



20 November, 2020

Re: 350 Argyle Street North, Georgia Pacific Inc. Development

To Whom This May Concern,

Please find below our (Six Nations of the Grand River Elected Council, Consultation and Accommodation Process Team) questions, comments and concerns regarding the proposed development at 350 Argyle Street North, Caledonia. Also known as Georgia Pacific Inc.

1. Planning Justification Report. Georgia Pacific Lands. Haldimand County, Ontario. September 2020.

- Page 15 states that additional habitat creation and enhancement measures are recommended within the non-developable areas. This will be completed as part of the Endangered Species Act registration process for Eastern Meadowlark and Bobolink, as a portion of habitat is within the development limits.
 - o Page 26 states that wildlife and species at risk habitat have been assessed and while the majority of habitat will remain intact, approximately 7 hectares of bobolink and eastern meadowlark habitat are within the development area. As such, habitat creation and/or enhancement will be proposed on-site as part of the Endangered Species Act registration process.
 - What is the proposed mitigation strategy for this?
- Page 20 states that a re-designation of the developable portions of the property to “Residential” is required to facilitate the development.
 - o What is the occurrence rate of designated areas of municipalities within Haldimand County to get rezoned as residential areas?
- Page 40-41 states that the west parcel contains potentially contaminating activities (PCAs) and were identified as occurring both on and off site. Soil sampling and borehole drilling was

conducted to evaluate the soil and groundwater. The results indicate that petroleum hydrocarbon impacted soil and groundwater are present underneath the south portion of the former building. The exceedance is likely related to oil storage during the previous industrial operation. A risk assessment and/or remediation program will be required to develop sitespecific standards or to meet the current applicable standards for the site. There are some exceedances adjacent the previous rail line and a former settling pond. These areas will be subject to future investigation.

- Will contaminated soil be removed from developable lands and if so where will it be transported to?

2. Armstrong Planning and Project Management. GP West Lands, 350 Argyle Street North, Caledonia, Ontario. Phase One Environmental Site Assessment. September 2, 2020.

- Page 6-5 states that PCB containing materials may be present in electrical transformers and ballasts produced prior to 1920. Lead may be contained in the sub-slab pipes-fittings. Asbestos may be contained in sub-slab pipes-structures.
 - Will these pipes be removed or stay in place?

3. Armstrong Planning and Project Management. GP West, 350 Argyle Street North, Caledonia, Ontario. Preliminary Phase Two Environmental Site Assessment. September 15, 2020.

- Page 3-2 of this report states that one active waste disposal site and one closed landfill site were reported approximately 500 m west and southwest of the Site, respectively. Stantec's Environmental Review did not make any overall conclusions about the environmental status of the Site nor any recommendations for future investigations.
 - Has the soil at this former disposal and landfill sites ever been assessed for soil contaminants?
 - What adverse impacts do these former sites pose, if any?
- Page 3-3 states that 16 PCAs were identified as currently occurring or having historically occurred within the Phase One Study Area or on the Phase One Property.
 - What is being done or what can be done about this not only regarding PCA's by all chemicals and toxins that were detected on site including watercourses?

4. Armstrong Planning and Project Management. GP East, 350 Argyle Street North, Caledonia, Ontario. Preliminary Phase One Environmental Site Assessment. September 15, 2020.

- Page 3-6 states that there were 9 reported Georgia Pacific Canada Inc. spills.
 - Do these spills continue to have adverse impacts on site? ○ If the mines are currently filled with water and if they were ever to be dewatered, is the water currently contaminated since many of these spills and leakages happened on the mine floor? ○ If yes and the mine were ever to be dewatered, where would this contaminated water be disposed of?
- Page 3-9 refers to "vacant forested land."
 - Can you elaborate what is meant by vacant forested lands.
- Page 6-2 states that underground utilities have the potential to affect contamination distribution and transport.
 - Will these utilities be removed or kept in place?

- Page 7-1 states that the chain of title indicates that the two parcels making up the Site (part of lots 10 and 11) were all transferred from the Crown to private individuals in the 1850s.
 - o Table 1 further states that pre-1852 the Crown owned the land and in 1852, title was transferred to one William Walker.
 - This is an obvious concern for us here at Six Nations as we either never agreed or allowed for the sale of our lands within the Haldimand Tract or, if we agreed to lease them, we were never properly compensated. These are both issues currently before the courts against Six Nations and Crowns Canada and Ontario. Just to reiterate, Six Nations have always maintained titleship to lands within the Haldimand Tract which includes Haldimand County and the Town of Caledonia.
- Table 3 states that in regards to the former dewatering settlement pond on the south central portion of the Phase One property at surface and abandoned tunnel beneath the south-western portion of the site. Potential contaminating activity is: mining, smelting and refining, ore processing, tailings storage. Location of PCA is on site. Contaminants of potential concern are: metals, Cr (VI), Hg and PHCs. Potentially impact is to soil.
 - o If there were so many contaminants found in both the soil and water on and off site, what are the implications of developing these lands into residential areas? What are the potential impacts to human health?

5. Armstrong Planning and Project Management. GP East, 350 Argyle Street North, Caledonia, Ontario. Preliminary Phase Two Environmental Site Assessment. September 15, 2020.

- Page 4-2 states the water from tunnel dewatering was pumped to a settlement pond on the south-central portion of the site. Media investigated metals and PHCs in the soil.
 - o If there were numerous spills and leakages of contaminants to the mine floor, the mines were eventually allowed to fill with water and then were at some point dewatered, what are the adverse environmental impacts to the areas where the mine waters was dispersed?
 - Page 6-3 states the results of soil quality analysis indicated that at BH19-116, the concentration of barium and cobalt exceeded the respective MECP Table 1 SCS.
 - o What are the implications of this?
 - Page 6.3 states that the results of soil quality analysis on two surficial soil samples from the former settlement pond indicated exceedances of the MECP Table 1 SCS for antimony on both
 - o Do wildlife such as snapping turtles utilize this settlement pond and if so what are the adverse health impacts to them?
- samples and molybdenum in one of the surficial samples.
- o

6. 350 Argyle Street North, Caledonia, Ontario. Scoped Environmental Impact Study (EIS) Report. September 2020.

- Page 5 states that several small unevaluated wetlands are located on the subject property.
 - o Why were some wetlands left unevaluated?
- Page 7-8 states that of the 229 plant species that were recorded during WSP field surveys:

- Many of these species listed are considered culturally significant as they are considered medicine and used as such. Are prevention measures going to be in place as to ensure they will not be adversely impacted by the development itself but post development as well?
- Page 8 states that 19 species are listed as uncommon within Haldimand-Norfolk County:
 - Again, many of these species listed are considered culturally significant as they are considered medicine and used as such. Are prevention measures going to be in place as to ensure they will not be adversely impacted by the development itself but post development as well?
- Page 32 states that surface runoff to Seneca Creek and Seneca Creek Tributary 2 will increase by approximately 4.5% and 11.6% respectively, per year.
 - Will surface runoff be somehow filtered so that no contaminants are entering Seneca Creek or its tributary?
- Page 33 states that 2 stormwater management wet ponds are proposed to treat flows from the residential development blocks. Water quality treatment is provided via permanent pool volume and extended detention for the 25-mm rainfall event.
 - Is wildlife expected to occupy these wet ponds?
 - If so, is the water quality safe for habitation?
 - If so, how will the water be kept safe from contamination for species habitation?
- Page 38 states that since the project is on non-federal (private/municipal) lands and there is no order by Governor in Council, SARA only applies to aquatic and migratory bird species/habitat.
 - According to Indigenous ways of knowing, we don't categorize wildlife or other species as being more important or worthy of protection than the other.
 - We do understand the need to put more efforts in Species at Risk and other species on or near the brink of extinction.
 - However, we would like to also make it clear that we feel that all species within any project development area is worthy of protection and mitigation efforts.
- Page 40 states that there is potential roosting habitat for Endangered SAR bats in the barn proposed for removal. WSP did not assess potential habitat within the barn.
 - Will the barn be assessed and mitigation measures put in place before the barn is destroyed?
 - If bat or bat habitat is found within this structure, what measures will be put in place to ensure the safety and survival of this species?
- Page 42 states that 1 Special Concern SAR plant, Green Dragon was recorded on the adjacent property to the east (Avalon) but the species was not observed on the subject property.
 - What mitigation measures were put in place for this species?
- Page 44 states that according to the 2020 Provincial Policy Statement, no significant wetlands are present on or adjacent to the subject property.
 - Page 45 confirms SWH and amphibian wetland breeding habitat on site (Western Chorus Frog, Green Frog).
 - These two statements seem to contradict each other. Can you clarify?
- Page 60 states:
 - Nesting turtles should not be disturbed (activities within 20 m of a nesting turtle should cease until the turtle has left the area). And SAR turtle nests laid within the construction zone will be protected with a 10 m buffer and an MNRF authorized local wildlife

rehabilitator will be contacted to collect and/or relocate the nest to a suitable location outside the construction zone.

- As explained previously, we would like this extended to all species of turtles as well as any nesting wildlife.

- Page 65 talks about a recommended Biological Monitoring Program as well as an annual BMP. Proposed in 3 stages: pre-construction; during construction and post construction.
 - Will this Program be initiated and if so, for how long?
- Page 67 recommends that targeted surveys be conducted on Barn Swallow and habitat suitability assessment for Endangered bat in the barn proposed for removal. If habitat is confirmed, undertake appropriate ESA compliance activities.
 - What measures will be taken to ensure the safety and survival of these species?
- In the Wildlife Legend on the third page (no page numbers are given in this section), under habitat use, it states:
 - Often Interior and Interior/Edge are more sensitive to urban encroachment as they require these large, relatively undisturbed forest habitats to support viable populations. The increasing urbanization of rural areas often results in increased parasitism and predation as well as disturbance from human recreational activities (eg illegal bike trails, dumping and pets).
 - Can you identify which species found on site fit into this category.

7. 350 Argyle Street North GP Inc. 350 Argyle Street North, Caledonia, Ontario. Hydrogeological Investigation. September 8, 2020.

- Page 13 states that the tunnels are understood to be full of water and hence, represent a significant source of groundwater that would need to be pumped if they were intersected.
 - What are the possible adverse implications of this, assuming that the water in the mines/mine tunnels may be contaminated from former and numerous spills and leakages?
- Page 15 concludes:
 - Groundwater quality sampling indicates Cobalt and uranium concentrations are elevated relative to PWQO criteria.
 - Surface water quality sampling indicates Phosphorus, Cobalt, Copper and Iron concentrations are elevated relative to PWQO criteria.
 - Are any measures being taken to remove these contaminants from the groundwater or, are any other methods being taken or are being considered to treat this contaminated water?

8. 350 Argyle Street North GP Inc. Environmental Noise Assessment. Caledonia, ON. SLR Project NO: 241.20052.00000. September 2020.

- Concern: This report does not seem to indicate if noise from the construction of the proposed development or the subsequent day to day activities of the post construction residential area will have adverse impacts on area wildlife. For example, will the noise created from this project deter wildlife, whether they be classified as SAR or not, deter wildlife from breeding, nesting, or other impacts that may affect their survival rate?

9. Golder. Georgia Pacific No. 1 Mine and No. 3 Mine Investigation Summary and Rehabilitation Plan. Gateway Commercial Ltd. September 3, 2020.

- Page 7 defines POF as Probability of Failure.
 - o Some crown pillars are considered to be of medium or short-term stability and likely require rehabilitation.
 - Does this indicate that the pillars with the highest PoF would in fact collapse and if so, what are the implications of this both within the mine itself and on the surface?
- Table 6 identifies some pillars as having unacceptable risk of failure. Others are identified as being of high level of concern and moderate level of concern.
 - o Just to clarify, to mitigate this, what is being considered is to fill the mines with concrete or some other form of backfill? If so, will there be any further risk of failure in the future?
- Page 9 states that voussoir beams were assessed/analyzed for failures resulting from crushing and/or buckling.
 - o According to page 11 it seems as though some beams were assessed as having a high probability and likelihood of failure.
 - What is being done to mitigate this and after mitigation, will there still be a PoF?
- Page 12 states that the SWM pond located north of the Street A alignment will be located within an area of restricted access and ponded water. This area will not include critical infrastructure and it was ultimately determined that rehabilitation of the GP Mine #1 workings, located within this
 - Concern: Is it anticipated that local wildlife will occupy this area whether it be for long term, nesting, breeding or short term and, if so, what are the potential dangers for them in terms of this area being possibly unstable due to the underground abandoned mine in this area?
 restricted area, is not currently planned.
 - o
 - Page 12-13 states that concerning the mine in this area, long-term stability of the area is a concern.
- Page 13 states that in terms of rehabilitation criteria:
 - o A minimum of 60% of the void space located below Street A alignment will be backfilled.
 - o Cemented filling tight to the crown pillar will be required in areas of stability concern. Page 13 states that the rehabilitation of the underground mine workings will consist of both cemented and uncemented fill.
 - Concern: If these mines are currently filled with water, will they need to be dewatered before filling/back filling takes place? If so, where will the water be relocated to and has or will the water be assessed for contaminants since there is a long history of chemicals spills and leakages onto the mine floor.

10. Preliminary Geotechnical Investigation – Georgia Pacific Lands, 350 Argyle St N., Caledonia ON. Gateway Commercial (Caledonia) Limited. August 6, 2020.

- No concerns at this time.

11. Urban Design Brief. Georgia Pacific Lands Community. Prepared for 350 Argyle Street north GP Inc. September 2020.

- No concerns at this time.

12. 350 Argyle Street North GP Inc. Compatibility Study. Air Quality. Caledonia, ON. September 2020.

- Page 4 states that for this project, the applicable guideline is Guideline D-6 – Compatibility between Industrial facilities and Sensitive Land Uses. The guideline specifically addressed issues of air quality, odour, dust, noise, and litter. Adverse effect is a term defined in the Environmental Protection Act and “means one or more of
 - Impairment of the quality of the natural environment for any use that can be made of it,
 - Injury or damage to property or to plant or animal life
 - Harm or material discomfort to any person,
 - An adverse effect on the health of any person etc.”
- Was air quality and potential adverse impacts to wildlife considered as part of this study?

13. 350 Argyle Street north GP INC. Report Number: 20M-00764-00. Stormwater Management Report. 350 Argyle Street north. August 28, 2020.

- Stormwater management concerns were covered in other reports. No need to repeat them here.

14. 350 Argyle Street North GP Inc. Caledonia Georgia Pacific. Floodplain Mapping Study. September 8, 2020.

- Page 10 states that the upper reach of the Tributary 1 under the north of proposed Street A will be buried for the development. Tributary 1 will also be shortened to south of Street A.
 - It is a concern for us that Tributary 1 will be filled. Is it an option to keep this tributary intact or even take measures to make it into a working tributary that supports fish and other species?

15. Terra-Dynamics Consulting Inc. Water Balance Study. 350 Argyle Street north, Caledonia, ON. August 31, 2020.

- Page 10 states that catchments 1101 and 1201 mineral meadow marsh are proposed to be removed.
 - Do these marshes currently support species and if so what mitigation measures are being taken?

16. 350 Argyle Street North GP Inc. 350 Argyle Street North Functional Servicing Report. September 01, 2020.

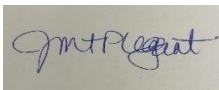
- Page 5 states that the subject property is located within the Grand River watershed and it includes a tributary and sub-tributary to Seneca Creek.
 - As far as I can tell, no other report regarding this development mentions a sub-tributary. Can you explain where this sub-tributary is.

16. 350 Argyle Street North GP Inc. Transportation Impact Study. Proposed Development at 350 Argyle Street North. August 27, 2020.

- No concerns at this time.

Thank you for taking our concerns into consideration.

Sincerely,



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