

May 4, 2022

BY E-MAIL AND MAIL

Ministry of Natural Resources & Forestry, Attn: Jason McLay
Integrated Aggregate Operations Section
300 Water Street, 4th Floor S
Peterborough, ON K9J 3C7
ARAapprovals@ontario.ca & Jason.McLay2@ontario.ca

AND

Dufferin Aggregates, Attn: Kevin Mitchell
2300 Steeles Street West, 4th Floor
Concord, ON L4K 5X6
Kevin.Mitchell@ca.crh.com

Dear Jason McLay and Kevin Mitchell:

**Re: Application under the *Aggregate Resources Act* for a Class A Licence - Quarry
Below Water
Dufferin Aggregates – Milton Quarry East Extension (MQEE)
Part of Lots 11 & 12, Concession 1, Geographic Township of Esquesing, Town of
Halton Hills
Conservation Halton File No: PQ 21**

Conservation Halton (CH) staff has received the above referenced Application for a Class A Licence (Quarry Below Water Table) to expand Milton Quarry East. CH is participating in the review of the proposal through the Region of Halton's Joint Agency Review Team (JART) process alongside the Region of Halton, Town of Halton Hills, Town of Milton, and the Niagara Escarpment Commission.

The existing Milton Quarry and proposed expansion area are entirely located within the Sixteen Mile Creek watershed. The expansion lands contain and/or are adjacent to features regulated by Conservation Halton (CH), including wetlands (e.g., Halton Escarpment Provincially Significant Wetlands (PSWs), etc.), tributaries of Sixteen Mile Creek with their associated flooding and erosion hazards as well as potentially hazardous lands (i.e., karst).

CH is responsible for reviewing the application based on our delegated responsibility to represent the Province on the natural hazard policies of the Provincial Policy Statement (PPS 3.1.1-3.1.7) and will also review the proposal to ensure that it complies with CH regulatory requirements (e.g., natural hazard or wetland related policies or requirements). CH will act as a technical advisor providing advice on natural heritage and water resource matters through the JART technical review process. However, the Region of Halton will be taking the primary review role of natural heritage

features that are not regulated by CH (e.g. significant woodlands, significant wildlife habitat, fish habitat, etc.).

CH has undertaken an initial review of the above-noted *Aggregate Resources Act (ARA)* application and objects to the application for the following reasons:

1. The 60-day notification and consultation period does not allow for adequate review, given the scale, scope and potential implications of the application. The submitted studies (e.g., Geology and Water Resources Assessment, Natural Environment Technical Report, etc.) require detailed technical review and CH's review is still ongoing, in coordination with the Joint Agency Review Team (JART).
2. Notwithstanding the above, based on CH's preliminary review of the information submitted, a number of key issues and/or deficiencies have been identified, including, but not limited to the following:
 - a. Insufficient detail has been provided to determine what impacts the proposed quarry may have on the surrounding water resources, and natural heritage features functions and areas including, but not limited to, wetlands including the Halton Escarpment Provincially Significant Wetlands (PSWs), tributaries of Sixteen Mile Creek, and sensitive surface water and groundwater features. Further, it is not clear whether the proposed mitigation measures will adequately ensure that the features and their functions will not be impacted over the long term.
 - b. There is limited discussion in the reports about cumulative impacts of the proposal. Regulated wetlands are within the zone of influence of the Main and North Quarry and may have already experienced impacts from extraction/dewatering. Until cumulative impacts are adequately identified, CH staff cannot confirm the proposed wetland mitigation measures and target levels are appropriate in ensuring no negative impacts to their form and functions. Further discussions on the basis of establishing baseline conditions is required.
 - c. To better understand the number and size of wetlands that may be impacted by this proposal, the wetlands will need to be staked by CH during the appropriate field season (June to late-September) to establish limits, and appropriate setbacks.
 - d. Target levels for each wetland within the zone of influence warrants further discussion.
 - e. The proposed mitigation measures for wetlands within the zone of influence do not fully consider the impacts to ecological and hydrological functions.
 - f. The complexity of the proposed water management system for mitigation and monitoring of features requires a detailed review.
 - g. It is not clear if the existing groundwater and surface water monitoring network and proposed monitoring program is sufficient to ensure no groundwater impacts to wetlands and other natural features.

- h. There are concerns that there may be hazardous lands (e.g., karst) near the brow of the Niagara Escarpment and in proximity to the expansion where mitigation and a contingency plan may be required.
- 3. CH has existing agreements with Dufferin Aggregates for the existing ARA licensed areas related to the future land conveyance, long term operation of the water management system, and implementation of the Adaptive Management Plan (AMP). Any proposed amendments to these existing agreements will require separate discussions with CH outside of the ARA, Niagara Escarpment Plan Amendment, Niagara Escarpment Commission Development Permit, and Regional and Local Official Plan Amendment review processes.

Detailed comments will be provided through the JART review process. Please note that should further issues arise through the detailed technical review, CH reserves the right to provide additional comments.

Based on the reasons outlined above, CH objects to the approval of the Licence application for a Category A, Quarry Below the Water Table.

We trust that these comments are of assistance. Should you have any questions, please contact the undersigned via email jbester@hrca.on.ca or phone 905-336-1158 ext. 2317.

Sincerely,



Jessica Bester, BES, MCIP, RPP
Senior Environmental Planner
Conservation Halton
2596 Britannia Rd W
Burlington, ON L7P 0G3

Cc (by email): Joe Nethery & Janice Hogg, Region of Halton
Jeff Markowiak & Greg MacDonald, Town of Halton Hills
Mollie Kuchma, Town of Milton
Lisa Grbinicek, Niagara Escarpment Commission
Brian Zeman, MHBC Planning