

## Lyon's Creek East Public Meeting Update No. 8

October, 2008

**Background:** A multi-agency team working on the Niagara River Remedial Action Plan (RAP) held a public meeting in June, 2007 at the Cooks Mills Hall to inform the community about the findings of recent studies on suspected PCB sediment contamination in Lyon's Creek East. They presented options for managing the sediments and requested comments. Citizens expressed concerns and asked for more background information on the study findings, impact assessment, and the decision making process for a final remedial management option. As a result, a Community Liaison Committee (CLC) was formed in September, 2007. The CLC provides an opportunity for concerned individuals, group representatives and/or community representatives to discuss their concerns relative to the sediment study process.

### **Purpose of this Newsletter:**

This newsletter:

- summarizes the discussions at the CLC meeting of Tuesday September 23, 2008,
- provides an overview of the selected option for managing sediments and
- invites you to upcoming CLC and public meetings.

**September 23, 2008 CLC meeting:** The CLC received the recently submitted consultant report that evaluated all of the sediment management options and recommended one option. "*Niagara River Area of Concern, Phase IV: Sediment Management Options For Lyon's Creek East and West*" was prepared by Golder and Associates and submitted to the Niagara Peninsula Conservation Authority (NPCA) in August, 2008. That report evaluates sediment remediation options based on criteria developed by the Multi-Agency Team and the CLC. The report recommends Monitored Natural Recovery as the preferred option. (See description below). The CLC discussed this option at the meeting.

The recommendation for Monitored Natural Recovery is supported by the NPCA, the City of Welland, Niagara Region, the Ministry of the Environment (MOE), the Ministry of Natural Resources, Environment Canada and The Welland River Keepers - a local environmental organization.

Monitored Natural Recovery leaves the contaminated sediments in place and puts in place a number of measures to prevent risk to human health. There were several considerations that led to this option being recommended by the consultants as the preferred option for sediment remediation.

### **Overview of Selected Option for Remediating Sediment**

The consultant used ten evaluation criteria to assess the top four options for sediment management (these options & the criteria were discussed at the June 2007 public Open House). These criteria and an overview of how the selected option addresses the criteria are discussed below:

#### **1. Does the option address the identified risks to human health or the environment?**

A Human Health Risk Assessment (HHRA) was conducted as part of the project. The study incorporated a survey about fish consumption and recreational activities in Lyon's Creek East. The HHRA study concluded that there is no direct contact or exposure between people and sediments and that there is no evidence that there are risks to human health resulting from activities such as fishing and consumption of sport fish. Therefore, active remediation of sediments such as capping or removal to address human health concerns is not warranted. Although the survey responses did not reveal fish consumption from the portion of the creek upstream of Buchner Road, anyone who wishes to consume fish from that area should consult the

MOE's Guide to Eating Ontario Sport Fish. Fish consumption by non-local residents has been reported which will be addressed by education and outreach (see Criteria # 3 below). The results of an Ecological Risk Assessment (ERA) show that the contaminated sediments represent a marginal risk to upper food chain biota such as small mammals and birds. The monitored natural recovery option recognizes that there are no expected human health risks and marginal ecological risks and that these marginal risks can be managed through various means.

**2. Does the option protect the ecological integrity of the surrounding environment?** This area includes a Provincially Significant Wetland (PSW) and several species that are protected by provincial and federal legislation. Any option must consider these ecological features and species. During the option evaluation process, it became evident that the sediment removal and capping options would result in significant damage to the PSW and that these options would cause greater ecological harm than good. With Monitored Natural Recovery there will be no changes to the wetland area or to the protected species.

**3. What neighbourhood impacts will the option generate?** This option means that the contaminated sediments will remain in place as contamination levels are expected to decrease over time. This will necessitate providing information to adjacent property owners, and the general public about the need to not disturb the sediments and about following the recommendations provided in the Guide to Eating Ontario Sport Fish (2007 to 2008 Edition). This information will be communicated through signage, literature and other outreach measures. Also, certain in-stream activities that may disturb contaminated sediments will be strictly controlled or limited. **We would like input from the community on this criterion. What impacts are you concerned with and how could they be minimized?**

**4. Does the option comply with federal, provincial or municipal legislation and policy?** The Federal Fisheries Act protects fish and fish habitat. Ontario policy protects Provincially Significant Wetlands. Federal and provincial legislation for the protection of endangered species and "species at risk" also applies to the wetlands. Options such as sediment removal or sediment capping would create significant disruptions to the PSW and fish habitat. **The Monitored Natural Recovery Option complies with federal and provincial legislation.**

**5. Will the option receive community support?** The Monitored Natural Recovery option is supported by the Council of the City of Welland (Council Report No. 08-128) and the Welland River Keepers. Protection of aquatic habitat such as wetlands is a goal of the Welland River Watershed Strategy and the Niagara River Remedial Action Plan (RAP) which were both developed through community based processes. There are proponents on the CLC for both monitored natural recovery and removal. **Through this newsletter, the project web site, CLC meetings and an upcoming open house, we are interested in hearing from community members.**

**6. How effectively will the option perform in the long term?** This criterion looks at how the option will perform over several years. With the Monitored Natural Recovery option, the concentration of PCBs in the upper portion of the sediment is predicted to slowly decline if sediments are left in place. These concentrations will be monitored and if there are any unexpected changes in concentrations, a process will be put in place to identify and address any risks to human health and to the ecology.

**7. Will the option reduce the toxicity and mobility of the contaminants?** Toxicity assessments indicate that there are currently marginal ecological risks and no human health risks associated with the levels of PCB in the sediments and that levels are expected to decrease over time. However, to further reduce any risks of exposure to PCBs, various controls will be put in place to prevent the disturbance of the upper layers of sediment so that exposure to PCBs should not occur. (See # 3 above)

**8. Is the option technically feasible?** Monitored Natural Recovery has been effectively employed at other contaminated sediment locations in Canada and the U.S.

**9. How much will the option cost in the short and long term?** The cost of implementing the Monitored Natural Recovery option is relatively low and sustainable. In the short term, initial costs are anticipated to be approximately \$50,000 in the first year and over the long term (10 – 15 years) approximately \$200,000 over that time frame. Long term monitoring costs will be funded by the federal and provincial governments. Costs are associated with education & awareness through various means, monitoring of the sediments, analysis of the results, and the subsequent reporting of findings.

**10. Will the project funders and regulatory agencies support the option?** Yes, Environment Canada, the Ontario Ministry of the Environment, the Ontario Ministry of Natural Resources, the Niagara Peninsula Conservation Authority, the Regional Municipality of Niagara and the City of Welland have evaluated the various sediment management strategies and have indicated their support for Monitored Natural Recovery. This is due to the low human health and ecological risks associated with the contaminated sediment. These low assessments of risk do not warrant destruction of significant habitat.

#### **NEXT Community Liaison Committee Meeting**

The next Community Liaison Committee meeting will be held on **Tuesday, October 28, 2008 at 7:00 p.m. at the NPCA's offices at 250 Thorold Road, 3rd Floor, Welland** (next to Centennial High School). The purpose of this meeting is for the CLC to review the evaluation of the four options in detail based on the criteria presented in this newsletter. This is an opportunity to understand how the options were evaluated, why the preferred option was selected and to ask questions. Any member of the public may attend and participate in Community Liaison Committee meetings and to bring any other individuals that may be interested.

#### **NEXT Public Open House**

A **Public Open House will be held Tuesday November 25, 2008 from 7:00 to 9:00 p.m. at Station # 6 Fire Hall, 8061 Schisler Road, Niagara Falls, ON.** The purpose of this Open House is to present the Monitored Natural Recovery Option and get public feedback on it. The Multi-Agency Team is interested in your thoughts on the Monitored Natural Recovery option and what you think is important to consider from a community perspective. Plan to attend and share your thoughts. The information presented and the comments received will be posted on the project website (see below).

***For further information please contact David Slaine, Project Coordinator at 905-646-7931 or via email at [dslaine@terra-dynamics.com](mailto:dslaine@terra-dynamics.com) or check out the Lyon's Creek East website at [www.conservation-niagara.on.ca](http://www.conservation-niagara.on.ca).***

