



Rudd Dam Removal Project, West Credit River – photo by Martin Rudd

ONTARIO RIVERS ALLIANCE

2016 – 2017 ANNUAL REPORT

ANNUAL GENERAL MEETING

21 October 2017

Prepared by: Linda Heron, Chair



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A BIG thank you to our dedicated Board of Directors for their service!

Letter from the Chair

Over the last seven years the Ontario Rivers Alliance (ORA) has been working diligently with its members and partners to fulfill our mission to protect, conserve and restore Ontario riverine ecosystems.

Through our strong advocacy work, strategizing, and collaboration, this organization has had many important successes, some of which are:

- 24 sites on 12 Ontario rivers - protected from hydroelectric development
- Energy East Project - terminated
- \$25,000 Great Lakes Community Fund grant – Rudd Dam Removal Project
- \$35,000 Mountain Equipment Coop grant to develop ORA's website and a 5-year Strategic Plan
- Completion of the Rudd Dam Removal Project on the West Credit River

ORA has also been very active over this last year, commenting on the federal government's modernization and review of many key pieces of legislation, such as the

- Navigation Protection Act
- Fisheries Act
- Canadian Environmental Assessment process
- National Energy Board's structure, role, and mandate

ORA has also commented on literally hundreds of provincial and municipal development and regulatory opportunities, and you will find links to those submissions within this Annual Report.

I'm also very pleased to say that ORA and partners recently completed our first dam removal project. The removal of the Rudd Dam resulted in the restoration of an important coldwater native brook trout habitat, within a large section of the West Credit River, in Hillsburgh, Ontario. ORA was pleased to partner with the Ministry of Natural Resources and Forestry, Credit Valley Conservation Authority, the Izaak Walton Fly Fishing Club, and the owner of the dam, Martin Rudd. The Rudd Dam Removal Project is only the first of many more to come.

ORA is also a member of the Great Lakes Protection Alliance, which is a large network of environmental organizations that include the Canadian Environmental Law Association, Environmental Defence, Freshwater Futures, World Wildlife Federation Canada, and many others, that advocate for relevant legislative and policy changes within Ontario and Canada. This collaboration of partners provides diverse expertise, but most importantly, a much stronger and more compelling voice.

What follows is a listing of our many submissions, and the status of some ongoing projects.

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 – October 2016 to October 2017:

1. ORA Comments on EBR Submissions:

- 8 Nov 2016 – EBR 012-8002 – Environmental Bill of Rights Review
- 16 Dec 2016 – EBR 012-8840 – Long Term Energy Plan
- 18 Jan 2017 – EBR 012-8234 – Safe Harbour Policy under the Endangered Species Act
- 24 Jan 2017 – EBR 012-8685 – Ontario’s Crown Forests – Opportunities to Enhance Carbon Storage
- 13 March 2017 – EBR-012-9499 – Naturally Resilient
- 27 June 2017 - EBR 012-9791 – Strategic Policy for Bait Management
- 28 September 2017 – EBR 012-0644 – Statement of Environmental Values

2. Federal Regulatory Submissions:

- 7 Nov 2016 – Federal Review of the Navigation Protection Act
- 23 Dec 2016 – Expert Panel on the Environmental Assessment Process
- 31 March 2017 – NEB Modernization Panel Review
- 5 May 2017 – A New Vision for Impact Assessment in Canada
- 14 June 2017 – NEB Modernization Review
- 28 August 2017 – Review of Environmental and Regulatory Processes

3. Waterpower Submissions:

- 25 November 2016 – Minister of Energy response to ORA – Objection to Feed-in-Tariff Program

4. Energy East Pipeline Submissions:

- 31 May 2017 – NEB List of Issues & Scope of EE Pipeline Application
- 5 May 2017 – ORA to NEB & Minister Carr requesting additional Intervenor Funding
- 12 June 2017 – Response from NEB to our 5 May request for additional Intervenor Funding
- 9 August 2017 – Response from Minister Carr – Additional Intervenor Funding

5. Joint Submissions:

- 4 Nov 2016 – Support to Premier’s pledge “by 2025 the loss of wetlands in our province will be reversed
- 16 Nov 2016 – EBR 012-7675 – A Wetland Conservation Strategy for Ontario 2016 - 2030
- 20 Nov 2016 – EBR 012-8760 – Ontario’s Proposal on Reducing Phosphorus to Minimize Algal Blooms in Lake Erie
- 16 Dec 2016 – EBR 012-8840 – Planning Ontario’s Energy Future, Ontario’s Long Term Energy Plan
- 19 Jan 2017 – Response to Microbeads in Toiletries – Canada Gazette Part 1
- 28 February 2017 – Minister McKenna’s response on Microbeads Joint Submission
- 17 March 2017 – MNRF’s American Eel Engagement Workshop

- 24 May 2017 – EBR 012-9971 – Canada/Ontario Action Plan for Lake Erie
- 9 June 2017 – EBR 013-0561 – CAA – Bill 139 – Deadline Extension beyond 31 June
- 31 July 2017 – EBR 013-0561 – Conservation Authorities Act, 2017
- 26 Sept 2017 – Open Statement on NAFTA, Environment and Ontario

6. Endorsed Submissions:

- 31 Oct 2016 – Coordinated Land Use Planning Review
- 30 Nov 2016 – Federal Review of the Fisheries Act and Great Lakes Ecosystem
- 1 Dec 2016 – EBR 012-8783 – Regulation establishing a Moratorium on Issuance of Permits to Take Water - Bottled Water
- 25 Jan 2017 – Response to Canada Gazette – Order Adding a Toxic Substance to the CEPA, 1999; and comments on proposed Management Strategy for Triclosan
- 7 February 2017 – A Proposal for Addressing Algal Blooms & Funding Great Lakes Protection
- 8 February 2017 – Environment & Health Group's Statement on Triclosan: Call for Canadian Government to Prohibit Triclosan in all Consumer Products to Protect the Environment and Human Health
- 21 February 2017 – Environment & Health Group's Statement on Triclosan
- 20 March 2017 – EBR 012-9574 - A regulation establishing a new water bottling charge
- 21 March 2017 – Minister McKenna's response on Triclosan
- 14 July 2017 – EBR 012-9080 – Low Impact Development Stormwater Guidance Manual
- 31 July 2017 – Binational Strategies for PCBs and HBCD

7. Other Submissions:

- 22 October 2016 – 2015 – 2016 ORA Annual Report
- Dec 2016 – ORA River Run E-Newsletter
- 3 June 2017 – ORA River Run E-newsletter

8. Press Releases:

- 13 Dec 2016 – Ontario Rivers Alliance featured in environmental film
- 6 Oct 2017 – Ontario Rivers Alliance on the termination of the Energy East Pipeline

9. Campaign:

- Dec 2016 - EBR-012-8840 - Long Term Energy Plan

10. Media Coverage:

- 13 Dec 2016 – KFM Radio - News Re: Press Release - Fieldwork Film
- 13 Dec 2016 – Moose FM Radio – Re: Press Release – Fieldwork Film
- 10 Oct 2017 - My North Bay Now – Area Environmental group reacts to pipeline proposal cancellation
- 6 Oct 2017 – Rivers Alliance Celebrates End of Energy East

11. Dam Removal:

- 1 Dec 2016 – Grant Application to Great Lakes Guardian Community Fund – Rudd Dam Removal Project
- 1 February 2017 – ORA – Hillsburgh Dam - Part II Order request
- 29 March 2017 – Hillsburgh Dam – Warden & Councillors – ORA & TUC
- 31 March 2017 – ORA Grant Application Approval – Rudd Dam Removal Project

- 4 April 2017 – County of Wellington Response to ORA – Hillsburgh Dam
- 15 May 2017 – ORA to County of Wellington Warden & Council – Hillsburgh Dam
- 25 May 2017 – ORA to County Wellington, Warden & Council – Hillsburgh Dam
- 8 June 2017 – County of Wellington Response – Hillsburgh Dam

12. Presentations:

- 27 Oct 2016 – Breach of Trust: Energy East Pipeline Conversion, North Bay, Al Hepburn
- 3 Nov 2016 – ORA to Expert Panel Review of the Environmental Assessment Process
- 24 Nov 2016 – ORA to Indigenous Studies, University of Sudbury
- 22 February 2017 – NEB Modernization – Panel Review, Al Hepburn, Ottawa

13. Hydroelectric Proposals - Updates:

ORA has engaged in the Environmental Assessment (EA) process of several proposed waterpower developments which have been going 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 because dam building in Ontario has significantly diminished. In fact, great news - in the last Fit 5 procurement there were no new hydroelectric contract offers. However, many proposals have been going through the regulatory process for several years. Below you will find the status of the Part II Order requests ORA has filed to date:

❖ **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 that the ER be elevated to an Individual EA. MOECC's public file reveals the Environmental Report (ER) had numerous deficiencies.

- 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, the proponent has no power procurement contract, and all of the northern territory has no available connection to transmission, so it is unlikely the project will ever go forward.

❖ **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 new activity to Oct 2017**

❖ **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 for Waterpower, 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 2016 revealed the proponent still has not met the requirements of the Class EA for Waterpower**
- **Update: No new activity to Oct 2017.**

❖ **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 2016 revealed the proponent has not met the requirements of the Class EA for Waterpower.**
- **Update: No new activity to Oct 2017.**

❖ **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
- **Update: No new activity to Oct 2017.**

❖ **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
- **Update: No new activity to Oct 2017**

❖ **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 some permitting – clearing of land has commenced.**

In Conclusion:

ORA has been working on several other potential dam removal projects, and we are hopeful our labours will bear fruit shortly.

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