



**City of Kingston
Environment, Infrastructure & Transportation Policies Committee
Meeting Number 05-2024
Unconfirmed Minutes**

**Wednesday, April 24, 2024 at 6:00 p.m.
Hosted at City Hall in Council Chamber**

Committee Members Present

Councillor Cinanni, Chair
Councillor Amos (arrived to meeting at 6:03 p.m.)
Councillor Chaves
Councillor Hassan (arrived to meeting at 6:02 p.m.)
Councillor Stephen
Councillor Tozzo

Regrets

None.

Staff Members Present

Paige Agnew, Commissioner, Growth & Development Services
Brandon Forrest, Director, Business, Real Estate & Environment
Allison Hannah, Committee Clerk
Paul MacLatchy, Environment Director
Iain Sullivan, Committee Clerk
Neal Unsworth, Manager, Parks & Shoreline

Others Present

Councillor Oosterhof
Councillor Osanic
Councillor Ridge

Valerie Minelga and David Britton, Parks Canada
Tera Yochim-Hope and Vera Haslett, Transport Canada
Pravina Singh and Martin Bouwma, Public Services and Procurement Canada
Jennifer Daley, Gary Lawrence and Aniq Shams, WSP

This is not a verbatim report.

Meeting to Order

The Chair called the meeting to order at 6:00 p.m.

Approval of the Agenda

Moved by Councillor Tozzo
Seconded by Councillor Stephen

That the agenda be approved.

Carried

Confirmation of Minutes

There were none.

Disclosure of Pecuniary Interest

There were none.

Delegations

- a) Mary Farrar was present and spoke to the Committee regarding the Update on Kingston Inner Harbour Contaminated Sediment Management Plans Report.

Ms. Farrar spoke to the Committee and stated her belief that there should be no dredging. She further stated that the risks to humans from the sediment is negligible due to the way that the Inner Harbour is used. She noted her opposition to the use of capping. She further noted that the final decision regarding the Davis Tannery from the Ontario Land Tribunal had not been heard and that land clean up needed to be done before any cleanup of the harbour. She stated her belief that all the money proposed on the projects should instead be spent on naturalizing the shoreline.

Councillor Stephen asked what Ms. Farrar's closing thought would have been. Ms. Farrar noted that the flow of water was towards the east and that contaminants suspended in the water would travel far. She reiterated that the money should be spent on other projects.

Briefings

- a) Paul MacLatchy, Environment Director, was present and introduced Tera Yochim-Hope (Transport Canada), Gary Lawrence (WSP), and Valerie Minelga (Parks Canada), who spoke to the Committee regarding the Update on Kingston Inner Harbour Contaminated Sediment Management Plans Report.

Paul MacLatchy introduced Tara Yochim-Hope, David Britton, Gary Lawrence, and Valerie Minelga who conducted a PowerPoint presentation regarding the Update on Kingston Inner Harbour Contaminated Sediment Management Plans Report. A copy of the presentation is available upon request through the City Clerk's Department.

Councillor Stephen noted that the presentation had touched on contamination from the land and asked how the Davis Tannery site's timeline would impact this project. She asked for clarification on what would happen if the City chose not to participate in the project. Ms. Minelga confirmed that the project was not depended on land-based projects. She stated that the Federal Government had begun investigating the sediment 20 years ago and has identified the issue and that it requires treatment. Mr. Lawrence noted that there were studies underway regarding the areas prone to erosion. He explained the drainage patterns on the western shore of the harbour. Ms. Yochim-Hope explained that the project would not be commencing until at least 2027. She noted that the Federal Government believed in a harbour-wide approach for the project and that they were only seeking the City's involvement in the design of the project at this time.

Councillor Amos asked for examples of successful dredging projects in the Great Lakes basin. He pointed to their presentation and noted his concern for the dredging to spread contaminated sediment through the water. He asked what the cost would be if nothing was done. Ms. Minelga stated that Parks Canada was experienced with the dredging measures they would implement in the project. She noted that the Waaban Crossing project had provided significant local knowledge. She explained that turbidity of the water would be something they would seek to control. She highlighted that they had experience with projects located near municipal water intakes. She confirmed that all of the costs would be known in a few months. Ms. Yochim-Hope highlighted Hamilton Harbour as a major project success.

Councillor Amos noted that the Inner Harbour contains a number of shipwrecks and asked what would happen to them. He further asked if fish spawning areas would be catalogued and protected during the project. Ms. Minelga noted that many of the shipwrecks were near Anglin Bay and that they were working with archaeologists to determine how to approach the project near them. She highlighted that dredging would not occur near the wrecks. She stated that the details would be in the impact assessment. She confirmed that the project team is aware of the ecological value of the Inner Harbour and that modeling was underway to provide data on fish patterns.

Councillor Amos noted that the project would be done in phases and asked if the consultants planned on starting in a specific area. He further asked if the phases could be adjusted if necessary. He asked who would be responsible for the monitoring mentioned. Ms. Minelga explained that the full size of the intervention area had not been confirmed but that the location of the phases would be driven by logistics. She confirmed that the phases could be adjusted if needed. She further confirmed that Parks Canada and Transportation Canada would continue to monitor the area after the completion of the project.

Councillor Tozzo asked for an explanation on the Indigenous consultation that has occurred. He further asked if there were long-term complications from other capping projects. He inquired about the final costs for the whole project. Ms. Minelga explained that consultation had begun in 2021 and was on a nation-to-nation basis with those who have an interest or treaty rights in the area. She noted that Belle Island had not been a major concern, as there are no major hotspots near it and there was a four-metre buffer proposed. She stated that the monitoring planned would ensure that there were no impacts from the capping. She further stated that the project would not proceed if there was significant risk of ecological damage. She explained that the total cost was estimated to be around \$70 million dollars plus or minus 50%. Ms. Yochim-Hope noted Indigenous consultation was ongoing. She stated that she could not think of a project that had long-term issues.

Councillor Chaves inquired if there had been any major or minor negative impacts from dredging at other locations. He asked how many similar projects had been undertaken. He noted that the water quality in the harbour was good and asked why the project was needed. Ms. Minelga stated that they were looking at the impacts to turtle habitat from the project and ways to reduce it. She further stated that minor impacts related to the shoreline could occur but that they would seek to ensure that mitigation measures were in place. She noted that there had been approximately 20 similar projects completed. She explained that the need for the project came from the chemical risk in the sediment

and not the water quality. She commented that the chemical impacts were in the food web. Mr. Lawrence stated that the chemical risk came in three pathways: water, tissue, and sediment. He confirmed that the Inner Harbour contained risks associated with two of these. He noted that PCBs bind onto the sediment and go up the food chain.

Councillor Chaves noted that the barrier curtains used in the Waaban Crossing project had been vulnerable to damage by animals and inquired if the proposed project would use a different style. He sought clarification on the measures that would be used to ensure that wildlife was protected during the project. He asked if compensation would be given to MetalCraft Marine if their business was impacted by the project. Ms. Minelga stated that they had learned from the issues with the curtains used during the Waaban Crossing and that strategies including more limited long-term use of the curtains would be used. She highlighted that no construction would take place in the winter. She confirmed that timing windows would be used to ensure more limited impacts on wildlife. She noted that they had received significant data from local groups regarding turtle nesting sites. She further noted that cameras were an option. Ms. Yochim-Hope confirmed that the project team was in contact with the marina to ensure that their needs were taken into consideration during the detailed design stage.

Councillor Hassan asked what the consequences would be if the City did not participate in the project. He sought clarification on why the Federal Government would initiate the project and the impacts to human and animal health if it was not undertaken. Ms. Minelga stated that the project team hoped to continue to work with the City as part of the detailed design phase. She noted that they were early in the project and the City's full part would be decided in the future. Ms. Yochim-Hope explained that the goal of the project was to manage the pollutants in the harbour and ensure that it was clean. She further noted that the project would manage the risks posed by the contamination to both local wildlife and the public.

Councillor Hassan asked for the results of the public consultation mentioned in the presentation. He asked for confirmation that the issues raised by public groups like Friends of the Inner Harbour would be taken into consideration. He inquired about the possibility of the City having to do separate clean-up work in the future if it did not participate now. Ms. Yochim-Hope noted that they had received a range of opinions in the consultation. She highlighted that there would be a number of opportunities to look at after the detailed design stage. Ms. Minelga confirmed that the project team had met with local public groups and that the project had evolved based on their feedback. She further confirmed that their concerns would be taken into consideration. She noted that the project team would have several options for consideration for the City's involvement

after the detailed design state. She pointed to the City's northern water lot and stated that there was significant contamination present. Mr. Lawrence reiterated that the City's water lots were close to the shore and were important for the project as a whole. He stated his belief that it made the most sense to do the project including the City lots.

Councillor Cinanni asked where the contaminated soil would go after being removed. Ms. Minelga explained that it was too early in the project to determine where the soil would be sent. She noted that this issue was something that the public wished to have answers on. She stated that they could end up in a landfill after they were drained and only if they met that landfill's requirements.

The Chair provided other members of Council in attendance an opportunity to ask questions.

Councillor Osanic sought confirmation that the project team was aware of the styrofoam issue related to the turbidity curtains used at the Waaban Crossing. She urged the project team to speak to the City's Engineering Department to gain further knowledge. She asked how the Committee and the City as a whole would be notified when the Detailed Impact Statement was completed. Ms. Minelga noted that the team was aware of the issue and its causes. She stated that they were working to ensure that a similar issue did not take place. She confirmed that the Detailed Impact Statement would be completed in the winter of 2025 and would be available then. She noted that that they could return to present to the Committee at a future date.

Councillor Osanic noted that there were many questions asked at the Committee Meeting held in September 2021 that had not been answered at this meeting. She asked when those questions would be answered and in what form. She sought confirmation that MetalCraft Marine was considered a stakeholder in the project. Ms. Minelga explained that several questions were answered by reports on the project's website. She stated that a list of questions and answers could be provided in the future. She further confirmed that the marina had been consulted on the project.

Councillor Osanic pointed to the shoreline of Doug Fluhrer Park and asked if natural-based solutions for its reconstruction would be used instead of riprap. She further asked for an explanation of the type of natural-based solutions the project would use. Ms. Minelga stated that natural-based solutions were now incorporated in the design. She noted that the solutions could include prickly foliage that would discourage walking on the shore near the area. She commented that inventory of the options for natural solutions was ongoing.

Councillor Osanic reiterated Councillor's Amos's point regarding water intakes and asked if the project would consider the direction that water flows. She noted that both Wolfe Island and downstream municipalities could be affected by contaminated water from the project. She highlighted the City of Cornwall's sediment strategy which uses natural recovery and asked if the project team was aware of this. Ms. Minelga confirmed that the project team was considering water flow and that they would be actively monitoring the levels of sediment in the water during construction. She pointed to the presentation and noted that the project would have substantial natural recovery segments. She confirmed that active intervention was only proposed on the small sections of high concentration of pollutants. Ms. Yochim-Hope stated that the situation in Cornwall had been different than the one in the Inner Harbour but that its solutions had formed part of the current plan.

Councillor Ridge asked for a timeline on how long the construction on Anglin Bay would be. He inquired about how long other comparator projects had taken. Ms. Minelga stated that they did not have a firm timeline at this time and that it would be created at the detailed design stage. Ms. Yochim-Hope stated that the conversations with the marina will help plan the construction there. She noted that construction in the bay could take one season but noted that they had not specified which season it would be done at this time.

Councillor Oosterhof inquired how far toxins could spread if they got into the water. He reiterated Councillor Amos' and Councillor Osanic's concerns. Ms. Minelga stated that the harbour has a low hydrological flow and noted that it was not the same as the main traffic channel. She highlighted that the harbour mainly circulates and is driven by human activity. She pointed to the LaSalle Causeway and stated that it acted as a bottleneck for the water which benefits the project. She further noted that more investigations would take place during the detailed design stage.

The Committee recessed from 8:22 p.m. to 8:27 p.m.

Business

a) Update on Kingston Inner Harbour Contaminated Sediment Management Plans

The Chair provided an opportunity for members of the Committee to ask additional questions.

Moved by Councillor Tozzo

Seconded by Councillor Hassan

That the Environment, Infrastructure and Transportation Policies Committee vote to close debate on the Update on Kingston Inner Harbour Contaminated Sediment Management Plans.

Lost

Councillor Chaves asked if the City could afford to partner with this project. He noted that a different government could be elected in a future prior to the project starting and sought confirmation that it would still happen in that situation. Mr. MacLatchy confirmed that no capital funding had been allocated to the project by the City. Ms. Minelga stated that the 2024 Federal Budget included extra funds for projects like this. Mr. Britton stated that as public servants they could not answer questions regarding elections.

The Chair provided an opportunity for members of the public to ask questions.

Lisa Cadue noted her identity as Mohawk and the importance of water to her people. She asked who would be responsible when issues occur from the project and toxins affect individuals.

Bob Clark stated his belief that the project was ignoring the will of the public. He stated that both the issues related to the Wolfe Islander IV and the LaSalle Causeway project show that this project would harm the water system. He further stated that dredging would resuspend the contaminated sediment in the water. He highlighted that it was prohibited to anchor in the Inner Harbour and that Transportation Canada had not enforced this ban. He reiterated that the project would only lead to more pollution and urged that the project be stopped.

Dan Webster noted that as a resident of the waterfront he had significant reservations with the project. He highlighted cities like Belleville and Cornwall that had had similar pollution issues that had not resorted to dredging. He read a letter from Elmer St. Pierre in support of the Friends of the Inner Harbour and against the project. He noted the land recognition spoken before every Council meeting and stated that the project was against that acknowledgement.

Chris Hargreaves stated that he spoke on behalf Conservation Committee of the Kingston Field Naturalists. He noted his concerns regarding polluted sediment reaching the water supply for Wolfe Island and the city. He stated that the public had been asking for the last two years on details on where the sediment would be taken. He asked for

answers regarding that issue. He further noted his belief that the project was not necessary. He expressed his opinion that no answers had been given during the meeting. He urged the Committee to listen to several professors at Queen's University.

Marius Sorensen noted that the contamination levels had changed and stated that natural remediation was doing the job already. He commented that continuous monitoring would need to be done due to the amount of water run-off from the western shore. He asked if base level data had been gathered regarding the amount of run-off that is typical for the harbour.

Brandon Cadue noted that Laura Cameron had conducted a study of landfill sites and concluded that they would be full by 2027. He asked where the soil was going to be removed to.

Kerry Hill conducted a PowerPoint presentation regarding the Kingston Inner Harbour Core Sediments. A copy of the presentation is available upon request through the City Clerk's Department.

In response to the public questions Ms. Minelga noted her appreciation for the concerns raised. She stated that the project team had written all the questions down and would be answering them at a later time. She further noted that the plan was in the concept stage at this time regarding the levels of contamination and the where the need for remediation was. She confirmed that answers would be coming by March 2025. She explained that the point of the project was to reduce the overall contaminant load. She reiterated that consultation with Indigenous communities was on-going and on a nation-to-nation basis. She urged those who had spoken to continue to contact the project team for updates.

Mr. Lawrence noted his disagreement with the concerns raised regarding dredging causing sediment to contaminate the water. He further noted that the contaminants did not stay in a single area and moved through the harbour. He confirmed that if the preliminary work indicates that unacceptable levels of damage were to occur the project would not proceed. He stated that the core data the last member of the public had shown was interesting and asked if they could discuss the matter at a later date. He highlighted that recent core samplings of Anglin Bay had noted very high concentrations of contaminants.

Mr. MacLatchy agreed that there were significant questions that needed to be answered. He stated that the report was requesting that staff be able to continue to

have dialogue with the Federal project team. He confirmed that there was no commitment to the project on the City's part at this time.

Councillor Tozzo thanked the project team for their time. He noted that the project was at an early stage and highlighted that the financial commitment was impressive. He indicated his support for the recommendation.

Councillor Hassan echoed Councillor Tozzo's remarks. He noted that the recommendation only requested that staff be able to continue to have discussions with the project team. He stated his hope that all stakeholders were properly engaged.

Councillor Stephen stated that some real concerns had been raised during the meeting. She indicated her hope that the project team had heard from the community that there was significant public concern on the project. She indicated her support for the recommendation and staff staying in contact with the project. She further noted her curiosity on where the project was going and the complexity of the issue.

The Chair was passed to Councillor Stephen.

Councillor Cinanni stated that the recommendation was to allow staff to hold conversations with the project team. He indicated his support for the recommendation. He highlighted the importance of getting more information about the project.

The Chair was returned to Councillor Cinanni.

Moved by Councillor Tozzo
Seconded by Councillor Amos

That the Environment, Infrastructure & Transportation Policies Committee recommend to Council:

That Council direct staff to continue work with Public Services and Procurement Canada toward draft terms that may allow for the inclusion of City-owned water lots into the proposed sediment management plan for the Kingston Inner Harbour; and

That Council direct staff to report back to the Environment, Infrastructure and Transportation Policies Committee with draft terms for inclusion of City-owned water lots into the federal project as appropriate.

Carried

Motions

There were none.

Notices of Motion

There were none.

Other Business

There was none.

Correspondence

See Agenda.

Date and Time of Next Meeting

The next meeting of the Environment, Infrastructure and Transportation Policies Committee is a special meeting scheduled for Tuesday, May 28, 2024 at 6:00 p.m.

Adjournment

Moved by Councillor Chaves
Seconded by Councillor Hassan

That the meeting of the Environment, Infrastructure and Transportation Policies Committee adjourn at 9:29 p.m.

Carried