



Re: ERO # 019-0556: Proposed amendments to the Aggregate Resources Act

The North Pigeon Lake Association (NPLA) represents members in the Municipality of Trent Lakes and the City of Kawartha Lakes. NPLA supports actions that preserve and promote the welfare of the shoreline and the waters of north Pigeon Lake, its catchment area, and more broadly across Ontario. We also promote good government, including sound environmental stewardship.

Thank-you for the opportunity to comment on the proposed amendments to the Aggregate Resources Act. We are disappointed, however, that any comments related to the proposed amendments are now rendered moot, given that Bill 132 was tabled for first reading on October 28th, 2019, prior to the notice period for this proposal closing. We hope that your commitment to *“consult further on more specific details related to the regulatory proposals, including any proposed changes to aggregate fees at a later date”* will be taken more seriously.

Here are our comments on the “proposed” amendments:

Proposed Amendments to the Act:

Bullet 1: We are pleased that there will be a *“robust application process”* for expansion of extraction below the water table – we await details of how that process will be “robust”. We also agree that there needs to be increased public engagement and Municipal involvement when there is proposed expansion below the water table.

Bullet 2: As long as the proposed “robust” application process is in place, and Municipalities can *“officially object to an application and [have] the opportunity to have their concerns heard by the Local Planning Appeal Tribunal”*, this would seem to be a logical elimination of duplication.

Bullet 3: Municipal zoning by-laws should apply to aggregate extraction on Crown Land. We are concerned that zoning for environmentally sensitive areas could be over-ridden, especially in concert with the proposed changes to the Provincial Policy Statement (PPS).

Bullet 4: The proposed change stating that the *“Minister or the Local Planning Appeal Tribunal shall not have regard to road degradation that may result from proposed truck traffic to and from the site”* should be removed. Road degradation has significant potential impacts to local Municipal budgets and local taxpayers. The Minister or the Local Planning Appeal tribunal should continue to be able to set conditions requiring agreements between municipalities and aggregate producers regarding aggregate haulage.

Bullet 5: Access to aggregates in adjacent municipal road allowances should continue to be through a new application rather than an amendment.

Bullet 6: Permitting self-filing of routine site plan amendments, will work only if enhanced compliance monitoring is put in place to ensure regulatory conditions are met. In our experience there have been problems with self-reporting and policing of violations of site plans.

Regulatory Changes:

We look forward to **meaningful** consultation on any proposed regulatory changes and provide these preliminary thoughts:

- We support enhanced reporting on rehabilitation, but await details on what that would entail, as rehabilitation plans are often ignored and compliance is poorly enforced.
- We would like to see definitions of all “routine activities” being considered for site plan amendment applications.
- We would like to see definitions of all “low risk activities.”
- We support increased fees that better reflect the value of the resource and look forward to reviewing any proposed fee structure change.

We feel that these proposed changes certainly “*reduce burdens for business*”, but we feel that the changes fall short in “*maintaining strong protection for the environment*” and “*managing impacts to communities*” Proposed changes to this Act, in concert with the proposed changes to the PPS (ERO 019-0279) to allow aggregate operations in significant wetlands, woodlands, valleylands, fish habitat, and wildlife habitat (including habitat for species at risk) certainly don’t provide strong protection for the environment. Mandatory agreements between aggregate operators and municipalities should be considered to help facilitate managing impacts to communities.

When determining the impact of the operation of a pit or quarry on the environment, cumulative impacts of all local operations should be taken into account. Notification for new applications or amended site plans is currently limited to a few hundred metres, but operations affect entire ecosystems; notification must be broader.

Respectfully submitted,

Board of Directors
North Pigeon Lake Association