



Legislative and Planning Services
Planning Services
Halton Region
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Ministry of Natural Resources and Forestry
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(delivered by email, fax, and courier)

RE: Objection Letter to the James Dick Reid Road Quarry Proposal

Dear Messrs. Sweetnam and Keen:

Halton Region is in receipt of your information package (received August 2, 2018). On initial review of the information, staff have identified a number of concerns with the application. We, therefore, object to the application and are of the opinion that the applications do not constitute good planning and not in the public interest—consequently, they should not be approved in their present form.

Halton Region is responsible for implementing matters of Provincial and Regional interest, as expressed by the 2014 Provincial Policy Statement, the range of Provincial plans, and the Halton Region Official Plan. Those matters are also addressed by the Town of Milton in its Official Plan.

Halton Region is also a major landowner within the vicinity of the proposed new quarry. The Laking Tract and Snyder Tract forests are located within one kilometre to the south and southwest of the subject lands.

On initial review of the application, Halton Region has identified the following concerns with the proposed application:



The potential effects of the operation of the proposed pit and quarry on the environment have not been adequately addressed

1. There are a concentration of sensitive terrestrial and aquatic habitats within and surrounding the proposed pit and quarry that are supported by groundwater. The potential negative impacts to these sensitive natural features resulting from the proposal have not been thoroughly assessed and must be thoroughly understood (and addressed to demonstrate conformity with applicable policies, regulations, standards, and guidelines). Further work is required, including:
 - Verification of the extent of natural feature boundaries in the field, including identifying key features, linkages, buffers, and enhancement areas.
 - Complete peer reviews.
 - Identification of appropriate study methodologies.
 - Integrated review of the Natural Environment report, Hydrogeological report, Blast Impact Assessment report, site plans, and related mitigation strategies to establish appropriate feature characterization, understand potential negative impacts, and evaluate proposed mitigation measures.
 - Allow sufficient opportunity for the proponent to consider and address matters accordingly.
2. The proposed extraction will result in the removal of woodland areas that may be significant woodlands in accordance with Provincial and Regional policy. These locations, their assessment, and the impacts associated with their removal are not well documented in the Natural Environment report. Further details regarding the woodland removal are necessary to address this matter and a Significant Woodland assessment should be conducted by the proponent to evaluate the significance of this habitat.
3. The proposed extraction will result in potential negative impacts to significant wildlife habitat. The criteria used to identify these natural heritage areas require further review and the resultant habitat delineations contained in the Natural Environment report require verification. Conclusions in that report regarding potential impacts to Significant Wildlife Habitat and potential habitat for threatened or endangered species, and the efficacy of proposed avoidance and mitigation measures cannot be confirmed until such time that potential concerns relating to significant wildlife habitat delineation and assessment are further addressed.
4. There is little discussion of mitigation strategies related to site preparation, road construction and driveway/site access improvements, and increased traffic along Reid Sideroad. This raises issues with respect to whether or not appropriate studies were conducted and appropriate measures proposed to ensure no negative impacts on the natural environment.
5. The Blast Impact Assessment report has not adequately assessed the potential impact of underwater blasting. As with the point above, this raises issue with respect to no negatives impacts on the natural environment and surrounding community.
6. The Blast Impact Assessment report lacks sufficient detail in recommending necessary mitigation measures should the drilling and blasting operation fail to meet the requirements of the Ministry of the Environment, Conservation and Parks, therefore avoiding negative impacts on the natural environment and surrounding community.

The potential effects of the operation of the proposed pit and quarry on nearby communities have not been adequately addressed

1. Deepening of the quarry by another 20-25m below water table may trigger a need for major commitments in the event that potential impacts cannot be controlled as envisioned. There are no defined commitments to monitoring and reporting to local agencies. There is no reference to an adaptive management plan, monitoring and mitigation plan, or ecological monitoring in the quarry application. There are no financial commitments in case of default. This poses significant concerns in regards to protecting Region's and local interests.
2. Additional detail regarding the timeframe and proposed actions and activities associated with each phase of the proposed project are requested to consider the overall timeframe for development and operation result in no negative impacts on nearby communities.
3. The Blast Impact Assessment report failed to consider the worse case scenario for potential vibration and overpressure impact on sensitive receptors.
4. More work is needed to ensure the Noise Impact Study has identified all sensitive receptors within proximity of the proposed quarry.
5. Transportation matters have been reviewed in detail by the Town of Milton. Halton Region agrees with the concerns raised by the Town on transportation.

The suitability of the progressive rehabilitation and final rehabilitation plans for the site have not been adequately addressed

1. The rationale and details related to some of the proposed Environmental Enhancement Measures and Rehabilitation Plan are not clear. Considering that some have the potential to alter key features and their associated functions they must be further reviewed and consultation with the Region's technical experts may be necessary to address concerns.
2. In consideration of model uncertainties, the conclusion in the Level 1 and 2 Hydrogeological Report that no active post-extraction mitigation is needed, is premature. As the model was used to simulate post-quarry conditions (closure) based on two phases of extraction (Phase 1 involving the creation of a new pond and Phase 2 involving extractions of the Central Pond with pumping to wetlands to maintain their pre-extractive hydrologic condition, information regarding post-rehabilitation water management needs is not well documented on the Site Plans.
3. Additional analysis of monitoring plans and strategies is required to avoid or mitigate effects of quarrying and a plan for site rehabilitation.

The potential effects on ground and surface water resources including on drinking water sources and private wells have not been adequately addressed

1. The suitability of the proposed annual extraction limit may not be supported in the technical materials submitted to date. As the proposed water management strategy was developed based on the 350,000 tonnes/annum base limit, the higher anticipated limits (500,000 tonnes as per Section 6 of the Level 1 and 2 Hydrogeologic Report, or 990,000 tonnes as per annum as per the Site Plan) put the proposed water management and mitigation system in question.
2. A clearer integration between the hydrology, hydrogeology study and the natural environment study to characterize the wetland hydrologic functions is required to connect the effects of the proposed pit and quarry to the natural environment. As a

preliminary step, the applicant should provide a graph showing the average depth to ground water for all wetland features under existing conditions, during aggregate pond drawdown without mitigation, during aggregate pond drawdown with mitigation as well as maps showing anticipated zones of influence to groundwater.

3. The bedrock-overburden contact variation and surface water-groundwater interaction at this site (including existing anthropogenic features) govern the existing water and environmental conditions at the subject property. Any further changes to water regime at this site may permanently alter the existing equilibrium. Due to significant gaps in background evaluation, monitoring, and on-site mitigation-verification demonstration, avoiding significant changes may not be feasible through the proposed strategy.
4. In regards to the private wells in the areas adjacent to the site, enhanced monitoring frequency and modifications to extractive operations are planned as contingencies, in the event that wells are negatively affected. As most of the area wells tap into the same aquifers as the proposed extractive activities (the latter involving subaqueous blasting and introduction of blasting-related ingredients and chemicals into the local waters), this approach does not provide for adequate protection and mitigation of private wells. The influence of subaqueous blasting on the existing dolostone fracturing system and well infrastructure is also unknown and this raises a major concern in terms of the surrounding water supply wells.

Detailed consideration should be given to planning and land use matters

1. Halton Region typically deals with aggregate applications by establishing and coordinating a Joint Agency Review Team (JART) comprised of the Region, affected Local Municipalities and conservation authorities, Provincial ministries (including the Ministry of Natural Resources), other agencies as applicable, and the quarry proponent. The parameters of such a group are typically confirmed at the planning preconsultation meeting. However, no such meeting has taken place regarding this application. Given the scale of the proposed quarry and its potential for impacts, it would be inappropriate and premature to consider approval of this application without a full planning analysis, including a JART.
2. The applicant has sought to avoid consideration of this application under the *Planning Act* on the basis of existing legacy zoning on the property. This zoning is not consistent with the Provincial Policy Statement and does not conform to the Region's Official Plan, Town of Milton Official Plan, and the Greenbelt Plan as identified through the issues above. The proposal, therefore, does not represent current policy or good planning. The zoning, approved in 2003, was additionally intended to apply to sites with an existing licence, which is no longer the case for this site. It therefore does not take into account current standards and policy expectations concerning the establishment of pits and quarries and the protection of the natural environment. Consideration of the zoning and designation of the site in the context of current policy is therefore required prior to approval of the application.
3. This consideration should include pre-consultation, fees and professional analysis and review via a JART in accordance with the *Planning Act* and relevant policy. Alternatively, we request that the Ministry require a JART process pursuant to Section 7(5) of the *Aggregate Resources Act* to provide for a full planning policy review.

Other Concerns

1. There is no publicly available information on extraction through underwater blasting in Ontario. This extraction method appears to have very little precedent in Ontario.
2. The lack of reports being provided in an accessible location and in a user-friendly format has frustrated the ability of members of the public to meaningfully participate in the process.
3. The 45-day review process is insufficient to fully analyze and assess the potential effects of the quarry as proposed. Halton Region reserves the right to raise further issues as its review progresses.

Conclusion

Halton Region requests notification of any future meetings or updates on the review of this file, including any meetings convened under the *Planning Act*.

For further questions and correspondence on this file, Halton Region's project manager is Joe Nethery (joe.nethery@halton.ca, 905-825-6000 ext.3035), using the mailing address on page 1 of our submission.

Sincerely,

Curt Benson, MCIP, RPP
Director of Planning and Chief Planning Officer

cc: Barb Koopmans, Town of Milton (by email)
Kellie McCormack, Conservation Halton (by email)
Lisa De Angelis (by email)