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Greg Clark Chapter

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Town of Erin Urban Centre Wastewater Treatment Plant Request for Designation under s.9 of the Impact Assessment Act

EXECUTIVE SUMMARY:

The West Credit River subwatershed supports headwater tributaries of the Credit River and is considered the crown jewel of coldwater Brook Trout fisheries in southern Ontario. The entire footprint of the Project, including the network of underground sewers, will result in numerous crossings of first, second and third order streams. Additionally, the West Credit River feeds into the main Credit River at the Forks of the Credit Provincial Park. This area is part of the UNESCO Niagara Escarpment World Biosphere Reserve (Reserve), home to several sensitive fish species, including the endangered Redside Dace and Atlantic Salmon. Atlantic Salmon, historically extirpated, are being reintroduced as part of the broader Lake Ontario Atlantic Salmon Recovery Program. This Reserve is within 1 km downstream of the Project's effluent discharge, and Redside Dace (*Schedule 1, Species at Risk Act, 2002*), are known to occupy the West Credit River within 4 km downstream of the effluent diffuser.

This fishery significantly adds to the economic and social fabric of the province, with Ontario fisheries contributing a total of approximately \$2.5 billion annually to the provincial economy.¹ MNRF's own documents predict that climate change will reduce the number of watersheds in Ontario with Brook Trout by 50% by 2050.² Trout streams draw anglers, which means economic activity that provides benefits locally, regionally, and nationally. Losing what is considered the crown jewel of Brook Trout fisheries in southern Ontario would be a huge loss to the social, recreational and economic fabric of the community.

The Town of Erin is located northeast of Guelph, Ontario, in Wellington County. The main urban centres within the Town, are Erin Village and Hillsburgh. Currently, almost all residences in these two communities are serviced by individual private septic systems. The existing residential population is approximately 4,500. The Project was proposed by the Town to "address the wastewater issues within the communities and to facilitate growth"³. More commonly referred to as "Planning by Pipeline".

*"The Servicing and Settlement Master Plan established a servicing limit of 6,000 persons; however, based on the use of "best available technology" at the Wastewater Treatment Plant, the updated ACS and the new effluent criteria, we have the potential to service a higher population. The Town of Erin Official Plan has identified 267.3 Ha (660 acres) of land available for residential, commercial and industrial growth in the Town. We have identified that full buildout of these growth areas, would add an additional 9,943 residents to the existing population of 4,616 residents, giving a total full build out potential population of 14,559."*⁴

The preferred greenfield site is a 200-acre farm property, owned by Solmar Development Corporation (Solmar), and it slopes down towards the West Credit River. This large tract of land will be stripped of

¹ Ontario's Provincial Fish Strategy: Fish for the Future. OMNRF, Fisheries Policy Section. ISBN #978-1-4606-5622-8. PDF P-8/68.

² The Conservation and Management of Brook Trout in Ontario: Past, Present, and Future, by Jacqueline Wood, Ph.D., Latonnell Conservation Symposium, November 2017.

³ ESR, Volume 1 of 3, ES-1 Background and Objective. PDF P-5/526.

⁴ ESR, Volume 1 of 3 – 10. PIC 1-Presentation Boards, Population and Flow Projections. P-277/526.

a considerable amount of its trees and vegetation for the build and could be a potential source of sediment loading into the watercourse.

On 8 August 2019 the Minister of Environment, Conservation and Parks (MECP) approved the Environmental Study Report (ESR). The Project will be a communal wastewater collection system with treatment in a single wastewater treatment plant to be situated southeast of Erin village, with treated effluent to be discharged to the West Credit River at Winston Churchill Boulevard, in the Town of Erin, Ontario. See Appendix 1 – Location Maps.

Part II Order requests were filed by Judy Mabee, BCO, and Ann Seymour, WCRW; however, their concerns were not addressed to their satisfaction. The Minister granted unconditional approval to the Project.

There has been great public outcry in the area with a number of newspaper articles^{5,6,7,8} citing concern and anger about the planned Project, as well as a media release⁹, and a [Cut the Crap, Keep the Credit](#) petition signed by well over 16,000 local citizens¹⁰. There was also a highly creative drive-by Road Rally for Residents and River held recently with concerned citizens driving their cars repeatedly around the Town of Erin in protest of the Project.^{11,12,13,14} Here's a YouTube video that sums up the appetite for the proposed Project and population increase.¹⁵ These are but a few of the many attempts by local citizens to voice their concerns and disgust for the Project.

The Mayor, a few Councillors and the 10 developers¹⁶ waiting to develop these two Villages are about the only parties excited about the Project. Local residents are opposed to such excessive population growth and the major threat the Project poses to Brook Trout and their coldwater habitat in this relatively tiny West Credit River.

Unfortunately, many people and organizations were not aware of the proposed Project when it was going through the consultation and approvals process, due to inadequate outreach and consultation; however, there is great concern in the communities of Caledon and Erin over the potential affects it will have on this highly valued Brook Trout population in the West Credit River. This Coalition was formed as a result of those shared concerns, and we have well over **16,000 signatures on a petition representing opposition to this Project.**

We have completed a thorough review of the ESR, with close examination of the proposed discharge of treated effluent into the West Credit River at Winston Churchill Boulevard, and a view to its potential impacts on Brook Trout and their coldwater habitat, both now and into the future. As we reviewed the ESR, there were several areas that we found lacked due diligence in addressing critical factors that will determine the fate of Brook Trout and Redside Dace, a Species at Risk in the West Credit River ecosystem.

⁵ *Erin receives provincial approval for wastewater system, 4 September 2019, by Phil Gravelle, Wellington Advertiser.*

⁶ *Groups concerned about Erin's proposed wastewater plant effect on coldwater fish, 4 Nov. 2020, by Keeqan Kozolanka, Guelph Today.*

⁷ *My property is going to become an effluent corridor – Belfountain residents petition to halt Erin Wastewater Treatment Plant, 5 Nov. 2019, by Alexandra Heck, Toronto.com.*

⁸ *Erin residents opposed to sewage plant take to the street in protest, 24 Feb. 2021, by Lorrie-Anne Little, Wellington Advertiser.*

⁹ *Media Release: Concerns over Brook Trout in the West Credit River, by Ontario Rivers Alliance, 29 October 2020.*

¹⁰ *Petition: Cut the Crap, Keep the Credit - over 15,000 signatures.*

¹¹ *Erin man's battle against wastewater plant leads to planned protest, 16 Feb. 21, by Keeqan Kozolanka, Guelph Today.*

¹² *Erin's residents protest proposed wastewater plant, 20 Feb. 2021, by Heather Sonora, CTV Kitchener News.*

¹³ *Road Rally to Save the West Branch of the Credit, 20 Feb. 2021, by David Williams*

¹⁴ *Erin Sewage Treatment Plant Protest, 20 Feb. 2021.*

¹⁵ *SHITvNews reports on Erin Sewage Treatment.*

¹⁶ *Development Deal: Erin drafts deal with 10 developers to pay for entire wastewater treatment plant and trunk lines, 28 Oct. 2020, by Alexandra Heck.*

What follows is a detailed report on serious areas of concern that if left unchecked will have deadly consequences. Areas of concern include:

- Inadequate mitigation of potential affects to fish and fish habitat,
- A SARA Schedule 1 species at risk,
- No provision for limits and design objectives for effluent temperature,
- Dangerous effluent quality as it enters the stream,
- Low ratio of stream flow to effluent flow,
- Inadequate attention to climate change and cumulative effects,
- Narrow and weak temperature data,
- Underestimated population growth capacity,
- Groundwater depletion leading to reduction in stream flows,
- Deficient notification and consultation with impacted landowners, and
- A basic lack of a clear and traceable path to understand how many key decisions and conclusions were made.

The Town of Erin, Ministry of Natural Resources & Forestry (MNR), MECP and Credit Valley Conservation (CVC) all agree that *“the most productive Brook Trout spawning reaches and the best Brook Trout populations in the West Credit River are located downstream of Erin Village and the longest contiguous Brook Trout habitat in the Credit River watershed is the West Credit River between Erin and Belfountain.”*^{17,18} In fact, the ESR reports that *“Brook Trout redds were extremely abundant in the study reach and the study area provides habitat for this critical life state. The number of redds within the mixing zone, and within reach of dissolved oxygen sag were evaluated.”*¹⁹

This quote from a Ministry staff representative during a Local Planning Appeal Tribunal hearing provides a clear window into our concerns:

*“By way of necessary background, the Town of Erin has approached the MOE several times in the past to discuss the potential of a municipal sewage treatment plant that would discharge to the West Credit River. Proposals have not been supported by MOE, due in large part to consideration of the need to protect the high-quality aquatic ecosystem in this branch of the Credit River. This branch of the Credit River provides cold water habitat to one of the few remaining self-sustaining wild brook trout populations in southern Ontario. The Credit River above Inglewood up to the bottom of the Niagara Escarpment World Biosphere Reserve is home to a thriving population of resident brown trout. Rainbow Trout and Atlantic Salmon are also at the Forks Provincial Park. Water quality in this branch of the Credit River is exceptional.”*²⁰

The Coalition reached out by telephone and email to the Haudenosaunee Confederacy, Mississauga of the New Credit First Nation and the Six Nations of the Grand River Territory to notify them of our concerns; however, after three times leaving voice messages and making email contact, no response was received.

The provincial regulatory process has been streamlined and gutted over the last few years, which has limited the regulatory agencies in their scope and abilities to mitigate. The environmental assessment process is in a downward spiral and the public has lost confidence in the entire process. The Municipal Class Environmental Assessment (MECP) process is not being applied with any rigor as it follows this government’s “Cutting Red Tape” mentality. This has placed well-meaning Agency staff under great pressure to bend to political will, and what comes out the other end of the process is a blind approval

¹⁷ *ESR, Volume 2 of 3, Part 1, Appendix D, West Credit River Assimilative Capacity Study & Thermal Impact Assessment, by Hutchinson Environmental Sciences Ltd., December 6, 2017, Section 1.1, Study Area. PDF P-106/317.*

¹⁸ *ESR, Volume 2 of 3, Part 2, Appendix H, Natural Environment Report by Hutchinson Environmental Sciences Ltd., April 23, 2018, Executive Summary. PDF P-68/334.*

¹⁹ *ESR, Volume 2 of 3, Part 2, 4.2.1 Aquatic Ecology. PDF P-157/334.*

²⁰ *LPAT, Wellington County Hearing Documents, 22 February 2013 letter from Dwayne Evans, Municipal Services Office-Western, Ministry of Municipal Affairs & Housing to Mark Van Patter, County of Wellington Planning and Development. P-174/653.*

of any project that appears able to create a few jobs and tick another development win for this government.

A federal Designation and review would ensure a much more rigorous and comprehensive environmental assessment, tailor made to address many of our concerns about impacts within federal jurisdiction. A federal environmental assessment would include proper consultation of stakeholders and ensure that Brook Trout and Redside Dace have adequate mitigation and protection, unlike the very narrow and flawed MECP process. It would also ensure proper monitoring, adaptive management and compliance limits.

If this provincial government gets the message that gutting environmental policy and legislation only erodes public confidence and slows down development, perhaps they will start reversing some of these more severe measures to bring back public confidence in the entire process.

[Read full Designation Request here.](#)