

Standards for aggregate operations could be in place in June

By Bill Rea

There appears to be a lot of support for proposed Responsible Aggregate Standards, put forth by Cornerstone Standards Council (CSC).

The group hosted an information meeting last week in Mono Mills, and while there were some concerns, there were also many positive comments, including from Mayor Marolyn Morrison.

There was also plenty of information provided, including a 106-page handout that was distributed, containing the draft of the standards that was released last month.

The draft, which proposes actions that pits and quarries would voluntarily undertake in order to be certified, is also posted online at www.cornerstonestandards.ca and are also available by request to comments@cornerstonestandards.ca

CSC Director of Outreach Nicholas Schulz made a couple of presentations, stressing that the council is neither industry, environmentally or community driven, but rather a collaboration of all three. The aim is to result in less confrontation and avoid conflicts and costly hearings before the Ontario Municipal Board (OMB).

Schulz said the aggregate industry can be profitable, as well as responsible to the environment and community.

‘Aggregate is something we need,’ he said. ‘That doesn’t mean every site is right or every site is a good operation.’

Aggregate operations meeting the standards would be eligible for CSC’s certification.

Schulz said sites are to be independently evaluated against these environmental and social standards, realizing the need of the operators to show returns on their investments.

He also stressed these standards are not meant to be a substitute to existing regulations or the authority of the Ministry of Natural Resources (MNR).

‘The Ministry of Natural Resources has its job,’ he said. ‘It should maintain that role.’

He said one of the aims to encourage operators to strive to go beyond the conventional requirement.

The draft was created by a Standard Development Panel, and Schulz said some agencies, including MNR, were represented as observers. There were more than 30 meetings of the panel, taking up in excess of 300 hours, and he said things sometimes got heated. Each member of the panel had problems with at least something that ended up in the draft standards.

He also said field tests were conducted on two sites to determine if the standards can work.

The proposed standards are based on seven principles, each involving core requirements:

‘Compliance with laws’ aggregate operations meet or exceed requirements of all applicable laws in the jurisdictions where they occur;

‘Community notification, consultation and participation’ operations demonstrate proactive efforts throughout the site’s operations to engage affected communities and other stakeholders in transparent consultations to help address public interests and concerns;

‘Respect for Aboriginal people’s rights and culture’ the legal, customary and asserted rights of Aboriginal people to own, use and manage their lands and resources is recognized and respected;

‘Benefits to communities and employees’ applicants act in good faith to maintain and enhance the social and economic well-being of communities and employees;

‘Site stewardship and impacts to environment, water and human health’ extraction activities are designed to protect the environment and maintain the ecological functions and integrity of the impacted area;

‘Resource efficiency and conservation’ efficient use and conservation of aggregates and other resources is achieved by putting them to their highest valued use, maximizing use of recycled content and developing optimal transportation networks that consider both financial and environmental costs, and

‘Traceability’ systems are in place to track aggregate from certified operations to its intended use. Schulz maintained there should be benefits for both the community and industry.

Regarding the community, he said there has been a position throughout the process that there needed to be better communication and involvement early in the process. There is also better environmental protection and a tangible, net-gain approach to rehabilitation.

Benefits for the industry include being able to market more product to responsible purchasers, such as green builders. Schulz added municipalities would be inclined to buy CSC’s certified material, all things being equal. As well, he said better communications could help companies avoid the expense of OMB’s hearings.

Certification would not go to a company, but to specific pit or quarry operations. Certification would be for 10 years, with a surveillance audit at five years.

CSC is currently in a 60-consultation process, which runs until March 6, and Schulz said they are as anxious to hear as much feedback as possible; both positive and negative.

After the consultation, the standards will be revised, and then there will be a 30-day consultation period, and the hope is to have the standards finalized and site operators able to apply for certification in June.

Former Caledon councillor Ian Sinclair wondered about the real value of the exercise, commenting this sounded like a response to failures on the part of the federal and provincial governments.

Schulz said he hears that a lot.

"We're not MNR and we can't fix MNR," he remarked, adding community groups complain about operations that violate regulations, while others do a good job without benefit. If certification provides benefits, that would be an incentive for operators to seek it.

One man at the session pointed out value of neighbouring properties can fall if there's an aggregate operation, with no recourse for the owners. Schulz said that was discussed briefly. Some agreements might be possible, "but we don't specifically speak to it."

He added people can comment if they think it should be addressed more, but also said they need to make suggestions on what can be done.

Schulz said CSC hasn't addressed the costs municipalities run into with aggregates because that's not a site-specific issue. He also said trying to get companies to pick up the costs of groups opposing their operations would never be accepted.

Erin resident Rob Gardner, and member of the panel who was also involved in the fight a couple of years ago to keep the Rockfort quarry from being approved on the west side of Caledon, observed a lot of community groups had to deal with disruption in their lives fighting pit and quarry proposals, as he defended CSC's efforts.

"This is trying to address a going-forward approach which is far more collaborative," he commented.

Gardner stressed the importance of the principle regarding community notification and involvement, commenting the standards are going to ensure that happens "light years" earlier than it has before. He said the hope is to get the community and environmental groups to have more issues taken seriously. "It's a huge advance in terms of information sharing and transparency," he observed.

When it comes to rehabilitation of operations, Schulz agreed it's hard to hold companies to strict timelines. Situations change because of such factors as market demands, use of recycled material, etc. But there would be an expectation that in the last 20 years of an operation, things could be more exact. Once that final date is established, he said there would be provisions for one change during that 20 years.

Schulz told Councillor Doug Beffort those seeking certification will be progressive operators who want to appear more responsible. He couldn't say which companies they would be, but said there will come a time when there's apprehension and more comfort with being involved.

There were questions about certification being a condition of municipal approval of an operation. Schulz said it could be requested, but since it's voluntary, it can't be made a requirement.

Morrison added that once the standards are finalized, municipalities and the Ministry of Transportation (MTO) could decide to buy aggregate only from certified sources. That would encourage operators to join with the program. She pointed out municipalities and MTO account for about 80 per cent of the aggregate market in Ontario.

She also said municipalities will be able to work with certified producers in dealing with community concerns.

She cited the Olympia Sand and Gravel pit proposed for the Melville area as an example of a company that has done all it can to get along with the community, although many in the community are angry. Despite that, she pointed out there wasn't much the Town could have done. The lands are designated an aggregate resource area in both Caledon's and Peel Region's Official Plans. Had Caledon rejected the application, the Town would have had to pay millions defending the decision at OMB, and probably lost.

"The community has to understand that aggregates are where aggregates are," she said.