



ONTARIO
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Izaak Walton
Fly Fishing Club



Trout Unlimited Canada



Greg Clark Chapter

21 May 2021

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By email to: Joan.DelVillarCuicas@ontario.ca

Re: Proposed Erin Wastewater Treatment Plant
Follow-up Commitments to the Environmental Study Report

Dear Ms. Del Villar Cuicas:

The Coalition for the West Credit River is following up on commitments that were in the final Environmental Study Report (ESR) for the proposed Erin Wastewater Treatment Plant (Project).

Linda Heron, Chair of the Ontario Rivers Alliance, a member of our Coalition, was given your name as the Ministry staff responsible for Barb Slattery's files. We are therefore reaching out to you to enquire whether the Town of Erin has fulfilled its ESR commitments to undertake additional studies since the Project site was officially chosen at an Erin Council Meeting on 18 August 2020:

"3.2 Report Out; Resolution # 20-135; Moved By Councillor Robins; Seconded By Councillor Smith

With respect to the matters exempt under the Municipal Act s. 239 (2). c: Be it resolved that Site 1 as described in the Environmental Study Report prepared by Ainley Group and published in May 2018, be selected as the site for the new Town Wastewater Treatment Plant, and a corresponding Addendum to the Environmental Study Report be completed, as required; And that the CAO be authorized to execute an agreement of purchase and sale with National Properties Inc. on the Township's behalf generally on the basis of the draft agreement attached to the Confidential Report from Loopstra Nixon LLP, dated August 11, 2020, as Attachment No. 1, with such revisions and amendments as determined appropriate by the CAO and Town Solicitor. Carried"¹

Upon selection of Site 1 (the Solmar land – Addendum 1) as the final Project site, was an Addendum to the ESR ever submitted, as committed to in the ESR?

The Coalition has carefully reviewed the ESR to see what habitat related to endangered or threatened species, Schedule 1 SARA species, migratory birds or rare and uncommon plants may have been impacted by significant damage that was done on the Solmar property in late December 2020 and into the first quarter of 2021. In particular, the damage related to the premature removal of brush and trees in and around the Project site, as well as significant damage

¹ [Town of Erin Council Meeting, 18 August 2020.](#)

to a first order tributary to the West Credit River in a Provincially Significant Wetland and Greenlands Natural Heritage designated area (Addendum 2). The Coalition has ascertained that there were no permits or authorizations for any of this work to take place. It is very difficult to do additional bird and tree studies when a great number of the trees and habitat were removed and burned.

The ESR stated, *“Site 1 does provide suitable breeding habitat for the area sensitive Savannah Sparrow, and thus qualifies as significant wildlife habitat under the PPS. As such, development and site alteration are only permitted if there will be no negative impacts on the natural features or their ecological functions. Furthermore, Site 1 contained a rare and uncommon plant species (Wild Geranium) and is located next to the West Credit PSW Complex. Appropriate mitigation measures were therefore recommended to ensure no negative effects on species of conservation concern and important natural heritage features in the vicinity”*². *“Eastern Meadowlark was also heard on the west side of Wellington Road 52 within the third proposed WWTP site (Site 1).”*³ However, the ESR also stated, *“Once the exact location is known we propose conducting additional bird surveys in the affected habitat to document whether any species at risk and sensitive species are present (such as Eastern Meadowlark, Bobolink, Savannah Sparrow) and formulate potential mitigation plans should they be required”*⁴.

We found no evidence in the ESR that these *“additional bird surveys”* were ever done, and it is unknown whether they were ever completed after the Solmar land, Site 1 was chosen, and before the damage was done to SARs, SARA, migratory birds and/or sensitive species habitats.

However, the ESR does say, *“In carrying forward two recommended alternatives for the WWTP site through to the final ESR, it is recognized that the municipality will need to prepare an Addendum to this ESR to make a final site selection. The addendum will need to provide details of the events that have occurred and the rationale for making the final location decision”*⁵. There was no Addendum included in the Final version of the ESR, nor have stakeholders received or been made aware of any subsequent Addendum to the ESR.

A review of the 10 April 2018 Ainley response to Tara McKenna’s 16 March 2018 comments revealed that *“An arborist report of all affected areas will be prepared as part of an overall Environmental Management Plan for the project during the design stage”*⁶; however, there is no confirmation or information to indicate that either were ever done.

Additionally, the ESR noted that *“based on the findings of the Stage 1 Archaeological Assessment (Background Research and Property Inspection), the following mitigation measures are required to protect/preserve archaeological interests. A stage 2 archaeological assessment is to be performed on the selected WWTP site 1 (Solmar).”*⁷

The Coalition reached out to the Mayor and Council and the Town of Erin’s solicitor in an [8 April 2021 correspondence](#); however, the Town refuses to answer any of our questions and only speaks to us through their lawyer with dismissive language.

² ESR, Volume 2 of 3, Part 2, Natural Environment Report, 4.3.2 Potential WWTP sites. P-162/341.

³ ESR, Volume 2 of 3, Part 2, Natural Environment Report, 4.3.2 Potential WWTP sites. P-162/341.

⁴ ESR, Volume 2 of 3, Part 2, Hutchinson 11 April 2018 Response to Tara McKenna, Species at Risk, Comment #14. P-234/341.

⁵ ESR, Volume 1 of 3, 13.4.3 Results of the Wastewater Treatment Plant Site Alternative Evaluation. P-139/526.

⁶ ESR, Volume 2 of 3, Part 2, Hutchinson 11 April 2018 Response to Tara McKenna, Species at Risk, Comment #11. P-234/341.

⁷ ESR, Volume 1 of 3, 14.2 Archaeological. P-172/526.

Were the following ESR commitments fulfilled after Site 1 (Solmar) was chosen for the Project:

- Addendum to the ESR – Specifically relating to final Project site selection
- Environmental Management Plan
- Arborist report for all affected areas
- Additional bird survey
- Archaeological Assessment, Stage 2

Can you please let us know whether these additional commitments made in the ESR have been fulfilled? If so, we would appreciate confirmation, as well as receiving a copy of the Addendum, Environmental Management Plan and additional studies at your earliest convenience. These documents should all be considered public information as they are all part of the Class EA process. We look forward to your response. Thank you!

Respectfully,

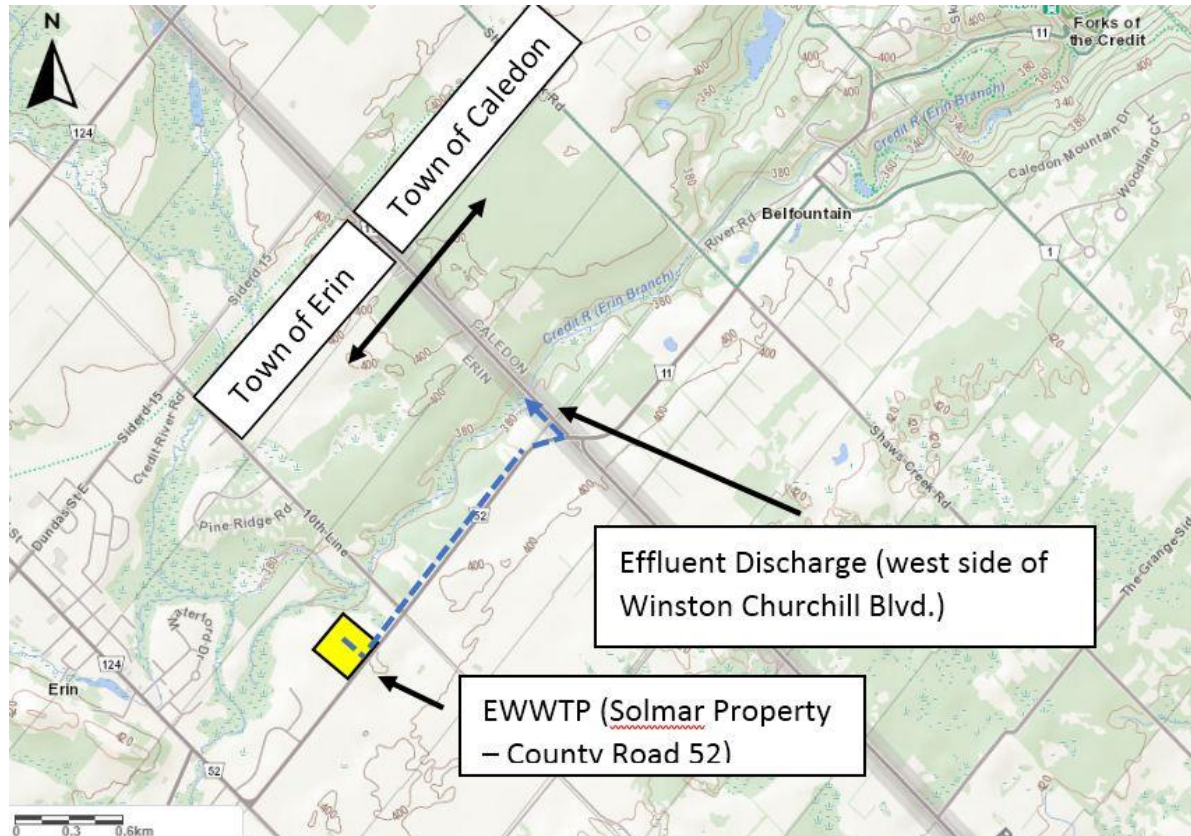


Judy Mabee
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Chair, Coalition for the West Credit River

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Addendum 1

Proposed Locations of EWWTP and Sewage Effluent Discharge.





Erin WWTP Site Clearing

Map created: 3/8/2021

Notes: Red shaded polygon represents approximate area of clearing in provincially significant wetland and woodlands



Legend

- Assessment Parcel
- Woodland
- Conservation Reserve
- Provincial Park
- Natural Heritage System
- Ecovision
- Wetland
 - Provincially Significant Wetland Evaluated
 - Non-Provincially Significant Wetland Evaluated
 - Unvaluated Wetland
- Area of Natural Heritage & Scientific Interest (ANSI)
 - Provincially Significant Life Science ANSI
 - Provincially Significant Earth Science ANSI
- Greenbelt Plan
 - Boundary
 - Greenbelt External Connections
- Land Use Designations
 - Protected Countryside
 - Greenbelt Towns and Villages
 - Greenbelt Homesteads
 - Urban River Valley
 - Greenbelt Specialty Crop Area
- Niagara Escarpment Plan (NEP)
 - Boundary
 - Parks and Open Space Systems
- Land Use Designations
 - Escarpment Natural Area
 - Escarpment Protection Area
 - Escarpment Rural Area
 - Mineral Resource Extraction Area
 - Escarpment Recreation Area
 - Urban Area
 - Minor Urban Centre
- Oak Ridges Moraine Conservation Plan (ORM)
 - Boundary
- Land Use Designations
 - Natural Core Area
 - Natural Linkage Area
 - Countryside Area
 - Rural Settlement
 - Ploughed Pastures
 - Roadside Community
 - Settlement Area

0.3 0 0.14 0.3 Kilometers

This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Natural Resources and Forestry (OMNRF) shall not be liable in any way for the use of, or reliance upon, this map or any information on this map.

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Photo 1. Looking northwest from entrance to property off Cty. Rd 52
Note "gap"



Photo 2. Zoom from entrance off Cty. Rd 52 to "gap"



Photo 3.



Photo 4. (Photo 3. Closeup)



Photo 5. Looking Southeast



Photo 5. Looking East Tree Clearing

Tree and brush removal – marked in red

