



Simcoe County Greenbelt Coalition

May 1, 2019

Aggregate Reform
 Ministry of Natural Resources and Forestry
 2nd Floor South, 300 Water Street
 Peterborough, ON K9J 3C7
 aggregatereform@ontario.ca

To Whom It May Concern;

First, as allies of Gravel Watch Ontario and Food and Water First (NDACT), we support their submissions on this consultation. In addition, we feel there are unique concerns that our constituency has with aggregate and its potential reform, which demand a Simcoe-specific response.

With our 35 member groups from both urban, rural and semi-urban communities, we aim to promote community development that is financially, environmentally and socially sustainable, such that provides a net benefit to residents. A major part of this is to recognize the value that natural heritage, agriculture and water gives to our communities, including the numerous benefits and co-benefits of ecosystem services. Ensuring the people of Simcoe County, and Ontario broadly, continue to receive these benefits requires an approach to land use planning that is evidence based, transparent and accountable to the public, and with full consideration of the long-term impacts that communities will either have to deal with or benefit from.

Aggregate in Simcoe County

From 2003-2013, Simcoe County was the largest aggregate producer, by volume, in Ontario for 8 of those years. Within that time frame, Simcoe County annually produced 11.64 million tonnes of aggregate, on average. Five municipalities (Clearview, Oro Medonte, Ramara, Springwater and Severn) within the County consistently produce an excess of one million tonnes per year as seen in Table 1.

Municipality (Listed Alphabetically)	2000 Production (tonnes)	2009 Production (tonnes)
Township of Adjala-Tosorontio	541 826.35	559 806.64
Town of Bradford West Gwillimbury	208 160.15	0
Township of Clearview	1 313 587.03	1 132 136.18
Township of Essa	126 619.65	48 477.23
Town of Innisfil	144 331.93	48 509.60
Midland-Penetanguishene areas	—	337 062.82
Town of New Tecumseth	70 231.20	92 152.00
Township of Oro-Medonte	1 986 819.69	2 180 602.03
Township of Ramara	2 086 360.58	1 926 109.68
Township of Severn	1 346 462.97	2 571 324.55
Township of Springwater	1 152 545.68	1 116 392.34
Township of Tay	97 213.46	138 571.68
Township of Tiny	191 118.13	309 796.13
TOTAL	9 265 276.82	10 460 940.88

Source: The Ontario Aggregate Resources Corporation (2009)

There are over 100 licensed pits and quarries within Simcoe County with a total licensed area of 3917.16 ha.¹ It was estimated by the Ontario Geological Survey (2013) that Simcoe has a potential unlicensed resource area of 2404 hectares for sand and gravel with roughly 237.7 million tonnes of aggregate resources. Further, the bedrock-derived aggregate resources that are currently unlicensed is a potential resource area of 27,503 hectares containing 10 928 million tonnes of aggregate resources. Together, that is roughly 30,000 hectares potentially being dedicated to aggregate extraction. Although Simcoe County is large, we must keep in mind that 30,000 hectares is roughly half the size of Lake Simcoe. Add into that the associated roads and infrastructure aggregate operations requires and clearly large swaths of land will be dominated by aggregate activity.

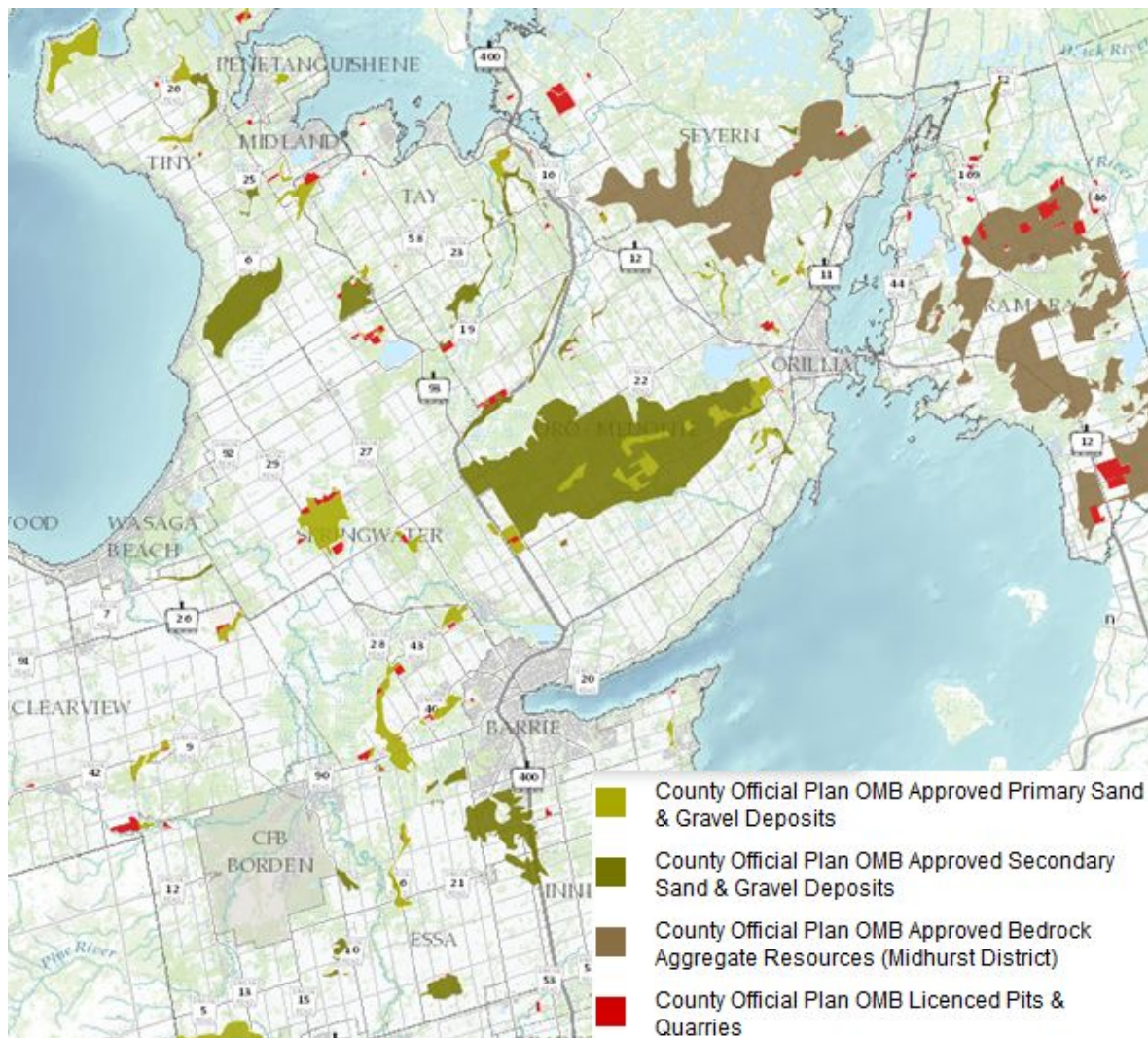


Figure 1: County of Simcoe Aggregate Resources, Pits and Quarries

Most of these deposits and resources are located in the northern part of the county. Although it is less populated than the southern parts of the county, it nevertheless has important infrastructure contained within it. The northern part of the county contains most of the

¹ Ontario Geological Survey (2013). *Aggregate Resources Inventory of Simcoe County*.

connected forest cover, a high percentage of wetlands as well as many river and stream systems.

Moreover, the population in the northern part of the county is primarily serviced by groundwater wells and has a higher concentration of residents that are similarly serviced by private groundwater wells. Layering the sand, gravel and bedrock resources against source water protection maps shows that most of these identified resources (licensed or unlicensed) are surrounded by or contained within highly vulnerable aquifers - the source of drinking water for most of the population in that region. One of the main concerns about aggregate extraction is its effect on surface and groundwater. Extraction changes the slope of the land and water drainage patterns.² This is a permanent change. Further, aggregate resources within an aquifer store the water; if you remove the aggregate, the water storage capacity of that aquifer is lost.³ A case study conducted in Minnesota found that while impacts on water were not found in every quarry and pit, declines in aquifer levels were a common occurrence.⁴

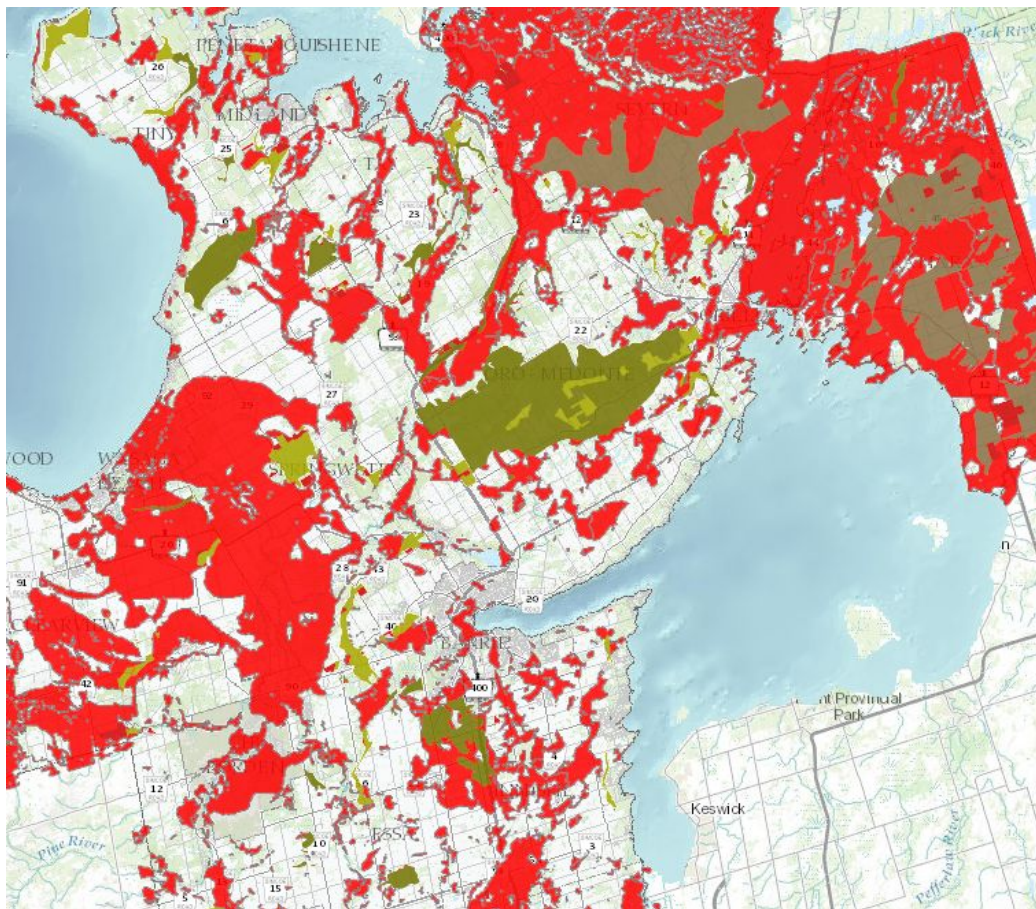


Figure 2: Aggregate Resources Layered Against Highly Vulnerable Aquifers (Red)

² Pembina Institute <https://www.pembina.org/pub/rebalancing-load>

³ Ibid.

⁴ J. A. Green et al., Hydraulic Impacts of Quarries and Gravel Pits. Minnesota Department of Natural Resources (2005). http://www.dnr.state.mn.us/publications/waters/quarries_impacts.html

The aggregate industry has proposed that it be allowed to conduct operations below-the-water table anywhere including in sensitive groundwater storage systems including within the Oak Ridges Moraine. We contest that below-the-water table operations jeopardize water supply to municipalities that are groundwater fed as well as to private well owners who have little protection over their source water already. If anything, aggregate should be limited to operations that are only above the water table and not within identified highly vulnerable aquifers.

Farmland is also impacted by aggregate operations. The quarries and pits and their related infrastructure fragment farmland and the rural economy. As seen below, the aggregate resources identified in Simcoe County also tend to be surrounded by high class farmland. Ontario is already losing over 150 acres of farmland per day. Deregulating aggregate to get into areas that jeopardize our local food systems is short sighted and only further stunts the economic development of rural economies.

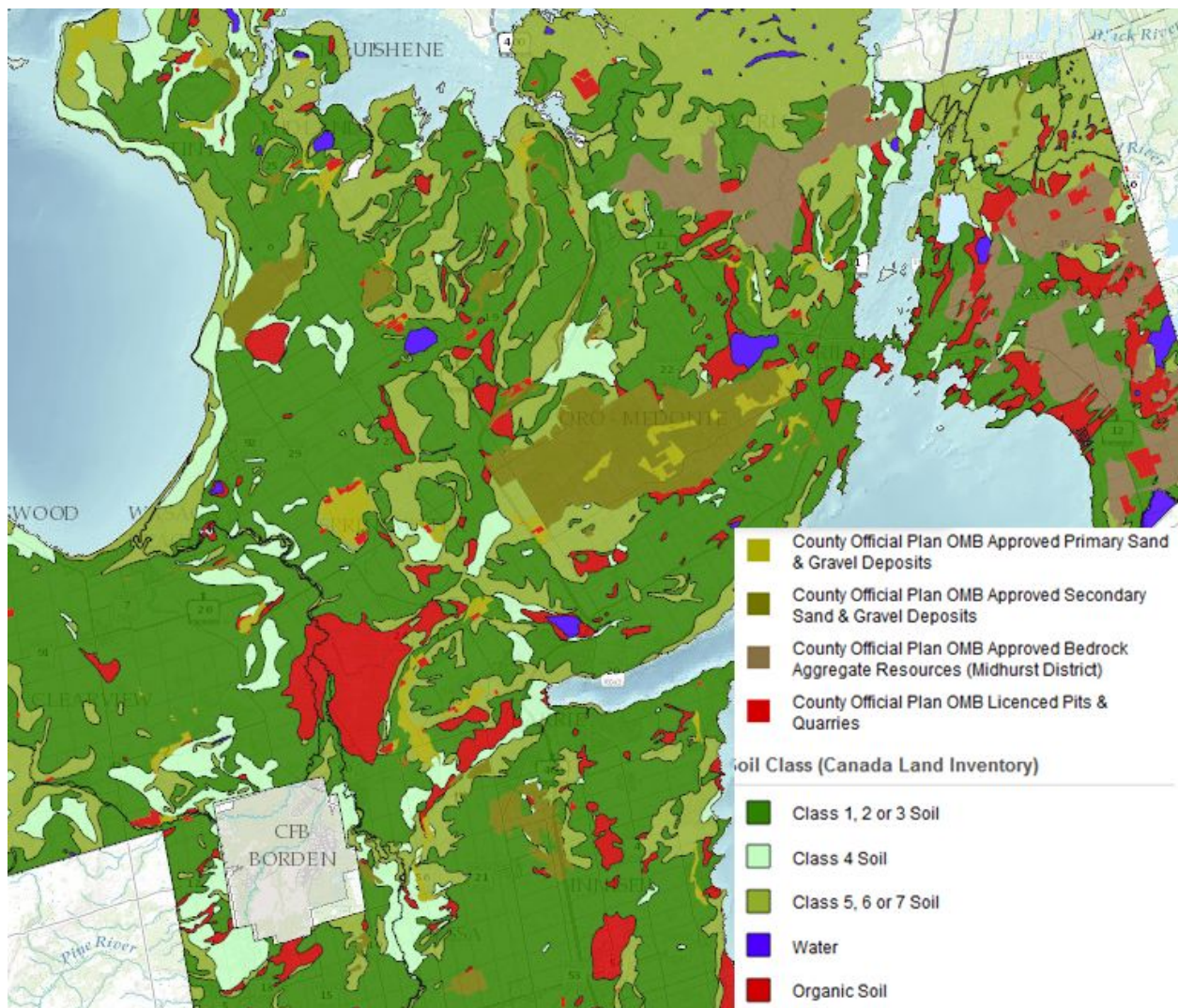


Figure 3: County of Simcoe Aggregate Resources Layered Against Soil Classes

Our Response to Ontario's Aggregate Reform Questions

1. How do we reduce red tape and obstacles that impact the aggregate resource industry?

As pointed out in Gravel Watch Ontario's submission, there has already been a multi-stakeholder consultation and policy suggestions completed around this. The concern is that moving away from agreed upon solutions proposed in 2013, towards a favoured 'open for business' approach equates to a deregulation of the industry. In fact, the Ontario Stone, Sand and Gravel Association (OSSGA) has requested many policies which do little to address regulatory burdens and suggest less oversight including:

- Insisting municipalities have no right to set hours of operation for pits and quarries
- Allowing below-the-water table aggregate operations anywhere, including places where they are currently excluded (e.g. Oak Ridges Moraine National Linkage and Core areas)
- Allowing commercial fill to be brought in as part of the rehabilitation process – without requiring additional approvals or having to abide by current Table One soil requirements (potable/safe for drinking water)
- Exempting aggregate operations from the Endangered Species Act and requirements to not extract in areas containing significant wetlands or treelots
- No requirement for new studies or approvals once a licence is approved when they apply for, or amend an operational permit
- Removing the Niagara Escarpments role in approving pits and quarries
- Remove the requirement for appeals under an aggregate permit to be heard at LPAT and create a special tribunal specifically for the industry.
- Proclaim permit by rule allowing routine approvals to be automatic upon submission.
- Permit aggregate extraction within endangered and threatened species habitat

The reasons that those limits are there is to ensure a sustainable aggregate industry for all affected, most notably residents and their communities. Removing community or local government input does little to support the importance and autonomy of a community's best interest and instead clearly prioritizes the needs of aggregate above that of the community and local ecosystem.

Finally, OSSGA contends that less regulation is needed to increase supply due to a large, expected population growth. We believe that this is an intentionally misleading premise. First, the demands that OSSGA insists is there is not much more than what they already produce. OSSGA estimates 3.84 billion tonnes of aggregate will be needed by 2041. Per year that works out to 174 million tonnes of aggregate annually which is only 10 million tonnes more annually than what the industry claims they produce.⁵

This needed increase also assumes that demand for aggregate will not decrease or stabilize. Over 50% of aggregate in Ontario goes towards building of roads. As we continue to build our

⁵ OSSGA - Untangling Red Tape Report

communities up and not sprawling out, the construction of new roads and highways (which is where the majority of the aggregate goes) will mean less demand for aggregate. It is quite possible that these changes alone could mean that aggregate demand may only stabilize and an increase in production is not needed at all.

The level of deregulation that the industry is requesting is equivalent to a huge boom in demand combined with a constrained supply. This is not so. From OSSGA own numbers they are able to meet demand quite well currently under existing regulations. A remote potential to have an increase demand of 6%, not factoring in changing growth patterns, does not justify the policy changes they have requested.

Further, since there is a finite amount of aggregate resources there should be efforts made to reduce the demand for virgin aggregate through recycling materials. Currently, it is estimated that only 7% of aggregate materials in Ontario are comprised of recycled materials.⁶ Looking at international jurisdictions and how they prioritize recycled materials demonstrates there is ample opportunity for Ontario to improve in this regard.

Minerals planning policies in some European jurisdictions tend to favor reduced consumption of virgin aggregate and enhanced recycling.⁷ 2006 statistics published by the Union Européenne des Producteurs de Granulats, the aggregate producers association for the European Union, indicate that in Belgium, the Netherlands and the UK, roughly 15-20% of total aggregate production was comprised of recycled materials. In particular, the UK achieved high rates of aggregate recycling. In 2006, The UK produced 58 million tonnes of recycled aggregate, which represented 21 % of overall aggregates production. Encouraging a reduced reliance on virgin aggregate would help keep the industry sustainable while still providing jobs and economic benefits and minimizing environmental impacts.

2. Rehabilitation: how do we ensure sustainability and stewardship?

It must be said that while our current economic system and building patterns require the use of aggregate, we cannot then plainly assume that aggregate is a net benefit industry. Of course, it provides job and economic activity, but it also must be recognized as an industry that is disruptive to both neighbouring communities and our natural world. With that in mind, the government must balance the needs of aggregate resources with the needs of sustainable practices. Currently, recognized effects of aggregate operations demonstrate that there must be limits placed on where aggregate can operate such as:

- Construction of new roads, highways, bridges and dams enabled by inexpensive aggregates that can cause damage to the surrounding environment;

⁶ Altus Group. State of the Aggregate Resource in Ontario Study Paper 1: Aggregate Consumption and Demand. Toronto: Queens Printer for Ontario (2009), Available At: http://www.mnr.gov.on.ca/stdprodconsume/groups/lr/@mnr/@aggregates/documents/document/stdprod_067712.pdf

⁷ Aggregate Extraction in Ontario: A Strategy for the Future. (2011). Canadian Institute for Environmental Law and Policy.

- Potential health issues related to poorly maintained stormwater ponds established on aggregate extraction sites;
- Decreased ecological connectivity resulting from road construction, as well as the creation of edge environments along roads that can promote increased growth of invasive or non-native species;
- Decreased biodiversity and loss of habitat associated with the construction of dams and airports; and
- Substantial loss of agricultural land to develop new extraction operations⁸

Environments that are particularly sensitive either ecologically or for the provision of water, air and other ecosystem services should be off limits regardless of rehabilitation requirements. As mentioned earlier, aggregate extraction below the water table permanently disrupts the function of an aquifer and thereby the provision of water to residents and ecosystems.

If the ministry is serious about rehabilitation efforts, then it must ensure that there is adequate follow up and inspections throughout the life of the quarry or pit. Currently, MNRF aims to visit 20% of operating pits and quarries to verify compliance with standards. This number should be dramatically increased and additional inspectors/staff hired to accomplish this. Also, the rehabilitation rate of pits and quarries should be 100%. Enforceable fines should be implemented if a pit or quarry isn't rehabilitated.

3. *Municipal & Indigenous Communities: How can we work better together?*

First, the province must recognize the need for free, informed and prior consent with indigenous communities and their sovereign rights. The government must work with indigenous communities as nation to nation. We suggest that within Simcoe County, all existing and historically present (e.g. Wendat) indigenous communities must be engaged in meaningful dialogue about what is happening on their traditional territories.

Municipal governments are vital to local democracy, so their ability to have influence in these types of decisions is paramount. Currently, there is little power afforded to a municipality when it comes to quarries. Generally, aggregate operations are promoted under provincial policies. Municipalities and by extension, their citizens, should be given more power to ensure that aggregate operations happening within their community is a net benefit.

In Regards to OSSGA Suggestions..

We strongly reject the following suggestions made by the OSSGA including:

- Allowing extraction from
 - endangered species habitat including within the Greenbelt Natural Heritage System, Oak Ridges Moraine Conservation Area Core Linkages
 - significant woodlands
 - Provincially significant wetlands

⁸ SAROS Paper 3: The Value of Aggregates

- Below-the-water table and other natural heritage features within the ORMCP
- ORMCP Natural Core Areas
- The province should suspend any plans to expand the Greenbelt. If anything, considering a changing climate, increased flooding, and natural disasters, more natural areas need to be permanently protected from harmful activities.

Summary

The manufactured crisis of a looming aggregate shortage seems to have little evidence to support it. Even by the OSSGA own numbers, there is an insignificant increase needed to meet forecasted aggregate demands to 2041. Those forecasts also assume the demand for virgin aggregate will continue unfettered despite current changes to urban design which prioritize reusing existing infrastructure versus building new roads to support urban sprawl. Even still, the aggregate industry in some years has supplied over 200 million tonnes of aggregate (annually) in the past decade which is well above their stated need (174 million tonnes) to supply growth to 2041. Abdicating environmental and social responsibility with little evidence from the industry other than hyperbole is irresponsible on the part of the province.

We strongly suggest that the province stand firm on protecting its true provincial interest which is the health of its current and future communities by:

1. Standing firm on existing environmental protections afforded by the NECP, ORMCP, Greenbelt and Endangered Species Act
2. Implement the 38 recommendations that were drafted in 2013 and received consensus from an all party committee
3. Do not allow below-the-water table extractions in Ontario
4. Set a target of recycled aggregate materials to at least 20%
5. Require that new pit or quarry applications demonstrate a need for the additional supply
6. Move Aggregate Planning Hearings to an LPAT Part I Hearing Type so that they may be combined with ARA Licence hearings
7. MNR should conduct aggregate supply and consumption studies at a regional level to determine the true need for new pits/quarries or expansions
8. Expand the Greenbelt to protect highly vulnerable aquifers and strengthen the policies to restrict any expansions or new pit/quarry applications in Greenbelt lands
9. Introduce sunset clauses on existing aggregate licenses across Ontario, but at minimum in the Oak Ridges Moraine, Greenbelt and Niagara Escarpment

Thank you for your time and consideration,

Margaret Prophet

Executive Director

on behalf of the 35 member groups of the Simcoe County Greenbelt Coalition

margaret@simcoecountygreenbelt.ca

(705) 718-1383
www.simcoecountygreenbelt.ca