



LEGISLATIVE ASSEMBLY OF ONTARIO

Queen's Park
Toronto, Ontario

April 22, 2015

The Hon. Bill Mauro
Minister of Natural Resources and Forestry
Suite 6630, 6th Floor, Whitney Block
99 Wellesley St. W
Toronto, ON M7A 1W3

Dear Minister:

I am writing to you concerning the need to update the licencing and approvals process for new quarries and gravel pits.

As you know, the licencing and approvals process for new quarries and gravel pits is always controversial.

Local residents are often concerned about the impact that a new quarry or gravel pit will have on their groundwater, the environment, and property values, as well as the impact that the gravel trucks will have on local roads and infrastructure.

Municipalities are rightly concerned about the astronomical financial cost of dealing with applications, whether they approve them or not. We hear of cases where lower-tier municipalities have no choice but to spend hundreds of thousands of property tax dollars responding to these applications, including the cost of Ontario Municipal Board (OMB) appeals, while their ratepayers question the public benefit.

However, we continue to need aggregate if we are going to build or construct anything in Ontario.

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I believe that provincial policy should seek to find the right balance between the need for aggregate resource extraction and the concomitant need to protect our environment. It is important that the aggregate application and approval process be scientifically-based, open, and transparent. The process should ensure that people have a meaningful say, and that the adjudication of disputes be independent and impartial, and not cost prohibitive.

These are issues which I have raised with your Ministry many times over the years.

For example, in January 2008, I wrote to then-Natural Resources Minister Donna Cansfield, outlining a number of suggestions to improve the licencing and approvals process for new quarries and gravel pits. In my letter, I called upon the Minister to:

- Conduct a review of the Provincial Standards pertaining to the Aggregate Resources Act, which should include consultation with public, industry, and environmental stakeholders.
- Address concerns with respect to the impact of aggregate sites on water supplies and property values within the vicinity of the proposed sites. I said the Ministry should undertake thorough studies on these issues as soon as possible to determine next steps for Government action.
- Make additional resources available to ensure proper compliance of all Ministry directives and regulations.
- Adopt policies to encourage the conservation of aggregates.
- Ensure that all new applications to establish quarries and gravel pits are communicated to MPPs, as is already the Ministry's standard practice for affected municipalities. It is surprising to most people that this is not already a requirement.
- Clarify the Ministry's overview of the approval and licencing process so that it may be clearly understood without the need for specialized consultants, and make this information easily available on the Ministry's website.

As you will recall, in March 2012 the Ontario Legislature passed a motion calling on the all-party Standing Committee on General Government to review the Aggregate Resources Act, and report back to the House its recommendations on how to strengthen and improve the Act.

In October 2013, the Standing Committee on General Government completed its review of the Aggregate Resources Act and tabled its report in the Legislature, with 38 thoughtful recommendations based on public input. For example:

- Recommendation #3 urged the Ministry of Natural Resources to maintain an up-to-date assessment of aggregate demand and supply and future needs and make this information public on a website.
- Recommendation #6 urged the Ministry to increase the annual licence/permit fees and royalty on Crown Land related to the tonnage of aggregate material. The increased revenues would be used to support program administration and inspection, build or maintain local infrastructure, and other uses. A regular review of the fee/royalty structures would be conducted by the Ministry.
- Recommendation #7 urged the Ministry to periodically review and update major aggregate haulage routes to reduce adverse community impacts. This would include efforts to mitigate dust, recognize the need for highway and roadway improvements, and recent municipal development.
- Recommendation #11 urged the Ministry to increase the public notification period from the current 45 days and increase the notification area beyond the current 120m distance to facilitate improved public participation with regard to aggregate licence applications.
- Recommendations #13-21 dealt with the need to make greater use of recycled aggregate materials. In September 2013, my colleague Dufferin-Caledon MPP Sylvia Jones introduced Bill 56, *Aggregate Recycling Promotion Act, 2014*. Her Bill sought to ensure that recycled aggregates could be fairly considered for all public sector construction work. Currently, I understand that there are large stockpiles of recyclable aggregate materials which have little economic value because many contracts require 100% virgin material in their requests for proposals. Obviously, making better use of recyclable aggregates could significantly reduce the demand for virgin materials.

- Recommendation #28 urged the Ministry to work with the Ministry of the Environment to ensure the assessment of cumulative impacts on surface and groundwater resources are taken into consideration and mitigated where warranted.
- Recommendation #29 urged the Ministry to increase the annual licence fee and consider increasing the share of this fee to support a more aggressive rehabilitation of abandoned pits.

In February 2014, more than a year ago, your Government responded to the report. On page 1 of the Government's response, the following statement was made: "We fully support the spirit of the recommendations and will proceed with the development of changes consistent with those recommendations."

Other than making commitments, what specific actions has your Ministry taken in response to the Committee's report? How many of the Committee's 38 recommendations have *actually* been implemented? When are you planning to introduce a bill in the Ontario Legislature to update the Act?

This is an important issue for many people across Ontario, including in my Riding of Wellington-Halton Hills. I look forward to your prompt response.

Thank you for your consideration of this matter.

Sincerely,



Ted Arnott, MPP
Wellington-Halton Hills

TA:dr

Cc: Premier Kathleen Wynne
Jim Wilson, MPP, Simcoe-Grey, Leader of the Official Opposition
Christine Elliott, MPP, Whitby-Oshawa
Sylvia Jones, MPP, Dufferin-Caledon
Jeff Yurek, MPP, Elgin-Middlesex-London, PC Critic to the Minister of Natural Resources