

From: "McCarthy, Margaret" <Margaret.McCarthy@hamilton.ca>

To: "McCarthy, Margaret" <Margaret.McCarthy@hamilton.ca>

Date: Fri, 3 Apr 2009 12:30:05 -0400

Subject: Proposed Quarry ARA Application - 45-Day Notification and Consultation Stage Has Started

The Ministry of Natural Resources advised St. Marys Cement that they could proceed to the 45-Day Notification and Consultation stage of their Aggregate Resource Act application. This was expected. The notification period starts once the date of the required Public Meeting is published. This has now taken place. The meeting will be held:

Monday, April 27, 2009

4:00 pm – 9:00 pm

Waterdown Legion Hall

79 Hamilton Street North

Our community's strong participation in attending this meeting in great numbers to state for the record all of the flaws within the application and why this license should be DENIED, is required. Unfortunately this meeting WILL NOT INCLUDE A FORMAL PRESENTATION by St. Marys Cement. It is being held in an Open House drop-in format. Even though a formal presentation is not a Ministry requirement, I believe that St. Marys Cement could have taken that step to formally address the community as a group, rather than on an individual basis.

A community template letter providing details of our concerns will be made available to you. A copy of this letter will be available on my website or by contacting my office. Copies can also be picked up at the Waterdown Municipal Office at 163 Dundas Street East. Your letter must be submitted to both the Ministry of Natural Resources, as well as the applicant, St. Marys Cement, during the **Notification Period which would be between April 3, 2009 and May 21, 2009** (a very short time period indeed), and must include the objector's name and street mailing address, including your postal code.

Mailing Information

Ministry of Natural Resources

1 Stone Road West

Guelph, Ontario

N1G 4Y2

Or by e-mail

MNRFQA@ontario.ca

St. Marys Cement Inc. (Canada)

55 Industrial Street

Toronto, Ontario

M4G 3W9

Or by e-mail

communityinfo@stmaryscbm.com

Objection letters that do not contain a postal address will not be considered acceptable.

To ensure that the City of Hamilton is on record during this commenting period, requesting that this application be DENIED, I have prepared a Motion for Council's approval on April 15th stating the following:

THEREFORE BE IT RESOLVED:

That the Council of the City of Hamilton:

- (a) Objects to the Aggregate License Application submitted by St. Mary's Cement.
- (b) Call upon the Minister of Natural Resources under the authority granted to her by Section 12.1 of the Aggregate Resources Act RSO 1990 to refuse the aggregate license submitted by St. Mary's Cement.
- (c) Circulate this resolution to Premier Dalton McGuinty, Conservation Halton and the municipalities of Milton, Burlington and Halton so that those Councils may consider a similar resolution.

The Town of Milton is already preparing a similar Motion.

Hamilton's Medical Officer of Health, as well as Halton's Medical Officer of Health have expressed grave concerns over this application regarding "the potential risk for adverse impacts upon groundwater quantity and quality that could be caused by the quarry."

As this application will only be valid for two years, St. Marys Cement will be required to submit all documentation, including details of the company's attempts to resolve objections received during the Notification Period, to the MNR before the two-year deadline is reached. At that point, the Ministry of Natural Resources can either present its recommendation for issuing a licence to the Minister of Natural Resources or it can refer the matter to the Ontario Municipal Board (OMB) for a decision.

There are many outstanding issues with this proposal that have not yet been addressed. The full list is outlined in my Motion. The City had requested information regarding transportation and water before even considering any changes to the zoning for this property that is currently zoned as Agriculture and Conservation Management. Just this past summer St. Marys Cement had undertaken the first of four tests that were required by the MOE to better understand how ground water moves through the limestone formation intended to be quarried. The MOE ordered St. Marys Cement to redo this first test as the results were not satisfactory. St. Marys Cement refused. Talks are currently underway to have the permit for these tests revoked due to St. Marys Cement's refusal.

WHAT WE NEED TO DO

- Attend the April 27, 2009 Public Meeting
- Submit individual letters to the MNR and the applicant, St. Marys Cement, within the Notification Period that ends May 21, 2009, outlining our concerns. Should the

matter proceed to the OMB only those comments received during the Notification Period will be taken into consideration.

Margaret McCarthy, Flamborough Councillor Ward 15

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