

May 10, 2019

Application Assessment Officer
Environmental Approvals Access and Service Integration Branch
135 St. Clair Avenue West, Floor 1
Toronto, ON M4V 1P5

Re: Environmental Registry No. 013-0986
Minaki On The River

Ladies and gentlemen,

My name is Alex Rheault. I am a lifelong resident of Minaki, Ontario. I am writing, on my own behalf and as a representative of a majority of the year-round residents of the town of Minaki, to comment on the proposed amendment of Environmental Compliance Approval No. 7471-9LVPLH by the Ministry of the Environment, Conservation, and Parks ("MECP"). Our majority group of residents has acted together already as one of the appellants in Ontario Municipal Board File PL 160402, resulting in the refusal of a residential condominium development previously attempted by Minaki on the River.

The proposed amendment to Environmental Compliance Approval No. 7471-9LVPLH (the "ECA") would change the use of the serviced property from the attempted residential development and restaurant to a trailer park and restaurant. The amendment seems straightforward, but it is not. We have these comments.

1. False Ownership Information

Minaki on the River certifies in Section 4.2 of its application to MECP that it is the owner of the serviced property. That statement is incorrect. The serviced property consists of approximately thirty separate lots, a few of which are owned by Minaki on the River but most of which are owned in somewhat of a checkerboard arrangement by two separate corporations, 2262608 Ontario Inc. and 2262609 Ontario Inc.

We have no information on the ultimate ownership of those three corporations, and it may be that they are currently affiliated, but there is still separate ownership and further no guarantee that interests in the corporations will not be sold to others nor that any of the separate lots will

not be sold. The result is a communal sewage treatment service in unorganized territory, giving rise to these issues:

- communal sewage treatment service in unorganized territory is prohibited, under MECP's own Procedure D-5-2. That Procedure states that MECP is particularly concerned with service to permanent residences, but the prohibition in the Procedure applies to unorganized territory in all circumstances:

"Communal services in areas without municipal organization will only be considered in the situation where they are required to address remediation of failed individual on-site services."

(Section 4.2)

- putting aside Procedure D-5-2, if that is possible, the presence of multiple owners requires a set of appropriate agreements regarding the rights of each of the owners to use the plant, the responsibility for operating and maintaining the plant, the relative sharing of operating costs, repair costs, and reserve costs, mechanisms for enforcement of payment, recording of the agreements in the land records, and a prohibition on further splintering of land ownership.
- again putting aside Procedure D-5-2, operation of the sewage treatment plant by anyone in unorganized territory, with no municipal backup, should require the posting of financial assurance, under MECP's Guideline F-15.

Because of the false ownership information in the application, it seems likely that none of these issues has been considered in MECP's review of the requested ECA amendment. More information and analysis of these and other points is contained in the report of our planning consultant, Anthony Usher, RPP, that accompanies this letter.

2. Discharge Directly into the Winnipeg River

When the Certificate of Approval for the Minaki Lodge treatment plant was originally issued, in 1988, the rotating biological contractor system in the treatment plant was a current technology, and discharge directly into surface water, the Winnipeg River, was deemed appropriate.

Times have changed, however. There is no basis for MECP to ignore thirty-one years' worth of improved treatment technology and simply rubber stamp the 1988 analysis that discharge from this private plant with this technology into surface water is acceptable. MECP has had two prior opportunities, in assigning the ECA in 2012 and in amending it in 2014, to improve the protection of the Winnipeg River but has failed to do so, despite urgings from year-round residents of Minaki and the Minaki Cottagers Association.

The Ministry should take a proactive approach at last, and if the plant is allowed to operate, require on the occasion of this amendment that effluent from the plant be pumped out to a septic field on the site for further treatment, or require the installation of additional available treatment technology in the plant itself. In unorganized territory, with no municipal oversight or backup available, MECP must help safeguard the Winnipeg River from the discharge from this old and privately-operated plant by aiming at the greatest current standards of protection, instead of merely passing along the least.

3. Obsolete and Inadequate Studies

If the plant is allowed to operate on some basis, more study is needed before the effect of its effluent on the Winnipeg River can be predicted.

(a) Baseline As far as we have been able to determine, the last baseline studies of Winnipeg River water quality associated with the ECA are also from 1988. MECP has passed on the opportunity to required updated studies in the review of the prior ECA assignment and amendment, again despite urgings from residents and the Association. No one knows now the condition of the Winnipeg River in Minaki, and no one knows now how the effluent from the plant would affect that quality -- where

it would travel in the river and where it might concentrate. It is time finally for MECP to be proactive on this point and require new baseline studies.

(b) Inspection

The MECP file on this proposed amendment to the ECA contains a report from WSP dated November 7, 2018, regarding the physical condition of equipment in the plant. The file describes that report as responding to MECP's request for an engineering review to determine the plant's ability to function according to the standards outlined in the current ECA.

The WSP report is short of that requirement. It notes merely a number of physical items in the plant that need correction. A full report would start with the amount of flow projected from the trailers and the restaurant and the makeup of that flow, would evaluate the technical capability of the equipment in the plant to treat the incoming flow in accordance with the ECA's requirements, and then would describe all work required to be completed in the plant to put it in full working order and able to comply fully with the ECA.

More information and analysis of the points in parts 2 and 3 above is contained in the report of our engineering consultant, R. J. Burnside & Associates, that accompanies this letter.

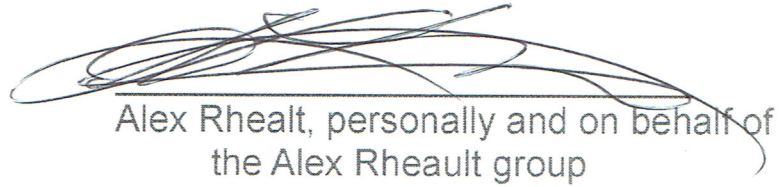
Conclusion

Those of us who have lived in Minaki for a long time remember when this treatment plant blew out under the professional management of Four Seasons Hotel Company. Since then, the plant has operated for five years, then for just one year out of the last twenty-six. Minaki on the River has now applied to restart this plant for a trailer park.

This application should not be treated as a minor administrative event, but as a case in unorganized territory requiring special concern and attention from MECP. We, as residents of the town of Minaki, ask that MECP respond with a full proactive review, requiring that private operation of the plant meet all applicable procedures, guidelines, and standards, not in 1988 but in 2019. MECP owes that to the environment and to the public.

Application Assessment Officer
May 10, 2019
Page 5

Sincerely,



Alex Rhealt, personally and on behalf of
the Alex Rheault group