

REPORT

TASK FORCE

MISNER DAM REPAIR AND SILVER LAKE REVITALIZATION PROJECTS

Introduction:

A working group of the Task Force reviewed:

- The history of both projects – the repair of Misner Dam and revitalization of Silver Lake – including all relevant documentation such as, but not limited to:
 - Report PW 10-73 Re: Port Dover Misner Dam Safety Investigation Report
 - Report PW 10-116 Re: Misner Dam Rehabilitation Options Report
 - Misner Dam Engineering Services Investigation of Short Term Alternatives prepared for Norfolk County by Stantec Consulting Ltd March 2016
- Report CSD 13-22 Re: CIIF Greater Wellington Park Water Way and Shoreline Project Report which documents the impact of the decommissioning of Sutton Dam on the Greater Wellington Park Water Way and shoreline in Simcoe since 2004;
- The results of soil and sediment sampling conducted and documented by SNC Lavalin Inc. for Norfolk County in 2010;
- Alternative methods of repairing Misner Dam;
- A preliminary concept to revitalize Silver Lake and the provincially significant wetlands prepared by the Port Dover Lions Club (PDLC) and Port Dover Waterfront Preservation Association (PDWPA);
- The approval processes of the various regulatory authorities that will oversee the Silver Lake revitalization project;
- The commitment and capability of the PDLC and PDWPA to lead a community-based effort to revitalize Silver Lake and the provincially significant wetlands.

A working group of the Task Force met with:

- A representative of SNC Lavalin Inc. to discuss the results of the soil and sediment sampling conducted by SNC Lavalin Inc. for Norfolk County in 2010 and to review the preliminary concept to revitalize Silver Lake proposed by the PDLC and PDWPA;
- Representatives of the Long Point Region Conservation Authority (LPRCA) to review the preliminary concept to revitalize Silver Lake proposed by the PDLC and PDWPA and the technical studies required to finalize the concept;

The Task Force concluded that:

1. All engineering reports prepared for Norfolk County have determined that the repair of Misner Dam is the best overall option to protect the Lower Lynn River and Port Dover harbour from Lynn River silt;
2. All engineering reports prepared for Norfolk County have determined that decommissioning Misner Dam is not a viable option because it will:
 - a. Cost significantly more to remove the dam;
 - b. Require Norfolk County to seek more approvals and incur additional costs to contain the sediment in the Silver Lake bed before the dam is removed;
 - c. Provide significantly less protection from sediment build up in the Lower Lynn River and Port Dover harbour;
 - d. Result in significant ongoing dredging costs to maintain the Lower Lynn River and Port Dover harbour navigable.
3. The repair of Misner Dam proposed by Staff in June 2018 was prepared by an engineering firm with experience in the field of dam repair and decommissioning. The proposed repair method will meet all required regulatory approvals;
4. Any alternative to the already approved plan to repair Misner Dam will require additional engineering studies and neither represent cost savings nor result in Silver Lake being returned to a higher water level than otherwise possible under the approved plan;
5. Any further delay to the repair of Misner Dam risks increased cost to the project and the need to re-apply for approvals;
6. The PDLC and PDWPA have a reasonable vision for the revitalization of Silver Lake that will:
 - a. Revitalize the Provincially Significant Wetlands in the north end to improve water quality as well as fish and wildlife habitat;
 - b. Create a smaller and deeper Silver Lake in the south end;
 - c. Provide public access to both areas for recreational and environmental purposes including sport fishing;
 - d. Create a series of silt traps with truck access to provide ongoing protection of the waterways below Misner Dam and Port Dover harbour in a cost-effective manner;
7. Approval for the revitalization of Silver Lake and the provincially significant wetlands is desirable and achievable; however, the approval process will be lengthy - input from regulatory authorities, and the public, as well as studies prepared by qualified persons will be required before the plans can be approved and work can begin;
8. The Silver Lake revitalization project can be completed in phases over many years as approvals and funding allow;
9. The PDLC and PDWPA have both stated it would be unreasonable for Norfolk County taxpayers to pay for the project to revitalize Silver Lake;

10. Fundraising by the community to revitalize Silver Lake is achievable and will require contributions from the provincial and federal levels of government as well as local, provincial, national and international organizations and foundations; however, fundraising can not start until a decision is made to repair Misner Dam;
11. Community organizations are aware that:
 - a. Norfolk County maintains it has no authority or jurisdiction over the Lynn River or Silver Lake;
 - b. Norfolk County maintains it is not the sole landowner of the Silver Lake bed and shoreline;
 - c. Norfolk County shall not provide any permissions, directions, authorizations or any other statement that may be relied upon or construed as allowing any particular action to be taken related to Silver Lake or the Lynn River including any action on the County owned portion of the lands unless specifically authorized by Norfolk County;
 - d. Norfolk County shall not be responsible for obtaining any permits, authorizations, environmental assessments or any other legislative or regulatory requirement for proposed action related to the revitalization of Silver Lake unless specifically authorized by Norfolk County;
 - e. Norfolk County shall only consider payment of costs or provision of services related to the revitalization of Silver Lake on a “case by case” basis if these costs or services are related to County property or infrastructure surrounding Silver Lake or are deemed to benefit Norfolk County;
 - f. The community team leading the Silver Lake Revitalization Project shall not make any statements, communications or take any action upon which any person, acting reasonably, would infer that the Community Team is acting on behalf of the County or with any County authorization with respect to the revitalization of Silver Lake unless specifically authorized by Norfolk County;
12. The PDLC has demonstrated the ability to lead and fundraise for large scale projects for the benefit of the community and has offered to act as the lead organization and work with the PDWPA as well as other local community groups and individuals as well as provincial and national organizations to revitalize Silver Lake; however, community organizing can not start until a decision is made to repair Misner Dam;
13. The repair of Misner Dam by Norfolk County will immediately enable the community to begin organizing and fundraising for the revitalization of Silver Lake;
14. The repair of Misner Dam and revitalization of Silver Lake will benefit the people of Norfolk County and showcase what can be achieved when the community works together effectively with all levels of government.

The Task Force recommends that:

1. Norfolk County immediately tender the repair of Misner Dam;
2. The PDLC and PDWPA lead the creation of the Silver Lake Revitalization Project (SLRP) Team, consisting of interested community organizations and individuals, to finalize the plans, apply for approvals, seek funding and manage contracts related to the Silver Lake revitalization project;

3. The Misner Dam repair and Silver Lake revitalization projects proceed in accordance with the attached roadmap on the understanding that this roadmap is at its formative stages and will undergo significant changes as more information becomes available;
4. Norfolk County Staff keep the SLRP Team informed on the progress to repair Misner Dam;
5. The SLRP Team keep Norfolk County Council and Staff informed on the progress to revitalize Silver Lake.