

Highway 400 Improvements from 1 km South of Highway
89 to the Junction of Highway 11

Appendix B - Environmental Assessment Conditions of Approval Letter

Ministry
of the
Environment

Office of the Minister

135 St. Clair Ave. West
12th Floor
Toronto ON M4V 1P5
Tel (416) 314-6790
Fax (416) 314-6748

Ministère
de
l'Environnement

Bureau du ministre

135, avenue St. Clair ouest
12^e étage
Toronto ON M4V 1P5
Té1 (416) 314-6790
Télé1 (416) 314-6748



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JUL 27 2006

The Honourable Donna Cansfield
Minister of Transportation
77 Wellesley Street West
Ferguson Block, 3rd Floor
Toronto ON M7A 1Z8

Dear Minister Cansfield:

Between May 26, 2004 and July 19, 2004, the former Minister of the Environment received requests that the Ministry of Transportation (MTO) be required to prepare an individual environmental assessment for the proposed improvements to Highway 400 from Highway 89 to Highway 11 (Project), located in the County of Simcoe.

I am taking this opportunity to inform you that, based on a review of the Project documentation, the provisions of the *Class Environmental Assessment for Provincial Transportation Facilities* (Class EA), the issues raised in the requests, and other relevant matters required to be considered under subsection 16(4) of the *Environmental Assessment Act*, a decision has been made that an individual environmental assessment is not required, subject to the conditions described below.

The reasons for this decision may be found in the attached letter to the requesters.

MTO is responsible for ensuring that environmental impacts of projects of this type are prevented or mitigated. I am aware and appreciative of the measures that MTO has developed to manage the potential impacts of this Project. There remain outstanding concerns with respect to the management of stormwater. In light of this and to ensure that the environment is fully protected, I am imposing the following conditions on the Project:



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1. **During the Project's detail design stage and prior to the commencement of construction, MTO shall pre-consult with the Ministry of the Environment's Southwestern Region Office prior to completion of the stormwater management plan(s), in order to identify issues of concern and to establish a procedural and analytic framework for completion of the stormwater management plan(s).**
2. **The final stormwater management plan(s) shall be submitted to the Air, Pesticides, and Environmental Planning (APEP) Supervisor of the Ministry of the Environment's Southwestern Region Office, with a cover letter referencing the name of the Project and indicating the plan is being submitted in accordance with this condition.**
3. **Upon completion of the above conditions, MTO shall submit a written statement to the Director, Environmental Assessment and Approvals Branch, Ministry of the Environment, indicating when and describing how the above conditions have been fulfilled.**

With this decision having been made, MTO may now proceed with the Project, subject to the conditions of my decision and any other permits or approvals required. MTO must implement the Project in the manner it was developed and designed, as set out in the Transportation Environmental Study Report (TESR) and inclusive of all mitigating measures and environmental and other provisions therein.

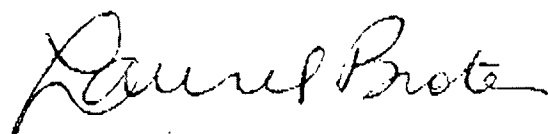
It is understood that, subsequent to the issuance of the TESR for public and agency review, MTO made a number of commitments with respect to protective measures to address environmental impacts, and specifically in regard to concerns raised in the bump-up requests. It is my expectation that any commitments made to affected agencies or members of the public will be fulfilled and implemented as part of the proposed Project.

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Lastly, I would like to ensure that MTO understands that failure to comply with the *Environmental Assessment Act*, the provisions of the Class EA, and the conditions I have imposed, and failure to implement the Project in the manner described in the TESR, are contraventions of the *Environmental Assessment Act* and may result in prosecution under section 38 of the Act. I am confident that MTO recognizes the importance and value of the *Environmental Assessment Act* and will ensure that its requirements and those of the Class EA are satisfied.

Yours truly,



Laurel C. Broten
Minister of the Environment

c: Mr. Joe Tascona, MPP, Barrie-Simcoe-Bradford
Mr. Kevin Boudreau, Senior Project Engineer, Ministry of Transportation
Ms. Jennifer Graham-Harkness, Planning and Design, Ministry of Transportation
Requesters
EA File No. EA03-13-03 MTO Highway 400 Improvements