

TO:	CHAIR AND MEMBERS WASTE MANAGEMENT WORKING GROUP MEETING ON JANUARY 18, 2018
FROM:	JAY STANFORD, M.A., M.P.A. DIRECTOR - ENVIRONMENT, FLEET & SOLID WASTE
SUBJECT:	UPDATE REPORT #9: TERMS OF REFERENCE OUTLINE AND NEXT STEPS

RECOMMENDATION

That, on the recommendation of the Director - Environment, Fleet and Solid Waste, this report **BE RECEIVED** for information.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

Relevant reports that can be found at www.london.ca under City Hall (Meetings) include:

- Appointment of Consulting Engineer for Various Technical Studies as part of the Environmental Assessment Process for the Proposed Expansion of the W12A Landfill Site (July 17, 2017 meeting of the Civic Works Committee (CWC), Item #6)
- Update and Next Steps – Resource Recovery Strategy and Residual Waste Disposal Strategy as part of the Environmental Assessment Process (February 7, 2017 meeting of the CWC, Item #10)
- Individual Environmental Assessment Long Term Solid Waste Resource Recovery & Disposal Plans (October 6, 2015 meeting of the CWC, Item #14)

Relevant reports that can be found at www.london.ca under City Hall (Meetings – Advisory and other Committees) include:

- General Framework for the Community Engagement Program for the Resource Recovery and Residual Waste Disposal Strategies as part of the Environmental Assessment Process (January 19, 2017 meeting of the Waste Management Working Group (WMWG), Item #7)

COUNCIL’S 2015-2019 STRATEGIC PLAN

Municipal Council has recognized the importance of solid waste management in its 2015-2019 - Strategic Plan for the City of London ([2015 – 2019 Strategic Plan](#)) as follows:

Building a Sustainable City

- Strong and healthy environment
- Robust infrastructure

Growing our Economy

- Local, regional, and global innovation
- Strategic, collaborative partnerships

Leading in Public Service

- Proactive financial management
- Innovative & supportive organizational practices
- Collaborative, engaged leadership
- Excellent service delivery

BACKGROUND

PURPOSE:

This report provides the WMWG with an overview of what the Draft Proposed Terms of Reference (ToR) will include and the next steps in finalizing the report for submission to the Ministry of the Environment and Climate Change (MOECC).

CONTEXT:

An Environmental Assessment under the EA Act 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 natural, social, cultural and economic aspects of the environment.

The first phase of the Individual EA process, used for large-scale projects like landfill sites, is the development and approval of a ToR by the Minister. The ToR becomes the framework or work plan for the preparation and review of the individual EA. The ToR allows the proponent to produce an environmental assessment that is more direct and easier to be reviewed by interested persons.

Two public open houses were hosted by the City as part of the consultation process for the development of the ToR.

The second phase of the individual EA process is completion and approval of an EA. The proponent completes the EA in accordance with the approved ToR. The proponent then submits the completed EA to the Minister for approval. Neither an approved ToR nor an EA prepared in accordance with an approved ToR guarantees that the Minister will approve an application to proceed with a proposed undertaking. The quality, integrity and transparency of the work in both phases of the EA is an essential part of the approval process and must be demonstrated throughout.

<p>DISCUSSION</p>

Overview of ToR

The ToR submission to the MOECC will consist of two volumes: Volume 1 - Terms of Reference and its appendices; and Volume 2 – Supporting Documents for the development of the ToR.

Volume 1 will be organized into the following sections and appendices:

- Executive Summary
- Section 1.0 will provide an introduction to this ToR, identifies the proponent (City of London), presents the purpose of the undertaking and describes the existing site;
- Section 2.0 will describe the EA process, presents the purpose and organization of the ToR, includes the submission statement (i.e., how this ToR is being submitted for approval), provides justification for focusing the EA, and discusses flexibility in accommodating new information received in the EA phase;
- Section 3.0 will provide the rationale and description of the undertaking;
- Section 4.0 will present an assessment of the ‘Alternatives To’ the undertaking;
- Section 5.0 will provide a description of and the rationale for the ‘Alternative Methods’ of carrying out the undertaking;
- Section 6.0 will provide an overview of the existing environmental conditions;
- Section 7.0 will provide an overview of the proposed methods for conducting the EA, including the comparative evaluation of alternatives, as well as the definition of study areas;
- Section 8.0 will present the consultation plan for developing the ToR and preparing the EA;
- Section 9.0 will provide an overview of other regulatory approvals required for the undertaking to proceed;
- Section 10.0 will present the proposed schedule for preparing the EA;
- Section 11.0 will provide statements of commitments and monitoring strategies by the City of London to be completed during the EA; and,
- Section 12.0 will list the documents referenced in the ToR.

The Appendices will document the record of the consultation process for the development of the ToR. This includes a summary of events, stakeholder feedback received, and how stakeholder feedback was incorporated into the development of the ToR or a rationale for why it was not considered appropriate for inclusion. Volume 2 contains supporting documents that are referred to throughout the ToR.

A draft Table of Contents is presented in Appendix A.

Next Steps

The next steps and tentative timetable for approval of the ToR is presented below.

Table 1 Tentative Timetable for ToR Approval

Date	Step
February 15, 2018	<ul style="list-style-type: none">Review of Draft Proposed ToR by WMWG
March 19, 2018	<ul style="list-style-type: none">CWC to receive Draft Proposed ToR and approve for stakeholder circulation
March 27, 2018 to early May	<ul style="list-style-type: none">Circulate Draft Proposed ToR to Government Review TeamNotify interested stakeholders; place Draft Proposed ToR on-line and in libraries, City Hall for review
Late May, 2018	<ul style="list-style-type: none">Review of Proposed ToR by WMWG
June 19, 2018	<ul style="list-style-type: none">CWC to hold public participation meeting for Proposed ToRCWC to consider recommending approval for submission to MOECC
Late June/Early July	<ul style="list-style-type: none">Formal submission of Proposed ToR to MOECC (includes notice to all stakeholders)
July to late 2018/ early 2019	<ul style="list-style-type: none">MOECC provides 30 day review period for stakeholders to provide comments to the MOECCMOECC evaluates Proposed ToR submission and makes recommendation to the MinisterMinister makes Decision to Approve or Reject

ACKNOWLEDGEMENTS

This report was prepared with assistance from Mike Losee, Division Manager, Solid Waste Management and Jane Kittmer, Solid Waste Planning Coordinator.

PREPARED BY:	
WESLEY ABBOTT, P. ENG. PROJECT MANAGER SOLID WASTE MANAGEMENT	
PREPARED AND RECOMMENDED BY:	CONCURRED BY:
JAY STANFORD, M.A., M.P.A. DIRECTOR, ENVIRONMENT, FLEET & SOLID WASTE	KELLY SCHERR, P.ENG., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL & ENGINEERING SERVICES & CITY ENGINEER

Appendix A
Terms of Reference: Draft Table of Contents

Executive Summary

1.0 Introduction

1.1 Identification of the Proponent.....

1.2 Purpose of the Undertaking.....

1.3 Site Description

1.3.1 Site Development.....

1.3.2 Landfill Components

1.3.3 Current Landfill Performance

2.0 The EA Process

2.1 Ontario EA Act.....

2.2 Canadian EA Act.....

2.3 Purpose and Organization of the ToR

2.4 ToR Submission Statement.....

2.5 Justification for Submitting a Focused EA

2.6 Flexibility of the ToR.....

3.0 Rationale and Description of the Undertaking.....

3.1 Overview of the Rationale

3.2 Guiding Principles

3.3 Problem and Opportunity Assessment.....

3.3.1 Current City of London Strategy.....

3.3.2 Service Area

3.3.3 Diversion Programs and Facilities.....

3.3.4 Disposal Facilities

3.4 Need for the Proposed Undertaking.....

3.5 Description of the Proposed Undertaking.....

4.0 Assessment of ‘Alternatives To’ to the Project

4.1 Assessment of ‘Alternatives To’ Prior to this EA.....

4.2 Updated Assessment of ‘Alternatives To’

4.3 Discussion

5.0 Description and Rationale for ‘Alternative Methods’

6.0 Description of Existing Environmental Conditions

6.1 Atmosphere.....

6.2 Geology and Hydrogeology

6.3 Surface Water

6.4 Biology

6.5 Land Use.....

6.6 Agriculture

6.7 Archaeology

- 6.8 Cultural Heritage
- 6.9 Socio-economic.....
- 6.10 Visual
- 6.11 Transportation
- 6.12 Design and Operations.....
- 7.0 EA Methodology**
 - 7.1 EA Approach
 - 7.2 Study Areas.....
 - 7.3 Environmental Components
 - 7.4 Time Frame
 - 7.5 EA Scope of Work.....
 - 7.5.1 Step 1 - Identify ‘Alternative Methods’ of Landfill Expansion.....
 - 7.5.2 Step 2 – Characterize Existing Environmental Conditions
 - 7.5.3 Step 3 – Qualitative Evaluation of ‘Alternative Methods’
 - 7.5.4 Step 4 - Compare the ‘Alternative Methods’ of Landfill Expansion and Identify the Preferred Alternative.....
 - 7.5.5 Step 5 - Refine the Mitigation Measures and Determine the Net Effects of the Preferred Alternative
 - 7.5.6 Step 6 – Describe the Preferred ‘Alternative Method’
 - 7.5.7 Step 7 – Consideration of Climate Change
 - 7.6 Work Plans for the EA
- 8.0 Consultation**
- 9.0 Other Regulatory Approvals.....**
 - 9.1 Environmental Protection Act
 - 9.2 Ontario Water Resources Act.....
 - 9.3 Planning Act
 - 9.4 Conservation Authority Approvals
 - 9.5 Federal Approvals
- 10.0 EA Schedule**
- 11.0 Commitments and Monitoring Strategy**
 - 11.1 Commitments
 - 11.2 Compliance and Effects Monitoring.....
- 12.0 References**