5. PROJECT MONITORING

Monitoring programs will be implemented to ensure compliance with design, conditions of permits and approvals, and assess the effectiveness of mitigation measures and identify the need for additional measures where necessary. Specifically, monitoring for the activities described in this (Design Construction Report) DCR will include:

- Assessment of compliance with design and conditions of permits and approvals by project staff;
- Mitigation measures are providing the expected control and/or protection;
- Additional mitigating measures are provided as required for any unanticipated environmental conditions which may arise during construction;
- Providing documentation for an overall assessment of mitigating measures;
- Inspection by construction staff; and
- Site visits and review by project environmental staff.

Both 407EDG and MTO are responsible for environmental monitoring during construction. Their respective monitoring activities are summarized in Sections 5.1 and 5.2 below.

5.1. 407EDG Obligations

407 East Development Group (407EDG) and their Design-Build Contractor, 407 East Construction General Partnership, recognize the environmental sensitivity of a new highway facility through agricultural land, diverse natural heritage features and well-established rural and urban residential communities. Additionally, areas adjacent to the Highway 407 East Phase 1 corridor, and within the highway right-of-way, contain Species at Risk protected under the Endangered Species Act that will require comprehensive and detailed environmental management and protection during all periods of project activity.

407EDG has established an environmental management framework to maintain an ongoing balance of efforts and focus to ensure that all environmental aspects are consistently planned, reviewed, monitored and reviewed in regular intervals to work towards pollution prevention, regulatory compliance and continuous improvement. Environmental management will include documentation to identify the environmental requirements applicable to the engineering design and construction phases of the Project, as well as monitoring and auditing requirements that will be used to continuously improve environmental performance throughout the project. An essential component of the overall environmental management approach is the implementation and documentation of a Compliance Monitoring Program in order to fulfill all the environmental
assessment (EA) commitments and the Ministry of Environment Conditions of Approval for the Highway 407 East Phase 1 Project.

407EDG’s and/or 407 East Construction General Partnership’s monitoring activities will include the following:

- Conduct inspection and monitoring activities during construction to ensure compliance with the Environmental Assessment commitments, conditions of the Ministry of Environment Notice of Approval, conditions of permits, (e.g., Endangered Species Act permits), project-specific Environmental Management Plans, and this DCR;
- Conduct daily inspection and monitoring of environmental protection and mitigation measures and, if necessary, implement changes to improve environment protection;
- Carry out monitoring of the implementation of vegetation restoration plans (“vegetation compensation”) for forest and wetlands and overall benefit plans for the Species at Risk included in the Endangered Species Act Permits to ensure compliance with the plans and to facilitate adaptive management decisions, and corrective actions, where necessary;
- Regular reporting – Provide bi-weekly environmental reports documenting the monitoring activities, successes/failures, and corrective actions taken; and
- Provide Annual Compliance Reports, as per Condition 5 of the Ministry of Environment Notice of Approval, describing the ongoing results of the Compliance Monitoring Program and specifically how the Conditions of Approval and EA commitments been met and fulfilled.

5.2. Ministry of Transportation of Ontario Obligations

As outlined in the 407 East Individual Environmental Assessment and Preliminary Design Study (August, 2009) (“407 East Transportation Corridor EA”), Ministry of Transportation has committed to specific obligations for monitoring throughout the Highway 407 East Phase 1 Project development. During construction, Ministry of Transportation or its agent will ensure that the implementation of the mitigating measures and key design features are consistent with the commitments in, and conditions of approval for the EA and in accordance with the Province’s contract with 407EDG.

5.3. Environmental Assessment Compliance Monitoring

The purpose of compliance monitoring is to ensure compliance with the provisions of the EA and agreed divisions of responsibility between 407EDG and Ministry of Transportation. Compliance monitoring will be achieved through the 407EDG Compliance Monitoring Program. The following provisions are subject to compliance monitoring:
Mitigation/compensation measures;
Consultation;
Additional investigative studies and work to be carried out, if required;
Obtaining necessary permits, approvals, authorizations and clearances under provincial and/or federal legislation; and
All other EA commitments made during the preparation and review of the EA.

The CMP describes the actions required to address the EA commitments and to provide the indicators to be used to verify compliance.

During construction, the Highway 407 East Phase 1 Project will progress through a series of detail design and construction phases, and then to the operations/maintenance phase. For the operations and maintenance phase, a commitment was included in the EA requiring that project specific Environmental Management Plans be prepared to verify compliance.

For each phase, Ministry of Transportation and 407EDG will ensure that the role of environmental compliance monitoring will be fulfilled.