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June 8, 2008

City of Ottawa
Planning, Transit and the Environment Department
110 Laurier Avenue West, 4th Floor
Ottawa, ON K1P 1J1

Attention: Ms. Sandra Stone

Dear Ms. Stone:

Re: Carp River Restoration Plan
Draft Terms of Reference for Third Party Review

I have reviewed the draft Terms of Reference for the proposed third party review and offer the following comments as a citizen of Ottawa rather than in my capacity as an employee of the City of Ottawa.

Rather than just comment on the draft Terms of Reference (ToR), I have gone a step further and prepared an "alternative Terms of Reference" (attached) which I contend better captures what should be required of the third party reviewer. If, as was noted at the May 14th City Council meeting, the "air is to be cleared" on this controversial and long-delayed project, it is essential that the objectives and scope of work be sufficiently broad to encompass all issues relevant to where the project sits today and that the review is objectively undertaken and seen to be so. The "alternative Terms of Reference" include most of the specific tasks listed in the draft ToR but have been expanded as summarized below.

Objectives:

The single objective provided in the draft ToR is too narrow, focusing only on the modeling work. A broader scope is required that includes a review of how floodplain policy was applied to this project and further, whether the project, as currently envisioned, is consistent and complies with all other pertinent policies, procedures, legislation and guidelines. Without the "benchmarks" provided by all pertinent policies/legislation/guidelines, there is little to guide the third party reviewer in his assessment.

Further, there is no recognition of the need to develop a comprehensive, precautionary interim development plan that goes beyond the site-specific or piece-meal approaches that are currently proposed – approaches that cannot ensure that flood risk will not be unacceptably increased in the interim. ("Interim," in this sense, refers to any development that proceeds before there is an approved, comprehensive solution and implementation plan for the Carp River Restoration.)

However, it is recognized by all with any familiarity with this file that there is enormous pressure to proceed with development given the significant delays that have resulted. In this regard, the alternative ToR require the preparation of an Interim Development Plan (Phase 2) subject to the findings of Phase 1 (Review of Policy and Modeling Approaches) - that is, the Interim development Plan is to be undertaken *after* there is resolution to the various outstanding policy and modeling issues.

Project Start-up:

This additional task is suggested to ensure the third party reviewer is brought up to speed as quickly as possible with respect to the various issues requiring resolution and that he will have an opportunity to independently consult with all interested parties before making his recommendations.

Background and List of Supporting Documentation have been included to provide the pre-qualified consultants with a better understanding of the project history and the breadth of existing documentation associated with the project so that it may inform their proposals.

Regards,

Darlene Conway, P. Eng.