

## BILL 127: Some Problems and Solutions

The main problem is that Bill 127 is an act to establish regulatory power within the Ministry of Natural Resources' bureaucracy at the same time removing the residual powers of municipalities and individuals. Below are nine main points addressing the problems, and five solutions.

1. The Ministry of Natural Resources has the power to compel municipalities to designate gravel resource areas in their Official Plans, or order an amendment to an existing Official Plan to permit pits and quarries. This is a complete turnaround in Government policy, and whenever there is a crunch, the municipalities lose control. The only people to profit will be the gravel industry.
2. The Minister would have the power to impose on reluctant municipalities a "quota" for gravel production, and he also may impose licencing of new pits if municipalities do not meet their "quota" from existing sources. We must retain a much greater degree of local control.
3. The Bill in itself does not regulate the industry, and provides the authority and decision making powers to lie with the bureaucracy. It is a mere skeleton to be fleshed out after Royal Assent by regulations which are not subject to public input before becoming law.
4. The Minister has sweeping powers to decide who is entitled to a hearing; issue a licence without the right to appeal the decision, and disallow the power of private prosecution.
5. Bill 127 completely avoids preservation of agricultural land and provides no environmental or social safeguards.
6. Truck haulage of aggregates will increase on local roads, close to urban fringes.
7. The policing and support of the industry are combined within the same Ministry - rather like a fox guarding the chicken coop.
8. The Niagara Escarpment and other ecologically sensitive areas are not adequately protected from mining.
9. Licence and rehabilitation fees, while higher, are totally inadequate to pay for road damage, rehabilitation of abandoned pits and ensuring proper rehabilitation of existing pits.

### The Solutions

1. The licencing of pits must be regulated in a fair and equitable manner to the satisfaction of the public and protection of their environment.
2. Dispersal of pits must be encouraged and populated sensitive areas and good farmland must be preserved. Modern unit train technology makes this feasible.
3. Rehabilitation of presently mined pits must be ensured. Abandoned pits must be reclaimed in a reasonable period of time - by means of a deposit set high enough to ensure that an operator rehabilitates his pit.
4. The Ministry of the Environment should be the agency to set standards and control rehabilitation and licencing, not the Ministry of Natural Resources.
5. Licences should only be issued if the municipality wants the pit, if the pit conforms with the Official Plan and after the Ministry of the Environment has reviewed the social and environmental impact of the pit.