

April 1, 2010

Phil Dwyer  
Manager, Public Works  
Town of South Bruce Peninsula  
315 George Street  
Warton, Ontario  
N0H 2T0

Dear Mr. Dwyer:

RE: Water and Sewer Works Study – Class Environmental Assessment, Sauble Beach Area

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In reviewing the “Design Report” (October 2009) submitted in support of the Certificate of Approval application to construct the Sauble Beach (Development Control) Area municipal sanitary sewage treatment works we noticed a number of variations from the project as described in the Class Environmental Assessment as modified by Addendum No 2 (2007). A number of concerned residents also identified these variations and questioned whether the project had changed sufficiently to warrant re-visiting the Class Environmental Assessment.

In providing this opinion, we fully understand and appreciate that the Municipal Class Environmental Assessment process is proponent-driven and self-administered. We anticipate that the comments and opinions following will be appropriately considered by the Town in moving forward with this understanding.

In considering whether a project has changed sufficiently to warrant re-visiting the completed EA, we are guided by Section A.4.3 of the MEA Municipal Class Environmental Assessment (2007). Where a modification is deemed to be “significant” an addendum to the Class EA is required. Unfortunately, neither Section A.4.3 nor the Glossary of Terms provide a definition for “*significant modification*”.

In our opinion, significance in the EA context relates to the physical nature and scale of the modification and hence environmental impact and whether the Key Principles of Successful Environmental Assessment are adhered to; in particular consultation and traceable decision-making. From this perspective, a significant modification would be a change to some aspect of the completed Class EA (and the project) which affects its environmental impact(s) or would invoke public interest and/or would change the project in a way not envisaged by the parent Class EA process.

Many of the variations which we see in this project represent what we would characterize as

refinements to the engineering as would be expected as the project moves to final (construction-ready) design. In our view engineering refinements are not “significant modifications” to the project.

From an engineering perspective the proposed facility is designed for a rated capacity (annual average daily flow) of 273 m<sup>3</sup>/day. It would be prudent to also design for the peak daily flow rates. In this somewhat unique case, due to the summer tourism peaking, the maximum/peak daily flow rate is different from the annual average flow rate and therefore it is essential to also design for peak daily flow. This also affects the assimilative capacity analysis and potentially the conclusions.

The design instantaneous peak flow rate of 95 l/s in the October 2009 “Design Report” is based on the peak influent flow rate of 75 l/s (Table 1) which is nearly a doubling of the instantaneous peak flow discharge during the river’s low flow from 41 l/s (Addendum 2, Table 3.1). The discharge of nearly double the peak flow at the low flow period decreases the dilution factor of the river and alters the downstream mixing zone and potentially the environmental impact of the project.

We understand the 41 l/s figure was reached during the Addendum No 2 process on the basis of discussions and agreement with interested parties around the capacity of the river to accept effluent flows. To alter that figure without consultation with those same parties seems not to be accommodating of the Key EA Principles of Consultation and Traceability.

The hydraulic design of the facility has to be able to handle the instantaneous peak flow rate. It would be prudent to design the sewage pumping stations as well as the forcemain based on instantaneous peak flow rate to reduce overflow events.

It should be noted that Addendum No 2 was the means of resolving several Part II Order Requests submitted in July 2006. Addendum No 2 was itself the subject of Part II Order Request (Jan 2008) which was declined by the Minister subject to conditions Sept 19, 2008.

Finally, there is a suggestion that the outfall structure may be revised and this may affect the dilution pattern of the mixing zone and this too may have implications for downstream uses and the assimilative capacity analysis.

If questions arise or if clarification is needed please contact the undersigned at (519) 873-5013 or via email at [bill.armstrong@ontario.ca](mailto:bill.armstrong@ontario.ca).

Yours truly,

W. Armstrong, M.E.S, RPP  
Regional Environmental Planner  
Southwestern Region

cc. J. Graham, Genivar  
N. Brent  
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DRAFT