

REGISTERED MAIL

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Sunday, June 22, 2008

The Honourable John Gerretsen
Minister of the Environment Ontario
12th Floor, 135 St. Clair Avenue West
Toronto, Ontario M4V 1P5

**Re: Domtar Inc.'s (Domtar) Proposed Redevelopment of the Existing
Chaudières Island Site (Project). Screening Report Q101794.**

Dear Honourable Minister Gerretsen,

I wish to request that you review and vary the recent, June 6, 2008, decision (Director's letter) by Agatha Garcia-Wright, A/Director of your Ministry's Environmental Assessment and Approvals Branch, regarding Domtar's proposed reconstruction and expansion project located directly beside historic Chaudières Falls, Ottawa/Gatineau. Domtar should be required to prepare an individual Environmental Assessment (EA) regarding this proposed project. I requested this in my Elevation Request letter of November 17, 2006 to then-Director O'Mara, and in my December 13, 2006 letter to John Westlake. I respectfully request it again to you Minister Gerretesen directly today. Please require Domtar to prepare an EA on their controversial proposal.

The basis of my request is that the proposed project at this extremely significant site is likely to have major negative environmental effects, including socio-economic and cultural impacts, and the scope and scale of these effects, as outline below, are such that an individual EA is warranted. I have listed the specific nature of these concerns, the ways in which the Director's letter fails to sufficiently address them or incorrectly addresses them, plus I include new and current information and additional matters that should be taken into consideration. The updates included herein are current to today, June 22, the day after National Aboriginal Day, 2008.

I would like to point out that I am not of aboriginal ancestry, but rather am 5th generation Canadian from ancestors in England and Scotland. Nevertheless, I have a strong appreciation for aboriginal wisdom, and culture, and a deep sympathy for the historic abuse, neglect, and disempowerment that aboriginal peoples have endured in Canada. I believe that a respectful decision regarding this project will continue the goodwill, apology and reconciliation process highlighted in the Canadian Parliament just a week

ago by Prime Minister Harper and all of the federal political parties. I further stress the fact that the site of this proposed project is less than a kilometer from Parliament Hill, and can be clearly seen in a direct line of sight by a viewer standing behind the Parliament Buildings and looking to the left. For several different reasons it is a highly significant site of national importance. Besides all of the environmental and safety reasons which I outline below, you have the personal opportunity here, and also the responsibility, to help restore some of the respect and rights long over-due to Canada's aboriginal peoples, by requiring an EA regarding this historic natural feature and sacred site. Either way you decide, Canadian history will be made by your decision, and I trust that you will consider all of its ramifications in the environmental, socio-economic, cultural and political realms.

You also have the opportunity to personally help restore part of the environmental integrity a truly magnificent and historic natural feature, the famous Chaudières Falls.

Regarding the issue of this proposed project and the much larger issue of a National Aboriginal/Indigenous Centre, I have over the past two years, attended several meetings, including two face-to-face meetings with Domtar officials, including Monsieur François Jette, meetings with the City of Ottawa Environmental Advisory Committee, and also the City of Ottawa Planning Committee, meetings with Eminent Algonquin Elder William Commanda and his executive assistant Romola Thumbado, with members of the Circle of All Nations, with four candidates for the Green Party (Ontario and Canada), with the National Capital Commission (NCC), with various experts on the American Eel, with Senator Mira Spivak, with Douglas Cardinal, architect (informal), with members of the media, and with many others who are concerned about this issue. I have also had other forms of communications with many others on this topic.

Most recently I talked with several concerned experts, including Elder William Commanda, and architect Douglas Cardinal, and a dozen others yesterday at the 2008 Aboriginal Day and Summer Solstice pipe ceremony and celebrations, attended by about 300 people on Victoria Island, less than a kilometer from the proposed Domtar construction site. Those attending heard from others over the PA system about Domtar's proposed plans, many for the first time, as we all stood at the exact spot that the National Aboriginal Centre building, designed by Douglas Cardinal, is planned to be built. In my own discussions and in quite a few others that were overheard going on yesterday, the MOE and its obligation to call for an EA featured strongly. We all stood only about a hundred paces away from what is probably the best viewpoint of Chaudières Falls on the island. Therefore, although I am but one person writing to you here, I feel that I have the wishes, emotions and prayers of many to try relay to you and your staff. I consider this a very serious responsibility and this is why this letter is so long, as I try to address my own concerns and the concerns of many.

Please review and vary the Director's decision and require that the proposed Domtar/Chaudières Falls project be made subject to Part II of the *Environmental Assessment Act* (an individual EA).

1. The first important issue is that Domtar's construction project must be weighed against the correct alternative, the correct benchmarks. Domtar has stated that the turbines at this site have reached the end of their lifespan. They cannot continue to operate as they are and so Domtar has stated they must be rebuilt ("redeveloped") or shut down. Therefore, the accurate and correct alternative to compare with giving approval to Domtar's rebuilding plans is: for these particular turbines to be taken out of service and this particular specific generating site closed down regarding hydro power generation.

The EA should therefore, among other things, compare re-construction ('redevelopment') with closing. The status quo is not an option. I do not see the Director addressing the closure option, (i.e. not approving the redevelopment) and its positive environmental and socio-economic implications in the letter I received. It seems that only Domtar's vision for the future is being considered by the Director's letter and decision. There are other visions of ecological and national importance that must be considered for this site, and if Domtar is not going to make the economically and politically wise decision to drop its proposal, then an EA is warranted to look at the Domtar proposal in comparison with the important positive environmental effects, including socio-economic, cultural, and major historic national effects, of the alternative, i.e. of not approving the project. I do not see indications that this has been considered in the Director's letter.

2. Please note that this one relatively small Domtar generation site (the 'project') is only one of a total of five or six hydro-electric generating sites located almost side-by-side across the Ottawa River within about half a kilometer of this point, i.e. across the Chaudières and Victoria Islands area (the Islands) of the river in Ottawa/Gatineau. These five or six sets of turbines are operated by three companies: Domtar, Hydro Quebec, and Energy Ottawa. If the particular old Domtar turbines in question in the project were allowed to end their lifespan, and this project site permanently decommissioned regarding the generation of hydro-electricity, there would still remain several fully operational hydro-electric generation facilities very nearby, and this should be taken into consideration in the EA, because the Domtar site is not the only site at this spot in the river. The cumulative effects of this large number of sites, for example on the American Eel, must be taken into account when looking at the impact of the Domtar proposal, and an EA would do this. Best current overall "river-wide" practices must prevail and other options have not been addressed sufficiently, and need to be, via an EA.
3. While run-of-the-river hydro-electric generation is indeed 'greener' than many energy alternatives, it still does have some serious significant negative effects on the environment and socio-economic consequences. Among other things, in this

particular case the completion of this Domtar project would preclude many alternatives for this specific site which should be explored in the EA. The minor decrease in electricity generation that would occur by allowing these particular old turbines to die their natural death could be offset by other 'green' energy alternatives, including conservation and reduction of consumption, and need not necessarily be located on Chaudières Island, and this option should be explored in the EA.

4. Closure of the Domtar Chaudières site as an actively operational hydro-electric generating facility would mean that this 100 year old facility then becomes part of the historical features, like many other structures on and around Chaudières Island. Water would no longer need to flow through these turbines. Whether immediately, or in the near future, Domtar would have to close down its electrical operations on Chaudières Island if this reconstruction project is not approved. This would have significant environmental, socio-economic, cultural and safety benefits, which should be examined by an EA.
5. Although I am not an engineer, and to my knowledge engineers have not looked at this particular idea, I believe that the idea of re-thinking and re-doing the role of the entire Island and its facilities opens many possibilities, such as river flow over the Falls. It seems to me that without even making any changes to the present ring dam, simply by allowing the 'natural death' of Domtar's site, more river water would immediately become available to then go over the actual Chaudières waterfall, all year long, and especially in the summer months.

In current jargon, this would be considerable 'value added' to this waterfall, including environmental, cultural and tourism impacts. These and related consequences should be examined in the requested EA, and contrasted with the negative effects of Domtar's proposal, because if permitted, Domtar's reconstruction project would further *decrease* the already restricted water flow over these special falls, continuing and lengthening the dry period at this a famous historic site, a famous natural feature of the region, and a sacred site to the Algonquin people, who must be given particular consideration.

According to Domtar, if this project is built, then for almost an additional *month* ('three additional weeks') the famous Chaudières waterfall will cease to flow, for lack of water. This additional dry month also happens to be during the peak tourism season. Instead, if this project is not approved, it seems do-able that the water which presently flows through Domtar's old turbines could then, in the future be allowed to run over the ancient Chaudières waterfall, as it does in the winter, and as it also did in the summer in the not-so-distant past. All visitors would see at least some volume of water flowing over the falls all year round. The sacred waterfall of the Algonquin people would run again and not be shut off.

A key choice has to be made: *Should Chaudières Falls be made to run dry for a quarter of the year (= by permitting this project = three weeks longer than in recent years), or should this very special waterfall be allowed to have at least some more water flow, all year long (enabled by refusing the project)?* This is an important question with major environmental implications, warranting an Environmental Assessment.

I strongly disagree with the Director's letter when she states (page 5) 'This project will not result in significant change from existing conditions'. This additional three weeks of dryness, where only a trickle of water will go over this once-mighty waterfall is a huge change from existing conditions. Also I remind the minister of my first point, that the correct benchmarks must be used for comparison. The comparison should not be between two months of dryness vs. three months; it should be between three months of dryness vs. *no* months of dryness. Those are important environmental, cultural and socio-economic parameters to consider, and this warrants an EA.

6. The water quality of the Ottawa River would be improved if at least some of it were permitted to go over the open falls year round instead of through Domtar's project, for example through aeration, and this should be examined as part of the EA.

7. The spiritual, inspirational qualities and scenic beauty of the Chaudières waterfall would be improved if at least some the Ottawa River water were permitted to go over the open falls year round instead of through Domtar's project, and this important effect for all people of all cultures should be examined as part of the EA. The proposed Domtar project which would include a bike path/lookout would look out over a dry riverbed/falls for a quarter of the year. This is not only insufficient public access, it is also a very depressing view, compared with the glory of old. You have an opportunity to help change this Minister and I hope that you do.

8. The tourism dollar value of the Chaudières waterfall vicinity would increase substantially if at least some the Ottawa River water were permitted to go over the open falls instead of through Domtar's project, and this important economic implication should be examined as part of the EA.

1. The river itself, and the riparian zone would change considerably if the flow over the waterfall were allowed to continue for twelve months a year instead of the proposed nine. Species of animals and fish and plant communities, especially hydrophilic plants would increase and become more diverse. Allowing water flow there year round, similar to as in days long ago, would also be likely to improve the current situation with respect to American Eel mortality, and other species.

The buffer zone effect of the riparian zone would be extended year round, giving renewed protection to many species which may have abandoned this area due in recent past years to the parched conditions now caused from virtually 100% of the Ottawa River passing through turbines in the summer rather than over the ancient bed of the falls. These and other potential positive impacts on the river ecology have not been addressed in the Director's letter and should be in the requested EA.

2. If the above ideas need to involve the Provincial or the Federal Governments and the purchasing water rights, this should be looked into by an EA, and ways found to co-ordinate efforts. My understanding is that Domtar leases Chaudières Island from the Crown, for just \$100 per year. I believe that the waterfall, especially this waterfall, has the right to have a good flow of water over it all year round. A December 1, 2005 Ottawa Citizen newspaper article (attached) states, "Company officials say they currently plan to sell a power plant near the falls for \$35 million to \$50 million." The same article quotes then-National Capital Commission (NCC) Chair at the time, Jean Pigott, when referring to the closure of the Domtar paper-making operations on Chaudières Island, as saying "One of my greatest dreams is that the Chaudières would be opened up for people to see....This opens up a chance for the NCC to own all of the island." Note that she uses the word "all" as the greatest dream. This would include the hydro plant area, whether operational or not. It is my understanding that, as of recent closures, the current situation is that Domtar has closed all of its operations on Chaudières Island except the power plant. If the power plant were to close as well this would mean that the entire island could then be negotiated. The impact of the proposed Domtar project in limiting or preventing this socio-economic and cultural objective should be addressed in the comprehensive EA.
3. An active hydro-electric generation plant is much more hazardous to public safety than a shut down, non-active site, and therefore this proposed project impacts quite strongly on safe public access in the future. These public safety dangers should also be examined in the EA. Since there is a strong likelihood

that the NCC will purchase at least part of Chaudières Island and its heritage buildings will eventually be open to the public, maintaining the active hydro plant limits safe future options considerably. The last NCC plan in 2005-6 mentions a bike pathway and walkway for viewing the falls. This represents a very limited access. If the safety danger of a reconstructed power plant were not there, this limited public access could be considerably greater, and as an example, aboriginal people wishing to pay respects and perform ceremonies by this sacred site would not have to be confined to a bike pathway to do so. The potential of increasing the cultural insult to the Algonquin people by confining their activities at this place because this risk of electrical danger is real, and should be examined in the EA. If the project is not permitted, many positive and respectful options can emerge to allow appropriate respect for this sacred site, and safer public access to this historic Island for all.

The Director's letter mentions that a green roof would not be safe for a hydro-electricity plant. The EA needs to look at the potential large scale 'greening' of the entire island and the potential opening to the public of heritage buildings and perhaps other buildings on the island, public park scenarios, including potential National Historic Site scenarios, and potential clean-up and redevelopment of the present brownfields. The scope and scale of these significant positive environmental, socio-economic and cultural effects must be examined and compared with the likely significant negative environmental effects of the proposed limited-scope Domtar project, and warrant an individual EA.

4. Domtar claims to have been on Chaudières Island producing power for 100 years, and this is historical fact. First nations have considered the waterfall, and the land which its spray touches, to be a sacred place for at least 6,000 years, and this is also historical fact. Why are historic facts relating to First Nations peoples' beliefs, practices and knowledge not given the appropriate increased particular consideration, even for this sacred site, even for a potential part of a National Aboriginal Centre? When considering closure vs. re-construction of the Domtar plant, shouldn't the weight of the wishes of eminent Algonquin Elder Dr. William Commanda take precedence, or at least be thoroughly examined in an EA?

In January, 2006, when I was communicating with John Westlake, Client Services Section, Environmental Assessment & Approvals Branch MOE, I maintained that it was most important that he must talk with Elder Commanda about his plans for a National Aboriginal Centre on Victoria Island, and his beliefs and plans regarding Chaudières Falls. Mr. Westlake assured me that he would be meeting with Elder Commanda, and my understanding is that a meeting appointment was set up with him, but it was then cancelled by MOE, for unknown reasons. When I later talked again with Mr. Westlake, he again assured me that before a decision was reached, there would certainly be a face-to-face meeting with Elder Commanda, who by the way was 92 at the time and is now 94. He is still waiting. There has been no such meeting between the MOE and this

eminent elder, and this can be seen as an insult, or at the very least a tremendous oversight by MOE. An EA needs to look at the specific wishes of Elder Commanda. This needs to be done ASAP.

The Director's letter speaks in only the most minimal terms of the interests of the First Nations and does not mention Elder Commanda at all. The NCC plans for the Islands area have been in planning and development for many years and have yet to be finalized and funded. Various aspects of it are still in flux, including how much of Chaudières Island the NCC will eventually own and manage, and what the options might be on use. By mandating an EA on this project, future land-use options for Chaudières Island and the Islands area can and should be compared with Domtar's request.

5. The widespread and growing support for Elder Commanda's vision is quite real. One of the latest developments came in the Senate of Canada last Tuesday, June 17, 2008 from Senator Mira Spivak in a question to the House Leader in the Senate, the Hon. Marjory LeBreton. Ms LeBreton has "taken the question as notice", and as I write, is gathering current information for a response about the larger overall vision, and her response will be made in the Senate. Unfortunately this may take a while due to summer adjournment. This evidence of attention and interest in Commanda's vision is further proof that the Domtar project, which impacts negatively on Elder Commanda's vision for the area, is far too limited in scope, and an EA is required. I paste the Senate Hansard copy of this question and answer below:

Debates of the Senate (Hansard)

**2nd Session, 39th Parliament,
Volume 144, Issue 71**

**Tuesday, June 17, 2008
The Honourable Noël A. Kinsella, Speaker**

QUESTION PERIOD

National Capital Commission

Victoria Island —National Aboriginal Centre

Hon. Mira Spivak: Honourable senators, my question is to the Leader of the Government in the Senate.

On Saturday, June 21, Victoria Island in the Ottawa River will be the site of an annual sacred pipe ceremony to honour the summer solstice, to commemorate this site as the spiritual meeting grounds of the Anicinabe peoples, to celebrate National Aboriginal Day and to light the sacred fire for the gathering of nations.

For four decades, this site at Chaudiere Falls, where Champlain arrived in 1613, has been designated as a site for a National Aboriginal Centre. For almost a decade, Algonquin elder Dr. William Commanda has worked to develop the proposal. It was approved by the NCC in August 2006.

In the wake of the historic apology to Aboriginal peoples, will that apology be followed with support for this indigenous centre?

My further question to the Leader of the Government in the Senate is: What news can she give us about the status of this project? What word can be brought from the government to the sacred pipe ceremony on Saturday?

I further add that this elder, Dr. William Commanda, is 94 years of age.

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, that particular site is stunningly beautiful. It has been used many times by our Aboriginal peoples. On the historic day of the apology, they had a sunrise ceremony, and a group of Aboriginal people used that site as the starting point to make their way up to Parliament Hill.

With regard to the proposal for the Aboriginal centre, I will take the question as notice.

I know that the Minister of Indian Affairs and Northern Development, Chuck Strahl, is keen and engaged in moving many files forward. He sees the day of apology as hope and optimism for the future in moving forward and making concrete differences in the Aboriginal community all over the country.

With regard to the specific site, I am well aware of the NCC's recommendation, and I will take the question as notice.

6. Increasing the water flow over Chaudières Falls all year long should be a priority for many reasons, especially in the summer months when they currently almost completely run dry, due to virtually all water going through the five or six generating stations. Included in an EA's examination should be the fact that there has been considerable and widespread public pressure to 'Free the Falls' for many years. This can be documented by looking in various Ottawa Citizen newspaper articles, including the May 2, 1998 front page story which has the banner headline "*Freeing the Falls. For years the NCC dreamed of rescuing the Chaudières Falls from obscurity. Now the dream may come true*". Four full pages of that day's newspaper were devoted to Chaudières Falls, and this can be confirmed via the Ottawa Citizen. This is a long term public issue, and needs to be examined as such via an EA.
7. Domtar's project is an example of partially complete project planning. It is one corporate group's opinion, one small but very important aspect of a very large interdisciplinary, intergovernmental co-operative project of national importance. Domtar's requested small project is isolated micro-planning within a huge, much

broader long-range project, which is incomplete and still evolving. It should therefore not proceed without an EA looking in detail at the over-all, most current, implications to the entire broad, multi-jurisdictional vision for the “Islands area” of Ottawa-Gatineau, including Endangered Species legislation which is just about to be implemented.

Since federal cabinet ministers, the CEO of the NCC, the Senate, the press, and many other significant interests are presently, as of today, actively involved in decisions regarding the overall planning for the broad Islands area, including Chaudières Island, it is premature and inappropriate for the MOE to approve Domtar’s extremely controversial micro-project within this evolving larger social, cultural, economic and environmental context. I recommend that the Minister look into this personally, and mandate an EA.

8. Regarding Heritage River Status, the Director says in her letter “According to Domtar, there has been no approach from any government agency with respect to designation of the Ottawa River as a heritage river.” I have pasted below the most recent press release (May 16, 2008) from the federal Minister of the Environment John Baird. I would further repeat that this heritage site on this heritage river requires an EA.

CP2008-00259

BAIRD AND CANSFIELD APPROVE NOMINATION OF OTTAWA RIVER AS A CANDIDATE CANADIAN HERITAGE RIVER

OTTAWA, ONTARIO, MAY 16, 2008 – Canada’s Environment Minister, John Baird, and Ontario’s Minister of Natural Resources, Donna Cansfield, are pleased to announce the official endorsement of the nomination of the Ottawa River as a Canadian Heritage River.

“Being born and raised in Nepean, I’m delighted to recognize the cultural, natural and recreational significance of the Ottawa River by approving the nomination of the Ottawa River to the Canadian Heritage Rivers System,” said Minister Baird. “This river represents a critical link to our country’s settlement and growth, and continues to be an important waterway to local communities.”

“The Canadian Heritage River nomination and future designation will ensure the Ottawa River gets the full recognition it deserves as a vital part of our history, and will support our efforts to ensure a healthy, vibrant future for this important waterway and the communities it serves,” said Minister Cansfield.

The Ottawa River can now be considered for full designation in the Canadian Heritage Rivers System. The area recommended for designation includes the entire section of 590 km of the Ottawa River bordering the Province of Ontario, from the head of Lake Timiskaming to East Hawkesbury.

The average flow of the Ottawa River is one of the greatest in Canada, making it a world-class paddling and rafting destination. The river spans 1271 km with a watershed covering 146,300 sq.

km, an area twice the size of New Brunswick. The river provides a home for over 300 species of birds and is one of the continent's most important flyways. Its rich ecosystems also sustain more than 80 species at risk.

“Minister Cansfield and I want to thank the Ottawa River Heritage Designation Committee for their hard work and dedication. This nomination will be good for the river, good for the citizens living along it, and good for Canada,” said Minister Baird. “We would especially like to acknowledge the support of the former Member of Parliament Len Hopkins who, unfortunately, is not with us today to see the nomination move forward. I’m sure Mr. Hopkins would have been pleased to see the community’s hard work come to fruition.”

The Ottawa River and surrounding area is of outstanding cultural heritage value as the heartland of the Algonquin people and their culture, as well as for being the definitive route of Canadian exploration, providing Canada’s most famous European explorers such as Samuel de Champlain, with a passage into central and western North America. The Ottawa River was gateway to Canada’s most famous trade routes used during the *coureurs de bois* and *voyageur* era in Canada, and was critical to the development of commercial enterprise, mapping and settlement in Canada.

The Canadian Heritage Rivers System is a joint federal-provincial-territorial initiative that gives national recognition to Canadian rivers of extraordinary natural, cultural and recreational significance.

9. The City of Ottawa Environmental Advisory Committee (EAC) has passed *two* resolutions so far which were influenced strongly by Domtar’s project proposal, not just one. Only the first one of these, passed December 11, 2006, is referred to in the Director’s letter, and also the reference to its content is incomplete and so I paste a larger part of it here, plus I include this entire ‘first’ resolution in the attachments to this letter.

The ‘second’ passed EAC resolution, passed March 15, 2007, is not mentioned in the Director’s letter and it should be taken into account, as the decision to require an EA is reviewed. I paste part of the ‘first’ resolution below, and the entire passed ‘second’ resolution of March 15, 2007 is also included. Both resolutions in full are included in the attachments.

Excerpt from ‘first’ EAC resolution, passed December 11, 2006:

Therefore be it resolved that the Environmental Advisory Committee recommends that Ottawa City Council:

- 1) not approve Domtar’s development proposal with respect to increasing generating capacity on Chaudière Island, as outlined in their Screening Report GENIVAR Q101794;
- 2) that Ottawa City Council support the elevation to an Individual Environmental Assessment (IEA) by the Ministry of the Environment, Ontario of DOMTAR’s current proposal on Chaudière Island as outlined in their Screening Report GENIVAR Q101794, and that the City notify the appropriate MOE, Ontario personnel of this support for an IEA as soon as possible; and,

3) that Ottawa City Council support in principle Elder William Commanda's and A Circle of All Nations' long-term vision for Freeing the Chaudière Falls, cleaning up industrial brownfield sites, and restoring the ecology of the Chaudière and Victoria islands, and take immediate steps to assist in the process of enabling this long-term vision by consulting with all concerned parties and stakeholders, such as Elder William Commanda and A Circle of All Nations, Douglas Cardinal, other First Nations representatives, the NCC, Federal and Provincial Ministries, the City of Gatineau, educational institutions, national museums, the general public and the private sector.

Contrary to the inaccurate statement in the Director's letter where she says that "It is the understanding of the MOE that the original motion to City Council was dropped", EAC did not 'drop' this issue, nor their resolutions. The City of Ottawa EAC passed a 'second' motion on March 15, 2007 relating to the project and the overall Islands area planning. This second EAC motion is not referred to in the Director's letter, so I assume that Domtar did not pass on this important information to the MOE. Since this second passed resolution, including its 'Background information, is so pertinent to the request for an EA, I include the entire motion and Background text here below for your information, and ask that you take the intent and wishes of the City of Ottawa Environmental Advisory Committee into your consideration.

Entire 'second' EAC resolution, passed March 15, 2007:

At its March meeting, the EAC passed the following motion:

WHEREAS the Ottawa River is soon to be designated a heritage river, and the Chaudière and Victoria islands (also located in the Ottawa River), between the cities of Ottawa and Gatineau, share a common inter-provincial heritage, joining Ontario and Quebec, historically joining Upper and Lower Canada, having major aboriginal cultural significance;

WHEREAS the Chaudière Falls and all surrounding areas were an important meeting and trading place for indigenous peoples for thousands of years and remain to this day a special Algonquin site in the core of the Nation's Capital;

WHEREAS eminent architects such as Douglas Cardinal have developed detailed plans for enabling the implementation of a vision for this historic natural area;

WHEREAS many others in the past have worked on concepts and projects to rehabilitate the Chaudières Falls and surrounding area;

WHEREAS Domtar, Inc. proposes to expand its hydroelectric generation capacity at the Chaudières Falls and its proposal is currently under review by the Province of Ontario;

WHEREAS outstanding opportunities exist to clean up contaminated brownfield sites, and restore the Chaudières and Victoria islands to their former splendour;

THEREFORE BE IT RESOLVED that the Environmental Advisory Committee recommends that Ottawa City Council:

Engage all stakeholders in developing a long-term vision for Chaudières and Victoria islands, including restoring their ecological integrity and cleaning up industrial brownfield sites, and take immediate steps to assist in the process of enabling this long-

term vision by consulting with all concerned parties and stakeholders, such as Elder William Commanda and A Circle of All Nations, Douglas Cardinal, other First Nations representatives, Domtar, Hydro Quebec, Energy Ottawa, the National Capital Commission, Federal and Provincial Ministries, the City of Gatineau, educational institutions, national museums, the general public and the private sector.

BACKGROUND

The matter of the Chaudière Falls and the proposed Domtar dam expansion has been a matter of great discussion amongst the EAC members since it first arose in December 2006 (which came on the heels of another motion in support of the Brownfields strategy).

To establish all necessary facts and details, some members of the EAC have, of their own initiative, met with Domtar officials, City staff, and aboriginal representatives on numerous occasions. As a result, they have been able to fine-tune the above-noted motion to establish only the immediately necessary recommendations they see fit, until such time as the Province renders its decision to Domtar in terms of its expansion requests. (The Chaudières Falls expansion as a whole requires multiple levels of government approval due to its location and function as a power generator).

DISCUSSION

The Falls are of great historical significance to the history of not only Canada but the Outaouais region. The original bridges across the Falls were built in the 1800s under the command of Lt. Colonel John By, to facilitate the development of the Rideau Canal, work on which had just been undertaken.

The Falls and its islands (namely the Victoria and the Chaudière) are also of special significance to the Canadian aboriginal people. Over the past decade, people from across the globe have been working with Elder William Commanda (the top Algonquin Nation Elder) to help realize his vision for what the aboriginal people describe a sacred historic natural area. This list includes thousands from A Circle of All Nations, A Culture of Peace; the National Capital Commission; as well as architect Douglas Cardinal, 2001 Governor General's Award recipient, whose most recent local commission was the National Museum of Civilization.

Most of Chaudière Island, where Domtar proposes to construct new generators, and parts of Victoria Island, are already brownfields, with varying degrees of contamination. It is thought that further hydro expansion in the Falls area counteracts the much needed rehabilitation of these brownfield sites, located in this historically significant area.

Stephanie Brown Bellefeuille

cc: Coordinator, CSEDC
Elaine Fleury, Manager, Council and Committee Services
Chair and Vice Chair EAC
Anne Coffey, EAC member
Carol Christensen, Manager, Environmental Programs and Support

In your consideration of the above, I ask that the Minister give particular attention to the words quoted in the Background section which say:
As a result, they have been able to fine-tune the above-noted motion to establish only the immediately necessary recommendations they see fit, until such time as the Province renders its decision to Domtar in terms of its expansion requests.

I believe that this is the much more accurate description of the current wishes of the City of Ottawa Environmental Advisory Committee. Their resolutions were never 'dropped' as stated by the Director. SEC's intent is clear in the above. The Director's representation of their wishes in the letter I received dated June 6, 2006 is quite inaccurate.

Also, simply because these motions have not been fully brought forward to City Council, or in some aspects have been considered out of the scope of the City's jurisdictional powers because they are so complex, involving many levels of government and stakeholders, or because they are waiting to see the pending decision of the MOE before taking next steps, this does not alter the fact that it is quite clear that the City of Ottawa Environmental Advisory Committee opposes Domtar's proposed project at Chaudières. This is another important reason why an EA should occur.

18. Yesterday, at the National Aboriginal Day sacred pipe ceremony celebrations honouring the Summer solstice at Victoria Island, I had the great privilege of having two personal conversations with eminent architect Mr. Douglas J. Cardinal, O.C., B.Arch., R.C.A., architect of the Canadian Museum of Civilization in Gatineau.

Douglas Cardinal, is an Officer of the Order of Canada. On the Governor General of Canada's website it states that he is: "An internationally renowned architect and an authority on computer-aided drafting system, he has contributed greatly to Canadian architecture. Inspired by his western roots and his Métis heritage, he uses imaginative curvilinear designs, which have produced a harmonious merging of Man and Nature, culminant in his most recent achievement, the Canadian Museum of Civilization." Douglas Cardinal, on contract from the NCC, has designed detailed site plans and other plans for the proposed Indigenous Centre on Victoria Island (some photos are attached).

This project, comparable in its eloquence and vision with his Museum of Civilization, is within half a kilometer from Domtar's proposed project, and it would be influenced by that project in several negative and complex ways. Mr. Cardinal has been an outspoken advocate and consultant with Elder William Commanda regarding his vision for the Islands area for many years. He has spoken publicly on the topic, opposing the Domtar project on several occasions, including yesterday.

Besides my personal conversations with Mr. Cardinal, I also listened to him address the large crowd assembled there yesterday over the P.A. system. I have also heard him speak on the topic of the Islands vision on other public occasions, and I can assure you that Mr. Cardinal has very strong feelings against the Domtar proposal, and this would be confirmed by anyone who has heard him speak on the topic. He has had these strong feelings against the

Domtar proposal for years, and yesterday he has asked me to relay to you that he still does strongly oppose the proposed Domtar project.

Mr. Cardinal also asked me to specifically relay to you that the statements about him in the June 6 Director's letter, which someone recently sent to him for his information, are untrue. He stated that no-one had contacted him, that he has been and is right now, available to be reached on this topic through his office, and no-one has done this. As you can appreciate, Mr. Cardinal's time is quite valuable, and the fact that he has worked for years to publicly and privately support elder Commanda's vision and in opposition to Domtar's plans, should speak for itself.

The cursory dismissal of this eminent and authoritative architect's opinion in the Director's letter (page 4) should not substitute for the years of wonderful work he has done on the larger project, the much grander vision. I recommend that you contact him ASAP and ask his opinion directly, and not rely on information from Domtar, or other MOE staff who did not contact him.

His contact information is:

Douglas Cardinal, Architect
331 Somerset Street West,
Ottawa, ON K2P 0J8
(613) 234-3377

19. Douglas Cardinal is one example of the fact that the consultation and consideration regarding this proposed Domtar Chaudières Falls has not been broad enough, thorough enough, nor long enough. Many other experts and other stakeholders of these sensitive and important issues from all across Canada, have not yet contributed to the decision, and because of this, an EA should be required.

20. Another example of a distinguished expert who has not been consulted on this issue is a very knowledgeable man I met yesterday at the special ceremonies on Victoria Island. His name is John Casselman, Ph D, and he is Adjunct Professor at Queen's University, Department of Biology. He is an authority on the American Eel. He told me he had a lot to say about this endangered species and the negative effects which could even lead to the extinction of this species, which this Domtar proposal represents. I suggested he immediately contact Mr. Bill Allen, another expert working hard to help save the eels from extinction, and give him his authoritative opinion. Later yesterday I forwarded to Dr. Casselman a copy of the Director's MOE June 6 letter, which he had not seen before. I believe Dr. Casselman has indeed written to Mr. Allen today, as he cced me a copy of his letter. I trust that Dr. Casselman's concerns will be addressed to you via Mr. Allen, who I understand is also submitting a request to you for an EA, but I wish

to here personally support Mr. Casselman's entitlement to make his contribution. He has that right, as do many others whom you have not heard from yet on this topic. How can you not hold an EA on a project which directly threatens the very existence of a species?

On June 30, 2008 the Ontario Endangered Species Act comes into force. I am not an expert on eels nor a trained biology professor, but I know that eels are endangered and that decisions like the one you must make soon can make the difference between recovery and extinction. Killing fewer eels in turbines, if indeed this is the case and experts seem to disagree with the Director about this, does not equate killing zero eels in decommissioned turbines. Allowing some water to run over this major waterfall year round does not equate with allowing water to flow for only nine months a year, with parched dry conditions for three months. Downstream migrating eels going over the waterfall do not equate with a few eels making it through turbines alive. The science regarding eels indicates that this project should not proceed. You must require an EA.

Since this project endangers a specific species existence (the American Eel), since it is extremely significant to First Nations across Canada, impacts strongly on a potential Historic Site, Sacred Site, and large river-spanning NCC Park and Cultural complex, it is necessary to consult more experts on both the broad and narrow issues. This has not been done sufficiently, and needs to be done via an EA.

The Director's information regarding the implications of the proposed Domtar project is incomplete. Many of her remarks are inaccurate or inconsistent with historical uses pre-dating Domtar's uses. As mentioned at the outset, appropriate benchmarks have not been used. Also, insufficient, incomplete data has been used, and updated accurate political, and socio-economic information is not appropriately considered. The primary consideration should be to respect and protect the Public Trust.

It is hoped that the proponent, Domtar Inc. will withdraw their proposed project, and they could still do this and save considerable money, time, and negative publicity. But unless they do so, I request that the Minister directly intervene ASAP. Please vary the recent decision by Director Garcia-Wright, and require an Environmental Assessment for the proposed Domtar project at Chaudières Falls.

I am putting a signed paper copy of this letter into the Registered Mail for you tomorrow, and for speed of delivery will also email this to you tomorrow.

Thank you for your consideration,

Phil Weir

Ccs to: Agatha Garcia-Wright, Francois Jette, Elder William Commanda, Bill Sluiman
Attachments Follow....

City of Ottawa Environmental Advisory Committee 'First resolution'

Passed December 11, 2006

WHEREAS the Ottawa River is soon to be designated a heritage river;

WHEREAS the Chaudière Falls and the Chaudière and Victoria islands located in the Ottawa River between the cities of Ottawa and Gatineau share a common inter-provincial heritage joining Ontario and Quebec, and historically joining Upper and Lower Canada;

WHEREAS the Chaudière Falls and all areas made wet by its spray were an important meeting and trading place for indigenous peoples for thousands of years and remain to this day a special Algonquin site in the core of the Nation's Capital and a Sacred Meeting Place for all indigenous peoples of North America;

WHEREAS over the past decade, many people from across the globe, including thousands from A Circle of All Nations A Culture of Peace have been working with Elder William Commanda to help realize his vision for this sacred historic natural area;

WHEREAS eminent architects such as Douglas Cardinal have developed detailed plans for enabling the implementation of this vision;

WHEREAS many others in the past have worked on concepts and projects to rehabilitate the Chaudière Falls and surrounding area, with broad terms of reference and with parallels to Elder Commanda's vision, such as the 'Free The Falls' movement of the late 1990s;

WHEREAS agencies such as the National Capital Commission (NCC) have for many years been directly and indirectly involved with Elder Commanda, Douglas Cardinal and others in working towards the realization of the vision;

WHEREAS Domtar, Inc. proposes to expand its hydro-electric generation capacity at the Chaudière Falls site, and is tentatively scheduled to start construction on a new powerhouse and electrical substation on January 1, 2007, pending receipt of required permits and approvals, including a City of Ottawa Building permit;

WHEREAS Domtar has produced an Environmental Screening Report (GENIVAR 2006 Q101794) which was placed in only four City of Ottawa libraries for a very limited 30 calendar days for public review and comment, and which could not be signed out, and was not available electronically or distributed in any other way to stakeholder groups. Consequently, many people locally and across the country were unable to review, analyze, and respond to Domtar's Screening Report within the 30 calendar day period, which ended November 20, 2006, although many individuals and organizations locally and nationally potentially have important concerns about the proposed construction at this sacred site;

WHEREAS Domtar's Environmental Screening Report states their new project's objective is to generate 28 Megawatts of electricity -- a fairly small amount of electricity that could be replaced with alternative energy technologies that are currently available and also under development, such as improved solar technologies and micro-hydro generation in storm sewers;

WHEREAS some individuals and groups have already applied to the Ministry of the Environment of Ontario for an Elevation of Domtar's proposal to an Environmental Assessment (EA), and are awaiting the decision of the Director of Environmental Assessment and Approvals;

WHEREAS an EA will provide the opportunity to examine Elder William Commanda's vision, Douglas Cardinal's architectural plans, the work both completed and proposed by the NCC, the sacredness of the waterfall itself to indigenous peoples, the new heritage designation for the Ottawa River, the potential for job creation in the region, and Ottawa's international reputation;

WHEREAS most of Chaudière Island where Domtar proposes to construct new generators and parts of Victoria Island are brownfields with varying degrees of contamination due to extensive industrial uses dating from the first grist, hemp and saw mills, matchmaking, and lumberyards in the early 1800s; and,

WHEREAS outstanding opportunities exist in Elder William Commanda's broad vision of collaboration to Free the Chaudière Falls, clean up contaminated brownfield sites, and restore the Chaudière and Victoria islands to their former splendour in a river soon to receive a heritage designation.

Therefore be it resolved that the Environmental Advisory Committee recommends that Ottawa City Council:

- 1) not approve Domtar's development proposal with respect to increasing generating capacity on Chaudière Island, as outlined in their Screening Report GENIVAR Q101794;**
- 2) that Ottawa City Council support the elevation to an Individual Environmental Assessment (IEA) by the Ministry of the Environment, Ontario of DOMTAR's current proposal on Chaudière Island as outlined in their Screening Report GENIVAR Q101794, and that the City notify the appropriate MOE, Ontario personnel of this support for an IEA as soon as possible; and,**
- 3) that Ottawa City Council support in principle Elder William Commanda's and A Circle of All Nations' long-term vision for Freeing the Chaudière Falls, cleaning up industrial brownfield sites, and restoring the ecology of the Chaudière and Victoria islands, and take immediate steps to assist in the process of enabling this long-term vision by consulting with all concerned parties and stakeholders, such as Elder William Commanda and A Circle of All Nations, Douglas Cardinal, other First Nations representatives, the NCC, Federal and Provincial Ministries, the City of Gatineau, educational institutions, national museums, the general public and the private sector.**

City of Ottawa Environmental Advisory Committee 'Second resolution'

Passed March 15, 2007

At its March meeting, the EAC passed the following motion:

WHEREAS the Ottawa River is soon to be designated a heritage river, and the Chaudière and Victoria islands (also located in the Ottawa River), between the cities of Ottawa and Gatineau, share a common inter-provincial heritage, joining Ontario and Quebec, historically joining Upper and Lower Canada, having major aboriginal cultural significance;

WHEREAS the Chaudière Falls and all surrounding areas were an important meeting and trading place for indigenous peoples for thousands of years and remain to this day a special Algonquin site in the core of the Nation's Capital;

WHEREAS eminent architects such as Douglas Cardinal have developed detailed plans for enabling the implementation of a vision for this historic natural area;

WHEREAS many others in the past have worked on concepts and projects to rehabilitate the Chaudières Falls and surrounding area;

WHEREAS Domtar, Inc. proposes to expand its hydroelectric generation capacity at the Chaudières Falls and its proposal is currently under review by the Province of Ontario;

WHEREAS outstanding opportunities exist to clean up contaminated brownfield sites, and restore the Chaudières and Victoria islands to their former splendour;

THEREFORE BE IT RESOLVED that the Environmental Advisory Committee recommends that Ottawa City Council:

Engage all stakeholders in developing a long-term vision for Chaudières and Victoria islands, including restoring their ecological integrity and cleaning up industrial brownfield sites, and take immediate steps to assist in the process of enabling this long-term vision by consulting with all concerned parties and stakeholders, such as Elder William Commanda and A Circle of All Nations, Douglas Cardinal, other First Nations representatives, Domtar, Hydro Quebec, Energy Ottawa, the National Capital Commission, Federal and Provincial Ministries, the City of Gatineau, educational institutions, national museums, the general public and the private sector.

BACKGROUND

The matter of the Chaudière Falls and the proposed Domtar dam expansion has been a matter of great discussion amongst the EAC members since it first arose in December 2006 (which came on the heels of another motion in support of the Brownfields strategy).

To establish all necessary facts and details, some members of the EAC have, of their own initiative, met with Domtar officials, City staff, and aboriginal representatives on numerous occasions. As a result, they have been able to fine-tune the above-noted motion to establish only the immediately necessary recommendations they see fit, until such time as the Province renders its decision to Domtar in terms of its expansion requests. **(The Chaudières Falls expansion as a whole requires multiple levels of government approval due to its location and function as a power generator).**

DISCUSSION

The Falls are of great historical significance to the history of not only Canada but the Outaouais region. The original bridges across the Falls were built in the 1800s under the command of Lt. Colonel John By, to facilitate the development of the Rideau Canal, work on which had just been undertaken.

The Falls and its islands (namely the Victoria and the Chaudière) are also of special significance to the Canadian aboriginal people. Over the past decade, people from across the globe have been working with Elder William Commanda (the top Algonquin Nation Elder) to help realize his vision for what the aboriginal people describe a sacred historic natural area. This list includes thousands from A Circle of All Nations, A Culture of Peace; the National Capital Commission; as well as architect Douglas Cardinal, 2001 Governor General's Award recipient, whose most recent local commission was the National Museum of Civilization.

Most of Chaudière Island, where Domtar proposes to construct new generators, and parts of Victoria Island, are already brownfields, with varying degrees of contamination. It is thought that further hydro expansion in the Falls area counteracts the much needed rehabilitation of these brownfield sites, located in this historically significant area.

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