

**FOR IMMEDIATE RELEASE**

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**FORCE TO SEEK LEAVE TO APPEAL PERMIT TO TAKE WATER (PTTW)**

**Community Expects St Marys to Cease and Desist**

Friends of Rural Communities and the Environment (FORCE) gave notice today that it will be seeking leave to appeal the Permit to Take Water (PTTW) issued to St Marys CBM, relating to its proposed Flamborough quarry, by the Ontario Ministry of the Environment (MOE). The leave to appeal application is being made under provisions of the Environmental Bill of Rights. The Environmental Review Tribunal (ERT) will make the decision on this application.

“It is incumbent on us to protect our community and our drinking water,” said Graham Flint, Chair and Spokesperson of FORCE. “There are still important policy and scientific questions that must be answered before any testing is permitted to begin. That is why we are initiating this legal action.”

When a leave to appeal is granted, the permit or other legal instrument is put on hold until the broader legal matters are heard. “We are giving St Marys notice of our intention to seek leave to appeal. We expect that the company will honour the community’s intention and take no action relating to the PTTW while the ERT is considering our application,” said Mr. Flint. “If St Marys takes any action, it will prejudice our application and continue to show that the company has no social license to operate in our community.”

St Marys CBM applied to the MOE for a temporary Permit to Take Water (PTTW) during October 2006. The PTTW application is to allow the company to test its unproven and theoretical groundwater recirculation pumping system for the proposed quarry. This system is being put forward by St Marys CBM to address what their own technical reports describe as “unacceptable impact” on area groundwater resources from the proposed quarry.

St Marys CBM purchased 380 acres of land in 2006 from Lowndes Holdings Corp. to develop the massive below the water table quarry. The company owns an adjacent parcel of 154 acres with the stated intention to expand. The lands are completely within the Natural Heritage System of Ontario’s Greenbelt including Provincially Significant Wetlands and significant woodlands. The lands are also found within the 2 year Time of Travel (TOT) Wellhead Protection and recharge areas for the Carlisle municipal water system.

“The proposed quarry clearly represents a potential threat to the municipal drinking water system in Carlisle and to other rural residences, farms and businesses,” said Jennifer Foulds, Communications Director for Environmental Defence. We thought the McGuinty government was serious about protecting drinking water at its source. Approving this permit is putting the cart before the horse.”

MOE’s Clean Water Act came into force on July 3, 2007 and a Halton-Hamilton Source Protection Committee (SPC) created from MOE legislation exists. MOE is not allowing the SPC to do its critical work first before issuing the PTTW to St Marys. Similarly, the MOE did not engage and involve the committee in its deliberations relating to the PTTW.

“Our community has identified water as a key reason for the proposed quarry’s rejection since this proposal was raised in May 2004,” noted Mr. Flint. “Protecting public health and drinking water is the single most important reason why government decision makers at all levels must scrutinize this PTTW and ultimately reject the proposed quarry for the Flamborough area.”

-30-

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