

Position of “Friends of Luther Marsh” and Request for Deferment Regarding Draft Minutes of Settlement for the Wilson Quarry (near Monck and Luther Marsh)

Draft Minutes of Settlement regarding the Wilson Quarry have been prepared with input from the Proponent, the County of Wellington, the Grand River Conservation Association (GRCA), the Ministry of Natural Resources and Forestry (MNRF), and the Township of Wellington North in order to proceed to the OMB where this matter was deferred several years ago.

Friends of Luther Marsh, Inc., has been a participant in opposition to this quarry based on concerns about the potential damage to the Luther Marsh and the downstream effects on the watershed, wildlife, the quality of this precious resource, the safety of the community it impacts, and the quality of life of the citizens.

At the last OMB hearing, to which Friends of Luther Marsh is a party, this matter was deferred pending more detailed plans encompassing all concerns raised, and the Proponent was direct to ensure we were consulted and specifically that citizen concerns were heard. Indeed, that is the responsibility of this Council as well.

Much has transpired over the past number of years to ensure that a proposed quarry in this sensitive area could be undertaken without damage and many experts have been involved in putting monitoring processes in place to ensure on-going safety to the Luther Marsh is met. The County has played an important role in this technical process and Friends of Luther Marsh appreciates and recognizes the assistance specifically of your planning committee.

Friends of Luther Marsh was made privy to the fact that a possible solution to the sensitive quarrying process had been reached by the County, the GRCA and the MNRF in April of this year when Draft Minutes of Settlement and attached Schedules were shared with our citizen association. Over the past weeks, our own expert has reviewed this proposal and requested some additional changes to those documents - specifically that testing and monitoring of the potential fracture shifts of the bedrock that may result from the quarry operation. Mr.

Wilson's planner has agreed to these additional conditions, although it has yet to be reflected in the Draft Minutes of Settlement before you.

We have also made a request to be added as a party to receive the various monitoring reports, the reports to be sent to the Country and the GRCA, but again this is not reflected as yet in the documents before you.

What is also lacking in the Draft Minutes of Settlement which support the proposed License to operate the quarry is who that operator will be - and specifically there is no reference as to what qualifications or track record of any proposed quarry operator must have to carry on operations on this acknowledged sensitive area. The numerous conditions, triggers, and monitoring and reporting requirements needs a high level of expertise and risk management. We believe it is only prudent to require vetting by the County and/or the MNRF as to who would qualify to operate the quarry, given the recognized potential risks here, that such operator carry a substantial liability insurance to cover any damages to the GRCA as steward of the Luther Marsh, the County, and the citizens impacted, should problems arise.

Further, very concerning to our association is that these Draft Minutes of Settlement do not reflect the social and safety concerns of the citizens of Wellington County directly impacted by this proposed quarry, particularly with respect to: the haul route south of the quarry site on Wellington County Rd 16, which would travel through the growing Hamlet of Damascus, the public use of the Damascus Lake Conservation Area, and the Lutherwood School, all to the south of the proposed quarry.

These concerns have been raised over the many years of planning for the quarry, but as things moved forward, the experts have focused more narrowly on the technical aspect of the quarry process. These social and safety concerns of the Wellington County citizens have been lost in what has culminated in the Draft Minutes of Settlement before you.

Yes, there were traffic and noise reports prepared in the planning process however these reports fail entirely to mention that in the proposed north/south trucking route, the south portion will pass through the Damascus. No mention is made of the school bus traffic picking up children in the Hamlet, nor the fact that

Damascus Lake Conservation area is actively used and accessed by the public, accessed directly on County Rd 16, particularly for weekend enjoyment. There is also no acknowledgement of the Lutherwood School on County Rd 16 which currently does not have any traffic calming areas.

Friends of Luther Marsh believe that County citizens should be afforded the same careful safety considerations that have been part of the quarry operation itself. Specifically, a condition that the haul route avoid the Hamlet, Conservation area, and the school south of the quarry. The haul route County Rd 16 is roughly 3 minutes to to Hwy 89 and the east/west access needed. The proposed south haul route is approximately 10 minutes to 109 (a similar east/west access route, yet it is this south route that directly pass through Damascus, the Conservation area and the Lutherwood school. The south route is much riskier to County citizens and avoidable to access east/west haulage.

If a south route is deemed worth the risk, and we respectfully submit it is not, given the alternate route, then surely the County should put safety restrictions in place to mitigate this social and safety risk. At the very least, the current 50 kph speed limit at Damascus should be extended to allow time for large gravel trucks to slow before they reach the Hamlet and should be extended past the Damascus Lake Conservation area park entrances. Similar speed limit should be posted at the Lutherwood school to avoid harm to those school children.

Finally, the current proposed license would allow haulage every week day and Saturday mornings. Saturdays are times when the citizens enjoy outdoor activities that put them in harms way of increased gravel truck traffic and is also the peak time for use of the Conservation area by County citizens. We are asking that the Draft settlement be amended to allow haulage on weekdays only.

In summary, Friends of Luther Marsh have raised 6 specific concerns:

1. Inclusion of the further technical monitoring agreed to by the quarry applicant but not yet included in the Draft Minutes of Settlement
2. The addition of Friends of Luther Marsh as a party to receive the monitoring reports the County and GRCA will receive
3. A requirement that any operator of the proposed quarry be vetted as to appropriate qualifications to safely operate same

4. That any operator of the proposed quarry must carry liability insurance coverage for damages caused by quarry related operations
5. Restriction of the the haul route to northbound trucks only on CR 16, or alternatively that speed limits changes be made south on CR 16 to protect the citizens of Damascus, citizens using the Damascus Lake Conservation Area and Lutherwood School, and
6. Limit truck haulage from the proposed quarry to weekdays only.

All of these issues are currently under negotiation with the parties to the OMB proceedings, but nothing is reflected in the Draft Minutes of Settlement presently submitted, yet they are before you with the recommendation to direct signing of same.

We believe it only prudent for Council to defer the recommendation to sign these Draft Minutes of Settlement and attached schedules in their current form with a recommendation that all parties work to revise same to reflect the concerns of the Friends of Luther Marsh. We ask that you recognize and consider the citizens of Wellington county - not just the applicant for this proposed quarry.

Thank you.

Friends of Luther Marsh
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