

## **ARA Review - Orangeville**

My name is Donna Baylis. Thank you for allowing me to speak.

I am a computer consultant. I work part time in the city and live full time near Creemore. While I live 15kms from the proposed mega-quarry site, my opposition started when I saw the massive size of the site plan in the Creemore Echo newspaper. I understood the scale because I snowmobile in the area.

So I started reading, and I learned a lot.

Ontario's Aggregate Resources Act (ARA) is based on 40-year old values. Over the years it has been tampered with beyond recognition. Over a 36 page printout, I counted 36 "Repealed" clauses. Now the ARA and its underlying policies allows pits/quarries to be dug anywhere including environmentally protected land; it bypasses the environmental assessment process; it does not require that proof of need of the aggregate be established; it requires that pits/quarries be dug "close to market" which undermines recycling efforts; it does not take farmland, source water or people's health protection into account. The ARA and its underlying policies must be updated.

The recent approval of a new 150 hectare quarry site at the headwaters of three rivers and on the top of the Niagara Escarpment west of Duntroon shows that even places like the Escarpment that Ontarians believe are protected are in fact not safe from aggregate companies. That the Ministry of Natural Resources is responsible for the Niagara Escarpment Plan and the Endangered Species Act but is also mandated to promote the use of resources such as aggregate is an obvious conflict of interest. Clearly the ARA trumps every other piece of legislation and policy and this has to be changed.

The proposed mega-quarry is an example of the extremes the ARA and its underlying policies will allow.

I have included an information sheet as a handout. In summary, last summer I heard Mark Calzavara of the Council of Canadians speak in front of Queen's Park. I had just taken the subway from Union Station. It was a beautiful sunny day. He said, "Imagine yourself standing in a hole, 250' (75m) deep – the equivalent of a 20 storey building. Now that hole stretches from the Don Valley Parkway west to Ossington, from the Gardiner Expressway north to St. Clair."

In other words this proposed quarry is huge:

- The footprint is roughly 7km x 3km with a 33km perimeter.
- The limestone quarry would be the largest in Canada, and since the company owns 8,000+ acres, would likely be the largest in North America.
- The proposal is backed by a US-hedge fund and is proposed by a company without any aggregate mining experience.
- The proposal is based on new unproven technology claiming that the quarry floor will revert to farmland once extracted
- The proposal estimates pumping 600 million litres of fresh water/day in perpetuity.

Darren White of Melancton Town Council says “Think of the amount of water as 3 minutes and 40 seconds of flow over Niagara Falls. Or for those who can’t picture that, think of the amount as 75 million two-fours of beer.” Everyday. Forever.

In February 2010 the Government of Ontario published the State of the Aggregate Resource of Ontario Study (SAROS), which cited a solution to the province’s aggregate requirement as being a “mega-quarry within 75 kms of Vaughan”. Since the Highland Companies started buying land in 2006 it is difficult to tell whether the mega-quarry proposal was created to meet the requirements of SAROS or whether SAROS was published to fit the parameters of the mega-quarry. SAROS is not the be-all and end-all study because it excludes Ontario’s largest quarry, Manitoulin, as well as Bowmanville, quarries in Ingersoll and many others.

Forty (40) years ago this mega-quarry proposal would not have been possible. The technology and the infrastructure was not available. Our capabilities have changed and the law should be adapted accordingly.

Also our values have changed, and the law should reflect that too.

Important values today are:

- **Environmentally Protected Spaces** – including the Oak Ridges Moraine, the Greenbelt, the Niagara Escarpment.
- **Food Security** – partly achieved by the protection of prime farmland (class 1-4)
- **Fresh Clean Water for All** – as a human right. *It should be noted that the ARA as it stands is a back-door to owning Canadian water rights.*
- **Protection/Recovery Plans for Endangered Species**
- **Resource Conservation and Waste Elimination** – through reduction, reuse and recycling.

So after scouring the internet I compiled a list of recommendations for the ARA and its underlying policies.

## **Recommendations for Changes to the ARA & Underlying Policies**

1. Make conservation of aggregate, a non-renewable resource, a priority over approval of new extraction sites. Conservation can occur through aggregate recycling and use of alternative materials. All three levels of government need to be encouraged to use recycled product.
2. Reserve virgin aggregate, a non-renewable resource, for use within Canada.
3. Prohibit aggregate extraction below the water table without a full Environmental Assessment and full understanding of the impact on all areas, near and far.
4. Prohibit aggregate extraction below the water table in drinking water source areas.
5. Develop a process and guidelines for identifying and designating new Specialty Crop Areas to safeguard unique agricultural land resources. Prohibit aggregate extraction in Specialty Crop Areas.
6. Conduct a thorough study of all existing aggregate reserves in Ontario. We cannot know what we need until we know what we have.
7. Develop an “Aggregate Master Plan” and disallow new aggregate mining licenses within environmentally protected spaces until the “Aggregate Master Plan” has been fully approved by the people and the province. Align the “Aggregate Master Plan” with existing environmental protection legislation including the Greenbelt, the Niagara Escarpment Plan and the Oak Ridges Moraine.
8. Provide an assessment of the cumulative affects (dust, noise, air quality, traffic emissions; effects on water) of the “Aggregate Master Plan” on Ontario residents by district.
9. Require that new quarry proposals demonstrate need for additional aggregate resource extraction in meeting the demands of the Ontario market.
10. Mandate that an Environmental Assessment occur for all new or expanding aggregate operations.
11. Realign the cost of virgin aggregate to reflect reality. Economically, aggregate is a low-priced, heavy-weight commodity that takes the bulk of its cost from transportation. Today, however, the price of virgin aggregate must include the activism necessary by residents to fight for their best interest despite the elected and public institutions designed to represent and protect the public interest. As well, the cost must encompass the environmental cost on residents. In other words the market

cost for virgin aggregate is unrealistically cheap. Create a management system that works for residents and price the product accordingly. This is called full cost accounting.

12. Address what will happen to the operators of small aggregate resources if a mega-quarry becomes the sanctioned approach. What will small operators do when they are subjected to the monopolistic power of the goliath-like mega-quarry?

13. Implement “social licencing” where operators must earn the right to continue extraction through responsible operation, and timely and progressive rehabilitation.

14. Include an end to the aggregate licence, a “sunset clause”. Legally, all contracts require a termination point. Give communities a light at the end of the tunnel. Operators have a tendency to keep a near exhausted site active enough to avoid rehabilitation due to the expense. Or, they extend the life of the operation by accepting commercial fill – the more contaminated/suspect the fill the higher the fee earned.

I am not an expert and quite frankly I should not be here. The fact that I am here, aware that the ARA even exists, is an indicator that the legislation is not doing the job.

Your mandate is to come up with recommendations for quick fixes to keep the public happy. Well I’m sure you can see by now that there are no quick fixes. The Government needs to take a long hard look as to how to manage the competing needs for resources in the long-term. Ontarians cannot afford to continue blindly extracting rock and destroying land at the expense of everything else. Food and water and quality of life must come first.

- Why is the Committee not taking the time to visit the site currently targeted for the proposed mega-quarry?

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