

Letter from Brian Nicholson to Clarington Local Councillors:
Adrian Foster, Ron Hooper, Willie Woo and Gord Robinson

Thursday, May 14, 2009

Gentlemen, thank you for giving me the opportunity to offer some thoughts on the decisions that you will be contemplating tomorrow morning.

I was able to watch your Council meeting on TV last Monday, and I was surprised at the information that was given to you by your CAO Mr. Wu and even more so by the comments made by Mayor Abernethy regarding his report.

Mr Wu seemed to indicate that your agreement to withdraw Clarington's "unwilling host community" status was a condition of Durham agreeing to a Host Community agreement. Mayor Abernethy's comments echoed that perception.

Due to these statements, and the confusion they generated, I raised these issues directly with Cliff Curtis, Gary Cubitt and Roger Anderson at our Regional Council meeting.

I asked why the Region would be offering "enticements" to Clarington to secure a repeal of the unwilling host resolution. Roger Anderson told me and the entire Regional Council that the terms of the Host Agreement are NOT to be considered enticements and that Clarington is free to continue its position as unwilling host if that is the wish of Clarington Council.

Whether Clarington is an unwilling host or not, the Region is required by Provincial Policy and by its own resolutions, to negotiate a HOST AGREEMENT with CLARINGTON. To make it clear, a Host Agreement is negotiated to compensate for impacts IF the facility is located in Clarington, not as a reward for agreeing to be a HOST community.

Any statement by any individual that states, infers, implies or claims that Clarington will not secure compensation under a HOST agreement if Clarington does not rescind its previous status resolution and agree to be a willing host is a statement that is not correct, not supported by Regional resolutions, not supported by EA legislation nor by Provincial policy statements. These would best be characterized as political statements intended to either secure your vote by false information or by raising anxiety regarding potential impact compensation. I urge you to disregard these statements in their entirety.

Clarington Council's position has many supporters at Regional Council and we would raise an unholy storm should anyone suggest that Clarington be punished through removal of a Host Agreement or be given lesser compensation for exercising its

democratic powers under the Municipal Act. I am convinced that the Province would be appalled by such an action and that the mere suggestion of such would negatively impact any E. A. application.

The Region's attitude towards the public and its overtly biased and tainted processes have already caused great concern amongst Provincial political representatives, environmental groups, labour unions, and civic organizations. This "political bluff" has simply reinforced that negative perception.

Whether an unwilling host or not, Clarington is entitled to compensation under a Host Agreement.

I urge you to reject these claims as unworthy of consideration when you make your decisions.

More importantly, the decision you make tomorrow could be one that has impacts well beyond Clarington. Many residents, and more than 10 members of Regional Council, are counting on you to maintain Clarington's current position as an "unwilling host community". We do so for a myriad of reasons but most importantly is the potential of serious health and environmental impacts to all of our residents. The toxic wastes that emanate from the incinerator will impact well beyond the borders of Clarington. In Oshawa, we have clearly stated by Council resolution that we are an "unwilling neighbour" to this incinerator with only two out of eleven Council members voting against that resolution. Ajax has also indicated its opposition to an incinerator and of course, not one municipality has offered to replace Clarington as the host community. We think that speaks volumes.

We will soon be receiving more information on the health and environmental impacts of the project, including a position from our Medical Officer of Health.

It makes no sense to suggest that Clarington give up its position (and strongest bargaining chip) prior to release of all the information and prior to Regional Council making its final decision on the project. If the Region supports the EA and moves the project to the Province for review, the retention of the unwilling host status will have great impact on the position of the Province. It may cause them to reject the project, or to include more stringent environmental and health monitoring. They may also choose to restrict the source and content of wastes burned at the facility or add other restrictions on the operation of the facility. In short, retaining the unwilling host designation will give Clarington a seat at the table as the Province reviews the application. Giving up the status may subvert Clarington's position or concerns within those of the Region as a whole.

The Region is asking you to fold your hand before you even look at your cards. It is in their interest to have you do that, but how can that be in your interest. How does folding your hand protect your residents, your municipality or all our communities? We are counting on you to not do so.

Secondly, there are growing numbers of Regional Councillors who have grave misgivings regarding this project. In Sept. 2006, one solitary vote opposed incineration (my own I am proud to say). Now opposition numbers over 10 members with many more on the fence. If Clarington were to fold your hand, it may cause many sitting on the fence to support the project. If you hold firm under this pressure, it may cause them to gain courage and oppose the project. Thus what you decide has great impact on future decisions. Those of us who have stood with you in this fight are counting on you not to abandon your position. Our strength is our solidarity and our growing support, Please stand firm.

I hope you find this message helpful in your deliberations. If you have any questions or would wish to speak about the issue, feel free to reply or call me at my home tonight

Yours respectfully,

Brian Nicholson