

An Open Pit Industrial Mine The Natural Water Table

But, when a “new neighbour” moves onto the next concession permanently removing farmland from active production and makes it harder to move vehicles from field to field, sends limestone dust into the air that settles on crops, alters the water supply, and startles the farm animals with sudden loud noises, then it’s harder to make a living. Our access to local food from pick-your-own and farm-gate-stands and farmer’s access to outside markets could be impacted. Quality of farm life could deteriorate on many levels.

Since these impacts would not stop at farm gates, residents in the rural subdivisions that surround the proposed quarry would likely be subject to the same effects.

Threaten the natural environment.

St Marys Cement proposes to put its quarry in the middle of the “Natural Heritage System” within the provincially designated Greenbelt. This landscape also contains provincially significant woodlands, provincially significant wetlands as well as species at risk and significant wildlife habitat. These environmental designations are not arbitrary; they are made with thoughtful consideration to the future health of our environment.

What happens then when 90 million litres of water are pumped from the aquifer every day?

Water can be drawn down in provincially significant Wetlands and Woodlands. That means wetlands could dry up and the quality of the woodlands could be deteriorated. Their characteristics that made them ecologically significant could disappear - likely forever.

But there’s still more.

Naturalists, concerned about bird and animal welfare, worry about the negative effects of relentless noise (the drilling, scraping, tumbling, crushing and pushing of rock against industrial machinery; the crashing of rock against rock as stone is dumped into trucks; the grinding, squealing and grating sounds from industrial mining equipment; and the booms from explosive blasting).

We worry about these noises too and their effects on humans.

We could go on. But enough said. The proposed quarry would affect every one of us.

“Together We Will Succeed!”

2011 Recognition Roll

Congratulations to those who have made the commitment to protect our Communities through a 2011 non event based financial contribution to Stop The Quarry.

And Special Recognition to those who have kept their support ongoing throughout the eight years of our opposition. (*)

Benefactor (> \$1,000)

Virginia & Michael Brazeau*
Graham & Silke Flint*
Jim & Ruth Forbes
Glenn Lawson*
Herb Lawson*
Susan Lawson*
Kenn & Bonnie Lendrum*
Peter & Marion Pawlik
Patricia & Tom Weinstein*
Mark Rudolph & Jan Whitelaw*
Brian & Georgette Wiseman
+ 1 Anonymous contributing all 8 years

Sustaining (\$500 - \$999)

Carmel Augustyn
Dave Beaudoin
Dan & Bev Bednis
Roland & Diane Boudreau
Eric & Madelienne Down*
Christina Featherstone & Jay Green
Alba DiCenso & Brian Hutchison
Philip & Jane Johnson*
Linda & Richard Kewell
Patricia & John Kirkham
Pamela Hesketh & Curt Leaist*
Elaine & Robert Pasuta
Gary Tansley
Donald & Bernadette Taylor*

Jennifer & Ray Trott*
Jean & John Woods
+ 2 Anonymous

Contributing (\$300 - \$499)

C. & D. Bartliff
Grant & Brenda Head
Dianne & John Tummers
+ 2 Anonymous

Supporting (\$100 - \$299)

Edward & Lea Burton
James & Kim Chagnon
Beverly Childs*
Jeffery Doyle*
Rolf & Betty Essig
James & Nadia Hoganson
Keith Houston*
Sheelagh Pyper & Peter Kalman
Shawn Kerwin
Alex & Muriel Lambert
Mrs. Jean Martin*
Peter Mielzynski
Wendy & Elwin Neu
Mike Sommerville
Freek & Ina Vrugtman
Gary & Faye Waddell*
Christine L. Zehr
+ 1 Anonymous

Friend (\$50 - \$99)

Meaghan Dorion
R & R Finnigan
Frances Goudey
Joyce & Jim Imrie
Paul Larrabee
Robert McCloy
Ron Romano
+ 2 Anonymous

2012 FORCE Annual Public Meeting

Tuesday April 10th, 7:00pm
Our Lady of Mount Carmel
Elementary School
Special Guests: Councillors Judi
Partridge & Robert Pasuta, MPP Ted
McMeekin, MP David Sweet

Come and find out how our
Communities plan to meet the SMC
challenges and what we can expect
from each level of government.

2012 FORCE Community Party

Saturday June 2nd, 7:30pm
Carlisle Community Centre Arena
Featuring: The Roadhouse Band
Join your friends and neighbours for
a night of “Rock” without the Quarry!

2012 FORCE Community Golf Classic

Thursday June 28th, 12 Noon
Carlisle Golf and Country Club
Kick off the summer with a great
round of golf!

It's not over ...yet!



Friends of Rural Communities & The Environment (FORCE)

2011 ANNUAL REPORT & UPDATE



Friends of Rural Communities and the Environment (FORCE) is a citizen-based advocacy group formed to protect the surrounding communities from a proposed large-scale limestone quarry north of Carlisle by St Marys Cement CBM. Website: www.StopTheQuarry.ca Email: info@StopTheQuarry.ca Phone: (905) 659-5417



STOPTHEQUARRY.ca

We Will All Be Affected By That Excavates Below

Anyone who lives in the communities surrounding the proposed quarry lands should understand that **their water supply would be vulnerable.**

That message is harder to register for people who get their drinking water from the Carlisle municipal water tower, but that water started its journey years earlier from an underground storage area, or aquifer, just north of Carlisle. In water-speak, that time is called the Time of Travel (TOT). For homes closer to the proposed quarry, the TOT to their wells would be less but all of our water still comes from the same source.

The aquifer that supports our drinking water is the same one from which the proposed quarry would pump 90 million litres of water every day. When water leaves the aquifer, it is at risk of contamination from industrial mining operations. Once it has served its purpose, the plan is to return the water to the aquifer. The sanitized words for this return process are “re-circulation”, and “re-injection” but whatever you call it the risks are the same. But that’s not all.

Did you know that the operation proposed by St Marys Cement would:

**Introduce up to 1600 extra truck trips per day to our
Communities, or one truck every 26 seconds.**

Think about that volume, the size of the trucks and their speeds as we drive off to work in the morning, or put our children on the bus, or as we head out for a family bicycle ride during the summer.

Trucks would likely start lining up before 6:00 a.m.; the last truck would pull out about twelve hours later. Shipping is planned for every day of the week, except Sunday.

They introduce noise, dust, emissions and can create traffic hazards for motorists, farmers, cyclists, and pedestrians.

The least of our concerns could be chipped or fractured windshields.

Threaten our farming community with water impacts, truck traffic, noise, and dust on crops.

It has been said that, “The best way to protect farmland is to ensure that farmers can make a decent living.”

DEAR FRIENDS

As we begin year eight of opposing the development of the proposed Flamborough Quarry, our battle has moved to multiple legal forums including the international front. In May 2011, St Marys Cement filed a claim under NAFTA for \$275,000,000 against the Federal Government of Canada. Later that same month, the company applied for a Judicial Review by the Ontario Superior Court of Justice to examine decisions undertaken by the province. The company recently appealed a decision of the Environmental Review Tribunal to uphold Ministry of the Environment denial to issue a permit to take water. St Marys Cement, who almost six years ago presented its image to our Communities as a “good neighbour”, continues to demonstrate its opposition to expert professionals, agency and governmental staff, independent tribunals and decisions made by democratically elected officials - our city, regional and provincial governments.

It is no accident that the proponent’s applications and appeals are rejected. Our local municipalities and the province keep making the right decisions about the proposed quarry, our health and our safety, in part because our Communities:

- Hired credible technical experts from the beginning
- Registered informed objections at every opportunity
- Packed the house at each public meeting
- Communicated regularly and openly with all stakeholders and decision makers

Our successes though come with a risk. Some people question why our Communities need to be involved and raise funds when the province has already taken a favorable position. “Let them handle the problem”, they say.

But think about it.

If we stepped back, we would be handing off to organizations and individuals who will not have the history of this fight. They do not have the firsthand knowledge of our area that we do. It is our “collective memory” of each piece of the case, our commitment to a professional science based approach, and our persistence with officials that has managed to keep the proposed quarry at bay for almost eight years.

The reality is that we need a reliable source of funds - about \$100,000 per year - to continue the fight. Legal and technical experts are expensive – at times more than \$500/hour. We need everyone to make a commitment within the family budget to support the fight against the proposed quarry.

Why?

Because the anticipated potential costs of the quarry – such as impacts on water and air quality, increased risks when we travel on our local roads, the impact on area farms and the loss of value on our homes and properties - would likely strike every family.

None of us can fight this battle alone. Together we can, please contribute today.

It’s not over... yet!

CRITICAL EVENTS OF THE LAST SEVEN YEARS

Applications for Planning Changes in Hamilton and a Provincial MZO

In September of 2004, Lowndes Holdings Corp (the original proponent) submitted applications to the City of Hamilton for an Open Pit Limestone Aggregate Mine on lands just north of Carlisle in Flamborough. The City of Hamilton appointed experts to review the application. Their consensus appears to be that the information contained within the original application was insufficient. At best, more information was needed; at worst, there were “notable errors and inconsistencies”.

In 2006 St Marys Cement purchased Lowndes Holding Corp and despite efforts by the proponent to improve the applications, the concerns remained. Staff at the municipalities of the surrounding areas (City of Hamilton, Town of Milton, City of Burlington, and Region of Halton) all concluded the same thing, that given the information available the proposed development could not be supported.

In 2010 after almost six years the Ministry of Municipal Affairs and Housing (MMAH) announced a Ministerial Zoning Order (MZO). The MZO freezes the zoning of the land for its current use, which is Agriculture and Conservation Management and blocks the proposed quarry.

Permit to Take Water and the Environmental Review Tribunal (ERT)

St Marys Cement has applied for a total of three Permits to Take Water (PTTW). The first was granted in July 2008 allowing for a three phase test. In October 2008, the Ministry of the Environment (MOE) requested that phase one testing be re-done. St Marys Cement declined the request. That permit expired in June 2009 with the proponent doing no further work.

The second permit was sought in May 2010. When the MOE denied that permit on the basis of the MZO, St Marys Cement appealed the decision to the ERT, only to withdraw their appeal in October 2010 before the hearing could begin.

In February 2011, St Marys Cement sought a third permit. Once again, the MOE denied the permit, and once again, St Marys Cement appealed the decision to the ERT. The decision from the ERT came in January 2012. The ERT upheld the MOE’s decision to deny the proponent a PTTW. In February 2012, St Marys Cement filed an appeal of that decision with the Divisional Court.

Application to Remove Aggregate Under the Aggregate Resources Act (ARA)

St Marys Cement applied for a quarry licence with the Ministry of Natural Resources (MNR) in early 2009. By the end of May 2009, over 1200 citizens and all involved agencies and local governments had sent in letters objecting to the quarry.

Then without substantively modifying their application, St Marys Cement wrote to the objectors suggesting that their objections had been resolved; Over 1000 individuals and all organizations re-objected. The organizations included the relevant provincial ministries and the local Medical Officers of Health.

In 2011 St Marys Cement submitted their final application paperwork including the list of outstanding objectors to the MNR.

WHAT NEXT?

The current legal challenges launched by St Marys Cement include:

The **NAFTA** claim is filed against the federal government. St Marys Cement has asked for \$275M in compensation as a result of actions taken by the province to block the proposed quarry.

The **Judicial Review (JR)** was filed with the Ontario Superior Court of Justice to challenge two decisions made by the province: the Ministerial Zoning Order (MZO) stopping the proposed quarry and the Declaration of Provincial Interest (DPI) in the Ontario Municipal Board (OMB) hearing on the MZO. That OMB hearing was to have occurred in 2011 but St Marys Cement asked for it to be suspended and then filed the JR.

The **Divisional Court Appeal** of the January 2012 Environmental Review Tribunal decision to dismiss St Marys Cement’s challenge of the Ministry of the Environment decision to deny them a permit to take water for future tests.

The conflict is clear - an aggressive corporation pursuing their interest despite unanimous opposition by all stakeholders.

The resolution - no quarry license granted ever - should be simple. But it has not been. St Marys Cement shows no sign of backing down.

Every legal proceeding & appeal costs our Communities tens of thousands of dollars.

It would be easy to become discouraged. Each success that we have had seems only to trigger yet another attack from St Marys Cement, however the options available to the company won’t go on forever. Launching challenges such as the NAFTA claim is a demonstration that SMC is reaching for tactics. Perseverance on our behalf, along with our professional and substantive approach, will pay off. If we walk away from the fight because we cannot fund it, then St Marys Cement will win. It’s that simple.

Consider your contributions to be an insurance payment.

How many of us have had our houses burn to the ground? Not many. But we still buy insurance against such a catastrophic event.

Think of a contribution as an annual insurance payment that will stop this proposed quarry from ever getting started.

If we have the funds, we can fight. It’s that simple.

None of us can fight this battle alone. Please contribute today.

Together We Will Succeed!

2011 FINANCIALS

For the second year in a row 2011 saw us spending more money than was raised. This situation was caused by two factors, first we again had high legal expenditures as St Marys Cement continued to mount new legal challenges and appeals. And secondly we didn’t run a full fundraising campaign last year. Given that 2012 has just started, and that St Marys Cement has already launched yet another new legal challenge, our fundraising efforts this year need to get back to previous levels. Fortunately we have had some reserves to draw on, but our reserve balance is down to approximately \$250,000 and a strong financial base is key to defending the successes that we have already achieved. By pooling our resources we can meet the challenges but unfortunately - **“It’s not over ... yet!”**

Statement of Financial Position December 31st, 2011

The following condensed financial statements represent an extract from the audited financial statements of FORCE - Friends of Rural Communities and the Environment for the year ended December 31st, 2011

A complete set of statements together with the report of our auditors, Martyn Dooley & Partners, Charter Accounts is available on our website.

	2011	2010
Assets		
Cash / Short Term Deposits	\$ 19,751	\$ 33,170
Internally Restricted		
Short Term Deposits	100,000	110,000
Cash Held in Trust	128,598	192,037
Other Current Assets	7,000	7,920
	<u>\$ 255,349</u>	<u>\$ 343,127</u>
Liabilities and Net Assets		
Accounts Payable and Accrued Liabilities	\$ 3,593	\$ 39,397
Externally Restricted		
Deferred Contributions ¹	128,598	192,037
Total Liabilities	<u>132,191</u>	<u>231,434</u>
Net Assets		
Restricted Net Assets / Hearing Fund ²	\$ 100,000	\$ 110,000
Unrestricted Net Assets	23,158	1,693
Total Net Assets	<u>123,158</u>	<u>111,693</u>
	<u>\$ 255,349</u>	<u>\$ 343,127</u>

1. Externally Restricted Deferred Contributions represent resources held in trust and intended for experts fees related to expected judicial hearings.

2. Restricted Net Assets / Hearing Fund In 2011 the directors allocated \$10,000 from the internally restricted hearing fund to cover 2011 hearing costs. This leaves a balance of \$100,000 to cover future hearing costs.

Statement of Operations

Year Ended December 31st, 2011	2011	2010
Revenue		
Environmental Defence Canada Case Support ³	\$ 34,374	\$ 67,399
Individual Contributions	2,630	11,665
Annual Gala and Golf Tournament	18,947	-
Interest	2,005	1,127
	<u>57,956</u>	<u>80,191</u>
Allocation from (to) Externally Restricted		
Deferred Contributions ⁴	<u>\$ 63,439</u>	<u>\$ -342</u>
Total Revenue	<u>\$ 121,395</u>	<u>\$ 79,849</u>

Expenses		
Technical Experts		
Ecology	\$ 542	\$ 546
Hydrogeology	1,119	14,061
Legal	87,390	73,855
Planning	10,704	28,930
Research Materials	-	53
	<u>99,755</u>	<u>117,445</u>

Community Activities		
Community Meeting Expenses	\$ -	\$ 20
Donor Perfect	2,821	3,666
Newsletter Delivery	827	7,442
Flyer Printing	2,614	5,481
Newspaper Advertising	-	17,028
MZO Celebration	-	8,486
Community Signage	-	3,068

Expenses Related to Incorporation - Insurance	\$ 2,487	\$ 2,414
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Operating Costs		
Bank Service Fees	\$ 35	\$ 35
Meeting Expenses	254	256
Memberships	396	396
Office Supplies	105	452
Parking	41	75
Telephone	596	986
	<u>1,427</u>	<u>2,200</u>

Total Expenses	<u>\$ 109,931</u>	<u>\$ 167,250</u>
Excess of Revenue over Expenses	<u>\$ 11,464</u>	<u>\$ -87,401</u>

3. Environmental Defence Canada Case Support FORCE has an ongoing legal assistance agreement with Environmental Defence (ED). The relationship allows FORCE supporters to contribute to ED on behalf of FORCE. ED in turn agrees to pay for various legal and technical expert expenses incurred by FORCE. ED receives a 10% administration fee as part of this agreement.

4. Allocation from (to) Externally Restricted Deferred Contributions - In 2011 significant Legal Expenses required the withdrawal of \$63,439 from our externally restricted deferred contributions.