



Sturgeon Chute, Wanapitei River - Oil on Canvas by Aleta Karstad

ONTARIO RIVERS ALLIANCE

2015 – 2016 ANNUAL REPORT

ANNUAL GENERAL MEETING

22 October 2016

Prepared by: Linda Heron, Chair



Letter from the Chair

It has been an incredible year, with lots of ups and downs, and a schedule that has left no time to spare! A multitude of policy and legislative reviews, both provincial and federal, have made for a very busy and productive year. The number of issues the Ontario Rivers Alliance (ORA) has commented on during this fiscal year has almost doubled. No wonder the time has flown by so quickly.

In November of last year ORA released a long-awaited report entitled, Hydro Impacts 101: The Trade-offs. This report identifies some of the environmental impacts that can and do occur at dams and waterpower facilities. It takes an evidence-based approach to demonstrate that waterpower is seldom clean or green, and that some rivers should not be dammed at all. In addition, this Report recommends some ways of reducing the impacts, and of improving the regulatory process for waterpower in Ontario.

In July of this year ORA was granted status as an Intervenor in the National Energy Board's (NEB) review of the Energy East Pipeline proposal. Since that time, ORA has been busy examining the over 1,700 documents contained within the application, and is working with consultants and volunteers to present a reasoned and balanced submission to the NEB. The review is now on hold because of a successful Notice of Motion, filed by Transition Initiative Kenora (TIK), on the 22nd of August 2016, requesting that Members Gauthier and Mercier recuse themselves from the Panel presiding over the Energy East proceedings. ORA supported this Notice of Motion, and ultimately the Panel members decided to step down. The review is now on hold indefinitely, pending NEB deliberations.

ORA is also expanding further into the area of dam removal, and was invited to become a partner in the Rudd Dam Removal Project. ORA is collaborating with the Ministry of Natural Resources and Forestry, Trout Unlimited Canada, Grand River Conservation Authority, and the Isaac Walton Fly Fishing Club. To contribute to the Project, ORA has applied for a \$40,000 grant from the Ontario Community Environment Fund.

Over the last 6 years, ORA has worked very hard to protect Ontario rivers from several risky hydroelectric proposals moving through the Environmental Assessment process. I am happy to report that ORA celebrated a major victory in the protection of 10 Ontario rivers that have been under threat from 19 proposed hydroelectric projects. Actions taken by the ORA and its members have led to what was considered to be impossible – the termination of 19 Feed-in-Tariff (FIT) Contracts.

Thank you to all our members, volunteers, and especially our dedicated Board of Directors for all your hard work and support!

Yours in Conservation,



Chair, Ontario Rivers Alliance

About ORA:

Ontario Rivers Alliance (ORA) is a Not-for-Profit grassroots organization with a focus on healthy river ecosystems all across Ontario. ORA is a voice for a number of member and partner organizations, stewardships and associations, as well as many other private and First Nations citizens. We have come together to protect, conserve and restore healthy river ecosystems, and to ensure that development affecting Ontario rivers is environmentally and socially sustainable and responsible.

ORA has a broad overarching perspective in our approach to conserving and protecting Ontario's freshwater resources. We collaborate with other organizations, individuals and First Nation citizens throughout the province to share, communicate, assist, and join our voices, experience and strengths in a coordinated effort to address risky or threatening developments and unhealthy river ecosystems. ORA's success and accomplishments are entirely the result of the efforts of dedicated volunteers and members.

Since our beginnings early in 2011, ORA has worked tirelessly to address risky developments, influence policy, process and legislation, to improve the environmental assessment and approvals process, to increase public awareness of the impacts development is imposing, and the importance of protecting, conserving and restoring riverine ecosystems.

ORA works to raise awareness through our website, E-newsletter, Action Alerts, public speaking engagements, and other communication and outreach initiatives and campaigns in order to build a strong engaged network of like-minded individuals and organizations.

ORA has assisted numerous individuals and groups in advocating for river protection, conservation and, most recently, restoration, with the assistance of our network of volunteers that provide scientific and technical expertise and advice.

ORA has a solid track record of providing evidence-based and reasoned advice on policy and development that affects Ontario rivers.

Challenges to Ontario Rivers:

ORA is concerned with all issues affecting Ontario rivers and lakes, including the cumulative and ongoing negative effects of hydroelectric and waste water treatment facilities, mining and industry releasing effluent into our waterways, diminished water quality and water quantity, forestry impacts, blue-green algae, invasive species, overdevelopment of our shorelines, endangered species, threatened fisheries, old dams no longer serving any useful purpose and block our waterways, and the most daunting challenge of all, climate change.

Healthy rivers provide drinking water, food, flood protection, fish and wildlife habitat, recreation opportunities, and economic benefits to local and First Nation communities. They are a vital part of our heritage and are sources of community identity and pride. In an era of global warming, effective long-term protection for rivers must begin at the headwaters and encompass the entire watershed.

For an overview of what ORA has achieved since our inception in 2011, you can check out our previous Annual Reports and Blog, located on our website here.

ORA Activities - 2015 to 2016:

1. ORA Comments on EBR Postings:

- 19 October 2015 – EBR 012-4509 – Conservation Authorities Act Review
- 15 November 2015 – EBR 012-4935 – Nestle Waters Canada – Permit to Take Water
- 15 December 2015 - EBR 012-5444 – A Blueprint for Change – Policy Framework – Aggregate Resources Act
- 16 December 2015 – EBR 012-5666 – Cap & Trade Program Design Options
- 19 April 2016 – EBR 012-5634 – OWA Proposed Major Amendments to the Waterpower Class EA
- 22 August 2016 – EBR-012-6266 Spotted Gar, Government Response Statement
- 9 September 2016 – EBR-012-7583, Conservation Authorities Act, ORA Submission

2. Federal/Provincial Regulatory Postings:

- 28 October 2015 - Attorney General to ORA – Protection of Public Participation Act
- 18 March 2016 – American Eel – Proposed Listing under SARA – ORA to DFO
- 20 July 2016 – ORA to Canadian Environmental Assessment Agency – Draft Terms of Reference for Expert Panel

3. Waterpower Submissions:

- 9 November 2015 - EBR 012-5093 – LRIA – Alterations, Improvements & Repairs to Existing Dams – Technical Bulletin
 - 24 March 2016 – Decision letter from MNRF
- 18 January 2016 - Pan-Canadian Climate Action Plan – A Clean Energy Future
 - 22 February 2016 – Minister Carr’s Response
 - 31 May 2016 - Minister McKenna’s response
- 9 March 2016 – ORA to Minister Chiarelli – Meeting Request
 - 10 June 2016 – Minister Chiarelli response
- 14 January 2014 – EBR-012-0562 – LRIA Technical Bulletins
 - 13 October 2016 – Decision letter from MNRF – Technical Bulletin for Maintaining Water Management Plans
- 3 May 2016 – IESO Survey Completed – Large Renewable Procurement Review
- 15 February 2016 – FIPPA Request – Waterpower FIT Contract Terminations
 - 25 May 2016 - IESO – FIPPA Response – Terminated FIT Contracts
 - 5 July 2016 – IESO - FIPPA Response – Terminated FIT Contracts
- 12 July 2016 – IESO - LRP II - Request for Qualification and Prescribed Forms
- 28 July 2016 – 2017 FIT Price Review
- 2 August 2016 – ORA to Minister of Energy, Backgrounder for Meeting
- 19 October 2016 – Minister of Energy - Objection to Feed-in-Tariff Program, FIT Rules Version 5.0.1

4. Pipeline Submissions:

- 23 November 2015 – Hardisty Rail Terminal Project
- 4 February 2016 – ORA to PM & Ministers - Energy East Pipeline Conversion
 - 22 February 2016 – Response from PM
 - 23 March 2016 - Response from Minister McKenna

- 6 April 2016 - Response from Minister Tootoo
- 21 September 2016 – Response from Minister Carr
- 23 June 2016 – Approved - NEB Intervenor Status - Review of Energy East Pipeline
 - 20 July 2016 – ORA to NEB – Recommendations
 - 6 September 2016 – ORA to NEB – Comments on TIK Motion
 - 7 October 2016 – ORA to NEB – Notice of Motion

5. Joint Submissions:

- 29 October 2015 – EBR 012-4464 – Wetlands Conservation in Ontario – Discussion Paper & Joint Letter
- 2 March 2016 – Nomination of Radionuclides as a Chemical of Mutual Concern under the GLWQA
- 10 March 2016 - Proposed Regulations for Microbeads in Personal Care Products Used to Exfoliate or Cleanse
- 14 March 2016 – Scaling Up the Fisheries Act
- 16 March 2016 – Microbeads in Personal Care Products
- 29 June 2016 – EBR-012-7186 and EBR012-5045 - Managing Effects of Operating Open Cage Aquaculture
- 11 July 2016 – Proposed Regulations for Microbeads in Personal Care Products
- 22 August 2016 – Conservation organizations call for end to delays in implementing recovery actions for endangered American Eel
- 13 October 2016 – Co-ordinated Land Use Planning Review

6. Other Submissions:

- 17 October 2015 – 2014 – 2015 ORA Annual Report
- 5 November 2016 – Hydro Impacts 101: The Trade-offs
- 11 March 2016 – MailChimp Campaign – The American Eel needs your help!
- 8 April 2016 - River Run E-Newsletter
- July 2016 – River Run E-Newsletter

7. Press Releases:

- 5 November 2015 – Hydro Impacts 101: The Trade-offs
- 7 March 2016 – What to do with Springbank Dam – the \$3.77 Million Dollar Question
- 6 July 2016 – Ontario Rivers Alliance Intervening in Energy East Pipeline Hearing
- 13 July 2016 – 10 Ontario rivers Protected from 19 Hydroelectric Projects

8. Dam Removal Projects:

- 21 January 2016 – Joint Letter to City of London – Springbank Dam Decommissioning
- 31 March 2016 – Rudd Dam Removal – A partnership with MNRF, Trout Unlimited Canada, Grand River Consultation Authority and Isaac Walton Fly Fishing Club - \$40,000 Grant Application to the Ontario Community Environment Fund – awaiting decision.
- 1 July 2016 – ORA Comments on Hillsburgh Dam Removal
- 21 October 2016 - Eramosa River – East Channel – Ongoing meetings and deliberation by Save the East Channel

9. Presentations:

- 23 February 2016 – University of Sudbury, Indigenous Studies
- 12 May 2016 – Good Green Town Hall - Forum, 1 of 4 Panel Members, Sudbury

10. Key ORA Meetings/Events:

- 24 to 27 April 2016 – Energy Access Forum, The Agenda, Perimeter Institute, Toronto
- 8 to 9 May 2016 – Fieldworks Filming, Vermilion River
- 15 June 2016 – Consultation, Re: Conservation Authorities Act, Clarion Hotel, Sudbury
- 2 August 2016 – The Honourable Glenn Thibeault, Minister of Energy
- 28 September 2016 – Ontario Trillium Foundation Reception, Science North
- 11 October 2016 – Dianne Saxe, Environmental Commissioner of Ontario, Toronto
- 17 October 2016 – Public Liaison Committee Meeting, Re: Wabagishik Rapids

11. Interviews:

- 9 May 2016 – ORA film short - Fieldworks, by James Sidney
- 6 July 2016 – CBC Morning North, by Markus Shwabe
- 18 July 2016 – Bridge Duty, Re: Site C, by Christine Bruce, CFRC 101.9 FM (Kingston) and CFUR 88.7 FM (Prince George BC)

12. River Updates:

ORA has engaged in the Environmental Assessment (EA) process of several proposed waterpower developments which have been through the environmental screening and approvals process for several years. The purpose of the EA process is to determine the potential impacts and risks to the environment, as well as public health and safety.

We have not addressed any new hydroelectric proposals in the last few years as there have only been a few and they were of minimal concern. However, below you will find the status of the Part II Order requests ORA has filed, as follows:

❖ **Wabagishik Rapids Waterpower Project – Vermilion River**

Xeneca Power Development Inc. proposed to construct a 3.4 MW modified run-of-river hydroelectric power generation station at Wabagishik Rapids, on the Vermilion River. Wabagishik Rapids is the site of a significant walleye spawning habitat, and Lake Sturgeon were discovered immediately below the proposed dam location.

ORA and 21 others made Part II Order requests to the Minister of Environment (MOE) asking the Minister to elevate the ER to an Individual EA. MOECC public file reveals the Environmental Report (ER) had numerous deficiencies. Awaiting MOECC disposition.

- ORA to Xeneca – Comments on ER, Oct 2013.
- ORA to MOECC – Part II Order request, Nov 2013
- ORA to MOECC – Follow-up, Feb 2014
- ORA to MOECC – Request for Meeting, Jun 2014
- MOECC to ORA - Response, Jun 2014
- Met with MOECC staff and made presentation – Wabagishik Rapids Heavy Metal Contamination, and discussed merits of the ER, Jul 2014
- MOECC, Minister's Decision Letter to VRS – Proposed Wabagishik Rapids ER, May 2016
- MOECC, Minister's Decision Letter to Xeneca – Proposed Wabagishik Rapids ER, May 2016
- Wabagishik Rapids GS, ORA/VRS to Minister of Environment – Re: Decision on Part II Order Request, Jul 2016
- Minister Response to ORA/VRS 11 July 2016 Letter, Wabagishik Rapids, Aug 2016
- Xeneca to ORA/VRS – Wabagishik GS Notice of Meeting, Oct 2016
- **Update:** The Minister of Environment and Climate Change granted Xeneca a conditional approval; however, it is unlikely the project will go forward at this time as the proponent has no power procurement contract, and all of the northern

territory is constrained because no connection to transmission is available.

❖ **Marter Township GS – Blanche River**

Xeneca Power Development Inc. proposed to construct a 2.1 MW hydroelectric generating station on the Blanche River in Marter Township. The project site is located on the Blanche River at the Krugerdorf Chutes, approximately 9 km north of the Town of Englehart, upstream of the Misema and Englehart Rivers. An important set of rapids, known as Stuart's Rapids, is located approximately 3.7 km downstream of the proposed dam site, as it contains one of the few gravel/sandbar habitats in this portion of the Blanche River, and downstream of the rapids is a confirmed spawning habitat for Lake Sturgeon and possibly Walleye.

ORA made a part II Order request to the Minister of Environment. A visit to the MOECC public file revealed the **ER did not meet the requirements of the Class EA for Waterpower.**

- ORA Comments on Environmental Report, Mar 2014
- ORA Part II Order Request, Mar 2014
- **MOECC to ORA – ER did not meet the requirements of the Class EA for Waterpower - proponent sent back to do more studies, Jul 2015**
- **Update – no activity, Oct 2016**

❖ **Ivanhoe River GS ER – The Chute and Third Falls**

Xeneca Power Development Inc. is proposed to build two hydroelectric generating stations at The Chute and Third Falls sites located 44.2 km apart along the Ivanhoe River. The proposed "Modified Run-of-River" Project would have a total Installed Capacity of 2.9 MW at The Chute and 3.8 MW at Third Falls.

ORA initially made a Part II Order request on the proposed Ivanhoe River - The Chute ER in 2011, asking the MOECC to elevate the ER to an Individual EA. The MOECC ruled that the ER did not meet the requirements of the Class EA for Waterpower, and sent the proponent back to do additional studies. 2 ½ years later the ER was again issued for comment.

- ORA Comments on ER, Sep 2011
- ORA Part II Order Request, Sep 2011
- MOECC to Xeneca - Decision - ER did not meet requirements of Class EA, Mar 2012
- ORA Comments on Final ER, May 2014
- ORA Part II Order Request on Final ER, May 2014
- **Awaiting response from MOECC on Part II request**
- **A visit to the Public File in March and Oct of this year revealed the proponent has not met the requirements of the Class EA for Waterpower**

❖ **Frederick House GS ER – Wanatango Falls**

Xeneca Power Development Inc. proposed to construct a 3.7 MW hydroelectric power generating station at the site known as "Wanatango Falls" on the Frederick House River, located in Mann Township, approximately 26 kilometres (km) northwest of the Town of Iroquois Falls and 22 km south of the Town of Cochrane.

In 2011 ORA commented on the proposed Frederick House River Generating Station ER, and made a Part II Order request to the MOECC to elevate the ER to an Individual EA. The proponent withdrew the ER when the Ivanhoe River ER was rejected by MOECC.

The proponent has again issued the ER for comment and ORA has made another Part II Order request as in our opinion the ER still does not meet the requirements of the Class EA for Waterpower. Awaiting MOECC disposition.

- ORA Comments on ER, Nov 2011
- ORA Part II Order Request, Nov 2011
- MOECC to ORA – Xeneca withdraws ER, Apr 2012

- ORA Comments on Final ER, Aug 2014
- ORA Part II Order Request on Final ER, Aug 2014
- **Awaiting response from MOECC on Part II request, Oct 2016**
- **A visit to the Public File in March and Oct of this year revealed the proponent has not met the requirements of the Class EA for Waterpower**

❖ **Trout Lake River GS – Big Falls**

Horizon Hydro Operations Ltd. proposed a 3 to 4 MW run-of-river waterpower facility at Big Falls on the Trout Lake River. Kiishik Community Association requested ORA's assistance.

ORA and Kiishik Community Association made Part II Order requests to the MOECC, and 3 years later we are still awaiting a decision.

- ORA Comments on Notice of Inspection, Dec 2012.
- ORA Comments on Environmental Report, May 2013
- ORA Part II Order request, May 2013
- A visit to the MOECC public file revealed **no activity**, Oct 2014
- A visit to the MOECC public file in Mar 2015 showed proponent is trying to move process forward, but still no disposition
- A visit to the MOECC public file revealed review is proceeding again, Oct 2016
- **Awaiting MOECC decision on Part II Order request, Oct 2016**

❖ **Kabinakagami River Hydroelectric Proposal**

A joint venture partnership of Constance Lake First Nation and Northland Power Inc., proposed to jointly construct, own and operate four strict run-of-river hydroelectric facilities on the Kabinakagami River, with a combined generating capacity of 26 MW. Wahpeestan, Wapoose, Neeskah and Peeshoo would have a total of 200 hectares of headponds. A Fort Albany First Nation citizens' group requested ORA's assistance.

ORA made a Part II Order request on this ER, and 3 years later, no decision has been made on our request.

- ORA Comments on Notice of Inspection, May 2012
- ORA Comments on Environmental Report, Feb 2013
- Part II Order request, Feb 2013
- A visit to the MOECC public file revealed **no activity**, Oct 2014
- A visit to the MOECC public file revealed **no activity**, Mar 2015
- A visit to the MOECC public file revealed review is proceeding again, Oct 2016
- **Awaiting MOECC decision on Part II Order request, Oct 2016**

❖ **Bala Falls**

Swift River Energy Limited proposed a 3 to 5 MW "run of river" hydroelectric facility near the south end of Bala's existing north dam, located in the Town of Bala, Township of Muskoka Lakes, Ontario.

ORA, Save Bala Falls, and others, made Part II Order requests to the MOECC in 2011. We and others appealed the Director's decision in 2012. The appeal was denied and the Statement of Completion issued in 2013. The project is now being contested by First Nations on the grounds that duty to consult was not properly fulfilled. There is ongoing and strong advocacy by Save Bala Falls.

- Part II Order request, May 2011
- Comments to Muskoka Lakes, Aug 2011
- Comments to MOECC, Apr 2012
- ORA to MOECC, Re Addendum, Jun 2012
- Request to Review Director's Decision, Oct 2012
- Request denied by MOECC, Jan 2013
- Request for Addendum, May 2015
- **Awaiting permitting.**

In Conclusion:

ORA looks forward to beginning work on the Rudd Dam Removal Project in the summer of 2017, and hopefully our labours will bear fruit on a few other potential projects as well. ORA is eager to meet the challenge of increasing our capacity and membership so we can more effectively protect, conserve and restore Ontario riverine ecosystems.

ORA will continue to build on its successes, and explore innovative ways to better serve our membership and Ontario Rivers.

A big thank you to all those who have assisted ORA by way of membership dues, donations and volunteer work! We couldn't do what we do without your continued support!

Yours in Conservation,



Linda Heron
Chair
Ontario Rivers Alliance
OntarioRiversAlliance.ca