

March 11, 2025

Thomas Cavanagh Construction Ltd.
9094 Cavanagh Road
Ashton, Ontario,
K0A 1B0

**Subject: *Aggregate Resources Act Application # 626599 – Objection Form Response*
 Thomas Cavanagh Construction Ltd. – Highland Line Pit
 Aggregate Licence for a Pit Below the Ground Water Table
 Lot 5, Concession 10, Geographic Township of Dalhousie
 *Township of Lanark Highlands, County of Lanark***

Dear Phil White,

The Ministry of Natural Resources (MNR), Aggregates Section has received Thomas Cavanagh Construction Ltd.'s 20-day Objection Form (dated February 19, 2025) for the proposed Highland Line Pit under the *Aggregate Resources Act* (ARA). At the conclusion of the initial ARA notification and 60-day consultation period, the MNR provided official comments on the license application, as outlined in our June 23, 2023, letter.

MNR Aggregates Section has also received the project team's response (dated January 15, 2025) to our June 23, 2023, comments. The response is supported by the following documents:

- Response to MNR Review Comments (prepared by Cambium, January 10, 2025)
- Response to MNR Review Comments (prepared by WSP, January 13, 2025)

MNR staff appreciate the project team's attention to our comments on the license application. We have reviewed the January 15, 2025, response and several of our comments have been addressed. However, we continue to have outstanding concerns, as outlined in the following comments. The Ministry therefore objects to the licence application at this time.

Natural Environment

6. Partially resolved – MNR staff appreciate the updates to the site plan, regarding the delineation of wetland boundaries in the field by an OWES evaluator prior to operations. However, the NER appears to identify an additional wetland, where staff gauge SG2 is

located (Water Report, Section 3.2.1.1), that is not shown on the site plan. NER Figure 3 describes this wetland as a mixed mineral shallow marsh (MAS1), and this feature appears to be identified as general habitat for Blanding's Turtle on the site plan. It is recommended that this wetland boundary be included on the site plan so appropriate setbacks from the feature can be established in the field.

7. Please note that our review of this comment is deferred, until our outstanding hydrogeological comments (43, 44, 46 and 48) are addressed.
9. Please note that this comment is resolved, pending verification that any recommendations from DFO have been incorporated on the site plan, as required.

Site Plans

18. Partially resolved – To improve the clarity of the site plan, please include the area to be excavated in the setback in the legend on page 3 of 5.
24. Partially resolved – To support the progressive rehabilitation of the site, MNR staff support, in-principle, incorporating a 50% maximum disturbed area on the site plan. However, it is recommended for clarity that the revision to note 60 on the Rehabilitation Plan describe what the 'disturbed area' is intended to represent (e.g., processing and storage areas, stripped areas, extraction areas, and unrehabilitated side slopes etc.).

The second sentence in the revision to note 60 also indicates that progressive rehabilitation will be initiated once the 50% maximum disturbed area is reached. This would appear to contradict the first sentence in this note, which suggests that progressive rehabilitation will be ongoing when there is available space in each phase (e.g., in Extraction Area 1 and 2). To ensure clear direction is provided on the site plan, it is recommended that the second sentence in the revised note be removed.

Hydrogeology

43. Partially resolved – MNR staff appreciate the response to this comment. However, the response only addresses potential impacts to Barbers Lake, resulting from the anticipated water table rise, and does not evaluate potential impacts on the wetlands and coldwater watercourses adjacent to the proposed pit. Based on the results of the drawdown analysis (as requested in comment #44), please evaluate the potential impacts on the adjacent wetlands and watercourses within the calculated cone of drawdown. This evaluation may require that additional mitigation measures be considered to address any potential adverse impacts to these features.
44. Partially resolved - It is important to evaluate potential impacts on the adjacent wetlands and watercourses within the radius of influence of the anticipated groundwater drawdown. MNR staff appreciate that the response has evaluated the

maximum radius of influence based on a 1 m water table change (e.g., revised Figure 2). However, to assess the extent of potential impacts on these features, please provide an estimate of the cone of drawdown with a 0.1 m cutoff. This assessment is important, as even a slight groundwater decline could lead to potential impacts on these features (e.g., coldwater watercourses no longer receiving sufficient groundwater, potentially negatively impacting spawning and incubation areas).

We also recognize that the presence of shallow bedrock may impede the propagation of the cone of drawdown in certain parts of the site by acting as a no-flow boundary. However, the extent of shallow bedrock in the study area requires further confirmation, as provincial scale mapping (e.g., OGS Surficial Geology) may not be accurate to evaluate site specific conditions. For example, Figure 2 (Attachment 2) shows that an existing pit, northwest of the site, is within a mapped bedrock area.

46. Partially resolved - To address this comment, please provide delineated catchment areas for the adjacent wetlands and watercourses. This mapping should be used to estimate the potential loss of surface water runoff to these features, by comparing water balances within each catchment area (pre- and post-extraction).

48. Partially resolved - To confirm the impact assessment for the adjacent wetlands and watercourses, including monitoring the performance of any mitigation measures (e.g., setbacks etc.), it is recommended that the groundwater and surface water monitoring program on the site plan be enhanced to include:

- Installing additional monitoring wells.
- Establishing additional surface water monitoring stations.
- Incorporating SG2 into the monitoring program.
- Increasing the frequency of water level readings.
- Establishing trigger thresholds at the monitoring locations and developing an adaptive management plan/response plan.

MNR Aggregates Section appreciates the project team's attention to these comments, and we would be pleased to continue working with Thomas Cavanagh Construction Ltd. to address our outstanding concerns with the license application. Please note that we may have additional comments to provide when a response to our comments has been provided for review.

To expediate our review of any follow up submissions, we would also appreciate if proposed changes to the technical reports and/or site plan are clearly highlighted.

If you have any questions, or require additional information, please contact Melanie Teitler, Aggregate Specialist, at melanie.teitler@ontario.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dave Marriott', with a stylized flourish at the end.

Dave Marriott
Aggregate Resources Planner
MNR Aggregates Section