

Ministry of the Environment,
Conservation and Parks

Ministère de l'Environnement, de la
Protection de la nature et des Parcs

Environmental Assessment Branch

Direction des évaluations
environnementales

1st Floor
135 St. Clair Avenue W
Toronto ON M4V 1P5
Tel.: 416 314-8001
Fax.: 416 314-8452

Rez-de-chaussée
135, avenue St. Clair Ouest
Toronto ON M4V 1P5
Tél. : 416 314-8001
Télééc. : 416 314-8452

November 26, 2021

MEMORANDUM

TO: Government Review Team

FROM: Anne Cameron
Project Officer
Environmental Assessment Branch

RE: MINISTRY REVIEW OF THE BIGGARS LANE LANDFILL EXPANSION
ENVIRONMENTAL ASSESSMENT
EA FILE NO. 03-02 (Reference No. 14119)

The Ministry of the Environment, Conservation and Parks has prepared our ministry review document for the above noted Environmental Assessment for government, Indigenous community, and public comment.

As is required under the Environmental Assessment Act, enclosed is the ministry review as well as the Notice of Completion of Ministry Review that indicates the comment period, ending **January 14, 2022**, and how you can make a submission about the proposed undertaking, the Environmental Assessment, or this ministry review. The ministry review will also be available on <https://www.ontario.ca/page/ministry-review-biggars-lane-landfill-expansion-environmental-assessment>.

Should you have further comments related to your government mandate about the project please provide any additional comments by the date indicated above.

Please do not hesitate to contact me if you have any questions.



Anne Cameron, Project Officer
Enclosure

Ministry of the Environment, Conservation and Parks

Ministry Review of the Biggars Lane Landfill Environmental Assessment

November 2021

ontario.ca/environmental-assessments



© Queen's Printer for Ontario, 2021

Copies of this report can be obtained from:
Ministry of the Environment, Conservation and Parks
Public Information Centre
Toll free 1-800-565-4923
In the GTA 416-325-4000
TTY 1-800-515-2759
Email picemail.moe@ontario.ca

Need more information?

Please contact the ministry if you require further information.

Ministry of the Environment, Conservation and Parks
Environmental Assessment Branch
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
Tel: 416-314-8001/1-800-461-6290
Fax: 416-314-8452

Table of Contents

Executive Summary.....	2
1. Environmental Assessment Process	3
1.1 Terms of Reference	3
1.2 Environmental Assessment	4
1.3 Ministry Review.....	5
2. The Proposed Undertaking	6
2.1 Background.....	6
2.2 Purpose	6
2.3 Study Areas	6
2.4 Local Environment	7
2.5 Description of the Proposed Undertaking	7
2.6 Timing.....	Error! Bookmark not defined.
3. Results of the Ministry Review	15
3.1 Conformance with ToR and EAA	15
3.1.1 Ministry Analysis	15
3.1.2 Consultation	15
3.2 EA Process	20
3.2.1 Focused EA	20
3.2.2 Study Areas	21
3.2.3 Assessment of Alternative Methods.....	22
3.2.4 Assessment of Environmental Effects.....	24
Cumulative Effects.....	26
3.2.5 Monitoring and Commitments	26
3.2.6 Ministry Conclusions on the EA Process.....	26
3.3 Comments on the Undertaking	27
3.3.1 Key Issues	27
3.3.2 Conclusion	29
4. Other Considerations	29
4.1.1 Diversion	29
5. Summary of the Ministry Review.....	30
5.1.1 Proposed conditions of approval.....	31

6.	What Happens Now?	32
6.1	Additional Approvals Required.....	33
6.2	Modifying or Amending the Proposed Undertaking.....	33

List of Appendices

- Appendix A *Environmental Assessment Act* Requirements
- Appendix B Submissions Received During the Initial Comment Period

List of Tables

- Table 1 Government Review Team Comment Summary Table
- Table 2 Indigenous Communities Comment Summary Table

List of Figures

- Figure 1 Study Areas
- Figure 2 Proposed Landfill Expansion Alternative 1
- Figure 3 Proposed Landfill Expansion Alternative 2
- Figure 4 Proposed Landfill Expansion Alternative 3
- Figure 5 Proposed Landfill Expansion Alternative 4

Ministry Review of the Biggars Lane Landfill Expansion Environmental Assessment

Environmental Assessment Act

R.S.O. 1990, Subsection 7(1)

This Review is subject to the provisions of Ontario Regulation 616/98 which sets out a deadline for the completion of this document. This paragraph and the giving of the Notice of Completion are the notices required by subsection 7(3) of the *Environmental Assessment Act*.

The Review documents the ministry's evaluation of the Biggars Lane Landfill Expansion Environmental Assessment and takes the comments received by the ministry into consideration.

Executive Summary

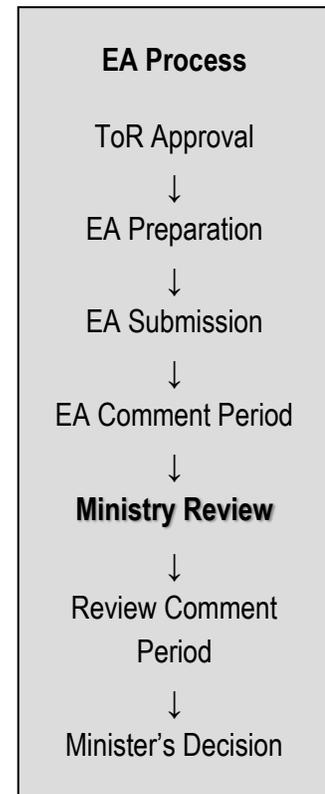
Who	County of Brant (County)
What	The County is proposing to expand the Biggars Lane Landfill to provide an additional 1.13 million cubic metres of waste disposal capacity for solid, non-hazardous waste. The undertaking will involve the horizontal expansion of the west landfill areas, which would increase the landfilling area by 14.3 hectares.
When	The Environmental Assessment (EA) was submitted on February 15, 2021.
Where	128 Biggars Lane, Scotland, Ontario
Why	The Biggars Lane Landfill is approaching its approved capacity of 732,225 cubic metres. The County has identified the opportunity to expand the Biggars Lane Landfill by 1.13 million cubic metres to continue providing industrial, commercial and institutional waste disposal services, and provide municipal waste disposal to the County of Brant for an additional 30 years from 2023 to 2053.
Conclusions	The Ministry Review concludes that the EA was prepared in accordance with the approved Terms of Reference and contains sufficient information to assess the potential environmental effects of the proponent’s undertaking. The EA demonstrated that the County will be able to meet the objectives set out in its Terms of Reference. No significant issues were raised by government agencies during the EA process. A number of standard conditions are proposed in order to ensure that the project proceeds as outlined and persons/agencies with an interest in the project would continue to be consulted.

1. Environmental Assessment Process

The *Environmental Assessment Act* (EAA) provides a proponent-driven planning process designed to incorporate the consideration of the environment into decision-making by assessing the effects of an undertaking on the environment. In Ontario, the EAA sets out the general contents for the preparation of an Environmental Assessment (EA), as well as the Ministry of the Environment, Conservation and Parks' (MECP/ministry) evaluation process. For those proponents and undertakings subject to the EAA, approval under the EAA is required before the undertaking can proceed.

Proponents address a wide range of potential effects on the natural, social, cultural and economic environments to ensure the protection, conservation and wise management of the environment. An EA determines, on the basis of the environmental effects, if an undertaking should proceed, and if so, how environmental effects can be managed.

EAs may identify a problem or opportunity, consider alternative ways of addressing the problem or opportunity, evaluate the environmental effects of the alternatives and select a preferred undertaking from the alternatives. The proponent must consider actions to avoid, reduce and mitigate potential environmental effects. In preparing the EA, the proponent completes various studies and consults with interested stakeholders including government agencies, the public and affected Indigenous communities to evaluate the alternatives and determine the preferred undertaking. Once the undertaking is approved, the proponent is required to monitor to demonstrate compliance with standards, regulations and conditions of the EAA approval.



1.1 Terms of Reference

Completing the EA process involves two separate steps – the Terms of Reference (ToR) and the EA. The first step requires the proponent to prepare and submit a ToR to the MECP for review and decision. The ToR is the work plan or framework for how the EA will be prepared.

The ToR was prepared pursuant to sections 6(2)(c) and 6.1(3) of the EAA. Under these sections of the EAA, the ToR must set out in detail the requirements for the preparation of the EA and may consist of information other than that required under section 6.1(2) of the EAA, which sets out what are commonly referred to as the 'generic' requirements of an EA. This allowed the proponent to focus the assessment in the EA on providing a process to identify and assess alternative designs (alternative methods) for the expansion of the existing landfill and assess potential environmental effects and benefits of the alternatives. The County of Brant (County/proponent) undertook a Solid Waste Disposal Future Needs Study in 2010/2011, which concluded that the preferred method to address future solid waste disposal needs was to develop new disposal capacity at the Biggars Lane Landfill.

The expansion of the existing landfill is intended to address the County's determination that the landfill will reach capacity by 2023.

On May 15, 2015, the former Minister of the Environment and Climate Change approved the County's ToR. The ToR established the framework for the preparation of the EA, including describing the purpose and rationale for the undertaking, which was to provide additional waste disposal capacity over a 30-year period; identifying and evaluating potential environmental effects (both positive and negative) and proposing mitigation measures as well as a consultation plan for obtaining input from the public, government agencies and Indigenous communities during the preparation of the EA.

1.2 Environmental Assessment

Once the ToR is approved by the Minister, the proponent can proceed to the second step of the EA process and carry out the EA. The EA must be prepared in accordance with the approved ToR and the requirements of the EAA. Once the proponent has carried out the EA, including consultation, the EA is submitted to the ministry for review and a decision.

A draft EA was made available to the public and agencies between November 9, 2018 and December 14, 2018. On February 15, 2021, the County submitted the Biggars Lane Landfill Expansion Environmental Assessment to the ministry for a decision on the proposed undertaking. The EA was available for a public, government agency and Indigenous community comment period ending on May 7, 2021. During this period, agencies, Indigenous communities and the public had an opportunity to review the EA and submit comments to the ministry. The EA was also circulated directly to Indigenous communities and to government agencies known as the Government Review Team

(GRT) for review. The GRT, comprised of provincial and local agencies, reviewed the EA to ensure that the information and conclusions of the EA were valid based on the mandates of each respective agency. All comments received by the ministry are considered by the Minister before a decision is made about the undertaking as described in the EA.

1.3 Ministry Review

The EAA requires the ministry to prepare a review of the EA, known simply as the Ministry Review (Review). The Review is the ministry's evaluation of the EA. The purpose of the Review is to determine if the EA has been prepared in accordance with the approved ToR, meets the requirements of the EAA, and whether the evaluation in the EA is sufficient to allow the Minister to make a decision about the proposed undertaking.

The Review outlines whether the information contained in the EA supports the recommendations and conclusions for the selection of the proposed undertaking. Ministry staff, with input from the GRT, evaluate the technical merits of the proposed undertaking, including the anticipated environmental effects and the proposed mitigation measures. The Review also provides an overview and analysis of the public, agency and Indigenous community comments on the EA and the proposed undertaking.

The Minister considers the conclusion of the Review when making a decision; the Review itself is not the decision-making mechanism. The Minister's decision on the undertaking described in the EA will be made following the end of the five-week Review comment period. The Minister's decision is subject to the approval of the Lieutenant Governor in Council.

The Review comment period allows the GRT, public and Indigenous communities to see how their concerns with the EA and the proposed undertaking have been considered. During the Review comment period, anyone can submit comments on the EA, the undertaking, and the Review. In addition, anyone can request that the Minister refer the EA, or any matter relating to the EA, to the Ontario Land Tribunal for a hearing if they believe that there are significant outstanding environmental effects that the EA has not addressed. Requests for a hearing can only be made during this comment period. The Minister will consider all requests and determine if a hearing is necessary.

A Notice of Completion of the Review was issued indicating that this Review has been completed and is available for a five-week comment period through the government of

Ontario's website, Ontario.ca. Copies of the Review have also been distributed electronically to the GRT and potentially affected or interested Indigenous communities.

2. The Proposed Undertaking

2.1 Background

The Biggars Lane Landfill (landfill) is located at 128 Biggars Lane in Scotland, Ontario (see Figure 1). The landfill is situated on 91.18 hectares (ha) of land owned by the County and occupies 11.1 ha on the property. The landfill is the only landfill currently operated by the County. The currently approved waste disposal capacity is 732,225 cubic metres (m³) and the site is approved to accept waste at a maximum annual fill rate of 19,000 tonnes. Approximately 24 waste trucks per day access the landfill. The landfill receives solid non-hazardous municipal waste and industrial, commercial and institutional (IC&I) waste generated from the County and is expected to reach its approved capacity by 2023.

The landfill has been operating since 1966 and at that time received waste from a portion of the former Township of Brantford. This predates the existence of the EAA. The site first received a provisional Certificate of Approval A100301 under the *Environmental Protection Act* in 1971. Following the municipal amalgamation that created the single-tier County of Brant on January 1, 1999, the service area was amended to include the entire County. The current provisional Certificate of Approval (now Environmental Compliance Approval (ECA)) was issued in March 2005. This proposal consists of the first application for a decision under the EAA.

Purpose

The County proposes to increase the disposal capacity by 1.13 million m³ for solid non-hazardous waste at the Biggars Lane Landfill. The County identified an opportunity to continue providing IC&I waste disposal, as well as residential waste disposal, for the County for an additional 30 years from 2023 to 2053.

2.2 Study Areas

The EA primarily used three study areas: regional, local and site study area to identify and assess potential impacts to the environment. The regional study area encompasses the County but does not include the City of Brantford or the Six Nations of the Grand

River and the Mississaugas of the Credit First Nation Reserves. The regional study area is intended to capture components of the environment that extend beyond the local study area such as the economic environment and natural environment (atmosphere, watersheds, natural habitat areas). The local study area extends approximately 500 metres (m) in all directions beyond the County owned lands at the Biggars Lane Landfill. The site study area includes the County owned lands at the Biggars Lane Landfill.

2.3 Local Environment

The County of Brant is comprised of large rural areas and agricultural land. The site study area contains one building, a small barn, with the majority of the lands being agriculture in a cash crop rotation. Located within the local study area are 11 residences, an existing business (golf course) and 11 active farms and agricultural operations (of the 11 active farms, 5 of them account for the 11 residences). The closest residence is 173 m from the proposed expansion area.

The landfill site is situated on a relatively flat topography with sand and silt deposits throughout the area. In the vicinity of the landfill, the ground surface elevation is approximately 229 m above mean sea level and a surface water creek is located approximately 250 m southwest of the site. An unnamed creek (a tributary of the Grand River) discharges to the Grand River approximately 9 kilometres (km) to the northeast of the existing landfill. The unnamed creek flows through the south landfill buffer area and surface water drainage in the vicinity of the landfill is to the south. Groundwater flow within the overall area is to the south-southwest toward the unnamed creek.

A stormwater management (SWM) pond was constructed in 2007 and is located south of the landfill footprint. The SWM pond is used to provide quality control of runoff from drainage areas located within the landfill footprint. The pond ultimately discharges into the unnamed creek south of the landfill. A second SWM pond was constructed in 2010, adjacent to the previously established SWM pond, to control stormwater runoff from drainage areas located within the landfill site, to the northwest of the landfill footprint. Water collected by this second pond has no contact with any of the waste management activities at the landfill.

2.4 Description of the Proposed Undertaking

The proposed landfill expansion design will provide additional capacity of 1.13 million m³ to meet the anticipated waste disposal opportunity in the County of Brant over a 30-year planning period. This includes taking into account existing and anticipated

proposed diversion activities associated with the site which are described in section 4 of this Review. The expansion will involve the construction of a 14.3 ha landfill footprint west of the existing landfill using an engineered base containment approach (liner) (see Figure 3). The height of the expansion will be approximately 15 m above the existing ground surface. In addition, excavation to form the base of the landfill will involve the combination of cutting and filling with the soil surplus, approximately 66,000 m³, available for daily cover and other site requirements.

The current rate of fill at the landfill is 19,000 tonnes per year or 62.9 tonnes per day, and the number of waste deliveries is approximately 24 trucks per day. The County has stated that as the population in the County grows so will waste disposal needs and as such a 0.66 m³/capita/year rate of fill has been applied to calculate future disposal needs, resulting in the County requesting an additional landfill capacity of 1.13 million m³. The proponent has indicated that the annual rate of fill will be 37,255 m³/year and that on average, annual fill rates and daily rates will be increasing for the landfill expansion to 24,512 tonnes per year or 81.17 per day. The number of trucks required to deliver the waste will track with population growth and in addition, more trucks will now be needed to haul leachate off-site (an addition of three to nine trucks per day).

In addition to the two existing SWM ponds, a new SWM pond will be constructed as part of the expansion to accommodate the additional surface water runoff from the proposed landfill expansion areas. This new SWM pond will ultimately require an ECA approval under the Ontario Water Resources Act. A SWM plan and report will be prepared during the detail design phase of the project and submitted to the MECP for review and approval.

A landfill gas collection system is proposed, which will capture gas on-site through a series of vertical extraction wells and from the leachate collection system. The collected gas is then flared at the existing flare on-site. A leachate collection system is also proposed for the project and will include trucking the collected leachate to the nearby County owned Paris Water Pollution Control Plant for treatment which currently has capacity to manage leachate.

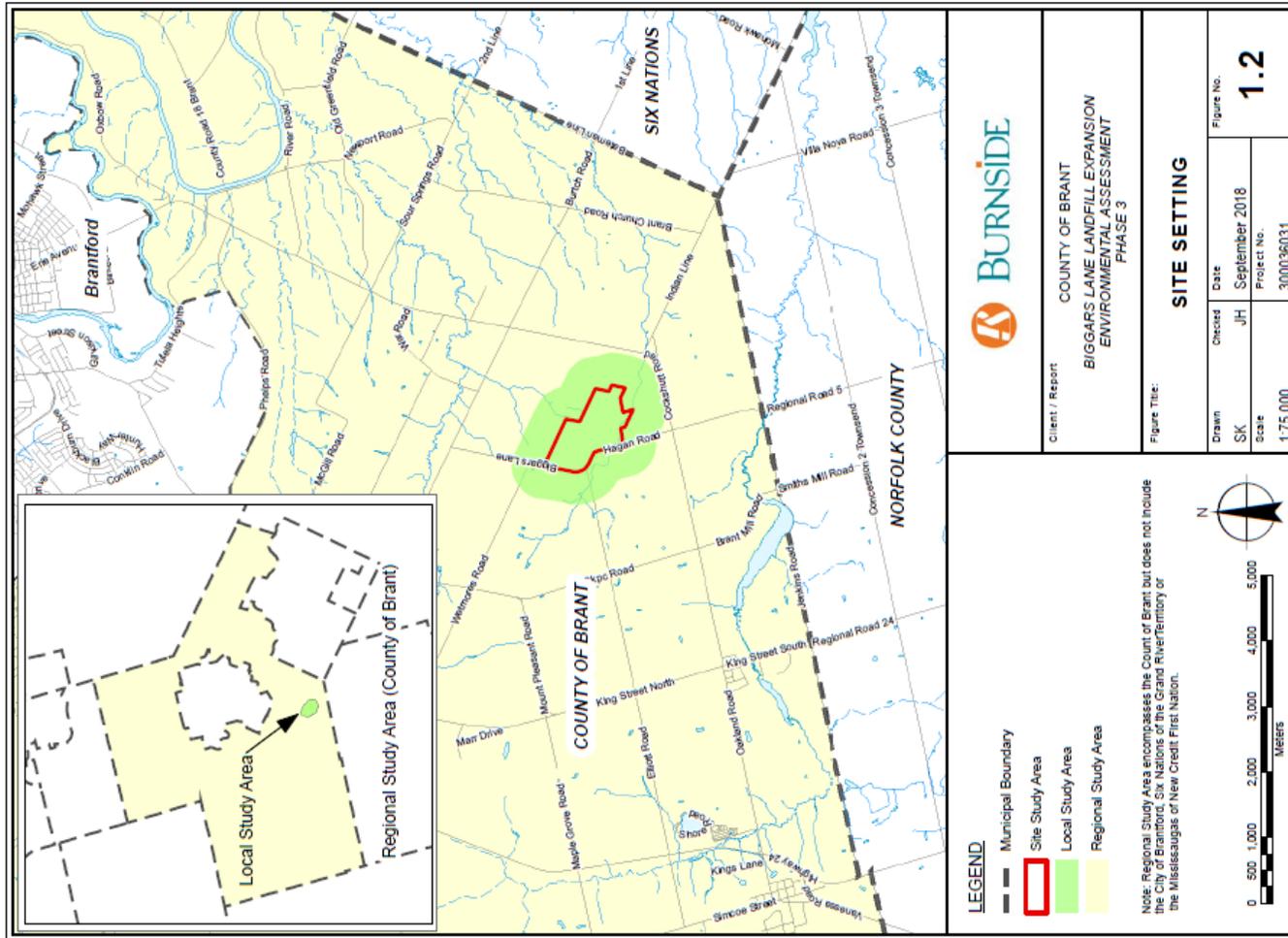
The landfill expansion will not include any changes or modifications to existing site accesses and entrances or existing infrastructure on the site. While the County does not currently specify haul routes in the EA for arrival at the Biggars Lane Landfill, existing routes used by waste collection trucks can remain the same as the traffic impact analysis completed indicated a minimal increase in traffic volume as a result of the expansion. Existing haul routes include approach roads to the landfill such as Biggars

Lane and Hagan Road, other rural local roads such as Elliott Road and Wetmores Road, as well as rural arterial and collector roads such as Oakland Road, Cockshutt Road, Indian Line and Burtch Road. The new leachate haulage route from the landfill to the Paris Water Pollution Control Plant, approximately 20 km, will use the County's network of Permitted Truck Routes, Ellis Avenue and residential local roads.

The landfill currently provides a diversion program for items such as blue box recycling, scrap metal, tires, propane tanks, etc. Between the years of 2012 to 2018, the County reported an annual increase in diversion rates, with a rate of 36 percent in 2019. While the County has made improvements to their diversion programs such as increasing the availability of public recycling bins and reducing the number of garbage bags allowed, the average residential waste diversion rate has remained the same for the last four years.

Figure 1: Study Areas

This map displays the study areas in relation to the Biggars Lane Landfill site location in the County of Brant and major roads.



Figures 2 to 5: Proposed Landfill Expansion Alternatives

Figure 2: This figure shows Alternative 1 for the proposed layout of the landfill expansion including the locations of waste piles, stormwater ponds & on-site roads. Includes a 15.1 ha landfill footprint using an engineered low permeability final cover.

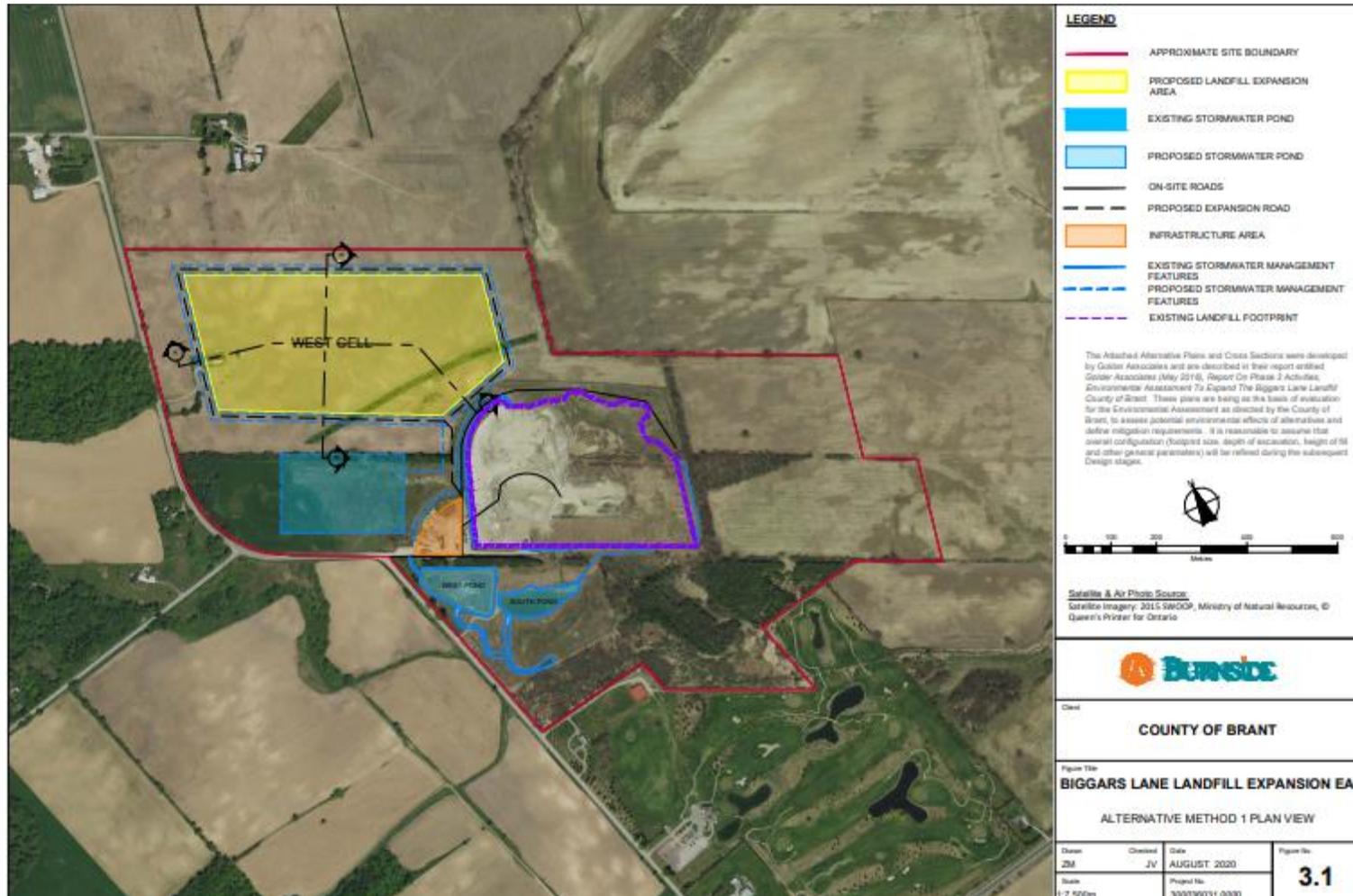


Figure 3: This figure shows Alternative 2 (the preferred alternative) for the proposed layout of the landfill expansion including the locations of waste piles, stormwater ponds & on-site roads. Includes a 14.3 ha landfill footprint using an engineered base containment approach.

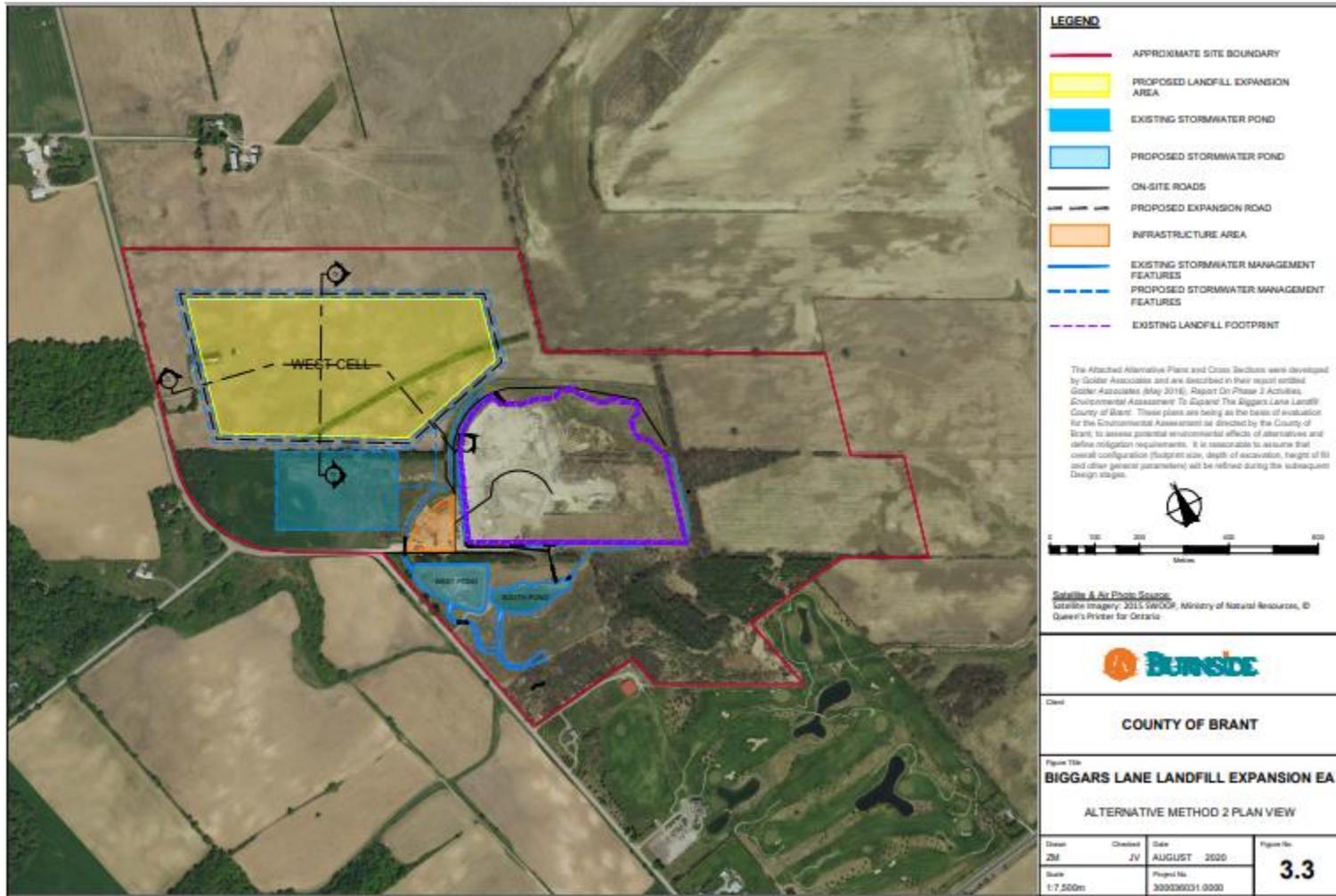


Figure 4: This figure shows Alternative 3 for the proposed layout of the landfill expansion including the locations of waste piles, stormwater ponds & on-site roads. Includes two separate landfill footprints, one 10.9 ha and one 4.7 ha, both using an engineered low permeability final cover.

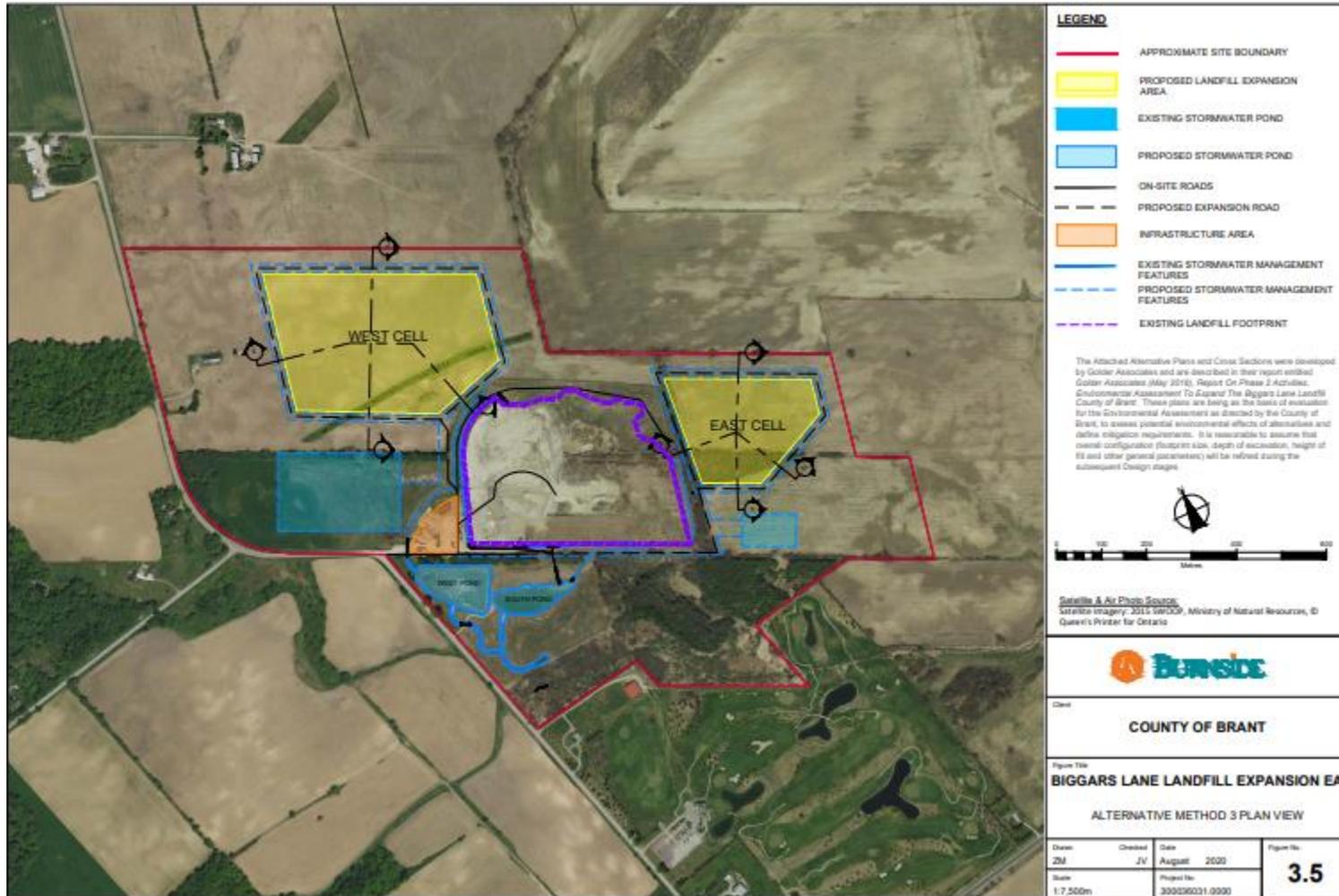
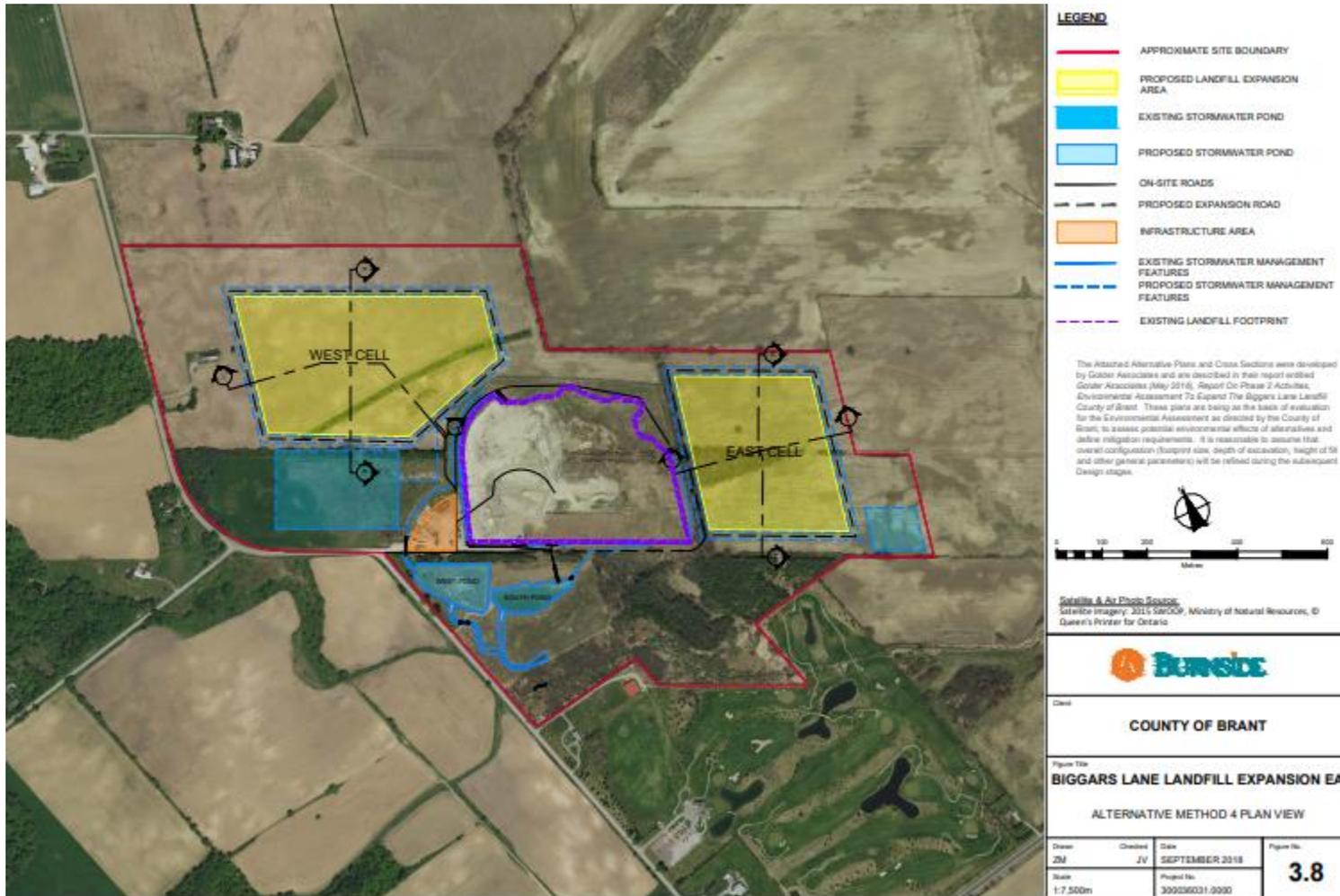


Figure 5: This figure shows Alternative 4 for the proposed layout of the landfill expansion including the locations of waste piles, stormwater ponds & on-site roads. Includes two separate landfill footprints, one 11.7 ha and one 8.2 ha, both using an engineered base containment design.



3. Results of the Ministry Review

The Review provides an analysis of the EA. It is not intended to summarize the EA, nor present the information found in the EA. For information on the decision-making process, please refer to the EA itself. The EA and supporting documentation outlines the EA planning process and demonstrates how the proponent has selected the preferred undertaking and made the final decision.

3.1 Conformance with ToR and EAA

3.1.1 Ministry Analysis

The ministry coordinated an analysis of the EA with the GRT that, in part, looked at whether the requirements of the ToR have been met. The ministry has concluded that the EA followed the framework and commitments outlined in the ToR and meets the components of the EAA.

Appendix A summarizes this analysis and identifies how the ToR and EAA requirements have been addressed in the EA.

3.1.2 Consultation

One of the key requirements of the EAA is pre-submission consultation during the preparation of the EA. This consultation is the responsibility of the proponent and must be carried out prior to the submission of the EA to the ministry and must be in accordance with the consultation plan outlined in the ToR.

The County carried out its consultation program to inform and gain input from the GRT, members of the public, as well as Indigenous communities and organizations. The consultation program included:

The purpose of the Ministry Review is to determine whether:

- The EA has met the requirements of the ToR and the EAA.
- There are any outstanding issues with the EA.
- The proposed undertaking has technical merit.

Must Haves in the EA:

- The EA must be prepared in accordance with the approved ToR.
- EA must include all the basic EAA information requirements.
- EA demonstrates where all the additional commitments in the ToR were met, including studies and the consultation process.

- Establishing a project contact list;
- Meetings with agency and municipal stakeholders, and Indigenous communities;
- Hosting two public open houses;
- Circulating notices via local newspapers and mail outs;
- Maintaining a project website with EA documentation; and
- Publishing the draft EA for a 45-day comment period from November 9, 2018 to December 14, 2018.

The County documented its consultation activities adequately in the EA and Record of Consultation. Section 15 of the EA provides an overview of the consultation activities, with the complete consultation documented in the Record of Consultation Volume VI of the EA.

Following submission of the EA to the ministry, the ministry undertook consultation in accordance with the EAA, beginning on February 15, 2021 to May 7, 2021. The GRT, public, and Indigenous communities were provided with the opportunity to review the EA and submit comments to the ministry regarding the fulfillment of ToR requirements, the EA, and the proposed undertaking. Comments received by the ministry during the comment period were forwarded to the County for a response. A summary of the comments received along with the County’s response is included in Tables 1 and 2 of Appendix B to this Review.

Section 5.1 of the EAA states:

“When preparing proposed terms of reference and an environmental assessment, the proponent shall consult with such persons as may be interested.”

Government Review Team

Consultation with the GRT occurred throughout the EA process. This included pre-submission discussions; technical meetings with ministry staff and key members of the GRT; and an opportunity to review the draft EA. Many of the comments provided on the draft EA were addressed in the final EA submitted to the ministry.

The Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNRF) (formally the Ministry of Natural Resources and Forestry (MNRF)), Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI), MECP and the Grand River Conservation Authority (GRCA) provided comments throughout the EA process, on EA work plans and on the draft EA.

At that time, comments provided by MNDMNRF on the draft EA confirmed that the

preferred alternative would avoid the area where species at risk bats may be roosting; but that further guidance from MNDMNR may be needed if another alternative is selected and tree removal planned. MECP subsequently agreed with these comments on species. MHSTCI sought consistency in referencing needed archaeological work, as well as a few administrative changes. The County updated the EA in response to MHSTCI's comments. MECP provided comments specific to wastewater, waste, air, hydrology and source protection. MECP's technical comments on the draft EA requested additional information about the project and the EA report, such as detailing vulnerable areas and ground composition. The ministry also indicated that only those options which include an engineered base liner and leachate collection system are supported. The County provided a revised draft EA to the ministry for review. The ministry was satisfied with the changes. GRCA indicated that they had no concerns. A summary of the comments received on the draft EA and the County's responses is provided in Table 15.4 of the EA. Original correspondence can be found in the Record of Consultation.

Following the formal submission of the EA to the ministry, GRT members were provided with a copy of the final EA for review. Comments from MHSTCI were received during the submission comment period and forwarded to the County for a response. Refer to Section 3.3. of this Review or Appendix B regarding these comments.

Public Consultation

The proponent used a variety of consultation methods to consult with the public including: public notices, two public information centres, website postings and direct community engagement through in-person meetings, phone calls and emails. Public information centres were held on March 29, 2016, and May 16, 2018. A summary of consultation with public stakeholders during the preparation of the EA is included in Section 15 of the EA.

The Notice of Commencement for the EA was issued on November 27, 2015. The County made the draft EA and its supporting documents available on the County's website to members of the public, agencies and Indigenous communities for comment from November 9, 2018 to December 14, 2018. The County received no comments from members of the public on the draft EA report.

The Notice of Submission of the final EA was issued on February 15, 2021 and circulated to the project contact list as well as posted on the County's website. No comments were submitted to the ministry by the public.

Indigenous Community Consultation

In addition to the requirement in the EAA that the proponent consult with interested persons, the ministry delegated to the proponent the procedural elements of the Crown's duty to consult with Indigenous communities whose existing constitutionally protected rights may be negatively impacted by the proposed undertaking.

The following Indigenous communities or representatives of a community were identified for consultation purposes:

- Six Nations of the Grand River (both Six Nations Elected Council and the Haudenosaunee Confederacy Chiefs Council);
- Métis Nation of Ontario;
- Grand River Métis Council (Métis Nation of Ontario);
- Caldwell First Nation;
- Chippewas of the Thames;
- Mississaugas of the Credit First Nation; and
- Oneida Nation of the Thames.

Aboriginal rights stem from practices, customs or traditions which are integral to the distinctive culture of the Aboriginal community claiming the right.

Treaty rights stem from the signing of treaties by Aboriginal peoples with the Crown.

Aboriginal rights and treaty rights are protected by section 35 of the *Constitution Act, 1982*.

The County also contacted the Huron Wendat Nation as they expressed a specific interest in archaeological resources in the site study area.

The above list was developed in consultation with the ministry, the Ministry of Indigenous Affairs and Indigenous Services Canada.

Formal study notices were circulated to Indigenous communities. Correspondence invited the communities to participate during the ToR phase of the EA and each round of EA consultation. In addition to the formal study notices, interested Indigenous communities were given studies to review, including archaeological assessment reports.

Additional engagement activities were undertaken during the preparation of the EA to obtain input from the identified Indigenous communities. These included an invitation to monitor field work, which the Mississaugas of the Credit First Nation, Haudenosaunee Development Institute and Huron Wendat Nation accepted. Meetings were also held

with the Mississaugas of the Credit First Nation (January 18, 2017 and January 23, 2019) and Six Nations of the Grand River (April 10, 2018).

Throughout the preparation of the EA, the above listed communities were kept informed of the progress of the EA and received a copy of the draft EA to review and provide comments. The following is a summary of the comments received from Indigenous communities during the preparation of the EA.

The Mississaugas of the Credit First Nation and the Huron Wendat Nation identified a low level of concern for the project but requested that they be included in any fieldwork undertaken related to the archaeological assessment work. The proponent invited both communities to monitor fieldwork and provided the Stage 1 and Stage 2 Archaeological Assessments to the communities. The proponent has committed to continuing to engage with the communities during detailed design; providing updates on additional archaeological work, such as a Stage 3 Archaeological Assessment. If required, the Stage 3 Archaeological Assessment would be undertaken during detailed design. It should be noted that a Stage 3 Archaeological Assessment would only occur if the final design for the landfill requires construction or operation within 20 m of archaeological resources. MHSTCI reviewed the EA and while a commitment to future work was requested in relation to completing the Stage 3 Archaeological Assessment (and potentially Stage 4), overall MHSTCI was satisfied.

During the April 10, 2018 meeting between Six Nations of the Grand River and the proponent, questions arose regarding the identification of vegetation, the development of a mitigation plan for the removal of vegetation and the use of a tree compensation policy (10:1 replacement ratio) during the development of mitigation measures. The proponent provided additional field data and confirmed that they would use the 10:1 ratio when developing the tree compensation policy. Consultation continued between the County and the community during development of the EA and into the EA submission comment period. Additional comments from Six Nations of the Grand River were received by the proponent during the EA submission comment period.

Indigenous community engagement is detailed in Section 15 of the EA and further documented in Sections C5 and D10 of the Record of Consultation.

No other Indigenous communities submitted comments on the final EA. Refer to Section 3.3 of this Review for discussion of these comments.

Ministry Conclusions on the Consultation Program

The EAA requires that the proponent consult with all interested persons during the preparation of the EA, provide a description of consultation activities undertaken by the proponent, and document consultation results. Overall, the ministry believes that the County provided sufficient opportunities for public, stakeholder, government agency, and Indigenous consultation during the preparation and finalization of the EA. The County has committed to continue to engage with Indigenous communities during detailed design of the proposed undertaking.

The ministry is satisfied that the EA consultation undertaken is consistent with the Codes of Practice for Consultation in Ontario's EA Process and best practices, meets the requirements of the EAA, and followed the consultation plan outlined in the approved ToR.

3.2 EA Process

EA is a planning process that requires a proponent to identify a problem or opportunity, consider alternative ways of addressing the problem or opportunity, evaluate the potential environmental effects of alternatives against select criteria, and then select a preferred alternative. In general, the County followed a logical and transparent decision-making process to select the preferred method for expanding the Biggars Lane Landfill to address the business opportunity to continue providing waste disposal services from 2023 to 2053. Below is a summary of the EA process followed, including the study areas used, and the methodology for assessing alternatives and environmental effects. Please refer to Appendix A of this Review for the ministry's analysis of how the EA has met the requirements of the EAA and the approved ToR.

3.2.1 Focused EA

The County prepared its EA in accordance with Sections 6(2)(c) and 6.1(3) of EAA, which resulted in an EA that "focused" on the consideration of alternative methods for increasing waste disposal capacity at the Biggars Lane Landfill. The ToR provided justification for limiting the examination of alternatives through an analysis of alternatives available to the County for achieving additional waste disposal capacity to provide integrated waste disposal services at the Biggars Lane Landfill over a 30-year planning period.

In the analysis of alternatives to the undertaking in the ToR, the County identified that it

had a limited number of reasonable ways to address the opportunity of securing additional disposal capacity. The County reviewed waste management options and then undertook a screening of landfilling alternatives during the development of the ToR. The screening of alternatives considered six reasonable alternatives, including:

- Do nothing;
- Alternative Disposal Technologies;
- Out-of-County Landfill Disposal Options;
- Landfill Mining;
- Privatization / Sale of County Solid Waste Facilities; and,
- In-County Landfill Disposal Options

The alternative selected was to expand the existing Biggars Lane Landfill as it is the only property large enough to provide the additional capacity requested.

The ToR also discussed alternative methods at a conceptual level by looking at “where” and “how” to expand the existing landfill. This was carried forward into the EA and discussed and reviewed in more detail.

Where to expand the landfill considered the following:

- vertical expansion within the existing landfill footprint;
- construction of an expansion to the existing landfill footprint; and
- construction of a new disposal footprint separate from the existing landfill footprint within the County owned property.

How to expand the landfill considered the following:

- natural attenuation (no liner or leachate collection system);
- MOE Generic Design No. 1 (single liner and leachate collection system);
- MOE Generic Design No. 2 (double liner and leachate collection system); and
- site-specific engineering design.

The EA prepared by the County focused on the development and assessment of alternative methods of expanding the Biggars Lane Landfill, as well as methods for leachate treatment and landfill gas management.

3.2.2 Description of the Environment in the Study Areas

Section 4.0 (Description of the Environment Potentially Affected) of the EA provides a description of the environmental conditions in the site and local and regional study

areas as previously described (see Figure 1), to establish a baseline for comparison with alternative methods. The environments described in the EA are:

- Natural environment – biological, hydrogeological, surface water, atmospheric, climate change;
- Socio-economic environment – social, economic, atmospheric (odour, dust, blowing litter), noise, visual, agricultural;
- Cultural environment – archaeology, cultural heritage; and
- Built environment – land use, transportation, design & operations.

The ministry is satisfied that a broad definition of the environment was considered and that the EA adequately describes the existing environmental conditions in the study areas.

3.2.3 Assessment of Alternative Methods

The County considered various horizontal landfill footprint locations and designs for expanding the existing landfill, including options for managing landfill gas and treating leachate in Section 3.0 (Description of the Alternative Methods) of the EA. The County developed evaluation criteria and indicators to identify and assess the impacts of these alternatives on the natural (biological and physical), socio-economic, cultural and built environments. The County predicted the net effects from each alternative method, then compared and ranked each method to determine the preferred option. The options for expanding the landfill to provide additional waste disposal capacity were:

- Alternative 1 – a 15.1 ha horizontal expansion west of the existing landfill with an engineered low permeability final cover without a liner and leachate collection system (see Figure 2);
- Alternative 2 – a 14.3 ha horizontal expansion west of the existing landfill with an engineered base containment approach (liner) (see Figure 3);
- Alternative 3 – two separate landfill footprints - a 10.9 ha expansion west of the existing landfill and a 4.7 ha expansion east of the existing landfill with an engineered low permeability final cover without a liner and leachate collection system (see Figure 4); and
- Alternative 4 – two separate landfill footprints - a 11.7 ha footprint west of the existing landfill and a 8.2 ha expansion east of the existing landfill with an engineered base containment (liner) (see Figure 5).

Alternative 2 was selected as the preferred site development method from biological, atmospheric, socio-economic, and built environment perspectives. The other alternatives were assessed to produce higher dust and odour impacts, affect worker safety, and have higher capital costs.

The landfill gas management methods considered were:

- Alternative 1 – do nothing;
- Alternative 2 – Utilization of passive venting which involves installation of a system to intercept the landfill gas before it reaches the atmosphere;
- Alternative 3 – Utilization of an active collection system involves installation of a system that uses extraction equipment to draw landfill gas through the pipe network placed over the landfill gas collection area and directs the landfill gas to equipment for combustion or use;
- Alternative 4 – Utilization of an active vertical extraction well system which uses the same extraction, piping and combustion or use equipment described above; and
- Alternative 5 – Utilization of a combination of active horizontal collection trenches and active vertical extraction wells.

Alternative 4 was preferred from technical and operations perspectives. Vertical extraction wells are more efficient when used at sites like Biggars Lane Landfill where the footprint area is limited and the waste thickness is relatively small. It should be noted that the landfill gas collection system will only be installed for the expansion footprint.

The leachate treatment methods considered were:

- Alternative 1 – trucking collected leachate to the County owned Paris Water Pollution Control Plant for treatment;
- Alternative 2 – trucking collected leachate to the County owned St. George Water Pollution Control Plant for treatment;
- Alternative 3 – combined use of both County owned facilities;
- Alternative 4 – establishment of a full on-site leachate treatment system; and
- Alternative 5 – the use of out-of-County Sewage Treatment Plant(s).

Alternative 1 was considered as the preferred leachate treatment alternative since there

would be no construction-related natural, social, and cost impacts.

Do nothing was also considered as a benchmark comparison associated with the analysis in the EA of the advantages and disadvantages of proceeding with the preferred alternative or undertaking. As a result, the ministry gained an understanding of proceeding with the landfill expansion versus a do nothing scenario in this regard.

3.2.4 Assessment of Environmental Effects

The County describes the potential effects, mitigation measures and residual (net) effects of the overall Biggars Lane Landfill Expansion project in Section 9.0 (Environmental Effects Assessment and Mitigation, Monitoring and Contingency Plan for the Preferred Method) of the EA. The County developed impact assessment criteria which were used to identify the net effects resulting from the project after the application of mitigation measures. Environmental components that were considered included:

- Geology
- Hydrogeological
- Surface Water
- Atmospheric
- Social
- Economic
- Agricultural
- Cultural Heritage
- Archaeological
- Land Use
- Transportation
- Design and Operations

The natural environment assessment examined the potential effects of the project on endangered or threatened species habitat; terrestrial systems (wildlife and wildlife habitat); as well as effects on fish and fish habitat. The expansion is predicted to have minimal impacts on vegetation and terrestrial ecosystems, including aquatic wildlife and species at risk.

In addition, an assessment on the environmental affects on air quality, odour and noise was completed and the impacts were determined to be minimal and not significant to the nearby receptors.

Transportation impacts were considered through the EA and it was determined that the preferred method for landfill expansion will not significantly change the forecast traffic impacts from the landfill operations as this project will use the same haul routes and accept a similar amount of waste as currently accepted.

With regards to impacts to the local economic environment, the assessment determined that the expansion will not result in disturbance or displacement to the existing golf course business and there will be an overall net environment benefit to the local economy as a result through the temporary creation of new jobs through construction and the small boost to the economy of the local study area, with the temporary residence of the workers through the construction period.

Source Water Protection

The County's consideration of source water protection is described in Section 4.1.2.5 of the EA. The project is located in the Lake Erie Source Water Protection Region, specifically the Grand River watershed. There are no wellhead protection areas within the local study area and the site study area is outside the Brantford Intake Protection Zone; however, sections of the site study area are located within the intake protection zone for the Ohsweken Water Supply Intake with a vulnerability score of 6. The site study area is not within a Highly Vulnerable Aquifer and has no Wellhead Protection Areas and is not within an Intake Protection Zone with a score of 9 or higher. As a result, no Source Protection Plan Policies apply. The ministry's Source Protection Programs Branch is satisfied with the information provided in the EA.

Climate Change Impacts

In 2017, the ministry developed a guideline that set out ministry expectations for considering climate change in the preparation of an EA. This guideline did not exist when the ToR was developed for this project, or later when the ToR was approved by the Minister. However, a Climate Change Considerations Report was prepared after the comparative evaluations were completed and so it draws directly from sections of the supporting studies in which climate change considerations were made.

The review of Alternative Methods in the supporting studies considered the impacts of the project on climate change and the impacts of climate change on the project. Mitigation measures to address impacts from climate change are provided in the EA and include sizing the SWM pond for the site in order to minimize the impacts of erosion and runoff as well as designing a landfill gas collection and destruction system in accordance with Ontario Regulation 232/98 with the ability to help avoid 55% of the greenhouse gasses that are created by the expansion. The County is planning the landfill expansion in a manner that considers future changes in climate and the impacts a changing climate could have on the project. The net effects of greenhouse gas generation are considered in the EA as well as the size/design of stormwater

management facilities to address potential flooding events. The project is not expected to have any significant impacts on the environment due to climate change considerations.

Cumulative Effects

The Code of Practice for Preparing and Reviewing Environmental Assessments in Ontario (2014) encourages proponents to include information about the potential cumulative effects of the project in combination with past, present and reasonably foreseeable future activities. The County outlined steps for determining cumulative effects in the approved ToR. No concerns have been expressed regarding existing cumulative adverse impacts in the site study area or in the local study area from past and/or present activities. There are currently no known development applications within the local study area and development activity within this rural area has been limited in recent years. Considering this overview of the present and foreseeable situation, there are no apparent potential adverse cumulative effects on the environment associated with the proposed expansion of the landfill.

3.2.5 Monitoring and Commitments

Sections 9 and 13 of the EA describe environmental effects monitoring activities used to ascertain the effectiveness of mitigation measures, in addition to contingency measures to address unexpected occurrences. Monitoring activities are proposed for wildlife (including species at risk), terrestrial and aquatic habitat, tree plantings, groundwater (including private wells), surface water quality, leachate quality, landfill gas, and public complaints. Commitments related to the construction, operation, closure and post-closure of the landfill are listed in Table 13.1: Summary of Commitments of the EA.

3.2.6 Ministry Conclusions on the EA Process

Overall, the ministry is satisfied with the proponent's decision-making process and that the process is consistent with the requirements of the EAA and the approved ToR. The EA confirms the opportunity for expanding the landfill, provides a description of the environment potentially affected which considers the EAA's broad definition of the environment, and considers alternative methods for landfill site development, including leachate and landfill gas management alternatives. The EA identifies the potential effects of alternatives along with mitigation measures and assesses them based on their relative advantages and disadvantages. Net effects of the project are identified in the EA and monitoring measures are proposed to manage environmental effects.

3.3 Comments on the Undertaking

3.3.1 Key Issues

Issues and concerns from the GRT and Indigenous communities regarding the proposed undertaking were received by the ministry during the review and comment period that followed the submission of the EA. All comments received, along with the responses provided by the County, are included in Tables 1 and 2 in Appendix B of this Review. This section summarizes the key issues that were raised during the EA process.

Government Review Team Comments

MHSTCI provided the following comments to the MECP:

- At this phase in the project, a Stage 3 assessment has been identified to be completed and forms have been submitted; however, the Stage 3 assessment report may recommend Stage 4 mitigation through excavation. The completion of Stages 3 and 4 should be listed as a future commitment under the design and approval phase whereas Table 13.1 of the EA (Summary of Commitments) incorrectly states that the commitment to carry out any necessary cultural heritage technical studies, including archaeological assessment, has been completed.
- A commitment should be required to address the possibility that archaeological resources may be encountered unexpectedly during construction.

The County noted MHSTCI's comments and in response will include a commitment in the Implementation Plan, a reference document to be continuously updated throughout the EA process, to address the Stage 3 Archaeological Assessment and potential Stage 4 Archaeological Assessment. The proponent is not proposing any changes to the EA report. MHSTCI is satisfied with the proponent's response. Given that the proponent did not amend the EA, the ministry is recommending a condition of approval to include these requirements to ensure that this is addressed and reported on as part of annual compliance reporting.

Indigenous Community Comments

On April 30, 2021, during the EA submission comment period, the County met with the Six Nations of the Grand River Elected Council during which their concerns were detailed to the County. The Six Nations of the Grand River followed up with a letter on

May 7, 2021 to the proponent about its comments. Concerns included:

- what mitigation measures would be in place to protect significant wildlife, wildlife habitat including impacts on Bank Swallows or Bat habitat and the nearby Grand River from leachate breakouts;
- what would be done to ensure the protection of all species during construction and operation; and,
- the legitimacy of how specific odour and air data was collected without site specific measurements and the assumptions made.

The County responded to the Six Nations of the Grand River concerns during the meeting on April 30, 2021 and in a letter dated May 27, 2021. The County indicated that the Design and Operations Manual, required as part of the ECA for the Biggars Lane Landfill (current operations), includes monitoring of the site to identify potential leachate breakouts. The EA includes a commitment to apply for the necessary amendments to its ECA under the Environmental Protection Act, which would include the Manual. The Manual would be updated to address the existing and, if approved, expansion areas of the site. As well, the landfill would be designed to include a perimeter swale to collect surface water runoff and a surface water management system. MECP technical staff reviewed the EA and technical studies and were satisfied with the proposed measures that would be implemented to manage leachate from the landfill.

Proposed mitigation measures that are protective of all species and are specific to the construction and operation of the landfill are detailed in the EA and listed in Tables 9.5 and 9.6. Examples of the mitigation measures proposed in the EA include limiting vegetation clearing during sensitive times of the year for local wildlife; ensuring Erosion and Sediment Control Plans are in place to limit potential impacts to fish populations; installing exclusion fencing prior to commencement of construction activities to limit vegetation disturbance; and regular monitoring of groundwater and surface water quality to look for potential effects from the expanded landfill. MNMNR reviewed the draft EA and had no concerns regarding potential impacts from the construction and/or operation of the landfill on species and their habitat. MECP supports MNMNR's review.

Regarding odour data used in the EA, data from a different landfill was used rather than Biggars Lane Landfill as it provided a worst-case scenario (the Biggars Lane Landfill would have lower odour values), allowing for the maximum odour emissions to be used for modelling and thus providing an overestimation of odour impacts. MECP technical staff confirmed that this is an acceptable practice; however, a best management

practices plan and sampling data for odour should be submitted at the time of amending the ECA to ensure adequate oversight by the ministry. A condition of approval is proposed to require this information at the ECA or detailed design stage to ensure that odour data in the EA can be supported. As for air concerns, specifically the community stated that Particulate Matter (PM) 2.5 annual values exceed set criteria, the EA Appendix D indicates that the landfill in future scenarios will make up only 2.7 percent of this criterion, the rest is background levels of PM 2.5. To manage PM 2.5, the County has proposed in the EA that a Construction Management Plan be developed with the construction contractor to address dust. The plan will require monitoring of the road, operations and dirt piles for dust emissions. Dust is not anticipated to be an issue during operation of the landfill, so no mitigation is proposed. MECP technical staff reviewed the EA and did not have concerns with PM 2.5.

The County followed up with the Six Nations of the Grand River on June 30, 2021. Six Nations of the Grand River confirmed verbally that they had no further questions or concerns regarding the EA.

3.3.2 Conclusion

The County provided responses to all comments received during the EA submission comment period. The ministry is of the opinion that the Biggars Lane Landfill expansion would be designed and operated to comply with the ministry's standards and that the environmental effects of the proposed undertaking would be managed through the commitments made in the EA, through conditions of approval, or through additional work that must be carried out by the County in support of future approval applications, if the EA is approved.

4. Other Considerations

4.1.1 Diversion

As part of the EA, the County evaluated on-site and at-source diversion options that are previously implemented and include:

- Blue Box Recycling;
- Cardboard;
- Scrap Metal;
- Brick and Concrete Rubble;

- Propane Tanks;
- Used Goods (Salvation Army Box);
- Brush, Yard Waste & Leaves;
- Appliances;
- Waste Computers and Electronics;
- Scrap Wood (clean and finished/painted);
- Tires;
- Fluorescent Light Bulbs;
- Construction and Demolition (C&D) Waste;
- White Styrofoam; and
- Batteries.

In addition, the County holds Annual Household Hazardous Waste Collection Events regularly and is actively promoting backyard composting by selling composters at a subsidized price.

The County completed a Solid Waste Diversion Plan (2007) to develop a long-term solid waste diversion strategy. While the County has made several improvements to their diversion programs outlined above, the County's average residential waste diversion rate has remained around 34.5%. The County reviewed the ministry's discussion paper on reducing litter and waste in our communities (published in March 2019) and has considered the recommendations into its overall waste diversion strategy.

The County intends to review Green Bin program opportunities during preparation of the next tender for Solid Waste Collection and Processing in 2024. Further, the County of Brant Council approved a motion at their March 2021 meeting to utilize budget savings, due to the transition of the provincial Blue Box program, for environmental initiatives.

Future diversion rates have not been projected in the EA due to the transition of the BlueBox program to an Expanded Producer Responsibility program. The transition to Producer Responsibility is to occur in 2025 for the County. Despite this, within the EA the County has indicated an ongoing commitment to implement, and aim to increase, their waste diversion strategies.

5. Summary of the Ministry Review

The Review has explained the ministry's analysis for the Biggars Lane Landfill Expansion EA.

This Review concludes:

- That the EA complies with the requirements of the approved ToR and has been prepared in accordance with the EAA. The EA provides sufficient information about the undertaking and its potential impacts to enable a decision to be made about the application to proceed with the undertaking.
- That the EA has assessed and evaluated alternative methods to arrive at the preferred undertaking, assessed the potential environmental effects of the alternative methods and the proposed undertaking, assessed the advantages and disadvantages of the preferred alternative, and provides a description of mitigation and monitoring measures to address the potential negative environmental effects of the proposed undertaking.
- That sufficient opportunities were provided for the GRT, Indigenous community and the public to comment during the development of the EA. Concerns raised by the GRT and Indigenous communities have been considered by the proponent in the EA, or a commitment has been made to continue to consider concerns through further discussions, commitments and future permitting and approval processes.
- If approval of the undertaking is obtained under the EAA, standard conditions of approval are recommended for the implementation of the undertaking including general requirements to comply with the EA and any commitments provided; obtain other approvals and permits under other statutes; documentation requirements for the public record; compliance monitoring provisions for the proponent to conduct and report on compliance; and the preparation of a complaints protocol to respond to all complaints received during construction.

5.1.1 Proposed Conditions of Approval

If an undertaking is approved under the EAA, there will be several standard conditions. These conditions include:

- General requirements to comply with the EA and commitments made;
- Documentation requirements for the public record;
- Compliance monitoring provisions for the proponent to conduct and report on;
- Preparation of a complaints protocol to respond to all complaints received during construction and operation;
- Preparation of an Indigenous consultation plan for project implementation; and

- an expiration date on the EA approval.

There will also be conditions to ensure that a Stage 3 Archaeological Assessment is completed if required, based on the design of the landfill, and to ensure that the odour data provided in the EA is supported. This list is not exhaustive and additional conditions may be proposed subject to further review and consultation. During the five-week Review comment period and prior to the ministry making a recommendation to the Minister about this EA, additional conditions of approval specific to the landfill expansion undertaking may be proposed to ensure that the environment remains protected.

6. What Happens Now?

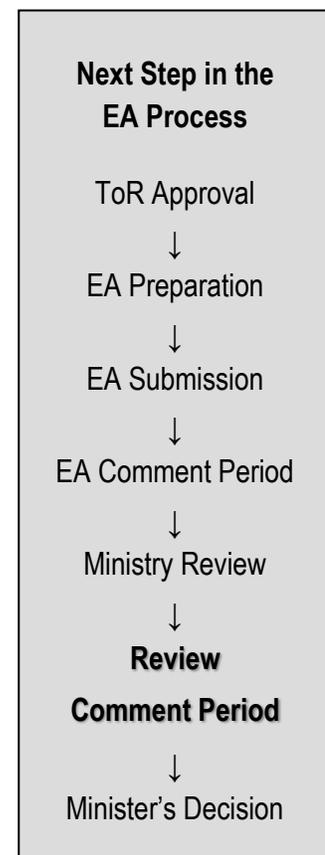
The Review will be made available for a five-week comment period. During this time, all interested parties, including the public, the GRT and Indigenous communities can submit comments to the ministry about the proposed undertaking, the EA and/or the Review. At this time, anyone can make a written request that the Minister refer either all or part of the EA to the Ontario Land Tribunal for a hearing if they feel their environmental concerns have not been considered.

At the end of the Review comment period, ministry staff will make a recommendation to the Minister concerning whether the EA has been prepared in accordance with the ToR, the requirements of the EAA, and whether the proposed undertaking should be approved. When making a decision, the Minister will consider the purpose of the EAA, the EA itself, the Review of the EA, comments received during the formal comment periods, in addition to other matters the Minister may consider relevant.

The Minister will make one of the following decisions:

- Give approval to proceed with the undertaking;
- Give approval to proceed with the undertaking subject to conditions; or
- Refuse to give approval to proceed with the undertaking.

Prior to making that decision, the Minister may also refer either part of or the entire EA to mediation or refer either part of or the entire EA to the Ontario Land Tribunal for a



decision.

If the Minister approves, approves with conditions or refuses to give approval to the undertaking, the Lieutenant Governor in Council must concur with the decision.

6.1 Additional Approvals Required

If EAA approval is granted, the County will still need to obtain other legislative approvals to design, construct and operate this undertaking. Section 10 of the EA outlines additional approvals that may be required. These approvals may include:

- Amendments to waste, air, and industrial sewage works ECAs under the *Environmental Protection Act* and *Ontario Water Resources Act (OWRA)*;
- ECA for storm water management pond under the OWRA; and,
- *Ontario Heritage Act*.

If EAA approval is granted, the proponent must still obtain any other permits or approvals required to construct and operate this undertaking.

These approvals cannot be issued until approval under the EAA is granted.

6.2 Modifying or Amending the Proposed Undertaking

Any changes outside the scope of this EA may be considered a new undertaking under section 12 of the EAA and may require a new individual EA or can be undertaken in accordance with requirements under the waste regulation.

APPENDIX A

ENVIRONMENTAL ASSESSMENT ACT REQUIREMENTS

APPENDIX B

SUBMISSIONS RECEIVED DURING THE EA COMMENT PERIOD

Making a submission?

A public review period ending January 14, 2022 will follow the publication of this Review. During this time, any interested parties can make submissions about the proposed undertaking, the EA, or this Review. Should you wish to make a submission, please send it electronically to Anne.Cameron@Ontario.ca and address it to:

Director
Environmental Assessment Branch
Ministry of the Environment, Conservation and Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario M4V 1P5

Re: Biggars Lane Landfill Expansion Environmental Assessment

Attention: Anne Cameron, Project Officer

All personal information included in a submission—such as name, address, telephone number and property location of requester—is collected, maintained and disclosed by the ministry for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act* or is collected and maintained for the purpose of creating a record that is available to the general public as described in s.37 of the *Freedom of Information and Protection of Privacy Act*.

Personal information that is submitted will become part of a public record that is available to the general public unless a request is made that personal information remain confidential. For more information, the ministry's Freedom of Information and Privacy Coordinator can be contacted at 416-314-4075.



**ENVIRONMENTAL ASSESSMENT ACT SECTION 7.1
NOTICE OF COMPLETION OF MINISTRY REVIEW**

**AN INVITATION TO COMMENT ON THE ENVIRONMENTAL ASSESSMENT
FOR THE PROPOSED BIGGARS LANE LANDFILL EXPANSION**

An environmental assessment has been submitted to the Ministry of the Environment, Conservation and Parks by the County of Brant for the undertaking, the Biggars Lane Landfill Expansion

The Ministry of the Environment, Conservation and Parks has prepared a Review of the environmental assessment for public and agency comment. The Review of the environmental assessment does not make a decision about the undertaking. That decision is made by the Minister of the Environment, Conservation and Parks after the comment period is over and consideration of all submissions.

You can submit comments on the undertaking, the environmental assessment, and the Ministry Review. You may also request a hearing by the Ontario Land Tribunal. If you request a hearing you must state in your submission, whether you are requesting a hearing on the whole application or on only specified matters related to the application.

HOW TO GET THE INFORMATION YOU NEED

You can inspect the Ministry Review on the Government of Ontario webpage for this EA:

<https://www.ontario.ca/page/ministry-review-biggars-lane-landfill-expansion-environmental-assessment>

The EA is available for reference on the proponent's project website:

<https://www.brant.ca/en/resident-services/Solid-Waste-Environmental-Assessment.aspx>

Please ensure your written comments are received by: January 14, 2022

SEND WRITTEN COMMENTS TO:

Director
Environmental Assessment Branch
Ministry of the Environment, Conservation and Parks

Attention: Anne Cameron, Project Officer
E-mail: anne.cameron@ontario.ca
Phone: (437) 246-2066

We apologize that we are only able to accept electronic submissions at this time.

BE SURE TO EXPRESS YOUR VIEWS

If you make a submission or request a hearing before the above date, you will be notified of any decisions about this environmental assessment. Otherwise, the undertaking may proceed without further notice to you.

If no submissions or requests for a hearing are received, the undertaking may be approved with no further public notice. This will allow the undertaking to proceed.

Under the Freedom of Information and Protection of Privacy Act and the Environmental Assessment Act, unless otherwise stated in the submission, any personal information such as name, address, telephone number and property location included in all submissions become part of the public record files for this matter and can be released, if requested, to any person.