

April 16, 2011

**The Highland Companies,
Box 377,
Shelburne, ON L0N 1S0**

**Ministry of Natural Resources,
2284 Nursery Road,
Midhurst, ON L0L 1X0
Attention: Mr. Craig Laing**

Dear Sirs, Re: EBR Registry number 011-2864 MNR INST 19/11
Following sets out my objections with respect to the application which I understand was submitted on March 4, 2011 to the Ministry of Natural Resources by The Highland Companies for a quarry in the municipality of Melancthon.

As I am an ordinary citizen with no access at this point to experts in the areas of concern that this application gives rise to, I wish to reserve the right to adjust my objections once I have had the opportunity to digest the 3,100 pages of the submission and consult with people with some expertise in these matters. The time permitted by legislation of only 45 days hardly provides the opportunity to understand the potential impact on one's life, when the proposed development is so nearby.

While some of my objections arise out of perceived inadequacies of our legislation and its regulators, my objections are primarily directed to The Highland Companies (the proponent) under major headings as follows:

Non-Renewable Resource

I would like to quote a good friend and neighbour of mine and of the proposed quarry, a retired economics professor, whose thoughts so clearly echo my feelings:

“The beauty of our countryside is a non-renewable resource, perhaps the most important resource one can imagine in terms of its impact upon the human spirit. Windmills are bad enough, especially as they yield so little. But no road, no building, no industrial activity, no user of the resources spewed forth by the quarry can ever offset the sheer intrusion of the quarry into that compact between man and nature which is the root of a unique happiness. It's not easy to do a convincing cost benefit analysis of that”.

I moved to this part of the Province from the city of Toronto because of the peace and beauty it offered, believing it was protected by the Province from the kind of gross intrusion proposed by the proponent whose only interest is in the financial wealth that it can pocket by digging up the Escarpment.

My home is just down the hill from the proposed quarry, in an area managed by the Niagara Escarpment Commission. The Commission's mandate is to protect this environment from the kind of intrusion that this proposal appears to inflict upon our area. I

believe that the proposed quarry area was considered to be a part of the Niagara Escarpment in the original maps prepared in 1978 and indeed is a part of the Escarpment bedrock in any event. The Niagara Escarpment Commission's control area was whittled down to just over one third of what was originally proposed, as a result of political lobbying - not because of geology - placing land such as what the proponent has acquired outside the Commission's boundaries.

The impact on my quality of life if this proposal is approved will be immeasurable, not to mention a considerable blow to the economic value of my property. For the proponent to suggest that the impact of the proposed operation will stop at the border of its property I consider to be grossly untrue.

I object to the proponent's argument that no one will be affected beyond its property line.

Noise, vibration and pollution from excavation activity

I understand that blasting is proposed to take place daily, with the exception of Sundays and statutory holidays and that existing regulations are **supposed** to attenuate the effect of this activity. Depending on wind direction, I am likely to be subjected to significant amounts of dust. The effort required to bring mined material to surface from a depth of as much as 90 meters (including the proposed berm) will undoubtedly consume much energy, with a high level of pollution created by this exercise.

It will be the responsibility of the Provincial Ministry of the Environment to ensure compliance of the proponent's operations with the many regulations in place dealing with noise, vibration, dust and pollution. It is my understanding that this Ministry suffers, as do many other of our Government's Ministries and agencies, a serious shortfall in funds to adequately do their job, leaving the burden on the Province's citizens to carry out the impossible task of "policing" the actions of large amorphous corporate organizations such as ultimately will be required to manage and rehabilitate a quarry of this size. I understand that the amount of blasting material used, size of benches, etc. would have a tremendous bearing on the amount of noise and vibration. **I object to the real possibility that the proponent may not be effectively monitored and that estimates of the proponent's experts regarding noise and vibration will prove to be inaccurate.**

Furthermore, given that this is by far the largest and most complex project of this kind ever contemplated, I seek assurance that the existing regulations, if complied with, will adequately provide the protection that one should expect.

The nature and extent of processing of the mined material that is proposed to take place, and processing of imported secondary material I understand that the application seeks permission to bring to the site for processing, is not clearly described and thus the impact of this activity not fully revealed. I object to this uncertainty.

I am concerned that my now very pleasant environment may well become only marginally livable

Water

My property lies approximately 4 kilometers east of the eastern border of the proposed quarry at an elevation approximately 150 meters below the present undisturbed surface of

the proposed quarry and on the northern edge of the Pine River valley, at lot 19 east of Centre Road in Mulmur.

There are many year-round springs crossing my property providing habitat for a wide range of wildlife as this water continues on its path to feed the Pine River. These springs are undoubtedly sourced by aquifers that originate in the area of the proposed quarry, that no doubt lie in the deeper dolostone. As well, water for my home use is supplied by an artesian well, which suggests its source to be a confined aquifer.

The limestone/dolostone bedrock this application seeks to extract, because of its karst nature, is known to be full of aquifers that the proposed mining will disturb in unpredictable ways. This raises the question as to the potential reliability of the effort to replicate the now natural hydraulic connection between the upper and lower dolostone layers with the proposed series of recharge wells, particularly in light of the sheer volume of water it is proposed will need to be managed. Contamination of the water as it is collected and moved from the pit floor to the recharge wells is also a concern to me. While the experts hired by the proponent to provide a water management plan have no doubt put their best efforts into this project, there appear to be no known examples in the world of a situation of this magnitude and nature, in particular the size and depth of the proposed excavation, its elevation, its location in a significant headwaters area with complex karst conditions and the sheer volume of water that would have to be managed. Examples offered are Holcim's Milton Quarry, about 1/10th the size of the proponent's pit, and Holland Marsh which is simply draining a swamp. Neither offer any insight into the issues surrounding a proposal that digs deeply into a major headwaters area.

I object to the uncertainty this lack of relevant experience introduces into the proposed water management plan. It strikes me that major disasters are virtually inevitable and will be incapable of being effectively managed without serious consequences to my water supply.

Also, the area that is proposed to be mined is known to be the headwaters of a number of rivers that service the water needs of an unknown number, but estimated to be at least one million Ontario residents – water that meets agricultural as well as residential needs. The application notes the need to manage 600 million liters a day that it is expected will enter the pit in perpetuity. While the application claims that only the Pine River subwatershed will be affected, I understand that this is far from certain, and clearly will not be so when the proponent's next application comes along, or that of its successor, should this application be successful. While the proponent insists "there are no plans to increase the size of the proposed quarry", its history of keeping its real long term plans under wraps adds to the intensity of my objection.

Proposed Quarry Depth

There is a substantial difference between the proponent's estimates of depth of the dolostone deposit and those of the Province's recent study (163) of Dufferin County's resources – a difference in the order of more than 50 metres. **How can the Province be so far wrong in the work it has done? Given the substantial additional intrusion on the underlying aquifers of this difference, if the material is to be mined to this very unusual depth, I believe that considerably more information should be provided.**

Nature of Dolostone

I understand that dolomite, which generally represents a large proportion of dolostone, has significant uses other than that of construction aggregate if it is “chemical grade” (i.e. contains 20% MgO or more).

It can be used as a source of magnesium metal, as filler in plastics, paints, rubber and detergents, in the manufacture of glass and glass wool insulation, as refractory material and flux in the production of steel, as fertilizer and soil stabilizer. There is also an active and lucrative market for the limestone the proponent intends to mine as a major component of Portland cement. Dolomite, when used to meet non-aggregate needs, has a market value an order of magnitude higher than its value as aggregate.

The proponent has provided analyses of only a very modest number of samples taken from the core of a modest number of bore holes. This sampling was done only with the intent of determining the material’s suitability as aggregate in a lab certified for construction materials testing. This testing indicates an average MgO content in these samples of 20.4%, which appears to place it in the realm of chemical grade dolomite.

Further explanation and information should be shared relating to the chemical content of the dolostone reserves. I object to this paucity of information and suspect that an application for a license to mine ore should be made, rather than just a license for aggregate extraction.

The Aggregate Resources Act is intended in part to ensure the supply of aggregates to meet local construction needs, not to mine minerals for other industrial uses, which is a matter that should be considered under the Province’s Mining Act, administered by the MNDM. There appears to be some conflict between definitions relating to mineral bearing material in the Mining Act and the Aggregate Resources Act which calls for clarification. Clearly this should be resolved.

Avoiding encroachment on aggregate resources by environmental, social, agriculture and other constraints may be justifiable for sand and gravel where, because of transportation costs, it is important to be able to access material as close as possible to where it is needed. However the umbrella provided by the Aggregate Resources Act should not apply if bedrock is to be mined in whole or in part for its mineral content to meet industrial applications other than aggregates, or even if for aggregates to be shipped to a foreign country,

The proponent’s desire to purchase the existing rail right-of-way from the proposed pit north to Owen Sound, where aggregates are not needed, suggests intent to ship mined materials by boat to other markets. Experience to date has shown that the proponent has often been less than forthcoming with respect to its real future plans. **I object to the proponent’s unwillingness to be open with respect to its future plans.**

Economic Outcome

The proponent has described no economic benefit of any consequence for the immediate area resulting from the proposed operation, except for a few net jobs. Benefit to the Province is the possible supply of aggregates to the Greater Golden Horseshoe area. However no unbiased evidence of need has been offered apart from MNR’s SAROS study, which was unduly influenced by the aggregate industry, rendering its value questionable at best. **I object to the lack of unbiased market information.**

Ingress/Egress on Shared Traffic Routes

My access to stores for obtaining supplies in the Shelburne area includes use of Dufferin County Roads 17 and 124, and provincial highways 89 and 10, routes that the application states are planned to be used to move aggregates to the south. The volume of traffic indicated in the application and the suggested average operating speeds of these very large trucks would appear to make use of these roads virtually unavailable for residents in our area and certainly unsafe if one will be able to access them at all. I have seen one estimate, based on the numbers provided, that suggests there could be a 40 tonne truck passing by in each direction every 12 seconds 24 hours a day. This is truly hard to visualize and it is even more difficult to imagine attempting to share these roads with so many trucks. It boggles the mind.

As well, I have several grandchildren who live in this area who travel by bus to their schools. These buses must necessarily use these same roadways on route from children's homes to their schools.

I object to this flagrant disregard for our safety as it relates to the use of these roads.

Would the proponent please address this objection and explain how and when I will be able to come and go from my rural home, and as well, how my grandchildren can get to school safely.

Road Maintenance

The incredibly small amount that current legislation apparently obliges THC to pay to the County and the Province, ostensibly to cover the cost of road repair, will certainly not cover this cost in light of the wear and tear from your proposed use of them. **As a result we can expect our taxes to increase with no net benefit to us. I object to this outcome.**

Agriculture – Now and After Rehabilitation

It is my understanding that the till mantle that the application proposes to remove and stockpile for future agricultural use, is the best soil available in the Province for growing potatoes. The proponent has now purchased in the order of 8,000 acres of this land. I understand that the proponent explained to many of the farmers from whom it was purchased that it was the intent to continue in this business.

It is now quite evident that the proponent was less than forthcoming and that, while potato operations are currently continuing, I suspect that, although the proponent denies it, its plan is ultimately to convert the entire area purchased into the world's largest quarry. If so it would become the only such operation on the planet that would operate virtually totally below the water table, at a very high elevation and in a headwaters area. Such an assault seems beyond comprehension if one had one iota of regard for the environment. As I have noted above, with only questionable untested technology available to attempt to handle, until the end of time, some 600 million liters of water requiring management in each 24 hour period with the proposed 2300 acre pit, just what would be involved with a pit of 8,000 acres in a headwaters area, or possibly 15,000 acres if the proponent is successful in chasing the rest of the agricultural activity out of this area of prime agricultural land by disrupting their access to water?

I understand that, regardless of the rehabilitation plan included in the application that offers to return the land to agriculture, the Minister of Natural Resources has suggested that use

of this land for agricultural purposes after rehabilitation can not be expected. She suggested that it could become a nice golf course. Perhaps she is not aware that a very fine 18 hole golf course requires no more than 120 acres. She seems to be proposing a nice 350 hole golf course 250 feet below the surrounding land. She seems oblivious to the extremely serious potential impact on the Niagara Escarpment. From these comments, made on February 28 by the Minister, a week before the proponent's application was submitted and therefore not based on any study of the application, one can also conclude that proponent's behind the scenes lobbying at Queens Park over the past few years has been quite effective. In our system of government this may be legal but is it fair? Clearly the Minister was not given a balanced understanding of the potential outcome of this proposal or she would surely not have made such uninformed comments.

I object to the fact that, in my view, given the potential ongoing water management issue and the fact that putting the agricultural loam back in place will be a virtual impossibility, a realistic rehabilitation plan has not been offered.

A rehabilitation consultant hired by the proponent at the required public meeting held in Hornings Mills on April 12, 2011 offered examples of "outstanding rehabilitation and reclamation sites" after aggregate extraction. None of these examples even remotely compare to the ultimate impact of proponent's proposal in terms of size, depth of excavation, perpetual intrusion on the water table and invasion of the headwaters of major watersheds and river systems.

Management Competence

The level and depth of competence that would be required to manage and rehabilitate every aspect of a quarry of this size, given the conditions under which it would have to function, with the slightest failure in any operating area potentially having a very deleterious impact on the environment well beyond the operation's borders, would be very considerable.

It seems to me that The Highland Companies was incorporated to carry out the task of land assembly, a function it has carried out in a very proficient, albeit seemingly underhand way, having had prior knowledge of the potential asset that lay beneath the surface but not sharing this knowledge with the seller. Having carried out most of this task, the proponent has now carried on with the farming operations it had acquired, and to the extent possible, has worked to curry the favour of local citizens, while proceeding with the preparation of an aggregate license application. It did this by hiring some of the larger growers on the land it purchased to keep up this façade and by putting on the face of a benevolent corporate entity, through using local business services where required and making charitable donations towards local activities.

Apart from its recently acquired complement of potato growers and marketers, its public relations staff, its people with land acquisition skills and its behind-the-scene workers in the Queens Park milieu, the proponent is obviously not an entity of any operational substance. It would seem to have no in-house knowledge of, or the requisite skills to manage and operate, quarries, especially one of this complexity. All the reports provided in the application have been prepared by consultants each hired to do a report in their area of competence. While there is some evidence of communication between these outside sources, the application seems rather disjointed – not the work of a team well versed in the business at hand in any overall sense.

Should this application be approved, it is hard to conceive of how the proponent could move from its current low level of expertise – using outside consultants - to becoming a premier operator of a quarry, replete with so many potential pitfalls, without stumbling badly and creating any number of environmental disasters and lapses in meeting standards. It would seem most likely that the proponent's next task, if it is successful in obtaining a license to operate this quarry, will be to dispose of this investment to an international giant, such as Holcim Ltd., with the in-house skills to operate the mine.

This outcome could bode well for those in the Province who would be affected, except for the fact that transfer of obligations and agreed responsibilities are easily lost on transfer of ownership. As well, any ongoing weakness on the part of the Province in "policing" adherence to the regulations intended to protect us, would remain a serious concern, quite apart from the fact that the cost of doing so would fall upon us as taxpayers and not the mine operator.

My objection then is that no realistic plan has been provided with respect to managing/operating this mine, if the application is approved. And, if it should be approved, the Province's ministries and agencies will be ill prepared to ensure regulations are adhered to.

Yours truly,

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