

## DMNP EA Disposition Table – Summary of Final Submission Comments

Prepared by AECOM – 06/18/2014

Stakeholder	Date	EA Section	Comment	Response
Provincial, Federal and Municipal Agencies				
Transport Canada	April 14, 2014	N/A	<p>As you may recall, the federal EA process that was ongoing for many years and lead by the CEA Agency was terminated when CEAA 2012 came into effect. Under CEAA 2012 there was no longer a requirement to complete a federal EA for the proposed Don Mouth Naturalization and Port Lands project (hereafter the 'project'). I want to take this opportunity to confirm what you already know which is that a Transport Canada <i>Navigation Protection Act</i> approval (formerly NWPA) is required for certain project components. While this federal approval is required, what you may or may not know, is that a federal environmental review of the project under CEAA 2012 Section 67 is <u>not</u> required because the project does not involve federal lands (as confirmed and exemplified in Figure 3-15 of the provincial EA, which shows property ownership in the Project Study Area).</p> <p>Could you please take me off your mail and email circulation lists since the CEAA 2012 is no longer applicable to the project.</p> <p>Please deal directly with the navigation protection unit when design details are better known about the promontory and other navigable waterway works, and for any questions you may have about the new NPA and application process. They can be contacted at:</p> <p>Navigation Protection Program  <a href="mailto:NWPontario-PENontario@tc.gc.ca">NWPontario-PENontario@tc.gc.ca</a>            1-519-383-1863</p>	As requested, Transport Canada was removed from the project contact list.
Engineering Review, Ministry of the Environment			<p>As part of the Environmental Review Team within EAASIB and EAB, I have been asked to review the Amended Environmental Assessment Report for the Don Mouth Naturalization and Port Lands Flood Protection Project in the City of Toronto and provide comments related specifically to wastewater, including stormwater management, and the requirements of the Environmental Protection Act and the Ontario Water Resources Act related to implementation of the project. The project is to transform the existing mouth of the Don River, including the Keating Channel, into a healthier, more naturalized river outlet to the Toronto Inner Harbour and Lake Ontario, while seeking to remove the risk of flooding on the approximately 290 hectares of urban land located to the east and south of the Don River. The purpose of the review is to provide comments on the amended Environmental Assessment Report, assessing the environmental impacts associated with the proposed waterfront revitalization project.</p> <p>The review was based on the following information:</p> <ol style="list-style-type: none"> <li>1. Don Mouth Naturalization and Port Lands Flood Protection Project Amended Environmental Assessment Report and Appendices, dated March 2014,</li> </ol>	The co-proponents acknowledge that an Environmental Compliance Approval (ECA) under the Environmental Protection Act will address any sewage works approval required under the OWRA. The permitting requirements associated with the ECA will be addressed during detailed design of the proposed undertaking, at which time the co-proponents will confirm with the MOE which components of the design require sewage works approval. This step in the process will take place after the EA has been approved by the Minister of the Environment.

prepared by The Toronto Region Conservation Authority, Waterfront Toronto and the City of Toronto.

**Engineering Comments:**

Based on the documents submitted for review, the following comments are provided:

- Provincial Approvals: Table E-1 (page ES-4) and Table 1-2 (page 1-12) state that Environmental Compliance Approval under the Environmental Protection Act (EPA) and Sewage Works Approval under the OWRA from the MOE is required for the project. Whereas it is true that MOE approval is required for sewage works, as defined in the OWRA, the approval under section 20.2 of Part II.1 of the EPA is the sewage works approval under the OWRA. There is only one MOE approval for sewage works required by legislation and this includes any stormwater management works.
- Sediment Control: It is expected that the proposed sediment trap to be constructed south of the CN Rail Bridge (page ES-19) will require an MOE Environmental Compliance Approval (ECA) for sewage works and possibly waste works. Other water quality control facilities (Table E-5) required during construction of the project will need an MOE ECA.
- Dewatering: It is expected that significant dewatering activities during construction of the works (Table E-5) will require an MOE ECA for sewage works.
- Created Wetlands: It is expected that any wetlands (Table E-6) created/constructed as part of the naturalization work will require an MOE ECA for sewage works.
- Stormwater: Run-off from the development areas surrounding the proposed naturalized Don River will be treated and discharged, as much as possible, away from the naturalized areas, i.e. to the Keating Channel, the Ship Channel and the Inner Harbour (page 6-40). It is expected that the design details for stormwater run-off from these areas will be properly defined and explained in a stormwater management report to accompany a sewage ECA application for any proposed stormwater drainage and management works.
- Operation and Maintenance (page 6-45): All MOE ECAs for sewage works should have Terms and Conditions identified for the proper operation and maintenance of the proposed sewage works as part of the Approval.
- Contaminated Soils (page 6-48): All MOE ECAs for waste should have Terms and Conditions identified for the proper identification, handling and disposal of any contaminated soils from the construction of the project.
- Ontario Water Resources Act (OWRA): "As required, all discharges will comply . . . and Ontario Water Resources Act (OWRA)" (page 6-51 and Appendix G). All reference to the OWRA with regard to MOE approvals and compliance in the Amended Environmental Assessment Report should now refer to the Environmental Protection Act EPA (specifically section 20.2 of Part II.1 of the EPA).
- Monitoring and Reporting (page 8-3): All MOE ECAs for sewage works should have Terms and Conditions identified for the proper monitoring and reporting on the operation and maintenance of the proposed sewage works as part of the

			<p>Approval.</p> <ul style="list-style-type: none"> <li>• Previous MOE Comments (page 10-52 and 10-53): The comments from the MOE (August 2010) are dated. Since then, the Environmental Protection Act (EPA) has been amended and MOE approvals for sewage works are now identified as under section 20.2 of Part II.1 of the EPA. As mentioned above, this change should be noted in the Amended EA, i.e. Discharges must comply with the EPA, if required; and Constructed settlement lagoons will require EPA approval under section 20.2 of Part II.1.</li> </ul> <p><b>General Observations:</b> The Addendum appears to identify and address the environmental impacts and issues related to wastewater for the proposed project. On cannot but applaud the effort of everyone involved in the very worthwhile project. The documentation is complete and easy to understand. Well done!</p>	
<b>EA and Planning Coordinator, Central Region, Ministry of the Environment</b>	April 1, 2014	Pg. 10-55, Table 10-25	<p>We have reviewed the Amended EA report for the above-noted individual environmental assessment project and offer the following comments:</p> <p><b>Groundwater and Surface Water</b></p> <p>We reviewed the draft EA reports and our concern over groundwater was with the possibility of creation of pathways for migration of contaminated groundwater that would operate in the long term, i.e., after construction was completed. The proponent's response to our concern summarizes the approach in Table 10-25 on page 10-55 of the March 2014 Amended EA report that would be taken to examine and mitigate such possible problems. We have no further concerns with this matter at present.</p> <p>The EA reports describe current conditions and anticipate impacts to the surface water features, propose mitigation measures and monitoring for baseline and residual effects, as part of an adaptive management strategy. We have no further comments on this matter at present.</p> <p>Thank you for the opportunity commenting on this project. If you have any questions regarding these comments, please feel free to contact me at 426-326-4886 or via email: Chunmei.Liu@ontario.ca.</p>	Comments acknowledged.
<b>Senior Noise Review Engineer, Ministry of the Environment</b>	April 16, 2014	Appendix P	<p>This office was invited to comment on the noise aspects on the Don Mouth Naturalization and Port Lands Flood Protection Project Amended Environmental Assessment ("the EA"), March 2014.</p> <p>It is noted that the only portion of the EA which details noise impacts during the operational phase of the Project, the Preliminary Noise Assessment Technical Memorandum (Appendix P of this EA), was dated February 4, 2011, and has already been commented upon by this office in February 2011.</p> <p>The noise references in the rest of the EA which may reflect updated planning deal with construction noise, which is not subject to MOE approval.</p>	Comments acknowledged.

			Thus, this office will not be commenting on the noise aspects on the March 2014 version of the EA.	
<b>District Manager, Toronto District, Ministry of the Environment</b>	April 24, 2014		<p>We have reviewed the Amended EA report for the above-noted individual environmental assessment project and offer the following comments:</p> <p>Anyone engaging in soil management activities is responsible for ensuring excess soil is managed in an environmentally sound manner and according to all regulatory requirements. This includes municipalities, developers and owners of source and receiving sites.</p> <p>As you are aware, the Ministry of the Environment (ministry) has finalized a guideline entitled, "Excess Soil Management – A Guide for Best Management Practice" (the "guide").</p> <p>These best practices are intended to complement existing approvals under provincial legislation and municipal bylaws.</p> <p>Municipalities and Conservation Authorities are encouraged to consider the concepts set out in the guide when issuing permits or licenses, or establishing soil management by-laws or policies, and to make use of them as appropriate. Soil conservation and management should be integrated into all aspects of the planning and development processes.</p> <p>Thank you for the opportunity commenting on this project. If you have any questions, please feel free to contact me at 416-326-5536 or by email at kevin.webster@ontario.ca.</p>	Comments acknowledged.
<b>Aboriginal Communities</b>				
<b>Community Consultation Specialist, Mississaugas of Scugog Island First Nation</b>	March 13, 2014	ES-27, Table 5	<p>Regarding the above noted project the Mississaugas of Scugog Island First Nation would like to engage with your organization regarding certain aspects of the project. My first question is regarding sediments and their disposal. As a result of a long term degradation of the Don Mouth area, and noted contaminants, how can we determine what is eventually done with these contaminated dredged sediments. They are "currently disposed of in containment cells at the Leslie Street Spit" but where do they go from there if ever they do?</p> <p>On page ES-27 of the draft EA, under Table 5 DMNP Mitigation Measures, Aboriginal Interest, Traditional Land and Resource Use it mentions the potential to "incorporate heritage aspects, such as using specific vegetation communities (e.g. wild rice)" which is an area I take great interest in on behalf of the Mississauga Nation, being a harvester of this important food staple in the modern sense. Along with Mr. Jeff Beaver of Alderville First Nation both he and I harvest wild rice (manoomin) annually at specific locations throughout Kawartha Lakes, using the historic un-commercial method, the method our people are famous for. On this</p>	<p>a) <u>Sediment management from the Keating Channel</u></p> <p>Since the creation of the Keating Channel in the early 1900s, dredging has been necessary to maintain operational depths of the channel. In the mid-1970s, dredging was halted following direction from the Internal Joint Commission's prohibition on open water disposal of sediment in the Great Lakes. Within a few years, sediment accumulation had filled up much of the Keating Channel, resulting in a significant increase in flood risk to the area. To address this risk, TRCA retained Acres Consulting and initiated an Environmental Assessment called the Keating Channel EA which was approved in 1984. Essentially this EA identified the need for reinitiating dredging activities within the Keating Channel, and evaluated a number of techniques for dredging, transportation and storage of sediments. The preferred alternative identified the use of a clamshell dredge and barge system to deposit the materials in the three containment cells at Leslie Street Spit. Containment cells 1 and 2 have since reached capacity and there remains approximately 40 years capacity in cell 3, based on current</p>

			<p>front, I would like to propose that we enter discussions for the purpose of furthering this possibility of reintroducing such a vegetation community as wild rice.</p> <p>Wild rice is an important staple and an important and valuable resource not only for the Mississauga people, but also for the migratory birds and fish. But it needs to be managed, which is where our people have the expertise. Any it should be harvested! This simple but important aspect of the project also has in my view important educational value where it could be used to enlighten the diverse population of Toronto on an historic food source that our people once harvested in the region. It is a country food containing iron, magnesium, phosphorus, vitamin B3, B6, B8, zinc, fiber, and protein and regular consumption strengthens our immune system so I cannot say enough about its positive properties, especially in a time when good food and nutrition is under attack by cheaper processed and chemically based “food” products!</p> <p>I can be reached at 905-985-3337, ext. 263 for further discussion and involvement. I wish to thank you for the community to comment on this extremely important project.</p>	<p>dredging rates (~30,000 to 40,000 cubic metres per year).</p> <p>Regarding your specific question on sediment quality, sediment tests are undertaken routinely as part of the dredging operations and the results indicate that the sediment accumulated in the Keating Channel is quite clean and would typically meet parks quality guidelines. Sediments deposited in the containment cells at Leslie Street Spit will remain in those cells permanently. Several years ago, a clean fill cap was placed over the sediments in cell 1 and a new wetland was established in the cell. Similar efforts are underway for cell 2. As a condition of approval for cell 1, TRCA has been monitoring the quality of sediment and water in the cell to ensure that there are no issues. Results have demonstrated that the wetland in cell 1 is functioning very well and as anticipated.</p> <p>The DMNP EA does not replace the approvals of the Keating Channel EA, rather it identifies that based on the new location where dredging would occur (north of Lake Shore Boulevard), a new technique for dredging would be required. As such, the DMNP EA recommends changing the technology to a hydraulic dredge system. In so doing, a dewatering system will be required to separate the sediments from the water incorporated in the hydraulic dredge operations. The dewatering process provides us with the potential to separate the sediment by grain size, thus allowing us to reuse the sand and gravel portion of the dredgeate for landscaping, habitat or other purposes within the Port Lands or elsewhere. The finer silt portion of the dredgeate would continue to be deposited in the Leslie Street Spit, thereby increasing the life expectancy of the final containment cell significantly.</p> <p>b) <u>Wild rice establishment and harvesting</u></p> <p>Your letter indicates significant interest in the establishment of wild rice in the mouth of the Don and for opportunities to harvest this rice. The use of wild rice in the design for the DMNP EA was also suggested early in the EA process by the Mississaugas of the New Credit First Nation. The DMNP EA contemplates establishing some wild rice in the proposed wetland located in the spillway connected to the Ship Channel. This wetland remains separated from frequent flows from the Don River and are fed directly by water from Lake Ontario through the Ship Channel. The constraint regarding the proposal for harvesting wild rice in this area pertains to the relatively small area that the wetland will have once completed, which may not be conducive for active harvesting.</p> <p>However, I have been in discussions with Margie Kenedy (Manager, Archeological Services, TRCA) and Ralph Toningner (Manager, Habitat Restoration Services, TRCA) and both expressed strong interest in exploring opportunities to establish wild rice communities at Leslie Street Spit (Tommy Thompson Park). Subject to Toronto municipal bylaws, establishing wild rice at Leslie Street Spit may offer us opportunities to coordinate with yourselves, the Mississaugas of the New Credit and other First Nations in the</p>
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				harvest and propagation of wild rice. I understand that you have begun discussions with Ralph on this issue at the June 6 <sup>th</sup> Humber River Walking Tour. We would be pleased to continue these discussions in more detail with you.
<b>Lands and Resources Consultation Liaison, Curve Lake First Nation</b>	March 3, 2014	N/A	Curve Lake First Nation applauds the TRCA in their efforts to return the Don Mouth and Portlands to its natural, appealing state.	Comment acknowledged.
<b>Stakeholder</b>	<b>Date</b>	<b>EA Section</b>	<b>Comment</b>	<b>Response</b>
<b>Other Agencies</b>				
<b>Director of Planning and Development, First Gulf Don Valley Limited</b>	April 17, 2014		<p>First Gulf Don Valley Limited ("First Gulf") is the owner of the former Unilever site at 21 Don Roadway located on the east side of the Don Valley Parkway, north of the Gardiner Expressway/Lake Shore connection. Our property, together with adjacent private and public lands comprise a 60 acre site that is being master planned as a new major employment precinct. The potential for this new important and strategic employment district is recognized in the City's comprehensive amendment to the Official Plan employment policies enacted by City Council in December 2013 (OPA 231).</p> <p>The subject site is identified in Phase 2 (f) of the Conceptual Design of the Preferred Alternative of the DMNP to construct a flood protection landform to remove the subject lands from the Floodplain of the Don River. Section 6.6.2.8 of the Amended Environmental Assessment Report (the "Report") indicates that in the event that the site at 21 Don Roadway undergoes redevelopment, a valley wall feature ("VWF") could be constructed in lieu of a flood protection landform. We confirm that the existing industrial buildings will be demolished and replaced with a new multi-story Class AAA office buildings and other commercial uses. Our preferred flood protection alternative is the construction of a VWF in accordance with the specifications in Section 6.1.1 rather than a Flood Protection Landform.</p> <p>Give that the Report identifies the option of the construction of a VWF for 21 Don Roadway in the event of redevelopment, we trust there will be no need for a future amendment to the EA to accommodate this. Further, we wish to engage the TRCA and all other regulatory agencies to discuss the timing of flood protection measures and any possible technical scenarios whereby the VWF may be constructed ahead of other works in Phase 1 and 2.</p> <p>We trust the foregoing is acceptable and are willing to discuss at your convenience.</p>	<p>The three co-proponents for the DMNP EA confirm that amending procedures have been incorporated into the DMNP EA that will allow us to establish a valley wall feature on this site, instead of the specified flood protection landform, at the time of and consistent with any future <i>Planning Act</i> approvals undertaken for the site.</p> <p>TRCA noted during our meeting on May 2, 2014 that First Gulf's intended construction build-out schedule of 5-10 years seems to align with the intended construction schedule for Phases 1 and 2 of the DMNP. Given that key elements of Phases 1 and 2 are required to be in place prior to changing the grades on First Gulf's site, these synergies in anticipated construction schedule are beneficial for both projects. Further discussions should be held with TRCA staff to explore which, if any components of the Phase 2 flood protection works can proceed in conjunction with or following the raising of grades on First Gulf's site, early in First Gulf's planning process. Any such scenarios would need to be tested by TRCA's Delft model at First Gulf's expense.</p>
<b>Member, Don Watershed Regeneration Council</b>			For more than two decades there has been growing public support for regenerating the mouth of the Don River and recapturing a natural ecosystem from a badly degraded wasteland. This lofty goal was embodied in the 1991 reports of the Task Force to Bring Back the Don and the Royal Commission on the Future of the Toronto	<p>Your letter outlines a number of key components of the DMNP EA which we will attempt to summarize and address herein:</p> <p>a) <u>Council support for the preferred alternative</u></p>

Waterfront. By 2001 the concept had been enshrined in the City's Central Waterfront Secondary Plan. In 2006 the Minister of the Environment approved the Terms of Reference for an environmental assessment with the objective of establishing a comprehensive guide to restore a naturalized mouth of the Don, to provide flood protection for the Port Lands as well as lands north of Lakeshore Blvd. and east of the Don River (Spill Zones 1 and 2) and to facilitate the redevelopment of this eastern sector of the city's waterfront.

During the EA process there were several, important, additional pieces of work that delayed the timing of the EA but added design and implementation dimensions to the project. The first was an international design competition in 2007 and the second was the direction by Council in 2011 to develop a business and implementation plan (Port Lands Acceleration Initiative). Together with the EA studies and evaluations they have given an integrated environmental and sustainable vision for a complex restoration site and a practical guide on potential marketability and urban design for the new communities.

#### **General Comments of the Don Watershed Regeneration Council**

The Don Watershed Regeneration Council's mandate is to assist and guide protection of the natural assets of the Don, regeneration of degraded areas and to encourage everyone to accept "ownership" and responsibility for the health of the Don from the headwaters to the mouth. Since 1995 when the Council was formed, considerable progress has been made in water quality and quantity control, creation of new habitat and protection of natural areas from development throughout the watershed. The last, major piece of the puzzle is restoration of the artificially constricted river through the narrows and the Keating channel.

The proposed naturalization of the mouth of the Don in the EA is the culmination of years of effort and support by the Council for this principle through the earlier studies and plans as well as the current EA process. The Council fully supports the preferred alternative – 4WS amended – and offers the following detailed comments for the Minister's consideration.

#### **Specific Comments of the Don Watershed Regeneration Council**

##### Parks

During the Port Lands Acceleration Initiative, the Council, as well as other community groups, expressed concern about the loss of parkland (from 4WS – 14.4 ha. to 4WS amended – 10.7 ha.) for a population of +/- 25000 future residents. This was partly due to the need to retain the dock walls on Cousins and Polson's Quays and the loss of the proposed promontories at these locations. But the remainder appeared totally passive and unprogrammable. The final EA has provided 12 contiguous hectares above the top of bank which can accommodate both active and passive recreation which the Council can endorse.

*The co-proponents appreciate the Council's support for the preferred alternative as outlined in the amended DMNP EA.*

- b) Council endorses the identification of 12 hectares of active and passive recreation outside of the proposed Regulatory Flood Line

*The co-proponents appreciate your support for the preferred alternative and encourages the Council to continue with their involvement throughout the design planning initiatives that will follow pertaining to the specific features and uses for this proposed recreational area.*

- c) Council recommends that all possible efforts be undertaken to accelerate the implementation of Phase 3 of the preferred alternative to ensure that the new river channel and mouth can be established within the Lower Don Lands

*The co-proponents agree with this recommendation and efforts will be undertaken by the co-proponents to seek the funding necessary to accelerate the implementation of Phase 3 for the DMNP EA.*

- d) Council expresses concerns with the Option B for sediment dewatering activities in the Ship Channel due to the impact of noise and sound on natural wetland ecosystems that would be established in the southern end of Phase 2

*The co-proponents have explored multiple options and locations for dewatering sediment dredged from the Don River. Both locations identified in the DMNP EA provide technical challenges and costs that will need to be explored in more detail, including the development of a business plan. In addition, given the status of concurrent planning initiatives involving the Gardiner Expressway and the overall Port Lands Master Plan, it is prudent to identify options for dewatering locations in the DMNP EA to maximize our flexibility for both the design and operations.*

- e) Council recommends that bridge clearances err on the side of caution to accommodate potentially larger floods in the future resulting from the effects of climate change

*The co-proponents agree with the Council's recommendation and have incorporated a number of safety measures in the EA to address the uncertainty associated with potential future increases in extreme weather events. All new bridge clearances have been designed to pass Regulatory flood flow events (which is a Hurricane Hazel sized precipitation event centred over the entire Don Watershed), plus an additional 50cm of vertical freeboard. The 10m horizontal development setbacks also provide the opportunity to raise the grades of the confining valleys in the future if it is deemed necessary to provide additional flood conveyance. Offsetting the potential increase in magnitude of future*

		<p><u>Phasing</u> Construction of the river (Reaches 3 and 4) is not scheduled until Phase 3. The new river, with wetlands, forested areas and parkland is the most effective catalyst to change the image of the Port Lands and to attract new investment. It is the most important signal that the city is committed to changing an abandoned and derelict remnant to an attractive, vibrant and healthy new waterfront community. The Council is not questioning the work in Phase 2 (Spillway, new Ship Channel wetland, Don Roadway berm etc.), but would like to encourage a search for (naming) sponsors, fund raising projects or other funding mechanisms which would allow the river construction to begin earlier.</p> <p><u>Sediment / Debris Management</u> Two alternative sites are proposed for a hydrocyclone – one in the debris management area north of Lakeshore Blvd (Figure 6-15 Option A) and the other in the southern tip of the Greenway or barge in the Channel (Figure 6-16 Option B). A hydrocyclone is a large, heavy piece of machinery with noise and combustion emission levels that would prohibit enjoyment of the green space and be heard by residents 45 days out of the year. Option B requires increased costs for a slurry pipe under the Don Roadway and a booster pipe to transfer slurry from the dredge to the hydrocyclone. A further concern is that it could also effect the success of a newly planted wetland at the channel. The Council objects to the second alternative (Option B) if, based on further studies, it is established that there are greater negative impacts on future residents and/or serious risks to the environment.</p> <p><u>New Infrastructure</u> It is noted that all bridges and flood protection features will be built to accommodate the Regulatory Flood plus an increased freeboard (safety margin) from 0.3 to 0.5. As there is evidence that the rate of climate change is increasing, thereby making impact projections less certain, it is recommended that this safety margin be flexible and responsive to the most current scientific data. When in doubt - increase the safety margin rather than risk huge expenditures to deal with damage or failure.</p> <p><u>Stormwater</u> The Chapter on the Preferred Alternative indicates that both clean runoff (ex. roofs) and contaminated runoff (ex. roads) will be treated before being discharged into the Keating Channel, Ship Channel or the Inner Harbour (Page 6-40). The effluent may be treated at an existing ballasted flocculation facility (BFF) at Lakeshore Blvd or a new BFF on Polson or Cousins Quay.</p> <p>The Council questions why there is no mention of the more economical and sustainable components of the “treatment train” system, already approved by the city and being implemented in new development as well as retrofits. The clean soil and raising of the elevation by 1.5 to 2 meters that is generally required as a condition for development in the Port Lands would seem adequate for on-site infiltration, (wherever all contaminants have been removed and the soil is not capped), and should be a basic requirement. If a BFF is needed it should be located on Lakeshore Blvd. rather than the Quays which are gathering points of the Park</p>	<p><i>extreme precipitation events is that climate change projections currently suggest that Great Lakes water levels will generally experience some lowering although lake controls at the mouth of Lake Ontario may minimize this to an extent.</i></p> <p>f) <u>Council questions why there is no mention of the more economical and sustainable components of the "treatment train system" associated with the DMNP EA</u></p> <p><i>The Lower Don Lands Master Plan Class EA is the planning document that addresses the components of the stormwater treatment train associated with the adjacent Lower Don Lands. However, the DMNP EA does establish important guiding principles for the LDL Class EA as the receiving body for stormwater runoff from the adjacent lands. The constructed natural areas within the DMNP EA area are designed first and foremost to provide habitat. To identify that the function of the constructed natural areas is to provide stormwater treatment would result in these natural areas being classified as treatment wetlands and would not be deemed habitat. As such, it is important that stormwater reaching the natural areas in the DMNP EA have been treated sufficiently to ensure that these areas remain natural habitat. In addition, issues of a treatment approach that entertained infiltration into the soils within the natural areas of the DMNP is risky given the amount of underlying contaminated soils and the floating contaminants on the groundwater table. While green spaces will be remediated, areas that are simply capped could be a problem as increased infiltration rates could create a movement of contaminants to the naturalized areas.</i></p>
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			system and key locations for a “catalyst” use to set the tone for the new development.	
Members of the Public				
Public Member #1	April 16, 2014		<p>I am eager to comment under section 6.2.1 of the Env. Assessment Act.</p> <p>As someone who originated this effort 29 years ago - Don River Walk 1986/1987 and for years and hard work since, a few comments:</p> <p>A. <u>South of Ship Channel</u>: Geography Professor Erikson of Boston University said “there are no sharp lines of division in nature” therefore the minimum width 300 metres wide (Bishop R.) Flood Spillway Wildlife Corridor <u>must be continued South</u> of the Ship Channel – linkage to Leslie Street Spit.</p> <p>B. <u>The Don Narrows and Linkage North-South</u>: The river is forming pool-riffle sequences within the Don Narrows. Every effort to enhance this process; and <u>enlighten</u> policy and projects will encourage a habitat, vegetated linkage in this crucial connection, Oak Ridges Moraine to the Lake. (or this spinal cord is severed and in the works of David Crombie “IT’s all connected” won’t come to be)</p> <p>C. Regarding Table 8.2 “DMNP EA Commitments: Commitments Affecting Other Projects” p. 8.9: The setback from top of valley slope to be 30 metres horizontally; section 6.1.1.2. Thirty feet (or 10 metres) is not enough for water and ecological regime functions</p> <ul style="list-style-type: none"> <li>• E.g. water infiltration (discharge below)</li> <li>• E.g. vital role of flora and fauna – native species plants and roots and leaves; also,</li> <li>• E.g. the role of insects, birds, mammals, fish in the web of life is in this riverine ecosystem.</li> </ul> <p>D. Identify <u>existing</u> species (a baseline) and <u>target species</u></p> <p>E. Chapter 9 E.A. <u>Amendment Process</u>: A firm line must be drawn regarding any amendment that results in an environmental condition where the ecological or hydraulic function of the naturalized Don Mouth would be negatively affected. The Provincial regulatory function or role of the TRCA under the Conservation Authorities Act and other relevant enabling legislation municipal, Provincial, or Federal <u>must be the rule</u>. No project or scheme must be allowed to <u>encroach on</u> the DMNP design <u>or</u> land/water area.</p> <p>F. Chapter 9, Table 9-2 <u>Minor or Major Project Modifications</u>: A brand new Watchdog Committee / Roundtable must be setup to monitor and proposals, be they a Minor or Major modification.</p> <p>There should be no daytime meetings or behind-the-door session that run against the DMNP.</p> <p>It is the “best of all possible” plans and we want to see it proceed!</p>	<p>We have reviewed your comments and offer the following:</p> <p>a) <u>Recommendation that the DMNP EA include a 300m wide green linkage south of the Ship Channel</u></p> <p><i>The study area for the DMNP EA is limited to those lands that are required to divert flood waters from the Don River into the receiving waters of Lake Ontario. As such, the southernmost limits of the study area are limited to the north side of the Ship Channel. Planning of development lands and green spaces south of the Ship Channel is currently underway as part of the Port Lands Framework and Land Use Plan led by the City of Toronto and Waterfront Toronto.</i></p> <p>b) <u>Recommendation to encourage the enhancement of natural channel processes within the Don Narrows to encourage north-south linkages between the lake and Oak Ridges Moraine</u></p> <p><i>Appendix L of the Amended DMNP EA explores the opportunities available for habitat enhancements within the Don Narrows. A number of recommendations and approaches are outlined in the Appendix that could be explored to enhance these features by various parties. These activities can be implemented independently of the DMNP EA.</i></p> <p>c) <u>Concerns raised regarding the 10 metre development setback established from the top of valley</u></p> <p><i>The 10 metre setback from the top of valley is TRCA’s standard setback for development applications in our jurisdiction. The top of valley in the DMNP EA is established by delineating the required valley configuration that is able to convey storm flows in excess of the Regulatory Storm Event (a storm with similar intensity as Hurricane Hazel centred over the Don Watershed). In many areas, this setback is even further than the 10 metre setback to allow for active park land uses in the design. Given the multi-channelled design of the preferred alternative, and the extensive natural habitat areas established for the DMNP EA, we believe sufficient space has been provided to accommodate a wide suite of natural ecological functions for the mouth of the Don.</i></p> <p>d) <u>The DMNP EA needs to identify existing species and target species</u></p> <p><i>The existing conditions chapter of the DMNP EA provides a detailed accounting of the species currently occupying the project and expanded study area. The design of the DMNP EA has been developed using other reference sites along the north shore of Lake Ontario to establish the</i></p>

				<p><i>appropriate mix and orientation of habitat types to maximize ecological function. The DMNP EA does not seek to target specific species, rather, it proposes to create the appropriate types of habitat such that a wide range of desired flora and fauna communities can make use of the constructed physical habitats. TRCA will track species colonization and usage within the DMNP Project area over time and assess whether the ecological functions are operating within an acceptable range of parameters for a suite of desired native species.</i></p> <p>e) <u>No subsequent project designs or plans shall be permitted that will reduce the amount of habitat or hydraulic function depicted in the DMNP EA</u></p> <p><i>TRCA, as one of the proponents on the DMNP EA will continue to be actively involved throughout the various planning initiatives underway for the Port Lands area to ensure ongoing compatibility with the outcomes of the DMNP EA.</i></p> <p>f) <u>A watch dog/round table committee must be established to monitor and oversee any minor/major amendment proposals to the DMNP EA to avoid behind-closed-door decisions that would run against the DMNP</u></p> <p><i>TRCA as a proponent of the DMNP EA and as the provincial flood plain regulator for the jurisdiction will have a legal commitment to ensure that parallel planning processes remain compatible with the goal and objectives of the DMNP EA. As such, TRCA will be the lead agency involved with any minor/major amendment processes to the DMNP EA.</i></p>
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