

Special Edition Stepping Stones



THE DUNTRON QUARRY EXPANSION NEWSLETTER

January 25, 2011

Message from Walker Aggregates' Vice-President

As we began a new year, the Consolidated Hearings Board review of our application for an expanded Duntroon Quarry entered its 80th day of testimony.

Last week the board sat for only two days as a result of scheduling conflicts, and the previous week saw only three days of testimony.

On the agenda were the continuation of testimony in chief by the visual expert for the Niagara Escarpment Commission and the start of testimony by the hydrogeologist for a neighbour of our proposed quarry expansion, Emelia Franks. Highlights from these proceedings are outlined below.

Next up will be testimony from the field naturalist for the Clearview Community Coalition, Bob Bowles.

As always, we will keep our neighbours and friends updated on the developments of the hearing. Please feel free to contact me with any questions about the quarry expansion or the hearing process at 705-445-2300 extension 224, or in Niagara at 905-227-4142, or visit our website at <http://walkerind.com/walker-aggregates/duntroon-expansion.html>.

A handwritten signature in black ink, appearing to read "Ken Lucyshyn".

Ken Lucyshyn

Participants Voice Support and Opposition to Quarry Expansion

During the first day of testimony in 2011, the visual expert for the Niagara Escarpment Commission (NEC) said she doesn't agree with the visual expert for Walker Aggregates that the rehabilitation plans for an expanded Duntroon Quarry will enhance the landscape of the area.

Among Linda Laflamme's objections to the Walker plan are what she deems to be the loss of open landscape character that would result from the quarry; the loss of a view from the western portion of Country Road 91 – which is proposed to be closed and transferred from Clearview Township to the company; the mitigation planting plans along County Road 31 to block the view of the quarry; and the cumulative effect of having two or three quarries in the same area. These quarries would be the existing Duntroon Quarry, the expanded quarry and a possible M.A.Q. quarry across County Road 31 – all of which are planned to be rehabilitated into lakes.

Of the proposed Duntroon Quarry in particular, she said, "The visual attractiveness is substantially altered by the introduction of a quarry of such a large size," noting that the Niagara Escarpment Plan (NEP) lands in the vicinity of the existing and proposed quarry occupy a relatively narrow band, compared to the NEP lands in other parts of the province.

When asked by board chair Chris Conti, under what circumstances she would support a quarry application within the plan area, Ms. Laflamme said, "Each site needs to be evaluated on its own merits," arguing that smaller quarries can be more easily accommodated.

In addition to plans to rehabilitate the existing and proposed expanded quarry into a lake, Walker is planning extensive reforestation in the area.

Cross examination of Ms. Laflamme is being deferred as a result of scheduling conflicts.

Continued on page 2

The next witness to take the stand was a hydro-geologist retained by Emelia Franks, a neighbour of the proposed quarry expansion.

In an opening statement presented on behalf of Ms. Franks, lawyer Lia Magi said that despite evidence presented so far, she still believes the quarry should not be approved due to the hydrogeological impacts that she believes will occur.

In reading Franks' opening statement Magi said, "The proposed quarry is too hydrogeologically sensitive to sustain a below water table quarry."

The statement was followed by testimony from Ms. Franks' hydrogeologist Wilf Ruland, who began by saying, "This is not the place I'd normally be advising people to put a quarry," due to numerous water features around the site. These features include nearby wetlands and watersheds for the Batteaux, Beaver and Pretty Rivers.

He went on to state that it is only because the quarry is in such a setting that an adaptive management plan is required to monitor and mitigate any potential negative impacts.

Mr. Ruland was full of praise for the work done by Walker's hydrogeology experts, particularly its karst expert. "In my opinion, the karst study is exemplary," he said.

Where Mr. Ruland did express criticism was with the assessment of karst features on the property across Grey County Road 31, where M.A.Q. is proposing to site a quarry. Mr. Ruland told the board he has a particular concern about a karst spring he observed in a wetland on the property across County Road 31 from the proposed Duntroon Quarry expansion. The spring is in the Rob Roy 3 wetland on property that is proposed to be the site of a M.A.Q. quarry. "We've suddenly got a feature that nobody has looked at...and could be relevant to both applications," he said. "The Walker property is, to my mind, quite a likely possible source [of water to the spring]."

"I am suddenly much more concerned," he said about the possible effects of the Duntroon Quarry expansion – and the M.A.Q. quarry – on the nearby wetlands. "Both the Walker and the M.A.Q. properties need a much closer look."

He also gave his opinion that the overall hydrogeology study done by Walker's consultants required more work in two specific areas – the hydrogeology of the

overburden on top of the rock to be extracted, and the hydraulic conductivity of the bedrock water flow system in what has been identified as a high conductivity zone northwest of the proposed extraction area.

Mr. Ruland also said that more work needed to be done by Walker to take into account potential climate change.

As for the Adaptive Management Plan (AMP), that Walker Aggregates plans to implement to monitor and mitigate any potential negative impacts from the proposed expansion, he gave the opinion that "The AMP is an unfinished and therefore a certainly inadequate document." In one example, Mr. Ruland said he would have liked to see details of the infrastructure that would be required to pump water to the wetlands.

"The key mitigation challenges are going to be the wetlands," he said, "but we have little detail about how that mitigation will be done.

He noted that while several of his concerns were resolved in discussions with Walker's experts and his understanding of the proposal was clarified through previous testimony, others are still outstanding. Among those is his recommendation for a trigger to increase monitoring frequencies when groundwater levels are reduced below nearby wetlands. He said he believed such monitoring was required in addition to the wetland monitoring and action triggers that are already included in the AMP.

Mr. Ruland also said he was concerned that the AMP does not specify what would happen if not enough water was available for mitigation – such as adding adequate amounts of water to maintain nearby wetlands and streams.

He argued that some of the groundwater that would flow into the quarry as a result of extraction would need to be used to wash the aggregates, and for dust control on roads in and around the quarry, and this would represent a loss of water from the existing system.

"It would be good to have some thought given to setting priorities, or to have some thought given to the possibility that there won't be enough water to go around," he told the board.

Another change Ruland wants made to the AMP is a deadline for when monitoring wells would be installed.

Continued from page 2

The current version of the AMP notes that wells would be installed upon issuance of the Aggregates Resources Act license and prior to extraction, but Ruland said that was not specific enough.

"I always like to see a deadline," he told the board, adding that he would like the AMP to indicate that wells would be installed within one year of the license being issued.

Among other changes the hydrogeologist felt were necessary was more explicit wording relating to Walker's guarantee to protect nearby domestic water supplies.

Mr. Ruland raised concerns about some additional mitigation measures included in the AMP, such as constructing groundwater recharge ponds and re-grading the land to maximize surface water runoff from the planned reforestation area to the wetlands – which he felt might do more harm than good. Regarding these additional measures, he argued that "Overall, there's an absolute absence of detail here."

In his consolidated conclusions presented to the board, the hydrogeologist stated that "Based on my understanding of the application, it is my opinion that the only reasonable choices regarding the proposed quarry...are to defer any decision regarding approval of the application, or to turn down the application."

During cross examination by the lawyer for Walker, Mary Bull, Mr. Ruland did confirm that it's "unlikely" an expanded Duntroon Quarry will have an impact on his client, Emelia Franks', water supply.

"If I'd had a concern I would have articulated it here," he added, referring to a witness statement he prepared for the board last March.

Although a member of the Clearview Community Coalition, which is a party to the hearing, Ms. Franks petitioned the board for party status herself in December 2009, on the grounds that she had concerns with the water supply on her property on the 10th Concession, east of the proposed quarry expansion.

In addition to being retained by Ms. Franks, Mr. Ruland is also working as a hydrogeologist for Grey Matters, a citizens' group opposing the M.A.Q. quarry.

Under other questioning from Ms. Bull, Mr. Ruland conceded that he did not contact any of Walker's water experts to seek clarification about the findings in their reports before preparing his witness statements.

The Duntroon Quarry is operated by Walker Aggregates Inc., a division of Walker Industries.

www.walkerind.com