

Ministry of the Environment,
Conservation and Parks

Ministère de l'Environnement,
de la Protection de la nature et des
Parcs

Office of the Minister

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357-2019-859

Heather Coleman
Director of Public Works
Township of Springwater
2231 Nursery Road
Minesing, ON L9X 1A8

Dear Ms. Coleman:

The Ministry of the Environment, Conservation and Parks received five Part II Order requests asking that the Township of Springwater be required to prepare an individual environmental assessment under the Environmental Assessment Act for all of the projects proposed in the Midhurst Water, Wastewater & Transportation Class Environmental Assessment.

I am taking this opportunity to inform you that I have decided that an individual environmental assessment is not required. This decision was made after giving careful consideration to the issues raised in the requests, the project documentation, the provisions of the Municipal Class Environmental Assessment, and other relevant matters required to be considered under subsection 16(4) of the Environmental Assessment Act.

Despite my not requiring an individual environmental assessment be prepared, in reviewing the requests and the project documentation, I have decided to impose the following conditions with respect to the projects in the Master Plan:

1. In consultation with the Ministry's Species at Risk Branch, the Township shall prepare and submit to the Director of the Species at Risk Branch for approval, a plan that sets out the field inventory, assessment, or other activities to be carried out by the Township to identify any species listed on the Species at Risk in Ontario List as an extirpated, endangered or threatened species and their habitat that may be adversely affected by work related to one or more of the undertakings in the Master Plan.

The plan shall contain work schedules, including but not limited to the timing and staging of:

- i. the activities required to be included in the plan; and
- ii. construction of the undertakings.

The plan may provide for (i) and (ii) to be carried out in stages.

2. The Director of the Ministry's Species at Risk Branch may require revisions to the plan required by condition 1 and the Township shall make the revisions required to ensure compliance with the *Endangered Species Act, 2007*. The Township shall implement the plan approved by the Director, including any changes to the plan. The plan shall be approved by the Director and shall be implemented by the Township prior to any work covered by the plan or any construction activities for any of the undertakings being carried out.
3. The Township shall update and provide to the Director of the Species at Risk Branch of the Ministry for review and advice Figure 1 from the Technical Memorandum dated February 7, 2017, titled "Hine's Emerald Dragonfly Habitat in the Minesing Wetlands and the Midhurst Development" including:
 - i. all element occurrences of the Hine's Emerald Dragonfly within the Natural Heritage Information Centre database.
 - ii. delineation of all habitat areas of the Hine's Emerald Dragonfly within or adjacent to the development areas in Figure 1 in accordance with subsection 27.3 (2) of O. Reg. 242/08 made under the *Endangered Species Act, 2007*.
 - iii. any new element occurrences of Hine's Emerald Dragonfly or other species at risk are identified within or adjacent to the study area, prior to or during construction of an undertaking; the Township shall notify the Ministry and delineate the habitat area, as appropriate.
 - iv. the requirement to update references and analysis, including an analysis of any adverse effects on the Hine's Emerald Dragonfly and its habitat resulting from any hydrogeological and surface water work undertaken in respect of the Minesing Wetland Complex after February 7, 2017, including any work undertaken to support an application for a permit to be issued under section 34.1 of the *Ontario Water Resources Act*.
4. Prior to completing any detailed designs for the proposed undertakings, the Township shall inform and consult with any landowners that have the potential to be impacted by source protection policies in the future, as set out below:
 - i. The Township shall provide potentially impacted landowners with information on policies for dense non-aqueous phase liquids, and the potential need for Risk Management Plans if there are quantities above those that are considered incidental.
 - ii. The Township shall provide information to the affected landowners to explain the purpose of the Risk Management Plan (i.e. to ensure the source of drinking water for the new system is protected once the wells come online).
5. The Township shall prepare an Odour Mitigation Plan for the design and operation of the proposed wastewater facilities.
 - i. The Township shall submit the Odour Mitigation Plan to the Ministry as part of the Environmental Compliance Approval application.

6. The Township shall:

- i. make the approved plan required by condition 1 publicly available on its website prior to any work covered by the plan or any construction activities for any of the undertakings being carried out.
- ii. make the plan required by condition 5 publicly available on its website within 5 days of submitting the plan with the Environmental Compliance Approval application.

The plans shall remain available on the website until such time as the Ministry agrees in writing that the plans may be removed.

7. The Township will submit a written report to the Director, Environmental Assessment and Permissions Branch, on how it has fulfilled conditions 1 to 6, prior to the commencement of construction.

8. For the purposes of these conditions, "construction" includes physical construction activities, including site preparation works, but does not include the tendering of contracts.

In the interest of transparency, I encourage you to make this letter available to the public on the Township's website.

With this decision having been made, the Township can now proceed with the projects in the master plan, subject to the conditions I have imposed and any permits or approvals that are required. The Township must ensure the projects in the Master Plan are implemented in the manner they were developed and designed, as set out in the Master Plan documentation, and inclusive of all mitigating measures, commitments and environmental and other provisions therein. If a significant change is required to any of the projects in the Master Plan, the Township shall consult with the Ministry to determine if an addendum to the Master Plan is required.

Lastly, I would like to ensure that the Township understands that failure to comply with the Act, the provisions of the Municipal Class Environmental Assessment, and failure to implement the projects in the Master Plan in the manner described in the Master Plan documents, are contraventions of the Act and may result in prosecution under section 38 of the Act.

I am confident that the Township recognizes the importance and value of the Act and will ensure that its requirements and those of the Municipal Class Environmental Assessment are satisfied.

Sincerely,



Jeff Yurek
Minister of the Environment, Conservation and Parks

Ms. Coleman, Director of Public Works
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c: Requesters

Lydia Bojeczko, MPP Liaison & Strategic Communications Advisor, Ministry of
the Environment Conservation and Parks

EA File No. 18077 – Midhurst Water, Wastewater, & Transportation Class
Environmental Assessment