



— TOWNSHIP OF —
ASHFIELD - COLBORNE - WAWANOSH

Council Agenda July 26, 2021

Township of Ashfield-Colborne-Wawanosh Council will meet in special session on the 26th day of July 2021 at 7:00 p.m. through Zoom, a Video Conferencing Platform.

This meeting is being held electronically as per By-Law No. 37-2021, Section 3.10 which allows for Electronic Participation of Council Meetings.

1.0 CALL TO ORDER

This meeting has been called to hold the Public Meeting for a Zoning By-Law Amendment Application.

2.0 DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST

3.0 DELEGATIONS

3.1 Celina Whaling-Rae / County of Huron Planner

Zoning By-Law Amendment Application – File Z07-21 Lobo Sand & Gravel

Moved by
Seconded by

ADJOURN
COUNCIL
MEETING

THAT Ashfield-Colborne-Wawanosh Township Council hereby adjourns their special Council Meeting.

Moved by
Seconded by

OPEN
PUBLIC
MEETING

THAT Ashfield-Colborne-Wawanosh Township Council hereby opens the Planning Advisory Committee Public Meeting to consider the Zoning By-Law Amendment application made by 1142059 Ontario Ltd / Esher Planning Inc.

We have provided Council with the report prepared by the County Planner, Celina Whaling-Rae, regarding this Zoning By-Law Amendment. Ms. Whaling-Rae will review the application with the Planning Advisory Committee.

TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH PLANNING ADVISORY COMMITTEE MEETING

Call to Order

Declaration of Pecuniary Interests

Purpose

The purpose of this Public Meeting is to consider changing the zoning on the property described as Con 2 ED PT Lots 14 and 15 and RP 22R6090 Part 1 RP 22R6857, Colborne (Little Lakes Road).

Requirement

This Public Meeting is being held under the Planning Act, which requires that Council hold at least one Public Meeting and that proper notice be given.

Application Process

An application was submitted by Esher Planning Inc. to the Township of Ashfield-Colborne-Wawanosh and considered complete on June 17, 2021.

Notice of the Public Meeting was mailed by the municipality to all property owners within 120 meters of the property on June 23, 2021, and notice was posted on the subject property.

Comments:

- 1) Huron County Planner
- 2) Applicant and/or Agent
- 3) Others
- 4) Council's Questions and/or Comments.

NOTE: If a person or public body that files an appeal of a decision of ACW Township in respect to the proposed rezoning but does not make written or oral submissions before the proposed rezoning is adopted, the Ontario Land Tribunal (OLT) may dismiss all or part of the appeal.

Zoning By-law Procedure Following Public Meeting

- This is a Public Meeting, not a Council Meeting; therefore, a decision of Council may or may not be made later this evening.
- If the By-law is passed, the Clerk must send Notice of the Passing of the By-law to all persons notified of this meeting and to any person or public body that has requested it.
- There is a 20-day objection period from the time Notice of Passing has been sent, where submissions will be received by the Clerk.
- If an objection is received, an appeal is lodged with the Ontario Land Tribunal (OLT) and the Municipality no longer has jurisdiction of the file and/or the processing time.

You may only file an appeal if you have submitted oral or written comments prior to the decision of Council.

- The fee for filing an appeal is \$1,100.00 payable by Certified Cheque or Money Order in Canadian funds, made out to the Minister of Finance, and must be accompanied by Appellant Form (A1).
- If Council does not pass the by-law, the applicant may appeal to the OLT.
- If the By-law is passed and no objections are received within the 20-day appeal period, the Clerk will certify that the By-law is in force and effect as of the date of its passing and Notice is forwarded to the Planning Department and to the applicant.

Recommendation of the Huron County Planner

It is recommended that ACW Council hold the Public Meeting for application Z07-21 under Section 34 and 51 of the Planning Act for the purpose of obtaining input from members of the public; and receive this report for information purposes. A future report containing policy review, written responses to public comments, and a recommendation will follow once comments are received and application submissions are finalized.

Recommendation of the Planning Advisory Committee

Effect of Public and Agency Comments on Decision of Council to the Application

Adjournment

That there being no further business, the Public Meeting be hereby closed at _____ p.m.

	Moved by Seconded by
CLOSE PUBLIC MEETING	THAT Ashfield-Colborne-Wawanosh Township Council hereby closes the Planning Advisory Committee Public Meeting.
	Moved by Seconded by
RECONVENE COUNCIL MEETING	THAT Ashfield-Colborne-Wawanosh Township Council hereby reconvenes their special Council Meeting.

4.0 ADJOURNMENT

	Moved by Seconded by
ADJOURN	THAT Ashfield-Colborne-Wawanosh Township Council does now adjourn to meet again on August 3 rd at 9:00 a.m. or at the Call of the Mayor.



PLANNING & DEVELOPMENT

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www.huroncounty.ca

To: Township of Ashfield-Colborne-Wawanosh, Mayor, and Members of Council
From: Celina Whaling-Rae, Planner
Date: July 21st, 2021

Re: Zoning By-law Amendment Application Z07-21

Concession 2 Eastern Division, Part Lots 14 and 15 as Reference Plan 22R6090 Part 1 and Reference Plan 22R6857 Parts 1 to 3, Colborne, Township of Ashfield-Colborne-Wawanosh

Owner: 1142059 Ontario Limited

Applicant: Esher Planning Inc. (c/o Melanie Horton)

This report is submitted to Ashfield-Colborne-Wawanosh (ACW) Council for the Public Meeting on July 26th, 2021.

RECOMMENDATION

It is recommended that ACW Council:

1. Hold the Public Meeting for application Z07-21 under Section 34 of the *Planning Act* for the purpose of obtaining input from members of the public; and
2. Receive this report for information purposes.

PURPOSE

The purpose of the proposed Zoning By-law Amendment is to amend the zoning on portions of the subject property in order to permit aggregate extraction.

BACKGROUND

The subject property is approximately 33.5 hectares (83 acres) in size and is irregularly shaped. The property fronts onto Little Lakes Road and is bordered to the east and south by the Maitland River. To the west of the subject property is an active extractive pit. Ball's Bridge is located 225 metres east of the property (see Figure 1).

The subject property is currently designated Extractive and Natural Environment in the ACW Official Plan, and is zoned 'General Agriculture (AG1)' and 'Natural Environment (NE1)' in the ACW Zoning By-law. The applicant is proposing to rezone the areas presently zoned AG1 to 'Extractive Resources (ER1)' in order to allow for aggregate extraction. The area of the property subject to the proposed zoning by-law amendment (i.e. the site) is 22.9 hectares (57 acres) in size.

The portions of the property designated Natural Environment and zoned NE1 are identified as significant woodland in Appendix 4 of the ACW Official Plan. The *Aggregate Resource Inventory Paper* (ARIP) mapping for Huron County identifies the site as an area of secondary significance; containing sand and gravel material suitable for a range of construction products.

Properties surrounding the site are currently zoned 'General Agriculture (AG1),' 'Extractive Resources (ER1)', 'Natural Environment (NE1)' and 'Natural Environment – Special Zone (NE1-1)' (permits a recreational residence). Immediately west of the subject property is the property referred to as the 'Fisher Pit' in Figure 1. The Fisher Pit is also owned by the owner of the subject property. The property immediately south of the subject property (38163 Little Lakes Road) has a registered right of way over the site for access.

Concurrent with this application, the applicant has submitted an application to the Ministry of Natural Resources and Forestry (MNRF) for a Category 1 Class A Pit (Below Water) license under the *Aggregate Resources Act* (ARA). As noted, the applicant is proposing to re-zone the portions of the property presently zoned AG1 to 'Extractive Resources (ER1)' to facilitate the proposed aggregate extraction. No changes are proposed for the portions of the property zoned NE1.

There is significant recreation activity in the immediate area. A section of the Maitland Trail currently stretches vertically along the west property line. As well, the Ball's Bridge Side Trail runs along Little Lakes Road. The Maitland Trail is typically used recreationally for hiking, cross-country skiing, and snow-shoeing. Further, a temporary detour for the Goderich to Guelph (G2G) Rail Trail runs along Little Lakes Road. These routes are demonstrated in Figure 2.

DESCRIPTION OF PROPOSAL

The applicant is proposing to re-zone the lands presently zoned AG1 to ER1 in order for a proposed extraction operation to be established. Sand and gravel is proposed to be mined from above and below the water table to provide a proposed annual tonnage of 500,000 tonnes. It is estimated that the site holds a resource volume of approximately 4.36 million tonnes, and thus that the lifespan of the operation would be between 10 and 15 years. Proposed hours of operation are Monday to Friday from 7am to 7pm and Saturdays from 7am through noon. The operator has noted that it is anticipated that operations on Saturday will be occasional and infrequent.

As demonstrated in the site plans that accompanied the application, the pit is designed to operate in two general phases, allowing extraction to begin on the east portion of the property (Area 1, as depicted in Figure 8) and proceed toward the west once extraction in Area 1 is complete (Area 2, as depicted in Figure 8). Existing vegetative features in the northeast corner of the property closest to Ball's Bridge are shown to be left in place. Fencing is proposed along Little Lakes Road.

Originally, the application proposed for main access to the site to be provided off of Little Lakes Road. However, the applicant has since indicated that the operator now intends to direct traffic generated by the proposed pit through the existing Fisher Pit entrance. As demonstrated in Figure 1, the Fisher Pit entrance is located on Londesboro Road/County Road 15. An entrance onto Little Lakes Road is proposed only for emergency and service vehicles (i.e. not commercial trucks). The Planning Justification Report has been updated to reflect this change in direction. The applicant will have opportunity to amend the

submitted site plans to reflect same once MNRF has completed their review of the application.

The applicant is proposing that the site be rehabilitated to natural environment and agriculture uses at the end of the pit's lifespan. The rehabilitation plan submitted with the application show what is referred to as Area 1 and Area 2 in the site plans becoming ponds, with the perimeter of the site proposed to being put back into agricultural production.

SUBMISSION

The applicant has submitted the following documents in support of the zoning by-law amendment application:

- Hydrogeological Assessment
- Natural Environment Report (i.e. Environmental Impact Study or EIS)
- Stage 1-2 Archaeological Assessment
- Noise Impact Study
- Site Plans demonstrating:
 - Existing features
 - Operational plans
 - Proposed Phases 1 and 2
 - Berm cross sections
 - Rehabilitation plans
- *Aggregate Resources Act* License Application Form
- *Aggregate Resources Act* Summary Statement
- Planning Justification Report

Maitland Valley Conservation Authority (MVCA) has delegated authority to review hydrogeology submissions for the purpose of this application. At the time of submission, MVCA obtained the services of a third party to provide a peer review of the Hydrogeological Assessment. The Planning Department, on behalf of the Township, also obtained third party reviewers for the Natural Environment Report and the Noise Impact Assessment. These three reviews took place throughout May and June and findings have since been provided to the applicant for further comment. At the time of writing this report, revised submissions have not been received. It is anticipated that the MVCA, the Township and the Planning Department will continue to work with the applicant in revising the aforementioned submissions to satisfy municipal requirements.

COMMENTS

At the time of writing, written letters of objection have been received from 18 members of the public. Friends of Ball's Bridge & Little Lakes, an incorporated organization, has submitted a letter of objection on behalf of its members and a third-party review of the Natural Environment Report submitted with the application. The organization's president confirmed that the organization has 12 executive and 160 members at the time of correspondence. The Municipality of Central Huron has submitted correspondence stating that they do not support the application. The Board of Directors of the Maitland Trail Association have voice concerns about the proposed pit, but have presented some

requests for consideration in an effort to find middle ground with the applicant as it relates to the portion of the trail currently crossing through the property aforementioned.

The comments received have been summarized for Council in Appendix A attached to this report. The main concerns arising from submitted comments include the impact of the proposal on the environmental sensitivity of the area; the impact of the proposal on the area's cultural and recreational value; the current state of Little Lakes Road and its ability to support commercial trucks' loss of farmland; and whether appropriate Indigenous consultation has occurred.

The applicant has also forwarded comments submitted as part of the ARA application process from Chippewa of the Thames First Nation. While these comments are with regard to the licensing proposal and not the zoning bylaw amendment specifically, it is noted that the community have identified minimal concerns with the proposal. Saugeen Ojibway Nation is currently reviewing the separate ARA application with the applicant, but will not be providing comment on the proposed zoning by-law amendment.

While MVCA and the Huron County Biologist have been circulated on the application, they will provide formal comment once the Hydrogeological Assessment and Natural Environment Report are amended and submitted with regard to the comments provided in the peer reviews. Huron County Public Works have confirmed they have no comments or concerns with regard to the proposal for the existing Fisher Pit entrance to be utilized for truck traffic. No comments have been received from ACW staff.

PROCESS

The Ministry of Natural Resources and Forestry (MNRF) regulates the licensing and operations of gravel pits in Ontario through the *Aggregates Resources Act* (ARA). Ontario Regulation 244/97 outlines the process through which the licensing of a new pit occurs. A requirement of licensing through the ARA is that the subject lands are zoned to allow for aggregate extraction.

SUMMARY

It is recommended that ACW Council hold the Public Meeting for application Z07-21 under Section 34 and 51 of the *Planning Act* for the purpose of obtaining input from members of the public; and receive this report for information purposes. A future report containing policy review, written responses to public comments, and a recommendation will follow once comments are received and application submissions are finalized.

Sincerely,



Celina Whaling-Rae
Planner

Figure 1: 2015 Aerial Photo of Subject Property & Surrounding Area

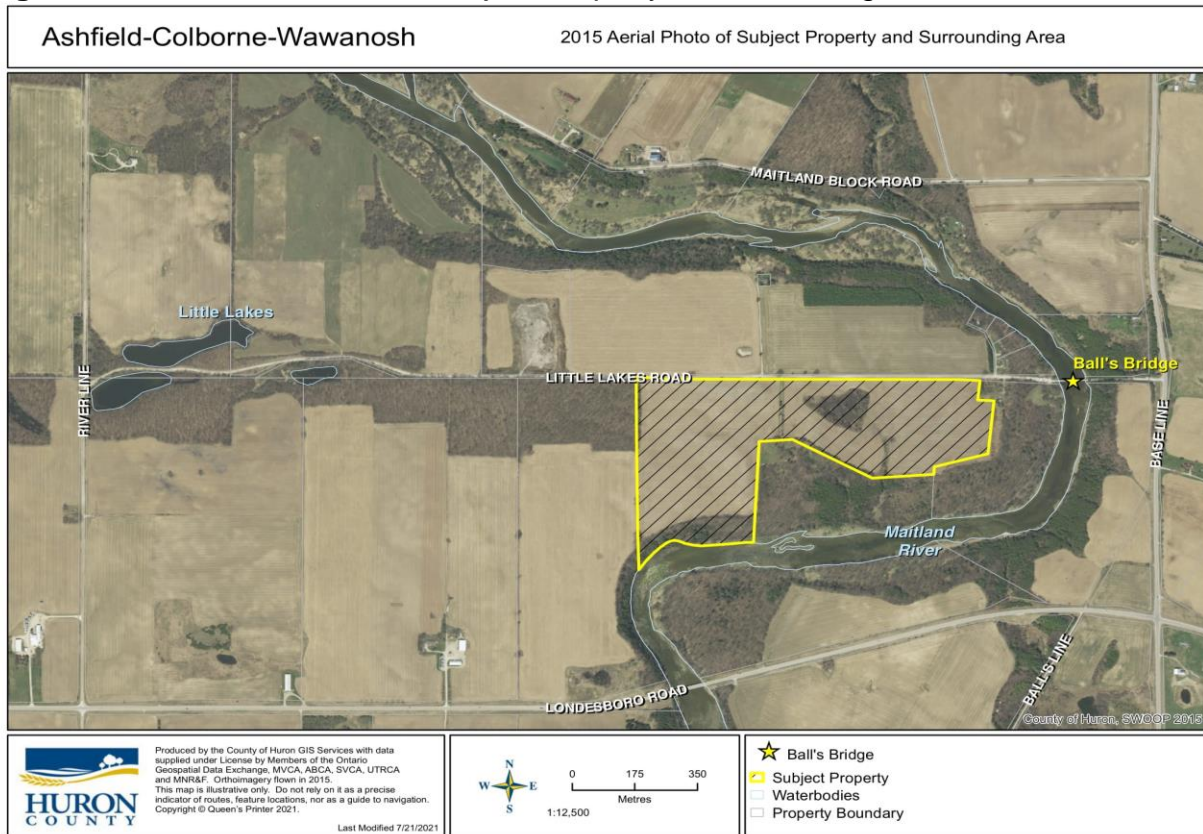


Figure 2: 2015 Aerial Photo of Subject Property Depicting Surrounding Trails

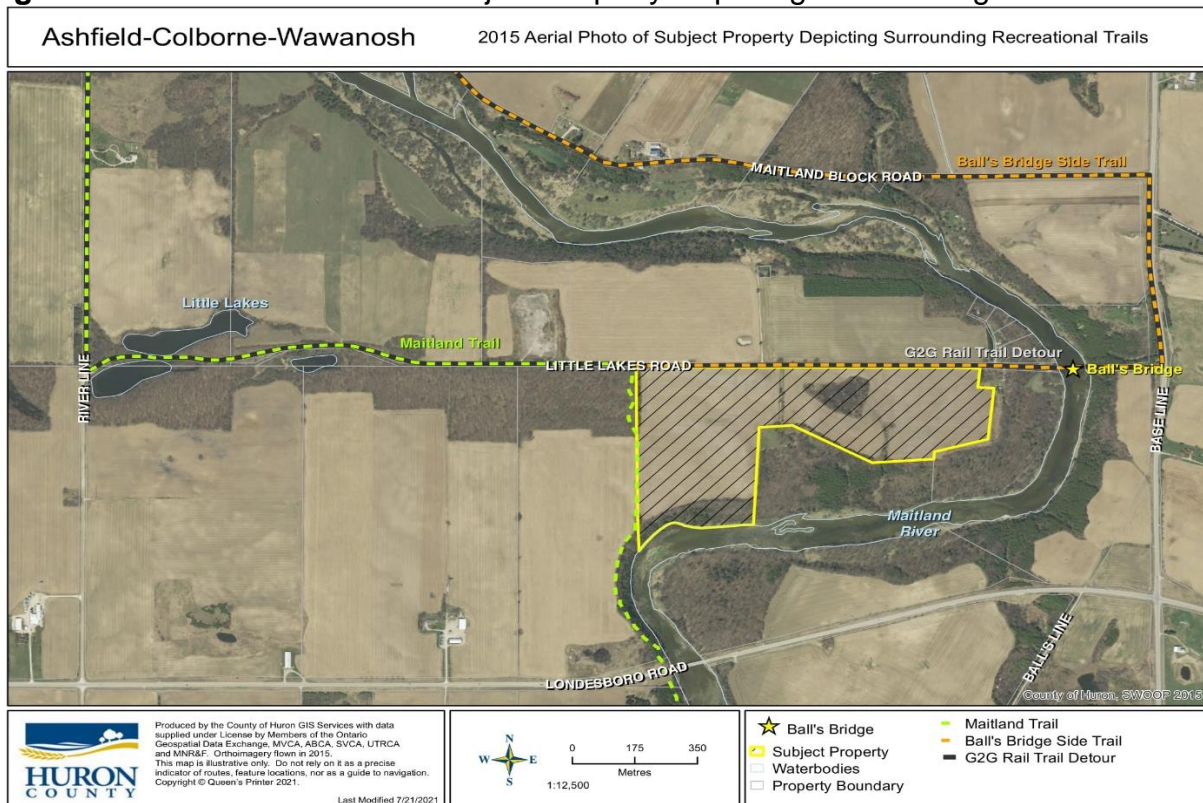


Figure 3: West Portion of Site (looking south from Little Lakes Road)



Figure 4: East Portion of Site (looking south from Little Lakes Road)

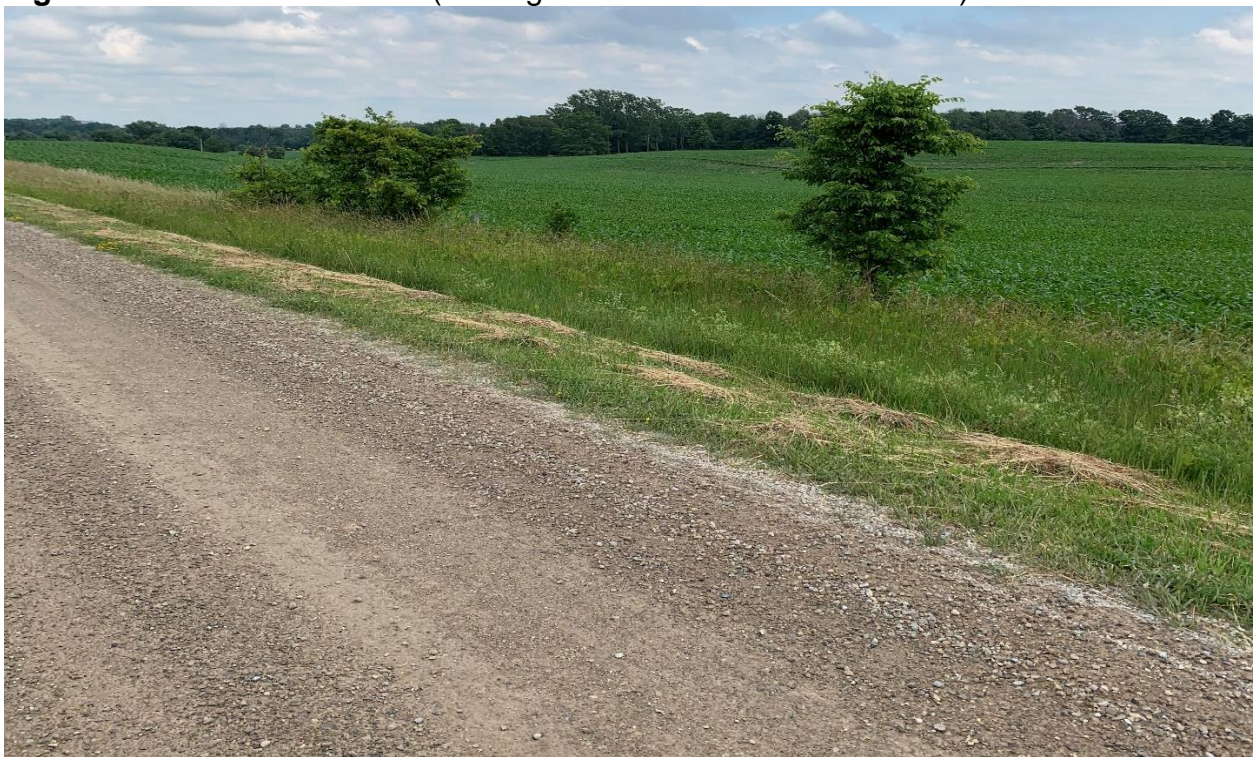


Figure 5: Looking West from Ball's Bridge Toward Site



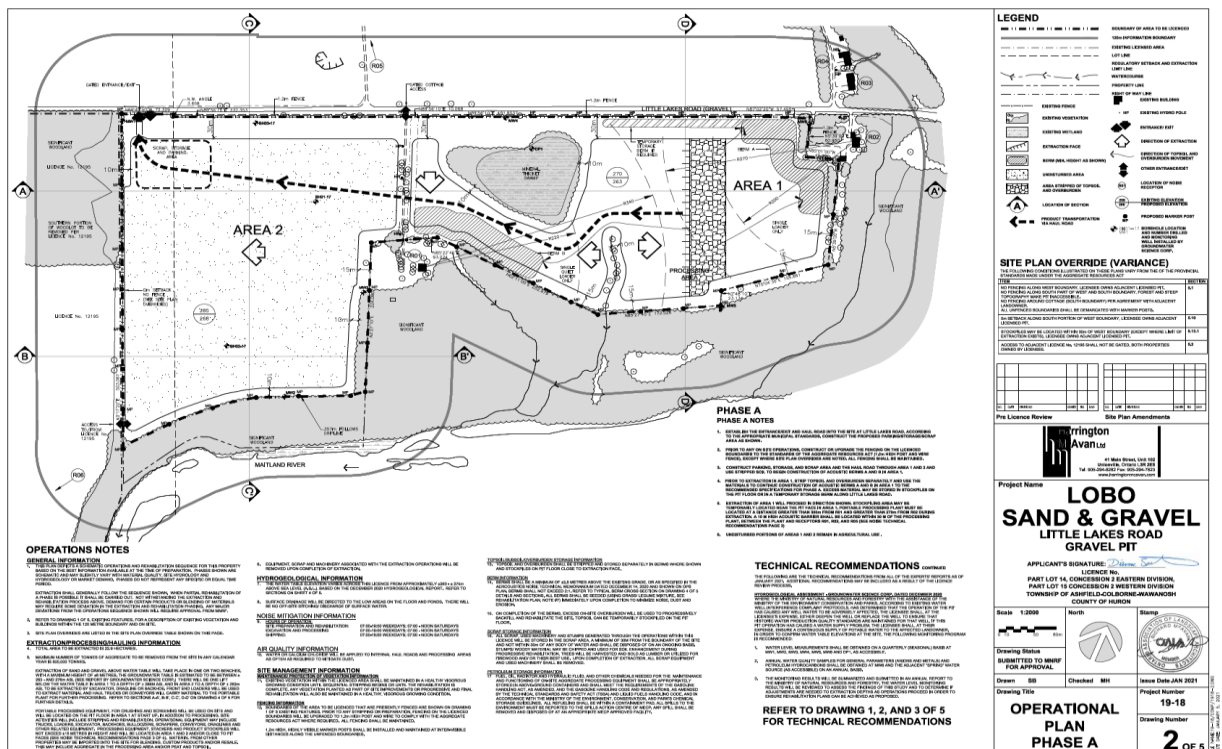
Figure 6: Looking East from East Limit of Site toward Ball's Bridge



Figure 7: Looking West on Little Lakes Road between two Little Lakes



Figure 9: Proposed Operational Plan (Phase A) *Note: plan not updated to reflect new entrance proposal*



[illegible]

Appendix A

Public Comments Received for Zoning By-law Amendment Application Z07-2021

Individual or Organization	Address	Comments
Municipality of Central Huron	PO Box 400, 23 Albert Street, Clinton ON	<ul style="list-style-type: none"> - Concern about potential impact on use of Ball's Bridge for weddings & other events. - Opinion that there is sufficient capacity in the existing active pit also owned by the applicant to sustain supply for a number of years.
Friends of Little Lakes and Ball's Bridge (1)	38270A Little Lakes Road, RR4 Goderich ON	<ul style="list-style-type: none"> - Feel application fails to consider the cultural heritage values of Ball's Bridge & surrounding landscape - Feel there has not been adequate community consultation on the project. - Question the inconsistency of haulage routes proposed. - Feel there has not been an adequate study to account for the impact of haulage on the ecology of Little Lakes Road. - Question contradiction on Site Plan indicating that Area 2 shall remain undisturbed. - Feel the application fails to consider recreational value of Little Lakes Road & the Maitland River. - Feel the submitted Hydrogeological Assessment, Archaeological Assessment & Natural Environment Report are inadequate - Concerned that the applicant has not adequately consulted First Nations of Kettle and Stoney Point or the Saugeen Ojibway Nation. - Feel the application does not provide adequate dust control measures and does not provide evidence that noise will not adversely impact residents and wildlife. - Also object (1) the rehabilitation plans/the applicant's lack of consultation with residents on these plans, (2) the main entrance shown on site plan onto Little Lakes Road (3) lack of assessment on surrounding property values as result of pit operations (4) application's failure to address loss of farmland, (5) proposed 10 metre drip line buffer, and (6) lack of information about crushing machines.
Friends of Little Lakes and Ball's Bridge (2)	38270A Little Lakes Road, RR4 Goderich ON	<ul style="list-style-type: none"> - Provided a third party review of the Natural Environment Report completed by North-South Environmental. Review states the following concerns: <ul style="list-style-type: none"> • Report does not include observations from local naturalist groups; • Survey work is felt to be inadequate;

		<ul style="list-style-type: none"> • Some site species may have been missed during fieldwork; • Setback of 10 metres from woodland is minimal; • No wildlife corridor is proposed between thicket swamp in middle of site and surrounding forested sites; and • An impact assessment has not been done for the proposed haul route.
Maitland Trail Association (MTA) Board of Directors	PO Box 443, Goderich ON	<ul style="list-style-type: none"> - Speak on behalf of the Maitland Trail, specifically (1) section between Londesboro Road and Little Lakes Road, (2) section that runs length of Little Lakes road itself, and (3) G2G detour. - Concerned about impact of pit on local residents and the environment. - Aim to find middle ground where trail and pit may co-exist, and note they appreciate the efforts of the applicant in working to achieve this. - Identify the following potential negative impacts: <ul style="list-style-type: none"> • Loss of continuity due to trail closure in these sections; • Reduced safety and negative health impacts caused by dust and traffic; • Short-term impairment of trail experience quality caused by operations; and • Long-term impacts on trail uses (i.e. decline in users and negative impact on quality of life). - Requesting: <ul style="list-style-type: none"> • Little Lakes Road never be used for traffic related to pit operations. • Native trees & shrubs be planted around the pit in a density that would create a visual buffer and mitigate negative impacts of noise and dust. • Planted vegetation is kept healthy and re-planted as needed. • Operations be minimized or eliminated on weekends as much as possible. • Operators continue to work with MTA to find reasonable re-route around pit area. • Same conditions be attached to any future industrial operations in vicinity.
Gina McDonnell & Bob Riehl	81177 Cherrydale Road, RR4 Goderich ON	<ul style="list-style-type: none"> - Approval would contribute to already alarming rate of farmland loss. - Removal of sand and gravel that has historically filtered chemical application to topsoil will disturb established

		<p>equilibrium & could result in those chemicals leaching into aquifer & the river.</p> <ul style="list-style-type: none"> - Little Lakes Road is unsuitable to serve as a haulage route from the proposed pit. - Pit has potential to disturb Bald Eagles and Golden Eagles in the area. - Review of NER necessary to ensure wildlife species are protected through buffers and mitigation. - Loss of section of Maitland Trail would be unfortunate. - Pit will destroy the character of the area.
Richard Vernon	38269 Little Lakes Road, RR4 Goderich ON	<ul style="list-style-type: none"> - Site plan inaccurately describes the use of surrounding properties & surrounding natural features. - Pit would disrupt harmony of current land uses. - Approval would result in loss of farmland. - Pit would be intrusive to surrounding residences. - Pit would negatively impact recreation in the area & force users to pursue more dangerous routes. - Pit would negatively impact the natural significance of the area.
Anne Bondy	46 Nelson St West, Goderich ON	<ul style="list-style-type: none"> - Little Lakes Road cannot support truck traffic & end leisure access. - Temporary extraction will destroy long-term prosperity of property. - Questions regarding owners' responsibilities for impact(s) on environment.
Nancy Craig	145 Main Street South, Seaforth ON	<ul style="list-style-type: none"> - Believes pit is against numerous pieces of provincial legislation.
Chloe Klopp	137 University Ave West, Waterloo ON	<ul style="list-style-type: none"> - Concerned re: impact of pit on cultural, tourism, and & recreational value of the area. - Little Lakes Road cannot support truck traffic. - Concerned re: pit's impact on water quality - Concerned re: 10 metre proposed setback to the drip line adjacent to Maitland River. - Concerned that wetland in middle of site will become isolated - Feels traffic, loss of farmland, impact on property values, recreation, heritage, Indigenous consultation, and potential health problems have not been adequately addressed in the application.
David Kilgour	General Delivery, Goderich ON	<ul style="list-style-type: none"> - Concerned re: impact of pit on cultural, tourism, and & recreational value of the area. - Little Lakes Road cannot support truck traffic. - Concerned re: pit's impact on water quality

		<ul style="list-style-type: none"> - Concerned re: 10 metre proposed setback to the drip line adjacent to Maitland River. - Concerned that wetland in middle of site will become isolated - Feels traffic, loss of farmland, impact on property values, recreation, heritage, Indigenous consultation, and potential health problems have not been adequately addressed in the application.
Jay McFarlan	76142 London Road, Brucefield ON	<ul style="list-style-type: none"> - Sees very few benefits pit offers to community. - Concerned re: impact of pit on cultural, tourism, and & recreational value of the area. - Little Lakes Road cannot support truck traffic. - Concerned re: pit's impact on water quality - Concerned re: 10 metre proposed setback to the drip line adjacent to Maitland River. - Concerned that wetland in middle of site will become isolated - Feels traffic, loss of farmland, impact on property values, recreation, heritage, Indigenous consultation, and potential health problems have not been adequately addressed in the application.
Gregory Presseault	2-194 Bennett Street West, Goderich ON	<ul style="list-style-type: none"> - Photography business will be negatively impacted by pit as location will be less suitable for shoots. - No way to ensure contaminants do not enter into river/impact local wildlife. - Noise will drive away tourism. - Noise, truck traffic, and dust will impact neighbours. - Area would be become non-useable for him as a migraine sufferer.
Jim De Ferrari	46 Nelson St West, Goderich ON	<ul style="list-style-type: none"> - Concerned re: pit's impact on river's water quality. - Feels introduction of industrial activities will have devastating impacts on natural course of existing interdependent ecosystems. - Concerned truck haulage will plant debris on river. - Concerned re: danger of pit to local aquifer(s) and residents' health. - Feels noise will cause wildlife to disperse from site. - Little Lakes Road cannot support truck traffic. - Questions who will pay for infrastructure upgrades triggered by site operations. - Feels local tourism will be negatively impacted & questions how operators will compensate local businesses. - Concerned with how air pollution will negatively impact residents' health. - Overall feels site is inappropriate for gravel extraction.

		<ul style="list-style-type: none"> - Questions how operators will be held fiscally responsible for damage done to the area in anyway caused by extractive activities. - Sees no local economic benefit to pit.
Jim Love	1065 Mahogany Drive, Minden ON	<ul style="list-style-type: none"> - Feels there are many places appropriate for a pit, but this is not one of them. - Feels pit cannot co-exist with other uses in the area. - Feels Little Lakes will no longer be a safe quiet place. - Feels there is too much to lose.
Kathy Young	113 Park Street, Goderich ON	<ul style="list-style-type: none"> - Concerned application has not adequately considered the heritage of Ball's Bridge and the pit's environmental impact on the bridge & the surrounding area from a tourism perspective. - Concerned about the ability to maintain the health of the aquifer if below water table extraction were to begin. - Questions operator's plans to protect the environmental health of the site and the river, ongoing recreational use of the area, and engage in stewardship.
Larry Mohring	39726 Blyth Road, RR1 Auburn ON	<ul style="list-style-type: none"> - Concerned about safety of water supply – ARA public meeting did not provide understanding how pit could impact water availability. - Questions MVCA's engagement in pit discussions. - Concerned about pit's proximity to Little Lakes Road & Maitland Trail, as well as pit's impact on the area's delicate ecosystem.
Michael Gregg (1)	33 Stanhope Avenue, Toronto ON	<ul style="list-style-type: none"> - Feels pit operations would jeopardize ecological integrity of Maitland Valley watershed & sense of well-being of communities throughout the County. - Feels pit operations have potential to adversely affect long established Aboriginal treaty rights. - Requesting ACW take original intent of Treaty 29 into account when making decision & ensure informed consultations with First Nations of Kettle and Stoney Points and First Nations of the Saugeen are carried out.
Michael Gregg (2)	33 Stanhope Avenue, Toronto ON	<ul style="list-style-type: none"> - Provides the following critique of the submitted Archaeological Assessment: <ul style="list-style-type: none"> • Report does not reflect new findings that Saugeen Treaty with the Crown referenced in report was invalid without community's consent. • Report incorrectly identifies John Galt as the founder of Huron County. • Report does not reference intangible attributes of Ball's Bridge or its cultural significance. • Report should contain monitoring protocols & potential mitigation measures should any resources be encountered, given findings.

Race Huron (Tricia & Stacy Denunzio, Erin & Jamie Grandmaison, Pam & Jeremiah Sommer, Barb & Brian Allen and Steve & Hellen Beasley)	145 Huron Road, Goderich ON	<ul style="list-style-type: none"> - Feels below water table extraction will destroy agricultural land and will impact the river, neighbouring woodlands, and surrounding ecology. - Concerned regarding impact of extraction on wells fed by local aquifers - Concerned regarding impact of pit on local wetlands. - Concerned regarding airborne contamination. - Requesting Saugeen Ojibway Nation and Three Fires Confederacy be taken into consideration for decision
Wendy & Heinz Hoernig	81161 Grist Mill Line, RR4 Goderich ON	<ul style="list-style-type: none"> - Concerned about proximity of pit to the river & impacts pit will have on the water table and local wells. - Feel the 10 metre proposed buffer to drop line is inadequate. - Feel Little Lakes Road is inappropriate for gravel traffic. - Pit would negatively impact an important recreational area in the community. - Feels the application does not adequately consider importance of Ball's Bridge from an experiential, heritage, and tourist standpoint.
Jennifer Morris	33895 Airport Road, Goderich ON	<ul style="list-style-type: none"> - Feels the application does not consider the cultural heritage significance of Ball's Bridge or the recreational value of the area. - Feels the use of Little Lakes Road for trucks is dangerous. - Questions the operators' plans for if quality of water were to become compromised. - Questions Maitland Valley Conservation Authority's role in the application. - Has numerous concerns with the Natural Environment Report submitted with the application.
Debbie & Barry Gillespie	38270A Little Lakes Road, RR4 Goderich ON	<ul style="list-style-type: none"> - Concerned with pit's potential impact on cultural heritage landscape/Ball's Bridge. - Feels Little Lakes Road cannot support commercial truck traffic. - Concerned with pit's potential impact on recreational uses proximate to the site. - Concerned with pit's potential impact on water quality and local aquifer(s). - Feels the proposed 10 metre buffer to the river's drip line is inadequate

		<ul style="list-style-type: none">- Concerned about pit's impact on surrounding property values.- Questions whether Indigenous communities have been consulted as per treaty obligations.
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Review of Natural Environment Report for Proposed Little Lakes Pit

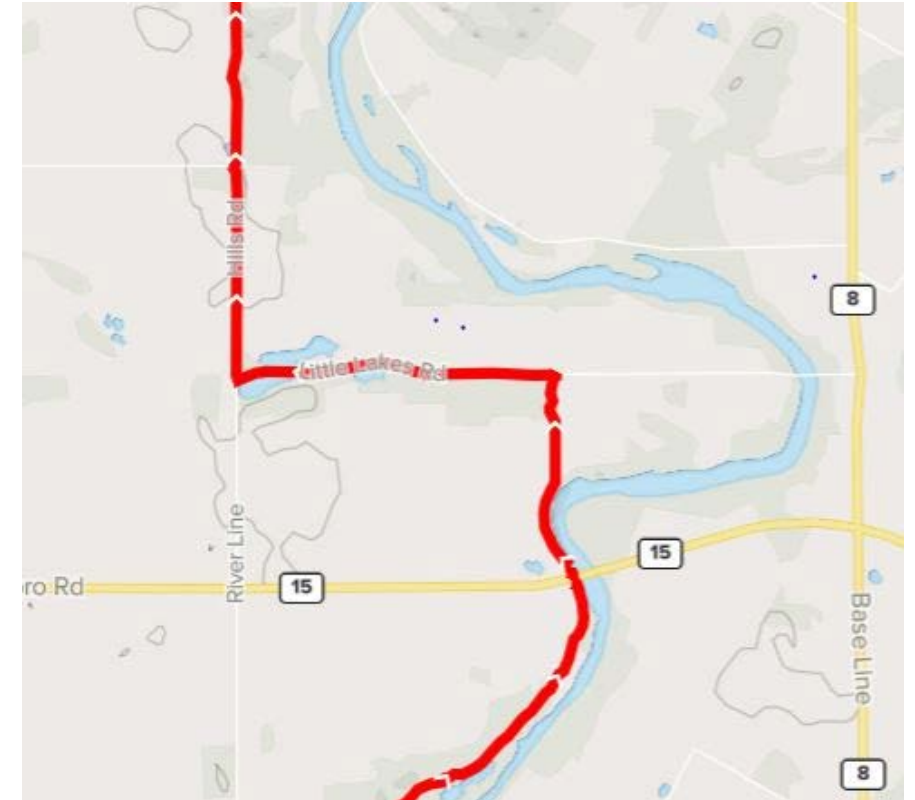
Summary of Review Comments

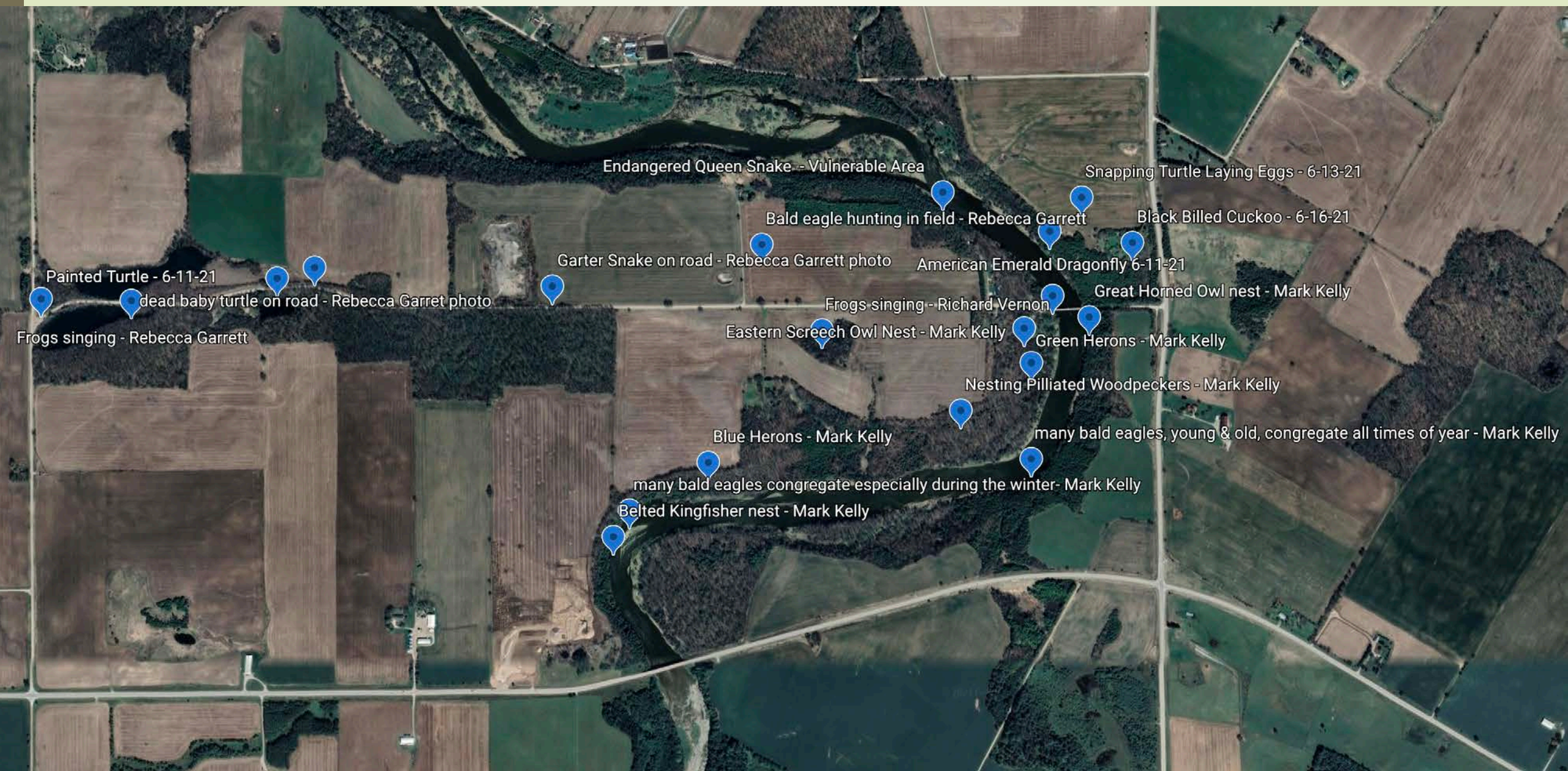
Review by: Sarah Mainguy, North-South Environmental Inc.

For: Friends of Ball's Bridge & Little Lakes

Natural Environment Survey Methods

- Background information consulted did not include citizen science databases or information from local residents and naturalist groups; this is important as there is a section of the Maitland Trail that goes through the site;
- Lower survey effort compared with other NER that I have reviewed; which may have led to incomplete understanding of natural heritage functions;
- Amphibian surveys incomplete, with the earliest survey aborted because of bad weather – this survey not re-done;
- Surveys were generally focused on the table land above the river; very few surveys focused on the river corridor;
- There were no surveys along the currently proposed haul route (Little Lakes Road to River Line).





Endangered Queen Snake - Vulnerable Area

Snapping Turtle Laying Eggs - 6-13-21

Bald eagle hunting in field - Rebecca Garrett

Black Billed Cuckoo - 6-16-21

Painted Turtle - 6-11-21

dead baby turtle on road - Rebecca Garret photo

Garter Snake on road - Rebecca Garrett photo

American Emerald Dragonfly 6-11-21

Great Horned Owl nest - Mark Kelly

Frogs singing - Rebecca Garrett

Frogs singing - Richard Vernon

Eastern Screech Owl Nest - Mark Kelly

Green Herons - Mark Kelly

Nesting Pilliated Woodpeckers - Mark Kelly

Blue Herons - Mark Kelly


many bald eagles, young & old, congregate all times of year - Mark Kelly

many bald eagles congregate especially during the winter- Mark Kelly

Belted Kingfisher nest - Mark Kelly



Inadequate Surveys for Endangered Queensnake (Species at Risk protected by Ontario's Endangered Species Act)

- Reported by local residents in areas close to the site, e.g. under Ball's Bridge;
 - Area of vulnerability for Queensnake shown in the ACW Official Plan along the river just north of the site;
 - Queensnake is highly dependent on riverine corridors except during hibernation when it may seek out seepages further upslope – however, very little is known about this snake and habitat needs are poorly understood;
 - Ontario protocols for SAR snake surveys require 10 surveys and only 3 were completed.
- 



Other Potential Constraints not Investigated

- Significant Wildlife Habitat is protected by the Provincial Policy Statement and the ACW Official Plan;
- Potential Significant Wildlife Habitat is related to
 - Seepages – reported by the hydrogeology report but not discussed in the NER – seepages may also be important for Queensnake;
 - habitat for breeding amphibians (which may include the on-site wetland and Little Lakes, where amphibian calling has been noted as “deafening” by residents);
 - These wetlands may also function as overwintering habitat for turtles;
 - Wintering habitat for Bald Eagles along the river;
 - “Little Lakes” (three small lakes at junction of Little Lakes Road and River Line) are immediately adjacent to the haul route and these reportedly have many SWH functions (turtle nesting, turtle overwintering, amphibian breeding habitat).



Why is this Important?

- Significance of the river corridor has likely been underestimated;
- 10 m buffer proposed along the Maitland River is minimal; less than required for other highly significant features in Ontario (generally 30 m);
- Species reported by residents along the river corridor have a high sensitivity to disturbance, including wintering Bald Eagles and Queensnakes; buffers are needed to reduce impacts of disturbance;
- Significance of central wetland may have been underestimated;
 - Connection of this feature to forest habitat is important for continued function as amphibian habitat, and this connection will be impaired by the surrounding quarry;
- There are many potential negative impacts associated with the current proposed haul route

Michael Gregg

Lecturer in Anthropology

May 26, 2021

Ms Katie O'Connell, Aggregate Resources Manager
Ministry of Natural Resources and Forestry, Integrated Aggregate Operations Section
Ms Melanie Horton
President, Esher Planning Inc., Woodbridge Ontario
Via email: ARAApprovals@ontario.ca
melanie@esherplanning.com

Re: Proposed gravel pit on lands adjacent to Little Lakes Road, Township of Ashfield, Colborne, Wawanosh

Dear Ms O'Connell and Ms Horton,

I am writing to voice my opposition to the application by Lobo Sand and Gravel to operate a Category 1, Class A gravel pit on lands within the loop of the Maitland River west of Ball's Bridge (an Ontario heritage site).

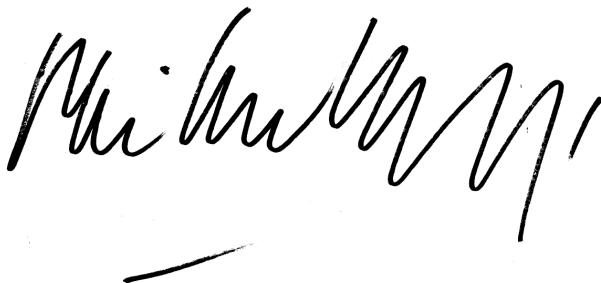
Operation of this pit would not only jeopardize the ecological integrity of the Maitland Valley watershed and the sense of well-being of communities throughout Huron County. It may also have the potential to adversely affect long-established Aboriginal treaty rights associated with surrender of the Huron Tract and its acquisition by the Crown.

As you may be aware, Treaty Number 29, signed by Anishinaabe leaders at Amherstburg on July 10th, 1827, notes that: 'His Majesty [is] desirous of appropriating to the purposes of cultivation and settlement a tract of land hereinafter particularly described.' Treaty 29 makes no mention of whether the Crown has any interest in acquiring lands for the purpose of extracting mineral resources such as sand or gravel.

One of the sixteen Indigenous signatories to Treaty 29 was Joshua Wawanosh, a chief from the Lake St. Clair region with family and clan ties to the Anishinaabe of the Saugeen (Travers 2015), and the inspiration of the former township that bears his name (Jameison 1992). Karen Travers' (2015) doctoral dissertation asserts that Wawanosh and many other Anishinaabe leaders from the Lake St. Clair region believed they retained an interest in lands from the Ausable River to Goderich and Owen Sound, and that the 1836 Saugeen Treaty with the Crown was invalid without their consent. A dozen Anishinaabe chiefs, including Wawanosh discussed 'emigrating' to the Saugeen to create their own reserve, and petitioned the Lieutenant-Governor to help them secure these lands (LCA, File 10A-AC; circa 1846).

In making a decision on whether to allow a gravel pit on lands adjacent to Little Lakes Road, I would ask that the Ministry of Natural Resources and Forestry take the original intent of the Treaty 29 agreement into account, and insure that informed consultations with both First Nations of Kettle and Stoney Points and First Nations of the Saugeen are carried out before exercising any power under the Aggregate Resources Act.

Best regards,



Michael Gregg PhD
01.215.253.8747
michael.gregg@utoronto.ca

Michael Gregg

Lecturer in Anthropology

June 13, 2021

Ms Katie O'Connell, Aggregate Resources Manager
Ministry of Natural Resources and Forestry, Integrated Aggregate Operations Section
Ms Melanie Horton
President, Esher Planning Inc., Woodbridge Ontario
Via email: ARAApprovals@ontario.ca
melanie@esherplanning.com

Re: Stage 1-2 Archaeological Assessment; 38200 Little Lakes Road, Township of Ashfield, Colborne, Wawanosh

Dear Ms O'Connell and Ms Horton,

Further to my May 26, 2021 letter of opposition to the application by Lobo Sand and Gravel to operate a Category 1, Class A gravel pit on the aforementioned property, I am writing this addendum to voice a further critique of five sections contained within the Archaeological Assessment prepared by Aecom Inc.

Section 1.2.2: Post-Contact Period Settlement, Treaty 27 1/2 and Treaty 29

This section of the Aecom Archaeological Assessment relies solely on James Lewis Morris' (1943) *Indians of Ontario* to describe the treaty agreements reached between representatives of the British Crown and Anishinaabe leaders at Amherstburg on April 26, 1825 and July 10th, 1827 concerning the surrender of lands within Huron Tract and their acquisition by the Crown.

The authors do not appear to be aware of the 2015 doctoral dissertation of historical research consultant Karen Travers, *Seeing With Two Eyes: Colonial Policy, the Huron Tract Treaty and Changes in the Land in Lambton County, 1780-1867*. In this dissertation, Travers asserts that Joshua Wawanosh and many other Anishinaabe leaders from the Lake St. Clair region believed they retained an interest in lands from the Ausable River to Goderich and Owen Sound, and that the 1836 Saugeen Treaty with the Crown was invalid without their consent. A dozen Anishinaabe chiefs, including Wawanosh discussed 'emigrating' to the Saugeen to create their own reserve, and petitioned the Lieutenant-Governor to help them secure these lands (LCA, File 10A-AC; circa 1846).

Section 1.2.3: European Settlement

The founder of Huron County is **NOT** considered to be John Galt. As the first superintendent of the Canada Company, Galt was certainly instrumental in the founding of Goderich. However, Galt resided in Guelph, and was recalled to Great Britain for mismanagement of funds in 1829 — long before Goderich became the administrative and judicial centre of the newly created Huron District in 1841. The Ontario Provincial plaque located in Harbour Park in Goderich on the site of Dr. William "Tiger" Dunlop's log 'castle' records the following narrative about the founding of Goderich:

"In 1826 the Canada Company, a newly chartered colonization firm, acquired a large block of land known as the Huron Tract. The following year, William "Tiger" Dunlop, appointed Warden of the Forests by the Company's first superintendent, John Galt, established his base here in the western part of the tract. Named Goderich after the Colonial Secretary Viscount Goderich, the site was initially marked only by 'The Castle', Dunlop's residence, but a settlement gradually developed. By 1829 the Canada Company had surveyed a town plot, opened the Huron Road from Guelph and established an office. In

1841 Goderich became the administrative and judicial centre for the newly created Huron District. Nine years later, with a population of about 1000, the community was incorporated as a town."

The web link cited in the bibliography for this misleading claim about John Galt is also not functional.

Section 1.3.2: Reports with Relevant Background Information; Ball's Bridge

The report on the Ontario Provincial plaque at the east end of Ball's Bridge within this Archaeological Assessment recognizes the tangible features and details that help make the bridge historically significant. However, this section contains no mention of the bridge's many intangible attributes, such as the serenity and vibrancy of the landscape on which it is situated, nor does it provide any insights into the stories, customs and activities shared at this location by individuals and communities from throughout Huron County and the wider world.

At the unveiling of the plaque commemorating the bridge on July 14, 2011, Dr. Thomas Symons, the former Chairman of the Ontario Heritage Trust, noted: "There are few surviving two-span bridges in Ontario today with the design features of Ball's Bridge. Thanks to the efforts of the community, it has been restored and will now be marked with a provincial plaque, sharing the story of its unique design and historic significance."

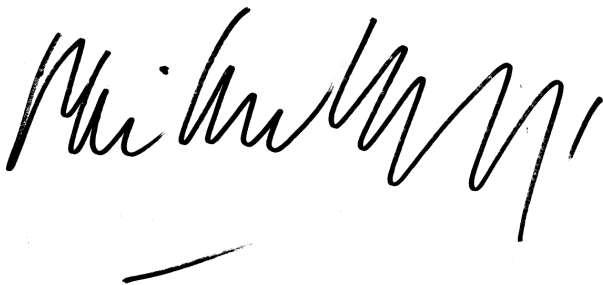
At the same event, former Ontario Minister of Tourism and Culture Michael Chan pointed out that "[t]he unique design and structure of Ball's Bridge not only speak to engineering history, but also make it an attractive feature in the local landscape. I'm delighted that it is being commemorated today, showcasing another fascinating part of Ontario's heritage."

Section 1.3.4: Determination of Archaeological Potential; and Section 5: Recommendations

Given that the review of the historical, environmental, and archaeological context of the study area examined in this Archaeological Assessment determined that potential for the recovery of pre- and post-contact First Nation and 19th century Euro-Canadian archaeological resources is high, the recommendations of this Archaeological Assessment should be revised to include a section that clearly outlines monitoring protocols and potential mitigation measures should any deeply-buried archaeological resources be encountered during operation of the proposed aggregate pit.

In light of well-dated archaeological and environmental evidence for the hunting of caribou on the Alpena-Amberley Ridge, which bridged Lake Huron, 8 to 10,000 years ago during the Lake Stanley Lowstand (Sonnenburg and O'Shea 2017), early Holocene deposits at the proposed aggregate site could potentially be identified and examined on a periodic basis to determine whether these might yield late Palaeo and Early Archaic period flint artifacts.

Best regards,



Michael Gregg PhD
33 Stanhope Avenue, Toronto, ON, M4K 3N4
01.215.253.8747 michael.gregg@utoronto.ca

Florence Witherspoon

From: DARYL BALL <darylball01@gmail.com>
Sent: Wednesday, July 21, 2021 6:34 PM
To: Florence Witherspoon
Subject: Speaking notes for Monday July 26 MEETING

Hi Florence

Please find attached my speaking notes for next Monday night. My presentation should take about 15 minutes

Daryl

Ball's Bridge

- 2006 Ball's Bridge was destined for the wrecking ball
- friends of Ball's Bridge was formed
- Ball's Bridge is constructed as a 2 span pin connected Pratt through truss bridge. Built in 1885 it is the oldest bridge of this style still standing.
- using Wrought iron makes it extremely rare according to Architectural Conservancy of Ontario and the Heritage Branch of the Ontario Ministry of Culture
- In 2007 Ball's Bridge was downloaded from the County of Huron to ACW and Central Huron along with a cheque of \$250,000.00
- Also in 2007 Ball's Bridge steering committee made up of 2 representatives from ACW, 2 representatives from Central Huron and 3 representatives from Friends of Ball's Bridge was presented with a cheque from the Province of Ontario of \$242,000.00 through a infrastructure grant
- in 2008 the bridge was opened to light traffic of no more than 4 tonnes weight limit
- during the rehabilitation the bridge was determined to be in excellent condition but the foundation was crumbling. The \$300,000.00

reconstruction was spent on redoing the repairing of the foundation. Very little was spent on the bridge itself.

- A STUDY NEEDS TO BE DONE TO ESTABLISH THE EFFECT OF VIBRATION OF HEAVY EQUIPMENT WILL DO TO THIS HISTORIC BRIDGE

-in 2008 the Friends of Ball's Bridge was rewarded with the Cultural Landscape Award from the Architectural Conservancy Of Ontario.

We won over 5 other nominees from across Ontario. This was due to the very limited untouched natural setting of Ball's Bridge and the pristine surroundings.

- in 2011 the Ball's Bridge was presented with the Ontario Heritage Trust award. Better known as the Gold and Blue sign of Historical Significance.

- over the years the area has become extremely popular with bikers, snowmobilers, canoers, kayakers, hikers, weddings, wedding proposal pictures. On May 2-4 weekend there were over 100 canoers and kayakers using the area as a stopping for loading or unloading of equipment.

THIS AREA MUST BE PROTECTED!!!!

Presenter Daryl Ball

Florence Witherspoon

From: Richard Vernon <rv53239@gmail.com>
Sent: Monday, July 19, 2021 8:55 PM
To: Florence Witherspoon
Subject: Re: July 26 public meeting re AVW Z07-21

Good evening Florence:

Here are my talking points for next Monday's public meeting. I think it will take me between 5 and 10 minutes
Best, Richard

Talking points (Richard Vernon).

My house is next to the Eastern half of the proposed pit, the field called "Part 3" on the County survey.

1. That field is unsuitable for a gravel pit for many reasons:

--it contains wetland

--it contains a watercourse flowing into the Maitland valley --it is bordered to the E, S & SW by forest designated as PSW and WH --it is close to people's residences So it does not meet the PPS 2020 criterion of avoiding conflict with other land uses

2. And yet the site plan indicates the most minimal level of mitigation, not even the level of mitigation required by ACW by-laws...

3. The impact on my house and property:

--my land is semicircular, the gravel pit would sit in the middle of it --again, ACW by-laws regarding setbacks are not followed, nor are ARA requirements regarding setbacks from residential boundaries --the site plan omits my studio/workplace, 11 metres from the site boundary --the hydrogeological report misdescribes the source of my water: it lies in the gravel bed --the hours of operation are inappropriate for a site in close proximity to people's houses, and would deny them "normal enjoyment of their property."

ACW Talking Points for the Meeting

Thank-you for allowing me the opportunity to speak on this matter. It is something that I am very passionate about and it directly involves me deeply.

I will be presenting a short power point presentation and will be emphasizing the value that Little Lakes and Historic Ball's Bridge hold for me as an artist and the value this region holds as an important rare heritage site and tourism corridor.

My presentation should take 5 min.

Elizabeth R Van den Broeck

82153 Baseline Road
Auburn ON, N0M 1E0

Elizabeth's Art Gallery
www.elizabeths.ca

Florence Witherspoon

From: Jennifer Morris <jennifer.e.morris70@gmail.com>
Sent: Wednesday, July 21, 2021 4:01 PM
To: Florence Witherspoon
Subject: Jennifer Morris Talking points for ACW meeting July 26th

Hello Florence- here are the topics I will be discussing on Monday evening. I will be about 10 minutes max.

- 1- My personal involvement and reasons for opposing the zoning change
- 2- Recreational Impact of Pit on Area and businesses
- 3- Public Support for not changing rezoning and opposition to pit - a summary
- 4- Review of some of the zoning issues and setbacks (using images to further what some others are presenting verbally)

Always be your best,
Jen

Jennifer Morris, M.Sc., B.Sc.

(905) 320-3673

Florence Witherspoon

From: Rebecca Garrett <rebecca.garrett@rogers.com>
Sent: Wednesday, July 21, 2021 10:32 PM
To: Florence Witherspoon
Cc: Friends of Balls Bridge and Little Lakes Road
Subject: Rebecca Garrett - Talking points for July 26 Public Meeting

Dear Florence,

Here are my talking points for the July 26 Public Meeting re the Lobo Re-Zoning Application:

1. Personal history and proximity of family home to the proposed site
2. Friends of Ball's Bridge & Little Lakes - community values and local governance
3. Lack of adequate studies by applicant
4. Official Plan Review
5. Haulage Route amendment and due process
6. Cumulative Impact Assessment Study

Thanks for all your help,

Rebecca

Outline of Presentation by Gina McDonnell at June 26 Township of ACW Public Meeting for a proposed By-Law Amendment Application

Estimated time needed: 5 to 10 minutes, depending on questions

Quick update on my personal relationship to this By-Law amendment application

Cumulative Impact Assessment (quote and outline from 2018 attached):

- Timing and need
- ACW Official Plan Review
- Purpose of CIA:
 1. Effects of aggregate extraction pits on our municipality
 2. Quantity of aggregate pits in our municipality
 3. How do other municipalities control below water aggregate extraction
 4. Amend ACW Official Plan to safely protect our resources (agriculture, aggregate, natural environment) in such a way that all provincial requirements (PPS, ARA) are maintained
 5. Protection from LPAT hearings for applicant, general public, council and staff
- Associated costs
- Similar studies

From: "McKinnon, Don" <dpmckinnon@dillon.ca>

Subject: Re: aggregate pit cumulative effects study follow-up

Date: October 1, 2018 at 4:45:44 PM GMT-4

To: Gina McDonnell <gmcdonnell@hurontel.on.ca>

Cc:

Hi Gina - Based on our conversation last week, we understand that the Township of Ashfield-Colborne-Wawanosh is interested in receiving an initial high level description of work and cost estimate for the preparation of a Aggregate Pit Activity Cumulative Impacts Study. We also understand that the request for this study is in response to ongoing applications for pit development in the Township and associated concerns by the local community and Council. The concerns relate to impacts on: the environment,

agriculture/economy, community/social, and traffic. **This cumulative effects study is to provide supporting information to assist the Township in its review of pit development applications and to support its position at possible future LPAT hearings.**

The scope of this study will be largely qualitative in nature and will rely on existing information. We propose the following work scope of activities:

1. Obtain and review existing pit development information including: past approval applications and Twp. decisions, reports, mapping, monitoring data/reports and after-use/rehabilitation plans.
2. Characterize lands and sensitivities of the area that hosts pit activity/has the resource.
3. Review current/anticipated pit development applications and current Official Plan policies. Obtain an understanding of the scale of the resource in the Township.
4. Review of Twp. received complaints on pit operations.
5. Interview Twp. staff, Conservation Authority, MNRF and local land owners regarding experiences with aggregate pit operations in the Twp.
6. Identify and describe the general impacts of past/current pit activity in the Twp. including consideration of: water (water/ground), air quality/noise, traffic, agricultural, visual, natural heritage habitat, socio-economic effects, etc.
7. Describe the nature and magnitude of the combined effects from all existing pit activity in the Twp.
8. Identify/discuss a rationale for limitations on further pit development activity in the Township based on identified cumulative effects (e.g. explore threshold concept for aggregate pit activity in the Twp.)
9. Provide policy recommendations for changes to the Twp. official plan/policies to better manage aggregate pit development and operations.
10. Prepare Draft and Final Report.
11. Respond to Twp. comments and questions on the reporting.

We are open to your suggestions on the above work scope and propose we hold a call in the future to review. The estimated timeline to complete this study is 10-12 weeks and subject to timing to obtain the necessary data. Our estimated cost to complete the study is in the range of **\$35K to \$40K** subject to the confirmation of the work scope.

This Opinion of Probable Cost is not an offer of services but rather was prepared for the purpose of informing the Township of the approximate cost for completion of a cumulative effects study and is not valid for any other use without review and update by Dillon Consulting Limited. Once we have had an opportunity to review the work scope, we would be pleased to submit a formal proposal for this work for your consideration.

I look forward to your comments and speaking with you in the future.

Best Regards

Don McKinnon

 DILLON CONSULTING	Don McKinnon <i>Partner</i> Dillon Consulting Limited 235 Yorkland Blvd Suite 800 Toronto, Ontario, M2J 4Y8 T - 416.229.4647 ext. 2355 F - 416.229.4692 M - 416.721.1235 dpmckinnon@dillon.ca www.dillon.ca
<i>Please consider the environment before printing this email</i>	

July 12, 2021

To: Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR5 Goderich, Ontario
N7A 3Y2

Re: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel

To whom it may concern,

I am responding to the Application for a Zoning Amendment by Lobo Sand and Gravel. The following are my concerns and objections:

OBJECTION: As a long-time appreciator of the Little Lakes region, I object to the approval of the application. I have visited this area for recreational purposes and the enjoyment of nature for multiple decades. In 2021 I enjoyed an early spring walk along the bank of the river at Balls Bridge and the ice could be heard melting in this tranquil setting. More recently I took my elderly father, a new resident of Huron County, for a leisurely drive to enjoy the scenery of Ball's Bridge and the Little Lakes, as this special location is one of the greatest jewels in our area and I wished to share it with him. It was on this drive that I saw the evidence of the proposed application.

It is my understanding that this proposed open pit aggregate mining operation serves to financially benefit only the corporate applicant and will leave the extraction site in a permanent state of toxic uselessness for farming, wildlife, recreational and indigenous interests. Furthermore, the below-water table excavation can destroy the water aquifer and surrounding bodies of water, most notably the Menesetung River, which embraces this currently fertile pocket of land. Please assure me that anyone considering this application has viewed the location on a map or, better yet, in person. Are they ignoring the obvious sensitivity of the wetlands and the natural littoral setting of our primary county river, which empties into Lake Huron?

TRAFFIC: Little Lakes Road is a narrow country road with soft shoulders, nestled tightly between delicate inland lakes, with leisure traffic for sightseeing, hiking, biking and other recreational activities that the area supports. The proposed gravel truck traffic is barely acceptable for a two-lane paved highway. The prolonged volume and frequency of the proposed gravel trucks barreling up and down this road will destroy all leisure access and introduce dust, damage and danger to this pristine setting. The noise level alone would render it impossible to hear such a delicate noise as spring ice melting. Traffic could be slowed dramatically with possible use of speed bumps and strict enforcement of reduced speed limits. There should be a commercial toll for any new industry traffic. Has there been an examination of this ridiculous burden on the road and any methods to maintain its character both structurally and aesthetically?

PROSPERITY: Temporary employment is not a valid point in favour of this proposed abomination. We currently have one of the lowest unemployment rates in the province. Temporary extraction of aggregate on this small parcel of land with no data for local supply requirement is not reason enough to squander the natural ecosystem that currently exists. Preventing permanent destruction of the farmland and preserving the culturally significant recreation site is a better focus for prosperity in our county.

PREVENTION: What damage can be prevented or, at minimum, mitigated to make this opportunistic application more reasonable? What are proven methods to accomplish this protection? What will the costs be and whose responsibility will it be? Would there be a lower probability of damage with an above water open pit? What probability for underground damage is there in open pits in Ontario, both operating and abandoned?

MAINTENANCE: How will the mining operation and the transportation companies be held financially accountable to repair and amend any secondary damage to the surrounding area and in particular the River, Balls Bridge and the Little Lakes Road?

RESTORATION: What assistance can Lobo Sand and Gravel be required to provide ... when it arises for the easily predictable and objectionable damage to the surrounding environs? What are proven restoration methods for environmental damage specific to water table alterations from open pit mining in Ontario? Are there any recent examples of restoration? Is there an ongoing environmental property tax to compensate for the destruction of natural capital?

SUMMARY: There is not a single factor that I can view as beneficial that would result from the permanent destruction of this beautiful, environmentally sensitive land. Please explain to me how any other body, land, environment or wildlife would benefit from the approval of this application, that exists outside of the fortunes of one distantly located corporation

Regards,

ANNE BONDY
46 Nelson St W
Goderich, ON
N7A 2M3



Municipality of Central Huron

P.O. Box 400, 23 Albert Street, Clinton, Ontario N0M 1L0

Telephone: 519-482-3997 Fax: 519-482-9183

Email: info@centralhuron.com

www.centralhuron.com

July 9, 2021

Township of Ashfield-Colborne-Wawanosh
82133 Council Line, RR5
Goderich, ON
N7A 3Y2

Via Email: clerk@acwtownship.ca

Dear Mayor McNeil and Council,

Central Huron Council received the Notice of Public Meeting for the Proposed Zoning By-law Amendment Z07-21 (Lobo Sand & Gravel) at their July 5, 2021 Regular Council Meeting.

Central Huron Council identified various concerns with this proposed amendment, such as the potential impact it may have on the use of historic attractions such as the Balls Bridge. Council discussed the ongoing use of this bridge for Weddings and other events and their wish is to have this continue without interruption.

In the opinion of Council, there is sufficient capacity in the existing active pit, also owned by the Applicant, to sustain supply for a number of years.

Central Huron Council does not support the proposed Zoning By-law Amendment at this time.

Regards,

Kerri Ann O'Rourke

Clerk

clerk@centralhuron.com

519-606-1223

Cc: Planner, Celina Whaling-Rae – cshalingrae@huroncounty.ca

July 10, 2021

To: Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR5 Goderich, Ontario
N7A 3Y2

Re: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel

To whom it may concern,

I am responding to the Application for a Zoning By-Law Amendment by Lobo Sand & Gravel. The following are my concerns and objections:

I strongly object to the proposal to install a huge below the water table gravel pit in the heart of the Little Lakes area. The area is a place of quiet scenic beauty, teeming with wildlife, and bordered on three sides by the Menesetung river and its environmentally important valley lands. It also provides County residents and visitors with many recreational opportunities: it is part of the area's two most important trails, it offers access points for canoeing and fishing, and it is treasured by photographers.

As a volunteer for G2G Rail Trail, it would be an absolute disappointment to see a part of the most wonderful detour disrupted by the noise and dust that is a result of a gravel pit. Users of the trail way commonly opt to journey the 10 km detour, over hills and highways, just to get the chance to enjoy the serenity of this wonderful location along the Maitland River. A place where ecosystems are alive and users get to enjoy and appreciate everything our natural environment has to offer.

Then there's the Balls Bridge. A historic truss bridge that draws a vast number of tourists each year. The community has counted to fight to keep the Balls Bridge preserved and it would be devastating to see this historical feature obstructed again.

This area serves a variety of individuals in multiple ways. It does not have the capacity to serve a gravel pit now or ever. I am strongly against this action and hope all involved will be empathetic to those who have enjoyed this area for many, many years. I hope they will consider the impact this destruction will cause to the environment.

At present the main land use in the area is agricultural, and the proposed change in use would entirely change the character of this unique place: it would no longer be peaceful, it would no longer permit wildlife to travel from refuge to refuge, and it would no longer be a welcome rural oasis among the already extensive gravel operations that we see to the West and South.

1. Cultural Heritage Landscape

- The application has not considered the heritage of the bridge and surrounding area. Friends of Ball's Bridge received the 2008 Margaret & Nicolas Hill Cultural Heritage Landscape Award from the Architectural Conservancy of Ontario for their work saving and restoring the bridge. This is a significant cultural site and tourist site as it is a destination for weddings, graduations, and family gatherings. The value of the experience of this bridge and its environs will be impacted with the operation of a gravel pit due to the noise, vibration and dust and truck traffic created and blown toward the bridge and river on the prevailing winds.
- The application has not considered recreational use nor done a traffic/road study on the use of Little Lakes Road. This road is for recreational use by cyclists, hikers and people enjoying the natural sites during country drives at all times of the year. The road is winding and narrow and is not designed for use by gravel truck traffic. It would be extremely

dangerous to have large gravel trucks or increased traffic from gravel pit employees using this winding and narrow country laneway type road as many family groups including their pets and photographers along with many other local people and tourists use this road for hiking, biking, riding ATV's and bringing canoes/kayaks to the Ball's Bridge for use on the Maitland River. To make any changes to this road in order to accommodate such truck traffic would negatively impact the natural surroundings of this area. Many species of amphibians and other wildlife cross the road from one wetland area to another. It is also an important part of the Maitland Trail System and people love it due to its natural, safe and tranquil experience which would be lost when increased truck traffic hinders the safety of those using Little Lakes Road. Also increased vehicle traffic from employees of the gravel pit would put undue wear and tear on the Ball's Bridge which was restored and is meant for tourist/recreational traffic only.

- The application has not considered the recreational use of this area. The Maitland River at the Ball's Bridge is a popular recreational destination for kayaking, canoeing, rafting, swimming and sport fishing in the spring, summer and fall and snowshoeing and cross-country skiing in the winter along with hiking and sightseeing all year long. A below water table pit with all the noise, dust and possible contamination of the water will prevent this from being a valuable recreational area for all those who have come here for years or who have just discovered this beautiful, natural and tranquil area.

2. Water Issues

- A below the water table pit has many issues. Quality of the water and toxicity could be an issue which would not be known until it is too late to fix. Private water wells in the area could be affected by going below the water table. Does the company have any solutions if private water wells are affected? Water levels could be affected by run off of toxins in the existing gravel due to years of chemicals (DDT, Atrazine, roundup) used on the existing farm fields have a potential risk to the aquifer and river when disturbed. The water quality of the down river watershed could be a problem along with dust and debris entering the river. If water quality and levels in the river become a problem this will affect recreational river activities such as kayaking, canoeing, rafting, sport fishing, and swimming and will have an adverse effect on the animals and plants who exist in this river.

3. Ecosystem and Environment

- The Proposed pit is 10 meters from the drip line of trees beside the river - 10 meters is a very minimal buffer for such a drastic land use change. This area has many wildlife crossings - deer, wild turkeys, turtles, frogs, other amphibians/reptiles and aquatic birds and is a migratory route for many birds. Bald eagles have made this area their home all year round. There are many endangered species at risk in this area both animal and plant. Exiting toxins which are exposed once excavation begins would put these species at further risk and the dust created and noise of the trucks, excavators, crushers/screeners would have a disturbing effect on the animals, birds and fish of this area.
- The wetland in the middle of the gravel pit would be isolated, cutting off the animals from the surrounding interconnected habitat and wildlife corridor. All in all, putting a below water table gravel pit in this area would affect all animals and plants whether at risk or not due to the noise, possible toxins and dust this proposed gravel pit would create. There is nothing in the proposal which would guarantee elimination of these issues to the surrounding area and wildlife.

Finally, none of the following issues seem to have been addressed adequately in the application:

- Traffic

- Loss of farm/agricultural land
- Negative Effect on Property Values
- Recreational
- Heritage
- Indigenous concerns have not been addressed and as such we are not respecting our treaty obligations.
- Health issues arising from dust and particulates

Regards,

Chloe Klopp
137 University Ave W, Waterloo, ON N2L 3Eg

9 July 2021

To: Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR5 Goderich, Ontario N7A 3Y2

Re: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel

To Whom It May Concern,

This letter is in response to the Application for a By-Law Amendment by Lobo Sand and Gravel.

I vehemently object to the proposal to install a below-the-water-table gravel pit in the heart of the Little Lakes area. For generations this area has offered a natural sanctuary for both the local community and visitors alike. It is a place of quiet scenic beauty, teeming with wildlife, and bordered on three sides by the Maitland River and its environmentally important valley lands. It also provides many recreational opportunities: it is part of the area's two most important trails, it offers access points for canoeing and fishing, and it is treasured by photographers.

My family has been in Huron County for more than 100 years and have enjoyed regular visits to Little Lakes Rd. and Ball's Bridge in all seasons for decades. It is a place we've shown visitors from around the world, and frequent guests often request to see it again. The unspoiled beauty of the road, the meandering river, the historic old bridge, the sound of birds and other wildlife in the quiet surroundings combine to make this a unique spot in Ontario.

There are plenty of gravel pits in this part of Huron County. My family lives across the road from one. The daily negative impact, in noise, dirt, and increased traffic, has diminished our quality of life and will do so for years to come. And county planners agree that the chances of the site ever returning to agricultural or recreational use are close to nil. Enormous profits for one company are paid for by long-term losses to the surrounding community.

The Kilgour Tract, 100 acres of reforested land a couple of bends down the river from Ball's Bridge, was donated by my family to the Maitland Valley Conservation Authority (MVCA) in the hope of expanding green space along the river for wildlife, forest regrowth, and tourists' enjoyment alike. It is disheartening, to say the least, to think that a short distance upriver a potentially hazardous industrial site may be opened up with little notice and minimal environmental study. The river valley ecosystem is continuous; any negative impact on the watershed from the proposed gravel pit will be felt not only by immediate neighbours but by those downstream. If this project is approved and area zoning changed, we will definitely not donate any more land: the risk of the whole area becoming environmentally and aesthetically degraded, and of our work being destroyed, will simply be too high. Other landowners will no doubt feel as we do.

At present the main land use in the Little Lakes area is agricultural, and the proposed change in use would entirely change the character of this place: it would no longer be peaceful, it would no longer permit wildlife to travel from refuge to refuge, and it would no longer be a welcome rural oasis among the already extensive gravel operations that we see to the West and South.

1. Cultural Heritage Landscape

- The application has not considered the heritage of the bridge and surrounding area. Friends of Ball's Bridge received the 2008 Margaret & Nicolas Hill Cultural Heritage Landscape Award from the Architectural Conservancy of Ontario for their work saving and restoring the bridge. This is a significant cultural site and tourist site as it is a destination for weddings, graduations, and family gatherings. The value of the experience of this bridge and its environs will be impacted with the

operation of a gravel pit due to the noise, vibration and dust and truck traffic created and blown toward the bridge and river on the prevailing winds.

- The application has not considered recreational use nor done a traffic/road study on the use of Little Lakes Road. This road is for recreational use by cyclists, hikers and people enjoying the natural sites during country drives at all times of the year. The road is winding and narrow and is not designed for use by gravel truck traffic. It would be extremely dangerous to have large gravel trucks or increased traffic from gravel pit employees using this winding and narrow country laneway type road as many family groups including their pets and photographers along with many other local people and tourists use this road for hiking, biking, riding ATV's and bringing canoes/kayaks to the Ball's Bridge for use on the Maitland River. To make any changes to this road in order to accommodate such truck traffic would negatively impact the natural surroundings of this area. Many species of amphibians and other wildlife cross the road from one wetland area to another. It is also an important part of the Maitland Trail System and people love it due to its natural, safe and tranquil experience which would be lost when increased truck traffic hinders the safety of those using Little Lakes Road. Also increased vehicle traffic from employees of the gravel pit would put undue wear and tear on the Ball's Bridge which was restored and is meant for tourist/recreational traffic only.
- The application has not considered the recreational use of this area. The Maitland River at the Ball's Bridge is a popular recreational destination for kayaking, canoeing, rafting, swimming and sport fishing in the spring, summer and fall and snowshoeing and cross-country skiing in the winter along with hiking and sightseeing all year long. A below water table pit with all the noise, dust and possible contamination of the water will prevent this from being a valuable recreational area for all those who have come here for years or who have just discovered this beautiful, natural and tranquil area.

2. Water Issues

- A below the water table pit has many issues. Quality of the water and toxicity could be an issue which would not be known until it is too late to fix. Private water wells in the area could be affected by going below the water table. Does the company have any solutions if private water wells are affected? Water levels could be affected by run off of toxins in the existing gravel due to years of chemicals (DDT, Atrazine, roundup) used on the existing farm fields have a potential risk to the aquifer and river when disturbed. The water quality of the down river watershed could be a problem along with dust and debris entering the river. If water quality and levels in the river become a problem this will affect recreational river activities such as kayaking, canoeing, rafting, sport fishing, and swimming and will have an adverse effect on the animals and plants who exist in this river.

3. Ecosystem and Environment

- The Proposed pit is 10 meters from the drip line of trees beside the river - 10 meters is a very minimal buffer for such a drastic land use change. This area has many wildlife crossings - deer, wild turkeys, turtles, frogs, other amphibians/reptiles and aquatic birds and is a migratory route for many birds. Bald eagles have made this area their home all year round. There are many endangered species at risk in this area both animal and plant. Existing toxins which are exposed once excavation begins would put these species at further risk and the dust created and noise of the trucks, excavators, crushers/screeners would have a disturbing effect on the animals, birds and fish of this area.
- The wetland in the middle of the gravel pit would be isolated, cutting off the animals from the surrounding interconnected habitat and wildlife corridor. All in all, putting a below water table gravel pit in this area would affect all animals and plants whether at risk or not due to the noise, possible toxins and dust this proposed gravel pit would create. There is nothing in the proposal which would guarantee elimination of these issues to the surrounding area and wildlife.

Finally, none of the following issues seem to have been addressed adequately in the application:

- Traffic
- Loss of farm/agricultural land
- Negative Effect on Property Values
- Recreational
- Heritage
- Indigenous concerns have not been addressed and as such we are not respecting our treaty obligations.
- Health issues arising from dust and particulates

Yours truly,

David Kilgour
General Delivery LCD
Goderich, ON
N7A 3Y4

Florence Witherspoon

From: Debbie Gillespie <cottage.gillespie@gmail.com>
Sent: Monday, July 19, 2021 1:18 PM
To: Florence Witherspoon; cwhalingrae@huroncounty.ca
Subject: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel

I am responding to "The Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel" and the following letter covers my concerns and objections.

To whom it may concern,

We bought this property in 1992 with the intention of retiring here which we did in 2013. We originally lived in the Sarnia area where the "Chemical Valley" is located and we wanted to get away from all the pollution so decided Little Lakes Road was the perfect solution until the proposed gravel pit!! I have dealt with and overcome cancer and have had lung surgery. Now this proposed gravel pit will put our dream of a healthy lifestyle during our retirement in question. The prevailing winds will send all the dust and pollution from this pit in our direction and cause anxiety of possible cancer causing agents blowing directly on our property. Since I have already battled and beat one bout with cancer I do not want to have to take a chance of it returning and preventing me from having a long and healthy retirement. Also my husband has allergies and constant dust from this pit will put his quality of life in question. Presently we enjoy a quiet and tranquil lifestyle free from the toxic air pollution and this will come to an end with the constant noise and possible toxic dust created by this proposed gravel pit. We have 6 grandchildren who do not live near us but love to come to visit this area to enjoy the natural environment of the surrounding landscape which will disappear when this proposed gravel pit begins to operate a below water level pit which cannot be returned to its original state and could be a toxic pond and breeding ground for mosquitoes and other annoying insects since once the area is contaminated it cannot be returned to what it once was. We love to take long walks down Little Lakes Road with our grandkids and our dogs and this will end as it will be too dangerous to even think of walking here with the constant movement of large gravel trucks plus the noise and dust from the pit will definitely take any enjoyment out of the peaceful walk we presently enjoy. Even now the noise from the Fisher Pit can be heard on our back deck and it is not nearly as close as this proposed pit would be. Also I would like to know why the gravel company gates on Londesborough Road are called "Little Lakes Pit" when it is the Fisher Pit. We as neighbours on Little Lakes Road know and love this area and are a very close knit group so when these gates state "Little Lakes Pit" we are questioning why the company would call what the township refers to as the Fisher Pit, the Little Lakes Pit, unless they know something that the community has not been informed of. We neighbours questioned this when it was first noticed and ACW replied that neighbours were informed of what was going on which was not the case. I wrote a letter to the ACW mayor with my concerns and his reply was insulting. I apparently do not have the necessary life skills as he does and should not be concerned about appearances as they are not as they seem to be. Well when a person who has lived in this area for many years sees "Little Lakes Pit" on a gate located at the "Fisher Pit" I think there is good reason to question "appearances"!!!! I was not the only person to question this and after the mayor's insulting reply to me the ACW sent out a more toned down form letter to the neighbours but still did not address our concerns and did not keep us informed on what was actually going on. We, the immediate neighbours, were not consulted at all by anyone from ACW township or the gravel pit company, The gravel company stated at their zoom meeting in May that they were in touch with the immediate neighbours which is not at all true. That in itself puts in question the integrity of this company.

I have many other concerns with the proposal to change the zoning in favour of this gravel company:

1. Cultural Heritage Landscape
 - When ACW looks at changing the zoning to accommodate this gravel pit have you considered the heritage of the bridge. Friends of Ball's Bridge received the 2008 Margaret & Nicolas Hill Cultural

Heritage Landscape Award from the Architectural Conservancy of Ontario for their work saving and restoring the bridge. This is a significant cultural site and tourist site as it is a destination for weddings, graduations, and family gatherings. The value of the experience of this bridge will be impacted with the operation of a gravel pit due to the noise, vibration and dust created.

- Has ACW considered the recreational use of this area or has ACW done a traffic/road study on the use of Little Lakes Road. This road is for recreational use by cyclists, hikers and people enjoying the natural sites during country drives at all times of the year. The road is winding and narrow and is not designed for use by gravel truck traffic. It would be extremely dangerous to have large gravel trucks or increased traffic from gravel pit employees using this winding and narrow country laneway type road as many family groups including their pets and photographers along with many other local people and tourists use this road for hiking, biking, riding ATV's and bringing canoes/kayaks to the Ball's Bridge for use on the Maitland River. To make any changes to this road in order to accommodate such truck traffic would interfere with the natural surroundings of this area. It is also an important part of the Maitland Trail System and people love it due to its natural, safe and tranquil experience which would be lost when increased truck traffic hinders the safety of those using Little Lakes Road. Has there been any plans of how an emergency vehicle would be able to reach the local residences in case of a medical or other emergency at their home if a gravel truck had an accident which blocked the road since in the winter the bridge is impassable which means there is only one way in or out (going west towards River Line) and the rest of the time there are size restrictions on the bridge which would prevent large emergency vehicles from crossing. Also increased vehicle traffic from employees of the gravel pit would put undue wear and tear on the Ball's Bridge which was restored and is meant for tourist/recreational traffic only.
- Has ACW considered the recreational use of this area. The Maitland River at the Ball's Bridge is a popular recreational destination for kayaking, canoeing, rafting, swimming and sport fishing in the spring, summer and fall and snowshoeing and cross country skiing in the winter along with hiking and site-seeing all year long. A below water level pit with all the noise, dust and possible contamination of the water will prevent this from being a valuable recreational area for all those who have gone here for years or who have just discovered this beautiful, natural and tranquil area.

2. Water Issues

- A below the water table pit has many issues. Quality of the water and toxicity could be an issue which would not be known until it is too late to fix. Private water wells in the area could be affected by going below the water table. Does ACW or the gravel company have any solutions if private water wells are affected? Our water quality is presently excellent and we paid good money to have a well drilled when we built our retirement home. Who is going to be held responsible if we have water well issues? The gravel company did not perform an adequate assessment on what effect this pit would have on neighbouring private wells and we were never consulted or approached by anyone from the gravel company. Water levels could be affected and run off of toxins in the existing gravel due to years of chemicals (DDT, Atrazine, roundup) used on the existing farm fields have a potential risk to the aquifer and river when disturbed. The water quality of the down river watershed could be a problem along with dust and debris entering the river. If water quality and levels in the river become a problem this will affect recreational river activities such as kayaking, canoeing, rafting, sport fishing, and swimming and will have an adverse effect on the animals and plants who exist in this river.

3. Ecosystem and Environment

- Proposed pit is 10 meters from the drip line of trees beside the river - 10 meters is a very minimal buffer for such a drastic land use change. This area has many wildlife crossings - deer, wild turkeys, turtles, frogs, other amphibians/reptiles and aquatic birds and is a migratory route for many birds. Bald eagles have made this area their home all year round. There are many endangered species at risk in this area both animal and plant. Existing toxins which are exposed once excavation begins would put these species at further risk and the dust created and noise of the trucks, excavators, crushers/screeners would have a disturbing effect on the animals, birds and fish of this area. The wetland in the middle of

the gravel pit would cut off the animals from the surrounding interconnected habitat and wildlife corridor. All in all putting a below water table gravel pit in this area would affect all animals and plants whether at risk or not due to the noise, possible toxins and dust this proposed gravel pit would create. There is nothing in the proposal by the gravel company which would guarantee elimination of these issues to the surrounding area and wildlife.

4. Property values of homes in this area will be affected negatively plus possible water well issues. Are you going to adjust our property taxes lower when the value of our home decreases? When we applied to build our retirement home we had many hurdles to cross just to replace an existing small cottage with a one level home on the exact same location and no changes were permitted to the landscape of our property which we adhered to. The creation and operation of a below water gravel pit changes the landscape dramatically and the company has not done its due diligence of meeting all the necessary requirements in their proposal. They did not address traffic, recreation, heritage and how the pit will affect local wells and the Maitland River and the 3 ponds on Little Lakes Road. More studies need to be conducted to address these concerns. The farm/agricultural land is also an issue. Once there is just a body of possibly toxic water nothing can be returned to its natural state or a state where it can be farmed in the future. Since the winds in this area are usually flowing from the west all the private residences in this area plus the Maitland River are downwind and will receive all the dust, noise and probable smells (truck. equipment fuel) from this operation. Also one of the private residences will be surrounded by this proposed pit with the gravel trucks passing over their laneway. How can ACW permit a gravel pit to surround this beautiful century old stone home? When we first bought our property we used to take walks down to this beautiful stone house which was unoccupied at the time and I remember a sign with "1867" near the home which I assumed meant this was the year it was built. Does that not make it worth saving by ACW as a heritage home or at least question how a gravel pit can be permitted to surround a residential home and use its laneway as a truck travel route to get from one part of the pit to another part of the pit? I would like to know how ACW thinks this is acceptable? What kind of quality of life would the owners of this home have with a gravel pit surrounding them with all the noise and dust right on their back door? If it was you who has renovated this lovely stone home so you can enjoy the tranquility of the natural surroundings only to discover that a gravel pit will surround your home would you not question why ACW, whose council and mayor were elected by you, would permit this to happen when you also pay taxes to this township maybe not as much as the gravel pit but that should not matter - you have a right to enjoy your leisure time and having a gravel pit surround you will not allow you this?

Also have Indigenous concerns been addressed such as our treaty obligations and living up to our obligations for land and water?

The Goderich area is dotted with gravel pits and there are many other areas where a pit could be accommodated that would not disrupt the ecological and cultural and recreational nature of this much loved area of the Ball's Bridge and Little Lakes Road.

Regards,

Debbie and Barry Gillespie
38270A Little Lakes Road
Goderich Ontario
N7A 3Y1
cottage.gillespie@gmail.com



The Little Lakes

Sunday drivers enjoy the fall colour of this area and children love to spot the goldfish that inhabit the ponds. The sunrise over the Little Lakes is a treat that only early risers have the privilege of seeing. This is truly one of our most beautiful spots in Colborne Township.

clerk@acw.township.ca

[cc – cwhalingrae@huroncounty.ca](mailto:cc-cwhalingrae@huroncounty.ca)

Location of Property; - Con 2 ED PT Lots 14 and 15 and RP 22R6090 Part 1 RP 22R6857, Colborne (Little Lakes Road)

I am writing this letter of objection to the proposed Zoning By-Law Amendment (Application #ACW Z07-21 Lobo Sand & Gravel) to change the zoning on the portion of the property currently zoned General Agriculture (AG1) and Natural Environment (NE1) in the ACW Zoning By-Law to Aggregate Extraction.

A below water table pit destroys natural springs which are situated on the above mentioned property because they use significant amounts of water impacting wetlands, rivers, wells which is not good for climate change which is being promoted to all citizens that we must not put into jeopardy.

Mother Nature put these springs on the described property, and we were taught not to destroy anything that was put there for our benefit, and there are many natural springs that would be destroyed if the zoning were to change.

We were also taught to conserve water, protect good quality water which is a benefit to our lifestyle and health.

Sand, Stone and gravel act as a filter between the surface and underlying waters, that filter would end up being destroyed so we would end up having contaminated surface water, groundwater, jeopardizing our quality of life and health.

When we moved here in 1974 we had to drill a well from a respected water drilling company, and to date we have had no problems with our quality of water from our drilled well. We also had to have this water inspected by our Huron County Health Unit before our mortgage could be approved.

So if this company is allowed to drill under the water table affecting the sand stone and gravel filter, this could only mean one thing meaning we could end up with contaminated water affecting our health for future generations.

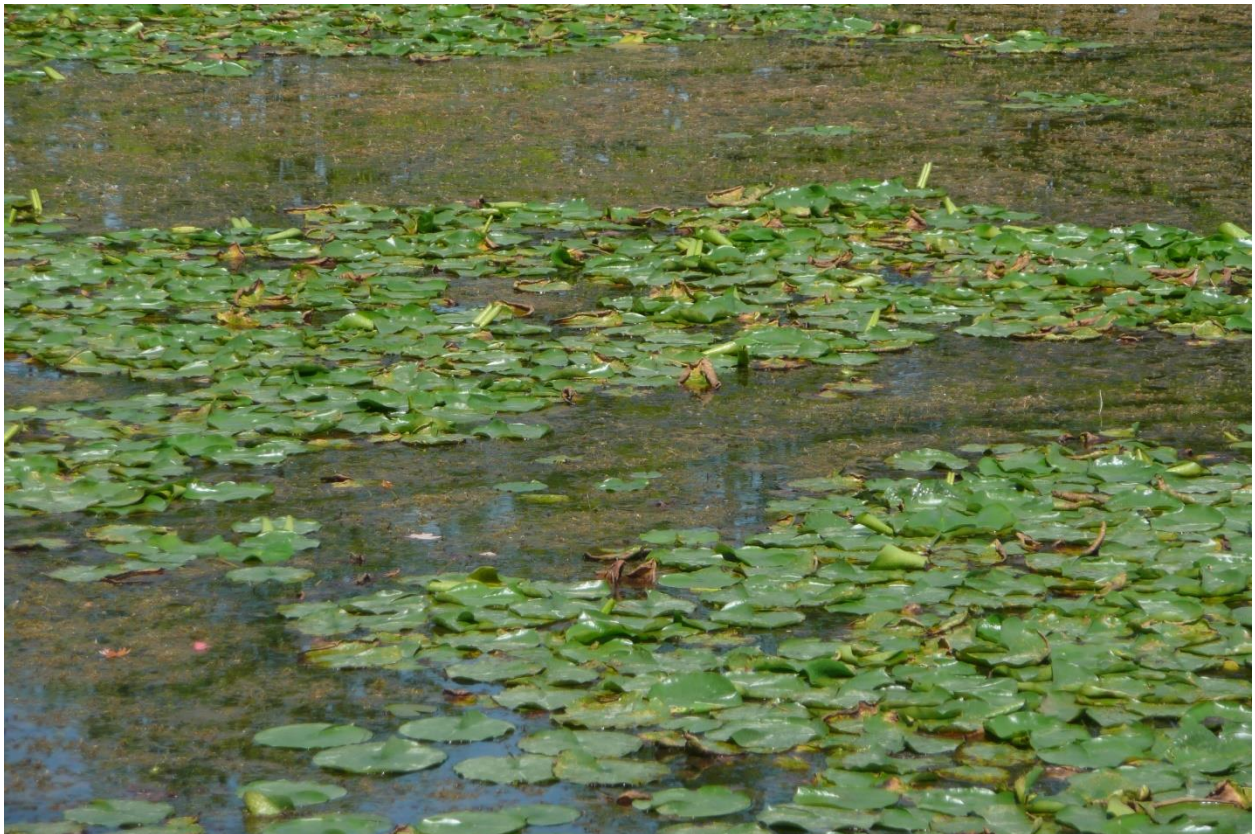
The Little Lakes is another concern where surface water could be impacted from far reaching kilometers from where they are extracting below water table operation.

The Little Lakes is home to many turtles, gold fish, migrating birds, beautiful lily pads, Canadian geese who rest on the road taking territorial possession.

No gravel truck would wait patiently for them to remove themselves from the line of traffic, they would be under the wheels of the truck.

The dust, vibrations from heavy machinery would also impact all species who call these lakes home, as it would not be peaceful or tranquil anymore.

Below is a picture of the beautiful Lily Pads that grow on he Little Lakes and the accumulating dust could have devastating effects on these beauties.





Above is where the turtles sun themselves traveling also to the road.

Tourists flock to these Little lakes taking pictures of scenery, endangered species, and the peaceful tranquil area.

Below is a picture of the Heritage House that would be surrounded by 3 ways by this gravel pit.



Zonnenburg House

Set back far from the road amongst the trees, the Zonnenburg residence was built in the mid 1800's for the Halladay family. The construction is of riverbed stone, warm grey in colour, and cut for the "front" elevation. Random shaped stone is used for the side and back elevations. The design is at once simple and handsome. The interior comprises a number of small rooms with a low ceiling height at second floor.
Location: Part of Lot 15, Con. 2

This is a Heritage Home which we as tax paying citizens cherish, and also are dictated to preserve Heritage not destroy it and concerned as to what the future could hold for this property.

This is Balls Bridge



Balls Bridge, a “Heritage Gem”, which received a Heritage Award from the Provincial Government.

I am a “Friends of Balls Bridge” member who helped save this bridge from demolition, a community that pulled together with a lot of work were successful in achieving our goal.

This bridge has character, and on of the few remaining 2 span bridges in Ontario, and I am very proud of this endeavour and to be a resident of this peaceful, tranquil area which I hold close to my heart.

Every tourist you converse with will comment on how beautiful this area is and always have to make a stop at “Balls Bridge” when they visit Huron County.

This needs to be protected as well from the noise, vibration, dust and debris caused by the crushers and screening equipment.

There is also fish habitats, migrating birds, Bald Eagles, species at risk endangered plants that call this area home.

Below is some pictures of the Balls Bridge Heritage Dedication who attended



Next picture is a picture of the people who supported our goal and cause.



Graduation pictures are taken on this bridge, wedding pictures, family photos, kayaking, canoeing, hikers and sightseeing, motorcycles, sport fishing , old classic cars, bicycle rallies, visit to spend valuable time here and picture taking.

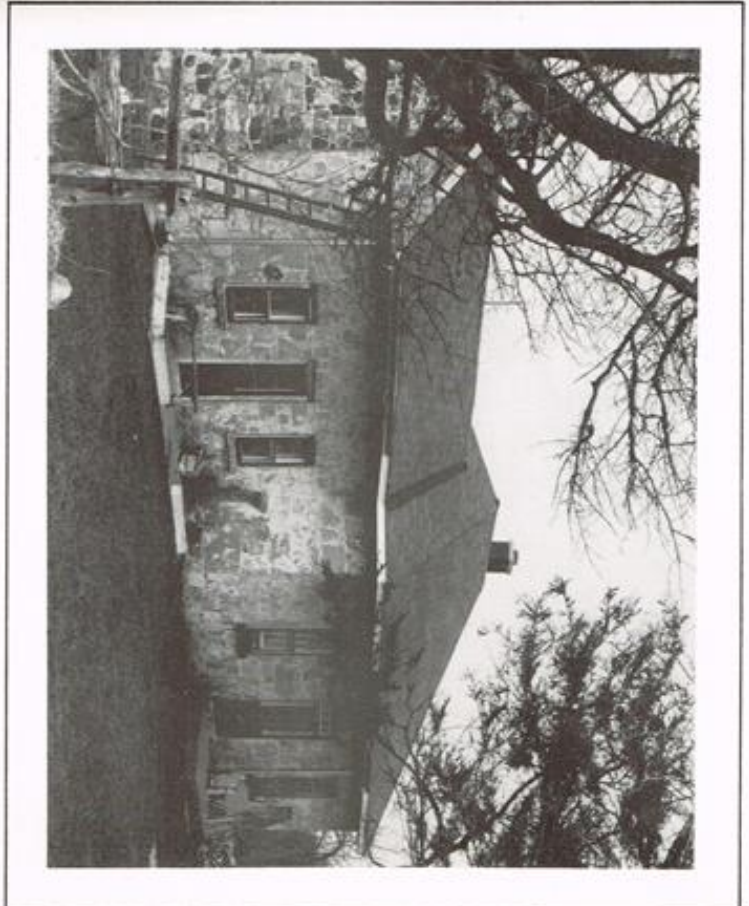
Couples come down here, bring their lunch, card tables and chairs, playing cards by the river commenting as well about this peaceful area.

Below is another Heritage Home which would be across the road from the gravel pit, another cherished site.



Carlton

on the ridge of Carlton
views of the countryside
Huron six miles to the
former Scottish
reb. Built in 1872, this
building once had a tall
1 a wrought iron fence
erty. The brick came
and the carpenters
in and James Young.
was 250. Closed in 1949.
and design can still be



Garratt Residence

Set far back from the road and almost
hidden amongst the trees of the river
valley is this single storey stone house
built in approximately 1875 for John
Halladay, one of the Township's earliest
settlers. The stone is limestone from the
riverbed, and the doors and windows are
original in the main part of the house to
the right. The interior is largely un-
changed.

Location: Part of Lot 15, Con. 3

This home is near and dear to my heart as well, it was owned by members of my family, known as the “John Pitblado Family

Environment Issues

There is also a bush that could be affected on Little Lakes Road where the Maitland Trail is for hikers.

We here so often by our elected officials we must protect our forests as they are a climate change environment concern, paying attention to climate change which is preached again and again by our government.

There is a wetland in the middle of the pit, “like an island” on a pedestal cut off from surrounding interconnected habitat for wildlife corridor also at risk, attesting to the sound of a chorus of frogs singing Soprano, Alto, Tenor and Bass, singing their praises as to how much they love their residing area, which my neighbor Richard Vernon has spoken about.

Believe you me that is a loud beautiful sound.

We have been asked repeatedly by government officials all over the world to protect the environment from climate change, we don’t want dormant areas where nothing grows, due to Ecosystems being threatened by toxins, residues, and natural springs affected.

Surface water could be jeopardized as well, stretching many kilometers downstream reaching rivers and also the little lakes area, endangering wildlife species that rely on natural environment in order to survive

Trees along the river bank could also be impacted by a proposed pit 10 meters from the drip line beside the river, 10 meters is a very minimal buffer for such drastic land use.

Going forward, here is a quote from the “23rd psalm, “ THE LORD IS MY SHEPHERD I SHALL NOT WANT, HE MAKES ME TO LIE DOWN IN GREEN PASTURES”, THESE PASTURES WILL NO LONGER BE GREEN IF THE ZOING CHANGE GOES FROM AGRICULTURE (AG1) AND NATURAL ENVIRONMENT (NE1) TO EXTRACTIVE RESOURCES (ER1)

Thanking you for your time,

Sincerely,

Donna

I am responding to “The Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel” and the following letter covers my concerns and objections.

The entire length of Little Lakes Road from River Line to Base Line is of the utmost value to ACW as their most precious gem. I can’t think of anywhere better to send someone on a country drive to experience the beauty, history, ecology and agriculture of the area all in one idyllic pass. It is an integral element of tourism for residents and visitors alike. It is a place to stroll, hike, jog, bike, drive, float, fish and stop to picnic. It is a place of bird song, river running, kids splashing, fish jumping and the unique rumble that vehicles make passing over one of the last remaining in use truss bridges in Ontario.

Historic Significance

Ball's Bridge is a pin connected structure, which is a feature seen on the older metal truss bridges. Pin connected truss bridges are very rare in Ontario, and as such the bridge is significant. Furthermore, the bridge is two-span. In southwestern Ontario, multi-span truss bridges of any kind are uncommon, and a multi-span bridge from this era is extremely rare! Also, the bridge trusses do not show any evidence of substantial alteration, meaning the historic integrity of the bridge is very good. So, from a historian's perspective this bridge is a treasure. Historical significance aside, a bridge such as the Ball's Bridge is so beautiful, and speaks of an era when bridge building included an attention to design and detail that is no longer given on the plain modern bridges of today. The lightweight, yet complex truss structure is a beauty to behold, and it adds so much to the surrounding area.

It would be nothing short of a crime to demolish or let collapse, this historic bridge. Driving across a truss bridge and experiencing the unique "tunnel effect" is something that people deserve to have access to. This is a bridge with history, and there are many people who have enjoyed this bridge, and many more who can discover and enjoy this bridge in the years to come if this bridge is preserved.

<https://historicbridges.org/bridges/browser/?bridgebrowser=ontario/balls/>

Cultural Tourism has long since been a driving force for the economy other Countries and this model is being adapted in Canada with the recognition that Culture is the fourth pillar of sustainability, along with economic, environmental and social. Huron County alone has recognized the value and is working to identify the importance of having a Cultural inventory. Huron County began a Cultural Mapping Project in 2012, identifying within that framework that **natural** and **historic culture** were key elements.

The data collected in the cultural mapping project presents the following opportunities:

Creation of cultural heritage tours that highlight resources from the cultural mapping project. Tour content should be developed using localized resources and knowledge base (community committees or local champions) with countywide coordination of marketing, and possible future packaging and booking by County Tourism staff, Huron Tourism Association, and Huron Arts & Heritage Network

Opportunities to connect with Regional Tourism Organization 4's "Heritage Towns" tourism marketing campaign featuring the heritage towns and villages of Huron, Perth, Waterloo, and Wellington Counties, to get additional benefits through increased regional promotion of cultural assets in the County

Cultural assets can be utilized to enhance existing events bringing new partners and programs together. Heritage assets, tangible and intangible, could be used in the development of new events and event themes

CreativeHuron.ca was one of the outcomes of that project. In the final report that was approved by County Council in 2014 one of 6 strategic directions was to preserve and Promote our Cultural Heritage. Ball's Bridge, Little Lakes and everything in between is just that!

The Development of the Huron County Cultural Plan covered a fourteen month period from March, 2013 to April 2014. The completed Huron County Cultural Plan was approved by Huron County Council in May, 2014.

(Within this plan were identified 6 strategic directions, number 5 and 6 of those directions are as follows)

...

5. Advance the Municipality's Role in Cultural Development. Continue to support the County of Huron's leadership role in ways that are of benefit to the entire sector and community at large.

6. Preserve and Promote our Cultural Heritage. Preserve our cultural heritage for future generations and build appreciation and respect for our individual and shared histories.

<https://www.creativehuron.ca/wp-content/uploads/2019/05/Cultural-Plan-Final-Full-Report-.pdf>

The ACW's own website describes ACW as an "oasis of quiet country or cottage life", a "vacation destination of charm, culture, beauty and endless possibilities". This is not the feeling you would get passing by a massive gravel pit with it's noise, vibration and dust to arrive at a historic site within 200 meters of ongoing extraction.

The Township of Ashfield-Colborne-Wawanosh is located in the northwest corner of the County of Huron, which is known as Ontario's West Coast, along the shores of Lake Huron.

The Township is a vibrant rural community and is one of the agriculturally productive areas of Ontario. Extending from Goderich to Amberley and inland to the well known Benmiller Inn, relax in the sun on the shores of sparkling Lake Huron, explore the picturesque countryside, experience a breathtaking sunset, and discover why this area is a vacation destination of charm, culture, beauty and endless possibilities.

An oasis of quiet country or cottage life awaits you, with a strong feeling of community, and contains ideal surroundings for raising a family, working, or enjoying the relaxing atmosphere. These are just some of the features that make the Township of Ashfield-Colborne-Wawanosh a great place to call home or visit.

<http://www.acwtownship.ca/about-acw/>

The wildlife that is normally seen every day would have long since left and no longer be part of this ecology no longer be part of the experience of being here.

I have always recognized the value of this area and as a key tourism based business in the county have directed thousands of people here over my 30 years in operation when asked what is the best thing to see in the County. In 2015 I was asked to partner with the Huron County Tourism to attract a travel writer/blogger to the area. The Solo Traveller, Janice Waugh who has over 220,000 fans came and spent the some time in the area and of course took me up on my suggestion to travel Little Lakes Road.

“At the end of Little Lakes Road, described by Elizabeth of The Art Gallery in Goderich as the prettiest road in the county, is Balls Bridge. It has a romantic history...

<https://solotravelerworld.com/road-trip-ontario/>

The value of Little Lakes Road as a tourism corridor and a Cultural Heritage Landscape has not been thought out and studied.

On a personal note my love for this area came full circle last year when my husband, Scott, and I were privileged to be able to purchase the original Ball estate on the North East corner of Ball's Bridge. It was a dream come true, until I heard about the gravel pit application. (Upon moving in I was informed by neighbours of the impending application. I have never been informed or approached by any official entity from the gravel pit company or otherwise, even though my property does fall within 400 meters from the site.) It felt my experience of this place and everything that brought us here was about to be taken away. I invested here for the peace and the inspiration that the landscape would bring for my artistic future. I have always been self employed and retirement has never been an option, just an eventual shift from one mode of earning to another. Upon eventually closing the gallery I invested here assuming that the same reason that brought me to this place would attract others for future classes, painting workshops and overnight riverside experiences. My future sustainability is at risk along with my ability to continually be inspired and paint this area as I had intended. The noise, dust and vibration will be felt here as I can already hear the distant back up beep of the trucks in the Fisher Pit that is much further away. This pit will drive away all forms of tourism and cause irreplicable harm the ecology and beauty of this area forever. Once it is destroyed it can never be replaced.

Arts and culture products represent **\$25.0 billion** or 3.3% of the province's gross domestic product (GDP) and over 286,232 jobs (3.9% of total Ontario employment).
Ontario Arts Council, Apr. 25, 2019

At this time I have also not heard back in respect to my letter of objection that was submitted to Esher Planning and the MNRF in which I expressed my objections and deepest concerns regarding the threat to the Menesetung River and the Little Lakes and to the water table that feeds all my neighbours wells including my own.

It is the Council's responsibility to protect the land in ACW for current and future generations and to live up to their own branding/marketing about what makes ACW special. Now is the a time for our leaders to lead by example with the support of your constituents who do not approve of this plan. Do not change the zoning and go one step further to protect this place in perpetuity.

Sincerely

Elizabeth Vanden Broeck & Scott Profit
82153 Base Line Road
Auburn ON N0M 1E0

JULY 8, 2021

Township of Ashfield-Colborne-Wawanosh
82133 Council Line, RR5 Goderich, ON N7A 3Y2

SUBJECT: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel.

To Whom it May Concern,

Friends of Ball's Bridge & Little Lakes (the "Friends"), is a group of individuals in the process of incorporating who live in and around the Ashfield Colborne Wawanosh (ACW) Township in Huron County. The Friends object to the Application to operate a Category 1 Class A Pit (below the water table) by 1142059 Ontario Ltd. Lobo Sand and Gravel ("LSG"), 74 Nauvoo Rd., Forest Ontario N0N 1J0.

We strongly object to the proposal to install a huge gravel pit in the heart of the Little Lakes area that permits extraction below the water table. The area is a place of quiet, scenic beauty, teeming with wildlife. It is bordered on three sides by the Menesetung river and its environmentally important valley lands. The area also provides Ashfield Colborne Wawanosh County residents and visitors with many recreational opportunities: two important recreational trails are used for hiking, biking, skiing, snowmobiling, among other activities while access points allow for canoeing and fishing. Many photographers also frequent the area for wildlife photography.

At present, the area's main land use is agriculture, which preserves the many activities on the lands. The proposed change in use would entirely change the character of this unique place: it would no longer be peaceful, permit wildlife travel from refuge to refuge, or be a welcome rural oasis among the already extensive gravel operations that exist to the West and South.

We have some concerns about the way that the process of this application has been handled. We note that on May 25, 2021, at the Lobo Public information meeting with Esher Planning, we were told that there will be major and significant amendments to the LSG application. However, we have been advised that we must respond only to the application as presented today. As such, the following letter of objection only responds to the application as presented. We insist, nonetheless, that we should have the opportunity to respond to amendments that may be made to the application after June 30, 2021.

OBJECTIONS

1. OBJECTION: No Cultural Heritage Landscape Study

The LSG application fails to consider the Cultural Heritage features of Ball's Bridge (the "Bridge") and the surrounding landscape, or to assess the devaluation of the experience of the Cultural Heritage Landscape by the presence of a below water level open industrial aggregate mining operation approximately 100 meters upwind from the Heritage site.

The Bridge is a significant cultural and tourist site, it defines our area and has been a destination for weddings, graduations, and family gatherings, for many decades. The value of the experience of the Bridge and its environs will be significantly impacted with the operation of a gravel pit due to the noise, vibration, dust and truck traffic. Our concern is that the dust will be blown toward the Bridge and river on the prevailing winds.

Thanks to the efforts of the community, Ball's Bridge was restored and is now marked with a provincial plaque, sharing the story of its unique design and historic significance. A local citizen's group, Friends of Ball's Bridge (which our now to be incorporated citizen's group has evolved from), received the 2008 Margaret & Nicolas Hill Cultural Heritage Landscape Award from the Architectural Conservancy of Ontario for their work saving and restoring the bridge. The bridge was restored due to a significant investment by Central Huron, ACW Township and Huron County, and support from the Ontario Heritage Trust, and the Ontario Ministry of Culture and Tourism and Ontario Infrastructure Fund.

Former Ontario Minister of Tourism and Culture Michael Chan pointed out that "[t]he unique design and structure of Ball's Bridge not only speak to engineering history, but also make it an attractive feature in the local landscape. I'm delighted that it is being commemorated today, showcasing another fascinating part of Ontario's heritage." [see Michael Gregg Letter, May 21, 2001, attached]

A presentation to the Huron County Historical Society in April 2021 maintained that the area from Ball's Bridge extending along Little Lakes Road to the Little Lakes be included as part of the Cultural Heritage Landscape. The Bridge has also been used frequently and recently by the townships and the County in their branding and promotion of tourism.

As such, the cultural and recreational use of the Bridge has a long history and should be maintained into the future. The proposed pit will affect tourism and local visits to this once peaceful and serene place and people will lose interest in being there. The Bridge will become abandoned which will devalue its worth over time.

"I was impressed by the campaign to save the Ball's bridge a number of years ago. This heritage connector and site has brought tourists to the area for peaceful enjoyment and has provided historic context and significance. As well it has fostered care for those who find utility or pleasure in its preservation. And importantly, the preservation of the bridge was supported by all levels of government with significant financial investment. Certainly, this trust cannot be ignored by a private company. The community that came together around this project must be respected and the history preserved." bh Yael, Professor, Integrated Media, OCADU

"We understand that there is an Ontario Heritage Trust plaque next to the Bridge. The Bridge appears to be recognized as a cultural resource in the Huron County Cultural Mapping report from 2012... In my opinion an evaluation of the Bridge against Ontario Regulation 9/06 would likely find that it meets at least 1 and probably a few of the criteria for cultural heritage value. An evaluation based on research and a site visit would be necessary to confirm this. The ACO recognition, Ontario Heritage Trust plaque and Cultural Mapping Report would be relevant supporting material." Ben Holthof for LHC (Letourneau Heritage Consulting Inc.)

As such, a cultural heritage landscape assessment must be conducted to assess the impacts of the proposed aggregate operation on the Bridge. We are confident this study will recommend stopping the quarry, however, even if the extraction can proceed, the study is necessary to recommend stringent mitigation measures. Mitigation of any impacts to cultural heritage features is a primary issue for residents, tourists and First Nations.

2. OBJECTION: Lack of Community Consultation

LSG claimed in the public information session held on May 25, 2021 to have done “extensive community consultation”. However, the residents most affected by the proposed pit were not consulted at all and neither was the Ball’s Bridge and Little Lakes community. Sufficient Notice was not given, having the effect of excluding the community. This kind of misleading information in the application only adds to the community’s lack of confidence in the applicant and the application process.

In fact, numerous attempts were made by the local residents in the area to contact LSG and letters were sent with no reply over many months in the fall of 2020.

The Minister should be very concerned by the lack of public consultation of directly affected stakeholders.

3. OBJECTION: Inadequate Hydrogeological Study

We have obtained an independent Environmental review. This document is attached in our e-mail and is linked [here](#).

We object to a below water table pit which has many known and unknown issues that have not been addressed adequately in the Hydrogeological study. Specifically, we have serious questions and concerns about the effects of the proposed mine on ground water, the aquifer, the river and its watershed, and nearby wells.

A. The impact on Lake Huron has not been evaluated. If there were to be river contamination through quarry dust flying from the mining operations onto the river, this impact would also affect Lake Huron onto which the Menesetung River flows. The study does not discuss the water levels or the potential contamination of the lakes due to dust and debris, toxins or fuel entering the river. (see hydrogeology report re runoff into the river valley from the quarry operations.)

“Section 5 of the Hydrogeologic Report (paragraph 5, p. 12) speaks to the intersection of the water table with the valley wall based on observation of some ‘isolated discharge features’. The NER (per Appendix 4, Table 1) states that no seeps or springs were observed. Seeps and springs are important features as SWH, influence vegetation communities, and may contribute to receiving watercourses. Additional information is

required on the presence of seeps along the valley slope, if they meet SW criteria and their role in supporting the form and function of the significant woodland. The NER should assess the potential impacts to the seeps associated with the proposed extraction below the water table.” Sarah Mainguy, North South Environmental see attached: “Little Lakes Pit Peer review of NETR Level 1 and 2 24 June 2021”

- B. **The impact on the Three Little Lakes has not been evaluated.** The lakes most close to the quarry have not been considered in the Hydrogeological study or Environmental study.

“Impacts did not include consideration of the impacts of the haul route along Little Lakes Road. Significant features (for example, the “Little Lakes” themselves) are situated immediately adjacent to the road, and these should have been considered. It is understood on the basis of the public meeting on May 25th that the proponent wishes to change the location south through the Fisher Pit, but at present, the haul route is shown along Little Lakes Road.” Sarah Mainguy, North South Environmental see attached: “Little Lakes Pit Peer review of NETR Level 1 and 2 24 June 2021

- C. **Toxin run offs have not been addressed.** In the likely event that the gravel contains residues from a hundred years of chemical use (DDT, atrazine, Roundup) on the agricultural fields. We are concerned about the potential risk to the aquifer and river when disturbed.

- D. **Impact of Oil Spills have not been addressed.** Additionally, the study does not address the potential impact of Oil Spills from equipment when dredging below the water table.

- E. **No setbacks from the streams near the property.** The Hydrogeological study does not consider the stream on the west end of the property. No significant status has been given to this stream that flows directly into the Menesetung (Maitland) River. No minimum setback met for this stream on site plan.

We are concerned that any such deficiencies will result in a toxic lake being created and left behind.

At the Public Information Session Esher Planning informed us that another hydrogeological study was underway. This study has yet to be presented to members of the public. The public and their experts should have an opportunity to review the new study with sufficient time to make objections.

As such, any comments regarding the hydrogeology of the site, extraction impacts and mitigation is premature until the proper studies have been completed.

4. **OBJECTION: Haulage Route Inaccuracy**

The license application should be revised to reflect the inaccuracy regarding information about the old Municipal pit on Little Lakes Road at page 10 of the Summary:

7.0 HAUL ROUTES AND TRUCK TRAFFIC

The proposed entrance will be located on Little Lakes Road with truck traffic travelling west to River Line, and then south to Londesboro Road (County Rd 15). This route is used by the existing Township pit located on the north side of Little Lakes Road, just west of the site.

The application in essence states that the route is already being used and that this justifies more use. However, the ACW Planner, Celina Whaling-Rae, has confirmed that the municipal pit on the north side of Little Lakes Road has not been operational for over 15 years. The route is therefore not “used by the existing Township pit located on the north side of Little Lakes Road, just west of the site.” This inaccuracy in LSG’s application undermines the trust of the community in the accuracy of the facts and should be corrected.

This is a significant oversight. Little Lakes Road is not engineered for heavy truck traffic. This route is local traffic only, with the occasional tourist or visitor using the route. It is premature to consider the impacts to local residents and traffic safety without a proper traffic study.

5. OBJECTION: No Impact Study of the Haulage Route on Little Lakes Road Ecology

LSG should undertake a thorough study that accounts for the impacts to the ecology of its proposed activities. The application is incorrect in stating that there are two Little Lakes when there are, in fact, three. These Lakes are extremely unique and contain rare geological landforms. The third lake is to the east of the other two and it is home and breeding ground to numerous turtles, frogs and other reptiles. These animals cross over the Little Lakes Road frequently. There are also many aquatic birds and other birds (e.g., Great Blue Herons) that also make this area their home.

Additionally, the application fails to mention or account for the effect of the haulage route on the rare and endangered plants alongside the Little Lakes Road.

“ The NER assesses impacts only for the extraction area. The haul route has been omitted from the assessment of impacts. According to the ARA Assessment prepared by Esher Planning, January 2021....

....There are several natural heritage features along Little Lakes Road that were not included in natural environment surveys, but for which natural heritage functions have been noted by neighbouring residents. The most important of these is the three “Little Lakes”, which are situated along either side of Little Lakes Road, so close to the road that it narrows to one lane in their vicinity. Functions documented (by residents) for these include:

- Amphibian breeding habitat (likely qualifying as SWH);
- Turtle overwintering habitat, based on turtle sightings within the ponds;
- Turtle nesting areas, based on sightings of juveniles on the road between the ponds.

It is likely that additional natural heritage functions would be documented for these ponds, should they be surveyed by a qualified ecologist.

Impacts associated with the haul route could be considerable for the Little Lakes. Road-kill of juvenile turtles moving between ponds has already been documented by residents along this road, and it would likely increase because of the increase in truck traffic. Snapping Turtles are particularly vulnerable to road-kill.” Sarah Mainguy, North South

6. OBJECTION: No Traffic Study

We are concerned that large truck traffic would create a narrow road for car traffic, people walking, cycling, etc. thus creating dangers for these other automobiles or pedestrians. The road between the Little Lakes cannot be made wider without compromising the Lakes themselves.

Additionally, as a small gravel road, Little Lakes Road is far too narrow and winding to handle large trucks or an increased volume of traffic. This would greatly increase the risks of accidents to walkers, bikers, photographers, fishermen, skaters, snowshoers, or even children playing when traffic to the road increases following the commencement of quarry activities.

We wish to see the application provide a more careful proposal for how LSG plans to minimize the risk of accidents resulting from truck traffic on the road between the Little Lakes.

7. OBJECTION: We object to the Main Entrance onto Little Lakes Road, and to the scrap, storage and parking area being inside the entrance.

8. OBJECTION: We object to the Contradiction on site plan for phase "B" which states that " AREA 2 SHALL REMAIN UNDISTURBED AND IN AGRICULTURAL USE."

This traffic flow cannot be possible since this would mean that trucks would travel directly across "Area 2" and onto Little Lakes Road.

9. OBJECTION: Failure to Consider Recreational Value of Little Lakes Road

The application fails to consider the peace and tranquility of this unique natural area that will be destroyed because of the proposed quarry activities. Right now, Little Lakes Road is used for hiking, biking, skiing, snowmobiling, skating, canoeing, swimming, ATVing, bird watching, and nature photography. The area is also known as a destination for fall colours, drives in the country, tourist, and recreational activities.

The G2G (Goderich to Guelph) Rail Trail and the Maitland Trail are located directly on Little Lakes Road. As such, the enjoyment of these trails would be severely affected by noise, dust and re-routing of traffic.

10. OBJECTION: Failure to Assess Impact on Menesetung River Activities

LSG's application fails to assess the impact of the quarry activities on current recreational uses for the Menesetung River, which include kayaking, canoeing, rafting, cross country skiing, snow shoeing, skating, sport fishing, hiking, and sightseeing. All of these important recreational activities could potentially be severely compromised by

dust, noise, truck traffic, etc. The lack of an air quality study, impacts on tourism and recreation and possible mitigation is a significant concern to residents.

11. OBJECTION: Inadequate Archeological Assessment

LSG's study is inadequate in that it relies on outdated, irrelevant sources for colonial and post-contact Indigenous history. The study failed to give adequate attention to Treaty agreements with Indigenous nations, especially as they relate to resource extraction [see Prof Michael Gregg May 25, 2021, letter, attached].

"Given that the review of the historical, environmental, and archaeological context of the study area examined in this Archaeological Assessment determined that potential for the recovery of pre- and post-contact First Nation and 19th century Euro-Canadian archaeological resources is high, the Archaeological Assessment should be revised to include a section that clearly outlines monitoring protocols and potential mitigation measures should any deeply-buried archaeological resources be encountered during operation of the proposed aggregate pit". [see Professor Michael Gregg, May 25, 2021, letter, attached].

According to one objector:

"As an Indigenous Elder who is connected to members of the Little Lakes community, I am deeply concerned about the proposal by Lobo Sand & Gravel to create a below the water level open pit industrial aggregate mining operation in the heart of the Little Lakes area. The area is a place of quiet scenic beauty, teeming with wildlife, and bordered on three sides by the Menesetung river and its environmentally, culturally and spiritually significant valley lands." Wanda Whitebird, Indigenous Elder. Letter of Objection

As residents, we are deeply concerned about the impact of the project on First Nations. From our review, we do not see a complete record of consultation with First Nations, who have a rich history and archaeological record in this area. We echo and support the letter of objection from Ms Whitebird and strongly advocate for a thorough consultation with First Nations.

12. OBJECTION: Treaty Obligations and Informed Consent

LSG's application does not present evidence that the governments of Kettle and Stoney Point First Nation and Saugeen Ojibway Nation who have an interest in maintaining the ecological integrity of traditional lands of the Menesetung River valley, have been adequately consulted. As a result, LSG's application gives rise to concerns that it does not live up to treaty obligations regarding land and water.

According to one objector:

"As a Professor of Indigenous and Canadian Studies (Carleton University) I teach about treaties and about the duty to consult. I am particularly concerned that your approval of the application would disrespect the many treaties that have been negotiated with and by First Peoples in the territory. These treaties mean that Indigenous peoples continue to hold stewardship of this land and water because they never ceded responsibility to care for the environment, and to do so for the

generations to come. These are treaties that all Canadians have a deep responsibility to uphold. Your approval of this application would go against the spirit of the treaties, would disrespect Indigenous peoples' connection and responsibility to the land, and would be an obstacle to any form of Reconciliation." Prof Eva Mackey, Professor, School of Indigenous and Canadian Studies, Carlton University

Recent events necessitate that the greatest of care be taken before any irrevocable decisions are made affecting First Nations rights and heritage. The application does not adequately reflect our shared values of inclusion, accommodation and protection of Indigenous rights.

13. OBJECTION: Inadequate Environmental Study

The LSG application does not consider the "Loop" that the Menestung river forms in this area. The loop goes around the forested Maitland Valley, which is habitually used as a corridor by wildlife (e.g., deer, wild turkeys, foxes, birds of prey) travelling from the northern to the southern reaches of the river. The forested valley lands form part of a long continuous wildlife corridor running through Huron County, the whole of which would obviously be compromised if any part of it were to be damaged;

According to Prof. R. Vernon:

"Since the 'peninsula' occupies a loop in the river, development would exercise an impact in three directions, thus multiplying the impacts thus being multiplied. Additionally, the bulk of the valley land is downwind from the proposed pit and so would be maximally exposed to noise and particulate pollution." Professor Richard Vernon, Objection Letter, June 2021

Another expert, Ms S. Mainguy, has concluded:

"Background information searches in the NER did not include local information that was available from local residents and naturalist groups, and from citizen science websites such as eBird and iNaturalist. Information from these sources should have been used to guide survey timing and effort." Sarah Mainguy, Terrestrial Biologist, North-South Environmental Inc.

" The study area did not include the haul route, which is shown in the ARA summary report as along Little Lakes Road to River Road. There are highly sensitive features along the road which have not been assessed, and which have several natural heritage functions.

Generally, the survey effort was lower than in other applications we have reviewed and was inadequate in some areas. The study area focus is unclear, but it appears that the Maitland River corridor was not surveyed specifically, leading to an inadequate assessment of its sensitivity.

The vegetation along the river corridor was not adequately described. This information is important for assessing sensitivity and, through that assessment, evaluating appropriate buffer widths.

The number of survey locations was inadequate for surveying breeding birds along the river corridor. Only two point count surveys were conducted, and they were both outside the feature, and were over 1 km apart. The river corridor does not appear to have been surveyed adequately, and it is likely that Significant Wildlife Habitat functions, such as wintering or nesting raptors, could have been missed without a specific search within the habitat.

The habitat-based approach (described in Section 2.4.1) cannot substitute for information gained from site-specific surveys. The habitat-based approach also appears to have led to the conclusion that features were not significant, though it is based on scant evidence. For example, the habitat in the wetland on the site could have been assessed conservatively as Significant Wildlife Habitat for breeding amphibians on the basis of the presence of standing water in early spring (visible on the aerial photo). Amphibian surveys did not capture the most important time period for assessing amphibian habitat, but the feature was assessed as not significant. Similarly, the sensitivity of the woodland along the Maitland River would likely have been assessed as higher if significant features (for example, Queensnakes, nesting Bald Eagles) had been noted along the river.

Five site visits (one of which was a reconnaissance survey) were completed to survey ecological conditions on the site. In our experience this is fewer than usual for a Natural Environment Report for an aggregate pit, especially one that is below the water table where there is the potential for impacts. The number of surveys is also inadequate in our opinion. We also have concerns regarding the dates and times listed for the surveys...

...The following statement indicates that amphibian surveys should have been re-done: *"it should be noted that air temperatures on April 29th dropped below 5°C during the survey and as such conditions became unsuitable for detecting calling amphibians. In 2019, April and early May were uncommonly cool resulting in poor conditions for completing calling surveys during the initial survey window"*.

[see attached review by Terrestrial Biologist Sarah Mainguy, North South Environmental, attached]

It is very clear that the sensitive and diverse ecological features of the site and surrounding area have not been adequately studied. As a result, no decision can be made at this point regarding the feasibility of the project, or the adequacy of any mitigation proposed.

14. OBJECTION: Inadequate Dust Control & Calcium Chloride Study

Calcium chloride, which emanates from quarry dust, poses serious health concerns. The prevailing winds at the site go from west to east. This means that the river valley, Ball's Bridge and three residences that are downwind and in close proximity to the proposed quarry would significantly be affected by winds and dust emanating from the quarry. The LSG application fails to conduct an adequate dust control and calcium chloride study.

We are concerned that fine particulate matter originating from pits and quarries is a known carcinogen. We are concerned about the impacts to human health of extraction and hauling of aggregate. No air quality study has been provided to residents for peer review, which is a significant shortcoming.

15. OBJECTION: Inadequate Measures to Protect the Wetland

The Wetland (referred to as a “swamp” in LSG’s application) has not given Provincially Significant status, unlike the woodland approximately 100m away, from which it was once likely severed.

However, according to the Huron Natural Heritage Plan Technical Document (p. 18-25), the wetland would now be considered significant by virtue of its character, size, proximity to significant woodland and by virtue of being an amphibian breeding habitat. Amphibians, frogs, and other small animals currently cross the fields to other areas. The wetland is also functionally a part of the adjacent woodland given its observed use by wildlife. If so, then it too would enjoy a minimum 50m setback preventing site alteration.

The Huron County Aggregate Resource Strategy 2005 (pp. 22,30) advocates a much larger buffer zone, of 120m, even for “locally significant wetlands.” As such, a 50m setback should be regarded as a very bare minimum. This would prevent the species that live in this area from being cut off from the surrounding habitat and the wildlife corridor. It would also prevent the drying out of the water when grade goes below the water table on which species and wildlife feed.

According Ms Mainguy:

“ The isolation of the thicket swamp feature in the centre of the site (identified as Significant Woodland and may be Significant Wildlife Habitat), as a result of quarrying around the feature, is not in compliance with provincial policies that state significant features should be connected. We do not concur with RiverStone’s assessment that the quarry provides the same connectivity function as farmland. During operation, quarry activities (noise, light, changes in topography, etc.), can be expected to affect movement if linkages are not retained.” [see attached review by Terrestrial Biologist Sarah Mainguy, North South Environmental]

The loss of significant wildlife passages is a major concern for residents that must be addressed.

16. OBJECTION: Rehabilitation - “Agricultural areas”

According to the Applicant’s report:

“8.0 PROGRESSIVE AND FINAL REHABILITATION

“The rehabilitation of this property will be to ponds/wetland, pastureland with agricultural areas as shown on the Site Plans.

“Rehabilitation of the site will create two open water ponds (total 9.65 ha), wetland areas around the shoreline (4.5 ha) and agricultural upland area (8.75 hectares) for a total of 22.9 hectares. The balance of the licensed area, outside of the extraction limit, will remain in agricultural and rural use”.

There has been no consultation with local residents concerning the rehabilitation of the site.

17. OBJECTION: Noise

LSG has not provided sufficient proof that noise from its trucks, excavators or other equipment will not adversely affect wildlife including fish, birds, or even humans living in the area. Tourists and residents alike will not enjoy the peace and tranquility with the quarry operations under way.

Additionally, the hours of operations for the quarry are from 7 a.m. to 7 p.m. Monday to Friday as well as on Saturdays 7- 12 pm. These are long hours of work and there will be a significant loss of enjoyment in the evenings and weekends from the use of the lands. We note the Township’s motto on its website: “An oasis of quiet country and cottage life.” With such activities in place, the Township will lose its stated character.

18. OBJECTION: We object to the Main Entrance onto Little Lakes Road, and to the scrap, storage and parking area being inside the entrance.

19. OBJECTION: We object to the Contradiction on site plan for phase “B” which states that “ AREA 2 SHALL REMAIN UNDISTURBED AND IN AGRICULTURAL USE.”

This traffic flow cannot be possible since this would mean that trucks would travel directly across “Area 2” and onto Little Lakes Road.

18. OBJECTION: There is a lack of specific information about crushing machines and where they will be located in the application

19. OBJECTION: 10 meter buffer from tree drip line is inadequate and in violation of ACW TWP Zoning 3.7. “The property immediately to the west, and all the neighbouring land to the East, South and

Southwest of Part 3, is mapped both as “Provincially Significant Woodland” and as “Significant Wildlife Habitat.” ACW Twp Zoning s.3.7 requires a 50m setback for Provincially Significant Woodland, prohibiting site alteration within that setback. The same Zoning provision also specifies a lower setback, 15m, applying to adjacent AG1 property. If the land comes to be rezoned, the AG1 standard would no longer apply: the greater 50m standard set by the Twp’s zoning by-law would then apply.

21. OBJECTION - No Assessment on Property Values

22. OBJECTION: Failure to Address Loss of Farmland/Agricultural Land

In Conclusion, we strongly object to the proposal to install a huge gravel pit in the heart of the Little Lakes area that will be below the water table. The application and its studies do not adequately address the concerns of our large and varied community.

Friends of Ball's Bridge & Little Lakes
38270A Little Lakes Road R.R. #4
Goderich, Ontario
N7A 3Y1

24 June 2021

Rebecca Garrett and Friends of Ball's Bridge & Little Lakes
c/o rebecca.g8@gmail.com

RE: Review of Level 1 and 2 Natural Environment Report for the Little Lakes Pit

Dear Ms. Garrett,

The following provides our review of the documents in support of the proposed application for the Little Lakes Road pit, which is proposed to be below the water table.

In previous telephone conversations, you have expressed your initial concerns as follows:

- the proposed extension includes extraction below the water table, which may affect natural features;
- The pit is proposed for an area within a major bend of the Maitland River, and you are concerned there could be significant natural features and functions associated with this location.

The following tasks were completed as part of the review of the licensed area and the proposed licensed area:

1. An exploration of the NHIC mapping area data within the entire proposed application area and surroundings, summary of SAR listed by NHIC as well as additional review and summary of other natural heritage databases such as the Ontario Herpetofaunal Summary database, eBird and iNaturalist;
2. Review of any additional background information from the Maitland Conservation Authority, Town or surrounding municipalities; as well as information provided by other residents;
3. Review of the aerial photography of the site and cross-referencing of the habitat on the site with the habitat requirements of the SAR noted for the site;
4. Review of the Natural Environment Report (NER) prepared by RiverStone (January 2021);
5. Preparation of a report outlining findings from the review.

The following provides a summary of our general comments (in Section 1), followed by specific comments on specific sections in Section 2.

General Comments

Background information searches in the NER did not include local information that was available from local residents and naturalist groups, and from citizen science websites such as eBird and iNaturalist. Information from these sources should have been used to guide survey timing and effort.

The study area did not include the haul route, which is shown in the ARA summary report as along Little Lakes Road to River Road. There are highly sensitive features along the road which have not been assessed, and which have several natural heritage functions.

Generally, the survey effort was lower than in other applications we have reviewed and was inadequate in some areas. The study area focus is unclear, but it appears that the Maitland River corridor was not surveyed specifically, leading to an inadequate assessment of its sensitivity.

The vegetation along the river corridor was not adequately described. This information is important for assessing sensitivity and, through that assessment, evaluating appropriate buffer widths.

The number of survey locations was inadequate for surveying breeding birds along the river corridor. Only two point count surveys were conducted, and they were both outside the feature, and were over 1 km apart. The river corridor does not appear to have been surveyed adequately, and it is likely that Significant Wildlife Habitat functions, such as wintering or nesting raptors, could have been missed without a specific search within the habitat.

The habitat-based approach (described in Section 2.4.1) cannot substitute for information gained from site-specific surveys. The habitat-based approach also appears to have led to the conclusion that features were not significant, though it is based on scant evidence. For example, the habitat in the wetland on the site could have been assessed conservatively as Significant Wildlife Habitat for breeding amphibians on the basis of the presence of standing water in early spring (visible on the aerial photo). Amphibian surveys did not capture the most important time period for assessing amphibian habitat, but the feature was assessed as not significant. Similarly, the sensitivity of the woodland along the Maitland River would likely have been assessed as higher if significant features (for example, Queensnakes, nesting Bald Eagles) had been noted along the river.

Section 5 of the Hydrogeologic Report (paragraph 5, p. 12) speaks to the intersection of the water table with the valley wall based on observation of some 'isolated discharge features'. The NER (per Appendix 4, Table 1) states that no seeps or springs were observed. Seeps and springs are important features as SWH, influence vegetation communities, and may contribute to receiving watercourses. Additional information is required on the presence of seeps along the valley slope, if they meet SWH criteria and their role in supporting the form and function of the significant woodland. The NER should assess the potential impacts to the seeps associated with the proposed extraction below the water table.

Impacts did not include consideration of the impacts of the haul route along Little Lakes Road. Significant features (for example, the "Little Lakes" themselves) are situated immediately adjacent to the road, and these should have been considered. It is understood on the basis of the public meeting on May 25th that the proponent wishes to change the location south through the Fisher Pit, but at present, the haul route is shown along Little Lakes Road.

The isolation of the thicket swamp feature in the centre of the site (identified as Significant Woodland and may be Significant Wildlife Habitat), as a result of quarrying around the feature, is not in compliance with provincial policies that state significant features should be connected. We do not concur with RiverStone's assessment that the quarry provides the same connectivity function as farmland. During operation, quarry activities (noise, light, changes in topography, etc.), can be expected to affect movement if linkages are not retained.

Specific Comments

Section 2.3. Review of Background Information

We have reviewed the background information provided by the applicant in their Natural Environment Report. The applicants appear to have listed species that are included in the Natural Heritage Information Centre database, and the Ontario Herpetofaunal Atlas, and the Ontario Breeding Bird Atlas.

However, we note that they have not included observations from local naturalist groups, local residents or citizen science websites such as eBird or iNaturalist. Local knowledge, including these websites, are a valuable source of information. Given that site investigations were limited (see comments on Section 2.4), these should have been consulted.

Neighbouring residents have documented various species and functions, including several species of significance from the road at the north end of this property and/or from local bridges and on the river, including:

- amphibians calling from the thicket swamp on the central portion of the site and associated with the 'little lakes' along the haulage road in the submitted application.
- painted turtles observed on Little Lakes Road (on-road) and associated with the Little Lakes.
- local observations of Green Heron and Great Blue Heron.
 - colonial nesting species (trees / shrubs), marsh bird habitat (potential SWH types; pending habitat suitability and surveys to assess nesting).
- local observations of Bald Eagles (young and adults, various times of the year, including winter) along the Maitland River and farm fields local to the proposed pit area.
 - wintering and nesting habitat for raptors are types of Significant Wildlife Habitat so understanding the winter presence of this species is important.

Section 2.4. Site Investigation

Survey Locations

Figure 4 shows only two locations for Breeding Bird Survey point counts along the Maitland River corridor, both of which were outside the feature: one at the northeastern side of the site, north of the river corridor, and one at the southwestern side of the site, also north of the river corridor. These point counts were over 1 km apart. There is no indication of a transect along the river to document breeding birds.

According to survey protocols developed by Environment Canada, survey effort for treed habitats should include point counts every 250 m. In addition, without transects along the river, the presence of stick nests and other indications of SWH could have been missed.

Survey Effort

Five site visits (one of which was a reconnaissance survey) were completed to survey ecological conditions on the site. In our experience this is fewer than usual for a Natural Environment Report for an aggregate pit, especially one that is below the water table where there is the potential for impacts. The number of surveys is also inadequate in our opinion. We also have concerns regarding the dates and times listed for the surveys:

- According to the text in Section 3.6.1, one of the visits for breeding amphibians was not considered accurate due to poor weather conditions. This survey was not re-done, so there is insufficient information regarding amphibian breeding within the thicket swamp on the site. Early surveys for calling amphibians are particularly important as many of the indicators of SWH are explosive breeders, and call only during the earliest period.
- The first date of herptile surveys (May 24th) is too late to have detected snakes or turtles emerging from hibernation. Given that snake Species at Risk have been recorded from background information (including Queensnake) the early surveys are highly important. Ontario Ministry of Natural Resources 2016 protocols for snake SAR (Survey Protocols for Ontario's Species at Risk Snakes) note that spring and early summer surveys are most productive as snakes bask more frequently then. Generally, spring surveys in southern Ontario should be conducted in late April to early May, as soon as weather warms and snow melts. In addition, these protocols state that ten (10) surveys should be conducted for SAR snakes. Only three were conducted for this study.
- Weather conditions for herptile (turtle and snake) surveys are not described in full, and the timing of the surveys is not provided; rather, the weather conditions are summarized for the day. Times and weather conditions for dedicated snake surveys should be provided, as weather conditions are specifically prescribed for these surveys and it is important to review the conditions under which the surveys were undertaken.
- Surveys for nesting turtles were not conducted. Local residents have documented turtle nesting in agricultural habitat very close to the site, and the potential for nesting sites for turtles should have been assessed in a wider part of the site.
- The second bird survey was not conducted in the "later" part of the breeding bird season, as is prescribed by Environment Canada protocols for conducting breeding bird surveys. The "later" breeding bird period begins on June 13th (Environment Canada, 2018). The breeding bird survey period is split into "earlier" and "later" periods in order to ensure that species that breed early and late are documented. Some bird species may have been missed.
- Winter surveys were not conducted. Surveys for wintering Bald Eagles should have been conducted, as eagles winter along rivers in southwestern Ontario, they have been

seen by local residents in the area. The presence of eagles indicates SWH for wintering raptors.

Section 2.4.2. The habitat-based approach described does not provide sufficient information to replace site-specific survey information obtained on the ground. This leads to insufficient information about the sensitivity of a feature.

Section 3. Biophysical Features and Functions

Section 3.5 Vegetation

Section 3.5.1. Vegetation Communities and Dominant Flora

Descriptions are provided only for vegetation communities within the proposed license area. However, the forests along the slopes of the Maitland River should be described. The setbacks proposed for this forest are presumably based on the sensitivity of this community, so the type of community that is to be protected by the setback should be described.

Section 3.5.2. Vascular Plants

The total of forty-nine (49) species of plants on the site is extremely low for a site such as is described here, in our experience. We ask that original data sheets be provided for our review, to assess the potential that some groups were missed.

Section 3.6. Wildlife.

Section 3.6.1 Anurans

The following statement indicates that amphibian surveys should have been re-done: *"it should be noted that air temperatures on April 29th dropped below 5°C during the survey and as such conditions became unsuitable for detecting calling amphibians. In 2019, April and early May were uncommonly cool resulting in poor conditions for completing calling surveys during the initial survey window"*.

We identify several concerns with the stated conclusion in this section, that *"no survey station was found to contain three (3) or more species of calling anurans to meet the significant wildlife habitat criteria of amphibian breeding habitat"*. (1) The Significant Wildlife Habitat Criteria Schedules for Ecoregion 6E requires that 2 or more, not the stated 3 or more, species with at least 20 individuals / calling code 3 are required to trigger SWH. (2) it is difficult to ascertain numbers of individuals from the results presented. The table provided in Appendix 7 does not indicate if the number in brackets is the number of individuals or a calling code; clarification is required. (3) the conclusion is not supported by the inventories, as the surveys were not all conducted during the appropriate weather conditions. Survey conditions are often uncertain for the early spring surveys and additional effort should have been expended to ensure surveys were completed on another date in the latter half of April. Potential for Chorus Frog should be discussed and surveys targeting the species for consideration of SWH.

In addition, no surveys were conducted to detect salamander or newt species. Several salamander species, as well as Eastern Newt, are considered indicators of Significant Wildlife Habitat for woodland- breeding and wetland-breeding amphibian species. Habitat assessment to consider suitability followed by egg mass or trapping surveys (informed by potential species type(s)) should have been completed for salamanders and newts within the thicket swamp if potential suitable habitat was present.

Section 3.7.6: Significant Wildlife Habitat

As noted above, some types of SWH (particularly habitat for breeding amphibians and wintering and nesting raptors) may have been missed because of inadequate survey effort.

Section 5. Impact Assessment and Recommendations

We have relied on the Site Plans provided as Appendix 9 of the NER to understand the description of the development.

Section 5.2 Endangered and Threatened Species

It is stated that: *"Queensnakes are typically found along the shorelines of rocky streams and rivers. A highly aquatic species, Queensnakes are usually observed within 3 m of the shoreline..."*.

However, the status report for Queensnake by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC 2010) notes that the only hibernaculum documented for this elusive species was found in a seepage area along the Thames River, on a slope 15 m from a river shoreline, above the river's high water mark. Very little is known about the habitat needs of this snake. Queensnakes (which have a provincial and national status of Endangered) are one of Ontario's rarest snakes, and one of the most sensitive to disturbance. Additionally, presence along the shoreline would trigger the Habitat Regulation for this species, which would further inform sensitivities and potential impacts associated with the proposed pit.

As noted above, surveys for herptiles were not adequate to detect snake SAR. Additional surveys should be conducted for this species throughout the slopes along the river, at the times of the year when hibernacula would be most likely detected, in early spring.

In consideration of the known distribution and restricted range of this species, specific and detailed consideration

The buffer along the river corridor is not adequate, given the sensitivity of this species. A 30 m buffer should be specified for the river corridor.

Section 5.3 Significant Woodland

The setback of 10 m from this significant woodland is minimal, considering that setbacks for significant features in many regions of Ontario are 30 m, and the habitat-based approach used by RiverStone would suggest that the Maitland River corridor is highly significant, given the potential for several functions related to protection of significant features such as Queensnake

and several aquatic SAR. The wooded slopes are likely the most important features protecting this section of the Maitland River. A buffer of 30 m should be specified for the river corridor.

In addition, the function of the thicket swamp in the centre of the site has not been adequately investigated, as noted through preceding comments. The buffer to this swamp, and the potential need to maintain connectivity with the river valley should be re-evaluated following additional surveys to determine its significance.

Section 5.4 Significant Wildlife Habitat

As noted above, analysis of SWH was incomplete as it failed to adequately survey habitat for breeding amphibians, wintering habitat for raptors, and nesting habitat for raptors which have been documented by neighbouring residents; and seeps and springs along the valley slope (observed seeps in the Hydrogeologic Report). If present, potential impacts associated with the proposed extraction below the water level would need to be considered.

The thicket swamp that is proposed to be retained on the site (which is assessed as Significant Woodland) will not be connected by a corridor to any adjacent forested sites. We do not agree with the contention of RiverStone, stated during the public meeting on May 25th, that the function of the intervening land to connect the thicket swamp to adjacent habitat during and after quarrying is the same as the function of the current farmland. Farmland provides some connection for small, vulnerable wildlife (such as insects, amphibians, reptiles and small mammals) with adjacent habitat because it remains moist in early spring, allowing vulnerable species to maintain moisture. The current farmland is also flat adjacent to the swamp. A planted crop provides cover for vulnerable species later in the year. In contrast, the quarry will be dry, unvegetated at all times of the year, and there will be steep slopes adjacent to the feature that small mammals and amphibians would likely find impassable. The thicket swamp feature will be isolated by the quarry, reducing its function. Isolation of features is contrary to the Provincial Policy Statement's policies that significant features be connected.

The function of this site as SWH has not been adequately assessed, but if it is determined to be SWH for breeding amphibians, it requires a corridor linking it to forest habitat.

The sensitivity of the SWH along the river is likely greater than has been assessed by RiverStone. A buffer of 30 m is recommended to protect SWH along the river corridor.

Turtle nesting areas likely occur more widely. It is stated in Section 5.4.1.2 that "potential turtle nesting habitat is limited to areas off-site along the shoreline of the Maitland River. While this area is primarily vegetated, the open canopy provides some opportunities for turtles to nest." However, there is also a high potential for turtles to nest in agricultural land, and in areas along Little Lakes Road. Residents have documented turtle nesting in an agricultural field close to the site.

Haul Route Impacts

The NER assesses impacts only for the extraction area. The haul route has been omitted from the assessment of impacts. According to the ARA Assessment prepared by Esher Planning, January 2021, the haul route off-site is westward along Little Lakes Road to River Line. It is understood from the public meeting on May 25th, 2021 that the haul route may change and run south through the adjacent Fisher Pit, but the current application is for a haul route along Little Lakes Road.

There are several natural heritage features along Little Lakes Road that were not included in natural environment surveys, but for which natural heritage functions have been noted by neighbouring residents. The most important of these is the three "Little Lakes", which are situated along either side of Little Lakes Road, so close to the road that it narrows to one lane in their vicinity. Functions documented (by residents) for these include:

- Amphibian breeding habitat (likely qualifying as SWH);
- Turtle overwintering habitat, based on turtle sightings within the ponds;
- Turtle nesting areas, based on sightings of juveniles on the road between the ponds.

It is likely that additional natural heritage functions would be documented for these ponds, should they be surveyed by a qualified ecologist.

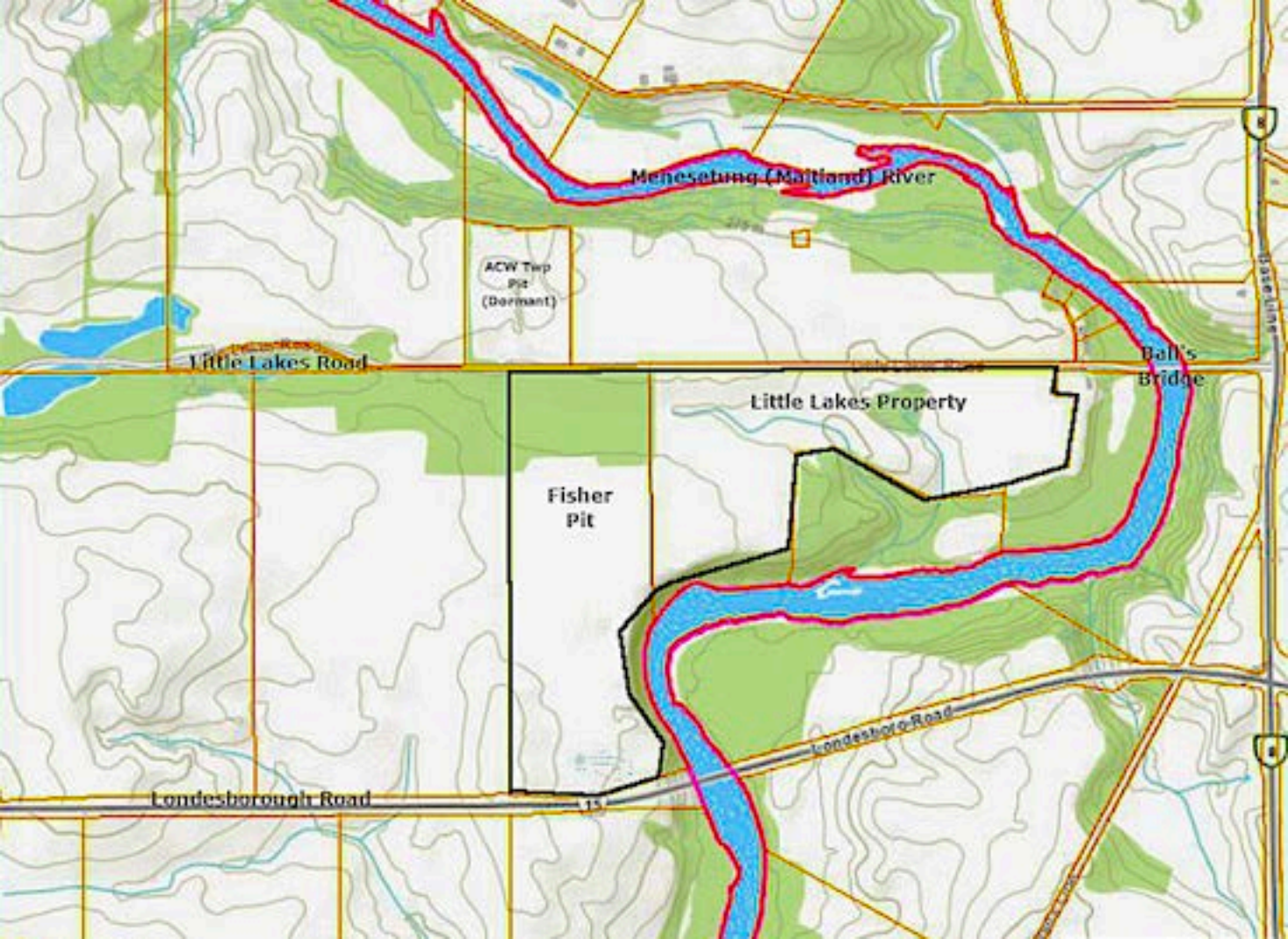
Impacts associated with the haul route could be considerable for the Little Lakes. Road-kill of juvenile turtles moving between ponds has already been documented by residents along this road, and it would likely increase because of the increase in truck traffic. Snapping Turtle are particularly vulnerable to road-kill.

Yours Truly,



Sarah Mainguy, B.Sc., M.Sc.





Menesetung (Maitland) River

ACW Twp
Pit
(Dormant)

Little Lakes Road

Little Lakes Property

Fisher
Pit

Ball's
Bridge

Londeshorough Road

Londeshore Road



David R. Donnelly, MES LLB
david@donnellylaw.ca

July 22, 2021

Via email to clerk@acwtownship.ca

Florence Witherspoon, Clerk
Township of Ashfield-Colborne-Wawanosh
82133 Council Line, RR5
Goderich, ON N7A 3Y2

Dear Ms. Witherspoon,

**Re: Friends of Ball's Bridge & Little Lakes
Objection to Lobo Sand and Gravel Application Amendment**

Donnelly Law ("We" or the "Firm") represents Friends of Ball's Bridge & Little Lakes (the "Friends").

It has come to our attention that a significant issue with respect to the haul route has arisen that is not part of the Lobo Sand and Gravel ("Lobo") Application before Council. Specifically, Lobo may be asking for an amendment to its license application at some future date to permit it to change the haul route from Little Lakes Road to the Fisher Pit access on Londesborough Road (a County road).

It is our opinion that this cannot be done during the re-zoning application process. Proceeding in this manner will deprive the public of the opportunity to assess the impacts of the quarry, dust, noise and traffic safety resulting from increased truck traffic in a sensitive ecological area. Most critically, our client's letters of objection could not address this change, and therefore no accommodation or mitigation will be proposed to ensure protection of environmental features and public health, a required part of this process.

As part of these process and consultation concerns, any future amendment will also have the effect of preventing inclusion of First Nations at this stage, who are unlikely to have been consulted regarding this proposed change.

In addition, any special requests to amend the Application later must be made public immediately.

The proposed Little Lakes haulage route is, in our client's opinion, a very problematic choice for a haul route. The reasons are there are numerous, complex ecological systems traversing the route. Widening the road will be very difficult, if not impossible, raising concerns about traffic safety. This Township road was not designed as a commercial roadway capable of handling heavy trucks. In fact, it is a scenic drive used by locals, recreational users, and the G2G Trail enthusiasts.

Any amendment by changing the route to the Londesborough County Road (a paved highway) must be made in the context of this *Planning Act* and *Aggregate Resources Act* application and statutory public meeting.

It is our respectful submission the integrity of this process is at stake.

Background

The Little Lakes area is renowned for both its beauty and accessibility. Ball's Bridge, a significant heritage feature was constructed in 1885 to connect Goderich to places east. There are the three Little Lakes nearby Ball' Bridge, and together with the Maitland Menesetung River (the "Loop"), the area teems with wildlife. The Little Lakes Road connects these core ecologically sensitive areas and is highly vulnerable.

The entire area was long ago designated mineral extractive in the Ashfield-Colborne-Wawanosh (the "Municipality") and Huron County Official Plans and falls under the jurisdiction of the Maitland Valley Conservation Authority. A Notice of Application was posted on April 27, 2021, to mine the Little Lakes property (referred to as "The Little Lakes Pit").

Should you have any comments or questions concerning this correspondence, please do not hesitate to contact me at (416) 572-0464, or by email at david@donnellylaw.ca. Please also copy denisa@donnellylaw.ca and justine@donnellylaw.ca on all correspondence.

Yours Truly,



David R. Donnelly

cc: Client
MNRF
Saugeen Ojibway Nation
Kettle and Stoney Point First Nations

July 11, 2021

To: Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR5 Goderich, Ontario
N7A 3Y2

Re: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel

To whom it may Concern,

I am responding to the Application for a Zoning By-Law Amendment by Lobo Sand and Gravel. The following are my concerns and objections:

I have a photography business, Greg Presseault Photography, that will be affected by this new gravel pit. It will lower the desire of clients to use the location for their recreation or events. You cannot completely stop dust, or noise, both of which will be an issue for a heritage bridge that's so close to where you wish to put the gravel pit.

This pit will also be very close to the area's trees "drip line" as I believe it's referred to. This is taken from the trunk of the tree, but does not take into account branches and leaves, which will end up with dust on them. Wind and rain could easily take that dust past that point and have it end up in the Maitland River or one of the 3 lakes. Do you have a plan to ensure that **no** contaminants get into either a body of water, river, or the water table? On top of the many other recreational uses for this area, including the use of Balls Bridge, is fishing. Can you ensure that contamination will not get into the local wildlife?

The noise will also drive away both tourists and wildlife. This area has 3 major tourist towns. Goderich, Blyth, and Bayfield. Anything that lowers the enjoyment of the area for recreation will impact every business that makes any money from tourism. How do you plan to prevent that? How do you plan to measure that? If you can't, how do you plan to compensate these businesses for the lost earnings? Have you discussed this with the local municipalities and businesses that will be affected, and if not, why not?

This pit will also have an impact on anyone who lives in the area. Noise, increased truck traffic, and dust will be an issue for the many years that this pit would be in operation. On top of that, my understanding is that once you are done with the site in 20-25 years, you're "reclamation process" could take 50 years? If you include the years that the site would be in operation, that will mean that the site would be more or less inaccessible for almost everyone who is alive today. For us, this pit might as well be forever, because we'll all be dead by the time it's been reclaimed.

If contamination *isn't* a concern, why do you need such a long time for reclamation? These areas are fenced off during the time they are being "reclaimed," so no access is allowed.

This area has a lot of natural beauty, wildlife, and recreation, which is already there, **and in use. There are gravel pits all over Ontario already!** We don't need one in such a sensitive area just because 1 company wants to profit off of the destruction of this land for the foreseeable future.

How many other places have you tried before this area to put a gravel pit in? What were those outcomes?

What other locations could you possibly consider using?

Lastly, as a migraine sufferer, it is **very likely** that this area will be out of reach for me, both for work and for recreation due to the dust and the noise, as I am sensitive to both.

This is ***not*** the spot to put a gravel pit.

Please find another, more suitable location.

Regards,

Gregory Presseault
2-194 Bennett Street West, Goderich ON
N7A 1X8

-
GINA McDONNELL
81177 CHERRYDALE RD, RR4 GODERICH, ON N7A 3Y1, 519-525-0523
gmcdonnell@hurontel.on.ca

June 25, 2021

Melanie Horton
Esher Planning Inc.
133 Ayton Cresc.
Woodbridge, ON L4L 7H6
melanie@esherplanning.com

Ministry of Natural Resources and Forestry
Integrated Operations Section, 4th floor
300 Water St.
Peterborough, ON K9J 3C7
ARAApprovals@ontario.ca

Regarding: Application by 142059 Ontario Ltd., Lobo Sand and Gravel, 74 Nauvoo Rd., Forest, ON N0N 1J0, to operate a Category 1 Class A pit (below the water table) on Part Lot 14, Concession 2, Eastern Division and Part Lot 15, Western Division, Geographic Township of Colborne, Township or Ashfield-Colborne-Wawanosh (ACW), County of Huron

To Whom It May Concern,

We would like to take this opportunity to express our deep concerns and objections to the above identified application for a below water pit.

We are residents of Benmiller, in the geographic township of Colborne. We live and farm less than 3 miles from the proposed pit.

The proposed location for extraction is prime farmland that is framed by environmentally sensitive areas, the Maitland River valley, 2 residences and an existing gravel pit operation owned and operated by the proponent.

Only meters from the proposed pit, historic Ball's Bridge, an award winning Cultural Heritage site, crosses the Maitland River. A unique geologic formation resulting in 3 ponds, or small lakes known as the Little Lakes, are very close by. Combined these 2 well known attributes have created a Cultural Heritage Landscape that is part of South Western Ontario's history and heritage.

My concerns and objections are as follows:

1. Farmland Loss:

Huron County has remained in the top 2 farm production counties in all of Canada for many years. The Township of ACW, is the top producing municipality in the County. This municipality, Colborne Ward in particular, has been losing farmland to aggregate extraction at an alarming rate over the last 10 years. More and more mining operations are being approved for below

water extraction, resulting in more and more farmland that can't be rehabilitated to agricultural use.

2. Chemical Contamination:

Removing the sand and gravel that has helped to filter the longtime use of chemicals on the topsoil of the farmland will disturb the established equilibrium and could result in those chemicals leaching into the aquifer, the Maitland River and nearby residents' wells.

3. Traffic Study:

There's no evidence of a traffic study having been done. The use of Little Lakes Road as a haul route would, in our opinion, create many hazards. Little Lakes Road is a narrow, winding gravel road that runs East - West from Ball's Bridge, between the Little Lakes, to River Line.

Weight and height restrictions for Ball's Bridge do not allow for trucks to cross the bridge, meaning all hauls would have to head west on Little Lakes Road. In some areas there's barely enough room for 2 cars to pass, there are no shoulders and very few places to pull off the road, a truck and car meeting on the road would find it very difficult to pass each other, much less 2 trucks.

Where Little Lakes Road runs between the Little Lakes, the water is almost to the road's edge, widening of the road couldn't help but impact the Little Lakes.

Just west of the passage between the Little Lakes is a stop sign, the noise and vibration of trucks slowing and braking for that stop sign will disrupt the Little Lakes' ecosystem (flora and fauna).

The intersection of Little Lakes Road and River Line is hazardous due to poor visibility looking south from Little Lakes Road onto River Line. There are hills on River Line both south and north of that intersection, the hill to the south (the truck route) is particularly steep.

The Little Lakes and Ball's Bridge are favourites for sightseers, hikers, bikers, birders, canoeists, kayakers and fisherfolk, with 2 trail systems using Little Lakes Road. Truck traffic could pose a danger not only to wildlife using the road as a crossing but also to humans walking and biking on the road.

4. Eagles:

I (Gina) am fortunate enough to have been spending time over the last 3 years birding with and learning from ornithologist, Matt Oswald of Stratford, ON. Matt has been atlassing the birds in this area for the OBBA (Ontario Breeding Bird Atlas) for many years. Together we have spent many winter hours admiring the Bald Eagles and occasional Golden Eagle in the block between Londesboro Road, the Maitland River and Little Lakes Road which is the location of the proposed pit. The river valley and quiet of this area make it ideal for these impressive birds to feed and survive the winter. Some even make it their home year-round. We would hate to see this area disrupted and the Eagles driven off, or their lives threatened by the disturbance of their habitat.

5. Wildlife:

Many species use the Maitland River, its valley, and nearby wetlands for survival. A proper review of the applicant's studies needs to be done to ensure these species have been given proper consideration, that appropriate buffers are included in the site plans and ensure that proper mitigation plans are in place should anything unforeseen occur.

6. The Maitland Trail:

The Maitland Trail goes through 2 of our properties, making us MTA members. We're proud of this and are supporters of this beautiful trail system. We are avid hikers and use sections of the trail daily. Loosing the section between Little Lakes Road and Londesboro Road to a reroute would be very unfortunate. The Maitland Trail prides itself in very little road use and, when necessary, trying to use only country lanes with very little traffic. As of yet, we're unsure of what a reroute for this area might look like.

7. Ball's Bridge a Destination:

The beauty, character, uniqueness, quaintness and quiet of Ball's Bridge and the Little Lakes have made this area a destination for many over the years. It's popular to people of diverse interests; all feel as though they've found a special hidden gem. A Category 1 Class A pit thrown in the middle will destroy the beauty, quaintness and quiet, resulting in another dusty, dirty, noisy place with no character that is of interest to few, if any.

In closing we would like to add that we're truly disappointed that the application for a Category 1 Class A pit is being considered at the above location with nothing but the bare minimum research having been included in the application. There is so much being compromised for yet another unsightly aggregate pit.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Gina McDonnell Bob Riehl". The signature is fluid and cursive, with the names written in a single line.

Gina McDonnell and Bob Riehl

81177 Cherrydale Rd.,
RR4 Goderich, ON N7A 3Y1
519-525-0523
gmcdonnell@hurontel.on.ca

cc. Celina Whaling-Rae, Huron County Planner
Florence Witherspoon, Township of ACW Clerk

July 10, 2021

To: Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR5 Goderich, Ontario
N7A 3Y2

Re: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel

To whom it may concern,

I am responding to the Application to operate a Category 1 Class A Pit (below the water table) by 1142059 Ontario Ltd. Lobo Sand and Gravel, 74 Nauvoo Rd., Forest Ontario N0N 1J0. The following are my concerns and objections:

I strongly object to the proposal to install a huge below the water table gravel pit in the heart of the Little Lakes area. The area is a place of quiet scenic beauty, teeming with wildlife, and bordered on three sides by the Menesetung river and its environmentally important valley lands. It also provides County residents and visitors with many recreational opportunities: it is part of the area's two most important trails, it offers access points for canoeing and fishing, and it is treasured by photographers.

I am a strong advocate of building community assets that improve our quality of life. With the proposed gravel pit, I see very little benefiting our community and some unknown/high risks, as are outlined below. Having been raised in Huron County, and now raising my own family here, it is important that we make this region a place that people want to call home. The Ball's Bridge area is a gem in our community (even the province) that has already received significant community investment. Adding water pollution, air pollution, traffic pollution, and noise pollution from the nearby industrial gravel pit will alter the peoples' experience with this heritage site.

As Chair of the Board at Huron Hospice, and also serving as a Research Chair at Gateway Centre of Excellence in Rural Health (both volunteer positions), I have been involved in several grass roots community projects that elevate our quality of life. I am helping to build and maintain a community that I am proud to call home. I have yet to interact with any single person from this community that is in favour of this gravel pit.

With the current tax structure in Ontario for aggregate extraction, there will be little financial benefit coming back to this community and significant profits to an outside corporation that has no concern for quality of life locally. Should this project move forward, what are the plans to remediate the site after the land has been plundered for its resources? Whose responsibility is land remediation if the corporation goes bankrupt? There are many other more appropriate sites across ACW and Huron County that are zoned for aggregate extraction and will face far less community backlash, and I would theoretically support an aggregate operation if it were in a less environmentally- and culturally-sensitive location. I understand the need for an aggregate industry. This currently proposed site is not an appropriate location.

At present the main land use in the area is agricultural, and the proposed change in use would entirely change the character of this unique place: it would no longer be peaceful, it would no longer permit wildlife to travel from refuge to refuge, and it would no longer be a welcome rural oasis among the already extensive gravel operations that we see to the West and South.

1. **Cultural Heritage Landscape**

- The application has not considered the heritage of the bridge and surrounding area. Friends of Ball's Bridge received the 2008 Margaret & Nicolas Hill Cultural Heritage Landscape Award from the Architectural Conservancy of Ontario for their work saving and restoring the bridge. This is a significant cultural site and tourist site as it is a destination for weddings, graduations, and family gatherings. The value of the experience of this bridge and its environs will be impacted with the operation of a gravel pit due to the noise, vibration and dust and truck traffic created and blown toward the bridge and river on the prevailing winds.
- The application has not considered recreational use nor done a traffic/road study on the use of Little Lakes Road. This road is for recreational use by cyclists, hikers and people enjoying the natural sites during country drives at all times of the year. The road is winding and narrow and is not designed for use by gravel truck traffic. It would be extremely dangerous to have large gravel trucks or increased traffic from gravel pit employees using this winding and narrow country laneway type road as many family groups including their pets and photographers along with many other local people and tourists use this road for hiking, biking, riding ATV's and bringing canoes/kayaks to the Ball's Bridge for use on the Maitland River. To make any changes to this road in order to accommodate such truck traffic would negatively impact the natural surroundings of this area. Many species of amphibians and other wildlife cross the road from one wetland area to another. It is also an important part of the Maitland Trail System and people love it due to its natural, safe and tranquil experience which would be lost when increased truck traffic hinders the safety of those using Little Lakes Road. Also increased vehicle traffic from employees of the gravel pit would put undue wear and tear on the Ball's Bridge which was restored and is meant for tourist/recreational traffic only.
- The application has not considered the recreational use of this area. The Maitland River at the Ball's Bridge is a popular recreational destination for kayaking, canoeing, rafting, swimming and sport fishing in the spring, summer and fall and snowshoeing and cross-country skiing in the winter along with hiking and sightseeing all year long. A below water table pit with all the noise, dust and possible contamination of the water will prevent this from being a valuable recreational area for all those who have come here for years or who have just discovered this beautiful, natural and tranquil area.

2. Water Issues

- A below the water table pit has many issues. Quality of the water and toxicity could be an issue which would not be known until it is too late to fix. Private water wells in the area could be affected by going below the water table. Does the company have any solutions if private water wells are affected? Water levels could be affected by run off of toxins in the existing gravel due to years of chemicals (DDT, Atrazine, roundup) used on the existing farm fields have a potential risk to the aquifer and river when disturbed. The water quality of the down river watershed could be a problem along with dust and debris entering the river. If water quality and levels in the river become a problem this will affect recreational river activities such as kayaking, canoeing, rafting, sport fishing, and swimming and will have an adverse effect on the animals and plants who exist in this river.

3. Ecosystem and Environment

- The Proposed pit is 10 meters from the drip line of trees beside the river - 10 meters is a very minimal buffer for such a drastic land use change. This area has many wildlife crossings - deer, wild turkeys, turtles, frogs, other amphibians/reptiles and aquatic birds and is a migratory route for many birds. Bald eagles have made this area their home all year round. There are many endangered species at risk in this area both animal and plant. Exiting toxins which are exposed once excavation begins would put these species at further

risk and the dust created and noise of the trucks, excavators, crushers/screeners would have a disturbing effect on the animals, birds and fish of this area.

- The wetland in the middle of the gravel pit would be isolated, cutting off the animals from the surrounding interconnected habitat and wildlife corridor. All in all, putting a below water table gravel pit in this area would affect all animals and plants whether at risk or not due to the noise, possible toxins and dust this proposed gravel pit would create. There is nothing in the proposal which would guarantee elimination of these issues to the surrounding area and wildlife.

Finally, none of the following issues seem to have been addressed adequately in the application:

- Traffic
- Loss of farm/agricultural land
- Negative Effect on Property Values
- Recreational
- Heritage
- Indigenous concerns have not been addressed and as such we are not respecting our treaty obligations.
- Health issues arising from dust and particulates

Regards,

Jay McFarlan
76142 London Rd
Brucefield, ON
N0M 1J0

July 15, 2021

To: Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR5 Goderich, Ontario
N7A 3Y2

Re: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel

To whom it may Concern,

I am responding to “The Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel” and the following letter covers my concerns and objections.

If the zoning is changed in the area in question from Agricultural and Natural Environment to “Extractive” or “Aggregate” there will be many consequences, some of which I have tried to summarize in my letter as well as that this change would set a precedent for other companies like Lobo Sand and Gravel (Who are NOT a local company) to come in and devastate our beautiful township for their own financial gain with little or no positive impact for our township or its citizens, environment and wildlife.

As a resident of ACW (Ashfield-Colborne-Wawanosh), I find it extremely unfortunate that this gravel pit is even being considered for this area. The area in question is one that is a treasure in this county not just for local residents but for people who visit it year round for all and more of the following reasons: hiking, biking, swimming, other recreational activities, the natural environment itself and just plain peace and quiet- all of which would be negatively impacted by the proposed pit.

Personally, I frequent this area for recreation and to get away from the noise of life, for biking, hiking, canoeing, kayaking and cross-country skiing literally every chance I get- in all seasons. I have inserted some photos from a beautiful hike I did last fall with my friends and my dog at the end of this letter in case you may not have had the privilege of visiting this beautiful area. It was a spectacular day and I just can’t even fathom walking on the Little Lakes road (we were there during the proposed operating hours of the pit) with gravel trucks roaring by, crushers making noise, the “beep beep” of trucks and large equipment backing up, the dust spilling over onto the road and into my lungs, my view of the woodlot along the banks of the Menesetung river obstructed by an artificial berm and worrying if my dog will get spooked by all this. It would TOTALLY spoil the experience I and so many others cherish.

On a business note, I own and operate a gym in ACW called “CrossFit Goderich”. Every year we get many visitors to our facility who have many specific destinations in mind when they travel here. Ball’s Bridge and Little Lakes area via the Maitland trail and the G2G trail are at the top of the list for these fitness enthusiasts who love to run, hike, bicycle and canoe there. If this destination becomes tainted or spoiled, I feel it has the potential to adversely affect the draw of these tourists to the area and to my business. These are paying customers I will lose.

Considering the past 18 months for my business with the constant opening and shutting down of fitness facilities due to Covid, I simply cannot afford to lose any more customers. These effects on local businesses must be considered and I see no mention of this in any of the documents in the application. I sincerely hope that ACW considers the spin off effects on local businesses by the devaluing of the area with a gravel pit in it.

I would also like to note that I am a newer resident in this area. I moved here just 5 years ago from the city of Burlington. One of the main reasons for moving here (other than marrying my husband who was born in ACW) was that I loved the peace and quiet of this area. I no longer wished to be in an urban concrete jungle, full of noise, dust, pollution and compact housing developments, sprawl and constant construction. Lucky for me I had a choice to move here to **ACW- whose motto on your website is “an oasis of quiet country and cottage life”**. It was easy to fall in love with this area and what it offered in this way and to even imagine a destructive, noisy, dirty pit in the name of “progress” to me is deeply disturbing and would definitely cause me and my husband to reconsider this choice. When you have something as special as the area in question you realize its value because you know exactly what you came from and what you do not want to see. This is why I urge you (if you are not familiar with it which I would expect counsellors of ACW to be) to visit the area and spend time seeing it for what it is- quiet, natural, cultural coexistence of humans, wildlife and nature with so many assets for all to enjoy.

This is an area unlike ANY other place in Huron County. I ask you all this: have you visited this area? Are you even aware of what you are dealing with in terms of the value of the area surrounding the proposed site for this pit? I would hope so being residents. If you have not, go visit this area with your families, take a walk on the trails, bike the G2G trail on Little Lakes Road and enjoy the silence, breath in the fresh air, kayak along the river, take photos of the fall colours, have a picnic on the banks of the river, enjoy the unique structure that is the historical Ball’s Bridge **and then tell me you are okay with a noisy, dusty and destructive pit being built within a few hundred meters of this area.**

It is hard to understand that one company (Lobo Sand and Gravel) seem to be so ready to destroy the area for their own profit and in reality have no knowledge of this area since this company is not local and it is obvious they have no appreciation for it. They are simply just taking advantage of the designation on the yet unfinished official plan (area is designated aggregate and yet the official plan has not yet been ratified!). **I do not see how a zoning change can happen if the official plan is not yet finalized. This seems backwards in the process and I question the legality of it.**

I will let you know that have taken the time to read through the application and supporting documents (all the studies and plans) by the proponent and I find their lack of thoroughness in their application incredibly scary and disturbing. I am just a regular citizen and this is not even my “job” so I hope that ACW staff and counsellors take the time to thoroughly review these reports which as a scientist I find incredibly poorly done. Please do NOT rubber stamp this zoning change and please take into consideration all the objections I have and the many hundreds of others who have also taken the time to write in (Over 150 objection letters were sent in to my knowledge to the MNRF and to Esher Planning).

The “cookie cutter” nature of these so called “studies” is absolutely appalling and having done some research and reviewed several other applications from other proposed gravel pits in the province it is obvious that very little original thought went into these reports, basically they are all very similar and counting on people not reading them. Basically just doing the bare minimum in hopes of a rubber stamp approval. I expect that care will be taken and a thorough review of the application and all its flaws and holes will be looked at. I could literally write a book about all the problems with the application and I have tried to summarize some key points in this letter.

There are errors in the applicant’s “summary report” that need to be addressed:

- 1) *“There are existing licensed aggregate operations located immediately to the west of the property (Fisher Pit) and to the northwest on the north side of Little Lakes Road (Township pit)”*. The township pit has been non-operational for over 15 years, this statement implies that this area is already full of pits when in fact it is only the new Fischer pit that is in operation. It implies that another pit would not be a big deal or make any difference when in fact it will! This statement is there intentionally to mislead the reader who has no knowledge of the area and its history.
- 2) Another error in the application is that it states there are 2 Little Lakes, when in fact there are 3. All of these inconsistencies do not give me confidence that the applicant has been thorough.
- 3) NO PUBLIC consultation had occurred with the exception of one public meeting on May 25th, 2021 (after this application had been written) “Extractive Resources have been identified in the Official plan based on the recommendation of the Huron County Aggregates Strategy ***and in consultation with the public.***” I have seen other statements that “extensive public consultation has occurred” and I am sorry to say that this is an outright lie.

Some other objections from the application are as follows:

- The proposed hours of the pit given the residential and recreational usage of this area.
- The Environmental “study” which is vague and overlooks many key components of the area some of which are summarized below under “Ecosystem and Environment”. In fact, the environmental study is so lacking in so many areas that if this is the standard or norm in the approval process then we have a serious problem in our province.
- The Hydrogeological “study” which also is short sighted and vague. It completely dismisses many key issues some are summarized below under “water issues”.
- The Archeological “study” which has many flaws and leaves out key components of the area. The riverbanks have not been studied at all in the archeological study and based on the very shallow and random digs that were done many artifacts would have been missed. Featured in an image below for example is a tree that is an example of an indigenous trail

marker right beside the proposed area that is not even mentioned in the study. So many important areas have been left out of this study. There has been no mention at all on the impact of a previously designated historical site- Ball's Bridge- only a quote from the plaque by the Bridge and yet no concern as to what the impact of the pit will have on this site. Why would a study be required to look at anything within 1 km of the site and yet these things have no bearing?

f Also, the archeological study is inadequate in that it relies on outdated, irrelevant sources or colonial and post-contact Indigenous history.

I would like to see independent studies (not by done by the company so they would be impartial- it actually is completely inappropriate that the company be able to employ the services of those they wish and that there are not impartial companies to do such studies) of all three of the above-mentioned studies as well as studies of:

TRAFFIC STUDY,
INDIGENOUS CONCERNS,
PROPERTY VALUES,
CULTURAL HERITAGE LANDSCAPE IMPACT,
IMPACT ON BALL'S BRIDGE,
IMPACT ON LAKE HURON,
RECREATIONAL USE STUDY IMPACT,
TOURISM IMPACT,
LOSS OF FARM / AGRICULTURAL LAND IMPACT STUDY,
HEALTH IMPACT STUDY.
LOCAL BUSINESS IMPACT STUDY

At present the main land use in the area is agricultural, and the proposed change in use would entirely change the character of this unique place: it would no longer be peaceful, it would no longer permit wildlife to travel from refuge to refuge, and it would no longer be a welcome rural oasis among the already extensive gravel operations that we see to the West and South.

1. Cultural Heritage Landscape: This area is one!

Definition of a Cultural heritage landscape by Dan Schneider, uwaterloo.ca/heritage-resources-centre from the Provincial Policy Statement, 2014, *Heritage Resources in the Land Use Planning Process*

“ means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas

recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site). ”

- The application has not considered the heritage of the bridge and surrounding area. Friends of Ball's Bridge received the 2008 Margaret & Nicolas Hill Cultural Heritage Landscape Award from the Architectural Conservancy of Ontario for their work saving and restoring the bridge. This is a significant cultural site and tourist site as it is a destination for weddings, graduations, and family gatherings. The value of the experience of this bridge and its environs will be impacted with the operation of a gravel pit due to the noise, vibration and dust and truck traffic created and blown toward the bridge and river on the prevailing winds.
- The application has not considered recreational use nor done a traffic/road study on the use of Little Lakes Road. This road is for recreational use by cyclists, hikers and people enjoying the natural sites during country drives at all times of the year. The road is winding and narrow and is not designed for use by gravel truck traffic. It would be extremely dangerous to have large gravel trucks or increased traffic from gravel pit employees using this winding and narrow country laneway type road as many family groups including their pets and photographers along with many other local people and tourists use this road for hiking, biking, riding ATV's and bringing canoes/kayaks to the Ball's Bridge for use on the Maitland River. To make any changes to this road in order to accommodate such truck traffic would negatively impact the natural surroundings of this area. Many species of amphibians and other wildlife cross the road from one wetland area to another. It is also an important part of the Maitland Trail System and people love it due to its natural, safe and tranquil experience which would be lost when increased truck traffic hinders the safety of those using Little Lakes Road. Also increased vehicle traffic from employees of the gravel pit would put undue wear and tear on the Ball's Bridge which was restored and is meant for tourist/recreational traffic only.
- The application has not considered the recreational use of this area. The Maitland River at the Ball's Bridge is a popular recreational destination for kayaking, canoeing, rafting, swimming and sport fishing in the spring, summer and fall and snowshoeing and cross-country skiing in the winter along with hiking and sightseeing all year long. A below water table pit with all the noise, dust and possible contamination of the water will prevent this from being a valuable recreational area for all those who have come here for years or who have just discovered this beautiful, natural and tranquil area.

2. Water Issues

- A below the water table pit has many issues. Quality of the water and toxicity could be an issue which would not be known until it is too late to fix. Private water wells in the area could be affected by going below the water table. Does the company have any solutions if private water wells are affected? Water levels could be affected by run off of toxins in the existing gravel due to years of chemicals (DDT, Atrazine, roundup) used on the existing farm fields have a potential risk to the aquifer and river when disturbed. The water quality of the down river watershed could be a problem along

with dust and debris entering the river. If water quality and levels in the river become a problem this will affect recreational river activities such as kayaking, canoeing, rafting, sport fishing, and swimming and will have an adverse effect on the animals and plants who exist in this river.

- Is there a plan to clean the toxic chemicals from the pit which have been deposited in the substrate making the water clean for animals and humans?
- A major issue for Goderich council (& Environment Committee) 2006 - 2010 was the Clean Water Act 2006. The Baird/BM Ross study of materials in our water source/impact to our water treatment ability was done. The residences and everyone downstream depend on this source of drinking water; what effects will the proposed gravel pit location/activities over the next 2 decades have on water treatment down the road? Water flow, rain events, increased materials in water along the River to the west - require updated study to project effects - especially given the 'water intake' location. The river valley ecosystem is continuous; any negative impact on the watershed from the proposed gravel pit will be felt not only by immediate neighbours but by those downstream.
- I have contacted the Maitland Valley Conservation Authority to see what role they are playing in this application and was flatly told that "there is nothing we can do", which seems to me in contradiction of their stated mandate: *"The Maitland Valley Conservation Authority has the responsibility to regulate activities in natural and hazardous areas in order to: prevent the loss of life and property due to flooding and erosion and conserve and enhance natural resources. The MVCA also works with municipalities to review development applications to ensure they meet local and provincial environmental standards"*. If this is their role, why are they not involved? Why have they not been consulted? They are the local experts of this area and it seems absolutely preposterous that this organization has no say in this matter.

3. Ecosystem and Environment

- The Proposed pit is 10 meters from the drip line of trees beside the river - 10 meters is a very minimal buffer for such a drastic land use change. This area has many wildlife crossings - deer, wild turkeys, turtles, frogs, other amphibians/reptiles and aquatic birds and is a migratory route for many birds. Bald eagles have made this area their home all year round. There are many endangered species at risk in this area both animal and plant. Exiting toxins which are exposed once excavation begins would put these species at further risk and the dust created and noise of the trucks, excavators, crushers/screeners would have a disturbing effect on the animals, birds and fish of this area.
- The wetland in the middle of the gravel pit would be isolated, cutting off the animals from the surrounding interconnected habitat and wildlife corridor. All in all, putting a below water table gravel pit in this area would affect all animals and plants whether at risk or not due to the noise, possible toxins and dust this proposed gravel pit would create. There is nothing in the proposal which would guarantee elimination of these issues to the surrounding area and wildlife. What about the protection of this wildlife bog which will be stranded in the middle of the pit lake cut off from surrounding areas and the interconnectedness of the habitat?

- The study area did not include the haul route, which is shown in the ARA summary report as along Little Lakes Road to River Road. There are highly sensitive features along the road which have not been assessed, and which have several natural heritage functions.
- The study area focus is unclear, but it appears that the Maitland River corridor was not surveyed specifically, leading to an inadequate assessment of its sensitivity.
- The vegetation along the river corridor was not adequately described. This information is important for assessing sensitivity and, through that assessment, evaluating appropriate buffer widths.
- The number of survey locations was inadequate for surveying breeding birds along the river corridor.
- Only two point count surveys were conducted, and they were both outside the feature, and were over 1 km apart. The river corridor does not appear to have been surveyed adequately.
- Significant Wildlife Habitat functions, such as wintering or nesting raptors, could have been missed without a specific search within the habitat.

I have many questions and concerns and I would appreciate a detailed answers and where appropriate have professionals undertake studies on these to answer them:

- What is the plan to ensure that endangered species have safe passage in their migration through the area?
- What is the plan to ensure that the air quality and dust and exhaust levels are minimal to reduce the risk to animals and people alike?
- What is the plan to reduce the noise and vibrations created by crushers, and trucks and loaders to level where not only endangered species, at risk species and humans are not only existing but thriving?
- What is the commitment to maintaining a clean water supply for downstream residents?
- What is the commitment to the wildlife (Fogs, Turtles, small animals and birds) who currently cross the fields to access the river and the three little lakes?
- What is the plan to manage the increase in heavy truck traffic on the very peaceful country drive which is not owned by Lobo Sand and gravel?
- What is the commitment to support ongoing recreational use of the area as it is at present?
- What is the commitment to our Indigenous partners in stewardship to this land?
- What is the commitment to continue to be stewards to the land as laid out in the treaties governing these lands?
- What is the commitment to uphold treaty rights?

My final thoughts are, how is possible that ONE landowner (Lobo Sand and Gravel/VanBree Enterprises) can have such an impact? It seems absolutely ridiculous that this can happen and

that this aggregate company is exempt from obligations that every other land owner must abide by! This is NOT the place for a pit such as the one proposed. Please do not allow this one company destroy this treasure that once gone will never be able to be reclaimed. I implore ACW council to NOT allow the proposed zoning change and assure you all that you have the support of your constituents.

I anticipate your reply to my objections, questions and concerns.

Regards,

Jennifer Morris
33895 Airport Rd
Goderich, On, Canada
N7A3Y2



Figure 1 On the banks of the Menesetung River with my dog, photo taken from Ball's Bridge



Figure 2 Indigenous trail marker to the west of proposed pit



Figure 3 Ball's Bridge In the Fall of 2020- peaceful and beautiful



Figure 4My Dog Oly who loves to hike with me and swim in the Menesetung river

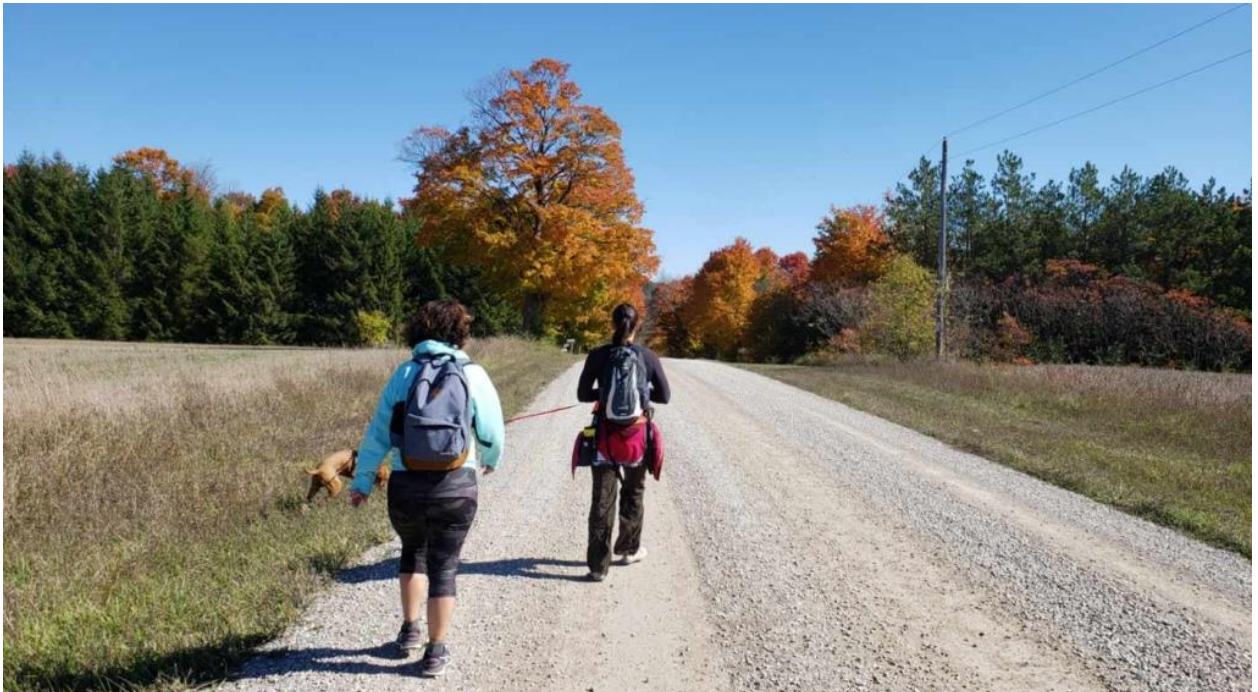


Figure 6 Hiking down Little lakes Road towards Ball's Bridge with my friend and dog.. Proposed Pit area is to the right....no thank you!



Figure 5 Little Lake on the south side of Little Lakes Road

July 10, 2021

To: Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR5 Goderich, Ontario
N7A 3Y2



Re: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel.

To Whom It May Concern,

I am responding to the Application for a Zoning By-Law Amendment by Lobo Sand and Gravel.

It is my understanding that both Esher Planning Inc. and the Ministry of Natural Resources and Forestry are required to answer all objections before an application can be approved; following are my concerns and objections.

I am forwarding this objection to the municipal representatives of Ashfield-Colborne-Wawanosh and the Port of Goderich, as the concerns and objections below have immediate and future implications for these and neighbouring municipalities. It is our responsibility to ensure our elected representatives – who are additional stakeholders and caretakers in the reasonable protection of our region – have knowledge of local resident, taxpayer and voter concerns. I would appreciate any replies to this objection be forwarded to those parties as well.

The application is to develop an open-pit, below water table aggregate mine within immediate proximity of the Little Lakes, the Menesetung River and Balls Bridge, on Little Lakes Road. The site of the proposed mine is an environmentally sensitive tourist and recreation area. Little Lakes Road is a single-lane, gravel road with the Heritage-protected Balls Bridge at one end and rural areas at the other. Both the Little Lakes and the Menesetung River are within minimal distance (at some points within metres) of the proposed mine.

My objections are as follows:

1. Environmental Concern, i: The proposed sites are within metres of the Menesetung River, an important local waterway which supplies natural and agricultural water to our entire region (from the proposed sites through to Lake Huron). These waters are also enjoyed by local residents, tourists, boaters and recreational fishermen. A below-water-table open pit mine raises immediate concern about potential (both predicable or accidental) damages to the water quality of these vital waterways. Any accidental seepage caused by the mines, equipment, on-site refueling, workers or trucks will have an immediate and devastating effect, from the proposed sites to Lake Huron. This would incur enormous costs and generations of effort to repair. To what degree will Lobo Sand and Gravel (and Esher Planning Inc.) be compelled to pay for current or future damage?

2. Environmental Concern, ii: The proposed sites have been moderately farmed for decades. Wetlands and soil have adapted naturally over time to these conditions. Unfarmed areas have been allowed to exist untouched and have provided refuge to wildlife, birds, fish stocks and insects. Succinctly, it is an interdependent ecological system, which – as rural residents – we acknowledge to be vital for long-term sustainability. Introduction of considerable industrial activity and extraction will have devastating effects on the natural course of these interdependent systems, drastically and permanently affecting these natural ecosystems.
3. Environmental Concern, iii: Extraction and transportation of aggregate in immediate proximity of the Menesetung River will create significant amounts of dust, exhaust fumes and other airborne pollutants. This will have the predictable effect of blanketing the Menesetung River with dust and pollutants, starving fish stocks and other aquatic life of oxygen with debris. This would affect the health of the Menesetung River, to Lake Huron. (This is not conjectural: similar effects have occurred with livestock waste pollution, requiring significant investment for additional protection and recovery.)
4. Environmental Concern, iv: Based on the application, activity at the mine may be 5 days per week at 12 hour-workdays, and a Saturday half-day. It will include heavy, industrial extraction machines, loaders and dump trucks, among others. The Little Lakes area is not a wide agricultural area, where the effects might be minimized or dissipated: it is a small, very tight, ecologically self-reliant area. The vibration from this high industrial output will damage the sensitive ecosystems of this area. Disruption of this closely interdependent system will have continual, regressive effects.
5. Environmental Concern, v: Below water table, open pit mining creates dangers to local aquifers, either by direct damage or by seepage. As a rural area, this presents a clear danger to drinking water quality for local residents and for livestock (which is vital to rural well-being, financially). Any toxic damage to drinking water aquifers cannot be reliably repaired.
6. Environmental Concern, vi: The application considers up to 60 gravel trucks per day, which translates to 17,160 gravel trucks per year. Each truck, in addition to other vehicles and machinery, will have mandatory reverse sirens on each vehicle as required by transportation regulations. Continuous reverse sirens in the cove-like setting of the application site will create, over the proposed 80-hour work week of operation, noise pollution of immeasurable levels. All land, air and water wildlife will disperse permanently.
7. Infrastructure Concern, i: The Little Lakes Road is a single-lane, gravel road. It is (presumably) protected, at one end, by the Heritage-designated Balls Bridge. This means that up to 17,160 gravel trucks and additional vehicles per year (for an estimated 20 years) will use the western course of Little Lakes Road. The rough usage from that level of activity (including noise and air pollution) will damage the gravel road, ditches and setbacks. In addition, there will be a remarkable burden on other area roads (River Line, Hills Road, Lucknow Line, Londesborough Road, Sharpes Creek Line, River Road, Hwys 21 or 8) whether they be municipally or provincially

maintained. Will Lobo Sand and Gravel (and Esher Planning Inc.) create (and be enforced to use) a significant self-funded reserve to upgrade, maintain and repair these roads? Or will it be borne by local taxpayers?

8. Infrastructure Concern, ii: Will this include the re-inforcement, repair or replacement of any or all structures on these area roads, such as bridges, culverts, etc.? Again, will Lobo Sand and Gravel, as the primary user (and Esher Planning Inc., as their representative) be compelled to pay these expenses or will it become a burden borne by municipal taxpayers?

9. Infrastructure Concern, iii: Balls Bridge is a Heritage-protected structure. It is unreasonable to consider it will not be structurally affected by industrial excavation and transportation in such close proximity, whether it is used as a roadway by Lobo Sand and Gravel or not. If Lobo Sand and Gravel (and Esher Planning Inc.) is not strictly held to financial responsibility for any short- or long-term damage, it will fall to local residents and volunteers to finance repairs (as was the case during its previous restoration effort).

10. Tourism Concern, i: Little Lakes and Balls Bridge has been a traditional tourist destination, particularly following the Heritage designation for Balls Bridge. It is also a local recreational destination for fishing, watercraft, picnics, wedding or reunion photos and numerous other activities. Rural tourist destinations are unlike urban destinations: tourists often “group together” various rural destinations over a wide area as a “day-trip” (as evidenced by shoreline tours, ice cream tours, winery tours and the like across the province). Removing one of the tourist destinations, through damage or significantly increased traffic from gravel trucks, can have a significant effect on the entire “package” of an area’s attractions. The effect would include neighbouring communities in all directions: Benmiller, Carlow, Auburn, Londesborough, Goderich, Clinton, among others. To what degree is Lobo Sand and Gravel (and Esher Planning Inc.) willing – or should be required to – compensate local businesses if such rural tourism is negatively affected by their significant disturbance to or destruction of one of our locally recognized tourist destinations?

11. Tourism Concern, ii: As noted in 3. Environmental Concern, iii, air pollution from airborne gravel dust, vehicle exhaust and other pollutants will undoubtedly have a negative effect on the attractiveness of the Balls Bridge and Little Lakes area. Again, will Lobo Sand and Gravel (and Esher Planning Inc.) compensate area residents and businesses?

12. Tourism Concern, iii: As noted in 6. Environmental Concern, vi, noise pollution will become a significant detriment to the recreational and tourist enjoyment of this area. How will Lobo Sand and Gravel (and Esher Planning Inc.) accommodate or compensate for 80 hours per week of reverse sirens and other industrial activity?

13. Tourism Concern, iv: If the estimated 17,160 gravel trucks and additional vehicles per year do not, or are unable to, use the eastern Balls Bridge as a transportation route, all industrial traffic will

need to use the western Little Lakes Road and adjoining roads for access. This will effectively stop all other local, recreational and tourist traffic on these municipally maintained roads. How does Lobo Sand and Gravel (and Esher Planning Inc.) plan to compensate this traffic disruption for all other residents or users of the area?

14. Health Concern, i: As noted in 3. Environmental Concern, iii: Airborne pollutants from gravel dust, exhaust fumes from 17,170 gravel trucks, mining equipment and additional vehicles per year will create a significant rise in air pollution. This pollution will be persistent during the proposed 80-hour weekly operations. Any area resident who suffers from respiratory ailments, particularly in the small community of the Balls Bridge area, will be negatively affected (particularly with western wind currents). What if ailments develop in additional residents? The significant health concerns for these residents should be a primary consideration. Will Lobo Sand and Gravel (and Esher Planning Inc.) have financial resources to compensate victims or to address lawsuits?

15. Health Concern, ii: As noted in 4. Environmental Concern, iv: Vibration pollution from heavy industrial activity will have a permanent, negative effect on local residents. This is similar to the vibration effects reported by residents adjacent to windfarms. While corporately disputed by owners of windfarms, the effects are not disputed by those affected by constant vibration. Will any residents affected by the proposed industrial usage be left without assistance or compensation (as is the case with windfarm concerns)? How does Lobo Sand and Gravel (and Esher Planning Inc.) plan to address this?

16. Health Concern, iii: As noted in 5. Environmental Concern, v, ANY potential damage (accidental or not) to a local aquifer from below water table mining will have grave consequences for local residents who rely upon aquifers for their local water supply. This consideration must be given primary AND PRIOR consideration before approving an application for a below-water-grade open-pit mine. Any damage (accidentally or not) to an aquifer could have criminal implications if a local resident suffers health consequences.

17. Health Concern, iv: Currently, Little Lakes Road is also used by hikers, cyclists and children riding their bicycles. Little Lakes Road currently accommodates a reasonable number of light vehicles, particularly during the spring/summer/autumn months. This will be entirely disrupted by 17,160 gravel trucks and additional industrial vehicles per year. If anyone is injured by this significant increase in usage, will Lobo Sand and Gravel (and Esher Planning Inc.) accept any criminal responsibility or provide compensation to the affected party?

18. Stakeholder Concern, i: I fully acknowledge Lobo Sand and Gravel (and Esher Planning Inc., as their representative) has the opportunity to develop properties for its own financial gain. My objection is based on the inappropriateness of the Little Lakes location, due to its unique environmental qualities, the predictable negative effects, and the potentially unpredictable or accidental negative effects. Aggregate extraction already occurs at thousands of mines in Ontario; it is inappropriate and irresponsible to predictably and irreparably damage or destroy areas which

have unique wet- and dry-land ecosystems, and which are already recognized as destinations for the public at large. This is not NIMBYism: the sites themselves are inappropriate areas for industrial development.

19. Stakeholder Concern, ii: As outlined above from several perspectives, the Little Lakes and Balls Bridge ecosystem will suffer (under the current application) significant immediate and long-term costs for maintenance, repair and recovery. These costs will continue long after Lobo Sand and Gravel (and Esher Planning Inc., as their representative) exhausts its potential profits and has either mothballed or abandoned the properties in question. Any immediate extraordinary cost, and all long-term costs, will be borne by the municipal taxpayer. I am one of those taxpayers, at the municipal, provincial and federal level. I should not be compelled to pay for any damage done for years to come, while Lobo Sand and Gravel (and Esher Planning Inc., as their representative) has enjoyed financial gain.

20. Stakeholder Concern, iii: Rural areas have a significantly lower tax base, based on population. Repairs to infrastructure, environmental recovery and health care are exorbitantly expensive at the municipal level. Our taxes may suffer extraordinary increases. Is there any framework in place (not evident in the current application) for Lobo Sand and Gravel (and Esher Planning Inc., as their representative) to assume any fiscal, environmental or moral responsibility for the damage they incur during the “usefulness” of the Little Lakes development?

21. Stakeholder Concern, iv: Lobo Sand and Gravel is located in Forest, ON. (Esher Planning Inc. is located in Woodbridge, ON.) While there may be some limited use of local truck contractors (although I do not believe this is mentioned in the application), there will be no local economic benefit, apart (presumably) from fast-food outlets or gas stations. Unemployment levels in Huron County are currently among the lowest in the province. Succinctly, the proposed operations will be based on permanent extraction of a local material, destruction of a prized local resource and ecosystem, pollution, and overuse of and damage to municipal assets. The proposed open pit mine is of no benefit to ACW Township or Huron County, and will create ongoing, significant expenses for our residents and taxpayers. Will Lobo Sand and Gravel (and Esher Planning, as their representative) be held accountable for any immediate and long-term expenses, any extraordinary expenses based on errors or accidents, and any loss of income to local businesses or residents based on the exceptional changes of use or transportation based on these operations? Fines for errors will not be sufficient. Lobo Sand and Gravel (and Esher Planning) should be compelled to create a significant reserve fund from their operations (not simply from their profits) to ensure immediately-identifiable damages and future, developing, negative effects are repaired, recovered or restored at their expense, and not at the expense of local municipalities and taxpayers.

Conclusion:

I strongly object to this application due to the inappropriateness of the site, the reasonable predictability of irreparable environmental damage, and the significant anticipated or unanticipated negative effects

to our community. The concerns listed above are not repetitive: the negative effects of the application are numerous and need to be addressed from more than a simple, singular perspective. There is a difference between locating an open pit mine in a large, open agricultural area and an area which contains a multi-dimensional environmental sanctuary, particularly one which has also become a local oasis of enjoyment for many residents and tourists. The Little Lakes area has been a recognized oasis for many years and the current application would permanently end that, intentionally or not.

The unique qualities of the site compel all parties to consider the several, overlapping layers which make the site inappropriate. While it contains a “product” which will financially benefit one company (along with Esher Planning Inc., as their representative) for a relatively short period of time, it also contains a strong but fragile ecosystem, a locally appreciated and acknowledged recreational area, and an important (but naturally and benignly “developed”) tourist attraction which benefits many in our area.

Once this oasis is destroyed, which it will be under the current application, it will be, simply, unrecoverable. Any future costs to the local residents, of which I am one, would be considerable – and only to make the site “less horrible”, but never restored. We would not be stewards of our land, which rural residents generally are; we would be victims of short-sighted opportunism and inadequate environmental protection.

I strongly urge that this application be denied. If not, I strongly urge that the singular corporate entity (and Esher Planning Inc., as their representative) which would stand to profit from the application be held to account, in advance, for the destruction they choose to incur ... and to the greatest fiscal accountability possible for the damage they will do.

As mentioned above, I would appreciate a response to all concerns listed above, to me personally and to the municipal governments in which we place our trust.

Regards,

Jim De Ferrari
46 Nelson St. West
Goderich, ON N7A 2M3

July 11, 2021

From: Jim Love
1065 Mahogany Drive
Minden, ON
K0M 2L1

To: Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR5 Goderich, Ontario
N7A 3Y2

Re: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel

I have concerns about the application by Lobo Sand and Gravel for a Zoning By-Law Amendment.

Here are my objections and comments:

I strongly object to the proposal. A large gravel pit below the water table in the middle of the Little Lakes area.

I won't reiterate all of the many technical points. Others have made these points very well. I have reviewed these and I'm in wholehearted agreement with the lists of issues and risks. What I'd like to do is speak personally about this issue.

I lived for many years in this beautiful area. While we finally did finally move away, we did so reluctantly and with many happy memories. Today, we and many friends are now tourists who come to visit and enjoy the beauty of this magnificent area.

I am a business person and I understand the need to have industrial and commercial activity. But I also understand the need to preserve agricultural and ecological needs. This is a unique place. It has a unique character and beauty, many different types of plants and trees and is home to a wonderful wildlife.

Here's the thing. There are dozens of locations that work for gravel pits. There is only one Little Lakes. You can't make an area like this. Once it's gone, it's gone.

I can only imagine the damage that could be done to the water table by this kind of activity. You cannot do that amount of digging and disruption without risking the water table which affects residents but is also the heart and soul of the natural beauty.

Can a gravel pit co-exist in this area? I lived there and the answer is – no. Noise, dust, traffic take this gorgeous area and make it just another thoroughfare for commercial traffic. I know that there will be those who will say, we can limit the traffic – but realistically, that doesn't make sense. A business will want maximize its returns and they will push these limits constantly.

And again, as a business person, I have to say that what brings me and others back to the area is the beauty and the unique nature of this area. It's a sustainable, renewable source of revenue to local businesses creating jobs and sustaining local businesses. As more and more urban buildup occurs, this resource continues to increase in value. And although the beauty is free and available to all, regardless of their income, the fact is that every study shows that ecological and cultural tourism

is a huge boon to the local economy. Will a gravel truck stop at the Ben Miller to have a meal and spend the night? Or go to the Blythe Festival? Or shop in Goderich? Not likely.

I'm not sure that you have considered safety as well. We walked these roads and will again. People cycle them. You walk hand in hand with little kids. Will this still be a safe, quiet place?

I could go on about this but really, a bad idea is a bad idea so I will challenge anyone making this decision. Take walk through this area. Slow down, breathe a little and just listen to the sounds. Take a look around you and ask yourself what we stand to lose.

Regards,

Jim Love
1065 Mahogany Drive
Minden, ON
K0M 2L1

July 11, 2021

To: Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR5 Goderich, Ontario
N7A 3Y2

Re: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel.

To whom it may Concern,

I am responding to the application for a Zoning By-Law Amendment by Lobo Sand & Gravel. The following are my concerns and objections:

Balls Bridge:

Balls Bridge is an award-winning Heritage Bridge which has been designated such as a rare and highly significant heritage bridges. The bridge is one of the few heritage truss bridges in Ontario that has actually been preserved within the province.

The application has not considered the heritage of the bridge which was awarded the Margaret and Nicolas Hill Landscape Award from the Architectural conservancy of Ontario in 2008. This award also acknowledges the bridge and the surrounding landscape which makes this area a destination for year-round recreation, fall colours, hiking, biking cross country skiing, as well as water sports of canoeing and kayaking. Further to this it is a destination for life celebrations such as weddings of which I have performed a few. The Bridge also provides the main throughfare for the G2G Rail Trail which is used year-round.

I do not see in the license application any explanation of, or quantitative data that would explore the environmental impact on the bridge and the surrounding areas as it would affect this area as a destination for the above mentioned activities.

What will the impact of heavy machinery operation have on the fragile foundation of this historic bridge?

Disruption of the substrate will impact the stability of the entire area and will impact the stability of the structure.

What is the plan to subsidize the stabilization of and repair of any structural concerns that are caused by the heavy mining operation within this delicate natural landscape?

Further to that what is your commitment to the maintenance of the natural environment including the bush lots and natural meadow for transportation of the aggregate from the property?

The bridge does not allow for the heavy traffic which this size of operation will generate and trucking through the Little Lakes Road to the west is totally unacceptable as this will also prove detrimental to the entire eco system including the Little Lakes.

Below Water Table Pit Mining:

It is clear that the plan is to mine below the water table. It is well known that this type of mining not only disturbs the water table at the immediate area but will also have far reaching impact on the water table for a large area. It is also well known that these types of mines also release toxic elements buried deep in the substrate which will provide toxic to humans and animal life. Many already in this area are tainted with these poisons.

What is the plan to maintain healthy water for all to use?

What is your commitment to ensure that this is in the plan and financial commitment is in place before work starts at this site? This commitment needs to be far reaching.

It will not only be the local land owners who are impacted by this but also all who are connected to the river which will take the runoff from your operation. What is your commitment to all who are downstream from the site? Please don't be short sighted here because it's all of the townships downstream from the site, the town of Goderich and all of the Great Lakes basin. The possibility of wide spread contamination is great.

What is your commitment to ensuring that this does not happen and when it does your commitment to all those affected by your work on this land?

Pit Environmental Concerns:

I have grave concerns for the environment in this area should the pit be allowed to move forward.

The proposal allows for it to come a precarious 10 metres from the drip line of trees beside the river. Ten meters is all you are leaving for the land to recover from the removal of all the disruption, and chemical impact of disturbing this substrate laid down of the millennium. 10 meters for wildlife to reroute imprinted migration routes, and only 10 meters for endangered Eagles to overwinter and thrive. This is an area of endangered species and many at risk species and you are asking them all to be in 10 meters of the drip line of the trees.

What is the plan to clean the toxic chemicals from the pit which have been deposited in the substrate making the water clean for animals and humans?

What is the plan to ensure that endangered species have safe passage in their migration through the area?

What is the plan to ensure that the air quality and dust and exhaust levels are minimal to reduce the risk to animals and people alike?

What is the plan to reduce the noise and vibrations created by your crushers, and trucks and loaders to level where not only endangered species, at risk species and humans are not only existing but thriving?

What is our commitment to the wildlife (Fogs, Turtles, small animals and birds) who currently cross the fields to access the river and the three little lakes?

What about the protection of the wildlife bog which will be stranded in the middle of the pit lake cut off from surrounding areas and the interconnectedness of the habitat?

What is the plan to ensure that this does not happen?

What is the plan to manage the increase in heavy truck traffic on the very peaceful country drive which you do not own?

What is your commitment to support ongoing recreational use of the area as it is at present?

What is your commitment to our Indigenous partners in stewardship to this land?

Today on Indigenous Peoples Day: what is your commitment to continue to be stewards to the land as laid out in the treaties governing these lands?

In 1820 Peregrin Maitland the appointed lieutenant governor of Upper Canada was the first to propose the civilization techniques that would eventually lead to the establishment of Canadian Indian Residential School System. Soon after that this river was renamed by the settlers after this person who was instrumental in the systematic genocide of the Indigenous culture. Part of which I see continuing in this application operate a Category 1 Class A Pit (below the water table) by 1142059 Ontario Ltd. on this property. Raping mother earth of her natural system for her children (plants, birds and animals) to sustain life and abundance.

What is your commitment to uphold the treaty rights?

To not continue to destruction of the environment?

What is your commitment to ensuring that this river and environment can remain and be enhanced to reclaim its original name which is Menestung, which means the one that sustains?

Regards

Kathy Young
113 Park Street
Goderich ON, N7A 1K9

July 12, 2021

Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR5 Goderich, Ontario
N7A 3Y2

Subject: Re: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel.

To Whom It May Concern:

I am responding to the Application for a Zoning By-Law Amendment for Lobo Sand and Gravel.

Full disclosure: I am 5th generation Goderich/Benmiller/Colborne Township – my great great grandfather emigrated from Germany to Colborne Township in the 1850's, and we currently reside one mile west of Blyth on county road #25.

The following are my concerns and objections:

While I understand the need for gravel for ongoing economic development, my primary concern here is about the safety of the precious water supply along the Maitland River through Benmiller and onwards to Goderich, for those who depend on the supply of water for treatment and drinking water.

While I participated in the ZOOM public meeting information session, I did not come away with any understanding that there has been a study of how this proposed gravel pit at the depths proposed, could impact on our water availability treatment in the years and decades to come.

Not did I come away with any sense that the Maitland Valley Conservation Authority has been engaged in this discussion. I am also not aware that there has been a study similar to the 2007 Baird & Associates report styled 'Surface Water Vulnerability Analysis for Goderich Intake' on this proposed gravel pit location.

I am also concerned about the location of this proposed gravel pit given its location to the south of our precious Little Lakes Road and along the Maitland Trail.

This area has a delicate eco-system, and I have concerns as to disruptions as a result of any ongoing gravel extraction.

Yesterday, I drove past the access to the Campbell Pit on Jamestown Road in Morris Township, which could not be seen from what is likely a low travelled road, and perhaps near the Little Maitland River, however I did not drive down the road.

There is a gravel pit immediately west of where we live on Blyth Road, not along a major waterway, which is a wee bit of an eyesore in our weekly travels, and I am not excited about the possibility of this proposed gravel pit to the north of Londesborough Road, which we regularly traverse to Goderich via my ancestral home in Benmiller.

I see no good reason why this proposed gravel pit should be allowed to proceed.

Regards,

Larry J. Mohring
39726 Blyth Road
RR #1 Auburn, Ontario
N0M 1E0



MAITLAND TRAIL ASSOCIATION
Box 443 Goderich, Ontario N7A 4C7
mta.goderich@gmail.com www.maitlandtrail.ca

June 28, 2021

To:

Esher Planning Inc
133 Ayton Cres.
Woodbridge, ON L4L 7H6
melanie@esherplanning.com

Ministry of Natural Resources and Forestry
Integrated Aggregate Operations Section, 4th Floor
300 Water Street
Peterborough, ON K9J 3C7
ARAApprovals@ontario.ca

Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR#5
Goderich, ON N7A 3Y2
clerk@acwtownship.ca

Huron County
Planning Department
57 Napier Street, 2nd Floor
Goderich, ON
N7A 1W2
planning@huroncounty.ca

RE: Application by 1142059 Ontario Ltd. Lobo Sand and Gravel, 74 Nauvoo Rd., Forest Ontario N0N 1J0 to operate a Category 1 Class A Pit (below the water table) on PART LOT 14, CONCESSION 2, EASTERN DIVISION and PART LOT 15, WESTERN DIVISION, GEOGRAPHIC TOWNSHIP OF COLBORNE TOWNSHIP OF ASHFIELD COLBORNE WAWANOSH COUNTY OF HURON

We, the Maitland Trail Association (MTA), would like to voice our concern about the proposed gravel pit at the aforementioned property.

Context

The Maitland Trail Association was formed in 1975 and is a non-profit registered charity run by dedicated volunteers. While we build and maintain over 80km of trails in the Goderich area, our main trail is the Maitland Trail, which largely follows the Maitland River from it's mouth at Lake Huron to Auburn, a single trail of over 50km in length.

Our trails exist due to the generosity of local landowners who graciously share part of their land; this includes dozens of private landowners as well as Compass Minerals, the Nature Conservancy of Canada, the Maitland Valley Conservation Authority, the Town of Goderich, the Municipality of ACW, Huron County, and the Province of Ontario. Each of these landowners is contributing to the well-being of this community in ways that cannot be measured.

In an average year, we have close to a hundred volunteers contributing to our operations – events, trail maintenance, and administration. We have donors, hundreds of paying members, and thousands of users, from local residents to tourists from all over southern Ontario and beyond. Our trails are used daily and throughout the year by people of all ages and abilities for walking, running, cycling, skiing, and snowshoeing. Local schools use the trails for educational purposes and running events. Community groups use the trails for charitable fundraising.

Running clubs host events that benefit the local businesses and local charities. Local businesses and governments tout our trails as a reason to visit and retire in Huron County. Our trails are an established community asset that are built and maintained and supported by and for our community. There is no metric that allows us to put a number on what these trails do for the quality of life in our community, but their benefits and value are deep and broad.

Our Concerns

While MTA is deeply concerned about the impact the proposed pit will have on local residents and the natural environment, we are speaking on behalf of the trail, specifically,

- the section of trail between Londesboro Road and Little Lakes Road, and
- the section of trail that runs the length of Little Lakes Road itself which is part of our main trail, and is also part of a critical detour for the G2G Rail Trail which connects Guelph and Goderich.

We recognize that a gravel pit requires the destruction of the environment upon which we depend. However, we're aiming to find a tolerable middle ground where our trail and the pit may co-exist. MTA has been working with the Applicant to determine where our trail can be re-routed through this area. We sincerely appreciate their efforts.

Quality matters. Our goal is to minimize the significant negative impacts that the pit would have so that use of the trail would be minimally impacted.

Potential negative impacts:

- loss of continuity due to complete closure of the trail through this section
- reduced safety and negative health impacts on trail users caused by dust and traffic
- short-term impairment of the quality of the trail experience due to noise, dust, large truck traffic, and the negative visual impact that an industrial operation creates
- long-term impacts on trail usage. This is not simply a decline in the number of trail users, but a negative impact on the quality of life as experienced by local community groups, residents, and businesses.

To all permitting authorities, we strongly request:

- That Little Lakes Road may never be used for traffic related to gravel pit operations, and that it is not widened, surfaced, cleared, or altered in any way
(a particularly beautiful and operationally important section of trail)
- That native trees and shrubs be planted around the pit at a density that will create a buffer visually, and to mitigate the negative impacts of noise and dust.
(to protect the quality of the trail experience, and for the health and safety of trail users)
- That any vegetation that is planted is kept healthy, and is replaced if necessary.
(to mitigate negative impacts immediately, and as an investment in rehabilitation)
- That pit operations are minimized or eliminated on weekends as much as possible
(to lessen impacts on trail users at peak times)
- That the pit operators continue to work with MTA to find a reasonable re-route around the pit area
- That these conditions be permanently attached to any permits granted to any industrial operations in the immediate vicinity of River Line/Little Lakes Road/Balls Bridge/Londesboro Road.
(because we recognize that the Applicant may not own and operate this pit indefinitely)

We'd like to reiterate that we appreciate the Applicant has taken the time to work with us to find a compromise.

Sincerely,

The Board of Directors, Maitland Trail Association
Box 443 Goderich, Ontario N7A 4C7
mta.goderich@gmail.com

July 12, 2021

To: Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR5 Goderich, Ontario
N7A 3Y2

Re: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel

To whom it may concern,

Further to my letter of opposition to the application by Lobo Sand and Gravel to operate a Category 1, Class A gravel pit on Little Lakes Road, I am writing this addendum to voice a further critique of five sections contained within the Archaeological Assessment prepared by Aecom Inc.

Section 1.2.2: Post-Contact Period Settlement, Treaty 27 1/2 and Treaty 29 This section of the Aecom Archaeological Assessment relies solely on James Lewis Morris' (1943) *Indians of Ontario* to describe the treaty agreements reached between representatives of the British Crown and Anishinaabe leaders at Amherstburg on April 26, 1825 and July 10th, 1827 concerning the surrender of lands within Huron Tract and their acquisition by the Crown. The authors do not appear to be aware of the 2015 doctoral dissertation of historical research consultant Karen Travers, *Seeing With Two Eyes: Colonial Policy, the Huron Tract Treaty and Changes in the Land in Lambton County, 1780-1867*. In this dissertation, Travers asserts that Joshua Wawanosh and many other Anishinaabe leaders from the Lake St. Clair region believed they retained an interest in lands from the Ausable River to Goderich and Owen Sound, and that the 1836 Saugeen Treaty with the Crown was invalid without their consent. A dozen Anishinaabe chiefs, including Wawanosh discussed 'emigrating' to the Saugeen to create their own reserve, and petitioned the Lieutenant-Governor to help them secure these lands (LCA, File 10A-AC; circa 1846).

Section 1.2.3: European Settlement The founder of Huron County is NOT considered to be John Galt. As the first superintendent of the Canada Company, Galt was certainly instrumental in the founding of Goderich. However, Galt resided in Guelph, and was recalled to Great Britain for mismanagement of funds in 1829 — long before Goderich became the administrative and judicial centre of the newly created Huron District in 1841. The Ontario Provincial plaque located in Harbour Park in Goderich on the site of Dr. William "Tiger" Dunlop's log 'castle' records the following narrative about the founding of Goderich: "In 1826 the Canada Company, a newly chartered colonization firm, acquired a large block of land known as the Huron Tract. The following year, William "Tiger" Dunlop, appointed Warden of the Forests by the Company's first superintendent, John Galt, established his base here in the western part of the tract. Named Goderich after the Colonial Secretary Viscount Goderich, the site was initially marked only by 'The Castle', Dunlop's residence, but a settlement gradually developed. By 1829 the Canada Company had surveyed a town plot, opened the Huron Road from Guelph and established an office. In 1841 Goderich became the administrative and judicial centre for the newly created Huron District. Nine years later, with a population of about 1000, the community was

incorporated as a town.” The web link cited in the bibliography for this misleading claim about John Galt is also not functional.

Section 1.3.2: Reports with Relevant Background Information; Ball’s Bridge The report on the Ontario Provincial plaque at the east end of Ball’s Bridge within this Archaeological Assessment recognizes the tangible features and details that help make the bridge historically significant. However, this section contains no mention of the bridge’s many intangible attributes, such as the serenity and vibrancy of the landscape on which it is situated, nor does it provide any insights into the stories, customs and activities shared at this location by individuals and communities from throughout Huron County and the wider world.

At the unveiling of the plaque commemorating the bridge on July 14, 2011, Dr. Thomas Symons, the former Chairman of the Ontario Heritage Trust, noted: “There are few surviving two-span bridges in Ontario today with the design features of Ball's Bridge. Thanks to the efforts of the community, it has been restored and will now be marked with a provincial plaque, sharing the story of its unique design and historic significance.” At the same event, former Ontario Minister of Tourism and Culture Michael Chan pointed out that “[t]he unique design and structure of Ball's Bridge not only speak to engineering history, but also make it an attractive feature in the local landscape. I'm delighted that it is being commemorated today, showcasing another fascinating part of Ontario's heritage.”

Section 1.3.4: Determination of Archaeological Potential; and Section 5:

Recommendations Given that the review of the historical, environmental, and archaeological context of the study area examined in this Archaeological Assessment determined that potential for the recovery of pre- and post-contact First Nation and 19th century Euro-Canadian archaeological resources is high, the recommendations of this Archaeological Assessment should be revised to include a section that clearly outlines monitoring protocols and potential mitigation measures should any deeply-buried archaeological resources be encountered during operation of the proposed aggregate pit.

In light of well-dated archaeological and environmental evidence for the hunting of caribou on the Alpena-Amberley Ridge, which bridged Lake Huron, 8 to 10,000 years ago during the Lake Stanley Lowstand (Sonnenburg and O’Shea 2017), early Holocene deposits at the proposed aggregate site could potentially be identified and examined on a periodic basis to determine whether these might yield late Paleo and Early Archaic period flint artifacts.

Best regards,

Michael Gregg PhD
33 Stanhope Avenue,
Toronto, ON,
M4K 3N4
01.215.253.8747
michael.gregg@utoronto.ca

July 12, 2021

To: Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR5 Goderich, Ontario
N7A 3Y2

Re: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel

To whom it may concern,

I am writing to voice my opposition to the application by Lobo Sand and Gravel to operate a Category 1, Class A gravel pit on lands within the loop of the Maitland River west of Ball's Bridge (an Ontario heritage site). I am also opposing the possible re-zoning of this area by township of ACW and the proposed by-law amendment (ACW Z07-21)

Operation of this pit would not only jeopardize the ecological integrity of the Maitland Valley watershed and the sense of well-being of communities throughout Huron County. It may also have the potential to adversely affect long established Aboriginal treaty rights associated with surrender of the Huron Tract and its acquisition by the Crown.

As you may be aware, Treaty Number 29, signed by Anishinaabe leaders at Amherstburg on July 10th, 1827, notes that: 'His Majesty [is] desirous of appropriating to the purposes of cultivation and settlement a tract of land hereinafter particularly described.' Treaty 29 makes no mention of whether the Crown has any interest in acquiring lands for the purpose of extracting mineral resources such as sand or gravel. One of the sixteen Indigenous signatories to Treaty 29 was Joshua Wawanosh, a chief from the Lake St. Clair region with family and clan ties to the Anishinaabe of the Saugeen (Travers 2015), and the inspiration of the former township that bears his name (Jameison 1992).

Karen Travers' (2015) doctoral dissertation asserts that Wawanosh and many other Anishinaabe leaders from the Lake St. Clair region believed they retained an interest in lands from the Ausable River to Goderich and Owen Sound, and that the 1836 Saugeen Treaty with the Crown was invalid without their consent.

A dozen Anishinaabe chiefs, including Wawanosh discussed 'emigrating' to the Saugeen to create their own reserve, and petitioned the Lieutenant-Governor to help them secure these lands (LCA, File 10A-AC; circa 1846).

In making a decision on whether to allow a gravel pit or any rezoning to allow such a pit on lands adjacent to Little Lakes Road, I would ask that the township of ACW and the Ministry of Natural Resources and Forestry take the original intent of the Treaty 29 agreement into account, and insure that informed consultations with both First Nations of Kettle and Stoney Points and First Nations of the Saugeen are carried out before exercising any power under the Aggregate Resources Act.

Best regards,
Michael Gregg PhD
Lecturer in Anthropology
01.215.253.8747
33 Stanhope Avenue,
Toronto, ON,
M4K 3N4

From: nancy.craig@telus.net
To: [Florence Witherspoon](#)
Cc: [Glen McNeil](#); planning@huroncounty.ca; [Roger Watt](#); [Jennifer Miltenburg](#); [G Fisher](#); [Bill Vanstone](#); [A Snobelen](#); [Wayne Forster](#); john.yakabuski@pc.ola.org; doug.fordco@pc.ola.org; du_barrie@ducks.ca; lisa.thompson@pc.ola.org; [ben lobb](#); [michael flynn](#)"
Subject: OBJECTION LETTER
Date: Wednesday, June 23, 2021 8:42:29 PM
Attachments: [Report on Gravel Pit.docx](#)

Mayor McNeil:

I would like you to postpone this meeting until you and I and Minister Thompson meet on June 30th. Also, this is ahead of Lobos's period of objection which doesn't end until June 30th.

Once Farmland, always farmland. Once a pit always a pit!

You are obligated to follow Environmental Laws of the Province and Federal Governments.

Provincial Policy Statement

4.2 Provincial Policy Statement Under Section 3 of the Planning Act, the Provincial government issues a statement establishing planning policy for Ontario. The Province just released a new Provincial Policy Statement on March 1, 2005. The Province requires all municipal planning documents to be in consistent with the Provincial Policy Statement (PPS). The PPS provides policy guidance on issues of provincial interest which may be affected by land use planning and development decisions. Decisions must focus on the long term protection of the resource. Agricultural land, mineral resources, natural heritage, water supply and cultural resources are recognized to provide economic, social and environmental benefits. The intent of the PPS is to promote a system that acknowledges the importance of managed economic growth and conservation for future generations. The Provincial Policy Statement defines mineral aggregate operations as: f Lands under license or permit, other than for a wayside pit or quarry, issued in accordance with the Aggregate Resources Act; f Lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land

Background

The Provincial Policy Statement (PPS) is a consolidated statement of the government's policies on land use planning. It gives provincial policy direction on key land use planning issues that affect communities, such as:

- efficient use and management of land and infrastructure
- the provision of sufficient housing to meet changing needs, including affordable housing
- the protection of the environment and resources including farmland, natural resources (for example, wetlands and woodlands) and water
- opportunities for economic development and job creation
- the appropriate transportation, water, sewer and other infrastructure needed to accommodate current and future needs
- the protection of people, property and community resources by directing development away from natural or human-made hazards, such as flood prone areas

The PPS is issued under [section 3 of the Planning Act](#) and according to the act all decisions affecting planning matters shall be consistent with the Provincial Policy Statement.

ORIGINAL EMAIL TO COUNCIL

From: nancy.craig@telus.net <nancy.craig@telus.net>

Sent: June 11, 2021 2:38 PM

To: planning@huroncounty.ca; gmcneil@acwtownship.ca; rwatt@acwtownship.ca; jmiltenburg@acwtownship.ca; gfisher@acwtownship.ca; bvanstone@acwtownship.ca; asnobelen@acwtownship.ca; wforster@acwtownship.ca

Cc: ben lobb <ben.lobb@parl.gc.ca>; john.yakabuski@pc.ola.org; doug.fordco@pc.ola.org; du_barrie@ducks.ca

Subject: PROPOSED GRAVEL PIT - LOBOS SAND AND GRAVEL

Dear ACW Council:

PROPOSED GRAVEL PIT:
LOBOS SAND AND GRAVEL

PART LOT 14, CONCESSION 2, EASTERN DIVISION and PART LOT 15,
WESTERN DIVISION, GEOGRAPHIC TOWNSHIP OF COLBORNE
TOWNSHIP OF ASHFIELD COLBORNE WAWANOSH
COUNTY OF HURON

We, who are opposed invoke our rights under the Environmental Bill of Rights:

- The people of Ontario recognize the inherent value of the natural environment.
- The people of Ontario have a right to a healthful environment.
- Environment The people of Ontario have as a common goal the protection, conservation and restoration of the natural environment for the benefit of present and future generation

This proposed industrial open pit mining operation will cause unpresented disaster to:

- The unique experience of the Historic Ball's Bridge Heritage Site and Historic G2G Rail Trail
- The natural balance of wetland, woodland and wildlife of this sensitive ecosystem
- Prime farmland
- The aquifers, the Maitland River and its watershed, and Lake Huron
- Old growth forest and its rare and endangered edible and medicinal Indigenous plants and endangered species such as the Queen snake and numerous bald eagles
- A rich artistic and cultural heritage and landscape and associated tourism
- Hiking, canoeing, fishing, cross country skiing, snowmobiling, etc...
- Recreational sports
- Accommodation businesses, and other businesses dependent upon Tourism
- And, cause health risks unnecessarily.

You are obligated by Laws of the Federal and Provincial Governments to enforce the Zoning By-Law, and uphold the Environmental Laws of the Federal and Provincial Governments.

BY-LAW NO. 32-2008 BEING A BY-LAW, UNDER THE PROVISIONS OF SECTION 34 OF THE PLANNING ACT, R.S.O., 1990, AS AMENDED TO REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES AND TO PROHIBIT CERTAIN BUILDINGS AND STRUCTURES IN VARIOUS DEFINED AREAS OF THE CORPORATION OF THE TOWNSHIP OF ASHFIELD-COLBORNE WAWANOSH. WHEREAS the Council of the Corporation of the Township of Ashfield-ColborneWawanosh considers **it advisable to regulate the use of land situated within the defined areas, as hereinafter designated, for the purpose of preventing any further development which would create an adverse effect on the Corporation, and to prevent the use of lands that would jeopardize future orderly development and expansion, and to protect the natural environment.**

Jeff Van Bree of Lobos, under the cloak of the COVID-19 Lockdown, has made an application for a gravel pit in a known historically, culturally, and environmentally significant area in the Township of Ashfield-Colborne-Wawanosh, Ontario (ACW). This area of the Maitland River empties into Lake Huron. Goderich is a tourist town in Huron County alongside of Lake Huron –The area is a tourism draw – fishing, canoeing, kayaking, boating, and swimming, etc... The G2G Rail Trail – hiking and biking, and is proven historically and culturally significant, and is supported by Tourism Provincial Funding and donations. Balls Bridge is historically and culturally significant. There is old growth Forest, important flora and fauna, endangered species and many other species. Lobos never entertained public consultation. Consultation only occurred after Lobos – Jeff Van Bree, made application, and it was at the insistence of groups in Goderich attempting to stop this project.

Lobos has not been transparent, and has not been forthcoming about the destruction they will cause, and did not do their due diligence, as evidenced in the Zoom Presentation - part of Report on Proposed Gravel Pit in ACW. Lobos has made application under the wrong zoning.

"Until a proposal to rezone the plot of land is presented to the ACW council, the project cannot go ahead. If the council approved rezoning, aggregate mining would begin in that space just meters from Ball's Bridge and the Maitland River".

To begin this "pit", Lobos will need to have the zoning changed, and under our rights set out in the EBR,

You are obligated by Law to not change the zoning and enforce your Zoning By-Law.

Many Farmers tell me that they are always looking for land to plant cash crops, and they would be the first to tell you, you can't eat gravel.

"This is a natural environment," she said. "It's a rare, valuable thing. We are hoping that the council loves this bridge and this area as much as we do, and value it as much as we do." Frustrations grow over potential gravel pit near Little Lakes Road - Kathleen Smith

Esher Planning:

"I appreciate your concerns about the change to the area, but it's important to note in addition to the agricultural uses, the recreational uses, all the historic uses and fishing on the Maitland River, there is also gravel extraction in this area," Horton said.

This injudicious comment suggests – well there's so many why not one more? This is not rational or reasonable, but it proves they know the value of this area.

ACW has a legal obligation to protect the Environment as evidenced in their Zoning By-Law, and a further obligation to the people in the Municipality who are opposed, to uphold the Laws of Provincial and Federal Government concerning the Environment, Heritage, and Tourism.

Provincial and Federal Governments have an obligation to ensure Laws, Statutes and Mandates are enacted.

PROPOSED ACTIONS

This area is currently designated as Agriculture Farmland, and therefore: Lobos has made application prior to zoning being changed to aggregate, which voids his application. **We assert that no zoning changes be made to this area,**

and to do so would show contempt for Federal and Provincial Laws, and therefore;

The ACW Municipality is obligated to act under their Zoning By-law to protect the environment, and uphold the Federal, Province Laws on the Environment, Heritage, and Tourism.

The ACW Zoning By-Law

County of Huron Planning Department

Municipal, Provincial and Federal Ministries are obligated to revoke this application on the basis of Laws, Statutes, and Mandates governing the environment, tourism, and the historical and culturally significant.

"Until a proposal to rezone the plot of land is presented to the ACW council, the project cannot go ahead. If the council approved rezoning, aggregate mining would begin in that space just meters from Ball's Bridge and the Maitland River".

To begin this "pit", Lobos will need to have the zoning changed, and under our rights set out in the EBR, You are obligated to act under the Zoning By-Law, and uphold the Laws, statutes and Mandates of the Provincial and Federal Governments.

Many Farmers tell me that they are always looking for land to plant cash crops, and they would be the first to tell you, you can't eat gravel.

"This is a natural environment," she said. "It's a rare, valuable thing. We are hoping that the council loves this bridge and this area as much as we do, and value it as much as we do." Frustrations grow over potential gravel pit near Little Lakes Road - Kathleen Smith

"I appreciate your concerns about the change to the area, but it's important to note in addition to the agricultural uses, the recreational uses, all the historic uses and fishing on the Maitland River, there is also gravel extraction in this area," Horton said.

This injudicious comment suggests – well there's so many why not one more? This is not rational or reasonable, but it proves they know the value of this area, and don't want to work with us, they want to work around us to get their way.

ACW has an obligation to protect the Environment, uphold Environmental Laws of the Federal and Provincial Governments, and a further obligation to the people in their constituency and Huron County. Provincial and Federal Governments have an obligation to ensure Laws, Statutes and Mandates are enacted.

Frustrations grow over potential gravel pit near Little Lakes Road

Author of the article:

Kathleen Smith

Publishing date:

Jun 04, 2021 • 4 days ago • 5 minute read • [Join the conversation](#) The proposed plot of land remains under the Aggregate Resource Application (ARA), and also requires a rezoning by-law to be approved by ACW council. Kathleen Smith jpg, GS

Article content

Esher Planning and Lobo Sand and Gravel have disclosed plans for aggregate extraction on a 30.8-hectare plot of land near Ball's Bridge, in Ashfield-Colborne-Wawanosh (ACW).

Residents of Little Lakes Road and other community members are contesting the plans.

Upwards of 80 people attended the May 25 virtual open house, including councillors and residents.

A local group, Friends of Little Lakes Road, was organized 15 years ago to save the historic Ball's Bridge. Now it says it is fighting to keep the area untouched by aggregate extraction.

Little Lakes Road resident Rebecca Garrett says the area's future is in the hands of the ACW council.

"We are fighting for this very particular, very irreplaceable place starting here [Ball's Bridge] all the way to the end of Little Lakes Road," said Garrett in a June 1 interview.

"This is a natural environment," she said. "It's a rare, valuable thing. We are hoping that the council loves this bridge and this area as much as we do, and value it as much as we do."

Rebecca Garrett overlooking the Maitland River from the historic Ball's Bridge on Little Lakes Road. Kathleen Smith jpg, GS

Until a proposal to rezone the plot of land is presented to the ACW council, the project cannot go ahead. If the council approved rezoning, aggregate mining would begin in that space just meters from Ball's Bridge and the Maitland River.

Currently, Lobo Sand and Gravel has begun work in its adjacent property, the Fisher Pit, which is the property with frontage on Londesboro Road.

"In terms of the process and approvals, there are two components," said Melanie Horton, President of Esher Planning, during the open house.

"We need a license from the Ministry of Natural Resources and Forestry (MNRF) and we also have an application for zoning, processed through the Township of ACW."

Esher Planning has submitted reports for both the planning act application and the aggregate resources application. Reports were done on hydrogeology, natural environment, noise assessment and archaeology.

The applications will be reviewed by provincial agencies including the MNRF, the Ministry of Environment and Conservation of Parks (MECP), the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and the Maitland Valley Conservation Authority (MVCA).

Water quality was among the list of concerns raised by residents and others.

According to Horton, the hydrogeology analysis concluded there would be no impact on water quality or quantity.

This statement is false according to scientific evidence.

Other concerns included loss of natural environment, harm to biodiversity of the area, loss of serenity and trails, as well as loss of forest and fauna.

"If you look at the Google Earth maps of Huron County, you see more and more of these gaping holes. That's what we're leaving," Garrett said.

"These empty spaces, devoid of life."

Kathleen Lush with the Maitland Trail Association spoke at the meeting concerning a 3.8-kilometre trail that runs between the Fisher Pit and to Little Lakes Road.

Horton with Esher Planning told members of the Maitland Trail Association they were willing to work together to find a solution to reroute trails affected by the project.

Rerouting trails and wildlife is ill advised. This proves how little Lobos and Esher Planning care about the environment.

"I appreciate your concerns about the change to the area, but it's important to note in addition to the agricultural uses, the recreational uses, all the historic uses and fishing on the Maitland River, there is also gravel extraction in this area," Horton said.

"It's what we need to build the roads, it's what people need to build homes. It's a necessary commodity. This is a site where there is a provincially significant resource."

There is gravel everywhere in Huron County, in our front and back yards, and under the towns we live in. Given the amount of gravel pits in the area, we already have this covered, and have roads, and homes.

Horton said Esher Planning has done their best to look at all the impacts on the area, including natural heritage features like Ball's Bridge to water resources like the Maitland River.

If they had done their best to look at all the impacts, they would have withdrawn their application, instead of trying to find ways they can destroy the Environment.



A slide from the

virtual open house, outlining the plot of land for the proposed aggregate extraction near Little Lakes Road. Submitted

Extraction in Ontario is managed and licensed by the Ministry of Natural Resources through the Aggregate Resources Act.

ACW Mayor Glen McNeil said the municipality is aware the plot of land in question has an application submitted with the ministry for a license.

This is proof that the application has been made while the zoning is still deemed Agriculture and Natural Environment.

According to McNeil, in the municipality's official plan, this particular plot of land is designated aggregate.

However, it is currently zoned as agricultural and natural environment within the municipality's zoning by-law.

"The Minister of Natural Resources cannot issue a license without the proper zoning in place," McNeil said.

"The gravel is, where the gravel is. There is gravel under that ground and ACW cannot move the gravel."

He said a zoning application is the only point at which the municipality has any involvement with the application process. As of June 2, the council had not received a completed application from Esher Planning.

Zoning is something that's approved at the municipal level. McNeil said his council's only involvement with the project will happen if a rezoning application is submitted.

Once the application has been deemed complete, McNeil said a public meeting will be held.

"ACW has had no discussion yet, because nothing has been brought forward," McNeil said.

"Whether it's good for ACW or not good for ACW – that's not the point of the application when it comes forward. It's for the rezoning and we just have to stay in our lane."

McNeil said understands there are frustrated and concerned residents, but encouraged them to work with Esher Planning and Lobo Sand and Gravel for a more favourable outcome for all.

The most favorable outcome for all would be to have this project stopped.

When it comes to making a decision on the zoning by-law, McNeil says ACW has to be careful to not let emotions get in the way.

Hopefully the Laws and the facts presented in this report will convince you!

"Can we be compassionate and say we don't want to do that? It's not legitimate grounds in a court of law. We need to have facts when we consider this application," he explained.

"It's very important to the residents of ACW, I respect that. ACW council can only make decisions based on our legal responsibilities. Our involvement in this situation is the zoning of the area."

Your legal responsibilities compel you to not change the zoning.

According to Horton, Esher Planning anticipates that ACW council will host a public meeting in August.

"They do have a meeting in July, but we are talking with township staff now about when they would like to host that," said Horton.

In terms of what happens next for the process of an Aggregate Resources Application, generally the applicant has up to two years to work to try to resolve any concerns or objects.

The deadline for residents to submit concerns, objections or comments for consideration with the ARA process is June 30.

"We have to have our letters opposing their plan by then," concluded Garrett.

"If we can get lots of really good letters sent, it may take them a while. There are lots of hoops to get through still."

Letters can be sent to Melanie Horton of Esher Planning at: melanie@esherplanning.com

A response will be made to all objection letters.

For more information on Friends of Little Lakes Road: <https://www.littlelakesroad.org/learnmore>
katsmith@postmedia.com

Check out www.vanbree.ca. There's a video on their page...check out it at the 4 minute mark...shows what the pit could look like!

Under the rights we invoked in the EBR, and the Laws of the Provincial and Federal Governments, we insist that this application be denied, and the zoning remain Agricultural.

OUR ENVIRONMENT, HERITAGE AND CULTURE ARE NOT FOR SALE!

Warm regards,

Nancy Craig, BA

145 Main Street North

PO Box 181

Seaforth, Ontario

NOK 1W0

226-699-0003

www.pemberleyhouse.ca

July 12, 2021

To: Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR5 Goderich, Ontario
N7A 3Y2

Re: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel

To whom it may concern,

We are writing this letter to voice our strong opposition to the proposed Lobo Sand and Gravel at Little Lakes Road. Little Lakes is a peaceful rural neighborhood with land that should be protected, including a woodlot that is home to many Indigenous medicinal plants.

This pit will be very close to the Maitland River in an area that many of us treasure and enjoy for its unique scenic beauty, the historic Balls Bridge and diversity of species of endangered plants, wildlife and migratory bird habitat. The planned pit will be dug below the level of the water table and will destroy precious agricultural land as well as impacting the river, neighbouring woodlands and surrounding ecology.

The applicant proposes to excavate gravel below the water table and would have a negative impact on neighbouring wells that are fed by the aquifers that flow through the property in underground streams. Water always follows the path of least resistance and any single, multiple or successive development or site alteration activities and would have an irreversible negative impact on community wells and important wetlands. There are large wetlands near the proposed mine property that eventually flows into Maitland River. The Ministry of Environment states that Wetlands are one of the most important life support systems on earth. Not only do they provide critical habitat for fish, birds and other wildlife, they help to minimize or remediate environmental problems and help regulate atmospheric gasses and climate cycles. A gravel pit adjacent to this very important wetland would have an enormous negative impact by adding to the sediment washing into the wetland from runoff on the property.

Airborne particulates as well as toxic emissions from trucks, equipment and machinery may seep into the ground and contaminate groundwater, which flows into the wetland and into neighbouring wells.

The Little Lakes area is part of the traditional territory of the Saugeen Ojibway Nation and Three Fires Confederacy, the original stewards of the land who protected the ecology and many sites of natural and cultural significance since time immemorial.

Thank you for taking the time to hear our concerns and hope you will take them into consideration when making your decision.

Sincerely,

Race Huron
Tricia and Stacy Denunzio
Erin and Jamie Grandmaison
Pam and Jeremiah Sommer
Barb and Brian Allen
Steve and Hellen Beasley

145 Huron Road Goderich, Ontario N7A 4M2

June 23, 2021

To Whom it May Concern:

Re: Proposed Sand & Gravel Pit – Little Lakes Road. Application by 142059 Ontario Ltd. Lobo Sand and Gravel, 74 Nauvoo Rd., Forest Ontario N0N 1J0 to operate a Category 1 Class A Pit (below the water table) on PART LOT 14, CONCESSION 2, EASTERN DIVISION and PART LOT 15, WESTERN DIVISION, GEOGRAPHIC TOWNSHIP OF COLBORNE TOWNSHIP OF ASHFIELD COLBORNE WAWANOSH COUNTY OF HURON

We are writing this letter to voice our strong opposition to the proposed Lobo Sand and Gravel at Little Lakes Road. Little Lakes is a peaceful rural neighborhood with land that should be protected, including a woodlot that is home to many Indigenous medicinal plants. This pit will be very close to the Maitland River in an area that many of us treasure and enjoy for its unique scenic beauty, the historic Balls Bridge and diversity of species of endangered plants, wildlife and migratory bird habitat.

The planned pit will be dug below the level of the water table and will destroy precious agricultural land as well as impacting the river, neighbouring woodlands and surrounding ecology. The applicant proposes to excavate gravel below the water table and would have a negative impact on neighbouring wells that are fed by the aquifers that flow through the property in underground streams. Water always follows the path of least resistance and any single, multiple or successive development or site alteration activities and would have an irreversible negative impact on community wells and important wetlands.

There are large wetlands near the proposed mine property that eventually flows into Maitland River. The Ministry of Environment states that Wetlands are one of the most important life support systems on earth. Not only do they provide critical habitat for fish, birds and other wildlife, they help to minimize or remediate environmental problems and help regulate atmospheric gasses and climate cycles.

A gravel pit adjacent to this very important wetland would have an enormous negative impact by adding to the sediment washing into the wetland from runoff on the property. Airborne particulates as well as toxic emissions from trucks, equipment and machinery may seep into the ground and contaminate groundwater, which flows into the wetland and into neighbouring wells.

The Little Lakes area is part of the traditional territory of the Saugeen Ojibway Nation and Three Fires Confederacy, the original stewards of the land who protected the ecology and many sites of natural and cultural significance since time immemorial.

Thank you for taking the time to hear our concerns and hope you will take them into consideration when making your decision.

Sincerely,

Race Huron

Tricia and Stacy Denunzio

Erin and Jamie Grandmaison

Pam and Jeremiah Sommer

Barb and Brian Allen

Steve and Hellen Beasley

145 Huron Road

Goderich, Ontario

N7A 4M2

To: cao@acwtownship.ca, clerk@acwtownship.ca

Date: 22/06/21

This is my letter of objection to an application by 1142059 ON Ltd (Lobo Sand and Gravel) for a license to operate a gravel pit on or near Little Lakes Road in ACW Township, Concession 2, Part Lots 14 and 15, and for rezoning the land in question to permit resource extraction.

Like many residents of or visitors to this area I have very serious objections arising from its general impact on the much-admired and much-visited Little Lakes Peninsula. But I am also the property owner who would be most directly affected by the proposed pit, as my land lies immediately to the East and South of it. (My land is semicircular in shape: the proposed pit would occupy its geometric centre.) The effect on my property would be extreme.

My letter is in two Parts. In **Part 1** I state the concerns arising from the impact of the proposed pit on my residential property, on my workplace, and on the portion of the land (= "Part 3" on the County Survey) immediately adjacent to my property. -- To clarify, the proposed pit would occupy 3 "Parts" on the County Survey: "Part 1" is an open area adjacent to the existing Fisher Pit, "Part 2" is the deeded right-of-way to an historic stone house set back from the road, while "Part 3" is an area that contains a wetland and also a watercourse draining into the Maitland River valleylands, and is bordered to the East, South and Southwest by land that is zoned NE1 and designated both as Provincially Significant Woodland and as Significant Wildlife Habitat.

In **Part 2** I state my general objections to the Application as it has currently been made. I understand that the Application is to be modified, but obviously I can only object to the Application that has actually been made, even if the Application eventually takes a different shape. (It seems to me to be a bit unfair that a proponent can make official changes that are not officially communicated to opponents!) However, my objections in **Part 1** apply regardless of certain amendments that I understand may be on the way.

Part 1.

1. The Site Plan submitted by the proponent is required to identify the location *and use* of any buildings on adjacent property (ARA 1.1.16). It identifies a "cottage" and a "barn" on my property. The "cottage" is a 4-season 2000 sq ft home that I occupy for 3 or 4 days each week, and to which I plan to retire in 2022. The "barn" is a studio where I work 3 or 4 days each week, and which would become my full-time workplace on retirement next year. A glance at the Site Plan will I think show that its use as a studio would be severely affected by a deep gravel operation a few metres away. Please note that I would not be able to build a new workplace elsewhere on the property, further away from the proposed pit, because of the strict NE1 zoning restrictions that forbid new construction on my land.

2. Whether the building identified on the Site Plan as “RO2” should be called a house or a cottage, however, ACW Twp zoning regulations (9.4.2) forbid excavation within 150m of it. This requirement has not been observed in Phases B and C of the proposed operation.

3. On the Site Plan the “use” of my land is described as “natural” rather than “residential”. I’m not sure what “natural use” is, but in any event my use of the land is an extension of my having a residence on it (e.g I have my morning coffee in a clearing in the woods, I remove dead trees and plant new vegetation on it, my visitors take photographs in it, visiting children play in it, etc.). So I don’t understand the Site Plan’s designation. In any event, designating my land’s use as natural rather than residential has the effect of ignoring some important protections, such as those set out in ARA 5.13.2.1., which prohibit crushing operations (and other things) within 90m of a residential boundary. This requirement has not been observed in Phase A of the proposed operation.

4. My property, and all the neighbouring land to the East, South and Southwest of Part 3, is mapped both as “Provincially Significant Woodland” and as “Significant Wildlife Habitat.” ACW Twp Zoning s.3.7 requires a 50m setback for Provincially Significant Woodland, prohibiting site alteration within that setback. True, the same Zoning provision also specifies a lower setback, 15m, applying to adjacent AG1 property. But of course, if the land comes to be rezoned, the AG1 standard would no longer apply: the greater 50m standard set by the Twp’s zoning by-law would then quite clearly apply.

5. The wetland (“swamp”) within Part 3 of the site, while it is zoned NE1, is not given Provincially Significant status, unlike the woodland approx. 100m away, from which it was once likely severed. However, according to the *Huron Natural Heritage Plan Technical Document*, pages 18-25, the wetland *would* now be considered significant by virtue of its character and size and proximity to significant woodland and by virtue of being an amphibian breeding habitat – a quite major one, or so neighbours would judge from night-time sounds in the Spring. It is also functionally a part of the adjacent woodland in terms of its observed use by wildlife. If so, then it too would enjoy a minimum 50m setback preventing site alteration. *The Huron County Aggregate Resource Strategy* 2005, pages 22,30, actually advocates a much larger buffer zone, of 120m, even for “locally significant wetlands,” so we should regard 50m as a very bare minimum.

Whatever the appropriate figure is, the wetland would lose all ecological value if it were to become an island within a gravel pit. Some of its value could be retained if its own setback and that of the adjacent woodland, combined, prevented site alteration between the two. There could then continue to be some movement of wildlife between them, as at present. The importance of protecting/enhancing such connectivity is endorsed by the *2020 Provincial Policy Statement* (2.1.2).

6. As noted above, Part 3 of the site contains a wooded watercourse, which appears to contain running water even during the present dry period. Since it is physically part of the valleylands it is surely an anomaly that it has not so far been given the same “Significant” status, and

extending the 50m setback requirement to it would seem the most minimal level of protection, even if we accept the proponent's consultant's claim that deep excavation in the Peninsula will have no general impact on waters flowing into the nearby and surrounding Maitland River.

6. The Plan submitted is accompanied by a hydrogeological survey that identifies the water source for my house as surface water, perhaps because the wellhead is close to a stream. Actually, despite appearances, it is drawn, via a conduit that the consultants may not have observed on their (perhaps brief) unaccompanied visit, from a spring that lies some 15' beneath the land on which below-water excavation is proposed. It is surely not unreasonable to believe, therefore, that it would be compromised by deep excavation, and in the case of my property at least the mandated question of impact on private water sources has not been adequately addressed.

7. The hours of operation proposed for the pit would be appropriate for an operation in some remote area where there would be no neighbours around to be affected. When people live in any area they can reasonably be expected to put up with unavoidable nuisances: but only during the working day, while having some relief from them when the working day is over. However, on the current proposal those of us in the site's close vicinity are expected to put up with the effects of its operation during almost all of our waking hours. This would not be permitted in a more closely-settled area. Does it somehow become acceptable when fewer people are affected? There are fewer people here because by-laws prohibit residential development, and by-laws do so for the reason that this is an environmentally sensitive area. For exactly the same reason, other activities in ACW Twp should be appropriately restricted.

I note the Township's motto on its website: "An oasis of quiet country and cottage life."

Part 2.

1. *Competing land uses.* The Little Lakes area is a small peninsula bordered on three sides by the Maitland River and the Provincially Significant Woodland and Wildlife Habitat on the River's banks. At present most of the land in the peninsula is zoned AG1, and is used as cropland. That zoning permits a remarkably harmonious balance of co-existing land uses, agricultural, residential, recreational, and natural heritage. Respecting or achieving such a balance between potentially conflicting land uses is, of course, the stated objective of planning policy at every level, township, county, or province. But if the areas within the peninsula that were once (when??) designated as ER1 – amounting to over 50% of the land area -- were to be rezoned to permit resource extraction, the peninsula would become, essentially, an industrial site in which other important land uses are marginalized. Even the rezoning currently sought would convert nearly half of the peninsula to gravel extraction.

2. *Loss of agricultural land.* One hopes that some level of authority in the County or Province is keeping track of the progressive cumulative loss of agricultural land in our area, in a way that consideration of a single rezoning decision obviously cannot do. I understand that excavation below the water table makes it impossible for the land ever to return to agricultural (or any)

use. So the loss would, in this case, be more serious because irrevocable. And while the argument that “we need gravel” has some current weight, the argument that “we need food” may have traction for much longer.

3. *Residential use.* There are not many residences on Little Lakes Road, precisely because the NE 1 designation quite rightly precludes residential development in an environmentally sensitive area. The river valleylands surrounding the proposed site cannot be developed, for environmental reasons. Residents who are required to respect restraints on development find it odd, or infuriating, that, while they aren’t permitted to build small extensions to their homes or even alter their rooflines, a far-more potentially destructive mining operation in their midst could be proposed. Moreover, what is currently proposed is quite exceptionally intrusive. One residence (of historic value) would be closely surrounded on three sides by gravel extraction, and its laneway would be used as part of a haulage route. The eastern part of the proposed pit would be inserted between neighbouring residences, close enough that when one neighbour steps onto his deck the other neighbour’s dog barks. The proposed pit could hardly be more inconsistent with the motto, quoted above, that the Township has chosen to adopt for itself. Is there any precedent, in the County, for (i) allowing the gravel industry to surround someone’s house, (ii) approving a haulage route that makes use of a residential driveway, or (iii) allowing a mining operation to be inserted between two neighbouring houses?

4. Little Lakes Road is above all *a recreational resource for Huron County* residents and for visitors to our peninsula. The road contains three tourist destinations: at the western end the Little Lakes themselves, which attract photographers and also young families looking for safe fishing opportunities; in the middle, an entry point to the Maitland Valley Trail, which attracts hikers; and at the eastern end, Ball’s Bridge, a mecca for canoeists, fisherfolk, camera club outings, and wedding parties in search of photo backgrounds. The road itself is also an attraction, for walkers and joggers and cyclists who value low-traffic areas, and for drivers who admire spectacular fall colours: it forms part of the Maitland Valley Trail – which, by the way, the project would sever -- and (at present) the G to G Trail. If Little Lakes Road becomes a gravel haulage route, used by dozens of large trucks each day, there are two possibilities. Either its recreational value for County residents and our County’s visitors will simply come to an end. Or, if cyclists and joggers and hikers and fisherfolk and newlyweds do continue to use the road, a narrow road with blind curves and blind hills, and no shoulders to pull over on, the safety issues are nothing less than horrifying. The same worry about blind-hill perils would apply to River Line, another gravel road that the pit would use before its trucks eventually reach pavement. Is there any precedent, in the County, for permitting development that essentially eliminates such attractively diverse recreational enjoyment of an entire area, and for approving a haulage route that, to be quite frank, is inconsistent with a concern for human life?

5. As for *natural heritage*, the peninsula is formed on three sides by the Maitland River, the banks of which are densely forested and, for good reason, protected by three of the strongest Provincial designations of natural significance. The Plan submitted by the gravel pit’s proponent gives no indication that what is proposed is not only “adjacent” to, but is actually bounded by, an ecosystem of Provincial importance. This is important for four reasons:

(i) the forested valleylands form part of a long continuous wildlife corridor running through our County, the whole of which would obviously be compromised if any part of it were to be damaged;

(ii) because the peninsula occupies a loop in the river, development would exercise an impact in three directions, the impacts thus being multiplied;

(iii) the bulk of the valleyland is downwind from the proposed pit and so would be maximally exposed to noise and particulate pollution;

(iv) because the area occupies a tight loop in the Maitland valley it is habitually used as a crossover point by wildlife (deer, wild turkeys, foxes, birds of prey) travelling from the northern to the southern reaches of the river.

Is there any precedent, in the County, for permitting development that is not simply adjacent to, but that lies in the centre of, a small environmentally important landscape that would be disrupted? Issues (i)-(iii) above might perhaps be addressed by more effective setback provisions than the very minimal provisions made on the Site Plan, although even the 50m setback required by ACW by-laws is likely insufficient. Issue (iv) is even more intractable, as addressing it would require a substantial usable corridor extending from Little Lakes Road to the woodland/wildlife habitat to the South, a corridor that the current AG1 zoning permits, but which ER zoning and fencing would entirely close off.

6. Huron County is one of the most beautiful places on Earth. But driving around our County, one sees site after site that resembles, rather, the surface of the Moon. Often it is protected from sight, more or less, by a berm, but from time to time we see what has happened behind it. It is hideous. If the Little Lakes Peninsula goes the same way as the deeply depressing areas that we see to the South and West, then a particularly beautiful part of a very beautiful County will have been turned, irrevocably, into a lunar landscape, as opposed to a place where competing land uses have come into such an attractive harmony.

Richard Vernon
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July 9, 2021

To: Township of Ashfield-Colborne-Wawanosh
82133 Council Line
RR5 Goderich, Ontario
N7A 3Y2

Re: Zoning By-Law Amendment Application ACW Z07-21 Lobo Sand & Gravel

To whom it may Concern,
I am responding to the Application for a Zoning By-Law Amendment by Lobo Sand and Gravel/

Forest Ontario N0N 1J0. The following are my concerns and objections:

A. WATER Quality Issues

We have major concerns about two levels of water safety. The first is that a gravel quarry – especially a below the water table one, should **never, ever** be adjacent to a significant body of water. The Maitland River is known to be one of the healthiest rivers in southern Ontario. It supports an ample supply of the species that belong in healthy rivers and is one of the few locations where the endangered queen snake is doing well.

Excavating the gravel beside a river removes Nature's protective barrier and allows the rains and spring meltwaters to rapidly reach the river rather than allowing the slow percolation that cleans the water before it reaches the river. On top of that, the exposure of the excavated gravel allows the toxic runoff from decades of the agricultural use of pesticide and herbicide chemicals to contaminate the river.

The proximity of this quarry would ensure constant contamination of the river water thanks to the prevailing winds coming from the west, thus affecting the water quality at the location and downstream all the way to the lake. The resulting changes in the water quality could also disrupt the health of the existing fish populations, whose presence attracts fishers from near and far, and whose presence provides a significant economic benefit to the region.

The second water concern is the strong potential for negative impacts on the water table, and on local wells. Groundwater quality is commonly affected through increased fine sediment concentrations caused during quarrying, and from accidental spillages. Moreover, the enormous quantity of water needed to wash the gravel also indicates a serious danger both to the groundwater levels and the river levels. The Maitland River's summer flow would **not** allow any of its water being used for gravel cleansing.

B Concerns About Our Ecosystem and Environment

Here again, we have major concerns. First of all, as you know well, the province classifies pits and quarries as "interim uses of the land" and requires 100% rehabilitation of pits and quarries. It has also been proven beyond all doubt, that a below water level quarry **can not** be rehabilitated to a viable use. So WHY is such a quarry even being considered in this very vulnerable area.

The river bank area is, and always has been, a wildlife corridor. It is vital to the ecological health of the local creatures, of all sizes and descriptions, and this area has a rich, healthy diversity The

proposed buffer of '10 meters from the drip line of trees' is totally inadequate. The dust contamination alone that would contaminate this stingy 'buffer', would soon wipe out the plant diversity in the area, and it would not provide an adequate barrier or healthy fare for any wildlife travelling through. Moreover, the existing wetland – a vital but diminishing environmental feature in our province, would effectively be isolated – and thus destroyed. This is absolutely not acceptable.

C The Little Lakes Road

We don't believe that you would, in the end, decide that it is worthwhile to send the gravel trucks along this narrow, winding road. The environmental and economic costs just wouldn't be worth it. We suspect that instead, you will decide it makes more sense to send the loads of gravel south to the entrance/exit from the Fisher property gravel pit, onto Londesboro Line (County Rd. # 15). This choice would also avoid universal damnation from the vast numbers of people who treasure this road as one of their favourite scenic routes.

D Quality of Life Influences

Starting around 1977, I travelled the Little Lakes Road for many years, heading over Ball's Bridge, then over to the Londesboro Road to get to the school I taught at – Hullett Central. The morning rush to get 4 children off to school often left me frazzled and travelling that route never failed to calm me and refresh me, allowing a better start to the always busy school days.

Our family travelled that routes to Ball's Bridge everal times every year to set out on our canoe trips down the Maitland River during the Spring run-off, and for Autumn runs. A major rainfall any time during the year was a joyful event that whenever possible, sent us scurrying to take advantage of the increased water-levels and get in an extra canoe-outing.

It has always been, and still is, a favourite car trip for us in the Autumn, to enjoy the spectacular colours always on display, but we could never finish the trip without stopping en route to take yet more photos. We are keen photographers and this is a prime area to add to our collections and share with family and friends,

Too many times to count over the decades, we, in family groups, or with other hiking friends, have hiked along the main Maitland Trail Route from where it left the Kernighan's bush and along the Little Lakes Road to River Line, or else eastward along the 'blue-blazed side -trail that headed out over Ball's Bridge. Now in our eighties, we still hike these routes – they help keep us fit.

It would seriously negatively impact many important recreational areas of our personal lives as well as those of our family members who still spend time in our Benmiller family home; one of whom we hope will eventually live there when we are gone.

These experiences are not unique to our family. They are replicated by countless of other area families. Generations of children have leaned on its railings, excitedly 'eye-spying' for fish or turtles in its depths, or ducklings swimming along its shores. Moreover, since Huron County is a holiday destination, local folk aren't the only ones who benefit. Those visiting the area from afar usually 'discover' the Little Lakes route – either by chance or via earnest recommendations from others. All

are charmed by its tranquil beauty, as it winds by the three little lakes (one so shy you have to search to see it), through the woods, past the fields and up over the heritage bridge - and they realize they have to return again. And again.

That short Little Lakes Road is one of the best known, best loved routes in Huron County. In these stressful times, we all desperately need little oases like it. A special area such as it; one that inspires a protective connection to our natural environment, and that enhances the lives of so many, is a rare jewel. It must never, ever be destroyed.

In Conclusion

I trust that everyone involved in making the decision is actually familiar with the Little Lakes Road; has travelled it and experienced it first-hand. So, first picture driving down the little hill from the Base Line, crossing Balls Bridge and enjoying the views of the existing serene, soul-nourishing landscape of fields and woods. Then imagine taking the same route, and instead, seeing an ugly, barren, devastated pit such as the nearby one on Sharpes Creek Line between Hill Road and School Road) I simply can't imagine that you would choose that your legacy is that you were the ones who bequeathed such a horror to the future generations. Because that doesn't have to happen.

We urge you to only mine the gravel from the Fisher pit north to the woods that borders the Little Lakes Road – but leave the existing woods alone.

From Londesboro Line north to the woods is a huge area and it will provide an enormous supply of gravel and ample profits. Also, make the wise and courageous decision to leave the fields and natural environment east of that area as they exist now. That whole area, encompassed by the bend in the river, should be left as agricultural land and natural environment.

Finally, we are concerned that there are many important aspects that haven't even been considered or addresses in your plans:

- Application has not considered the (award winning) heritage impact of the bridge
- Short term impact - value of the experience of bridge
- Long term- bridge gets abandoned- devalue worth of Bridge over time
- Value as an experience- economic value, tourism
- Crushers- vibration effect on the bridge structure
- Significant local cultural site -Wedding, family photos, etc. destination

We are fervently hoping that the future of the Little Lakes Road is not one of doom, but one that is formulated by wise, considerate, opened minded people who realize that not all decisions should be based on profit alone...that there are times when moral and ethical considerations help form the basis for what turns out to be the right decision for all.

Sincerely, Wendy and Heinz Hoernig

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