

TO:	CHAIR AND MEMBERS WASTE MANAGEMENT WORKING GROUP MEETING ON JULY 13, 2018
FROM:	JAY STANFORD, M.A., M.P.A. DIRECTOR - ENVIRONMENT, FLEET & SOLID WASTE
SUBJECT:	UPDATE REPORT #10: DRAFT PROPOSED TERMS OF REFERENCE

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

- Draft Proposed Terms of Reference – Environmental Assessment of the Proposed W12A Landfill Expansion Site (April 17, 2018 meeting of the Civic Works Committee (CWC), Item #3.3)
- 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 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)

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

- Preliminary Proposed Draft Terms of Reference (March 8, 2018 meeting of the Waste Management Working Group (WMWG), Item #2.1)
- Terms of Reference Outline and Next Steps (January 18, 2018 meeting of the WMWG, Item #9)
- 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 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 Waste Management Working Group (WMWG) with an update on status of the Proposed Draft Terms of Reference. This report notes that there has been a delay in receiving comments from several government review agencies.

CONTEXT:

An Environmental Assessment (EA) 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 to 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 Terms of Reference (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 EA that is more direct and easier to be reviewed by interested persons.

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.

DISCUSSION

ToR Development Process

The development process for the ToR summarized in Table 1. It is noted that the ToR has a different title depending how far along it is in the approval process.

Table 1 - ToR Development and Tentative Schedule

Development Step		Tentative Schedule
Initial Community Engagement	Seek feedback from the Government Review Team (GRT), public, Indigenous communities and other stakeholders.	Completed January 2018
Preliminary Draft Proposed ToR	An early draft of the Draft Proposed ToR. The MOECC does a preliminary screening of the Preliminary Draft Proposed ToR to ensure all documentation requirements have been met. Preliminary Draft Proposed ToR is revised to address comments.	Completed March 2018
Draft Proposed ToR	The Draft Proposed ToR is submitted to the GRT, public, Indigenous communities and other stakeholders for review and comment. Draft Proposed ToR is revised to address comments.	In Progress (see details on next page)
Proposed ToR	Public participation meeting and Council approval of Proposed ToR. Formal submission of Proposed ToR to the MOECC for approval. The MOECC may ask for revisions to the Proposed ToR to address concerns prior to MOECC staff submitting the Proposed ToR to the Minister for approval.	Late Summer to Fall 2018
(Final) ToR	ToR as approved by the Minister of Environment, Conservation and Parks (formerly Minister of Environment and Climate Change). EA must be carried out according to the ToR.	Early 2019 to Spring 2019

Draft Proposed ToR

The Draft Proposed ToR was submitted to the GRT (18 ministries and agencies), Indigenous communities (8 communities), public and other stakeholders (5 groups) for review and comment for a 45 day review period (April 26, 2018 to June 8, 2018). Comments from some GRT members were not received until June 20, 2018 as they requested more time to finalize their comments.

The City received comments from five members of the GRT and one member of the public. It was expected that most organizations would not have comments given the previous opportunities to provide feedback. Key comments received asked for refinements to the Draft Proposed ToR including providing:

- more details or clarification on what would be included in some of the technical studies;
- more explanation and justification on how the W12A Landfill Area Study was used to determine that expansion of the W12A Landfill was the preferred alternative for the disposal of waste;
- additional details and justification on the proposed expansion of the landfill's service area; and,
- more details on the calculation of residual waste quantities used in estimating the required capacity for an expanded landfill.

It is expected that the Proposed ToR will be able to be finalized and presented to the WMWG in mid-August. The Proposed ToR would then go to a Public Participation meeting on September 25, 2018 Civic Works Committee meeting and approved for submission to the Ministry of Environment, Conservation and Parks (formerly Ministry of the Environment and Climate Change) at the October 2 Council meeting.

It is worth noting that City staff do not anticipate that these delays have any major consequence to having the landfill expansion approved and constructed prior to the current approved capacity being consumed. These initial delays may add three to six months to the overall EA process meaning a revised completion date in 2021.

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