



## Severn Sound Environmental Association

67 Fourth Street  
Midland ON L4R 3S9  
(705) 527-5166 - FAX (705) 527-5167  
Email: [ksherman@midland.ca](mailto:ksherman@midland.ca)  
Website: [www.severnsound.ca](http://www.severnsound.ca)

July 22, 2014

Mr. Shawn Persaud, BA, MCIP, RPP  
Manager of Planning & Development  
Corporation of the Township of Tiny  
130 Balm Beach Road West  
Tiny ON L0L 2J0

Dear Mr. Persaud,

### **RE: Proposed Sibthorpe Pit, Darby Road, Township of Tiny – Site Plans**

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The SSEA has reviewed the revised site plans submitted in support of the proposed Sibthorpe Pit (received electronically at the SSEA office on July 14, 2014). We offer the following comments.

#### Operational Plan

##### **SITE AREA CALCULATIONS**

1. The Area to be extracted was originally 39.0 hectares; the revised plan shows the Area to be extracted as 30.0 hectares, a reduction of 9 hectares. However, correspondence from Mr. Selby (January 30, 2014) indicates that Beamish proposes “*to protect 10.65 ha of significant woodlands, if permitted to extract to the bottom of the slope*”. Based on this, our assumption was that the revised area to be extracted would be reduced by 10.65 ha; the reason(s) for this discrepancy are unclear. Please clarify how far to the west the extraction is proposed [also see comment #5 below].

##### **TREE REMOVAL / FOREST MANAGEMENT**

2. The note indicates that “*All trees within the extractive area will be gradually cut/cleared no more than 90 meters ahead of extractive operations (pit faces) and no less than 5 meters at any given time.*” In our letter of June 25, 2012, the SSEA raised the issue of timing of tree cutting, indicating that this timing could impact breeding birds. The issue was to be addressed, as per the following correspondence from Mr. Bell and Mr. Selby:

- *“A note will be added to the site plan that tree cutting will be conducted outside the breeding season for bird species. Tree cutting will only occur between September and February to protect any nesting birds on site.”* (November 26, 2012)
- *“Beamish has agreed that tree cutting is only to occur between September and February to protect any forest nesting birds on site. This will be appropriately placed on the site plan notes as agreed to earlier.”* (November 29, 2013)

The appropriate note concerning tree cutting timing has not been incorporated into the revised site plans.

3. The tree planting that would occur on portions of the Teedon Pit as compensation if the Sibthorpe Pit is approved has been satisfactorily addressed by the note *“Prior to pit operations commencing, a tree planting agreement shall be finalized with the Township of Tiny. This agreement shall apply to the planting of trees on blocks 1 - 5, to be identified on the site plans of the Teedon pit, Aggregate license # 3670. Establishment of the planting blocks will be subject to a site plan amendment on the Teedon pit site plans. No pit operations are to take place on this licensed property (Sibthorpe pit) until such time that the site plan amendment for the Teedon pit is approved.”*

#### STRIPPING OF TOPSOIL / OVERBURDEN

4. Berms are described, and it is noted that they will be seeded with grass seed. The SSEA's letter of April 16, 2013 stated that, for the North Buffer area, *“Where berms are required, they should be seeded with an appropriate mix, and natural succession should be allowed to occur (i.e., no regular cutting of tree/shrub growth on the berms).”* In his letter from November 16, 2013, Mr. Selby confirmed that the retention of secondary growth on the berms would be incorporated into the site plan: *“The secondary growth can be maintained on the berms and shown on the site plan notes with the qualifier that this will occur until the berm materials are required for progressive and final site rehabilitation. At that time, any secondary growth would, along with the rehabilitation materials in the berms, be removed. Eventually, any disturbed areas will be reseeded & reforested.”*

The appropriate note concerning retention of secondary growth on the berms has not been incorporated into the revised site plans.

#### EXTRACTION / MAXIMUM NUMBER OF LIFTS AND MAXIMUM HEIGHT

5. As outlined in our letter of February 27, 2014, the SSEA had understood that the extraction in the west to the base of the ridge would be to 257 m a.s.l. A draft version of this letter, which included reference to 257 m a.s.l., was circulated to the Township and Mr. Selby to ensure that the letter captured the intent of what was agreed upon in the meeting. Email correspondence (March 2, 2014) from Mr. Selby stated that *“Dennis & I have...reviewed the draft letter and it reflects our agreement and meeting outcome.”*

The note in the Operational Plan indicates that “...*the maximum depth of extraction will vary across the site with an final pit floor elevation varying from 240.5 meters in the west portion...*” This is considerably deeper than the 257 m a.s.l expected, and requires clarification [this comment may be related to #1 above].

#### MINING / EXTRACTION SEQUENCE

6. The notes indicate that “...*Phases 1 and 2 may be operated on concurrently and Phases 1 and 3 may be operated on concurrently.*” A further note (under Phase 3) indicates that “*Prior to extraction proceeding into Phase 3, all of the Phase 2 area...shall be rehabilitated.*” If Phases 1 and 3 were to be operated on concurrently, presumably Phase 2 would be left untouched and thus would not be ready for rehabilitation; if this is the case, technically the pit would be in contravention of the second note.
7. The notes indicate that “*Slopes will be graded, topsoil applied, seeded and planted with tree species as identified in the Tree Planting Agreement made with the Township of Tiny.*” The SSEA is in agreement with this note, since it provides a mechanism to ensure that the Township will be satisfied with tree planting to occur on the site.

#### Rehabilitation Plan

8. The Total area to be planted with trees was 23.7 ha in the original plan; the revised plan shows the Total area to be planted with trees as 23.0 hectares. The area to be rehabilitated to agriculture was discussed and agreed to in general terms at the meeting on February 26, 2014. From this discussion, the SSEA understood that the western limit of the agricultural rehabilitation would essentially remain the same as in the original Rehabilitation Plan, and the eastern portion of the area to be extracted would be planted in trees rather than rehabilitated to agriculture, i.e., that the area to be rehabilitated to agriculture would generally correspond with the area depicted in the site plan drawing as 'Open Field'. On the revised Rehabilitation Plan, the eastern area to be planted corresponds with the SSEA's expectation; however, the proposed agricultural land has been expanded to the west when compared with the original Plan. Since this area is currently well treed, it should ideally be part of the area to be planted during rehabilitation.

Please contact us with any questions.

Yours truly,



Keith Sherman,  
Executive Director



Michelle Hudolin,  
Wetlands and Habitat Biologist