

October 31, 2019

Ministry of Natural Resources and Forestry
Andrew MacDonald
Natural Resources Conservation Policy Branch
300 Water Street, Peterborough, ON, K9J 8M5

Aggregate Resources Act Review - EBR Registry # 019-0556

Professional Geoscientists of Ontario (PGO) is mandated through the Professional Geoscientist Act, 2000 (PGA) to serve and protect the public by regulating the practice of geoscience in Ontario. Geoscience expertise provides quantitative evidence-based input to the characterization of soils, rocks, water, ecosystems, watersheds, and sites, as well as the identification of contamination or disturbances to ecosystems, and the proposal of mitigation strategies and remediation strategies. It is critical that decisions in these areas are made by licensed geoscience professionals.

PGO's role has direct relevance to the *Aggregates Resources Act* (ARA) and its associated Ontario Regulations. The PGO believes that science-based policy and decision-making must be the cornerstone of any update to the regulatory regime governing aggregate resource management. As such, we are pleased to provide the following submission as part of the government's review of the ARA, with suggested reforms in the following areas to strengthen the protection of water resources and the public:

Mandating the use of Geoscience Qualified Persons (QPs) within the ARA

Professional Geoscientists are uniquely suited to examine aggregate issues as a result of their specific training in quaternary geology, geomorphology, hydrostratigraphy, hydrogeology and related disciplines. This specialized training significantly differentiates Professional Geoscientists from other QPs and provides significant value to the aggregate industry that protects the public. For example, Geoscience QPs would play key roles in the areas of:

1. Groundwater characterization in connection with:
 - a. Dewatering operations and aggregate excavation depths, and
 - b. Contamination monitoring and zones of influence to other groundwater issues in the vicinity;
2. Well head protection and GUDI issues with respect to O.Reg. 170/03, O.Reg. 287/07, under the Safe Drinking Water Act (2002) and Clean Water Act (2006) respectively;
3. Aggregate deposit quality & quantity characterization; mineralogy and lithology; and,
4. Pit and quarry rehabilitation planning

The use of Geoscience QPs at all levels of the aggregate industry, would include dependable resource calculations and groundwater impacts, through to responsible extraction and remediation practices. This will **not** result in the creation of more regulatory burden. In fact it will create cost savings and economic growth by removing obstacles and achieving greater efficiency. At the same time it will enhance protection of the public and the natural environment through science-based principles applied by experts who are accountable to a self-regulatory authority.

Recommendation: Update the ARA to mandate the use of Geoscience QPs as defined in the PGA, to fulfill requirements in the Act in connection with application and permit approvals, reviews, or any other decisions that may impact the public.

Clear Decision-Making regarding Water Resources:

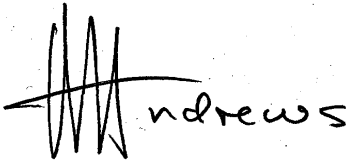
The current management of water resources is divided among various government entities, including the Ministry of Natural Resources and Forestry (MNRF), Ministry of Environment, Conservation and Parks (MECP), Conservation Authorities (CAs) and municipalities. While this allows for necessary input from various sources, it also leads to confusion as to who has final authority with respect to the protection of water resources and aspects of rehabilitation (habitat compensation, SAR, wetland re-generation).

Recommendations: Update the ARA to:

- a) Clarify the roles, responsibilities and authorities of the various government organizations involved in the protection of water resources and rehabilitation, and
- b) Outline clear decision-making around rehabilitation activities, such as mandating that a Geoscience QP pre-consult with all approval bodies to establish a scope of work, thus ensuring that protection of water resources takes place in a timely manner and that water resources and the public are protected.

PGO would be happy to meet to further discuss our proposal to protect the public through ensuring the inclusion of QPs in any updated regulations pertaining to the ARA. In our view, Geoscience QP involvement simplifies the process for stakeholders so that high quality submissions can be presented to the MNRF during approval processes. We look forward to the opportunity to work collaboratively with you as the development of regulations proceed.

Sincerely,



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Cc Ala Boyd, Director (A), Natural Resources Conservation Policy Branch, MNRF
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