

High Speed Rail Environmental Assessment – Terms of Reference

Request

- That the Ontario PC Party adopt the position that a full and comparative assessment of alternatives to High Speed Rail must be considered within the High Speed Rail Environmental Assessment;
- That, at every opportunity prior to dissolution of the Legislature for the June 7, 2018 election, the Ontario PC Party members take every opportunity to publicly ask the Premier and Minister of Transportation why the Government of Ontario does not support the full and comparative assessment of alternatives to High Speed Rail within the High Speed Rail Environmental Assessment;
- That, during campaigning for the June 7, 2018 election, all Ontario PC Party candidates take every opportunity to publicly ask the Ontario Liberal, Ontario NDP, and Ontario Green Party candidates why they would not support the full and comparative assessment of alternatives to High Speed Rail within the High Speed Rail Environmental Assessment.

Overview

- Oxford County is resolute in its position that an Environmental Assessment compliant with the requirements and intent of the *Environmental Assessment Act* must include a full and comparative assessment of alternatives.
- High Performance Rail (HPR) (Attachment 1) is a cost effective alternative to High Speed Rail (HSR) that the Ministry of Transportation is proposing to ignore through the development of the Environmental Assessment Terms of Reference.

Background

- The Ministry of Transportation has issued a Notice of Commencement for the High Speed Rail Environmental Assessment (EA) Terms of Reference in accordance with the requirements of the *Environmental Assessment Act*.
- As articulated in the commencement notice, **“Topics that are addressed within a Terms of Reference include: project study area; purpose and description of the project; alternatives that will be examined; a description of the existing environment and the potential environmental effects of the project; approach to assessment and evaluation of alternatives; mitigation commitments; and a consultation plan.”**
- Oxford County respectfully and unequivocally expects, as is required under the Environmental Assessment Act, that the proposed HSR EA Terms of Reference to explicitly include a full and comparative assessment of the High Performance Rail alternative;
- Warden Mayberry’s March 23rd, 2018 letter to Premier Wynne, Minister McGarry and Minister Ballard (attached) articulates this request.

Circulated to: Ernie Hardeman, MPP, Oxford, Randy Pettapiece, MPP Perth-Wellington
Further information: David Mayberry, Warden, Oxford County (warden@oxfordcounty.ca)
Peter Crockett, Chief Administrative Officer (pcrockett@oxfordcounty.ca)

Attachments

Connecting Southwestern Ontario

January 2018



Amtrak Capitol Corridor

Southwestern Ontario deserves a High-Speed Rail EA that considers all options

The Province of Ontario is about to initiate an Environmental Assessment (EA) for its High-Speed Rail (HSR) proposal for the Toronto-Windsor corridor, including the development of a new rail corridor west of Kitchener. The implied preference is to ignore viable alternatives as required by the Environmental Assessment Act by developing a Terms of Reference that eliminates the need to consider alternatives. Oxford County believes such an approach is contrary to the intent of the Environmental process and that there is a viable alternative worthy of consideration.

Fast, frequent and affordable intercity rail passenger service— High-Performance Rail (HPR)— is at the core of many integrated public transportation systems now operating in thriving regions around the world. Coupled with inter-community transportation connections, this regional transportation option offers:

- Higher-than-conventional speeds that shorten travel time and allow for greater frequency in service;
- Emphasis on existing infrastructure that lowers costs and shortens implementation timelines;
- Less adverse impacts on the environment and on communities.

Examples around the world suggest HPR is the best option to quickly, efficiently and effectively connect large and medium-sized urban centres to small urban-rural Ontario. With HPR often described as an affordable near-term option that can be implemented incrementally and used to build market demand for an ultimate high-speed rail (HSR) service, the Province should consider the advantages offered by high-performance rail in the Toronto-London-Windsor corridor.



All Aboard Florida's Brightline high-performance rail system

What is HPR?

High-performance rail is a middle ground between VIA Rail's current service and high-speed rail that optimizes existing rail corridors rather than requiring new rail corridor development. It does not require corridor "overhead" electrification, but rather allows for the evolution from diesel-electric to alternate energy solutions without costly infrastructure. HPR incrementally improves all aspects of existing conventional rail operations, offering higher speed and improved performance at lower costs. For over 50 years, the Province of Ontario has demonstrated this approach in serving transportation needs in and out of Toronto through the constantly evolving GO Transit Rail-Bus network.

What is inter-community transportation?

In similar fashion to the GO Transit Bus network feeding the GO Transit Rail system, inter-community transportation encompasses small urban-rural community transportation connections—such as bus, van or other—that connect smaller communities to each other, to larger urban centres, and to an improved core rail system. These connections are vital to quality of life, removing barriers that make it difficult for some populations to fully access:

- Work
- Health care and specialized medical services
- Public service agencies and programs
- Education
- Entertainment
- Community events and supports
- Urban transit systems
- Other intercity rail, air and bus services

An inter-community transportation system in Southwestern Ontario could be developed leveraging and complementing existing motor coach services in a similar manner as the Ontario Northland bus network.

Why HPR and not HSR?

HPR optimizes existing rail corridors rather than creating new ones. This allows for a transportation solution at a lower cost, in less time, with greater preservation of agricultural lands, rail freight improvements and less detrimental community impacts. The incremental build approach allows HPR to offer immediate mobility benefits to a region while still allowing flexibility for incremental improvement to the system.

Oxford County strongly believes that improved public transportation services across Southwestern Ontario are vital to our economic vitality, our community wellbeing and, fundamentally, a healthy environment. To demonstrate the feasibility of this position, Oxford County is developing a more definitive outline of the HPR alternative and the Southwestern Ontario inter-community transportation concept.



David Mayberry, Warden

21 Reeve Street, Woodstock, ON N4S 7Y3
519.539.9800, ext. 3003 | 1.800.755.0394
www.oxfordcounty.ca

March 23, 2018

The Honourable Kathleen Wynne, Premier of Ontario
The Honourable Kathryn McGarry, Minister of Transportation, Ontario
The Honourable Chris Ballard, Minister of the Environment and Climate Change, Ontario

Re: High Speed Rail Environmental Assessment Terms of Reference – Notice of Commencement

Dear Premier Wynne, Minister McGarry and Minister Ballard:

The Ministry of Transportation has issued a Notice of Commencement for the High Speed Rail Environmental Assessment (EA) Terms of Reference (Attachment 1) in accordance with the requirements of the *Environmental Assessment Act*. As articulated in the commencement notice, **“Topics that are addressed within a Terms of Reference include: project study area; purpose and description of the project; alternatives that will be examined; a description of the existing environment and the potential environmental effects of the project; approach to assessment and evaluation of alternatives; mitigation commitments; and a consultation plan.”**

At its meeting on March 14, 2018, Oxford County Council affirmed Oxford County’s position on the HSR EA as outlined in my January 18, 2018 letter (Attachment 2) through the adoption of the following resolution:

That the Ministry of Transportation correspondence dated February 27, 2018 regarding the High Speed Rail (HSR) Environmental Assessment (EA) Terms of Reference – Notice of Commencement be received;

And further, that the County of Oxford respectfully and unequivocally expects, as is required under the Environmental Assessment Act, the proposed HSR EA Terms of Reference to explicitly include a full and comparative assessment of the High Performance Rail alternative as outlined in Warden Mayberry’s January 18, 2018 letter to Premier Wynne, Minister Del Duca (then Minister of Transportation) and Minister Ballard (Minister of the Environment and Climate Change);

And further, that the Premier of Ontario, the Minister of Transportation, the Minister of the Environment and Climate Change, the Leader of the PC Party of Ontario, the Leader of the Ontario New Democratic Party, the Leader of the Green Party of Ontario, Ernie Hardeman (MPP Oxford), and the Executive Director of High Speed Rail be so advised.

Please ensure that Ministry of Transportation staff are directed to develop an HSR EA Terms of Reference that meets the Premier’s May 19, 2017 commitment to a “comprehensive environmental assessment”. A “comprehensive environmental assessment” as required by the *Environmental Assessment Act* of Ontario includes **a full and comparative assessment of alternatives** and should therefore include the optimization of existing rail corridors to a High Performance Rail (HPR) operating standard.

We look forward to your favourable response.

Sincerely,
Original signed by
David Mayberry, Warden

Attach.
Cc: Arthur Potts, MPP, Parliamentary Assistant to Minister of Transportation Ontario Doug Ford, Leader of the Ontario PC Party Andrea Horwath, Leader of the Ontario NDP, Mike Schreiner, Leader of the Green Party of Ontario, Mayor and Members of Council, Township of Blandford-Blenheim, Mayor and Members of Council, Township of East Zorra Tavisock, Mayor and Members of Council, Town of Ingersoll, Mayor and Members of Council, Township of Norwich, Mayor and Members of Council, Township of South West Oxford, Mayor and Members of Council, Town of Tillsonburg, Mayor Members of Council, City of Woodstock, Mayor and Members of Council, Township of Zorra, Mayor and Members of Council, Township of Wilmot, Mayor and Members of Council, Municipality of Thames Centre, Western Ontario Wardens Caucus (WOWC), Mayors of South West Ontario (MOSO), South Central Ontario Region Economic Development Corp (SCOR), Ernie Hardeman, MPP (Oxford), Jennifer Graham Harkness, Executive Director, High Speed Rail Programs, MTO

Ministry of Transportation

Policy and Planning Division
High Speed Rail Branch
900 Bay Street, 1st Floor,
Macdonald Block, Room M1-21
Toronto, Ontario
M7A 2A2
Tél: 416-212-3444
Fax: 416-212-1936

Ministère des Transports

Division des politiques et de la planification
Bureau du train à grande vitesse
900 rue Bay, 1er étage,
édifice Macdonald, pièce M1-21
Toronto, Ontario
M7A 2A2
Tél: 416-212-3444
Télé: 416-212-1936



COUNTY OF OXFORD
CAO/CLERK'S OFFICE
RECEIVED

February 27, 2018

MAR - 6 2018

Ms. Brenda J. Tabor
Clerk
Oxford County
21 Reeve Street, PO Box 1614
Woodstock, Ontario
N4S 7Y3

REFER TO _____

File/EDMS: _____

Dear Ms. Tabor:

Subject: High Speed Rail Environmental Assessment Terms of Reference – Notice of Commencement

The Ontario Ministry of Transportation (MTO) has initiated an environmental assessment (EA) Terms of Reference for High Speed Rail (HSR) between Kitchener-Waterloo and London. The attached Ontario Government Notice announces the commencement of the study.

The planning and design of HSR is being undertaken in accordance with the *Ontario Environmental Assessment Act*. Prior to preparing an EA study, the Act requires that a proponent prepare a Terms of Reference and submit the document to the Minister of the Environment and Climate Change for approval. Once approved, the Terms of Reference will set out a framework to guide the subsequent planning, design and EA study.

Topics that are addressed within a Terms of Reference include: project study area; purpose and description of the project; alternatives that will be examined; a description of the existing environment and the potential environmental effects of the project; approach to assessment and evaluation of alternatives; mitigation commitments; and a consultation plan.

Consultation is an integral component of the EA process as the input and feedback provided will inform assessment and evaluation, and influence decision-making. The Terms of Reference will be developed through engagement with Indigenous communities and consultation with municipalities, government agencies and members of the public. Please confirm your interest in receiving additional project notices by contacting Ms. Nicole Zdero, MTO Policy Analyst at 905-704-2213 or Nicole.Zdero@ontario.ca.

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Should you require further information regarding this study, please contact Mr. John Slobodzian, MTO Project Coordinator at 905-704-2204 or John.Slobodzian@ontario.ca.

Sincerely,



Jennifer Graham Harkness, P. Eng.
Executive Director

Attachment

- c. John Slobodzian, MTO
Nicole Zdero, MTO

ONTARIO GOVERNMENT NOTICE

Notice of Commencement of the High Speed Rail Environmental Assessment Terms of Reference

The Ontario **Ministry of Transportation (MTO)** has initiated an Environmental Assessment (EA) under the Ontario *Environmental Assessment Act* for high speed rail (HSR) from Kitchener-Waterloo to London.

THE PROCESS

This study will be carried out in accordance with the requirements of the Ontario *Environmental Assessment Act*. The first step of the process is the preparation of a Terms of Reference. The Terms of Reference will set out the proponent's framework and work plan for addressing the Ontario *Environmental Assessment Act* requirements when preparing the environmental assessment, including such things as the alternatives that will be considered and the public consultation activities that will be carried out. If approved by the Minister of Environment and Climate Change, the Terms of Reference will provide the framework and requirements for the preparation of the environmental assessment.

In May 2017, the Premier of Ontario announced that the province would be moving ahead with the planning, design, and EA work for HSR. MTO is embarking on a transformative program to deliver HSR to Ontario – the first for Canada and one of the largest infrastructure projects in Ontario. High speed rail cuts down on travel times, gives people more low-carbon transportation options, and creates new opportunities for workers and businesses.

CONSULTATION

Members of the public, agencies, Indigenous communities and other interested persons are encouraged to actively participate in the planning process by attending consultation opportunities or contacting staff directly with comments or questions. Consultation opportunities are planned throughout the planning process and will be advertised to the public and interested persons. A number of options will be used to advertise consultation opportunities such as, the project website (www.ontario.ca/highspeedrail), local newspapers and direct mail.

For further information on the proposed study, please visit our website at www.ontario.ca/highspeedrail or contact:

John Slobodzian
MTO Project Coordinator
2nd Floor, Garden City Tower
301 St. Paul Street, St. Catharines, ON L2R 7R4
tel: 905-704-2204
e-mail: john.slobodzian@ontario.ca

Nicole Zdero
MTO Policy Analyst
2nd Floor, Garden City Tower
301 St. Paul Street, St. Catharines, ON L2R 7R4
tel: 905-704-2213
e-mail: nicole.zdero@ontario.ca

All personal information included in a submission – such as name, address, telephone number and property location – is collected, maintained and disclosed by the Ministry of the Environment and Climate Change for the purpose of transparency and consultation. The information is collected under the authority of the Ontario *Environmental Assessment Act* or is collected and maintained for the purpose of creating a record that is available to the general public as described in s.37 of the *Freedom of Information and Protection of Privacy Act*. Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment and Climate Change's Freedom of Information and Privacy Coordinator at 416-327-1434.

