



CORPORATION OF THE TOWN OF MISSISSIPPI MILLS

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PART II ORDER REQUEST ENERDU GS EXPANSION AND REDEVELOPMENT PROJECT

Date: January 31, 2013

Name and Address of the Requestor:

Town of Mississippi Mills
3131 Old Perth Road
Almonte ON K0A 1A0
Email: ssirling@mississippimills.ca

Name of the Project and Proponent:

Enerdu GS Expansion and Redevelopment Project
Enerdu Power Systems Inc.
9094 Cavanagh Road
Ashton ON K0A 1B0
OE8982-00

Environmental Report Prepared by:

OEL-HydroSys
3018 Carp Road, PO Box 430
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PROJECT SYNOPSIS: ENERDU GS EXPANSION AND REDEVELOPMENT PROJECT

Enerdu Power Systems Inc. is proposing an expansion of its existing hydroelectric facility, the Enerdu Generation Generating Station. The existing facility is located at 11 Main Street in Almonte Ontario on the northern bank of the Mississippi River. The proposed expansion includes the construction of a new powerhouse, construction of a new Obermeyer weir, excavation of the river bed and decommissioning and dismantling of the existing generating station. The new facility is projected to increase generation capacity from 300kW to 950kW.

PART II ORDER REQUEST

This document and the attached report prepared by the Town of Mississippi Mills regarding the Enerdu GS Expansion Environmental Report serves as an official request for a Part II Order for an Individual Environmental Assessment of the Enerdu Assessment of the Enerdu GS Project from the Town of Mississippi Mills.

REASONS FOR THE PART II ORDER REQUEST

Numerous environmental concerns have been raised about the proposed project. These concerns have not been adequately addressed by the self assessment. A Part II Order would provide a more comprehensive analysis of the project and address the potential environmental impacts as well as detail necessary mitigation measures.

1. Property Ownership

Land ownership concerns fall within three categories, being private ownership, potential land for quit claim and Crown lands. Under quit claim, the lands that have been occupied by the structure can be claimed by the applicant provided that the structure has been supported by the lands for more than 60 years. The remaining lands would be considered Crown lands and the applicant would have to enter into a long term lease arrangement with the Crown. This would require the Crown to be part of any site plan control agreement.

2. Cultural Heritage Impacts

There are many heritage designated buildings adjacent to the project site. The local official plan recognizes the importance of heritage in the community and strives to protect these resources. Redevelopment must be sensitive to the character of the community. The EA report does not include architectural plans or a rendering of the proposed building expansion to show how the new building will be compatible with the character of the community. The applicant needs to show how the expansion will be compatible with local cultural heritage resources including the historic vistas associated with the riverscape.

3. Riverbed Excavation-River

The proposed redevelopment of the facility includes the excavation of approximately 2,082m² of bedrock upstream of the new weir and intake area. The conceptual Engineering Design found in Annex 1 of the EA provides details on where the excavation of the riverbed is to occur. The area of the bed identified for the excavation area immediately abuts the weir and the intake area by the falls.

One of the most identifiable natural features of the community is the Almonte Ward Falls. The removal of the bedrock could significantly impact the aesthetics of the falls.

Many historically significant buildings and structures are in the immediate vicinity of the excavation area and could be potentially damaged by the removal of the bedrock which is to take place through hoe-ramming and controlled explosions. There are serious concerns about the impacts that this process will cause. It is requested that a structural assessment of the Almonte Old Town Hall and the Almonte Railway Bridge be completed prior to the commencement of blasting or hoe-ramming.

4. Appleton Wetland Impacts

The deteriorating Appleton Wetlands lie upstream currently from the subject property. Modifications to the existing weir system may challenge the wetlands and impact the ecosystem and habitat of the surrounding wetland. The river level will be controlled by the proposed weir. The Town of Mississippi Mills wants to ensure that water levels associated with the river are kept within the regulations of the Mississippi River Water Management Plan (2006) managed by the Mississippi Valley Conservation.

5. Zone of Influence

The Enerdu Class Environmental Assessment stated that the zone of influence is within 250m upstream of the project area. However on November 29th, 2012, the Mississippi Valley Conservation and the Steering Committee of the Mississippi River Water Management Plan reviewed the proposed Enerdu plan and concluded that the area of influence extends the entirety of Reach 18 to the Village of Appleton.

The area of influence reviewed as part of this EA should be extended upstream from the project area to the Village of Appleton to allow for a full assessment of the impacts of the project on the Mississippi River and the Appleton Wetlands.

6. Gallagher Generating Station Impact

In 2008, the municipality completed the construction of a new \$19.0 million hydroelectric generation plant, known as the Gallagher Generating Station, located ~240m downstream from the proposed project site. The proposed Enerdu hydroelectric plant influences the flow of water, which is the key factor in generating electricity from the Town's hydroelectric generating plant. The Environmental Assessment does not discuss impacts of the controlled flow of water on the Gallagher Generating Station.

7. Riparian Rights

The Environmental Assessment has noted Enerdu's riparian rights but does not speak to the riparian rights of others along the waterway. Under the riparian principle, all landowners whose property fronts a body of water have the right to make reasonable use of it. The project area abuts a significant number of residential properties. These properties have utilized the shoreline for various recreational purposes. The proposed changes from the Enerdu project will impact recreational use of the river, as it states "the project area between the existing weir and trail race is unsafe for recreational use, access and fishing". The extent of the impact is unclear and requires clarification regarding riparian rights.

8. Power Plant Noise

The building that will be housing the upgraded power plant is a mixed used building which includes a number of residential apartments. Contained in Appendix E, titled Noise Screening of the Environmental Assessment the applicant has stated that the Point of Reception Acoustical Class has a class 1 rating. The intent of the noise screening process is to assess noise emissions from any noise sources at a facility. The EA does not include any specific noise information to allow for a proper assessment on the impact of neighbouring residential properties.

NATURE OF THE ORDER REQUESTED BY THE TOWN OF MISSISSIPPI MILLS

In summary, the Town of Mississippi Mills requests the following:

- Clarification regarding ownership of the land within the riverbed,
- An explanation of how the expansion will be compatible with local cultural heritage resources including the historic vistas associated with the riverscape,

- That a structural assessment of the Almonte Old Town Hall and the Almonte Railway Bridge be completed prior to the commencement of blasting or hoe-ramming,
- Assurance that water levels associated with the river be kept within the regulations of the Mississippi River Water Management Plan (2006),
- A full assessment of the impacts of the project on the Mississippi River and the Appleton Wetlands which includes the entirety of Reach 18,
- An explanation of the impacts of the controlled flow of water on the Gallagher Generating Station,
- Clarification regarding riparian rights,
- Specific noise information and a proper assessment of the impact on neighbouring residential properties,

DISCUSSIONS AND RESOLUTION OF CONCERNS

The Town has submitted its comments in writing as specified in the Class EA process, copying the MOE and MNR and has not received a formal response to date. We were told that the Town's concerns would be addressed in the Final Environmental Report or provided in a timely fashion.

WHY A PART II ORDER IS REQUIRED

This project as currently proposed by Enerdu is clearly not covered within the Environmental Assessment submitted to the Town on December 17th, 2012. The zone of influence and impact has been demonstrated to be well beyond the area identified within the submitted Class EA, and the riparian rights of the Town and other property owners has not been addressed. In addition, there are major cultural and environmental concerns in the direct vicinity of the proposed project that are not addressed, and there has been a noticeable and profound lack of public consultation within the community. We do not believe that Enerdu has proceeded in an environmentally responsible and publicly accountable manner in this process to date.

A Part II Order will ensure that the environmental impacts of this project are properly researched and studied, and fully understood. It will also ensure that practical and permanent solutions are found for the issues, and that any steps needed to mitigate the negative impacts of the project are agreed on, and in place, before work begins.

OTHER MATTERS

As this proposed hydro development project directly abuts an established residential neighbourhood consisting of condominiums, apartments and single family homes, any decision by MOE for this proposed project will have profound and precedent setting impacts for future developments that may not be compatible with other residential communities.

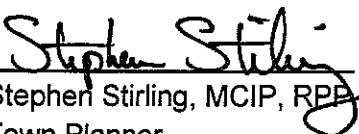
We ask the Ministry to consider the implications of this particular project, so they do not set precedents which could be used by other developers to adversely affect other residential communities across Ontario.

A full and detailed study of this project is necessary to ensure that the Ministry of the Environment can assess the appropriateness of the development regarding the built and natural environment and being in such close proximity to residential neighbourhoods. A Part 2 order will also provide future developments with clear and appropriate development guidelines.

Despite this request for a Part II order, the Town of Mississippi Mills remains open to working cooperatively with Enerdu to clarify and resolve these issues, wherever possible.

The Town requests that this project be designed in a way that is protective of the environment and of the needs of the Mississippi Mills community. This objective will be best achieved through the application of good planning principles and a thorough environmental assessment. If we can provide additional information or details regarding our concerns, please contact us at the email address ssirling@mississippimills.ca.

Respectfully Requested


Stephen Stirling, MCIP, RPA
Town Planner
Town of Mississippi Mills

Sent by email and Courier Service to:

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Mayor and Council

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