

## Gravel Watch Ontario Platform / Concerns / Recommendations

Gravel Watch Ontario is a coalition of citizens and non-government organizations seeking to improve the management of aggregate in Ontario.

### Mission

Gravel Watch Ontario's mission is to act in the interests of residents and communities to protect the health, safety, quality of life of Ontarians and the natural environment in matters that relate to stone, sand and gravel (aggregate resources).

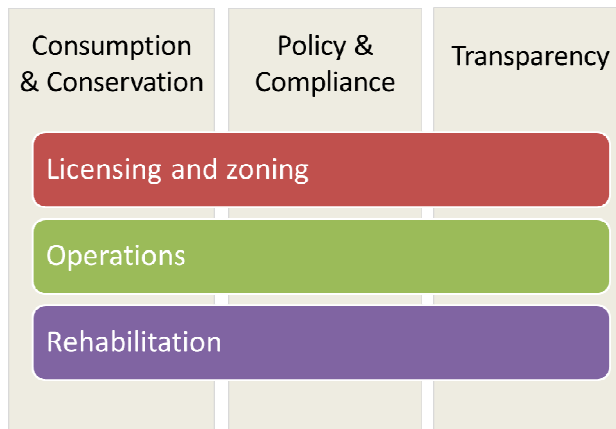
### Vision

Gravel Watch Ontario envisions a province where laws, policies, processes, decisions and actions related to aggregate resources ensure the health, safety and quality of life of Ontarians, and conserve and protect the natural environment.

### Key Issues

Gravel Watch Ontario believes that significant positive change is needed in:

- **consumption and conservation** of this vital non-renewable resource, as well as for clean water, air and land, to ensure their long-term sustainability;
- development of aggregate **policy and compliance** with that policy, to better protect our residents, environment and the greater public good; and
- **transparency** between the industry-government sectors and the public, to promote full disclosure and foster trust and goodwill among all sectors.



These issues apply throughout the full life cycle of aggregate management: **licensing and zoning, operations and rehabilitation.**

These issues relate directly to the mission and vision of Gravel Watch Ontario. Addressing them will help to ensure the health, safety and quality of life of Ontarians, and conserve and protect our natural resources and environment.



## Consumption & Conservation

Mineral aggregates are a vital, non-renewable resource, which must be managed and conserved by the Province. Ontario needs to develop a province-wide integrated strategy for conserving and recycling aggregate, accompanied by an implementation plan to achieve its goals. [read more](#)

## Policy & Compliance

Ontario's current aggregate policy too often favours aggregate extraction over other land uses. This situation needs to be reviewed, to produce a more appropriate balance to better protect communities and the environment. Improvement is also needed in the monitoring and enforcement of these policies in the operation of pits and quarries. [read more](#)

## Transparency

Better transparency and accountability would improve the aggregate management process. Information and data regarding the industry and individual operations must be collected in a more accurate, comprehensive and timely manner, and must be readily available to the public. [read more](#)

For substantiation of the claims, estimates and numbers in this document, refer to the bibliography and this link on [how we arrived at our numbers](#).



## Consumption & Conservation

### Consumption & Conservation Issues

Mineral aggregates, a vital, non-renewable resource, need to be managed and conserved by the Province. Ontario must develop a province-wide integrated strategy for conserving aggregate, accompanied by an implementation plan to meet its goals.

1. The current policy of “no need to show need” encourages licensing of unneeded pits and quarries, and does not encourage conservation. Some estimates indicate currently-licensed reserves are adequate to meet demand for as much as 120 – 150 years.
2. The current provincial levy of \$.11 per tonne is much lower than those in countries such as the U.K. and contributes to the low cost of aggregate in Ontario. This low cost encourages consumption, not conservation.
3. Taxing aggregate exports at the same rate as domestically-consumed product indicates a view of aggregate as a commodity, rather than a valued resource.
4. Recycling of aggregates in Ontario, although improving marginally, remains inadequate. Government incentives for recycling in the public or private sectors are virtually non-existent.

### Recommendations Regarding Consumption & Conservation

**R1** Government policy should be reformed to encourage conservation of aggregates, especially virgin aggregates.

**R2** Government policy should mandate minimum standards for increased use of recycled materials in public and private development, and motivate recycling beyond those standards.

**R3** A landfill tax should be introduced to discourage disposal of recyclable aggregate materials.

**R4** Surcharges should be imposed on aggregate exports to reflect negative impacts which are not offset by benefits to the residents of Ontario.

**R5** Government policy should mandate re-design of road specifications to ensure aggregate specifications are appropriate to traffic requirements, and that no more aggregate than is appropriate is being consumed.

**R6** Government policy should recommend and motivate “low impact” urban development practices that eliminate unnecessary use of aggregates.

Reforms in consumption and conservation would promote the sustainability of this limited resource, ensuring its future availability at fair cost to the province of Ontario and its residents.



## Policy & Compliance

### Policy Issues

Ontario's aggregate policy too often promotes extraction over other land-uses, including conflicting environmental and societal priorities that may better serve the long-term public interest. "Full cost accounting" needs to be a key consideration in this process. Restructuring of the Aggregate Resources Act and improved controls on how pits and quarries operate are required.

Provincial Policy Statement and Aggregate Resources Act policies require improvement in many areas, including:

1. Close-to-Market policy – the requirement to source aggregate as close as possible to its final destination – appears to relegate all other social and environmental concerns to secondary status, whether this is in the public interest or not. One outcome of this policy is the loss of large areas of vital prime agricultural land to extraction.
2. Mandated standards for minimum buffers between settlements and aggregate operations are inadequate in many cases.
3. Current policy affords inadequate protection against negative impacts to wetlands, woodlands and other natural features; ground, surface and drinking water; air quality and related health risks; public safety, property values, infrastructure and cultural heritage.
4. Current policy does not adequately address impacts of pits and quarries outside of their zoned and licensed boundaries – for example, broad impacts of traffic and noise.
5. Current policy does not adequately consider cumulative impacts of multiple operations in one area, or throughout one watershed.
6. License and site plan conditions, considered and often negotiated by municipalities and agencies during zoning approval, can be amended later by MNR without municipal / agency approval. This practice undermines the zoning approval process.
7. Present policy delegates key aspects of management, monitoring and funding of rehabilitation to the industry, with unacceptably poor results.
8. Current policies relegate comprehensive reviews of applications to municipalities and residents. This creates an expensive, adversarial process, wherein municipalities frequently feel overwhelmed by financial pressure to process new applications without proper peer review. This system too often encourages inadequate review or approval of inappropriate applications.
9. Policies to ensure collection of accurate data for rehabilitation, loss of agricultural lands, wetlands and natural features are inadequate. Data are too often either unknown or withheld by the industry.
10. Aggregate extraction is not an interim land use and should not be described and treated as such in government policies.
11. Municipal land use and zoning decision-making authority is not adequately recognized in current legislation and policy, nor is it adequately supported after granting of the license by MNR (minor and major amendments do not require approval of the municipality).

Improvements in policy and compliance would reduce land use conflicts and negative impacts, improve public perception of the industry, and result in practices more consistent with long-term public interests.



### Recommendations Regarding Policy

**R7** Address policy issues #1-11 noted above.

**R8** MNR should assume a front-line role in thoroughly reviewing applications and reports in conjunction with municipalities and other agencies.

**R9** Policies to address social, health, cultural heritage, environmental and natural heritage impacts, including “full cost accounting” and cumulative impacts, should be reviewed and strengthened as appropriate.

**R10** MNR policy should re-introduce the security deposit model for rehabilitation.

**R11** Alternatives to close-to-market should be reviewed, considered and adopted as appropriate.

**R12** Sunset clauses should be imposed on all future new licenses. Expansions of operations should require new applications for both zoning and licenses.

**R13** Costs related to reviews and approvals, licensing, monitoring, operations, supporting infrastructure and rehabilitation, should be borne by the industry as a cost of doing business. These costs and those of reforms to the management of aggregate should be funded through fee increases, which should be reviewed on a regular basis and adjusted as appropriate.

**R14** Legislation should maintain and enhance the municipal zoning process by requiring municipal approval for subsequent amendments to the aggregate license.

### Compliance Issues:

The effectiveness of policy depends on compliance, without which the public interest is not well served. Oversight of operations by MNR is inadequate; for example:

1. Pits are physically inspected by MNR, on average, only once every 5 - 7 years.
2. Evidence suggests many operators are not in compliance (ECO reports).
3. Agreements negotiated among operators, MNR, OMB and municipalities can be disregarded by operators, with minimal consequences.
4. Although mandated by law; rehabilitation is often not undertaken. When it is, it can be slow, incomplete, and inconsistent with initial site plan assurances. One study indicates that less than half of excavated lands are being rehabilitated.
5. The current practice of perpetuating licenses by delaying rehabilitation is unacceptable.

### Recommendations Regarding Compliance

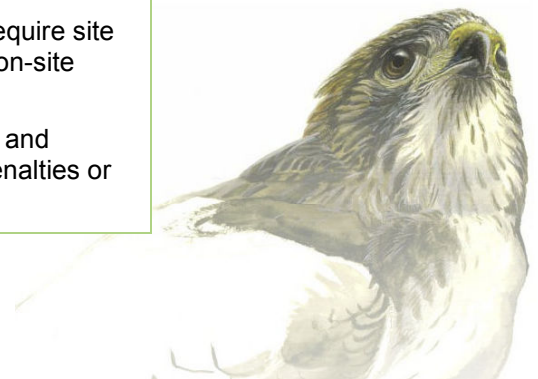
**R15** Address Compliance issues #1-5 noted above.

**R16** Compliance must be monitored and enforced by MNR or an objective third party.

**R17** Municipalities should have a stronger role in monitoring and compliance.

**R18** MNR should increase the number of field inspectors and require site inspections of all operations not less than once each year, with on-site follow-up on issues of non-compliance within ninety days.

**R19** Continued operations should be contingent on compliance and rehabilitation, and non-compliance should result in significant penalties or suspension of licenses.



## Transparency

### Transparency Issues

There is a lack of public transparency in the aggregate management process. Examples include, but are not limited to:

1. Policy is too often developed by the Ministry of Natural Resources (MNR) in consultation with the industry, with limited or no public awareness or input.
2. Data regarding licensed reserves, land-banking\*, supply and demand, and hauling activities, vital to effective planning, is unknown or withheld by the industry.
3. Licensing and site plan conditions, negotiated and approved by the municipality in the zoning process, can be amended without notification of the public or approval from the municipality or other public agencies.
4. Oversight by MNR of ongoing extraction operations is minimal (see Compliance), with little public disclosure of concerns, complaints or infractions
5. Rehabilitation is legislatively mandated but enforcement is inadequate and, in effect, delegated to the industry. This results in poor compliance and a lack of publicly-available information about the record of rehabilitation or cumulative loss of productive lands.
6. Considerations of the local contextual issues are not considered early enough in the process, nor does policy facilitate public awareness and participation.

Public participation in the process of managing aggregate can be an onerous, convoluted and opaque experience. The present system, particularly in licensing and zoning approvals, promotes high costs to producers, municipalities and residents. In this adversarial context, municipalities and the public are often intimidated by the potential costs of engagement. This does not promote good land use planning in Ontario.

Greater transparency from both industry and government sectors for the full life cycle of aggregate development is required.

### Recommendations Regarding Transparency

**R20** Information and data regarding the industry and individual operations must be collected by the managing agency in a more accurate, comprehensive and timely manner.

**R21** Monitoring and reporting of all relevant data on licensing, operations and rehabilitation should be controlled by MNR, not the operators, industry or its representative body.

**R22** Information regarding the industry and issues with individual operations should be readily available to the public and public agencies.

**R23** Municipal zoning approvals should ensure early accessibility, accountability and transparency to the public, plus local contextual issues should be identified early in the application process.

\*Land banking is a practice in which a producer purchases lands in resource areas for future applications or expansions. The land and aggregates contained thereon are not accounted for in reserve figures.

***Greater transparency will result in improved land use planning, less conflict and mistrust between the public and industry-government sectors, and improved public perception of the industry and the Ministry.***



## Bibliography / Appendix

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### How we arrived at our numbers

Under the issue "Consumption and Conservation" we state, "Some estimates indicate currently licensed reserves are adequate to meet demand for as much as 120 – 150 years." This estimate is based on the following figures:

From MNR ALPS database (Jan 2010), Ontario's total allowed licensed annual tonnage quota for all licensed operations is greater than 2.26 billion tonnes. This is more than 14 times Ontario's 2009 aggregate demand of approximately 153 million tonnes (TOARC, Production Statistics, 2009). Assuming on average, each operation has the reserves capacity to fill their quota for 10 years, a 140-year supply is already licensed to fulfill the present rate of demand, which has remained relatively constant for the past 10 years.

