

Ministry
of the
Environment

Office of the Minister

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File number 82554

RECEIVED JUL 25 2003

JUL 22 2003

Ms. Sonya Kapusin
Project Manager
Infrastructure and Environmental Planning
Transportation, Operations & Environment Department
City of Hamilton
77 James Street North, Suite 320
Hamilton ON L8R 2K3

Dear Ms. Kapusin:

On February 3, 2003, the previous Minister Stockwell received three requests from members of the public that the City of Hamilton be ordered to prepare an individual environmental assessment (EA) for the proposed traffic improvements in the Durand Neighbourhood (Project), located in the City of Hamilton (City).

I am taking this opportunity to inform you that, based on a review of the Project documentation, the provisions of the *Municipal Engineers Association Municipal Class Environmental Assessment* (Class EA), the issues raised in the requests and other relevant matters required to be considered under subsection 16(4) of the *Environmental Assessment Act* (EAA), a decision has been made that an individual EA is not required.

A more comprehensive discussion of the ministry's evaluation of the requests may be found in the attached letter to the requesters.

With this decision having been made, the City may now proceed with the Project, subject to any other permits or approvals required.

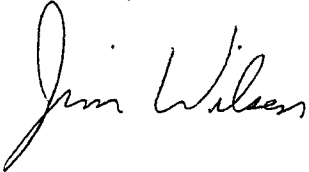
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Ms. Sonya Kapusin
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It is understood that the City has committed to monitor traffic on Aberdeen Avenue, which is expected to be most impacted by the left turn restriction on James Street South at Markland Avenue, to ensure that any unforeseen impacts to the Durand Neighbourhood are considered. Please note that the contravention of the EAA, including failure to comply with the Class EA and the commitments made in the Project File may result in prosecution under Section 38 of the EAA. This decision is made with the understanding that the City recognizes the importance and value of the EAA and that these commitments will be fulfilled.

Sincerely,

A handwritten signature in cursive script that reads "Jim Wilson". The signature is written in dark ink and is positioned above the printed name.

Jim Wilson, MPP, Simcoe-Grey
Minister

c: Requesters