

From J. Thomson

June 19, 2022

To: Mayor Meed Ward

Subject: You Should Have Asked Me The Question

Before the start of Delegations, you state if there are no questions it means that you have fully understood the presentation or words to that effect. This was clearly not the case at the meeting on June 9, 2022. You had a question that you asked Alan Magi to answer in an effort to "set the delegates mind ease". Perhaps you should have asked me the question directly as Alan Magi proceeded to provided false information.

In my presentation I clearly referenced the Addendum to the EA which states on page 4:

Preferred Breakwater Concept & Environmental Impact

Given funding constraints and the need to act in a timely manner to replace the existing breakwater at LaSalle Park Marina, Burlington City Council has approved funding to replace the existing floating breakwater with a new floating breakwater in substantially the same configuration as the existing, but with a more effective design to better dampen wave action in the marina and with the intent to leave the breakwater in place year round. The floating type design and shorter reach eastward as compared to the expanded 2013 proposed stone or rock fixed breakwater eliminates the concerns of Conservation Halton and the Hamilton Conservation Authority on impacts to aquatic habitat from rock fill in the Bay and impacts to water circulation. To address any potential impacts on wintering habitat for the trumpeter swans raised by the Trumpeter Swan Coalition the City will undertake as part of this project to:

1. Permit the Trumpeter Swan Coalition to monitor conditions through the winter.
2. Amend the City's by-laws with respect to feeding wildlife to permit licensed persons from the Coalition to feed the swans in the beach area to the east of the marina in extreme winter conditions.
3. Work with the Trumpeter Swan Coalition to improve educational signage on wildlife at the marina.

So the Undertakings in the Addendum to the EA are in reference to the **floating wavebreak** and they City undertook to modify bylaws to permit feeding the swans in the beach area to the east of the marina.

The bylaws that need to be amended are 60-2005 and 83-2015. They do not currently permit feeding of the Swans in the event of extreme weather.

The relevant section of 83-2015 is:

5. That 19 (1) be added "No person shall feed any wildlife except for the licensed members of the Trumpeter Swan Restoration Group for the purpose of banding and tagging trumpeter swans for research

I believe it should be amended to read.

5. That 19 (1) be added "No person shall feed any wildlife except for the licensed members of the Trumpeter Swan Restoration Group for the purpose of banding and tagging trumpeter swans for research and to feed the swans in the beach area to the east of the marina in extreme winter conditions.

Alan Magi (AM) should be aware of this as he chaired the Stakeholders meeting on the **Floating Wavebreak** that led to the Addendum to the EA.

This is from item 5 of the stakeholder meeting:

AM asked if any concern with the proposed BW and wintering for the Trumpeter Swans

LB Commented that there are concerns with icing over of the water in the winter and that the City has spoken regarding a mitigation plan

AM confirmed that the City and Trumpeter Swan Coalition had spoken and that a monitoring and mitigation plan would need to be put in place that would require an amendment to the City by-law and enhancement of signage and that the feeding would occur in the beach (sic) area and not on the pier.

JB had no objection to that proposal

LB had no objection to the process and or the new BW proposal

They only held one stakeholder meeting so the city never got agreement to not modify the By-law. An open and transparent process would have had a further revision to the EA stating that all the stakeholders had on further reflection agreed that there was no need to modify the By-law.

This reflects badly on the integrity of the city staff and makes a mockery of the Community Engagement Charter.

In this case Council needs to hold staff to account and direct them to modify the By-laws as they undertook to do at the Stakeholder meeting and in the Addendum to the EA.

Failure to do so will reflect badly on the integrity of council.

Regards

A handwritten signature in black ink that reads "James Thomson". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

James Thomson