### Ministry of the Environment and Climate Change

Central Region Technical Support Section

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### Ministère de l'Environnment et de l'Action en Matière de Changement Climatique

Région du Centre Section d'appui technique

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File No.: EA 01-06-05

December 16, 2015

Sally Rook, C.Tech., PMP Project Manager, Transportation Division Region of Peel 10 Peel Centre Drive, 4<sup>th</sup> Floor, Suite B Brampton, ON L6T 4B9

RE: Mississauga Road from Financial Drive to Queen Street West (Location 1)

Mississauga Road from Queen Street West to Bovaird Drive (Location 2)

Region of Peel

Schedule C Municipal Class Environmental Assessment

Response to Notice of Commencement

Dear Ms. Rook.

This letter acknowledges that the Region of Peel has indicated that its study is following the approved environmental planning process for a new municipal well project under the Municipal Engineers Association (MEA) Municipal Class Environmental Assessment (Class EA).

The attached "Areas of Interest" document provides guidance regarding the ministry's interests with respect to the Class EA process. Please identify the areas of interest which are applicable to your project and ensure they are addressed. Proponents who address all of the applicable areas of interest can minimize potential delays to their project schedule.

Please note that future public notices for the project should include the name of the Class Environmental Assessment (e.g. Municipal Class Environmental Assessment) under which the project is being planned, and the full mailing addresses of project contacts.

Failure to properly follow the Class EA process is an offence under the *Environmental Assessment Act*. It may also result in the ministry withholding/revising an approval provided under the Act and/or the Minister issuing a Part II Order for the project.

A draft copy of the Environmental Study Report (ESR) should be sent to this office prior to the filing of the final draft, allowing approximately 30 days review time for the ministry's reviewers to provide comments. Please also forward our office the Notice of Completion and ESR when completed. Should your team have any questions regarding the above, please contact me at 416-326-3577.

Yours sincerely

Trevor Bell

Environmental Resource Planner and EA Coordinator

Air, Pesticides and Environmental Planning

 D. Sinke, Consultant Project Manager, Amec Foster Wheeler P. Martin, Supervisor, APEP, Central Region, MOECC T. Dufresne, Manager, Halton Peel District Office, MOECC Central Region EA File A & P File

### AREAS OF INTEREST

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

### □ Ecosystem Protection and Restoration

- Any impacts to ecosystem form and function must be avoided where possible. The ESR should describe any proposed mitigation measures and how project planning will protect and enhance the local ecosystem.
- All natural heritage 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:
  - Areas of Natural and Scientific Interest (ANSIs)
- Wetlands

· Rare Species of flora or fauna

Woodlots

Watercourses

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, you may consider the provisions of the Rouge Park Management Plan if applicable.

### Surface Water

- The ESR must include a sufficient level of 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, and 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 <u>Stormwater Management Planning and Design Manual (2003)</u> should be referenced in the ESR and utilized when designing stormwater control methods. We recommend that 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 ESR should describe how the proposed project and its mitigation measures are consistent with the requirements of this regulation and the OWRA.

### □ 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 ESR.
- If the potential construction or decommissioning of water wells is identified as an issue, the ESR 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 ESR. In particular, a Permit to Take Water (PTTW) under the OWRA will be required for any water takings that exceed 50,000 litres per day.

### Air Quality, Dust and Noise

- If there are sensitive receptors in the surrounding area of this project, an 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, a quantification of air quality impacts by determining emission rates and conducting dispersion modelling, and an assessment of effects. The assessment will compare to all available standards for any contaminants of concern. Please contact this office during the scoping process to confirm the appropriate level of assessment.
- 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 ESR should consider the potential impacts of increased noise levels during the
  operation of the undertaking due to potentially higher traffic volumes resulting from this
  project. The proponent should explore all potential measures to mitigate significant noise
  impacts during the assessment of alternatives.

### Servicing and Facilities

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 the Environmental Approvals Access and Service Integration Branch
(EAASIB) to determine whether a new or amended ECA will be required for any proposed

infrastructure.

We recommend referring to the ministry's "D-Series" guidelines – Land Use Compatibility 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.

### Contamination and Soils

- Any current or historical waste disposal sites should be identified in the ESR. 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.
- Since the removal or movement of soils may be required, the ministry's document "Management of Excess Soil A Guide for Best Management Practices" should be followed regarding all activities related to soil management. If potential contamination involved at the site, 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 ministry's District Offices for further consultation if contaminated sites are present.
- The location of any underground storage tanks should be investigated in the ESR.
   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.
- The ESR should identify any underground transmission lines in the study area. The owners should be consulted to avoid impacts to this infrastructure, including potential spills.

### Mitigation and Monitoring

- 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.
- All waste generated during construction must be disposed of in accordance with ministry requirements.
- 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 ESR and regularly monitored during
  the construction stage of the project. In addition, we encourage proponents to conduct postconstruction monitoring to ensure all mitigation measures have been effective and are
  functioning properly. The proponent's construction and post-construction monitoring plans
  should be documented in the ESR.

### □ Planning and Policy

 The <u>Provincial Policy Statement</u> (2014) contains policies that protect Ontario's natural heritage, such as significant ANSIs, watercourses and wetlands. Applicable policies should be referenced in the ESR, and the proponent should demonstrate how this proposed project is consistent with these policies, including describing measures that prevent and minimize potential impacts. You may wish to consider consulting with the Ministry of Municipal Affairs & Housing.

Parts of the study area may be subject to the <u>Oak Ridges Moraine Conservation Plan</u>, <u>Niagara Escarpment Plan</u>, <u>Greenbelt Plan</u>, <u>Lake Simcoe Protection Plan</u>, <u>Source Protection Plans</u>, or <u>Growth Plan for the Greater Golden Horseshoe</u>. The ESR should demonstrate how the proposed study adheres to the <u>relevant</u> policies in these plans.

### □ 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, in particular 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 (EAA), although the plan itself would not be.
- The ESR should provide clear and complete documentation of the planning process in order to allow for transparency in decision-making. The ESR must also demonstrate how the consultation provisions of the Class EA have been fulfilled, including documentation of all public consultation efforts undertaken during the planning process. Additionally, the ESR should identify all concerns that were raised and how they have been addressed throughout the planning process. The Class EA also directs proponents to include copies of comments submitted on the project by interested stakeholders, and the proponent's responses to these comments.
- The Class EA requires the consideration of the effects of each alternative on all aspects of the environment. The ESR should include a level of detail (e.g. hydrogeological investigations, terrestrial and aquatic 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 ESR.
- Please include in the ESR a list of all subsequent permits or approvals that may be required
  for the implementation of the preferred alternative, including MOECC's PTTW and ECAs,
  conservation authority permits, and approval under the Canadian Environmental
  Assessment Act (CEAA).
- Ministry guidelines and other information related to the issues above are available at <a href="http://www.ontario.ca/environment-and-energy/environment-and-energy">http://www.ontario.ca/environment-and-energy/environment-and-energy</a> under the publications link. We encourage you to review all the available guides and to reference any relevant information in the ESR.

### Aboriginal Consultation

 Your proposed project may have the potential to affect Aboriginal communities who hold or claim Aboriginal or treaty rights protected under Section 35 of Canada's Constitution Act 1982. The Crown has a duty to consult First Nation and Métis communities when it knows about established or credibly asserted Aboriginal or treaty rights, and contemplates decisions or actions that may adversely affect them.

- Although the Crown remains responsible for ensuring the adequacy of consultation with potentially affected Aboriginal communities, it may delegate procedural aspects of the consultation process to project proponents.
- The environmental assessment process requires proponents to consult with interested persons and government agencies, including those potentially affected by the proposed project. This includes a responsibility to conduct adequate consultation with First Nation and Métis communities.
- The ministry relies on consultation conducted by proponents when it assesses the Crown's obligations and directs proponents during the regulatory process.
- Where the Crown's duty to consult is triggered in relation to your proposed project, the Ontario Ministry of the Environment and Climate Change is delegating the procedural aspects of rights-based consultation to you through this letter.
- Steps that you may need to take in relation to Aboriginal consultation for your proposed project are outlined in the "Aboriginal Consultation Information" checklist below. Please complete the checklist contained there, and keep related notes as part of your consultation record. Doing so will help you assess your project's potential adverse effects on Aboriginal or treaty rights.
- You must contact the Director, Environmental Approvals Branch if you have reason to believe that your proposed project may adversely affect an Aboriginal or treaty right, consultation has reached an impasse, or if a Part II Order request has been submitted. The ministry will then assess the extent of any Crown duty to consult in the circumstances, and will consider whether additional steps should be taken and what role you will be asked to play in them.

### ABORIGINAL CONSULTATION INFORMATION

### Consultation with Interested Persons under the Ontario Environmental Assessment Act

Proponents subject to the Ontario *Environmental Assessment Act* are required to consult with interested persons, which may include First Nations and Métis communities. In some cases, special efforts may be required to ensure that Aboriginal communities are made aware of the project and are afforded opportunities to provide comments. Direction about how to consult with interested persons/communities is provided in the Code of Practice: Consultation in Ontario's Environmental Assessment Process available on the Ministry's website:

http://www.ontario.ca/environment-and-energy/consultation-ontarios-environmental-assessment-process

As an early part of the consultation process, proponents are required to contact the Ontario Ministry of Aboriginal Affairs' Consultation Unit and visit Aboriginal Affairs and Northern Development Canada's Aboriginal and Treaty Rights Information System (ATRIS) to help identify which First Nation and Métis communities may be interested in or potentially impacted by their proposed projects.

ATRIS can be accessed through the Aboriginal Affairs and Northern Development Canada website:

### http://sidait-atris.aadnc-aandc.gc.ca/atris\_online/

For more information in regard Aboriginal consultation as part of the Environmental Assessment process, refer to the Ministry's website:

www.ontario.ca/government/environment-assessments-consulting-aboriginal-communities

You are advised to provide notification directly to all of the First Nation and Métis communities who may be interested in the project. You should contact First Nation communities through their Chief and Band Council, and Metis communities through their elected leadership.

### Rights-based consultation with First Nation and Métis Communities

Proponents should note that, in addition to requiring interest-based consultation as described above, certain projects may have the potential to adversely affect the ability of First Nation or Métis communities to exercise their established or credibly asserted Aboriginal or treaty rights. In such cases, Ontario may have a duty to consult those Aboriginal communities.

Activities which may restrict or reduce access to unoccupied Crown lands, or which could result in a potential adverse impact to land or water resources in which harvesting rights are exercised, may have the potential to impact Aboriginal or treaty rights. For assistance in determining whether your proposed project could affect these rights, please refer to the attached "Preliminary Assessment Checklist: First Nation and Métis Community Interest."

If there is likely to be an adverse impact to Aboriginal or treaty rights, accommodation may be required to avoid or minimize the adverse impacts. Accommodation is an outcome of consultation and includes any mechanism used to avoid or minimize adverse impacts to Aboriginal or treaty rights and traditional uses. Solutions could include mitigation such as adjustments in the timing or geographic location of the proposed activity. Accommodation may

in certain circumstances involve the provision of financial compensation, but does not necessarily require it.

For more information about the duty to consult, please see the Ministry's website at:

### www.ontario.ca/government/duty-consult-aboriginal-peoples-ontario

The proponent must contact the Director, Environmental Approvals Branch if a project may adversely affect an Aboriginal or treaty right, consultation has reached an impasse, or if a Part II Order or an elevation request is anticipated; the Ministry will then determine whether the Crown has a duty to consult.

The Director of the Environmental Approvals Branch can be notified either by email with the subject line "Potential Duty to Consult" to <a href="mailto:EAASIBgen@ontario.ca">EAASIBgen@ontario.ca</a> or by mail or fax at the address provided below:

Email:	EAASIBgen@ontario.ca
	Subject: Potential Duty to Consult
Fax:	416-314-8452
Address:	Environmental Approvals Branch 12A Flr
	2 St Clair Ave W
	Toronto ON M4V1L5

### Delegation of Procedural Aspects of Consultation

Proponents have an important and direct role in the consultation process, including a responsibility to conduct adequate consultation with First Nation and Métis communities as part of the environmental assessment process. This is laid out in existing environmental assessment codes of practice and guides that can be accessed from the Ministry's environmental assessment website at

### www.ontario.ca/environmentalassessments

The Ministry relies on consultation conducted by proponents when it assesses the Crown's obligations and directs proponents during the regulatory process. Where the Crown's duty to consult is triggered, various additional procedural steps may also be asked of proponents as part of their delegated duty to consult responsibilities. In some situations, the Crown may also become involved in consultation activities.

Ontario will have an oversight role as the consultation process unfolds but will be relying on the steps undertaken and information you obtain to ensure adequate consultation has taken place. To ensure that First Nation and Métis communities have the ability to assess a project's potential to adversely affect their Aboriginal or treaty rights, Ontario requires proponents to undertake certain procedural aspects of consultation.

The proponent's responsibilities for procedural aspects of consultation include:

 Providing notice to the elected leadership of the First Nation and/or Métis communities (e.g., First Nation Chief) as early as possible regarding the project;

- Providing First Nation and/or Métis communities with information about the proposed project including anticipated impacts, information on timelines and your environmental assessment process;
- Following up with First Nation and/or Métis communities to ensure they received project
  information and that they are aware of the opportunity to express comments and concerns
  about the project. If you are unable to make the appropriate contacts (e.g. are unable to
  contact the Chief) please contact the Environmental Assessment and Planning Coordinator
  at the Ministry's appropriate regional office for further direction.
- Providing First Nation and/or Métis communities with opportunities to meet with appropriate proponent representatives to discuss the project;
- Gathering information about how the project may adversely impact the relevant Aboriginal and/or Treaty rights (for example, hunting, fishing) or sites of cultural significance (for example, burial grounds, archaeological sites);
- Considering the comments and concerns provided by First Nation and/or Métis communities and providing responses;
- Where appropriate, discussing potential mitigation strategies with First Nation and/or Métis communities:
- Bearing the reasonable costs associated with these procedural aspects of consultation, which may include providing support to help build communities' capacity to participate in consultation about the proposed project.
- Maintaining a Consultation Record to show evidence that you, the proponent, completed all
  the steps itemized above or at a minimum made meaningful attempts to do so.
- Upon request, providing copies of the Consultation Record to the Ministry. The Consultation Record should:
  - summarize the nature of any comments and questions received from First Nation and/or Métis communities
  - o describe your response to those comments and how their concerns were considered
  - include a communications log indicating the dates and times of all communications;
     and
  - document activities in relation to consultation.

Successful consultation depends, in part, on early engagement by proponents with First Nation and Métis communities. Information shared with communities must be clear, accurate and complete, and in plain language where possible. The consultation process must maintain sufficient flexibility to respond to new information, and we trust you will make all reasonable efforts to build positive relationships with all First Nation and Métis communities contacted. If you need more specific guidance on Aboriginal consultation steps in relation to your proposed project, or if you feel consultation has reached an impasse, please contact the Environmental Assessment and Planning Coordinator at the Ministry's appropriate regional office.

### Preliminary Assessment Checklist: First Nation and Métis Community Interests and Rights

In addition to other interests, some main concerns of First Nation and Métis communities may pertain to established or asserted rights to hunt, gather, trap, and fish – these activities generally occur on Crown land or water bodies. As such, projects related to Crown land or water bodies, or changes to how lands and water are accessed, may be of concern to Aboriginal communities.

Please answer the following questions and keep related notes as part of your consultation record. "Yes" responses will indicate a potential adverse impact on Aboriginal or treaty rights.

Where you have identified that your project may trigger rights-based consultation through the following questions, you should arrange for a meeting between you and the Environmental Assessment and Planning Coordinator at the Ministry's appropriate regional office to provide an early opportunity to confirm whether Ontario's duty to consult is triggered and to discuss roles and responsibilities in that event.

		YES	NO
1.	Are you aware of concerns from First Nation and Métis communities about your project or a similar project in the area?		
	The types of concerns can range from interested inquiries to environmental complaints, and even to land use concerns. You should consider whether the interest represents on-going, acute and/or widespread concern.		
2.	Is your project occurring on Crown land, or is it close to a water body? Might it change access to either?		
3.	Is the project located in an open or forested area where hunting or trapping could take place?		
4.	Does the project involve the clearing of forested land?		
5.	Is the project located away from developed, urban areas?		
6.	Is your project close to, or adjacent to, an existing reserve?		
	Projects in areas near reserves may be of interest to the First Nation and Métis communities living there.		
7.	Will the project affect First Nations and/or Métis ability to access areas of significance to them?		
8.	Is the area subject to a land claim?		
	Information about land claims filed in Ontario is available from the Ministry of Aboriginal Affairs; information about land claims filed with the federal government is available from Aboriginal Affairs and Northern Development Canada.		
9.	Does the project have the potential to impact any archaeological sites?		



February 22, 2016

Project number: 15-4350

Ministry Partnerships Unit Ministry of Aboriginal Affairs 160 Bloor Street East, 9<sup>th</sup> Floor Toronto, ON M7A 2E6

### Attention:

Re: Mississauga Road Class EA and Addendum,

<u>Identification of Aboriginal Communities That May Have a Potential Interest</u>

Dear

The Region of Peel is undertaking a Schedule 'C' Municipal Class Environmental Assessment (Class EA) on a section of Mississauga Road between Financial Drive to north of Queen Street West and an addendum to a 2006 Class EA on an adjacent section of Mississauga Road from Queen Street West to Bovaird Drive (see Attachment 1) in Brampton. The UTM coordinates for this linear feature are: N: 48333855, E: 596560 (NAD 83).

The Region is growing and a Long Range Transportation Plan (2012) identified needed improvements to meet future growth demands within the next 15 years. Recognizing that planning needs to occur before road construction can start, the Region is undertaking this Class EA. The purpose of this Class EA Study is to:

- confirm the need for improvements;
- determine improvement alternatives; and
- evaluate alternatives and identify the preferred improvement plan.

Potential effects from the proposed project will depend on the results of a Transportation and Traffic Study. If that study recommends road widening (from four to six lanes) there may be potential effects that will need to be mitigated. This may include effects on:

- Private property owners as a result of road widening (such as property purchase or changes to access);
- Heritage properties and cultural heritage landscapes;
- The bridge structure over the Credit River; and
- Environmental features including Environmentally Sensitive Areas, the Credit River as well as land-based and water-based environments.

A key component of this study is to consult with regulatory agencies, stakeholders and Aboriginal groups. The Region previously sent the Ministry the Notice of Commencement on October 27, 2015. As a follow-up to that notice, the Region would request the Ministry's assistance in identifying Aboriginal communities that may have a potential interest in the project.

If you should have any questions or require further details please do not hesitate to contact me.

Sincerely,

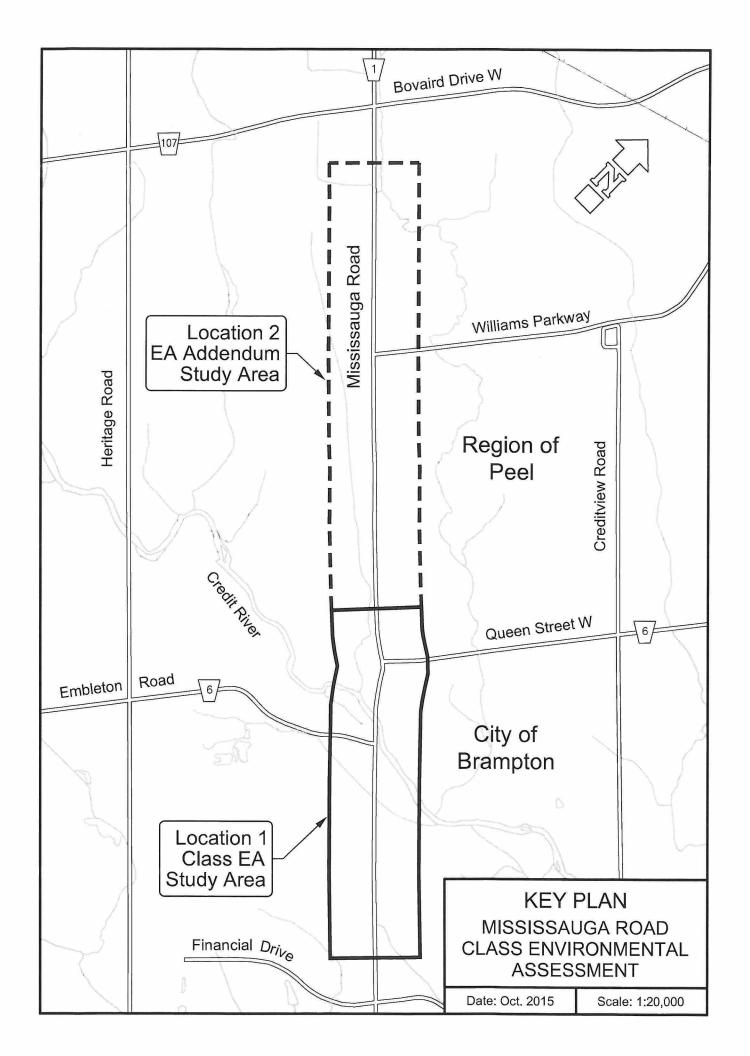
Sally Rook, C.Tech, PMP

Manager (Acting), Infrastructure Programming & Studies

Region of Peel

C: David Sinke, Amec Foster Wheeler

Trevor Bell, Ministry of the Environment and Climate Change



From: Kelly, Mary K

**Sent:** March-15-16 3:03 PM

To: 'Rook, Sally' < <a href="mailto:Sally.Rook@peelregion.ca">Sally.Rook@peelregion.ca</a>>

Cc: Sinke, David <a href="mailto:david.sinke@amec.com">david.sinke@amec.com</a>; Dearlove, Heather <a href="Heather.Dearlove@amec.com">Heather.Dearlove@amec.com</a>;

'Neal.Smith@peelregion.ca' < Neal.Smith@peelregion.ca >

Subject: FW: Peel Region - Mississauga Road Class EA/Addendum - Aboriginal Consultation

Hi Sally,

The MOECC confirmed our list today and I inquired about their comment on the Métis Nation of Ontario (MNO).

I have followed up with all of the Aboriginal groups that letters were issued to.

- The Mississaugas of the New Credit contact is away this week. I did leave a message but I will follow next week.
- The Six Nations of the Grand River are reviewing. I will follow-up again next week.
- I left a message with at HDI and will follow-up again if I do not get a response.
- The MNO will likely not have an interest but will confirm (I will follow-up via email next week).

### Cheers, Mary

From: Bell, Trevor (MOECC) [mailto:Trevor.Bell@ontario.ca]

**Sent:** March-15-16 10:08 AM

To: Kelly, Mary K <mary.k.kelly@amec.com>

Subject: FW: Peel Region - Mississauga Road Class EA/Addendum - Aboriginal Consultation

FYI

**From:** Noordhof, Jake (MOECC) **Sent:** March-14-16 4:49 PM **To:** Bell, Trevor (MOECC)

Subject: RE: Peel Region - Mississauga Road Class EA/Addendum - Aboriginal Consultation

Hi Trevor.

I would not add any additional Aboriginal communities to this list. I am not sure whether I would have even included MNO on this one, but since they have they can leave them on.

### Jake

**From:** Bell, Trevor (MOECC) **Sent:** March-11-16 9:36 AM **To:** Noordhof, Jake (MOECC)

Subject: FW: Peel Region - Mississauga Road Class EA/Addendum - Aboriginal Consultation

Hi Jake,

Please see the forwarded email below. The consultant is seeking input on their list of potentially interested Aboriginal communities for their project in Brampton. Can you have a look and let me know if there are any additional Aboriginal communities that may have an interest in this project? Attached are the letters the consultant has prepared for interested communities, which also contain info sheets on the project and the Notice of Commencement.

Feel free to contact me if you'd like to discuss.

Thanks Jake, Trevor

### **Trevor Bell**

Environmental Resource Planner and EA Coordinator Technical Support Section | Central Region Ministry of the Environment and Climate Change 5775 Yonge St., 8<sup>th</sup> Floor Toronto, ON M2M 4J1

T: 416-326-3577

E: trevor.bell@ontario.ca

From: Kelly, Mary K [mailto:mary.k.kelly@amecfw.com]

**Sent:** March-10-16 3:33 PM **To:** Bell, Trevor (MOECC)

Cc: Rook, Sally; Neal.Smith@peelregion.ca; Sinke, David; Dearlove, Heather

**Subject:** Peel Region - Mississauga Road Class EA/Addendum - Aboriginal Consultation

Good morning Trevor,

As a follow-up to our ongoing discussions on identifying the list of potentially interested Aboriginal groups, we would like to request that the MOECC's Aboriginal Advisor consider the following list of Aboriginal groups for the Mississauga Road Class EA and Addendum project (Peel Region).

- Mississaugas of the New Credit First Nation
- Six Nations of the Grand River
- Haudenosaunee Development Institute
- Métis Nation of Ontario (including CC to local chapter)

This list is based on our knowledge of the area and other projects. We had prepared and issued a letter to the MAA following your original guidance; we have attached the letter as it may provide some background for the advisor in their review. We have also prepared and issued letters to the above listed Aboriginal groups (copies attached). If the advisor identifies any other groups we issue similar letters to them as well.

If you should have any questions or comments please do not hesitate to contact. And again, thank-you for your continued support with this process.

Cheers, Mary

### Mary Kathryn Kelly B.Sc.

Senior Consultant - Human Environment, Amec Foster Wheeler Environment & Infrastructure T/M +1 (705)-493-9393 <u>mary.k.kelly@amecfw.com</u> amecfw.com





February 26, 2016 Project number: 15-4350

Mississaugas of the New Credit First Nation 6 First Line Rd., R.R. #6 Hagersville, ON N0A 1H0

Attention:

Re: Mississauga Road Schedule 'C' Class Environmental Assessment and Addendum

Dear

To address planned growth, the Region of Peel is undertaking a Municipal Schedule 'C' Class Environmental Assessment (Class EA) on a section of Mississauga Road from Financial Drive to Queen Street West and an addendum to a 2006 Class EA on an adjacent section of Mississauga Road from Queen Street West to Bovaird Drive. The Region has retained Amec Foster Wheeler Environment & Infrastructure (Amec Foster Wheeler) to undertake this Class EA and the 2006 Class EA addendum.

The Region has received direction from the Provincial Crown that the Mississaugas of the New Credit First Nation may have an interest in learning more about the project. The Region is committed to involving stakeholders and Aboriginal communities in the project. The Provincial Crown has delegated the procedural aspects of the Duty to Consult to the Region.

For information, the Region has attached a project summary and the Notice of Commencement. Please feel free to share this information within your community as you feel appropriate.

We are interested in understanding any interests or questions that the Mississaugas of the New Credit First Nation may have about this proposed project and if there is a potential for the project to affect Aboriginal and treaty rights. We would also be interested to know if there are any sites of cultural significance to your community.

The Region would welcome the opportunity to meet with your community to provide more information about the project and discuss any interests or questions you may have.

We will contact you by telephone in the near future to determine your interest in a meeting.

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

Sincerely,

Sally Rook, ©.Tech

Manager (Acting), Infrastructure Programming & Studies

Region of Peel

C: David Sinke, Amec Foster Wheeler

Project Information Sheet Notice of Commencement Encl:



## Mississauga Road Schedule 'C' Class EA, Region of Peel



### **Project Description**

The Region of Peel is growing and a Long Range Transportation Plan (2012) identified improvements to meet the needs of future growth demands within the next 15 years. Recognizing that planning needs to occur before road construction can start, the Region is conducting a Class Environmental Assessment (Class EA) as well as a Class EA Addendum along the Mississauga Road corridor. Amec Foster Wheeler Environment & Infrastructure (Amec Foster Wheeler) is the consultant hired to complete the Class EA work.

Location 1: Schedule 'C' Class EA

The area of Mississauga Road being studied extends from of Financial Drive to north of Queen Street West (see map).

Location 2: 2006 Class EA Addendum

Location 2 focuses on Mississauga Road between Queen Street West and Bovaird Drive (see map).

### Class Environmental Assessment

The purpose of this Class EA study is to:

- confirm the need for improvements
- determine improvement alternatives
- evaluate alternatives and identify the preferred improvement plan

The first step in this process is to develop an understanding of the current (baseline) conditions in the study area. Once current conditions are known, alternatives to meet the future growth demands will be developed.

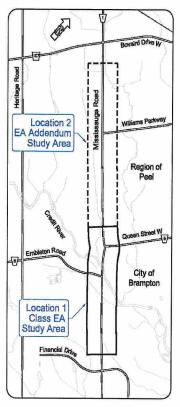
The Class EA planning process helps identify potential effects of proposed projects. Each of the proposed alternatives are assessed against baseline conditions to determine the potential effects, and where necessary, identify mitigation measures. From these alternatives, a preferred alternative will be identified.

A key component of this study is to consult with regulatory agencies, stakeholders and Aboriginal groups.

### **Baseline Studies**

Baseline studies are prepared to describe the current biological, human and physical environment conditions.

A Class EA is a decisionmaking and planning process that identifies potential effects of projects, such as road improvements, so that they can be managed prior to implementation



Environment & Infrastructure amecfw.com Page 1 of 2

The following investigations will be completed as part of this study.

### Biological Environment

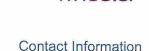
- Fisheries and Aquatic biology
- · Soils
- Species At Risk
- Vegetation
- Wildlife

### **Human Environment**

- Archaeology
- · Build heritage
- · Land use
- Socio-economics
- Visual aesthetics / landscape design

### Physical Environment

- ·Air quality and noise
- Hydrology (lakes, rivers, etc.)
- Hydrogeology (groundwater)



foster

Region of Peel
Sally Rook, C. Tech, PMP
Manager (Acting),
Infrastructure
Programming & Studies
10 Peel Centre Drive

Brampton, ON L6T 4B9 905-791-7800 x. 7842

sally.rook@peelregion.ca

Amec Foster Wheeler Environment & Infrastructure David Sinke, M.Eng., P.Eng. Project Manager 3215 North Service Road, P.O. Box 220 Burlington, ON L7N 3G2 905-335-2353 david.sinke@amecfw.com

Other related reports that will be completed include:

- Transportation and Traffic Study (including Safety Performance Report)
- Culvert and Structural Analysis and Inspection Report
- Drainage and Stormwater Management Report

### Potential Project-related Effects

Potential effects from the proposed project will depend on the results of the Transportation and Traffic Study. If that study recommends road widening there may be potential effects that will need to be mitigated. This may include effects on:

- Private property owners as a result of road widening (such as property purchase or changes to access)
- Heritage properties and cultural heritage landscapes
- The bridge structure over the Credit River
- Environmental features including Environmentally Sensitive Areas, the Credit River as well as land-based and water-based environments

### Schedule and Next Steps

- Field Studies, planned for spring and summer 2016
- Public Information Sessions, tentatively planned for fall 2016 and spring 2017
- Environmental Study Report, planned for submission to the Ministry of the Environment and Climate Change in July 2017

### Additional Information

For more information about environmental assessments in the Region of Peel or this project, visit:

http://www.peelregion.ca/pw/transportation/assessments.htm

https://www.peelregion.ca/pw/transportation/environ-assess/eamississauga-rd-2proj.htm



# **Public Notice**

### NOTICE OF STUDY COMMENCEMENT

### **2 PROJECT LOCATIONS**

LOCATION 1 – MISSISSAUGA ROAD FROM FINANCIAL DRIVE TO QUEEN STREET WEST LOCATION 2 – MISSISSAUGA ROAD FROM QUEEN STREET WEST TO BOVAIRD DRIVE

The Region has initiated a Class Environmental Assessment (EA) for Mississauga Road between Financial Drive and Queen Street West and a Class EA Addendum between Queen Street West and Bovaird Drive.

### The Projects

**Location 1** - The study will examine the need and justification as well as feasibility for improvements that may include widening, intersection improvements and new infrastructure to facilitate transit, walking and cycling.

**Location 2 -** An Environmental Assessment study was completed in 2006 for Mississauga Road from Queen Street West to Bovaird Drive. The original study identified the need for improvements and the Class EA Addendum will re-evaluate the proposed scope of work based on updated traffic projections.

### The Process

**Location 1** - The study is being conducted in compliance with Schedule 'C' of the Municipal Class EA, which is approved under the Ontario Environmental Assessment Act.

**Location 2 -** The study is being undertaken as a Class EA Addendum to the 2006 Class EA and will follow the approved process of the Municipal Class EA as defined under the Ontario Environmental Assessment Act.

### Contact

You can provide comment on the study commencement and stay in touch with the project online at:

www.peelregion.ca/pw/transportation/environ-assess/ea-mississauga-rd-2proj.htm

or contact either project manager:

### Sally Rook, C.Tech., PMP

Project Manager, Transportation Division Region of Peel

10 Peel Centre Drive, Suite B, 4th Floor

Brampton, ON L6T 4B9

Phone: 905.791.7800 ext. 7842

Fax: 905.791.1442

Email: sally.rook@peelregion.ca

### David Sinke, P. Eng.

Consultant Project Manager Amec Foster Wheeler Environment & Infrastructure 3215 North Service Road Burlington, ON L7N 3G2

Phone: 905.335.2353; Fax: 905.335.1414

Email: david.sinke@amecfw.com

Bovaird Drive W **Mississauga Road** Williams Parkway Location 2 **EA Addendum** Study Area Region of Peel Queen Street W Embleton Road City of 51 Brampton Location 1 Class EA Study Area Financial Drive

Your opinion matters and we welcome your participation.

The Region of Peel is committed to ensure that all Regional services, programs and facilities are inclusive and accessible for persons with disabilities. Please contact the Project Manager if you need any disability accommodation to participate in the study.

From: Kelly, Mary K

Sent: Monday, March 21, 2016 2:32 PM

**To:** Dearlove, Heather < <u>Heather.Dearlove@amec.com</u>>

Subject: Peel Region - SIIMS

Heather,

Attached are emails for SIIMS for Mississauga Road and below is the summary of phone calls

03/15/2016	Phone		Mary	Amec Foster Wheeler contacted the Mississaugas of the New
	Call		Kelly,	Credit First Nation to follow-up on the letter and information
		MNCFN	Amec	packaged that were issued by the Region of Peel on 2016-03-01.
			Foster	A message was left noting that the Project team would send an
			Wheeler	electronic copy of the package via email and reconnect the
				following week.
03/15/2016	Phone		Mary	Amec Foster Wheeler contacted the Haudenosaunee
	Call	HDI	Kelly,	Development Institute to follow-up on the letter and
			Amec	information packaged that were issued by the Region of Peel on
			Foster	2016-03-01. A message was left with the receptionist noting
			Wheeler	that the Project team would like to discuss the Project.
03/15/2016	Phone		Mary	Amec Foster Wheeler contacted the Six Nations of the Grand
,,	Call		Kelly,	River (SNGR) to follow-up on the letter and information
		SNGR	Amec	packaged that were issued by the Region of Peel on 2016-03-01.
			Foster	SNGR identified that they had not seen the letter yet. Amec
			Wheeler	Foster Wheeler identified that they would provide a copy of the
				letter and information package via email.
03/15/2016	Phone		Mary	Amec Foster Wheeler contacted the Métis Nation of Ontario
	Call		Kelly,	(MNO) to follow-up on the letter and information packaged that
		MNO	Amec	were issued by the Region of Peel on 2016-03-01. The MNO
			Foster	identified that they had not seen the letter yet. Amec Foster
			Wheeler	Wheeler identified that they would provide a copy of the letter
				and information package via email. The MNO identified that
				they likely would not have interest in the Project but would like
				to be kept informed about the Project.
03/16/2016	Phone		Mary	Amec Foster Wheeler received a phone call from the
	Call	HDI	Kelly,	Haudenosaunee Development Institute as a follow-up to the
			Amec	2016-03-15 phone message. HDI identified that they would
			Foster	potentially like to meet but that they will require archaeological
			Wheeler	and environmental field monitors to be present during the
				investigations. Amec Foster Wheeler identified that they would
				discuss with the Region and propose some meeting dates.
03/21/2016	Phone		Mary	Amec Foster Wheeler contacted the Mississaugas of the New
	Call		Kelly,	Credit First Nation to follow-up on the letter and information
		MNCFN	Amec	packaged that were issued by the Region of Peel on 2016-03-01.
			Foster	Amec Foster Wheeler confirmed the First Nation's interest in
			Wheeler	meeting to discuss the Project; tentative meeting dates for the
				week of 2016-04-11 were identified.



April 19, 2016

Sally Rook, C. Tech., PMP Project Manager, Transportation Division Region of Peel Brampton, ON. L6T 4B9 Sally.rook@peelregion.ca

### Dear Sally,

By way of background, the Mississaugas of the New Credit First Nation (MNCFN) are the descendants of the Mississaugas of the River Credit. Our Traditional Territory extends from the Rouge River Valley in the east, across to the headwaters of the Thames River, down to Long Point on Lake Erie, and back along the shores of Lake Erie, the Niagara River, and Lake Ontario to the Rouge River Valley. It encompasses present-day Niagara Falls, Hamilton, Mississauga, Toronto, Scarborough and Woodstock, as well as our communal lands. In total our Traditional Territory consists of some 3.9 million acres of Southern Ontario.

Thank you for your notification on *the Mississauga Road Schedule 'C' Class Environmental Assessment and Addendum* dated *January 14, 2016*. The Mississaugas of the New Credit First Nation (MNCFN) has various treaty rights across its traditional territory, including the area contemplated by your project. For further information, please see our website, http://www.newcreditfirstnation.com/. MNCFN continues to exercise treaty rights which include, but are not limited to, rights to harvest, fish, trap and gather species of plants, animals and insects for any purpose including food, social, ceremonial, trade and exchange purposes. The MNCFN also has the right to use the water and resources from the rivers, creeks and lands across the MCNFN traditional territory.

At this time, MNCFN *does not* have a high level of concern regarding the proposed project and therefore, by way of this letter, approves the continuation of this project. However, MNCFN requests that you continue to notify us about the status of the project. **In addition, we respectfully ask you to immediately notify us if there are any changes to the project as they** 

may impact MNCFN's interests and that you please provide us with a copy of all associated environmental and archaeology reports. This includes, but is not limited to changes related to the scope of work and expected archaeological and environmental impacts.

Additionally, MNCFN employs Field Liaison Representatives ("FLRs") to act as official representatives of the community and who are answerable to MNCFN Chief and Council through the Department of Consultation and Accommodation. The FLRs' mandate is to ensure that MNCFN's perspectives and priorities are considered in the field and to enable MNCFN to provide timely, relevant, and meaningful comment on the Project. Therefore, **it is MNCFN policy that FLRs are on location whenever any fieldwork for environmental and/or archaeological assessments are undertaken.** It is expected that the proponent will cover the costs of this FLR participation in the fieldwork. Please also provide the contact information of the person, or consultant, in charge of organizing this work so they may facilitate the participation of the MNCFN FLRs.

Nothing in this letter shall be construed as to affect the Aboriginal or Treaty rights and hence shall not limit any consultation and accommodation owed to MNCFN by the Crown or any proponent, as recognized by section 35 of the Constitution Act, 1982, of any other First Nation.

MNCFN reserves the right in relation to any development project or decision, to decide whether it supports a project and to: comment to regulators, participate in regulatory processes and hearings, seek intervener funding or status, or to challenge and seek remedies through the courts.

### MNCFN expects all proponents to act according to the following best practices:

- Engage early in the planning process, before decisions are made
- Provide information in meaningful and understandable formats.
- Convey willingness to transparently describe the project and consider any MNCFN concerns.
- Recognize the significance of cultural activities and traditional practices of the MNCFN
- Demonstrate a respect for MNCFN knowledge and uses of land and resources.
- Understand the importance of youth and elders in First Nation communities.
- Act with honour, openness, transparency and respect.
- Be prepared to listen and allow time for meaningful discussion.

Sincerely,

MNCFN Department of Consultation and Accommodation

From: Brock, Liz < <a href="mailto:liz.brock@peelregion.ca">liz.brock@peelregion.ca</a> Sent: Thursday, April 14, 2016 3:50 PM

To:

**Cc:** Kelly, Mary K < <u>Mary.k.Kelly@amecfw.com</u>>; Smith, Neal < <u>neal.smith@peelregion.ca</u>> **Subject:** Mississauga Rd 2006 Environmental Study Report Queen St to Bovaird Dr

Hi — as we talked about yesterday, I have uploaded the Mississauga Rd 2006 ESR to our ftp site. It includes all the reports so you can pick and choose what you want. It is best to use Google Chrome when you are downloading as others have said they have issues with using other applications. If you have any difficulties, let me know.

It was great to meet you.

Liz Brock
Technical Analyst, Infrastructure Programming & Studies
Transportation
Public Works
905-791-7800 x7902
liz.brock@peelregion.ca

Peace in oneself, peace in the world....Thich Nhat Hanh

Studies show trees live longer when they're not cut down. Please do not print this email unless you really need to.

From:

Cc:

**Sent:** Friday, April 15, 2016 2:51 PM

To: neal.smith@peelregion.ca

Subject: FLR Contract - Mississauga Road Class EA

Good afternoon, Neal!

Thank you for taking the time to meet with us on Wednesday. I think it was a great learning opportunity for both sides.

Kelly, Mary K < mary.k.kelly@amec.com >;

As discussed, I have attached a contract covering the participation of the Field Liaison Representatives in the upcoming Mississauga Road Class EA. I have also attached a confirmation of insurance for MNCFN.

If you could please fill in the additional required information, highlighted in yellow, and return to us a signed copy, that would be greatly appreciated. After we have received it, we can execute the contract on our end and return the completed contract to you. Afterwards, I can arrange scheduling and other EA-related matters directly with AMEC Foster Wheeler, if you prefer.

For your information, the Federal Canada Treasury Board guidelines can be located at the following web addresses. For 2016, they are as follows:

Mileage (\$0.53/km): <a href="http://www.njc-cnm.gc.ca/directive/travel-voyage/s-td-dv-a2-eng.php">http://www.njc-cnm.gc.ca/directive/travel-voyage/s-td-dv-a2-eng.php</a>
Per Diem (\$78.80 a day): <a href="http://www.njc-cnm.gc.ca/directive/travel-voyage/s-td-dv-a3-eng.php">http://www.njc-cnm.gc.ca/directive/travel-voyage/s-td-dv-a3-eng.php</a>

Please let me know if you have any questions or concerns.

Sincerely,

# Field Liaison Representative Agreement between: Mississaugas of the New Credit First Nation and the Region of Peel

The purpose of this letter of agreement is to provide Mississaugas of the New Credit First Nation (hereinafter, "MNCFN") with the capacity assistance to fund at least two Field Liaison Representatives (hereinafter, "FLRs") in connection with the environmental assessment and Stage 2 archaeological assessment required for the Mississauga Road Schedule "C" Class Environmental Assessment and Addendum owned by the Region of Peel (hereinafter, "the Proponent").

We, the Region of Peel, understand that MNCFN wishes to send its FLRs to participate in and oversee the fieldwork and construction associated with the Project and that the FLRs' mandate will be to ensure that MNCFN's perspectives and priorities are considered and to enable MNCFN to provide timely and meaningful comment on the Project.

We, the Proponent, understand that additional FLRs may be required if the number of field crew utilized by the consultant exceeds fifteen (15) individuals and agree to provide capacity funding for additional FLRs as required. MNCFN requires one additional FLR per five additional field crew and will provide a chart outlining this requirement upon request.

We, the Proponent, and MNCFN agree that the Region of Peel will provide capacity funding for each FLR in the amount of \$75.00 per hour, plus actual travel time at the beginning and end of each day, subject to the following conditions:

- 1. The FLRs selected by MNCFN have appropriate qualifications for the work required, for example, training in environmental and archaeological monitoring, and experience or ability to work with Aboriginal communities to help bridge Aboriginal perspectives with Western science, as reasonably determined by MNCFN.
- 2. The Parties agree that the FLRs will follow the reasonable instructions AMEC Foster Wheeler, the consultant firm conducting the environmental and archaeological work, concerning safety practices, and that the FLRs will attend "tailgate" safety meetings. The contact person for the environmental assessment portion of the fieldwork is [name of direct supervisor #1] from AMEC Foster Wheeler. Contact information for this person is as follows:

insert contact information here

The contact person for the archaeological assessment portion of the fieldwork is [name of direct supervisor #2] from AMEC Foster Wheeler. Contact information for this person is as follows:

insert contact information here

3. The Parties agree that [name of direct supervisor #1] and [name of direct supervisor #2] will coordinate site meeting locations and times through MNCFN's duly appointed Archaeological Coordinator or, when necessary, directly with the FLRs themselves. Contact information for the Archaeological Coordinator is as follows:

Telephone: Cell: Email:

- 4. The Parties agree that the FLRs are not employees, contractors, or sub-contractors of the Region of Peel or AMEC Foster Wheeler and that the FLRs will be responsible for their own personal protective equipment, such as hard hats, safety boots, and safety vests.
- 5. The Parties agree that the Proponent will reimburse the FLRs for reasonable mileage and meals in accordance with current Federal Canada Treasury Board guidelines, over and above the hourly rate noted above.
- 6. If its use is deemed necessary by both Parties, the Proponent agrees to reimburse the FLRs for their use of the 407ETR upon receipt of a copy of the bill.
- 7. If deemed reasonable by both Parties, the Proponent agrees to cover the cost of overnight accommodation for FLRs participating in environmental and/or archaeological fieldwork at locations which would otherwise require more than 90 minutes of travel time at both the beginning and end of the work day, as determined using the MNCFN Department of Consultation and Accommodation as the place of departure.
- 8. The Parties agree that FLRs will be paid by the Proponent at a rate of \$100.00 per hour for any work occurring on a statutory holiday. This includes New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day, and Boxing Day. The above noted mileage and per diem rates remain in effect.
- 9. The Parties agree that FLRs will be paid for a minimum of four hours, plus actual travel time, mileage, and per diem rates as noted above, on any day where fieldwork is cancelled while FLRs are en route to the work site or after the FLRs have already arrived.

The Parties agree that the Region of Peel will pay the capacity funding as agreed to above by cheque or bank transfer and upon receipt of an invoice from MNCFN explaining in reasonable detail each FLRs' time, fees, reasonable mileage, meal expenses, and nature of work performed, allocated against each of the Projects. All invoices should be addressed directly to [name of proponent] and the relevant Project should be noted in the text of each invoice. Invoices should be submitted electronically to the following address:

Email address: [insert email address here]

Attention: [insert name here]

[name of proponent]

[full address of proponent]

The Parties agree that the capacity funding payments for the FLRs will be used only for the purposes described in this letter of agreement and will not be paid for the improper personal gain of any individual or for any other purpose that might violate any Canadian anti-corruption law.

If this letter of agreement accurately reflects your understanding of the terms of our agreement and you agree to be legally bound thereby, as we do, please execute this letter of agreement (in counterparts, if necessary) where indicated below and return a copy thereof to the undersigned.

The foregoing accurately reflects the terms of arrangement which we hereby agree to enter into and the undersigned agrees to be legally bound hereby.

Signed this day of	, 2015,
Authorized Signatory on behalf of The Region of Peel	Authorized Signatory on behalf of Mississaugas of the New Credit First Nation
[printed name of signatory] [job title]	Director
<b>.</b>	
[department]	Dept. of Consultation and Accommodation
The Region of Peel	Mississaugas of the New Credit First Nation

Witness	Witness
[printed name of witness]	
[job title]	Archaeological Coordinator
[department]	Dept. of Consultation and Accommodation
The Region of Peel	Mississaugas of the New Credit First Nation

# Field Liaison Representative Agreement between: Mississaugas of the New Credit First Nation and

### The Regional Municipality of Peel

The purpose of this letter of agreement is to provide Mississaugas of the New Credit First Nation (hereinafter, "MNCFN") with the capacity assistance to fund at least two Field Liaison Representatives (hereinafter, "FLRs") in connection with the environmental assessment and Stage 2 archaeological assessment required for the Mississauga Road Schedule "C" Class Environmental Assessment and Addendum (the "Project") owned by The Regional Municipality of Peel (hereinafter, "the Proponent").

We, the Proponent, understand that MNCFN wishes to send its FLRs to participate in and oversee the fieldwork for the environmental assessment and Stage 2 archaeological assessment associated with the Project and that the FLRs' mandate will be to ensure that MNCFN's perspectives and priorities are considered and to enable MNCFN to provide timely and meaningful comment on the Project.

We, the Proponent, understand that additional FLRs may be required if the number of field crew utilized by the consultant exceeds fifteen (15) individuals and agree to provide capacity funding for additional FLRs as required. MNCFN requires one additional FLR per five additional field crew and will provide a chart outlining this requirement upon request.

We, the Proponent, and MNCFN agree that the Proponent will provide capacity funding for each FLR in the amount of \$75.00 per hour, plus actual travel time at the beginning and end of each day, subject to the following conditions:

- 1. The FLRs selected by MNCFN have appropriate qualifications for the work required, for example, training in environmental and archaeological monitoring, and experience or ability to work with Aboriginal communities to help bridge Aboriginal perspectives with Western science, as reasonably determined by MNCFN.
- 2. The Parties agree that the FLRs will follow the reasonable instructions of Amec Foster Wheeler Environment & Infrastructure, a division of Amec Foster Wheeler Americas Limited (hereafter, "Amec Foster Wheeler") the consultant firm conducting the environmental and archaeological work, concerning safety practices, and that the FLRs will attend "tailgate" safety meetings. The contact person for the environmental assessment portion of the fieldwork is Jeff Balsdon / Daryl Rideout from Amec Foster Wheeler. Contact information for this person is as follows:

Jeff Balsdon

Telephone: 519-650-7147

Cell:

Email: jeff.balsdon@amecfw.com

Daryl Rideout

Telephone: 905-568-2929

Cell:

Email: daryl.rideout@amecfw.com

The contact person for the archaeological assessment portion of the fieldwork is Shaun Austin / Jason Seguin from Amec Foster Wheeler. Contact information for this person is as follows:

Shaun Austin

Telephone: 905-312-0700

Cell:

Email: shaun.austin@amecfw.com

Jason Seguin

Telephone: 519-650-7147

Cell:

Email: jason.seguin@amecfw.com

3. The Parties agree that Jeff Balsdon / Darryl Rideout and Shaun Austin / Jason will coordinate site meeting locations and times through MNCFN's duly appointed Archaeological Coordinator or, when necessary, directly with the FLRs themselves. Contact information for the Archaeological Coordinator is as follows:

Telephone: 905-768-4260

Cell: Email:

- 4. The Parties agree that the FLRs are not employees, contractors, or sub-contractors of the Proponent or Amec Foster Wheeler and that the FLRs will be responsible for their own personal protective equipment, such as hard hats, safety boots, and safety vests.
- 5. MNCFN covenants to take out and keep in full force and effect, throughout its participation in this Project, general liability insurance:
  - with coverage equivalent to or better than the latest Insurance Bureau of Canada (IBC) form 2100;

- with a per occurrence limit of not less than \$2,000,000;
- naming the Proponent and Amec Foster Wheeler as additional insureds but only in respect of the operations of the Named Insured in connection with this Project;
   and
- underwritten and issued by an insurance company licensed by the Financial Services Commission of Ontario.
- 6. MNCFN agrees to defend, indemnify and hold harmless the Proponent, Amec Foster Wheeler, their respective elected Council members, Chair, directors, officers, employees and volunteers (the Indemnitees) from and against any and all losses, damages, claims, demands or cause of any actions (collectively known as Claims) sustained by, made against or otherwise incurred by MNCFN, its leaders and members (the Indemnitor) or by any other person or party arising from or out of the Indemnitor's performance, operations or work in connection with this Project, save and except to the extent such Claims arise from or out of the negligence of the Indemnitees.
- 7. The Parties agree that the Proponent will reimburse the FLRs for reasonable mileage (\$0.53/km) and meals (\$78.80/day) in accordance with current Federal Canada Treasury Board guidelines, over and above the hourly rate noted above.
- 8. If its use is deemed necessary by both Parties, the Proponent agrees to reimburse the FLRs for their use of the 407ETR within 30 days of receipt of invoice including a copy of the bill.
- 9. If deemed reasonable by both Parties, the Proponent agrees to cover the cost of overnight accommodation for FLRs participating in environmental and/or archaeological fieldwork at locations which would otherwise require more than 90 minutes of travel time at both the beginning and end of the work day, as determined using the MNCFN Department of Consultation and Accommodation as the place of departure.
- 10. The Parties agree that FLRs will be paid by the Proponent at a rate of \$100.00 per hour for any work occurring on a statutory holiday. This includes New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day, and Boxing Day. The above noted mileage and per diem rates remain in effect.
- 11. The Parties agree that FLRs will be paid for a minimum of four hours, plus actual travel time, mileage, and per diem rates as noted above, on any day where fieldwork is cancelled while FLRs are on route to the work site or after the FLRs have already arrived.

The Parties agree that the Proponent will pay the capacity funding as agreed to above by Electronic Funds Transfer (EFT) and within 30 days of receipt of an invoice from MNCFN explaining in reasonable detail each FLRs' time, fees, reasonable mileage, meal expenses, and nature of work performed, allocated against each of the Projects. All invoices should be addressed directly to Neal Smith and the relevant Project (Mississauga Road EA -15-4350) should be noted in the text of each invoice. The Proponent will pay MNCFN submitted invoices properly prepared and submitted, within 30 days of receipt. In the event that a portion of a fee or invoice is disputed, the Region shall pay the undisputed portion thereof.

The Proponent's method of payment is by Electronic Funds Transfer (EFT). MNCFN will be required to provide the Proponent, with the Application for Vendor Direct Deposit form containing original signatures in ink, by return mail or hand delivered, the following banking information:

- Names of two Company Officers, their titles, e-mail addresses, fax numbers, and phone numbers. Note: Both Company Officers must sign off on any subsequent changes to MNCFN's banking information.
- Company mailing and remittance addresses.
- Banking information including a void cheque.

MNCFN is required to notify the Proponent of any changes to this information immediately.

Also to enter MNCFN into the Proponent's accounting system (PeopleSoft) a G.S.T./H.S.T. Registration Number is required. Please provide MNCFN's G.S.T./H.S.T. Registration Number. Please note that all invoices provided to the Proponent must show the G.S.T./H.S.T. Registration Number and show this tax on a separate line.

Invoices should be submitted electronically to the following address:

Email address: neal.smith@peelregion.ca Attention: Neal Smith Region of Peel 10 Peel Centre Drive, Brampton Ontario L6T4B9

The Parties agree that the capacity funding payments for the FLRs will be used only for the purposes described in this letter of agreement and will not be paid for the improper personal gain of any individual or for any other purpose that might violate any Canadian anti-corruption law.

If this letter of agreement accurately reflects your understanding of the terms of our agreement and you agree to be legally bound thereby, as we do, please execute this letter of

agreement (in counterparts, if necessary) where indicated below and return a copy thereof to the undersigned.

The foregoing accurately reflects the terms of arrangement which we hereby agree to enter into and the undersigned agrees to be legally bound hereby.

Signed this /4 Th day of JUNE, 2016, Authorized Signatory on behalf of Authorized Signatory on behalf of Mississaugas of the New Credit First Nation The Regional Municipality of Peel Kathryn Lockyer Director and Regional Clerk Director Corporate Services Dept. of Consultation and Accommodation Mississaugas of the New Credit First Nation The Regional Municipality of Peel Witness

Archaeological Coordinator Dept. of Consultation and Accommodation Mississaugas of the New Credit First Nation



February 26, 2016 Project number: 15-4350

Six Nations of the Grand River 2498 Chiefswood Road, P. O. Box 5000 Ohsweken ON, N0A 1M0

Attention:

Re: <u>Mississauga Road Schedule 'C' Class Environmental Assessment and Addendum</u>

Dear

To address planned growth, the Region of Peel is undertaking a Municipal Schedule 'C' Class Environmental Assessment (Class EA) on a section of Mississauga Road from Financial Drive to Queen Street West and an addendum to a 2006 Class EA on an adjacent section of Mississauga Road from Queen Street West to Bovaird Drive. The Region has retained Amec Foster Wheeler Environment & Infrastructure (Amec Foster Wheeler) to undertake this Class EA and the 2006 Class EA addendum.

The Region has received direction from the Provincial Crown that the Six Nations of the Grand River may have an interest in learning more about the project. The Region is committed to involving stakeholders and Aboriginal communities in the project. The Provincial Crown has delegated the procedural aspects of the Duty to Consult to the Region.

For information, the Region has attached a project summary and the Notice of Commencement. Please feel free to share this information within your community as you feel appropriate.

We are interested in understanding any interests or questions that the Six Nations of the Grand River may have about this proposed project and if there is a potential for the project to affect Aboriginal and treaty rights. We would also be interested to know if there are any sites of cultural significance to your community.

The Region would welcome the opportunity to meet with your community to provide more information about the project and discuss any interests or questions you may have.

We will contact you by telephone in the near future to determine your interest in a meeting.

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

Sincerely,

Sally Rook, C.Tech, PMP

Manager (Acting), Infrastructure Programming & Studies

Region of Peel

C:

Six Nations of the Grand River

David Sinke, Amec Foster Wheeler

Encl: Project Information Sheet

Notice of Commencement

# Region of Peel Working for you

### Mississauga Road Schedule 'C' Class EA, Region of Peel



A Class EA is a decisionmaking and planning process that identifies potential effects of projects, such as road improvements, so that they can be managed prior to implementation

amec foster



#### **Project Description**

The Region of Peel is growing and a Long Range Transportation Plan (2012) identified improvements to meet the needs of future growth demands within the next 15 years. Recognizing that planning needs to occur before road construction can start, the Region is conducting a Class Environmental Assessment (Class EA) as well as a Class EA Addendum along the Mississauga Road corridor. Amec Foster Wheeler Environment & Infrastructure (Amec Foster Wheeler) is the consultant hired to complete the Class EA work.

Location 1: Schedule 'C' Class EA

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Location 2 focuses on Mississauga Road between Queen Street West and Boyaird Drive (see map).

#### Class Environmental Assessment

The purpose of this Class EA study is to:

- confirm the need for improvements
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- evaluate alternatives and identify the preferred improvement plan

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#### **Baseline Studies**

Baseline studies are prepared to describe the current biological, human and physical environment conditions.

The following investigations will be completed as part of this study.

#### Biological Environment

- Fisheries and Aquatic biology
- · Soils
- Species At Risk
- Vegetation
- Wildlife

#### **Human Environment**

- Archaeology
- · Build heritage
- · Land use
- Socio-economics
- Visual aesthetics / landscape design

#### Physical Environment

- · Air quality and noise
- Hydrology (lakes, rivers, etc.)
- Hydrogeology (groundwater)



#### Contact Information

Region of Peel Sally Rook, C. Tech, PMP Manager (Acting), Infrastructure Programming & Studies 10 Peel Centre Drive Brampton, ON L6T 4B9 905-791-7800 x. 7842 sally.rook@peelregion.ca

Amec Foster Wheeler Environment & Infrastructure David Sinke, M.Eng., P.Eng. Project Manager 3215 North Service Road, P.O. Box 220 Burlington, ON L7N 3G2 905-335-2353 david.sinke@amecfw.com

Other related reports that will be completed include:

- Transportation and Traffic Study (including Safety Performance Report)
- Culvert and Structural Analysis and Inspection Report
- Drainage and Stormwater Management Report

#### Potential Project-related Effects

Potential effects from the proposed project will depend on the results of the Transportation and Traffic Study. If that study recommends road widening there may be potential effects that will need to be mitigated. This may include effects on:

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- Field Studies, planned for spring and summer 2016
- Public Information Sessions, tentatively planned for fall 2016 and spring 2017
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#### Additional Information

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http://www.peelregion.ca/pw/transportation/assessments.htm

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## **Public Notice**

#### NOTICE OF STUDY COMMENCEMENT

#### **2 PROJECT LOCATIONS**

LOCATION 1 – MISSISSAUGA ROAD FROM FINANCIAL DRIVE TO QUEEN STREET WEST LOCATION 2 – MISSISSAUGA ROAD FROM QUEEN STREET WEST TO BOVAIRD DRIVE

The Region has initiated a Class Environmental Assessment (EA) for Mississauga Road between Financial Drive and Queen Street West and a Class EA Addendum between Queen Street West and Bovaird Drive.

#### The Projects

**Location 1** - The study will examine the need and justification as well as feasibility for improvements that may include widening, intersection improvements and new infrastructure to facilitate transit, walking and cycling.

**Location 2** - An Environmental Assessment study was completed in 2006 for Mississauga Road from Queen Street West to Bovaird Drive. The original study identified the need for improvements and the Class EA Addendum will re-evaluate the proposed scope of work based on updated traffic projections.

#### The Process

**Location 1** - The study is being conducted in compliance with Schedule 'C' of the Municipal Class EA, which is approved under the Ontario Environmental Assessment Act.

**Location 2** - The study is being undertaken as a Class EA Addendum to the 2006 Class EA and will follow the approved process of the Municipal Class EA as defined under the Ontario Environmental Assessment Act.

#### Contact

You can provide comment on the study commencement and stay in touch with the project online at:

 $\underline{www.peelregion.ca/pw/transportation/environ-assess/ea-mississauga-rd-\underline{2proj.htm}}$ 

or contact either project manager:

#### Sally Rook, C.Tech., PMP

Project Manager, Transportation Division

Region of Peel

10 Peel Centre Drive, Suite B, 4th Floor

Brampton, ON L6T 4B9

Phone: 905.791.7800 ext. 7842

Fax: 905.791.1442

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Phone: 905.335.2353; Fax: 905.335.1414

Email: david.sinke@amecfw.com

Bovaird Drive W Mississauga Road Williams Parkway Location 2 **EA Addendum** Study Area Region of Peel Queen Street W Embleton Road City of 51 Brampton Location 1 Class EA Study Area Financial Drive

Your opinion matters and we welcome your participation.

The Region of Peel is committed to ensure that all Regional services, programs and facilities are inclusive and accessible for persons with disabilities. Please contact the Project Manager if you need any disability accommodation to participate in the study.



February 26, 2016 Project number: 15-4350

Haudenosaunee Development Institute 16 Sunrise Court, Suite 407 P.O. Box 714 Ohsweken, Ontario N0A 1M0

Attention:

Re: Mississauga Road Schedule 'C' Class Environmental Assessment and Addendum

Dear

To address planned growth, the Region of Peel is undertaking a Municipal Schedule 'C' Class Environmental Assessment (Class EA) on a section of Mississauga Road from Financial Drive to Queen Street West and an addendum to a 2006 Class EA on an adjacent section of Mississauga Road from Queen Street West to Bovaird Drive. The Region has retained Amec Foster Wheeler Environment & Infrastructure (Amec Foster Wheeler) to undertake this Class EA and the 2006 Class EA addendum.

The Region has received direction from the Provincial Crown that the Haudenosaunee Development Institute may have an interest in learning more about the project. The Region is committed to involving stakeholders and Aboriginal communities in the project. The Provincial Crown has delegated the procedural aspects of the Duty to Consult to the Region.

For information, the Region has attached a project summary and the Notice of Commencement. Please feel free to share this information within your community as you feel appropriate.

We are interested in understanding any interests or questions that the Haudenosaunee Development Institute may have about this proposed project and if there is a potential for the project to affect Aboriginal and treaty rights. We would also be interested to know if there are any sites of cultural significance to your community.

The Region would welcome the opportunity to meet with your community to provide more information about the project and discuss any interests or questions you may have.

We will contact you by telephone in the near future to determine your interest in a meeting.

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

Sincerely,

Sally Rook, C.Tech

Manager (Acting), Infrastructure Programming & Studies

Region of Peel

Cc: David Sinke, Amec Foster Wheeler

Encl: Project Information Sheet

Notice of Commencement

# Region of Peel Working for you

### Mississauga Road Schedule 'C' Class EA, Region of Peel

# amec foster wheeler

#### **Project Description**

The Region of Peel is growing and a Long Range Transportation Plan (2012) identified improvements to meet the needs of future growth demands within the next 15 years. Recognizing that planning needs to occur before road construction can start, the Region is conducting a Class Environmental Assessment (Class EA) as well as a Class EA Addendum along the Mississauga Road corridor. Amec Foster Wheeler Environment & Infrastructure (Amec Foster Wheeler) is the consultant hired to complete the Class EA work.

Location 1: Schedule 'C' Class EA

The area of Mississauga Road being studied extends from of Financial Drive to north of Queen Street West (see map).

Location 2: 2006 Class EA Addendum

Location 2 focuses on Mississauga Road between Queen Street West and Bovaird Drive (see map).

#### Class Environmental Assessment

The purpose of this Class EA study is to:

- confirm the need for improvements
- determine improvement alternatives
- evaluate alternatives and identify the preferred improvement plan

The first step in this process is to develop an understanding of the current (baseline) conditions in the study area. Once current conditions are known, alternatives to meet the future growth demands will be developed.

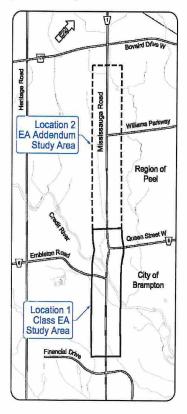
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A key component of this study is to consult with regulatory agencies, stakeholders and Aboriginal groups.

#### **Baseline Studies**

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Environment & Infrastructure amecfw.com Page 1 of 2

The following investigations will be completed as part of this study.

#### Biological Environment

- Fisheries and Aquatic biology
- · Soils
- Species At Risk
- Vegetation
- Wildlife

#### **Human Environment**

- Archaeology
- · Build heritage
- · Land use
- Socio-economics
- Visual aesthetics / landscape design

#### **Physical Environment**

- · Air quality and noise
- Hydrology (lakes, rivers, etc.)
- Hydrogeology (groundwater)



#### Contact Information

Region of Peel
Sally Rook, C. Tech, PMP
Manager (Acting),
Infrastructure
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10 Peel Centre Drive
Brampton, ON L6T 4B9
905-791-7800 x. 7842
Sally.rook@peelregion.ca

Amec Foster Wheeler Environment & Infrastructure David Sinke, M.Eng., P.Eng. Project Manager 3215 North Service Road, P.O. Box 220 Burlington, ON L7N 3G2 905-335-2353 david.sinke@amecfw.com

Other related reports that will be completed include:

- Transportation and Traffic Study (including Safety Performance Report)
- Culvert and Structural Analysis and Inspection Report
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#### Potential Project-related Effects

Potential effects from the proposed project will depend on the results of the Transportation and Traffic Study. If that study recommends road widening there may be potential effects that will need to be mitigated. This may include effects on:

- Private property owners as a result of road widening (such as property purchase or changes to access)
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#### Schedule and Next Steps

- Field Studies, planned for spring and summer 2016
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#### Additional Information

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# **Public Notice**

#### NOTICE OF STUDY COMMENCEMENT

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#### The Projects

**Location 1** - The study will examine the need and justification as well as feasibility for improvements that may include widening, intersection improvements and new infrastructure to facilitate transit, walking and cycling.

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#### The Process

**Location 1** - The study is being conducted in compliance with Schedule 'C' of the Municipal Class EA, which is approved under the Ontario Environmental Assessment Act.

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#### Contact

You can provide comment on the study commencement and stay in touch with the project online at:

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or contact either project manager:

#### Sally Rook, C.Tech., PMP

Project Manager, Transportation Division

Region of Peel

10 Peel Centre Drive, Suite B, 4<sup>th</sup> Floor

Brampton, ON L6T 4B9

Phone: 905.791.7800 ext. 7842

Fax: 905.791.1442

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Boyaird Drive W Road Mississauga Road Williams Parkway Location 2 **EA Addendum** Study Area Region of Peel Queen Street W Embleton Road -6/ City of 50 Brampton Location 1 Class EA Study Area Financial Drive

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February 26, 2016 Project number: 15-4350

Métis Nation of Ontario 75 Sherbourne Street, Suite 311 Toronto, Ontario M5A 2P9

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For information, the Region has attached a project summary and the Notice of Commencement. Please feel free to share this information within your community as you feel appropriate.

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Sincerely,

Sally Rook, C.Tech

Manager (Acting), Infrastructure Programming & Studies

Region of Peel

C:

MNO Credit River Métis Council

David Sinke, Amec Foster Wheeler

Encl: F

Project Information Sheet Notice of Commencement

### Region of Peel Working for you

### Mississauga Road Schedule 'C' Class EA, Region of Peel



#### **Project Description**

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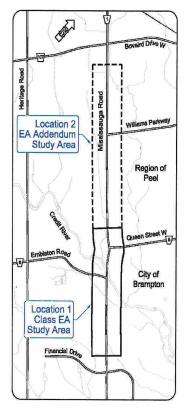
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Environment & Infrastructure amecfw.com Page 1 of 2

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## **Public Notice**

#### **NOTICE OF STUDY COMMENCEMENT**

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or contact either project manager:

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Project Manager, Transportation Division Region of Peel

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Phone: 905.335.2353; Fax: 905.335.1414

Email: david.sinke@amecfw.com

Boyaird Drive W Road Wississauga Road Williams Parkway Location 2 EA Addendum Study Area Region of Peel Queen Street W Embleton Road -6 City of 5-10 Brampton Location 1 Class EA Study Area Financial Drive

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#### Dearlove, Heather

**Subject:** FW: Peel Region - Mississauga Road Class EA

From: Kelly, Mary K

Sent: April-26-16 2:26 PM

To:

Cc: 'Smith, Neal' <neal.smith@peelregion.ca>; Brock, Liz <liz.brock@peelregion.ca>

Subject: Peel Region - Mississauga Road Class EA

#### Good afternoon Ms

It is unfortunate that we were unable to meet today. However, the Region understands that there are sometimes extenuating circumstances that may result in meetings being cancelled. Regardless, the Region is still very interested in understanding if the Haudenosaunee Development Institute (HDI) has any specific interests, including environmental, archaeological, cultural as well as those related to Aboriginal and treaty rights.

If HDI is interested in participating in field and/or archaeological monitoring as part of the upcoming studies, the Region would be interested in supporting this effort.

If you have any questions or comments please let us know. We look forward to hearing from you.

Cheers, Mary

#### Mary Kathryn Kelly B.Sc.

Senior Consultant - Human Environment, Amec Foster Wheeler Environment & Infrastructure T/M +1 (705)-493-9393 mary.k.kelly@amecfw.com amecfw.com