

SLIDE 1

Good evening. I am here today speaking on behalf of Lakerdige Citizens for Clean water. My colleagues are present as well. Ian McLaurin and Ian Macintosh are both members of the LCCW Executive and will be happy to take any questions.

Just before we begin, we want to thank this council for passing the recent motion regarding the management of Toronto's excess soil and we want to thank the councillors who attended the Townline open house a couple of weeks ago for their dedication and ongoing leadership.

We have three motions we are putting before you this evening as shown on the slide and included in the report we submitted. We understand that items often get referred to staff however, we are asking for more than just a **referral this evening** as indicated in the wording of the motions.

SLIDE 2

With regards to the first request, we included a motion that was passed by King Township in 2012. This is just a little excerpt with the full motion included in the report. We are hoping that the Township of Scugog will pass a similar motion and **forward** it to the Federation of Canadian Municipalities.

SLIDE 3

The FCM provides a voice at the FEDERAL level for municipalities. The whole aerodrome issue with regards to location of aerodromes, and what a municipality can or can't control is a real concern. The more municipalities who engage the FCM, the better. There is a deadline of JANUARY 25 to submit resolutions so that they can be heard at the next FCM board meeting. We are asking this Township to submit a resolution promptly so the FCM gives the issue proper attention in a timely manner.

We recognize that Scugog did indeed enforce permit requirements for Greenbank airport operations and while some portions of the agreement that was signed are quite good, there are areas of concern that we have expressed in earlier deputations. Indeed we have been told that if the township pushed too hard with agreement requirements for Greenbank, that the airport could walk away from the table and that would end up with the Township having to go to court which was not an option.

SLIDE 4

Some good news on that front- The provincial superior court just recently determined that the City of Burlington does indeed have the authority to enforce its site alteration by-law at aerodromes with respect to filling operations, **despite** the Burlington executive airpark claiming otherwise. We wanted to share this decision with you as it should **empower** this Township and all municipalities to impose **necessary and conservative** requirements for site-alterations at aerodromes. We understand location and permission to renovate current and proposed aerodromes is not really negotiable, hence the motion to engage the FCM, but when it comes to enforcing other parts of the site-alteration by-law – there should be **no compromise.**

SLIDE 5

For example, for Greenbank, despite any **future** increase the MTO **may** allow in truck volume, the Township needs to cap daily truck numbers so as to address the **social issues** that the MTO and the region cannot address. This operation is **not** expected to finish anytime soon. It was indicated at the last plc meeting that the intent is to fill the **adjacent** property to the east as well. The Greenbank owners have also approached the horse farm to the north. Planning has to happen with this reality in mind.

As well, the Township should hire an experienced outside consultant to review all incoming documentation with the costs put back on the Greenbank owner. There have already been some significant errors with regards to oversight that have the potential to cause problems down the road. There are soil reports on the portal that do not contain the proper testing parameters. There are source sites, specifically GFL, that do not have the required number of soil tests reconciling to the volume that was approved. There are source sites that are being approved for vast quantities of fill with minimal tests performed. It is understandable that your staff cannot be expected to dedicate the time necessary to properly oversee Greenbank operations, **and** to address the other hundreds of things that fall within their purview.

We are **also** still very concerned that as of the October plc meeting, that the Township has not taken one surprise audit test during the life of this operation. In the past we have shared well documented examples that it was only after **independent** testing that contamination was revealed. The need for independent testing was also verified when we attended the Townline open house the other week. The proponent there indicated that he was once offered **15,000 dollars** to accept **50 loads** of fill at one of his other fill sites. He said he wouldn't take it, but who is to say that some other fill operator wouldn't hesitate to accept it. There has to be a consistency in the requirements that are set, not only to be fair to everyone but to keep **people honest.**

SLIDE 6

Concerns regarding the agreement or enforcement of the Greenbank agreement conditions have been problematic at times as well.

Issues concerning the review of incoming documentation have already been discussed.

The fact that Greenbank was allowed to operate for almost a month back in September without a valid permit is also perplexing.

The need to have a gate installed at the site was another issue that was brought up by a resident after she noted a truck dumping late one night after hours on the Greenbank property. The response that was given by Greenbank was- “**no**-we are not installing a gate-that’s too expensive”. The installation of a gate shouldn’t be an option but a requirement of the permit.

There is also the fact that contaminated soils were imported to Greenbank and the same company that imported those soils, namely GFL, was allowed to continue importing soils for months before the bad loads were removed. GFL did not only export unacceptable fill once or twice but several times. There should be a clear Township protocol for rejecting source sites where bad fill is continually exported.

SLIDE 7

What is a real concern is that GFL operates under a compliance approval from the MOE. Rigorous testing is required and yet unacceptable fill still leaves its facility. As mentioned in previous deputations, GFL is involved in some capacity with many other sites where contamination has been found. My colleague Ian sent this recent information to council through correspondence. GFL and earthworx were recently charged in relation to dumping contaminated soils on farmland near Peterborough. DLS, the consultants for GREENBANK, also provide consulting for GFL. DLS is very aware of the issues concerning GFL and yet despite this knowledge, if you recall, their first fill protocol indicated that GFL soils should be exempt from audit testing at GREENBANK.

SLIDE 8

Our third request asks for some changes to our current site-alteration by-law as well as better enforcement and monitoring of conditions imposed through the by-law.

We have shared most of these recommendations before. At the bottom we list some prohibited areas for large fill operations. We believe large fill sites should be kept out of these areas in order to prevent the potential contamination of sensitive aquifers and to ensure we are not undermining policies outlined in the Oakridges Moraine Conservation Plan.

SLIDE 9

For example, there are a few concerns with the current application to fill farmland on the Townline. The Township has indicated that the Townline application is complete. However the proponent has indicated an ORM conformity assessment was not done and baseline testing was not done. We thought we would indicate what Whitchurch Stouffville requires for an application to be deemed complete.

SLIDE 10

With regards to the Townline application, we anticipate that this Township will require respectful public consultation to happen sometime in the New Year. Again, in this slide we illustrate how Whitchurch Stouffville carries out their public consultation. Citizens should be given fair opportunity to express their concerns and to have them addressed by the proponents and the Township.

SLIDE 11

We recently became aware of a fill revenue fund proposal for the Township. We must stress, as we did at the Townline open house, that we do not want to see this Township purposefully engaged in the business of fill dumps. There are far too many knowledge gaps and unscrupulous operators out there to make this a safe business venture. There is a lot of change that has to happen at every level of government in order to ensure we are not letting the business of fill undermine sensible land use practices.

If we start to depend on fill for revenue, we run the risk of trying to attract these operators. We then run the risk of implementing less than conservative requirements for these operators so they choose this Township as opposed to another to run their fill business. If someone wants to carry out a significant renovation on their property in this Township then they need to know that it will most likely end up costing them money to do so. As most, if not all the proponents are indicating that the fill is only a means to some other end, like the renovation of an aerodrome or the improvement of farmland, then it shouldn't matter if the filling does not make them or this Township any money. It's the after use that is being highlighted. Proper oversight of these operations is absolutely necessary and it's expensive if it is done properly. Please make that your focus.

As well, if extra money from the filling at Greenbank is going to be used anywhere, it should be used to clean up the Earthworx site and to correct the ongoing liability that exists there.

Thank you

