SANDPOINT BEACH PARK SHORELINE CLASS ENVIRONMENTAL ASSESSMENT

Job Number: 21-050
Date: April 2024

Landmark Engineers Inc.

Sandpoint Beach Master Plan Class Environmental Assessment

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Sandpoint Beach Park Shoreline
Class Environmental Assessment

Executive Summary

Sandpoint Beach is a municipally-owned park located on the east end of the City of Windsor (the City), providing recreational facilities and public beach access to Lake St. Clair near the mouth of the Detroit River. The site is comprised of three distinct segments: Sandpoint Beach, Ganatchio Park, and Stop 26 Beach, which together are commonly referred to as Sandpoint Beach Park.

Over the past few decades there have been several drownings that have occurred at the park - primarily due to patrons straying outside of the marked swimming areas and into an adjacent area at the mouth of the Detroit River where deep waters and strong currents are known to prevail. In response to the most recent drowning incident that occurred in May of 2021, the City of Windsor retained Landmark Engineers to study the feasibility of relocating the existing beach to the east – farther away from the deep-water area. Given that such an undertaking would significantly alter the overall function of the site – and noting that the existing park facilities have not been updated for some time, it was decided to incorporate the proposed shoreline alterations into a new Master Plan for Sandpoint Beach Park.

In December 2021, Landmark Engineers Inc. was retained by the City to develop a Park Master Plan for the Sandpoint Beach Park. Through the Master Plan process, an overall Concept Plan was developed for the site, based on feedback from the public, the City, and other stakeholders. The Concept Plan call for various potential shoreline improvements, including: a new rock revetment along the west half of the site, and moving the swimming beach to the east side of the existing facilities building. The inclusion of these potential shoreline improvements triggered the Municipal Class Environmental Assessment (MCEA) process - which must be completed prior to finalization of the Park Master Plan, detailed design, or construction.

In consultation with the local Ministry of the Environment, Conservation and Park's (MECP) Environmental Assessment Branch, it was established that the project would follow the planning process as a Schedule 'B' activity. At the outset of the MCEA process, the following Problem / Opportunity statement was developed to guide and direct the study:

> *"This study intends to review and assess possible shoreline modifications at Sandpoint Beach Park in order to:*
>
> - *Limit public access to the neighbouring shoreline area where deep water and strong currents are known to exist;*
> - *Maintain public access to Lake St. Clair while improving safety;*
> - *Maintain / improve flood and erosion protection; and,*
> - *Improve the overall function of the park."*

One Public Information Centre (PIC) was held on November 19, 2022 to present the Recommended Solution to the public. The Recommended Solution for the site was based on the Concept Plan that was developed as part of the Park Master Plan project. Through the EA process, the proposed shoreline improvement options were considered based on their ability to satisfy the project objectives identified in the Problem/Opportunity Statement.

After consideration of the feedback from the public, stakeholders, and various regulatory agencies (as well as a review of the environmental considerations and the project objectives), the Recommended Solution was refined to create the Preferred Solution for this project, which is presented herein.

The Preferred Solution includes the following shoreline improvements at Sandpoint Beach Park:

- Removal of the existing steel sheet pile walls east of the main facilities building;
- Relocation of the Beach to the east side of the existing building;
- New rock revetments along the west half of the site;
- A new rock promontory in front of the existing building;
- A new rock promontory to separate the new beach from the existing Stop 26 beach;
- Site grading to maintain a minimum flood protection elevation along the entire site;
- A pile-supported fishing pier; and,
- An enhanced naturalized corridor with connection to the water west of the pier.

A preliminary budget of **$2 million to $2.25 million** (excluding HST) was estimated for the proposed shoreline improvements listed above. The estimate was prepared based on 2023 dollars and includes an allowance of 30% for approvals, engineering and contingencies.

At this time, the Class EA process has been completed and this Project File has been compiled. The City may now proceed with the design and construction of the proposed shoreline improvements.

Section 1:
Project Information
and
Environmental Inventory

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1.0 Project Information and Environmental Inventory

This section of the Project File presents general project information including a project overview, a summary of the project's background, the problem/opportunity statement and a description of the project file and status. This section also summarizes the relevant background information and environmental inventory that was compiled and reviewed as part of the Municipal Class Environmental Assessment (MECA) process.

1.1 Project Information

1.1.1 Project Overview

In December 2021, Landmark Engineers Inc. was retained by the City to develop a Park Master Plan, in preparation for a shoreline Environmental Assessment (EA) and eventual implementation of the project.

A Public Information Centre (PIC) for the Sandpoint Beach Park Master Plan was held on May 19th, 2022. Through the Sandpoint Beach Park Master Plan process, a Concept Plan was developed for the site, based on feedback from the public, the City and other stakeholders.

The current Concept Plan (See attached Park Master Plan image) includes potential shoreline improvements, including the relocation of the existing beach and the installation of new rock revetments along the west half of the site. The inclusion of potential shoreline improvements triggers the Environmental Assessment process - which must be completed prior to finalization of the Park Master Plan, detailed design or construction.

1.1.2 Background/Project Objectives

Sandpoint Beach is a Municipally-owned Park that provides recreational facilities and public beach access to Lake St. Clair. It is our understanding that over the past few decades there have been several drownings that have occurred at the park – primarily due to patrons straying outside the marked swimming areas.

The primary purpose of this redesign is to modify the existing shoreline and swimming facilities within the park in a manner that would improve public safety, while maintaining functional erosion and flood protection.

The following objectives were identified for the Shoreline EA:

- Assess the condition of the existing shoreline;
- Improve overall public safety. (Since 1986 there have been six (6) documented drownings, the most recent was in May of 2021);
- Preserve the only public beach access located within the City of Windsor;
- Create a stable shoreline that provides erosion and flooding protection for the adjacent parkland and municipal right-of-way; and,
- Determine if Blue Flag status is achievable for the beach.

1.1.3 Problem/Opportunity Statement

At the outset of the MCEA process, the following Problem / Opportunity statement was developed to guide and direct the study:

> *"This study intends to review and assess possible shoreline modifications at Sandpoint Beach Park in order to:*
>
> - *Limit public access to the neighbouring shoreline area where deep water and strong currents are known to exist;*
> - *Maintain public access to Lake St. Clair while improving safety;*
> - *Maintain / improve flood and erosion protection; and,*
> - *Improve the overall function of the park."*

1.1.4 Project File

It was established that the project will follow the planning process set out in the Municipal Engineers Association's Municipal Class Environmental Assessment (Class EA). The project falls under Schedule 'B' of the Municipal Class EA.

For Schedule 'B' projects the proponent is required to compile and maintain an official Project File that will be made available to the public for review and comment. The balance of this document represents the Project File.

1.1.5 Project Status & Next Steps

The Class EA process has been completed and this Project File has been compiled.

The Notice of Completion 30-day review period expired on February 8th, 2024. No Part II Order were received as a result of the Notice.

The City of Windsor may now proceed with the design and construction of the shoreline improvements identified in the Preferred Solution, if and when desired.

(Refer to Section 3, item 3.7 Approvals and Next Steps)

1.2 Environmental Inventory & Review of Background Information

A copy of the Environmental Inventory slides presented at the Public Information Centres has been included in this section of the Project File for ease of reference.

1.2.1 Physical Environment

Existing Shoreline

The Study Area consists of approx. 2.2 ha (5 acres) of public parkland. This area is split between beach area and grass park area. Approx. 265m of the existing shoreline is public beach with the remaining 170m of shoreline consisting of steel sheet pile walls.

The existing beach areas appear to be stable and generally consists of naturally deposited, well-graded sand. Approx. 90m of the west beach is currently fenced off to deter access. The safe swimming areas are delineated with buoy lines that are deployed and maintained by City staff during the swimming season.

The existing steel sheet pile walls generally appear to be in fair condition and appear to have been installed in the 1980s. Due to substantial erosion behind the walls, a rock apron has been installed to fill the voids along the back of the wall.

Utilities

All of the utilities run east-west along the south side of the site and do not interfere with any potential shoreline improvements.

Adjacent Land Use

The site is abutted by City of Windsor right-of-way for Riverside Drive East, with additional City owned parkland to the south. Privately-owned residential and commercial flank the site east and west. Lake St. Clair is located immediately to the north of the site. It is understood that the water lots with in the Lake are controlled by the Windsor Port Authority.

Lake St. Clair

Lake St. Clair and the mouth of the Detroit River are located immediately north of the site. The lake bottom fronting the Study Area slopes very gently offshore from 175.5m along the shoreline to the 173.0m offshore where there is a steep drop-off. At the west end of the site, the drop-off area is much closer to the shoreline, adjacent to the corner of the west property where the Lake meeting the Detroit River. This area has strong currents and undertows. See attached Environmental Inventory – Bathymetry & Safe Swimming Considerations slide attached in this section.

1.2.2 Natural Environment

Geotechnical, Soil Management & Contamination

A geotechnical investigation was not undertaken as part of this study. Prior to proceeding with detailed design of the Preferred Solution shoreline improvements, a geotechnical investigation may be required.

As part of the Preferred Solution, a barrier berm is proposed along the site for flooding protection. As well, the proposed shoreline erosion protection elevation is higher than the existing shore protection elevation. It is anticipated that the site will require fill to achieve the proposed grades and all soils on-site will be maintained.

Due to the nature of the site and historical uses, it is anticipated that no contaminated soils will be discovered. However, it is recommended that a soils management plan be developed as part of detailed deigns and consecution phases of the project.

Source Water Protection

The Project File was reviewed by the Essex Region Conservation Authority (ERCA) as it related to Source Water Protection in the Essex Region. No source water related concerns were identified at this time. A copy of the letter from ERCA can be found in this section of the Project File.

Natural Heritage

Insight Environmental Solutions (IES) was retained to complete a Natural Heritage Assessment for the Study Area. The objective of the assessment was to identify potential constrains within the study area associated with natural heritage components and regulatory aspects. A copy of the IES report can be found in Section 7 of this Project File.

Climate Change

Overall, the Proposed Solution for the shoreline works will have a little to no impact on Climate Change. The only potential impacts would be during the construction of the works. Long term, the shoreline will have no impact on climate change.

The following impacts and mitigation measures were considered when selecting the preferred solution for the shoreline:

- Armour rock can be sourced from local quarries to limit the distance of trucking materials to site.
- The rock revetment will create better fish habitat along the shoreline than the current steel sheet pile walls.
- The production of armor rock creates fewer greenhouse gasses than the production of new steel sheet piling.
- The shoreline and berm along the site will have a finished elevation above the current 1:100 year water level and have sufficient freeboard for future water level which are projected to increase.
- It is recommended that trees be planted on the site to offset the removal of trees required to relocate the beach.

Construction of the works

The construction of the works has the potential to create greenhouse gases. In order to mitigate this potential, the following migration measures will be implemented during construction:

- Local contractors will be used to limit the distance the machinery needs to be transported.
- Local suppliers of materials will be chosen (when possible).
- It is recommended that the site be landscaped with trees which will improve air quality and add carbon sinks.

Flooding and Erosion Protection

The increase in water levels due to Climate Change has been considered. The elevations along the shoreline have been determined based on potential future high-water levels. This is discussed in more detail in Section 3 Preferred Solution.

Once the shoreline construction works are completed, there are no anticipated continued climate change effects.

Air Quality, Dust and Noise

The proposed shoreline improvements, once constructed, will not have any adverse impacts to air quality, dust or increased noise levels at the site.

The following mitigation measures are recommended during construction:

- Dust control – Contractors will be responsible for controlling dust resulting from the operations, both on site and within adjacent rights-of-ways. Water and/or non-chloride based dust-suppressants area recommended.

- Noise – Contractors shall abide by the City's noise by-law (#6716). Work is prohibited during the hours stated in the by-law, including operation of equipment and loading/unloading of materials at the site.

As discussed above in section 1.2.2 Climate Change, it is recommended that the site be planted with trees to improve air quality and add carbon sinks once construction is complete.

1.2.3 Social / Economic Environment

Archaeological Resources

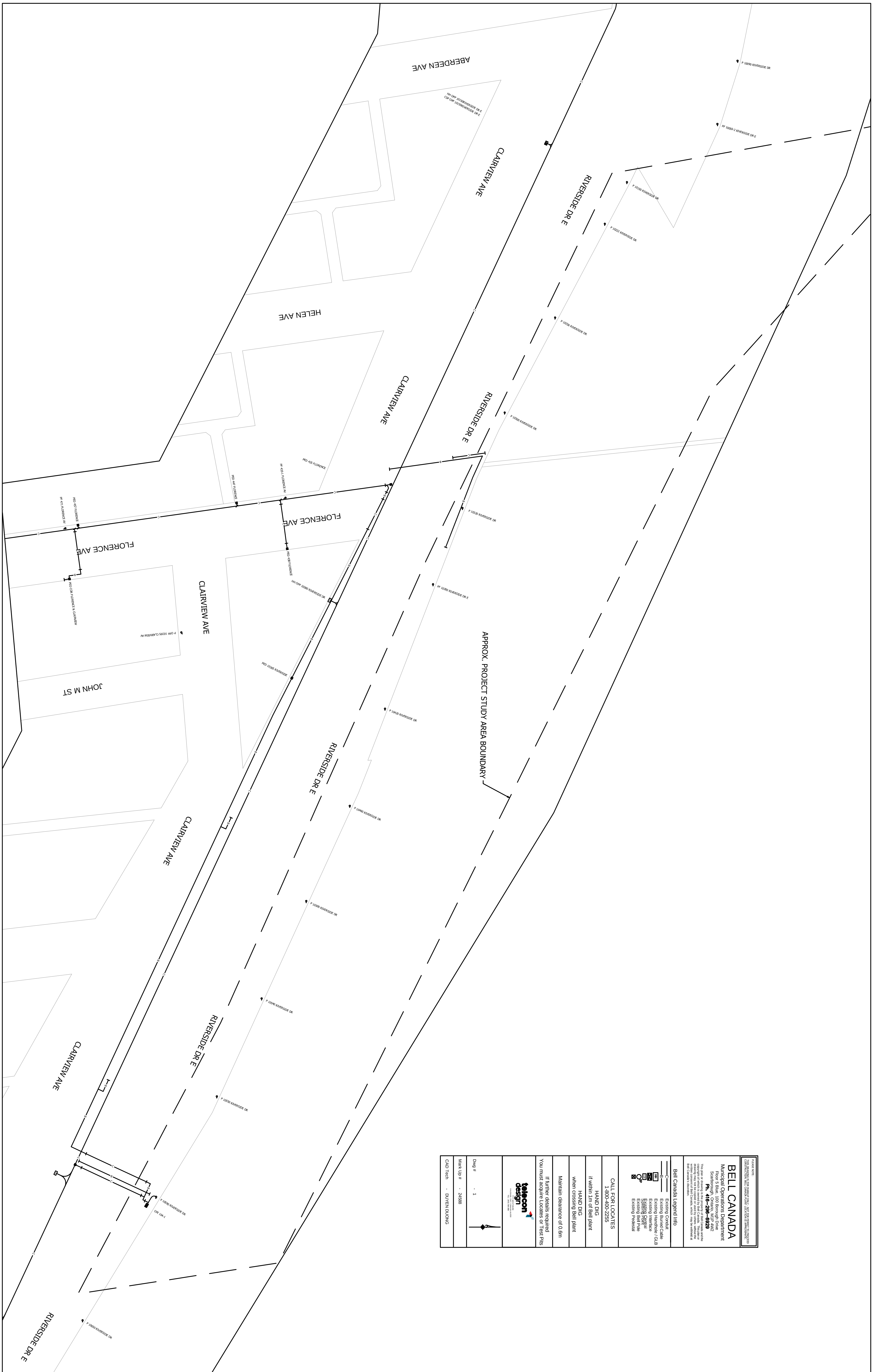
A Stage 1 & 2 Archaeological Assessment of the Study Area was undertaken by AMICK Consultants Limited (AMICK). A summary of the recommendations provided by AMICK and a copy of AMICK's reports can be found in Section 6 of this Project File.

A Stage 1 Marine Archaeological Assessment of the water area fronting the project site was undertaken by Matrix Heritage (Matrix). A summary of the recommendations provided by Matrix and a copy of Matrix's reports can be found in Section 6 of this Project File.

Built Heritage Resources and Cultural Heritage Landscapes

AMICK was also retained to complete a desktop Cultural Heritage Screening Review for the purpose of identifying recognised and potential cultural heritage resources within the Study Area. A copy of AMICK's report can be found in Section 6 of this Project File.

Upon request from the Ministiry of Citizenship and Multiculturalism (MCM), a letter containing additional information regarding potential Cultural Heritage recourses was prepared. The letter provided supplementary information to AMICK's memo regarding potential impacts to the Detroit River and nearby structures that were more than 40 years old. The letter can be found in Section 6 of the Project File. The additional information provided concludes that the Preferred Solution for the shoreline improvements will have no direct or indirect impacts to the potential resources.


ABERDEEN AVE
CLAIRVIEW AVE
RIVERSIDE DR E
HELEN AVE
CLAIRVIEW AVE
RIVERSIDE DR E
FLORENCE AVE
FLORENCE AVE
CLAIRVIEW AVE
JOHN M ST
APPROX. PROJECT STUDY AREA BOUNDARY
RIVERSIDE DR E
CLAIRVIEW AVE
RIVERSIDE DR E
CLAIRVIEW AVE
RIVERSIDE DR E
PLEASE NOTE:
THIS DRAWING IS FOR MARKUP ONLY - NOT FOR PERMIT TO PROCEED CONSTRUCTION. BELL CANADA PLANT LOCATION IS APPROXIMATE.
BELL CANADA
Municipal Operations Department
Floor 5 Blue, 100 Borough Drive
Scarborough, Ontario, M1P 4W2
Ph. 416-296-6929
This plan or drawing is the property of Bell Canada and the copyright of which is owned by Bell Canada. This plan or drawing may not be copied or used by others without the written consent of Bell Canada, which may be withheld at Bell Canada's discretion.
Bell Canada Legend Info
Existing Conduit
Existing Buried Cable
Existing Handhole / GLB
Existing Interface
Existing Central Splitting Point
Existing Bell Pole
Existing Pedestal
CALL FOR LOCATES
1-800-400-2255
HAND DIG
if within 1m of Bell plant
HAND DIG
when crossing Bell plant
Maintain clearance of 0.6m
If further details required
You must acquire Locates or Test Pits
telecon design
Dwg # - 1
Mark Up # - 24588
CAD Tech - DUYEN DUONG

G-tel Engineering Inc.

1150 Frances St 2nd Floor
London, Ontario
N5W 5N5

Planning Request For: Enbridge Planning - Windsor Region (ENPWIN),

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Ticket #: 2022059864

Issued By: **G-tel Lookup Dept.**

Date: 01/31/2022

Time: 17:42:10

Requester: JACK ZIMMERMAN

Requester's Email: jzimmerman@landmarkengineers.ca

Requesting Company: LANDMARK ENGINEERS INC.

Fax #:

Ticket Request Type: **Design And Planning**

Location: 10300 RIVERSIDE DR E

Locate Details:

CORLOT=U LOCATES FOR THE SANDPOINT BEACH MUNICIPAL PARK, INCLUDING THE RIGHT-OF-WAY FOR RIVERSIDE DR. EAST BETWEEN 10670 RIVERSIDE DR. EAST AND 10150 RIVERSIDE DR. EAST. INCLUDING THE RIGHT-OF-WAY ON THE SOUTH SIDE OF

Remarks:

CORLOT=U LOCATES FOR THE SANDPOINT BEACH MUNICIPAL PARK, INCLUDING THE RIGHT-OF-WAY FOR RIVERSIDE DR. EAST BETWEEN 10670 RIVERSIDE DR. EAST AND 10150 RIVERSIDE DR. EAST. INCLUDING THE RIGHT-OF-WAY ON THE SOUTH SIDE OF RIVERSIDE DR. EASTALTERNATE_ CONTACT_TYPE::On-Site Contact

Comments To Excavator:

If you have any questions or concerns regarding your planning request, please call G-tel Engineering at 1-866-692-0208, dial 0 and request the lookup department.

CAUTION: The details provided are to be used solely for planning your design and not for excavation. You must call Ontario One Call at 1-800-400-2255 at least 1 week prior to excavation to obtain a physical locate.

See disclaimer document for further details.

Symbology Legend

Dist Segment Line - In-service

Trans Pipe Segment Line - In-service

High Pressure Segment Line - In-service

Dist Segment Line - Proposed

Srv Segment Line - In-service


End Fitting


Fitting - Reducer

Fitting - Transition


Fitting - Elbow

Branch Fitting - Tee

Fitting - Excess Flow Valve

Structure/Address

Tapping CVT


Emergency Valve - Activated


Valve- Deactivated


Valve - Activated


Service Connector

Test Box


Station


Chainage Start


Chainage End


Chainage Point

Planning Information Request Disclaimer

The drawing(s) that were forwarded to you are to assist you in reviewing your project and are not to be altered or used for any other purpose other than for reference only.

While all efforts have been made to construct the main/service as drawn, the exact location, configuration and/or materials used may have been altered prior to installation. Enbridge Gas Inc. affirms that the pipeline locations indicated for excavation should not be relied upon for construction purposes as being exact.

Should you feel that there may be a conflict with Enbridge Gas' gas main(s), please email the contact below for the area where work is to proceed. A field supervisor will contact you as soon as possible.

Windsor-Chatham *(ENPWIN, ENPCHT)*	**WindServ@uniongas.com**
London-Sarnia *(ENPLDN, ENPSAR)*	**SarnServ@uniongas.com**
Waterloo-Brantford *(ENPWAT, ENPBRA)*	**WateServ@uniongas.com**
Hamilton *(ENPHAM)*	**HamiServ@uniongas.com**
Halton *(ENPHAL)*	**HaltServ@uniongas.com**
Kingston *(ENPEST)*	**KingServ@uniongas.com**
Northeast (Sudbury, North Bay, Sault Ste. Marie, Orillia) *(ENPNTH)*	**SudbServ@uniongas.com**
Northwest (Thunder Bay, Timmins and Satellites)*(ENPWST)*	**ThunServ@uniongas.com**

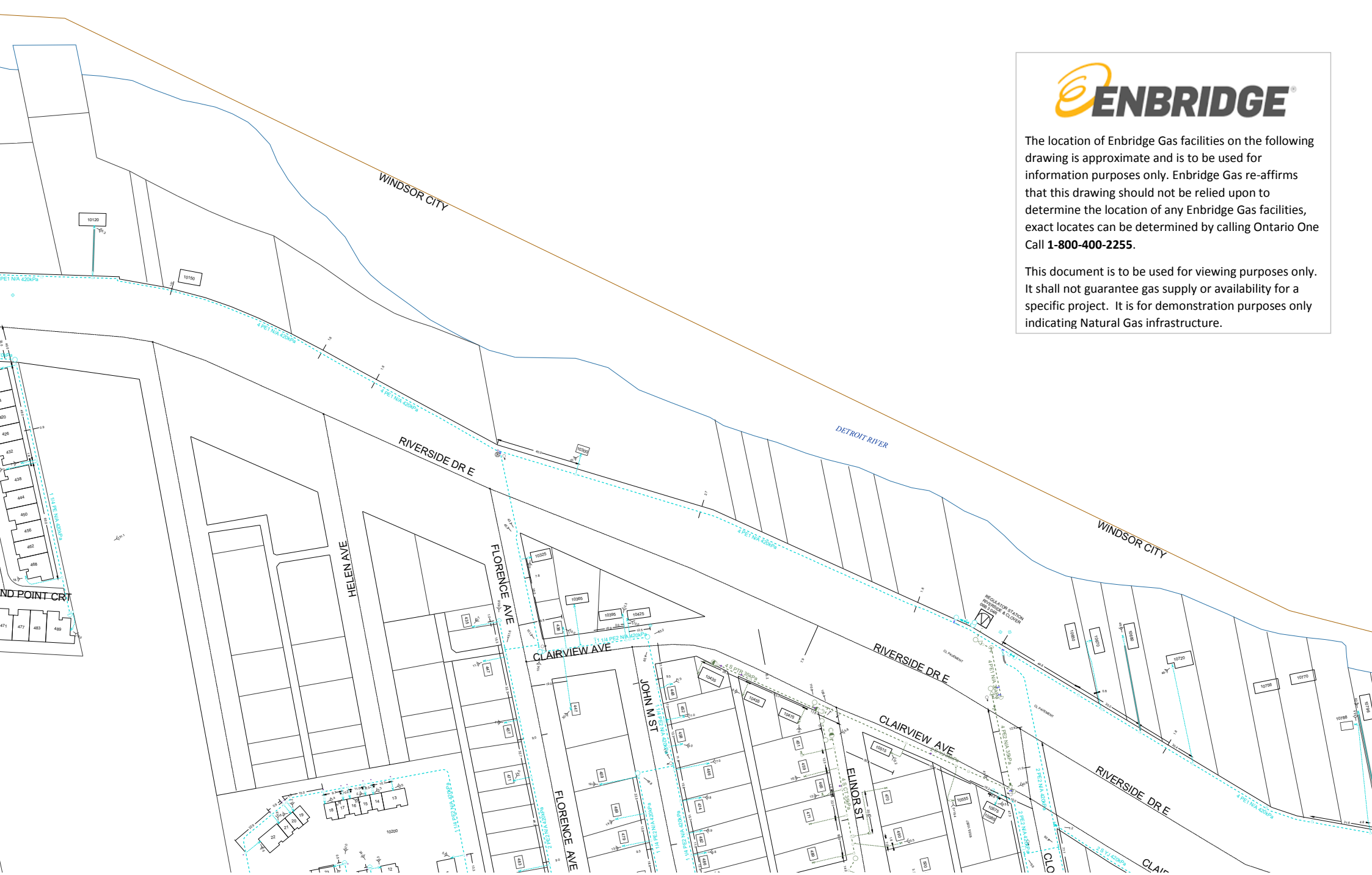
Enbridge Gas Inc. assumes no liability to third parties for the incorrect use of these maps.

Please note that the attached maps do not include Enbridge Gas Storage and Transmission line information. To obtain information regarding those lines, please contact Enbridge Gas Storage and Transmission directly at: Stacey Smith (**Stacey.Smith@enbridge.com**) and Janice Langstaff (**Janice.Langstaff@enbridge.com**)

By using this service it is understood that third party locates must be obtained through **Ontario One Call (OntarioOneCall.ca** or **1-800-400-2255)** to confirm all pipeline locations prior to excavation.

Plant Damage Prevention Department

Enbridge Gas Inc.



The location of Enbridge Gas facilities on the following drawing is approximate and is to be used for information purposes only. Enbridge Gas re-affirms that this drawing should not be relied upon to determine the location of any Enbridge Gas facilities, exact locates can be determined by calling Ontario One Call **1-800-400-2255**.

This document is to be used for viewing purposes only. It shall not guarantee gas supply or availability for a specific project. It is for demonstration purposes only indicating Natural Gas infrastructure.

kstammler@erca.org
P.519.776.5209
F.519.776.8688
360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

14 March 2023
Liz Michaud
Landmark Engineers, Inc.
2280 Ambassador Drive
Windsor, ON

RE: Sandpoint Beach Park Shoreline Class Environmental Assessment

Dear Ms.Michaud,

Thank you for the opportunity to review the information related to the above named project as part of the Municipal Class Environmental Assessment process as it relates to Source Water Protection in the Essex Region. The proposed works are within two different vulnerable areas in the Essex Region - Windsor IPZ-2 and the Event Based Area (Please see the included maps).

There are no Source Water related concerns about this project at this time. However, further information is provided below and we would ask that you continue to consult with Source Protection staff on this project as necessary.

Significant Drinking Water Threats

The proposed works are within the Event Based Area (EBA) for the A.H. Week's Water Treatment Plant. In this area, the above grade handling and storage of liquid fuel in volumes greater than 15,000 L is identified as a Significant Drinking Water Threat (SDWT). Based on the information provided, it does not appear that fuel of this volume will be used or installed as a direct result of the proposed project. Should fuel of this volume be necessary during or as a result of the proposed project, a Risk Management Plan will be required and the proponent would need to consult with the Risk Management Official.

The proposed works are also within the IPZ-2 for the A.H. Week's Water Treatment Plant. There are several activities identified as SDWTs in this area with related policies in the Essex Region Source Protection Plan. Each SDWT has very specific conditions under which the activity is considered to be a threat and most are managed either with existing Provincial Instruments and/or Risk Management Plan. SDWTs in this area include:

- Sewer discharge and sewage treatment plant bypass discharge to surface water
- Stormwater management
- Industrial effluent discharges
- Application of septage to land
- Application of pesticides
- Application and/or storage of agricultural and non-agricultural source material
- Livestock grazing.

The proponents are encouraged to consult the Essex Region Source Protection Plan (https://essexregionconservation.ca/wp-content/uploads/2018/03/source-protection-plan.pdf) and the Essex Region Source Protection Project Manager should any of these activities be required or affected during or as a result of this project. Based on the information provided, these SDWTs appear to be unlikely during or as result of this project and no action is required at this time.

Transport Pathways

The EBA and other vulnerable areas are delineated using the best available mapping of drains and other watercourses. The proposed project does not appear to include the creation, relocation or removal of drains and/or other open watercourses and sewers, which could alter the delineation of vulnerable areas in the Essex Region. Should the project plan result in any of the above actions that could affect the delineation of the vulnerable area, the proponent is asked to inform the Essex Region Source Protection Authority.

Groundwater

The proposed project area is not within any Significant Ground Water Recharge Areas or Highly Vulnerable Aquifers.

Again, we thank you for the opportunity to provide comments on this project and look forward to hearing more as it progresses.

Sincerely,

Katie Stammler, PhD
Source Water Protection Project Manager

(encl – maps)

Maps showing the location of the proposed works (highlighted with a blue outline) within the Windsor IPZ-2 (top – dark green area) and the Event Based Area (bottom – yellow hatched area)

Ministry of the Environment, Conservation and Parks

Environmental Assessment Branch

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

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

Direction des évaluations environnementales

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

November 9, 2022

Laura Ash, P.Eng.
City of Windsor
lash@citywindsor.ca

BY EMAIL ONLY

Re: **Sandpoint Beach Park Shoreline**
City of Windsor
Municipal Class Environmental Assessment, Schedule B
Acknowledgement of Notice of Commencement/Intent

Dear Laura Ash,

This letter is in response to the Notice of Commencement/Notice of Intent and Invitation for Public Comment for the above noted project. The Ministry of the Environment, Conservation and Parks (MECP) acknowledges that the City of Windsor (proponent) has indicated that the study is following the approved environmental planning process for a Schedule B project under the Municipal Class Environmental Assessment (Class EA).

The **updated (August 2022)** attached "Areas of Interest" document provides guidance regarding the ministry's interests with respect to the Class EA process. Please address all areas of interest in the EA documentation at an appropriate level for the EA study. Proponents who address all the applicable areas of interest can minimize potential delays to the project schedule. **Further information is provided at the end of the Areas of Interest document relating to recent changes to the Environmental Assessment Act through Bill 197, Covid-19 Economic Recovery Act 2020.**

The Crown has a legal duty to consult Aboriginal communities when it has knowledge, real or constructive, of the existence or potential existence of an Aboriginal or treaty right and contemplates conduct that may adversely impact that right. Before authorizing this project, the Crown must ensure that its duty to consult has been fulfilled, where such a duty is triggered. Although the duty to consult with Aboriginal peoples is a duty of the Crown, the Crown may delegate procedural aspects of this duty to project proponents while retaining oversight of the consultation process.

The proposed project may have the potential to affect Aboriginal or treaty rights protected under Section 35 of Canada's *Constitution Act* 1982. Where the Crown's duty to consult is triggered in relation to the proposed project**, the MECP is delegating the procedural aspects of rights-based consultation to the proponent through this letter.** The Crown intends to rely on the delegated consultation process in discharging its duty to consult and maintains the right to participate in the consultation process as it sees fit.

Based on information provided to date and the Crown`s preliminary assessment the proponent is required to consult with the following communities who have been identified as potentially affected by the proposed project:

- Aamjiwnaang First Nation
- Bkejwanong (Walpole Island)
- Caldwell First Nation
- Chippewas of Kettle and Stony Point
- Chippewas of the Thames First Nation
- Oneida Nation of the Thames

Steps that the proponent may need to take in relation to Aboriginal consultation for the proposed project are outlined in the "Code of Practice for Consultation in Ontario's Environmental Assessment Process". Additional information related to Ontario's Environmental Assessment Act is available online at: www.ontario.ca/environmentalassessments.

Please also refer to the attached document "A Proponent's Introduction to the Delegation of Procedural Aspects of consultation with Aboriginal Communities" for further information, including the MECP's expectations for EA report documentation related to consultation with communities.

The proponent must contact the Director of Environmental Assessment Branch (EABDirector@ontario.ca) under the following circumstances after initial discussions with the communities identified by the MECP:

- Aboriginal or treaty rights impacts are identified to you by the communities;
- You have reason to believe that your proposed project may adversely affect an Aboriginal or treaty right;

- Consultation with Indigenous communities or other stakeholders has reached an impasse; or
- A Section 16 Order request is expected based on impacts to Aboriginal or treaty rights

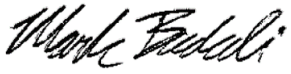
The MECP will then assess the extent of any Crown duty to consult for the circumstances and will consider whether additional steps should be taken, including what role you will be asked to play should additional steps and activities be required.

A draft copy of the report should be sent directly to me prior to the filing of the final report, allowing a minimum of 30 days for the ministry's technical reviewers to provide comments.

Please also ensure a copy of the final notice is sent to the ministry's Southwest Region EA notification email account (eanotification.swregion@ontario.ca) after the draft report is reviewed and finalized.

Should you or any members of your project team have any questions regarding the material above, please contact me at mark.badali1@ontario.ca.

Sincerely,



Mark Badali
Regional Environmental Planner – Southwest Region

Cc: Marcelina Wilson, Supervisor, Windsor Area Office, MECP
Liz Michaud, P.Eng., Landmark Engineers Inc.

Enclosed: Areas of Interest

Attached: Client's Guide to Preliminary Screening for Species at Risk

A Proponent's Introduction to the Delegation of Procedural Aspects of Consultation with Aboriginal Communities

AREAS OF INTEREST (v. August 2022)

It is suggested that you check off each section after you have considered / addressed it.

☐ **Planning and Policy**

- Applicable plans and policies should be identified in the report, and the proponent should describe how the proposed project adheres to the relevant policies in these plans.
    - Projects located in MECP Central, Eastern or West Central Region may be subject to **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)**.
    - Projects located in MECP Central or Eastern Region may be subject to the **Oak Ridges Moraine Conservation Plan (2017)** or the **Lake Simcoe Protection Plan (2014)**.
    - Projects located in MECP Central, Southwest or West Central Region may be subject to the **Niagara Escarpment Plan (2017)**.
    - Projects located in MECP Central, Eastern, Southwest or West Central Region may be subject to the **Greenbelt Plan (2017)**.
    - Projects located in MECP Northern Region may be subject to the **Growth Plan for Northern Ontario (2011).**

- The **Provincial Policy Statement (2020)** contains policies that protect Ontario's natural heritage and water resources. Applicable policies should be referenced in the report, and the proponent should describe how the proposed project is consistent with these policies.

- In addition to the provincial planning and policy level, the report should also discuss the planning context at the municipal and federal levels, as appropriate.

☐ **Source Water Protection**

The *Clean Water Act*, 2006 (CWA) aims to protect existing and future sources of drinking water. To achieve this, several types of vulnerable areas have been delineated around surface water intakes and wellheads for every municipal residential drinking water system that is located in a source protection area. These vulnerable areas are known as a Wellhead Protection Areas (WHPAs) and surface water Intake Protection Zones (IPZs). Other vulnerable areas that have been delineated under the CWA include Highly Vulnerable Aquifers (HVAs), Significant Groundwater Recharge Areas (SGRAs), Event-based modelling areas (EBAs), and Issues Contributing Areas (ICAs). Source protection plans have been developed that include policies to address existing and future risks to sources of municipal drinking water within these vulnerable areas.

Projects that are subject to the Environmental Assessment Act that fall under a Class EA, or one of the Regulations, have the potential to impact sources of drinking water if they occur in designated vulnerable areas or in the vicinity of other at-risk drinking water systems (i.e.

systems that are not municipal residential systems). MEA Class EA projects may include activities that, if located in a vulnerable area, could be a threat to sources of drinking water (i.e. have the potential to adversely affect the quality or quantity of drinking water sources) and the activity could therefore be subject to policies in a source protection plan. Where an activity poses a risk to drinking water, policies in the local source protection plan may impact how or where that activity is undertaken. Policies may prohibit certain activities, or they may require risk management measures for these activities. Municipal Official Plans, planning decisions, Class EA projects (where the project includes an activity that is a threat to drinking water) and prescribed instruments must conform with policies that address significant risks to drinking water and must have regard for policies that address moderate or low risks.

- In October 2015, the MEA Parent Class EA document was amended to include reference to the Clean Water Act (Section A.2.10.6) and indicates that proponents undertaking a Municipal Class EA project must identify early in their process whether a project is or could potentially be occurring with a vulnerable area. **Given this requirement, please include a section in the report on source water protection.**

    - The proponent should identify the source protection area and should clearly document how the proximity of the project to sources of drinking water (municipal or other) and any delineated vulnerable areas was considered and assessed. Specifically, the report should discuss whether or not the project is located in a vulnerable area and provide applicable details about the area.

    - If located in a vulnerable area, proponents should document whether any project activities are prescribed drinking water threats and thus pose a risk to drinking water (this should be consulted on with the appropriate Source Protection Authority). Where an activity poses a risk to drinking water, the proponent must document and discuss in the report how the project adheres to or has regard to applicable policies in the local source protection plan. This section should then be used to inform and be reflected in other sections of the report, such as the identification of net positive/negative effects of alternatives, mitigation measures, evaluation of alternatives etc.

- While most source protection plans focused on including policies for significant drinking water threats in the WHPAs and IPZs it should be noted that even though source protection plan policies may not apply in HVAs, these are areas where aquifers are sensitive and at risk to impacts and within these areas, activities may impact the quality of sources of drinking water for systems other than municipal residential systems.

- In order to determine if this project is occurring within a vulnerable area, proponents can use Source Protection Information Atlas, which is an online mapping tool available to the public. Note that various layers (including WHPAs, WHPA-Q1 and WHPA-Q2, IPZs, HVAs, SGRAs, EBAs, ICAs) can be turned on through the “Map Legend” bar on the left. The

mapping tool will also provide a link to the appropriate source protection plan in order to identify what policies may be applicable in the vulnerable area.

- For further information on the maps or source protection plan policies which may relate to their project, proponents must contact the appropriate source protection authority. **Please consult with the local source protection authority to discuss potential impacts on drinking water. Please document the results of that consultation within the report and include all communication documents/correspondence.**

More Information

For more information on the *Clean Water Act*, source protection areas and plans, including specific information on the vulnerable areas and drinking water threats, please refer to Conservation Ontario's website where you will also find links to the local source protection plan/assessment report.

A list of the prescribed drinking water threats can be found in section 1.1 of Ontario Regulation 287/07 made under the *Clean Water Act*. In addition to prescribed drinking water threats, some source protection plans may include policies to address additional "local" threat activities, as approved by the MECP.

☐ **Climate Change**

The document "Considering Climate Change in the Environmental Assessment Process" (Guide) is now a part of the Environmental Assessment program's Guides and Codes of Practice. The Guide sets out the MECP's expectation for considering climate change in the preparation, execution and documentation of environmental assessment studies and processes. The guide provides examples, approaches, resources, and references to assist proponents with consideration of climate change in EA. Proponents should review this Guide in detail.

- **The MECP expects proponents of Class EA projects to:**

1. Consider during the assessment of alternative solutions and alternative designs, the following:
    a. the project's expected production of greenhouse gas emissions and impacts on carbon sinks (climate change mitigation); and
    b. resilience or vulnerability of the undertaking to changing climatic conditions (climate change adaptation).
2. Include a discrete section in the report detailing how climate change was considered in the EA.

How climate change is considered can be qualitative or quantitative in nature and should be scaled to the project's level of environmental effect. In all instances, both a project's impacts on climate change (mitigation) and impacts of climate change on a project (adaptation) should be considered.

- The MECP has also prepared another guide to support provincial land use planning direction related to the completion of energy and emission plans. The "Community Emissions Reduction Planning: A Guide for Municipalities" document is designed to educate stakeholders on the municipal opportunities to reduce energy and greenhouse gas emissions, and to provide guidance on methods and techniques to incorporate consideration of energy and greenhouse gas emissions into municipal activities of all types. We encourage you to review the Guide for information.

Air Quality, Dust and Noise

- If there are sensitive receptors in the surrounding area of this project, a quantitative air quality/odour impact assessment will be useful to evaluate alternatives, determine impacts and identify appropriate mitigation measures. The scope of the assessment can be determined based on the potential effects of the proposed alternatives, and typically includes source and receptor characterization and a quantification of local air quality impacts on the sensitive receptors and the environment in the study area. The assessment will compare to all applicable standards or guidelines for all contaminants of concern. **Please contact this office for further consultation on the level of Air Quality Impact Assessment required for this project if not already advised.**

- If a quantitative Air Quality Impact Assessment is not required for the project, the MECP expects that the report contain a qualitative assessment which includes:

    - A discussion of local air quality including existing activities/sources that significantly impact local air quality and how the project may impact existing conditions;
    - A discussion of the nearby sensitive receptors and the project's potential air quality impacts on present and future sensitive receptors;
    - A discussion of local air quality impacts that could arise from this project during both construction and operation; and
    - A discussion of potential mitigation measures.

- As a common practice, "air quality" should be used an evaluation criterion for all road projects.

- Dust and noise control measures should be addressed and included in the construction plans to ensure that nearby residential and other sensitive land uses within the study area are not adversely affected during construction activities.

- The MECP recommends that non-chloride dust-suppressants be applied. For a comprehensive list of fugitive dust prevention and control measures that could be applied, refer to *Cheminfo Services Inc. Best Practices for the Reduction of Air Emissions from*

Construction and Demolition Activities report prepared for Environment Canada. March 2005.

- The report should consider the potential impacts of increased noise levels during the operation of the completed project. The proponent should explore all potential measures to mitigate significant noise impacts during the assessment of alternatives.

Ecosystem Protection and Restoration

- Any impacts to ecosystem form and function must be avoided where possible. The report should describe any proposed mitigation measures and how project planning will protect and enhance the local ecosystem.

- Natural heritage and hydrologic features should be identified and described in detail to assess potential impacts and to develop appropriate mitigation measures. The following sensitive environmental features may be located within or adjacent to the study area:
  - Key Natural Heritage Features: Habitat of endangered species and threatened species, fish habitat, wetlands, areas of natural and scientific interest (ANSIs), significant valleylands, significant woodlands; significant wildlife habitat (including habitat of special concern species); sand barrens, savannahs, and tallgrass prairies; and alvars.
  - Key Hydrologic Features: Permanent streams, intermittent streams, inland lakes and their littoral zones, seepage areas and springs, and wetlands.
  - Other natural heritage features and areas such as: vegetation communities, rare species of flora or fauna, Environmentally Sensitive Areas, Environmentally Sensitive Policy Areas, federal and provincial parks and conservation reserves, Greenland systems etc.

We recommend consulting with the Ministry of Natural Resources and Forestry (MNRF), Fisheries and Oceans Canada (DFO) and your local conservation authority to determine if special measures or additional studies will be necessary to preserve and protect these sensitive features. In addition, for projects located in Central Region you may consider the provisions of the Rouge Park Management Plan if applicable.

Species at Risk

- The Ministry of the Environment, Conservation and Parks has now assumed responsibility of Ontario's Species at Risk program. Information, standards, guidelines, reference materials and technical resources to assist you are found at https://www.ontario.ca/page/species-risk.

- The Client's Guide to Preliminary Screening for Species at Risk (Draft May 2019) has been attached to the covering email for your reference and use. Please review this document for next steps.

- For any questions related to subsequent permit requirements, please contact SAROntario@ontario.ca.

Surface Water

- The report must include enough information to demonstrate that there will be no negative impacts on the natural features or ecological functions of any watercourses within the study area. Measures should be included in the planning and design process to ensure that any impacts to watercourses from construction or operational activities (e.g. spills, erosion, pollution) are mitigated as part of the proposed undertaking.

- Additional stormwater runoff from new pavement can impact receiving watercourses and flood conditions. Quality and quantity control measures to treat stormwater runoff should be considered for all new impervious areas and, where possible, existing surfaces. The ministry's Stormwater Management Planning and Design Manual (2003) should be referenced in the report and utilized when designing stormwater control methods. **A Stormwater Management Plan should be prepared as part of the Class EA process** that includes:

    - Strategies to address potential water quantity and erosion impacts related to stormwater draining into streams or other sensitive environmental features, and to ensure that adequate (enhanced) water quality is maintained
    - Watershed information, drainage conditions, and other relevant background information
    - Future drainage conditions, stormwater management options, information on erosion and sediment control during construction, and other details of the proposed works
    - Information on maintenance and monitoring commitments.

- Ontario Regulation 60/08 under the *Ontario Water Resources Act* (OWRA) applies to the Lake Simcoe Basin, which encompasses Lake Simcoe and the lands from which surface water drains into Lake Simcoe. If the proposed sewage treatment plant is listed in Table 1 of the regulation, the report should describe how the proposed project and its mitigation measures are consistent with the requirements of this regulation and the OWRA.

- Any potential approval requirements for surface water taking or discharge should be identified in the report. A Permit to Take Water (PTTW) under the OWRA will be required for any water takings that exceed 50,000 L/day, except for certain water taking activities that have been prescribed by the Water Taking EASR Regulation – *O. Reg. 63/16*. These prescribed water-taking activities require registration in the EASR instead of a PTTW. Please

review the Water Taking User Guide for EASR for more information. Additionally, an Environmental Compliance Approval under the OWRA is required for municipal stormwater management works.

Groundwater

- The status of, and potential impacts to any well water supplies should be addressed. If the project involves groundwater takings or changes to drainage patterns, the quantity and quality of groundwater may be affected due to drawdown effects or the redirection of existing contamination flows. In addition, project activities may infringe on existing wells such that they must be reconstructed or sealed and abandoned. Appropriate information to define existing groundwater conditions should be included in the report.

- If the potential construction or decommissioning of water wells is identified as an issue, the report should refer to Ontario Regulation 903, Wells, under the OWRA.

- Potential impacts to groundwater-dependent natural features should be addressed. Any changes to groundwater flow or quality from groundwater taking may interfere with the ecological processes of streams, wetlands or other surficial features. In addition, discharging contaminated or high volumes of groundwater to these features may have direct impacts on their function. Any potential effects should be identified, and appropriate mitigation measures should be recommended. The level of detail required will be dependent on the significance of the potential impacts.

- Any potential approval requirements for groundwater taking or discharge should be identified in the report. A Permit to Take Water (PTTW) under the OWRA will be required for any water takings that exceed 50,000 L/day, with the exception of certain water taking activities that have been prescribed by the Water Taking EASR Regulation – *O. Reg. 63/16*. These prescribed water-taking activities require registration in the EASR instead of a PTTW. Please review the Water Taking User Guide for EASR for more information.

- Consultation with the railroad authorities is necessary wherever there is a plan to use construction dewatering in the vicinity of railroad lines or where the zone of influence of the construction dewatering potentially intercepts railroad lines.

Excess Materials Management

- In December 2019, MECP released a new regulation under the Environmental Protection Act, titled "On-Site and Excess Soil Management" (O. Reg. 406/19) to support improved management of excess construction soil. This regulation is a key step to support proper management of excess soils, ensuring valuable resources don't go to waste and to provide

clear rules on managing and reusing excess soil. New risk-based standards referenced by this regulation help to facilitate local beneficial reuse which in turn will reduce greenhouse gas emissions from soil transportation, while ensuring strong protection of human health and the environment. The new regulation is being phased in over time, with the first phase in effect on January 1, 2021. For more information, please visit https://www.ontario.ca/page/handling-excess-soil.

- The report should reference that activities involving the management of excess soil should be completed in accordance with O. Reg. 406/19 and the MECP's current guidance document titled "Management of Excess Soil – A Guide for Best Management Practices" (2014).

- All waste generated during construction must be disposed of in accordance with ministry requirements

Contaminated Sites

- Any current or historical waste disposal sites should be identified in the report. The status of these sites should be determined to confirm whether approval pursuant to Section 46 of the EPA may be required for land uses on former disposal sites. We recommend referring to the MECP's D-4 guideline for land use considerations near landfills and dumps.
    - Resources available may include regional/local municipal official plans and data; provincial data on large landfill sites and small landfill sites; Environmental Compliance Approval information for waste disposal sites on Access Environment.

- Other known contaminated sites (local, provincial, federal) in the study area should also be identified in the report (Note – information on federal contaminated sites is found on the Government of Canada's website).

- The location of any underground storage tanks should be investigated in the report. Measures should be identified to ensure the integrity of these tanks and to ensure an appropriate response in the event of a spill. The ministry's Spills Action Centre must be contacted in such an event.

- Since the removal or movement of soils may be required, appropriate tests to determine contaminant levels from previous land uses or dumping should be undertaken. If the soils are contaminated, you must determine how and where they are to be disposed of, consistent with *Part XV.1 of the Environmental Protection Act* (EPA) and Ontario Regulation 153/04, Records of Site Condition, which details the new requirements related to site assessment and clean up. Please contact the appropriate MECP District Office for further consultation if contaminated sites are present.

Servicing, Utilities and Facilities

- The report should identify any above or underground utilities in the study area such as transmission lines, telephone/internet, oil/gas etc. The owners should be consulted to discuss impacts to this infrastructure, including potential spills.

- The report should identify any servicing infrastructure in the study area such as wastewater, water, stormwater that may potentially be impacted by the project.

- Any facility that releases emissions to the atmosphere, discharges contaminants to ground or surface water, provides potable water supplies, or stores, transports or disposes of waste must have an Environmental Compliance Approval (ECA) before it can operate lawfully. Please consult with MECP's Environmental Permissions Branch to determine whether a new or amended ECA will be required for any proposed infrastructure.

- We recommend referring to the ministry's environmental land use planning guides to ensure that any potential land use conflicts are considered when planning for any infrastructure or facilities related to wastewater, pipelines, landfills or industrial uses.

Mitigation and Monitoring

- Contractors must be made aware of all environmental considerations so that all environmental standards and commitments for both construction and operation are met. Mitigation measures should be clearly referenced in the report and regularly monitored during the construction stage of the project. In addition, we encourage proponents to conduct post-construction monitoring to ensure all mitigation measures have been effective and are functioning properly.

- Design and construction reports and plans should be based on a best management approach that centres on the prevention of impacts, protection of the existing environment, and opportunities for rehabilitation and enhancement of any impacted areas.

- The proponent's construction and post-construction monitoring plans must be documented in the report, as outlined in Section A.2.5 and A.4.1 of the MEA Class EA parent document.

Consultation

- The report must demonstrate how the consultation provisions of the Class EA have been fulfilled, including documentation of all stakeholder consultation efforts undertaken during the planning process. This includes a discussion in the report that identifies concerns that were raised and **describes how they have been addressed by the proponent** throughout

the planning process. The report should also include copies of comments submitted on the project by interested stakeholders, and the proponent's responses to these comments (as directed by the Class EA to include full documentation).

- Please include the full stakeholder distribution/consultation list in the documentation.

Class EA Process

- If this project is a Master Plan: there are several different approaches that can be used to conduct a Master Plan, examples of which are outlined in Appendix 4 of the Class EA. **The Master Plan should clearly indicate the selected approach for conducting the plan**, by identifying whether the levels of assessment, consultation and documentation are sufficient to fulfill the requirements for Schedule B or C projects. Please note that any Schedule B or C projects identified in the plan would be subject to Part II Order Requests under the Environmental Assessment Act, although the plan itself would not be. **Please include a description of the approach being undertaken (use Appendix 4 as a reference).**

- If this project is a Master Plan: Any identified projects should also include information on the MCEA schedule associated with the project.

- The report should provide clear and complete documentation of the planning process in order to allow for transparency in decision-making.

- The Class EA requires the consideration of the effects of each alternative on all aspects of the environment (including planning, natural, social, cultural, economic, technical). The report should include a level of detail (e.g. hydrogeological investigations, terrestrial and aquatic assessments, cultural heritage assessments) such that all potential impacts can be identified, and appropriate mitigation measures can be developed. Any supporting studies conducted during the Class EA process should be referenced and included as part of the report.

- Please include in the report a list of all subsequent permits or approvals that may be required for the implementation of the preferred alternative, including but not limited to, MECP's PTTW, EASR Registrations and ECAs, conservation authority permits, species at risk permits, MTO permits and approvals under the *Impact Assessment Act*, 2019.

- Ministry guidelines and other information related to the issues above are available at http://www.ontario.ca/environment-and-energy/environment-and-energy. We encourage you to review all the available guides and to reference any relevant information in the report.

Sandpoint Beach Park Shoreline Class Environmental Assessment

MECP Areas of Interest Checklist - Quick Reference

EA Areas of Interest	Project File Reference Location
Planning and Policy	See Section 3: Preferred Solution and Cost Estimate 3.5.1 Planning Polcies Review and See Section 7: Natural Heritage Species at Risk Impact Assessment completed by Insight Environmental Solutions. Section 2.0 Background Review - list of the regulatory policies and resources that were reviewed.
Source Water Protection	See Section 1: Project Information and Environmental Inventory 1.2.2 Natural Environment - Source Water Protection. Review provided by ERCA.
Climate Change	See Section 1: Project Information and Environmental Inventory 1.2.2.4 Natural Environment - Climate Change.
Air Quality, Dust and Noise	See Section 1: Project Information and Environmental Inventory 1.2.2.5 Natural Environment - Air Quality, Dust and Noise
Ecosystem Protection and Restoration	See Section 7: Natural Heritage Species at Risk Impact Assessment completed by Insight Environmental Solutions.
Species at Risk	See Section 7: Natural Heritage Species at Risk Impact Assessment completed by Insight Environmental Solutions.
Surface Water	See Section 3: Preferred Solution Section 3.3 Surface Water
Groundwater	The proposed shoreline improvements will not affect the groundwater. This is not applicable to this project.
Excess Materials Management	See Section 1: Project Information and Environmental Inventory 1.2.2.1 Geotechnical, Soil Management & Contamination
Contaminated Sites	See Section 1: Project Information and Environmental Inventory 1.2.2.1 Geotechnical, Soil Management & Contamination
Servicing, Utilities and Facilities	See Section 1: Project Information and Environmental Inventory 1.2.1 Physical Environment
Mitigation and Monitoring	Mitigation and Monitoring items have been described where necessary in the above noted sections. The largest component will be the mitigation and post construction monitoring that will be required from DFO for the infill and shoreline improvement works within the water. The conditions of the DFO approvals will be incorporated into the works and construction monitoring. See Section 7: Natural Heritage - Species at Risk Impact Assessment Report. See Section 6: Cultural Heriage - Archaeology, CHER and HIA Reports.
Consultation	See Public Consultation Process - Section 2, Distribution List and Communications Inventory - Section 4, and First Nation Consultations - Section 5
Class EA Process	See Section 1: Project Information and Environmental Inventory, 1.1 Project Information and Section 3: Preferred Solution and Cost Estimate