



## LPAT Day 17 – June 18, 2019

Day 17 is done. This is the fifth week! The mean-ness of the JDCL cross-examinations is more than a little wearing. If there is a bottom to a barrel, or a bottomless pit, David White will find it!! But all around us the birds are singing, the water is running high, the sun is finally warming, the lush greens are cheering and the longest day is soon upon us. For this we are thankful!

### IMPORTANT HOUSEKEEPING UPDATES:

1. \*\*\*\*\***Thursday, June 20 start time – 10 am.**
2. **Hearing times are 9:30 to 4:45** unless otherwise advised.
3. There will be **no Hearing on Friday, June 28.**
4. The **agenda for Monday** is at the end of this report.
5. **[Sign in on our roster here.](#) Note: This is a new link for the week of June 17 and 24.**

**Session Content** (This is not a detailed report – just a very simplistic record of activity because of the complexity of the issues, technical analyses and regulatory requirements. Any inaccuracies or opinions are Linda Sword's, not CRC's!! These daily journals are all on the CRC website [www.hiddenquarry.ca/OMB](http://www.hiddenquarry.ca/OMB))

After the Participants finished their presentations on Monday, **Halton Region's Ecology Expert, Mirek Sharpe**, continued his testimony begun last Thursday, and concluded today. He explained that he would consider potential impacts on Brydson Creek and the fish habitat by observing: 1. Reduction in brook trout population; 2. Changes to in-stream fauna – including larger animals; 3. Reduction in water quality, temperature and turbidity; 4. Changes in water volume – both an increase or decrease could alter function of the Creek; 5. Vegetation, both aquatic and riparian could be affected; and 6. Changes where Brydson meets Blue Springs. JDCL had not considered any of these impacts, nor had they studied this natural heritage system. Moreover, there was not enough monitoring in the JDCL plans to set baselines and see changes. He also pointed out that the Eastern Pee-Wee had been sighted in the Brydson woodland, and that the potential for Little Brown Bat habitat was also present. Finally, JDCL had not developed an Adaptive Management Plan which would be essential if changes did occur which could have serious consequences for the natural environment.

JDCL's lawyer, David White, pursued an aggressive cross examination aimed at disappearing Halton Region's concerns and, it seemed, the natural environment features too. Mr. Sharpe had indicated that the HQ site was linked to the Brydson system, and that it was 'adjacent' to the quarry beyond the ARA's 120 metres because of the linked features of woodland, Brydson spring, pond and creek, and the Blue Springs Valley. He was supported by the Public Policy Statement. David White pulled out dictionary definitions and policy definitions and parsed policy paragraphs so that we were dizzy with contiguous, connected, adjacent, linked, potential, probable, likely, possible...a blur of words reducing fish, trees, streams and springs to mush. Mr. Sharpe, like Halton's hydrogeologist Mr. Woerns, kept his eye on the ball throughout - but it must have been exhausting. One question that Mr. White posed, and which really caught our attention, was whether Mr. Sharpe was aware that the land south of Highway 7 in Halton Region was identified as an aggregate resource. Of course, this was not relevant to Mr. Sharpe's work, but it built on the "right to mine" theme of JDCL...Are those of us living on this land simply protecting it for aggregate extraction – even the brook trout?

After Mr. Sharpe's release, the testimony turned to haul routes with **Halton Region's Traffic Engineer, Mr. McGill**. Once again we found ourselves counting trucks and loads and types of trucks. Mr. McGill found errors and inconsistencies in the haul route studies by JDCL and was very clear that the number of trucks which travel along downtown Acton's Mill Street should be zero. I decided that I couldn't possibly keep track of the numbers, and for the first time, I decided to miss a couple of hours, knowing that Doug Tripp would be best equipped to listen and understand the arguments. I'll tell you what we've learned tomorrow. I think I can safely predict that Mr. White will have Mr. McGill read the policy which states that trucks have a right to travel on Highway 7. With that brave prediction, I will say goodnight!

### **What's on the agenda for Wednesday?**

Daryl Cowell, karst hydrogeologist should begin his testimony. Halton Region's planner Nick Macdonald will follow and then CRC experts will be ready to go! Watch also for the time/date of Participant Tony Russell who couldn't attend on Monday, but will be called soon.