

VII. PUBLIC CONSULTATION

VII.1 Overview of Public Involvement Process

The success of any Remedial Action Plan ultimately depends on public support and involvement; only if there is local grassroots support to ensure implementation of the Plan by everyone concerned will any Area of Concern be delisted. It is for this reason that Public Consultation is as important to this Update as it was to the original Stage 2.

The task of receiving public input into the Stage 2 Update and communicating information on the Update involved three distinct actions. Ongoing communication with stakeholders and the public by the Bay Area Restoration Council (BARC) throughout the process of preparing the Update, direct stakeholder involvement in preparing the Update, and a specific public review once the draft document was prepared.

The Hamilton Harbour Remedial Action Plan (RAP) has an ongoing public voice through the Bay Area Restoration Council. The BARC is a confederation of community stakeholders devoted to revitalizing Hamilton Harbour and its watershed. Formed in 1991, the BARC holds public meetings and community workshops, coordinates volunteers for various remedial actions, provides an annual report “Toward Safe Harbours” on the progress of the RAP and publishes a quarterly newsletter. The BARC was the ongoing conduit to keep specific stakeholders and the general public informed about the updating of the RAP.

The process of updating the RAP began in 1998 by recalling the RAP Stakeholder group under the new name “RAP Forum”. The RAP Forum stakeholders represent a diverse cross section of interests and have representation from all the groups known to have an interest in the Harbour and a wish to participate in crafting the Stage 2 Update. The Forum, along with the RAP Office, did the work of preparing the report.

The final step in the process involved holding public meetings and providing the draft Stage 2 Update report to the general public for a period of review and comment during the Fall of 2002.

VII.2 Activities and Functions

VII.2.1 Bay Area Restoration Council

The BARC, representing over 60 organizations and nearly 200 individuals, normally holds four meetings a year consisting of: a major community workshop on a specific RAP issue, an annual general meeting, and two public meetings providing updates and input on specific RAP projects and programs. During the course of the Stage 2 Update sixteen public meetings were held. In addition the BARC organized ongoing information and education initiatives for the general public, stakeholders and school children. Quarterly BARC circulated over 600 copies of their newsletter, “Bringing Back the Bay”, which included a section called “From the RAP Forum” that described the latest activities in updating the Stage 2 Report.

The BARC organized a major media event June 11, 2002 and launched a website focusing on the Hamilton Harbour RAP (www.hamiltonharbour.ca). The BARC website is used as a principal local source of information and contact for the Hamilton Harbour Remedial Action Plan.

VII.2.2 Stakeholder Forum

Formed in April 1998 the RAP Forum set as its purpose “to guide the process of updating the RAP and approve the content of updates. It provides an opportunity for members of the public to provide input into the RAP implementation.” Forty groups are represented on the RAP Forum along with past BARC Presidents and past RAP Coordinators. The meetings are public and advertised in the local media.

The Forum utilized a series of Task Groups made up of RAP Forum members and resource people to prepare status updates, revise recommendations, provide timelines, and revise delisting objectives. As the work of individual Task Groups was completed it was brought back to the Forum for review and approval. This process involved six Task Groups and included 15 meetings of the RAP Forum spanning a period from April 30, 1998 to December 5, 2002. Consensus was used to reach decisions at the RAP Forum.

VII.2.3 September and October 2002 Public Consultation

A public information and consultation program was carried out as a co-joined effort of the BARC and the RAP Office during the months of September and October 2002.

VII.2.3.1 September 19 Media Launch of Draft Stage 2 Update

The first initiative to inform the public was a major media briefing and boat cruise of the Harbour held on September 19, 2002. The event launched the release of the draft Stage 2 Update and was attended by senior staff of Environment Canada, the Cities of Hamilton and Burlington and the Regional Municipality of Halton. The Mayor of Hamilton and the Deputy Mayor of Burlington were keynote speakers at the event. A presentation on the RAP Stage 2 Update was provided along with copies of the document, brochures and fact sheets. The boat cruise for the media was hosted by the Hamilton Port Authority and attended by key scientists who provided insight into ongoing RAP activities.

Media coverage of the launch of the draft Stage 2 Update included three local radio stations, cable TV, CH TV, the Brabant community newspapers and the Hamilton Spectator. All media outlets provided significant coverage of the launch of the Update with most including the times and locations of upcoming public open houses.

VII.2.3.2 BARC Website Information

Simultaneous with the media launch on September 19, 2002 the draft Stage 2 Update was posted as a PDF document at the BARC website www.hamiltonharbour.ca and www.burlingtonbay.ca. RAP brochures and fact sheets along with a public questionnaire/comment response form were also posted on this website.



VII.2.3.3 RAP Brochure and Fact Sheets

An updated RAP Brochure was prepared along with nine fact sheets for distribution by BARC and the RAP Office at the various Public Open Houses, Municipal Council and Conservation Authority meetings. This information complements an existing assortment of fact sheets prepared by RAP partners, particularly the Fish & Wildlife Habitat Restoration Project, the Royal Botanical Gardens, municipalities, and conservation authorities.

VII.2.3.4 Public Open Houses

This portion of the public consultation consisted of three Public Open Houses, shown in Figure 71.

Figure 71. Public Open House Schedule

AGENCY/LOCATION	DATE	TIME
Public Open House Woodward Avenue Public School	September 23, 2002	6:00 PM – 9:00 PM
Public Open House Royal Botanical Gardens	September 26, 2002	6:00 PM – 9:00 PM
Public Open House Hamilton Central Library	September 30, 2002	2:00 PM – 5:00 PM

Three Public Open Houses were held at locations around the Harbour. The first two were evening sessions with presentations and a question and answer period from 7:00 PM. to 8:00 PM. The third was an afternoon session at the Hamilton Downtown Public Library with presentations, questions and answers from 3:00 PM to 4:00 PM. Each meeting was chaired by the BARC President and a recording secretary documented the question and answer sessions. In addition to presentations by BARC and the RAP Office, the City of Hamilton provided displays and a presentation on the WINS program “Wastewater Investments Needs & Strategies”, a program to evaluate upgrades to the City’s Wastewater Treatment Infrastructure. This linking of a major RAP initiative with the Stage 2 Update provided a means to provide greater publicity to the RAP and to highlight one of the major RAP implementation actions.

Advertising for the Open Houses was included in local Brabant newspapers and the Hamilton Spectator the week before the Open Houses. In addition the Open Houses were posted on the BARC website and local municipal websites. Flyers were posted at the public libraries and distributed to the local community.

Summary of Comments from Open Houses

In total eighty-seven people signed an attendance registry for the three open houses. During the question and answer sessions comments received covered the topics of: water quality, progress on the RAP, funding, waterfront trails, and the control of Canada geese and double crested

cormorants. The following is a sampling from the public open houses of typical questions asked and responses provided. A complete summary of questions and answers as recorded by the meeting secretary are on file at the RAP Office.

Water Quality

Question: “At Bay Street (Bayfront Park) the parking lot was awfully messy this summer, especially when boats were launched and swept grass (aquatic plants) was left in the parking lot. The water is very green with algae and boaters cannot see far down the sides of their boats. Nothing seems to be happening. Comments?”

Response: “With respect to the condition of the harbour and water quality improvements, boaters on the harbour ten to twenty years ago would not have experienced real problems with aquatic plants clinging to their boats ... an abundance of aquatic plants is good news since years ago aquatic plants were difficult to grow. The ecosystem depends on plant life. The water, however, is not as clear as desired. RAP targets are not being met for water clarity and a green cast can be seen in the water.”

Question: “It was mentioned that at the west end (of the Harbour) swimming was too polluted. Comments?”

Question: “In the parking lot at the public washroom (at Bayfront Park) there is a sewage holding tank where overflows occur. Is it overflowing more than expected and contaminating beaches?”

Response: “Back in 1992 when Pier 4 and Bayfront parks were first opened, ... the Health Unit became involved in water testing and found that the water was suitable for swimming. Since that time testing has continued at the beaches. Over the years, a significant number of days “not suitable for swimming” increased at Bayfront beach. At Pier 4 over the past two years, approximately half of the days were not available for swimming. Environment Canada was asked to review the situation and identify why bacteria levels were not meeting swimming requirements. In simple terms, when a high level of bacteria on the beach is recorded it is found that as you move out to the water in the harbour, away from the beach, water quality improves. One observation is that the contamination on the beach is not from the harbour water but likely from the beach environment itself or the little bit of drainage that drains on to the beach from the parklands. It may be a park management issue rather than a water quality issue.”

Progress on the RAP

Question: “Two areas, Toxic Substances and Sediment Remediation; and, Water Quality and Bacterial Contamination, display the least amount of progress. Comments?”

Response: “Regarding Toxic Contamination, which was one of the first initiatives of the Remedial Action Plan, many studies and evaluations have taken us to the point of working with a Project Advisory Group for Randle Reef remediation. ... As a current priority, we hope to move ahead (with a remediation project at Randle Reef) by the fall of 2003.” “With respect to Water Quality, this is a very big initiative. Issues include Cootes Paradise Marsh and work to be done in the Harbour. ... The original RAP set interim targets and final targets. Interim targets are to be met by 2003. ... To get from interim targets to final targets involves a huge amount of money.”



Funding

Question: “Has the proposed \$650 million over the next twelve years or so been committed?”

Response: “Some funding is in place. The majority of funding will have to come for wastewater treatment infrastructure. In simple terms, we have asked the federal and provincial governments to consider entering into a tripartite agreement among the City of Hamilton, Provincial and Federal Governments. The proposal is at the initial stage. ... No commitments have been made at this time. It is encouraging to see a commitment at the municipal (City of Hamilton) level to increase water rates to fund a significant portion of the infrastructure upgrades required. ... The Stage 2 Update Report provides an idea of the amounts of money involved.”

Waterfront Trails

Question: “Regarding public access to the waterfront, what plans does BARC have for waterfront trails in the northwest part of the Bay?”

Response: “Presently, a program is underway called LINCS, Looking Into New Connections. The City of Burlington leads this group including the City of Hamilton, Royal Botanical Gardens, Conservation Authorities, and others to look at potential trail connections between the area of the Desjardins Canal ... over to Plains Road by the Royal Botanical Gardens.”

Control of Canada Geese and Double Crested Cormorants

Question: “There has been an incredible increase in the numbers of Canada geese and double-crested cormorants. Is there anything that might be publicly acceptable to address this?”

Response: “With respect to the geese, this is a problem on the waterfront on the lower Great Lakes and is not unique to Hamilton. One initiative under the RAP is to put together ... a complementary strategy for managing the populations in terms of ways to discourage geese from fowling our parks and waterfronts. ... Concerning the cormorant population. ... the success of essentially removing DDT from the environment is that cormorants have been able to thrive. Their numbers ... are higher than ever recorded in the Great Lakes. ... There is no comprehensive management plan for cormorants although the Royal Botanical Gardens is working on this issue. No community action is underway.”

VII.2.3.5 Municipal Council and Conservation Authority Presentations

This portion of the public consultation consisted of six presentations to Municipal Councils and local Conservation Authorities as shown in Figure 72.

Figure 72. Municipal Council and Conservation Authority Presentations

AGENCY/LOCATION	DATE	TIME
Hamilton Conservation Authority 838 Mineral Springs Road, Ancaster	October 3, 2002	7:00 PM
City of Hamilton 71 Main Street West, Hamilton	October 9, 2002	9:30 AM
City of Burlington 426 Brant Street, Burlington	October 21, 2002	7:00 PM
Regional Municipality of Halton Planning and Public Works 1151 Bronte Road, Milton	October 23, 2002	9:30 AM
Conservation Halton 2596 Britannia Road West, Milton	October 24, 2002	7:30 PM
Regional Municipality of Halton Council 1151 Bronte Road, Milton (condensed to 5 minutes)	November 20, 2002	9:30 AM
Township of Puslinch 7404 Wellington Road 34, Guelph	May 7, 2003	1:00 PM

Summary of Comments from Municipal Council and Conservation Authority Presentations

The President and Manager of BARC, the Chair of the RAP Forum and the RAP Coordinator attended at these presentations. In general, the RAP Update was well received and support for the progress to date and the potential to continue progress towards delisting the Harbour was expressed by all the councils and conservation authorities. Specific discussion at these meetings included:

Hamilton Conservation Authority, Oct 3, 2002, Full Authority Board

The significance of the watershed stewardship program to enhance water quality and natural heritage was identified by Conservation Authority Board members.

The staff of the Hamilton Conservation Authority is reviewing the Stage 2 Update and will report back to the Conservation Authority Board.

City of Hamilton, Oct 9, 2002, Hearings Sub-Committee

The effect of the RAP on urban expansion was questioned by some municipal councillors. In response the members were directed to RAP Recommendation ULM-1 on Firm Urban Boundaries. As well it was pointed out that the entire section on Urbanization and Land Management within the Stage 2 Update has been expanded from that contained in the 1992 RAP.



Much of the discussion with the sub-committee was prompted by the councillors examination of the BARC's "Toward Safe Harbour 2002 Report Card" distributed as a handout as part of the presentation.

An update on the sediment remediation project at Randle Reef was provided in response to a question from municipal councillors.

The staff of the City of Hamilton is reviewing the Stage 2 Update, has provided some comments to the RAP Office, and will report back to their council.

City of Burlington, Oct 21, 2002, Council Meeting

Burlington Councillors identified for the RAP their work on fish, wildlife and erosion control on Grindstone Creek at Hidden Valley Park. They also noted that their Storm Sewer By-Law was being updated and that they will be passing a by-law to control erosion and site alterations.

The staff of the City of Burlington is reviewing the Stage 2 Update and will report back to their council.

Regional Municipality of Halton, Oct 23, 2002, Planning and Public Works Committee

Committee members questioned whether industry was the major polluter of the Harbour. In response the RAP Coordinator advised that households were now the main source of pollution through discharges to the wastewater treatment plants.

The pace of wastewater treatment plant upgrades in Hamilton was questioned given that Halton is presently meeting initial RAP effluent water quality targets. In response the RAP Coordinator advised of the recent and ongoing upgrades at the Woodward WWTP and directed councillors to a letter from the International Joint Commission dated September 19, 2002 to the Federal and Provincial Ministers of Environment recommending the federal and provincial governments commit to a partnership with the City of Hamilton to finance upgrades to the wastewater treatment infrastructure.

The staff of the Regional Municipality of Halton is reviewing the Stage 2 Update and will report back to their Council.

Conservation Halton, Oct 24, 2002, Full Authority Board

Conservation Halton noted the substantial commitment it has made to the RAP in the areas of Watershed Stewardship, Fish and Wildlife Habitat Restoration Project, and operation of the Remedial Action Plan Office.

The staff of Conservation Halton is reviewing the Stage 2 Update, has provided some comments to the RAP Office, and will report back to their board.

Township of Puslinch, May 7, 2003, Council Meeting

Puslinch Councillors were pleased to see the importance of the headwaters highlighted in this update. The mayor proudly mentioned his own participation in the Hamilton Halton Watershed Stewardship Program. Trail linkages were considered important to encouraging Puslinch residents to visit Hamilton Harbour to see the improvements.

VII.2.3.6 Public Response Questionnaires

A total of nineteen public response questionnaires were completed and returned the RAP Office. From that limited response the following prioritization of remedial actions was provided.

Most Important	↓	Water Quality and Bacterial Contamination
		Toxic Substances and Sediment Remediation
		Urbanization and Land Management
		Fish and Wildlife
		Research and Monitoring
		Education and Public Information
Least Important		Public Access and Aesthetics

The following is a cross section of typical comments, albeit abbreviated, received from the questionnaires. A complete summary of comments received is on file at the RAP Office.

“We have observed great improvements in water quality Fish and Wildlife are now present. ... Visitors soon change their opinion of Hamilton and marvel at its beauty.”

“I still find it hard to believe how far the Bay has come since the beginning of the RAP. ... Let’s never let it get like that again.”

“Concerned that RAP does not have enough clout to deal with the root problem i.e. urbanization and land management. ... Push for firm urban boundaries and buffer zones and RAP goals into the official plan.”

“I feel it would be good to have effluent from the Woodward Avenue Plant discharge directly into Lake Ontario”

“Get Hamilton to speed up (combined sewer) overflow control and sewage treatment. Press hard for Harbour toxic clean up for hotspots.”

“Want to see progress on air emissions increased aesthetics in East Hamilton along shore reduced emphasis on economic growth as opposed to environmental protections and quality of life.”

“... constant reduction in actual bay water surface area from the 1990’s to present If this slow but constant land fill continues the work of RAP and BARC will be in vain as the Bay will disappear in 40 – 50 years.”

“One issue seemingly not addressed is Lake Ontario water level management”



“Vigilance is required to ensure that public access and enjoyment around the Harbour isn’t negated by inappropriate developments – i.e. perimeter road, stadium, casino.”

“I read in the Dundas Star ... industries surrounding Hamilton Harbour were paying the city to allow them to exceed provincial limits for phenol discharges. ... I would like to see treatment plants such as Woodward expand their testing program to cover contaminants they are specifically being paid to remove.”

“I think education is an important aspect and is the one thing that can improve the state of the Bay the most.”

VII.2.4 Hamilton Spectator Series and Open Forum

The Hamilton Spectator, a local daily newspaper, prepared a series of articles released over seven days (November 23 – 30, 2002) entitled “Bringing Back The Bay”. Over the seven days over 30 full pages were devoted to articles ranging from scientific examinations of the restoration efforts to interviews with individuals who use the Harbour in their work. The timing of this series helped to reinforce the efforts of the Hamilton Harbour RAP and kept both the Harbour and the Stage 2 Update in front of the public.

To complement the print series, the Hamilton Spectator also held an Open Forum, televised live on Cable 14, on November 28, 2002 from 7:30 pm – 9:00 pm. A panel of experts were available for questioning by a live audience and through television viewers via phone or email. The panel included:

Murray Charlton	Chair of RAP Technical Team, Environment Canada
Lou Di Gironimo	Water and Wastewater Division Director, City of Hamilton
Fred Eisenberger	Hamilton Port Authority Board Chair
John Hall	Hamilton Harbour RAP Coordinator
John Shaw	Great Lakes Sustainability Fund Manager, Environment Canada
Gil Simmons	Long time cleanup activist and Local Hamilton Resident
Jim Thoms	Bay Area Restoration Council President

Feedback from the print series and the Open Forum was very positive. Again, no suggestions for changes or revisions arose from this series.

VII.3 Summary of Public Comments

All the comments received at the Open Houses were in the form of questions seeking to clarify RAP issues or related to the status of the Harbour or immediate topical issues of concern to residents. No suggestions for changes or revisions to the Stage 2 Report were received at the Open Houses. Similarly, comments received from questionnaires provided insight into issues of importance to those providing the comments but did not lead to changes in recommendations or delisting objectives contained in the Stage 2 Update.

It is important to note that there were not enough comment sheets (19) returned to the RAP Office to provide any statistically valid conclusions about the priorities of the general public. The responses provided from the comment sheets, the verbal comments received from informal discussions with individuals at the Open Houses and the sustaining priorities emphasised by the RAP Stakeholders and the BARC all seem to concur that the highest priorities for the RAP are actions related to “water quality and bacterial contamination” and “toxic substances and sediment remediation”.

It is also apparent given the substantial time period involved in preparing the Stage 2 Update that the most significant public input into the document came from the ongoing activities of the RAP Stakeholder Forum and the BARC. This is no surprise in that the Hamilton Harbour Remedial Action Plan has a strong history of developing actions and overseeing ongoing activities using a stakeholder consultative approach.