

sent

Berlin, Hayley (ENE)

From: Shevlin, Thomas (ENE)
Sent: November 15, 2006 9:32 AM
To: Berlin, Hayley (ENE)
Subject: Georgetown South GO Corridor and Airport Link ToR Noise Comments

Hayley,

I have placed in your mailbox a signed copy of my comments on the above-referenced ToR. I have also included a hard copy of a 1995 draft noise and vibration protocol negotiated between MOE and GO, which I feel would be an excellent basis for the guidelines which need to be negotiated for this EA, as discussed in my comments. Please note that we do not seem to have an electronic copy of that protocol. FYI, my colleague Vic Schroter has been the MOE member of the previous negotiations.

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Berlin, Hayley (ENE)

From: Shevlin, Thomas (ENE)
Sent: December 13, 2006 11:09 AM
To: Berlin, Hayley (ENE)
Subject: RE: GO Transit ToR Responses

Hayley,

After further consultation with Vic Schroter and Victor Low, we are agreed that, while the draft protocol does not need to be finalized as part of this process, there should be a formal commitment to it as the operative noise guideline for approval of the EA. Apparently what was done in the 1994-5 process was that the Minister approved an EA while requiring as one of the conditions that the draft protocol (apparently Draft #8 at that time, with the latest Draft #9 following shortly thereafter) be recognized.

Vic Schroter has also suggested that, as this document was generated by GO, GO should provide MOE with an electronic copy of the latest version. At this time we are working from a paper copy pulled from the archives.

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From: Berlin, Hayley (ENE)
Sent: December 13, 2006 8:07 AM
To: Shevlin, Thomas (ENE)
Subject: RE: GO Transit ToR Responses

I'm not sure what you would like GO Transit to say. In their responses they have agreed that the protocol is appropriate for this project and plan on using it for the Noise and Vibration Assessment. I do not think it is appropriate that the guideline be finalized during this project. If you want to finalize the document, I suggest that this occurs outside of a project and that the negotiations continue as they did in 1995 to get the document finalized.

I'm just not sure how else they can say that they agree with the draft process, since my reading of their responses seem to indicate that agreement. Perhaps you would like a specific letter from GO Transit indicating that they are aware that the protocol is still draft and are willing to use it. If you would like a specific letter from GO Transit or please let me know how you would like them to modify the response. I am speaking to them this afternoon, so if you could let me know before noon that would be helpful. Thank you for your quick responses.

Hayley

From: Shevlin, Thomas (ENE)
Sent: December 12, 2006 4:42 PM
To: Berlin, Hayley (ENE)
Subject: RE: GO Transit ToR Responses

Hayley,

There is a concern regarding GO's responses, having to do with the fact that the Protocol document is a draft

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document. According to my colleague Vic Schroter, who was involved with the process which produced the 1995 draft, there was a letter signed off by the Minister at that time indicating that there was an agreement on that version of the Protocol even though it had not been finalized (and has not been since then). It has been suggested that it would be advisable for this project to either finalise this document, or to at least formally restate the agreement. Apparently MOE may not even have an electronic copy of this document, it having been produced originally by GO.

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From: Berlin, Hayley (ENE)
Sent: December 12, 2006 1:37 PM
To: Shevlin, Thomas (ENE)
Subject: GO Transit ToR Responses

Good Afternoon

Below you will see your comments on GO Transit ToR (Georgetown South Corridor and Airport Link) and GO Transit's response. Sorry about the large Table

I believe that GO Transit has addressed your issues and has committed to use the MOE protocol. If you have any concerns with the responses please let me know by December 18, 2006.

Hayley

Comment	Response
<p>1.0 Socio-Economic (or Social) Environmental Criteria</p> <p>The ToR refers to noise and vibration as criteria for assessment of the Social (Section 6.2.1) or the Socio-Economic (Table 6.1) Environment, which are considered by this review to be among a number of appropriate categories under which noise and vibration might be included.</p>	<p>Comment noted.</p>
<p>2.0 Noise and Vibration Guidelines</p> <p>The ToR does not indicate specific guidelines under which noise and vibration would be assessed.</p> <p>The accompanying Consultation Record indicates that to members of some citizens groups, particularly in the Weston area of Toronto in which there are a number of older homes adjoining the rail line which would be the subject of the EA, noise and vibration are very important concerns.</p> <p>There would appear to be an underlying assumption expressed in various places in the Consultation Record that MOE will address noises and vibration in the future EA in terms of existing general MOE guidelines. The only existing MOE general guideline that addresses operating rail noise (as opposed to construction noise) is Publication LU-131, Noise Assessment Guidelines in Land Use Planning (October 1997), which is a land use guideline, and thus not applicable to this project. In MOE parlance, land use guidelines for noise</p>	<p>We are of the opinion that the guidelines contained in "MOEE/ GO Transit Draft Protocol for Noise and Vibration Assessment", January 1995 (Draft #9) are appropriate for this study.</p>

<p>are used when proposed housing or other sensitive receptors are to be built near existing noise sources, not when transportation noise sources are to be built or expanded near existing housing (or other sensitive receptors).</p> <p>In the end, the MOE requires guidelines by which to determine the approvability of the Environmental Assessment. In the past, MOE has negotiated project-specific guidelines for operational noise and vibration of new or expanded transportation facilities with the proponents of those facilities, such as GO Transit and the TTC. The previously-negotiated guidelines which comes closest to addressing the current subject proposal is "MOEE/ GO Transit Draft Protocol for Noise and Vibration Assessment", January 1995 (Draft #9). Although the Airport Link element of the proposal might differ in equipment, scheduling and frequency from conventional GO Transit operations, and will probably be operated by a body other GO, the Protocol nevertheless appears to this reviewer as an excellent technical starting point for noise guidelines for the combined rail sounds on the Georgetown South Corridor resulting from this project.</p> <p>It is suggested here that there are several obvious benefits, particularly in terms of perceived fairness, to having established the assessment guidelines for noise and vibration prior to the use of those guidelines for comparing alternatives in the EA itself. Thus it is recommended here that a commitment should be made in the ToR to establishing project-specific noise and vibration guidelines, acceptable to both the proponent and the MOE, before the EA is conducted. As the creation of the Protocols in the 1990s involved up to two years of negotiation, this process should be initiated in the near future.</p>	
<p>It is further recommended that the noise and vibration emissions of any competing transportation technologies, particularly for the Airport Link, be quantified in the Environmental Assessments, in order that potential noise and vibration impact may be used as criteria for selection of the desired technology.</p>	<p>Technology issues are primarily related to corridor issues and are related to bus or rail. The proposed approach is to address these issues at the planning alternatives using surrogate measure of proximity to surface facilities to indicate potential nuisance effects (see Table 5-1). Additional modeling will be undertaken to assist in the evaluation of design alternatives and to develop specific mitigation measures for the preferred alternative as noted Chapter 6.</p>
<p>3.0 Noise Sensitive Points of Reception</p> <p>The locations at which the noise and vibration guidelines are to be assessed are known as "Points of Reception", which are another area which should be predefined by negotiation between the proponents of the project and MOE. In one current MOE definition, "Point of Reception" means any point on a premises where sound or vibration originating from other than those premises is received. The point of reception may be located on any of the following existing or zoned for future use premises: permanent or seasonal residences, hotels/motels, nursing/retirement homes, rental residences, hospitals, camp grounds, and noise sensitive buildings such as school and places of worship.</p> <p>Other factors incorporated in definitions used by past Protocols include commercial/industrial operations that are exceptionally sensitive to noise or vibration, approved site plans, approved condominium plans or draft approved plans of subdivision.</p>	<p>Receivers or 'Points of Reception will be identified in accordance with "MOEE/ GO Transit Draft Protocol for Noise and Vibration Assessment", January 1995 (Draft #9).</p>
<p>4.0 Construction Equipment</p> <p>The EA document should also note that noise emissions from</p>	<p>Comment noted. Section 6.3 of the ToR notes that mitigation measures will be developed in accordance with relevant technical guidelines. This would include Ministry</p>

construction equipment are subject to the limits set out in
Ministry Publication NPC-115.

Publication NPC-115.

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