

Ministry of the Environment
and Climate Change

Ministère de l'Environnement et de
l'Action en matière de changement
climatique



Office of the Minister

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OCT 02 2015

Ms. April Souwand
Senior Environmental Planner
Planning and Development Department
City of Cambridge
PO Box 669
50 Dickson Street
Cambridge ON N1R 5W8

Dear Ms. Souwand:

Between April 14 and 16, 2014, I received three Part II Order requests asking that the City of Cambridge (City) be required to prepare an individual environmental assessment for three projects (Projects) proposed in the Cambridge West Master Environmental Servicing Plan (Plan):

- Establishment of new stormwater management facilities
- Establishment of new storm sewer – Development lands to Princess Street
- Extension of new sanitary services

I am taking this opportunity to inform you that I have decided that an individual environmental assessment is not required. This decision was made after giving careful consideration to the issues raised in the request, the Plan documentation, the provisions of the Municipal Engineers Association's Municipal Class Environmental Assessment (Class Environmental Assessment), and other relevant matters required to be considered under subsection 16(4) of the Environmental Assessment Act (Act). The reasons for my decision may be found in the attached letter to the requesters.

Despite my not requiring an individual environmental assessment be prepared, in reviewing the requests it was noted that there are some concerns over the current protections afforded to one species at risk. The Committee on the Status of Endangered Wildlife in Canada recognizes Western Chorus Frog as two distinct populations: the Carolinian Population, and the Great Lakes / St. Lawrence – Canadian Shield Population. The Carolinian population is designated as Not at Risk and the Great Lakes / St. Lawrence – Canadian Shield Population is designated as Threatened, under the federal Species at Risk Act. In Ontario, a 2009 assessment examined

Western Chorus Frog as a single population, and designated it as Not at Risk under the Endangered Species Act.

The Ministry of Natural Resources and Forestry has cited a decline of Western Chorus Frog primarily in Quebec as the reason for the federal/provincial difference on designation. It is important to ensure the City works with the latest information available regarding species at risk, and explore additional protections that can be provided to Western Chorus Frog.

Additionally, concerns were raised regarding Jefferson salamander. It is my understanding that Jefferson salamander was not found in the Plan area, but it is prudent to have a plan in place in the event that it is discovered.

I trust the City will live up to its commitment to ensure the Plan and Projects adhere to the requirements of the Endangered Species Act, the federal Species at Risk Act, and their regulations. But to ensure additional protection of species at risk, I am imposing the following conditions on the Projects:

1. In consultation with the Ministry of Natural Resources and Forestry, the City will prepare a response plan for Jefferson salamander, in the event that it is discovered in the Plan area.
2. The City will contact the Ministry of Natural Resources and Forestry to confirm the conservation status of species in the Plan area, prior to construction of the Projects.
3. The City will examine additional enhancement measures for habitat suitable for Western Chorus Frog during detailed design of the Projects.

I encourage the City to continue to consider provincial, national and international industry best practices for stormwater management and sanitary services facilities as they relate to climate change and the increasing frequency of severe weather abnormalities.


With this decision having been made, the City can now proceed with the Projects, subject to the conditions I have imposed and any other permits or approvals required. The City must ensure the Projects are implemented in the manner it was developed and designed, as set out in the Plan documentation, and inclusive of all mitigating measures, and environmental and other provisions therein.

Lastly, I would like to ensure that the City understands that failure to comply with the Act, the provisions of the Class Environmental Assessment, and failure to implement the Project in the manner described in the planning documents, are contraventions of the Act and may result in prosecution under section 38 of the Act.

Ms. April Souwand
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I am confident that the City recognizes the importance and value of the Act and will ensure that its requirements and those of the Class Environmental Assessment are satisfied.

Sincerely,

A handwritten signature in black ink, appearing to read 'Glen Murray', with a large, stylized initial 'G'.

Glen Murray
Minister of the Environment and Climate Change

Attachment

c: Requesters

Dave Marriott, District Planner
Ministry of Natural Resources and Forestry

Joe Crowley, Species at Risk Herpetology Specialist
Ministry of Natural Resources and Forestry

EA File No. 14039
Cambridge West Master Environmental Servicing Plan