

LPAT Hidden Quarry hearings: No other quarry that deep in Ontario

With less than a week to go until the hearings wrap up, the CRC was at the top of the agenda for the week starting June 25, on the heels of Halton Region testimony, which featured several experts who have battled similar past proposals. Hydrogeologist Daryl Cowell specializes in karst rock, cautioning that generalizations about this type of rock are grossly misguided, since age alone is a huge factor. In this case, the dolostone rock in this area is young and more vulnerable to external effects like acid rain on pre-existing weaknesses. He strongly recommended dye-testing to identify such weakness, but said applicant JDCL declined to do so. Cowell also highlighted potential threats from blasting to Brydson Creek Tributary B, which has been used consistently by JDCL to malign the DeGrandis farm as the sole reason for elevated e coli levels. Cowell cast doubt on that assertion. By the day's end, Cowell succeeded in putting front and centre the fact that there were no comparables to look at because Hidden Quarry is a first in the province given how deep JDCL plans to blast—23 metres below the water table.

On day 20, with Halton Hills Mayor Rick Bonnette in attendance, Halton planning expert Nick McDonald presented a clear summary of his points, with two areas of focus: Halton's natural heritage and haul route traffic through Acton. His testimony was complex, taking into account the

Provincial policy statement, Wellington County Official Plan, Halton Region Official Plan, the Planning Act and the Aggregate Resources Act, all of which have their own way of addressing the issues. Balancing each against the other is tricky, but McDonald made the important observation that mapping a resource does not inherently imply it should be extracted. When it was JDCL lawyer David White's turn to cross examine Mr. McDonald, he once again introduced a blizzard of documents that were entered into the record, citing the many developments along that stretch of Highway 7 as if to say Hidden Quarry was a "fait accompli" in the context of what has become an industrial zone already.

Day 21 featured three CRC witnesses. Ecologist Zack Harris felt JDCL's assessment of their own impact on wetlands was incomplete and obtuse, and Harris said operations would negatively impact the site no matter what given they are designated as provincially significant. Wildlife ecologist Karl Konze felt that JDCL's study was outdated at nine years old, making it inconsistent with the current Public Policy statement and the Endangered Species Act. White reverted to his assertions about the DeGrandis impact on Tributary B of Brydson Creek in response but this was demonstrated not to be having an impact on the frog population. Hydrogeologist Garry

Hunter was succinct in his assessment of the application: that it could not meet statutory tests required by the 2018 Aggregate Resources Act, 2014 Provincial Policy Statement or the 2018 Wellington County Official Plan with respect to water and groundwater resources. This was supported by Ground Penetrating Radar specialist Stephen Watson who examined bedrock at the DeGrandis pond and found fractures that confirmed that bedrock groundwater was one source of the pond's springs, providing new and significant information. This elicited a vociferous attempt by White at discrediting Watson. This was difficult considering Watson provides sole source service to the City of Toronto and Hydro One. Similar attempts by White to discredit Hunter fell just as flat.

On day 23, one last resident, Tony Russell, spoke of how his Acton home near that quarry was greatly devalued and degraded by proximity and exposure to effects of blasting, eventually being demolished. White's effort to argue that property value decreases are false was unsuccessful; Russell easily countered his argument.

CRC's last witness—Planner Mark Dorfmann—will testify on day 24. The really compelling day will be Monday, July 8, when all lawyers will make their final arguments. Once the hearing finishes, it will take months for Chair Scott Tousaw to render his final decision.