



Legislative & Planning Services  
Planning Services  
1151 Bronte Road  
Oakville ON L6M 3L1  
Fax: 905-825-8822

April 22, 2015

Ms. Kim Wingrove  
Township of Guelph/Eramosa  
8348 Wellington Road 124  
P.O. Box 700  
Rockwood, ON N0B 2K0

Dear Ms. Wingrove:

**RE:       Region of Halton Additional Technical Comments**  
**“Hidden Quarry” – James Dick Construction Ltd.**  
**Proposed Class ‘A’ Category 2 License – Aggregate Operation**  
**Township of Guelph/Eramosa Zoning By-law Amendment Application ZBA 09/12**  
**West Half Lot 1, Concession 6, former geographic area of the Township of Eramosa**

This letter is further to our previous Regional comments dated July 5, 2013 and is being provided to add additional clarification to earlier comments related to the above noted Zoning By-law Amendment application and *Aggregate Resource Act* application. These comments are provided in response to the correspondence submitted to the Region of Halton directly from Eramosa and correspondence obtained directly from the Township’s website.

**NATURAL HERITAGE SYSTEM RELATED TECHNICAL COMMENTS:**

Item # 29 on the response matrix dated August 1, 2015 appears to contain an incomplete response. Please clarify the commitment in relation to monitoring and describe the access arrangements relating to the proposed new monitoring locations. It is requested that the updated monitoring program be submitted to the appropriate monitoring agencies for review. Regional Staff may have further comment following our review of this material.

It is noted that R.J. Burnside staff (N. Smith and Don McNalty) provided peer review comments to the Township of Guelph-Eramosa relating to the same JDCL response item. In their response, R.J. Burnside staff suggested that more frequent monitoring may be appropriate ‘seasonally and in the early stages of the development’. They also noted that monthly monitoring is a more typical monitoring standard for aggregate operations. Regional staff recommends that the updated monitoring program include more frequent monitoring as suggested by R.J. Burnside staff.

### **DOMESTIC WELLS AND BRYSDON SPRING/CREEK COMMENTS:**

The following is a summary of additional comments on the impact on private wells and Brydson Spring/Creek in Halton Region based on the review of applicable documents since August, 2014. Additional information in support of these comments is provided below in Appendix 'A'.

1. The "Contingency Plan" in Table 1 of Harden's January 8, 2015 memorandum to Burnside Consultants, recommends modification/retrofit/water-treatment installation at specific private wells located in Halton Region. Will there be a formal protocol/agreement in place to ensure eligibility for modifications at no-cost to the well owners? Halton residents should be aware of their eligibility and any required process.
2. The *Revised Monitoring Program and Contingency Measures* (June 2014) or a separate off-site monitoring program encompassing all potential down gradient monitoring stations (i.e. including those beyond 120m from the site's southern boundary) should be available and/or referenced as a key document on the ARA site plan once the new survey is completed and all suitable locations are identified.
3. As noted in our previous comments, any future well surveys and monitoring should encompass properties extending somewhat outside of the 500m zone of the site's southern boundary to ensure that suitable and accessible down gradient private wells, within such properties, are not excluded from baseline and long-term off-site monitoring programs.
4. What is JDCL's approach to implementing a "well-complaint protocol"? Are Halton residents aware of this protocol and its applicability? The protocol was referenced in the August 1, 2014 response to Halton's comments; however, the protocol has not been provided to the Region.
5. The Region recognizes JDCL's willingness to include quarterly monitoring of Brydson Creek, subject to landowners permission. It is not clear, however, if JDCL plans to conduct ecological/fish habitat assessment to ensure that current conditions are maintained long-term.

In summary, it is not clear what JDCL's approach is to finalizing their commitments concerning down gradient property protection, mitigation and monitoring. In the absence of an Adaptive Management Plan (AMP) and key references identified on a site plan, it is not clear how off-site monitoring and implementation matters are to be applied and fulfilled.

### **REGIONAL TRANSPORTATION & HAUL ROUTE STUDY COMEMNTS:**

Regional Transportation Planning has commenced its review of the updated Haul Route Study for the Eramosa Quarry dated March 2015 as prepared by Cole Engineering. In an effort to provide consolidated comments with the Town of Halton Hills and the Town of Milton, staff will be meeting internally with our municipal partners to review and discuss the updated Haul Route Study. It is expected that comments will be issued in late spring 2015.

**CONCLUSIONS:**

The above matters require clarification from the proponent in order for the Region to complete its assessment of this ARA application.

In the meantime, please forward any further materials to Adam Huycke, Planner at (905) 825-6000 Ext. 7604 ([adam.huycke@halton.ca](mailto:adam.huycke@halton.ca)).

Sincerely,



Brian Hudson, MCIP, RPP  
Senior Planner  
Ext. 7209  
[Brian.hudson@halton.ca](mailto:Brian.hudson@halton.ca)

- c. Greg Sweetman, James Dick Construction Limited  
Ron Glenn, Director of Planning Services and Chief Planning Official  
Adam Farr & Jeff Markowiak, Town of Halton Hills Planning Services  
Barb Koopmans, Town of Milton Planning and Development Department  
Liz Howson, Macaulay Shiomi Howson Ltd.  
Linda Sword, Concerned Residents Coalition

## APPENDIX 'A'

### COMMENTS ON PRIVATE WELLS AND BRYDSON SPRING/CREEK IN HALTON REGION

The following information is provided to support the above-noted comments and additional issues raised with regards to private wells and Brydson Spring/Creek within Halton Region:

#### Private Wells and Brydson Creek/Spring in Halton Region:

The following provides additional information in support of Halton Region comments concerning protection and mitigation of private water supply wells and Brydson Creek/Spring in the Region:

- 1) In their June 10, 2014 correspondence to Burnside, JDCL agreed to follow a pro-active approach to modification or retrofitting of four down gradient wells in Halton Region (W16, W17, W18, and W19 located directly down gradient of the subject site) at no cost to landowners, subject to request of the landowner.

Additionally, *Table 1 – Results of Private Well Survey* in Harden's January 8, 2015 memorandum to Burnside, summarizes well-specific contingency plan for the above-noted four wells (W16 to W19) and other wells in Halton Region (i.e. W20, W21, W22, W23 and W38) located within the 500m zone of the proposed quarry site. Would these other wells be eligible for improvements at no cost as well?

Have residents been made aware of the recommendations and eligibility circumstances? Is there a process, protocol or agreement in place regarding this matter?

- 2) JDCL's August 1, 2014 response concerning "Groundwater Levels" in private wells indicates that the (seasonal) baseline data collection is proposed "for a minimum 2 years prior to quarry start-up and discontinued when the extraction begins". We assume that all locations shown in in Figure 1 (January 8, 2015) would be subject to (seasonal) baseline data collection. The long-term onsite and off-site monitoring would be required to confirm or refine the JDCL's non-impact assumptions and/or guide further corrective actions in the event of unanticipated impacts (if quarry is approved).

The Site Plan shows monitoring locations within 120m from the site and includes one private well in Halton Region (i.e. W19 or receptor R16 directly downgradient of the proposed "main processing" and "silt pond" area). The frequency of monitoring at this location is not clear (i.e. it is not identified in the Site Plan or in any other "monitoring plan").

Although the final list of down gradient private wells to be included in a long-term monitoring program may not be available until a survey is completed and all potential impacted wells are identified, the fact that there are no recommendations for off-site monitoring in the *Revised Monitoring Program and Contingency Measures* (June 2014) and no separate 'off-site monitoring plan' is a concern to the Region.

JDCL, in their August 1, 2014 response to the Region, agreed to install additional multi-level monitoring wells along the southern boundary of the proposed quarry (i.e. as per Region's July 28, 2014 comments). The December 29, 2014 Site Plan (page 1 of 5) shows the location of M18 and M19 along the southern site boundary. We assume that these are (would be) multi-level

installations as previously recommended by the Region (i.e. these wells are not listed in *Table 1 - Description of Wells* in the Site Plan (page 1 of 5)).

The *Revised Monitoring Program and Contingency Measures* program encompassing all down gradient wells (on-site and off-site) should be prepared once a new survey is completed and all suitable locations are identified.

- 3) Harden's August 1, 2014 response to the Region indicated that W38, W39 and W40 located outside the 500m zone from the proposed quarry boundary would be asked to participate in the seasonal baseline monitoring program and one-time baseline survey. *Figure 1 – Proposed Pre-Quarry Well Survey Locations* (January 8, 2015) shows more residential wells in Halton Region (i.e. Wells 42, 43 and 44 east of 6<sup>th</sup> Line) than the August 2014 Figure 6.1 of the same title. We assume that wells W42 to W44 will be added to survey and seasonal baseline monitoring program if quarry is approved and if access is available.

Additionally, based on an aerial base map, there appear to be building structures at the limit of the 500m zone (i.e. along 5<sup>th</sup> Line Nassagaveya, at the south end of the Brydson's property, and east of W23). As noted in our previous comments, any future survey and monitoring should encompass properties extending somewhat outside the 500m zone from the proposed site's southern boundary to ensure that suitable and accessible wells within this zone are not excluded from the baseline and the potential long-term monitoring.

- 4) In their August 1, 2014 response, JDCL confirmed that the "well complaint protocol" would encompass Halton residents. JDCL referred to the "attached" September 2013 protocol presented to R.J. Burnside; however, no protocol was attached with the August 1<sup>st</sup>, 2014 response to the Region. Has the protocol and its applicability, limitations, etc. been communicated to Halton residents?

- 5) Brydson Creek and Brydson Spring:

In the August 1, 2014 responses to Halton's July 28, 2014 comments, JLDS indicated that 'no fish habitat monitoring' along the lower reaches of Brydson Creek was necessary or recommended; that neither Town's consultants, nor GRCA or MOE requested such monitoring; that monitoring of groundwater at down gradient on-site observation wells (M15, M16, and M4) would be sufficient to detect any changes before groundwater reaches the spring; and that any additional monitoring at Brydson Spring would be unnecessary and redundant. However, we understand that groundwater contributing zones/areas to the spring are not fully understood at this time and, as such, these monitoring locations may not be representative of the spring inflow.

The need for a permanent monitoring station and on-going monitoring of the spring was further communicated in Halton's correspondence (September 16<sup>th</sup>, 2014) to the Township. Burnside Consultants concurred with Halton Region staff in their November 20<sup>th</sup>, 2014 correspondence to the Township. In their response to Region's September 16, 2014 comments, JLDC agreed to include quarterly monitoring of the Brydson Spring for flow, quality and temperature in the monitoring program, subject to landowner's permission. It is not clear; however, if JDCL plans to conduct ecological and fish habitat assessment to ensure that current conditions are maintained or improved over a long-term.

Summary:

At this point in time, information on the off-site (down gradient) conditions and potential monitoring/mitigation needs in this area is fragmented (i.e. contained in various pieces of correspondence/memorandums, etc., or missing) and is non-conclusive, especially the information outside/beyond the 120m site-plan related assessment area. The fact that there is no formal off-site (down gradient) monitoring and management plan is of concern to the Region. Also, in the absence of an AMP and any references to off-site (down gradient) matters in a site plan or a notation on a site plan, it is not clear how any of the off-site implementation matters are to be fulfilled?