

September 25, 2025

Sheena Tower
MNR – PD – Development and Hazard Policy Branch
300 Water Street, 2nd Floor, South Tower
Peterborough, ON
K9J 8M5

Submitted via website and aggregates@ontario.ca

Dear Sheena Tower,

Re: ERO 025-0216: Updating and modernization of operational policies supporting the delivery of the provincial Aggregate Resources Act program

The Ontario Federation of Agriculture (OFA) is the largest general farm organization in Ontario, proudly representing more than 38,000 farm family members. OFA has a strong voice for our members and the agri-food industry on issues, legislation and regulations administered by all levels of government. We are passionate and dedicated to ensuring that the agri-food sector and rural communities are considered and consulted with for any new or changing legislation that would impact the sustainability and growth of our farm businesses.

Ontario's agri-food sector is an economic powerhouse – producing more than 200 farm and food products, fuelling rural communities, generating over 860,000 jobs, and contributing over \$51.43 billion to Ontario's annual GDP. The province's agri-food strategy, Grow Ontario, aims to strengthen the agri-food sector, support economic growth, and ensure an efficient, reliable and responsible food supply. By removing barriers, unnecessary costs and red tape, Ontario farmers will be positioned to seize opportunities and rise to the challenge of an ambitious growth strategy, allowing the agri-food sector to drive the economy forward.

We are pleased to have the opportunity to respond to **ERO 025-0216: Updating and modernization of operational policies supporting the delivery of the provincial Aggregate Resources Act program**, and the related policy updates: Matters to be Considered in the Issuance of a Licence and Water Report.

OFA believes that agricultural activities make the best use of arable lands and that the productivity of those lands must be maintained. Aggregate extraction should be prohibited on prime agricultural land (classes 1-4), and specialty crop lands. While we recognize the critical importance of aggregates for upgrading and maintaining our networks of roads and bridges, as well as for residential, commercial, institutional and industrial construction, we insist that agricultural lands be fully rehabilitated to their former use for sustainable agricultural production, in a timely manner.

MATTERS TO BE CONSIDERED IN THE ISSUANCE OF A LICENCE

In considering issuing a permit, the MNR has the option to issue the licence with such conditions as the Minister considers necessary. OFA believe that conditions related to the means of avoiding, minimising, and/or mitigating the impact to agricultural systems as identified through the Agricultural Impact Assessment (AIA) are not only appropriate to be listed on the licence, but should be used frequently.

2.2 (b) Effects on Nearby Communities:

This section refers to certain studies, such as noise and dust, that are required when an aggregate operation is within proximity of “sensitive receptors”. While we agree that residences, hospitals, and schools are sensitive receptors, we believe that farms also deserve to be protected from the impacts of noises and dust from aggregate extraction activities too. Loud and random noises negatively impact herd and/or flock health, which translates into reduced farm income from meat and/or milk production. Similarly, dust reduces crop yields, and it is not beneficial for livestock to feed on dust-covered crops. Haul routes are also an important issue for farmers, particularly those whose farm is situated on a haul route. The aggregate licensing/approvals process needs to objectively address the legitimate agricultural implications and consequences from dusts, noises and aggregate truck traffic on farm operations on haul routes.

2.4 (d) Rehabilitation Plans:

As stated in this policy document:

Before issuing a licence, MNR must be satisfied that the pit/quarry site can be:

- *restored to its former use,*
- *changed to another use or condition that is compatible with adjacent land uses,*
- or*
- *rehabilitated as required by applicable provincial plans.*

In areas where agriculture is the predominate land use, OFA believes that rehabilitation **must** be to restore the site to an agricultural end-use, preferably to the original productive capacity. Aggregate extraction is touted as an interim use. While the resource in pits and quarries will eventually be exhausted, meaning that the lifespan is finite, and the site will be rehabilitated to some end use, these uses are not short term. Removing parcels of land from agricultural use impacts not only the farmer who farms the land. The indefinite duration of pits and quarries can also negatively impact neighbouring farm operations, as well as the businesses and services that serve them and rely upon agricultural output. A portion of their supply chain is removed. It may be viewed as only one farm, but where aggregates are found under one farm means they will also be found under others. A number of pits or quarries will open in the area. It will not be one farm, but several.

2.5(e) Effects on Ground and Surface Water

OFA believe that a detailed Water Report should be completed for all aggregate licence applications, not limited to applications that propose excavation below the water table.

As stated in the “Matters to be Considered in the Issuance of a Licence”:

MNR will issue a licence only if satisfied that the proposed aggregate operation will have no negative effects on ground water and surface water resources.

In order for MNR to assess that there will not be any adverse effects on the water resources, all water-related studies must consider a substantial zone of influence to ensure that other water users and landowners will not be impacted. The studies must go beyond the property boundaries of the subject aggregate site.

Also, while we are pleased to see that MNR will be considering if the proposed aggregate site is within a source protection area, we remain concerned that MNR does not consider the potential Source Water Protection (SWP) implications to other landowners. Work on the aggregate site could also impact the vulnerability score or impose restrictions on surrounding properties. Other property owners could be negatively impacted, whether it's their water supply or by other rules or regulations, including but not limited to source water protection. The MNR must decline applications that have the potential to add such constraints to other landowners.

Further comments related to ground and surface water are below with regards to the Water Report.

2.6(f) Effects on Agriculture

We are extremely pleased to see that the effects on agriculture will be appropriately considered prior to issuing a permit. It is our understanding that the Provincial Policy Statements require AIAs be submitted in support of applications for new or expanding mineral aggregate operations in prime agricultural areas – not restricted to only prime agriculture in provincial plan areas. This requires clarification and updating. Additionally, OFA strongly advocates that the impacts on agriculture and agricultural systems be appropriately considered in areas where an AIA may not be triggered (e.g. aggregate extraction on rural lands). The MNR must set very high standards as to what constitutes “effects on agriculture”, requiring consideration consistent with the requirements of an AIA.

2.8 (h) Haulage Routes and Truck Traffic

As stated above, haul routes are also an important issue for farmers. MNR must consider the implications of haul routes to agricultural operations. This includes the challenges that may arise due to the presence slow moving vehicles, particularly farm implements. Agricultural operations must not be unduly burdened by the increased traffic resulting from the presence of an aggregate operation.

WATER REPORT

As stated above, OFA believes a Water Report should be completed for all aggregate applications, not just those that will excavate below the water table. Furthermore, it will be useful if the Water Report is approached with consideration to its ability to support an Agricultural Impact Assessment (AIA) and a coordination of efforts is encouraged to meet the needs of both studies, where appropriate.

1.0 Purpose

The Purpose section states:

The Report must describe the potential impacts of the proposed aggregate operation on ground and surface water resources, and the uses they support (e.g., drinking water supplies and aquatic ecosystem function).

OFA recommends that the example includes agricultural uses. While we note with appreciation that the agricultural uses are explicitly stated under section 3.2 Water Report Level 2, we believe it is important that the purpose section recognize the importance of water – both surface and ground – to agricultural operations.

2.2 Zone of Influence and 2.3 Study Area

OFA appreciates and would like to stress the importance of the statement “*the study areas considered by the QP should cover the largest possible zone of influence that could result from the proposed excavation and should not be limited to the proposed licence/permit boundary*”. However, would like to see the word “should” replaced with ‘must’ in that sentence.

3.1 Water Report Level 1

OFA would like to see additional details in this section. We believe it would be useful to explicitly state that this report is looking at both water quality and quantity when examining “*potential impacts to ground water and/or surface water resources.*”

When describing the drainage areas for the proposed pit/quarry, OFA believes that this needs to contain very specific analysis. For example, where will the drainage outlet? Is there an adequate outlet available and if so, is it part of a Municipal (Petition) Drain under the Drainage Act, a Mutual Agreement Drain, or a neighbour’s private drain? Do they have permission to utilize a neighbour’s private drain? How will they ensure their drainage will not cause flooding to a downstream landowner? This will assist in determining if there is a potential impact and will then feed into the required Water Report Level 2.

The Water Report Level 1 also requires an assessment of applicable source water protection policies. However, as stated earlier, this report also needs to consider whether the aggregates operation has the potential to trigger additional source protection restrictions or constraints on other landowners.

3.2 Water Report Level 2

We appreciate the recognition of water wells used for agricultural purposes. It is important to recognize that surface water is also used for agricultural purposes and has significant time constraints on when that water is required. This should be considered when assessing surface water resources.

The Water Report notes:

An impact is generally considered ‘unacceptable’ when it compromises the use of the water source (e.g., well) by another user or hinders the ecological functions of natural features within the zone of influence. Mitigation actions should include relevant measures for protecting water resources...

We would like this expanded to include that the triggering of additional restrictions, requirements or setbacks to another landowner is also considered ‘unacceptable’.

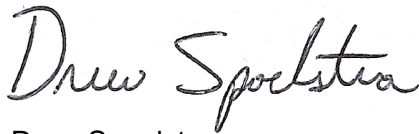
Furthermore, we believe that it is essential that a QP visit a study area at least once to fully appreciate the realities of the site and potential impact to both the water resources and landowners within the zone of influence.

4.0 Remote Areas on Crown Land

As previously stated, OFA believes that agricultural lands should be included whenever there is reference to a “sensitive receptor”, given the potential implications of impact to livestock, poultry and our crops. As such, a Level 1 and Level 2 report would also be required on remote areas of crown land if the proposed pit/quarry is within 5 km of an agricultural operation.

We appreciate the opportunity to provide our comments to “Updating and modernization of operational policies supporting the delivery of the provincial Aggregate Resources Act program”. We trust our comments will be reflected in the final documents. We remain available to further discuss these comments.

Sincerely,



Drew Spoelstra
President

cc: OFA Board of Directors

This submission has been approved by the OFA Board of Directors and will be posted to OFA's website: <https://ofa.on.ca/resources/>