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Quashed bid bolsters anti-quarry lobby

A regulatory body's decision to quash a proposed quarry on the Niagara Escarpment earlier this month is giving hope to a group opposing one in northeast Flamborough.

But that battle is far from over, says Graham Flint, chair of the anti-quarry citizens' group, FORCE (Friends of Rural Communities and the Environment).

"While we've had tremendous success ... the work is certainly not done," Flint said of the ongoing legal actions in an application by St. Marys Cement to open a new quarry on 158 hectares in Carlisle.

The company had planned to extract stone there for the next 25 years or longer, but the province issued a zoning order in 2010 intended to permanently protect the land.

St. Marys has launched a series of appeals to rectify the province's "grave error."

"We've invested a tremendous amount of money in the Flamborough application," said John Moroz, vice-president and general manager of CBM Aggregates, a division of St. Marys. "We thought it was a good application that met all the requirements ... but the government took unprecedented action to shut it down. We certainly feel wrongly done by."

It was the first time the province had used a zoning order to stop a quarry, an action that St. Marys is intent on overturning through a complicated string of actions now before the courts or special panels.

Moroz acknowledged that community opposition is more organized and meaningful now than in the past, including with the recent campaign against Nelson Aggregate's plan to expand a quarry in the Mount Nemo area.

A special panel denied permission — primarily for environmental reasons — after a formal, four-year application process that began in 2008 and included 15 months of hearings, nearly 300 exhibits and 60 witnesses.

Singer-songwriter Sarah Harmer, who grew up near Mount Nemo, began marshalling public opposition in 2003 when Nelson Aggregate first raised the prospect of mining 30 million more tonnes of limestone adjacent to its existing quarry.

"The public is probably more effective at getting together and opposing applications than they were a few years ago and social media has been a tremendous boost to that," Moroz said.

But he said close-at-hand sources of aggregate are needed for roads and construction in Ontario and there has to be a balance in approvals.

"One form of government or another buys about 60 per cent of the aggregates (produced here) and the public is paying for it," Moroz said, adding that regulatory denials for quarries "certainly discourage investment in this province."

But Flint, the FORCE chair, said the problem with the aggregate industry is their "sense of entitlement. If the rock is there and they choose to get it — and I agree it's an important part of our economy — their attitude is be damned, we'll just keep working through the process until we get it."

Flint said there's now more community awareness and regulatory concern about the impact of pits and quarries on the environment, the water table, even the cultural heritage of an area.

In the Mount Nemo case, the key reason cited for denial was protection of the endangered Jefferson salamander, which breeds in the surrounding wetlands.

"The thing is, you can't give up," Flint said. "We've been at this almost nine years and our tag line now is 'It's Not Over Yet.'"

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St. Marys Cement wants to open a new quarry on 158 hectares in Carlisle.

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