

Let's Get the Facts Right

The Ontario Municipal Board Hearing for the whole month of March was undoubtedly the most important the Township of McNab/Braeside will ever be involved in. Why? Because the stakes were very high.

The opponent was Miller Group, a multinational company with huge financial resources. And they had a huge team of highly paid experts to achieve their goal of a huge quarry expansion at the expense of neighbours' land and a permanent asphalt plant.

What was at risk? For a start, the quantity and quality of the water for the whole Braeside Ridge. The village of Braeside, Sand Point, Dochart, all the subdivisions and homes in the area. That's a lot of people! Arguably one of the best hydrogeologists in Ontario, paid entirely by FACT-MB, testified that a permanent asphalt plant represented just too great a risk of water contamination.

What does water contaminated by petrochemicals mean in terms of dollars? Probably \$40 million for a water filtration plant and another \$40 million for infrastructure to get the water to all the residents. Would that affect every member of the Township?

Then there's the certainty of air pollution – certainty because residents have already suffered with a temporary asphalt plant in this quarry. Consider the effect of a permanent asphalt plant spewing cancer-causing chemicals, (well-known), year after year after year. Imagine being a child unable to play outside, affected even inside the home. An atmospheric scientist with an international reputation, paid entirely by FACT-MB, testified that the inevitable exposure of these chemicals was too great a risk to the health of people in the region.

The Board Chair listened when FACT testified about the court decision they had won against Miller for the adverse effects of that portable asphalt plant. Not only did he listen but in his decision he stated clearly that this influenced his denial of the permanent plant.

Miller wanted to be able to use neighbours' land as their buffer zone for their Class III heavy industry. A Township By-law allowed them to do this! But again an internationally respected structural engineer, a blasting specialist who had worked for the Pentagon, for NATO, for some of the most prestigious organizations south of the border, and paid entirely by FACT-MB, testified that blasting this close to neighbours would result in

damage to their homes. And FACT-MB gave the OMB Chair examples of past blasting accidents in the quarry, including a court conviction. The Chairman listened. The Township went into this hearing unprepared. No expert to try to protect our water, none for our air, none to protect our homes from blasting damage. No court decisions against the portable asphalt plant or blasting accidents. FACT-MB paid for all of that. Without FACT-MB the Township would have paid nearly \$200,000 of the taxpayers' money, (their OMB costs), and they would have lost both our money and the decision. As well, we had compelling lay witnesses who spoke with conviction about the adverse effects they had suffered from the portable asphalt plant.

Without even getting into increased infrastructure costs to the Township from greatly increased quarry truck traffic, or the reduction in tax revenues from huge homes devalued by potential water risk or a permanent asphalt plant emitting chemicals into the air around them, I think you can see the on-going drain on limited Township resources if this hearing had not been won.

This OMB decision was very important to the whole Township of McNab/Braeside, and made possible by a strong community team who had gathered brilliant legal counsel, (the Canadian Environmental Law Association, CELA) and the best scientific experts anywhere!

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