

QUESTIONS & INQUIÉTUDES & CONCERNS et! Réponses - Answers

Réponses aux questions et inquiétudes des résidents et contribuables du Canton d'Alfred et Plantagenet concernant la demande d'amendement au Plan officiel des CUPR et de modification au Règlement de zonage No. 2009-50 du Canton afin de permettre l'implantation d'une usine d'asphalte.

Answers to the questions and concerns of the residents and taxpayers of the Township of Alfred and Plantagenet concerning the application to amend the UCPR Official Plant and the Township Zoning By-Law No. 2009-50 in order to allow for the construction of an asphalt plant.

Réponse/Answer:

Mesures d'urgence:

Q1. Is our volunteer fire department equipped to deal with a disaster at this plant? How much will it cost to equip the volunteers, and who will pay for this? In the event of a disaster, will the plant be held responsible for the clean-up? Will clean-up be possible, or will the contaminated runoff and billowing toxic fumes cause irreparable damage to our health and our environment?

The volunteer firemen can be trained for an emergency involving the products used at an asphalt plant. We can require from the proponent that the necessary equipment and products to fight a fire at the asphalt plant be available on site. The proponent will be required to submit an emergency plan in case of disaster and the clean-up is his responsibility.

Q2. Will clean-up be possible, or will the contaminated runoff and billowing toxic fumes cause irreparable damage to our health and our environment?

Normally, the landowner insurance covers for any cost related to clean-up should a disaster (spill or fire) occur.

Q3. Les rapports présentés ne font aucune mention de mesures d'urgences à suivre par l'entreprise et la municipalité en cas de désastre. La communauté a besoin d'être informée et rassurée à ce niveau.

Il est possible pour le Canton d'exiger ces informations.

Zoning:

- Q4. According to the planning department, the current zoning of Rural Exception 25 indicates that no driveway access may be added from the subject property directly to Highway 17. If the Counties and Township do not want another residential driveway with an extra car or two accessing the highway each day, how can they justify accepting a commercial driveway with 480 truck entrances and exits per day, plus employee traffic?

The current zoning « RU- Exception 25 (RU-25) » prohibits the uses of the property for residential purposes. The landowner filed an application for a land severance and the modification to the zoning by-law was imposed as a condition for approval of this land severance application, File B-083-2008. The purpose of the exception is to prohibit the construction of a residential building on the retained portion (32.83 hectares) of the property in compliance with subsection 3.3.3 of the Official Plan which states that “1. Lot creation for residential purposes with direct access to a primary artery (County Road 17) is not permitted.”

- Q5. Who owns the land, and who made the application for re-zoning?
According to our records the landowner is Mr. Pierre Groulx and the application to rezone was submitted by J.L. Richards & Associates Limited, represented by Mr. Marc Rivet.

- Q6. Les rapports présentés n’incluent aucune justification, nécessité ou besoin pour le changement de zonage de zone « ZINS » à zone « ressource d’agrégat minéral ».

La Zone d’Intérêt Naturel et Scientifique (ZINS) est inscrite au Plan officiel des CUPR, ce n’est pas une “zone” proprement dite au Règlement de zonage du Canton.

- Q7. Why re-zone agricultural land to industrial use when there are several existing industrial parks with available land that would be more appropriate for this plant. The “preferred” site for the client is NOT the “preferred” site for local residents.

The property is located under the « Rural Policy Area » in the UCPR Official Plan. Agricultural use is a permitted use in the rural area. The proponents can file an application to change the designation in the OP and the zoning category. This does not mean that the County and Township Council will agree to the proposed changes.

- Q8. Why isn't the county encouraging this consortium to locate on 20 acres designated commercial located next to a stretch of 4 lane highway, the extension of which would be more welcomed?

It is the consortium wish to locate at this preferred location.

Q9. Is there a mechanism to stop a gravel pit from happening once the rezoning is done?

The proponents need to apply for an extraction license for a quarry or sand pit at the Ministry of Natural Resources, they will need to have the Official Plan amended again to identify the “Mineral Aggregate Resources Policy Area” but it will not be required to change the zoning category if the “MX” zone is changed during the present application.

Q10. If this site is designated Mineral Aggregate Resource, what will prevent the company from extracting existing resources from the site? How would this affect surrounding lands?

A small portion of the property at the eastern limit is identified as being part of a larger mineral aggregate resources reserve. In order for the company to extract existing resources they have to apply and comply with the MNR requirements and amend the UCPR OP. It is undeniable that it will affect the surrounding properties which are used for residential purposes.

Q11. Les rapports présentés ne font pas mention de l’impact de l’arrivée d’une zone “ressource d’agrégat minéral” dans la région. Comment ce nouveau zonage affectera les demandes de changement de zonage des terrains avoisinants dans le future ?

La zone “Ressource d’agrégats minéraux (MX)” a été choisie parce que l’usage “usine d’asphalte” apparaît comme usage permis. Il est difficile d’évaluer l’impact de cette nouvelle catégorie de zonage sur les terrains avoisinants dans le futur mais en raison de la présence de la réserve d’agrégats, il est fort possible qu’il y aura d’autres demandes similaires.

Q12. The applicant says the plant will not use any water in production. If the Official Plan, Zoning, ANSI are changed and the aggregate license approved, who will monitor that claim and shutdown operations before our water supply, lake across the highway and river are affected? Can they apply for another process of production that does use water?

If the proponents need to use water, they have to prepare and submit for review and approval an hydro-geological study before they can dig a well or install a private septic system. The proponents have filed an application to amend the Official Plan which includes a removal of the regional ANSI designation on the property and they have applied for a zoning amendment. There is no application for an aggregate license filed with the MNR. According to the document entitled “Planning Rational”, there is no water in the production of hot asphalt mix but in the document entitled “Preliminary Emission Summary and Dispersion Modelling Report” water is mentioned.

Q13. The purpose of designating an industrial park is to centralize all our industries. Why are we deviating from this?

The proponent has his own reasons and may ask for an OPA and ZBA for this particular property, this doesn't mean that his demand will be granted.

Q14. According to the recently approved comprehensive zoning by-law, this property cannot be used for residential, but we can build an asphalt plant on it? Which would be more destructive?

The proponent intentions are to use the property for an asphalt plant; this does not mean that his demand will be granted.

Q15. The UCPR official plan (2.5.3) states that we must preserve the identity and character of our rural area. How will an asphalt plant accomplish this?

This is one Official Plan policy that can be used to support Council's position against the asphalt plant.

Q16. What is the process for getting ANSI designation, and who is responsible for this?

The Ministry of Natural Resources is responsible for the provincially significant ANSI throughout the Province. The UCPR could identify regionally significant ANSI and have the necessary documents prepared to support such a designation.

Q17. There is a distinct possibility that a licence, if approved, may later be amended to a new Licence Category where they start excavating which opens a whole new set of issues to the ANSI, ground water, blasting, vibration...

At this point in time, no application for a license to excavate the aggregate has been asked for by the proponent at the MNR.

Q18. Comment explique-t-on qu'une zone définie comme "d'intérêt naturel et scientifique" par le gouvernement ontarien puisse être sacrifiée sur la base d'une interprétation fournie par des experts payés par les promoteurs du projet? Les critères ont-ils changé? Si ce n'est pas le cas, en ne soulevant aucune objection au changement de zonage proposé, le gouvernement de l'Ontario n'admet-il pas implicitement l'incompétence de ses propres experts?

De ce que nous comprenons des documents du MRN, la ZINS qui touche la propriété concernée et qui correspond à la partie boisée qui s'étend dans la partie centrale ouest du terrain a fait l'objet d'une analyse par les experts du ministère et était proposée (« candidate ») comme ZINS d'intérêt régionale. Il y a une autre ZINS d'intérêt provinciale qui réfère à la protection des cavernes.

Q19. Is council aware that under the municipal act all re zoning bylaws have to adhere as closely as possible to the official plan, and ANSI is part of the official plan?

Yes, the Zoning By-Law has to comply with the Official Plan.

Infrastructure, Finances and Taxation:

Q20. Will you decrease our taxes when our property evaluation decreases?

Each year when the budget is prepared, the Council decides what the tax rate will be based on the total assessment of the properties in the Township. Depending on the amount required to balance the budget, Council can decide the tax rate for each type of property (residential, commercial, industrial, farm, etc) considering the criteria set by the Province.

Q21. Does the meager municipal income the plant provide offset: extra road repairs and maintenance, decrease in surrounding property values (licensed aggregate lands in communities are frequently assessed and taxed at low rates), additional cost to municipalities for professional consulting fees to ensure compliance by plant operators, indemnification issues and insurance costs may eventually be born by taxpayers, cost of environmental emergencies and disasters should they occur, disproportionate amount of time expended by councillors and municipal staff dealing with aggregate issues?

Any additional costs is required from the proponent before approval (additional studies or analysis by consultants) to ensure compliance.

Q22. Prescott-Russell has been promoting tourism in this area: the agri-tour, fairs, festivals, etc. What effect do you think this plan will have on tourism in the County?

This is another aspect of the efforts developed by the Counties (tourism promotion) that can be used to support Council's position against the proposed asphalt plant.

Q23. The municipality used our taxes to redo the bridge at Jessup's Falls. This will have to be re-done sooner with the extra loaded trucks to pass. Which money will you utilize?

The UCPR are responsible for the maintenance of all County roads including the bridges and culverts. Every taxpayer in the UCPR contributes to the maintenance of the County roads.

Q24. Les Comtés Unis de PR et la municipalité d'Alfred et Plantagenet n'ont donné aucune assurance aux citoyens en matière de leur capacité financière à répondre adéquatement à la réaffectation et au maintien des routes et des ponts advenant l'établissement de l'entreprise

Le Conseil des CUPR et le Conseil du Canton allouent des sommes d'argent à chaque année pour la réfection et l'entretien des chemins qui relèvent de leur responsabilité.

Q25. If this asphalt plant were to come into existence, how can we continue paying high property taxes, not just as Highway residents, but as any residents in the larger vicinity of lot 18, when property values can be expected to drop by more than 50% according to an ample amount of real examples found on the internet? Your tax base will be eroded by a flood of contested assessment notices, resulting in a substantial decline in revenue for the township and the United Counties, all while the maintenance cost for Highway 17, a road that was never built for such heavy traffic, will be going up.

Any landowner can appeal the assessment of their property. When the decision is made, the municipality is required to make the necessary adjustments to the tax bill. When the budget is being prepared, Council decides what the tax rate will be to balance the budget. The same process is made at the County level.

Environnement surveillance:

Q26. Was there a geological survey done to assess the capability of the site to withstand an aggregate operation and how would that impact the escarpment?

The proponent will likely be required to prepare a hydro-geological study and a Karst Investigation.

Q27. Have hydrogeological tests been done?

We do not know if hydro-geological tests were done on the property.

- Q28. Have they taken into account the Ontario regulations concerning the type of bedrock they will be building on, that is categorized as unsafe? According to the Provincial Policy Statement 2005, section 3.0 Protecting Public Health and Safety, 3.1 Natural Hazards, “Hazardous sites: means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include . . . unstable bedrock (karst topography). Hazardous substances: means substances which, individually, or in combination with other substances, are . . . a wide array of materials that are toxic, ignitable... Development shall not be permitted to locate in hazardous lands and hazardous sites where that use is . . . associated with the disposal, manufacture, treatment or storage of hazardous substances.”

The property has been identified in Schedule “C” of the UCPR Official Plan as having unstable bedrock (karst topography). Development may be permitted in circumstances where the hazard can be overcome using acceptable engineering techniques and where the access standard can be met and no other environmental hazards will be created. South Nation Conservation has recommended the preparation of a Karst Investigation in support of any new development in this area indicating how the hazard may be addressed.

- Q29. At 5.4 of the planning rationale it states that the asphalt plant will use existing asphalt as part of their mix. How will you ensure that this used asphalt meets provincial standards, i.e. where a road was built before existing standards came into effect? How will the various emissions be monitored and by whom?

The atmospheric emissions at the asphalt plant are monitored by equipment installed by the proponent. The monitored information is supplied to the MoE on regular basis to ensure compliance *with the corresponding standards published in Ontario Regulation 419/05.*

- Q30. The importation and storage of fill and other materials such as recycled asphalt on the plant site will mean open storage which will lead to ground absorption and runoff issues with rain water.

Measures can be required at the Site Plan level to have the storm water run-off directed into a retention pond.

Q31. Pour assurer que les effets environnementaux du projet sur les familles habitant aux alentours du lot 18 seront négligeables, il faudrait établir des points de référence, c'est-à-dire mesurer la qualité de l'eau et de l'air, la hauteur de la nappe phréatique, le niveau de bruit et autres indicateurs de l'environnement non seulement dans le lot 18, mais dans toute la région susceptible d'être affectée par le projet, y compris la rivière Nation. Ces mesures ont-elles été effectuées? D'autres mesures sont-elles prévues au cours des années qui suivront la mise en route éventuelle de l'usine? Et qui effectuera ces vérifications?

Les promoteurs ont déposé les études requises avec leur demande d'approbation. Si d'autres mesures sont requises, les ministères et les agences pourront les exiger et mettre en place les mesures de contrôle nécessaires.

Q32. What are your intentions concerning the noise, traffic and pollution, this plant will create?

The issues concerning noise, traffic and pollution have been addressed by the consulting engineers for the proponents and their reports will be reviewed and commented by the concerned authority in each field.

Q33. Who is going to monitor the weight of trucks during spring and fall periods of thaw and freezing, ten trucks per hour, 250 tons per hour equates to 25 tons per truck?

County road 17 is not a public highway where half loads apply during the thawing period.

Q34. Who will guarantee no contaminants such as road salt, gasoline, oil, lubricants and solvents of an industrial plant in a rural setting will not enter the shallow groundwater and deeper aquifers causing contamination of drinking water?

There is no mention in the studies submitted by the proponents that road salt, gasoline, oil, lubricants and solvents will be used in the asphalt production process. Road salt is used during the winter months on public highways everywhere.

Q35. It was stated in the Environmental study that the Caves and bat population that live and breed there be protected and further studied. Has an in depth study been done on the bat population in the caves?

MNR may have additional information on the bat population living in the caves of the ANSI.

Q36. Has a study been done of the effects on migratory birds that use the South Nation and Ottawa rivers as breeding grounds.

The document entitled "Natural Environment Impact Assessment" prepared by Levac Robichaud Leclerc, dated March 2012, contains material pertaining to the Significant Habitat of Endangered and Threatened Species At Risk (SAR Flore and Fauna). I do not know if a study was made to determine the effects on migratory birds that use the South Nation and Ottawa rivers as breeding grounds.

Q37. This plant's pollution will flow directly into the South Nation and ultimately the Ottawa Rivers. This will affect the fish and wildlife, as well as a source of potable water for many municipalities. What measures are in place to ensure we don't pollute our rivers?

There is no mention of residues from the asphalt plant production flowing toward the Nation or Ottawa River in the studies submitted by the proponents. The asphalt plant will produce hot mix asphalt from mixing and heating aggregates (gravel, sand and gravel dust), recycled asphalt and bitumen.

Q38. The Natural environment impact assessment references many outdated reports. Perhaps these should be updated before we proceed.

The Ministry of Natural Resources may require that the information or the data be updated.

Q39. This land was originally designated ANSI with a recommendation from MNR that further studies be done. Have these studies been done? If yes, what were the results? If no, how can we arbitrarily determine that this designation should no longer exist?

The Ministry of Natural Resources is in a better position than the Township to comment or provide an answer to this concern/question.

Q40. If the asphalt plant were to come into existence, an area of natural and scientific interest will be lost forever, significant woodland will be clear cut, substantial amounts of farmland will be destroyed, vegetable gardens will be coated with poisonous pollutants, people and animals will suffer under irreversible health consequences, wells will be contaminated and in years like 2012 certainly dry up from industrial overuse of area water resources, the lingering stench of hot asphalt will be all that Plantagenet and in particular Jessup's Falls Park will be known for.

Before the project can proceed, all of the issues concerning the environment have to be addressed in order to avoid any negative impact.

Santé, sécurité, qualité de la vie:

Q41. How will 40 extra trucks per hour on a busy highway not pose a potential danger to children riding, boarding and departing school buses?

The Public Works Department at the UCPR is in a better position than the Township to comment or provide an answer to this concern/question.

Q42. The noise maybe within spec. but it is still is going to incredibly louder than what the neighbours expected when they chose this rural zoned area to live. Conveyer belts, generators, backup alarm, constant truck movement, deceleration and acceleration noise and use of engine brakes. This noise will incur a loss of enjoyment and normal use of private property (guaranteed under the Environmental Protection Act).

Additional measures (berm, evergreen screening, sound barriers, etc.) can be required in the Site Plan Agreement to reduce the noise originating from the asphalt plant.

Q43. What happens if the plant does not contain but in fact disperses airborne dust, including quartz and silica particulates? The fact is these types of plants typically have a history of a lack of adherence to original specifications, reporting protocol, contingency plans and mitigation or lack of regular monitoring programs.

The Ministry of the Environment is in a better position than the Township to comment or provide an answer to this concern/question.

Q44. Where is the consideration on respiratory health of increased dust particulate in clouds of dust blowing off the top of stockpiles and berms, settling inside and outside houses, adverse effects of airborne dust, including quartz and silica particulates?

The document entitled "Preliminary Emission Summary and Dispersion Modelling Report" provides the information concerning the atmospheric emission. The Ministry of the Environment was asked to review, comment and provide a recommendation on this matter.

Q45. How many more windshields will we replace from gravel trucks firing stones at us on the highway?

We cannot provide an answer to this comment.

Q46. Il a souvent été dit qu'en affaires, les profits vont aux entreprises, et les pertes/ coûts échoient à la société (les contribuables). Pour le projet en question, ces coûts « sociaux » seront de trois ordres : coûts environnementaux (pollution de l'air et de l'eau, bruit, pollution visuelle (et on veut encourager le tourisme??!!), destruction d'un boisé d'importance etc- ces coûts sont difficilement quantifiables mais très réels; plusieurs études économiques le démontrent), coûts liés à la construction d'infrastructures (modifications à la route 17, dommages accélérés à la route dus à l'intensification du camionnage etc) et coûts éventuels de réhabilitation du site lorsqu'il sera abandonné (souvenons-nous des lagunes de la CIP!). Ces coûts ont-ils été évalués? J'estime que les revenus possibles en taxes et la création d'emplois ne compensent pas ces pertes.

Les coûts mentionnés n'ont pas été évalués. Si ce point est démontré, il pourrait être utilisé comme argument devant la Commission des Affaires municipales.

Q47. If this asphalt plant were to come into existence, particularly as Highway residents, how can our safety be assured, when crossing the road to access our mailboxes, bringing the garbage to the opposite curb, trying to turn into the opposing lane of the Highway (an increasingly challenging effort), being forced to stop in the centre of the Highway awaiting to turn into our driveways, while trucks pass full speed barely fitting between our vehicles and mailboxes, how can we exit or enter our fields with slow-moving farm equipment, how can we receive delivery vehicles, that customarily back into our driveway?

The Public Works Department at the UCPR can require modifications to the County road 17 profile to increase safety at the asphalt plant.

Communications:

- Q48. Why were the constituents of Prescott-Russell, specifically Alfred-Plantagenet, not informed of this re-zoning, since it will obviously have a significant impact on our quality of life, i.e. traffic, noise, pollutants?

The notice of the public meeting for the OPA and ZBA were sent to the landowners in a radius of 120 meters of the concerned parcel of land and sign were posted on the site in compliance with the provisions of the Planning Act.

- Q49. Ask different members of Council to provide a summary in French of the various reports (different member to different report, picked randomly). All must read and be familiar with these, since they all must make such an important decision regarding this.

The application and reports filed by the proponent are available at the Municipal offices and on the UCPR web site. Members of Council can consult the document if they wish to familiarize themselves with the issues. The Planning Department for the Township will prepare a report to Council on all relevant matters and issues and make a recommendation on the application.

- Q50. It would be wise to assign a bilingual member of the group a specific report to make sure the summary is accurate and factual; perhaps also to quiz and prompt further details. For example, Are the reports considered complete and authoritative? N.B. Many of these reports recommend further studies.

The Planning Department report will be in both official languages.

- Q51. Une conversation avec Monsieur Thompson, écologiste du Ministère des Richesses Naturelles (MRN) – District Kemptville, confirme que le MRN attend encore des précisions sur certains éléments des études soumises. Quand ces documents seront-ils disponibles pour consultation par la communauté ?

Les documents déposés par les promoteurs du projet sont disponibles pour consultation au bureau municipal et sur le site web des CUPR.

- Q52. How much does it cost to publish in the Droit and the Sun compared to the Tribune Express and Carillon? How was the decision to publish in the Droit and Sun reached?

We do not recall publishing in the Droit and in the Sun newspaper any notice concerning this OPA or ZBA application.

Q53. Why is the sale of land published in the Tribune Express, but not the meeting for this rezoning?

Different laws and provisions apply for the sale of land. Notice for an OPA or ZBA can be either published in a newspaper and posted on the site or sent to landowners in a radius of 120 meters and posted on the site.

In 2009, before Zoning By-Law No. 2009-50, the current zoning by-law for the Township, was to be adopted by Council on June 1st, we published a notice for three open houses and one public meeting in five newspaper and posted notices in the community halls and libraries. We had one individual attending the open house held at the Recreation Hall in Alfred, none attended the open house at the Community Hall in Plantagenet and about ten persons attended the open house at the Lucien Delorme Community Hall in Wendover. No one attended the public meeting when the new Zoning By-law was adopted.

In 2010, before Council adopted By-Law No. 2010-74 on July 5th, we published a notice for three open houses and one public meeting for the Official Plan of the Urban Areas of the Township of Alfred and Plantagenet (the villages of Alfred, Plantagenet and Wendover). We had the same outcome.

En général:

Q54. Does the United Counties Prescott Russell and The Township of Alfred Plantagenet officials have all completed required studies from Ontario Ministry Natural Resources, Fisheries, The Conservation Authority, Ministry of Environment, Ministry of Transportation, and The Ministry of Food and Agriculture to guarantee no adverse effects or negative impacts?

The Planning and Forestry Department at the UCPR is in a better position than the Township to comment or provide an answer to this concern/question.

Q55. Does the Township of Alfred-Plantagenet or the United Counties of Prescott- Russell have a vested interest in the opening of this asphalt plant? It would be good to know who all is the proponent.

The UCPR and the Township's role in this matter is to present the OPA and ZBA application filed by the proponents and require that the necessary documents, studies, analysis, etc. are submitted in order to form an opinion and make a recommendation to their respective Council for decision (for or against the application). The Township has no vested interest in the proposed asphalt plant. B.P. Paving and Landscaping are the only proponents known by the Township.

Q56. Under the Freedom of Information Act we request a copy of all written studies, technical reports, reviews, comments, memos and emails that reference the Zoning Bylaw Amendment, ANSI changes or concerns, Official Plan Amendment.

All the documents can be consulted at the municipal offices or on the UCPR web site.

Q57. Les rapports présentés n'incluent aucune étude sur les préoccupations des citoyens de la région. Ce manque de données fait en sorte qu'il est impossible d'évaluer justement les impacts sociaux-économiques de la proposition à court, moyen et long terme. Une étude sur les impacts démographiques, incluant le développement touristique, ne fut pas effectuée. La communauté se voit mis à l'égard de la participation aux actions politiques et, par conséquent, remet en question la capacité des élus municipaux à les représenter adéquatement dans des décisions d'envergure.

Les rapports qui seront présentés aux Conseils du Canton et des Comtés par leur service respectif vont faire état des commentaires reçus lors de la réunion publique du 16 juillet.

Q58. Les études ne font pas mention des responsabilités, des travaux nécessaires et des coûts, tant pour le prometteur que pour les différents niveaux gouvernementaux, pour le réaménagement du territoire lorsque l'usine d'asphalte fermera ses portes ou en cas de désastre. La municipalité n'a pas démontré sa capacité à protéger l'ensemble des citoyens en cas de désastre relié à l'entreprise (exemple: feu, contamination des eaux, etc.).

Le Ministère des Ressources Naturelles exige la conclusion d'une entente de réhabilitation avant d'émettre une licence d'extraction de sable ou de roche. Nous ignorons si une telle condition peut être imposée dans le cadre des dispositions de la Loi sur l'aménagement du territoire (Entente de Plan d'implantation).

Q59. On remarque que toutes les études furent commandées par les promoteurs privés du projet. Est-ce que les Comtés Unis et/ou la municipalité compte commander des études indépendantes afin d'avoir un avis assurément neutre ? La communauté veut être rassurée.

Les études seront circulées auprès des ministères et des agences (CNS), pour révision, commentaire et recommandation. Le Conseil des Comtés (autorité approbatrice) pourrait même demander à ce que les études soient révisées par un consultant indépendant.

Q60. To protect the Provincially Significant Plantagenet Caves Earth Science ANSI we request a comprehensive Karst study by an agreed upon expert. The study would examine the whole cave network to avoid adverse effects or negative impacts since we currently know so little about the caves and hydrogeology. Just because their study said “Mario Elie walked the entire width of the north side of the escarpment bordering Lot 18 and western portion of Lot 17 and did not see any cave entrances... and that the cave openings are seen only from the north facing escarpment (pers. com. Sylvain Fredette)” does not constitute a Karst study or accurate evaluation of this unique cave and what it takes to avoid adverse effects or negative impacts.

During the August 13th meeting the Township Council adopted a resolution requesting a Karst Investigation. Copy of the resolution was sent to the Planning and Forestry Department of the UCPR.

Q61. Il est clair que presque personne n’est en faveur du projet. Si on tenait un référendum, il m’apparaît certain que le « non » l’emporterait très majoritairement. Comment ne pas conclure qu’un vote de nos élus en faveur du projet serait une expression de mépris envers la volonté de leurs commettants? La majorité de la population n’a-t-elle donc plus rien à dire sur ce qui se fait dans la municipalité? Les élus doivent comprendre que leur élection ne constitue pas un chèque en blanc. Le message qu’un vote positif nous enverrait serait le suivant »Nous, les élus, nous savons ce qui est bon pour Alfred-Plantagenet, et vous, la plèbe, ne comprenez rien à tout ça. » Ce serait on ne peut plus condescendant et paternaliste. Les choses se faisaient peut-être comme ça dans le temps de Duplessis, mais ça ne marche plus comme ça maintenant.

Le Conseil prendra une décision sur la demande de modification au Règlement de zonage prochainement.

Q62. Basically every aspect of this report states that the municipality is ultimately responsible for designation of land. As a landowner I was told long ago I don't own the land I'm only it's steward for the time I'm here. Being responsible to future generations before approving what could be devastating zoning, shouldn't the municipality conduct an exhaustive study instead of relying on hearsay evidence? Is the consortium ready to fund a five year study done by experts selected by the Ministry of Natural Resources, perhaps a co-operative effort with the University of Guelph?

The reports, studies, analysis, filed with the application will be reviewed and commented by the ministries and agencies. Their comments and recommendations will assist the Township Council in taking a decision on the ZBA. The other part of the question could be answered by the proponents.

Q63. Qui sont les promoteurs? Qu'on ne se cache pas derrière une compagnie à numéro!

Monsieur Pierre Bernard est président de la compagnie PB Paving & Landscaping.

Q64. Does the county or municipality have a list of approved or recommended environmental or natural resource specialists that have a proven track record of integrity?

The Township and the County rely on the experts at the Ministry of Natural Resources, Ministry of the Environment and South Nation Conservation for the review of the environmental impact assessment studies.

Q65. An industrial park created in Rockland would be an ideal location. So why not go and build the Asphalt Plant there? Would it be because the mayor & residents would like to keep the environment safe for future years?

This argument (i.e.: locating the asphalt plant in an industrial park) can be used to support Council's decision on the ZBA.

Q66. Why did L'Original refuse that the Plant be built there?

The Township of Champlain refused an application to its zoning by-law for a concrete wall production plant.

Q67. We are not allowed to cut trees on the river-bend and you are willing to cut down 15.02 acres of trees or approximately?

Part of the property is identified as a Significant Woodland and was investigated and reported in the document entitled "Natural Environment Impact Assessment" prepared by Levac Robichaud Leclerc, dated March 2012. SNC has provided comments and recommendations on this matter.

Q68. Quotation from the mayor in the 2012 information guide: "Our seven communities are surrounded by agricultural sectors; therefore, good harmony must be maintained between the urban, agricultural and forestry areas which surround us. Environmental issues are the key elements in Council's decision. The Ottawa River, the Nation River as well as our numerous waterways and wetlands contribute to our greenery and provide us with vast agricultural resources. I encourage you to maintain our municipality clean and welcoming and to enhance recycling by participating regularly. Keep in mind that it is our legacy that we prepare today." M. le maire, when I read your above message, I guess you are against this asphalt plant? You will do all in your power not to have this plant be built. They are your own words.

The environment and its protection are key elements in the Council's decision.

Q69. Would you, Mr. Councillor and Mr Mayor, vote for these amendments if an asphalt plant was being built next to your home?

Any landowner would be concerned if an asphalt plant was proposed next door or in the near proximity of their home.

Q70. Who among the decision-makers would honestly accept having the asphalt plant across from, next door to or in the near proximity of their home?

Idem.

Q71. Who among the council is presented with a conflict of interest?

Mr. Raymond Fredette, councillor for Ward 2 has declared a conflict of interest in this matter and has been removed from the Council's table every time the subject was discussed.

Questions for the Proponent:

Q72. The planning rationale indicates several areas in Industrial Parks were considered but ultimately were not a “preferred location”. Why not? Who determined this?

The Planning Rationale was prepared by Mr. Marc Rivet and Mr. Mario Elie, at J.L. Richards & Associates for PB Paving and Landscaping based on their criteria for selecting the concerned property.

Q73. Les rapports présentés n’indiquent nullement la justification, le besoin et l’obligation d’une usine d’asphalte de s’établir sur une zone “ressource d’agrégat minéral”. Y-a-t-il une phase 2 au projet ? Par exemple, exploitation d’une carrière (roc ou sable) ? Y-a-t-il d’autres projets à l’étude pour cette propriété ?

La demande ne fait pas mention d’une deuxième phase au projet ou de l’intention des propriétaires d’exploiter la ressource d’agrégats.

Q74. Where are they going to get the material to construct the berm? Off the property?

Given the size recommended for the berm, I guess that most of the material to build it may be imported.

Q75. Where will the water to damp down the dust come from since they are not on a municipal supply? Where will this waste water go? What is in this waste water?

If the proponents are to use water to damp down the dust from the aggregate stockpiles, they will need a well and if they use water from a well they need to submit a hydro-geological study. The information in the Planning Rationale and other studies indicate that there will be no water used in the production of the asphalt process. The waste water or the rain water can be directed to a retention pond where sediments are collected and not directed to a creek or water course.

Q76. We request the professional qualifications, education and expertise of all reviewers, to conduct a comprehensive peer review of site plans, planning reports, technical reports for noise, vibration, air quality, hydrology, hydrogeology, natural environment, transportation, agriculture, soils and human made hazards.

The Township and the Counties rely on the experts at the MoE, MNR and SNC to review, comment and provide recommendations on the various studies filed by the proponents.

Regarding Studies Provided by the Proponent:

Q77. Aucune étude hydrogéologique ne fut effectuée. Il n'est pas démontré que l'établissement d'une usine d'asphalte, considérée une industrie lourde, ne présente aucun risque de contamination de la nappe phréatique, des cours d'eau environnants, de la rivière Nation et de la rivière des Outaouais. Aucune étude ne fut effectuée sur les eaux de ruissellement.

Les CUPR, le Canton, les ministères ou les agences concernés peuvent exiger une étude hydrogéologique. La Loi sur le drainage commande que les eaux de surface soient captées et gérées sur la propriété. La situation qui prévaut avant le développement sur le site doit être la même après la construction ou le développement.

Q78. Aucune étude pédologique fut effectuée. Il n'est pas démontré que l'établissement d'une usine d'asphalte, considérée industrie lourde, ne présente aucun risque de contamination des sols. De plus, il n'est pas démontré que les sols ont les propriétés physico-chimiques nécessaires à l'établissement de ce type d'industrie lourde.

Les CUPR, le Canton, les ministères ou les agences concernés peuvent exiger des études additionnelles s'il considère que celles-ci s'avèrent nécessaires pour répondre à des inquiétudes.

Q79. Les rapports ne présentent aucun rationnel justifiant le choix de la propriété ciblée en fonction de la provenance des intrants nécessaires au fonctionnement de celle-ci. Il n'y a d'ailleurs aucune mention sur l'origine et la durabilité des sources d'intrants pour assurer la viabilité de l'usine d'asphalte. On fait cependant mention de l'écoulement des extrants.

Ce commentaire pourrait être présenté devant la CAMO pour justifier une objection au projet.

Q80. Les rapports présentés omettent totalement l'évaluation du patrimoine naturel, plus précisément, la perte d'une partie du patrimoine naturel qu'est l'escarpement de Jessup's Falls et d'une zone ZINS – intérêt naturel et scientifique. Aucune étude ne fut effectuée pour évaluer les impacts à court, moyen et long terme de la pollution produite par l'usine d'asphalte sur l'espèce à risque

identifiée dans une des zones ZINS que l'on recommande de maintenir sur la même propriété. Et quels seront les impacts sur l'ensemble des espèces à risque de la région en cas de désastre ?

Idem.

Q81. Les rapports présentés font totalement abstraction de la capacité de l'entreprise à maintenir les standards acceptables de pollution établis par les différents niveaux gouvernementaux sous les conditions climatiques habituelles ou extrêmes de la région. Aucune stratégie et méthodologie n'est développée pour faire le suivi des standards établis. La communauté a besoin d'être informée et rassurée à ce niveau.

Idem.

Q82. Les rapports présentés ne font aucune allusion aux effets adverses de l'établissement d'une usine d'asphalte sur la flore, la faune, les cultures agricoles et les animaux de ferme des propriétés environnantes au site. On présente strictement des données sur la propriété ciblée. Les impacts de l'usine se feront sentir sur l'ensemble du territoire et non pas seulement sur lot 18 (partie) de la concession 2 tel que décrit dans les documents. L'absence de ces données rend impossible, pour les différents paliers gouvernementaux et la communauté, une évaluation juste et équitable des impacts environnementaux de la proposition à court, moyen et long terme.

Idem.

Q83. We have read the reports, plans, assessments and studies from the applicant which say there will be no adverse effects or negative impacts from this plant. It all seems to add up in their tidy report where the plant runs perfectly. What it does not say is: a) Who will test the actual output of the plant? b) Who will pay for the testing/monitoring required? Taxpayers? c) How often will testing/monitoring be done?

MoE requires that the atmospheric emissions comply with the current regulations and they use computer modeling to ensure that the emissions are in compliance with the regulation. The proponents will need to file an application for a Certificate of Approval for Air. If necessary the ministry will perform test at the plant.

Fisheries Report:

Q84. In 5.1 of the planning rationale it states that in the report by Bowfin, it was concluded that the water bodies within the subject lands not be considered fish habitat. The municipal drain flowing through the property does lead to a fish habitat, the South Nation river. Is this not a concern?

SNC provided a different opinion on the matter. The Wilfrid Groulx municipal drain is considered as an indirect fish habitat in the opinion of SNC.

Acoustic Assessment:

Q85. Why is the acoustical report assuming anything (i.e. prohibition of use of Jake brakes, engine compression brake assistance, less than 20 km/hr) when the environment ministry guidelines are for a worst case scenario?

These questions can be addressed to the UCPR or the MoE for consideration.

Q86. The proposal indicates a berm will be built to damp down the noise of the plant. What about the noise from the 40 or so trucks hourly?

Other issues concerning noise or dust can be addressed through the Site Plan Control By-Law and Site Plan Agreement. Additional measures (berm, evergreen screening, sound barriers, etc.) can be required in the Site Plan Agreement to reduce the noise originating from the asphalt plant or the truck travelling to and from the plant.

Q87. Why is there an asterisk next to berm which states "once noise characteristics of the purchased asphalt plant are known", giving one pause to think that the entire report is based on conjecture and not fact?

The asterisk refers to the following text: "The height, extent and location of any berm are to be reviewed by a qualified acoustical consultant once noise characteristics of the purchased asphalt plant are known." This means that the final configurations of the berm will be determined when the plant is in place, there will be some fine tuning to comply with the noise assessment of the actual plant.

Q88. Why is there no verification by acoustic audit and why is the county accepting this report?

The acoustic assessment was required and will be reviewed by the concerned ministry or by an independent consultant for comments and recommendations.

Traffic Report:

Q89. Les rapports présentés n'étudient pas les conséquences du trafic accru aux intersections routières les plus proches de l'usine. La communauté a besoin d'être informée et rassurée à ce niveau.

Le Département des Travaux publics des CUPR se charge de réviser, de commenter et de soumettre des recommandations au sujet de l'étude d'impact sur le transport.

Natural Environment Impact Assessment:

Q90. The Natural Environmental Impact Assessment references MNR's report at paragraph 5.4.3 that further study is required. Has this been done?

The Natural Environmental Impact Assessment states the following at paragraph 5.4.3: "*Based on the above, it appears that the Plantagenet Caves ANSI was briefly studied at best. It clearly states that the selected ANSI boundaries are greater than what has been studied and therefore may not be entirely representative or accurate and would require further studying to properly define the limits of the boundaries.*"

The Township Council has adopted a resolution on August 13th, requesting a Karst Investigation. A copy of the resolution was sent to the UCPR and the proponents have been informed of this additional requirement.

Q91. In the natural environment impact assessment where does the criteria of 500 metres from a significant wetlands come from, and doesn't a creek draining into a significant wetlands not count?

The 500 meters criteria come from the Provincial Policy Statement. If a Provincially Significant Wetland was to be located within a 500 meters radius from the concerned property, the proponents would have to address the issue of the impact of the proposed development on the wetland.

Q92. In the same report the studies of 1974 are dismissed as insignificant, yet no newer as exhaustive study other than cursory looks around the property to find cave openings knowing full well that caves extend far beyond their openings, what kind of experts are these? And if you do have a list of experts they should definitely be taken off.

MoE, MNR and SNC will review, comment and provide recommendations on the studies.

Q93. How does Mr. Brunton reach his conclusion that the asphalt plant will not impact the flora and fauna when he himself admits that further, more extensive study is needed?

We can ask Mr. Brunton to provide an answer to this question.

Planning Rationale:

Q94. A) The planning rationale states that this site was chosen to mitigate adverse effects to sensitive receptors. A sensitive receptor exists of this land (ANSI) whereas none exist in an industrial park. B) How will a toxic, smoke spewing plant not have a negative impact on a land that contains a stream leading to two rivers, caves, woodlands, flora and fauna?

This comment can be used to support the Township's position against this proposed development.

Q95. How many of the other sites that were deemed "not preferred" contain these natural features?

We will have to investigate the other site to determine the issues and concern affecting them.

Q96. The proposal also states that this ANSI is not provincially recognized, perhaps because it was not fully studied as MNR recommended when this was first declared an ANSI.

The question can be answered by a representative of the MNR.

Question for the South Nation Conservation Authority:

Q97. Why isn't the South Nation Conservation Authority worried about its watershed?

The question can be answered by a representative of SNC.

Answers supplied by:

Marc Daigneault

Directeur général – Greffier

4 septembre 2012