

MNR decision draws fire

Dianne Cornish, Review Staff

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Even before the Ministry of Natural Resources (MNR) announced Tuesday that the quarry licence application by St. Marys Cement (SMC) for the proposed Flamborough Quarry has been deemed complete, opponents were lining up to protest the decision.

Hamilton's medical officer of health Elizabeth Richardson, in a Feb. 10 letter to MNR aggregate specialist Diane Schwier, asked that the MNR consult with the Ministry of Environment (MOE) about the need for St. Marys to complete groundwater tests before the application is considered complete.

Graham Flint, chair of FORCE (Friends of Rural Communities and the Environment), was raising questions about whether the MNR was doing "a comprehensive review" of the application or simply going over a checklist to determine the completeness of its content.

And Flamborough councillor Margaret McCarthy was firing off a letter to Premier Dalton McGuinty, questioning the "fairness and integrity" of the approval process for quarries in Ontario and charging that the quarry licencing procedure is "an erroneous process."

In her letter, McCarthy noted her research, in consultation with Gravel Watch Ontario, has determined that between January 2001 and December 31, 2008, the MNR has approved 229 out of 235 aggregate licence proposals—the remaining six were either withdrawn or failed to meet the two-year time limit for the approvals process.

At the conclusion of her letter, McCarthy said: "Respectfully, I do wish to know what evaluation has taken place at the provincial level to inject some fairness and integrity into what clearly is a one-sided battle with all the ammunition decidedly in favour of the applicant here."

Responding to McCarthy's letter, St. Marys issued a statement to the *Review* just before press deadline. It said, in part:

Ms. McCarthy suggests that the record on aggregate approvals is indicative of an 'erroneous process.' Her deduction is flawed. The public interest is protected by the Planning Act and the ARA process, which is an open public process.

The process is up to date and thorough. Only environmentally sound proposals with strong rehabilitation plans will be approved. The reason why so few applications "fail" is not a result of a flawed provincial process, but rather a result of the incredible amount of scrutiny that a proponent must apply in considering whether or not to make the substantial investment that is required for a pit or quarry application. The more telling statistic is the number of projects that never reach the application stage. Many companies look at dozens of properties every year but only a very small percentage are carried forward to the application stage.

The provincial process is designed to ensure an objective analysis in the long-term public interest with full consideration of the environment. To overthrow the process could have significant consequences beyond any individual application and would really call into question key policies the government has recently approved in the PPS, Greenbelt Plan and Growth Plan as well as the Planning Act and Clean Water Act."

Dr. Richardson says in her letter that Hamilton's public health services department has public health concerns regarding the operation of the quarry and its "potential risk for adverse impacts upon groundwater quality and quantity."

Pump tests

St. Marys conducted an initial round of pump tests at the site last summer, but the MOE determined the results were inconclusive because of heavy rainfall throughout the testing. The aggregate company was asked to repeat the tests but responded on January 22, the same day that it applied to the MNR for its aggregate licence, that it will wait until it has the licence before applying for a Permit to Take Water (PTTW) from the MOE. At that time, it is expected the MOE will demand a resumption of the pump tests.

Schwier was unable to respond to questions posed by the *Review* before press deadline Wednesday afternoon.

The initial aggregate licence application from St. Marys was deemed incomplete on Feb. 9, but a revised submission was sent by St. Marys for the MNR's review. The aggregate company will proceed to the notification and consultation phase of the project, possibly in late March or early April, said St. Marys spokesperson Jennifer Tuck.

The consultation process will last 45 days and will officially begin when the company post notices in local newspapers of a public meeting to allow area residents to comment meeting to allow area residents to comment on the application.

In the meantime, residents are encouraged to visit the company's website at www.flamboroughquarry.ca where site plans and technical reports will be posted. The date and location of the public information session will be announced as soon as they are confirmed, a company press release stated.

John Moroz, vice-president and general manager of St. Marys CBM, pledged this week that the company will work cooperatively with local residents throughout the process. "The requirements for notification and consultation are established by provincial regulations and are designed to ensure the public has access to information about the project," he said.

Members of FORCE are planning to fill the public meeting hall to capacity to voice their continued opposition to the proposed 67-hectare quarry on a 158- hectare site on 11th Concession Road East and Milborough Line near Flamborough's border with Milton.

Flint said recently that the community has been engaged in the process from the start –when a rezoning and Official Plan Amendment (OPA) for the proposal was submitted to the City of Hamilton in September 2004 –and intends to continue fighting it. The group is primarily concerned about the proposed quarry's impact on groundwater in the area but has also argued that environmentally sensitive woodlots and wetlands on the site will be negatively impacted if an aggregate operation is approved.

The City of Hamilton has not yet made a decision on the St. Marys application for an OPA and rezoning of the proposed quarry site.



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