

March 27, 2020

Ministry of Natural Resources and Forestry
Branch - Resource Development Section
300 Water Street
2nd Floor, South tower
Peterborough, ON
K9J 3C7
Canada

Dear Sir or Madam:

Re: ERO #019-1303– Aggregate Resource Act

The Township of Springwater has had an opportunity to review the proposed revisions to the Aggregate Resource Act released on February 12, 2020 and provide the following comments with regards to the following topics:

Study and Information Requirements

Agriculture & Land Use Compatibility

Proposed revisions would require that an Agricultural Impact Assessment be required as part of an application for new pits or quarries that are located within a Prime Agricultural Area. The current regulation does not require this study as part of an Aggregate Resource Act application.

Proposed revisions require information about planning and land use considerations to ensure that site surroundings are captured through the licensing process. Activities within the specific operation are also to be considered to ensure that threats to source water can be identified.

Township Staff Comments:

The majority of the proposed changes are to align with policies within the Aggregate Resource Act with the provincial policy/regulations such as the Provincial Policy Statement and the Clean Water Act. Examining the impacts that pits have on agriculture and potential impacts on source water is encouraged and supported by staff.

Site Plan and License Conditions

Pit Operation Details

Proposed revisions would require recycled aggregate to be counted towards the tonnage condition of the site and reported annually in the production report. In addition, hours of operation are to include all on-site activities.

Township Staff Comments:

The propose revisions would provide a better depiction of site operations.

Noise Mitigation

Proposed revisions appear to be reducing the radius for the review of potential noise impacts resulting from pits and quarries from sensitive receptors from 2,000 metres to 500 metres as threshold distances triggering the need to examine mitigation measures.

Township Staff Comments:

Additional information is requested to outline the rationale for the revision as the proposed revision appears to be a significant reduction.

Dust Mitigation

The MNRF is proposing to include additional conditions to dust mitigation for existing pits including such measures as dust suppressants etc.

Township Staff Comments:

An adaptive approach to mitigate dust impacts is encouraged and supported by staff.

Notification and Consultation Requirements

The Ministry is proposing to extend existing notification requirements from 45 days to 60 days, which would provide additional time for review for agencies and interested stakeholders.

The Ministry is also proposing additional flexibility with respect to circulation distances (from 120 metres to 150 metres for pits or potentially 500 metres for a quarry) and an option to use digital versions of newspaper for notification.

Township Staff Comments:

Additional review time for agencies and stakeholders is a best practice that is encouraged.

Additional flexibility based on the application type (Class A, tonnage specific) would result in notification based on the scope of the application which is supported by staff.

Prescribed Rules for Minor Excavations***Private Owners and Farm Operations***

The Ministry is proposing that persons or farm operations are provided with the ability to operate a pit or quarry on private land subject to specific criteria. Qualified operations would not require a license and would need to register the operation with the Ministry.

Township Staff Comments:

The requirement to register the pit under specific regulations is intended to establish a process for a minor operation. The proposed process would allow property owners and farmers to extract aggregate provided it is only to be utilized within the land holding of the operator.

The prescribed regulations are extensive and staff is concerned that there are minimal reviews to ensure that specific regulations are being complied with.

It is for this reason that staff is concerned that such operations have the potential to encroach into sensitive environmental areas with limited consultation.

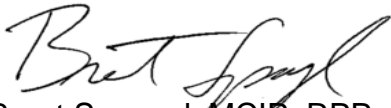
Annual Compliance and Reporting***Rehabilitation Reporting***

The Ministry is proposing to require ongoing rehabilitation reports to provide for more transparency with respect to the rehabilitation of individual pit operations to make information more accessible.

Township Staff Comments:

The provision of ongoing rehabilitation reports is encouraged by staff. However, accessibility to such information should be made more readily available through digital resources to ensure that the general public has the ability to search/access information without the need for a request to the Ministry.

Sincerely,

A handwritten signature in black ink, appearing to read "Brent Spagnol". The signature is fluid and cursive, with the first name "Brent" being more prominent than the last name "Spagnol".

Brent Spagnol, MCIP, RPP
Director of Planning Services