

Minutes

Vermilion River Stewardship

Wednesday, November 9, 2011

7:00-9:00 pm

Penage Road Community Centre, Penage Road

Present: Linda Heron, Sheri Johnson Purdon, John Purdon, Lesley Flowers, Betsy and Bob Little, Ruth Svensk, Dale Kilbey, Terry Little, Al Stanley, and Neeltje Van Roon

Regrets: Ron Basso

1. Adoption of Agenda:

Moved by John Purdon

Seconded by Lesley Flowers

Adopted

2. a. Adoption of Minutes of 13 September 2011

Moved by Bob Little

Seconded by John Purdon

Adopted

b. Adoption of Minutes of 11 October 2011

Moved by Dale Kilbey

Seconded by Betsy Little

Adopted

3. Reports

a. Executive Report – Attached as Addendum 1

- Meeting with Jacques Barbeau scheduled for Nov. 23, 2011
- Xeneca and Earth care Moment partnership
 - City of Sudbury made Xeneca a Business Partner and yet VRS grant application denied because didn't want to appear to take sides
- Meeting with France Gelinas scheduled for Nov. 22, 2011
- ORA made a Part II Order request on the Xeneca Environmental Report for the Frederick House River dam project – addressed the numerous gaps in the ER
- France will be speaking directly with the Minister of Environment on behalf of VRS
- First Nations – have had their lawyers send letters to Xeneca to stop progress on dam proposals on the Vermilion River as they have not been properly consulted on the proposals.
- Xeneca's Funding:
 - OP trust (OPSEU pension plan)
 - Xeneca's proposals do not fit the OP trust mission statement

- OP trust is looking into Xeneca's contract with them
- Outdoor Canada article: Interview with Mark Holmes related to the Northern Rivers has potential to be very damaging for Xeneca
- Ontario River's Alliance: Gord Miller Environmental Commissioner of Ontario will be attending the meeting on 26 November 2011, at Churchill's Catering Services, 631, Lakeshore Blvd., North Bay. Invitations for Chief Shining Turtle, Whitefish River First Nations, and the United Chiefs & Councils of Manitoulin Island 1045.

b. Correspondence:

- Letter from VRS to John Cannard re: Tertiary Treatment for Walden Wastewater Treatment Facility in 5 years and not the proposed 10 years.
- Chamber of Commerce – Mark Holmes guest speaker on Nov. 17, 2011 at Days Inn from 12- 2 pm, VRS offered to give a presentation to the Chamber.

c. Finance: Balance of \$600

4. Business Arising from Previous Meeting

a. Lively/Walden Wastewater Treatment Facility

- VRS' main objective must be improved water quality
- Tertiary treatment is necessary within the next 5 years
- Phoslock – binds with phosphorus – Lake Simcoe is undertaking a pilot project
- Look at the City as you would a company – spills and effluent must be addressed
- City staff do what they can with their tax dollars

b. Cyanobacteria

- Concerns for the rapid deterioration of the river with the recent Blue Green Algae (Cyanobacteria) bloom on the Vermilion River
- Bloom cleared up once heavy rains came in late October
- Concern for the Sudbury and District Health Unit
 - Their response was inadequate
 - only a small number of residents received notification
- A letter will be written to list our concerns of the lack of communication for those living on the river and the lack of retesting protocol to ensure the outbreak was cleared up.
- Nickel District Conservation Authority Response to the blue green algae was also of concern. A letter will be written to Bob Rogers Chair of the board of directors for the NDCA to enquire about their involvement with blue green algae detection in the water systems.

- MOE response was also of concern because inspector did not respond to report of cyanobacteria on Simon Lake, near the public beach – it was the Friday afternoon of Thanksgiving weekend
- Must be improved public awareness when these outbreaks occur

Action Items:

- a. A Strategic Planning Committee, including Sheri Johnson Purdon, Al Stanley, Lesley Flowers and Dale Kilbey will be formed to:
- Take a 3 phase approach to the solution
 1. Immediate
 2. Short term
 3. Long term
 - Come up with a plan to address water quality issues and threats
 - Existing test results for the Vermilion River Watershed will be collected, analyzed and collated
 - Must model the entire watershed – all inputs
 - If there are any lapses in the test results this committee will develop testing parameters and protocol to investigate the state of the watershed
 - Increase public awareness
 - Some sources of test results might be Vale, MOE, Canadian Geological Association, Junction Creek Stewardship, Nick Bankovich, Laurentian University and other Stewardships.
 - Seek funding from the Royal Bank’s Blue Water program to assist with these objectives
- b. A Waste Water and Storm Water Forum will be scheduled in mid-February to obtain current information on status of these systems, and suggestions on how we might improve – media to be invited.

4. Dam Proposals Update

- Xeneca held a Public Information Centre on 20 October 2011, in Espanola
- Xeneca provided an opportunity to ORA and VRS before the PIC to speak one on one with our members
- VRS submitted a letter to Xeneca on 26 October 2011, with a list of additional questions and concerns – Attached as Addendum 2.
- Discussion about dams causing more pressure on the riverine ecosystem, and the potential to create more cyanobacteria outbreaks

5. Announcements:

- Biodiversity Committee – John Purdon
If anyone has had any SARS animal sightings, on the Vermilion River in the vicinity of the proposed dam locations, at McPherson Falls, Cascade Falls, At Soo Crossing, or Wabagishik Rapids, please forward pictures and/or detailed information which includes location and date, to John at purdonclan@hotmail.com.

- Meeting to discuss the Class C Environmental Assessment - to evaluate the Vermilion water distribution system that services the communities of Naughton, Whitefish, and Whitefish Lake First – scheduled for Nov. 21, 2011, 7 pm, Penage Road Community Centre
- Environmental Conference Planning Committee Meeting scheduled for Nov. 28, 2011 - contact Gwen Doyle, Communications Coordinator, Walden-CAN - 692-3021 for more information.

6. Next Meeting – Wednesday, January 11, 2012 at the Beaver Lake Sports & Cultural Centre.

Vermilion River Stewardship

EXECUTIVE REPORT

9 November 2011

Report from Chair:

- 22 September 2011 - Attended Walden/Lively Wastewater Treatment Facility Public Meeting
 - In Phase 3 now - Identify alternative design for preferred solution
 - Must increase capacity to address growing community and inflow
 - First priority is to decrease flows – by-law enforcement, inspector/by-law officer hired and extraneous flow reduction program
 - Eliminate the Lively WWTF and upgrade Walden WWTF
 - No by-passes from the Sudbury or Walden plants in last 2 years
 - Lower phosphorus levels are the goal – Proposing 2 Phases – 5 years & 10 years
 - Present objectives are 0.5 from Jun to Aug & 1.0 from Sept. to May
 - Proposed Phase I objectives are 0.38 to 0.55
 - Proposed Phase II objectives – 0.20 to 0.30
 - Upgraded Secondary Treatment by 2016
 - Tertiary Treatment would be implemented in about 2021
 - Has not gone to Council yet, but VRS has promised support if tertiary treatment is included within 5 years
 - Disinfection – City currently uses chlorine but is considering going with ultraviolet due to significant environmental and safety advantages – 2016
 - In November they will decide on final preferred solution and prepare an Environmental Report
 - ER will be filed and public will have 30 day review and comment period
- 27 September 2011 – VRS sent letter to John Cannard requesting tertiary treatment within 5 years
- 23 September 2011 - Contacted CEAA to request documentation for Wabagishik Rapids Proposal – Federal environmental process is totally transparent, so received several documents, including:
 - Biological Scoping Minutes – 26 May 2011
 - Wabagishik Final Operating Plan
 - Letter of Concern from Citizen
- 30 September 2011 - Cyanobacteria noticed on the Vermilion River, and reported to Health Dept. and MOE
- 5 October 2011 – MOE confirmed Cyanobacteria on the Vermilion and a few other bacteria as well
- 7 October 2011 - Went out to visit McCharles, Simon, Kelly and Mud Lakes to see if they also contained Cyanobacteria, and subsequently reported seeing it on McCharles and Simon Lakes
- Went to Centennial Park area to see if the Blue Green Algae might be coming from the Northern part of the Vermilion, however, the water looked relatively clear there

- 13 October 2011 - Letter to the Editor – It is Time – Sudbury Star and Northern Life
- 13 October 2011 - Lake Advisory Panel – Gave a PowerPoint Presentation on Walden/Lively WWTF
- 19 October 2011 - Attended the Wanapitei, Allen & Struthers PIC
- 20 October 2011 - Attended Wabagishik PIC in Espanola
- 21 October 2011 - Attended an EcoLeague Workshop – Student Project
- 24 October 2011 - Attended GSWA Meeting
- 25 October 2011 - VRS to Xeneca – Comments & Questions
- 25 October 2011 - Article - Vermilion River Troubles – Walden CAN column in Sudbury Star
- 26 October 2011 - Spoke to Paul Sajatovic, NDCA – Presentation planned for 19 January 2012 at NDCA Meeting
- 3 November 2011 - Wanatango Falls ER, Frederick House River – Comment Letter
- 4 November 2011 - Wanatango Falls ER, Frederick House River – Part II Order Request
- 22 November 2011 - Meeting scheduled with France Gelinias
- 23 November 2011 - Meeting scheduled with Jacques Barbeau
- 26 November 2011 - ORA Meeting – North Bay – Guest Speaker: Gord Miller, ECO
- 19 January 2012 - Presentation to NDCA, Re: Proposed Hydroelectric Dams on the Vermilion River

Finance:

- Balance \$600.09

Website:

- Addition of Social Network Links
- Helpful Links
- Events Calendar

Correspondence:

- 23 September 2011 - VRS to CEAA – Wabagishik Document Request
- 27 September 2011 – VRS to John Cannard, JL Richard Consulting – Walden WWTF – Tertiary Treatment
- 25 October 2011 - VRS to Xeneca – Comments & Questions
- 5 November 2011 - VRS to Chamber of Commerce – Re: Mark Holmes Presentation on 17 Nov.

Vermilion River Stewardship



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27 September 2011

John Cannard, P. Eng.
J.L. Richards & Associates Limited
217-469 Bouchard St.
Sudbury, ON
P3E 2K8

Dear Sir:

**Re: City of Greater Sudbury – Lively/Walden Wastewater Treatment System
Schedule 'C' Class Environmental Assessment
PIC No. 2 – September 22, 2011**

Thank you for your excellent presentation on September 22, 2011, regarding the Lively/Walden WWTS preferred design concept.

As Chair of the Vermilion River Stewardship, I was very happy to see Tertiary Treatment considered as a major component of the overall design concept, and it was very refreshing to know that your team is listening and responding to stakeholders concerns.

It is the timeline for Tertiary treatment that the Vermilion River Stewardship takes exception to. With Climate Change already resulting in record low water levels over these last two summers, reports of over ten lakes in the Sudbury District with cyanobacteria blooms, and the projections of warmer weather resulting in extreme drought conditions, it is imperative that the timeline of ten years for tertiary treatment be pushed up to a deadline of 2016.

When this plan is presented to Council for approval, the Vermilion River Stewardship will rally support within the City of Sudbury Lake Stewardship councils for a preferred design concept that includes Tertiary Treatment by 2016.

I would also like to take this opportunity to praise the City of Sudbury Wastewater Treatment staff for the excellent job they are doing in creating innovative and effective means of preventing sewage bypasses, and significantly improving treated outflows of effluent into our river systems.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Heron", with a long horizontal flourish extending to the right.

Linda Heron, Chair
Vermilion River Stewardship

Cc: Mayor Marianne Matichuk, mayor@greatersudbury.ca
Jacques Barbeau, jacques.barbeau@greatersudbury.ca
Alastair Cook, alastair.cook@greatersudbury.ca
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26 October 2011

Xeneca Power Development
c/o Stephanie Hodsoll
6255 Yonge Street, Suite 1200
North York, ON
M2N 6P4
SHodsoll@xeneca.com

Dear Stephanie:

**Re: Class Environmental Assessment for Waterpower Projects
For the Proposed Wabagishik Rapids Development
Wabagishik Rapids GS – Comments**

On behalf of the Vermilion River Stewardship, and further to your proposed Wabagishik Rapids GS Public Information Centre on 20 October 2011, in Espanola, I am writing to offer our questions and comments for your response:

1. Would Xeneca use a “modified run-of-river” operating strategy at Wabagishik Rapids?
2. Would this lake coupled dam design require a bypass area?
3. If so, what compensatory bypass flow would Xeneca provide?
4. How much actual power would this new dam design generate – not Installed Capacity, but expected actual power to be generated?
5. How many people would the hydro generated from this dam service?
6. What are the potential negative impacts of this dam and operating strategy on the downstream and upstream riverine ecosystem?
7. How would these negative impacts be mitigated?
8. Please provide details of your operating strategy throughout low flow and drought conditions?
9. Would Xeneca continue to hold water back even in the lowest flow periods?
10. During “Summer Low Flow” conditions, would Xeneca allow free and full river flow to

- help prevent undue stress on the riverine ecosystem – from early August, right through to the upward inflection of the hydrograph, usually occurring in mid to late-October?
11. To ensure public health and safety, will Xeneca release full river flow if and when a blue green algae outbreak has been confirmed on the Vermilion River?
 12. During intermittent operation:
 - a. What Environmental Flow would Xeneca provide at the proposed Wabagishik Rapids GS – in each season?
 - b. Would Xeneca provide a minimum flow of 2/3 of normal flow, as per LRIA guidelines?
 - c. Would Xeneca use peaking operations more than once a day when flow conditions warrant? If so, how many times a day? Maximum number?
 - d. What will the increase in volume of flow be between the minimum environmental flow, and the flow provided by full power generation at maximum turbine speed?
 - e. What will your turbine ramp speed and timing be – the time to take a turbine from a stopped position to full operating speed?
 - f. How far downstream would the effects of Xeneca’s operating strategy impact the riverine ecosystem – the expected variable flow reach?
 - g. How would Xeneca protect the natural river habitat and aquatic life from the daily fluctuations in water levels, and flow rates?
 - h. What will the pulsing effect of daily and/or frequent peaking have on the downstream and upstream river ecosystem?
 - i. How much will the upstream lake level fluctuate on a daily basis?
 - j. What are the maximum number of hours Xeneca would hold water back in the holding pond?
 - k. How would Xeneca protect the stakeholders, public and children who may be downstream of the proposed dam, i.e., camping, boating, fishing, or swimming, from the rapid change in water levels and flow velocity?
 - l. What dam safety protocol is planned to address the variability of flows and rate of change of flows and levels?
 - m. How will strength, stability and safety of ice be affected by the frequent and daily rise and fall of water levels throughout the winter season?
 - n. How would Xeneca protect and ensure the safety of those people ice fishing and snowmobiling, both upstream and downstream of the dam site?
 - o. Would Xeneca run the Wabagishik GS in an operating strategy which is timed and coordinated with the three dams proposed on the Upper Vermilion River, at McPherson, Cascade and At Soo Crossing?
 13. Would Xeneca provide safe upstream and downstream fish passage?
 14. Would Xeneca provide fish friendly turbines?
 15. Is Xeneca aware that last year a Lake Sturgeon was caught at Graveyard Rapids?
 16. Would Xeneca provide low flow turbines to accommodate these low flow conditions?
 17. Would Xeneca provide a portage route for canoers to pass around the proposed dam?
 18. As a result of the dam and headpond, what will the maximum upstream lake level be?

19. Has Xeneca worked out a Water Management Plan and Agreement with Domtar and Vale yet?
20. Would Xeneca place funds in trust for future decommissioning costs for removal of the dam?
21. Would Xeneca compensate lake dwellers for any property damage or loss incurred because of dam construction, failure, operating strategies, water levels, ice, or other conditions created as a direct result of your dam and its operating strategy?
22. What are the anticipated cumulative effects of this proposed Wabagishik dam, considering the additional stress caused by the 3 proposed Upper Vermilion dams, 9 upstream waste water treatment facilities, numerous lift stations, sewage lagoons, the Stobie Dam, Lorne Falls Hydroelectric Dam, and the Domtar Mill on the Vermilion River, Spanish River, and ultimately the Great Lakes?
23. What provisions have Xeneca made for Climate Change, which scientists agree will include an increase in extreme weather events, including extreme drought and flooding conditions?

At this point it is important to note that there was virtually no detailed information at this PIC to show exactly what Xeneca is proposing to build, or even specifically where in the rapids it would be built. There was no detail provided for what will be built, where it would be built, or what the impacts would be. All information was very general, sparse, non-specific and lacking.

The Vermilion River Stewardship and Ontario Rivers Alliance members appreciated having an opportunity to ask questions of Mark Holmes before the scheduled PIC, however, some of his answers were not consistent with what other team members were saying, or with what has been reported in previous Environmental Reports for these types of modified run-of-river hydroelectric proposals. For example:

1. Mark Holmes was asked what the longest expected period of time water flow would be held back in the headpond, and his answer was “no longer than 24 hours”. When pressed on this answer, again he repeated “no longer than 24 hours”.
 - In The Chute Environmental Report for the Ivanhoe River,¹ this report clearly stated that, “*due to the limited storage at The Chute, all inflow from upstream will be passed downstream within 48 hours.*” This number of “48 hours” was repeated many times throughout that report.
 - That same evening, one of Xeneca’s biologist team members stated that Mark Holmes was mistaken when he said flow would only be held back for a maximum of 24 hours, but that flows would actually be held back for up to 48 hours.
2. Mark Holmes was also asked whether peaking operations would be used more than once a day, and the answer was “no”.

¹ The Chute Environmental Report, Annex B – Page 52.

- In the Wanatango Falls Environmental Report², Chris Chenier, Cochrane MNR asked, “Given enough water, is there a possibility to do peaking operations more than once a day?” The answer from Uwe Roeper was, “yes”.

Vermilion River Stewardship would also like to note, that on 8 May 2011 VRS made a request to Xeneca for documents related to the Wabagishik hydroelectric proposal, to which there has never been a response. VRS filed a Freedom of Information Application with MNR, who eventually agreed to provide 4 of these documents to VRS. However, Xeneca immediately appealed MNR’s decision, and none of these documents were ever received from Xeneca or MNR. This again highlights the obstructive and uncooperative stance Xeneca has taken towards stakeholders and the public. As a follow-up, recently these documents were obtained through the Department of Fisheries and Oceans, and the Canadian Environmental Assessment Agency which, fortunately for the public, are fully transparent.

We look forward to Xeneca’s answers to our questions. Hopefully we will receive answers to these questions in a more timely fashion than those resulting from the 22 March 2011 PIC, in which case answers were not received until 19 October 2011 - the day before the 20 October PIC, and some 7 months after the fact.

Thank you for this opportunity to comment!

Sincerely,



Linda Heron
Chair, Vermilion River Stewardship

Cc: France Gelin, NDP MPP – FGelin-co@ndp.on.ca
 Carolyn Hunt, Environmental Group – Water Management, Vale - carolyn.hunt@vale.com
 Chief Steven Miller, Atikameksheng Anishnawbek - chief@wlfm.com
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² Wanatango Falls Environmental Report – Appendix C – Agency Consultation, P 177