

April 17, 2011

Ministry of Natural Resources
2284 Nursery Road
Midhurst, Ontario
L0L 1X0

Dear Sir/Madam,

I submit this letter and enclosures to object to the Highland Companies application for a 2,316 acre limestone quarry to a depth of 200 feet below the water table in Melancthon Township. The breadth and size of this quarry plus its location and ramifications are the subjects of significant concern.

Along with thousands in the community, I oppose this quarry and intend to stop it through the various pieces of provincial legislation that exist and the democratic process of majority rule.

I oppose this quarry based on the many potential ramifications on human health and wellbeing, not to mention the impact on wildlife, and plant species important to human survival.

Below, you will find a summary of objections based on various concerns.

These concerns also raise compliance issues with respect to provincial and local regulatory frameworks.

The quarry application represents the largest such operation in Canada and the second largest in North America. It is an impractical and unfeasible project with many unresolved and unclear technical issues despite repeated attempts for clarification.

In addition, there is no justification for massive destruction simply to further one company's financial status.

Background

Melancthon Township is a farming community located approximately 45 kilometres north of the Greater Toronto Area. Food production from this area (potatoes, corn, berries, etc.) feed citizens throughout the province. Potatoes are the specialty crop due to the honey loam soil unique to the area. Campbell's Soup Company for example, is a major buyer of local produce.

Melancthon currently does not have an environmental or Greenbelt designation. This is because it has never faced a development threat of this magnitude. Such designations are designed to protect populated areas from rampant or over development. Historically, Melancthon's economic base has been farming. To ensure the future viability of the agricultural lands, a specialty crop designation is now needed.

The said agricultural lands represent a finite resource that must be sustained. **Our provincial legislation calls for the preservation of natural resources, not for their destruction.**

Although Melancthon is farming country populated by farming families, Mennonites and various small commercial interests, there are numerous city-dwellers who keep second homes in the area for recreational purposes.

The location of the proposed quarry is a concern because the lands in question comprise rich and rare farmland, and could impact the safety of key rivers and the drinking water of millions of residents. However this is only one of the many concerns arising from this proposed quarry.

My Perspective

I am a homeowner in Melancthon Township. My property sits at the southerly end of town on a 47-acre wetland falling under Nottawasaga Conservation jurisdiction. There are many species of plants, birds, reptiles and mammals living in and around the wetland. The survival of this wetland depends on a high water table and run-off from the watershed that flows from the north through land that includes said lands owned by Highlands.

Further, my property has a 60-foot drilled well in a clean underground cistern. In previous years, climate change has occasionally brought drier periods to my wetland. It is unimaginable to what extent further climate change could occur with the location of a massive quarry only a few kilometres from my doorstep.

My home is in an environmentally-sensitive area. I oppose this quarry in principle because it does not consider the potential irreversible damage to sensitive areas that require human stewardship and protection.

Water

The first issue opposing this application relates to the risk of adverse impacts on the hydrologic and hydrogeological processes in this area, including the impact on drinking water. At my home, groundwater through a drilled well is the only source of potable water. *The Clean Water Act* specifies Wellhead Protection (WHPA) and recharge areas, among others. The Act is based on the principle of prevention first and is designed to address existing and *future* proposed activities.

Melancthon is referred to as “the roof of Ontario” as it is located at the highest geological point in the province. Directly below Melancthon, is the Greater Toronto Area with the heavily-populated cities of Toronto, Mississauga, and Brampton to name but a few.

This area represents the most heavily-populated zone in the province. Highlands has minimized this issue by intentionally referring to the project as the Melancthon Quarry. Many people are unfamiliar with the name Melancthon and consequently might ignore this issue.

However, the name Melancthon Quarry is a misnomer.

Environmental issues do not contain themselves within boundary lines. Adverse impacts can't be contained at a quarry site. This is not a Melancthon issue because it has a substantially further-reaching impact. For example, groundwater contamination will not stop within the quarry or in Melancthon. Water will continue to flow downward toward all locales lying below Melancthon Township.

I know this to be true because my wetland contains mammal and fish species that are not wetland specific and have travelled through the various northern river systems to reach my property.

Highlands however, has stated in writing that the water does not flow downhill, but rather flows north to Georgian Bay. While this is a scientific impossibility, it is not any more comforting to know that one of Canada's Great Lakes could be in jeopardy because of this quarry.

The communities and the vacationers who frequent Georgian Bay will not be pleased to learn that the quarry groundwater will flow their way.

Whatever the scenario, it is bad news for everyone but Highlands.

There is no contingency plan in place with respect to water quantity or quality if the groundwater is adversely affected.

Concern:

How will Highlands ensure that the quarry does not impact the availability and cleanliness of water? **Again, how will Highlands ensure that the quarry does not dry up or destroy my wetland and its vulnerable inhabitants? What about the preservation of other wetlands in the area such as Luther Marsh? All elements of the earth are interconnected. To discount this is to truly not understand ecosystems.**

How will Highlands ensure that my well water stays abundant and clean?

Air

Removal of trees and vegetation contribute to rising temperatures and warming. Carbon Dioxide is released into the atmosphere when fossil fuels such as oil and gas are burned. Tree removal and cement production further release carbon dioxide.

Highlands continues to destroy significant amounts of vegetation (they have already removed thousands of trees) thereby taking moisture out of the air and raising temperatures. An open pit mine alters the micro climate by increasing ground temperatures. The quarry will further increase the presence of gases into the atmosphere due to the human activity occurring. Highlands will have numerous machines and trucks in the area, again all contributing to temperature change. Higher temperatures will dry out soil and render farming in the area all but impossible.

Concern:

How will Highlands ensure that the quarry does not increase temperatures and dry out the soil on my land thereby reducing the agricultural potential? How will Highlands compensate farmers if the land dries out beyond any acceptable use?

Tree removal increases greenhouse gases and also reduces air quality. As an asthmatic, I am sensitive to poor air quality. **How will Highlands ensure the air quality is not downgraded by the presence of this quarry?**

Transportation

County Roads 124 and 17 are the haul routes identified by Highlands. My property is located near these routes. I am concerned about the noise levels and traffic safety issues arising from much-increased traffic on these one-lane roads. These routes were not designed for anything but minor traffic flows. Again, the scale of this project is impractical and not sustainable in this quiet rural area.

The Highlands application specifies that the quarry will operate 24 hours a day, 7 days a week, with blasting every day of the year. County Road 124 is a major thoroughfare for vacationers. This is an access route to several towns to the north including Creemore and Collingwood to name just two. These roads also run alongside several homes and farms that are owned by families with small children. There is concern that these two roads will become dangerous due to heavy truck traffic, insufficient width, icy winter road conditions, and the large numbers of snowmobilers who are accustomed to recreational use on these roads in the winter. Sections of Country Road 124 are closed in winter when winter weather conditions warrant closure. The significant increase of truck traffic on this route is a potential disaster waiting to happen.

Concern:

What measures will be taken to ensure that Highlands does not violate the Highway Traffic Act and the Dangerous Goods Act with respect to trucks carrying bio-hazardous materials? The number of trucks and sheer weight and load of the vehicles will damage the roads. Who will be responsible for the road maintenance and repair? Melancthon taxpayers will not pay to maintain roads that have become unsafe and damaged due to Highlands over use.

What measures are in place to ensure safety on these haul routes?

What resources does the OPP have to patrol and ensure that haul drivers do not take shortcuts through the various side roads and lines of the township? There are numerous

Community Safety Zones in place throughout Melancthon Township and these must be adhered to.

Property Values:

I have recently had an appraisal done on the value of my property. My 47-acre property with land and building value has been appraised at a value near \$1-million. I am concerned that the quarry will impact my property values.

Concern:

Like any property owner, I value my home for a variety of reasons. It is also an appreciable asset. In the time I have owned this property, it has continued to escalate in value. With the threat of this quarry, my home's value may be impacted.

How will Highlands ensure that the mine does not impact my property values and that my property retains its market value and continues to escalate in value?

I will not accept any aspect of my property being adversely impacted by this commercial interest. Should that occur, I will take legal action against any and all individuals involved. Insurance will not help them as I will sue these individuals personally for disrupting and disturbing my quality of life.

I will be monitoring the situation very carefully.

Noise:

With a mine that operates 24/7, the noise levels will be significant and in tremendous contrast to the current quiet environment.

Municipal bylaws generally stipulate what constitutes unacceptable noise levels for communities. In large cities such as Oakville for example, bylaws stipulate what is considered acceptable noise based on time and location.

Under municipal planning, it would be unacceptable at any time for such an operation to exist within such close proximity to homes for a number of important health and safety reasons. However, the accompanying noise is another important reason that this project is unfeasible in such a quiet rural area.

With a mine of this size, the noise levels could be dangerously high due to the mine operation and the associated activities. Low-frequency noise such as ground shaking, pumping on the massive scale of 16 pumps seven days per week, in addition to noise generated from blasting and truck transportation in the mine, will add to the noise from related activities such as truck haulage.

Certain bird species such as Great Horned Owls (native to this area) are very noise sensitive and would be unable to secure habitats due to the unacceptably high levels of noise. (This does not even consider the mine's impact on producing scarcity of owl habitat due to all the trees removed!)

Highlands' application calls for 7,200 large trucks coming and going from the open pit mine every day. The noise from the haulage alone is extreme even for a commercial operation in a large metropolitan area, let alone this small, quiet, rural farming community.

Concern:

I am concerned about the loss of peace and quiet that is necessary for quality of human and animal life.

Melancton is a quiet, peaceful rural community. Traffic levels are low, population is not urbanized. The only noise one might hear once a year is far in the distance with music from the annual local Fiddle Contest!

I am concerned about the damaging effects of noise. I am concerned about noise spoiling the enjoyment of my home. I am concerned about noise creating stress for myself and for wildlife.

How will Highlands ensure that this massive mega-quarry, with its 600 million liters of groundwater management, 7,200 trucks, 24 hour a day operation, and blasting into a 200 foot hole, will not disturb my peace and quiet, and the enjoyment of my property that I am entitled to as a taxpayer and land owner?

How will Highlands ensure that the wildlife in the area (birds, reptiles, mammals) are not disturbed and stressed by the noise from this massive and dominant commercial enterprise?

Weather:

Melancton lies in a unique weather zone. The town is in the snowbelt, and also sits in an area that experiences tornadoes and earthquakes.

The planet is already in crisis. Record storms and significant weather changes are the direct result of human activity on the planet through climate change, ozone depletion, and other often unknown causes. Ontario is sitting in a tornado zone and area where earthquakes are known to occur.

Concern:

How will Highlands ensure that the unprecedented size and depth of the quarry will not cause earthquakes and other weather anomalies to occur?

Other:

There are several other issues of concern that I would like to include. These are as follows:

- Incompatibility of the massive size of this mine for the area. This is not a commercially dense, urban location. This is a small, simple farming community with agricultural uses and an unsophisticated infrastructure that can't handle large, heavy traffic loads, noise levels, and other toxic human uses.
- The impact of airborne particles on humans, livestock and wildlife. Why would anyone even consider a project of this magnitude knowing that our air quality is already comprised?
- Unprecedented rapid growth of the area that is not sustainable from the standpoint of destroying the fabric of the community economically and geographically.

Summary:

In summary, my concerns include:

- The impact of the mine on water quality and availability
- The impact of the mine on my wetland's water quality and availability
- Climate change brought about by air warming and tree removal
- Poor air quality
- Transportation hazards and safety concerns
- Decline in property values now and in perpetuity
- The effects of noise on human quality of life and wildlife health
- The impact on weather and the creation of weather extremes
- Airborne particles effecting wildlife and human health
- Incompatibility of this project with the rural landscape in this community
- The loss of important agricultural lands
- Rampant and uncontrolled growth that will destroy the fabric of the community and the ability of those who work and live here to generate an income

Concerns with Highlands:

I also have concerns about the ethics of the Highlands Company based on the following issues:

- 1) It is understood that the Highlands Company is receiving financial backing from an American hedge fund called the Baupost Group. Founder and CEO of the Baupost Group is Mr. Seth Klarman who is considered a value investor (otherwise known as a "vulture" capitalist). This means that he purchases low-valued investments and sells them at high prices. In this respect the Highlands Companies came into Melancthon with a strategy to depress land values to create

a “value investment”. This facilitated their ability to purchase land at low prices. And sure enough, they now own over 9,000 acres. Many of the landowners sold under duress.

- 2) Although the application for this project was only recently filed, it appears that much activity at the sites has been ongoing for some time. Who has been patrolling and policing the extent of work done to date?
- 3) There appear to have been many misleading statements made over the past several months by Highlands. Yet they keep changing the facts related to this project. In 2008, I received a letter from Highlands asking me to contact them because they wanted me to work with them. When I followed up with Mr. Michael Daniher (his name was on the letter), the intent of his contact was entirely unclear. It appears I was being recruited for something although what that was, was never stated.
- 4) I am concerned about the process Highlands undertook for acquiring the lands, and what the community was told in order for Highlands to gain control over such a significant amount of land.

Specifically, Highlands has said that this project was for a 300 acre section (their initial DVD clearly says this) and that the uses would be multiple for wind, potatoes and aggregates. Yet this appears to have been untrue as the application is strictly for an aggregates licence.

- 5) I have been inundated with mail from the company at the rate of at least one letter per week for several months. Yet at a recent Highlands public meeting, I tried to get answers to my questions from Mr. John Lowndes himself (Mr. Lowndes told me at a previous public meeting that this was his project). Yet he was evasive and downright abusive in his responses to me at the recent public meeting.
- 6) A recent mailing from the company made several promises in writing. One such promise guarantees that individual well water will not be impacted by the mine. How Highlands can make this claim is unclear to me.

In one mailing, they have written that the waters from the mine area flow toward Georgian Bay not toward the south. I would like proof of this although I am not reassured knowing that Georgian Bay is the destination for the mine’s water.

- 7) The company has sent out several promotion DVDs telling everyone how great this project is when the benefits to me have never been made clear!

I also recently received a letter sent to the community thanking everyone for all the emails and letters regarding jobs. This is the first time I've ever received a letter for a job I have not applied for.

I would suggest that the Ministry of Consumer and Commercial Relations investigate the business practices of this company because they have made various claims in writing that at this time are impossible to make as the project is only (apparently) in the planning stages.

Thank you for considering my concerns.

Margaret Mercer, BA, MBA

Melancthon Township

Encl.

References:

www.ndact.com

www.cause.com

www.stopthequarry.com

"An Inconvenient Truth", Al Gore