with climate change.
- Prepare the EA Study report, technical supporting documents as appropriate and a Consultation Record.

6.0 DESCRIPTION OF EXISTING ENVIRONMENTAL CONDITIONS

The environment is defined as those components of the natural and human environment that may be affected by the undertaking and for this EA are separated broadly into environmental and social components.

This section presents an overview of existing environmental conditions for the environmental and social components within the overall Regional Study Area, which is the Township of North Dundas. As described in the MECP Code of Practice (MECP, 2014), the Municipality of North Dundas commits to present in the EA report a more detailed description of the existing environmental conditions in study areas relevant to the preferred 'Alternative To' and in study areas relevant to the comparative evaluation of 'Alternative Methods'.

The following is an overview of existing environmental conditions in the Township of North Dundas.

The Township was formed in 1998 by the amalgamation of the former Townships of Winchester and Mountain, as well as the Villages of Winchester and Chesterville. The Township is located south of the City of Ottawa, within the Counties of Stormont, Dundas & Glengarry. The total land area comprising the Township is 503.2 square km. Based on the Canadian census, the 2016 population was 11,278, only slightly larger than the 2011 population of 11,225. Approximately one-third of the population is within Winchester and Chesterville, with the remainder located in several smaller communities and spread across this largely rural municipality.

6.1 Atmosphere

Within the Township, air quality is expected to be typical of rural eastern Ontario with transportation and agricultural activities contributing to baseline air quality/odour and noise levels. The closest air monitoring stations to the Township are located in Ottawa and Cornwall.

6.2 Geology and Hydrogeology

The uppermost bedrock unit underlying the majority of the Township is limestone of the Gull River Formation, which is indicated to be overlain by Rockcliffe Formation shale in the south-central part of the Township.

Overburden soils generally consist of a mixture of marine silty clay and glacial till plain, with some specific areas underlain by organic soils. In the eastern part of the Township, an elongated northeast to south west trending ridge consisting of glacial outwash sand and gravel is present; this is locally known as the Morewood Esker, and more regionally as the Vars-Winchester esker. There is also a northeast-southwest trending area of granular soils in the western part of the Township (Hallville area) known as Hyndmans Ridge. There are several licenced aggregate operations that extract sand and gravel from these ridge features.

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The thickness of overburden soil overlying the bedrock is shown to generally range from about 5 to 10 metres, with some areas of both thicker and thinner soil cover. It is known from previous subsurface studies within the Township for specific purposes, i.e., water supply studies, Boyne Road Landfill site, wastewater lagoons, that the thickness of overburden can be quite variable over relatively short horizontal distances and that there can be significant departures from the general drift thickness shown on published mapping.

The Township relies on groundwater from drilled wells for potable water supply. The Villages of Winchester and Chesterville each have communal water supplies from high capacity drilled overburden wells located within portions of the Morewood Esker. The remainder of the Township relies on individual wells that generally obtain their water from zones within the bedrock.

6.3 Surface Water

In regard to surface water, the Township is located within the South Nation River watershed and overlaps the Upper South Nation, Middle South Nation, and Castor River subwatersheds (SNC, 2018), all within the regulatory jurisdiction of South Nation Conservation. The overall regional drainage is towards the northeast, with the majority of the Township surface water runoff towards branches of the South Nation River and the northern portion towards the South and East Castor Rivers, which in turn discharge to the South Nation River further to the northeast. Drainage of this largely rural agricultural area is via a network of constructed municipal drains, which have a low Department of Fisheries and Oceans (DFO) drain classification as related to aquatic habitat.

6.4 Biology

The Township is located in Ecoregion 6E (Lake Simcoe - Rideau), which covers approximately 6.4% of Ontario, extending from Lake Huron east to the Rideau River (Crins et al. 2009). The majority of this ecoregion exists as cropland (44.4%) and pasture or abandoned fields (12.8%), while water covers 4% of the ecoregion (Crins et al. 2009). Forest cover within the Township of North Dundas is 13.3% (SNC, 2016).

The Township is located in the Upper St. Lawrence section of the Great Lakes – St. Lawrence Forest Region, which contains a wide variety of both coniferous and deciduous species (Rowe 1972). The region is dominated by sugar maple (*Acer saccharum*) and American beech (*Fagus grandifolia*) forests, with associates of red maple (*Acer rubrum*), yellow birch (*Betula alleghaniensis*), white ash (*Fraxinus americana*), basswood (*Tilia americana*), largetooth aspen (*Populus grandidentata*), red oak (*Quercus rubra*) and bur oak (*Quercus macrocarpa*). Hemlock (*Tsuga canadensis*), white pine (*Pinus strobus*), white spruce (*Picea glauca*) and balsam fir (*Abies balsamea*) occur on acidic soils, while white cedar (*Thuja occidentalis*), silver maple (*Acer saccharinum*), green ash (*Fraxinus pennsylvanica*) and black ash (*Fraxinus nigra*), and elms (*Ulmus* spp) occur in poorly drained areas (Rowe 1972).

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The Township includes the Winchester Swamp Provincially Significant Wetland (PSW) to the northwest, the Morewood Bog PSW to the northeast, and a small portion of the South Gower PSW at the western edge of the Township. The Township contains one county forest, namely the Alvin Runnalls Forest. South Nation Conservation also operates several small conservation areas in the Township, including Cass Bridge and Oak Valley Pioneer Park that also functions as a nut tree research site.

6.5 Agricultural

Much of the land area within the Township has been cleared for farming purposes. Most of the Township is classified as being underlain by Class 1 to 3 farmland, indicating its high potential for agricultural uses. Areas of Class 4 farmland are present in the western portion of the Township, and an area of Class 5 in the far east central portion. Within the Township there are a range of active farm activities, mainly various types of crops and raising of animals.

6.6 Archaeology

The Township is situated within the South Nation River drainage basin, which is known to have been occupied by Indigenous populations since at least the Woodland Period (950 BCE – 1550 CE). A number of archaeological sites have been registered within the Township, providing evidence of previous historic land use and occupation.

6.7 Cultural Heritage

The Euro-Canadian cultural heritage of the Township of North Dundas began around 1800. Settlers cleared land in the area for farming and the Township has remained primarily an agricultural area for the last two centuries. Villages including Chesterville, Winchester, and Winchester Springs developed and over time small family farms were combined into large specialized farms as agricultural practices changed.

6.8 Socio-economic

The Township is largely engaged in diversified rural economy, either directly as agricultural businesses or in the form of support services to those businesses. There is also local retail and institutional employers to support the residents and businesses. Major employers in the Township are Parmalat (the largest milk and dairy products facility in Canada) and the Winchester District Hospital, both located in Winchester.

6.9 Transportation

County Road (formerly Highway) 31 provides a main north-south link through the central part of the Township, connecting the City of Ottawa to the north with Highway 401 to the south. County Road (formerly Highway) 43 provides a main east-west link through the central part of the Township, connecting with Highway 416 further to the west. The Township is serviced by a network of County and Township roads. The CPR main line passes through the Township.

The nearest airport to the Township is the Ottawa International Airport and the Rideau Valley Air Park, an aerodrome, could also be reasonably nearby.

7.0 CONSULTATION

This section of the ToR presents an overview of the results of consultation and engagement carried out during the development of this ToR, in consideration of the MECP's Code of Practice: Consultation in Ontario's Environmental Assessment Process (Consultation Code of Practice; MECP, 2014b). The Township has developed a Consultation (Engagement) Plan for the development of this ToR as well as the subsequent EA process. A copy of this Engagement Plan is provided in Volume 3 - Appendix A. A summary of the proposed Engagement Plan for conducting the EA is presented in Section 7.3.

A summary of the engagement activities conducted during the development of the ToR is provided in Section 7.2. For ease of reference, the engagement activities are presented sequentially from the beginning of this ToR process. The first and second open houses were held during the development of this ToR. The third and fourth open houses are proposed to be held during the EA.

7.1 Consultation Activities Completed Prior to ToR

In terms of consultation related to the previously completed Waste Management Alternatives Evaluation and the Council decision, the Golder 2015 report was an item on the Council meeting agenda and was presented to Council at the regular Council meeting that was open to the public and the media; Council debated the report in a public forum and passed the Council decision by resolution that was part of the meeting minutes. Local media present at the meeting prepared and published an article on this item and the Council decision in the local paper. The Council decision to proceed with an EA to expand the Boyne Road landfill was part of the materials at Open Houses #1 and #2 as part of the ToR consultation process. No concerns were expressed by the public about Council's decision, and the few comments received by the Township were in support of the decision and the proposed course of action.

7.2 Record of Consultation Activities during the ToR Phase

Consultation with the public and other stakeholders is a key component of the EA process. It enables stakeholders to participate in the planning process and enhance the quality of the undertaking. The key vehicles in the Engagement Plan that were used to engage the public and the other stakeholders and elicit feedback were open houses, letter/email correspondence, the Township of North Dundas' EA website and newspaper advertisements.

The objectives of the Consultation Plan for preparation of this ToR were to:

- Engage stakeholders from the beginning of the process using a variety of consultation events and activities including open houses and to ensure that there are adequate opportunities to learn about the undertaking and to provide input, feedback and comments concerning the undertaking and EA process, and that these comments are considered by the EA Study team

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- Engage local elected officials to ensure that they are provided with regular and timely information concerning this ToR development process
- Engage Indigenous communities as early as possible in the development of this ToR for the EA and to facilitate their involvement in the process in ways that meet their needs
- Ensure the consultation process is open, transparent and inclusive
- Document all issues and concerns identified by the public, agencies and other stakeholders and to demonstrate how these concerns and issues have been incorporated into the final ToR (this document)
- Fulfill the EA process public consultation requirements

Consultation related to the development of this ToR is documented in detail within the Consultation Record, Volume 3 of this ToR submission. Sections 7.2.1 to 7.2.4 summarize the primary consultation activities that have occurred throughout the development of this ToR.

7.2.1 Notice of Commencement and Open House #1

The EA process was announced by publishing a Notice of Commencement (NoC) and notice of open house #1 in the Winchester Press and Chesterville Record newspapers on February 22, 2017 and March 1, 2017 (Volume 3 - Appendix D1), as required under the EAA. The NoC provided a brief overview of the proposed undertaking, the location of the undertaking, the EA process, information about the proponent, how to contact the Township with comments and questions and the date, time and location of open house #1.

The NoC was also posted on the EA Study website and can be found at: northdundas.com/town-hall/landfill-recycling/environmental-assessments/landfillea/.

Additionally, introduction letters accompanied by the NoC were emailed and/or mailed to the following stakeholders between February 22, 2017 and February 23, 2017 (see Volume 3 - Appendices C2 and D2):

- 30 GRT members (Volume 3 – Appendix B contains the original and evolving list of GRT. At NoC it included: South Nation Conservation, Ministry of Agriculture, Food and Rural Affairs (2), Ministry of Tourism, Culture and Sport, Ministry of Citizenship and Immigration, Ministry of Community Safety and Correctional Services, Ministry of Health and Long Term Care, Eastern Ontario Health Unit, Ministry of Municipal Affairs and Housing (2), Ministry of Natural Resources, Ministry of Northern Development and Mines (4), Fire Department, Canadian Environmental Assessment Agency, Environment and Climate Change Canada, Transport Canada, Ottawa International Airport, Rideau Valley Air Park, Counties of Stormont, Dundas and Glengarry, Township of North Dundas, the four local school boards with schools in the Township and Ministry of the Environment, Conservation and Parks (3))
- 13 Indigenous Communities (see Section 7.2.4 for a listing)

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The NoC was also mailed to 23 property owners located within a one km radius of the site on February 22, 2017 (see Volume 3 - Appendix D2).

Table 7.2-1 summarizes all the GRT responses received following the NoC and open house #1 invitation. Copies of the correspondence are provided in Volume 3 – Appendix D3.

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Table 7.2-1: Stakeholder Responses

Stakeholder	Stakeholder Comment	Township of North Dundas' Response
Transport Canada, Environmental Assessment Program	Transport Canada does not require receipt of all individual or Class EA related notifications. Request that project proponents self-assess the need to consult with Transport Canada.	No response required. Transport Canada was removed from the EA Study contact list as the EA Study will not interact with federal property nor will it require approval or authorization under any Acts administered by Transport Canada. The Township will continue to consult with the Ottawa Airport and Rideau Valley Air Park.
Charles O'Hara Ministry of Municipal Affairs	We have no comment	Followed up to see if this meant to remove MMA from the distribution list. No response received.
Anjala Puvananathan Canadian Environmental Assessment Agency	The <i>Canadian Environmental Assessment Act</i> focuses federal environmental reviews on projects that have the potential to cause significant adverse environmental effects in areas of federal jurisdiction and applies to physical activities described in the <i>Regulations Designating Physical Activities</i> . Based on the information provided, your project does not appear to be described in the Regulations. Review the Regulations to confirm applicability to the proposed project and if you agree, removed the Canadian Environmental Assessment Agency from your distribution list.	Regulations were reviewed and EA Study does not appear to be described; therefore, the Canadian Environmental Assessment Agency was removed from distribution. No response required.

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Stakeholder	Stakeholder Comment	Township of North Dundas' Response
Katherine Kirzati Ministry of Tourism, Culture and Sport	<p>MTCS's interest in this EA project relates to its mandate of conserving Ontario's cultural heritage, which includes: archaeological resources, including land and marine; built heritage resources, including bridges and monuments; and, cultural heritage landscapes.</p> <p>While some cultural heritage resources may have already been formally identified, others may be identified through screening and evaluation. Aboriginal communities may have knowledge that can contribute to the identification of cultural heritage resources, and we suggest that any engagement with Aboriginal communities includes a discussion about known or potential cultural heritage resources that are of value to these communities. Municipal Heritage Committees, historical societies and other local heritage organizations may also have knowledge that contributes to the identification of cultural heritage resources.</p> <p>Your EA project may impact archaeological resources and you should screen the project with the MTCS Criteria for Evaluating Archaeological Potential to determine if an archaeological assessment is needed. MTCS archaeological sites data are available at archaeology@ontario.ca. If your EA project area exhibits archaeological potential, then an archaeological assessment (AA) should be undertaken by an archaeologist licenced under the OHA, who is responsible for submitting the report directly to MTCS for review.</p> <p>The MTCS Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes should be completed to help determine whether your EA project may impact cultural heritage resources. The Township's clerk can provide information on property registered or designated under the Ontario Heritage Act. Municipal Heritage Planners can also provide information that will assist you in completing the checklist.</p>	Acknowledged. No further action.

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Stakeholder	Stakeholder Comment	Township of North Dundas' Response
	<p>If potential or known heritage resources exist, MTCS recommends that a Heritage Impact Assessment (HIA), prepared by a qualified consultant, should be completed to assess potential project impacts. Our Ministry's Info Sheet #5: Heritage Impact Assessments and Conservation Plans outlines the scope of HIAs. Please send the HIA to MTCS for review, and make it available to local organizations or individuals who have expressed interest in heritage.</p> <p>All technical heritage studies and their recommendations are to be addressed and incorporated into EA projects. Please advise MTCS whether any technical heritage studies will be completed for your EA project, and provide them to MTCS before issuing a Notice of Completion or commencing any work on site. If your screening has identified no known or potential cultural heritage resources, or no impacts to these resources, please include the completed checklists and supporting documentation in the EA report or file.</p>	

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The first open house occurred on March 7, 2017 at Council Chambers at the Township Office, 636 St. Laurence Street, Winchester ON from 5 to 8 p.m.

This open house provided a general overview of the current Boyne Road Landfill site, the EA process, the previous assessment of the proposed 'Alternatives To', a description of the preferred 'Alternative To' resulting from the previous assessment, proposed criteria for comparison of 'Alternative Methods' of expansion of the Boyne Road Landfill site and how stakeholders can be involved in the EA process.

The purpose of the open house was to inform the public of the EA Study and seek input on the EA Process, the proposed community engagement program, the proposed criteria for comparison of 'Alternative Methods' of expansion of the Boyne Road Landfill site, and next steps for the EA Study. A total of 10 display boards were featured at open house #1. Copies of the display boards available at the open house, the feedback sheets and blank sign in sheets are provided in Volume 3 - Appendix D4 and were posted on the EA Study website at the time of the event.

This event was designed to provide opportunities for attendees to speak directly with the Township and the EA consulting team. Attendees were asked to sign in and were encouraged to fill out a comment sheet to provide feedback and recommendations.

Two representatives from the Township and two of their EA consultants were in attendance at open house #1.

A total of 13 people attended open house #1 on March 7, 2017 including one member of the GRT, two Township staff, three Township councillors and seven members of the public (one of whom was a reporter for the local media covering the open house). The overall atmosphere of the open house was professional, courteous and respectful.

No comments were received through completion of the formal feedback sheet. One individual completed feedback on the display board regarding ranking of the criteria. A copy of this feedback is provided in Volume 3 - Appendix D5.

7.2.2 Open House #2

The second open house occurred on October 26, 2017 at Council Chambers at the Township Office, 636 St. Laurence Street, Winchester ON from 5 to 8 p.m.

Open house #2 was advertised in the Winchester Press and Chesterville Record newspapers on October 12, 2017 (Volume 3 - Appendix E1), and on the EA Study website

Letters or emails were sent between October 10 and 12 to the GRT, Indigenous communities, neighbours within one km of the site and individuals who signed up at open house #1 (Volume 3 - Appendices E2 and C3).

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At this open house the public learned about the proposed content of the Draft Terms of Reference (overall work plan for the EA Study) including existing site conditions, preliminary Boyne Road Landfill expansion concepts (known as 'Alternative Methods'), the proposed methodology and technical studies for evaluating and comparing the 'Alternative Methods' of expanding the Boyne Road Landfill site, and how to be involved in the EA process.

A main focus of the open house was to inform the public and seek input on the proposed work plans for technical studies associated with the Boyne Road Landfill expansion. A total of 22 display boards were featured at open house #2. Copies of the information available at the open house, the feedback sheets, and blank sign in sheets are included in Volume 3 - Appendix E4.

This event was designed to provide opportunities for attendees to speak directly with the Township and the EA consulting team. Attendees were asked to sign in and were encouraged to fill out a comment sheet to provide feedback and recommendations.

One representative from the Township and two of their EA consultants were in attendance at open house #2.

A total of 4 people attended open house #2 on October 26, 2017 including one member of the GRT and three members of the public. Two members of the public were reporters for local media covering the open house. The overall atmosphere of the open house was professional, courteous and respectful.

MTCS requested a change in whom to send information to for this ToR and EA (Volume 3 - Appendix E3). No formal feedback forms were completed or received from the public. No comments were received from the Indigenous communities or GRT on the Open House #2 content. Overall, meeting attendees were satisfied with the information presented and provided positive verbal feedback on the quality of the information materials and answers provided.

7.2.3 Draft Proposed Terms of Reference

An initial draft of the Proposed ToR was shared with the MECP for a high-level review in March 2018.

The availability of the Draft Proposed ToR was advertised in the Winchester Press and Chesterville Record newspapers on April 25, 2018 as provided in Volume 3 - Appendix G1. Notice of the availability of the Draft Proposed ToR was distributed to the GRT, Indigenous Communities, neighbours within 1 km of the site, and the public who signed up for the information list between April 25 and 27, 2018 for a four-week comment period. Examples of the distribution emails and letters are provided in Volume 3 Appendices G2 and C4. The GRT and Indigenous Communities received hard or electronic copies of the Draft Proposed ToR, whereas the public were directed to the EA Study website and publicly accessible areas where documents were available for review.

Comments and questions on the Draft Proposed ToR were provided by the Environmental Assessment and Permissions Branch (noise and waste) of the MECP. Comments and questions were also provided by the Programs and Services Branch of the Ministry of Tourism,

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Culture and Sport (archaeology and built heritage), the Ministry of Natural Resources and Forestry, and the Ministry of Northern Development and Mines. In addition to the provincial government, comments and questions were provided by the Raisin Region Conservation Authority and South Nation Conservation. These comments and questions are provided in disposition tables in Volume 3 - Appendix G3 along with responses from the Township and how the comments were included in the proposed ToR. In general, the comments received from the above GRT and agencies were related to various aspects of the proposed EA methodology associated with expansion of the Boyne Road Landfill including the scope and requirements for the noise, archaeology, natural environment, cultural heritage landscapes and built heritage resources studies. Only one comment was received from the public or Indigenous communities, that being a request from the Huron-Wendat Nation who wish to be advised when an archaeological assessment commences at the Boyne Road Landfill site.

Comments and questions were also provided by the Environmental Assessment and Permissions (EA) Branch of the MECP in December 2018, April 2019 and July 2019. These comments and questions are provided in three separate disposition tables in Volume 3 - Appendix G3 along with responses from the Township and how the comments were included in the proposed ToR. In general, these comments were related to: the appropriateness of relying on the previously completed Waste Management Alternatives Evaluation study and associated consultation as the justification for an EA focussed only on the expansion of the Boyne Road Landfill site as the identified 'Alternative To'; arriving at some specific determinations at the ToR stage and not proposing additional assessment and refinement during the EA; the basis used for projecting post-diversion waste management requirements over the 25 year planning period; aspects of the proposed EA methodology and proposed EA consultation plan; and the need for additional commitments made by the Township during the ToR process to be included in the ToR. It was requested that the draft ToR be revised and submitted to the MECP for review prior to circulation of the proposed ToR for comment; three iterations of revisions were completed. Conference calls occurred with EA Branch representatives on November 22, 2018, January 14, 2019, May 8, 2019 and May 29, 2019 to discuss their comments and questions.

7.2.4 Consultation with Indigenous Communities

A list of potentially affected Indigenous communities was developed in consultation with the MECP during the development of this ToR (see Volume 3 - Appendix C1). Initially a larger list was developed that included:

- Algonquin Anishinabag Nation Tribal Council
- Algonquins of Pikwakanagan First Nation
- Algonquins of Ontario, Consultation Office
- Communauté anicinape de Kitcisakik

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- Conseil de la Première Nation Abitibiwinini
- Eagle Village First Nation-Kipawa
- Kitigan Zibi Anishinabeg
- Long Point First Nation
- Huron-Wendat Nation
- Métis Nation of Ontario
- Mohawks of Akwesasne
- Nation Anishnabe du Lac Simon
- Wahgoshig First Nation

All of these communities did receive the NoC and invitation to open house #1 (Volume 3 - Appendix C2) via both email and mail. The written correspondence was followed up with phone calls to each community. Subsequently the MECP advised that three Indigenous communities have or may have constitutional or Indigenous treaty rights that could be affected by the outcome of EA study (Volume 3 - Appendix C1) via letter. The MECP has delegated the procedural aspects of the Crown's duty to consult with Indigenous communities through this letter. The Township will be consulting with the three communities in the letter as these are the communities identified that have or may have constitutionally protected Aboriginal or treaty rights that could be adversely affected by the EA Study based on preliminary information.

As a result, a letter was prepared explaining that the consultation on this EA would continue with three of the communities: the Algonquins of Ontario Consultation Office, the Mohawks of Akwesasne and the Huron-Wendat Nation. The letter indicated that the other Indigenous communities could still participate in the EA if they had an interest to continue to receive information and/or engage in the EA Study (Volume 3 - Appendix C1). None of the communities that were removed from the consultation list indicated that they still wished to be engaged in this EA process. The smaller list of communities identified were sent an email invitation to participate in open house #2 and in the EA and discussions about potential benefits and effects of the EA Study on Indigenous community interests (see Volume 3 - Appendix C3). The written correspondence was followed up with phone calls to each community.

A program to engage and consult with Indigenous communities was carried out considering their specific needs and specific issues. The Indigenous communities were consulted on how they would like to be involved in the EA process. Communication tools available to Indigenous communities include meetings or presentations for individual Indigenous communities, smaller discussion groups with interested persons/groups by phone and/or in-person on specific topics, site tours, copies of information and email correspondence.

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Township staff were available to meet with interested Indigenous communities and discuss the proposed EA Study at any time during the development of the ToR.

During the ToR the Huron-Wendat Nation identified an interest in archaeological studies at the Boyne Road Landfill site. It was communicated to the Huron-Wendat Nation that no studies have yet occurred, but as they advance the Township will communicate with the Huron-Wendat Nation the planned schedule, studies and results (Volume 3 - Appendix C2 and C3).

7.3 Proposed Consultation Plan for the EA

Following approval of this ToR and during preparation of the EA, a consultation program will be continued to engage the public, businesses, the GRT and Indigenous communities interested during the EA process. The Township will update the Community Engagement Plan outlined in Volume 3-Appendix B to align with the Code of Practice: Consultation in Ontario's Environmental Assessment Process (2014). The Community Engagement Plan will be followed, in particular as it relates to key stakeholders, methods for engagement, roles and responsibilities and principles of engagement. Input will be obtained through a number of engagement activities, as proposed below and in accordance with the methods of engagement outlined in the Community Engagement Plan. In addition to the engagement activities described below, consultation specific to individual Indigenous communities will also be carried out. These additional activities are described in Section 7.4. The results of the engagement program conducted by the Township during preparation of the EA will be presented in the EA Report.

The proposed consultation activities for the EA studies are as follows:

- A NoC of the commencement of the EA will be prepared and published in the local media and distributed to the EA Study stakeholders via email or letter.
- As enhanced at-source waste diversion is an 'Alternative To' in the EA Study, the assessment of diversion opportunities will require public input on possible diversion options, comparison criteria and recommendations for the Township that are in alignment with Provincial policy as well as the small, rural nature of the Township. A **Technical Bulletin** will be sent to stakeholders via email or letter. Stakeholders will be invited to provide their comments by contacting the EA Study team via telephone or to return an attached feedback form. The technical bulletin and feedback form will also be posted on the EA Study website.
- **Open House #3** will present the approved ToR, describe the EA process, the results of the diversion study, the criteria and methodology used to identify the preferred 'Alternative To', the results of the 'Alternatives To' assessment, and proposed next steps. Stakeholders will be invited to Open House #3 via email or letter and a notice will be placed in the newspaper. The content will be posted on the EA Study website and feedback will be gathered at the event verbally, via feedback forms handed out at the open house and via posting the feedback form on the EA Study website along with the open house content.

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- A **Technical Bulletin** will be prepared and emailed or mailed to stakeholders to present the preferred 'Alternative To', inform the public about each of the 'Alternative Methods' to be considered, the criteria for the comparative evaluation of those 'Alternative Methods' and the results of the comparison, and invite participation and comment regarding the 'Alternative Methods' and comparison. Stakeholders will be invited to provide their comments by contacting the EA Study team via telephone or to return an attached feedback form. The technical bulletin and feedback form will also be posted on the EA Study website.
- **Open House #4** will present the proposed EA and inform the public about the identification of the preferred Alternative Method, as well as inform them of the results of the existing conditions studies and the predicted effects on the environment, and the commitments the Township is making to mitigate any adverse effects. Stakeholders will be invited to Open House #4 via email or letter and a notice will be placed in the newspaper. The content will be posted on the EA Study website and feedback will be gathered at the event verbally, via feedback forms handed out at the open house and via posting the feedback form on the EA Study website along with the open house content.
- **EA Study Website** to inform the public on the EA process, public engagement activities and to solicit comments from the public, as mentioned above.
- **Letters and emails** to the GRT members, Indigenous communities and interested parties to provide information and invite feedback, as mentioned above.
- **Circulation of Draft EA** for GRT, Indigenous communities and public comment prior to finalization and submission to the MECP. The public will be notified of the draft via email or letter and invited to review the draft electronically on the EA Study website or at the locations where hard copies will be made available. The GRT and Indigenous communities will be circulated an electronic and/or hard copy of the draft as per their preference. The Township will call them in advance of the draft circulation to understand their preference.

There are a number of key decision-making milestone points when consultation will occur during preparation of the EA. The main milestones are: 1) results of the diversion study and identification of the preferred 'Alternative To' at proposed open house #3 and 2) reviewing the developed 'Alternative Methods', the evaluation criteria and indicators applied to 'Alternative Methods' and the recommended 'Alternative Method' identified through the comparative evaluation process via the Newsletter and at Open House #4.

During the EA there may be issues raised or disputes during preparation of the EA that may be difficult to resolve. The Township will attempt to resolve all issues or disputes to reach a resolution that is amenable, recognizing that interests of multiple stakeholders and/or regulations may sometimes dictate a resolution that may not be desirable to all parties. If a

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mutually agreeable resolution is not achieved, the matter will be referred to the MECP for guidance.

If a stakeholder identifies a need for accommodation with regards to attaining their feedback, for example, a need for more time to review a document, this can be reviewed on a case by case basis.

7.4 Proposed Indigenous Engagement Plan for the EA

It is recognized that Indigenous communities have specific interests and rights with regard to consultation on projects that might potentially affect them. The consultation with Indigenous communities will provide insight into the potential effects on Indigenous communities, including the potential effects on use of lands for traditional purposes. It is also recognized that Indigenous communities may have specific and differing needs with regard to how they would like to be consulted and some Indigenous communities have developed guidelines and protocols for consultation. Based on feedback obtained from the Indigenous communities, specific approaches for engaging with Indigenous communities will be reflected in the consultation plan updated for the EA, as applicable. To address these interests, the Township will continue to inform Indigenous communities about the proposed EA Study and invite their participation in the EA process, always in a manner that the community is comfortable with. For example, in a different language or by means of personal event or meeting.

The Township will meet with interested Indigenous communities and discuss the proposed EA Study at any time during the EA Study process.

8.0 OTHER REGULATORY APPROVALS

In addition to EA approval for the Township's waste management plan, there are other regulatory approvals that may be required. The specific approvals will depend on the preferred 'Alternative To' and 'Alternative Method' identified during the EA process. The types of provincial or municipal approvals could include some or all of the following.

- Planning Act – if the site location selected for the preferred alternative requires changes to the Official Plan and/or zoning.
- Environmental Protection Act (EPA) – for certain types of projects, i.e., a landfill expansion, transfer station, new landfill site, incinerator, an application for an Environmental Compliance Approval (ECA) under the EPA is required to proceed with construction and operation of the facility/project.
- Ontario Water Resources Act (OWRA) – under Section 53 of the OWRA, an application for approval is required for components of the project defined as “sewage works” under the Act, i.e., stormwater management systems.
- Drainage Act – approvals under the Drainage Act may be required to assess if changes to land use to implement the preferred alternative will require alterations to a municipal drain.
- Conservation Authorities Act - The Township is located within the jurisdiction of South Nation Conservation (SNC), which is responsible under The Conservation Authorities Act O.Reg. 170/06 for issuing permits for construction within or alterations to water courses. An application for a work permit from SNC may be needed to construct the project.

The approvals required specifically for the preferred alternative will be determined in consultation with regulatory agencies and described in the EA Report. The Township is proposing to submit applications for other approvals and supporting documents required to proceed to implement the project following receipt of EA approval.

9.0 EA SCHEDULE

A draft ToR was made available to the MECP, Indigenous communities, GRT, stakeholder committees and the public in late April 2018. An open house about the draft ToR was conducted on October 26, 2017.

Following circulation of the draft ToR for comments, the proposed ToR is subject to a 30-day comment period that will be followed by the Minister's decision.

EA timelines are dependent on the Minister's decision about this ToR and the EA cannot proceed without an approved ToR. With submission of the proposed ToR in July 2019, the Minister's decision is anticipated in the fourth quarter of 2019. On approval of the proposed ToR, the EA Study will then proceed.

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The EA application documents will be circulated in draft and then in final form to be reviewed by the GRT members, Indigenous communities, stakeholder committees and the public. It is proposed that any supplementary evaluations, responses and/or clarifications required by this review process will be documented by addendum to the EA (which can be done under special circumstances before a Minister's decision) or other appropriate method.

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10.0 COMMITMENTS AND MONITORING

The EA Report will include a comprehensive list of commitments made by the Township of North Dundas during the development of this ToR.

10.1 Commitments

A list of commitments made during the development of this ToR and during consultation is contained in Table 10.1-1.

Table 10.1-1: List of ToR Commitments

ID	ToR Commitment
1	The EA will be prepared in accordance with subsections 6(2)(a) and 6.1(2) of the EA Act.
2	The Township will contact Indigenous groups to discuss their consultation needs and their involvement in the EA.
3	The Township will consider the stated purpose of the EA during the EA process and will refine the purpose statement, if required. The final purpose statement will be provided in the EA Study report.
4	Additional information on waste disposal and diversion projections will be provided during the EA to further support the need for the equivalent of 400,000 m ³ of additional waste disposal capacity (excluding final cover).
5	The Township commits to completing a Waste Diversion Study to assess further opportunities for at-source residential diversion in the Township.
6	The Township commits to updating the consultation plan to align with the Code of Practice: Consultation in Ontario's Environmental Assessment Process (2014).
7	During the EA, the Township will develop evaluation criteria and indicators to be used to compare 'Alternative Methods', in consultation with the MECP, GRT, Indigenous communities and the public.
8	During the EA, the appropriate Study Areas for assessment of impacts from 'Alternatives To' and 'Alternative Methods' will be determined and described in the EA Study report.
9	During the EA, detailed technical work plans for each of the environmental components will be developed in consultation with the agencies, Indigenous communities and the public. Where relevant, the Township will provide the detailed work plans to the appropriate regulatory agency for review and concurrence prior to undertaking the work.

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ID	ToR Commitment
10	During the EA, a more detailed description of the existing conditions relevant to the preferred 'Alternative To' and 'Alternative Methods' will be prepared using a combination of sources of existing information and site-specific studies and will be provided in the EA Study report.
11	The Township will provide in the EA Study report a final detailed description of the proposed project once the preferred 'Alternative Method' has been identified.
12	The preferred alternative will be assessed from the perspective of climate change.
13	A cumulative impact assessment of the preferred alternative will be completed and provided in the EA Study report.
14	The Township commits to developing a monitoring framework during the preparation of the EA.
15	The Township commits to circulating a draft EA Study report prior to submission of the final EA Study report.
16	The Township commits to determining and describing the other regulatory approvals required to proceed with the preferred alternative and including this in the EA Study report.
17	The list of ToR commitments will be provided in the EA Study report together with the way in which these commitments were addressed during the EA and the location of the information within the EA documents. The EA Study report will also include a list of commitments made by the Township during the preparation of the EA studies and during consultation throughout the EA process.

10.2 Compliance and Effects Monitoring

Mitigation measures are designed to avoid or reduce potential adverse effects from the undertaking.

The Township of North Dundas commits to developing a monitoring framework during the preparation of the EA. The monitoring framework will consider all phases of the proposed undertaking. The monitoring will include:

- Compliance monitoring
- Effects monitoring

A description of the proposed effects monitoring programs for the preferred 'Alternative Method' will be prepared and included in the EA. It is anticipated that the detailed effects monitoring requirements for the preferred 'Alternative Method' will ultimately be determined through the conditions of EPA/OWRA approval. Compliance monitoring is an assessment of whether an undertaking has been constructed, implemented and/or operated in accordance with the commitments made during the preparation of the EA and the conditions of the EAA. Compliance monitoring and contingency measures will be designed to detect and immediately respond to potential problems and unanticipated effects. Effects monitoring will involve activities designed to determine and verify the anticipated effects of the undertaking.

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