

# Attachment 12: TRCA Submission on ERO#019-3802

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Dorothy Moszynski  
MECP - Environmental Assessment Branch  
135 St. Clair Avenue West  
Toronto, Ontario M4V 1P5

**BY EMAIL ONLY**

[dorothy.moszynski@ontario.ca](mailto:dorothy.moszynski@ontario.ca)

**Re: York Region Wastewater Act (ERO #019-3802)**

Thank you for the opportunity to comment on the York Region Wastewater Act posted by the Ministry of the Environment, Conservation and Parks (MECP). We understand MECP is soliciting public comment on proposed legislation, that if passed would put on hold the Environmental Assessment application for the Upper York Sewage Solution. The government intends to establish an Expert Advisory Panel to provide advice on options to address wastewater servicing capacity needs in York Region.

The Toronto and Region Conservation Authority (TRCA) conducts itself in accordance with the objects, powers, roles, and responsibilities set out for conservation authorities (CA) under the *Conservation Authorities Act* and the MNRF Procedural Manual chapter on CA policies and procedures for plan review and permitting activities, as follows:

- A public commenting body under the *Planning Act* and *Environmental Assessment Act*;
- An agency delegated the responsibility to represent the provincial interest on natural hazards under Section 3.1 of the Provincial Policy Statement;
- A regulatory authority under section 28 of the *Conservation Authorities Act*;
- A service provider to municipal partners and other public agencies;
- A Source Protection Authority under the *Clean Water Act*;
- A resource management agency; and
- A major landowner in the Greater Toronto Area.

In these roles, and as stated in the Made in Ontario Environment Plan, conservation authorities work in collaboration with municipalities and stakeholders to protect people and property from flooding and other natural hazards, and to conserve natural resources.

**Government Proposal**

The ERO posting notes that more information from technical and other experts is needed to better understand the significant environmental, technical, social, and financial implications of any wastewater servicing solution for York Region. As a result, the Province is proposing legislation (Bill 306, which has been carried through First Reading), that would put a hold on any decision on the Upper York Sewage Solution Environmental Assessment application and plans to establish an Expert Advisory Panel to provide advice to the government concerning all options to provide additional wastewater capacity to accommodate anticipated future growth in York and Durham Regions.

TRCA understands that if implemented, the proposed legislation would:

- Put a hold on any decision under the *Environmental Assessment Act* in respect of the application for the Upper York Sewage Solutions Undertaking that was submitted for approval by the Regional Municipality of York.
- Put a hold on any actions to advance the Upper York Sewage Solutions Undertaking.
- Allow the Lieutenant Governor in Council (LGIC) to repeal the provision that puts the application on hold.
- Prevent the commencement or continuation of any action or proceeding in respect of the enactment of the Bill.

### **TRCA Comments**

As a watershed-based resource management agency, source protection authority, and in TRCA's commenting and regulatory roles, we assist municipalities and development proponents in facilitating sustainable infrastructure planning, design and construction of municipal sewage works affecting TRCA watersheds and regulated areas. Further, TRCA supports our partner municipalities, including York and Durham regions, in their responsibilities for growth management (development) and water and wastewater servicing, planning and design (infrastructure), based on our multi-disciplinary expertise in watershed planning and water resources management. This work also contributes to meeting provincial policies for preparing for the impacts of a changing climate, for watershed planning to inform infrastructure planning, and through application of the mitigation hierarchy, natural hazard management, and the siting, planning and design of resilient infrastructure.

TRCA notes that MECP proposes to establish an Expert Advisory Panel on options for additional wastewater capacity to accommodate future growth in York and Durham Regions. Based on TRCA's roles and technical expertise in watershed-based science as described above, TRCA would be pleased to discuss how our experts, and scientific networks, existing monitoring programs and data might be leveraged by MECP to provide advice to the Panel, if established, within the context of supporting York and Durham regions interests in TRCA's jurisdiction.

### **TRCA Recommendation**

**That MECP officials meet with conservation authority officials to discuss their potential roles in providing watershed-based science and expertise, within the context and scope of their roles and jurisdiction, to the government's proposed Expert Advisory Panel.**

Thank you once again for the opportunity to provide comments on the proposed York Region Wastewater Act posted by the Ministry of the Environment, Conservation and Parks. Should you have any questions, require clarification on any of the above, or wish to meet to discuss our remarks, please contact the undersigned at 416.667.6290 or at [john.mackenzie@trca.ca](mailto:john.mackenzie@trca.ca).

Sincerely,

<Original Signed by>

John MacKenzie, M.Sc.(PI) MCIP, RPP  
Chief Executive Officer

### **BY E-MAIL**

cc: Rob Baldwin, Chief Administrative Officer, Lake Simcoe Region Conservation Authority  
TRCA: Laurie Nelson, Director, Policy Planning  
Sameer Dhalla, Director, Development and Engineering Services  
Beth Williston, Associate Director, Infrastructure Planning and Permits  
Rehana Rajabali, Associate Director, Engineering Services