

#13a

Brenda Law

From: Stan Denhoed <sdenhoed@hardenv.com>
Sent: Friday, June 22, 2012 1:09 PM
To: Brenda Law
Subject: Re: Melancthon Quarry

Brenda

I have not studied the Melancthon quarry proposal in great detail. I do not feel comfortable with forwarding an official opinion without formulating that opinion through careful consideration of the facts.

However, if it is true that it is proposed to dewater the excavation forever and grow potatoes at the base of a 60 metre deep quarry, I would suggest that this is an unrealistic scenario. The Township of Puslinch rejected the concept of pumping water out of Heritage lake in perpetuity and I would think that other municipalities/conservation authorities would feel the same way.

Stan

From: Brenda Law
Sent: Thursday, June 21, 2012 10:56 AM
To: sdenhoed@hardenv.com
Cc: b.andersen@sympatico.ca
Subject: FW: Melancthon Quarry

Hi Stan,

The request below was presented to Council at their meeting last evening June 20th.

Council is supportive of Betty's request to oppose the proposed Melancthon mega quarry however feel it would be more effective and creditable to supply a reason(s) in support of our opposition. Council would like you to help form a position on this without going to a lot of time and expense.

Please let me know if you would be able to assist.

Thank you,
Brenda

From: Heather Krouskie
Sent: Thursday, June 21, 2012 10:45 AM
To: Brenda Law
Subject: FW: Melancthon Quarry

Heather Krouskie
Deputy Clerk
Township of Puslinch
(519)763-1226 ext. 210
www.twp.puslinch.on.ca

From: Betty Andersen [<mailto:b.andersen@sympatico.ca>]
Sent: Tuesday, June 05, 2012 9:09 PM

To: Heather Krousie
Subject: Melancthon Quarry

Dear Mr. Mayor and Council:

I would dearly like to see Puslinch Council take a position on the proposed Melancthon mega-quarry, by adding your voice in opposition to that of Melancthon residents and other councils, including Wellington County Council, that have expressed their concerns. The David Suzuki Foundation has also recently come out in opposition to this quarry, the largest such in Ontario. Indeed, the proposal has attracted attention nationwide. The website for the North Dufferin Agriculture and Community Taskforce Inc. www.ndact.com will provide you with all the reasons this mega-quarry should be stopped.

This pit will be at the headwaters of the Grand and Nottawasega Rivers among others, and the implications for those of us downstream, and in fact in the entire watershed, are worrisome.

The provincial government needs to hear now from rural constituents, as it appears they are prepared to roll over us again in favour of corporate America and urban Ontario. Puslinch Township has had its share of gravel pits and can speak to this with authority.

I trust Council will support our neighbours in Melancthon who oppose the proposal by communicating our concerns to the Ministry of Natural Resources, our MPP, and the Premier of Ontario. May I ask that this matter be included on the agenda for a Council meeting in June or early July?

Thank you for your consideration of this matter. Please let me know when this will be discussed at Council.

Yours truly,

Betty Andersen

#136 CC Stnn

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Station Main Ontario**Instrument Type:** Permit to take water - OWRA s. 34**EBR Registry Number:** 011-5746**Ministry Reference Number:** 5708-8RFM3F**Ministry:**

Ministry of the Environment

Date Proposal loaded to the**Registry:**

February 13, 2012

Date Decision loaded to the**Registry:**

June 26, 2012

Keyword(s): Water**Decision on Instrument:**

A Permit to Take Water was issued on May 4, 2012 to this applicant with an expiry date of May 31, 2022 and the following water taking:

Source of water: Pond B

Purpose of taking: Aggregate Washing

Maximum rate per minute (Litres): 14,116

Maximum number of hours of taking per day: 20

Maximum volume per day (Litres): 16,939,200

Maximum number of days of taking per year: 200

Source of water: Well A

Purpose of taking: Water Supply (Office Building)

Maximum rate per minute (Litres): 140

Maximum number of hours of taking per day: 14

Maximum volume per day (Litres): 114,600

Maximum number of days of taking per year: 300

Source of water: Well B

Purpose of taking: Water Supply (Asphalt Plant)

Maximum rate per minute (Litres): 615

Maximum number of hours of taking per day: 14

Maximum volume per day (Litres): 515,600

Maximum number of days of taking per year: 300

Source of water: Well C

Purpose of taking: Water Supply (Concrete Plant)

Maximum rate per minute (Litres): 960

Maximum number of hours of taking per day: 14

Maximum volume per day (Litres): 802,000

Maximum number of days of taking per year: 300

Comment(s) Received on the Proposal: 3

Public Consultation on the proposal for this decision was provided for 30 Days, from

Contact:West Central Region
Permit To Take Water Evaluator
Ministry of the Environment
Operations Division
West Central Regional Office
119 King Street West
Floor 12
Hamilton Ontario
L8P 4Y7
Phone: (905) 521-7833
Fax: (905) 521-7820
Toll Free Phone: (800) 668-4557**Location(s) Related to this Instrument:**Lot: 22, Concession: 7,
Township of Puslinch, County
of Wellington

TOWNSHIP OF PUSLINCH

Additional Information:**The following government offices have additional information regarding this Decision. To arrange a viewing of these documents please call the Ministry Contact or the Office listed below.**

February 13, 2012 to March 14, 2012.

As a result of public consultation on the proposal, the Ministry received a total of 3 comments: 2 comments were received in writing and 1 were received online.

Additionally, a copy of all comments are available for public viewing by contacting the Contact person listed in this notice.

A selection of these comments are available:

[View All Comments](#)

Effect(s) of Consultation on this Decision:

Submissions were addressed as they apply to the PTTW application under the Ontario Water Resources Act, Ontario Regulation 387/04 only. Submissions in regards to requirements which fall under the Environmental Protection Act were directed to the District office for follow-up if required. Submissions in regards to MOE and MNR policy or compliance with municipal by-laws or regulations, plant operations or conditions on other sites were not addressed.

Temperature Increases: The Mill Creek has been surrounded by development including the Aberfoyle Mill Pond, Mini Lakes, in-line agricultural ponds, stream bed diversion, widening of the stream bed and aggregate extraction. All of these will have had an effect including temperature increases upon Mill Creek.

Groundwater Levels: Monitoring wells Well B (Capital Paving; GSC, 2012); MW-2 Aberfoyle Outwash (Harden Environmental 2012) and MOEE -- Aberfoyle (Harden Environmental 2012) illustrate that there has been no decline in groundwater levels in the area of the monitoring wells.

Qualitative Impact Assessment: A qualitative impact assessment was completed for the upper Mill Creek sub-watershed by examining adverse effects. Adverse effects of these takings were based upon complaints. This was determined by examining the MOE's internal recording database and looking for adverse environmental effects and well interference complaints associated with the PTTW takings in the upper Mill Creek sub-watershed.

None were found for Capital Paving, Mill Creek Camping, Con-Cast Pipe Limited, Mini Lakes Residents Association, Reid Heritage Homes, Suncor Energy Products Inc., Wellington Vacant Land, Holcim and St. Marys Cement.

Leave to Appeal Provisions:

Any resident of Ontario may seek leave to appeal this decision, by serving written Notice, within 15 days of June 26, 2012 upon the following:

Environmental Commissioner of Ontario:

Environmental Commissioner of Ontario
1075 Bay Street
Suite 605
Toronto Ontario
M5S 2B1
Phone: (416) 325-3377
Toll Free Phone: (800) 701-6454

Issuing Authority:

West Central Regional Office
119 King Street West
Floor 12
Hamilton Ontario
L8P 4Y7
Phone: (905) 521-7640
Toll Free Phone: (800) 668-4557

The documents linked below are provided for the purposes of enhancing public consultation.

All links will open in a new window

1. Copy of PTTW

Belinda Koblik
Supervisor Water Resources Unit
West Central Regional Office
119 King Street West
Floor 12
Hamilton Ontario
L8P 4Y7
Phone: (905) 521-7615
Toll Free Phone: (800) 668-4557

Proponent:

Capital Paving Inc.

P.O. Box 815
Station Main Ontario

Appellate Body:

Secretary
Environmental Review Tribunal
655 Bay Street
Floor 15
Toronto
M5G 1E5
Phone: (416) 212-6349
Fax: (416) 314-4506

The Notice must be signed and dated and include all of the following information:

1. The EBR Registry Number, the Ministry Reference Number, the Proponent's name and address to whom the instrument was issued and the location of Activity. (All available from this Registry posting)
2. A copy of any comments that were submitted on the original proposal, if comments were not submitted, an explanation of your interest in seeking leave to appeal the decision is required.
3. A description of the grounds for the application for leave to appeal including information that demonstrates that:
 - (a) there is a good reason to believe that no reasonable person, having regard to the relevant law and any government policies developed to guide decisions of that kind, could have made the decision; and
 - (b) the decision in respect of which an appeal is sought could result in significant harm to the environment.
4. The portion of the instrument or each term or condition in the instrument in respect of which the leave to appeal is applied for.
5. The grounds on which you intend to reply at the hearing, in the event that the leave to appeal is granted, in relation to each portion that you are seeking leave to appeal.

[View Proposal](#)

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CC Stan
#13c

Brenda Law

From: Evans Colin <CREvans@vcsmc.com>
Sent: Tuesday, July 03, 2012 2:13 PM
To: jason.mclay2@ontario.ca; Brenda Law
Subject: FW: McMillan
Attachments: Water Quality Analysis letter report 2011.pdf

Jason Mclay (MNR), Brenda law (Township of Puslinch)

RE: CBM Aggregates, McMillan Pit (5737), 2011 Water monitoring report

Please accept this monitoring report as a condition of our McMillan Pit Aggregate license #5737.

This report is from the 2011 monitoring year.

The 2009 monitoring was the last full monitoring report for the McMillan pit. On January 27, 2010 James Williams from the MNR granted permission via e-mail to reduce the monitoring to just the bio mapping component. This is due to extraction being complete at this location and a partial surrender of the licence in process.

If you require a printed hard copy of this report please let me know and I will mail you one.

Thank you very much,

Colin Evans
CBM Ready Mix, Aggregates & Hutton Transport
Environment and Lands Manager

From: phache [<mailto:phache@limnoterragroup.com>]
Sent: July 3, 2012 10:11 AM
To: Evans Colin
Subject: Re: McMillan

I have emailed to al.murray@ontario.ca and art.timmerman@ontario.ca

Here is a copy for you.

Regards,

Paulette Hache
Limnoterra Group
40A Shirk Place
Kitchener, Ontario
N2K 1R4



Environmental Consulting since 1979

Al Murray
Ontario Ministry of Natural Resources,
1 Stone Rd. West, Guelph,
Ontario, Canada
N1G 4Y2
Phone: 519-826-4927
Fax: 519-826-4929.

June 21, 2012

ATTN:

RE: Monitoring Report CBM – St Mary’s Cement McMillan Pit (License#5737)

Dear Mr. Murray,

We are pleased to submit the present report in compliance with the reporting requirements for the CBM – St Mary’s Cement - McMillan Gravel Pit as per the “Monitoring Program –McMillan Property” submitted to your office on January 15, 1998 and modified with agreement from James Williams of your office on January 27, 2010.

Extraction ceased on the site in 2004 and in 2010 CBM requested and obtained a reduction of monitoring requirements from your office. The only monitoring now required at this site is benthic macroinvertebrate sampling in tributary T3 and calculation of the water quality index based on Biomap methodologies.

The analysis for 2011 includes data for the site from 1997 to 2011.

Extraction activities ceased on the site in 2004, thus 2005 to 2011 monitoring data represents post-extraction conditions.

If you have any questions, or require clarification, please do not hesitate to contact us.

Kind Regards,

Paulette Hache, B.Sc.
Ecologist
Limnoterra Limited

Water Quality Rationale:

Tributary 3 of Mill Creek is the nearest discharge point of groundwater crossing the pit site, and reflects the quality of groundwater discharging from the McMillan Pit (Figure 1). Water quality monitoring is based on an assessment of the benthic biota that Tributary 3 supports. The community of benthic biota is subject to the full rigor of the environment through the annual or biannual life cycles of the species. The community therefore represents the integrated temporal effects of all pollutants and environmental conditions through the year and not only those conditions at the time of sampling.

The composition of benthic macroinvertebrate communities reflects water and habitat quality in streams. BioMAP (Biological Monitoring and Assessment Program) is a water quality assessment tool designed for southern Ontario watercourses. It provides a quantitative measure of water quality that can be used to diagnose water quality at a site, monitor water quality over time, and evaluate the impact of point source and diffuse source pollution on water quality. The index calculated for a watercourse is based on sensitivity values assigned to each macroinvertebrate species. The sensitivity values are based on the species tolerance to factors of pollution. (organics, reduced dissolved oxygen, suspended solids, temperature, metals, acidity, nutrients etc)².

Water Quality Methods:

Benthic macro invertebrates were collected from Tributary T3 on October 23, 2011 (Figure 2). Two quantitative samples were collected from the site, downstream of Regional Side Road 20. For the first time, a third sample was collected (Sample #T3) closer to the Tributary's confluence with Mill Creek. The qualitative sample was taken from various types of habitat within the same general area, as samples T1 and T2 and included sampling from the small backwater area/wetland just upstream of Side Road 20. Sampling procedures followed the BioMap protocols described in the BioMAP Report SWR-1¹ and have been outlined previously (refer to TCG McMillan Report 1996/1997). Aquatic Ecostudies Limited provided benthic identification services for the samples collected by Limnoterra staff.

Water Quality Analysis:

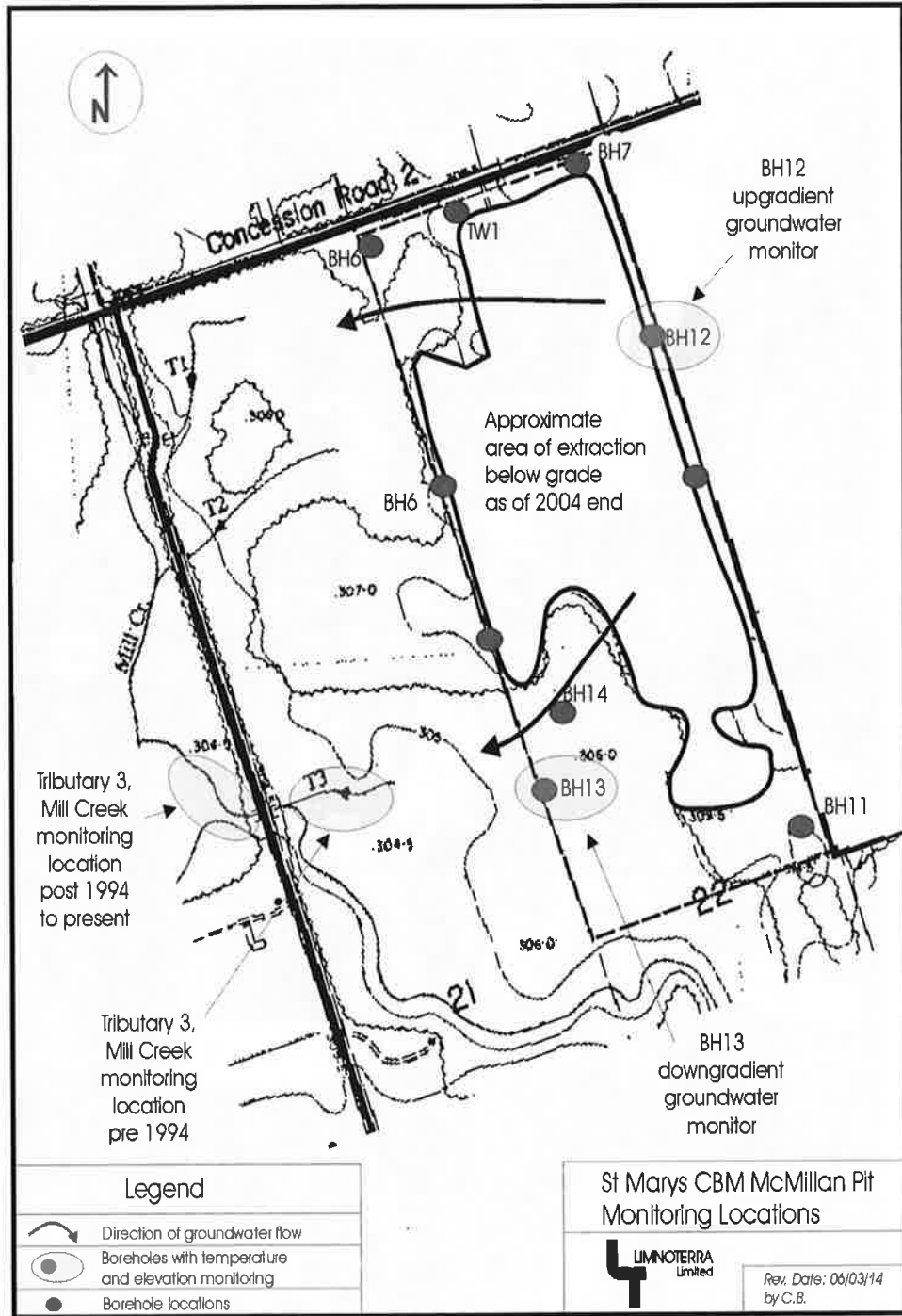
The BioMAP analysis methodology was used to analyze the results and obtain a Water Quality Index for the Tributary (WQI). Sensitivity values from *Version 110430 Sensitivity Values for Aquatic Macroinvertebrates* of Ontario were used for the 2011 analysis. Sensitivity Values range from 4 to 0 which correspond to the longitudinal distribution of macroinvertebrates along the river continuum. A value of 4 designates species that typically inhabit small, groundwater fed, headwater creeks with a predominance of leaf and wood litter as the main energy source. A value of 3 corresponds to larger more open streams with solar radiation driving greater periphyton growth supporting species that feed on attached algae, and so on down to species ranked 0 that feed on fine particulate organic matter most abundant in turbid slow moving warm aquatic systems.

In the Mill Creek tributary T3 we expect to see a population dominated by species with ranks of 4 and 3 and a BioMAP analysis calculation of greater than 14 Water Quality Index (WQI).

Mean Sensitivity refers to the average sensitivity of the top 25% of the species collected. For Mill Creek we expect to see a Mean sensitivity above 3.

¹ Griffiths, R.W. 1993. BioMAP: Concepts, Protocols and Sampling Procedures for the Southwestern Region of Ontario. BioMAP Report SWR-1. Ministry of Environment and Energy, Southwestern Region, London, Ontario. The sensitivity values for the 2011 analysis were the updated version 110430.

Figure 2: Location of Tributary T3 benthic monitoring.



Water Quality Proposed Trigger:

WQI > 14 (i.e. unimpaired condition). No negative impacts to water quality have occurred from extraction when WQI > 14 for Tributary T3.

Water Quality Results:

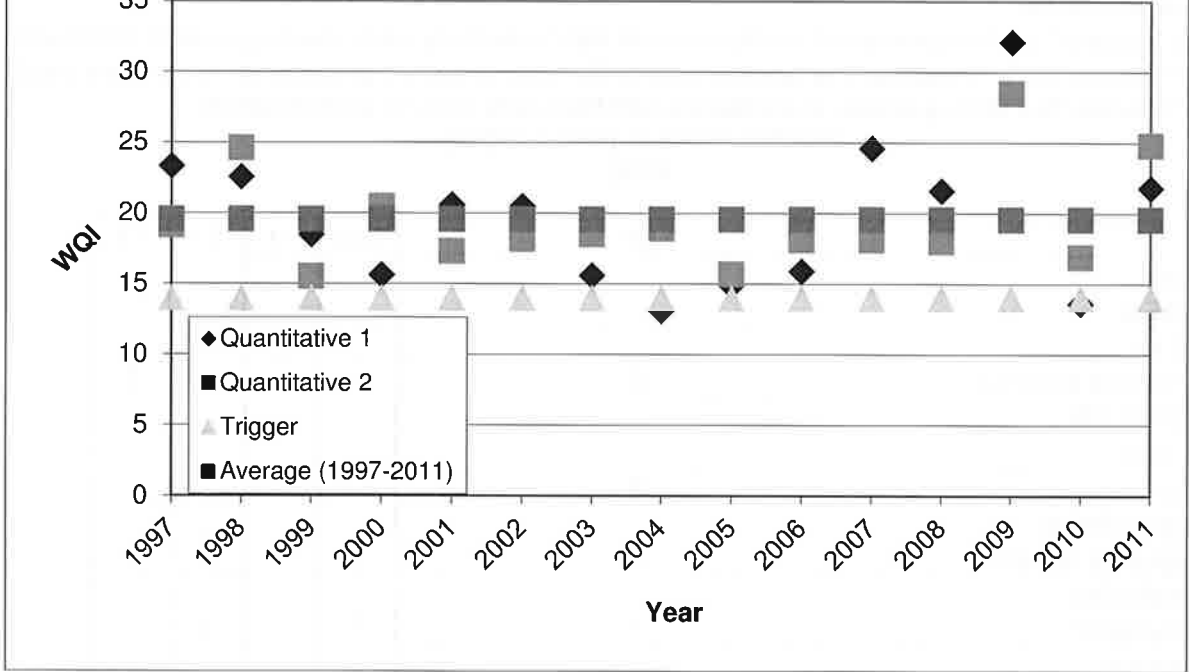
Results of the BioMAP analysis from 1997 – 2011 are tabulated in Table 1 and shown graphically in Figure 3. Results show the average WQI is above 14. The T1 value is 21.8 and the T2 sample value is 24.8. The species composition represents an unimpaired creek and is similar to previous years. For the first time in 2011, a third sample(T3) was collected in Tributary T3 closer to Mill Creek in the hopes of expanding the area available for sampling since the number of individuals per sample remains extremely low due to high sand contents of the bed material that limits available niches for benthic invertebrate production. However, the lower water quality index at that location suggests that it is more typical of the much larger Mill Creek waterway and that the sampling location selected is likely under the influence of Mill Creek flooding and is not representative of the tributary water quality. Therefore, no expansion of historical sampling is justified.

The species distribution in samples taken over the years at the site has changed very little; the types of organisms found in 2011 are similar to those found in previous years, and typical of a closed canopy, cool-to-cold water creek. The data therefore indicates there is no evidence of a significant species shift. However, the number of individuals, or the density, continued to be low up to and including the 2011 sampling and is likely due to a combination of repeated sampling within the same area and high percentage of sand in the stream bed that limits the amount of space individuals can occupy. Because of continued low density at the original sampling site, sampling locations is varied every year but still within the stretch of Tributary T3 downstream of Side road 20 and upstream of Mill Creek influences. The available habitat quality is high as indicated by the presence of highly sensitive species, however, density remains low due to high sand contents of the stream bed material which limits available space and thus density.

Table 1: Benthic Analysis Results 1997 – 2011

Sample	Date	Water Quality Index (WQI)	Qualitative Mean Sensitivity Value
Quantitative 1	10-29-97	23.34	3.67
Quantitative 2		19.12	
Quantitative 1	11-17-98	22.56	3.20
Quantitative 2		24.60	
Quantitative 1	11-23-99	18.47	3.50
Quantitative 2		15.52	
Quantitative 1	10-23-00	15.63	3.17
Quantitative 2		20.49	
Quantitative 1	11-06-01	20.6	3.20
Quantitative 2		17.3	
Quantitative 1	11-25-02	20.48	3.25
Quantitative 2		18.16	
Quantitative 1	10-28-03	15.6	3.33
Quantitative 2		18.5	
Quantitative 1	11-02-04	13.1	3.25
Quantitative 2		18.9	
Quantitative 1	10-24-2005	14.9	3.20
Quantitative 2		15.7	
Quantitative 1	08-11-2006	15.9	3.43
Quantitative 2		18.1	
Quantitative 1	08-14-2007	24.60	3.16
Quantitative 2		18.1	
Quantitative 1	08/28/08	21.6	4.00
Quantitative 2		18	
Quantitative 1	09/03/09	32.1	3.71
Quantitative 2		28.5	
Quantitative 1	10/27/10	13.6	3.29
Quantitative 2		16.9	
Quantitative 1	10/23/11	21.8	4.00
Quantitative 2		24.8	
1997 to 2011 Averages:		19.6	3.42

Figure 3: St. Mary's CBM McMillan Pit Biomap Water Quality Index Results (1997 to 2011)



Conclusion:

For 2011 water quality index values remain above the trigger level of 14. The values are within the previously calculated range of water quality values. The mean sensitivity value for 2011 is 4.00 with is above average of 3.42 for all years combined. The benthic community in Tributary 3 remains representative of a southern Ontario unimpaired creek and therefore no negative impacts to water quality due to extraction activities have been detected.

**Density of macroinvertebrates (No. per 0.05 sq. m.) collected from a tributary of Mill Creek, downstream of the CBM MacMillan Pit near Side Road 20, Pulinch Twsp
Samples collected on October 23, 2011.**

Samples collected on October 23, 2011.

Sample locations:

T3- in Tributary T3 30 m upstream of confluence with Mill Creek(likely within flooding zone of Mill Creek)
T2 in Tributary T3 70 m upstream of confluence with Mill Creek(matches previous years sampling sites)
T1 in Tributary T3 110 m upstream of confluence with Mill Creek (closest to sideroad 20-
matches previous years sampling sites)

	SV	Qual	T1	T2	T3
Insects:					
BEETLES:					
Elmidae:					
Optioservus fastiditus	2				2
CADDISFLIES:					
Goeridae:					
Goera	3		1		
Hydropsychidae:					
Parapsyche apicalis	4	P	1	1	
Limnephilidae:					
Pycnopsyche	3	P		1	
Molannidae:					
Molanna	2				1
Philopotamidae:					
Dolophilodes	4	P			
Rhyacopjilidae:					
Rhyacophila vibox	4		1		
MAYFLIES:					
Baetidae:					
Baetis tricaudatus	4	P			
Proclleon	2	P			
Leptophlebiidae:					
Paraleptophlebia	3	P			
STONEFLIES:					
Leutridae:					
Leuctra	4	P			
Nemouridae:					
Nemoura trispinosa	3	P	1	2	
TRUE FLIES:					
Chironomidae:					
Brillia	2	P	1		
Conchapelopia	2	P	2		
Polypedilum illinoense	1		1		
Prodiamesa	3		1		
Dixidae:					

Dixa	0	P			
Tabanidae:					
Chrysops	2	P			
Tipulidae:					
Dicranota	3		5		
Hexatoma	2			1	
Tipula	-	P			
Crustaceans:					
AMPHIPODS:					
Gammaridae:					
Gammarus fasciatus	2				1
Gammarus pseudolimnaeus	3				1
Annelids:					
WORMS:					
Tubificidae:					
Aulodrilus plurisetia	2	P			
Number of taxa		14	9	4	4
Number of organisms			14	5	5
BioMAP(q) score		4.0			
BioMAP(d) Score			21.8	24.8	10.2

Qualitative Analysis		
Taxa	sv	
Parapsyche apicalis	4	
Dolophilodes	4	
Baetis tricaudatus	4	
Leuctra	4	Top 25%
Pycnopsyche	3	
Paraleptophlebia	3	
Nemoura trispinosa	3	
Procloeon	2	
Brillia	2	
Conchapelopia	2	
Chrysops	2	
Aulodrilus plurisetia	2	
Dixa	0	
Tipula	-	
# species	14	
Average Sensitivity (Top 25%)	4	