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## **Dufferin Aggregates Acton Quarry Community Advisory Panel (CAP) Meeting Minutes**

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<b>Date:</b>	Monday October 20, 2014 – 7pm - 8:30pm	
<b>Location:</b>	Acton Quarry Office, 12791 Churchill Road, Acton	
<b>Chair:</b>	Courtney Somers	Smithcom Limited
<b>Participants:</b>	Norm Elliott	Local Neighbour
	Paul Vanhanen	Bruce Trail Conservancy
	Rob McDougall	Dufferin Aggregates
	Enzo Bertucci	Dufferin Aggregates
	Ron Heller	Acton East Housing Corp.
	Shawna McNabb	Site Administrator
<b>Facilitation and minutes:</b>	Courtney Somers and Molly Wilkie – Smithcom Limited	

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### **Minutes**

Courtney Somers started the meeting by prompting the CAP to review the minutes. CAP members reviewed and approved the January 13, 2014 minutes.

### **Operations Update**

Rob McDougall gave an update on the Acton Quarry operations:

- The site began operating after its shutdown for the winter on April 1<sup>st</sup> 2014
- Due to the heavy winter, it has been a busy season on all product lines
- The annual shutdown will take place in November

Rob McDougall explained there have been a number of community initiatives over the last several months. Initiatives include tree planting in April and the Acton Quarry Open House in September. He also said the Quarry has applied for the NSSGA Excellence in Community Relations Award.

Shawna McNabb provided an overview of the NSSGA Excellence in Community Relations Award. She explained that the award provides Dufferin Aggregates the opportunity to show it's positive impact on the community. She outlined the various sections of the award, which include:

- Donations: Sponsorship
- Local and State Government: Credit Valley Conservation, Water Permit
- Communications: Open House, CSR Handbook, Tree Planting



- Community Liaison Committee
- Safety: No Loss Time Days
- Educational: Halton Hills Camp, *Mining Matters*, University Tour

Rob McDougall discussed the recent announcement that Holcim and LaFarge will merge. He explained that as part of a divestment package, Holcim Canada's assets are to be sold.

Paul Vanhanen's asks who the assets will be sold to?

- Rob McDougall said it is still up in the air, but the deal between Holcim and Lafarge is expected to close in June of 2015.

Enzo Bertucci explained there are two possible ways the purchase will happen:

1. Holcim Canada can be sold as a Canadian entity to a larger entity
2. Holcim Canada can be part of a larger sale of all of the assets that Holcim and Lafarge are divesting worldwide to create a company

Paul Vanhanen asked whether the policy, philosophy, branding and employees will change once the transaction takes place?

- According to Enzo Bertucci, given Holcim Canada's positive reputation in Ontario and Canada, the buyer will likely want to keep the branding and values to which the public recognizes.
- He also said that it would be a huge undertaking for a new company to replace so many employees.

Norm Elliot asked why Dufferin Aggregates wouldn't end up being part of Lafarge?

- Enzo Bertucci said that Canada's policies on market monopolies will not allow a merger. He goes on to explain that if Holcim and Lafarge were to merge, their market share would exceed the legal policy in Canada .

### **Update on Acton Extension Application**

Enzo Bertucci explained that the Ministry of Natural Resources (MNR) issued their footprint declaration letter on March 3, 2014. The letter detailed their position and provided the Agencies with the tools they need to move forward in their own processes. He displayed a drawing to the CAP members, which illustrates the footprint that the Ministry of Natural Resources accepted.

He explained that the MNR declared to Holcim (Canada) Inc. (HCA) and all other agencies, in their letter that they would be supporting the extraction of Phases 4, 5, and 6 immediately (with few resolutions left to address). He said MNR would like to see further study and testing in Phase 7 in order to better understand Jefferson Salamander migration and dispersal. He said the MNR will be supporting the removal of Jefferson Salamander habitat in Phases 5/6 through the ESA 17(2)(c) Ministers Permit process.



Enzo Bertucci explained that Phase 7 was the cleanest parcel of all the extension lands when the application was filed in March 2009 (prior to implementation of the Endangered Species Act). Phase 7 is defined as JESA habitat by MNR – but there is no record of JESA actually being found to date.

Enzo Bertucci explained that the MNR has asked Dufferin Aggregates to undertake a minimum three-year study to determine whether Phase 7 is a habitat for the Jefferson Salamander. The study includes a drift net being set up to catch the Jefferson Salamanders that migrate to determine their patterns of dispersal.

Enzo Bertucci said Dufferin Aggregates has agreed to do the study, but their experts say Phase 7 is too wide and too far of a distance for the Jefferson Salamanders to travel (as they like to be fairly close to their pools and where they lay their eggs). He goes on to say, Dufferin Aggregates requested to do JESA Habitat monitoring on Phases 5, 6 and 7 in 2009 and 2010 and were told by MNR that it wasn't necessary.

He explained how this reflects the proposed tonnage. He said the application that included Phase 7 had 50 million tonnes proposed but with the removal of Phase 7, the application is now 38 million tonnes.

Although the Phase 7 application has been removed while the study takes place, Enzo Bertucci explained that the intention is to go forward and re-apply for Phase 7 once the study has been completed and the data demonstrates that there is no risk to the Jefferson Salamander or its habitat.

He goes on to say that with the deferral of Phase 7, all the technical work that has been completed to date through the JART process will remain in place and stay on hold.

- The data from the study will be used to help agencies make their determination once Dufferin Aggregates re-applies for extraction on Phase 7 lands.
- Any sign offs from Peer Reviewers that Dufferin Aggregates have received will remain in place as it relates to Phase 7 lands.
- The only new piece of information that will be required for agency review is the results of the 3-year JESA study Dufferin Aggregates have agreed to undertake.

Enzo Bertucci explained that in June 2014, Town of Halton Hills Council and Halton Region Council approved the extension application in principle.

- June 18<sup>th</sup> and June 23<sup>rd</sup> staff brought forward Reports to their respective Council's to approve the Acton Quarry Extension in Principle.
- Both had unanimous votes, illustrating Agency support to date and giving direction to staff to move forward and complete remaining work.
- Norm Elliot provided a delegation at the Town of Halton Hills Council meeting, agreeing with the Staff Report and supporting Dufferin Aggregates' initiatives in the Community.
- Dufferin Aggregates spent time meeting both agency staff and political representatives in advance on June decisions in order to properly brief them on the status of application and provided commitments on direction moving forward.



Enzo Bertucci went onto explain that Dufferin Aggregates continues to meet with agency planning, engineering and ecology staff in order to work through final remaining technical details.

- On July 31, 2014 Dufferin Aggregates consultants submitted the updated Adaptive Management Plans, Ecological Enhancement Plans, and ARA Site Plans
  - Agencies have provided their feedback on these plans in over the last 4 weeks
  - All agency comments are being addressed and responses will be provided shortly
- Dufferin Aggregates has met with agency staff and their lawyers over the last 3 months in order to begin the process of finalizing Legal Agreements. He explained that the Legal Agreements are good for transparency, as they help set up the framework for the work that is currently being done and puts protection in place for the future. He said the agreements create a binding contractual agreement:
  - Umbrella Agreement – Overall agreement that all the rest encompass within it
  - Haul Route Agreement – Agreement that speaks to the existing haul route. Enzo Bertucci notes that Dufferin Aggregates is committed to minimizing traffic on Maple Avenue for local deliveries only
  - Land Conveyance Agreement – Agreement that outlines the terms on how Dufferin Aggregates will turn the land over to the town for long term public use.
  - Water Agreement – Agreement that speaks to the management of the water long-term. Within this agreement is the Legacy Fund that will be put into place for Conversation Halton to ensure they can manage the system at no cost to the public.
  - Adaptive Management Plan Agreement – Agreement that outlines the management of the system while in operation. For instance, the installation of the pipes and control valves, etc.
  - Ecological Enhancement Plan Agreement – Agreement that speak to all of the ecological benefits that Dufferin Aggregates is doing off-site, outside of the footprint itself (Jefferson Salamander Pools, wetland creation, grassland creation, thicket management)

Enzo Bertucci outlined the next steps in the application process:

- All comments on AMP, EEP and Site Plans to be addressed and documents finalized
- All legal agreements and schedules are to be finalized and ready for execution by all parties. The legal agreement will not be finalized until all Council's make their decision.
- Conservation Halton is planning to make a decision on the application in Q4 of 2014.
- Credit Valley Conservation to advise all other agencies on their decision in Q4 2014.
- Niagara Escarpment Commission to make a decision on application in Q1 of 2015.
- Town of Halton Hills and Halton Region to provide final approval of application along with relevant planning approvals Q1 of 2015.

### **Question and Answers**

Rob McDougall asked what happens after all of this?

- Enzo Bertucci explained that once approval is received, Dufferin Aggregates would go forward to the board, as there will likely be appeals against the approval.



- He went onto explain that applications that receive any type of appeal during the process by two groups or individuals are required to go in front of the board. He said appeals could come from the counsel meeting, NEC Commission meeting, and Conservation Halton or ARA approvals.

Norm Elliot asked about the water agreement and whether it contains a clause regarding water concerns from neighbours and whether they are addressed by Dufferin Aggregates?

- Enzo Bertucci explained that if a neighbour had an issue with their well water while Dufferin Aggregates is operating the quarry, the company would provide them with water and begin investigating the problem within 24 hours.

Norm Elliot asked whether the CAP was in a holding pattern now?

- Enzo Bertucci explained that the committee would continue to move forward. He said once the application is approved, there will be more discussion on the adaptive management plan. He went on to say that in the future there will be other items added to the agenda and creative ways to ignite discussion.

Paul Vanhanen asked whether there is a harder push for the application to be approved now that Dufferin Aggregates is up for sale because the value will increase once it's approved?

- Enzo Bertucci said there is that rational to have this completed, however it's important to keep in mind that the extension has been delayed for several months due to the municipal elections.

Norm Elliot expressed interest in having the CAP Committee work with members of Council to discuss the potential of the Acton Quarry after rehabilitation.

- Enzo Bertucci said that rehabilitation and the long-term vision are being discussed with Recreation and Parks at Halton Hills as part of the application. He said he will reach out to Recreation and Parks to see if someone would be able to attend a CAP meeting to discuss the rehabilitation efforts and plans.
- Using a site map, Enzo Bertucci showed where the lakes, wetlands, grasslands and the enhancement of the existing features will be located once rehabilitated.

**Next meeting dates:**

- Early March 2015 (unless there is a pressing issue)

**Topics:**

- Recreation and Parks to discuss rehabilitation

Courtney Somers brought the meeting to a close.

Adjourn