



City of Hamilton
GENERAL ISSUES COMMITTEE
ADDENDUM

Meeting #: 21-006
Date: March 24, 2021
Time: 9:30 a.m.
Location: Due to the COVID-19 and the Closure of City Hall (CC)

All electronic meetings can be viewed at:

City's Website:
<https://www.hamilton.ca/council-committee/council-committee-meetings/meetings-and-agendas>

City's YouTube Channel:
<https://www.youtube.com/user/InsideCityofHamilton> or Cable 14

Stephanie Paparella, Legislative Coordinator (905) 546-2424 ext. 3993

6. DELEGATION REQUESTS

- *6.2. Barry Coombs, of Nature Canada's Bird Friendly City Hamilton-Burlington Team, to Certify Hamilton as a Bird Friendly City and in Support of the City's Biodiversity Action Plan

(For the April 7, 2021 General Issues Committee meeting.)

- *6.3. Jen Baker, Hamilton Naturalists Club, respecting the City's Biodiversity Plan

(For the April 7, 2021 General Issues Committee.)

10. DISCUSSION ITEMS

- *10.12. Chedoke Creek Order - Associated Costs (PW190098(I)) (City Wide)

14. PRIVATE AND CONFIDENTIAL

*14.6. Privileged Solicitor-Client Regulatory Update (LS21012(a)) (City Wide)

Pursuant to Section 9.1, Sub-sections (e), (f), (h) and (k) of the City's Procedural By-law 21-021 and Section 239(2), Sub-sections (e), (f), (h) and (k) of the *Ontario Municipal Act*, 2001, as amended, as the subject matter pertains to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them; and, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Request to Speak to Committee of Council

Submitted on Tuesday, March 16, 2021 - 2:26 pm

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Barry Coombs

Name of Organization: Nature Canada's Bird Friendly City
Hamilton/Burlington team

Contact Number:

Email Address:

Mailing Address:

Reason(s) for delegation request:

We intend to introduce our team and our goal to certify Hamilton as a Bird Friendly City by May 14, 2022; World Migratory Bird Day. I would read a prepared statement of about three minutes in length and answer questions. The statement would outline our efforts and the criteria the City must meet in order to be certified. We would also like to share our interest and support for the Biodiversity Action Plan, which I understand will be presented at the April 7 meeting. I'm not sure if this qualifies as formal presentation or not. I've checked yes below but please advise if that's correct or not.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? Yes

Request to Speak to Committee of Council

Submitted on Monday, March 22, 2021 - 9:24 am

==Committee Requested==

Committee: General Issues Committee

==Requestor Information==

Name of Individual: Jen Baker

Name of Organization: Hamilton Naturalists Club

Contact Number: 19055243339

Email Address: land@hamiltonnature.org

Mailing Address:

50 Macdonald Ave

Hamilton, ON L8P 4N7


Reason(s) for delegation request: I would like to speak in favour of the Biodiversity Action Plan framework being presented by staff on April 7.

Will you be requesting funds from the City? No

Will you be submitting a formal presentation? No



INFORMATION REPORT

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	March 24, 2021
SUBJECT/REPORT NO:	Chedoke Creek Order – Associated Costs (PW19008(I)) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Cari Vanderperk (905) 546-2424 Ext. 3250
SUBMITTED BY:	Andrew Grice Director, Hamilton Water Public Works Department
SIGNATURE:	

COUNCIL DIRECTION

Not Applicable

INFORMATION

The City of Hamilton (City) has been served four Ministry of the Environment, Conservation and Parks (MECP) Orders as a result of the combined sewage discharge from the Main/King Combined Sewer Overflow (CSO) tank.

Provincial Officer's Order No. 1-J25YB (First Order) was served to the City by the MECP on August 2, 2018; Director's Order No. 1-MRRCX (Second Order) was served to the City by the MECP on November 28, 2019; Provincial Officer's Order No. 1-OW6SS (Third Order) was served to the City by the MECP on November 20, 2020, and lastly Director's Order No. 1-PE3L3 (Fourth Order) was served to the City by the MECP on December 4, 2020, all pursuant to their authority under the *Environmental Protection Act* (EPA) and the *Ontario Water Resources Act* (OWRA).

Report PW19008(I) contains costs incurred to date by the City for the internal investigation related to the discharge, the responses to the MECP Orders previously listed and the corrective and preventative operational initiatives carried out in response to the event.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Chedoke Creek Order – Associated Costs
(PW19008(I)) (City Wide) - Page 2 of 4**

The Orders required the City to retain the service of third-party consultants to undertake several studies to quantify and evaluate the environmental impacts of the combined sewage discharge from the Main/King CSO tank. In addition, the City completed various operational works in coordination with the requirements of the Orders. These efforts include operational inspections and clean-up along with initiating outreach and education programs. The costs incurred to date are summarized below.

Required Study Costs - \$904,803.26 (Total breakdown below)

Calder Engineering Limited \$39,336.21

Storm sewer inspection walk through to verify active discharge from Main/King CSO, flow monitoring at Glen Road and Aberdeen CSO monitoring and sampling.

Hatch Limited \$183,709.00

CSO Facility Inspection Study including identification of critical control points and recommended maintenance practices/frequencies along with a Feasibility Study conducted for the installation of additional monitoring/detection equipment at CSO facilities, in response to the First Order.

Wood Environment and Infrastructure Solutions Inc. \$187,510.97

Quantify the volume and contaminant loadings from the Main/King CSO Tank discharge and engineering services for Chedoke Creek Sewage Contamination Study and Remedial Action Plan, in accordance with the requirements of the First Order.

SLR Consulting Limited \$309,247.08

Emergency services for the Cootes Paradise environmental impact evaluation per the Director's order, engineering services for the Chedoke Creek ecological risk assessment, aquatic biology and water quality peer review services for Chedoke Creek along with additional services to complete a human health and ecological risk assessment at Chedoke Creek and a Sediment and Delineation of Contamination Survey.

GM BluePlan Engineering Limited \$185,000.00

Chedoke Creek Water Quality Improvement Framework Study, including engagement and facilitation of key stakeholders, technical review and development of recommended solutions and an implementation plan.

**SUBJECT: Chedoke Creek Order – Associated Costs
(PW19008(I)) (City Wide) - Page 3 of 4**

Operations & Outreach Costs \$817,819.18 (Total)

This work includes the following activities:

- Surface Water Quality Program
- Enhanced Facility Inspection Team
- CSO Bypass Notification Website
- CSO Educational Video
- Wastewater Quality Management System
- Floatables Study
- CSO Outfall Monitoring Feasibility Study

Initial Creek Clean-up Costs \$111,646.23 (Total)

This work includes, but is not limited to, the following activities:

- CCTV Investigations
- Vacuum Truck Services
- Floating Booms and Containment Barriers

Legal Services Costs \$174,021.99 (Total)

Staff retained external legal counsel, a specialist in environmental law with significant experience with environmental investigations and charges. The fees associated with the external legal counsel since August 2018 include:

- Legal advice related to the orders
- Support for the MECP investigation
- Legal guidance related to the fines and charges
- Written legal opinions.

In summary, the total incurred costs to date in response to the Main/King CSO discharge and the subsequent MECP Orders is currently \$2,008,290.66. This total does not include the existing Wood Environment and Infrastructure Solutions consultant assignment associated with the Fourth Order as it relates to the plans for targeted dredging and proposed remediation efforts in Chedoke Creek and Cootes Paradise, as that work is still ongoing.

**SUBJECT: Chedoke Creek Order – Associated Costs
(PW19008(I)) (City Wide) - Page 4 of 4**

Summary of Costs

Required Studies	\$904,803.26
Operations & Outreach	\$817,819.18
Initial Creek Clean-up	\$111,646.23
Legal Services	\$174,021.99
Total Costs (to date)	\$2,008,290.66

APPENDICES AND SCHEDULES ATTACHED

Not Applicable