

## Letter of Opposition

Mr. Mayor and Pelham Councillors

I now had an opportunity to listen to Mr. Green's presentation to Pelham Council on June 7, 2021.

Let me begin by stating that, I have been a geoscientist, by education, training and experience, for 45+ years; studied with students local watersheds from Binbrook to NOTL, including Lake Gibson, Martindale Pond and the whole of Twelve Mile Creek for the past 30 years; and I have been a Provincially accredited Professional Geoscientist licensed to practice geoscience for the past 20+ years.

In his presentation, Mr. Green when asked by Councillor Hildebrandt, admitted that he is not a 'professional' geoscientist nor engineer.

So, would you consider seeing a layperson regarding knee surgery? Or hire a layperson to prepare a land survey? The answers are obvious!

It has become obvious from Mr. Green's/Mason's letters to the City of St. Catharines, articles in the newspaper, presentation to Pelham Council, answers to questions that his statements concerning the 'health' of Twelve Mile Creek and the impact by Cannery Pond are highly suspect. Let me give you just a few examples. He/they claim(s), 1) that 'spring waters' in Marlene Stuart Streit Park run at 12°C year-round, b) that the spring waters emanate from the escarpment, 3) that 22°C is lethal to brook trout, 4) "...water temperatures rose..." (April 27, 2021), 5) that the dam represents "...environmental, economic, and public/private liabilities" (April 27, 2021), and 6) "...the waters that emerge from the headwaters of Twelve Mile Creek are the same water that flow through the City of St. Catharines..." (April 27, 2021). All of these statements are either false, without merit or inflated. Since Mr. Green, who has neither the expertise nor accreditation in watershed geoscience, all of his statements should be disregarded as unsubstantiated and untenable.

From the 2001 photo you can see that Cannery Pond is shaded during the 'hottest' part of a day, thus, minimizing the warming potential; clearly, compared to the water temperature observations of St. Johns Pond as documented by the report of Asadi and Brand (2021). In addition, the pond between 2001(see photo) and today (2021) acts as a trap for sediment, and the water as it tumbles forth from the 'notch' in the dam and down boulders is aerated adding essential dissolved oxygen to the water. All of these are positives and should be considered in any professional scientific evaluation.



There are three issues that need to be addressed but thus far have escaped any detailed scrutiny by this Council as well as by others, namely, 1) Rationale for the Project, 2) Conflict of Interest and 3) Respectful & Fair Play.

#### Issue 1) Rationale for the Project:

The proponent of this project, TUC-Niagara via its secretary Mr. Green, say that the health of the creek can be improved by taking the pond off-line or creating a diversionary channel around it. This assertion is WITHOUT any hard scientific evidence and thus without any merit, because the submitted pertinent studies were not prepared/supervised by duly accredited professional geoscientists or environmental engineers.

Asadi and Brand (2021) have no vested interest in the ponds or branches of the upper Twelve Mile Creek other than for scientific purposes and for the protection of our natural environment. As such, the results must speak for themselves, and should be in the best interest of the adjacent landowners. Also, most importantly the protection of the Natural Environment, such as Cannery Pond and the upper Twelve Mile Creek, is paramount, because changes and/or modifications can have long-lasting negative repercussions (history is full of such experiments gone wrong).

#### Issue 2) Conflict of Interest:

Mr. Asadi and Dr. Brand do not stand to benefit in any way from this project – financially or otherwise, other than the protection of a jewel of a watercourse used as a ‘storm water’ overflow by the Town of Pelham.

However, as stated in the St. Catharines Fish Habitat Compensation Project Reports 2021-0099 & 2021-0106, TUC-Niagara, the vigorous proponent for removing or by-passing Cannery Pond, stands to profit from this project by hoping to be made Project Manager by the City of St. Catharines.

Furthermore, the TUC-Niagara webpage lists the NPCA and Niagara College and its associated students and instructors as a long-standing partners.

#### Issue 3) Respectful & Fair Play

Asadi and Brand (2021) prepared a Scientific Brief for members of Pelham council based on historical water and recent temperature data recorded above and below the pond and stations downstream from it (completed on Friday June 4, 2021). Strangely enough, our report found its way into the hands of Mr. Green of TUC Niagara, without our knowledge or permission, who proceeded in his presentation to Pelham Council on June 7, 2021 to criticize its data and conclusions.

Shame on the person(s) who leaked the document, and shame on Mr. Green to have the audacity, as a layperson, to criticize a professionally-prepared report transmitted to councillors of the Town of Pelham. The Town needs to do better!

We stand by our report and its conclusion and will make it freely available to the MNR, DFO, NCC, City of St. Catharines, adjacent property owners, and others if requested.

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