



**Office of the C.A.O./Clerk**  
P.O. Box 1614, 21 Reeve Street  
Woodstock, Ontario N4S 7Y3  
Phone: 519-539-9800 • Fax: 519-421-4712  
Web site: [www.oxfordcounty.ca](http://www.oxfordcounty.ca)

August 14, 2015

VIA ELECTRONIC MAIL

Rob Wrigley, Regional Director, Southwestern Region, Ministry of Environment and Climate Change  
Jane Ireland, Regional Director, Southern Region, Ministry of Natural Resources and Forestry  
Chris Martin, Regional Environmental Manager, Carmeuse Lime (Canada) Ltd

Dear Ms. Ireland and Messrs. Wrigley and Martin:

**Re: Amended Environmental Compliance Approval No. 5598-9VDRBR (EBR Registry No. 012-2973)**

This purpose of this letter is to advise the Ministry of Environment and Climate Change ("MOECC"), the Ministry of Natural Resources and Forestry ("MNR") and Carmeuse Lime (Canada) Inc. ("Carmeuse") of the County of Oxford's significant concern regarding the above noted ECA issued on June 15, 2015 and its implications for an important County natural resource, the West Quarry Lake, and to request a suspension of any work implementing these approvals until such time as the County's concerns can be addressed.

By way of background, the County is in receipt of the June 15 decision of the Director, Ontario Ministry of the Environment and Climate Change to approve an amendment and consolidate two existing environmental permissions for the Carmeuse operation through the above referenced amended Environmental Compliance Approval (ECA). Among other changes, the amended ECA now allows the conversion of the West Quarry Pond to use as a settling basin. The County views the West Quarry Pond as a fundamental element of the Carmeuse rehabilitation plan for its current licensed quarry operation pursuant to the *Aggregate Resources Act*. In fact, the Amended Site Plan explicitly references this quarry rehabilitation element as the West Quarry Lake.

The term "Lake", in the County's view, is an accurate use of terminology to describe the physical, ecological and community value of this water feature. Its conversion to a component of a storm water management system is a matter of significant concern to the County.

As noted in the *Environmental Bill of Rights* (EBR) posting, the ECA amendment application process was carried out concurrently with consideration by the Ministry of Natural Resources and Forestry of an application by the Quarry owner Carmeuse Lime (Canada) Ltd, ("Carmeuse") for Site Plan Amendment. The purpose of the Site Plan Amendment was in part to alter the rehabilitation plan obligations of Carmeuse per Licence #2136 issued under the *Aggregate Resources Act*. I further understand that this Site Plan Amendment, approved by the MNR on January 27, 2015, substantially alters the end state of the West Quarry Pond, its surrounding lands and shoreline.

The overall effect of these changes appears to be to convert the West Quarry Lake, previously viewed by the County as an important long-term component of the County's natural heritage system and a fundamental requirement of the Quarry's progressive rehabilitation, to a settling pond as part of an overall stormwater treatment/management facility. In our view this runs counter to the purpose of both the *Aggregate Resources Act* and *Environmental Protection Act*, and is also contrary to the public and community interest in the protection and conservation of this environmental feature.

Mr Wrigley, Ms. Ireland and Mr. Martin

The County also has fundamental concerns about the adequacy of the public and environmental study process in this matter. The ARA site plan amendment and ECA amendment approval processes were conducted in separate piecemeal processes, with minimal opportunity to public and agency comment and no opportunity for leave to appeal to a hearing process. For both of these approvals, the responsible Ministries took the position that the instruments did not trigger a potential application to the Environmental Review Tribunal for a hearing pursuant to the requirements of the Bill of Rights.

In our view, given the significance of the decisions made in this case, and the absence of a comprehensive integrated public review, it is essential that your Ministries take a step back and reconsider these related decisions in a broader public and scientific context.

The County has referred this matter to its environmental legal counsel to obtain a full opinion on the legal options available to establish a full and comprehensive environmental review process. Part of its review will be a consideration of the apparent opinion of the MOECC, based on the statement issued as part of the EBR postings that the MOECC Director's decision related to the ECA is not subject to the opportunity to seek Leave to Appeal to the Environmental Review Tribunal. Following completion of this legal review, the County will determine what legal and other options are available to fully and properly address this issue.

In the meantime, we would respectfully request that MOECC and Carmeuse agree to suspend any work related to the implementation ECA No. 5598-9VDRBR.

We would be pleased to meet with you to further outline the nature of the County's concern regarding this decision and the associated approval processes. We look forward to your timely response.

Sincerely yours,



Peter M. Crockett, P.Eng.  
Chief Administrative Officer

cc: Fariha Pannu, Ministry of Environment and Climate Change