



## PERL Delegation at City of Burlington Public Meeting Sept 18, 2023

### Reference: PL-51-23

Nelson Aggregates 2020 applications for two new quarries in Mount Nemo, Burlington

Good evening, Chair, Committee Members, and City of Burlington Staff,

Thank you for this opportunity to address the Committee tonight.  
My name is Roger Goulet and I'm the executive director of *Protecting Escarpment Rural Land*, or **PERL**.

PERL is a volunteer community group formed & incorporated in 2005 to help safeguard the rich biodiversity and ancient waters on Burlington's Escarpment, and our rural area's prime agricultural lands.

In 2004, Nelson Aggregates announced that they wanted to add another quarry to their already massive decades-old limestone gravel quarry (1953).

The community came together to say **No**.

For over a century, Burlington has given more than its share of limestone and shale in support of GTHA development, from several quarries.

The Mount Nemo plateau has sacrificed its very core, extracted from its 4 quarries.

*[Burlington Limestone Quarries...Nelson Aggregates 1953, Lowville quarry 1956-1963 (Mt. Nemo Conservation), Kerncliff (Closed 1981, City bought 1981), Millar quarry, and multiple clay brick quarries]*

It is time to let this mountain, its species, its inhabitants, and its vital aquifer --- **recover**.

In 2004, Nelson Aggregates' new quarry proposal was a "Bad Idea".

Today, Nelson Aggregates' two new quarry proposal is an even worse Idea!

This current application is *very similar* to the 2004 application.

In 2009, The City of Burlington, Halton Region, the NEC, and Conservation Halton all voted to turned down Nelson Aggregates' 2004 application.

The Nelson Aggregates application was subsequently DENIED by the **Consolidated Joint Board** in October 2012, after a 15 months-long Hearing, where some 60 experts and witnesses testified.

PERL was a "Party" at that Hearing and brought key evidence on Species-at-Risk, Provincially Significant Wetlands, and Hydrogeology.

Last time, Nelson Aggregates did not identify the presence of endangered Jefferson Salamanders and their habitats in the impact area; nor the presence of the Grindstone Creek Headwaters Complex Provincially Significant Wetlands.

PERL's hired wetland experts and the MNR biologists did that work. Not Nelson.

It is clear, that properly demonstrating the highly complex biodiverse nature of the ancient Mount Nemo plateau is not in the interest of the proponent, who would like to see its world class biodiversity, its prime farmlands, and its aquifer *crushed into gravel*.

Unfortunately, the unanimous denial of the South quarry application in 2012 has not dissuaded the proponent from putting us-all through this application, and Hearing process, Again!

Thousands of Objectors remain resolute in their opposition to this mega-quarry proposal.

The current lists of issues from Agency Staff strike the *common theme*, ... that is, '*that the proponent has not prepared a comprehensive or scientifically sound case, too often relying on modelling, choosing to not use decades of their own operational data*'.

The JART, identified HUNDREDS (600+) of unresolved issues with this complex application, yet, Nelson Aggregates has chosen to walk away from the agreed-to JART process. Then, in August 2022, Nelson Aggregates filed a pre-mature Planning Act APPEAL.

This mega-quarry's technical and ecological assessments are FAR from complete!

Even if the license is granted, Nelson Aggregates have stated that they will extract at only **half** the 2 million tonnes per year licensed rate... Why?

The Mount Nemo quarry appears to have *operated below their licensed rate for years*, seemingly to focus on their "**accessory use**" permissions to process waste concrete and waste asphalt.

We believe that they are importing crushed aggregates from further quarries for resale. They may even be operating as a Landfill for excess construction waste soils.

The government of Ontario has already authorized the gravel mining industry to extract thirteen times more gravel each year than is required to meet long term average annual consumption. There is NO shortage of gravel.

The Mount Nemo plateau is a unique and important outlier landform of the Niagara Escarpment UNESCO World Biosphere Reserve, and a revered ecological treasure in the City of Burlington, Halton Region, and the GTHA.

It is widely accepted that the Mount Nemo plateau is ecologically, culturally, and geologically significant. The adjacent Lake Medad and Medad Valley are also environmentally significant Areas of Natural and Scientific Interest (ANSI).

We are so fortunate!

In September 2009, PERL launched the “**Mount Nemo Declaration**” ... calling for the a) denial of the Nelson Aggregates 2004 application; and b) for the permanent protection of the whole plateau; and c) for the creation of a seven-generation ecological vision for our special mountain.

The ‘Mount Nemo Declaration’ was endorsed by dozens of environmental organizations and signed by hundreds of supporters.

**Nemo 7G** was formed to involve the community in visioning a ‘sustainable future’ for this plateau, as highlighted by Diane Gregg in her delegation.

In November 2009, the City of Burlington Council passed a Resolution turning down the Nelson 2004 application, and also passed a Council Resolution asking the Province to re-designate most of the Mount Nemo Plateau to ‘Escarpment Protection’ and ‘Escarpment Natural’ within the Niagara Escarpment Plan.

[No. 17-09 (Items PL 33-09, and PB 33-09 of Planning & Building Dept., and PB-04-09-2 of the Community Development Committee), June 9/2009]  
See map below.

In December 2009, as part of ROPA 38, Halton Regional Council unanimously adopted an integrated, connected systems-based Regional **Natural Heritage System**, including Significant Wetlands & Woodlands, Prime Agricultural Lands, connection corridors; and designated its NHS as “environmentally sensitive”.

A milestone we should all cherish and protect, especially in face of increased development pressures on our natural heritage lands.

In January 2010, the City of Burlington ask the Province to re-designate the whole Mount Nemo plateau to ‘Escarpment Protection’ and ‘Escarpment Natural’.

In February 2010, the Halton Region asked the Province to re-designate the whole Mount Nemo plateau to 'Escarpment Protection' and 'Escarpment Natural'.

In April 2010, the Ministry of Natural Resources designated an area, in & around the Nelson Aggregates 2004 south quarry application, as endangered Jefferson Salamander '*protected habitat*'. The SARA regulations for Jefferson Salamanders had the effect of removing a large portion of the proposed Nelson Aggregates proposed 2004 extraction footprint.

In July 2010 PERL submitted an NEC Amendment application asking the NEC to re-designate the lands, that were the subject of the 2004 application, to 'Escarpment Protection' and 'Escarpment Natural'.

In September 2010, Halton Regional Council (Special Meeting of COUNCIL NO. 18-10) passed a Resolution, stating in part...

*"THAT Regional Council advise the Niagara Escarpment Commission that it supports PERL's position respecting the re-designation of certain lands on the Mount Nemo Plateau from Escarpment Rural to Escarpment Protection and Escarpment Natural as a first step to ensuring the long-term protection of the Mount Nemo plateau"*

The period between mid-2010 through October 2012 was the Consolidated Joint Board Hearing and Decision.

In 2013, the City of Burlington hosted a rural Burlington community workshop, called the '**Rural Summit**'. It attracted a large number of rural residents, who provided ideas on the future ecological vision for the rural Burlington areas.

Burlington's rural community clearly expressed the residents' preferred future vision.

In March 2014 the City of Burlington undertook the '**Heritage Conservation District Study and Plan**' for the Mount Nemo plateau. (Report PB-38-14).

The study affirmed many important historical, cultural, architectural, and natural heritage aspects of the area that are clearly worth preserving.

In 2016, as part of the **Provincial Major Plans Review**, the **NEC** recommended to the Province that the whole Mount Nemo plateau be re-designated to "Escarpment Protection" and "Escarpment Natural", designations that prohibit aggregate extraction.

(NEC Report PR5 dated August 20, 2015.)

Furthermore, the **NEC** recommended that NO new or expanded quarries be allowed within the Niagara Escarpment Plan. (P71R2/09-2014 )

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There is a clear recognition that the Mount Nemo plateau is a biodiversity hotspot and contains important ecological features and functions, with interdependent systems that support an extensive Burlington-Hamilton-Oakville watershed and Natural Heritage Systems.

Again, we are so fortunate!

There is a clear desire to put an end to a century of destructive open-pit mining and industrial activity on Mount Nemo.

The Climate Crisis will continue to increase pressures on this important area. We are fast reaching the plateau's carrying capacity, its tipping point.

The Nelson Aggregates / Lafarge quarry needs to be fully rehabilitated, converting it from its industrial era towards an ecological future.

Furthermore, we should not allow a below-water table 'amusement park' inside the quarry chasm.

In the Halton Region **ROPA 49** "Natural Heritage System" **Map 1G**, what stands out is the extent of environmentally sensitive lands and rich farmlands in north Burlington. See map below  
The anomaly is the enormous open pit mine at the heart of the Mount Nemo plateau.

The aggregate industry is determined to extract every bit of cheap gravel they can, regardless of the consequences of their unsustainable, "grandfathered" decades-old practices.

We must be resolute in the defence of Burlington's precious Niagara Escarpment, a major element of our world recognized Greenbelt.

After this application is again successfully denied, by the commitment of our government agencies to defend the strength of the science, we will need to follow through on comprehensive recommendations to permanently protect this fountainhead, this "water tower", our very own mountain.

But first, we must work together to deny this Zombie quarry an extended lifespan!

Enough is enough!

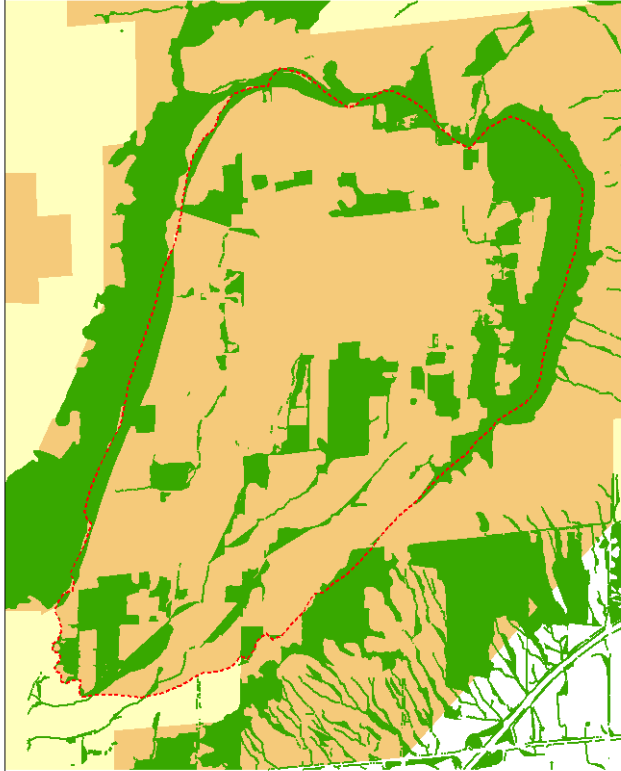
There IS a Better Future!

Thank you.

# Proposed Redesignations 9/11/09

Designations for Mount Nemo Plateau  
requested by Burlington City Council Nov. 9, 2009

## PROPOSED NIAGARA ESCARPMENT PLAN DESIGNATIONS

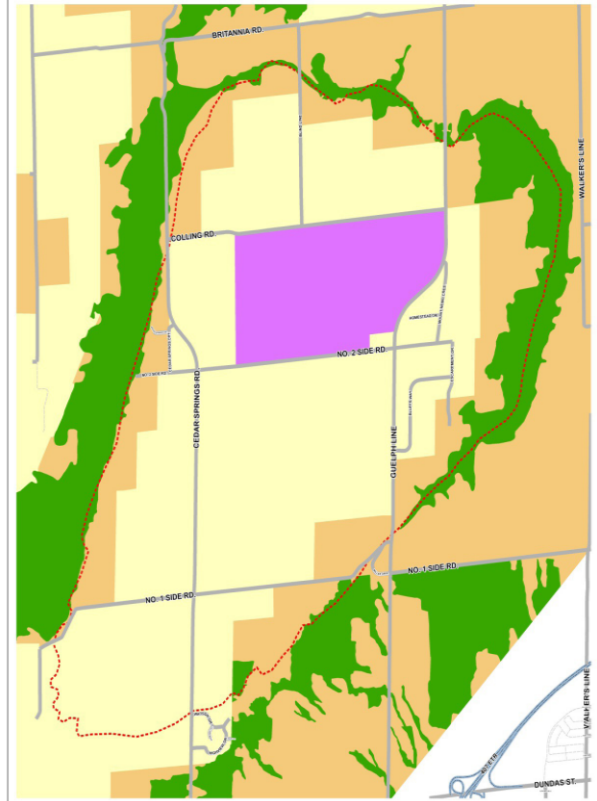


- Legend**
- COB.NEC\_NEP\_Designations
- Escarpment Natural
  - Escarpment Protection
  - Escarpment Rural
  - Mineral Resource Extraction
  - - - - - Mount Nemo Plateau



# 2009 Designations

## CURRENT NIAGARA ESCARPMENT PLAN DESIGNATIONS



- Legend**
- COB.NEC\_NEP\_Designations
- Escarpment Natural
  - Escarpment Protection
  - Escarpment Rural
  - Mineral Resource Extraction
  - - - - - Mount Nemo Plateau



# ROPA 49 - Map 1G - Key Features within the Regional Natural Heritage Systems

