



Office of the Commissioner
Environmental Services

Memorandum

To: Members of Regional Council
From: Erin Mahoney, Commissioner, Environmental Services
Date: March 29, 2018
Re: **York Durham Sewage System Modifications Status Update**

This memorandum provides a status update to Regional Council regarding the York Durham Sewage System Modifications, a significant component of the Upper York Sewage Solutions project.

The Upper York Sewage Solutions project, as submitted to the Minister of the Environment and Climate Change for approval, proposed the following three components:

- A new 40 megalitre-per-day water reclamation centre to produce clean treated water for discharge to the East Holland River and reclaimed water for re-use applications.
- A project-specific total phosphorus offsetting program.
- Modifications to the existing York Durham Sewage System with twinning of the sewage forcemain through the Town of Newmarket.

On March 7, 2018, the Minister of Natural Resources and Forestry issued a declaration order to exempt modifications to the York Durham Sewage System component under the *Environmental Assessment Act* to effectively enable the Region to proceed and implement the twinning of the forcemains and alterations to the Newmarket and Bogart Creek Sewage Pumping Stations. Modifications to the York Durham Sewage System include:

- A new 5.2 kilometre forcemain from the existing Newmarket Sewage Pumping Station to the existing gravity sewer that discharges to the Aurora Sewage Pumping Station (see Attachment 1).

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- A new 0.5 kilometre forcemain from the existing Bogart Creek Sewage Pumping Station to the new Newmarket forcemain (see Attachment 1).

Alterations to the Newmarket and Bogart Creek Sewage Pumping Stations will occur to facilitate connection of the new forcemains.

At its January 2018 session, Regional Council received a status update on approval of the Upper York Sewage Solutions Individual Environmental Assessment:

- York Region completed the Upper York Sewage Solutions Individual Environmental Assessment and submitted the final report to the Ministry of the Environment and Climate Change for approval in July 2014.
- The Region has fulfilled its obligations through the Upper York Sewage Solutions Individual Environmental Assessment under the *Environmental Assessment Act*, including consultation with Indigenous peoples.
- The project team is continuing to advance work on the project including detailed design and property acquisition.
- The Ministry of the Environment and Climate Change's outstanding issues with regard to the provincial Duty to Consult with the Chippewas of Georgina Island First Nation has delayed approval of the Individual Environmental Assessment.
- Continued delay has put the Region in jeopardy of fulfilling its mandate under the *Provincial Growth Plan*, and creates additional financial burdens to the Region and potential risks to public health and the environment.

Given the potential risks to public health and the natural environment due to either forcemain breaks or high-flow conditions, the Region requested that the Ministry separate the York Durham Sewage System Modifications component from the other two components of the Upper York Sewage Solutions Individual Environmental Assessment and exempt it from the *Environmental Assessment Act* to allow the Region to proceed with implementing this work.

Council also posed two resolutions in the January 2018 session requesting:

“the Regional Municipality of York and the Ministry of the Environment and Climate Change jointly develop and implement a Specific Emergency Response Plan to prevent risks to public health and the environment in the Towns of Newmarket, Aurora and East Gwillimbury in the event of a sanitary sewage spill into the environment due to any failure of the York Durham Sewage System forcemain in the Town of Newmarket until such time as the forcemain has been twinned and has been commissioned.” and

“That any costs incurred due to preparation of the Plan and such an event, be recovered from the Province of Ontario.”

In response to Council's resolution, staff reviewed the existing emergency response procedures as they pertain to concerns around public health and environmental impact in the Towns of Newmarket, Aurora and East Gwillimbury and confirmed that protocols to address emergency situations, such as spills and sewer main breaks, are present within the existing emergency response procedures for Environmental Services wastewater operations. Updates were implemented to these emergency response procedures to reflect the specific requirements for the York Durham Sewage System force mains in the Town of Newmarket. The Region is awaiting the Ministry's response to these resolutions.

Construction of the York Durham Sewage System Modifications project is now scheduled to start in 2019. The project status of the York Durham Sewage System Modifications is:

- Detailed design is complete and the tender documents are being prepared.
- The declaration order allows the Region to complete pre-consultation with the Ministry and other relevant agencies to finalize permits and approvals application packages for submission.
- Utility coordination is underway.
- A total of 26 properties from 12 individual property owners are required for the project, including the Town of Newmarket, Lake Simcoe Region Conservation Authority, Hydro One, Metrolinx and eight private owners. The declaration order allows the Region to proceed with property expropriation if required, while staff continue amicable negotiation with all property owners.

The Region has been maintaining a Working Together Committee with the Lake Simcoe Region Conservation Authority and the Town of Newmarket to ensure timely and transparent communication and customer engagement, as well as to deliver various aspects of this project in a collaborative and consistent manner.

The declaration order includes the following summarized terms and conditions:

1. The Region will publically post document(s) or report(s) required by the declaration order on York Region's website.
2. The Region will prepare and implement a Compliance Monitoring Program and submit an annual report to the Ministry.
3. The Region will prepare and implement a Complaints Protocol to address and respond to complaints regarding the project.
4. If human remains, artifacts or other physical evidence of past human use or activity is discovered during construction, the Region will stop all work in the vicinity immediately and notify appropriate parties.

The above terms and conditions are typical for approvals of undertakings by the Ministry. The York Durham Sewage System Modifications project team continues to coordinate with Ministry of the Environment and Climate Change staff to fulfill the Region's obligations.

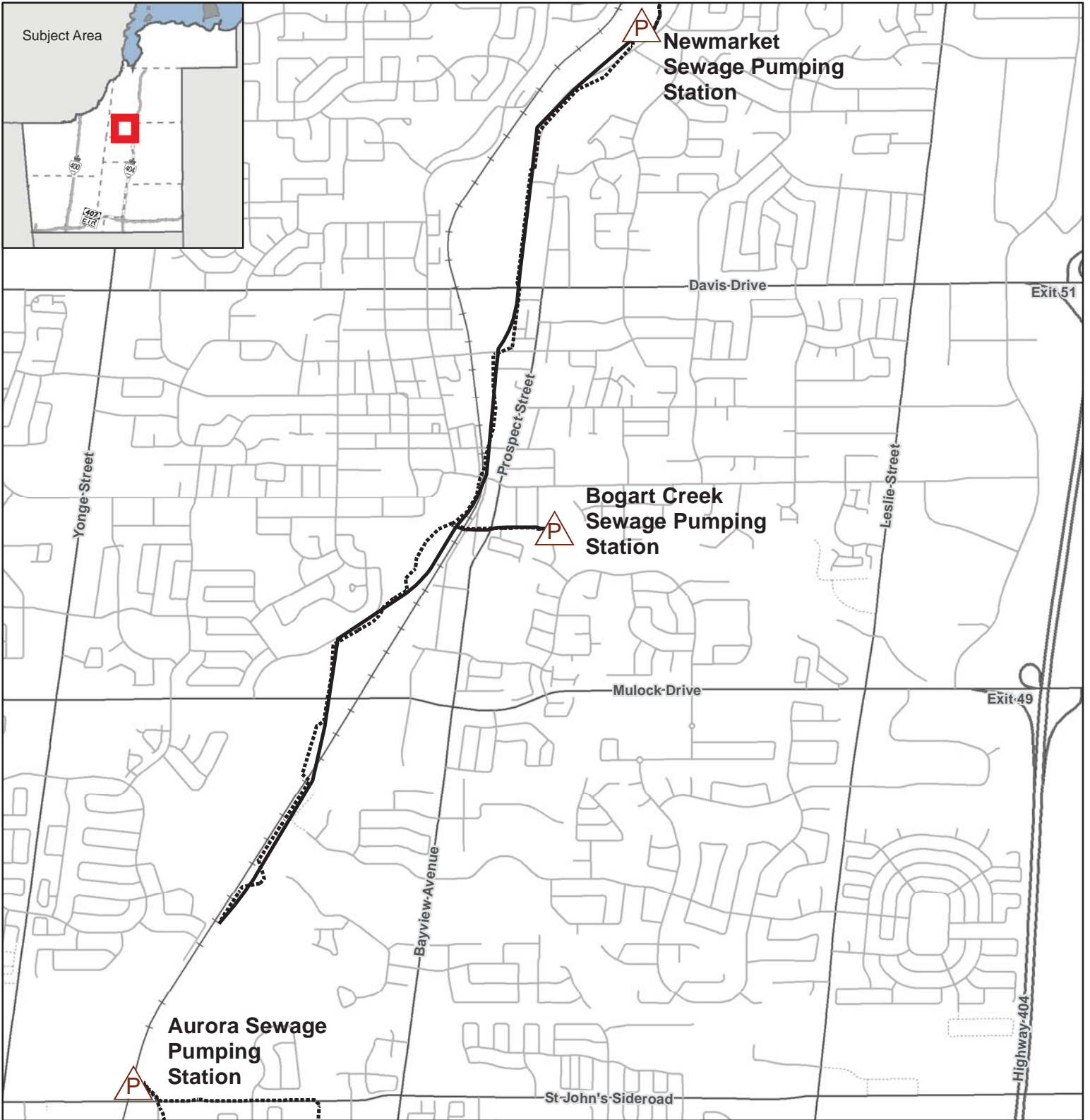
Additionally, the Ministry of the Environment and Climate Change continues to consult with the Chippewas of Georgina Island First Nation on the Water Reclamation Centre and phosphorus offset program proposed in the Upper York Sewage Solutions Individual Environmental Assessment as it relates to their Duty to Consult process.

Erin Mahoney
Commissioner of Environmental Services

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Attachment

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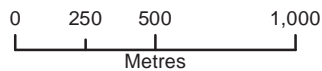


LOCATION PLAN
York Durham Sewage System

York Durham Sewage System Modifications Status Update
 March 29, 2018



Produced by:
 The Regional Municipality of York
 Capital Planning and Delivery,
 Environmental Services Department
 March 2018



Legend

- Existing Sewage Forcemain
- Proposed Forcemain
- △ P Existing Pumping Station