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DELIVERED VIA EMAIL & COURIER

July 15, 2019

Ms. Kim Benner
Ministry of Natural Resources and Forestry
 Midhurst District Office
 2284 Nursey Road
 Midhurst, ON L9X 1N8

Dear Ms. Benner:

RE: Letter of Objection to an Application for a Category 3 Class A Licence under the Aggregate Resources Act – North ½ of Lot 80, Concession 1, W.P.R & Part of Original Road Allowance between lots 80 and 81, Concession 1, W.P.R, Township of Tiny, County of Simcoe (Cedarhurst Quarries and Crushing Limited (c/o CRH Canada Group Inc.)

During the notification and consultation period for the above-noted pit MNRf submitted an objection letter dated March 25, 2019 with comments on the proposed Teedon Pit Extension.

The comments included in MNRf's letter dated March 25, 2019 are outlined in the left column with a response in the right column.

	Comment	Response
1.	<p>The proposed licence area appears to have strong suitability as potential habitat for the Eastern Whip-poor-will, a threatened species listed on the Species at Risk in Ontario (SARO) List. The roadside Whip-poor-will survey conducted on July 4, 2018 covered a broad area but there were no point counts conducted directly within the proposed licence boundary. To best assess the presence of Whip-poor-will during the breeding season, two surveys preferably within different lunar cycles are recommended.</p> <p>Additionally, Whip-poor-will vocalizations are most common in the early part of the breeding season and have been shown to decrease in July. As a result, MNRf requests that an additional whip-poor-will survey be completed that would include the area within the licence boundary and would incorporate two different lunar cycles</p>	<p>As requested, Goodban Ecological Consulting Inc. will complete the requested survey.</p>



	between the period from late May to early July.	
2.	We note that the Forked Three-awned Grass, an endangered species listed on the SARO list, was found on the subject property. Your company has registered for this species under Section 23.14 of Ontario Regulation 242/08 of the Endangered Species Act. We have no further comment on this matter.	Comment noted.
3.	The application proposes to operate the Teedon Pit Extension in conjunction with the existing Teedon Pit (ARA Licence No. 3670) and combining the tonnage for the two pits. The proposed maximum combined tonnage for the two pits is 600,000 tonnes per annum which is the current tonnage limit permitted for the existing Teedon Pit. Our ministry cannot support the requested combined tonnage as the licenses for the two sites would not be in the same company name and this presents a challenge from an enforcement perspective. To combine the tonnages, an amendment will be required following a transfer of the licence into one company name.	CRH is proposing to proceed as defined in Brian Zeman's email to you and Robert Herbst dated June 28, 2019. Enclosed is a copy of this email for reference.

We hope that this information adequately address the comments received during the process. Once the whip-poor-will survey results are completed CRH will provide MNRF a copy of the ARA site plans.

If you have any questions, please do not hesitate to call.

Respectfully submitted,

Jessica Ferri, MCIP, RPP
Manager, Policy and Planning
CRH Canada Group Inc.

Cc: Robert Herbst– MNRF
Brian Zeman– MHBC

[EXT] Teedon Pit Extension - Applicant Name Change**Brian Zeman**

Fri 6/28/2019 11:40 AM

To: Herbst, Robert (MNRF) <robert.herbst@ontario.ca>; Benner, Kim (MNRF) <kim.benner@ontario.ca>
Cc: Almond, John (MNRF) <john.almond@ontario.ca>; Baxter, Andy (MNRF) <andy.baxter@ontario.ca>; Mitchell, Kevin (CRH Canada Group Inc.) <kevin.mitchell@ca.crh.com>; Ferri, Jessica (CRH Canada Group Inc.) <jessica.ferri@ca.crh.com>; Kahn, Jonathan <jonathan.kahn@blakes.com>; Ellen Ferris <eferris@mhbcpplan.com>

Good morning Kim and Robert,

We believe that we have found a solution to change the Teedon Pit application to CRH based on information provided by MNRF. The MNRF Peterborough District outlined the required process to change an applicant's name during the ARA process and CRH would like to undertake this for the Teedon Pit Extension. The following is what MNRF requires:

1. *Both parties would need to request MNRF to change the applicant's name for the licence. This would be a written request showing support for the action from both parties.*
2. *The receiving party will also indicate, in writing, to MNRF that they will utilize the same studies, and proposal as outlined by the original applicant as part of their application, including all accommodations made in response to public comment up until the time of transfer.*
3. *The receiving party will embark on a consultation process to inform the public of the change in applicant. This will include:*
 - *Newspaper advertisement to announce the change of applicant;*
 - *On site signage (clearly indicating the applicant has changed, and indicating how comments on this could be received);*
 - *Agency notification;*
 - *A EBR update (posted for 45 days);*
 - *Notification to all land owners 120 metres the site;*
 - *All previous objectors; and*
 - *Indigenous communities.*
 -

The purpose of the notification is to highlight the change in ownership and allow opportunity for comment. The receiving party is obligated to address any new comment received. The entire licence process must be completed within the mandatory 2 year window, including the addition consultation associated with the transfer.

Should you have any questions on the process please do not hesitate to contact Andy Baxter at MNRF Peterborough who has been dealing with this situation on another application. In the interim we will start preparing the required documentation and will provide MNRF a copy for review.

Regards,

BRIAN ZEMAN, BES, MCIP, RPP | President

MHBC Planning, Urban Design & Landscape Architecture

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