

_____, 2010

MNR Guelph District Office
1 Stone Road West
Guelph, ON N1G 4Y2
Attn: Diane Schwier

St Marys Cement Inc. (Canada)
55 Industrial Street, 4th Floor
Toronto, ON M4G 3W9
Attn: Melanie Horton

Dear Sir/Madam,

I am writing this letter to reconfirm my objection to the application for a Category 2, Class A License under the *Aggregate Resources Act (ARA)*, by St Marys Cement.

I do not believe that the official response letter from St Marys Cement addressed the reasons for my objections, as outlined in my original letter. These reasons include issues such as, but not limited to, unacceptable impacts on water quantity and quality, no acceptable haul routes and risk to public safety, destruction of the natural environment in our Greenbelt, permanent loss of farmland, and incompatible zoning and Official Plan status. At this stage, I recommend that the company reread the original objection letter and review the detailed points documented under the headings, and respond to them. I also recommend that the company respond to and act upon the detailed comments in the FORCE submission (including its technical expert reports) and the objection correspondence from other municipal governments, agencies and relevant stakeholders. I do not believe that it is sufficient, in an official response letter that is supposed to propose ideas to resolve my concerns and those of other stakeholders, to simply restate or “spin” the company’s historical positions on issues and to draw from the ARA license application and technical supporting materials which were the basis of what was objected to. I also do not find it acceptable for the company to apparently rewrite history. As a community, we know that the Ministry of the Environment rejected the company’s data results from 2004 and 2008 pump tests, not just that “the test reporting results have been overseen by a number of agencies...” We know that a large percentage of the site will remain in natural features because that is the law, not because the company is being progressive about where it proposes to excavate. We know that potential mineral resource identification on a map does not mean a pre-designation to allow excavation and that is why a zoning and Official Plan amendment is required, so that the City of Hamilton can decide if this development is appropriate in the context of our community or not. I also object to the “don’t worry, be happy” approach to mitigation and adaptive management that encompasses the company’s response to many of the objection issues raised.

In addition, I believe that an official ‘Notice of Objector Response’ and 20 day consultation, so early in the 2 year window for resolution of objections, is premature. The objections filed during the 45 day consultation period just last spring, by more than 1200 community residents and supporters, by all the relevant municipalities (Hamilton, Burlington, Milton and the Region of Halton), by the public health department in Hamilton, by Conservation Halton, by schools/boards, and by the federations of agriculture, were broad and substantive. They were made on the basis of the contents of the ARA application and its supporting technical studies. It is my understanding that FORCE, the municipalities, and key agencies documented numerous problems with the different studies because of the scope of the investigations, data, methodology and other issues. No meaningful effort has been made by the company, between May 2009 and the present day, to complete the work, and to attempt to resolve objections with governments, agencies, other stakeholders and residents. As just two examples, I understand that key work remains outstanding with respect to the haul route study and to date, comprehensive baseline work, acceptable to the Ministry of the Environment (MOE), has not

been completed nor has a GRS mitigation system of any kind been demonstrated successfully on site. Presumably, that is why the company's response letter did not actually respond to my objections, because there was nothing new to say. Some might suggest that this consultation, being imposed on our community, so early in the two year window for resolving objections, is frivolous and vexatious. I recommend that this consultation period be suspended or ended.

As well, the official 'Notice of Objector Response' consultation, being initiated at this time, does not appear to respect the aggregate review process of the City of Hamilton and its neighbouring jurisdictions, known as the Combined Aggregate Review Team (CART). It also disadvantages the community because we do not have the benefit of their completed work to consider. CART has accountability to its constituent governments, and to the public to ensure an open, transparent process and a thorough comprehension of the technical issues involved with the companion land use planning applications and the ARA license application. I am a lay person and am being asked to respond to St Marys Cement and to make recommendations on what could satisfy my objections in the absence of information from the public agencies that are supposed to represent my interests. No public government technical review is available regarding the claims contained in the company's registered letter to me, and certainly no final findings are, or will be, available for many months from the official ARA and land use planning application review by CART. Again, I recommend that this 20 day consultation period be suspended or ended, and that one not be held again until the public can receive feedback from CART, in the form of its final written findings regarding the ARA license and land use planning applications, their presentation in a public meeting, and their review by the affected governments/agencies, including MOE and MNR.

I reconfirm that I continue to object to the approval of the proposed Flamborough quarry for the reasons noted in my original objection letter, but not limited to them, and for those outlined above. I also support the work of FORCE and our retained technical experts, on behalf of our community, to champion our interests through the ARA application process and hearing. I ask the government agencies who are involved in the decision to consider the community's objections and to refuse the license.

Yours sincerely,

(Signature)

(Printed Name)

(Street Address)

(City, Province) (Postal Code)
