

Ministry of the Environment
and Climate Change

Environmental Approvals
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ENV1283MC-2014-1245

February 4, 2015

Mr. John Lindsay
President
Minnow Lake Restoration Group
1439 Bancroft Drive
Sudbury, ON P3B 1R6

Dear Mr. Lindsay:

Thank you for your May 14, 2014 letter to the Minister of the Environment and Climate Change (Minister) in which you request that the City of Greater Sudbury (City) be ordered to prepare an individual environmental assessment under the Environmental Assessment Act for the proposed Second Avenue (MR72) Infrastructure Improvements (Project), please be advised that the Minister is unable to consider your Part II Order request at this time.

It is my understanding that the Project is being planned in accordance with the Schedule B provisions of the Municipal Engineers Association's Municipal Class Environmental Assessment (Class EA). The Class EA requires proponents of projects in this category to assess and mitigate any negative project impacts, and thoroughly document the project planning process in order to fulfil the requirements of the Environmental Assessment Act (EAA). The Class EA also requires that a Project File be completed and available for public review for a minimum 30-day period.

Under Section 13 of the EAA, a proponent of an undertaking subject to a class environmental assessment shall not proceed with the undertaking unless the proponent does so in accordance with the class environmental assessment. Alternatively, the proponent may carry out an individual environmental assessment. It has come to my attention that the Transportation Background Study which identified this Project has not been completed, nor has a Project File been completed.

Ministry staff have determined that the Project was not planned in accordance with the requirements of the Class EA. As the Class EA is a streamlined, self-assessment

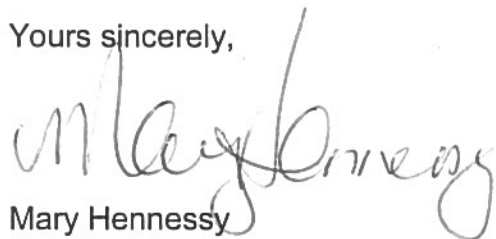
process, the ministry expects proponents to complete all required consultation, impact assessment and documentation prior to issuing a Notice of Completion.

Since a Project File has not being completed nor circulated for public and agency review, the City has failed to meet the Class EA requirements. Without proper project documentation, the ministry is unable to determine whether the City has met the public, agency, and Aboriginal community consultation requirements of a Schedule B Class EA project. In order to meet Class EA requirements, the City must complete a Project File, re-publish a Notice of Study Completion, and provide a minimum 30-day period for public review of the Project File.

The information you have submitted as part of your Part II Order request and all correspondence in regards to the Project will be kept on record as part of the ministry's file. Once the Notice of Completion has been re-issued for the Project, please advise the ministry within the public review period whether or not you wish the Minister to continue to consider your Part II Order request.

Thank you for taking the time to share your concerns regarding the Project. If you have any questions, please contact Ms. Dorothy Moszynski of this Branch at (416) 212-3693 or by e-mail at dorothy.moszynski@ontario.ca.

Yours sincerely,



Mary Hennessy
Director (A)
Environmental Approvals Branch

c: Mr. David Kalviainen, Roads Engineer, City of Greater Sudbury
Mr. Dave Shelsted, Director of Roads and Transportation, City of Sudbury