



October 31, 2019

Ministry of Natural Resources and Forestry
Natural Resources Conservation Policy Branch
300 Water Street
Peterborough, ON
K9J 8M5

RE: ERO# 019-0556 for input on Aggregate Resources Act - Proposed Amendments

Dear Minister Yakabuski,

Ontario Farmland Trust (OFT) is a not-for-profit organization whose mission is to protect and preserve Ontario farmlands and associated agricultural, natural, and cultural features of the countryside. We protect farmland in order to ensure a safe and sustainable food supply for future generations of Ontarians. OFT achieves this through direct land securement, stewardship, policy research, and education.

Thank you for the opportunity to submit feedback on the proposed amendments to the *Aggregate Resources Act*. OFT has played an active stakeholder role in other provincial land use planning policy reviews and is pleased to continue working with the Province to refine and strengthen policy direction in Ontario. While we acknowledge the necessity of aggregate extraction in Ontario, we would like to caution against extractive activities that threaten the long- and short-term viability of farmland and farming enterprises, particularly as Southern Ontario is rapidly and irreversibly losing farmland to non-agricultural uses. This loss has a detrimental effect on Ontario's agri-food sector, which annually contributes over \$39 billion to the GDP and employs more than 820,000 Ontarians along the supply chain¹. Even if the area is rehabilitated, there is a significant probability that the land will not be returned to agricultural uses². It is also suggested that even if rehabilitation occurs, it is not effective at returning agricultural lands to their previous level of productivity³.

With respect to the proposed amendments for the *Aggregate Resources Act*, OFT would first like to commend the proposed amendment to enhance the public engagement process. Meaningful public consultation is critical to avoiding and mitigating risk and developing extractive activities that are adapted to the local context. We would also like to encourage the consideration for enhanced reporting on rehabilitation; we look forward to learning more about this proposal and the specific requirements of this reporting as the policy is further developed.

OFT has four recommendations to strengthen the proposal:

- 1) OFT recommends that aggregate extraction be prohibited in Specialty Crop Areas and prime agricultural areas more broadly.** Within the Greenbelt Plan aggregate extraction is not currently permitted on the Niagara Peninsula Tender Fruit and Grape Area between Lake Ontario and the Niagara Escarpment. Prohibition of aggregate extraction should be extended to all Specialty Crop Areas and prime agricultural areas. Farmland is a non-renewable resource that is critical to Ontario's economy and ability to ensure a safe and sustainable food supply for future generations. It must be protected from non-agricultural uses.
- 2) OFT recommends that Agricultural Impact Assessments be added as a province-wide application requirement for both new extraction sites and expansions to existing aggregate operations in prime agricultural areas.** This will be an expansion of requirements in the Growth Plan for the Greater Golden Horseshoe (section 4.2.8.3) and the Greenbelt Plan (section 4.3.2.3): "In *prime agricultural areas*, applications for new *mineral aggregate operations* shall be supported by an *agricultural impact assessment* and, where possible, shall seek to maintain or improve connectivity of the *Agricultural System*." Furthermore, these applications should demonstrate that aggregate extraction will not negatively impact agriculture in the area.



- 3) **OFT recommends that approved haulage routes do not negatively impact agricultural operations.** The dust associated with haulage adversely affects a wide range of crops and livestock health. Additional road traffic may also impede the safe operation and timely movement of agricultural equipment, particularly during planting and harvesting periods. Any haulage route approvals should take these factors into consideration, whether facilitated by the municipality or otherwise.

- 4) **OFT recommends that, should aggregate extraction occur, farmland must be rehabilitated back to an agricultural condition of equivalent or improved quality.** This means a prohibition of extraction below the water table in prime agricultural areas and specialty crop areas, as this precludes the possibility for rehabilitation back to an agricultural condition⁴. It is vital when aggregate operations intending to go below the water table are proposed that best management practices are upheld, and that consideration is given to both the current and future impacts the operation will have on agricultural activities. Agricultural land is a scarce and non-renewable resource, and rehabilitation strategies for farmland after aggregate extraction occurs need to reflect how valuable it really is.

Thank you for this opportunity to share our recommendations and feedback on the Proposed Modifications to the Aggregate Resources Act. We invite discussion and welcome any questions you might have regarding our submission. We look forward to working with the province further.

Most Sincerely,

Kathryn Enders
Executive Director
Ontario Farmland Trust

References:

- [1] Ontario Federation of Agriculture. (2018). Agriculture Matters – A Guide for Municipal Councillors and Staff. <https://ofa.on.ca/resources/guide-for-municipal-councillors-and-staff/>
- [2] Binstock M., and Carter-Whitney, M. (2011). Aggregate Extraction in Ontario: A Strategy for the Future. *Canadian Institute for Environmental Law and Policy*. <http://cielap.org/pdf/AggregatesStrategyOntario.pdf>
- [3] Gravel Watch Ontario. (n.d.). Rehabilitation. <http://gravelwatch.org/rehabilitation/>
- [4] Skelton Brumwell Associates Inc. (2009). SAROS Paper 6: Rehabilitation. *State of the Aggregate Resource in Ontario Study*. https://files.ontario.ca/environment-and-energy/aggregates/aggregate-resource-in-ontario-study/stdprod_067739.pdf