

January 20th, 2006

Stan Holiday
Senior Planner – Legislative Approvals
City of Hamilton
71 Main Street West
7th Floor
HAMILTON, Ontario
L8P 4Y5



Re: Lowndes Holdings Corp. aggregate development application OPA-04-17 and ZAC-04-89
Omission of Natural Environment Peer Review

Dear Stan,

Thank you for your recent circulation of the peer review comments from the City's retained experts.

After reviewing the reports we call your attention to the fact that many of the same observations and concerns that FORCE has been raising over the past year are echoed in the reports. There is a clear theme contained within the comments that the proposal before the City of Hamilton in support of this application is incomplete and non-definitive.

To quote from the hydrogeology peer review by Jagger Hims: *"There are notable errors and inconsistencies, as well as missing information in the key documents reviewed."*

The noise and vibrations review from Valcoustics asks for more detail about the proposed quarry's operational plan and associated sound emissions, and challenges how conclusion can be drawn that the proposed operation is viable without this information.

The IBI Group transportation review concludes that *"no definitive conclusions or recommendations are provided"* regarding the proposed haul routes, the impact of the truck traffic, and / or if mitigation is required.

FORCE once again communicates our opinion that the only decision possible for the application given its supporting documentation is to deny it. We encourage the City to move forward with the decision making process and hold the proponent accountable to the body of work that has been submitted in support of their application.

While generally pleased with the work that has been done in regards to peer reviews thus far, we do have one specific concern that we wish to call to your attention to at this time.

The circulation package included a document from the proponent authored by Stantec Consulting Inc. entitled Proposed Dolostone Quarry, City of Hamilton Environmental Impact Statement Terms of Reference dated March 4, 2005 along with a peer review document of the aforementioned Stantec work from Dougan & Associates.

We highlight that the original Stantec document had not been circulated to FORCE until December 2005. In subsequent conversations with the City we understand that at the time the document, which is characterized

as an annotated table of contents for future work, was delivered to the City it was viewed as an “in process work product” and not a final deliverable so it was not circulated to stakeholders. We accept that explanation but ask that in future any submissions from the proponent be circulated to stakeholders in a timely manner.

What we are still concerned about is that the original environmental work, Preliminary Level 2 Natural Environment Report prepared by Stantec on September 7th, 2004 and submitted by the proponent along with their original application, does not seem to have been peer reviewed. As that is the body of work that has been submitted to support the application, we feel very strongly that it needs to be subject to a full peer review. FORCE has had their team review the documents and the results of that work have been submitted to your office for circulation. The City needs to do the same. The proponent has put this work forward in support of their application; it should be reviewed by the City’s peer review experts and the result of that review circulated.

We consider this omission to be serious and a threat to the integrity of the application review process. We request that it be rectified as soon as possible.

Respectfully submitted,

A handwritten signature in black ink that reads "G. Flint". The signature is written in a cursive style with a long horizontal flourish underneath the name.

Graham Flint BAsC, P. Eng
Chair & Spokesperson

copy via Email to: sholiday@hamilton.ca

cc: Tim McCabe
Steven Rowe