



Niagara Region

Niagara Escarpment Crossing
Comprehensive Environmental
Assessment
Proposed Terms of Reference

Appendix O
Commitments Table

October 2024

Prepared by:



Table O-1: Draft Niagara Escarpment Crossing Environmental Assessment Terms of Reference Commitments

Proposed Niagara Escarpment Crossing Environmental Assessment Terms of Reference Commitment	How the Commitment was Addressed in the Niagara Escarpment Crossing Environmental Assessment	Niagara Escarpment Crossing Environmental Assessment Report Reference
1. The Niagara Escarpment Crossing Environmental Assessment (EA) will be prepared as set out in subsection 17.6(2) of the <i>Environmental Assessment Act</i> (EA Act). (Section 3)		
2. The purpose /opportunity statement will be reviewed during preparation of the Niagara Escarpment Crossing EA, and a finalized statement will be presented in the EA Report based on the Transportation Planning and Engineering Work Plan (Appendix A) and Traffic, Operations and Safety Work Plan (Appendix B). (Section 4.1)		
3. As part of preparing the Niagara Escarpment Crossing EA, a description of and the rationale for the project will be provided in the EA Report. (Section 5)		

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4. Both “alternatives to” the project and “alternative methods” of carrying out the project” will be considered through two successive stages. (Section 6)		
<p>5. The alternatives to the project will include, but may not be limited to, the following:</p> <ul style="list-style-type: none"> • Do Nothing • Implement Additional Traffic Management Measures • Extend Bartlett Avenue Southerly and Utilize Park Road Corridor • Construct a New North-South Corridor between Grimsby and Beamsville <p>The descriptions will be elaborated upon during the preparation of the Niagara Escarpment Crossing EA as proposed in the Transportation Planning and Engineering Work Plan (Appendix A). (Section 6.1)</p>		

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6. The alternative methods of carrying out the project will be identified and described along with their associated rationale during preparation of the Niagara Escarpment Crossing EA. (Section 6.2)		
7. The preliminary study area will be finalized during preparation of the Niagara Escarpment Crossing EA when more detailed information has been obtained, the Alternatives have been generated, and the potential environmental effects are better known. (Section 7.1)		
8. The description of the preliminary study area will be developed in more detail as the Niagara Escarpment Crossing EA progresses allowing for flexibility to refine the description as may be needed throughout the EA process. (Section 7.2)		
9. A more detailed description of the environment will be developed during preparation of the Niagara Escarpment		

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<p>Crossing EA and will be provided in the EA Report. This detailed description will be developed based on available existing information sources and additional work such as field investigations and modelling, as appropriate, through several investigative studies including, but not limited to, the following:</p> <ul style="list-style-type: none"> • Air Quality • Agricultural • Archaeology • Built Heritage and Cultural Heritage Landscapes • Contaminated Property • Groundwater • Land Use • Natural Heritage • Noise and Vibration • Surface Water • Visual Impact <p>(Section 7.3)</p>		

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10. The types of environmental effects that will be assessed during preparation of the Niagara Escarpment Crossing EA include, but are not limited to, those that are summarized in Table 7.2. (Section 7.4)		
11. The specific potential environmental effects will be determined during the preparation of the Niagara Escarpment Crossing EA and documented in the EA Report. (Section 7.4)		
12. Following confirmation of the alternatives to the project, they will be assessed and comparatively evaluated leading to a recommended alternative(s) to the project for confirmation following consultation with review agencies, Indigenous communities, and the public. (Section 8.1)		
13. The alternatives to the project will be assessed based on a net effects analysis. (Section 8.1.2)		

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14. The preliminary evaluation criteria and indicators will be finalized based on comments received during the Niagara Escarpment Crossing EA along with a supporting definition/rationale for each criterion and documented in the EA Report along with the results of carrying out the assessment. (Section 8.1.2)		
15. The alternatives to the project will be comparatively evaluated using the Reasoned Argument or “Trade off” approach based on the results of the net effects analysis. (Section 8.1.3)		
16. A recommended alternative(s) to the project will be selected based on the results of applying the evaluation criteria and the rationale for its selection will be provided in the EA Report. (Section 8.1.4)		
17. The recommended alternative(s) will be presented to review agencies, Indigenous Communities, and the public, as		

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applicable, for a defined period to receive comments, following which a preferred alternative(s) will be identified. The rationale for the preferred alternative(s) will be provided in the EA Report. (Section 8.1.5)		
18. Following the identification of the preferred alternative(s), alternative methods of carrying out the project will be generated, possibly screened, assessed, and comparatively evaluated leading to a recommended method(s) for implementing the preferred alternative(s) to the project. (Section 8.2)		
19. Using the existing conditions information collected as part of Task A in Section 8.1.1, alternative methods will be generated in the final study area at a concept level of design (see the Transportation Planning and Engineering Work Plan in Appendix A for further information). (Section 8.2.1)		

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20. If required, screening criteria will be developed during the preparation of the Niagara Escarpment Crossing EA for application to the generated alternative methods. The alternative methods will be screened based on available existing information sources. The screening process and its results will be documented in the EA Report, providing the rationale for selecting the short list of alternative methods. (Section 8.2.2)		
21. Following the establishment of a short list of alternative methods, as required, appropriate field investigations will be undertaken. The list of proposed field investigations includes, but may not be limited to, those listed in the Work Plans found in Appendices C to M. (Section 8.2.3)		
22. The alternative methods identified through Task 1 and Task 2, as required,		

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will be developed at a higher concept level of design (see the Transportation Planning and Engineering Work Plan in Appendix A for further information) and assessed through a "net effects analysis". (Section 8.2.4)		
23. The preliminary evaluation criteria and indicators will be finalized during preparation of the Niagara Escarpment Crossing EA and documented in the EA Report along with the results of carrying out the assessment of the alternative methods. (Section 8.2.4)		
24. The alternative methods will be compared using a Reasoned Argument (or Trade off) Method as a means of selecting the recommended alternative method(s). The information generated through the comparison of the alternative methods will be documented in the EA Report. (Section 8.2.5)		

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25. The rationale for the decision-making process undertaken to select the recommended method(s) of carrying out the project will be documented in the EA Report. (Section 8.2.6)		
26. The recommended method(s) will be presented to review agencies, Indigenous Communities, and the public for a defined period to receive comments, following which a preferred method(s) will be identified. The rationale for the preferred method(s) for carrying out the project will be provided in the EA Report. (Section 8.2.7)		
27. The preferred method(s) of carrying out the project will be further developed at a preliminary design level of detail during preparation of the Niagara Escarpment Crossing EA (see the Transportation Planning and Engineering Work Plan in		

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Appendix A for further information). (Section 8.3)		
28. The impact assessment of the preferred method(s) of carrying out the project will be documented in the EA Report. (Section 8.3)		
29. If approval of the ToR is granted by the Minister, then the list of commitments in Table O-1 of Appendix O will be finalized and included in the EA Report, documenting where and how they were dealt with during the preparation of the Niagara Escarpment Crossing EA. (Section 9.1)		
30. Commitments that are made by Niagara Region during preparation of the Niagara Escarpment Crossing EA will be documented in the EA Report, (Section 9.1)		

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31. Niagara Region is committed to developing a monitoring framework during preparation of the Niagara Escarpment Crossing EA that will address environmental effects and, as applicable, EA compliance. The EA Report will include a strategy on how and when the commitments will be fulfilled and how Niagara Region will report, where appropriate, on this to MECP and other regulatory agencies as applicable, on compliance. (Section 9.2)		
32. The consultation activities proposed for the Niagara Escarpment Crossing EA will include, but will not be limited to, those carried out during preparation of the ToR. (Section 10.1)		
33. Input will be obtained from interested participants during the Niagara Escarpment Crossing EA through a		

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<p>variety of means specific to each of the following three participant groups:</p> <ul style="list-style-type: none"> • Review agencies • Indigenous Communities • Public <p>(Section 10.2)</p>		
<p>34. There are a number of key decision-making milestones when consultation will occur during preparation of the Niagara Escarpment Crossing EA. These key decision-making milestones have been grouped as follows:</p> <ul style="list-style-type: none"> • Alternatives to the project: <ul style="list-style-type: none"> ○ Confirming the alternatives to the project ○ Confirming the evaluation criteria and indicators for applying to the alternatives to the project ○ Reviewing the recommended alternative(s) identified through the comparative evaluation process. 		

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<ul style="list-style-type: none"> • Alternative methods of carrying out the project: <ul style="list-style-type: none"> ○ Reviewing the generated alternative methods ○ Reviewing the screening criteria, if applicable, to be applied to the generated alternative methods ○ Reviewing the short list of alternative methods identified through the screening process, if applicable ○ Confirming the evaluation criteria to be applied to the alternative methods ○ Reviewing the recommended alternative method(s) identified through the comparative evaluation process • Impact assessment of the preferred method(s): <ul style="list-style-type: none"> ○ Reviewing the potential environmental effects, 		

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<p>recommended avoidance/mitigation/compensation measures, proposed monitoring requirements and proposed approvals/permits required for implementing the project.</p> <ul style="list-style-type: none"> • Pre-submission review of the draft EA Report <ul style="list-style-type: none"> ○ Reviewing the draft EA Report prior to its finalization and formal submission to the Minister of Environment, Conservation and Parks for approval <p>Consultation will be ongoing throughout the Niagara Escarpment Crossing Ea. (Section 10.3)</p>		
<p>35. Should an issue or dispute arise during preparation of the Niagara Escarpment Crossing EA, Niagara Region will discuss the nature of the issue or dispute with the interested persons and attempt, in good</p>		

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faith, to reach a resolution that is agreeable to both Niagara Region and the interested persons. (Section 10.4)		
36. The actual approvals required for the project will be identified during preparation of the Niagara Escarpment Crossing EA and a final list will be provided in the EA Report. (Section 12)		

ⁱ To be completed during the Niagara Escarpment Crossing Environmental Assessment.

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