Aggregate Use and Permitting as administered by the Ministry of Natural Resources & Forestry

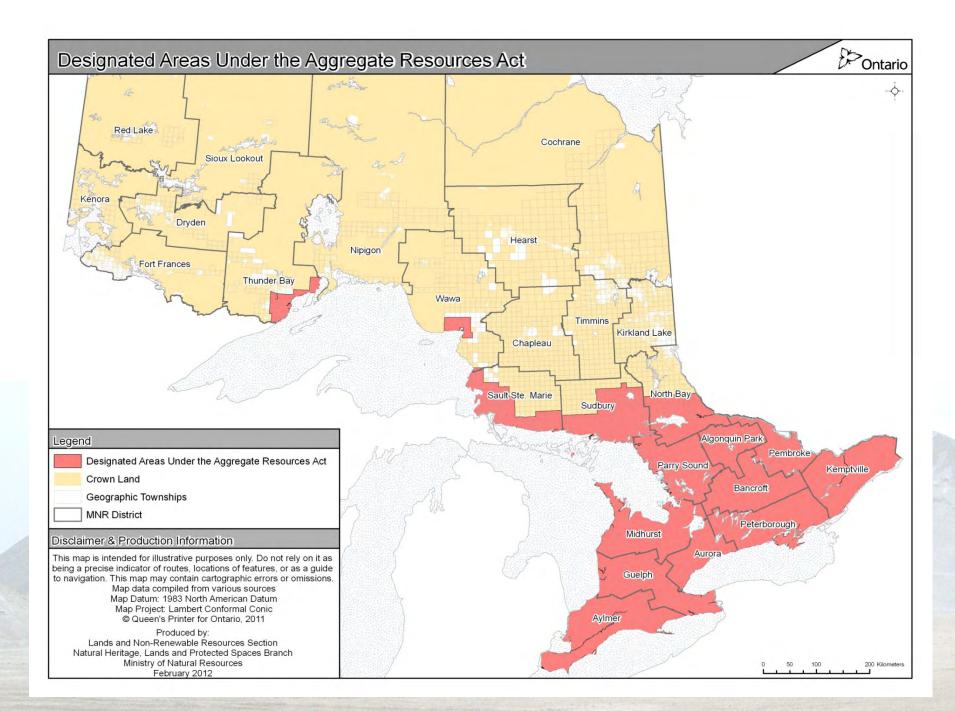
October 6, 2016 Colin Hovi, Regional Aggregates Specialist Northwest Region

Purposes of the Aggregate Resources Act (ARA)

- to provide for the management of the aggregate resources of Ontario;
- to control and regulate aggregate operations on both Crown lands and private lands;
- to require the progressive and final rehabilitation of land from which aggregate has been excavated; and
- to minimize the adverse impact on the environment from aggregate operations.

Where does the ARA apply?

- The Act and the regulations apply to the excavation of:
 - All aggregate and topsoil on Crown land and all Crown-owned aggregate
 - All aggregate on private land in designated areas of the province.



When does the ARA not apply?

- The Act and the regulations do not apply where:
 - material is not defined as "aggregate" under the Act;
 - material is excluded from the definition of "rock" under the Act; or
 - material is being extracted through underground mining (i.e. not open pit).

What is aggregate?

Generally: sand, gravel, clay, earth and bedrock

Does <u>not</u> include:

- → Materials like gold, silver and copper (metallic ores);
- → Types of rock excluded from the definition (e.g. graphite).



Pit - Unconsolidated material extracted (i.e. sand & gravel

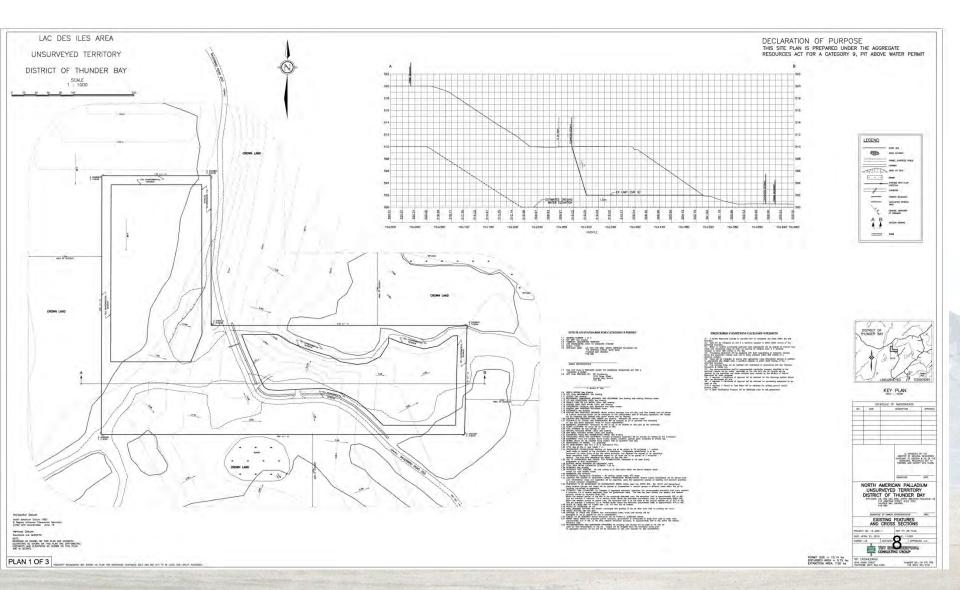


Quarry – Consolidated material extracted (i.e limestone)

Permit Application Requirements

- Site Plan (detailed drawings of site)
- Reports
 - Summary Statement (water table evaluation)
 - Hydrological Report (below water table)
 - Natural Environment
 - Cultural Heritage
- Consultation
- \$500 Application fee to MNRF

Site Plan



Reports Summary Statement

- Summary Statement must include
 - Elevation of the established groundwater table
 - Must be prepared by Hydrogeologist
 - If agricultural area Classification using the Canada Land Inventory and details of rehabilitation to return to viable lands

Reports Hydrogeological

(For below groundwater operations)

- Level 1
 - Potential for adverse effects to groundwater
- Level 2 (where level 1 identified potential adverse affects)
 - Wells, springs, aquifers, surface water
 - Diversion and drainage
 - Impact assessment
 - Mitigation
 - Monitoring plan

Reports Natural Environment

- Reports must be prepared by a qualified person.
- The Level 1 must clearly conclude whether each of the features exists on or within 120m of the site.
- If any of these features are identified, then a Level 2 report (impact assessment) is required.
- Reports must provide sufficient information on the methodology and findings to substantiate the conclusions.

Reports Cultural Heritage

- The purpose of a Cultural Heritage Resource report is to ensure that archaeological resources are identified, assessed for their significance, and protected (i.e. preserved or collected) in order to better understand and appreciate Ontario's culturally diverse Aboriginal and non-Aboriginal communities heritage.
- Level 2 4 requires licenced archaeologist
- Proponent may circulate an aggregate application without Ministry of Tourism, Culture and Sport sign-off, but licence or permit cannot be issued until MTCS sign-off is received.

Notification & Consultation

- 20 Day Notification Period
- Written notice to landowners within 120 meters
- Application package to
 - MNR
 - Municipality
 - Conservation Authority
 - MTO
 - MNDM
 - Any First Nations as MNR prescribes

The Process

Application Process: New Aggregate Permit (Crown Land), Categories 9 to 12 Ontario 6 months minimum (MNR can extend) Step 4: Resolution of Step 1: Preparation/ Step 3: Notification/Circulation and, if required, Step 2: Submission/Compliance Pre-consultation Consultation Concerns 15 days maximum 20 days maximum Applicant **Public Notice:** If no concerns, then Timeline does MNR submits Written notice to landowners not apply if applicant submits determines Applicant liaises with within 120m required Class EA documentation of compliance information to MNR, agencies and consultation is notification/circulation under ARA public, completes MNR Agency / Stakeholder Circulation: required and consultation to reports, summary Circulate to agencies the following: MNR statement and site Complete application package, Public / plan and If application is If application is Agency / Information on the proposed If concerns, then incomplete, complete, Stakeholder consultation process (if applicant works opportunity return to applicant required) to resolve to provide applicant proceeds written Public Consultation (e.g. Newspaper ads, open house) may comments be required under Class EA If concerns are not resolved, applicant submits to MNR: If concerns are resolved, applicant amends application (if necessary) in consultation with MNR, and submits to MNR: Documentation of attempts to revolve issues Documentation that concerns have been addressed List of unresolved issues Documentation of notification/circulation and consultation Documentation of notification/circulation Step 5: Decision Process (All information is submitted to the MNR) Decision to issue permit subject to Decision to refuse permit (no 20 days maximum 20 days maximum prescribed and additional conditions appeal) Produced by Lands and Non-Renewable Resources Section Ministry of Natural Resources

14

April 2012

Prescribed Conditions

- Dust and Noise mitigated
- Spills contingency program
- Fuel storage
- Water discharge
- Permit to take water

Operational Standards

- Gate
- Stripping/Topsoil
- Entrances
- Setbacks from
 - Boundaries
 - Water
 - Other values

Compliance Assessment Report (CARS)

- Boundaries marked
- Operating sequence
- Extraction depth
- Stockpiles
- Topsoil
- Rehabilitation
- Importation of material

MNR Compliance

- Audit 20% of CARS annually
- Inspection Notices
- Suspensions
- Rehabilitation Orders
- Revocation
- Charges (\$500 \$30,000 per day)
- Court Orders

Rehabilitation

- Slopes
 - 3:1 for consolidated
 - 2:1 for quarry material
- Topsoil
 - Spread and seeded/planted



Colin Hovi Regional Aggregates Specialist 475-1175 Colin.Hovi@Ontario.ca