



STAFF REPORT INFORMATION ONLY

Ashbridges Bay Treatment Plant Mediation Agreement Compliance Report

Date:	March 9, 2007
To:	Public Works and Infrastructure Committee
From:	General Manager, Toronto Water
Wards:	32
Reference Number:	P:\2007\Cluster B\TW\pw07008

SUMMARY

The purpose of this report is to provide a response to the Sixth Interim Compliance Report submitted to Works Committee by the General Manager of Toronto Water on behalf of the Implementation and Compliance Monitoring Committee (ICMC).

The Sixth Interim Compliance Report from the ICMC summarizes the ICMC's concerns with respect to the implementation of the Ashbridges Bay Treatment Plant EA Mediation Agreement and provides a set of recommendations for each concern raised which staff have responded to on a recommendation-by-recommendation basis in the attachment to this report.

The concerns raised by the ICMC are largely related to differences in the interpretation of the Mediation Agreement and dissatisfaction with the outcome of various master planning processes undertaken by Toronto Water. These concerns have been raised in previous reports and in submissions made by the ICMC throughout the comment period allotted during the public review and commenting period associated with each of the planning processes. Toronto Water has considered the issues raised in the decision making process associated with these plans and responded to the concerns raised in the past. Toronto Water is committed to the implementation of these plans and complete the few remaining tasks in order to fulfill the commitments contained within the Mediation Agreement.

FINANCIAL IMPACT

There are no financial impacts resulting from this report.

DECISION HISTORY

City Council, at its meeting of September 25, 26 and 27, 2006 considered Clause 35 of Works Committee Report 6, entitled “*Implementation and Compliance Monitoring Committee’s Sixth Interim Compliance Report*”. Council requested that the General Manager, Toronto Water respond to each recommendation, provide a detailed implementation plan for those recommendations; and outline staff’s intent with respect to any outstanding commitments in the Mediation Agreement.

<http://www.toronto.ca/legdocs/2006/agendas/council/cc060925/wks6rpt/cl035.pdf>

ISSUE BACKGROUND

The City submitted an Environmental Assessment (EA) for the Ashbridges Bay Treatment Plant to the Ministry of the Environment (MOE) in 1997. In 1999, the City undertook self-directed mediation with a number of interested parties in response to a series of concerns raised by various stakeholders. The outcome of the process was the drafting of an Environmental Assessment Mediation Agreement (MA) and the formation of the ICMC.

The ICMC is comprised of citizen volunteers, non-governmental organization representatives and signatories to the Mediation Agreement. The Mediation Agreement contains 11 resolutions designed to resolve outstanding issues relating to the Ashbridges Bay Treatment Plant EA. The ICMC is to provide advice to the City as it implements the commitments made in the Mediation Agreement and annually reviews and reports on compliance with the terms of the Agreement.

The City submitted an amended Environmental Assessment (EA) and a copy of the Mediation Agreement to the MOE for review in 1999. Final approval of the EA will permit construction of a new effluent outfall pipe and the use of ultraviolet (UV) technology instead of chlorine for effluent disinfection purposes. Both initiatives will improve the nearshore water quality conditions along this stretch of the City’s waterfront. The City has been working with the MOE to resolve numerous issues in an effort to obtain EA approval. Despite the delays, the City has already fulfilled most of the commitments contained in the Mediation Agreement.

MOE staff released their review of the EA and Mediation Agreement in April of 2004. They concluded that the EA had satisfied all the requirements of the Environmental Assessment Act and would be recommending approval. Outstanding issues identified by the public or various stakeholders were concluded to be either outside the scope of the EA, were being addressed through other City initiatives, or were better addressed at the

Certificate of Approval stage after more detailed design information becomes available. The public comment period on the review ended in June 2004. The City is awaiting final approval by MOE.

COMMENTS

The Sixth Interim Compliance Report summarizes the ICMC's concerns with respect to the City's efforts to implement the commitments made in the Mediation Agreement and provides a set of recommendations regarding commitments they feel require further improvement.

Staff have provided detailed responses to each of the recommendations made by the ICMC in the attachment to this report. Toronto Water remains committed to meeting the City's obligations under the Mediation Agreement and continues its work to resolve outstanding compliance issues.

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SIGNATURE

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ATTACHMENTS

2005/2006 Compliance Status Table, Key Comments and Recommendations