

ENVIRONMENTAL ASSESSMENT ACT

SECTION 17.15

NOTICE OF APPROVAL TO PROCEED WITH A PART II.3 PROJECT

RE: Environmental Assessment of the Township of North Dundas Waste Management Plan

Proponent: Township of North Dundas

EA File No.: 03-08-02 (18056)

Part II.3 of the Act establishes the requirements, authority, and process for preparing, submitting, and deciding an application for approval to proceed with a Part II.3 project under the Act. Part IV of O. Reg. 50/24 under the Act designates certain waste management projects as Part II.3 projects, including the Project.

The proponent having submitted the application for approval to proceed with the Project under Part II of the Act and Part II of the Act having been subsequently revoked, pursuant to section 5 of O. Reg. 53/24 under the Act the application is deemed to have been submitted under Part II.3 of the Act.

An application consists of a proposed terms of reference and environmental assessment. In respect of the Project, the proposed *Terms of Reference, Environmental Assessment of the Township of North Dundas Waste Management Plan* was approved by the minister on July 1, 2020. The proponent submitted its environmental assessment on February 2, 2023, for a decision on the application.

A seven-week comment period followed the submission of the environmental assessment to the ministry, during which time any person could submit comments about the environmental assessment and the Project.

The ministry review of the environmental assessment was completed on June 27, 2023, and notice was provided in accordance with the Act. The ministry review concluded that the environmental assessment was prepared in accordance with the approved terms of reference and the Act and contained sufficient information to assess the potential environmental effects of the Project. There were no outstanding issues related to the environmental assessment. The public, government agencies and Indigenous communities had an opportunity to comment on the environmental assessment, the Project, and the ministry review during the five-week comment period.

The proponent and ministry provided identified Indigenous communities with opportunities for consultation with respect to the terms of reference, the environmental assessment and the ministry review.

All comments submitted during the statutory comment periods have been considered. No requests for a hearing by the Ontario Land Tribunal were submitted and I am not aware of any outstanding issues with respect to the application which suggest that a hearing should otherwise be required.

Having considered the purpose of the Act, the approved terms of reference, the environmental assessment, the ministry review of the environmental assessment and submissions received, I am giving approval to proceed with the Project, subject to the conditions set out below.

REASONS FOR DECISION

My reasons for giving approval are:

- (1) The proponent has complied with the requirements of the Act.
- (2) The environmental assessment has been prepared in accordance with the approved terms of reference.
- (3) Taking into consideration the proponent's environmental assessment and the ministry review, the proponent's conclusion that the advantages of the Project outweigh its disadvantages appears to be valid. The Project would address the identified problem and would have the least potential for adverse effects on the natural environment as well as having the lowest capital cost for implementation.
- (4) No other more beneficial alternative method of implementing the Project was identified.
- (5) The proponent has demonstrated that the environmental effects of the Project can be appropriately avoided, managed and mitigated.
- (6) Taken together, the proponent's environmental assessment, the ministry review and the conditions of approval, approval of the Project would be consistent with the purpose of the Act.
- (7) There are no outstanding concerns raised by government agencies, the public or Indigenous communities.

CONDITIONS OF APPROVAL

Approval is given subject to the following conditions:

1. Definitions

1.1 For the purposes of these conditions:

"**Act**" means the *Environmental Assessment Act*

"**Director**" means the Director of the Environmental Assessment Branch.

"**EAB**" means the Environmental Assessment Branch of the Ministry of the Environment, Conservation and Parks.

“environmental assessment” means the *Environmental Assessment of the Township of North Dundas Waste Management Plan*.

“ministry” means the Ministry of the Environment, Conservation and Parks.

“program” means the environmental assessment compliance monitoring program.

“proponent” means the Township of North Dundas.

“construction” means physical construction activities, including site preparation works, but does not include the tendering of contracts.

“Date of Approval” means the date on which the Order in Council pertaining to the approval of the Project was signed by the Lieutenant Governor in council.

“Project” means the expansion of the Boyne Road Landfill as set out in the environmental assessment.

2. General Requirements

- 2.1 The proponent shall implement the Project in accordance with the environmental assessment which is hereby incorporated into this Notice of Approval by reference, except as provided in the conditions of this Notice of Approval and as provided in any other approval or permit that may be issued for the Project.
- 2.2 The proponent shall fulfill any commitments made during the environmental assessment process.
- 2.3 Should the proponent wish to make changes to any document required by these conditions after the document has been accepted or approved by the ministry, the proponent shall obtain written approval for the proposed change from the ministry decision-maker in the condition requiring the document.
- 2.4 For any document required by these conditions to be prepared, submitted and/or posted publicly by the proponent, the Director may provide written notice to the proponent they need no longer prepare, submit and/or post the document.
- 2.5 For any program or plan required by these conditions to be developed or implemented, the Director may provide written notice to the proponent that the program or plan no longer need be developed or implemented.
- 2.6 The Director may change a deadline provided for in a condition in this notice of approval where the Director determines it is appropriate to do so and it is consistent with the purpose of the Act. Any such change must be made in writing by the Director.
- 2.7 More restrictive conditions may be imposed under other statutes.

3. Public Record

- 3.1 Where a document is required for the public record, the proponent shall post the document on the proponent's website and shall provide a hardcopy and electronic copy to the Director.
- 3.2 The environmental assessment file number 03-08-02 (18056) shall be quoted on all documents in any form submitted to the ministry pursuant to this Notice of Approval.
- 3.3 The proponent shall clearly identify on each document the condition of approval pursuant to which the document is being submitted.

4. Compliance Monitoring Program

- 4.1 The proponent shall prepare and submit to the Director for approval and for the public record a program.
- 4.2 The program shall be submitted to the Director within one year from the Date of Approval.
- 4.3 The program shall include a description of how the proponent will:
 - a. ensure the Project is implemented in accordance with the environmental assessment, including mitigation measures, public consultation, and additional studies and work to be carried out;
 - b. monitor compliance with the conditions in this Notice of Approval; and
 - c. ensure all commitments made in the environmental assessment, including with respect to mitigation measures, public consultation, and additional studies and work to be carried out are fulfilled.
- 4.4 The program shall include an implementation schedule for planned monitoring activities.
- 4.5 The Director may require the proponent to amend the program at any time and shall provide notice of the required amendment and deadline for completion in writing to the proponent.
- 4.6 The proponent shall submit the amended program to the Director by the deadline specified in the notice.
- 4.7 The proponent shall implement the program, including any amendments to it.

5. Compliance Reporting

- 5.1 The proponent shall prepare an annual compliance report outlining the results of the program (Condition 4).
- 5.2 The first compliance report shall be submitted to the Director for review and for the public record one year following the Date of Approval. Each subsequent annual compliance report shall be submitted to the ministry for review and for the public record

on the date that is the anniversary of the Date of Approval thereafter. Each report shall cover the period since the last report.

- 5.3 Compliance reports are no longer required to be submitted following the earlier of: (i) all conditions in this Notice of Approval being satisfied, or (ii) the Director giving notice pursuant to Condition 2.3.
- 5.4 The proponent shall notify the Director in writing when the final annual compliance report is being submitted. The ministry will confirm that the requirements in Conditions 5.1-5.3 have been met and the Director will provide written confirmation to the proponent.
- 5.5 The proponent shall retain, either in the proponent's office or in another location approved by the Director, copies of each annual compliance report and any associated documentation of compliance monitoring activities. The proponent shall post the annual compliance report for each reporting year on its website.
- 5.6 The proponent shall make the compliance reports and associated documentation available to the Director or designate in a timely manner when requested to do so by the ministry.

6. Complaint Protocol

- 6.1 The proponent shall prepare and implement a complaint protocol for addressing inquiries and complaints related to the Project. The complaint protocol shall include a procedure for notifying the manager of the ministry's Ottawa District Office of any complaints received by the proponent.
- 6.2 The proponent shall submit the complaint protocol to the Director for approval and for the public record at least 90 days before the start of construction.
- 6.3 The Director may require the proponent to amend the complaint protocol at any time and shall provide notice of the required amendment and deadline for completion in writing to the proponent. The proponent shall submit an amended complaint protocol to the Director by the deadline specified in the notice.
- 6.4 The proponent shall implement the complaint protocol and any amendments to it.
- 6.5 The proponent shall include a summary of the complaints received and how they were addressed in each of the annual compliance reports required by Condition 5.

7. Duration of Approval

- 7.1 If the Project has not been substantially commenced within 10 years of the Date of Approval or by the end of any extension to that period granted by the ministry in writing, this approval expires.

Dated the 7th day of March 2024 at TORONTO.



Minister of the Environment, Conservation and Parks
777 Bay Street, 5th Floor
Toronto ON M7A 2J3

Approved by O.C. No. 446/2024

Date O.C. Approved 21 Mar 2024