

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [rockyviewgravelwatch@gmail.com](mailto:rockyviewgravelwatch@gmail.com)  
**Subject:** [EXTERNAL] - File # 06605001 06605002 06605003 06605004 06605005 Applications PL20200093/0094  
**Date:** October 17, 2020 5:09:11 PM

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Do not open links or attachments unless sender and content are known.

Andrea,

We have received the letter from Rocky View County regarding the gravel pit application from the Scott Property. Put point blank, we have already individually and as a community voiced our concerns about gravel pits being built adjacent residential areas. We are now feeling all past communication and organization from many committed people to keep our homes, families and environment safe are just not being heard. We moved away from the NW of Calgary where gravel trucks ran all day at very unsafe speeds, running red lights and creating very unsafe roads. We decided to move out to an area where we felt we were safer and would be able to raise our family in a beautiful rural community. We have paid a prime price to have this opportunity to live here. Now, not only are we at risk of having the trucks on roads that are not made for them we are also at risk of hearing the gravel extraction, breathing the dust created, and having our properties values reduced.

I am left feeling like no one is listening to the community and while I fully understand the need for gravel for expansion of the city etc etc we need to be responsible in how we develop areas for long term. Residential areas should not be approved next to areas where gravel pits will be created and vis versa. It's simple common sense planning. Let's do right by the future of these communities and be proud of decisions made.

Thank you for passing on our concerns and hope that our county will protect its residence and find other opportunities to protect its business sectors. The two can work together but not at the cost of people.

Kelly Paulson  
40 Church Ranches Close

**Steven Lancashire**

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**From:** Kelly Paulson [REDACTED]  
**Sent:** November 25, 2020 11:00 PM  
**To:** Andrea Bryden  
**Subject:** [EXTERNAL] - FW: Public Meeting vote for File # 06605001 06605002 06605003 06605004 06605005 Applications PL20200093/0094

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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To Whom it may concern,

I would like a position of Opposed to be presented on our behalf at this public hearing and will simply recopy the letter I wrote in October and add that if this does go through and our property values are impacted we will expect reductions in our taxes. I understand that our property values are impacted by economic reason in our province however I cannot accept that our own county would support something that would negatively impact our values. Why would the county not want to do something to help preserve the values of our homes or increase them.

Andrea, ( from my email on October 17, 2020

We have received the letter from Rocky View County regarding the gravel pit application from the Scott Property. Put point blank, we have already individually and as a community voiced our concerns about gravel pits being built adjacent residential areas. We are now feeling all past communication and organization from many committed people to keep our homes, families and environment safe are just not being heard. We moved away from the NW of Calgary where gravel trucks ran all day at very unsafe speeds, running red lights and creating very unsafe roads. We decided to move out to an area where we felt we were safer and would be able to raise our family in a beautiful rural community. We have paid a prime price to have this opportunity to live here. Now, not only are we at risk of having the trucks on roads that are not made for them we are also at risk of hearing the gravel extraction, breathing the dust created, and having our properties values reduced.

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Thank you for passing on our concerns and hope that our county will protect its residence and find other opportunities to protect its business sectors. The two can work together but not at the cost of people.

We are not comfortable attending in person a public meeting to voice our concerns in person. I am very hopeful that our voices will still be heard. I have huge concerns that all this is being pushed through during a pandemic. This is simply sad.

Best Regards,  
Kelly Paulson

**From:** Kelly Paulson [REDACTED]  
**Date:** Saturday, October 17, 2020 at 5:09 PM  
**To:** <[abryden@rockyview.ca](mailto:abryden@rockyview.ca)>  
**Cc:** [REDACTED]  
**Subject:** File # 06605001 06605002 06605003 06605004 06605005 Applications PL20200093/0094

Andrea,

We have received the letter from Rocky View County regarding the gravel pit application from the Scott Property. Put point blank, we have already individually and as a community voiced our concerns about gravel pits being built adjacent residential areas. We are now feeling all past communication and organization from many committed people to keep our homes, families and environment safe are just not being heard. We moved away from the NW of Calgary where gravel trucks ran all day at very unsafe speeds, running red lights and creating very unsafe roads. We decided to move out to an area where we felt we were safer and would be able to raise our family in a beautiful rural community. We have paid a prime price to have this opportunity to live here. Now, not only are we at risk of having the trucks on roads that are not made for them we are also at risk of hearing the gravel extraction, breathing the dust created, and having our properties values reduced.

I am left feeling like no one is listening to the community and while I fully understand the need for gravel for expansion of the city etc etc we need to be responsible in how we develop areas for long term. Residential areas should not be approved next to areas where gravel pits will be created and vis versa. It's simple common sense planning. Let's do right by the future of these communities and be proud of decisions made.

Thank you for passing on our concerns and hope that our county will protect its residence and find other opportunities to protect its business sectors. The two can work together but not at the cost of people.

Kelly Paulson  
40 Church Ranches Close

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020 - Kelly Paulson 40 Church Ranches Close T3R 1C1 writing in opposition to the Lehigh Hanson application  
**Date:** January 20, 2021 10:02:46 AM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Kelly Paulson [REDACTED]  
**Sent:** January 19, 2021 5:28 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020 - Kelly Paulson 40 Church Ranches Close T3R 1C1 writing in opposition to the Lehigh Hanson application

Do not open links or attachments unless sender and content are known.

Subject: Bylaw C-8082-2020

To: Rocky View Council

I am opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

I am confused why the County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable



adverse impacts to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled this public hearing in the current Covid-19 environment. This is not an essential item that they need to push through and we are feeling pressured and that they are taking advantage of the timing and trying to push it through. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Kelly Paulson

40 Church Ranches Close, T3R 1C1

Jan 17, 2021

**Andrea Bryden**

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**From:** Klaus Seidel [REDACTED]  
**Sent:** August 14, 2020 5:31 PM  
**To:** Andrea Bryden  
**Subject:** [EXTERNAL] - Lehigh Hansen Materials Limited

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Do not open links or attachments unless sender and content are known.

Andrea Bryden and Rocky View County Council

In response to the application number PL20200093/0094

Roll number 06605001/002/003/004/005

My wife and I live at 27 Lone Pine Cres. in Church Ranches , our home would be less than one kilometre from the purposed site in this application.

We strongly disapprove of this application moving forward or being approved . There are a number of health concerns in addition to the nuisance caused by all the heavy equipment noise and increased heavy truck traffic . We live in this country acreage community for the peaceful quiet lifestyle and can not support this purposed mix of heavy industrial element with the current residential within a couple of kilometres of a commercial gravel operation . This would also have a drastic negative impact on the property values in our community .

As a father I am even more concerned for two of my married children who live much closer to the purposed site with their young families, one lives right next to the site being purposed.

We are very concerned for the future of one of Rocky View Counties best residential communities and implore our County to not approve the application !

Thank you

Klaus & Peggy Seidel

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Fwd: Gravel Pit Application  
Date: October 20, 2020 3:44:09 PM

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Do not open links or attachments unless sender and content are known.

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

Sincerely

Klaus & Peggy Seidel

27 Lone Pine Cres.

Calgary , Ab. T3R 1B9

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Gravel pit application  
Date: October 31, 2020 2:19:29 AM

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Do not open links or attachments unless sender and content are known.

In regards to

Application #: PL20200093/0094 File #s: 06605001, 06605002, 06605003, 06605004, 06605005)

The fight over the proposed pit on "The Scott property" has been going on for almost three decades now. The fact that the last two applications have been over thrown says what the residents of the neighbourhood think of the development plans. These plans are getting increasing less compatible with the neighbourhood as time goes on but there seems to be no way to stop this constant reapplication process which is maddening.

There is a saying that I think encompasses what I feel about Lehigh Hanson proposed project and their never relenting push to see it through!

"The only thing necessary for the **triumph of evil** is **for good men** to do nothing."

That statement applies to all the individuals that work for the county and Lehigh that keep trying to push ahead with this project despite the implications of all the harmful aspects of having a major gravel extraction site in close proximity to our homes. Many THOUSANDS of lives would be negatively impacted by this pit.

Do I need to relist the many reasons you have already read to oppose such a plan in this area or will the people involved with trying to push this through finally stand up for what is right and good as 30 years is too long to keeping pursuing this plan.

Just for reference see the letter below, I and sure it is not new to you...

Sincerely  
Kyle Petryshen

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential

communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Gravel submission Bylaw C-8082-2020  
**Date:** January 20, 2021 10:11:53 AM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
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**From:** Kyle P [REDACTED]  
**Sent:** January 20, 2021 10:01 AM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>; Division 8, Samanntha Wright <[SWright@rockyview.ca](mailto:SWright@rockyview.ca)>  
**Subject:** [EXTERNAL] - Gravel submission Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

Kyle Petryshen  
24089 Burma  
Date: Wed Jan 27 2021

Dear Rocky View Council  
Re: PL20200093/0094 Lehigh Hanson application for an Open Pit Gravel Mine  
I have resided in Bearspaw for 45 years, I live right across from the proposed gravel extraction site and the old Scott house. As I grew up over the years I watched their dairy farm operate and even close ending in the final sale of the land ; I had countless interactions with the Scott's and their family, I even went to school with them, rode the same school bus even.  
Having lived in the community for so long I cannot imagine what future generations might have to endure in the downwind shadow of a major gravel extraction site. This fight against big business that ultimately only cares about \$\$ has been going on for almost 30 years now, it is hard to believe that people can allow such a travesty to continue for so long. Such a development is so wrong in this planned area, especially now, a time where development of the area has progressed so far. Progress in a community such as Bearspaw isn't allowing another gravel extraction site to go up when it only greatly benefits a foreign company not the community,

especially seeing how there is no gravel shortage in the area and the resource is also abundant in close proximity not bordering thousands of residents who would live in the downwind community!

The land across Burma Road was designated as agricultural land and earmarked for future residential development. I have a direct view of the site. I am greatly opposed to the application.

This is the third application made by this same applicant, with the most recent one being rejected unanimously. The same reasons for that rejection still apply. There will be significant environmental effects, significant health consequences to residents and it will greatly interfere with the enjoyment of residences in all the properties surrounding the area.

Meaningful consultation should have occurred with affected residents. This has not occurred. I have owned my land personally since I bought it from my parents almost 20 years ago. Over those years I cannot remember one single time where a representative of LeHigh has EVER come to meet with me. You could excuse me forgetting one or two I guess but in 20 years of owning the land personally and over 40 as a family you would think it would be prudent to have tried at least enough times that I would remember some!

I have been home almost exclusively since the middle of March due to the global pandemic and for years prior to that seeing how I work from home and have not had any contact from LeHigh Hanson or its affiliates in that time other than the notice of the application.

In conclusion, I hope Rocky View Council will use the prudent voice used in the previous two applications and reject this application.

Lehigh Hanson is a company that is not concerned about my wellbeing nor is it concerned about the wellbeing of the community; there is not enough \$\$ in gravel extraction royalties for it to make sense to the county and its residents!

Thank you  
Kyle Petryshen

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Proposed plan PL20200093 and 0094  
**Date:** October 20, 2020 1:56:07 PM

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Dear MS Bryden

We are writing to register our opposition to the above Proposed Plan.

Heavy industrial development does not belong within established residential neighborhoods:

Heavy industrial development such as this creates a hazard to the health of our community. Heavy truck traffic creates a jeopardy to all who travel the roads in our community but particularly as that applies to the area surrounding the Bearspaw Christian School. Who would be liable for a collision such as we were witness to in Humboldt Saskatchewan? As a tax payer we should not be not willing to assume such a risk. As the County has heard plenty of opposition to this truck traffic even as it stands today it seems to me that a court would have to look very seriously at any kind of approval that was granted by the county to continue and worsen the liability in this regard.

Heavy industrial development creates a hazard to the health of our community. It is an established fact that the dust resulting from this kind of strip mining is carcinogenic. Why would the County who is directly responsible for the health and safety of her citizens even consider allowing this to continue? Particular in the area of the Bearspaw School where children are at risk but also in the provincial detention centres where inmates are literally held hostage to their environment. The new communities in the City of Calgary will soon be objecting to this too.

Heavy industrial development creates a hazard to the health of our community. Noise from proposed conveyor belts will be detrimental to those in our community constantly bombarded by it. Conveyor belts are known to break down causing increased truck traffic. Once approved who can say how conveyor belts will be regulated? It is known that enforcement of bylaws as they relate to these operations is not known to be existent let alone affective.

Heavy industrial development creates a hazard within our community. Large heavy truckloads have spilled in the past. Trucks cannot avoid rocks flying out of their loads to the detriment of many a windshield or worse on our roads. Truckers will take the shortest route to their destination with no regard for the noise or the risk they create along the way.

Heavy industrial development breeds more heavy industrial development. As we read the notes to your notice other proposed uses as long as they conform to existing uses may be approved. This area is primarily residential in nature and the County has been approving residential in this area for many years. This development will run for a generation or longer. Residents of this area should not be subjected to the amount of pollution and disruption this proposal will cause.

Please accept this letter as our opposition to the planned proposal.

Leo and Colleen Bieche

20 Chamberlain Pl



**Steven Lancashire**

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**From:** Michelle Mitton  
**Sent:** November 26, 2020 2:27 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020.

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** L and C Bieche [REDACTED]  
**Sent:** November 25, 2020 3:07 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020.

Do not open links or attachments unless sender and content are known.

The County has requested comments in advance of the December 22<sup>nd</sup> public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy

of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Regards

Leo and Colleen Bieche

20 Chamberlain Pl

T3R 1B7

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - BYLAW C-8082-2020  
**Date:** January 20, 2021 11:16:46 AM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Colleen Bieche [REDACTED]  
**Sent:** January 20, 2021 11:10 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - BYLAW C-8082-2020

**Do not open links or attachments unless sender and content are known.**

To Whom it May Concern,

We object to this application from LeHigh Hanson Materials.

The planned expansion of this operation will allow open pit mining in the middle of residential development for generations to come. While this consideration may be legal at this time we find it morally reprehensible to burden future generations with the environmental and legal implications if this allowed to happen.

### Past Behaviours

A very quick search shows clearly how this powerful multinational corporation has been found guilty of inflicting environmental damages in many jurisdictions. These damages span the spectrum from air quality to water quality to soil pollution through the US and Canada.

In 2019 the US Environmental Protection Agency successfully sued this Goliath

conglomeration for air pollution in the states Alabama, California, Indiana, Iowa, Maryland, New York, Pennsylvania and Texas.

In 2013 they were held responsible and settled out of court for water pollution in California.

There is currently an ongoing case against them for soil pollution in British Columbia by BC Ferries. The litigation continues.

Closer to home we need look no further than the dead and dying, once majestic trees, along the Scott Property on Burma Road. This eyesore has been left to fester despite being brought to their attention many times.

### Deep Pockets

It was clear to see how many of the litigations had been long and drawn out proceedings. Those that were eventually settled came at great cost financially and emotionally for the jurisdictions involved.

Operations of this magnitude in a primarily residential area leaves our county open to further litigation for violations for generations to come.

Can we as a small municipality afford to litigate against a huge multinational corporation which shows no respect for the environment and has demonstrated deep pockets?

Do we want to leave ourselves open to this jeopardy?

Do we need to?

Only you can answer these questions.

### Direction

Open pit mining does not belong in residential areas. Two previous Councils have denied this expansion. Indications show the county prefers residential use here as there continues to be residential development in the line of sight of this proposed expansion.

This can be your legacy.

Say **NO** to the expansion of this dirty, dusty, damaging and destructive activity in the middle of a peaceful residential area.

Colleen and Leo Bieche  
20 Chamberlain Place T3R 1B7  
Calgary Ab

Rocky View County  
To: 262075 Rocky View Point  
DEVELOPMENT SERVICE DEPARTMENT

FROM: LUTGE KLAUS SUSAN  
25 SILVERWOODS DR.  
CALGARY AB T3R 1E2

FILE No: 06605001 06605002 06605003  
0665004 06605005  
ATD - Ms. ANDREA BRYDEN

OCT. 14. 2020



Dear Mrs. Andrea Bryden

- We moved here to Bearspraw (Retired now) for peace and quietness, distance from neighbours
- close to nature it's all in harmony
- Bearspraw it's a quiet, peaceful community, let's keep it that way.
- This wonderful part of nature will be ruined.
- In order to preserve this wonderful land including the Wild Life

\* We defendly don't want here gravel Pits. Does'n't belong in residential area.

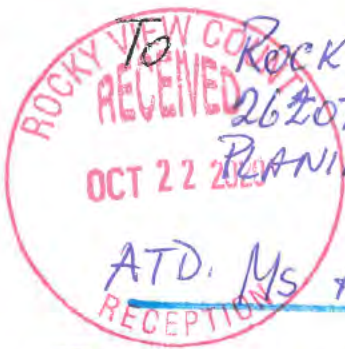
- The wonderful part of nature will be ruin due to so many
- Gravel Pits; dust, noise, bad air, traffic, Cause Lung Cancer
- In Residential area don't belong Gravel Pits
- The value of our property will be loss and selling
- the property may come imposible.

- This is why we defendly oppose to this development.

NO MORE GRAVEL PITS HERE!

Sincerely: Susan L. Lutge  
Klaus Lutge  
Leonard Lutge





Andrea

FROM: LUETGE LEONARD C,  
25 SILVER WOODS DR  
CALGARY, AB T3R 1E2

FILE No:

06605001 06605002

ATD. MS ANDREA BRYDEN

OCT. 14. 2020

- \* IT IS UNFAIRNESS TO CHANGING LAND USE STATUS,
- \* LOTS OF AN AREA A VARIETY OF REASONS:
  - \* PEACE & QUIET
  - \* CLOSE TO NATURE
  - \* THAT IS THE REASONS WHY WE MOVE HERE IN THE FIRST PLACE
  - \* AND WHO SHELL SAY HOW MUCH OUR PROPERTY WILL DECREASE
  - \* WHO WANTS TO LIVE CLOSE TO GRAVEL PITS ???
  - \* THE WONDERFUL PART OF NATURE WILL BE GONE AND
  - \* WILD LIFE WILL BE DESTROYED.
- \* WE DEFENDLY OPPOSE THIS GRAVEL PIT DEVELOPMENT
- NO MORE GRAVEL PITS HERE !!!

THANK YOU Leonard LUETGE  
Susan Z. Luetge  
Olana Luetge.

PS, GRAVEL PITS DOESN'T BELONG IN RESIDENTIAL ARE HERE  
GRAVEL PIT DUST COUSE LUNG CANCER!

Lori-ann Esser  
40 Church Ranches Blvd.  
Rocky View County, AB T3R 1C1

January 20, 2021

Rocky View County Legislative Services  
c/o County Hall  
262075 Rocky View Point  
Rocky View County, AB, T4A 0X2

VIA E-MAIL: [legislative\\_services@rockyview.ca](mailto:legislative_services@rockyview.ca)

**Regarding: Applications PL20200093 and PL20200094; File Numbers 06605001, 06605002, 06605003, 06605004, 06605005; Division 8**

**Subject: Bylaw C-8082-2020: Opposition to Applications**

To Whom It May Concern:

The County has requested submissions in advance of the February 2, 2021, public hearing regarding Lehigh Hanson's application to re-designate the 600 acres at the northeast corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

As a nearby resident of Rocky View County who will be impacted by this decision on many levels, I wish to register my vehement opposition to this application. Above all else, heavy industry, including open pit gravel mining, is incompatible with residential communities. Given the number of established and new residential communities that are in the vicinity of the proposed gravel pit, including my own, the applications represent a wholly unacceptable use for the proposed site.

Rocky View County councils refused the company's previous applications regarding this same property in 1994 and 2010. Since then, the County has approved new residential developments for the proximate area. A school and additional neighbourhoods have been established along with those that have been here for two decades or longer. These more recent approvals for residential developments show that the County is committed to the land use strategy in the Bearspaw Area Structure Plan, which clearly identifies this location for country residential development. Based on this history and legislation, it is incongruous for the current Council to approve or permit open pit mining in this location or anywhere nearby.

Open pit gravel mines inflict substantial harm on neighbouring people and surrounding environments. These negative consequences include unavoidable and long-term costs to residents' health and quality of life, and to their safety. Additionally, there are serious



ecological ramifications. Such industrial development also has a negative financial and economic impact on the value of homeowner's properties in the vicinity of the operation. No measures of mitigation can sufficiently reduce the adverse impacts that an open pit gravel mine would have on the nearby Rocky View County residents to justify the approval of these applications. These concerns are compounded by the fact that there is another operating gravel pit in the area, which cannot help but have a cumulative effect.

For clarification, my concerns include the following:

- 1) Dust – Dust will affect the air quality in the immediate areas and beyond, and also will impact the living conditions in our homes. Studies have shown such dust to be carcinogenic. The impact this dust will have on the health and well-being of residents will affect generations of families for decades to come. I have a great deal of concern for my young son and his health and future. This apprehension is even greater as we are required to stay at home as much as possible in response to the COVID-19 pandemic. The proposed conveyor system will only address a small fraction of the overall dust concern.
- 2) Noise – Heavy industrial machinery that will be in operation to extract, crush and transport the gravel will create incessant noise that will be present day in and day out, extending for decades. The proposed conveyor system will not operate silently. Noise pollution is known to have negative long-term consequences on the physical and mental health of the people who are subjected to it. From our house, we can hear a gravel pit that already is in operation several kilometers away. I cannot imagine the noise from one operating that much closer. Again, the noise will have an even greater impact as people are required to stay at home in response to the ongoing COVID-19 pandemic.
- 3) Traffic – Those who will travel to the industrial site for work, the requirement for equipment to be delivered and the need to transport goods will inevitably cause an increase in traffic to the area. This will create more noise and disturbance in the community and not only will have an impact on the safety, security and well-being of the residents in the vicinity, but also will affect wildlife in the area. The proposed conveyor system only addresses a fraction of the overall traffic concern.
- 4) Environment – Rocky View County is a beautiful place to live and is still an area with a vibrant agricultural component. An open pit gravel mine will: forever scar the landscape; potentially impact water tables, water quality and water supply for people who rely on wells; possibly harm local agricultural pursuits; and inevitably change or destroy the natural habitat of native plants and wildlife. Even the mere possibility that these outcomes will occur should be enough to prevent the approval of the applications. The proposals to “rectify” the pit decades down the road will not put the land back in its original state or compensate for the interim disturbance and final damage.
- 5) Property Values – Having an open pit gravel mine will most certainly decrease the value of the residential properties of the surrounding communities. This will have a financial impact on the Rocky View County residents who purposely chose to invest in property in this area and currently live here. In turn, revenues

that the County receives in the form of property taxes from these residences will be reduced. Residents lose financially as the company reaps rewards.

- 6) Future – In terms of the general future of this part of Rocky View County, people likely will be less inclined to move to the area, invest in property in Bearspaw, or create local businesses if there is uncertainty about how they will be treated by their local Council. If people feel that Rocky View County officials will not afford them, their properties or their businesses protection against inappropriate industrial development, as one example, they will go elsewhere. This does not bode well for a healthy, robust community in the future.

Aside from the impact of the gravel pit itself, I also would like to impress upon Rocky View County Council my concerns related to the effect that the COVID-19 pandemic has had on this process. The current health threats and the related restrictions in place to combat the spread of disease have had, and will continue to have, an adverse affect on public engagement and consultation about this project. Because it has been illegal for people to gather since December 8, 2020, and it was recommended not to gather in the months after the lifting of the initial “lockdown” in March of 2020, people cannot effectively engage in the process of these applications or the hearing. Some people may miss the chance to voice their legitimate concerns. I was one of the hundreds of residents who would have attended the hearing in person to express my intense opposition to these applications. Given how the hearing will now proceed, councillors will not get a true, first-hand sense of the outrage that the general community feels about this proposed pit. Due process is at risk.

Further, the company’s consultation process has been inadequate. I was unable to attend the February 8, 2020, information session but I have read the company’s website and I have reviewed material from the company that I have received in mail-outs. I also have read paid advertisements in support of the company’s project.

From my examination of this information, it seems that the company is mostly focussed on promoting its agenda and criticizing local residents who are opposed to the applications rather than taking legitimate concerns into serious consideration and providing an adequate solution for those concerns. It is disingenuous for the company to say that it has consulted the community and has taken various issues into consideration, then for an advertisement to be published characterizing the concerns raised as “NIMBYISM” and dismissing the people who voice those concerns as “misinformed resistance” and “activist types” who are against industrial and economic advancement (see *Rocky View Weekly*, Volume 47, No. 16, 23 June 2020 at p. 3).

I don’t know who created or paid for the advertisement, but it was a turning point for me in terms of wanting to really examine the company’s true nature and their commitment to actual consultation. The advertisement misrepresented the community and its concerns and deflected from the legitimate issues and the company’s responsibility to address them. To say we as a community are against providing jobs, creating investment and keeping the economy going is nonsense. All of this can be pursued and achieved through gravel pits in more appropriate locations that don’t threaten the well-being of a residential community and are not contrary to a local Area Structure Plan.

The same advertisement depicted the Spy Hill gravel pit as being a “good neighbour.” Bertha Staddon, who in 2016 lived next to that pit, described her contrary, distressing reality:

The dust around the house has at times been impossible to control, there always seems to be a constant layer of dust on everything despite the frequent cleanings.

When they blast, you can literally feel your home shake. Several of my neighbours have lost their wells and others have several cracks in their foundations. They feel it could be directly related to the pit.

One particular extremely hot, dry summer was a nightmare. The dust from the pit was horrific. My children would wake up in the night crying “mommy, water, mommy, I can’t breathe.”

My daughter, who was a toddler at the time, would wake me up almost every night covered in blood from nosebleeds, which I believe were caused by the excessive dust coming from the pit.

Imagine waking up in the morning after a few hours’ sleep with your mouth dry as sandpaper and your eyes burning and having to spend a huge portion of your day washing bloody bed sheets, cleaning dust and all the while fighting the anxiety raising up in your gut as to what the possible effects this is having on your family’s health. Just to wake up the next day and do it all over again.

\*\*\*

Once a pit is approved, the reality is residents in the area will see their quality of life decline significantly. I believe the testing that is done regarding the dust and noise pollution is not a true reflection of reality and does not represent the real effects of living close to a gravel pit. (See <https://www.countynewsonline.ca/opinion-living-near-a-gravel-pit-2/>.)

Based on my review of the available materials, the main point that the company has addressed is the concern about extra traffic, dust and noise that it says is reduced by the proposed covered conveyor system. While this may be an improvement over the initial plan to truck gravel, it is not sufficient to protect local communities from the many hazards that the gravel pit will bring. The company itself admits that the conveyor has its own impacts including, “...possible restrictions to wildlife movement, vegetation and wetland loss and drainage impacts due to the berm location.”

The company does not address other important issues. To me, it is not enough for the company to say it “will monitor” or it “will gauge” dust and noise. Either of these in any amount is incompatible with residential communities as both threaten the health of those who live nearby. Again, from Bertha Staddon’s first-hand experience:

When the gravel pit was first proposed in my community I attended the open houses and information sessions. The hosts of these open houses assured residents that they would not be overly affected by the noise or dust and I seem to recall that originally the pit was supposed to be for extraction only—not crushing.

We were told they would erect berms to minimize the noise and put dampers in place to minimize dust. They even volunteered to put a pathway in place for us. It seemed they were willing to work with us to do whatever it would take to satisfy us.

Although I didn't like it, I thought, "It probably won't be too bad." Well: when the pit was approved and operations began, reality hit, hard. The noise at times coming from the gravel pit is at best annoying and at worst fist clenching.

Summer time is the worst. I was used to a peaceful, quiet surrounding and had no idea that the crushing would be taking place all through the night.

When the gravel pit comes to life at night, all you hear is the constant whirrrrr of the crushers. The options are to lay there and listen to the noise or close the windows and swelter in the heat. (See <https://www.countynewsonline.ca/opinion-living-near-a-gravel-pit-2/> .)

From what I have read on the company's website, there are no comments regarding the potential impact on the water quality in local wells. The company website under "Mitigation Measures" lists concerns like "noise impact," "air quality impact," "biophysical impact," and "surface and groundwater impact" but information under these headings states either "review in progress" or "study in progress." There are no answers.

The company does not address compensation for the inevitable health problems that people will suffer in the future. It does not address or comment on the impact to wildlife. There is no concrete offer of compensation for lost property values. None of these is a small issue that simply can be swept aside.

Council should reject these applications based on the various reasons outlined above. Other people may have different, legitimate concerns to add to these arguments.

I entreat Rocky View County Council to show leadership and strength of character by putting the health and quality of life of its constituents and the well-being of the environment ahead of the economic interests of this company and the short-term gains that the County may acquire. There needs to be good, accountable land-use planning in accordance with the Bearspaw Area Structure Plan. The political leaders of Rocky View County got it right when they refused the applications in both 1994 and 2010.

I respectfully ask the current Council to make it right in 2021 for the third and hopefully the last time.

Sincerely,

Lori-ann Esser

Lori-ann Esser  
40 Church Ranches Blvd.  
Rocky View County, AB T3R 1C1

October 29, 2020

Ms. Andrea Bryden  
Planning and Development Services Department  
Rocky View County  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

VIA E-MAIL: [abryden@rockyview.ca](mailto:abryden@rockyview.ca)

**Regarding: Applications PL20200093 and PL20200094; File Numbers 06605001, 06605002, 06605003, 06605004, 06605005; Division 8**

Dear Ms. Bryden,

Two years ago, my family moved from the City of Calgary to Rocky View County. This move had been a dream of ours since coming to Alberta in 2012. We had been looking for “just the right place” for us to settle long term. A more rural setting was what my husband, Michael, and I were both used to and felt would be right for our family, especially for our growing son. Having searched many areas around the city for years, we settled on Bearspaw as being the best fit. And it has been. We couldn’t be happier about where we are living. It has made a huge difference in our lives. Our son is thriving here. We love all that our community has to offer and we finally feel like we are “home.”

When we were investigating neighbourhoods with our real estate agent, one hesitation we had about moving to Bearspaw was that there had been previous applications for a gravel pit near where we were looking to buy a house. We were assured that the applications had been turned down as not being compatible with a residential community nearby. So we felt safe to invest in our property.

We are now faced with the information that Rocky View County is again considering a applications from Lehigh Hanson Materials Limited for a gravel pit in the immediate area of our home. This is the third “kick at the can” for this type of project. My understanding is that the applications are to redesignate 600 acres at the northeast junction of Range Road 25 and Burma Road (what I am now familiar with as the “Scott Property”) to allow for an open pit gravel mine through the adoption of the Scott Property Master Site Development Plan.

To say that our family is opposed to the relevant applications is an understatement. We are deeply concerned and upset. It simply doesn’t make sense to us that our local government would entertain the applications at all, especially since similar proposals have been turned

down in the past. Surely the current Rocky View County government is concerned about the health and well-being of its own people?

An open pit gravel mine is totally incompatible with a nearby residential community, for many reasons. There will be noise from this industrial operation, especially if there is a conveyor system used at all hours. Inevitably there will be dust from the mining process that will affect the air quality and living conditions in our homes. Even with the proposed conveyor system, there still will be heavy trucks and other increased traffic in the area, which also will be a disturbance and another safety issue. These various concerns not only will affect the wellness and security of the residents living here, but also likely will have environmental ramifications. From a financial perspective, the residential properties that the community has invested in will decrease in value if a gravel pit is instituted nearby.

Our residential area is more than twenty years old. It is well established as a community and certainly has existed long before this latest gravel pit application. I expect that other residential areas in the vicinity pre-date ours. I don't believe that the County, which originally committed to a residential land-use plan for the area and continues to do so (through the Bearspaw Area Structure Plan), can now approve a gravel mine application for a location that is irreconcilable with neighbouring residential use.

To be clear, I am not opposed to economic development in Rocky View County. However, my understanding is that there are other areas acceptable for establishment of an open-pit gravel mine that are well away from residential and agricultural pursuits. If this is not the case, then perhaps this is one industry that shouldn't expand in Rocky View County. Other types of economic development that are more compatible with residential land use can be considered for the parcel in question.

Besides the content of the applications themselves, I also am troubled with how the Lehigh Hanson applications are proceeding during the Covid-19 pandemic. The current health concerns will have an adverse affect on public engagement and consultation about this project. Because people have been advised to avoid gatherings that may put themselves and others at risk, we cannot engage in the process in the same ways as we have done in the past. Some people may miss the opportunity to voice their legitimate concerns. Due process cannot be glossed over.

I honestly believe that the decision-makers in Rocky View County want to do what is best and what is right for the people of this community. If they don't live in the area, I hope that they put themselves in the shoes of the residents who do and who will be negatively affected by a gravel pit. This type of application has been defeated twice in the past. It is time to put the issue to bed once and for all. To quote former Prime Minister William Lyon Mackenzie King from 1936, "It is what we prevent, rather than what we do that counts most in government." For the reasons I have given, I ask the County not to grant these applications.

Sincerely,

Lori-ann Esser

Michael Esser MD, PhD, FRCPC  
40 Church Ranches Boulevard  
Rocky View County, AB, T3R 1C1

October 30, 2020

Planning and Development Services Department  
Rocky View County  
Attention: Andrea Bryden  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

Dear Andrea Bryden,

My name is Dr. Michael Esser and I am writing you to register my opposition to applications PL20200093/0094 as described in a letter from Rocky View County dated Friday, October 9, 2020. These applications are related to file numbers 06605001, 06605002, 06605003, 06605004 and 06605005. There is also a reference to "Division 8" in the letter. The applications are for redesignation of land located at the northeast junction of Range Road 25 and Burma Road to accommodate a new gravel pit operation and to adopt the Scott Property Master Site Development Plan to "guide redesignation, subdivision and development proposals."

First let me say that I am disappointed that I even have to take the time to write this letter. As a practising physician who looks after children, I am dismayed that the proposition of an open gravel pit on the borders of residential communities is being considered. The medical ramifications (physical, emotional and mental) are real. The risk to residents of Bearspaw and surrounding areas should be a primary concern and sufficient to shut these applications down.

Second, while I am relatively new to the Bearspaw community, I am aware that there have been two prior attempts to open a gravel pit in the same area. These were defeated, for good reason. There is no need to revisit the matter. There is audacity in Lehigh Hanson's reapplying for the same thing a third time, when the other rejections were based on the concerns of the affected constituents. How is this different? It is still an application for an open-pit gravel mine next to residential communities, no matter how the application is reframed. The addition of a conveyor belt to the plan is a distinction without a difference. The ramifications of air pollution, noise pollution and environmental impact are the same as they were when the applications were defeated before, and logically should be more apparent in 2020 than they were in 1994 and 2010.

If anything has changed since the last application in 2010, it is that there are even more homes built in the vicinity of the proposed pit. The citizens of the affected communities in the immediate and adjacent radius of the proposed gravel mine deserve value and respect. It is incumbent on our local government to protect its people and their properties.

I want to emphasize that I am not opposed to heavy industry in Rocky View County. I understand that gravel is needed for infrastructure and to promote business and jobs in Alberta. I also know that Rocky View County can benefit financially from this type of enterprise. However, the location of this proposed open pit gravel mine simply is incompatible with nearby residential and agricultural use. The benefits that Lehigh Hanson has proposed on its website do not sufficiently compensate for the problems it will create through establishment of this mine on the Scott Property. There must be other appropriate locations in Rocky View County for gravel extraction that do not interfere with residential or agricultural concerns. These other options need to be considered and pursued as an alternative to the Scott Property proposal.

Pushing through initiatives like this without due consideration of long-term and wider impact is what has got the world into trouble with things like global warming. We don't want a legacy of health problems similar to the consequences of widespread use of asbestos that was driven by industry - also initially purported to be safe despite overwhelming evidence to the contrary. No one living in this area wants this now, let alone for the next 25 years, which is Lehigh Hanson's estimate for the lifespan of this pit. We, and our children, will be the ones to have to live with the effects of air pollution, noise pollution and environmental impact for many years to come.

A gravel pit may create short-term jobs and revenue, but the negative long-term impacts on health, the environment and likely the economy will outweigh the short-sighted agenda. The promises for eventual reclamation of the pit and for public amenities, parks, trails, community features or infrastructure facilities will not adequately compensate for the losses, nor are they guaranteed.

Lehigh Hanson seems like they don't want to take no for an answer. It is therefore important to stand up for our families, communities and environment for yet the third and (hopefully) last time.

Sincerely,

Michael Esser



## Steven Lancashire

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**From:** Andrea Bryden  
**Sent:** November 30, 2020 8:38 AM  
**To:** Steven Lancashire  
**Subject:** FW: [EXTERNAL] - C-8082-2020

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Andrea Bryden, RPP, MCIP**  
Senior Planner | Planning Policy

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
DIR: 403-520-7294  
[abryden@rockyview.ca](mailto:abryden@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Michelle Mitton <MMitton@rockyview.ca>  
**Sent:** November 27, 2020 4:04 PM  
**To:** Andrea Bryden <ABryden@rockyview.ca>  
**Subject:** FW: [EXTERNAL] - C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Zlata [REDACTED]  
**Sent:** November 27, 2020 2:26 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - C-8082-2020

Do not open links or attachments unless sender and content are known.

We (Louie and Zlata) are long time residents of the Bearspaw area of RVC and reside at 24236 Burma Rd less than 1 km from S5 -26-02 W5M. We will be directly affected by the proposed open pit gravel mine.

Gravel pit mining would, without any doubt, have negative consequences on everyone who lives in the residential area in our neighbourhood close to the gravel pit. Negative consequences such as health, quality of air , quality of life, property value, ground water (our water well is located on our property and is at risk).

We wonder, what would happen to the wild life, would "OUR" two deer and their two babies visit us or fall into the pit and break a leg? After all, this is their home. Would the Mother moose and her two babies come for a sleepover in our bushes? Would the gravel dust chase our birds away like the fire smoke did for a few days last summer?

The gravel corporations seek to change, yet again, existing the land use designation to obtain the approval to excavate an open gravel pit over 600 acres and operate the next 30-50 years.

We are also disturbed that the Country has scheduled a public hearing just three days before Christmas in the current COVID 19 pandemic with recent infections escalating out of control.

In the midst of pandemic when our thoughts are with our friends and families who are worried when the next time will be when they can see their loved ones in the long term care or when the next time will be when they can see their loved ones in the hospital or if the loved ones will even come home.

We are also concerned for the health of our friends, healthcare workers and essential workers who are isolating because of Covid. They are the ones who take the risk to help others. When will we see our own family again, will it be three weeks or will it be three months?

Besides comforting and supporting each other, we have some sleepless nights worrying about our lives and our future, we are worried about having the gravel pit in our backyard. We feel that our future is in the hands of a few people in Rocky View County and we HAVE to believe that when the time comes to make a decision, they will say **NO** to Lehigh Hanson.

Believe us, we are not the only frustrated ones. We see the lights in the house next door in the middle of the night, not because he is watching TV, he is gathering the facts and fighting relentlessly to stop this nonsense of having a gravel pit in the residential area.  
**NO** means **NO**.

We pray that the day will come when we no longer have to think about Lehigh Hanson and the gravel mining.

Thank you for your time.

Sincerely

Louie and Zlata Krbavac  
24236 Burma Rd

Calgary AB  
T3R 1E1

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 25, 2020 8:11 AM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - C -8082-2020

MICHELLE MITTON, M.SC  
Legislative Coordinator | Municipal Clerk's Office

ROCKY VIEW COUNTY  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
MMitton@rockyview.ca | www.rockyview.ca

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-----Original Message-----

From: Zlata [REDACTED]  
Sent: November 24, 2020 9:02 PM  
To: Legislative Services Shared <LegislativeServices@rockyview.ca>  
Subject: [EXTERNAL] - C -8082-2020

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The County has requested comments in advance of the Dec 22 2020 public hearing regarding LH application to redesignate the 600 acres at NE corner of Burma Rd and Range Road 25 to accommodate an open pit gravel mine on what is referred as the Scott Property and for the Application for the accompanying Master Side Development Plan.

We are OPPOSED to this application. Heavy industry such as open pit gravel mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use of this area.

Open gravel pit mining imposes negative consequences on everyone who lives in the residential area close to the gravel pit.

These negative consequences include unavoidable costs to residents health, safety, quality of air, quality of life as well as serious environmental costs.

We are also disturbed that the County has scheduled a public hearing just three days before Xmas in the current COVID 19 environment with recent infections spiralling out of control. In the midst of pandemic, we have more pressing matters to deal with.

In closing, this application should be refused for a number of reasons, including the ones we listed above.

OUR LIVES MATTER

OUR HEALTH MATTERS.


Please understand our concerns.

Thank you.

Regards,

Louie and Zlata Krbavac  
24236 Burma Rd.  
Calgary Ab  
T3R 1E1

Sent from my iPad

**From:**   
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application Number :PL20200093/94  
**Date:** October 16, 2020 7:07:10 PM

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Do not open links or attachments unless sender and content are known.

Dear Andrea,

Just a short note from us.

Please understand why we are very concerned and worried about having the Gravel Pit Operation in our neighbourhood. We are concerned about air quality, our health physical and emotional, our quality of life and property value.

We are not here to live shorter lives.

Please listen when we say:

OUR LIVES MATTER !!


NO GRAVEL EXTRACTION IN RESIDENTIAL AREA.

Sincerely

Louie and Zlata Krbavac

24236 Burma Rd

Sent from my iPad

From:   
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - PL20200093/94  
Date: October 20, 2020 5:30:26 PM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

We are responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

We are opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

We are also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons listed above.

OUR LIVES MATTER !

OUR HEALTH MATTERS !

Thank you for listening.

Sincerely,

Louie and Zlata Krbavac



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application#:PL20200093/0094(File#s06605001,06605002,06605003,06605004,066-5005  
**Date:** October 30, 2020 11:54:04 AM

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Ms. Bryden:

I am responding to the County's request for comments on the Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and there application for the accompanying Master Site Development Plan.

I and my neighbours are very opposed to this application. I do not understand how an industrial business like a gravel pit is even taking up of our time over and over again. Especially when our residential acreages have been here for years and new ones being approved.

There needs to be an area structure plan in place that does not allow for this sort of application. We already have our fair share of gravel pits , berms , truck traffic and noise to deal with thanks to the city of Calgary. So please listen to the people of Bearspaw and reject this application once and for all.

I thank you for your time and consideration

Lyle and Dianne Schmidt

**Steven Lancashire**

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**From:** Michelle Mitton  
**Sent:** November 30, 2020 10:47 AM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Fwd:  
Application#:PL20200093/0094(File#s06605001,06605002,06605003,06605004,066-5005

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

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**From:** Lyle Schmidt [REDACTED]  
**Sent:** Saturday, November 28, 2020 2:14 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Fwd: Application#:PL20200093/0094(File#s06605001,06605002,06605003,06605004,066-5005

Do not open links or attachments unless sender and content are known.

Sent from my iPad

**Application#:PL20200093/0094(File#s06605001,06605002,06605003,06605004,066-5005**

Ms. Bryden:

I am responding to the County's request for comments on the Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and there application for the accompanying Master Site Development Plan.

I and my neighbours are very opposed to this application. I do not understand how an industrial business like a gravel pit is even taking up of our time over and over again. Especially when our residential acreages have been here for years and new ones being approved.

There needs to be an area structure plan in place that does not allow for this sort of application. We already have our fair share of gravel pits , berms , truck traffic and noise to deal with thanks to the city of Calgary. So please listen to the people of Bearspaw and reject this application once and for all.

I thank you for your time and consideration

Lyle and Dianne Schmidt

**From:** [REDACTED]  
**To:** [Evan Neilsen](#); [Andrea Bryden](#); [Althea Panaguiton](#); [Division 8, Samanntha Wright](#); [Division 6, Greg Boehlke](#)  
**Cc:** [Minister.MunicipalAffairs@gov.ab.ca](mailto:Minister.MunicipalAffairs@gov.ab.ca)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005 and #: PRDPDP20202785  
**Date:** October 23, 2020 11:57:00 AM

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**Do not open links or attachments unless sender and content are known.**

Good Morning Evan,

I wrote to you this past summer in relation to a concern I raised regarding the current, existing gravel pits that reside in our area. Your response is below. I am responding to it now as more than ever, it deems a reply.

My responses are in red.

In addition I have included Andrea Bryden and Althea Panaguiton on this email.

Andrea, this email is a formal written opposition to Lehigh Hanson's, an international company, application for a new gravel pit operation.

Anthea, this email is a formal written opposition to Burnco's application to expand it's current, existing gravel operations which will be right next door to the Lehigh Hanson's operations.

Gravel in our residential community is a direct violation of the social contract of our community.

The concerns, backed by science, are expressed below. As I stated answers in red.

On Aug 28, 2020, at 2:00 PM, [development@rockyview.ca](mailto:development@rockyview.ca) wrote:

Hello Dr. Gamble,

We always appreciate your thoughtful comments and always work to try and provide as much information as we have available.

In this specific instance, our level of regulation does not typically extend to having a County representative on-site at all times in order to confirm the operational status of a gravel pit at any given moment. This statement is concerning. Our goal is to serve the public interest to the greatest degree possible the direct voice of the public that is interested in this issue is NO MORE GRAVEL IN OUR RESIDENTIAL COMMUNITY. Thus, no gravel would serve our public interest – a direction determined by both elected (your elected Councillors) and unelected (Executives within County Administration) decision makers. Unfortunately due to the actions of our current council, our elected representative has not been able to represent fully the interest of those who elected her to office. This despite the fact that the courts ruled in Councillor Wright's favour. The fact that the residents tax dollars were used to fight against our own elected representative, and then worse to challenge the Judge's ruling, seriously puts into

question the current processes that are occurring within our RVC council and administration. I absolutely understand the deep care you bring to the future of the built environment within Bears paw and our goal is to continue serving the public interest (as determined through the decision-making channels outlined above) to the greatest degree we are able. Our 'care' is that of a father and mother whose concern is backed by science. The evidence within the literature regarding the harmful effects of gravel is expansive, growing and extensively documented. This evidence has been provided to the county on more than one occasion. As stated previously, it causes cancer, worsens underlying lung and heart disease, and now in the setting of Covid 19 has shown to increase death. Harvard University was the first to state this effect and now more researchers are stating that even the smallest amounts of pm 2.5 particles, those directly associated with gravel, makes Covid 19 more deadly. This does not even take into account the increased risk associated with trauma related deaths.

The potential of submitted information being inaccurate is a major factor as to why these plans are reviewed not only by technical experts within the County, but also shared with members of the public, such as yourself. Through this process, any incomplete, incorrect or inaccurate statements can be identified, reviewed, and potentially challenged if required. Despite how frustrating it may feel sometimes, the County will review applications for truth, completeness and accuracy once they have been submitted for a formal review, however the nature of a free society compels our municipality to allow individuals and organizations the right to be 'wrong' – however it may be defined – for those claims or statements made outside of a formal review process. As our thirteenth Prime Minister John Diefenbaker once said: "Freedom is the right to be wrong, not the right to do wrong" and so with that in mind, the right to freedom of speech (within constitutionally-protected limits) is guaranteed at the Federal level by the Canadian Charter of Rights and Freedoms Part 1, Section 2 (b). Excellent quote, most relevant the part 'not to do wrong.' To knowingly allow gravel to be placed within our residential community knowing the documented health risks that it places upon it's residents, most importantly our children, would be the council and the administration supporting the right to do wrong. This, in addition, would be a direct violation of the Municipal Government Act as it currently stands.

My apologies for entering a bit of a philosophical tangent, but I hope this helps to identify what would, and would not fall within our regulatory purview. As always, further thoughts and feedback are always welcome, and please feel free to reach out if we can assist further.

Yes, further assistance would be appreciated. Please send current cumulative impact studies performed by the county, not the applying gravel companies. In addition, projected cumulative impact data is appreciated.

I do have two last questions that I would like answered.

1. Council and Administration has been well informed of all the risks that industrial gravel brings to

our residential community. It has been presented to all on multiple occasions, in many forms, now for the third time. Does our Council and Administration have full understanding of these risks and the consequences to those directly affected (including our children) that call Bears paw home?

2. Lastly, how during our current pandemic, is the County proposing to hold a fair, transparent, SAFE, PUBLIC hearing that allows those directly affected by their decisions to have their voices heard?

Respectfully,

Mardelle and Fraser Gamble

Best regards,

**Evan Neilsen**  
Development Assistant | Planning Services

**Rocky View County**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520-7285  
[ENeilsen@rockyview.ca](mailto:ENeilsen@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

-  
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Mardelle and Fraser Gamble  
24 Silverwoods Drive  
Calgary, AB  
T3R1E2

January 17, 2021

Dear Rocky View Council and Rockyview Administrators,

Re: PL20200093/0094 Lehigh Hanson application - Gravel Mine – Bylaw C-8082-2020

We are / and have always remain OPPOSED

This letter is to officially put on notice elected Council as well as those in Administration directly involved with the most recent application by Lehigh Hanson.

We have resided in Bearspaw for over 10 years. Our family, including our two children live directly across the street, within 500 m from where Lehigh Hanson has applied to place a gravel pit.

To place a new gravel pit, in addition to those that already exist in our area, would be a **direct violation of the Social Contract of our community.**

[http://www.qp.alberta.ca/1266.cfm?page=m26.cfm&leg\\_type=Acts&isbncln=9780779791484](http://www.qp.alberta.ca/1266.cfm?page=m26.cfm&leg_type=Acts&isbncln=9780779791484)  
Municipal Government Act. Section 687

Further to this, to approve this application would be to **knowingly contribute to the adverse health effects including mortality** of the residents that call Rockyview County home.

PM 2.5 particles are classified as carcinogens and in addition to causing cancer are well documented to cause other heart and lung disease. These scientific arguments have been presented to the County on the previous application attempts by Lehigh Hanson. Since their last unsuccessful application, the evidence within the scientific literature has only strengthened the argument against placing gravel pits within residential communities.

What has happened since Lehigh's application is the introduction of Covid 19. Harvard University, one of the most respected institutions in the world has published a national study examining the long term effects of PM 2.5 air pollution and Covid. 19 mortality.

<https://projects.iq.harvard.edu/covid-pm/home>

They found that **higher PM2.5 exposures are positively associated with higher county-level COVID-19 mortality rates** and concluded a **small increase in long-term exposure to PM2.5 leads to a large increase in the COVID-19 death rate.**

If you did not know this before, you know now.

A quote provided by one of your own staff " As our thirteenth Prime Minister John Diefenbaker once said: "Freedom is the right to be wrong, not the right to do wrong" and so with that in mind, the right to freedom of speech (within constitutionally-protected limits) is guaranteed at the Federal level by the Canadian Charter of Rights and Freedoms Part 1, Section 2 (b).

Indeed an excellent quote, most relevant the part 'not to do wrong.' **To knowingly allow gravel to be placed within our residential community knowing the documented health risks, including death, that it places upon its' residents, most importantly our children, would be the council and the administration supporting the right to do wrong. This, in addition, would be a direct violation of the Municipal Government Act as it currently stands.**

Sincerely,



Mardelle Gamble MD FRCPC CCFP



Fraser Gamble Bed MA HTPL-H



**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 24, 2020 4:26 PM  
**To:** Matthew Rogers  
**Cc:** Legislative Services Shared; Andrea Bryden  
**Subject:** RE: [EXTERNAL] - Lehigh Hanson Application - Bylaw C-8082-2020

Good afternoon Matthew,

Thank you for submitting comments on this proposed bylaw. They will be included in the agenda package for Council's consideration at the December 22nd, 2020 public hearing.

Thank you,  
Michelle

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** Matthew Rogers [REDACTED]  
**Sent:** November 24, 2020 9:12 AM  
**To:** Andrea Bryden <ABryden@rockyview.ca>  
**Cc:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Lehigh Hanson Application - Bylaw C-8082-2020

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Matthew Rogers  
67 Cheyenne Meadows Way  
Rocky View, AB T3R 1B6

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Lehigh Hanson's Application for gravel pit on Burma Road  
**Date:** October 21, 2020 9:44:04 AM  
**Importance:** High

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Do not open links or attachments unless sender and content are known.

Good day Ms. Bryden

I am writing in response to the County's request for comments on Lehigh Hanson's application to re-designate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I strongly oppose this application. The proposed open pit gravel mine is completely incompatible with the existing land use due to its proximity to several adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments. Why are we continuing to have this debate?

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signal that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location. The homes in the adjacent communities represent significant and long-term investments by local residents and it is imperative the County intervenes to protect these homeowners' interests.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs. Lehigh Hanson should look for a more appropriate location to develop an open pit gravel mine that does not impact the quality of life of hundreds of homeowners. The proposed site also sustains important grasslands and wetlands providing home to a multitude of animals, including blue heron and fox.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Sincerely,

Matthew Rogers

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 20, 2020 4:30:54 PM

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Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

Sincerely,

Shannon Rogers

Resident, Church Ranches

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 22, 2020 6:05:39 PM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

I personally am also concerned about the added noise in this area - the existing Stoney Trail Aggregate facility and all the dump trucks on our street are noisy enough!

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Margit McGrath

24160 Aspen Drive

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Letter in opposition to BYLAW C-8082-2020  
**Date:** January 19, 2021 1:05:20 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Margit McGrath [REDACTED]  
**Sent:** January 19, 2021 12:08 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Letter in opposition to BYLAW C-8082-2020

**Do not open links or attachments unless sender and content are known.**

I would like to submit a letter in **STRONG OPPOSITION** to Lehigh Hanson's application to re-designate the 600 acres at the north-east corner of Burma Road and Range Road 25 (known as the Scott Property) to accommodate an open pit gravel mine and their application for the accompanying Master Site Development Plan.

I have a number of deep concerns about this proposed project, including:

**Silica dust** - I'm extremely concerned about the irreversible health effects of this known carcinogen, again potentially compounded by the existing effects of the Stoney Trail Aggregate Resource pit.

**Noise levels** - I don't think the analysis of the noise impact is adequate. It doesn't seem to consider winds, frequencies, and the amount of time the noise effects will be affecting nearby residents. The analysis also considers this project in a vacuum, ignoring the existing noise from the Stoney Trail Aggregate Resource pit.

**Water supply** - Our water comes from a well, and I'm extremely concerned that over time this proposed project will make my family's drinking water unsafe.

**Economic impact** - The proposed project will devalue my property and also cause lower revenues to the County. I question whether what the County gets in return is worth this devaluing of properties and resulting loss in property taxes.



**Lack of local support** - I have not talked to a single person in the affected area that supports this proposed project.

**Insufficient community input** - There has not been enough public consultation, and due to COVID, residents cannot talk directly and interactively to the council about their concerns at the meeting.

**Incompatible with a residential area** - Due to many of the above concerns, this proposed project should not be allowed in such close proximity to so many residences. A quote from the vote in 2010 stated, "In Staff's view, a gravel pit operation in such close proximity to significant residential development areas is incompatible and will result in potentially conflicting land uses and adverse effects upon the adjacent residential lands." And to make it worse, hundreds of new home building applications have been approved within 5km of this proposed project since that time, making it even more incompatible.

I read the local news and understand that the Councillor representing this area tends to get voted against regularly due to circumstances unrelated to this matter. I beg the Council to consider this matter seriously on its own, without regard for whatever Council politics may be going on. This is about my family, my neighbors, and my community, and the council's constituents, not the council's politics.

Margit McGrath

24160 Aspen Drive

Rocky View County/Calgary, AB T3R1A5

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [Samanntha Wright](#); [REDACTED]  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005 -OPPOSED)  
**Date:** October 30, 2020 3:05:54 PM  
**Importance:** High

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

**We are opposed to this application.** We specifically moved to Bearspaw to be apart of a rural community and to leave the noise, the traffic and the industrial way of life behind. We are adjacent to the Scott Property (off RR25) and this would be a direct and significant impact to our lifestyle. We spend a lot of time outside enjoying the sounds of nature and watching the animals, which would all disappear with a gravel pit next door.

We chose Bearspaw as it was deemed a "rural municipality" and building a gravel pit goes against the "implied agreement" that Rockyview County has with anyone who chooses to move to the area. Rockyview County even states on it's website (see screenshot below) that it is a rural community and is very different from the life in the city.

Rockyview has a legal obligation to meet their implied agreement. In fact, previous councils recognized this implied agreement and declined two earlier applications.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.


Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs. Specifically, my son has mild asthma and my daughter only has one functioning kidney, which silica dust is specifically known to cause respiratory issues and kidney damage.

We are also concerned about the reduction in our property value, the ability to sell our property some day (down the line), the heavy trucks on the road (which is already a huge issue due to the other pits), the safety of our school busses, the noise and the work hours.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Yours truly,  
Maria Ward  
25036 Briarwood Drive


**ROCKY VIEW COUNTY**

Contact Us | 403-230-1401 | Public Notices

LIVING IN ROCKY VIEWCOUNTY SERVICESAGRICULTUREBUSINESSBUILDING & PLANNINGNEWS & EVENTSGOVERNMENT

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## Rural Living



[About Rocky View](#)

[Demographics](#)

[History](#)

[Rural Living](#)

Rural living is rich and rewarding, yet it is important that new residents know that rural life in Rocky View County is very different from life in the city.

Agriculture greatly shapes the economic, cultural and social fabric of the County. You have chosen to live in a rural setting among ranch and farm families. You can expect to share many of the benefits and challenges they enjoy, like open space and tranquility, wildlife sightings, variable weather and road conditions.

Here are some tips on how you can be a good neighbour in our rural community:

### Contact

Rocky View County  
T: 403.230.1401  
F: 403.277.5977  
[questions@rockyview.ca](mailto:questions@rockyview.ca)

Call 911 for emergency assistance such as fire, ambulance and police service.

County Hall  
262075 Rocky View Point  
Rocky View County, AB, T4A 0X2  
[view map](#)

[More Contacts](#)

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - PL20200093/0094 Lehigh Hanson application - Gravel Mine – Bylaw C-8082-2020 - OPPOSED  
**Date:** January 18, 2021 12:52:40 PM  
**Importance:** High

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** maria ward [REDACTED]  
**Sent:** January 18, 2021 12:20 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - PL20200093/0094 Lehigh Hanson application - Gravel Mine – Bylaw C-8082-2020 - OPPOSED  
**Importance:** High

Do not open links or attachments unless sender and content are known.

Attention Rocky View Council,

We are **OPPOSED to the Lehigh Hanson Application to have a gravel pit on Burma Road/RR 25/Rocky Ridge Road.**

This gravel pit will be directly across from our street, Briarwood Drive, which is unacceptable. This will have a direct impact on our lives, our property value and the reasons why we moved to Bearspaw over 16 years ago.

Some of our main concerns are:

- > 1. We specifically moved to Bearspaw to be apart of a rural  
> community and to leave the noise, the traffic and the industrial way  
> of life behind. We spend a lot of time outside on our property  
> enjoying the sounds of the birds, watching the deer, moose, coyotes,  
> fox and other wildlife. A gravel pit so close to us will scare away  
> the wildlife and eliminate the animal sounds and the silence we moved  
> here for. This pit is a direct impact to our way of life.
- > 2. We choose Bearspaw as it was deemed a "rural municipality" and  
> building a gravel pit goes against the "implied agreement" that  
> Rockyview County has with anyone who chooses to move to the area.

- > Rockyview has a legal obligation to meet their implied agreement.
- > 3. A gravel pit so close to our property will have significant
  - > impact to the value of our land and house. Plus it will deter any
  - > potential purchasers, shall we choose to sell our property.
- > 4. Silica dust has some serious impacts and can travel from 1KM to
  - > 58KMs (with the first 5KM's being the most impacted), and with the
  - > winds in the Bearspaw area this is a real concern. Silica related
  - > lung diseases are incurable and can be fatal.
  - > \* Silicosis - can occur with just 5-10 years of exposure to silica
  - > dust
  - > \* Lung cancer - silica is one of the greatest risk factors in
  - > developing lung cancer
  - > \* Tuberculosis - silica dust increases the chances of getting TB by
  - > seven times
  - > \* Other lung diseases like COPD and asthma. As my son has asthma
  - > and I have had some minor asthma issues, this is definitely
  - > concerning.
  - > \* Kidney disease - silica dust is known to cause kidney damage and
  - > kidney failure. My daughter only has one functioning kidney, we can
  - > not afford her one kidney to be impacted.
- > 5. Gravel pits do not belong in residential areas, they belong in
  - > industrial areas or areas where people don't live.
- > 6. The conveyor system will be an eye sore and a noise concern. and even with burms, we all know this will not
  - > hide them completely or get rid of the sound (just reduces the sound).
  - > This in itself is a deterrent to selling your home.
- > 7. Trucks have been a huge safety issue on Burma Road and 85th street.
  - > I understand a conveyor system will reduce trucks on the roads, but
  - > we all know it won't eliminate trucks. Adding additional gravel
  - > trucks to the already numerous gravel trucks is a problem. I have had
  - > multiple windows broken, vehicle damage, cut off by trucks and even
  - > saw a school bus roll off the road as it was cut off by a gravel
  - > truck. This is a huge safety issue!!
- > 8. Work hours of 7am to 8pm is an issue too. This is too long of a
  - > work day to impact the residents with all the dust and noise. And
  - > Saturdays for the conveyor, is a real issue.

We do not believe residents were consulted properly regarding the gravel pit. We also know that this is the third time for this application and all the prior issues for denial still exist. NOTHING HAS CHANGED.

Council, it is time to step up and do your job...which is to represent the divisions and the people that live in the divisions. There has been a lot of conflict amongst our councillors, but hopefully you can align and do what is right for the people you represent.

Thanks in advance,  
Maria Ward & Robert Kueber  
25036 Briarwood Drive

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - File Numbers 06605001 06605002 06605003 Application Number PL20200093/0094  
Date: October 28, 2020 10:55:33 AM

---

Do not open links or attachments unless sender and content are known.

Ms Bryden

Ref: Files #06605001 #06605002 #06605003  
Application #PL20200093/0094

The above proposed applications by Lehigh Hanson for a Gravel Pit Operation in the residential community of Bearspaw are absolutely unacceptable.

It is one thing to purchase property in the vicinity of existing gravel extraction operations, but to subsequently consider allowing an open pit mine in the midst of established residential communities already approved over the years by Rocky View administration, is fundamentally immoral.

All reasonable objections to this application have already been well documented: residents' health concerns, setbacks and constraints, property devaluation, air quality, traffic safety (will still be a problem despite the concept of a conveyor), water tables, noise/light pollution, hours of operation, wildlife issues, to list a few.

In addition, Rocky View's appalling record of monitoring/enforcement or even acknowledging and following up on residents' complaints.

How much gravel do we need? Exactly how much gravel do we already have?

Where is the huge cost of investment for infrastructure, upgrading roads, extending health care, etc. going to come from to facilitate additional gravel operations - the residential tax payers?

Two applications have previously been turned down by the council - why are multiple applications even being considered to be acceptable? Particularly when this current application has been submitted with the complete lack of required public engagement.

Please note for the record: I totally oppose Lehigh Hanson's applications and plans for aggregate mining on the Scott Property.

Janet Jones  
226 Church Ranches Way

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Re Application Number – PL20200093/0094  
**Date:** October 15, 2020 7:42:58 PM

---

Do not open links or attachments unless sender and content are known.

Hi Andrea, I hear Lehigh Hanson has once again applied for permission to create a gravel pit on our door step of our homes, re PL20200093/0094. Please put on record (once again) my absolute strongest objection to this land use change, this is a residential area, people live here and raise their families, in no ones world could it ever be considered a suitable place for open pit mining, please please put an end to this once and for all time.

Thanks you

Martin Jones

[REDACTED]  
226 Church Ranches Way



**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - BYLAW C-8082-2020  
**Date:** January 19, 2021 11:44:06 AM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

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**From:** [REDACTED]  
**Sent:** January 19, 2021 9:56 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - BYLAW C-8082-2020

**Do not open links or attachments unless sender and content are known.**

Ref: Files #06605001 #06605002 #06605003  
Application #PL20200093/0094

The above proposed applications by Lehigh Hanson for a Gravel Pit Operation in the residential community of Bearspaw are absolutely unacceptable.

It is one thing to purchase property in the vicinity of existing gravel extraction operations, but to subsequently consider allowing an open pit mine in the midst of established residential communities already approved over the years by Rocky View administration, is fundamentally immoral.

All reasonable objections to this application have already been well documented: residents' health concerns, setbacks and constraints, property devaluation, air quality, traffic safety (will still be a problem despite the concept of a conveyor), water tables, noise/light pollution, hours of operation, wildlife issues, to list a few.

How much gravel do we need? Exactly how much gravel do we already have?

Where is the huge cost of investment for infrastructure, upgrading roads, extending health care, etc. going to come from to facilitate additional gravel operations - the residential tax payers?

Two applications have previously been turned down by the council - why are multiple

applications even being considered to be acceptable? Particularly when this current application has been submitted with the complete lack of required public engagement.

Please note for the record: I totally oppose Lehigh Hanson's applications and plans for aggregate mining on the Scott Property.

Janet Jones  
226 Church Ranches Way

19, Alexa Close,  
Calgary,  
Alberta  
T3R 1B9

October 28, 2020

Rocky View County,  
262075, Rocky View Point,  
Rocky View County,  
Alberta  
T4A 0X2

**Subject: Response to Rocky View County's (RVC) request for comments on Lehigh Hanson's Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005 and #: PRDPDP20202785)**

Dear Ms. Bryden,

I am responding to RVC's request for comments on Lehigh Hanson's (LH) application to re-designate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan (MSDP).

My family and I have been residents of Alexa Close, Bearspaw for over seventeen years. Some of the features that attracted us to the community included the quiet rural country living setting without the noise, light and dust pollution one associates with the city.

This application by LH will, in one foul swoop, destroy the beautiful natural environment that we and the wider Bearspaw community currently enjoys.

We are therefore vehemently opposed to this LH application for the following reasons:

### **Health**

Alberta's gravel deposits are known to have very high levels of crystalline silica. Crystalline silica is a recognized carcinogen and is found in the smallest particles of gravel dust. At levels of PM2.5, this type of particulate is an extremely toxic form of air pollution. Clearly, this LH application will seriously impact the health of residents and all those who live and work (schools, employees and all other land users) within a significant radius of LH's proposed operations.

### **Water**

LH's proposed operation will certainly cause significant negative impacts to the surrounding water table and aquifers, which many residents rely on for their drinking water. It is critical to protect the quality and integrity of the water table and aquifers.

LH's proposed operation will remove the natural ground filters that turns dirty surface water into clean underground water. It will impact resident septic fields, which will possibly result in fecal contaminants entering the water table! Once ground water and aquifers are contaminated they are impossible to return to their original condition. They are lost forever!

### **Infrastructure - Roads and Conveyor Belt (including Noise)**

LH's proposed operation will generate a tremendous amount of heavy truck traffic, workforce traffic, contractor traffic, etc., largely on RVC roads that are not designed for such use. This will inevitably result in accidents. Car vehicle occupants and cyclists will be injured or worse!

To reduce heavy truck traffic LH has offered conveyor belts as a mitigation measure, however, conveyor belts themselves are not benign. The dropping of rocks, boulders and gravel into a metal hopper; the digging and shoveling of rocks and boulders at the mine face and placing into a mine truck will all be extremely noisy. Mine trucks will take rocks and boulders from the mine face to the hopper, crusher, and screening unit before transfer to the conveyor belt. All of this processing will be extremely noisy and dusty. At the conveyor belt transfer points noise will also be emitted. Significant noise will be generated by the drive gearbox and motor at the head of each conveyor flight.

LH claim in their MSDP that "Noise will be reduced to a minimum". What does this mean? What will the dB level be 1km away downwind?

If the hours of operation are intended to be a mitigation - Monday to Friday: 7:00am to 8:00pm and Saturday: 7:00am to 6:00pm. Seriously? 7:00am on a Saturday! What time do you get up on a Saturday?

### **Cumulative Effects**

The cumulative impacts of the Lafarge, Volker Stevin, current LH, City of Calgary, Stoney Trail Aggregate Resource (STAR) and Burnco gravel operations are already applying extreme impacts on the community in terms of all the issues discussed in this response. Put very bluntly, this LH application (in the centre of long established country living residential communities) is nothing short of obscene!

### **Incompatible Land Use and Social Licence to Operate**

The proposed LH Scott Project gravel pit is a completely incompatible land use because of the existing adjacent country residential communities. RVC turned down Lehigh Hanson's earlier applications twice for this very reason, including a 9 - 0 vote in 2010, clearly establishing a precedent that heavy industry is incompatible with country living residential development.

Since those earlier rejections, RVC has approved many more new country residential communities in the immediate vicinity of LH's proposed open pit mine. These approvals signaled that RVC is committed to the land use strategy in the Bearspaw Area Structure Plan, which identifies this land as the location for future country residential development. Residents took this to be an honourable, ethical and trustworthy statement of intent by RVC. Consequently, RVC has earned no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

Having worked for much of my career in the oil sands industry it was recognised that the oil sands industry directly impacted the residents of Wood Buffalo (Fort McMurray, Fort Mackay and Fort Chipewyan), similarly the gravel industry (LH included) directly impacts the residents of Rocky View County.

The oil sands industry has therefore worked extremely hard over the past forty years, to earn its "license to operate" with the local community of Wood Buffalo. It takes decades to build trust and earn a "license to operate" from the local community. An activity LH does not even understand (they referred to us as NIMBY's), let alone to yet initiate!

### **Public Engagement/Consultation**

I find it particularly disturbing that RVC is even permitting LH to proceed with its application given the complete inadequacy of the public engagement process, that they are required to conduct, in advance of submitting their application. RVC must not permit LH, or any other applicant, to ignore its consultation obligations simply because of the current COVID-19 pandemic.

I attended some of the pre-pandemic so called "public engagement" sessions, which created the illusion of public engagement but in practice was merely an exercise in "ticking the box". Public engagement, or consultation, requires meaningful engagement and good faith efforts to accommodate valid stakeholder concerns. LH has the obligation to establish and prove consultation has taken place and demonstrate how it has accommodated valid concerns where it is able, and explain where it cannot. Consultation is an obligation in and of itself. No actual public engagement or consultation has ever taken place!

### **Stakeholder Capacity Funding**

Given the difficulty and constraints for individual homeowners and/or homeowner associations to organize themselves to provide meaningful input and feedback to LH's application (it runs to at least 1,555 pages!), common sense and current practice dictates LH provide appropriate capacity funding to stakeholders/residents so that they may provide appropriate input/feedback to the application. All Oil Sands companies,

submitting a development or expansion plan, are required to provide such capacity funding of financial resources to stakeholders, including Environmental Non-Government Organizations (ENGO's) and other interveners, so that they may provide appropriate and meaningful input and feedback to those plans. LH must be held to the same standard of stakeholder engagement and responsibility.

It is not reasonable that the homeowners and residents of RVC should provide credible and valuable input and feedback on an application at their own expense/cost be it financial, time and/or professional experience! This is compared with LH who, in comparison, have unlimited resources to promote their application.

### **Light Pollution**

Given I have an interest in astronomy the light pollution from LH's proposed operation would negate one of the prime reasons I chose to live in Rocky View. I regard this as a serious negative impact on my life style.

### **Fiduciary Responsibility**

We chose to live in Rocky View to enjoy the cleaner air, quieter lifestyle, less traffic, dark night skies and the many other qualities that make living in a rural country living environment attractive. RVC encourages this lifestyle through the approval of residential developments. RVC has a fiduciary responsibility to honour the implicit social contract between itself and its residents.

### **Summary**

Clearly, LH's application will create many problematic issues that will be of paramount importance to the local community, Bearspaw and Rocky View. Consequently, this application **must not be approved** for all the reasons we have addressed in this letter including, but not limited to:

- Reduction in air quality resulting in serious health concerns arising from dust pollution in general and crystalline silica, a known carcinogen (toxin), in particular;
- Impacts to the water table, which is critical to those who rely on wells for their water;
- Noise arising from truck operations and conveyor belt operations will be extreme, within a significant radius of the pit. If the hours of operation are intended to be a mitigation, I will say no more than 7:00am each and every Saturday (see above)!
- Serious safety concerns with significant increases in road traffic on roads that are not to the standard to accommodate such traffic loads;
- Incompatible land use; no earned social licence to operate; and the current lack of Stakeholder Capacity Funding leaves this application well short of even the minimum standards that would be expected; and

- Given my interest in astronomy, the increased light pollution, from gravel operations would negate one of the prime reasons I chose to live in Rocky View!

My wife and I reserve the right to raise additional objections in the future.

It is clear that these serious issues with the LH's application and the Scott Property proposal makes it antithetical with country residential living. These two activities simply do not mix and will result in the irreversible degradation of the rural idyll that the RVC so rightfully promotes and the residents of Bearspaw enjoy,

**We therefore request that Rocky View County reject Lehigh Hanson's Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005 and #: PRDPDP20202785)**

Sincerely,

*Signed Martyn Griggs*

*Signed Alison Griggs*

Martyn and Alison Griggs

CC: Peter Guthrie MLA  
The Honourable Leela Aheer MLA  
Angela Pitt MLA

**Steven Lancashire**

---

**From:** Martyn [REDACTED]  
**Sent:** November 23, 2020 10:38 PM  
**To:** Tyler Andreasen; Charlotte Satink; Andrea Bryden  
**Cc:** Division 8, Samanntha Wright  
**Subject:** [EXTERNAL] - Lehigh Hanson Public Hearing File: PL20200093  
(066605001/002/003/004/005)

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Hello Everyone,

Please disregard my previous message (please see below) as I have been able to source an answer.

However, now that Rocky View County has decided to hold the Lehigh Hanson Public Hearing File: PL20200093 (066605001/002/003/004/005), on December 22 I would be grateful if you could advise on what the logistics for the day will be.

How long will each speaker be allowed to speak? Please advise what facilities will be provided, particularly for those stakeholders who plan to make a Powerpoint presentation? What will be the protocol/procedure to upload Powerpoint presentations to a device/computer for screening (use of a USB)?

What is the Auditorium capacity and, if the capacity limit is exceeded, what facilities will be in place for all interested stakeholders to be able to hear Lehigh Hanson's presentation, in order for them to appropriately respond.

Many thanks for your attention to this matter.

Regards,

Martyn

Martyn Griggs  
[REDACTED]  
[REDACTED]

> On Nov 23, 2020, at 4:27 PM, Martyn [REDACTED] wrote:

>

> Hello ,

>

> Not sure who to ask but could you please advise on the timing of Rocky View County's appeal of Justice Eamon's decision in the Big Hill Springs case? Could you please also advise whether the factums have been filed?

>

> Thank you for your help in this matter.



>  
> Regards,  
>  
> Martyn  
>  
> Martyn Griggs



19, Alexa Close,  
Rocky View County,  
Alberta  
T3R 1B9

January 20, 2021

Rocky View County,  
262075, Rocky View Point,  
Rocky View County,  
Alberta  
T4A 0X2

**Subject: Bylaw C-8082-2020**

To: Rocky View Council

My wife and I are vehemently opposed to Lehigh Hanson's (LH) application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan (MSDP).

I am a retired Chartered Accountant with designations in Canada (CPA) and England and Wales (ACA) with over forty years of professional experience. I was also employed as a senior Financial Executive at (i) an Oil Sands mine, living in Fort McMurray, and (ii) a diamond mine in the Northwest Territories, based in Yellowknife, during my career, so I believe I am able to speak with some authority on financial matters, as they relate to mining, and the effects of mining on local communities.

My family and I have been residents of Alexa Close, Bearspaw for over seventeen years. Some of the features that attracted us to the community included the quiet rural country living setting without the noise, light and dust pollution one associates with the city.

This application by LH will, in one foul swoop, destroy the beautiful natural environment that we and the wider Bearspaw community currently enjoys.

Heavy industry such as open pit mining is wholly incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

The County rightly refused Lehigh's two previous applications (in 1994 and 2010) in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

I have read and fully agree with the “Landowner Submission Bylaw C-8082-2020” submitted in Opposition by John Weatherill of Church Ranches, dated January 2021, and adopt it in its entirety, including all of the observations, recommendations and conclusions that are contained therein, as my own. No reasoned decision maker, in our opinion, could ignore the comprehensive evidence submitted by Mr. Weatherill and arrive at any other conclusion than this Application must be rejected.

As a Chartered Accountant I am particularly concerned with this LH application because, at its very core, it is nothing more than an International Transfer Payment from the tax paying residents of Bears paw to a German conglomerate and their German shareholders.

As residents of Alberta, Councillors are very well aware of Albertan’s views of the Interprovincial Transfer Payments system, which results in a significant net outflow of funds from Alberta, through tax outflows offset by Provincial Government and individual receipts, to the Canadian Federal Government and ultimately to other Canadian Provinces.

***This is worse! This application, if approved, will result in an International Transfer Payment of increased profits for LH to its German conglomerate owner and their German shareholders, with no offsetting benefits to either RVC or its residents!***

LH, or any other more responsible operator, could achieve similar production and generate similar revenue by operating a pit elsewhere in a much less densely populated area of RVC (RVC is not short of gravel, it is not a scarce resource!), and provide similar revenues to RVC though the Community Aggregate Levy, but seeks to operate this pit in a densely populated area because it is located closer to market and will save trucking costs.

So that LH can achieve those cost savings, Council is being asked to:

- Degrade the quality of life of one-in-ten RVC residents
- Permanently destroy an environmentally sensitive area
- Gamble the health of its citizens on the risk of poisoned wells, carcinogenic dust and noise levels considered damaging by Health Canada
- Transfer \$163 million of wealth from its citizens in the form of property value destruction alone, and
- Accept a minimum \$1.8 million net negative impact on County finances

*(Please refer to the Landowner Submission (Bylaw C-8082-2020) and Expert Economics Report- Appendix E, as submitted by John Weatherill)*

All of this, so that a German conglomerate can save trucking costs on a project that will earn perhaps three-quarters of a billion dollars in revenue over its lifespan.

Believe it or not, it gets worse! No reclamation plan has been provided by LH. Unfunded and uncertain reclamation requirements are dangerous when the profits that will be

generated by LH over the life of the project are stripped away to a foreign parent company and only costly liabilities will remain, as the site's assets are cannibalized each and every day. As a minimum, RVC and County taxpayers may be liable for the continued costs of dewatering the site, at end of mine life, into perpetuity!

In the event of a catastrophic event caused by gravel pit operations (e.g., poisoning well water, dewatering of a large regional area, etc.), compensation may not be available if the subsidiary company is isolated from the parent. Indeed, public disclosure documents from HeidelbergCement Group (LH's German parent company) state that *"Significant reclamation, recultivation and quarry closure obligations which may not be sufficiently covered by provisions and requirement to maintain financial assurances to meet these obligations"*. This, from a company that has been fined US\$130M for environmental offences over the last 20 years in the United States alone.

These are significant risks that Council should not be prepared to take on behalf of its ratepayers. ***Orphan Wells, comes to mind!***

Clearly, open pit gravel mining will also impose dramatic negative social and environmental consequences on everyone who lives anywhere near the gravel pits. These consequences include:

**Health Risks** - Alberta's gravel deposits are known to have very high levels of crystalline silica. Crystalline silica is a recognized carcinogen and is found in the smallest particles of gravel dust. At levels of PM2.5, this type of particulate is an extremely toxic form of air pollution which causes silicosis and may ultimately result in alveolar cell lung cancer. Clearly, this LH application will seriously impact the health of residents and all those who live and work (residents, schools, employees and all other land users) within a significant radius of LH's proposed operations. Asbestosis comes to mind but, believe it or not, Silicosis is even more dangerous than Asbestosis! Cumulative Silica sits in the lungs and presents years later. Exposure is totally uncontrolled in adults and children. Our bodies are powerless to fight back. There are documented WCB claims for workers in gravel pits.....but no such recourse is available for residents, or the children at Bearspaw Christian School, who have to endure breathing crystalline silica infected air over long periods. ***Councillors, when you vote on this application be very aware of the location, and the potential increased health impacts on the students of Bearspaw Christian School.***

**Water Quality Risks** - LH's proposed operation will certainly cause significant negative impacts to the surrounding water table and aquifers, which many residents rely on for their drinking water. It is critical to protect the quality and integrity of the water table and aquifers. The water in the aquifer is protected by the Bearspaw Area Structure Plan. Section 8.3.15

LH's proposed operation will remove the natural ground filters that turns dirty surface water into clean underground water. It will impact resident wells and septic fields which will possibly result in industrial and fecal contaminants entering the water table! Once

ground water and aquifers are contaminated, it is impossible to return them to their original condition. They are lost forever! *Walkerton, Ontario (circa 2000), comes to mind!*

**Infrastructure - Roads and Conveyor Belt (including Noise)** - LH's proposed operation will generate a tremendous amount of heavy truck traffic, workforce traffic, contractor traffic, etc., largely on RVC roads that are not designed for such use. This will inevitably result in accidents. Car vehicle occupants and cyclists will be injured or worse!

To reduce heavy truck traffic LH has offered conveyor belts as a mitigation measure; however, conveyor belts themselves are not benign. The periodic blasting at the mine face; the digging and shoveling of rocks and boulders at the mine face and placing into a mine truck; mine trucks transporting the rocks and boulders from the mine face and dropping the rocks, boulders and gravel into a metal hopper, crusher, and screening unit, before transfer to the conveyor belt, will be noisy and dusty in the extreme! (It should also be noted, creating additional dust dispersion even farther away from the pit, increasing the area of impacted receptors!). At the conveyor belt transfer points further significant noise will be emitted, as will the noise generated by the drive gearbox and motor at the head of each conveyor flight.

LH claim in their MSDP that "Noise will be reduced to a minimum". What does this mean? What will the dB level be 1km away downwind?

*The cumulative result of these extreme noise sources will create noise levels that are considered damaging by Health Canada.*

**Cumulative Effects** - The cumulative impacts of the Lafarge, Volker Stevin, current LH, City of Calgary, Stoney Trail Aggregate Resource (STAR) and Burnco gravel operations are already applying extreme impacts on the community in terms of all the issues discussed in this response. Put very bluntly, *this LH application (in the centre of long established country living residential communities) is nothing short of obscene!*

**Incompatible Land Use and Social Licence to Operate** - The proposed LH Scott Project gravel pit is a completely incompatible land use because of the existing adjacent country residential communities. RVC rightly turned down Lehigh Hanson's earlier applications twice for this very reason, including a 9 - 0 vote in 2010, clearly establishing a precedent that heavy industry is incompatible with country living residential development.

Since those earlier rejections, RVC has approved many more new country residential communities in the immediate vicinity of LH's proposed open pit mine, including and referenced by Division 8 - Bylaw C-8060-2020 - Redesignation Item - Residential Use File: PL20200059 (06606046). Property located on the NW corner of Burma Road and Range Road 25, immediately adjacent to Scott Property on the west side. Reference also plan numbers 201 1503 (to the north) and 201 0276 (to the south) of Scott Property.

These approvals signaled that RVC is committed to the land use strategy in the Bearspaw Area Structure Plan, which identifies this land as the location for future country residential development. Residents took this to be an honourable, ethical and trustworthy statement of intent by RVC. Consequently, RVC has earned no social license to now impose open pit mining in this location.

LH also appears totally ignorant on its need to earn its “license to operate” within the local community of Bearspaw. From my previous experience in resource extraction, I have learned that it takes decades of consistent effort to build trust and earn a “license to operate” from the local community. An activity LH does not even understand, let alone to yet initiate! LH even took to insulting residents publicly, in an article published in the Rocky View Weekly, referring to residents as “Anti-business activists”, NIMBY’s and “misinformed resistance”! Many of these residents, LH is so quick to denigrate, built their careers and reputation in ethical resource extraction industries! ***LH behaving like a petulant young child when it does not get its way, comes to mind!***

**Public Engagement/Consultation** - I am particularly disturbed that the County is even permitting LH to proceed with its application by scheduled this public hearing during the current COVID-19 pandemic. The timing of this Public Hearing is particularly inappropriate and offensive given LH’s completely inadequate public engagement. RVC and LH should not use the pandemic as an excuse to dispense with meaningful public consultation and participation. This process has effectively taken “the Public” out of the Public Hearing!

I attended some of the pre-pandemic so called “public engagement” sessions, which created the illusion of public engagement but in practice was merely an exercise in “ticking the box”. Public engagement, or consultation, requires meaningful engagement and good faith efforts to accommodate valid stakeholder concerns. LH has the obligation to establish and prove consultation has taken place and demonstrate how it has accommodated valid concerns where it is able and explain where it cannot. Consultation is an obligation in and of itself. ***No actual public engagement or consultation has ever taken place!***

**Light Pollution** - Given I have an interest in astronomy the light pollution from LH’s proposed operation would negate one of the prime reasons I chose to live in Rocky View. ***I regard this as a serious negative impact on my lifestyle.***

**Fiduciary Responsibility** - We chose to live in Rocky View to enjoy the cleaner air, quieter lifestyle, less traffic, dark night skies and the many other qualities that make living in a rural country living environment attractive. RVC encourages this lifestyle through the approval of residential developments. ***RVC has a fiduciary responsibility to honour the implicit social contract between itself and its residents.***

## **Summary**

Clearly, LH's application will create many problematic issues that will be of paramount importance to the local community of Bearspaw and Rocky View. Consequently, this application **must not be approved** for all the reasons we have addressed in this letter including, but not limited to:

- An Economic Analysis which indicates that the LH Scott Pit will generate **negative financial value to the County**, as reduced residential property tax (impacted by \$163 million in property value destruction) will dwarf any benefits claimed by LH. This application, if approved, is effectively **an International Transfer Payment of increased profits for LH to its German conglomerate owner and their German shareholders, with no offsetting benefits to either RVC or its residents!**
- Reduction in air quality resulting in serious health concerns arising from dust pollution in general and crystalline silica, a known carcinogen (toxin), in particular;
- Impacts to the water table, which is critical to those who rely on wells for their water. The water in the aquifer is protected by the Bearspaw Area Structure Plan. Section 8.3.15;
- Noise arising from blasting, shovel and truck operations, coupled with conveyor belt operations, will be extreme within a significant radius of the pit. The cumulative result of these extreme noise sources will create noise levels that are considered damaging by Health Canada.
- Serious safety concerns with significant increases in road traffic on roads that are not to the standard to accommodate such traffic loads;
- Incompatible land use and no earned social licence to operate leaves this application well short of even the minimum standards that would be expected; and
- Given my interest in astronomy, the increased light pollution, from gravel operations would negate one of the prime reasons I chose to live in Rocky View!

It is clear that these serious issues with the LH's application and the Scott Property proposal makes it antithetical with country residential living. These two activities simply do not mix and will result in the irreversible degradation of the rural idyll that the RVC so rightfully promotes and the residents of Bearspaw enjoy,

**In closing, this third application by Lehigh Hanson for a failed project, with such glaring defects in its application that are so egregious, it must be permanently rejected.**

Martyn Griggs	Alison Griggs
Name	

19, Alexa Close, Rocky View County, Alberta T3R 1B9
Municipal Address (or Legal Land Description)

January 20, 2021
Date

Sincerely,

--	--

Martyn and Alison Griggs



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - PLANNING AND DEVELOPMENT SERVICES DEPARTMENT (RVC 262075 RV POINT, RVC) PL 20200093/0094  
**Date:** November 2, 2020 1:00:49 AM

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Sorry. I hit send on this yesterday afternoon/evening, but just discovered that my computer is offline and it was sitting in my outbox...

Hi,

I just want to raise my voice in a letter of opposition, or more like apprehension, to the proposed Scott Property/Leigh High Hanson expansion. I am an engineer by education and worked in the materials handling industry for 12 years. We live on Rolling Acres Dr. When I first read the proposal I thought...well I don't want to suffer from "not in my back door" syndrome. But as proposals went on and time went on, I started to think more about the potential adverse affects for me and my neighbours than just truck traffic, noise, and property devaluation that everyone complains about. I started to think about the dust. I wondered about the potential of silica dust and any other harmful suspended solids in the air that I might be subjected to. I thought about my neighbours who might be on well water. Was there an unbiased third party assessment on the ground water effects? I believe that if the top soil (overburden) is removed, then aquifers and water flows will change accordingly. I'm honestly not anti gravel. I just question why they need to have a new gravel pit so close to a developed residential area. I must also point out that the whole projection is also being put through during a pandemic! LOL. This also means that I haven't been comfortable to attend an open house and whatnot. At the start of this pandemic, my mom was diagnosed with cancer and is still undergoing treatment, and thus, we only go out and do what we need to do during specific circumstances. 112th street is also super busy as it is with the current gravel truck volume. I'm not sure if this proposal means that there will be more trucks...? I just feel that there is enough native aggregate material in the Rocky View County area that it would be very reasonable to push this pit a little bit further from all of our densely populated acreages, not to mention the communities of Royal Oak, Rocky Ridge, Nolan Hill, etc.

Sincerely,  
Megan Walker

[REDACTED]

**From:** [Jessica Anderson](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Fwd: BYLAW C-8082-2020  
**Date:** January 21, 2021 8:55:30 AM

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Good morning Steven,

Another letter for LeHigh please – this one was received prior to 4:30 yesterday so can go in the agenda re-package please.

Thank you,

**Jessica Anderson**  
Senior Planner | Planning Policy

---

**From:** megan cropper [REDACTED]  
**Sent:** January 20, 2021 3:50 PM  
**To:** Dominic Kazmierczak <[DKazmierczak@rockyview.ca](mailto:DKazmierczak@rockyview.ca)>  
**Subject:** [EXTERNAL] - Fwd: BYLAW C-8082-2020

Do not open links or attachments unless sender and content are known.

Hi,

Please find below my letter of opposition to Bylaw C-8082-2020.

Thanks,  
Megan

Begin forwarded message:

**From:** Megan Cropper [REDACTED]  
**Date:** January 20, 2021 at 3:12:19 PM MST  
**To:** [legislativeservices@rockyview.ca](mailto:legislativeservices@rockyview.ca)  
**Cc:** [abryden@rockyview.ca](mailto:abryden@rockyview.ca), Troy ♥ [REDACTED]  
**Subject:** BYLAW C-8082-2020

Dear Andrea and Council,

Please find below my letter of opposition to consider Bylaw C-8082-2020 to redesignate the Scott Property from Agricultural General District to Direct Control District in order to facilitate an aggregate operation. **Please advise receipt of this email and whether any other information is required of me in order to have my letter included in the agenda package for the Public Hearing.**

Both myself and my husband, Troy Walker, completely **oppose** the approval of this bylaw application. The impacts are overwhelmingly harmful, and all nearby residents are virtually

unanimous in their opposition. Rocky View County is not responsible to provide the City of Calgary with a gravel pit location that benefits Lehigh Hanson the closest proximity possible to their main plant, at the expense of *all* of the residents in this densely populated area. I have been advised that this is Lehigh Hanson's third attempt to have this land redesignated, once in 1997 and the second time unanimously rejected by Council in 2010, for *all* of the same reasons that still exist with this current application. Approving a massive gravel mining operation at this site would be incompatible with existing and established adjacent land uses. It would inflict irreversible harm on the county, its residents, and the environment, and it would not respect the expectations established by Council's two prior rejections of virtually the same application. Council cannot approve an application that will have real, foreseeable and permanent impacts on human health. This application must be permanently rejected by Council.

I have 3 little boys and another one on the way. We spend A LOT of time outside enjoying all of the things that our yard has to offer. This is our forever home, and it is very concerning to me to have our yard and our home, just a kilometre away from the Scott Property, filled with toxic silica dust. It is a known carcinogen. Did you know that an infant's respiratory rate is 6 times more frequent than an adult, so they're breathing 6 times more often than our single breath? Children's respiratory rates are much higher than adults as well. What will the long term effects of this silica exposure be on my family's health? My children and I are not making a conscious decision to work in a dust filled environment. This is our home and our playground and somewhere that we are supposed to feel safe. The dust from the Scott Property would also have a cumulative effect to the dust already generated from the other adjacent pits. 10% of Rocky View County residents live within 5km from this proposed gravel pit. That's over 4000 people! Why would the County approve this risk for its residents?

Please find below a link to a Calgary Herald article from 2018 where the STAR gravel pit, adjacent to the Shane homes YMCA, was pumping out 5 to 7 times the maximum limit for total suspended particles, while another particulate measure (PM 2.5) averaged more than twice the standard of 30, while once exceeding it by more than 4 times. The PM 2.5 particles are so small that they can travel into your lungs and blood. The article states, "The BLV Group (who operate the pit) wouldn't comment but a web page posted by the consortium states a consultant study done for the "proposed Spy Hill operation" in 2003 predicted particulate levels for areas near the pit would be well below Canadian and U.S. environmental standards." I find this incredibly disturbing, and it illustrates a very valid concern and possibility of what could happen during operation of the Scott Property.

"Dust levels nearly seven times beyond standard at provincial gravel pit in city's northwest"

<https://calgaryherald.com/news/local-news/dust-levels-nearly-seven-times-beyond-standard-at-provincial-gravel-pit-in-city-northwest>

Lehigh Hanson's proposal also jeopardizes our well water in the area. A massive gravel pit next to densely populated country residential houses on well water is putting so many households at risk for water quality issues from site contaminants and it will permanently lower the water table, which is prohibited under the Bearspaw Area Structure

Plan. Again, what resident in the area will benefit anything from this gravel pit being located here? - zero residents out of 4000! Why would the County approve this risk for its residents when virtually all of those in the vicinity are opposed to the project?

Jaw crushers are incredibly noisy machines. Lehigh Hanson's particular model of crusher they've selected also includes a noisy vibrating screen. The noise emitted from one of these machines during operation will be well over 100dB. I see that they've proposed to use shrouding, however that can differ dramatically in design and effectiveness. Our yard and home is where my children and I spend almost all of our time. Why wouldn't we when we live in such a beautiful community? I read Lehigh Hanson's Acoustic Report and the noise modelling is completely misleading and inaccurate. They chose to model the mining phase closest to the adjacent residences, however this is when the acoustic berm is most effective in mitigating noise to those residences. What about the other phases? They've also only considered a height of 1.5m from the ground, however plenty of houses are two storeys, and there are elevation changes in the area that put other nearby houses well above the berm height. The Acoustic Report even states, "It is acknowledged that there are additional residences in the area that could be considered sensitive receptors." They haven't considered topography of the area and other residences at all. The noise modelling they did is also based on all of the equipment being below grade and it is not modelling the worst case scenario, but rather a more ideal scenario. The report states, "It is important to clarify that this particular scenario represents a specific operating year corresponding approximate to 1/5<sup>th</sup> of the Phase 2." Their MSDP even states, "Lehigh acknowledges that the maximum noise generation thresholds may be exceeded during the preliminary site preparation and commencement of the initial phase of aggregate operations until such time mining activities drop below existing grades and/or the elevation of the berms." That's years of a noise pollution to nearby residences where Lehigh Hanson will not stay under the legislated limit.

These basic misleadings in their modelling and reporting completely understate the noise impact on nearby residences. I'd also like to hear if their berm is an actual engineered design to mitigate noise as best as possible and not just a convenient place to put their overburden from the site. This is not an accurate presentation for the noise being generated and how it will affect all residences in the community. It is merely a snapshot in Lehigh Hanson's favour during a 30 year project duration. The whole Acoustic Report is garbage in my opinion. The report also is sure to make mention that the City of Calgary noise limit is 10 dB higher than what they're trying to stick to. What will happen if the Scott Property is absorbed into the City of Calgary limits within the next 30 years? Will the 65dB City limit then apply?

Again, why does this gravel pit have to be in a location that directly affects *thousands* of Rocky View County residents and not in a more remote location where there are a handful of neighbours in such a close proximity to the pit?

There is also almost nothing mentioned about the overland conveyor that they are using to transport the gravel to the main plant other than its length and approximate routing. How will it cross Burma Road? - underground I believe, but what will that look like? How do they propose to tunnel under Burma Road from a construction aspect? How will this affect traffic during construction and operation? Will there be daily maintenance activities on the conveyor? I would expect idler greasing and cleaning under the conveyor to be done daily at least. Is their maintenance vehicle traffic for this conveyor actually accounted for in their traffic analysis? - I'm doubtful. I have personally worked specifically in the bulk materials handling industry for 12 years of my career, and I find their "worst case scenario" for traffic they'll generate incredibly hard to believe. How will maintenance activities affect

nearby residents? Will they generate noise? What about during upset conveyor conditions? What if a piece of equipment fails and material spillage occurs? Will there be exceptions to their operating hours? What will operating hours be to fix or replace a down piece of equipment on the conveyor or anywhere on site for that matter? Will Lehigh Hanson use low noise idlers to mitigate sound levels? Even with low noise idlers, residents should expect a 70dB noise level from the conveyor. I read that the conveyor will be covered, however the drastic design differences that are possible can be one extreme to the other and will only be designed to suit the purpose that the owner wants it to serve. Will drive and transfer stations be *totally* enclosed to reduce noise and dust, or just covered as stated in the reports? The Acoustic Report gives *no* facts on anything regarding the conveyor and the entire aspect of the conveyor is basically omitted from their technical documents.

All financial analysis done in Lehigh Hanson's technical documents also ignore the millions of dollars lost by home owners in property values, which to be honest is incredibly disappointing, but is the least of my concerns compared to health and noise impacts that my family will be subjected to. It is expected that the closest residences will lose 30% of their home value (and I would expect even greater than that to be honest), with homes up to 5km away being affected. We'd better be seeing lower property taxes if this goes ahead, since this will be a completely disappointing transfer of wealth from the tax payers of Rocky View County to Lehigh Hanson. I find it ironic that Lehigh Hanson's traffic analysis base comparative vehicle traffic numbers on 160 residences in that 600 acres parcel that is the Scott Property. That's potentially 160 residences that could be on that property with home values starting a million dollars each, which would generate plenty of property tax revenue for the County and would be consistent with the existing adjacent land uses.

I'd also like to know the County's plan for reclamation. Lehigh Hanson is going to remove tens of millions of tons of rock by the end of this 30-year project. Under the Rocky View County Plan, detailed reclamation plans are a *legal requirement* that cannot be omitted and residents can't be left with vague future possibilities. Residents have the right to know what the 600 acres will be made into prior to the redesignation and a commitment that the big hole we will be left with won't be the City of Calgary's next garbage dump for instance.

Like most people in life, my husband and I spent our working career saving to buy a dream home in our favourite country residential community, where we can quietly and safely raise our children. And this gravel pit compromises everything our family and every family in the area has worked for. Rocky View County Council should have these key values at heart for their residents and therefore this application should once again be unanimously and permanently rejected. It's unacceptable in this family oriented community. I actually spent my formative years growing up in Arbour Lake. I moved there in 1990 with my parents and we were the second residents of the entire Arbour Lake community. For sport training, I used to ride my bike out of the city limits and I remember the gravel trucks in the area even then. Then the city expanded and grew adjacent to the pits and now some of course are within the city limits. During the past 10, 20 and 30 years, Rocky View County has allowed more and more dense development in the immediate vicinity of the Scott Property, and approving a gravel pit in this location is absolutely absurd, as this use is in complete contradiction to the Bearspaw Area Structure Plan. Gravel is prevalent in Rocky View County, and there are many areas in the county with abundant gravel deposits located away from populated centres and areas of environmental significance. (A location such as

Hillstone Aggregates seems like a much more appropriate location for a new gravel pit.) Selecting a location for this pit that will have so many direct negative impacts on thousands of residents is completely unnecessary. Council has the ability to choose where aggregate extraction should occur, and Council should undoubtable minimize harm to residents and the environment. This is a 30-year project. Residents in the area of the Scott Property will be subjected to prolonged and repeated inhalation of deadly dust, noise pollution, a lower quality of life, and potentially contaminated/no water for over the 30-year operating life of the proposed pit, and this will only compound the cumulative effects created by the other pits in the area. Council cannot approve an application that will have real, foreseeable and permanent impacts on human health. **It is the duty and obligation of Rocky View Council to protect the health and safety of its constituents and citizens. This application should undoubtably and permanently be rejected.**

Sincerely,

Megan Walker, P. Eng. and Troy Walker  
175 Rolling Acres Drive  
[REDACTED]

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 20, 2021 12:18:03 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Lenka Keller [REDACTED]  
**Sent:** January 20, 2021 11:26 AM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

**Do not open links or attachments unless sender and content are known.**

**To:**  
Municipal Clerk's Office  
262075 Rocky View Point,  
Rocky View County, AB T4A 0X2.

**From:**  
Lenka Kellner  
24207 Burma Road  
T3R 1E1  
Calgary

Letter in opposition to the gravel pit application by Lehigh Hanson.

Good morning,

There are many reasons why I am in total opposition of changing this area into gravel pit:

First, I have never been consulted about this application by anyone form Lehigh Hanson or a representative acting on behalf of Lehigh Hanson and second, there are numerous environmental issues I

am concerned about.

As a pharmacist, I am deeply concerned about impact of the gravel mine on the health of all of us who live in this neighborhood. There are many older people with chronic conditions like asthma or COPD who would be negatively affected by the dust from the gravel mine.

There are children who are developing their lungs and the immune system and I am concerned about their health as well.

There is striving wildlife that would be pushed away by noise and increased traffic.

There is underground water level that would be affected and it would subsequently affect water wells of our neighbours.

There is a financial concern we all have and negative impact on prices of our homes.

As a pharmacist working in the local pharmacy, I help and talk to many people from this large area on daily basis. Everyone I talk to is concerned and opposed to the gravel pit. I simply don't understand why the application of the Lehigh Hanson is still considered, since the people who live here expressed clearly that they do not wish to have an industrial development in front of their windows.

Further house development was allowed after the application of Lehigh Hanson was fought off in the past. Many new families found a new home here. It is not fair to invite people to live here, make them pay taxes and then allow an industry to spoil the neighborhood we all built and love.

I hope that your decision will be based on hearing people who elected you, people you represent.

Best regards,

Lenka Kellner

Sent from my iPhone



**Andrea Bryden**

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**From:** MICHAL KELLNER [REDACTED]  
**Sent:** August 24, 2020 8:54 AM  
**To:** Andrea Bryden  
**Subject:** [EXTERNAL] - Gravel Extraction along Burma Road- Inland

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Do not open links or attachments unless sender and content are known.

Good Morning Andrea,  
My name is Michal Kellner and we live at 24207 Burma Road.  
We purchased this property in Bearspaw about 7 years ago to live outside of the city on an acreage and enjoy the fresh air, less traffic, noise and light pollution. We were shocked to find out after our purchase that right across our street more than 600 acres of land is owned by Inland, who by the way pays less than \$900 a year in property taxes on this land, and are planing to turn this land into yet another gravel extraction.  
My wife and I realize that gravel is an important resource for City of Calgary and RCV county, but many studies have shown how damaging these extractions are to human life when mixed together. I would like you to be aware that Inland's re-zoning application has been defeated in previous years, I certainly hope that you along with the RCV councils will not allow more gravel in residential areas. I know that many of my neighbors feel the same way and have sent you a similar message.  
How much gravel is enough, looking at this map, I see that there is too much extraction going on here already, why add another one?  
I ask you to make the right decision here in regards to Inland's up coming zone change proposal, and once and for all, let them know that it would be best to sell the land in order to create happy and healthy community, instead of a dust bowls of cancer causing silica dust, very loud crushers that operate 24 hours each day, thousands of gravel trucks running up and down Burma road polluting the air.

Thank you,  
Michal K.

## ATTACHMENT 1

### Bearspaw and NW Calgary Map

(Showing proposed gravel pit location in Section 5 north of Burma)



From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Lehigh Hanson's application Scott Property  
Date: October 21, 2020 7:45:01 AM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.  
People before Gravel!

Michal K.

**Steven Lancashire**

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**From:** Michelle Mitton  
**Sent:** November 24, 2020 4:29 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** MICHAL KELLNER [REDACTED]  
**Sent:** November 24, 2020 11:23 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

Hello,

The County has requested comments in advance of the **December 22<sup>nd</sup>** public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location. Why is this allowed to continue when the applications have been turned down in the past?

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled a public hearing just three days before [Christmas](#) in the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Michal Kellner  
24207 Burma Road

**Steven Lancashire**

---

**From:** Dominic Kazmierczak  
**Sent:** January 14, 2021 4:00 PM  
**To:** Steven Lancashire  
**Subject:** FW: [EXTERNAL] - Bylaw C-8000-2020 Lehigh Hanson's application for mining of Scott Property

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Thanks Steve!

---

**From:** MICHAL KELLNER [REDACTED]  
**Sent:** January 14, 2021 3:47 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8000-2020 Lehigh Hanson's application for mining of Scott Property

Do not open links or attachments unless sender and content are known.

Hello,  
my name is Michal Kellner and we live at 24207 Burma Road, Calgary Alberta.  
I am writing to you to let you know that my wife and I are in opposition of the Lehigh Hanson's application for mining the Scott Property for gravel, and changing this pristine grassland into a gaping hole for ever.  
There are numerous reasons for our objections:  
- We were never consulted about this application by anyone from Lehigh Hanson or a representative acting on behalf of Lehigh Hanson  
- We are in total opposition to this application of changing this vast area into a gravel mine  
- Why is this application still allowed when it has been defeated on 2 separate occasions  
- We are very concerned about what effect a gravel mine will have on the surrounding water levels  
- All the noise, we already hear the Burnco mine all day - everyday  
- We do not wish to breath gravel dust which contains silica, a well known and documented cancer causing agent  
- We are very concerned about all the wild life that lives in this area. We enjoy seeing deer, moose, coyotes, wild birds and other wild life animals there currently.  
- We are very concerned about the increased traffic a mine pit will create

Please consider your decision carefully and build thriving communities over gravel pits. Yes there is a need for gravel extraction, just not where there are people living and raising families.

Michal Kellner



**Steven Lancashire**

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**From:** Andrea Bryden  
**Sent:** November 30, 2020 8:39 AM  
**To:** Steven Lancashire  
**Subject:** FW: [EXTERNAL] - Lehigh grave pit

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Andrea Bryden, RPP, MCIP**  
Senior Planner | Planning Policy

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
DIR: 403-520-7294  
[abryden@rockyview.ca](mailto:abryden@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

---

**From:** Mike Lemmer [REDACTED]  
**Sent:** November 29, 2020 4:33 PM  
**To:** Andrea Bryden <ABryden@rockyview.ca>  
**Subject:** [EXTERNAL] - Lehigh grave pit

Do not open links or attachments unless sender and content are known.

Hello, I live on Aspen drive, a few kilometers from the proposed new pit, and have sent the following Comment to my councillor:

Hi Sam, I also support the opposition to the formation of yet another gravel mining operation in this part of Bearspaw. Given the ongoing problems of negative impact from the Star pit on the residents in proximity to that pit, no approval should be made to another pit. Thanks.....Mike Lemmer

21 August 2020

Hi Andrea,

My name is Mike Edwards and my wife and I have lived in a key hole cul de sac off Burma Road known as Crestview Estates since 1984 (36 years). Our house was built in 1979 and the property was severed in 1978. For the most part we have enjoyed living in Rocky View except for the requirement to fend off a gravel extraction operation nearby and, occasionally, an effort by our Staff to put in place policy that would enable a gravel extraction operation to locate right beside land already zoned for country residential ARP, for example.

Gravel became a local issue when Burnco purchased 440 acres northwest of Burma Road in 1992 and immediately applied for a gravel extraction operation. This was refused by Rocky View Council. Consolidated Concrete purchased half a section north of Burma Road and west of the Burnco property and withdrew its application when Burnco was refused. Two of the most affected properties regarding the Burnco application were at the corner of 85 St and Burma Road (Louden and Walsh), each with 20 acres.

Burnco then proceeded to purchase both properties with offers the owners could not refuse. For instance, the Louden property was originally purchased in 1992 for \$111,000 (That is what a bi-level bungalow on 20 acres cost in those days.) and was sold to Burnco 28 months later for \$440,000 – an appreciation, unlevered, of almost 400 %. The second property enjoyed the same ‘win-win’ valuation. The two most-affected properties were now owned by the gravel corporation and the original owners, happily, moved away to count their money. To my knowledge, Inland/Lehigh Hanson/Heidelberg, never made any such ‘win-win’ offers to existing area landowners.

In 1993, the Concerned Citizens’ organized an Open Letter with 1631 Rocky View Citizen signatures indicating what they thought about gravel extraction within two miles of country residential land uses. A copy is enclosed. This document has rarely showed up in County correspondence, but it should. It indicates how tax paying residents feel about gravel extraction near residential neighbourhoods!

Burnco applied again in 1994 and was successful with a 480 acre application. Inland followed quickly with a 320 acre application (Scott Farm) and was not successful. Rocky View Staff (Ken Kelly – Planning Manager) had recommended against approval.

At about that time, the Concerned Citizens group wrote a letter to Tom Thurber, Public Works Minister inquiring about lands the Province had assembled north of Calgary. We do not know if that letter had any impact however shortly thereafter, Consolidated announced the purchase of 320 acres north of 112 Ave NW (now Inland’s Spy Hill facility). An application to the City quickly ensued (facilitated by Brown and Associates). That 1997 application contained the following statements:

**“The Spy Hill site provides a 40-50 year supply of gravel for Inland’s operations in north Calgary.”**



**“Other possible gravel sites in northwest Calgary and the M.D. of Rocky View have been lost through on-site surface development or surrounding country residential development.”**

We are about half way along in that ‘40-50 year’ period and Inland seems to have run out of gravel at Spy Hill and is purchasing gravel from the STAR pit which it had an opportunity to participate in (30%) but declined and bid separately – and unsuccessfully. Lafarge took over its 30% so that the current STAR ownership is Burnco 30%, Volker Stevin 10% Lafarge 60% and Inland 0%. The Rocky View citizens who live in Crestview Estates, Silverwoods, Brierwoods, and Church Ranches (all except Crestview Estates were approved after the 1994 Scott Farm rejection) should not have to suffer the consequences of having a major gravel extraction operation move into the area, after the fact, because of a corporate blunder made by its management!

Perhaps Inland/Lehigh Hanson/Heidelberg is now buying gravel at its Spy Hill location



because it has covered over some of the “40-50 years supply” and not extracted the gravel as the dirt piles on the west side of the Spy Hill site suggest? Is it not ‘good practice’ to extract all of the gravel from a site before seeking to exploit another site (such as Bearspaw)?

The following photo shows the Spy Hill concrete pipe yard from 112 Ave NW with the ‘covered over’ gravel deposit?

In 2008, Inland/Lehigh Hanson/Heidelberg purchased the remainder of Section 5 at elevated

prices, except for Crestview Estates. This was land that, previously, it had indicated was **‘lost’** because of **‘surrounding residential development’**. This time, unlike the 320 acre 1994 application which was defeated by Council 6-3, Rocky View Staff heartily endorsed the 600 acre application. (Lorie Pesowski – Planning Manager). Unfortunately for Inland/Lehigh Hanson/Heidelberg, Council did not agree with the Staff recommendation and voted that application down 9-0. (Ms. Pesowski left the employ of the MD shortly thereafter.) Those voting ‘NO’ after a 7 1/2 hour hearing were: Reeve Habberfield, Deputy Loudon and seven Councillors (including Greg Boehlke). Apparently Inland/Lehigh Hanson/Heidelberg did not get the memo back in Germany because it chose to apply again in 2020 and expend more shareholder funds.

A description of the 2010 events written shortly after the Hearing is attached. The last page of that document is a letter from Han and Katy Kim intended for Council that was not included with the package that was sent to Council Members. This was rectified at a break

during the Hearing when Richard Barss “recalled” the Kim submission and managed to locate it and then provide copies for Council. Whether there were other similar omissions of unfavourable comments, is an open question. Certainly, this incident did not build trust in our planning staff.

After a number of years of being exposed to the externalities of gravel extraction, we tend to believe what we see, hear and breathe – not what industry tells us will happen. STAR has been operating for about 16 years and has been pumping noise and dust into the air for most of that time with up to four crushers and related equipment operating at one time and all through the night. Former Councillor Eric Lowther was out in his yard in the middle of the night recording that crusher sound from over a mile away at STAR. Also, within the last month, we have had communications from Mike Lemmer and Ruth Ludwig, area residents, about noise emanating from the STAR pit. This has been a problem with STAR. In Crestview, we can hear the STAR operation frequently even though we reside about two miles away from the activity areas. Others routinely hear the Lafarge operation. Sound suppression costs money yet adds absolutely no value to the final product.

Inland/Lehigh Hanson/Heidelberg has a major extraction operation at Sechelt, B.C. The dust cloud, which people have to breathe, can be seen from 25 miles away across the Strait of Georgia at Nanaimo. The mining and loading operation also keeps residents awake at night. Back in Alberta, Inland Spy Hill operated without an approved provincial Code of Practice during 2012. Calgary firefighters recently had to rescue a worker at Spy Hill and another was killed in the yard. In Canada and the US, this corporation has been fined close to \$50 million US primarily for environmental transgressions according to Heidelberg Cement Violation Tracker htm. Is this the type of corporation Rocky View wants polluting its air?

The best opportunity for an Inland/Lehigh Hanson/Heidelberg to establish a gravel extraction and processing operation on Burma Road was in 1994. This was before the country residential developments such as Church Ranches, Silverwoods and Briarwoods were approved by Rocky View Council. The smaller application (320 acres) at that time was rejected 6-3. Yet the corporation has come back twice again with even more extensive and intrusive applications – as if nothing happened previously. Incidentally, this particular gravel deposit starts at 14<sup>th</sup> Street NW and John Laurie Blvd and runs northwest past Water Valley.

The Calgary area is not short of gravel, unlike the Edmonton area, where two corporations actually rail finished gravel in from over 200 km away – leaving most of the externalities there rather than adjacent to country residential developments such as is proposed for Burma Road.

This is a photograph of a sign formerly posted at the entrance to the City’s northwest gravel and processing facility. It





has since been removed for some reason although the message is still valid.

The estimated concentration of PM<sub>2.5</sub> around Crestview Estates due to gravel operations in the 2010 application was about 30µg/cm. This would have been in addition to an ambient concentration plus lesser contributions from all the other, more distant, gravel operations in

the area. The net result, if people still lived in Crestview, would have been shorter life spans. (My wife has asthma.) These are some of the consequences for a gravel extraction and crushing operation near where people make their homes.

Further to the issue of Inland as a neighbour, a few years ago when it was fairly dry, a number of the rental critters on Inland land broke through the split-rail cedar fence surrounding Crestview Estates. The first photo was taken from the deck of a Crestview home shows some of the 'guests', who left a number of 'deposits' at various points on the property.

Inland was asked to repair the fence and the repair consisted of straightening the cedar fence poles, hammering a piece of sucker rod into the ground next to the pole and then wiring the pole to the sucker rod. This is how the gravel corporation chooses to treat its

neighbours. After all, "It was an old fence". (Comment from an Inland executive.)

There was a mudhole at the north end of Crestview. One critter died a horrible death stuck in the mud. The carcass was discovered by the nearest neighbours because of the odour when they returned from vacation. The Alberta SPCA was informed.

Further mistrust in Rocky View's planners was when the County decided to lease a road allowance (extension of Rocky Ridge Road north of Burma Road) to the gravel corporation and the method by which it tallied opinion by notified neighbours. It seems that some 'opinions' were counted twice (for leasing to the gravel corporation) while others were only counted once (against). In addition, some 'for' votes were counted for a completely separate issue south of HWY 1A. Not long after Inland secured the County road allowance for its 'grazing lease', it announced a third attempt to install a major extraction and crushing operation on Burma Road. An assessment is attached.



Inland/Lehigh Hanson/Heidelberg could probably earn a cash tax reduction of about \$20 million by making an ecogift of its lands on Burma Road for a park or other community use. This would be a positive way of involving the community and generating goodwill – not by trying to force an unwelcome industrial intrusion into a country residential neighbourhood of Rocky View.

Most gravel operations have very little in fixed assets tax base. Even with a proposed ‘conveyor system’, most of which would be within the City of Calgary, the tax revenue would be much less than for other land uses.

In summary, there are over 200 new country residential properties in the Burma Road area that our government has approved since an Inland/Lehigh Hanson/Heidelberg predecessor was first refused on Burma Road in 1994. The owners of those expensive homes did not choose Rocky View to experience the externalities (including shorter life spans) attributable to gravel extraction.

Yours truly,

*Original Signed by*

Mike Edwards

**Insanity (def’n) – doing the same thing over and over but expecting different results. (Albert Einstein)**

## Bearspaw Land Redesignation for Gravel

January 26, 2010

### - County Actions -

Following are some observations of the process leading up to and at the January 26, 2010 hearing to redesignate and approve all of the lands in Section 5 – 26 – 2 – W5 (excepting 34 acres known as Crestview Estates – approved in 1978). Please view map - Attachment 1.

- A smaller 320 acre (and in many respects less invasive – please see Attachment 2 – „Then and Now“) gravel extraction project was rejected twice in the early 1990's - one reason cited for rejection then was its negative impact upon existing residents. In both 1990's instances, municipal Staff recommended against approval. Since then, new residential projects including Church Ranches and Silverwoods have been approved resulting in about 200 more homes within a mile or so of the proposed project. Additional adjoining gravel property was purchased by the Applicant, Inland, in 2008 (including all that surrounding the keyhole cul de sac known as Crestview Estates) and an application was submitted for a 200' deep pit commencing 90 meters from the edge of Crestview. The Crestview community well has a standing water level about 150' below surface. (A likely recipe for lost wells.) Despite all this change, Rocky View staff this time chose to recommend that the expanded project affecting many more people be approved. As an aside, the 2008 property transfer document for the SW quarter of Section 5 showed an acquisition value of \$10,402,723. Rocky View, in its wisdom, assessed this 126 acre plot commencing ½ mile from the city limit, at \$20,540. Municipal taxes were some \$153/year. Truck traffic was to be 1000 normal trucks per day or 500 „B-Trains“ – large double trailers.
- Bearspaw Area Structure Plan – This plan, Attachment 3 (excerpt), shows the applied-for area as country residential with agricultural to the north. Other municipal documents (including an intermunicipal plan) did not include any reference to gravel as a land use.
- 'Concept Plan' - A draft concept plan (Attachment 4 - excerpt) came out in 2009. It proposed a complete about face from previous Rocky View planning documents. Its provisions seemed made to order for gravel extraction in Section 5 (immediately off the NW corner of Calgary – where Inland wanted to establish a new pit). What previously had been ranch and farm, suddenly



became a „transition“ zone for gravel extraction. This particular „transition“ zone was different than other „transition“ zones in the document (which buffered differing land uses) in that this was essentially a time „transition“ with essentially no distance buffer between non-compatible land uses.

*“This area is envisioned as a resource extraction area that provides suitable buffers to residential areas and provides mitigation measures for impacts associated with the operation of such extraction facilities. The post-reclamation use for these lands will be determined as the aggregate resource nears exhaustion, and will require an amendment to this plan.”* Page 43 of The Bearspaw Community Development Strategy – Draft at October 6, 2009 (P.S. The „suitable buffers“ apparently were a shallow berm starting at the residential property line – nothing more.)

- Along the way, there were disturbing comments about 'done deal' and so forth coming from Rocky View planning staff. These comments along with the planner's „new vision“ for this part of Bearspaw led to the letter to Rob Coon - Attachment 5. It is difficult to understand why a project almost twice as large in areal extent as one that Rocky View Staff recommended against, and Council voted against, fifteen years earlier, and with about two hundred more families in the immediate area, would now be endorsed by Rocky View's professional planning staff? Is recommending a 200' gravel pit with all its externalities commencing 90 meters from a residential property line regarded as „good land use planning“? Rocky View staff apparently thought so.
- A statement made by a senior planner that it was the county's intention to replace the statutory BASP (which had some protections from gravel) with the non-statutory concept plan.
- Requests for a definition of 'water table' (referenced in the BASP) were made twice to the Rocky View ecology expert - no response. It seems that this person went to ground on the water issue. Water in the bottom of a pit is called „stormwater“. Most of it actually is groundwater.
- Requests to Rocky View for air quality data (required as part of a 1994 Burnco approval on 144 Ave NW) were denied. (One of the conditions of the Burnco approval was the measurement of air quality - yet nobody could see the information gathered.)
- Timing of the Hearing - it was scheduled for the last week in January which, for utility planning purposes, is regarded as the coldest week of the year and would have made it less likely for some residents to attend. Statistically, this timing would have a probability of happening on its own of about 2%.
- Written submissions - some letters received by the County on time according to published procedure did not find their way into the package that Council

received. In addition, this extensive package only became available after the weekend leaving Councillors less time for reading. (Attachment 6, from Han and Nelly Kim, is an example of an omitted letter submission.)

- A staff video of the area was shown at the hearing and, if you looked at it in isolation, you would have believed that there were no homes in the immediate area. One Councillor even remarked “Where are the houses?” Attachment 1 provides some description of the residential density.
- There was no formal application document produced - only sets of pages and ancillary studies. It was hard to tell where the 'application' started and ended.
- Articles pointing out the myriad uses of gravel appeared in both the Rocky View Times and the Vantage a year or so before the hearing.
- In late 2009, the Rocky View Financial Services Department indicated that production, for purposes of the Community Aggregate Payment Levy Regulation (\$.25/tonne), was:

Millions of Tonnes	<u>2007</u>	<u>2008</u>	<u>2009</u>
Staff Estimate – Late 2009	4.32	9.72	n/a in 2009
Estimate Provided to Task Force – Fall 2010	5.94	5.26	4.16

A later estimate, requested by the Reeve’s Task Force showed different numbers. These significantly differing values for the same well-defined line entry for 2007 and 2008 were provided by Rocky View financial staff. (The 4.32 million tonne estimate for 2007 was also referenced in the gravel application.) Calgary, for comparison, had 5.84 million tonnes in 2008 and 3.66 in 2009.

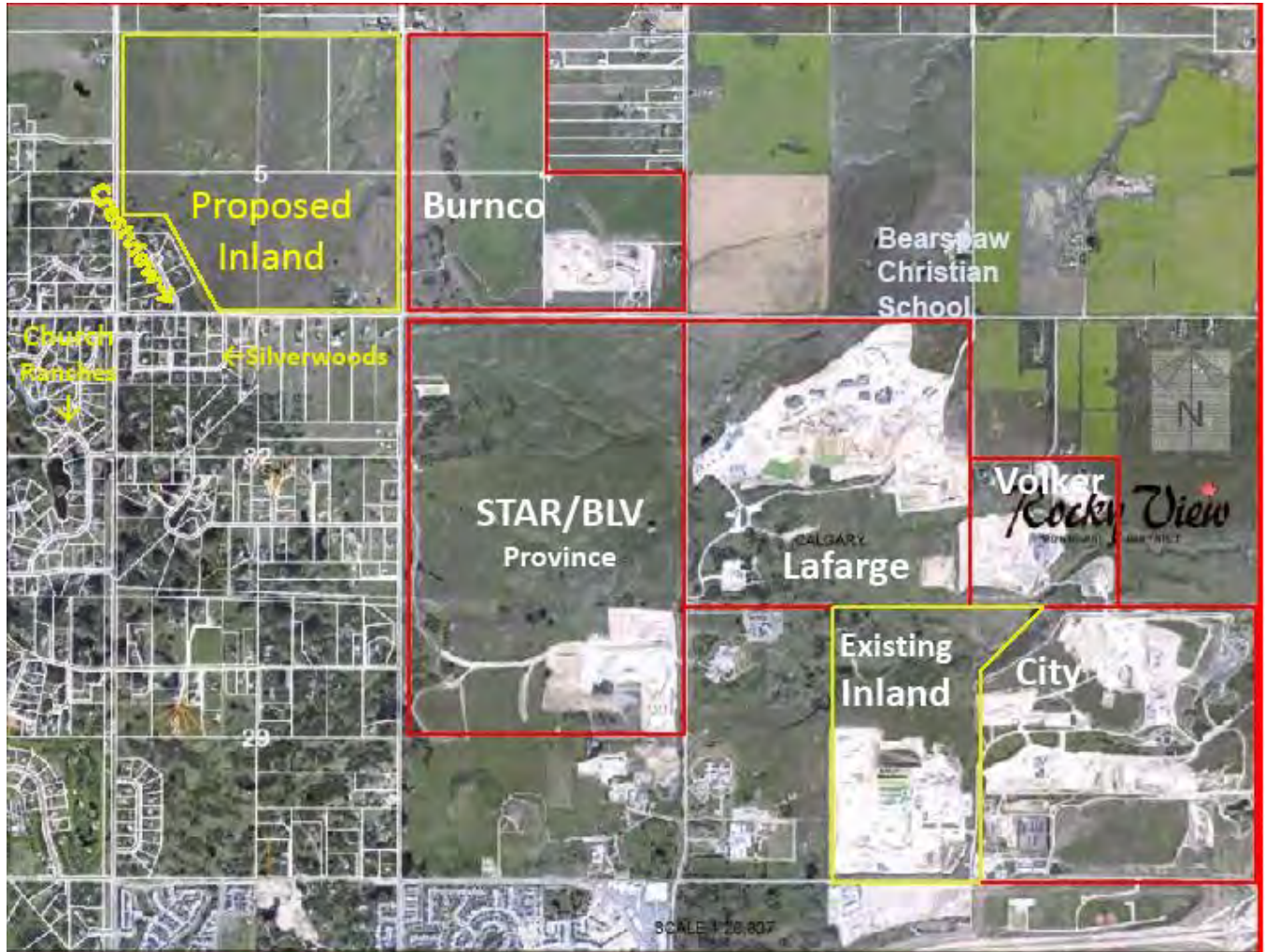


„Scott Farm“ – Buildings were painted and had roofs 15 years ago.

## ATTACHMENT 1

### Bearspaw and NW Calgary Map

(Showing proposed gravel pit location in Section 5 north of Burma Road)



The proposed pit initially envisioned 1000 one-way truck trips per operating day – later reduced to 500 trips using B-Train type vehicles (about twice as large). The route would have been east on 144 Ave past Burnco and down 85 St past the jails to 112 Ave NW and then east to the existing Spy Hill facility ("Existing Inland").



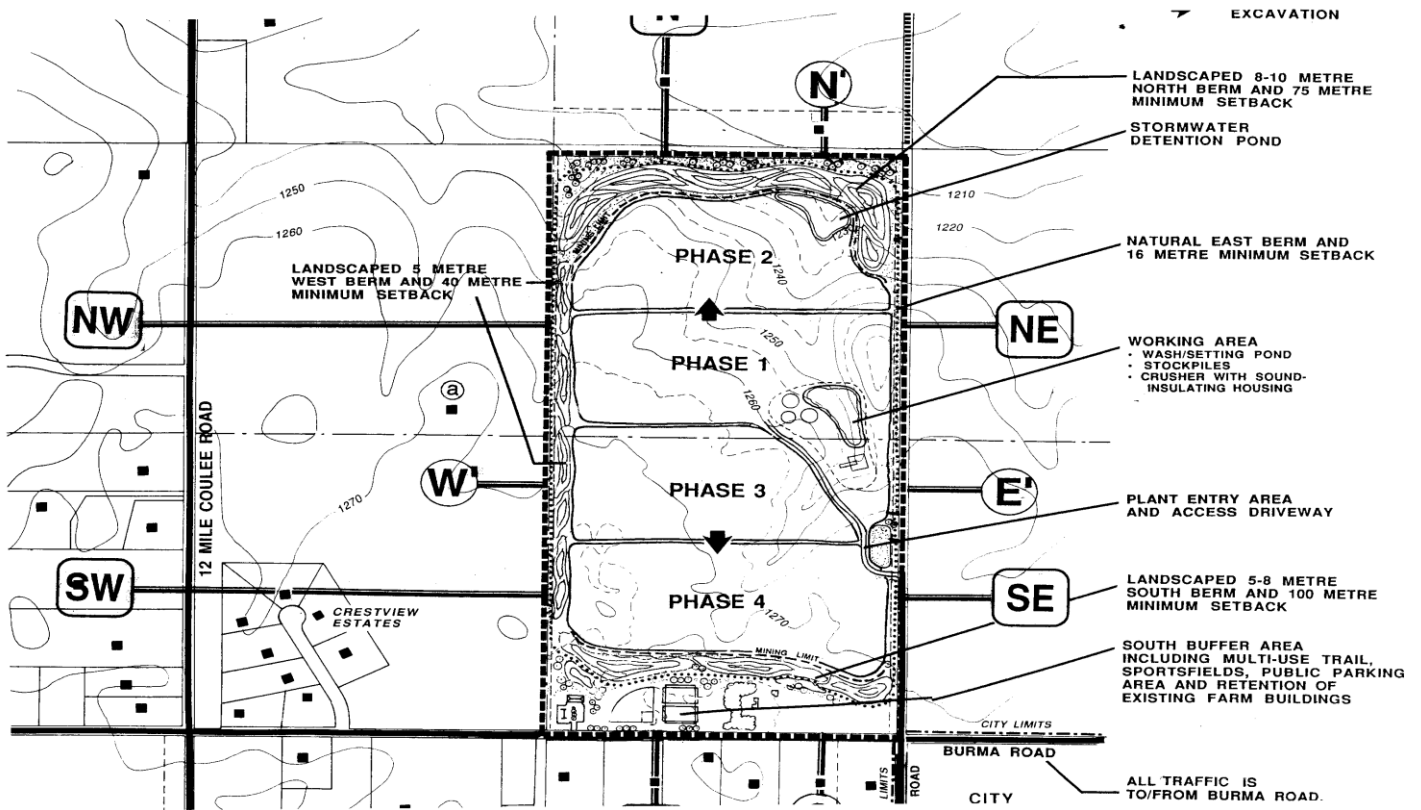
## Attachment 2

### Then and Now

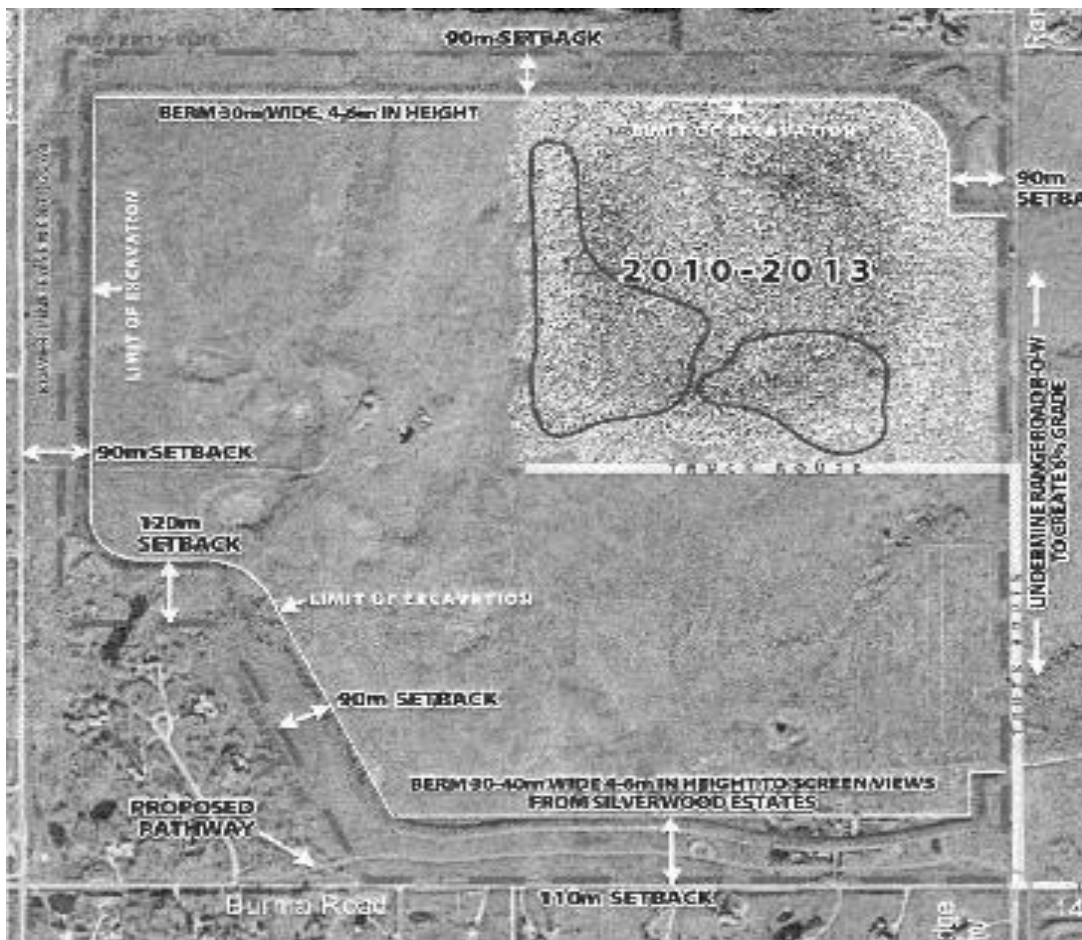
A comparison of Inland's second application on Burma Road from 1994 (which was unsuccessful) and its current 2009 application (as of September 2009). Inland (Lehigh) is a successor to Consolidated (CBR).

	<u>THEN</u>	<u>NOW</u>
Company Name	Consolidated Aggregates	Inland (subsidiary of Heidelberg Cement)
Consultant	Walker Brown	Brown & Associates
Recoverable Gravel	25 MMT	54 MMT
Test Holes	9	8 (including the 9 from before)*
Pit Area	316 acres gross – net unavailable	606 acres gross - 512 acres net
Pit Life (years)	N/A	15 – 20
Stormwater Retention Pond	Yes	Yes („stormwater“ or groundwater?)
Truck Loads/day	85 (each way)	250 (40 tonne B-trains each way)
Proposed Road Changes	None	4 lanes + lights 85st & Rockyridge
Operating Days/year	220	N/A (Calculate 250?)
Crushing	Yes – with an acoustic cover	No (for now)
Blasting	No – Maybe Later	Yes
Noise Levels (nearby residences)	55dBA (maximum daytime)	Not Provided
Trail System	Yes – 3 miles (4.8 km)	Yes - .8 mile (1.3 km)
Sports Fields – Burma Road side	Yes – football and baseball	No
Parking	20 – 30 vehicles	No
Retain existing farm buildings	Yes	No
Setbacks – to edge of mine		
North	100 m	90 m
South	160 - 240 m	110 m
East	16 m	Excavate under road allowance
Crestview Estates	425 m	90 – 120 m
Berm Height		
North	8 – 10 m	4 m
South	5 – 8 m	4 – 6 m
East	0 m	0 m
Crestview Estates	5 m	4 - 6 m

\* Inland provided a map showing the location of 8 test holes – all old and on the east half. Locals saw, from Burma Road, a drilling rig working on the west half about a year ago but Inland provided no recognition of such a test hole. In one part of the application, 15 holes were actually listed.

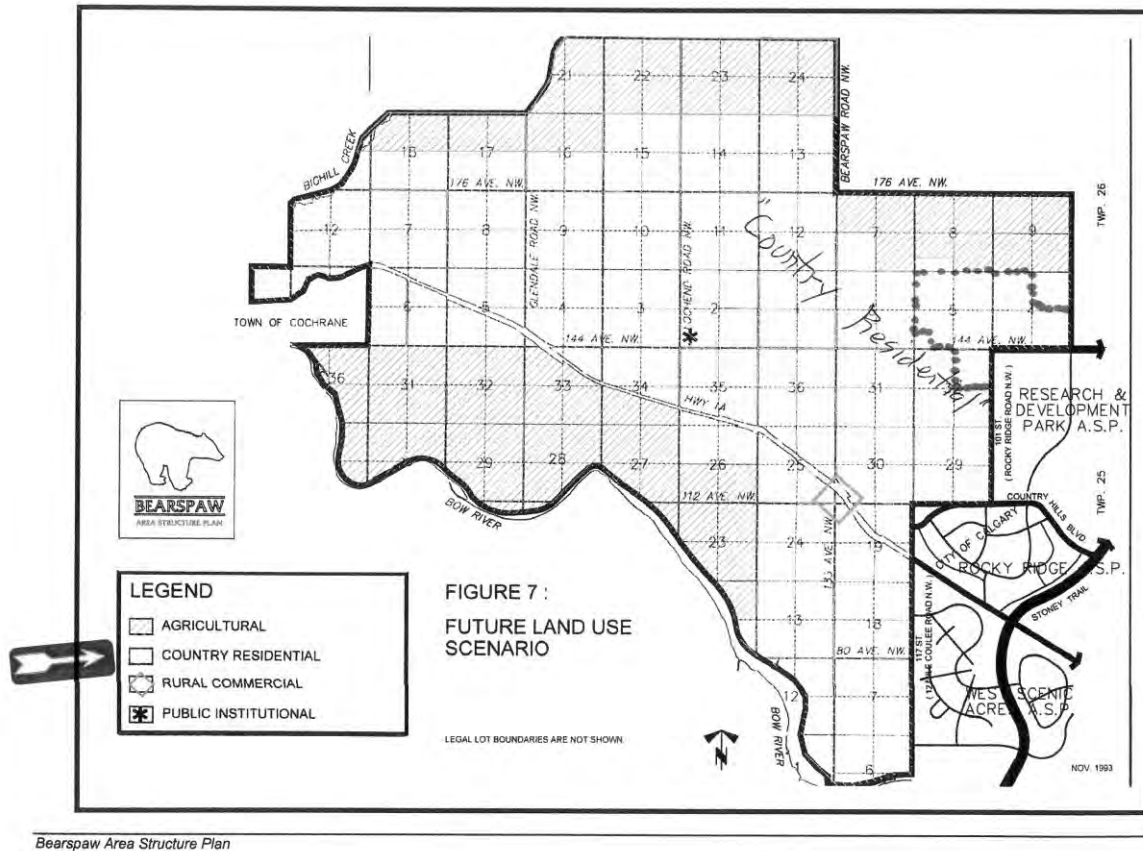


"Then" 1994 Application

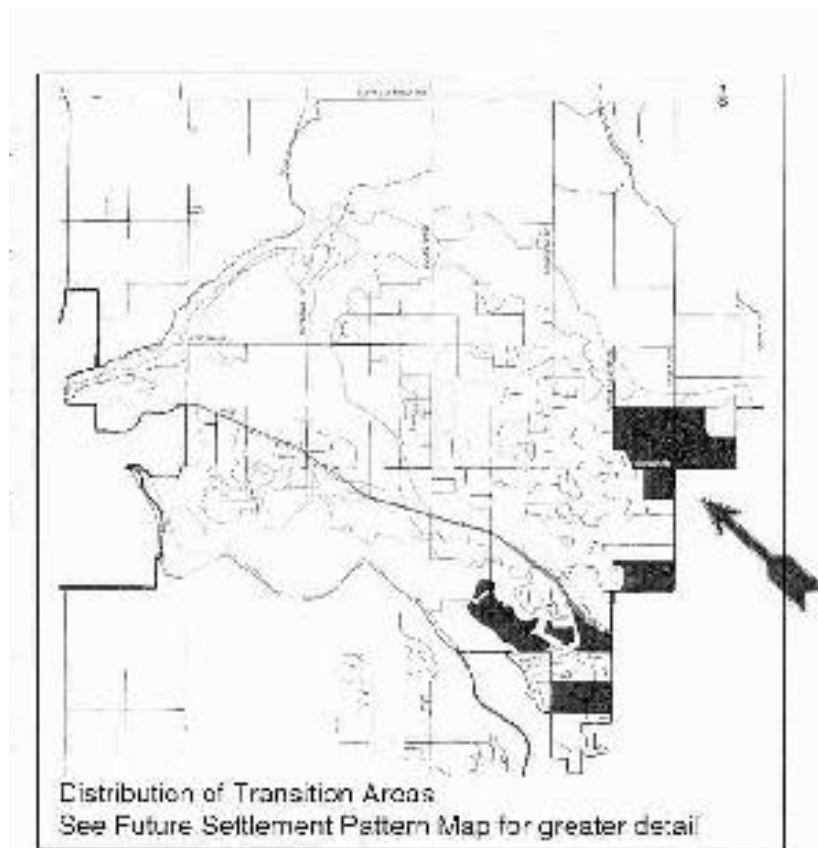


„NOW“ 2009 Application

### Attachment 3 – BASP



### Attachment 4 - Excerpt from Concept Plan October 6, 2009



The darkened portion immediately north and west of the NW corner of Calgary previously was not planned for gravel extraction – at all.

Attachment 5 – Letter to Rob Coon

M.W. Edwards  
32 Crestview Estates  
Calgary, Alberta T3R 1E1

November 5, 2009

Mr. Robert Coon, CAO  
Municipal District of Rocky View  
911 32 Avenue N.E.  
Calgary, Alberta T2E 6X6

Dear Mr. Coon,

I am writing on behalf of a number of concerned Bearspaw Residents to, again, request a meeting with you and Ms. Pesowski to try to understand why it has become the MD's position that Section 5, just off the NW corner of the City, should be designated for gravel extraction and the quarter section in Rocky View south of it 'transition'.

We assume that, in your professional capacity, you have good reasons for such a change in designation. Unfortunately, the people who would be affected by such a development through a variety of externalities including health impacts, lost real estate value and just quality of life issues, do not understand your reasons and therefore request a meeting with you and Ms. Pesowski, the parties ultimately in charge at the MD staff, to explain your thinking to us. We note that Council on two previous occasions has rejected a much smaller project that affected many fewer Rocky View Residents.

We have heard, from brave staff people sent to the front at open houses, things like 'Gravel extraction is MD Policy', 'Council wants it', "... because the gravel is there" and 'It's a done deal'. Even our latest Community Development Strategy lists the area as one of "...developing gravel pits." (page 43). Does this presume that Council, which we thought had ultimate authority on these matters, has already decided that it is an area for gravel development?

Mr. Coon, we expect that you, as the leader of the MD staff, will stand up and explain the MD's position on the matter of compatibility beginning with the assertions made in the Community Development Strategy document. Please, Rob, help us with this and do not hide behind bureaucratic cover. We will come to you for the meeting.

Thanks!

*Original signed by*  
*Mike Edwards* for  
Bearspaw Residents

c-cc Rocky View Councillors  
Rocky View Planners - some  
Alberta Municipal Affairs - various

## Attachment 6

Rocky View County  
911 - 32nd Avenue NE  
Calgary AB  
T2E 6X6

Re: oppose application 2009-RV-028 by Brown & Associates on behalf of  
Lehigh Cement (Inland)

To Whom It May Concern:

My family and I currently reside at 16 Silverwoods Drive and have called this address home for more than 5 years. We moved into this home with our two young boys one of which is handicapped with a serious disorder (Kearns Sayers Syndrome). We made every sacrifice to purchase this home so that they can have clean air, open spaces and privacy for a very long time.

We believe that to re-designate the lands located in Section 5 (except for Crestview Estates) from Ranch and Farm District to Direct Control District and application 2009-RV-040 to amend the Bearspaw Area Structure Plan (ASP) will seriously jeopardize the health of my handicapped son who depends on clean air and environment. We are afraid that the extra dust and pollution (noise and air) will be detrimental to his and everyone's health that have homes near the gravel pit

We are further vehemently opposed to the gravel pit for other reasons including:

1. Noise and Air Pollution – the amount of trucks that is proposed to go in and out of the gravel pit is excessive. The dust created by the gravel extraction and hauling is proven to cause higher levels of dust and pesticide particles.
2. Value of Home – homes close to the gravel pit will certainly lose a significant percentage of their value.
3. Traffic – as Burma road is already very heavy, the excess traffic caused by the trucks hauling gravel will be a safety issue. These trucks continue to speed and usually not regulated.
4. Buffer zone – the proposed buffer zone for the gravel pit is not consistent with other pits (information acquired from meetings with other residents in Bearspaw).

We beg you to carefully consider the residents of Bearspaw, and the serious irreversible impact on the land, the homes, and lives of the people residing in your jurisdiction.

Sincerely,

Han and Katy Kim  
16 Silverwoods Drive

M.W. Edwards  
32 Crestview Estates  
Calgary, Alberta T3R 1E1

20 January 2020

Crestview Citizens  
Rocky View County

Ladies/Gentlemen,

This note is about the recent Rocky View decision, and process, to lease a road allowance provision to Lehigh Hanson. Specifically, the extension of Rocky Ridge Road north of Burma Road.

The County circulated information about the proposed lease to 67 individual property owners in the general area. In most of these instances, there were two names on the title. (for instance, Michael and Aartje Edwards). The initials of those who chose to respond to the County's inquiry and the exhibited preference are listed below. Some asked questions which the County responded to while others simply checked a box on a form indicating whether they supported or opposed the proposed lease.

<u>Respondents</u>	<u>On List (Y or N)</u>	<u>Support (Y or N)</u>
J M	N	Y
LM	N	Y
Burnco	Y	Y (qualified)
KP	Y	Y
DG	Y	Y
DF	Y	Y
?F	Y	Y
UK	Y	Y
SK	Y	Y
CR	Y	Y (File # PL20190120 – Woodland Road)
EC	Y	Y
JL	Y	Y
CL	Y	Y
CS	Y	Y
MC	Y	Y
RC	Y	Y
R&JG	Y	N
L&ZK	Y	N
R&TL	Y	N
DZ	Y	N
ME	Y	N

Based upon the above, derived from a FOIP response, 16 parties supported the lease while 5 parties did not support the lease. A County representative indicated the actual 'vote' was 16 for and 6 against.

If however, you knock out the first two names that were not invited by the County to opine and live some distance from the proposed lease, the 'vote' becomes 14 – 5.

Next, if you exclude the affirmative 'vote', from CR because this is for a completely separate lease (south of Hwy 1A- about 5 miles away) and was not part of this proceeding, the 'vote' becomes 13-5.

It should be noted that Burnco affirmative view was qualified as, from time to time, it uses a portion of the road allowance to load water from a slough on the west side of its property onto a tank truck and transport it along the road allowance and Burma Road for use in its nearby pit. The point is that part of the road allowance is actually used for commerce, from time to time.

Not all if the information submitted was reported by our County. I submitted numerous communications on this issue mentioning things like:

- Power line right of way
- Water co-op right of way
- Lehigh's handling of cattle (and fertilizer) on a neighbour's lawn
- Lehigh's 'Baling Wire' and 'Sucker Rod' approach to fence 'repair'
- If the County's population forecast is accurate, the road allowance may be needed for, of all things, a road
- Dealing with the 'nefarious activities' issue using normal enforcement methods (rather than access restrictions).

My last, and the **only reported** communication in the FOIP response, (September 27<sup>th</sup>) was truncated (chopped off). The missing part started with 'Thirdly, ....'. Although part of mine was missing, a neighbour's submission was completely missing - not recorded at all

Importantly, four pairs of forms were submitted from four separate addresses on the list all supporting a 'grazing lease' for the gravel corporation. These were all counted individually (8 of them). Three of the submissions not supporting the lease were also signed by pairs of householders and two more were from one person but representing two. Each of these five submissions was counted as one. Nobody not in favour of the leasing, to my knowledge, was aware of this 'counting methodology' employed by our government. If all of the submissions were treated equally, the 'vote' would have been closer with the Burnco affirmative still being conditional.

We need to have the same rule book for all parties and all parties need to know what is in that rulebook.

Rocky View can do better! Inland/Lehigh Hanson/Heidelberg is in the gravel business – not the 'grazing' business.

Yours truly,

Mike Edwards



Council  
MD of Rocky View NO. 44  
911 32 Ave NE  
Calgary, Alberta

Subject: Incompatible Land Uses - Bearspaw Area Structure Plan

The Concerned Citizens believe that country residential and large industrial land uses, including gravel extraction, are not compatible and should not be allowed to occur without significant buffer zones in primarily residential areas such as Bearspaw.

This view is shared by 1631 Rocky View residents who have affixed their signatures to the attached open letter to Council. The view expressed in this letter is widely and strongly held. The vast majority of those citizens who were invited to express their views on this policy issue signed the letter. Over 1000 of the 1631 reside in the area defined for the Bearspaw Area Structure Plan while the remainder are from the Springbank and Simon's Valley regions.

We note that only last year, Council rejected a rezoning proposal by a 9 to 1 vote that would have reclassified lands on Burnia Road for resource extraction purposes - lands adjacent to acreage developments. We believe that was the correct and wise action to take and applaud Council's decision.

With substantial majority support in the community, we urge Council to make firm provision in the Bearspaw Area Structure Plan to preclude resource extraction land uses in the vicinity of existing country residential type developments (defined to be "Small Holdings" and "Country Residential" in the Rocky View Land Use Bylaw).

As our elected representatives, we have placed our trust in you and trust that you will implement appropriate policy to address this concern. Thanks!

Yours truly,



M.W. Edwards  
for Concerned Citizens' Organization

Copies

L. Korschuk - Reeve  
R.W. Cameron  
W. Fullerton  
N. Devitt  
G. Wilkinson

J. Isley  
R.C. Anderson  
G.D. Vincent  
D. MacFarlane  
A. Hall

Hon. Brian Evans  
Hon. Shirley McClellan  
Hon. Steve West  
Roy Brassard



OPEN LETTER to:

Council of the MD of Rocky View No. 44  
 911 32 ave NE, Calgary, AB T2M 4L6

Re: Gravel Extraction and Processing in the MD of Rocky View No.44

We, being residents of the Municipal District of Rocky View, request that Council ensure that no new gravel extraction and processing operations are located within two miles of existing country residential (acreage) type developments.

NAME	ADDRESS	PHONE	SIGNATURE
HERBERT J. SULLIVAN	[REDACTED]	[REDACTED]	[Signature]
Wendy Nikforuk	[REDACTED]	[REDACTED]	[Signature]
RALPH HUGHES	[REDACTED]	[REDACTED]	[Signature]
Stuart Watson	[REDACTED]	[REDACTED]	[Signature]
Brad Almond	[REDACTED]	[REDACTED]	[Signature]
Anne Loxinski	131 Caunting Creek Lane R.R.4	[REDACTED]	Anne Loxinski
Marian Boyd	[REDACTED]	[REDACTED]	Marian Boyd
JOSEPH DOW	[REDACTED]	[REDACTED]	[Signature]
MARK J. KJAKE	[REDACTED]	[REDACTED]	[Signature]
ALFRED BUCHWITZ	[REDACTED]	[REDACTED]	[Signature]
Tom Keuter	[REDACTED]	[REDACTED]	[Signature]
David Elderfield	[REDACTED]	[REDACTED]	[Signature]
Don Hietan	[REDACTED]	[REDACTED]	[Signature]
Pat Gibbings	[REDACTED]	[REDACTED]	[Signature]
Diane Swenson	551 Box 90 Site 19 Blue Ridge Rd	[REDACTED]	Diane Swenson

## The Gravel Supply

*Pit opened in 1998*

- The Spy Hill site is part of a large geological feature known as the Big Hill-Cochrane Upland, that has been identified in a number of aggregate resources surveys including S.R Moran's 1986 report for the Alberta Research Council.
- The site represents one of the last remaining supplies of accessible, high-quality gravel within the City of Calgary. Other possible gravel sites in northwest Calgary and in the M.D. of Rocky View have been lost through on-site surface development or surrounding country residential development.
- The Spy Hill site provides a 40-50 year supply of gravel for Inland's operations in north Calgary. This will support a competitive market for construction and development materials in north and west Calgary and help to keep community development costs affordable.
- The site provides a supply of high-quality gravel suitable for asphalt and concrete mixes intended for uses such as freeways, airport runways and building construction.

## Depth of Gravel and Planned Excavation

- The site contains a topsoil/overburden layer that is typically 9 to 12 metres in depth. The average depth of gravel below the overburden is 25 metres. This means that extraction and processing facilities located on the floor of the excavated area will be well below existing grade level, and will not be visible from any existing or future residential areas.
- No groundwater was encountered in test boreholes drilled beyond the base of the gravel into bedrock. Water well reports for the general area also show no water was encountered in the gravel layer. All discoveries of water occurred in the shales and sandstones beneath the gravel, usually in the range of 15-30 metres below. Therefore, the operation will not intrude into, or interfere with the groundwater table.

## Conclusion

- The Spy Hill site contains a large quantity of high quality, non-renewable gravel resources. The Stage 1 aggregate operation will use this non-renewable resource in accordance with the intent of the proposed Provincial Land Use Policies.
- The Stage 1 aggregate operation and timing of extraction are compatible with existing land uses and planned future land uses in the vicinity of the Spy Hill site.

Mike Edwards  
32 Crestview Estates  
Calgary, AB T3R 1E1  
15 January 2021

Council – County of Rocky View  
262075 Rocky View Point  
Rocky View County, AB  
T4A 0X2

Re: Proposed Bylaw C-8082-2020 (Opposed)

Ladies/Gentlemen:

My wife and I have lived in Crestview Estates in Rocky View, a keyhole cul de sac of seven (now eight, one was subdivided in 1983) country residential properties since 1984 (36 years). The properties were originally severed in 1978. We have enjoyed the country life and wildlife with the only negatives being an occasional land-use change proposal that would benefit a member of the gravel industry, which has done a very poor job of looking after its supply chain, but would be horrible for existing residents. Our County's resistance to deal with the heavy truck traffic resulting from the six existing gravel extraction and crushing operations in the immediate area has also been a major disappointment. These extraction operations cover about 4.5 sq mi or 11.65 sq km of surface land.

The first challenge came in 1992 when a predecessor of Inland/Lehigh Hanson/Heidelberg applied for an approximately 320 acre gravel extraction and crushing operation immediately west of the Burnco operation on Burma Road. This application was withdrawn after Burnco was turned down on its first try. It re-applied in 1994 after Burnco was successful on its second try. This was all before the country residential communities of Church Ranches, Silverwoods and Briarwoods were all approved by the (then) MD of Rocky View resulting in over 200 new country residential properties in the immediate area.

In 1994, Rocky View Staff recommended against approval.

**“In Staff's view, a gravel pit operation in such close proximity to significant residential development areas is incompatible and would result in potentially conflicting land uses and adverse affects upon the adjacent residential lands.”**

The 1994 Hearing lasted over 9 hours (and into a second day) and finally concluded with a 6-3 vote against the gravel corporation. Those voting for gravel were Councillors Devitt, Konschuk and Anderson. Those voting against gravel were Councillors McFarlane, Vincent, Hall, Wilkinson, Fullerton and Cameron. In the minds of residents, Staff got it right and so did our Council.

We thought that would be the end of the gravel threat to our homes but Inland/Lehigh Hanson/Heidelberg persisted and purchased the remainder of Section 5 on Burma Road at elevated prices in spite of its rejection for a smaller 320 acre extraction operation in 1994. (The price for the NW quarter of Section 5, originally owned by Ona De Vries, was bid up by speculators before it was finally sold to Lehigh Hanson for \$11,200,000 in 2008 – it had been purchased by an Alberta numbered company for \$8,000,000 in 2007.)

The 2010 Hearing commenced during what, for utility planning purposes, was regarded as the coldest week of the year. It was attended by an overflow crowd that were seated out in the hall watching video feeds and were ferried back and forth to the Municipal Building by a school bus from a golf facility nearby. The 'Concerned Citizens Organization', as the resistance was called in those days, paid for the bus. The proceeding started off with Staff showing a video of the area prompting the Reeve to ask "Where are the houses?". There was only one shown and that from a distance. In truth, there were many houses but Staff chose not to point them out in its video. A map showing the density of letters received

by the MD in 2010 is attached for balance. All were opposed! Rocky View Staff however, in its wisdom and with the map of opposition locations available to it, did a complete ‘about face’ from its 1994 position and recommended approval for the now 600 acre gravel extraction operation in Section 5. A description of events leading up to the Hearing written right after the Hearing is attached. It includes reference to a letter opposed to the extraction operation that was **not included** in the package that was presented to Council by Staff. Fortunately for the residents, Council did not follow its Staff’s recommendation and the changes were voted down 9-0. The Councillors voting “NO” were Habberfield, Loudon, Rheubottom, Yurchak, Branson, Solberg, Boehlke, Buckley and McLean. The Planning Manager left the employ of the MD shortly thereafter.

We thought this resounding rejection would be the end of it. Unfortunately, we were wrong again. In 2011, Inland/Lehigh Hanson/Heidelberg doubled down again and drilled three more test wells on Section 5 and then trashed and hauled away the three residences and associated farm buildings that were on the property and were responsible for a large portion of the corporation’s municipal tax bill. The tax bill was now about **\$850/year for 600** acres touching the corner of Calgary as long as some ‘critters’ were trucked in for a few weeks each year to ensure agricultural tax treatment. One of those rental animals died a horrible death when it could not extract itself from a mudhole and starved there.

Inland/Lehigh Hanson/Heidelberg has been fined to total of **\$132,229,089** in the U.S. since 2000 primarily for environmental transgressions according to:

<https://violationtracker.goodjobsfirst.org/parent/heidelbergcement>

This is not a corporation we would want as a neighbour in Bearspaw or, indeed, anywhere in Rocky View! Also, a worker at its Spy Hill operation was “squished” in the cement pipe yard and died enroute to hospital on February 19, 2019. Alberta Health and Safety is continuing to investigate this mishap (File OHS 162892). When the investigation is complete, a report will be available for viewing.

As stated in the response to the previous very similar Rocky View request from Andrea Bryden, Inland/Lehigh Hanson/Heidelberg had an opportunity for a 30% interest in the STAR facility along with Lafarge (30%), Burnco (30%) and Volker-Stevin (10%). It chose to bid on the project separately and unsuccessfully and Lafarge assumed its 30% interest. “Some lawyer in the States told us not to be part of the consortium!” was allegedly the reason for backing out. A 30% interest in STAR would have guaranteed Inland a gravel supply for the foreseeable future. We question whether or not all of the gravel underlying its existing Spy Hill site has been extracted. There are numerous surface facilities including a cement plant, asphalt plant and pipe mill as well as a huge overburden pile on the west side of the half section. At its 1997 development Hearing before the City of Calgary, Inland/Lehigh Hanson/Heidelberg made the following statements:

**“The Spy Hill site provides a 40-50 year supply of gravel for Inland’s operations in north Calgary”**  
and

**“Other possible gravel sites in northwest Calgary and the M.D. of Rocky View have been lost through on-site surface development or surrounding residential development.”**

We are now about halfway into that “40-50 Year” period yet Inland has apparently been buying gravel from STAR and acquiring gravel from the excavation for the Cancer Centre at the Foothills Hospital. Inland also seems to have changed its mind about the “... surrounding residential development” statement (Bearspaw??) and the amount of gravel in place. There were a number of test holes behind the 40-50 year forecast for Spy Hill – it is difficult to believe the original forecast is that far wrong? Rather, it is highly likely that Inland’s surface facilities and large pile of overburden on the west side are covering over large amounts of gravel still in-place at Spy Hill.

At its 2010 application before Rocky View Council, Inland/Lehigh Hanson/Heidelberg promised that this proposal was for Aggregate Extraction Only (page 11). There would be:

No Crushing

No Screening  
 No washing  
 No processing of concrete or asphalt  
 No retail sales or distribution and  
 No substantial stockpiles.

In addition, the Applicant would help resolve the Bearspaw surface water problem by pumping it into the hole.

In 2021, the biggest change is that a crusher will now be required in the pit and there will be a 2½ mile conveyor belt to transport the gravel to the Applicant's existing Spy Hill operation that will have to go under two main roads – 85 St and Burma Road. This will reduce the truck traffic on 85 St but not overall in NW Calgary as the product will still have to be trucked onward from the existing Spy Hill operation on 112 Ave NW. The 'conveyor' system, if there is a benefit to it, seems to favour Calgary – not Rocky View. Any fixed assets that could generate tax revenue will be in Calgary – not Rocky View. When first the conveyor system was proposed by Inland/Lehigh Hanson/Heidelberg a request was made asking where the conveyor photos in a brochure came from so that Bearspaw residents could contact those nearby to inquire about noise, dust, etc. The response received from Inland's agents was that they did not know the location of the conveyor as the photos used were simply 'stock photos'.

Contact with residents and explanations have been minimal despite a long diatribe in the MSDP. Prior to 2010, a personable young man attempted to have meetings with some Bearspaw families to discuss the benefits of a gravel extraction project. He was not successful, although some residents did meet with



him out of politeness. In 2021, none of this personal contact with residents occurred. Also, in 2010, the Applicant attempted to simulate what the project would look like from some nearby upstairs windows. It was not successful in converting residents to "gravel believers". None of this happened in 2021 although the Applicant started off with some meetings in 2016 which were abandoned because of poor results.

The photo (above left) was taken at an impromptu meeting of Bearspaw residents announced by word of mouth only after Lehigh Hanson had indicated an intention to pursue a third gravel application near where people already lived. The meeting was held at the Lions' Hall on February 24, 2016 and was attended by an overflow crowd of 130 Bearspaw residents.



This is a photo taken outside one of Lehigh Hanson's poorly attended 'community meetings'. The only people inside the building on March 3, 2016 were Lehigh personnel and some of its hired agents. Rocky View residents were thoroughly disgusted with Lehigh Hanson's efforts to insert a gravel extraction operation with all its property value destroying externalities into a country residential setting for the third time.

Indeed, breathing gravel dust will shorten your life



as was explained by Dr. Nigel Boyd under questioning by Councillor Gordon Vincent at the first 1994 Rocky View Hearing,

On the question of community involvement, Alberta's Utility Commission offers the following guidance in connection with high voltage transmission lines near where people live through a Participant Involvement Program (PIP) under Rule 007. (A high voltage transmission line is regarded as anything carrying greater than 138 kv.) An operating gravel pit in the midst of a country residential development is a far more insidious presence than an overhead power line. An Applicant must offer proof that



individual meetings to explain their proposal and answer any questions have been held with all potentially affected and 'interested parties'. Lehigh Hanson has done none of this – ignoring any legitimate questions about the project and instead trying to overwhelm a reader with mounds of superfluous, even supercilious, largely irrelevant detail.

There are about 1000 pages of 'bumpf' in the series of hardcopy 'studies' as the photo shows (pile on the right). The consultant, AECOM, was perhaps getting paid on the basis of the number of pages or even the number of words? Expecting affected ordinary citizens to cycle through this

huge amount of 'information' and 'misinformation' and then attempt to understand it is unrealistic on behalf of the Applicant.

A comparison of Lehigh Hanson's three applications should help determine if this foreign corporation has learned anything during the past 27 years.

YEAR /	1994	2010	2021
Area (acres)	320	600	600
Pit Depth (m)	40	60	?
Playing Fields	Yes	No	No
Football	√	-	-
Baseball	√	-	-
Parking	√	-	-
Retention of Farm Buildings	Yes	NO - Trash	NO - Trash
Tonnage (thousand t/d)	1700	10,000	?
Sound Level (max in db)	55	58	55*
Setbacks from Crestview Estates (m)	475	130	130
Maximum Disturbed Area (acres)	40	40	60
Trail System (km)	4.8	1.3	-
Blasting	NO	Yes	Yes
Hours of Operation (hrs/week)	55	-	76
* Maximum Sound Levels would exceed 120 db at Crestview Estates During Blasting			

As may be seen from the above table, Lehigh Hanson increasingly seems to care less about neighbours in the surrounding community – where people live and have made their homes. This is evident by sound levels, longer operating periods, less amenities such as a trail system, more blasting and lesser setbacks from pre-established residential developments such as Crestview Estates. In terms of motivation, it



reminds one of the ABBA song from 1979 entitled Gimme! Gimme! Gimme!. Profit is not a substitute for brains or reasonable understanding and empathy!

In terms of cumulative effects, the Lehigh Hanson analysis needs to incorporate the air quality impact that its proposed project has upon the community along with the impacts of each of the six other gravel extraction and crushing operations has upon the neighbouring community.

An isopleth is a ring of constant pollution caused by an activity somewhere inside that ring. As one travels further from the epicenter the subsequent rings relate to lesser concentrations of that pollutant. Importantly, when two rings cross the concentration at that particular geographic point is the sum of the values from the two rings. Each of the six operating gravel extraction and crushing facilities in the northwest Calgary area will have its own set of generated isopleths. In 2010, the Lehigh Hanson consultants estimated a concentration of PM<sub>2.5</sub> particulates of 30µg/cm in the area of Crestview Estates – oddly enough that concentration was exactly the same as the Provincial Guideline for PM<sub>2.5</sub> of 30µg/cm at that time. The 2010 application however contained no crushing in the pit whatsoever whereas the 2021 application now embodies a crusher. What we have from Lehigh Hanson in 2021 is more dust from an added crusher yet the predicted concentrations of dust are less than eleven years earlier? This is what the Applicant wishes to convince the people who will have to breathe the ‘bad air’ caused by gravel dust because that is where they live! People who have to breathe that gravel dust will undoubtedly live shorter lives!!!! This was pointed out in the Alberta Sand & Gravel Association’s “Silica & Dust Exposure Control Handbook”. Is that what Rocky View wants for its citizens?

Health Canada published the following in 2019: “Health Impacts of Air Pollution in Canada”, estimates of morbidity and premature mortality outcomes. It is available at:

[http://publications.gc.ca/collections/collection\\_2019/sc-hc/H144-51-2019-eng.pdf](http://publications.gc.ca/collections/collection_2019/sc-hc/H144-51-2019-eng.pdf) Lehigh Hanson would do well to examine it. Rocky View Staff should do the same.

The Calgary Regional Airshed Zone (CRAZ) of which Rocky View is a Member, stated the following regarding PM<sub>2.5</sub> (the smallest particulate – it is contained in gravel dust) in its Newsletter of November 2012 **“There is no safe level of exposure and increased levels of particulate matter may cause congestion, difficulty breathing, asthma attacks and, occasionally, death. PM<sub>2.5</sub> is also associated with an increase in heart attacks.”**

Government and the municipalities of Calgary and Rocky View need to think about what will happen when the gravel has all been exploited. We will be left with six very large holes in the ground with only one of them getting filled – that of Calgary, with garbage. Northwest Calgary will soon look like Johannesburg, South Africa which has left-over excavations (deep holes) in many places. A difference is

that in Joburg they were looking for something much more valuable than gravel.



Whenever you dig a deep hole, water tends to accumulate in the bottom. (In a sense, this is part of the reason behind farm dugouts – and is part of ‘desert survival’ seminars.) The gravel industry likes to call it ‘stormwater’ because it obviates the need to explain any interaction with the water table. In truth, most of this water is groundwater and comes from the water table which rises somewhat when the weight of the overburden above is removed. It does not come from the ‘skies’ in the form of ‘stormwater’ as the industry is fond of claiming. This photo is from a fenced-off area in ‘Inland Park’ in northwest Calgary. It is a former Standard General pit and our only currently



‘reclaimed’ large pit in the area. It simply shows a ‘slough’ with no agricultural propensity whatsoever.

The land on the previous page is unlikely ever to be returned to its original agricultural use (or equivalent, whatever that means) as industry is fond of claiming. It reminds one of reclaimed land in the Netherlands that constantly has to be pumped out.

This piece of land is in the process of being ‘reclaimed’ in the Villeneuve area near Edmonton. It has water in the bottom and is unlikely to ever achieve its former propensity to grow things once the gravel is removed.

Another aspect of ‘groundwater’ is that when Lehigh Hanson trashed the farm and buildings for both the former Scott property and the De Vries property in Section 5 using very large tracked backhoes, a number of wells were just left and not properly abandoned. These ‘straws’ remain in the groundwater today.

The Crestview community well has a water contact level measured at 145’ below the surface. The expected gravel excavation is much deeper than 145’ raising the possibility of losing the Crestview community well which has served its people for over 40 years without problem. Blasting could also put the well in further jeopardy. It currently costs each resident about \$1/day for about 200 gallons/day of water from the well and is therefore much, much more economical than a hook-up to the Rocky View Water Co-op which has significantly higher capital and operating costs.

Another myth propagated by the gravel industry is that berms are for the benefit of the neighbours. In truth, when the overburden is removed the fill has to go somewhere and the best place is to pile around the edge of the excavation.

The word ‘Mitigate’ is often used by the gravel industry (and municipal planners) and is defined as – to alleviate, moderate or reduce the severity of impacts. It means to “lessen or reduce” – nowhere does it state “By how much?”

“Mitigation” is definitely not avoidance – and is not a synonym for “eliminate”.

“Mitigate” is most often used when an agency or entity simply wants you to agree to something you will not like and will cost you while it benefits the agency or entity. (The problem with noise and dust reduction is that they cost money but add absolutely nothing to the value of the product – therein lies a problem!)

Rocky View’s planners have not been balanced when it comes to recommending additional gravel extraction operations. This started when they recommended approval of what would have been the second largest extraction operation in all of Canada on Burma Road and right next to Crestview Estates in 2010. This was deemed to be good planning! One of the things a Reeve’s Task Force reported in 2012 was a need for some gravel policy such that **the gravel industry would know where it could go and the citizens would know where it could not come**. This became known as the Aggregate Resources Plan (ARP). Along the way, the planning department hired an Associate Member of the Alberta Sand and Gravel Association (ASGA) to assist with the policy development. A number of public meetings were held where views could be expressed and one private meeting advertised on the ASGA website but not the Rocky View website that was for ‘Industry Only’ – the public was prohibited from attending. Unfortunately, this Task Force recommendation did not pass at Council despite a significant investment in time and money. Also, in 2010 Rocky View’s planning department forgot to submit all



letters in opposition for Council's consideration. In 2017, bound copies of the 1993 "OPEN LETTER" to Council signed by 1631 Rocky View citizens asking for setbacks of at least two miles between **new** gravel extraction operations and **existing country residential** land-uses were sent to Council Members but were hijacked by Rocky View Staff although it was clearly marked on each copy that it was for Council. In 2019 the method by which Staff decided to lease a road allowance to Inland as a 'grazing lease' was also suspect and only revealed following a FOIP request. The Glenbow Ranch Area Structure Plan (GRASP) swept a large amount of river gravel between Calgary and Cochrane under the planning carpet that had been identified by the Alberta Research Council in 1986. For practical purposes, those gravel deposits ceased to exist. Rocky View's Planning Department ceded complete control over the thousand pages of 'bumpf' to the Applicant. The Applicant now knows which part of its application is most contentious and who is doing the contending.

The deposit that the Burma Road gravel is part of is thought to start at 14 St NW and John Laurie Blvd in Calgary and then proceed generally northwest to past the Town of Water Valley. The contentious deposits in Hwy 567 are part of this trend as is Nose Hill. Gravel supply is not a pressing issue in the Calgary area!

The Edmonton area has two gravel operators that rail finished gravel into the region from about 200 km to the west – leaving most of the externalities such as noise and dust about 200 km away.

<https://www.youtube.com/watch?v=WuJzV8Xxb98> The Calgary area also has a rail line and identified gravel deposits both upstream and downstream on the Bow River.

We hear the rumbling, grumbling sound of gravel extraction coming from somewhere every night. We would not like it to get any closer. A study done by realtor Keith Braun for Bearspaw indicated that **home values** for Crestview **could diminish by 25% or more** if a gravel extraction and crushing operation located next door. This should not happen in our Rocky View!

Yours truly,

*Original Signed by*

*M.W. Edwards*

Mike Edwards Crestview Estates

**Insanity** (def'n) – **doing the same thing over and over but expecting different results.** (Albert Einstein)



'Sal' – a salamander from Section 5 on Burma Road.



Sign – formerly at the entrance to the City pit/dump.

## The Gravel Supply

*Pit opened in 1998*

- The Spy Hill site is part of a large geological feature known as the Big Hill-Cochrane Upland, that has been identified in a number of aggregate resources surveys including S.R Moran's 1986 report for the Alberta Research Council.
- The site represents one of the last remaining supplies of accessible, high-quality gravel within the City of Calgary. Other possible gravel sites in northwest Calgary and in the M.D. of Rocky View have been lost through on-site surface development or surrounding country residential development.
- The Spy Hill site provides a 40-50 year supply of gravel for Inland's operations in north Calgary. This will support a competitive market for construction and development materials in north and west Calgary and help to keep community development costs affordable.
- The site provides a supply of high-quality gravel suitable for asphalt and concrete mixes intended for uses such as freeways, airport runways and building construction.

## Depth of Gravel and Planned Excavation

- The site contains a topsoil/overburden layer that is typically 9 to 12 metres in depth. The average depth of gravel below the overburden is 25 metres. This means that extraction and processing facilities located on the floor of the excavated area will be well below existing grade level, and will not be visible from any existing or future residential areas.
- No groundwater was encountered in test boreholes drilled beyond the base of the gravel into bedrock. Water well reports for the general area also show no water was encountered in the gravel layer. All discoveries of water occurred in the shales and sandstones beneath the gravel, usually in the range of 15-30 metres below. Therefore, the operation will not intrude into, or interfere with the groundwater table.

## Conclusion

- The Spy Hill site contains a large quantity of high quality, non-renewable gravel resources. The Stage 1 aggregate operation will use this non-renewable resource in accordance with the intent of the proposed Provincial Land Use Policies.
- The Stage 1 aggregate operation and timing of extraction are compatible with existing land uses and planned future land uses in the vicinity of the Spy Hill site.

## Bearspaw Land Redesignation for Gravel

January 26, 2010

### - County Actions -

Following are some observations of the process leading up to and at the January 26, 2010 hearing to redesignate and approve all of the lands in Section 5 – 26 – 2 – W5 (excepting 34 acres known as Crestview Estates – approved in 1978). Please view map - Attachment 1.

- A smaller 320 acre (and in many respects less invasive – please see Attachment 2 – „Then and Now“) gravel extraction project was rejected twice in the early 1990's - one reason cited for rejection then was its negative impact upon existing residents. In both 1990's instances, municipal Staff recommended against approval. Since then, new residential projects including Church Ranches and Silverwoods have been approved resulting in about 200 more homes within a mile or so of the proposed project. Additional adjoining gravel property was purchased by the Applicant, Inland, in 2008 (including all that surrounding the keyhole cul de sac known as Crestview Estates) and an application was submitted for a 200' deep pit commencing 90 meters from the edge of Crestview. The Crestview community well has a standing water level about 150' below surface. (A likely recipe for lost wells.) Despite all this change, Rocky View staff this time chose to recommend that the expanded project affecting many more people be approved. As an aside, the 2008 property transfer document for the SW quarter of Section 5 showed an acquisition value of \$10,402,723. Rocky View, in its wisdom, assessed this 126 acre plot commencing ½ mile from the city limit, at \$20,540. Municipal taxes were some \$153/year. Truck traffic was to be 1000 normal trucks per day or 500 „B-Trains“ – large double trailers.
- Bearspaw Area Structure Plan – This plan, Attachment 3 (excerpt), shows the applied-for area as country residential with agricultural to the north. Other municipal documents (including an intermunicipal plan) did not include any reference to gravel as a land use.
- 'Concept Plan' - A draft concept plan (Attachment 4 - excerpt) came out in 2009. It proposed a complete about face from previous Rocky View planning documents. Its provisions seemed made to order for gravel extraction in Section 5 (immediately off the NW corner of Calgary – where Inland wanted to establish a new pit). What previously had been ranch and farm, suddenly

became a „transition“ zone for gravel extraction. This particular „transition“ zone was different than other „transition“ zones in the document (which buffered differing land uses) in that this was essentially a time „transition“ with essentially no distance buffer between non-compatible land uses.

*“This area is envisioned as a resource extraction area that provides suitable buffers to residential areas and provides mitigation measures for impacts associated with the operation of such extraction facilities. The post-reclamation use for these lands will be determined as the aggregate resource nears exhaustion, and will require an amendment to this plan.”* Page 43 of The Bearspaw Community Development Strategy – Draft at October 6, 2009 (P.S. The „suitable buffers“ apparently were a shallow berm starting at the residential property line – nothing more.)

- Along the way, there were disturbing comments about 'done deal' and so forth coming from Rocky View planning staff. These comments along with the planner's „new vision“ for this part of Bearspaw led to the letter to Rob Coon - Attachment 5. It is difficult to understand why a project almost twice as large in areal extent as one that Rocky View Staff recommended against, and Council voted against, fifteen years earlier, and with about two hundred more families in the immediate area, would now be endorsed by Rocky View's professional planning staff? Is recommending a 200“ gravel pit with all its externalities commencing 90 meters from a residential property line regarded as „good land use planning“? Rocky View staff apparently thought so.
- A statement made by a senior planner that it was the county's intention to replace the statutory BASP (which had some protections from gravel) with the non-statutory concept plan.
- Requests for a definition of 'water table' (referenced in the BASP) were made twice to the Rocky View ecology expert - no response. It seems that this person went to ground on the water issue. Water in the bottom of a pit is called „stormwater“. Most of it actually is groundwater.
- Requests to Rocky View for air quality data (required as part of a 1994 Burnco approval on 144 Ave NW) were denied. (One of the conditions of the Burnco approval was the measurement of air quality - yet nobody could see the information gathered.)
- Timing of the Hearing - it was scheduled for the last week in January which, for utility planning purposes, is regarded as the coldest week of the year and would have made it less likely for some residents to attend. Statistically, this timing would have a probability of happening on its own of about 2%.
- Written submissions - some letters received by the County on time according to published procedure did not find their way into the package that Council received. In addition, this extensive package only became available after the

weekend leaving Councillors less time for reading. (Attachment 6, from Han and Nelly Kim, is an example of an omitted letter submission.)

- A staff video of the area was shown at the hearing and, if you looked at it in isolation, you would have believed that there were no homes in the immediate area. One Councillor even remarked “Where are the houses?” Attachment 1 provides some description of the residential density.
- There was no formal application document produced - only sets of pages and ancillary studies. It was hard to tell where the 'application' started and ended.
- In late 2009, the Rocky View Financial Services Department indicated that production, for purposes of the Community Aggregate Payment Levy Regulation (\$.25/tonne), was:

Millions of Tonnes	<u>2007</u>	<u>2008</u>	<u>2009</u>
Staff Estimate – Late 2009	4.32	9.72	n/a in 2009
Estimate Provided to Task Force – Fall 2010	5.94	5.26	4.16

A later estimate, requested by the Reeve’s Task Force showed different numbers. These significantly differing values for the same well-defined line entry for 2007 and 2008 were provided by Rocky View financial staff. (The 4.32 million tonne estimate for 2007 was also referenced in the gravel application.) Calgary, for comparison, had 5.84 million tonnes in 2008 and 3.66 in 2009.



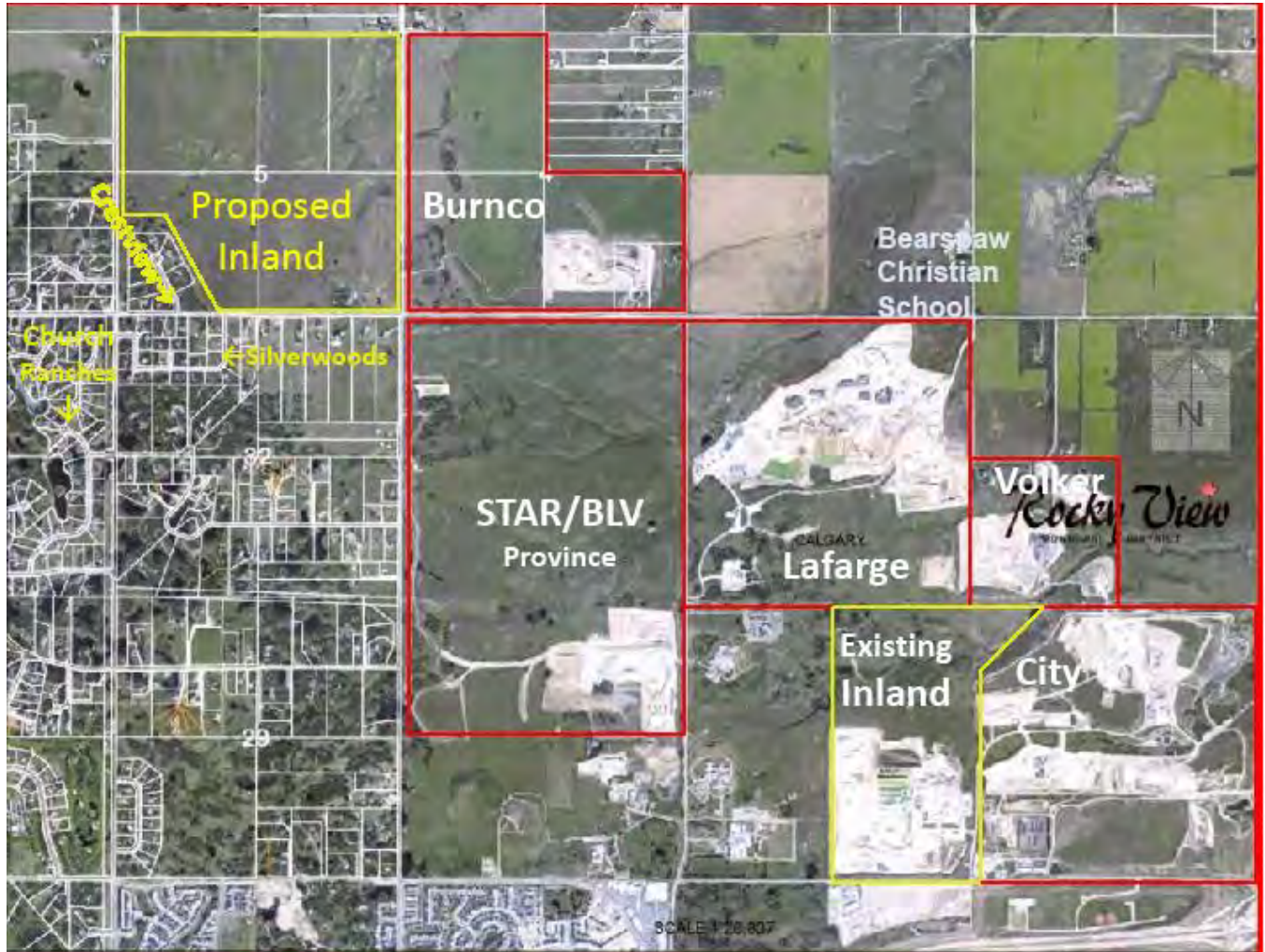
„Scott Farm“ – Buildings were painted and had roofs 15 years ago.



## ATTACHMENT 1

### Bearspaw and NW Calgary Map

(Showing proposed gravel pit location in Section 5 north of Burma Road)



The proposed pit initially envisioned 1000 one-way truck trips per operating day – later reduced to 500 trips using B-Train type vehicles (about twice as large). The route would have been east on 144 Ave past Burnco and down 85 St past the jails to 112 Ave NW and then east to the existing Spy Hill facility (“Existing Inland”).

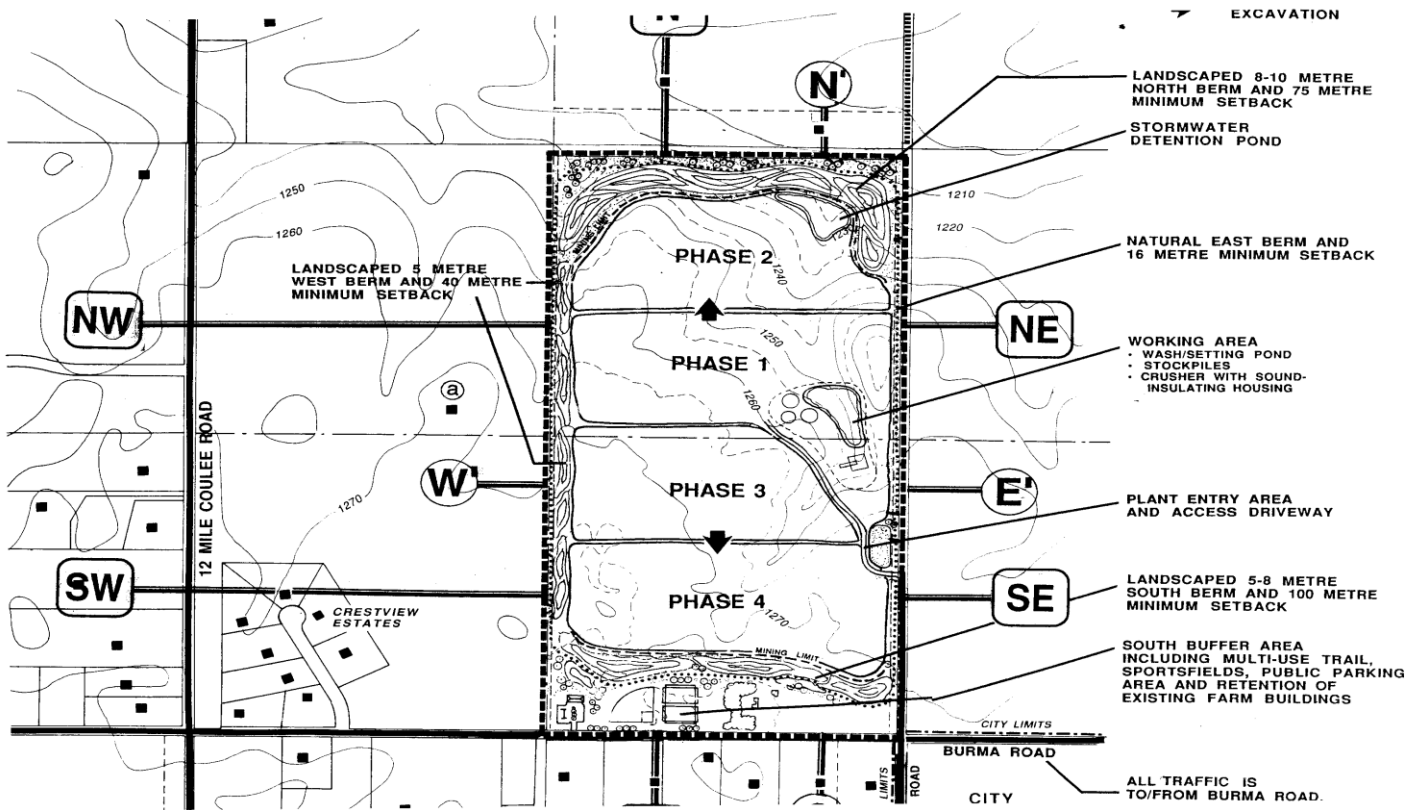
## Attachment 2

### Then and Now

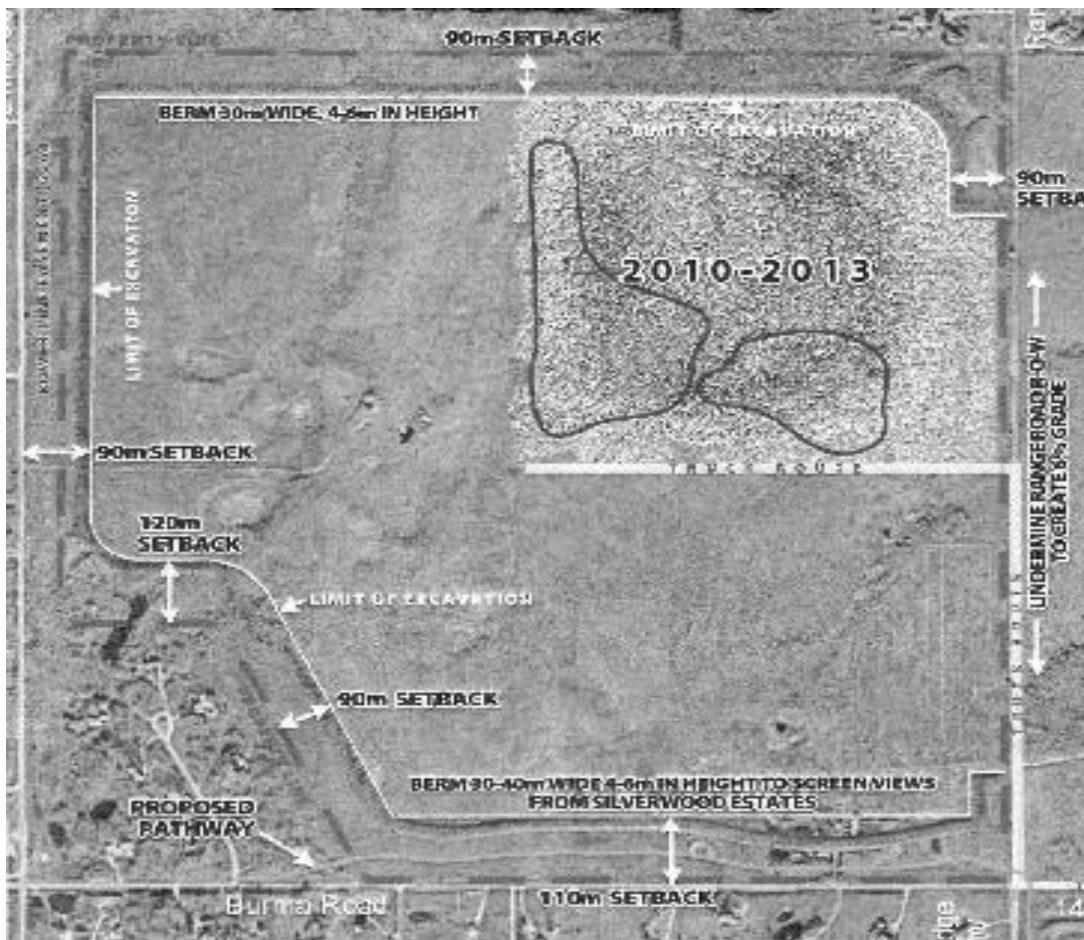
A comparison of Inland's second application on Burma Road from 1994 (which was unsuccessful) and its current 2009 application (as of September 2009). Inland (Lehigh) is a successor to Consolidated (CBR).

	<u>THEN</u>	<u>NOW</u>
Company Name	Consolidated Aggregates	Inland (subsidiary of Heidelberg Cement)
Consultant	Walker Brown	Brown & Associates
Recoverable Gravel	25 MMT	54 MMT
Test Holes	9	8 (including the 9 from before)*
Pit Area	316 acres gross – net unavailable	606 acres gross - 512 acres net
Pit Life (years)	N/A	15 – 20
Stormwater Retention Pond	Yes	Yes („stormwater“ or groundwater?)
Truck Loads/day	85 (each way)	250 (40 tonne B-trains each way)
Proposed Road Changes	None	4 lanes + lights 85st & Rockyridge
Operating Days/year	220	N/A (Calculate 250?)
Crushing	Yes – with an acoustic cover	No (for now)
Blasting	No – Maybe Later	Yes
Noise Levels (nearby residences)	55dBA (maximum daytime)	Not Provided
Trail System	Yes – 3 miles (4.8 km)	Yes - .8 mile (1.3 km)
Sports Fields – Burma Road side	Yes – football and baseball	No
Parking	20 – 30 vehicles	No
Retain existing farm buildings	Yes	No
Setbacks – to edge of mine		
North	100 m	90 m
South	160 - 240 m	110 m
East	16 m	Excavate under road allowance
Crestview Estates	425 m	90 – 120 m
Berm Height		
North	8 – 10 m	4 m
South	5 – 8 m	4 – 6 m
East	0 m	0 m
Crestview Estates	5 m	4 - 6 m

\* Inland provided a map showing the location of 8 test holes – all old and on the east half. Locals saw, from Burma Road, a drilling rig working on the west half about a year ago but Inland provided no recognition of such a test hole. In one part of the application, 15 holes were actually listed.



"Then" 1994 Application



„NOW“ 2009 Application



Attachment 3 – BASP

Attachment 5 – Letter to Rob Coon

M.W. Edwards  
32 Crestview Estates  
Calgary, Alberta T3R 1E1

November 5, 2009

Mr. Robert Coon, CAO  
Municipal District of Rocky View  
911 32 Avenue N.E.  
Calgary, Alberta T2E 6X6

Dear Mr. Coon,

I am writing on behalf of a number of concerned Bearspaw Residents to, again, request a meeting with you and Ms. Pesowski to try to understand why it has become the MD's position that Section 5, just off the NW corner of the City, should be designated for gravel extraction and the quarter section in Rocky View south of it 'transition'.

We assume that, in your professional capacity, you have good reasons for such a change in designation. Unfortunately, the people who would be affected by such a development through a variety of externalities including health impacts, lost real estate value and just quality of life issues, do not understand your reasons and therefore request a meeting with you and Ms. Pesowski, the parties ultimately in charge at the MD staff, to explain your thinking to us. We note that Council on two previous occasions has rejected a much smaller project that affected many fewer Rocky View Residents.

We have heard, from brave staff people sent to the front at open houses, things like 'Gravel extraction is MD Policy', 'Council wants it', "... because the gravel is there" and 'It's a done deal'. Even our latest Community Development Strategy lists the area as one of "...developing gravel pits." (page 43). Does this presume that Council, which we thought had ultimate authority on these matters, has already decided that it is an area for gravel development?

Mr. Coon, we expect that you, as the leader of the MD staff, will stand up and explain the MD's position on the matter of compatibility beginning with the assertions made in the Community Development Strategy document. Please, Rob, help us with this and do not hide behind bureaucratic cover. We will come to you for the meeting.

Thanks!

*Original signed by*  
*Mike Edwards* for  
Bearspaw Residents

c-cc Rocky View Councillors  
Rocky View Planners - some  
Alberta Municipal Affairs - various

## Attachment 6

Rocky View County  
911 - 32nd Avenue NE  
Calgary AB  
T2E 6X6

Re: oppose application 2009-RV-028 by Brown & Associates on behalf of  
Lehigh Cement (Inland)

To Whom It May Concern:

My family and I currently reside at 16 Silverwoods Drive and have called this address home for more than 5 years. We moved into this home with our two young boys one of which is handicapped with a serious disorder (Kearns Sayers Syndrome). We made every sacrifice to purchase this home so that they can have clean air, open spaces and privacy for a very long time.

We believe that to re-designate the lands located in Section 5 (except for Crestview Estates) from Ranch and Farm District to Direct Control District and application 2009-RV-040 to amend the Bearspaw Area Structure Plan (ASP) will seriously jeopardize the health of my handicapped son who depends on clean air and environment. We are afraid that the extra dust and pollution (noise and air) will be detrimental to his and everyone's health that have homes near the gravel pit

We are further vehemently opposed to the gravel pit for other reasons including:

1. Noise and Air Pollution – the amount of trucks that is proposed to go in and out of the gravel pit is excessive. The dust created by the gravel extraction and hauling is proven to cause higher levels of dust and pesticide particles.
2. Value of Home – homes close to the gravel pit will certainly lose a significant percentage of their value.
3. Traffic – as Burma road is already very heavy, the excess traffic caused by the trucks hauling gravel will be a safety issue. These trucks continue to speed and usually not regulated.
4. Buffer zone – the proposed buffer zone for the gravel pit is not consistent with other pits (information acquired from meetings with other residents in Bearspaw).

We beg you to carefully consider the residents of Bearspaw, and the serious irreversible impact on the land, the homes, and lives of the people residing in your jurisdiction.

Sincerely,

Han and Katy Kim  
16 Silverwoods Drive

Council  
MD of Rocky View NO. 44  
911 32 Ave NE  
Calgary, Alberta

Subject: Incompatible Land Uses - Bearspaw Area Structure Plan

The Concerned Citizens believe that country residential and large industrial land uses, including gravel extraction, are not compatible and should not be allowed to occur without significant buffer zones in primarily residential areas such as Bearspaw.

This view is shared by 1631 Rocky View residents who have affixed their signatures to the attached open letter to Council. The view expressed in this letter is widely and strongly held. The vast majority of those citizens who were invited to express their views on this policy issue signed the letter. Over 1000 of the 1631 reside in the area defined for the Bearspaw Area Structure Plan while the remainder are from the Springbank and Simon's Valley regions.

We note that only last year, Council rejected a rezoning proposal by a 9 to 1 vote that would have reclassified lands on Burnia Road for resource extraction purposes - lands adjacent to acreage developments. We believe that was the correct and wise action to take and applaud Council's decision.

With substantial majority support in the community, we urge Council to make firm provision in the Bearspaw Area Structure Plan to preclude resource extraction land uses in the vicinity of existing country residential type developments (defined to be "Small Holdings" and "Country Residential" in the Rocky View Land Use Bylaw).

As our elected representatives, we have placed our trust in you and trust that you will implement appropriate policy to address this concern. Thanks!

Yours truly,



M.W. Edwards  
for Concerned Citizens' Organization

Copies

L. Korschuk - Reeve  
R.W. Cameron  
W. Fullerton  
N. Devitt  
G. Wilkinson

J. Isley  
R.C. Anderson  
G.D. Vincent  
D. MacFarlane  
A. Hall

Hon. Brian Evans  
Hon. Shirley McClellan  
Hon. Steve West  
Roy Brassard

OPEN LETTER to:

Council of the MD of Rocky View No. 44  
 911 32 ave NE, Calgary, AB T2M 4L6

Re: Gravel Extraction and Processing in the MD of Rocky View No.44

We, being residents of the Municipal District of Rocky View, request that Council ensure that no new gravel extraction and processing operations are located within two miles of existing country residential (acreage) type developments.

NAME	ADDRESS	PHONE	SIGNATURE
HERBERT J. SULLIVAN			<i>Herbert J. Sullivan</i>
Wendy Nikitaruk			<i>Wendy Nikitaruk</i>
RALPH HUGHES			<i>Ralph Hughes</i>
Stuart Watson			<i>Stuart Watson</i>
Brad Almond			<i>Brad Almond</i>
Anne Lozinski	131 Cassinway Circle Lacombe R.R.4		<i>Anne Lozinski</i>
Marian Boyd			<i>Marian Boyd</i>
JOSEPH DOW			<i>Joseph Dow</i>
NEENA A. KURKE			<i>Neena A. Kurke</i>
ALFRED BUCHWITZ			<i>Alfred Buchwitz</i>
TOM KESTER			<i>Tom Kester</i>
David Elderfield			<i>David Elderfield</i>
Ron Hietala			<i>Ron Hietala</i>
Pat Gibbings			<i>Pat Gibbings</i>
Dean Swenson	551 Box 90 Site 19 Blue Ridge Rd		<i>Dean Swenson</i>





M.W. Edwards  
32 Crestview Estates  
Calgary, Alberta T3R 1E1

20 January 2020

Crestview Citizens  
Rocky View County

Ladies/Gentlemen,

This note is about the recent Rocky View decision, and process, to lease a road allowance provision to Lehigh Hanson. Specifically, the extension of Rocky Ridge Road north of Burma Road.

The County circulated information about the proposed lease to 67 individual property owners in the general area. In most of these instances, there were two names on the title. (for instance, Michael and Aartje Edwards). The initials of those who chose to respond to the County's inquiry and the exhibited preference are listed below. Some asked questions which the County responded to while others simply checked a box on a form indicating whether they supported or opposed the proposed lease.

<u>Respondents</u>	<u>On List (Y or N)</u>	<u>Support (Y or N)</u>
J M	N	Y
LM	N	Y
Burnco	Y	Y (qualified)
KP	Y	Y
DG	Y	Y
DF	Y	Y
?F	Y	Y
UK	Y	Y
SK	Y	Y
CR	Y	Y (File # PL20190120 – Woodland Road)
EC	Y	Y
JL	Y	Y
CL	Y	Y
CS	Y	Y
MC	Y	Y
RC	Y	Y
R&JG	Y	N
L&ZK	Y	N
R&TL	Y	N
DZ	Y	N
ME	Y	N

Based upon the above, derived from a FOIP response, 16 parties supported the lease while 5 parties did not support the lease. A County representative indicated the actual 'vote' was 16 for and 6 against.

If however, you knock out the first two names that were not invited by the County to opine and live some distance from the proposed lease, the 'vote' becomes 14 – 5.

Next, if you exclude the affirmative 'vote', from CR because this is for a completely separate lease (south of Hwy 1A- about 5 miles away) and was not part of this proceeding, the 'vote' becomes 13-5.

It should be noted that Burnco affirmative view was qualified as, from time to time, it uses a portion of the road allowance to load water from a slough on the west side of its property onto a tank truck and transport it along the road allowance and Burma Road for use in its nearby pit. The point is that part of the road allowance is actually used for commerce, from time to time.

Not all if the information submitted was reported by our County. I submitted numerous communications on this issue mentioning things like:

- Power line right of way
- Water co-op right of way
- Lehigh's handling of cattle (and fertilizer) on a neighbour's lawn
- Lehigh's 'Baling Wire' and 'Sucker Rod' approach to fence 'repair'
- If the County's population forecast is accurate, the road allowance may be needed for, of all things, a road
- Dealing with the 'nefarious activities' issue using normal enforcement methods (rather than access restrictions).

My last, and the **only reported** communication in the FOIP response, (September 27<sup>th</sup>) was truncated (chopped off). The missing part started with 'Thirdly, ....'. Although part of mine was missing, a neighbour's submission was completely missing - not recorded at all

Importantly, four pairs of forms were submitted from four separate addresses on the list all supporting a 'grazing lease' for the gravel corporation. These were all counted individually (8 of them). Three of the submissions not supporting the lease were also signed by pairs of householders and two more were from one person but representing two. Each of these five submissions was counted as one. Nobody not in favour of the leasing, to my knowledge, was aware of this 'counting methodology' employed by our government. If all of the submissions were treated equally, the 'vote' would have been closer with the Burnco affirmative still being conditional.

We need to have the same rule book for all parties and all parties need to know what is in that rulebook.

Rocky View can do better! Inland/Lehigh Hanson/Heidelberg is in the gravel business – not the 'grazing' business.

Yours truly,

Mike Edwards





260231 Range Road 25,  
Calgary, Alberta, T3R 1J8  
November 2, 2020

Via E-Mail

Rocky View County,  
262075 Rocky View Point,  
Rocky View County, Alberta,  
T4A 0X2

Dear Ms. Andrea Bryden,

Re: Lehigh Hanson application for a Bearspaw Open Pit Gravel Mine on the Scott Property.

We write this letter to express our concerns for the proposed Lehigh Hanson Open Pit Gravel Mine on the Scott Property. We have been residents of Rocky View County for 42 years and have resided on our present farm for the past 35 years. We are opposed to the Application.

Should this open pit gravel mine be allowed we would be directly across the road from the NW side of the mine. This raises immense concerns for us. We have grave concerns about what this proposed development will do to the water table on our farm and what effects it may have on our livestock and crops. We are also concerned about the noise, the dust, the micro-particulates in the air, plus heavy truck safety that goes along with a project of this magnitude. Our health and the health of our neighbors is at risk if this project proceeds.

As well as the personal concerns expressed above, we have concerns that the counselors of Rocky View County would proceed with a gravel pit that is in contradiction of the development plan for the Bearspaw area. There is also the fact that twice before the application to mine gravel on the proposed site has been refused. We attended the 2010 Council Hearing and listened to all the presentations. We heard the Council vote 9-0 against the gravel proposal. The counsellors acknowledged the gravel operation would negatively impact the people who had chosen to build and live in our area of the county. Now, 10 years later, even more homes have been approved and built in areas close to this proposed pit. How could Council consider an open mine pit when they have allowed further residential development? And how could Council support approval of such a

massive, disruptive, potentially endangering project when there is no support from the community?

This also raises the question, "When is enough, enough?" Twice before this proposed open pit gravel mine has been refused. Is it not time for Council to clearly state that no further gravel applications will be considered for this land?

Thank you for the chance to share our concerns. We hope that our views, and the views of other concerned citizens, will be regarded by our counselors.

Yours truly,

Arnold and Miriam Bezeau

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 26, 2020 2:30 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

MICHELLE MITTON, M.SC  
Legislative Coordinator | Municipal Clerk's Office

ROCKY VIEW COUNTY  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
MMitton@rockyview.ca | www.rockyview.ca

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-----Original Message-----

From: Aaron Bezeau [REDACTED]  
Sent: November 25, 2020 4:24 PM  
To: Legislative Services Shared <LegislativeServices@rockyview.ca>  
Subject: [EXTERNAL] - Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

To whom it may concern;

This email is in respect to the Lehigh Hanson's open pit gravel mine on the Scott Property and Rocky View County's public hearing.

Let me be perfectly clear, I DO NOT WANT THE GRAVEL PIT TO PROCEED!

Here are my concern that I believe should be addressed at the public hearing, in no particular order.

- 1) Local ground water and the responsibility of Lehigh Hanson if this ground water is effected.
- 2) Noise concerns with respects to processing and transporting the gravel.
- 3) Increase in truck traffic
- 4) Air Quality due to dust particulates
- 5) Cost vs. expenses of the gravel pit. What is the tax revenue gains from the gravel pit vs. the added costs (increase road maintenance, lost property value of the surrounding residences, added health care costs, lost revenue from potential property tax if the Scott land was developed for residential or commercial purposes, etc.)

6) What if the purposed conveyor system was to break down, would Lehigh Hanson stop production until it was fixed or would they simply start trucking the gravel for processing?

7) Ignoring the previous precedent that the gravel pit has been denied due to population density. By ignoring this precedent you erode public trust in the local government.

8) Ignoring the vast majority of local residents's opinions, you are elected officials that are meant to represent the people, how do you justify going against the public will?

9) Why do we as residence of Rocky View care about the cost of gravel?

10) How are you going to have a public consultation while keeping residence safe during Covid-19? How are you having public consultation if it is in direction violation of the province's new Cover-19 regulations?

Regards,

Aaron

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 30, 2020 10:47 AM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Fwd:  
Application#:PL20200093/0094(File#s06605001,06605002,06605003,06605004,066-5005

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Lyle Schmidt [REDACTED]  
**Sent:** Saturday, November 28, 2020 2:14 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Fwd: Application#:PL20200093/0094(File#s06605001,06605002,06605003,06605004,066-5005

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Sent from my iPad

**Application#:PL20200093/0094(File#s06605001,06605002,06605003,06605004,066-5005**

Ms. Bryden:

I am responding to the County's request for comments on the Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and there application for the accompanying Master Site Development Plan.

I and my neighbours are very opposed to this application. I do not understand how an industrial business like a gravel pit is even taking up of our time over and over again. Especially when our residential acreages have been here for years and new ones being approved.

There needs to be an area structure plan in place that does not allow for this sort of application. We already have our fair share of gravel pits , berms , truck traffic and noise to deal with thanks to the city of Calgary. So please listen to the people of Bearspaw and reject this application once and for all.

I thank you for your time and consideration

Lyle and Dianne Schmidt

Arnold & Miriam Bezeau,  
260231 Range Road 25,  
Calgary, Alberta, T3R 1J8  
January 14, 2021

Via E-Mail to [legislativeservices@rockyview.ca](mailto:legislativeservices@rockyview.ca)

The Council, County of Rocky View,  
262075 Rocky View Point,  
Rocky View County, Alberta, T4A 0X2

Re: Opposing Proposed BylawC-8082-2000

Dear Councilors,

We write this letter to strongly oppose the proposed Lehigh Hanson Open Pit Gravel Mine on the Scott Property. We have been residents of Rocky View County for 43 years and have resided on our present farm for the past 36 years. We live directly across the road from the NW corner of the proposed open gravel pit.

This proposed project raises immense concerns for us. We are very worried about what this massive industrial operation will do to the water table on our farm and what effects it may have on our livestock and crops. We are also concerned about the noise, the dust, the micro-particulates in the air, plus heavy truck safety that goes along with a project of this magnitude. Our health and the health of our neighbors is at risk if this project proceeds. What is more, an industrial project of this magnitude will significantly impede the use and enjoyment of our property.

As well as the personal concerns expressed above, we have concerns that the councilors of Rocky View County would proceed with a gravel pit that is in contradiction of the development plan for the Bearspaw area. There is also the fact that twice before the application to mine gravel on the proposed site has been refused. We attended the 2010 Council Hearing and listened to all the presentations. We heard the Council vote 9-0 against the gravel proposal. The counsellors acknowledged the gravel operation would negatively impact the people who had chosen to build and live in our area of the county. Now, 11 years later, even more homes have been approved and built in areas close to this proposed pit. How could Council consider a 600 acre open mine pit when they have allowed further residential development? And how could Council support approval of such a massive, disruptive, potentially endangering project when there is no support from the community living close by?

This also raises the question, "When is enough, enough?" Twice before this proposed open pit gravel mine has been refused. Is it not time for Council to clearly state that no further gravel applications will be considered for this land?

Thank you for the chance to share our concerns. We hope that our views, and the views of other concerned citizens, will be regarded by you, our councilors.

Yours truly,  
Arnold and Miriam Bezeau



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - FW: Lehigh Hansen Gravel Pit. File # 06605001, 002, 003, 004, 005. Application #PL20200093/0094 Scott Property  
**Date:** October 30, 2020 9:36:39 AM

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Ms. Andrea Bryden

**Please** listen to our pleas and **PLEASE** turn down / stop the nonsense of redesignating Ranch and farm land to industrial use /gravel pit operation in our country residential acreage area in Bears paw. We need farm land to feed our growing world population.

I do not understand how council members can not see the detriment to our community and surrounding area. Having an industrial rock quarry **WILL** affect our health and the lifestyle we bought into so many years ago.

I, as well as so many others in our community strongly oppose this application.

I am in the construction business, and I am fully aware of health and safety protocols required within our industry. The rules and regulations imposed upon us to prevent silica dust from affecting the public, the workers, dispersing toxins to work areas is overwhelming. How can you allow this Silica dust into our clean country air? The **MSDP** does **NOT** note how much crushing will take place. Crushing and moving materials to be placed on a conveyor system creates silica dust, noise pollution, emissions from heavy equipment used etc.

There needs to be a **zero tolerance for rock crushing** due to **noise pollution** and **silica dust** migration!

**NOTE:**

- **Non-occupational exposure** from industrial sources occurs **when dust emitted from factories like** quartz crushing, **agate grinding**, ceramics, slate pencil, mining and milling of sand stones, silica flour milling, granite, etc., **goes to the environment and people staying in the vicinity are affected**
- **When people breathe silica dust, they inhale tiny particles of the mineral silica.** Over time, the **silica dust** particles can cause **lung inflammation** that leads to the formation of lung nodules and scarring in the lungs called pulmonary fibrosis
- **Crystalline silica has been classified as a human lung carcinogen.** Additionally, breathing crystalline **silica dust** can cause silicosis, which in **severe** cases can be disabling, or even fatal.
- **Breathing in very small** ("respirable") crystalline silica particles, causes multiple diseases, including **silicosis**, an incurable **lung disease** that leads to disability and death. Respirable crystalline silica also causes **lung cancer, chronic obstructive pulmonary disease (COPD), and kidney disease.**
- occupational exposure and prevalence of silicosis and silico-tuberculosis has been established **beyond doubt**
- **The noise of heavy machinery** in operation **6 days a week** is **unacceptable.** (operation hours of 7 AM to **8 PM!!!!**) The hours of operation will no doubt ruin our tranquility. We moved

out of the city for a reason.

- **Noise from rock crushing from 7 AM to 8 PM 5 days a week.** Absurd! We deserve our tranquility! **Please** do not take this away from us!

**Questions:**

- **How much noise will we hear from conveyer system?** Is enclosure they speak of sound insulated or is just a metal shroud? Has anyone seen this system in operation? Can you foresee the possible problems?  
Obviously conveyer system would be expanded from mining on phase 1, to phase 2, 3, 4, 5, and 6. Where is the plan on this? Closer to residential property is inevitable.
- **What if City of Calgary rejects the conveyer system?** Will land redesignation still be granted?
- **MSDP notes project duration 25 years.** What happens if the gravel estimates are not as forecasted? **Will pit be there for 50 years?** There should be a cap of 20 years to bring area back to farm land / park land
- **Page 3 of project overview notes an overland conveyer system to eliminate haul traffic, same paragraph confirms that there will be noise and dust nuisances, but they will be reduced....**by how much??
- Page 3, same paragraph as above, **“limited pre-processing”** What does this mean? **Will we be subjected to constant rock crushing???**
- **Page 3 of the project overview notes “Leigh is committed to ensuring operations within the Scott Property appropriately mitigates the potential for negative impacts”**
  - **How is RVC / Scott Property** going to handle the **financial impact** of our **housing prices falling or not being able to sell our property due to industrial land next to us?**
- Is RVC willing to accept that our property taxes be decreased dramatically?
- Is RVC retaining a nonpartisan company to monitor noise levels and air pollution daily? Dailey postings?
- Page 5 of the MSDP project overview notes that materials at Lehighs operations in NW Calgary use material / aggregates to construct products supplied to other provinces. If there is a major concern with amount of aggregates left for our use in Alberta, why are we using products from our land and shipping out? Maybe there isn't a need for another mine??
- Page 5 also notes significant contributions to the City of Calgary to support infrastructure. I am guessing this was a **requirement by the City** or their application for expansion would **not be approved**. This is more tooting their own horn to try look like a good neighbor. I deal in development all the time....
- Page 31 section C Aggregate operations. 11 Overland Conveyor. “overland conveyor will be screened from public roadways and adjacent properties via a landscaped berm.” Can I see a proposal on this. Landscaping can consist of 1 tree....There needs to be substantial amount of mature spruce trees planted, 8” apart, double rows etc.  
Further page 31 also states that “the conveyor system is a key operational component intended to mitigate noise, air quality and traffic safety concerns **associated with hauling aggregates.”** **NO** mention that the conveyor system creates dust and noise. Also **the conveyor does not mitigate the dust and noise** from daily operations **of rock crushing and mining**. The conveyor is used specifically to mitigate road traffic period. They are using this conveyor as a smoke and mirror show period. **Crushing on site is the major issue with noise and air quality.**

Page 41 subsection C 16 paragraph 3. “the proposed maximum noise limit of 55dB is lower than City of Calgary daytime noise limits. Why reference City of Calgary? We reside in tranquil Bearspaw where most of the dBA’s are in the 30 to 40 dBA range. We want to keep the dBA’s at our present low levels!

- Page 48, section C, 20.1 Market analysis, notes remaining reserves within a 50 KM radius of Calgary. What are the reserves outside the 50 KM radius? Sure we may need to transport 75 KM, but with new technology, and heading towards zero emission vehicles, the added hauling will not impact the air quality.
- Same page 20.3 Fiscal Impact Analysis. This pit is estimated to give RVC \$854,000.00 annually...We are being sold out for the cost of a small moderate home in the area. Does this make sense? How much will RVC loose do to tax reductions, maintenance, overseeing, monitoring and policing the work? \$250,000?
- Page 53 Section D 3. Air quality, health and safety. Why does Lehigh using guidelines from Ontario for measuring silica dust? Is this because Ontario has the lowest standards? Where does BC’s standards fall? We want the highest of standards for monitoring our wellbeing!
- Page 54, section D , item 22.0,4 Air quality. How often will results be posted on project website. Weekly, quarterly, yearly??
- Page 55 section D item 22.6 Visual impacts. We NEED our home to be included in the property value protection plan. We all know that anything within a 2 km radius is affected by this pit.
- Does anyone now take into consideration the collapse of the oil sector and the subsequent reduced need for gravel? Calgary’s population is shrinking!

Some years ago Rocky view turned down application from Friesen consortium to redesignate farmland to industrial. This piece of land noted, borders Hansen Gravel proposal land. Why was it rejected by council? It was rejected because industrial use did not fit with residential, farming, and future plans Rocky view growth. Rocky view insisted it needed to remain farm land

A year ago, a religious building was rejected from being built on corner of Burma and Rocky Ridge. Why? Because it didn’t fit with the over all plan and feeling of the residential, country acreage area. So why is there consideration for an industrial gravel pit?

The proposed open pit gravel mine is completely incompatible. Heavy industry is incompatible with residential developments.

#### **Major concerns / Summary:**

- Silica dust causes cancer, COPD, Kidney disease, Silicosis, Lung disease, tuberculosis
- Silica dust causes lung problems
- Rock crushing will pollute our waters
- Noise from rock crushing from 7 AM to 8 PM 5 days a week. Absurd! MSDP state 55 dBA’s. constant 55 is not tolerable! A loud dishwasher running constantly... not tranquil to which we have bought into and become accustomed to. 2 test areas show dBA’s as low as 31.2 to 34.2.. that’s a whisper level, very soft. All others tests show levels between 45 and 48.3, an average of 47.3 dBA’s. this is between a quiet library and moderate rain fall....
- Heavy machinery in operation. **Operation hours of 7 AM to 8 PM 6 days per week;**

unacceptable! The hours of operation will no doubt ruin our tranquility **6 DAYS A WEEK! We moved out of the city** for a reason.

- Will pollute the topography
- Our home prices are guaranteed to fall. Whom will be compensating us for the loss? Will Hansen buy us out? Does council not understand the impact it has on our investments?
- Wild life will be affected,
- air pollution,
- area aesthetics!!!!
- There are numerous other gravel deposits surrounding Calgary In non residential, low populous areas which have not been mined. Leave our residential area alone!
- Lehigh is presenting us a smoke and mirror show. Don't be fooled.
- **Honestly, would you purchase my home now knowing what we now know?**

At a previous open house held at Rock Point Church, Hansen presenters tried to sell what Calgary's population would be in the next 25 years. I asked how they came up with figures. No one could tell me for sure, it was just based on past growth.....

I also believe more town hall meetings are required. Covid 19 should not enable Lehigh to railroad through this application. Not a fair deal to us residents.

In closing, thank you for reading my concerns. I hope your read the entire letter thoroughly as it brings up worthy points. I truly hope that council will do the right thing here and turn down this application. It only makes sense.

Best Regards

Peter vander Mey, GSC, CET.

[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Subject: Bylaw C-8082-2020  
**Date:** January 18, 2021 4:59:41 PM

---

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** Peter Vandermey [REDACTED]  
**Sent:** January 18, 2021 2:33 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Cc:** Peter Vandermey [REDACTED]  
**Subject:** [EXTERNAL] - Subject: Bylaw C-8082-2020

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Good day council members.

My name is Peter Vandermey. We reside at 25025 Briarwood Drive in this **fabulous, beautiful community of Bears paw** in Rocky view County. We love this area, we love the fresh air, we love the tranquility and we love the wildlife. We moved to this fabulous community for these reasons. I am begging you to not drive us out. **Please** do not approve a mining pit in our residential community. **Please Please Please**. Please let my kids and all their friends enjoy the true beauty and nature of this great community!

There are numerous reasons and rationales that strongly point to not accepting the Lehigh Hansen Gravel pit application file #06605001,002, 003, 004, 005, in this community.

Here are a few of my bullet points;

- **Esthetics;** Can you imagine a mining pit in our beautiful residential community? Would you want to move into an area that's being turned into industrial use? Where does it stop?
- **Cancer causing silica dust.** A fact and known carcinogen! We have kids that

stay over that have **Cystic Fibrosis**. A lung disease. This potentially will damage their lungs further. Who would want to be responsible for that?

- **Noise**; Operations continuing 6, **NOTE: 6 day per week for 25 years from 7 AM to 8 PM!!!!**
- We want our **decibel levels** to remain as they are now. We don't want to be subjected to what the mining companies consider to be a Calgary (YYC) standard for noise. We do not live in YYC or an industrial area. We live in our great, beautiful community of Bearspaw. We moved away from YYC for a reason. **Please** leave us in peace!
- **Property values** will dive! My tax payments to RVC will decrease significantly. I would rather pay you more than have a mining pit in my community!
- **There has not been enough information** on the look, routing, maintenance etc. of the conveyor system along Burma road / 144<sup>th</sup> to YYC. Pit. The path has to be a major eye sore. Can you imagine a conveyor system next to a tranquil road way leading into Bearspaw?? They only make mention of berm in the RVC area, not YYC.
- **End results**; I do not see in any report what will become of the gaping hole left after mining / stripping is complete? Will it become Bearspaw swimming hole?
- **Open pit mining duration**; What happens if mining takes more than the projected 20 to 25 years? Should there not be a cap?
- **Rock crushing** will still take place in mining area.
- **Conveyor system**; Only removal of crushed rock will be done by conveyor system. How does this really benefit us? It does not. It benefits the mining company from not having to maintain and upgrade road systems etc. Instead of trucks, we have ugly conveyor and just as much, if not more noise, dust etc. They are pulling the wool over heads.
- **Misleading reports**; The mining companies estimates of growth and need in Calgary are False and misleading.
- The mining companies forecasts of gravel depletion in surrounding pits are false and misleading. They should be forced to provide facts from the other companies in Calgary
- **Governing** of pollution, noise, carcinogens, etc. is not clearly spelled out. Governing needs to be by independent companies, and made available daily
- **Loosing our farmland to Industrial mining??** How Is this conceivable?
- **Previous applications**; Other commercial developments in the area have been turned down. This application should be turned down as well because it

does not “fit” and is not a good fit in this area.

- **Councils strategic plan?** Does not look like a fit with what your report represents.

**Further**, I am opposed to this application. **Heavy industry such as open pit mining is incompatible with residential communities**. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh’s two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents’ health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled a public hearing during the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson’s public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

Please be aware that I have not been consulted by anyone from Lehigh on this matter.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

**Thanks for listening to me! Please reject this application again for all of us whom call this home.**

Peter vander Mey, GSC, CET.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Lehigh Hansen Gravel Pit Application ( PL20200093/0094).  
**Date:** October 19, 2020 12:20:24 PM

---

**Do not open links or attachments unless sender and content are known.**

Dear Andrea,

With all due respect, please:

No Lehigh Hansen pit.  
No more gravel pits in our backyard.  
No more dust.  
No more trucks on our roads.  
No more noise from blasting, crushing or heavy trucks.  
No decrease to property values by living in close proximity to a pit.  
No more road accidents.

Thank you.

Raymond Wah  
24 Woodland Ridge NW

Sent from [Outlook](#)

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 24, 2020 4:30 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020.

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** Raymundo Wah [REDACTED]  
**Sent:** November 24, 2020 12:40 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020.

Do not open links or attachments unless sender and content are known.  
Comments for Scott Pit public hearing:

Re; Bylaw C-8082-2020

The County has requested comments in advance of the December 22<sup>nd</sup> public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Sincerely

Raymond Wah

24 Woodland Ridge NW.

Sent from [Outlook](#)

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Gravel Pit Application PL20200093/0094  
**Date:** October 20, 2020 8:39:42 PM

---

**Do not open links or attachments unless sender and content are known.**

Hello Ms. Bryden

I am writing this email to voice my concern and object to Lehigh Hanson's gravel pit application PL20200093/0094.

We, the residents of Rockyview, and more specifically Bearspaw, and even more specifically myself who will witness and hear the pending onslaught of traffic and noise, object to this industrial invasion within our residential community.

I cannot understand for the life of me, why we are once again forced to contend with another application (third time now, and from the same company). And yet, here we go again, 20 years and counting. Seriously?

As the application was rejected twice before, and as our residential population increased over this time, I fail to see the logic in why Rockyview County has let this proceed.

Does this not contravene the land use definition in our Bearspaw Area Structure Plan? Or, was that a complete waste of time, money and residents' concerns as well?

Disappointed,  
Rick Schuster  
8 Cheyenne Meadows Gate North

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 25, 2020 8:11 AM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
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---

**From:** RICK SCHUSTER [REDACTED]  
**Sent:** November 24, 2020 9:07 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

**Do not open links or attachments unless sender and content are known.**

I am writing this email to voice my concern and object to Lehigh Hanson's gravel pit application PL20200093/0094.

We, the residents of Rockyview, and more specifically Bearspaw, and even more specifically myself who will witness and hear the pending onslaught of traffic and noise, object to this industrial invasion within our residential community.

I cannot understand for the life of me, why we are once again forced to contend with another application (third time now, and from the same company). And yet, here we go again, 20 years and counting. Seriously?

As the application was rejected twice before, and as our residential population increased over this time, I fail to see the logic in why Rockyview County has let this even proceed.

Does this not contravene the land use definition in our Bearspaw Area Structure Plan? Or, was that a complete waste of time, money and residents' concerns as well?

Disappointed,  
Rick Schuster  
8 Cheyanne Meadows Gate North

Sent from [Mail](#) for Windows 10

Municipal Clerk's Office  
262075 Rocky View Point ,  
Rockyview County AB  
T4A 0X2

**Subject: Bylaw C-8000-2020 – Todd and Natasha Richardson 79 Church Ranches Blvd Calgary**

**Opposition to the application by Lehigh Hanson for Gravel Pit Next to Church Ranches**

Good Afternoon,

My wife and I are 16 year residents of Bearspaw. We moved from the city hoping to enjoy the cleaner air, more space and just better living that Bearspaw affords us.

I have not voiced my opinion often in regards to the proposed Lehigh Hanson gravel pit but when I heard of the various tactics that are being put forth by Lehigh Hanson I felt it was necessary to write.

I am opposed adamantly opposed to this application. The proposed open pit gravel mine is a completely incompatible land use next to a beautiful land development such as Church Ranches and surrounding communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of respectful public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, as mentioned earlier, my wife and I moved out of Calgary and have invested heavily in making Bearspaw our long term home. Now this dream is being greatly diminished as well as our property values. This application should not be approved for these and a multitude of other reasons listed above.

Sincerely,



Todd and Natasha Richardson

79 Church Ranches Blvd

Calgary Ab

T3R1B1

From: [REDACTED]  
To: [Andrea Bryden](#)  
Cc: [REDACTED]  
Subject: [EXTERNAL] - Application # PL2020-0093/0094  
Date: October 17, 2020 7:26:46 PM

---

Do not open links or attachments unless sender and content are known.

Andrea,

I am replying to your letter dated October 9, 2020 regarding the application to re-designate a 600 acre land parcel and the corresponding application for the master site development plan for this land parcel located at the NE junction of Range Road 25 and Burma Road for the purposes of creating yet another Gravel Pit Operation in this area.

I am an interested landowner that lives quite close to this parcel of land and has significant concerns with another gravel pit operation starting up so close to my residence and our neighbourhood for the following reasons;

1. The increase in heavy truck traffic is not conducive to this area or neighbourhood and will significantly increase the risk for everybody using these roads which includes light duty cars, trucks and cyclists. Think safety.
2. The increase in dust due to this industrial operation is not conducive to this neighbourhood and residents
3. The increase in rocks, gravel and debris deposited on the roads by the gravel trucks is not conducive to this neighbourhood
4. The increase in noise pollution from the industrial operation and trucks is not conducive to this neighbourhood and residents

The concerns noted above already pose a huge issue when driving 1-2 miles east of our neighbourhood on or close to Burma road where there already is a significant concentration of gravel pit operations and heavy truck traffic. I am not sure why the Rocky View County would consider allowing another gravel pit operation and add to the highly concentrated industrial operations even more. I do understand that gravel pits are necessary for the continued economic development of the Calgary and surrounding area but there should be some limitations to the continued spread such that the significant negative impacts can be absorbed by the surrounding community safely. I feel that this objective was breached after the last gravel pit operation was permitted to open. This is based on my experience when driving on Burma road east of where I live.

Thank you for asking for my thoughts and comments. I hope that Rocky View County will consider them while weighing the pros and cons of these applications especially the impact to peoples safety.

Sincerely  
Rick Wise



**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 30, 2020 10:50 AM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
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---

**From:** Rick Wise [REDACTED]  
**Sent:** Saturday, November 28, 2020 4:13 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

**Attention : Municipal Clerk Office**  
**Re: Bylaw C-8082-2020 Lehigh Hanson Gravel Pit in Bearspaw**  
**Our Address: 11 Lone Pine Cres. Calgary, Alberta.**

First of all let us tell you how disappointed and disturbed we are that you are scheduling a public hearing on Dec 22nd, 3 days before Christmas, for this highly contentious issue. Your strategy of picking a hearing date whereby you are counting on a limited number of people being able to attend and voice their legitimate concerns is so unprofessional.

We are vehemently opposed to the bylaw to re-zone a 600 acre land parcel and the corresponding application for the master site development plan for this land parcel located at the NE junction of Range Road 25 and Burma Road for the purposes of creating a Gravel Pit Operation.

We are concerned landowners that live very close to this parcel of land and do have significant issues with a gravel pit operation starting up so close to our residence and our neighbourhood for the following reasons;

1. The increase in heavy truck traffic is not conducive to this area or neighbourhood and will significantly increase the risk for everybody using these roads which includes light duty cars, trucks, cyclists, runners & walkers.
2. The increase in deadly silica dust due to this industrial operation is not conducive to this residential neighbourhood.
3. The increase in rocks, gravel and debris deposited on the roads by the gravel trucks & conveyors is not conducive to this residential neighbourhood.

4. The increase in noise pollution from the excavating, blasting, drilling and conveyor operations running 6 days per week is not conducive to this residential neighbourhood.
5. This open pit excavation will have a negative impact to the ground water table.
6. You, Rocky View County, refused Lehigh's 2 previous applications when there was only a fraction of the current residents proximal to this land. Why would you even consider this initiative now?

The concerns noted above already pose a huge issue approximately 2 miles east of our neighbourhood on or close to Burma road where there already is a concentration of dusty gravel pit operations and heavy truck traffic. We do understand that gravel pits are necessary for the continued economic development of the Calgary and surrounding area but there needs to be limitations to the continued spread such that the significant negative impacts can be absorbed by the surrounding communities safely and reasonably.

See you December 22nd!

Sincerely  
Rick & Kelly Wise

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - File #06605001, Application #PL202000930094  
**Date:** October 17, 2020 5:16:23 PM

---

**Do not open links or attachments unless sender and content are known.**

Dear Andrea Bryden,

I received the Scott Pit advisement last week, and want to confirm my strong opposition to approving this application. I live in Bearspaw within 1 KM of the proposed location, and within a few kilometres of several gravel pits already in operation. I can tell you that on several occasions the noise (from >3KM away) and dust are already impacting our objective of living in a rural area away from these types of pollutions. I know there have been at least two prior applications for the development of this pit, and on both occasions the nearby communities were 100% against. This has not changed and infact there are more rural residential developments than in times past. There are absolutely no set of circumstances where this development should be allowed to continue.

Thank-you for your hopeful support of the residents in Bearspaw.

Warm Regards,

Rob Myatt  
Bearspaw Resident

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 24, 2020 4:24 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

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---

**From:** Rob Myatt [REDACTED]  
**Sent:** November 24, 2020 8:52 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

The County has requested comments in advance of the December 22<sup>nd</sup> public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am strongly opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location. **I find it unimaginable that the County can even consider yet another application when residential development has only increased, and near 100% of the community is against heavy industry development in this area. This is a matter of health and safety of our residents.**

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Rob Myatt  
Concerned Bearspaw Homeowner

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
Date: October 30, 2020 11:30:43 AM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Regards,

Robert & Corii Williams

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 25, 2020 8:09 AM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
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---

**From:** [REDACTED]  
**Sent:** November 24, 2020 7:26 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

To whom it may concern:

The County has requested comments in advance of the December 22<sup>nd</sup> public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am extremely opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Kind regards,

Robert and Corii Williams  
Bears paw residents



Subject: Bylaw C-8082-2020

We are completely opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

The number of trucks that tear down Burma road are a nuisance, and the noise has become overwhelming in the past several years. We have had our windshields smashed by gravel several times in the 12 years we've lived out here.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable adverse impacts to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled this public hearing in the current Covid-19 environment. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Regards,

Robert and Corii Williams

SW-01-26-03-05

Lot/block/plan: 1/ /9912311

88 Woodlands Estates Dr NW  
Calgary, AB T3R1H1

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020, Application No. PL20200093- OPPOSED  
**Date:** January 18, 2021 12:53:25 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
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---

**From:** Rod Lipman [REDACTED]  
**Sent:** January 18, 2021 12:40 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020, Application No. PL20200093- OPPOSED

**Do not open links or attachments unless sender and content are known.**

Dear Council;

I am writing in response to the Notice of Public Hearing application of Lehigh Hanson Materials Limited (Lehigh) to redesignate lands located at the northeast junction of Burma Road and Range Road 25 in order to facilitate an open-pit gravel mining operation.

My name is Rod Lipman. My wife and I have lived at 12 Crestview Estates, in the southwest corner of Section 5, since 2003. As our property abuts on the south and east sides with Lehigh's "Scott Property", we are directly affected by the proposed bylaw and we are staunchly **OPPOSED** for several reasons.

An application by a Lehigh company for a 320 acre gravel extraction operation on the eastern half of Section 5 was rejected by RVC council in 1994. The communities of Silverwoods, Church Ranches and Briarwoods were subsequently developed, adding to the cultural and aesthetic appeal of Bearspaw.

Despite the rejection of their application in 1994, Lehigh acquired the northwest and southwest quarters of Section 5 in 2008. This expanded their ownership of the

section to its entirety with the exception of our tiny corner, Crestview Estates (approximately 5.3% of the area of Section 5, not the roughly 12% as it appears on the site map shown on the Notice of Public Hearing). At no time did they directly contact us or our neighbours to discuss their plans and how they may affect our air quality, peace and serenity, health, well and water quality or property values. Their application for a 600 acre gravel pit in 2010 was unanimously rejected by Council. Most councillors cited the reason that 'gravel extraction is not compatible with residential living'.

In 2016 Lehigh announced their intentions to once again pursue a gravel extraction project, the 'Scott Project', on the same 600 beautiful, pristine acres that had twice previously been rejected. This in itself shows a blatant disregard to the hundreds of residents who made their feelings known in 2010. The main difference with this application is that they now plan to perform crushing operations at the site in preparation for gravel transportation via +3 km long conveyor belt to their Spyhill plant. Despite the provision of a conveyor belt that would have to cross both Burma Road and 85th Street, traffic would be significantly increased with the transportation and movement of equipment and support vehicles.

From our home we can hear the crushers at Lafarge and STAR- sometimes operating 24 hours. I have many times been wakened at 4:00 AM to the sound. A crusher right next door to us would make living unbearable, not to mention the noise from trucks and equipment reverse alarms. Add to that the drone of the conveyer system. The natural peace of country residential living that attracted us to Bears paw would be utterly destroyed.

The dust we now experience from Burnco, STAR and Lafarge is bad enough, due to the prevailing winds. Blasting, digging and crushing right next door will pose a significant health risk to the many families living nearby. The deathly, irreversible effects of inhaling silica dust are well-documented.

I am also concerned about the well that provides water to Crestview. The depth that Lehigh plans to dig in their quest for profits is deeper than the depth of our well. What will happen to our water?

What will happen to the wildlife that we see almost daily? Foxes, coyotes, deer, moose, owls, porcupines, skunks, migrating birds? Their habitat will be wiped out by the blight of an open-pit mine.

The mitigation planning by Lehigh is suspect to say the least. The stated mitigation measures for all aspects of this proposed project on their Scott Property Project website simply says... "Mitigation measures to be determined based on study results and public engagement findings". That, to me, is just another way of

saying..."We'll cross that bridge when we come to it".

Many people have chosen to live in this part of Bearspaw based on the decisions of previous councils to reject the applications of Lehigh to mine gravel. In closing, I submit that the idea of developing an open pit mine in the heart of rural residential country where hundreds of people make their homes is ludicrous. The aspects of country living that attracted these people in the first place would be completely destroyed, their properties devalued, and the community scarred forever. This is a life-changing decision. Please reject this application.

Respectfully,  
Rod Lipman

August 28, 2020

Dear Ms. Bryden;

I am writing in regard to the proposed gravel extraction operation by Lehigh Hanson/ Heidelberg on Burma Road.

My wife and I live at Crestview Estates, a keyhole cul-de-sac located on the southwest corner of Section 5, the land in question. We have lived here since 2003, long before the balance of that section was purchased by Lehigh Hansen. We have now retired here.

Gravel extraction operations have been refused by Rocky View Council in 1992 and 1994, both rejections citing that gravel extraction and residential living are not compatible. Since that time, further residential areas have been developed: Silverwoods, Church Ranches and Briarwoods. Why then, in 2008, would Lehigh Hanson purchase the remainder of Section 5, except for Crestview Estates, bringing them closer than ever to residential areas? It sounds like madness to me. Fortunately, their application for the development of a gravel extraction operation was unanimously rejected in 2010.

So, here we are in 2020, the residents of the Burma Road area are still here, and Lehigh Hanson is again on the prowl for gravel. To my knowledge, gravel extraction and residential living are no more compatible now than they were in the 1990s and 2000s. In fact, I would venture to say that more is known now about silica poisoning and the health hazards associated with gravel dust than ever before.

The fact is there is NOTHING Lehigh Hanson can do to mitigate any of the negative effects of gravel extraction in a residential community. The thrust of their proposal: a 'conveyer system' to transport gravel to their processing plant at Spyhill would likely mean that primary crushing would have to be done on site. We can already hear the crushers from the Star and Lafarge operations going 24 hours, and they are several kilometers away.

There is no way that Lehigh Hanson can be a good 'neighbour' as they like to call themselves. This application should be heartily rejected.

Sincerely,

Rod Lipman

12 Crestview Estates, Rocky View County T3R 1E1



Fall Leaf Mulching



New Grandson

People before gravel.

Rod & Teri Lipman  
Crestview Estates

Oct. 6/20

To: Andrea Bryden  
Planning Services



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - File No.s 06605001 06605002 06605003 06605004 06605005, Application No. PL20200093/0094  
**Date:** October 29, 2020 11:27:49 AM

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Do not open links or attachments unless sender and content are known.

Dear Ms. Bryden;

I am writing in response to the application by Lehigh Hanson Materials Ltd./ Ken Venner Brown and Associates Planning Group to redesignate the lands at the northeast junction of Range Road 25 and Burma Road to accommodate a new gravel pit operation and the associated Master Site Development Plan.

I am opposed to this application for the same reasons that it has been twice rejected in the past: gravel extraction operations are incompatible with residential living.

Since the previous rejections, Rocky View County has approved several new country residential developments in the immediate vicinity of Lehigh Hanson's proposed open pit mining operation. Lehigh has shown complete disdain for the residents of this area with the purchase of the remaining quarter section of land adjacent to Range Road 25, and their proposal to extract gravel in even closer proximity to local residences than previous applications.

Local residents purchased their properties in good faith based on the County's previous decisions with regard to gravel mining. This application should be rejected once and for all.

Sincerely,

Rod Lipman  
12 Crestview Estates  
Rocky View County  
T3R 1E1

Sent from my iPad



**Andrea Bryden**

---

**From:** Teri Lipman [REDACTED]  
**Sent:** August 28, 2020 2:44 PM  
**To:** Andrea Bryden  
**Subject:** [EXTERNAL] - Scott Property - Lehigh proposed redesignation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Do not open links or attachments unless sender and content are known.

Hello Ms Bryden,

I live in Crestview Estates and our property borders the Scott Property that Lehigh is applying to have redesignated (for a gravel pit).

Lehigh is a large corporation in business to make money, in my opinion. There are no altruistic "greater good" arguments that can be made in support of their application; none ring true.

The fact that I and my husband, and many other neighbours who live and have lived for many years in this lovely area of Rocky View, have to once again fight this proposal is upsetting. The elephant against the mouse. Lehigh bought the Scott Property in spite of knowing full well that residents were firmly against gravel development on that land. How is that a neighbourly act? All the reasons why have been stated repeatedly, but mostly this location is much too close to our home (many homes). This is where we live our lives. Lehigh would have us accept that it's okay for their industry to come along and ruin our life enjoyment, because that's what would happen.

We have paid our taxes, we don't deserve to be steam-rolled by a corporation like Lehigh. Perhaps it has complied with all the requirements in writing their proposal and addressing concerns. Glossy indeed. Look at the map of the Scott Property, how it dwarfs our community of Crestview. Look across at Silverwoods. Close to us are other communities, people who would be affected.

Alberta is a large province. It is just not true that the gravel in the ground on the Scott Property needs to come out. And if that was the case (which it isn't, as has been proven) it was the job of planners at the County to know that years ago and plan accordingly.

I hope that what I have to say carries the same weight as the long and technical proposal Lehigh has submitted, for the third time.

Lastly, some industries can't be mitigated if they are next door to houses, such as the smell from a pig farm or a cattle slaughtering plant. Can we choose to not breathe the air or hear the noise emanating from a gravel pit? Daily from sun-up to sunrise, for years. Lehigh should sell the land and let it be.

Sincerely,

Teri Lipman  
Home Owner in Crestview  
Lover of country residential peace, quiet and natural beauty

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Gravel Extraction Proposal - Lehigh Hanson  
Date: November 1, 2020 8:47:22 PM

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Do not open links or attachments unless sender and content are known.

File No.s 06605001 06605002 06605003 06605004 06605005, Application No.  
PL20200093/0094

Dear Ms. Bryden

Please accept my comments regarding Lehigh Hanson's application to have the 600 acre Scott Property site redesignated towards an application and MSDP for gravel excavation on this site.

Lehigh proposes this gravel pit would operate for 25 to 40 years. Our home in Crestview borders the Scott Property and my husband and I have lived here for 17 years. Two previous gravel applications (by Lehigh) in this same location were defeated by Rocky View Council. We were at the 2010 hearing when that application was voted down.

In my opinion all of the same reasons that application was rejected are still valid, as justifiable now as they were then. The implications to daily life of a massive gravel operation cannot be mitigated in any way that makes sense to us, or likely to anyone living in the area. A gravel pit here would ruin our lives.

The impact analysis information contained in the MSDP addresses the undesirable changes that mining would inevitably bring about--to the water, to air quality, to wildlife and to the natural coulee, to noise, to the visual blight that 600 acres of field and habitat would become. The proposal cites field studies/data collection results--with supporting maps and overlays--and the conclusions suggest that every negative impact can be "mitigated" and managed to be within acceptable limits.

Concerning gravel pit mitigation - In my opinion mitigating solutions are not a "solution" or a "plus"; they don't "solve" problems that directly result from operating a mine. Mitigation measures are an admission that mining is inherently detrimental to the health and well-being of people.

There is water throughout Bearspaw and we've seen on our own property that the amount of standing water can differ widely from year to year. A huge mining operation would alter the flow, level, and possibly the quality of our water. I can't accept Lehigh's proposed strategies to predict, control and manage water (per the MSDP) would be wholly successful over a period of 40 years.

Mining is universally known to be an ugly business. Approval to redesignate would lead to an unrecoverable loss to quality of life, a downgrade to the desirability of our Bearspaw community as well as to real-estate values, and this would be for a LONG time. The proposed Scott Pit would not be a positive contribution to our community.

The County should not approve Lehigh's application because it is not compatible with the

well-established and pre-existing local communities. We bought our home here to enjoy a quieter rural life while still being close to both Cochrane and Calgary.

Lehigh has not shown goodwill towards Bearspaw residents in pursuing this development for the third time.

I conclude Lehigh is motivated only by an agenda to profit from aggregate, not by any desire to be a good corporate citizen. Lehigh lauds itself on adhering to best practice standards for pits, but that means nothing when the pit is at the back of one's house or across the street or around the corner.

I think it's a wrongful process when we are forced to defend again, in order to safeguard, the peace, the quiet and the natural beauty that is the essence of why we opted to live in Bearspaw.

A gravel pit here should never be approved, I am opposed. I believe there are many other less offensive uses for this property. Lastly, there is no crisis for gravel here in Alberta.

Thank you for providing an opportunity to comment on this issue. My husband also submitted a letter, I would like my letter included together with his.

Teri Lipman

Sent from my iPad

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Response to RVC request for comments on Lehigh Hanson's application: Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 21, 2020 6:09:51 AM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Please contact us if you have any questions or concerns.

Sharon and Kevin Craik  
28 Silverwoods Drive  
[REDACTED]

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 20, 2021 10:04:51 AM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Sharon Craik [REDACTED]  
**Sent:** January 20, 2021 6:57 AM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

**Do not open links or attachments unless sender and content are known.**

My husband and I opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bears paw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable adverse impacts to residents' health, safety, and quality of life, as well as serious environmental costs.

We are also disturbed that the County has scheduled this public hearing in the current Covid-19 environment. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation.

In closing, this application should be refused for a multitude of reasons, including the ones we have listed above.

Thank you,

Sharon and Kevin Craik  
28 Silverwoods Drive  
Calgary, Ab., T3R1E2

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## Steven Lancashire

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**From:** Andrea Bryden  
**Sent:** November 30, 2020 8:38 AM  
**To:** Steven Lancashire  
**Subject:** FW: [EXTERNAL] - Comments provided to LeHigh Hanson - Scott Property Application

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Andrea Bryden, RPP, MCIP**  
Senior Planner | Planning Policy

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
DIR: 403-520-7294  
[abryden@rockyview.ca](mailto:abryden@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Stephen Skarstol [REDACTED]  
**Sent:** November 27, 2020 9:54 AM  
**To:** Andrea Bryden <ABryden@rockyview.ca>  
**Subject:** [EXTERNAL] - Comments provided to LeHigh Hanson - Scott Property Application

Do not open links or attachments unless sender and content are known.

Andrea, my name is Stephen Skarstol and I live within 2 km of the proposed Scott Property gravel pit proposed location. I understand you are involved with the review of the rezoning application. I wanted to connect with you directly to provide you with what we sent in to the online survey process established by LeHigh Hanson for this proposal. Lehigh just sent a summary of the comments provided by residents and it inferred that all of the comments entered specifically around noise and air quality. As our comments touched other items besides this and I believe that other residents also had broader concerns, I wanted to make sure the county was aware of this. Concerns related to land valuation, silica dust exposure, light impacts, potential for blasting, applying before the Bearspaw ASP is completed, and setback distances to residents are also serious concerns and none of these were identified in their summary response. I am attaching exactly what was sent to their survey so that it is representative of what was provided to them and to be transparent. Please let me know if you have any questions or would like to discuss further. I can be reached at [REDACTED] if needed.

Regards,

Stephen Skarstol

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020, Application Number PL20200093 (066605001/002/003/04/005)  
**Date:** January 18, 2021 12:46:43 PM

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MICHELLE MITTON, M.SC  
Legislative Coordinator | Legislative Services

ROCKY VIEW COUNTY  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
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-----Original Message-----

From: Jill and Stephen [REDACTED]  
Sent: January 17, 2021 3:04 PM  
To: Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
Subject: [EXTERNAL] - Bylaw C-8082-2020, Application Number PL20200093 (066605001/002/003/04/005)

Do not open links or attachments unless sender and content are known.

My name is Stephen Skarstol, we live at 7 Lone Pine Crescent, Calgary within 2 km of the proposed gravel pit. We moved out to an acreage 6.5 years ago in order to have access to dark skies (I am an avid hobby astronomer), enjoy wildlife and peace and quiet. When we made this decision it was understood that the area covered by the Bears paw Area Structure plan was meant to be country residential and was established as such. This application to rezone this land to industrial to accommodate a 30 year gravel operations violates that understanding. Although I am within 2 km of the proposed development, no-one from Lehigh Hanson has directly contacted me in anyway to seek my input nor to walk me through the proposed land use application. Everything that I have learned has been through contacts and discussion with everyone but the proponent. The proponent indicated inferred that this is how consultation needs to be conducted because of Covid-19. I would argue that this does not make a phone call or virtual discussion impossible but the entire consultation process was one using a website and a global email address.

We are fundamentally against this application for a number of reasons beyond the consultation process discussed above. We are on a hill which overlooks the proposed gravel pit so we believe that both the noise impacts and light impacts will be significant for all the homes located on the hill. Constructed sound abatement measures such as constructing a berm will likely do little if anything to reduce the noise impacts for us as we will have direct line of site into the pit above the berms. The same applies for light pollution resulting from the operation. The application did not address items such as blasting other than in the appendix as an item of concern. We know that blasting activities will have a significant impact on all residents near the gravel pit operations. We are also concerned with silica dust transport to our homes as silica dust has been identified as a carcinogen. My understanding is that it tends to act similar in nature to asbestos with regards to lung tissue impacts under long term chronic exposures. I personally enjoy sitting outside in the early evening to unwind from the day and relax. With the potential for running operations later into the evening, I am not sure what to expect from the sound of the gravel crusher, what the conveyor belt will sound like or the potential for blasting. The communities affected have been in place for many decades, our house was built in 1996. This is not a situation where the residential development occurred after the rezoning or even during. These are long term established communities that now have the potential for a significant mining operation literally in their back door. Furthermore, I am concerned that this application is being



considered before the updated Bearspaw Area Structure Plan is completed. I believe that this plan may indicate that this type of development this close to other residents is not applicable or that incremental standards need to be applied. This application will already have been considered before the ASP can be considered and referenced. Many of the resident, myself included, are very concerned with the significant impact this will have on our property values. The proponent has indicated that there will be no impact on values but there are numerous studies out there that would say the exact opposite.

In summary I want it to be known that we are in total opposition to this application to rezone the land to allow for a gravel pit operation. It will have a significant long term impact, financially, on quality of life and potentially health related (silica dust chronic exposure).

Thank you so much for your consideration of this viewpoint. If you need to discuss further, you can contact me directly at [REDACTED]

Regards,

Stephen and Jill Skarstol  
7 Lone Pine Crescent

## **Response to RVC request for comments on Lehigh Hanson's application:**

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)

Dear, Ms. Bryden

We are responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

We are opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location. Additionally, as they updated Bearspaw Area Structure Plan is not yet finalized, how can Lehigh Hanson comply with the conditions of the updated plan (as they committed to us in the open house), when the plan is not finalized.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

With regards to the application and project, we have a number of questions/concerns which are discussed below:

### **1. Noise Impacts**

What are the local noise bylaws? Are they going to be better than what is currently in place at other nearby pits? Because I can hear them on a clear day and people close to the projects are severely affected. Is there going to be equipment moving the product to the conveyor belts? How are the conveyor belts going to be maintained? Will they be shut down if cold weather causes louder than usual noise? Is there going to be BLASTING

during the mining process and if so what does the noise modeling indicated regarding this operation? Jackhammers? How will you get the gravel out of the ground? Heavy equipment? Does the noise impact take into account noise effects on elevated receptors such as us. Noise berms /barriers may not be much help if the alignment of the source of noise and the receptor is above the berm/noise barrier.

2. Air Quality Impacts/Silica Exposure

What are Alberta's Air Quality Objectives? Monitoring requirements? Because right now, the other pits in the area have intermittent and HORRIBLE air quality requirements and monitoring. Dust is thick on the sides of the roads and in the fields all around. We live in a high wind area; is that going to be considered? Doming at dig sites? My experience is that gravel pits, for some obscure reason, do not need to follow the same strict requirements as other Alberta industries in this regard. The applicant indicates that they will be monitoring for silica but what are they using as the criteria to determine if this represents a health hazard or not. Silica is identified as a carcinogen and is problematic much like asbestos in terms of interactions with the lungs. If elevated levels of PM2.5, PM10 or silica are identified, what is Lehigh going to do about it (stop all production, notify residents immediately what?)

3. Traffic:

"A TIA determines if traffic caused by the project is allowable and possible with existing infrastructure or with proposed upgrades. As a result of the proposed conveyor system, traffic impacts related to the development are anticipated to be negligible."

Does that mean Scott is not doing a TIA? What about wildlife concerns? That is a high wildlife area with signs in place warning motorists to watch for deer crossing. How will they now move through that area? What about transfer of seasonal equipment? What about water runoff and snow removal?

4. Visual impacts:

Not much impact if the pit is not built, and that is what the residents are really asking for. If the LUA stays Country Residential a gravel pit does not fit in that. Has the applicant done any visual impact studies including lighting studies with regards to elevated residents as some light abatements such as berms, lighting shrouds etc. may not help if looking down on the pit.

5. Surface Impacts and Groundwater assessments:

If this pit goes through, what will be completed on site? Hard to say how things are going to be affected if we have no idea if there will be washing on site. Berms around the conveyor belts and the entire site? How will that affect flow? Residents are not just allowed to fill in ditches around here; a

pit will affect the entire areas water flow. Moose are welcomed residents here, and they like water. The willows and trees that cover most of our area need a lot of water too.

6. Cumulative Impact Assessment:  
How about the fact that nobody wants another gravel pit here? The cumulative impact assessment section indicates that there will be no residual cumulative impacts related to items such as property values. This is based on what?
7. Operating Hours  
The operations, starting at 7 am seems incredibly early as many people/children may still be asleep. Also running the operations into the evening, especially in the winter under cold temperatures will likely create significant noise impacts.
8. Community Consultation  
The applicant indicated in a town hall summary that they concerns were limited to a couple of items and implied that they could be easily mitigated. This does not complete represent the true picture as indicated by the email that we sent to you directly with our concerns sent to Lehigh at that time (email sent on August 25, 2020 to Andrea Bryden).
9. Setbacks  
The maximum setback from the edge of the mining operation to the resident is indicated to be 150 m which does not seem to be large enough. With a full section of land at their disposal, why can the setbacks not be significantly larger especially for residents south and west of the gravel pit?
10. Property Values/Impact  
Are you going to consider how this will affect homeowners in the 2 km radius of the pit? The indication by the applicant that property values will not be impacted at all is based on what? Under any scenario, this judgmental determination seems weak at best. Both Crestview Estates and Silver Ridge will certainly be affected, as they are directly adjacent to the area that will be developed first. The setbacks are significantly problematic. Residents had hoped that Scott would at least recognize that we were here first and develop only the far boundaries furthest away from the homes in the area. That is not going to happen because the aggregate is located RIGHT UP AGAINST CRESTVIEW ESTATES. Some areas of Church Ranches will also have line of sight (and be within noise boundaries) of the pit and its operations. These are homes whose residents were given a handshake guarantee that the land surrounding them would remain Agricultural or Country Residential. Our investments and quality of life will be impacted, and not positively. And, do we, as

Albertans, truly need another gravel pit? Really? There is not enough already? What about McNair, Hillstone and Lafarge? Not to mention the nightmarish Calgary Star Pit consortium. And, isn't there a new one, or possibly even two, smaller ones on Big Hill Springs Road? What about cumulative impacts and when is there going to be enough recognizing that these developments are within an area structure plan which is primarily for country residential. What market does this serve? And, where has it been proven that THERE WILL BE FINANCIAL BENEFIT TO THE LOCAL COMMUNITY?! HOW?! I feel that taxes paid will decrease as house values decrease and that that will take away from what the County collects as revenue.. And Calgary, if you think you will not be affected, take a look at how many trucks currently run from the aggregate processing plants on 80<sup>th</sup> thru the intersections of Royal Oak and down 144<sup>th</sup>. It will at least double. And gravel builds more urban sprawl. Future generations seem to be looking at keeping things small and sustainable; going back to natural renewable energy sources and smaller homes, fewer cars (electric), etc. In 10 years, what if gravel pits are no longer in vogue and not environmentally sustainable and the profitability for the company is no longer there? Will they honor the rehabilitation of the site? Or walk away, leaving a huge mess for Rocky View county to clean up. We as residents have to understand that another gravel pit, if approved, will be in operation for 25 years or longer. We need to look at cleaner, more sustainable use of land in the area. Scott bought this land from a farmer years ago for around \$650,000. And they've been hounding Bearspaw area residents with a gravel pit application ever since. It's been rejected 2 times already.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Regards,

Stephen and Jill Skarstol  
7 Lone Pine Crescent

**Andrea Bryden**

---

**From:** Jill and Stephen [REDACTED]  
**Sent:** August 19, 2020 12:05 [REDACTED]  
**To:** Andrea Bryden  
**Subject:** [EXTERNAL] - Comments provided to LeHigh Hanson - Scott Property Application  
**Attachments:** SCOTT PROJECT ONLINE SURVEY.docx; ATT00001.txt

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Do not open links or attachments unless sender and content are known.

Andrea, my name is Stephen Skarstol and I live within 2 km of the proposed Scott Property gravel pit proposed location. I understand you are involved with the review of the rezoning application. I wanted to connect with you directly to provide you with what we sent in to the online survey process established by LeHigh Hanson for this proposal. Lehigh just sent a summary of the comments provided by residents and it inferred that all of the comments entered specifically around noise and air quality. As our comments touched other items besides this and I believe that other residents also had broader concerns, I wanted to make sure the county was aware of this. Concerns related to land valuation, silica dust exposure, light impacts, potential for blasting, applying before the Bears paw ASP is completed, and setback distances to residents are also serious concerns and none of these were identified in their summary response. I am attaching exactly what was sent to their survey so that it is representative of what was provided to them and to be transparent. Please let me know if you have any questions or would like to discuss further. I can be reached at [REDACTED] if needed.

Kind Regards,

Stephen Skarstol

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 27, 2020 8:13:31 PM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant,

to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Mike Purewal

Sent from my iPhone



**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8000-2020  
**Date:** January 18, 2021 12:41:16 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

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**From:** T edgecombe [REDACTED]  
**Sent:** January 15, 2021 4:34 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Cc:** Mom [REDACTED]  
**Subject:** [EXTERNAL] - Bylaw C-8000-2020

**Do not open links or attachments unless sender and content are known.**

Hello,

We, Jackie and Bill Edgecombe as well as Tina and Steve Raimondi, are writing to inform you that as residents of 254035 Rocky Ridge Road we are in opposition to the application by Lehigh Hanson.

There are numerous reasons why we are opposed but here are some of the most concerning:

- 1) We have never been consulted about this application by anyone from Lehigh Hanson or a representative acting on behalf of Lehigh Hanson;
- 2) Concern about the effect it would have on our water well;
- 3) The noise and dust are already a concern, the addition of another gravel pit would only amplify the impacts this has on our quality of sleep and air we breathe;
- 4) Concern of the impact it would have on wildlife in the area
- 5) The increase of large truck traffic is another issue for our growing children, the maintenance of the road ways, and road congestion.

We are in total opposition to this application of changing this area into a gravel mine.

Sincerely,

Jackie and Bill Edgecombe  
Tina and Steve Raimondi

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 26, 2020 2:35 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** MALKIT purewal [REDACTED]  
**Sent:** November 25, 2020 4:52 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

The County has requested comments in advance of the December 22<sup>nd</sup> public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Mike

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005).  
**Date:** November 1, 2020 7:46:28 AM

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Do not open links or attachments unless sender and content are known.

Andrea Bryden,

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. Heavy industry is incompatible with residential developments. We trust that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development.

We have personally experienced some of the negative impacts gravel pits have on people who live close to these sites. These negative impacts include, disrupted sleep, dust - affecting our lungs and messing our home, animal health, noise, and overall quality of life. The serious environmental costs of these sites are also extremely concerning. The addition of another gravel pit will only amplify these awful damages to the residents in the surrounding areas.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Thanks,  
Tina and Steve Raimondi, Jackie and Bill Edgecombe

January 11, 2021

Rocky View County

Dear Councillors:

Re: Bylaw C-8082-2020

I am writing to register my opposition to the approval of the proposed Bylaw noted above.

Lehigh Hanson's Master Site Development Plan (MSDP) is **completely deficient** in addressing the many obvious harmful impacts of the massive open pit gravel mine they are proposing to put in the middle of a residential neighbourhood. Serious flaws or omissions exist in their proposal, with respect to health issues surrounding groundwater, noise, and air quality. These omissions and inaccuracies effectively render the proposal unacceptable.

I am very concerned that **groundwater will be irreversibly harmed** by the proposed pit. Please refer to John Weatherill's written submission, as he has obtained and included independent, peer reviewed, expert opinions from highly regarded scientists. These experts cast serious doubt on Lehigh Hanson's assertion that ground water will not be disrupted or damaged, and indicate that there is a significant risk of contamination of the groundwater aquifer that supplies the wells for many rural landowners in the area. They also point out that there is an almost inevitable likelihood that the excavation activities at the pit will dewater surrounding ponds and lakes in neighbouring properties, with grave consequences for wildlife and a huge loss of enjoyment for area residents who use these waterbodies for skating, fishing, swimming, and wildlife observation. These groundwater impacts are simply too important to be ignored and require that this application be rejected!

I am also very concerned that **noise impacts will be substantial and detrimental to the health of nearby residents**. Lehigh Hanson has proposed that they will maintain noise levels at or below 55 decibels in their operation, except while they undertake site preparation and initial excavations in every one of the six phases of this development. No estimates whatsoever have been provided for the level of noise which will be generated during those initial clearing and excavation phases, which will take years, not days to complete.

It is also important to know that the 55 dB noise estimates are highly suspect, since they are based on operations down low in the pit for phase 2. This underestimates noise levels for at least half the time when they will be extracting closer to the surface, and also for the entire time they are active in phases further away from the berm. I simply do not believe that they will ever be able to operate at 55 dBs, even after clearing and high elevation excavation is completed.

At 55 decibels, noise levels will already be significantly higher than ambient noise levels of 39 to 45 dB's in the area today, and will be very disruptive to neighbours. It's important to know how the decibel scale works. An increase of 10dB's from 45 to 55, isn't a 25% increase in volume. A 10dB increase is a doubling of noise, so this increase is very significant! Think about what it would be like to double the normal volume of your television set, and then have to live with that noise level for 13 hours a day, six days of the week, with no escape!

So, what is the health impact of this kind of noise? In addition to concerns regarding the veracity of Lehigh Hanson's noise forecasts, Weatherill's submission also includes information from highly respected authorities including the University of British Columbia, the Government of Quebec, and the World Health Organization. All of these bodies indicate that exposure to prolonged or excessive noise causes a wide range of health

problems including, stress, cardiovascular disease, cognitive impairment, tinnitus and hearing loss. And what's worse, is that these reactions persist for years after exposure to noise.

As a result, the World Health Organization has made strong recommendations to limit daytime noise levels from industrial activities, recommending that road traffic noise be managed to remain below 53 dB's, aircraft noise below 45 dB's, and wind turbine noise below 43 dB's. All of these are significantly below the lowest noise levels Lehigh Hanson has proposed, but which are not likely even achievable.

The health impacts from the noise pollution which will be generated by the proposed Lehigh Hanson open pit mine are simply not acceptable, especially when they can be avoided entirely by a rejection of this application.

I am also very concerned about the unhealthy **air quality impacts** from this open pit mine. The Master Site Development Plan and supporting documents are woefully inadequate in every area of analysis in this regard.

Crystalline silicate is a known carcinogen and subject to considerable legislative regulation in many jurisdictions. Silica is a very fine particulate, and there is no biological mechanism for clearing it from the body. Chronic exposure to even low levels of silica over a long period of time can cause silicosis, for which there is no cure! When people inhale crystalline silicate, lung tissue reacts by developing fibrotic nodules and scarring around the trapped silica particles, making it increasingly difficult to breathe and death may result. Silicosis victims are also at high risk of developing active tuberculosis, and according to research done at Harvard University, are at higher risk of mortality from Covid.

Silica exposure can also cause debilitating cases of COPD, bronchitis, emphysema, chronic airway obstruction, and bronchiectasis. Clearly residents in the area don't want themselves, their children or their grandchildren to be subject to this danger. Given all of this, it is simply incredible that the Lehigh Hanson proposal is virtually silent on issue of silica.

What's worse is that Lehigh Hanson has only identified residents of Crestview Estates as sensitive receptors. They have completely ignored residents in neighbourhoods like Church Ranches, Silverwoods, Burma Road, Harvey Hills, and other immediately contiguous neighbourhoods, with no proposal to monitor particulate matter levels in those neighbourhoods at all. Instead, they have determined that it is more important to monitor particulate matter levels at the Walmart at Royal Oak than it is to monitor levels in the neighbourhoods that are immediately adjacent to and downwind of the proposed open pit mine.

As for the residents of Crestview Estates, Lehigh Hanson's own forecasting indicates that risky particulate matter exposure will exceed acceptable Alberta Government standards. They have also admitted that in some cases, they will not be able to apply mitigants to bring PM concentrations in line with those government standards.

At best, their proposal indicates that they will be able to mitigate to bring particulate matter levels to within standard, but just barely. They will still always be flirting with maximum levels for residents of Crestview and likely other neighbours for whom they are not proposing monitoring. If the maximum allowable legal limit for 24-hour total suspended particulate is 100 micrograms, it is inconceivable that exposure at 95 micrograms for 30 years would be safe. And yet, that is the best Lehigh Hanson says it can do after mitigation.

One might wonder what sophisticated mitigation Lehigh is proposing. In fact, it is nothing more than having employees water down roads and conveyors during windy conditions. This leaves it to individual discretion regarding when to apply water and makes their effectiveness suspect at best. Furthermore, the proposal does not include any proposed mitigants for dust/particulate matter generation from blasting or in-pit crushing.

So, in summary, if approved, this open pit mine will cause significant, dangerous air pollution. Proposed monitoring is completely inadequate, and mitigation measures are unsophisticated and reliant upon human intervention and discretion. All of this makes approval of this proposal too risky and completely unacceptable.

Because of all of these three significant health issues, I ask each one of you on Rocky View Council to reject this application. You have a very important governance role to play here. You are the final line of defense between residents who are counting on you to protect us from a large German company which proposes to strip huge profits out of our neighbourhood, while destroying quality of life for residents, and with no real economic benefit to our county at all.

Your duty is to your ratepayers. We are all residents who have chosen to live here and who have made substantial investments here based on the promise of a different and better quality of life. We believed the County, when it designated our neighbourhoods as Country Residential. We believed the Bearspaw Area Structure plan that indicated that gravel was incompatible with residential neighbourhoods. And we believed that you would honour those covenants when you turned down two previous applications and allowed considerable residential development in Bearspaw in the 25 years since the first application.

Please keep the trust we've placed in you. Vote no on this application.

Yours truly,  
Susan Brown.  
48 Church Ranches Blvd  
Calgary, Alberta  
T3R 1C1





From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
Date: November 1, 2020 1:38:23 PM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments. **Gravel pits do not belong in or near residential areas!**

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Susan Brown  
48 Church Ranches Blvd.  
County of Rocky View

[REDACTED]

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - Feedback on proposed gravel pit Application # PL20200093/0094 at Range Road 25 and Burma Road / 144 Ave NW  
**Date:** October 19, 2020 2:41:32 PM  
**Importance:** High

---

Do not open links or attachments unless sender and content are known.

To Andrea Bryden (Direct Phone 403-520-7294)

This is our direct response to Application # PL20200093/0094 to develop a gravel pit on the "Scott Property" located at Range Road #25 at Burma Road (aka 144 th Ave NW , Calgary)

We are residents in the affected area -> at: 43 Cody Range Way (Church Ranches)

We already have (5) operating gravel pits in VERY close proximity to our home

The area proposed IS immediately adjacent to a high end residential community which has been developed as such for over 25 years

WE (the tax paying residents of the area **and to the MD of Rockyview**) don't need nor want 1 more gravel pit anywhere near our area and this proposed site is within 1 kilometer of our home / closer for numerous other property owners

This proposal has already been turned down several times over the past 20 years - why are we having to battle this same application for the same property once again

**We absolutely VOTE NO on this proposal**

Regards - T.E. (Tim) & Karen Pressey at 43 Cody Range Way



This email has been checked for viruses by Avast antivirus software.

[www.avast.com](http://www.avast.com)

**Steven Lancashire**

---

**From:** Tim Pressey [REDACTED]  
**Sent:** November 25, 2020 2:26 PM  
**To:** Andrea Bryden; Legislative Services Shared; [REDACTED]  
**Cc:** T.E. (Tim) Pressey [REDACTED]; 'Martyn Griggs'; [REDACTED] 'Rocky View Gravel Watch'  
**Subject:** [EXTERNAL] - RE: Bylaw # C-8082-2020 - this is our SECOND "NO" response to the proposed Rocky View Gravel pit on the "Scott Properties"  
**Importance:** High

Do not open links or attachments unless sender and content are known.

To Whom it May Concern

We, T.E. (Tim) and Karen Pressey of 43 Cody Range Way (Church Ranches) hereby reply as requested to your mailed notice in this matter

WE just (November 25/20) received a mailed notice of the proposed "Public Hearing" on this topic to be held DECEMBER 22 /20

I can't tell you how much we appreciate **28 days notice** for a meeting **3 days before Christmas** during an **unprecedented shut-down due to a Covid-19 spike**

We personally (and our property) are within 1.5 km of this proposed development and we (personally) as well as our property value (read tax base value) will be GREATLY and negatively affected by this proposed development IF it is passes and goes through as proposed.

Should this proposal pass, we will expect a sizeable reduction in our property tax assessment and annual property tax bill

I would like our position ( **Oppose** ) to be presented on our behalf at this public hearing

Once again, this proposal has been voted DOWN several times over the past 20 years - WHY does it keep getting presented again ?

Regards - T.E. (Tim) & Karen Pressey

## **Our Initial Response from October 19/20**

To Andrea Bryden (Direct Phone 403-520-7294)

This is our direct response to Application # PL20200093/0094 to develop a gravel pit on the "Scott Property" located at Range Road #25 at Burma Road (aka 144 th Ave NW , Calgary)

We are residents in the affected area -> at: 43 Cody Range Way (Church Ranches)

We already have (5) operating gravel pits in VERY close proximity to our home

The area proposed IS immediately adjacent to a high end residential community which has been developed as such for over 25 years

WE (the tax paying residents of the area **and to the MD of Rockyview**) don't need nor want 1 more gravel pit anywhere near our area and this proposed site is within 1 kilometer of our home / closer for numerous other property owners

This proposal has already been turned down several times over the past 20 years - why are we having to battle this same application for the same property once again

We absolutely **VOTE NO** on this proposal

Regards - T.E. (Tim) & Karen Pressey at 43 Cody Range Way



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[www.avast.com](http://www.avast.com)

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 21, 2020 9:13:44 AM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

My wife and I are 15 year residents of Bearspaw and am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Sincerely,

Todd and Natasha Richardson

79 Church Ranches Blvd

Municipal Clerk's Office  
262075 Rocky View Point ,  
Rockyview County AB  
T4A 0X2

**Subject: Bylaw C-8000-2020 – Todd and Natasha Richardson 79 Church Ranches Blvd Calgary**

**Opposition to the application by Lehigh Hanson for Gravel Pit Next to Church Ranches**

Good Afternoon,

My wife and I are 16 year residents of Bearspaw. We moved from the city hoping to enjoy the cleaner air, more space and just better living that Bearspaw affords us.

I have not voiced my opinion often in regards to the proposed Lehigh Hanson gravel pit but when I heard of the various tactics that are being put forth by Lehigh Hanson I felt it was necessary to write.

I am opposed adamantly opposed to this application. The proposed open pit gravel mine is a completely incompatible land use next to a beautiful land development such as Church Ranches and surrounding communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of respectful public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, as mentioned earlier, my wife and I moved out of Calgary and have invested heavily in making Bearspaw our long term home. Now this dream is being greatly diminished as well as our property values. This application should not be approved for these and a multitude of other reasons listed above.

Sincerely,

A handwritten signature in black ink, appearing to be 'TR' or similar initials, written in a cursive style.

Todd and Natasha Richardson

79 Church Ranches Blvd

Calgary Ab

T3R1B1



**Attention:** Planning and development services Department  
Rocky View County  
262075 Rocky View Point  
Rockyview County AB. T4A 0X2.  
File Numbers; 06605001 06605002 06605003 06605004 06605005  
Application No. PL20200093/0094

It seems like we are living the nightmares of the past!!! Gravel extraction in the middle of a residential area with established communities, trying to live in a quiet and clean environment. The same application has been rejected by residents and Rocky View county council, in 1994 and in 2010, and now in 2020 we see the same application with minimal changes. To bring this up again during a pandemic when public gatherings are limited and voices can't be expressed in unison is disrespectful, unethical and not what we would have expected if community involvement is truly a goal. THIS IS NOT ACCEPTABLE. Here is only a few of the reasons to oppose the request to redesignate the subject lands to accommodate a new gravel pit operation;

- 1- This land is identified as a country residential development in Bearspaw ASP, and all around it is established residential communities with families and their children living in harmony. Families that have already expressed their concern before in 1994 and 2010
- 2- Gravel extraction is known as a health hazard, noise pollutant and a road hazard to people young or old.
- 3- The area has more than enough gravel pits with people all around them concerned for their health of the already existing pits. Not only have we felt our voices not heard, but also ignored with such a proposal, again.
- 4- Residents have previously expressed that no gravel pit should be developed within two miles from residential area, the proposal of leaving 150 meter buffer is not even close to where it should be with houses right across from the proposed site on Burma Rd.
- 5- Property values will go down sharply and quickly with the only benefit going to the owners of the gravel pit. Owners who clearly do not care about the area and nearby communities. Owners whose only priorities are focused on the revenue that such projects bring in.
- 6- Using a conveyor system that extends 4-5 kilometers will be an eyesore for residents and passersby alike. This will change the entire landscape of the area and is simply incompatible. It also adds to the list of concerns for local residents who now need to be worried about the noise pollution caused by the motors to run the conveyor system.
- 7- Over the past 25 years this community has done enough research and communicated clearly our thoughts, opinions and concerns of the proposed gravel extraction project. Residents should not have to continue reliving this nightmare every few years.

We expect our elected officials to act and reject this proposal

Wally Batarseh and Family





Wally And Muna Batarseh  
24073 Burma Rd Calgary Alberta T3R 1E3

Date: Jan. 18, 2021

Dear Rocky View Council

Re: **PL20200093/0094 Lehigh Hanson application - Gravel Mine – Bylaw C-8082-2020**

**We are Opposed**

We have resided in Bearspaw for 18 years and therefore will be directly affected by the decision made by council regarding this application. My wife and I reside within a few meters away from this site, our house just across the street on Burma Rd.

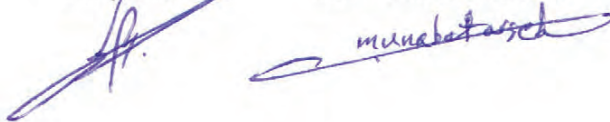
It is our understanding that this is the third application made by this same applicant, with the most recent one being rejected unanimously. The same reasons for that rejection still apply. There will be significant environmental effects, significant health consequences to residents and it will greatly interfere with the enjoyment of residences in all the properties surrounding the area.

More significantly, meaningful consultation should have occurred with affected residents. This has not occurred. We have been home almost exclusively since the middle of March due to the global pandemic and have not received any correspondence or had contact from Lehigh Hanson or its affiliates in that time other than notice of the application.

In conclusion, I hope Rocky View Council will use the prudent voice used in the previous two applications and reject this application.

Thank you,

Wally Batarseh                      and                      Muna Batarseh

The block contains two handwritten signatures in blue ink. The first signature on the left is for Wally Batarseh, and the second signature on the right is for Muna Batarseh. The signatures are written in a cursive, flowing style.

File Numbers: 06605001 06605002 06605003 06605004  
06605005

Application Number: PL20200093/0094

Attn: Planning and Development Services Department  
County Contact: Andrea Bryden



To whom it may concern:

As property owners in the immediate vicinity of the land subject to the application, we would like to express our vehement disapproval. The proposed redesignation is completely incompatible with the existing neighbourhood and would put current residents in jeopardy. The existing neighbourhood is residential and agricultural in nature and bringing in a gravel pit with its noise, dust, and traffic will disrupt our current way of life. All guidelines brought forward by Lehigh Hanson regarding this application have failed to take into consideration the people that are living in this area - they have failed to mitigate noise and dust pollution in a satisfactory manner, have failed to address the traffic issues that will arise, and they seem to have no set reclamation plan. There is no feasible way to cover a hole that is hundreds of feet deep and the proposal does nothing to hold Lehigh Hanson accountable. The plan set forth only contains intent to monitor with no actual mitigation plans and again no set guidelines to hold them accountable. They have indicated broadband backup beacons to replace standard backup beacons which still alert at 107 decibels with an unearthly noise, that level is unacceptable in residential areas. They also fail to address the complete disruption to our standard of living and to the value of our properties. We are opposed to putting our lives and the lives of our children at risk breathing in the dust that a gravel pit produces and we are concerned about the commercial vehicle traffic directly in our neighbourhood. Silica dust is a direct byproduct of mining for gravel and is a known carcinogen, and we are highly concerned about the effects of this on our children, ourselves, and our animals. Gravel pit employees are required by law to protect themselves from the effects of the silica dust but we would not have any protection only meters away from the Scott property line. In addition, we have concerns regarding our well-fed water system and the effects that a gravel pit will bring to it. We are also opposed to the noise brought by the gravel pit - safety beacons, machinery, crushing, digging, and blasting - and know this will interrupt our peaceful, quiet neighbourhood. The proposal indicates a conveyer belt that is

to be several kilometers long and this brings its own concerns with noise, esthetics, and safety. These are not long-proven methods and it is obviously proposed to skirt the need for additional traffic permitting. Lehigh Hanson's only goal is monetary gain and which will result in our loss - health, safety, lifestyle, property value. We urge Rocky View to prioritize the health and safety of its residents over monetary gain. No commercial mining in residential neighbourhoods. There is simply no unintrusive way to conduct commercial operations in a residential neighbourhood. Once again, we wholeheartedly oppose this redesignation.

Sincerely,  
Will and Andrea Letkeman  
260083 Range Road 25

A handwritten signature in blue ink, appearing to be 'WL', written in a cursive style.A handwritten signature in blue ink, appearing to be 'A', written in a cursive style.



[NAME] *Earl Mackinnon*  
[ADDRESS] *77 Harvey Hills*

Date: *January 17/21*

Dear Rocky View Council

Re: **PL20200093/0094 Lehigh Hanson application - Gravel Mine – Bylaw C-8082-2020**

**We are Opposed**

We have resided in Bears paw for 26 years and therefore will be directly affected by the decision made by council regarding this application. My family I reside within 3 Kms away from this site.

It is our understanding that this is the third application made by this same applicant, with the most recent one being rejected unanimously. The same reasons for that rejection still apply. There will be significant environmental effects, significant health consequences to residents and it will greatly interfere with the enjoyment of residences in all the properties surrounding the area.

More significantly, meaningful consultation should have occurred with affected residents. This has not occurred. We have been home almost exclusively since the middle of March due to the global pandemic and have not received any correspondence or had contact from Lehigh Hanson or its affiliates in that time other than notice of the application.

In conclusion, I hope Rocky View Council will use the prudent voice used in the previous two applications and reject this application.

Thank you,

Name

*Earl Mackinnon*

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 18, 2021 12:49:38 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

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**From:** Andrea Letkeman [REDACTED]  
**Sent:** January 17, 2021 10:07 PM  
**To:** Legislative [REDACTED] Shared <LegislativeServices@rockyview.ca>  
**Cc:** Will ♥ [REDACTED]  
**Subject:** [REDACTED] 2020

Do not open links or attachments unless sender and content are known.

Bylaw C-8082-2020  
Application Number: PL20200093 (066605001/002/003/004/005)  
Attn: Planning and Development Services Department  
County Contact: Andrea Bryden  
January 17, 2021  
To whom it may concern:  
As property owners in the immediate vicinity of the land subject to the application (within 1 km), we would like to express our vehement disapproval. The proposed redesignation is completely incompatible with the existing neighborhood and would put current residents in jeopardy. The existing neighborhood is residential and agricultural in nature and bringing in a gravel pit with its noise, dust, and traffic will disrupt our current way of life, and ruin the peaceful environment that currently exists. All guidelines brought forward by Lehigh Hanson regarding this application have failed to take into consideration the people that are living in this area - they have failed to mitigate noise

and dust pollution in a satisfactory manner, have failed to address the traffic issues that will arise, and they seem to have no set reclamation plan. There is no feasible way to cover a hole that is hundreds of feet deep in addition the proposal does nothing to hold Lehigh Hanson accountable. The plan set forth only contains the intent to monitor with no actual environmental mitigation and accountability plans. The proposal indicates broadband backup beacons to replace standard backup beacons, these still alert at 107 decibels with an unearthly noise, that level is unacceptable in residential areas. They also fail to address the complete disruption to our standard of living and to the value of our properties. We are opposed to putting our lives and the lives of our children at risk breathing in the silica dust that a gravel pit produces and we are concerned about the commercial vehicle traffic directly in our neighborhood. Silica dust is a direct byproduct of mining for gravel and is a known carcinogen, and we are highly concerned about the effects of this on our children, ourselves, and our animals.

Gravel pit employees are required by law to protect themselves from the effects of the silica dust but we would not have any protection only meters away from the Scott property line. We also have concerns regarding our well fed water system and the effects that a gravel pit will bring to it. Digging a hole hundreds of meters deep will affect our water table. At best contaminating it and at worse; eliminating the supply. We are also opposed to the noise brought by the gravel pit - safety beacons, machinery, crushing, digging, and blasting - this will interrupt our peaceful, quiet neighborhood. The proposal indicates a conveyer belt that is to be several kilometers long and this brings its own concerns with noise, esthetics, and safety. These are not long-proven methods and it is obviously proposed to skirt the need for additional traffic permitting. If the Scott land were to be developed for residential that would increase property values in the vicinity and supply revenue to the county for endless generations to come. Lehigh Hanson's only goal is temporary monetary gain and which will result in our loss - health, safety, lifestyle, property value. It will also exploit the resources of this land and leave these 600 acres to stop producing value after a set period and simply be a burden on the surrounding area.

Furthermore, there was no meaningful consultation by Lehigh Hanson with affected residents. We have not received any correspondence or had contact from Lehigh Hanson or its affiliates other than notice of the application. We urge Rocky View to prioritize the health and safety of its residents over temporary monetary gain. No commercial mining in residential neighbourhoods. There is simply no unintrusive way to conduct commercial operations in the direct vicinity of a residential neighborhood. As well, we question the ethics of Lehigh Hanson to

initiate a public hearing at a time when the public is unable to attend and is being asked to stay home in order to protect ourselves during a global pandemic. A meeting of such importance should be postponed and held at a time when residents are able to participate fully and safely. This is a classic divide and conquer strategy that is being used against the residents of Division 8.

We wholeheartedly oppose this redesignation.

Sincerely,

Will and Andrea Letkeman

260083 Range Road 25

**From:** [REDACTED]  
**To:** [Andrea Bryden](#); [REDACTED] [PlanningCirculation](#)  
**Subject:** [EXTERNAL] - Feedback on Scott Property application PL20200093/0094  
**Date:** October 21, 2020 5:23:46 PM

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Attention: Andrea Bryden  
Planning Services  
Rocky View County

**Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005**

Ms. Bryden

As a Registered Nurse and home-owner of a property directly adjacent to the "Scott Property", I am strongly opposed to the applications proposing zoning re-designation and gravel operations. Locating a dust- and noise-generating gravel operation in such close proximity to a rural residential community is completely unacceptable.

The dust generated by a gravel extraction operation at this site would have serious health impacts on the many nearby residents and is of particular concern in the Crestview community. Furthermore, the unpleasant noise coming from the proposed mining operation would destroy the peace and quiet and drown out the pleasant natural sounds that residents have moved here to enjoy.

Despite the assurances of the applicant that they will mitigate noise, dust, visual impacts, etc., the community has no assurance that negative impacts can be or will be avoided. The only way to mitigate negative impacts on the lifestyle and well-being of nearby residents is to prevent the location of aggregate operations within close proximity to residential properties.

With 4 other operating gravel mines already generating noise and dust into the Bearspaw community, another operation that is located even closer to Bearspaw residents should not be considered.

Please feel free to contact me if you have any questions,

Agnes Gutzmann

20 Crestview Estates, Calgary AB T3R 1E1

[REDACTED]



Agnes and Doug Gutzmann  
20 Crestview Estates  
Calgary AB, T3R 1E1  
[REDACTED]

Oct. 15, 2020

Attention: Andrea Bryden  
Planning Services  
Rocky View County

Subject: **Comments on Application Number: PL20200093/0094**  
**Roll Number: 06605001/002/003/004/005**

As a home-owner of a property in Crestview Estates, which is directly adjacent to the proposed gravel mining operation, I strongly object to the proposed re-designation application and proposed gravel extraction and processing operation.

Our key concerns and objections to this application / proposal are as follows:

1. **The cumulative effects of an additional aggregate operation in the immediate area.** There are currently 4 other operating gravel mines to the immediate east and south of the proposed operation that generate undesirable industrial noise, dust and truck traffic. Adding yet another operation to the existing ones would further exacerbate the negative issues Bears paw residents must contend with. Under no circumstances should an additional gravel extraction operation be approved in the Bears paw vicinity before the existing operations are depleted and reclaimed. This recommendation has been raised to Lehigh's attention as a critical concern at multiple public engagement events.
2. **Aggregate dust in the immediate vicinity of a residential community.** The dust generated by a gravel extraction operation at this site would have serious health impacts on the many nearby residences and is of particular concern in the Crestview community. As Lehigh's "Air Dispersion Modelling Assessment" shows, the level of particulates / dust in the Crestview community (**0.3 km** from Scott Pit) is far greater than dust levels at the Farm (144 Ave and RR23; **2.6 km** from Scott Pit). For example, compare the summer case of Total Suspended Particulates (TSP) from the project of **61.4 & 34.7 ug/m3 in Crestview vs 2.4 at the Farm**. It is clear from this (and many other factors) that a gravel operation in close proximity to the many Bears paw residences is simply a terrible idea.
3. **The Industrial noise generated by the proposed gravel extraction and processing operation on the "Scott Property" and by the proposed conveyor system.** The residents in the Bears paw community have chosen to live in this location for the peace and quiet of a pleasant rural community where the pleasant sounds of leaves rustling, frogs singing, ducks calling, chickadees chirping, and coyotes calling can be enjoyed. The unpleasant industrial noise of the proposed gravel extraction operation would destroy the peace and quiet and drown out the pleasant natural sounds residents currently enjoy.

4. **The proposed setbacks from residential neighbors are inadequate.** Despite the assurances of the applicant that they will mitigate noise, dust and visual impacts, monitoring negative impacts with defined limits does not provide adequate assurance to the community that negative impacts will be sufficiently mitigated:
- a. The proposed limits allow numerous and serious negative impacts that would not otherwise be present (additional industrial noise and dust, for example).
  - b. As we have experienced with other near-by gravel operations, operators are not able to guarantee that they are able to consistently operate below limits.
  - c. Residents have very little recourse to address situations where their quality of life is impacted by operations exceeding defined thresholds due to weather, equipment malfunction, or other unforeseen circumstances.

For these reasons, the monitor-and-mitigate approach proposed by the applicant is not adequate to prevent serious negative impacts on the residential community. The only way to mitigate serious negative impacts with any confidence is the requirement of reasonable set-backs between aggregate operations and residential properties. The setbacks of 100m and 150m proposed by the applicant are simply inadequate; minimum set-backs from residential properties of 750m to any berm construction, and 1000m to extraction operations would provide a more reasonable degree of confidence that the negative impacts of extraction operations would be minimized.

5. **An increase in truck traffic is minimized but not completely avoided.** Although the proposal claims that incremental truck traffic would be minimal, any additional truck traffic on the roads in this area is a concern. The Bearspaw and Spy Hill areas are already dealing with a problematic level of industrial traffic. The Lehigh traffic analysis compares incremental truck traffic to potential car traffic generated by a residential community, which has not been improved and which would be less problematic than additional truck traffic.
6. **The lack of transparency and trust-worthiness of the application.** There are many examples where the applicant has made inaccurate claims or minimized the affects of a gravel operation. For this reason, the application should be denied. Some examples are as follows:
- a. The claim that aggregates are in short supply is false. There is an abundance of rock available in far less densely populated areas that the applicant could use in their pre-cast products.
  - b. The claim that Lehigh has listened to the concerns of residents is false. Residents have raised concerns at every public engagement opportunity and Lehigh has still submitted a proposal with inadequate response to resident's concerns. The proposed set-backs of 100m – 150m are only one example of this.
  - c. Lehigh has failed to adequately address the dust concern which has been raised at every public engagement opportunity. Their own study shows that elevated dust levels would be a concern to many residences in the area, but they simply gloss over that and pretend it isn't an issue.

Some additional comments on specific aspects of the applicant's proposal are as follows (text in blue font is taken directly from the proposal):

Section 3.0:

- The statement indicating the need for these aggregates to be extracted "Aggregates are non-renewable resources ... local supply of aggregate reserves are depleting" is misleading. There is an abundance of gravel and rock in close proximity to rail lines between Calgary and the BC border, the vast majority of which is not near dense suburban residential development.

- "With this application, Lehigh is proposing to construct an overland conveyor system to connect the proposed Scott Pit to the existing Spy Hill aggregate processing facility within the City of Calgary, in order to eliminate haul truck traffic to and from the Scott Property." It is hard to believe that the conveyor would not have downtime during which trucks would be used to transport gravel, that the conveyor would never need service vehicles, or that the site would not need water trucks and other service trucks quite frequently.

Section 4.0:

- "Lehigh's Spy Hill facilities include a state-of-the-art, highly automated, pre-cast concrete pipe plant which supplies products to all of Alberta, and some to neighbouring provinces as well." Why should Bears paw residents bear the consequences of industrial operations that supply "all of Alberta and neighboring provinces"? Could Lehigh not use rock mined from less populated areas for their precast products? Could they not move the pipe plant to a less populated area to avoid the need for this gravel operation and reduce truck traffic in the Spy Hill area?

Section 5.0:

- "Lehigh is committed to actively exploring solutions with surrounding landowners, RVC, other aggregate operators, the Province, and the City of Calgary to reasonably mitigate potential impacts." Other than the overland conveyor concept which would reduce truck traffic but not have any other positive impact on issues of concern, Lehigh has not listened to the concerns of residents and has not offered any concrete mitigation plans for the many concerns residents have expressed. Why would we expect Lehigh's behaviour to change from a history of not listening and not responding?

- examples: the proposed setbacks from residences recommended by residents range from 750m to 2 km, but the proposed plan continues to specify a 150m setback (strong opposition to this was voiced at every public engagement opportunity).

- example: hours of operation: how does a 6 day per week industrial operation fit within a country residential community? Feedback on this at previous public-engagement sessions has been ignored.

Section 13.0:

- This section deals only with storm water within the project. The project will have major impacts on surface water drainage in the surrounding areas. There is no comment on how surface water drainage from Crestview Estates area will be affected, and no plan to mitigate impacts to existing drainage. Figure 16 shows that a ditch is proposed outside of the berm. How will this prevent additional surface water from flowing back to Crestview Estates, and how will it prevent changes in the water level of the existing pond at the north end of Crestview Estates? A disruption of surface water drainage patterns is of significant concern to us.

Section 14.0:

- No groundwater monitoring wells have been installed at the level neighboring wells are drawing water from, so the following statement, provided as scientific evidence is strictly conjecture with no factual evidence: "Groundwater present in the wells within the subject lands appears not to be hydrostratigraphically or chemically related to the water drawn in residential wells surrounding the MSDP area. Furthermore, hydraulic conductivity properties tested in the wells which contained water and the saturated interval of water in those wells indicate low aquifer capacity in the Tertiary Sand & Gravel Aquifer. As such, this aquifer has no capacity to support residential uses. The potential Project-related adverse effects to groundwater quantity are anticipated to be negligible because there is limited hydraulic connectivity between the Tertiary Sand & Gravel Aquifer and the underlying Paskapoo Aquifer."

Section 15.0

- the objective of meeting the Alberta Ambient Air Quality Objectives (AAAQO) is far too lenient when an industrial operation is proposed adjacent to a residential community. The requirement should be that no adverse effects on ambient air quality to residents are permitted by the new industrial operation.

Section 16:

- Continuous noise, even at 40 dBA, is irritating and should be avoided in a country residential environment. Bears paw residents have located in this community to enjoy the peace and quiet, accompanied with pleasant natural sounds of wildlife and the rustling leaves of the local vegetation. Overlaying this natural sound environment with industrial noise would have a significant adverse impact on the quality of life.

- "Lehigh acknowledges that the maximum noise generation thresholds may be exceeded during the preliminary site preparation and commencement of the initial phase of aggregate operations until such time mining activities drop below existing grades and/or the elevation of the berms." Residents should not be subject to this deterioration of quality of life, even temporarily. Conveniently, no timeframe or noise limit is provided by the proposal, so Lehigh could not be held accountable.

- Sound propagation modeling included only noise originating within the project area and did not consider the noise generated by 4.5 km of rock conveyor. In fact, the noise generated by the conveyor is not addressed in any way in the proposal.

Section 17:

- Visual impacts on all views from nearby properties and roads should also be avoided since the views from yards and access roads to local homes forms part of the ambience of the homes.

Section 24:

- It is proposed that development permit applications for each phase would include plans and strategies for the upcoming phase, but there is no mention of performance to requirements in previous phases. In other words, there is little need for Lehigh to live up to its commitments. Future phase applications would need to be contingent on Lehigh meeting all requirements of prior phases to the satisfaction of all stakeholders, including nearby residents.

Please feel free to contact me directly if you have any further questions.

Best regards,

Doug Gutzmann

[REDACTED]  
[REDACTED]

Agnes and Doug Gutzmann  
20 Crestview Estates  
Calgary AB, T3R 1E1  
[REDACTED]

August 28, 2020

Attention: Andrea Bryden  
Planning Services  
Rocky View County

Subject: **Comments on Application Number: PL20200093/0094**  
**Roll Number: 06605001/002/003/004/005**

As home-owners of a property in Crestview Estates, which is directly adjacent to the proposed gravel mining operation, we strongly object to the proposed redesignation application and proposed gravel extraction and processing operation.

Our key concerns and objections to this application / proposal are as follows:

1. **The cumulative effects of an additional aggregate operation in the immediate area.** There are currently 4 other operating gravel mines to the immediate east and south of the proposed operation that generate undesirable industrial noise, dust and truck traffic. Adding yet another operation to the existing ones would further exacerbate the negative issues Bearspaw residents must contend with. Under no circumstances should an additional gravel extraction operation be approved in the Bearspaw vicinity before the existing operations are depleted and reclaimed. This recommendation has been raised to Lehigh's attention as a critical concern at multiple public engagement events.
2. **Aggregate dust in the immediate vicinity of a residential community.** The dust generated by a gravel extraction operation at this site would have serious health impacts on the many nearby residences and is of particular concern in the Crestview community. As Lehigh's "Air Dispersion Modelling Assessment" shows, the level of particulates / dust in the Crestview community (**0.3 km** from Scott Pit) is far greater than dust levels at the Farm (144 Ave and RR23; **2.6 km** from Scott Pit). For example, compare the summer case of Total Suspended Particulates (TSP) from the project of **61.4 & 34.7 ug/m3 in Crestview vs 2.4 at the Farm**. It is clear from this (and many other factors) that a gravel operation in close proximity to the many Bearspaw residences is simply a terrible idea.
3. **The Industrial noise generated by the proposed gravel extraction and processing operation on the "Scott Property" and by the proposed conveyor system.** The residents in the Bearspaw community have chosen to live in this location for the peace and quiet of a pleasant rural community where the pleasant sounds of leaves rustling, frogs singing, ducks calling, chickadees chirping, and coyotes calling can be enjoyed. The unpleasant industrial noise of the proposed gravel extraction operation would destroy the peace and quiet and drown out the pleasant natural sounds residents currently enjoy.

4. **The proposed setbacks from residential neighbors are inadequate.** Despite the assurances of the applicant that they will mitigate noise, dust and visual impacts, monitoring negative impacts with defined limits does not provide adequate assurance to the community that negative impacts will be sufficiently mitigated:
- a. The proposed limits allow numerous and serious negative impacts that would not otherwise be present (additional industrial noise and dust, for example).
  - b. As we have experienced with other near-by gravel operations, operators are not able to guarantee that they are able to consistently operate below limits.
  - c. Residents have very little recourse to address situations where their quality of life is impacted by operations exceeding defined thresholds due to weather, equipment malfunction, or other unforeseen circumstances.

For these reasons, the monitor-and-mitigate approach proposed by the applicant is not adequate to prevent serious negative impacts on the residential community. The only way to mitigate serious negative impacts with any confidence is the requirement of reasonable set-backs between aggregate operations and residential properties. The setbacks of 100m and 150m proposed by the applicant are simply inadequate; minimum set-backs from residential properties of 750m to any berm construction, and 1000m to extraction operations would provide a more reasonable degree of confidence that the negative impacts of extraction operations would be minimized.

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- a. The claim that aggregates are in short supply is false. There is an abundance of rock available in far less densely populated areas that the applicant could use in their pre-cast products.
  - b. The claim that Lehigh has listened to the concerns of residents is false. Residents have raised concerns at every public engagement opportunity and Lehigh has still submitted a proposal with inadequate response to resident's concerns. The proposed set-backs of 100m – 150m are only one example of this.
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Some additional comments on specific aspects of the applicant's proposal are as follows (text in blue font is taken directly from the proposal):

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- The statement indicating the need for these aggregates to be extracted "["Aggregates are non-renewable resources ... local supply of aggregate reserves are depleting"](#)" is misleading. There is an abundance of gravel and rock in close proximity to rail lines between Calgary and the BC border, the vast majority of which is not near dense suburban residential development.

- ["With this application, Lehigh is proposing to construct an overland conveyor system to connect the proposed Scott Pit to the existing Spy Hill aggregate processing facility within the City of Calgary, in order to eliminate haul truck traffic to and from the Scott Property."](#) It is hard to believe that the conveyor would not have downtime during which trucks would be used to transport gravel, that the conveyor would never need service vehicles, or that the site would not need water trucks and other service trucks quite frequently.

Section 4.0:

- ["Lehigh's Spy Hill facilities include a state-of-the-art, highly automated, pre-cast concrete pipe plant which supplies products to all of Alberta, and some to neighbouring provinces as well."](#) Why should Bears paw residents bear the consequences of industrial operations that supply "all of Alberta and neighboring provinces"? Could Lehigh not use rock mined from less populated areas for their precast products? Could they not move the pipe plant to a less populated area to avoid the need for this gravel operation and reduce truck traffic in the Spy Hill area?

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- ["Lehigh is committed to actively exploring solutions with surrounding landowners, RVC, other aggregate operators, the Province, and the City of Calgary to reasonably mitigate potential impacts."](#) Other than the overland conveyor concept which would reduce truck traffic but not have any other positive impact on issues of concern, Lehigh has not listened to the concerns of residents and has not offered any concrete mitigation plans for the many concerns residents have expressed. Why would we expect Lehigh's behaviour to change from a history of not listening and not responding?

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Section 13.0:

- This section deals only with storm water within the project. The project will have major impacts on surface water drainage in the surrounding areas. There is no comment on how surface water drainage from Crestview Estates area will be affected, and no plan to mitigate impacts to existing drainage. Figure 16 shows that a ditch is proposed outside of the berm. How will this prevent additional surface water from flowing back to Crestview Estates, and how will it prevent changes in the water level of the existing pond at the north end of Crestview Estates? A disruption of surface water drainage patterns is of significant concern to us.

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- the objective of meeting the Alberta Ambient Air Quality Objectives (AAAQO) is far too lenient when an industrial operation is proposed adjacent to a residential community. The requirement should be that no adverse effects on ambient air quality to residents are permitted by the new industrial operation.

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Please feel free to contact me directly if you have any further questions.

Best regards,

Agnes Gutzmann

[REDACTED]  
[REDACTED]

Doug Gutzmann

[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - burma gravel  
**Date:** September 6, 2020 9:06:24 PM

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Hi Andrea,

I know that I am very late on this, it is a very busy time of year and especially with all the problems surrounding Covid. So my apologies, and hope you will forgive the lateness and at least have a read.

In any event I know that you had been receiving info with regards to Lehigh Hansens gravel application on Burma Road.

I sent the following to the MD on the municipal plan and received zero reply back. It pretty much tells the story on how residents of Bearspaw feel about another gravel pit in their neighbourhood. I can understand Rocky View's point of view on the possibility of placing another pit in the area. However this is a residential area, it is zoned for livestock and people, not more gravel.

Thanks for you consideration.

Rocky View Development,

Thank you for including residents in on the process of the drafting of the Municipal Development Plan. I have submitted my survey, read over most of the draft document and watched your video.

I fail to see how your MDP acknowledges or addresses the unmitigated disaster that we call Gravel Pits in our community. Since the death of the Aggregate Resource Plan (ARP), residents have been hung out to dry on this issue.

Since the announcement of the MDP and death of ARP, residents are thinking that the county would then address residents' concerns on Aggregate within the MDP. Sadly that is not the case. At an open house for the MDP in September 2019, there were many notes of concerns on the boards regarding gravel pits and yet it appears that you have ignored them ...again. (See attached photos)

I want to emphasize that I am not opposed to gravel extraction. I recognize the important role it plays in the regional economy. However, I strongly believe that County policy must ensure that new gravel pits are located so that they do not compromise health, safety and quality of life for existing residential communities. Rocky View has lots of gravel – there is no need to locate gravel pits near residential communities. I had expected the new MDP would address these important issues, but has failed to do so. That is not acceptable.

Bearspaw, according to your document, has been noted as one of the most significant population

growth areas within the county. Yet our community remains under threat of yet another gravel extraction mine. And your document does not fully address residents' concerns on land use policies surrounding these pits.

1. Your MDP draft removes any detailed requirements for Master Site Development Plans that must accompany applications for aggregate extraction. It is not clear where (if anywhere) these requirements will reside after the MDP is approved. Why?
  - a. These detailed requirements are critical for residents and for the massive corporations pillaging and mining our resources. The MDP needs to cover off these details.
  - b. Residents need to know where they stand with Aggregate companies after the MDP is approved. So far, we know we stand at the back of the line, which just isn't fair.
2. An introductory paragraph stating "careful consideration for how extraction is planned and implemented" is required. It fails to include any policies to ensure that the acknowledged "community concerns" and "significant impacts" from resource extraction will be appropriately addressed...again leaving residents in the dark.
  - a. Simply put, residents want to know that their government is on their side and will do everything to protect their community and keep it safe for our children.
3. Policy 2.6.1 (a) – States that the plan will minimize the impact of Aggregate resource extraction.
  - a. How do you plan on doing that?
  - b. Gravel companies just say anything to get approved, and their efforts do not even come close to mitigating the impact of extraction.
  - c. Crystalline Silica in the gravel dust can travel 7-10 kilometres. Once that is in your lungs, it is in there forever. How does the MDP propose to minimize that? Pay for medical bills? Veterinarian bills for livestock?
  - d. How do you propose to minimize the traffic issues and accidents caused by gravel trucks? In 10 years I personally have lost 4 windshields due to gravel trucks in our area.
4. Policy 2.6.1 (b) – Encourage collaboration between the County, the aggregate extraction industry, and impacted residents and landowners to develop mutually agreeable solutions that mitigate impacts of extraction activities.
  - a. Again the county misses the entire point, undermines residents wishes regarding

gravel extraction. Gravel companies have no concern for residents within this area. – Review Lehigh Hansens rebuttles to some of residents’ concerns. They ask us what the problems are, then conjure up a ridiculous notion that they think will appease the municipality...not the residents. They are proposing a conveyor belt from one section to another across or under a road. The noise from this will be extreme.

Pits and people do not mix and tax paying residents should not be forced into coexisting with harmful companies by their government.

The residents of Bearspaw / Rocky View do not want to be “encouraged” by government to engage with gravel companies. Residents want their government to ensure that gravel pits are located in areas where they will not negatively impact residents.

## **WE DO NOT WANT GRAVEL EXTRACTION IN ANY RESIDENTIAL COMMUNITY!**

5. Policy 2.6.1(c) discourages new residential development where future aggregate extraction might occur. While this make sense for gravel and aggregate companies, its backwards and you are putting the cart before the horse – **It should say, “We will restrict and discourage future aggregate extraction in locations and areas where there are residents and livestock populations, and the potential of residential development”**. Residents would far rather see more residents and neighbours than gravel pits.
  - a. There is no detail on how these “future aggregate locations” will be determined.
  - b. Again outlining a plan for aggregate within the MDP is absolutely necessary and would be helpful to address residents’ concerns.
6. Policy 2.6.1(g) encourages the location of other industrial activity adjacent to aggregate operations. WHAT!?
  - a. No rationale is provided for why this provision is included without provisions that restrict aggregate operations only to locations outside of residential ASPs.
  - b. What type of industrial activity would be appropriate? Additional trucking companies on the road? Gravel mines add upwards of 500 trucks per day on a road. How many more industrial activities can be supported and shared with residential vehicles and school buses?

- c. It is not clear how it can be appropriate to have a policy that encourages additional industrial activity in residential ASPs simply because there is a gravel pit nearby!!!
- 7. All past policies on aggregate extraction and current provincial legislation are based on reclamation of gravel pits back to original use (usually agricultural), unless a case can be made that there is a higher value post-reclamation use.
  - a. What case can be made for a giant hole in the ground the size of a small town?
  - b. Currently Lehigh Hansen is applying for a gravel mine on 600+ acres of land where 1,000's of people currently live ...they will destroy the eco system and the residents lives over the 50 year life span of the pit...how do you propose reclaiming that land?
  - c. Policy 2.6.1(h) suggests that gravel pits should be reclaimed into other industrial uses (e.g. waste transfer or processing facilities) without providing any rationale.

A sensible Municipal Development Plan would put residents first and encompass a full land use policy on aggregate resources. This policy would have ensured that new gravel pits would have been approved in well thought out locations. Those locations would have the least impact on residents and livestock and existing communities. For that matter the MDP could address locations where an existing community supports the pit's arrival. Locating new gravel pits in the midst of long-established residential communities doesn't pass the smell test. After all, there is no shortage of gravel in Rocky View.

The MDP should also address the environmental Impact of gravel mines – noise and light pollution, potential water contamination and, of course, the impact of dust on the health of the many surrounding residents and livestock.

If the purpose of the MDP is to properly outline a vision for planning and development for the county, should it not thoroughly address one of the most hotly contested topics in the last 10 years of this county?

Your video claims that the county wishes to account for the growth of the county responsibly for everyone, and the MDP will be used as a tool to make decisions for growth. Yet it does not fully address the relationship between residents and aggregate mines. It does not address how land use policies regarding such will be altered or remain the same. Residents need clear answers on this topic.

Frankly I don't understand how you plan on protecting our rural lifestyle through this MDP. That is the biggest desire of residents, to preserve our country residential and agricultural lifestyle. People move to Rocky View to escape the city, escape industrial and commercial entities. Yet the wording on this document clearly puts Aggregate before people.

The moral high ground for the elected officials of the County of Rocky View can only be obtained

when the government fully addresses it's residents needs. This document does not assist or achieve that when it comes to Natural Resource Development.

Thank you for taking the time to review my concerns,

Alf Garvin

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Application 20200093/0094  
Date: October 31, 2020 10:35:30 PM

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Ms Bryden,

I had sent you an email in September regarding this matter and the development plan within the area. Just so I don't miss out in voicing my opinion again I am responding to the County's request for comments on Lehigh Hanson's application to re-designate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am **STRONGLY** opposed to this application. I will always be opposed to open pit mine exploration in residential communities. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments. Their ridiculous efforts to mitigate the problems, do not mitigate the problems and are merely attempts to shut up the residents of Bearspaw and to appease councillors for liability reasons.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location. Most residents may support additional development of this land if it were for acreages or housing for people, but never for industrial use.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs. I do not have the exact population numbers for our area, however within a 3km radius of this potential pit there are 1000's of people. Church Ranches alone has 183 homes so in our area that's close to 600 people! We have friends with homes that would back onto this gravel mine and that is no way for them to live, or for their livestock to exist.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic. This is sneaky and



underhanded, we are in the midst of an event that only happens every 100 years, and the County permits this at the expense of its residents???? Shame on the MD.

This application should not be approved for a multitude of reasons, and Lehigh Hanson should not be allowed to torment the Bearspaw residents year in and year out on this process. We're all very tired of our community being threatened by Big Industry and their 25-50 year plan to desecrate the Bearspaw Community. It's not just their land, their mining will impose hugely negative impacts on water tables, habitats, wildlife, air quality and more surrounding it.

My family lives near this proposed pit. My kids play outside with their friends and we all enjoy an outdoor lifestyle. Gravel dust particles can enter their lungs and cause silicosis. This is life threatening and irreversible. With the added risk of Covid which also affects the lungs, this is a serious risk.

There is plenty of gravel available from Calgary to the Rocky Mountains in much less populated areas that does not put people's health at risk. We have enough gravel pits in our area and cumulative affects are real.

In closing, we love our community, we love the people within it and we moved here to enjoy a peaceful quiet country lifestyle. The mass amounts of gravel operations currently in the area have been a black cloud on our community. Adding another will completely destroy what we love. They should never have bought that land already knowing it was zoned for agriculture and residents. Time for them to sell and move on.

Thank you for your time Andrea.

Alf Garvin

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 30, 2020 3:43:34 PM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am STRONGLY opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

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There is plenty of gravel available from Calgary to the Rocky Mountains in much less populated areas that does not put people's health at risk. We have enough gravel

pits in our area and cumulative affects are real.

Sincerely,  
Julia G

**From:** [Dominic Kazmierczak](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8000-2020 - Julia Garvin, 7 Chamberlain Close. I'm opposing this application by Lehigh Hanson because of air pollution and the affects on health of my family  
**Date:** January 15, 2021 10:27:27 AM

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**From:** Julia Garvin [REDACTED]  
**Sent:** January 15, 2021 8:12 [REDACTED]  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8000-2020 - Julia Garvin, 7 Chamberlain Close. I'm opposing this application by Lehigh Hanson because of air pollution and the affects on health of my family

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To whom it may concern,

I oppose this application by Lehigh Hanson just as I have opposed every other one of their applications and will continue to do so. I would ask that the municipality of Rocky View change the rules so that Lehigh Hanson can not submit applications as frequently as they do. If you can't do it for all applications, at least consider doing it in situations where residents have strongly opposed the application in the past, as it true in this situation. The current process is a waste of our time and energy.

The reason I oppose the gravel pit 1.2km from my house are plenty:

It breaks the social contract. We moved to this area for a quiet country residential life. We pay far higher taxes for the services we receive than someone does in Calgary. We do not want a gravel pit in our neighbourhood. Gravel is present from Bearspaw all the way to the Rocky Mountains. Lehigh Hanson can get the gravel they need from an area that is sparsely populated. Gravel is not a limited resource.

What benefit is having a gravel pit in this location to Rocky View? I understand there is no economic benefit to the residents. There are already 6 existing gravel pits near us. Has anyone done studies in this area regarding the cumulative affects of the 6 pits and what one more pit would mean for pollution, effects on wildlife, noise, light pollution, ground water and traffic/roads? I'd like quality research to be done on this topic before Lehigh Hanson applications are considered in the future.

The silica dust that gravel pits generate when gravel is crushed can travel up to 60 km and cause silicosis of the lung. Pollution shortens lives. I have children and I don't want their lives shortened because Lehigh hanson wants to build a gravel pit in a residential area. I know several neighbours that have asthma and the gravel dust from the existing pits causes them difficulty when they go outside on windy days. We don't need to add to this problem.

Studies have also show that my property value will go down with a pit near by.

Our roads have been build for residential use. They can't support gravel trucks considering Burma road has a very small shoulder. They say they are using a conveyer belt to transport the gravel to their other location but there will still be an increase in traffic in our community.

Gravel pits are a blight on the land. Digging down as deep as they do to mine gravel will affect water tables and people in our communities use wells for their drinking water.

Reclamation of old gravel pits is not a reality. The land is damaged beyond reclamation.

For all of the reasons cited above, I oppose Lehigh Hansons current application and their next 1000 applications.

Rocky View Resident  
Julia Garvin

Rocky View County  
Planning Department  
262075 Rocky View Point  
Rocky View County, Alberta  
T4A 0X2

October 27, 2020

Andy Mellis  
12 Cody Range Way  
Calgary, Alberta  
T3R 1C1

**Attention: Ms. Andrea Bryden**

RE: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Dear Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

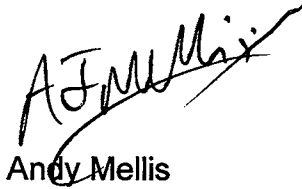
Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

Yours Truly,

A handwritten signature in black ink, appearing to read "A. Mellis", with a long, sweeping horizontal stroke extending to the right.

Andy Mellis

Rocky View County  
Planning Department  
262075 Rocky View Point  
Rocky View County, Alberta  
T4A 0X2

October 27, 2020

Cindy Mellis  
12 Cody Range Way  
Calgary, Alberta  
T3R 1C1

**Attention: Ms. Andrea Bryden**

RE: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

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In closing, this application should not be approved for the reasons I have listed above.

Yours Truly,

A handwritten signature in black ink that reads "Cindy Mellis". The script is cursive and fluid, with the first name "Cindy" and last name "Mellis" clearly distinguishable.

Cindy Mellis

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Opposition to application C-8082-2020 by Lehigh HansonBylaw  
**Date:** January 18, 2021 12:45:31 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

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**From:** Anna Kuriachan [REDACTED]  
**Sent:** January 16, 2021 5:08 PM  
**To:** Legislative Services Shared <[REDACTED]@rockyview.ca>  
**Subject:** [EXTERNAL] - Opposition to application C-8082-2020 by Lehigh HansonBylaw

**Do not open links or attachments unless sender and content are known.**

Vikas and Anna Kuriachan  
44 Silverwoods Dr.  
Calgary, AB  
T3R1E2  
Date: Jan 15, 2021

Dear Rocky View Council  
Re: **PL20200093/0094 Lehigh Hanson application - Gravel Mine – Bylaw C-8082-2020**  
**We are Opposed**

We have resided in Bears paw for 10 years and therefore will be directly affected by the decision made by council regarding this application. Our family reside within 1 Kms away from this site.

It is our understanding that this is the third application made by this same applicant, with the most recent one being rejected unanimously. The same reasons for that rejection still apply. There will be significant environmental effects, significant health consequences to residents and it will greatly interfere with the enjoyment of residences in all the properties surrounding the area.

Our home is fed by an underground well that runs directly South 1 Kms of the proposed site and this causes us great concern! Air quality is a huge issue as well for the health of our children and the community as a whole. Noise pollution, increased traffic and overall safety are issues that need to be taken into consideration. So Please for the health and safety of our

family and residents, reject this application.

More significantly, meaningful consultation should have occurred with affected residents. This has not occurred. We have been home almost exclusively since the middle of March due to the global pandemic and have not received any correspondence or had contact from Lehigh Hanson or its affiliates in that time other than notice of the application.

In conclusion, I hope Rocky View Council will use the prudent voice used in the previous two applications and reject this application.

Thank you,

Vikas and Anna Kuriachan

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 30, 2020 11:45:03 AM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

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In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Regards,  
Anna Kuriachan  
44 Silverwoods Dr.

From: [REDACTED]  
To: [Andrea](#) [REDACTED]  
Subject: [EXTERNAL] - Lehigh Hanson's application  
Date: October 30, 2020 3:14:41 PM

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Do not open links or attachments unless sender and content are known.

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)

Ms. Bryden:

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In closing, this application should not be approved for a multitude of

reasons, including the ones I have listed above.

Sincerely  
Dr Vikas Kuriachan

**ANNE-MARIE BLOCK**  
**RANDALL W. BLOCK, Q.C.**  
35 Alexa Close, N.W  
Calgary, Alberta  
T3R 1B9

---

October 28, 2020

***Via E-Mail***

Rocky View County  
262075 Rocky View Point  
Rocky View County, Alberta  
T4A 0X2

Dear: Ms. Andrea Bryden

**RE: PL20200093/0094 (Files 06605001-5005) Lehigh Hanson application for a Bearspaw Open Pit Gravel Mine (the "Application")**

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***Introduction***

We are long-time residents of Bearspaw and reside at 35 Alexa Close in Church Ranches. Therefore, we will be directly impacted by any decision to permit further gravel extraction in Rocky View County. We are in receipt of correspondence from Rocky View County dated October 9, 2020 requesting comments on the Application.

Thank you for the opportunity to comment on the Application.

***We are Opposed to the Application***

We are opposed to the Application.

One landowner seeks to change, yet again, existing land use designations, obtain approval to excavate an open gravel pit over some 600 acres and operate it for 30-50 years for its commercial advantage imposing significant and unmitigable impacts on the local community.

Clearly, the construction and operation of an open pit gravel mine in the heart of a country residential area as envisioned in the Application will cause serious detrimental and unmitigable impacts to health, ground water, the broader environment, air quality, noise levels and the overall quality of life. The benefits to Rocky View County are minimal and completely disappear when assessed against the negative impacts to Bearspaw residents and Rocky View County as a whole.

Therefore the Application should be rejected.

***The Applicant has Been Repeatedly Turned Down and Should be Again***

The Applicant has previously sought to mine gravel in Bearspaw in very close proximity to our residence. In fact, as you are well aware, this is the third time that the Applicant has essentially made the same Application. They were rightly turned down before and should summarily be again. Where gravel operations are refused or existing land designations do not permit it, reasonable expectations are created that no gravel pit operations will be allowed. This in turn entices residents, in justifiable reliance on the position of the County, to purchase properties in a country residential area with every reasonable expectation that the country residential community will be preserved. Justifiable and reasonable settled expectations are established.

We certainly purchased in Church Ranches on the legitimate expectation as set forth in the County Plan and Bearspaw Area Structure Plan that the 600 acres that the Applicant proposes to mine were agricultural and projected for country residential development. It is unacceptable for one landowner to completely upend settled expectations and permit an industrial open pit mining operation in the heart of a country residential area. And it is fundamentally unfair for the same Applicant to apply over and over in the faint hope that a change in Council will change the result when the core underlying facts remain the same.

***Proper Consultation has not Occurred***

Major project development requires effective and meaningful consultation. That has not occurred. For example, we have never been personally consulted in relation to this open pit mine.

The Applicant appears to have the misguided and seriously outdated view that notification is consultation. It is not. An applicant must meaningfully engage with potentially affected citizens, genuinely hear their concerns, and accommodate them. None of this has happened.

Indeed it appears to us that the Applicant is seeking to sidestep its consultation obligations and to rush its Application through in the midst of the COVID pandemic. This is not an Application for the construction of a garage; it is an application that allows an open pit gravel operation that will mine and transport gravel by way of an untried conveyor system continuously for decades. The level of meaningful public engagement must be commensurate with the scope of the Application and in this case it is woefully lacking. The fact that we are in the midst of the COVID pandemic heightens, not decreases, consultation obligations.

The Application should be summarily rejected on the basis of the Applicant's failure to meaningfully consult alone.

***The Right to a Procedurally Fair Process***

It goes without saying that all potentially adverse residents have the right to a procedurally fair process. That right goes far beyond the narrow band of citizens that received the October 9, 2020 letter.

The Applicant relies extensively on opinion evidence. From our count, there are 11 separate so-called expert reports on various topics ranging from Hydrogeology to Cumulative Effects with the reports totalling some 1500 pages. The Application envisions open pit mining close to residences,



where health and environmental impacts are known and inevitable, yet the underlying thrust of the Application appears to be that the Applicant's experts are to be trusted and accepted without challenge.

The Cumulative Effects and Hydrogeology reports are deserving of special mention. The scope of the cumulative effects is unreasonably limited as to its time and spatial boundaries. Current and future additional impacts must be considered or the report will certainly understate cumulative effects. For example, the Application, if successful, will result in the sterilization of valuable lands for country residential and agricultural use. In relation to groundwater, to suggest that a mine excavated below the water table down dip to outflow will not have unmitigable impacts is self-evidently flawed. The Council should be well aware that it is the same groundwater concerns, among the many other valid concerns, that led to the last Application being rejected 9-0.

The Council should be under no illusions as to how the Applicant will seek to utilize the reports. It will claim that the reports are "unchallenged", that there is no "contrary evidence" and the reports should therefore be accepted "as written." These are the same arguments that are repeatedly made when contrary evidence is sought to be stifled by an applicant. The Applicant's studies are all works of opinion, prepared by experts instructed by the gravel pit applicant and paid for by the Applicant. In a procedurally fair process, they cannot and should not be accepted at face value.

No Court, regulatory body, or arbitral panel that employs procedurally fair processes, in our experience, accepts so-called expert evidence without the ability to meaningfully challenge that evidence. That is why any testifying expert must be both qualified as an expert and her/his opinions subject to testing through questioning.

Expert opinions vary widely. We would strongly suspect that for virtually every report that is offered by the Applicant, credible and knowledgeable experts would disagree. The Applicant should not be permitted to place the Council in the position of having to attempt to discharge its duties including the duty of procedural fairness without credible experts with contrary opinions. Better evidence leads to better decision making. The means to do so is discussed below.

#### ***Advance Funding is Required as a Condition Precedent to Effective Public Participation***

The quality of the decisions made by the Council of Rocky View County will depend on many factors including the quality of the evidence presented to it.

It has long been recognized that effective public participation requires funding by a commercial applicant. That is why major regulatory bodies require intervenor funding, including advance funding, for directly and adversely affected persons. Not only are procedurally fair processes utilized, the decision making body obtains the best evidence leading to correct decision making.

The Applicant should willingly provide real and meaningful funding to affected landowners and the Application parked until it agrees to do so. It is only with this funding that the necessary experts can be retained by adversely affected persons and, more importantly, the Council will not be captive to opinions prepared for and paid by the gravel company commercial applicants.

Following meaningful funding, extensive review of all materials will be required. This will take time. Any attempt by the Applicant to rush this matter through and deny the procedural and

participation rights of adversely affected persons should be denied and seen for what it is: the attempt to push through the approval of an open pit mine while minimizing opposition.

***The Application Fails any Test for Approval and Should be Rejected***

The decision to seek approval of and exploit gravel through an open pit mine is solely a commercial one. At the end of the day, we strongly suspect that this Application to operate an open pit mine in a country residential/farm community is made because it is cheaper and increases profits. And, it is one current landowner seeking to fundamentally change land use and elevate its interests over all other landowners.

Open pit gravel mining imposes a heavy burden on affected communities. To even consider allowing resource extraction (or industrial development in general), the benefit to the community at large must outweigh the impacts to the directly affected local community and, if so, the impacts to the local community must be effectively mitigated.

Here, there is a failure on all branches of the test. First, there is no public interest in extraction of a plentiful resource. This is about business profits. On the other hand, the impacts on the local community are extreme. Second, the mitigation of the obvious deleterious impacts are, at best, sorely lacking.

There is no public interest to be considered and no commercial party has the unbridled "right" to claim a right to extract gravel. Therefore, the very real impacts to health, water, the environment and a myriad of other impacts must be balanced and assessed against the commercial interests of a company seeking to exploit gravel for its own profit. That is especially so where residents have purchased or built homes long before any gravel operations were contemplated and in fact after the very same Application was denied.

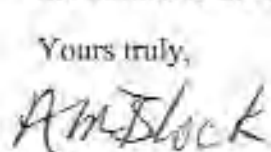
The commercial operator will extract gravel, crush it and truck it away (after traveling along a conveyor system). This leaves a pit and we are sure that the Applicant will say that it is too expensive to fill in the pit and remediate to prior baseline conditions. At least in the oil sands there is sand available once the oil is extracted. The Applicant appears content to proceed with its Application on the basis that it will "extract and run".

We have also seen no effective steps by the Applicant to benefit the local community. Rather, the approach appears to be to get as close as possible to existing communities, reduce trucking distances and thus increase profits.

***Conclusion***

Thank you again for the opportunity to provide our comments. Our opposition to the Application is not limited to the concerns set forth above.

Yours truly,



**ANNE-MARIE BLOCK/RANDALL W. BLOCK, Q.C.**

ANNE-MARIE BLOCK  
RANDALL W. BLOCK  
35 ALEXA CLOSE, CHURCH RANCHES, ROCKY VIEW COUNTY

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January 20, 2021

***Via E-Mail***

Rocky View County  
262075 Rocky View Point  
Rocky View County, Alberta  
T4A 0X2

**Attention: Municipal Clerk's Office**

Dear: Sir or Madam:

**RE: Opposition to Application No. PL 20200093, BYLAW C-8082-2020 (Opposed)**

**Lehigh Hanson application for a Bearspaw Open Pit Gravel Mine (the "Application")**

***1. Introduction***

My wife and I are long-time residents of Bearspaw and reside in Church Ranches, located in Bearspaw, Rocky View County. Therefore, we will be directly impacted by the Application. In compliance with Rocky View County's letter dated October 9<sup>th</sup>, 2020 requesting comments on the Application, we previously provided comments on November 2<sup>nd</sup>, 2020.

We understand that Rocky View County has requested comments by January 20<sup>th</sup> or 27<sup>th</sup> on the Application and therefore we are doing so. We have learned much since November 2<sup>nd</sup>, 2020. In short, the Application is entirely defective and must be permanently rejected.

These comments are provided on my own behalf and on behalf of my wife Anne-Marie.

***2. We Remain Opposed to the Application***

We remain opposed to the Application.

On November 2<sup>nd</sup>, 2020, we summarized the Application as one landowner seeking to change, yet again, established land use designations, obtain approval to excavate an open gravel pit over some 600 acres and operate it for 30-50 years for its commercial advantage imposing significant and unmitigable impacts on the local community.

This fundamental and inescapable conclusion has now been overwhelmingly demonstrated on the evidence in this proceeding. This is a proposed industrial greenfield development in the heart

of a country residential area. The impacts of an industrial greenfield development in such a setting by very definition will be extreme.

Therefore, the Application should and must be rejected yet again and on terms that forever bar the Applicant from cycling back with applications.

***3. We Adopt in its Entirety the Submission of Mr. John Weatherill***

We have read the entirety of the submission of Mr. John Weatherill, including all Appendices and each expert report submitted with Mr. Weatherill's submission. We concur with Mr. Weatherill's submission and adopt it in its entirety. No reasoned decision maker, in our opinion, could ignore the comprehensive evidence submitted by Mr. Weatherill on the record of this proceeding and arrive at any other conclusion than the Application must be rejected.

***4. This is a Beautiful and Environmentally Sensitive Area and that is Why We Chose to Live Here***

The Applicant has previously sought to mine gravel in Bearspaw in very close proximity to our residence. We live about a kilometre away. In fact, as you are well aware, this is the third time that the Applicant has essentially made the same Application. Where gravel operations are refused or existing land designations do not permit it, reasonable expectations are created that no gravel operations will be allowed. This in turn entices residents, in justifiable reliance on the position of the County, to purchase properties in a country residential area with every reasonable expectation that the country residential community will be preserved.

That is exactly what we did. We were long-time residents of NW Calgary. I have a farming background and my wife grew up on an acreage in Ontario. We always wanted to live on an acreage in a rural setting. After a long and hard search, we purchased in Church Ranches on the legitimate expectation as set forth in the County Plan and Bearspaw Area Structure Plan that the 600 acres that the Applicant proposes to mine were agricultural and projected for country residential development.

Rural living, dark skies, peace and quiet, the environment, and nature were all fundamental to us. The characteristics of rural living are set forth in the Bearspaw Area Structure Plan and we fully agree.

When we purchased, we were well aware that the Applicant had been turned down previously and in forceful and compelling terms. It also seemed to us that there was a logical dividing line between gravel operations to the east and rural country residential living to the west. That an incursion into the country residential area was unfathomable and we justifiably relied on both the existing designation and the previous rejection. Crestview, Silverwoods, Church Ranches, and other country residential subdivisions all existed when we purchased, further reinforcing the country residential land use of this beautiful area. When one reads the Application, it is as if these subdivisions scarcely exist.

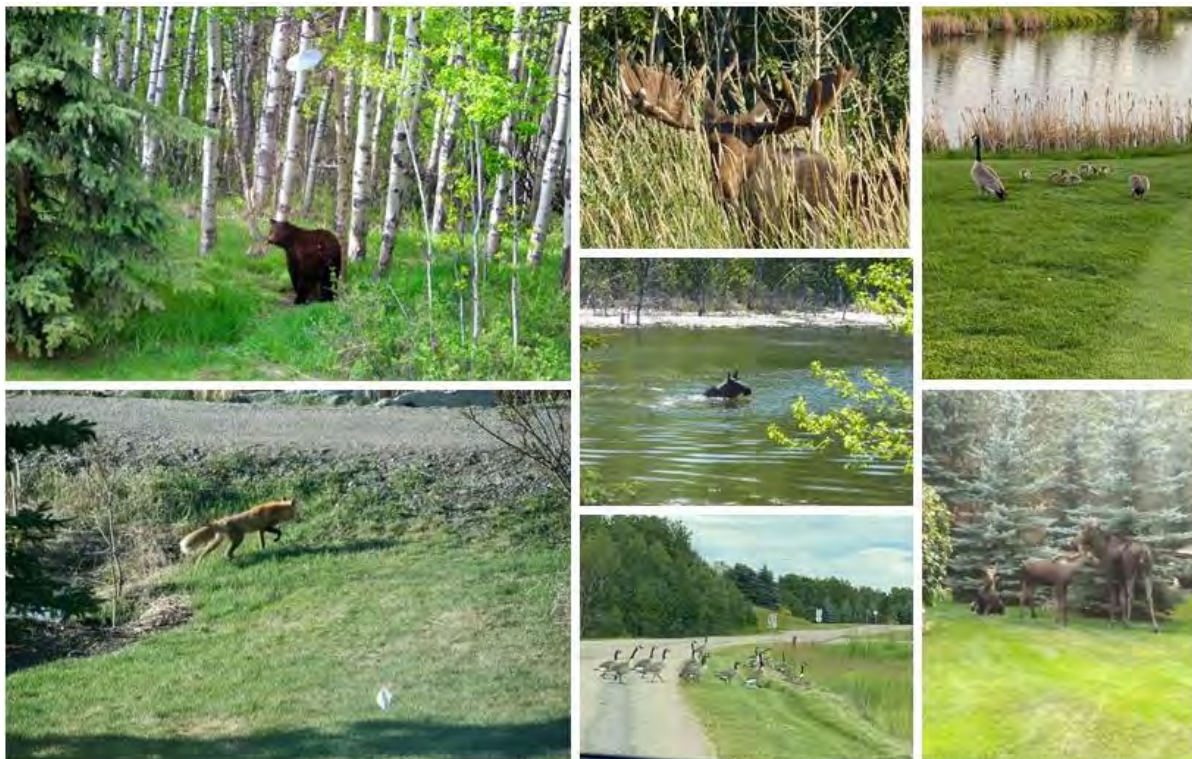
Our long-term personal goal was, and remains, to retire in Church Ranches and enjoy the beautiful setting with our family and grandchildren. We enjoy Church Ranches immensely (and



the entire area) and we hope to pass on our property to one of our sons when they send us to assisted living (which I sincerely hope will be several years away). That an Applicant could brazenly assert that I would spend these years listening to blasting, extraction, a jaw crusher crushing rock into a size that could be dumped onto a conveyor, and a conveyor system operated by a subsidiary of a German public company is something that is frankly beyond my ability to rationally comprehend. No landowner can claim a right to inflict those types of harm onto its neighbours which I discuss at the end of this letter.

My wife and I enjoy living and working on our acreage, watching and listening to the constantly varying wildlife throughout the seasons in Church Ranches. The sure sign of spring is not the return of the nesting geese and duck pairs (which is a joy to watch) but the emergence of the frogs and muskrats from their winter slumber and their mating cacophony.

We regularly have moose, deer, fox, all types of water fowl, and the occasional black bear and cougar. I have personally seen all of them except the cougar which a few years back we tried to find but never could. We knew he (Alberta Fish and Wildlife determined it was a full grown healthy male cougar) was here because the deer population dropped by about one per week. We eagerly await each fall for the return of Bull Moose during the fall breeding season. I am much more careful than I used to be having been chased by a bull (actually that sounds better than it was. The bull was chasing my dogs who were running directly to me). The pictures below were all taken in Church Ranches in the general vicinity of our home and I can confirm that all frequent this area.



As Mr. Weatherill points out, part of the statutory mandate of Council is to foster the well-being of the environment. The County with its existing land use designations has done just that. Displaced wildlife from industrial development further to the east has relocated to this area and it is magnificent to see how wildlife has adapted to a country residential area where natural wetland areas are preserved. Modern consultation requirements stress local knowledge is critical, but Lehigh Hanson appears not to understand that as discussed later in this letter.

Lehigh Hanson fails to acknowledge the variety of wildlife in this area (see page 18 of the MSDP which makes no mention of much of the wildlife in this area) and what wildlife they begrudgingly recognize they acknowledge obviously will be displaced. Of course, that misses the point. Wildlife roams throughout this area including the Lehigh Hanson lands. Fostering the well-being of the environment means these species will not be displaced and forced elsewhere.

As I sit on my deck, enjoying the sounds of nature, I watch the cycles of water in this area. This is prolific wildlife area due to the presence of water. The spring rains and melt replenish the innumerable natural ponds in the area, and then the water slowly drops as the water percolates through the underlying strata and ultimately to the aquifer. The ponds rise and fall with this endless cycle as it is obviously an interconnected system. To suggest that this cycle is simply evaporation is incorrect and the detailed work of landowners has demonstrated precisely that. Surface and ground water is in constant communication in a natural cycle.

No wonder that Lehigh Hanson has been repeatedly rejected. It is self-evident that it should be again.

Lehigh Hanson knows or should know all of this. The environmental beauty of this area including where we live is readily apparent. All you would have to do is take a walk around the area.

The response of Lehigh Hanson is flagrantly false when it asserts that:

Lehigh acknowledges and is sensitive to the proximity of the proposed Scott Pit to existing county residential development. As such, Lehigh has proposed industry leading performance standards and mitigation measures as described in the forthcoming sections of this MSDP to ensure that the proposed development does not create a burden to the community relative to the existing industrial and institutional uses already occurring within the NW Metropolitan Area.

Don't buy it. This statement is riddled with incorrect statements, each one of which has been comprehensively refuted by landowners and experts as detailed in the submission of Mr. Weatherill.

The purpose of Lehigh Hanson, in my view, is transparent. It seeks to suggest that its 600 acre mine in the heart of a country residential area does not create a "burden" because the comparison is "industrial and institutional uses already occurring within the NW Metropolitan Area."

The submissions of Lehigh Hanson should be seen for what they are. Trapped by the actual facts, they falsely denigrate this beautiful area and seek to lower the bar against which the obvious and unmitigable impacts inflicted on the community by their mine should be measured.

Fundamentally, the assertions of Lehigh Hanson are patently incorrect on the facts. At last count, over 200 landowners in universal opposition have told them exactly that. This failure to present actual facts and acknowledge the massive impacts Lehigh Hanson seeks to inflict on the community casts a pale on the entire application and requires it to be rejected. It is fundamentally contrary to any reasoned view of the evidence on the record.

Lehigh Hanson goes further. They fabricate a category called a “transition zone.” There is not a single statement in any authoritative document on the record of this Application referring to the Lehigh Hanson lands as a “transition zone.” It does not exist in the County Plan nor the Bearspaw Area Structure Plan. The invention of a non-existent category, again, must be seen for what it is: a transparent and meritless attempt to denigrate the natural beauty of this area. Rather than living in a beautiful country residential setting enjoying the rural life style, enjoying the peace and quiet and dark skies, we apparently now live in an industrial “transition zone”. Factually, this is utter nonsense.

Lehigh Hanson does not appear to appreciate that by making incorrect assertions about this area it actually exposes further frailties and inconsistencies in its Application. If this area is impacted as it claims, then it must acknowledge and assess those impacts in its cumulative effects study. Cumulative effects studies are just that: cumulative. Lehigh Hanson has utterly failed to do so in its cumulative effects document (which cannot and should not be considered a study as detailed in Mr. Weatherill’s submission). In its rush and desire to submit an application that claims no impacts, Lehigh Hanson simultaneously claims landowners are impacted by industrial uses to the east but those same impacts are apparently not worthy of any consideration in a cumulative effects study.

As discussed below under our consultation comments, Lehigh Hanson’s lack of adherence to actual facts creates additional intractable problems for it. Good faith consultation requires acknowledging real impacts based on real facts. Seeking to sweep them away by denying the actual beauty of this area is absolutely contrary to good faith consultation. Its project causes harm to adjacent landowners and that is undeniably so. The duty on Lehigh Hanson is to be factually accurate, transparent, and propose accommodations. It has completely failed to do so.

This is, at its core, a failed project. Opposition is unanimous and rightly so. As detailed in the Weatherill submission, Lehigh Hanson has actually significantly ramped up its impacts from a project that was unanimously rejected in 2010. The massive and overwhelming opposition of the local community cannot be dismissed as the views of a few “anti-development” landowners. That is insulting and demonstrates Lehigh Hanson’s actual approach to consultation. Opposition to this application in a country residential designated area is virtually unanimous because it is a failed project, with no appropriate consultation, that will harm the environment, inflicts unmitigable impacts on the community, and is based on incorrect facts and reports that are unworthy of reliance and of which even a cursory review demonstrates their lack of reliability. The opposition comes from all spectrums of the community and includes retired people that

sought out Bearspaw to enjoy their years of hard work, farmers, public sector workers, doctors, geologists, hydro-geologists, lawyers, accountants, senior executives of industry, retired executives and families with children. None are “anti-development” and broad brush labels are false, insulting and irrelevant. Again, they need to be seen for what they are.

The Bearspaw Area Structure Plan requires (section 8.3.21) that an application for redesignation should only be considered if “the rural residential character of adjacent lands is not unduly negatively impacted or substantially altered.” Clearly, the Application should not be considered and rejected out of hand. The rural residential character of this area will be unduly negatively impacted and substantially altered.

### ***5. The Process Employed for the Application and What We Have Learned***

Lehigh Hanson seeks to excavate one of the largest gravel mines in Canada in the heart of a country residential area, on lands that slope to the north in a water shed that ultimately flows into the Bow River, where naturally occurring ponds are a dominant feature of the landscape, and where wildlife of many types abound. Significant residential development contiguous to the lands where the pits will be excavated existed long before the Application, including homes that are on significantly higher ground than any berm that may be constructed.

Frankly, writing these words demonstrates the obvious. The construction and operation of an open pit gravel mine in the heart of a country residential area as envisioned in the Application will cause serious detrimental and unmitigable impacts to health, ground water, the broader environment, air quality, noise levels and the overall quality of life.

To claim otherwise, which Lehigh Hanson largely does, lacks any air of reality. One is left to wonder why evidence is required to address the Application. The Application self-evidently lacks any credibility when the history and the beauty of this natural area are understood against the backdrop of the legislative imperative to foster the well-being of the environment.

But Lehigh Hanson appears determined to press on, through the COVID pandemic and notwithstanding the fatal defects in its Application. It should have withdrawn, permanently, on receiving the torrent of opposition on November 2<sup>nd</sup>, 2020.

Given that Lehigh Hanson appears bent to continue, regardless of the unanimous opposition and the defects in its Application, Bearspaw landowners will indeed respond.

On November 2<sup>nd</sup>, 2020 we wrote:

*The quality of the decisions made by the Council of Rocky View County will depend on many factors including the quality of the evidence presented to it.*

The Application has demonstrated this in spades. Submitting an application is not an exercise in checking boxes. It is not about submitting statements that are contrary to the facts or reports that cannot withstand even a modicum of scrutiny. It is not about submitting an application with the hope of no meaningful opposition. And it is not about taking steps to hobble the ability to



provide meaningful opposition based on peer reviewed, independent expert reports that directly and convincingly refute every single aspect of the Application.

The process to obtain proper evidence undertaken by Bearspaw landowners has been an arduous one. The Alberta Court of Appeal has stated:

Granting standing and holding hearings is an important part of the process that leads to development of Alberta's resources. The openness, inclusiveness, accessibility, and effectiveness of the hearing process is an end unto itself. Realistically speaking, the cost of intervening in regulatory hearings is a strain on the resources of most ordinary Albertans, and an award of costs may well be a practical necessity if the Board is to discharge its mandate of providing a forum in which people can be heard. In other words, the Board may well be "thwarted" in discharging its mandate if the policy of costs is applied restrictively. ***It is not unreasonable that the costs of intervention be borne by the resource companies who will reap the rewards of resource development. [emphasis added]***

Clearly, Lehigh Hanson seeks to reap the rewards of resource development. It seeks to externalize costs onto neighbouring landowners. Consistent with the Alberta Court of Appeal, Bearspaw landowners through Mr. Corbett requested funding. They did not even receive the courtesy of a meaningful response from Lehigh Hanson which unfortunately is thoroughly consistent with Lehigh Hanson's approach to its consultation obligations.

Bearspaw landowners, through an Information Request submitted to Lehigh Hanson on November 18<sup>th</sup>, 2020 sought additional information on the Application. Again, consistent with Lehigh Hanson's approach to consultation and landowners in general, landowners once again did not even receive the courtesy of a meaningful response. That Information Request, which contained standard and usual requests for information, is on the record of this proceeding.

Landowners sought all of the data on 54 wells and bore holes that Lehigh Hanson refers to but for which it provides no data. Again, no response whatsoever. The only logical inference that can and should be drawn is that this data is contrary to the position of Lehigh Hanson.

It has long been recognized that effective public participation requires funding by a commercial applicant. That is why major regulatory bodies require intervenor funding, including advance funding, for directly and adversely affected persons. Not only are procedurally fair processes utilized, the decision making body obtains the best evidence leading to correct decision making.

Most importantly, Council is not captive to opinions prepared for and paid by the gravel company commercial applicants. Not one of which contains a declaration of expert independence.

Accordingly, landowners through their Information Request, sought funding asking:

LH has filed upwards of 1500 pages of opinion material that it asks RVC to rely on. Does LH agree that it is reasonable for LH to bear the costs of intervention by

potentially and directly adversely affected landowners to ensure an effective and balanced analysis of its Applications and material in support?

Is LH prepared to provide funding to affected residents to allow a review of the opinion material filed in support of its Applications and if so, in what amounts?

Landowner funding is recognized by regulatory bodies charged with making public interest as important to the fairness of the process and to ensure applications are not unchallenged. Again, not even the courtesy of a response was received.

Landowners have persevered notwithstanding the roadblocks of Lehigh Hanson. Before the County and its staff are comprehensive reports authorized by acknowledged experts refuting all components of the Application. Expert evidence should be objective, unbiased and non-partisan and the Bearspaw landowners' experts have comprehensively met that standard. Any single report in and of itself warrants the immediate dismissal of the Application. Taken collectively, they demonstrate that the Application is utterly devoid of merit.

The real question, in our view, is why the cost and effort of this was required at all. A simple and honest walk around this special place would establish there is only one answer that being that the Application must be rejected to "foster the well-being of the environment."

Geology does not change. Health and noise impacts do not change. The land use designation as country residential has never changed. The fact of prior rejections has not changed.

As time passes there is the continued reliance of landowners on the existing country residential land use designation to buy homes and raise their families and the continued development of this beautiful area for country residential use.

In fact, the County has approved additional residential subdivisions surrounding the Lehigh Hanson lands on three sides within the last two years. The subdivision approvals are referenced in the submission of Mr. Weatherill and I would be happy to forward them. Under Section 654 of the Act, a subdivision authority (like the County) "must not approve" a subdivision application unless the land is suitable "for the purpose for which the subdivision is intended." It is inconceivable that country residential subdivisions would be approved to ring on three sides an open pit mine and we fully believe that would be the County's expectation also. Land use planning does not ricochet between industrial and country residential and no landowner would expect it to. The County in approving further country residential subdivisions clearly signalled yet again and unequivocally so that the Lehigh Hanson lands are designated for country residential use.

Therefore, the County has consistently demonstrated that the Lehigh Hanson lands will have a country residential use now and into the future.

#### ***6. The Rights of Landowners and the Environment Generally***

The legislation and governing legal framework guards against precisely what Lehigh Hanson is attempting to accomplish yet again. The framework compels that Lehigh Hanson be rejected for

the third time and on terms that are final and conclusive so that landowners are not compelled to fight for their community, with their own resources, repetitive applications that only ramp up the severity of their impacts while reducing the amount of engagement with the local community.

Mr. Weatherill comprehensively addresses the legislative framework, including the obligation to “foster the well-being of the environment.”

The application of Lehigh Hanson is precisely opposite to fostering the well being of the environment. It admittedly seriously degrades all components of the environment in what has already been designated as a sensitive environmental area under the County Plan. Human health will be at risk. There is a serious risk to (and landowners say certainty of) groundwater contamination. Fine particulate and carcinogenic matter will be broadcast over a broad area and for 30 years. Wildlife will be driven elsewhere. A jaw rock crusher will be operated on site (ramping up the impacts from 2010 where there would be no on site crushing) generating unacceptable noise, dust, and health impacts.

The municipality should (and is obligated to) “preserve and protect these features” and the Lehigh Hanson application does nothing of the sort. It seeks to obtain authorization to change a long standing land use designation to allow a 600 acre pit on the lands that contain environmentally significant features and will obliterate them with undeniable regional and extensive impacts. The term “environment” is extremely broad and all encompassing as detailed in the Weatherill submission. Without even delving into the details, the Application which is a greenfield development will necessarily have a serious detrimental impact on the environment.

When those impacts are examined in detail, the impacts are massive and unmitigable as discussed below.

***7. The Application will Harm All Aspects of Water and is in Breach of the County Plan and the Bearspaw Area Structure Plan***

The Act, the County Plan and the Bearspaw Area Structure Plan all contain provisions to protect water wherever it is found and rightly so. Clean water is essential for life and its presence is integral to the beauty of this area. Mr. Weatherill has carefully detailed all of this in his submission.

Lehigh Hanson’s entire hydrogeological/geologic submission can be synthesized to a fundamentally flawed premise: that there exists across the Lehigh Hanson lands a competent and continuous geologic barrier that magically seals off the open pit gravel mine from the underlying Paskapoo aquifer which area residents use for their domestic use.

This assertion belies common sense and rationality. It is a fiction that should be rejected outright based on Lehigh Hanson/AECOM’s own work and reports.

Each and every homeowner has the right and entitlement to a safe environment including drinking water. In addition to all of the other impacts, within the immediate area of the proposed mine there are many homeowners that rely on wells for their drinking water and human use. Yet, Lehigh Hanson proposes to conduct what may well be one of the largest gravel mines in the

Country in the heart of a country residential area and mine down to and into the very aquifer that residents rely on for their domestic use.

These are, in their essence, matters of human health and protection of the environment. Brazen and sweeping illogical assertions should and must be rejected from a project proponent that profits from a project and does not bear the harm if wrong. Contrary evidence, in our view, should scarcely be required to dispel the nonsensical position of Lehigh Hanson.

But the evidence before the County, Councillors and county staff, due to the efforts of landowners, is now overwhelming and compels the forceful rejection of the Application.

Appended to the submission of Mr. Weatherill is the expert opinion evidence of Dr. Zaghloul, PHD, Dr. Bradford Burton, PHD, and Mr. Robert Best. Among the submissions of landowners is that of Ms. Ailsa Le May, and Mr. Gary Moroz, both extremely experienced Professional Geologists.

These submissions represent more than 140 years of professional expertise. Collectively and individually they conclusively establish that the Application must be rejected and the reports of Lehigh Hanson cannot be relied upon.

All of Dr. Zaghloul, Dr. Burton and Mr. Best have provided their acknowledgement that they must provide evidence that is unbiased, non-partisan, and impartial. Their reports are clear, blunt, unequivocal, and completely discredit the reports of Lehigh Hanson. Dr. Burton's concerns were brought before the County in 2010 and figured prominently in the 9-0 decision rejecting Lehigh Hanson. His views have not changed and have only strengthened. Dr. Burton is unquestionably an expert whose opinions should be afforded significant weight. The breadth of his expertise and knowledge is self-evident on his carefully crafted and comprehensive report.

Dr. Zaghloul is a recognized world wide expert who developed the methodology of analyzing claimed geologic barriers in the oil sands. There, like here, a false assertion of a geologic barrier was made. In that case, it was a barrier between gas and bitumen. Here it is a geologic barrier claimed to protect an aquifer by the very party who would benefit from that finding. The principles and analytical framework are virtually the same. There, like here, the barrier was a fiction. Dr. Zaghloul's work was entirely accepted by the expert energy regulator and the absence of any barrier directly lead to the shut-in of natural gas production across a large portion of NE Alberta. There is no one more qualified to examine the presence or absence of a geologic barrier.

Mr. Weatherill has carefully summarized the expert evidence and we fully concur with and adopt those summaries. The actual reports should and must be reviewed by County officials and staff for their full impact. Simply put:

- The Lehigh Hanson lands are situated in a geologic setting where competent and continuous geologic barriers would not be expected. The County should be highly skeptical, considering the depositional setting, of any assertion of a "barrier";

- When all the data is examined, including data within the Application itself, no geologic barrier exists, precisely as you would expect in this depositional setting;
- The claim that Lehigh Hanson can mine down to (but not through) a subsurface barrier is a fiction and, further, it is a reckless assertion based on all of the evidence;
- The entire area is in hydrodynamic continuity: from surface water to the drinking water aquifer;
- Many landowners rely on the aquifer for their domestic use. There are over 57 water wells in the direct vicinity of the proposed gravel pit and many, many more in the immediate area (in excess of 300);
- Mr. Moroz meticulously details the data that Lehigh Hanson has ignored or omitted. If their duty to consult was even faintly adhered to, they would have sought this data;
- Ms. Le May meticulously details the errors in omissions in the reports relied upon by Lehigh Hanson rendering them completely unreliable. Ms. Le May also details the undeniable threats to human health;
- Removal of the over burden creates a direct communication pathway for rapid communication of contaminants to the domestic use aquifer;
- Water well withdrawal results in pressure drawdown and pressure sinks. Subsurface fluids move, in part, to differences in pressure. Contaminants will inexorably be drawn towards the water wells;
- Water throughout this beautiful area, is connected both vertically and areally just as one would expect;
- Areal dewatering of a sensitive environmental area is the overwhelmingly likely result of the Lehigh Hanson mine;
- Lehigh Hanson will be forced to operate a dewatering scheme through the life of their mine;
- A dewatering scheme will allow water to flow into the Bow River water shed. Burnco is conducting operations where water is not nearly as pronounced and prevalent as it is in this area, but as set forth below, the accumulation of water (and not just storm water) is evident;
- As detailed in the report of Mr. Best, contamination or potential impact on a river triggers Federal review. The Application is completely silent on this requirement;
- The Lehigh Hanson lands are situated on an alluvial aquifer. That is absolutely prohibited under the County Plan;

- The mine will result in a permanent lowering of the water table. That is absolutely prohibited under the Bearspaw Area Structure Plan; and
- The reports of Lehigh Hanson are unworthy of any reliance and should be forcefully rejected out of hand.

As stated by Dr. Zaghloul:

Finally, in my opinion it is a physical impossibility to excavate a pit as envisioned by LH in this setting and not permanently impact groundwater quality and groundwater levels both locally and regionally. LH seems to acknowledge this by its statement that its pit must be “dewatered.” While they will need to dewater their pit, the source of that water will be groundwater in an interconnected and areally extensive system that will result in dewatering and significant impacts to the surrounding community.

...

The impacts to groundwater are very real, cannot be mitigated and can be summarized as follows:

- Direct contamination pathways to the Paskapoo Formation, which certain adjacent landowners use for their domestic use; and
- Regional dewatering and permanently lowering the water table.

Dr. Zaghloul further concludes:

In summary, LH/AECOM, in my opinion, have taken two to three wells with a thin, local sand/shale unit and drawn a straight line between them claiming a barrier. This interpretation is of no value, fundamentally flawed and should be rejected out of hand. Shales are isolated and are expected to be so in this type of geologic environment. Where present they are thin and discontinuous. There is no evidence of a laterally continuous and competent barrier and nor would you expect one to exist. As I stated above, the Alberta Tier 2 Soil and Groundwater Remediation Guidelines require a minimum 5 meter massive and undisturbed unit. LH is proposing an industrial operation over top of the source of water for domestic use and it is reckless to infer a non-existent barrier across the area.

Dr. Burton’s key findings are equally blunt and unequivocal. Certain of Dr. Burton’s key findings are replicated below:

### **Key Findings**

- The proposed development poses a significant and unacceptable risk to cause adverse and irreversible impacts to the community and to residential properties through contamination of groundwater and permanently lowering the water table.

- The proponent’s MSDP will have negative impacts to domestic water supply wells, wetlands, creeks and rivers upon and outside of the proposed development area.
- Technical reports submitted by the proponent fail to address the significant and unacceptable risks of the proposed project.
- The consequences of improperly assessing the broad range of potential risks could have catastrophic impact on the local community and the regionally crucial Paskapoo Formation groundwater system.

In my opinion, the proposed development area (Section 5) and surrounding area is in continuous hydrodynamic communication from ground to the Paskapoo Formation aquifer, which is the main domestic-use aquifer. There is no laterally continuous and competent “seal” over the proposed project area. Therefore, excavating a gravel mine at this location will establish rapid communication to the underlying Paskapoo Formation. In addition, the pit will cause a permanent reduction in the water table in the area. Although the regional impacts cannot be determined with precision, geology does not stop at Burma Road and there will be significant regional impacts as ground and surface water flows to and accumulates at the gravel mine. AECOM Canada recognized the need for a dewatering plan and storage ponds of the Tertiary Sand and Gravel aquifer water holding pits, but this water apparently will be discharged into tributaries to the North of the proposed project areas that ultimately flow into the Bow River.

I have reviewed the final report of Dr. Essam Zaghoul, and I concur with the professional opinions of Dr. Zaghoul. The following report was prepared independently.

Potential serious risks to human health are engaged by the Application. One does not recklessly draw conclusions from scarce and contrary data. Demonstrating how seriously matters of public safety are viewed, in Alberta, where a domestic use aquifer is at risk of contamination there must be:

- 1. At least 5 metres of massive, undisturbed, unfractured fine-grained material meeting appropriate guidelines with a bulk hydraulic conductivity that is less than or equal to  $1 \times 10^{-7}$  m/s, or*
- 2. An equivalent thickness of natural, undisturbed geologic material that is more than 5 meters thick and is supported by technical information regarding the lithological properties prepared by the professional conducting the site assessment and accepted by Alberta Environment and Parks (AEP, 2019).*

There is nothing remotely meeting this criteria on the Lehigh Hanson lands.

The work of Ms. Le May and Mr. Moroz, two highly experience and qualified geologists who just happen to be affected landowners, is equally thorough and compelling.

Lehigh Hanson states that it “will offer a Property Value Protection Program to landowners within the area illustrated by Figure 17: Groundwater Monitoring.” There are other references to implementing, in the future, an “indemnification program for water wells.” These claims are meaningless and should be rejected out of hand.

Lehigh Hanson seems to repeatedly miss the obvious point. They have no right to contaminate ground water or even put it at risk. They have no right to create a direct pathway for immediate flow of contaminants into the aquifer. They have no right to put human health at risk. This is a for profit application by a German headquartered multinational. There is absolutely no reasonable interpretation of the public interest that could justify this result. You cannot claim the right to damage your neighbor because you say “don’t worry, I will sometime in the future under some unknown terms mitigate the harm.”

Residents rely on groundwater for safe drinking water and have every justifiable expectation that the Council will recognize and protect that right.

Under Section 8.3.15, “No extractive industrial operation shall be conducted in such a manner as to permanently lower the water table of surrounding inhabited properties.” But that very result is inevitable if the Application is allowed. The assertion of Lehigh Hanson of a geologic barrier should be seen for precisely what it is: a fiction asserted to justify resource extraction where the benefits flow completely to the applicant with the harm being borne by the community.

The obligation of Lehigh Hanson was to consult on all of this. Just like it did when it denigrated the beauty of this area, it applies the same approach and attacks the quality of the groundwater that many, many residents withdraw every day, drink and use for their domestic requirements. Apparently, according to Lehigh Hanson, the groundwater is unworthy of protection and asserts “the Tertiary Sand and Gravel Aquifer is not considered suitable for drinking.” Landowners respectfully disagree. There is one aquifer: the Paskapoo. The “Tertiary Sand and Gravel Aquifer” is one and the same with the Paskapoo. And the simple and overpowering point is that groundwater has been used by local residents for their domestic use for many years, they intend to use it for many more, and Lehigh Hanson’s unsolicited views on its quality are irrelevant.

A final point on water. The applicant has conjured up a fictional barrier protecting groundwater. It did so ignoring obvious data and refused to fund landowners to respond with technical evidence. Landowners, however, have banded together and done just that. But it goes further. As the landowner experts have clearly and cogently set forth, there is known contamination emanating from the Spyhill landfill site into the very same domestic use aquifer at that location as the landowners experts Zaghoul and Jalkotsky have noted. There are no barriers there just as there are no barriers on the Lehigh Hanson lands. Although it is well known there is ground water contamination at Spy Hill, there is not a single mention of this by Lehigh Hanson materials and not a single instance of disclosure to directly and adversely affected residents.

The Application, once again, must be rejected and permanently so.



***8. The MSDP is Fatally Deficient for Failing to Address Health Impacts***

The health impacts of gravel extraction on people has been comprehensively addressed by Mr. Weatherill and we understand by other impacted Bearspaw residents. We share the concerns expressed.

Silica dust is a known carcinogen. Repeated exposure to particulate matter causes silicosis. The proposed mine will operate for decades and broadcast fine particulate matter over the community for its entire extractive life. I can personally attest to the fact that the wind in NW Calgary and Bearspaw blows in all directions and often. Dust will be dispersed with the direction and strength of the wind. Lehigh Hanson, as discussed below, proposes no effective mitigations. In 1994 they proposed fully enclosed crushing and were rejected. In 2010 they proposed to eliminate crushing all together to reduce impacts and were rejected. In 2021, they have come back with an onsite jaw crusher and a conveyor that the crushed rocks will be dropped onto and transported. All of this creates intolerable noise and great amounts of dust that has admitted health impacts.

The Applicant is obligated in its proposed MSDP to set forth the impacts of the project so that landowners can assess the impacts of the proposal. Lehigh Hanson has utterly failed to do so. Health impacts are scarcely acknowledged at all. A company closing its eyes to the issue does not make it go away. In addition, instead of turning a blind eye, Lehigh Hanson was obligated to meaningfully engage with the community on potential health impacts and disclose studies and reports that are directly opposite to its position. It obviously did not.

Finally, the lack of receptors in surrounding residential neighbourhoods is, in our view, unconscionable and displays a disregard for human health. Of course, if you never collect the data you never have to address the data.

***9. The MSDP is Fatally Deficient for Failing to Appropriately Address Noise Impacts***

As with the myriad of other impacts, noise impacts have been comprehensively addressed by Mr. Weatherill and we concur.

In the MSDP, Policy 16.1 indicates “The developer shall maintain noise levels generated by the operation at or below 55 dB measured at the property line of the MSDP area.” The ambient noise level at Crestview was measured at 36dB and if they bothered to come out to where we live I expect it would be similar or lower. So, on its face, Lehigh Hanson proposes a 20dB increase in sound levels. This will destroy the “rural residential character of adjacent lands” and any argument to the contrary is obviously meritless.

This sound level in and of itself is a significant and unacceptable increase in noise. We are also of the view that this absolute sound level is flawed. By way of summary, the claimed sound levels in all Lehigh Applications is as follows:

- 55 dB in 1994 with fully housed crushing
- 57 dB in 2010 with no crushing

- 55 dB in 2020 with open crushing

So, Lehigh Hanson would have us believe that it can add on-site jaw crushing, blasting, dumping excavated rock onto an infeed table for a jaw crusher, and an incessantly operating conveyor system (apparently running on a diesel generator) and the absolute sound level actually decreases from 2010. When they stood before the Council in 2010 and asserted repeatedly that their removal of crushing addressed landowner concerns! Their setback in 2010 was over double that which is proposed today. In our view, this is simply not credible and should be rejected out of hand. Like so much in the Application, there is a pervasive air of unreality.

Attached to this submission is the study “Noise Assessment of Stone/Aggregate Mines: Six Case Studies” authored by members of the U.S. National Institute for Occupational Safety and Health. It presents survey data and states “Recently, this has included surveying stone (aggregate) mining and crushing and processing facilities. (page 1). Six case studies are presented. The various operations are summarized, and several operations utilize both jaw crushing and conveyor systems. Individual data is presented for jaw crushers. The sound levels appear to be clustered between 80-100 dB and all data is significantly in excess of the 55 dB asserted by Lehigh Hanson. The levels are far higher at similar distances to the crusher. The focus is worker health and it would appear to us that adjacent landowners should be required to purchase ear protection in the MSDP.



noise of aggregate  
crushers 6 examples

We did look for actual data on the conveyor system. To the best of our information there is none. We did locate the following Youtube video of an operating conveyor system.

<https://www.youtube.com/watch?v=UNL27XyBiZQ>

Lehigh Hanson can scarcely complain that it is “not their conveyor.” They have no evidence of what their conveyor actually is, and when Mike Edwards sought that information he was provided with pictures of a generic conveyor. There are no specific details in the MSDP.

The actual machinery on site remains largely a mystery. Again, there are no specific details in the MSDP. We did locate the following picture from Google Earth showing the equipment at Spyhill Lafarge:



Coming from a farming background, and having worked on drilling rigs for several years (including drilling and foreman), to say that I am highly skeptical of the noise levels claimed by Lehigh Hanson is a gross understatement.

As a final note, we could not help but notice this article that appeared in the National Post:

**Why angry billionaires make disturbing neighbours.**

<https://apple.news/AFadl6EvJSUG93ukcXbndqw>. The underlying theme is apt. We do fully agree that blasting noise at your neighbours is inappropriate and should never be condoned.

The noise impact of extracting and crushing gravel will certainly destroy the “rural residential character of adjacent lands” and therefore on this fact alone the Application must be rejected.

***10. There is No Report that Can be Credibly Claimed to be a Cumulative Effects Study***

A cumulative effects study is required; without one the Application is fatally deficient.

The report that Lehigh Hanson is not a cumulative effects study. It is a piece of paper with a title on it for the purpose of ticking a box on an application requirement. It is a document that sweeps away all impacts and comes to the patently unreasonable conclusion that there are no cumulative effects.

The facts are human health is impacted. Water is impacted. Wildlife is impacted. Social factors are impacted. And the list goes on. As each and every sub discipline is shown to be fatally flawed, so falls the assertion of Lehigh Hanson of limited or no cumulative effects.

Bearspaw landowners actually tried to steer Lehigh Hanson in the right direction but were ignored. In its Information Request No. 1, landowners requested answers to the following:

- Does LH acknowledge that cumulative effects include changes to the environment caused by an activity in combination with other past, present, and reasonably foreseeable human activities?
- Does LH agree that all assumptions utilized to define temporal and spatial boundaries must be clearly identified?
- Does LH agree that all reasonably foreseeable conditions, including industrial activities and their growth must be taken into account in a cumulative impact assessment?
- Does LH acknowledge that a failure to include foreseeable activities may result in under estimating cumulative impacts?

The response? Once again, no response whatsoever.

As detailed in Mr. Weatherill's submission, the report submitted to support Lehigh Hanson's application is unworthy of consideration. Unlike Lehigh Hanson, this expert conclusion (of an unbiased, independent, non-partisan expert) was subjected to a peer review. Dr. Yarranton, one of the preeminent experts on cumulative effects studies fully endorsed this conclusion while confirming his independence.

### ***11. Reclamation is Impossible of a Series of Massive Pits that Fill with Water***

Lehigh Hanson makes the startling claim that it will reclaim pits to agricultural use using overburden removed from subsequent pits to do so. It then references an undefined "end use strategy."

There is one point on which we can agree with Lehigh Hanson. Their obligation is to reclaim the lands. Reclamation requires returning the lands to their original state in my view.

Where we, the facts, and common sense part ways with Lehigh Hanson is the ability to reclaim their pits. They cannot do so. And they have presented no credible reclamation plan as is their obligation to do so. They will excavate, remove far more gravel than overburden, and leave a pit that will fill with water. What Lehigh Hanson seems to fail to understand is that all you need to do is drive around the Spyhill area to see the massive pits left behind after gravel extraction.

All of the experts engaged by the Bearspaw landowners are united behind the simple point: reclamation is impossible. And the point is powerfully made by Ms. Le May, a geologist of some 30 years' experience, when she submits:

Excavating high volumes of gravel and breaching the water table as proposed by Lehigh Hanson for their gravel pit will permanently alter the groundwater table and the natural water balance. "Whenever a mine is operated below the water table, water inflow occurs from the surrounding layers towards the mining



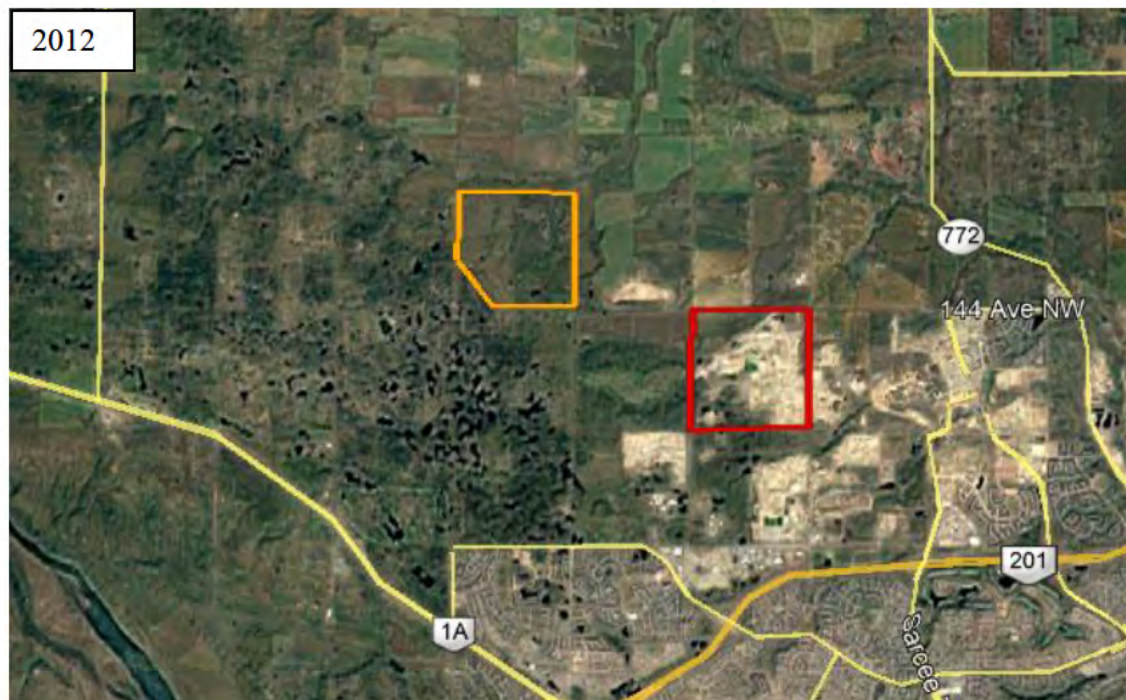
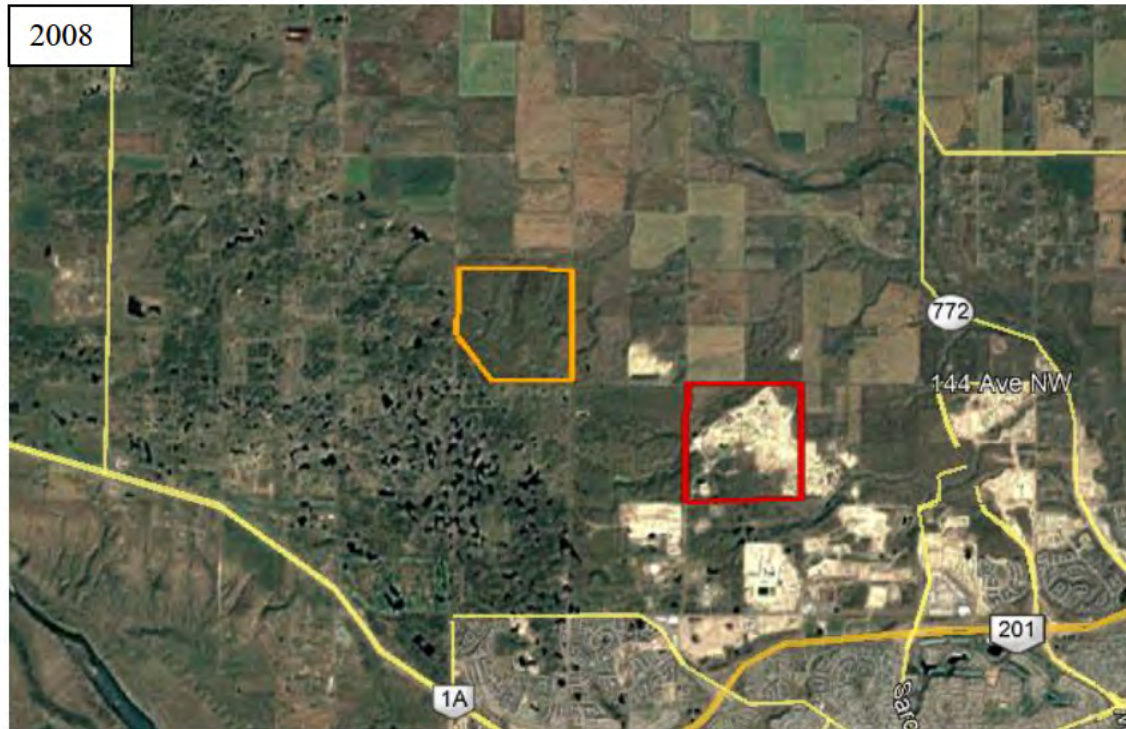
excavation. When a pit penetrates an aquifer, significant amounts of groundwater flow occur toward the pit” (Aryafar et al., 2007). As explained above, water above and below the surface of the earth is in balance. Just as removal of the surficial layers of protective materials above the groundwater table will increase the flow from surface, so will it increase the speed and volume of water moving horizontally into the pit. Add dewatering onto that and you have a bigger “pull” on the water table from the surrounding land, permanently lowering the groundwater table.

We heartily agree.

Below are a series of maps from Google Earth over time. The Lehigh Lands are in yellow. An equivalent area is in red for the existing pits near Spyhill. Two points are readily apparent. The ever expanding, and unremediated pit area of the existing pits. A gravel mine on the Lehigh Hanson lands would obliterate the area. Second, through rejection of prior applications, the beauty of the area has been maintained. The environmental scar around Spyhill grows while this area has maintained its environmental beauty and significance. All Bearspaw residents thank the County for the wisdom of its previous decisions and trust that will continue.











Next, here is a picture of the Spyhill pit. Lehigh Hanson appears to claim that industrial development such as this will not unduly negatively impact the rural residential character of this area. They are absolutely wrong:





Below is a close up of the Spyhill pit from May 2020:



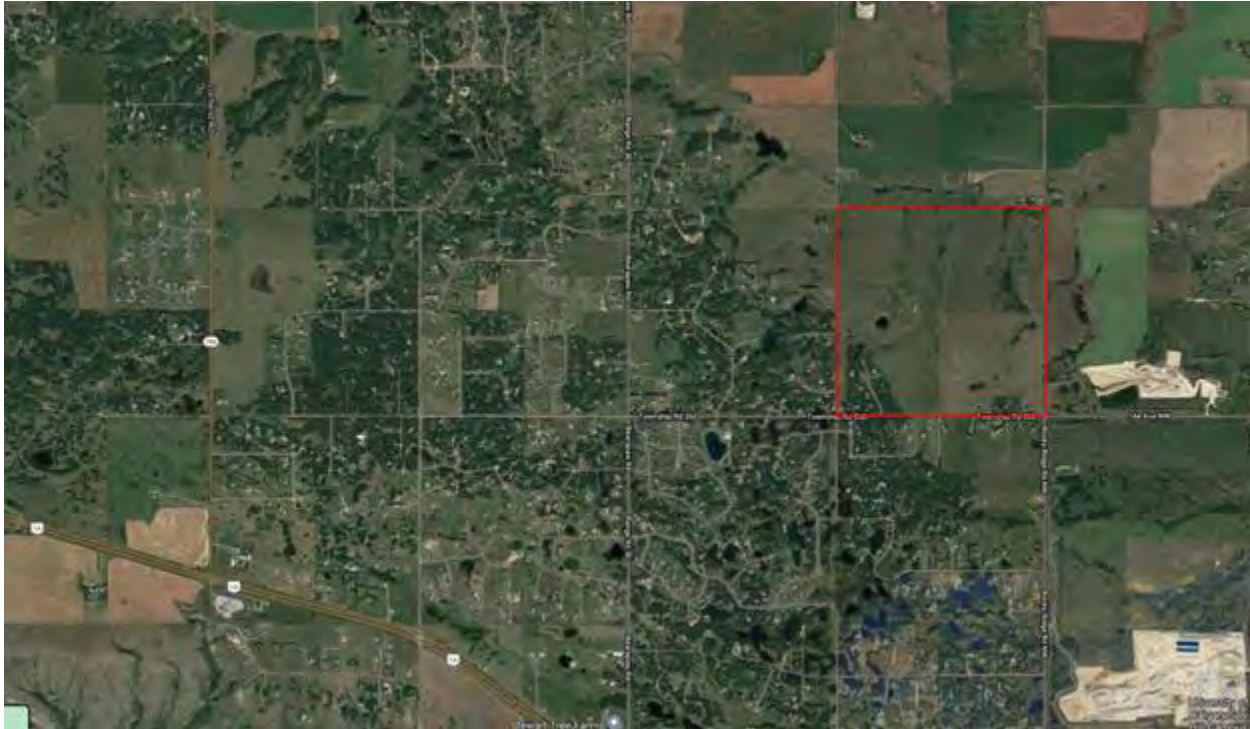


Below is a photo from Google Earth showing the construction of an outflow from the pits at the Burnco site which is a fraction of the size of the proposed Lehigh Hanson project (I have added the annotations):

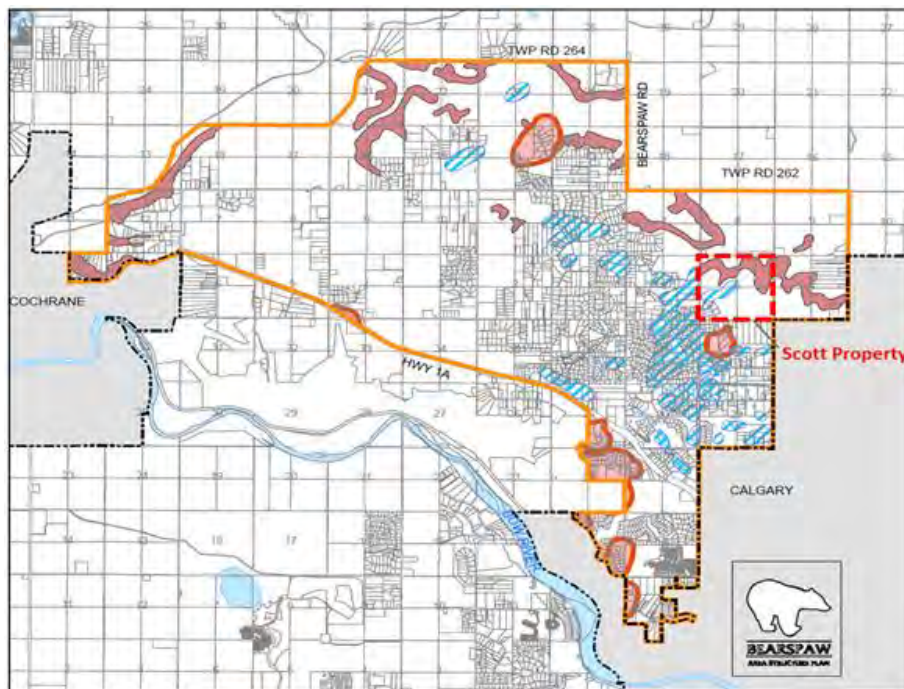


Water is clearly collecting in the pits, and there is some sort of a dewatering scheme. Lehigh Hanson acknowledges that a dewatering scheme is required.

Burnco is in an area that does not have the prevalence of water that our area has. The map below depicts the pervasive presence of surface water/wetlands in proximity to the Lehigh Hanson lands which are in stark contrast to the lands further to the east:



Finally, the presence of water and wetlands set forth above is entirely consistent with Figure 6 of the Bearspaw Area Structure Plan depicting the high water table as an environmentally significant feature:



**Figure 6:  
Environmentally  
Significant  
Features**

- ASP Area
- Potential High Water Table Areas
- Potential Steep Slope Areas (greater than 15%)
- Known areas of potential archaeological, historical and / or cultural significance

Source: Alberta Environmental Protection and Alberta Community Development  
 Area boundaries are approximate only

There is absolutely nothing evident in actual operations that gravel pits are reclaimed to original use as the mine progresses. The evidence is stark and precisely to the contrary. In our view and that of the landowners' experts, a massive pit will destroy the rural residential character of our area. Further, surface and ground water will be permanently impacted and there will be a permanent dewatering scheme. The source of the water is our area. I expect it is a cost and a nuisance to an operator seeking to extract and sell gravel. To us living in this beautiful area, it is a huge part of what makes it so special and it should not and cannot be impacted. The simple answer is Lehigh Hanson has no business seeking to mine gravel here.

### ***12. Property Devaluation to Preserve Profit Margins is Inappropriate***

On Dr. Ayres' (whose expert report is attached to Mr. Weatherill's submission) hedonic modelling, we stand to lose \$232,000 on our property value. I am opposed to transferring this sum to Lehigh Hanson so that it can improve its netbacks for gravel extraction. Lehigh Hanson is not an expropriating authority last I checked.

Lehigh Hanson, as the proponent of a major industrial project, has it completely backwards.

It is not allowed to externalize costs and internalize profits. By locating in a country residential area, mining close to existing residents, ignoring the obvious impacts to ground and surface water and the myriad of other impacts, largely ignoring any realistic mitigations, it maximizes its return by imposing costs on its neighbours. That is precisely, in part, what meaningful consultation is meant to thwart as is discussed more fully below.

If there was a process to dig into Lehigh Hanson's economics, we expect the results would be illuminating. It failed to take a position, as Mr. Edwards explains, in the STAR expansion. Clearly that would have been an economic decision weighing that corporate step against a misguided greenfield development in a country residential area. It proposes a conveyor (the details of which are largely undisclosed beyond "a conveyor will be used") but obviously the cost of that would be analysed against the cost of trucking gravel. Either way, the conveyor or trucking is an offset to the price realized by Lehigh Hanson. There is likely a price for gravel set by the most efficient and cost effective producer. Therefore, all costs expended by Lehigh Hanson on mitigations further erodes their netbacks. This may explain why the Application has a complete absence of meaningful mitigations as mitigations by definition are a cost to a project applicant and some seek to avoid them like the devil.

But Lehigh Hanson has demonstrated its utter refusal to respond to proper Information Requests.

In fact, landowners, through Mr. Corbett, sought the following obviously relevant information:

- Provide details of the shareholding of LH and advise what entity is the ultimate beneficial shareholder of LH.
- Confirm the jurisdiction of incorporation and head office of the ultimate beneficial owner of LH.

- Confirm that the profits from the open pit gravel mine subject to the Applications will ultimately accrue to the beneficial owner of LH.
- Advise of the relationship between LH and any entity associated with LH and those entities that initiated similar applications in 1994 and 2010. Confirm that LH is beneficially owned by the same beneficial owner that initiated those previous applications.

Once again, not a word.

A final point on property devaluation. There is reference in the application to a property indemnity, the terms of which are unknown. Not a soul has approached us about that in consultation. In fact, we understand that Lehigh Hanson has no intention to do so as we are outside their indemnity boundary. But we thought we would put out some thoughts for Lehigh Hanson to consider and which we would have expressed if consultation had in fact occurred. First, Lehigh Hanson, as one landowner, has no right to inflict this damage on a neighbouring landowner. There is no greater public interest that would justify that we bear this harm. Second, indemnities are all about the details. A vague reference about a future indemnity is worthless and should be seen as that. We would need to see the words. Third, an indemnity from a single purpose corporate subsidiary is completely inappropriate. That subsidiary mines gravel, depleting its assets every day, while accumulating liabilities. Profits are flowed up the shareholder chain to the parent. Fourth, we would require the indemnity to be secured by an irrevocable letter of credit issued by a Canadian chartered bank. Fifth, we would review their public disclosure, such as that contained in the HeidelbergCement Medium Term Note Programme Prospectus, April 1, 2020, for their outstanding reclamation obligations and liabilities.

### ***13. Lehigh has Brought Forward a Failed Project and Presents No Appropriate Mitigations***

It goes without saying that major project development requires effective and meaningful consultation. That has not occurred.

The Applicant appears to have the misguided view that notification is consultation. It is not. An applicant must meaningfully engage with potentially affected citizens, genuinely hear their concerns, and seek to accommodate them. None of this has happened.

Much has progressed in consultation requirements. Lehigh Hanson appears largely oblivious to those developments. The Alberta Utilities Commission, for example, in its Participant Involvement Program, requires personal consultation of all affected landowners within 800 meters of a transmission line. Without it, the application is deficient. And that is for a transmission line where the impacts are a fraction of an open pit mine. Back in 1994, Lehigh Hanson clearly stated that it personally consulted all impacted landowners.

Once again, landowners sought to obtain details that any reasonable project proponent should readily provide (definitions conformed to this letter):

- Confirm that Lehigh Hanson is aware that multiple land purchases, sales and developments within the vicinity of the land subject to the Applications have occurred since 1994 and 2010.
- Produce all records of personal consultation with directly and adversely affected landowners. Provide details of date, time, and individuals involved, concerns raised, and the specific steps taken by Lehigh Hanson to accommodate the concerns raised through the consultation process.
- Produce Lehigh Hanson's initial consultation plan and any amendments to it. Provide details of when it was prepared, who prepared it, what input Lehigh Hanson provided for the plan, the retainer agreement in relation to the plan, and the area of potentially directly and adversely affected landowners.
- Many proponents of resource development have paused their consultation efforts and projects in response to the COVID outbreak. Provide details of all personal consultation by Lehigh Hanson during the COVID pandemic.

No response yet again. And the net effect is that there is absolutely no information on the record of meaningful consultation with directly impacted landowners. There is no evidence of a consultation plan. There is no evidence of a plan that adjusts to the COVID pandemic.

Conducting meaningful consultation during the COVID pandemic is problematic and in fact most would say impossible. Proper consultation requires personal engagement however lockdowns make that impossible and, in any event, personal interaction is to be kept to a minimum and effectively only where absolutely necessary. Courts were shut down. Businesses were shut down. Stay at home orders were issued. And through all of this it appears that Lehigh Hanson is claiming that it engaged in "consultation."

That frankly is impossible.

Indeed, it appears to us that the Applicant is seeking to sidestep its consultation obligations and to rush its Application through in the midst of the COVID pandemic. This is not an Application for the construction of a garage; it is an application that allows an open pit gravel operation that will mine and transport gravel by way of an untried conveyor system continuously for decades. The level of meaningful public engagement must be commensurate with the scope of the Application and in this case, it is woefully lacking.

And the proof is in the pudding. Successful consultation is all about acceptance by the impacted community achieved through reasonably addressing concerns. Here there is none. In fact, there is universal opposition to Lehigh Hanson. This is the hallmark of a failed project.

Mitigations are closely related to consultation. Effective mitigations lead to accommodation and acceptance.

Here, once again, Lehigh Hanson has brought forth a deeply flawed project. There are no effective mitigations and none that could reasonably be accepted by the local community. In fact,



Lehigh Hanson, as detailed in both the submissions of Mr. Edwards and Mr. Weatherill, has significantly increased impacts on the local community.

In 2010, there was no crushing on site. In 1994 crushing was to be fully housed. Now, local residents are to be subjected to open crushing, blasting, and a rumbling conveyor system powered by a diesel generator.

In 2010, the set back was 300 meters. It has now been halved to 150.

In 2010, Lehigh Hanson proposed to comply with ERCB R 38 noise standard designed for operations in rural areas. The rural standard has been abandoned.

Operating hours have been increased by 21 hours per week, with the addition of longer hours and operations on Saturday. Enjoy your quiet Saturdays in a country residential setting courtesy of Lehigh Hanson.

So, in sum, Lehigh Hanson was rejected out of hand, in a 9-0 vote, with a project that vigorously espoused the reduced impacts of “no onsite crushing.” In 2021, they cycle back with an application that unabashedly has on site primary crushing with rock dumped onto a continuously running conveyor.

And they are surprised when there is not a shred of community acceptance?

A final point on mitigations. In the MSDP, Lehigh Hanson states:

A commitment to implement industry best practice performance standards and mitigation measures: Lehigh is committed to actively exploring solutions with surrounding landowners, RVC, other aggregate operators, the Province, and the City of Calgary to reasonably mitigate potential impacts, and will implement industry best practices for the Project

Vague future statements are not mitigation commitments. And industry best practices is not about minimally complying with regulations and reducing (or increasing) mitigations based on different locations. It is about truly reducing the impact based on operating practices that transcend jurisdictions and are applied regardless of where the operations occur.

The so called “commitment” to industry best practices is highly suspect based on Lehigh Hanson’s own actions. In their failed 1994 application, Lehigh Hanson committed to fully enclosed crushing stating in Appendix 3: “A custom-designed noise-shielding enclosure on the gravel crushing machinery will provide highly effective noise attenuation. An enclosure will be custom designed by Atco Noise Management for the use on this site (See Appendix 3 for additional details of the crusher housing concept).”

Now, with more people and having failed twice, that commitment is noticeably absent. It is not up to landowners to have a long institutional memory and call out Lehigh Hanson. It was up to Lehigh Hanson to bring this forward and absorb the cost. An industry report by the Canadian Urban Institute highlighted the use of housing to limit noise and dust.

<https://static1.squarespace.com/static/546bbd2ae4b077803c592197/t/58c83e8be6f2e16d0cc21c52/1489518274291/CUIPublication.BetweenARockAndAHardPlace-Report.pdf>

Progress has been made in reducing the noise and dust emitted by rock crushing, in the use and reuse of water at extraction sites, and in the operation of heavy equipment. These advances have resulted from a combination of public policy and the adoption by the industry of corporate social responsibility. Noise and dust reduction When crushing and screening plants are fully enclosed in sound-absorptive vinyl panels or precast concrete walls, both the noise level on the site and the dust emissions are reduced.<sup>(18)</sup>

Footnote 18 states: These techniques are used at Burnco Rock Products Ltd at its Alberta facilities.

So, Lehigh Hanson would not have had to go very far to come up with mitigations that far exceed what they have proposed. They would then be obligated to engage with landowners on a project that made at least a stab at mitigating harmful dust and noise.

If Lehigh Hanson looked further, they could readily have produced examples of fully housed crushing and fully housed conveyancing systems, to control harmful dust and noise. In fact, if there was a proper commitment to provide relevant information and appropriate consultation, landowners would have asked Lehigh Hanson to produce examples of fully housed operations which the following appears to be in their home jurisdiction:



Lehigh Hanson will likely say this is a different operation. I agree but that is not the point. The overpowering point is that its claims of applying “best practises” should not whip saw between different jurisdictions and obviously far more extensive mitigations are possible and in fact have been undertaken. Or disclosed to and discussed with landowners.

***14. The Application Fails any Test for Approval and Should be Rejected: There is No Public Interest Engaged***

Clearly, a review of the record compels the Application of Lehigh Hanson to be rejected for a third time. Core to the purposes of a municipality (Section 3 of the Municipal Government Act) is to “provide good government”, “to foster the well-being of the environment” and to “develop and maintain safe and viable communities.”

The Lehigh Hanson Application is in direct violation of all of these. As detailed in Mr. Weatherill's submission, Rocky View County as set forth repeatedly its expectations for these very lands in statutory plans. That is a component of good government. Lehigh Hanson has been rejected twice before in bringing forth an application fundamentally inconsistent with the land use expectation of these lands as country residential. Landowners justifiably relied on those decisions and that too is a component of good government.

Lehigh Hanson's application is patently destructive of the environment. It does not and cannot foster the well-being of the environment, with all of its components. It is an application seeking to turn a greenfield site into a 600 acre industrial open mine gravel pit.

The Application also contravenes the requirement to develop safe communities. It introduces an industrial operation into the heart of several country residential approved subdivisions with all the attendant harmful impacts of silica dust, particulate matter, noise, blasting, excavating and traffic.

Therefore, the County cannot proceed on Lehigh Hanson's seriously deficient MSDP and provide good environment, and Bearspaw landowners have every expectation that Council will throw out Lehigh Hanson yet again. That is entirely the result of Lehigh Hanson's choice to come back time and time again to an area they have no business to be in - seeking approval to operate a gravel mine.

The Direct Control By-law would result in a fundamental change allowing gravel extraction. This sweeping change requires that the impacts to landowners be fully understood and considered now. Critical matters cannot be shoved off into the future. Lehigh Hanson appears to acknowledge that as it has provided about 1500 pages of reports, all of which the landowners have refuted. It is simply not a response to this defective Application to assert that critical information will be provided in the future. Precisely as how the two previous Lehigh Hanson applications seeking a Direct Control by-law were dealt with, the Application should be rejected.

Section 617 of the Act sets forth the obligation to "maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest."

We have addressed throughout, as has Mr. Weatherill, the rights and obligations of landowners. Lehigh Hanson, as a landowner, has those exact same rights and obligations. All landowners have the right and obligation, to each other and society at large, to foster the well being of the environment and all of its components. Lehigh Hanson cannot cause health impacts to its neighbors and, again, its neighbors have the right to be protected. It cannot cause a nuisance to its neighbors and its neighbors have the right to be protected from that. It cannot excavate a pit that cannot be remediated. It cannot contaminate ground water or the water shed to the Bow River. It cannot externalize costs onto neighbors and extract from both its neighbors and the county a huge financial penalty to allow them the privilege of operating a gravel pit. The list goes on.



Lehigh Hanson appears to make vague assertions about the “public interest.” They should be seen for what they are and rejected yet again.

There is no public interest to be considered and no commercial party has the unbridled “right” to claim a right to extract gravel. Therefore, the very real impacts to health, water, the environment and a myriad of other impacts must be balanced and assessed against the commercial interests of a company seeking to exploit gravel for its own profit. That is especially so where residents have purchased or built homes long before any gravel operations were contemplated.

The repeated assertions that gravel is a “non-renewal and scarce resource” are nothing but tired tripe. They are also irrelevant. Every subsurface mine and mineral on planet Earth does not renew itself. Every applicant for an oil sand development, for an oil and gas well, for a coal mining application, could make precisely the same assertion in an attempt to justify development. Further, gravel is plentiful. These assertions are simply false.

The decision to seek approval of and exploit gravel through an open pit mine is solely a commercial one. Lehigh Hanson, in our view, has carefully assessed the economics of seeking to exploit gravel in the heart of a country residential area and prepared an application seeking to achieve that corporate objective.

Open pit gravel mining imposes a heavy burden on affected communities. To even consider allowing resource extraction (or industrial development in general), the benefit to the community at large must outweigh the impacts to the directly affected local community and, if so, the impacts to the local community must be effectively mitigated. Lehigh Hanson has a heavy onus to upend existing land use designations and past decisions of the County and they do not remotely approach the standard they must meet.

Here, there is an abject failure on all branches of the test. First, there is no public interest in extraction of a plentiful resource. This is about business profits. On the other hand, the impacts on the local community are extreme. Second, the mitigation of the obvious deleterious impacts are, at best, sorely lacking.

Therefore, the record is crystal clear. The Application must be rejected for a third time. The record demands no other result. We have every expectation that the County and its staff will do just that.

### ***15. Conclusion***

Thank you for the opportunity to provide our further comments. Our opposition to the Application is not limited to the concerns set forth above.

Yours truly,



**ANNE-MARIE BLOCK/RANDALL W. BLOCK, Q.C.**

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Feedback regarding Scott Pit: application number – PL20200093/0094  
**Date:** October 30, 2020 8:32:46 AM  
**Attachments:** [image001.png](#)

---

**Do not open links or attachments unless sender and content are known.**

Hello Andrea,

I am responding to the County's request for comments on Lehigh Hanson's application for the Scott Pit property.

A quick look at a map, and it is incomprehensible to me how the County could be considering re-designating the proposed land for use as a Gravel Pit. Not only is there already a number of gravel pits in the general area, there are a considerable number of homes in the direct vicinity of the proposed gravel pit.

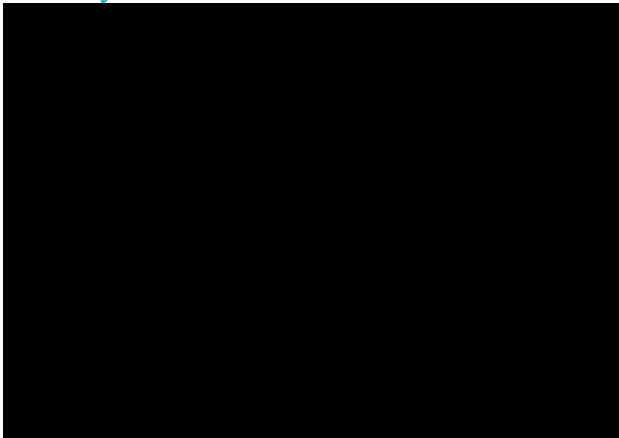
I shared the above sentiment with Lehigh Hanson directly in conversation with one of their community outreach people, and their comment back was basically, 'yeah, I get it.' Question is – how can anyone not get it after looking at a map?

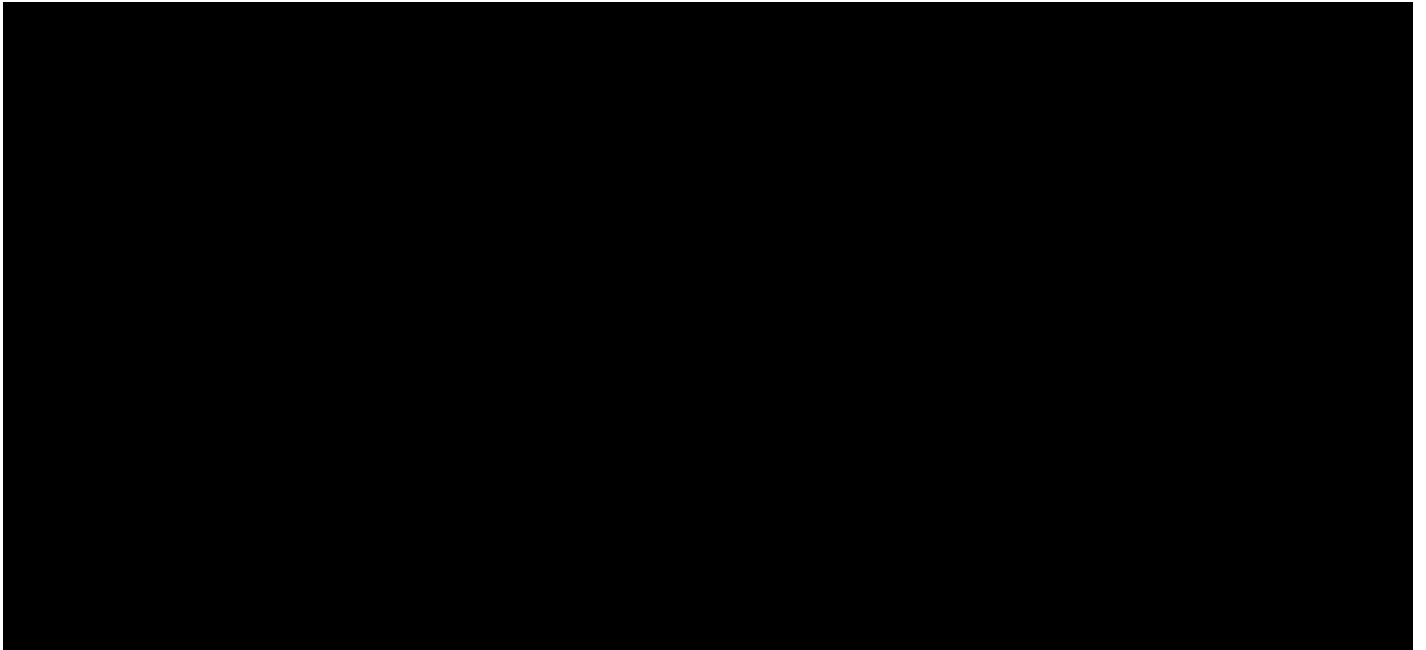
I could get into some of the finer details of the MRSP and its shortcomings, the lack of true and transparent community consultation, the potential health considerations of the cumulative effect of multiple gravel pits in one area, etc, but I think in this case it's a much simpler issue than that.

I fully trust the Council will use its common sense and reject the application for the re-designation of the land.

Cheers,  
Anthony Petrucci (31 Alexa Close)

[Anthony Petrucci](#)





**Attention Municipal Clerk's Office**  
**Opposition to Application No. PL 20200093, BYLAW C-8082-2020 (Opposed)**  
**From Anthony Petrucci, 31 Alexa Close, Rocky View County**

---

To our Rocky View Councillors:

*"A councillor works for the people of the County. I'm coming in with no agenda – just a genuine concern for this county and its people"* Rocky View Candidate (now Councillor), September 2017.

I trust this is true.

If it is, the proposed Scott Pit will be rejected.

You requested public feedback on the proposed project. 221 letters were submitted. 221 letters of opposition, 0 letters of support.

And yet, there is tangible angst in the community that this project will be approved. This is hard for me to comprehend, given the people have spoken and, at every time of asking, have been overwhelmingly opposed. Obviously a project that is so vehemently opposed by the people of the County will be rejected?

I won't pretend to understand the complexities of the apparent 'split' in council. I don't know any of you personally, I haven't been involved or active in any part of the conflict, and as with everything, I am sure there are two sides to the story. I can only trust that, for this vote, each councillor will *'come in with no agenda'* and *'work for the people of the County'*.

If that is the case, I am confident the project will be rejected. Should you approve the project, in my view it would suggest an egregious derelict of duty, while contradicting the findings of two prior Rocky View councils.

But I truly have no reason to believe that will happen. News clippings and social media profiles for each of you suggest you are all down to earth people, who are country folk at heart. Nothing I have read suggests you would risk the health of your constituents, or sell out our way of life, to help a German conglomerate increase its profits – no matter how many lobbyists they hire to try and win your vote.

I am confident the will of the people will be represented by you, the Council. There is simply no meaningful reason to overrule your constituents and approve Scott Pit (see additional text below).

Thank you for your time and consideration, and for all the work you do for our community. I am sure it can be a thankless job at times. We love living in Rocky View, and you are each a big part of that. I grew up on an acreage in Northern BC. My wife grew up on an acreage just west of Airdrie. We moved out of the city to Rocky View four years ago to raise our children and show them a better way of life. Help us continue to protect that way of life.

Best regards,

Anthony Petrucci  
31 Alexa Close  
Rocky View County

**Is there a reason Rocky View County should overrule the will of the people and approve a gravel pit in the Scott Pit location?**

I can only think of three logical reasons why Rocky View Council would even consider going against the will of the people, and risk the health and well being of so many of its constituents:

- 1) The area is in desperate need of more aggregate, **and**
- 2) It is the only place where we can get the aggregate, **and**
- 3) Rocky View will see a significant increase in revenues and employment.

Clearly, these don't come close to applying in this case:

- ***We are not desperate for more gravel in Alberta.*** Aggregate demand has fallen in Canada over the last 5 years, particularly in Alberta, due to reduced oil and gas development over the period. (*IBISWorld independent industry report on the gravel industry in Canada, October 2020*).
- ***Gravel is abundant in low population density areas in Rocky View.*** A map from Rocky View County shows aggregate is abundant throughout much of the County, in areas that would have less environmental impact, and could be built much further from people's homes. I believe putting the gravel pit at the Scott Pit location, within 5km's of 10% of Rocky View's population, is entirely about Lehigh Hanson (HiedelbergCement) saving money in transportation costs.
- ***Impact on Rocky View County revenues will be de minimis, or more likely negative.*** Expert evidence provided by Dr. Matthew Ayres (included in the submission from John Weatherill), shows the negative financial impact on Rocky View County revenues from the proposed Scott Pit. Even without expert evidence, it should be fairly obvious that property values around the pit will take a significant hit, which will weigh on property tax generated by the County. Again, 10% of Rocky View residents live within 5km of the Scott Pit location.

There is no conceivable reason to go against the will of the people, and risk our health and wellbeing. We are not desperate for more gravel, gravel is abundant in areas that are much further from people's homes, and there is limited/no economic benefit to the County to have another gravel pit at the proposed location.

From: [REDACTED]  
To: [REDACTED] [Bryden](#)  
Subject: [EXTERNAL] - File Numbers 06605001. 06605002. 06605003 06605004. 06605005. PL20200093/0094. Division 8  
Date: October 22, 2020 5:16:32 PM

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Planning and Development Services Department  
Rocky View County  
262075 Rocky View Point,  
Rocky View County, AB. T4A 0X2

Attention: Andrea Bryden

October 22, 2020

This letter is in response to your letter of October 9, 2020 addressed “To the Landowner” regarding redesignation of 600 acres (Scott Property) to allow for open pit gravel mining by Lehigh Hanson.

We say **NO** to the redesignation of this property to accommodate Lehigh’s application for open pit mining. We are **SICK AND TIRED** of this issue presenting itself yet a “**third time**” and want this form of harassment by “**Big Gravel with deep pockets**” stopped.

Gravel operations in the midst of a residential community (*Harvey Hills being just one of them*) are not compatible with the many residential homes in the area. There are so many negative impacts that affect residents living anywhere near this property i.e. traffic concerns, resident’s health, dust, environmental issues, noise, loss of home value, our quality of life etc. not to mention unsightly appearance of an open pit mine near beautiful surrounding country residential properties. We have enough gravel pits nearby as it is. We don’t want or need anymore in a populated area such as ours!

We also feel Lehigh Hanson is using the pandemic to their advantage in pursuing an application without more public engagement. We find this very disturbing.

In closing, we **OPPOSE** the redesignation of the 600 acres to accommodate open pit gravel mining by Lehigh Hanson or any others. **NO** means **NO**. Let this land be designated as future country residential development, not open pit gravel mining.

We sincerely hope Rocky View Council listens to the resident’s concerns and will put “**PEOPLE**” before “**BIG GRAVEL**”. We ask Rocky View County to not

accept Lehigh Hanson's application (Scott property) to allow this industry to "plop" themselves in the midst of a residential community. Thank you.

Respectfully Submitted,

Tom and Audrey Faulkner  
90 Harvey Hills  
Calgary, AB. T3R 1J8  
[REDACTED]  
Residents of Bearspaw (40 years)

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Fwd: File Numbers BYLAW C-8082-2020. 06605001. 06605002. 06605003 06605004. 06605005. PL20200093/0094. Division 8.  
**Date:** January 20, 2021 10:03:38 AM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Audrey Faulkner <atfaulk@telus.net>  
**Sent:** January 19, 2021 8:57 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Fwd: File Numbers BYLAW C-8082-2020. 06605001. 06605002. 06605003 06605004. 06605005. PL20200093/0094. Division 8.

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Begin forwarded message:

**From:** Audrey Faulkner [REDACTED]  
**Subject:** File Numbers BYLAW C-8082-2020. 06605001. 06605002. 06605003 06605004. 06605005. PL20200093/0094. Division 8.  
**Date:** January 19, 2021 at 8:52:06 PM MST  
**To:** [abryden@rockyview.ca](mailto:abryden@rockyview.ca)  
**Reply-To:** audrey faulkner [REDACTED]

Planning and Development Services  
Department  
Rocky View County  
262075 Rocky View Point,



Rocky View County, AB. T4A 0X2

Attention: Andrea Bryden

January 19, 2021

This letter is in response to your letter of October 9, 2020 addressed "To the Landowner" regarding redesignation of 600 acres (Scott Property) to allow for open pit gravel mining by Lehigh Hanson. This letter is also in response to your Notice of Public Hearing to be held February 2, 2021 (Bylaw C-8082-2020).

We say **NO** to the redesignation of this property to accommodate Lehigh's application for open pit mining. We are **SICK AND TIRED** of this issue presenting itself yet a "**third time**" and want this form of harassment by "**Big Gravel with deep pockets**" stopped.

Gravel operations in the midst of a residential community (*Harvey Hills being just one of them*) are not compatible with the many residential homes in the area.

There are so many negative impacts that affect residents living anywhere near this property i.e. traffic concerns, resident's health, dust, environmental issues, noise, wildlife concerns, loss of home value, our quality of life etc. not to mention the unsightly appearance of an open pit mine near beautiful surrounding country residential properties. We have enough existing gravel pits nearby that negatively impact us.

We don't want or need anymore in a populated area such as ours!

We also feel Lehigh Hanson is using the pandemic to their advantage in pursuing an application without public engagement. We find this very disturbing. And just as disturbing is the fact that Rocky View County has scheduled a public hearing (February 2, 2021) when in person participation cannot be held due to the pandemic. Some of us do not have the means or knowledge to submit videos or audio presentations.

In closing, we **OPPOSE** the redesignation of the 600 acres

to accommodate open pit gravel mining by Lehigh Hanson or any others. **NO** means **NO**. Let this land be designated as future country residential development, not open pit gravel mining.

We sincerely hope Rocky View Council listens to the resident's concerns and will put **"PEOPLE"** before **"BIG GRAVEL"**. We ask Rocky View County to **not** accept Lehigh Hanson's application (Scott property) to allow this industry to "plop" themselves in the midst of a residential community. Thank you.

Respectfully Submitted,

Tom and Audrey Faulkner  
90 Harvey Hills, Calgary, AB. T3R 1J8  
Calgary, AB. T3R 1J8

[REDACTED]

Residents of Bearspaw (40 years) and Rocky View Taxpayers

[REDACTED]

October 27, 2020

Rocky View County  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

Attention: Andrea Bryden

**PL20200093/0094 (Files 06605001-5005) Lehigh Hanson application for Bearspaw open pit gravel mine**

**INTEREST**

These comments are being provided on my own behalf and on behalf of my wife Sharon Corbett. We own and live at 260061 Range Road 25 and have resided there for approximately 40 years. We are responding to the request of Rocky View County (RVC) for comments on the application by Lehigh Hanson Materials Limited (LH) to establish an open pit gravel mine on the 600 acres identified in its applications through a redesignation application and approval of its Master Site Development Plan (MSDP).

**COMMENTS**

As you are undoubtedly aware, this is the third application by the LH associated group of companies in its ongoing attempt to exhaust the opposition of residents. We, along with other residents, overwhelmingly object to these applications. A 600 acre open pit gravel mine and the activities attendant upon heavy industrial activity are simply incompatible with the long term existing country residential communities. We bought our acreage, as others did, with the expectation evidenced in both the County Plan and the Bearspaw Area Structure Plan that those lands were agricultural and projected for residential development.

In reliance on those representations and the two previous decisions refusing LH's open pit gravel mines, we continued to reside in RVC. Others bought and built residences based on those representations and the established expectations created thereby.

Those of us who live in RVC chose to do so - we had other options including the City of Calgary, Cochrane and Airdrie. We chose to live in RVC because of certain amenities including the rural lifestyle, the rural environment, the dark skies, and the quiet of a rural residence. LH now wants to operate 6 days a week, 365 days a year (excluding statutory holidays) from up to 7 AM To 8 PM, depending on the activity. If we wanted to live in this environment we would have chosen an industrial area in Calgary.

Allowing these applications will materially and adversely affect us, the nature of the neighbourhood, and the value of our property.

I attended some of the so called public engagement sessions. These were created to provide the illusion of public engagement, but no actual public engagement which involves listening and acting upon the input from the public. It has been made clear to LH and the gravel industry that the Bearspaw community does not want any more gravel developments. Notwithstanding that clear and unambiguous communication, LH continues to attempt to bully its way forward with these applications.

The materials filed by LH exceed 1500 pages in length, and consist to a large degree, of technical reports. It is impossible to have meaningful public engagement and/or a fair hearing process without funding to review and analyse those technical reports.

The applications, if approved will have a major negative impact, on not only the existing Bearspaw residents, but RVC as a whole, for 30-50 years. While the proposed open pit gravel mine will enrich one landowner and give that landowner a competitive advantage, the benefits it brings to RVC are minimum to nonexistent when balanced against the costs born not only by Bearspaw residents but by RVC as a whole.

## **SUMMARY**

In closing the applications should not be approved for a multitude of reasons including the ones I have identified above. My wife and I reserve the right to raise additional objections in the future.

William T. Corbett

January 15, 2021

Legislative Services  
Rocky View County  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

Re Bylaw C-8082-2020 Proposal for open pit gravel mine in Bearspaw (the Application)

My wife and I are long time residents in the Bearspaw area of Rocky View County (RVC). It is our intention to participate in the “public hearing” presently scheduled for February 2, 2021. Unfortunately, both the processes created by RVC for participation and the communication of those processes are inadequate and confusing. The process takes the “public” out of the “public hearing”.

RVC leadership and administration were, or should have been aware that the Application affected a large number of RVC residents, would have a long-term deleterious impact on RVC, and would involve the active participation of a large number of RVC residents. The importance of real input from affected parties on such applications has long been recognized by the Municipal Government Act. While the COVID pandemic has impacted how public input should occur it has not reduced or eliminated the obligation of RVC to provide for effective, balanced and timely participation. Unfortunately, the protocols created by RVC for participation in the Application by residents fail to satisfy these obvious obligations.

While digital communication is a reality of current life, it is not a process with which many Bearspaw residents are either familiar or comfortable. Many may not have the equipment or the technical ability to participate as mandated by the RVC protocols. It would be interesting to know how many Councillors or their spouses could, without coaching, participate in the “public” process mandated by RVC. No real effort has been made to facilitate participation by technically challenged residents.

The most egregious failure is the decision to provide an alive feed to both the proponent and RVC staff but not to provide a similar option for the those that may oppose the application. The live feed allows the proponent and staff to interact with Council members including responding to questions or making additional oral arguments. This totally unbalanced approach fails to meet even the most basic requirements of procedural fairness. It shows a bias in favour of the proponent, is disrespectful to, and discounts the residents’ concerns.

The procedures created by RVC appear to have been developed to facilitate and manipulate the process in favor of the proponent and staff with minimal consideration for the interests of residents. It lacks bona fides and provides only an illusion of allowing effective public participation. It must be immediately rectified. Steps should be taken to facilitate and simplify the process for digitally challenged residents. The ability of the proponent and staff, but particularly the proponent to have a live feed allowing interaction with Council, should be removed. Alternatively, the County must provide a similar live feed to others that may speak in either support or opposition to the application.

RVC has confused the whole “public hearing” process by contradictory communications to residents. The “official’ notice of hearing mailed to “affected” residents indicated that January 27, 2021 at 4:30 PM was the deadline for filing written submissions, in order for them to be included in the agenda package that would be made available to Council and the public at 12 noon on January 27. This was contrary to

the County's usual practice which would have set a deadline of 12 noon on January 20, 2021 for such submissions to be included in the agenda package that would be made available to the public at 12 noon on January 27. When questioned on the obvious impossibility of the process described in the notice, staff advised that the actual deadline for inclusion was 12 noon on January 20 and this was reflected in the RVC website. County staff eventually advised that although written submissions filed on January 27 could not be included in the agenda package made available to the public at noon on January 27, they would be made available to both Council and the public in an identical fashion later on January 27 or on January 28. Will these submissions be included in a revised map of those objecting to the application?

Not content with creating confusion about the timing of written submissions, RVC has been inconsistent in its communication about who is entitled to make a 10-minute oral recording. The "official notice" indicates that if you are speaking on behalf of a group you are entitled to make a 10-minute recording. "Group" is defined in the current RVC procedural bylaw as: "means a group of three or more persons with a common interest in a matter before Council or a Committee, one of whom is designated as the spokesperson for the group and is solely responsible for presenting on behalf of the group." "Person" is not defined in the bylaw nor is it defined in the Municipal Government Act. A simple dictionary definition of person is "human being" which would include children in the calculation of the 3-person group. However, it is my understanding that information on the County's website unilaterally and without any authority added a restriction that the 3 persons in the "group" had to have different addresses. While this restriction might make the hearing process less "public" and simpler for RVC and the proponent, there does not appear to any basis for it.

Limited or no steps have been taken to publicly clarify either of these miscommunications.

I look forward to hearing from RVC in connection with the above matters.

William T. Corbett on his own behalf and on behalf of Sharon D. Corbett  
260061 Range Road 25  
Calgary, AB.

From: [REDACTED]  
To: [Andrea Bryden](#)  
Cc: [REDACTED]  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
Date: October 21, 2020 9:27:24 AM

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I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am vehemently opposed to this application being approved. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health (dust and silica), safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In short, this application should not be approved for many reasons, some of them listed above.

Yours truly,

Bob Rosine  
26 year resident  
19 Lone Pine Crescent

**From:** [REDACTED]  
**To:** [REDACTED] [Bryden](#)  
**Subject:** [EXTERNAL] - PL20200093/0094  
**Date:** October 18, 2020 1:45:50 PM

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Good Afternoon Andrea

We write this email to express outrage regarding the gravel pit proposed in our neighborhood. We vehemently disagree with the proposal and quite frankly am even amazed we have to write this to express our concerns. I can only imagine the anger of our neighbors to the east of us.

The proposed site is amongst acreages where families live and recreate. All of the roads surrounding the proposed site are busy with with school buses, commuting residents, cyclists and dog walkers. It is not a remote piece of farm land that is neighbored only by a few. School Buses make frequent stops along Burma Road. It's become much busier since we moved to Church Ranches 26 years ago.

We are concerned by the increased noise that will come with the operations of the site itself, and the truck traffic in and out. We are also concerned with the potential long term health problems caused by the dust that will linger in the air frequently in the driveways and backyards of the homes nearby. But we are chiefly concerned with the safety risks posed to the children who are picked up by school buses along what will become a heavily trafficked industrial route, and the families who walk their dogs or ride their bikes along where trucks will drive frequently. It is befuddling how anyone could think that this site is an acceptable place for a gravel pit operation, but given that some people apparently think this plainly bad idea is a good one, we must raise our obvious concerns, which simply must not have been thought of. Why else would anyone think to approve this proposal?

Thank you for your time and presentation to council.

Dawn and Bob Rosine



**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 30, 2020 10:46 AM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Bob Rosine [REDACTED]  
**Sent:** Saturday, November [REDACTED] 2020 1:59 PM  
**To:** Michelle [REDACTED] <MMitton@rockyview.ca>; Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

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[My address included this time](#)

November 28, 2020

**Legislative Services**  
**Rockyview County**

**Subject: Bylaw C-8082-2020**

The County has requested comments in advance of the December 22<sup>nd</sup> public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

We are opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signalled

that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also utterly outraged that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, it is difficult to express in writing the anger and derision I feel towards the County and their handling of this application. An approval of this writing would, for myself and my neighbours, be simply unforgivable.

Your Constituents,



**Bob & Dawn Rosine**

**19 Lone Pine Crescent  
Calgary, Alberta**

---

From: [MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) <[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca)>  
Sent: November 25, 2020 8:09 AM  
To: [REDACTED]; [LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)  
Subject: [REDACTED] [EXTERNAL] - Bylaw C-8082-2020

Good morning Bob and Dawn,

Thank you for submitting comments on this proposed bylaw. They will be included in the agenda package for Council's consideration at the December 22nd, 2020 public hearing.

Thank you,  
Michelle

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Bob Rosine [REDACTED]  
**Sent:** November 24, 2020 6:54 [REDACTED]  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Cc:** Bob Rosine [REDACTED] dawnrosine@shaw.ca' [REDACTED]  
**Subject:** [EXTERNAL] [REDACTED] Bylaw C-8082-2020

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November 24, 2020

**Legislative Services**  
**Rockyview County**

**Subject: Bylaw C-8082-2020**

The County has requested comments in advance of the December 22<sup>nd</sup> public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

We are opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also utterly outraged that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, it is difficult to express in writing the anger and derision I feel towards the County and their handling of this application. An approval of this writing would, for myself and my neighbours, be simply unforgivable.

Your Constituents,



Bob & Dawn Rosine

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 25, 2020 8:08 AM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
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**From:** Bob Rosine [REDACTED]  
**Sent:** November 24, 2020 [REDACTED]:54 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Cc:** Bob Rosine [REDACTED]  
**Subject:** [EXTERNAL] - Bylaw [REDACTED]-8082-2020

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November 24, 2020

**Legislative Services**  
**Rockyview County**

**Subject: Bylaw C-8082-2020**

The County has requested comments in advance of the December 22<sup>nd</sup> public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

We are opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

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identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

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In closing, it is difficult to express in writing the anger and derision I feel towards the County and their handling of this application. An approval of this writing would, for myself and my neighbours, be simply unforgivable.

Your Constituents,



Bob & Dawn Rosine

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - PL20200093/0094  
Date: October 27, 2020 9:40:10 AM

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Andrea Bryden October 27 2020

Rocky View County

This letter is in response to the recent proposal to redesignate the lands on Burma Road at the NE corner of Range Road 25. As a 30 year resident of Rockyview living on Burma Road, both plans, (PL20200093 and PL20200904) should be deemed unacceptable and not allowed to proceed. These lands have been proposed for redesignation a number of times in the past and rightfully the MD has turned down the request for redesignation. If anything has changed the community is more vibrant with more residences in the affected area and the result of this application should also be a resounding NO.

This area is first and foremost a residential area. There is a symbiotic nature of Agricultural land and Residential land. Allowing such a large industrial/commercial operation to be allowed in the middle of a quiet residential area is appalling.

Upon further review of the MSDP and Applicant's project website I feel that only lip service has been paid to the requests for information. I feel that the information is inaccurate and at times misleading.

The Scott Property team has not addressed how loud this conveyor system will actually be. They have indicated it would be "Within Rocky View Count approved levels" but they have not actually presented *exactly* what it sounds like. As an example, Fingernails on a chalkboard at acceptable volume levels is far from appropriate. The conveyor is an eyesore and will not be silent. The noise from the existing STAR pit is likely within "limits" but it sounds like a freight train 24 hours a day and it is almost 3km away from my home.

The Conveyor will disrupt wildlife patterns. Over 30 years I have seen Badgers, Moose, Deer, Coyotes, Porcupines and other resident animals cross Burma Road along the length of the proposed pit and surrounding areas. There will be an impact on the routes they travel. This has not been addressed.

Light pollution and dust issues are of paramount concern. The pit has to be illuminated therefore our night sky will get brighter and brighter. The wind will blow, and the dust will be a concern. It is very easy to obtain the desired results you want from the tests they have taken. However, when we have a period of sustained winds there will be dust problems that have not been factored into the tests that Lehigh Hanson have provided. A drive down 85<sup>th</sup> Street during a solid Chinook wind in the winter tells the tale. The snow on the hillsides is brown.

History is showing that the lifespan of these gravel pits far exceeds the forecast presented in the Scott Property proposals. Artists renderings of what the pit will look like from the road are exaggerated.

The Burma Road Burnco Pit was to have a lifespan of 25-30 years and yet they still have 2/3 of their land to mine. 40-50 years appears to be the new 25. The LaFarge pit has been running full steam for over 30 years and they have just recently moved their unsightly equipment to the top of the hill on the pit grounds setting up for another decade or two of mining. The equipment is lit like an oil refinery at night and the dust created from the excavation looks like a desert sandstorm when the wind is blowing. This is not a conceptual scheme, these are the facts.

Burnco developed the Burma Road Operations some 20-25 years ago and only now, in 2020 has the landscaping even begun to appear in the artists renderings that Burnco provided in their plans. B&A also show a lush forest with 30 foot trees in their renderings. It won't look like that in my lifetime.

Burma Road is still a thoroughfare for gravel trucks regardless of the weight restrictions, "local traffic only" signage, speed limits... Enforcement appears to be lacking because the parade continues every day. Even more important to this equation is that Burma Road is also a School Bus route. Assuming the conveyor does what it is supposed to do how do we assure more gravel in the area will not result in more gravel truck traffic?

I understand that change is inevitable, and it is difficult to slow progress however, there are other gravel deposits. This proposed mine should not be adjacent to a place where people have invested their time and money to build homes and enjoy a quiet rural lifestyle.

Due to the current CoVid19 pandemic a public hearing on this matter would be dangerous and irresponsible however the people need to be able to attend to voice their opinions in person and en masse. Social distancing would not allow for a full council chamber. When the public hearing is to be had I would implore you to hold it after the pandemic is under control when a true representation of the people can be had and heard.

Bruce Walker

25174 Burma Road





**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 26, 2020 2:36 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Scott Property Public Session Dec 22

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
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**From:** Bruce Walker [REDACTED]  
**Sent:** November 25, 2020 5:10 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Cc:** Division 8, Samanntha Wright <SWright@rockyview.ca>  
**Subject:** [EXTERNAL] - Scott Property Public Session Dec 22

**Do not open links or attachments unless sender and content are known.**

I wanted to be sure I was on record with Rockyview regarding the email I have sent to Lehigh Hanson, Samantha Wright, Blake Richards and Peter Guthrie regarding the December 22 Council meeting.

The following is the body of text from my email. I am extremely disappointed, but not surprised, that this application is being pushed through under the cover of CoViD 19. I am following all of Alberta Health rules pertaining to COViD19 and would be a fool to attend this in person. My voice **will not be heard** and in this circumstance it is essential that there is a full council chamber of concerned residents. It feels like my 32 years of paying taxes to Rockyview is rather irrelevant.

**“...It is reprehensible that Lehigh Hanson and the MD Rocky View would schedule a council hearing pertaining to the Scott Property Gravel Pit application when it is impossible for a true representation of Bearspaw residents to attend due to CoViD 19.**

**I challenge any one of you to effectively express your own heartfelt feelings along with your affected neighbours about something that would destroy your quality of life, health of your family, and the diminished value of your home on a ZOOM call. Sitting in your car waiting for a chance to speak is akin to telling your children to go to their room until required.**

I respectfully request that Rocky View postpones any hearings about the Scott Property project until a council chamber full of citizens can attend. Otherwise, you might as well rubber stamp the project and ignore your constituents right to represent themselves in person.

I am copying Samantha Wright, Blake Richards and Peter Guthrie on this email get a perspective on what their opinion on this might be. At a certain point their constituents have to have priority over a gravel pit dropped into the middle of a residential neighbourhood.

**Bruce Walker**



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - New gravel pit application  
**Date:** October 29, 2020 3:57:53 PM

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To whom it may concern,

This email is in regards to application number PL20200093/0094. We are opposed to the application for the proposed gravel pit. This is far too close to multiple residential properties. The dust , noise and truck traffic is absolutely unacceptable at this proposed site. We are also concerned for local traffic and especially the thousands of cyclists who use Burma road. Large gravel trucks on a road with a negligible shoulder is a recipe for a fatality. This application is completely incompatible within a country residential development. No to Gravel!

Sincerely,

Chris and Sue Daniel

**Steven Lancashire**

---

**From:** Sue Daniel [REDACTED]  
**Sent:** November 24, 2020 5:59 PM  
**To:** Andrea Bryden  
**Subject:** [EXTERNAL] - Fwd: New gravel pit application

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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>  
> To whom it may concern especially to our local counsellor who is  
> going against the wishes of the majority of her constituency, This email is in regards to application number  
PL20200093/0094. We are opposed to the application for the proposed gravel pit. This is far too close to multiple  
residential properties. The dust , noise and truck traffic is absolutely unacceptable at this proposed site. We are also  
concerned for local traffic and especially the thousands of cyclists who use Burma road. Large gravel trucks on a road  
with a negligible shoulder is a recipe for a fatality. This application is completely incompatible within a country  
residential development. No to Gravel! No No No! How many more times do we have to say this!!  
> Sincerely,  
> Chris and Sue Daniel  
>  
>

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Scott Property  
Date: October 15, 2020 4:10:12 PM

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file number 06605001, 06605002, 0605003, 06605004, 06605005  
application numberpl20200093/0094

Hello,

I hope this finds the Planning and development services Department.

This note is in regards to the Scott property development.

My name is Chris May and I live at 66 Rolling Acres Dr, Calgary, AB T3R 1B8. I live within a 2km radius of the proposed aggregate mine.

I haven't been involved much to date, but I wanted to take this opportunity to join the **OPPOSED TO THE MINE** team. I don't believe a gravel pit and residential housing can coexist. I moved to the country to get away from noise, poor air and traffic. I read the full 68 page development plan. I understand what they are doing and how they say there is no impact on residents, but they don't live here. The guys and gals at the end of the day go home and leave the dust and hole behind. Residents can't escape this. I truly believe that Lehigh is dreaming when they say our property values won't be affected by a 60 acre mine 150m away from our houses....are they kidding? I would never dream of buying a house so close to a mine....and chances are neither would any of the Lehigh team.

Let's continue to keep Bearspaw a great community. I read all the economic benefits it creates, but none of them directly benefits the residents. Helps out the county but not the people.

An open pit mine in the middle of our community is a bad idea.

Thanks for your time  
Chris May

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 25, 2020 12:43 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - BYLAW C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
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---

**From:** Chris May [REDACTED]  
**Sent:** November 25, 2020 9:13 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - BYLAW C-8082-2020

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Hi There,  
My name is Chris may. I live at 66 Rolling Acres Drive, Calgary, AB.

I OPPOSE the proposed bylaw.

My reason for opposing this bylaw is that agricultural land near the city is getting less and less common. I believe having a mixed agriculture and residential environment honours our heritage and past.

Many animals call this 600 acre block home including animals that didn't get accounted from in the review (bees for instance. Loss of habitat is a risk to bees survival and conversely humans ability to raise crops that need pollination).

Thanks  
chris

**Andrea Bryden**

---

**From:** Colleen Morrison [REDACTED]  
**Sent:** August 22, 2020 3:29 PM  
**To:** Andrea Bryden  
**Subject:** [EXTERNAL] - Gravel extraction

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Hello Andrea,

Once more we find ourselves in the sorry position of challenging further gravel extraction and crushing near our homes on Silverwoods Dr. We have lived here 21 years and have been arguing this point almost since we moved in. This area was verified by council as unacceptable for another gravel operation when the last proposal was put forward and denied. Companies return under another name and the "musical proposal game" starts all over again!

Once a site has been deemed rural it is frustrating and inappropriate to continue to engage home owners in that area on the topic of whether the land should be redesignated..When we say "NO" we mean "NO" and that will not change no matter how many different ways the question is posed!!!! The residents of this populated area must collectively endeavour to protect our homes and property once again by attending meeting after meeting after meeting during which the gravel companies hope to wear us down so we give up!! This is not going to happen because we are dedicated mix of engineers, environmentalists, geophysicists, doctors, nurses, lawyers, policemen and so on who have extensively researched this topic.

This is not our first rodeo as I have described, and we will never agree that gravel extraction and people should co-habitate at any level. This is about money and that is all it is about.

If anyone on council cares about our health or our comfort or our trust or the hit we'll take on trying to sell property across the street from a gravel pit that joins the six others in this area,NOW IS THE TIME TO SHOW IT!!!!.

We are trusting you will support the people of this municipality,

Colleen and Doug Morrison.  
61 Silverwoods Drive.

October 29, 2020

Ms. Andrea Bryden  
Planning and Development Services Department,  
County of Rocky View  
262075 Rocky View Point  
Rocky View County, AB  
T4A 0X2

Dear Ms. Bryden;

**Re: Response to Rocky View County's (RVC) request for comments on Lehigh Hanson's Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005 and #: PRDPDP20202785**

I am responding to RVC's request for comments on Leigh Hanson's (LH) application to re-designate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan (MSDP).

As you may well be aware, there currently are numerous gravel extraction operations in the NW sector of the City of Calgary along with Rocky View County, Division 8. In total, in addition to the Burnco permit up for renewal, at least by my count there presently are six (6) gravel extraction operations ongoing in this immediate area. As you are no doubt aware, Burnco, together with Lafarge and Volker-Stevin jointly operate the gravel extraction mine (Star Pit) situated south of Burma Road and immediately west of 85<sup>th</sup> street, in the City of Calgary. Burnco has a 30 % interest in this operation which is schedule to continue operation for another decade (possibly longer) going forward. What is interesting here is the fact that Lehigh Hanson also had a 30% interested in that Star gravel mining operation but choose to walk away from that extraction to concentrate on the Scott Property extraction.

My family and I have resided in the Silverwoods area for well over twenty (20) years now. The features that attracted us to this area included a quiet rural setting, limited noise, traffic, pollution and to again live with nature and wildlife at our back door. Lehigh Hanson demands to change all of this rural attraction by suggesting that we should feel ingratiated by embracing another gravel mine and all of the niceties that it brings with it!

With gravel mining and extraction comes a myriad of cumulative issues that residents within the area must be subjected to and affected by increased traffic, dust, noise pollution, air quality and pollution, wetlands disappearance, wildlife disturbances and disappearance along with vehicular safety in this area to name just a few.

In my submission, I will only touch on three (3) of these issues namely noise pollution and vehicular safety, wetland disappearance and wild life disturbances and but this is not to diminish the importance of the other cumulative issues identified.



## **Noise Pollution**

My wife and I reside at 61 Silverwoods Drive, Rocky View County which is approximately 2 miles NW of the current Star gravel mine and extraction site. We are somewhat closer to the Burnco mine and extraction site by a couple hundred yards. I would verify that on each and every day of operation, I can stand on my front porch of my residence and clearly hear the extraction and crushing noise from both the Burnco operation and the Star pit operation. I must admit that in the beginning I was under the impression that this substantial noise was train noise from locomotives either coming or going through Bowness area enroute to Cochrane. It was only after some investigation that I determined the constant rumbling and pounding noise was actually from both the Burnco and Star mining operations and train noise had nothing to do with what we heard. The gravel crushing and extraction noise continue throughout all days of operation when each site location is actively involved with crushing and loader operations. My neighbors have also commented as to how loud and offensive this noise can be.

Lehigh Hanson claims that by building a conveyor system from the mining site on Scott Property to their crushing site some 1.5 - 2.0 miles away eliminates all noise? How will this eliminate the dropping of rocks, boulders and gravel into a metal hopper; the digging and shoveling of rocks and boulders at the mine face and placing into a mine trucks that will be extremely noisy. Mine trucks will take rocks and boulders from the mine face to the hopper, crusher, and screening unit before transfer to the conveyor belt. All of this processing will be extremely noisy and dusty. Lehigh Hanson's operation will proceed 6 days per week starting at 0700 hours and run basically until 2000 hours for the next 20 - 25 years (a rather short period of time according to them). Apparently, Sunday is a day of rest. Frankly, I don't know why any of residents within Bearspaw area would oppose such an operation – Lehigh Hansen tells us it really is in our best interest to allow them to mine this gravel!

## **Vehicular Traffic and Safety**

The current Burnco, Star Pit and the Lafarge operation all operate out of a 2-mile corridor in the NW sector of Calgary and/or Rocky View County. The new proposed Scott Property pit by Lehigh Hanson would make it four (4) gravel mining operations that must move their gravel product via three (3) main corridors:

### **1) East Bound Burma – 144<sup>th</sup> Avenue, NW Calgary**

- a) east on Burma Road that once inside the City of Calgary turns into 144<sup>th</sup> Ave., NW. Gravel traffic heading east on this roadway either continues east - then head south on Symons Valley Road NW or;
- b) Head east on Burma Road – 144<sup>th</sup> Ave., NW then south on Shaganappi Trail NW, or;
- c) Head east on Burma Road – 144<sup>th</sup> Ave., NW and then south on Sarcee Trail NW.

Now, once this gravel traffic hits east of 69<sup>th</sup> street in the City of Calgary both pedestrian and vehicular traffic increases dramatically.

### **2) North Bound 85<sup>th</sup> Street NW Calgary.**

From either the Star gravel mine (West side of 85<sup>th</sup> Street) or the Lafarge gravel mine pit on the (east side of 85<sup>th</sup> street) and head north on 85<sup>th</sup> street to the intersection of 85<sup>th</sup> street and Burma Road (144<sup>th</sup> Avenue – City of Calgary) then turn east and follow the directional indicators mentioned in 1 a, b, or c above.

3) South Bound on 85<sup>th</sup> Street NW Calgary to Royal Birch Blvd then west bound for a short distance then merger with east bound traffic on Country Hills Blvd. At this juncture, gravel trucks then either head directly east bound on Country Hills Blvd. or move over to the southbound lane and then merger with

traffic on Stoney Trail. Traffic heading either east bound on Country Hill Blvd or southbound on Stoney trail have extreme high vehicular volumes.

On numerous occasions, eastbound vehicular traffic on Burma Road (144<sup>th</sup>) are required to slow down as these gravel trucks have simply pulled out in front of oncoming east bound traffic. While there is a stop sign at this exit point, most gravel truck drivers operate on the auspices that STOP simply means 'Steer to Optimal Position' to help quicken their departure from these gravel pits. Thus, while some drivers do come to a complete stop at this exit, the vast majority continue to 'coast' through the approach. What is also interesting is the fact that these truck drivers want to build up their speed for east bound travel. On this very point, on Friday morning, October 16<sup>th</sup> 2020, I was travelling eastbound on Burma following a gravel truck that had just exited the Burnco pit and watched as the driver turned south on 85<sup>th</sup>. The driver, however, failed to adequately slow down and took the right hand turn way to fast whereby his load shifted spilling a portion of the gravel load onto the intersection of Burma and 85<sup>th</sup>. This driver didn't stop to clean up the gravel and simply kept on travelling southbound on 85<sup>th</sup> Street. Had a vehicle been stopped at this intersection, waiting to merge onto Burma Road (144<sup>th</sup>) that vehicle would have been hit and covered by this gravel spillage.

It is important to note that with in the immediate area of the intersection of Burma Road and 85<sup>th</sup> Street there have been three (3) major gravel truck incidents over the last couple of years. The first occurred on 85<sup>th</sup> street where a north bound gravel truck at the base of the hill prior to the Burma Road – 85<sup>th</sup> intersection went off the road into the east bound ditch spilling their load into the ditch and approach located at this location. This was a substantially large gravel spill and I don't believe there were injuries other than the driver's ego and substantial damage to the truck and trailer.

The second major incident occurred in late 2019 when an east bound gravel truck was travelling down grade into the large coulee which is located immediately east of the Burma Road and 85<sup>th</sup> Street intersection. This particular gravel truck left the roadway and sheared of some 450 feet of eastbound steel railing along with the 10x10 inch wooden posts holding the railing in place. It was obvious from observations that this metal railing assisted in stopping the gravel truck but also assisted in not allowing the truck to go completely into the ditch and to the very bottom of the coulee. I believe that this guard rail saved the driver's life by not allowing the vehicle to travel to the very bottom of the coulee. Had the truck not been stopped the driver could have very likely lost his life. Incidentally, this took several months to have this portion of the guard railing repaired because it was utterly destroyed.

The third major incident occurred early this spring 2020 basically in the same coulee Burma Road (144<sup>th</sup>) but only the empty gravel truck was travelling west bound when it struck the steel guard rail on the north side of Burma Road completely destroying some 150 feet of steel guard railing and 10x10 wooden posts holding it in position.

Had either one of these gravel trucks hit the guard rails and veered back into any oncoming traffic heading in the opposite direction, both of these incidents would have been serious fatalities. Finally, I must add that all three of these incidents occurred when road and weather conditions were very good. This stretch of road becomes extreme when the roadway is wet or covered in snow. Having a loaded gravel truck with pup veer out of their lane into the oncoming lane will create massive damages and fatalities. A loaded gravel truck versus a passenger vehicle – simply is no contest.

It is important to note that at this particular coulee of Burma Road (144<sup>th</sup>) drivers attempt to increase their speed heading down the down grade so that it facilitates climbing up the upgrade side of the coulee in ease. Again, at any juncture should the east bound gravel truck and driver lose control the damage and lost to life would be significant.

I really don't know the number of times I have noted gravel truck drivers but in fairness passenger vehicle operators as well either talking or texting on their phone on this particular stretch of Burma Road (144<sup>th</sup>). I hate to count the times I waved at an oncoming gravel truck driver to get over as they were on their phone and coming dangerously close to the center line or even crossing the center line. For the large amount of gravel truck traffic currently travelling either southbound on 85<sup>th</sup> Street in the City of Calgary or east bound on Burma Road (144<sup>th</sup>) it is going to be only a matter of time until a further serious accident will occur on this stretch of roadway. Given the approach of winter weather and increased gravel truck traffic this is a terrible area to not be paying close attention to their driving.

With granting a further gravel extraction operation to Lehigh Hanson Burma Road along with 144<sup>th</sup> Ave., NW - City of Calgary will not only increase the amount of gravel truck traffic and safety concerns but further heighten the risks associated. This fact, coupled with the Bearspaw Christian School situated on the north side of 69<sup>th</sup> Street and Burma – 144<sup>th</sup> Ave., NW where massive amounts of parents and children either attempt to get into the school or out of the school using 69<sup>th</sup> Street and Burma (144<sup>th</sup>) is simply an accident waiting to happen. With gravel trucks travelling east bound on Burma (144<sup>th</sup>) and gravel trucks exiting from the Lafarge plant on the south side of Burma (144<sup>th</sup>) and 69<sup>th</sup> Street - private vehicles attempting to gain entrance onto Burma (144<sup>th</sup>) all at one intersection – without traffic lights is simply an accident waiting to happen. Unfortunately, when it does happen it will result in catastrophic injuries and/or deaths.

### **Wetland Reduction**

In viewing the current wetlands sheltered within the Scott Property there (at least by my count) appears to be 50 wetland areas and not the 48 as claimed by Lehigh Hanson in their submission to Rocky View Council. Coupled with these specific wetlands there are or what appears from my observation, 6 ephemeral waters on this property as well. Overall, the entire Bearspaw, Church Ranches, Silverwoods, Crest View Estates, Harvey Hills, Rolling Acres, Meadow Drive and Briarwood areas is a huge wetland resource area for water fowl and wild life of all sorts. The standing water and these various wetlands are breeding grounds and safety areas for wildlife to grow and raise their off-springs and help them to maintain their existence for future generations. To simply support the Lehigh Hansen gravel proposal based on their expert interpretations leaves me mystified that these animals mean nothing to this gravel application. But then again, none of the various employees working on this proposal live anywhere near this Scott Property proposal!

It's extremely interesting that recently October 19<sup>th</sup> 2020 the Federal Government – Natural Resources Minister Seamus O'Regan authorized the Nova Gas Transmission Limited (NGTL) project for a 344 km pipeline from Red Deer to Grande Prairie, Alberta. However, as part of the buildout conditions brought forward by the Federal Government, NGTL now is required to restore the 3840 hectares of caribou habitat (30 times the current size of their habitat) that are impacted by this project. Along with this added condition, NGTL must also comply with 35 binding conditions related to a number of facets including environmental and wildlife protection. However, giving the Lehigh Hanson application that destroying over 50 wetland and 6 other water areas will have absolutely no effect on our current animal and future population is preposterous and mind-boggling. Given that both the Federal Government and our provincial government continue to stress the importance and significance of our environment and wild life that Lehigh Hanson can simply brush these two factors way in the sake of financial reward for their foreign owned gravel company. Ultimately, Rocky View Council must decide that where animals live and co-exist with area residents, results in them having the same intrinsic value and significance as we, the Rocky View tax payer. Both my wife and I enjoy seeing Moose, deer, fox, coyotes, muskrats, geese, ducks and all other wildlife living amongst us. To simply suggest, as Lehigh Hanson implies in

their application that one or both are less important than their profit margin is nothing but an example of 'big business' sacrificing anything and anyone to get what they want. Suggesting, as Lehigh Hanson has in their correspondence and open houses that gravel extraction and gravel profits are far more important than residents or wild life is simply wrong. Ultimately, I believe that we are the 'Protectors of our Environment' and if we don't stand up and speak up – who will?

In summary, Lehigh Hanson's approach is 'get as close to exiting communities, reduce trucking distances, increase profits'. Lehigh Hanson should not and cannot simply 'extract and run'. The impact to local community must be mitigated.

In conclusion, thank you for the opportunity to provide our thoughts and comments. Consultation allows meaningful engagement and individual feedback. I trust that Rocky View County adheres with the spirit of consultation throughout. Finally, our opposition to Lehigh Hanson's application is not limited only to the concerns set forth above.

Your truly,

Doug and Colleen Morrison  
61 Silverwoods Drive,  
Calgary, Alberta  
T3R1E2

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Re: Additional information on Lehigh Hanson's Application  
**Date:** October 22, 2020 11:56:37 AM

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Do not open links or attachments unless sender and content are known.

Ms Bryden,

Rockview Gravelwatch has covered every facet of our objections to attempting to make a residential area a place of gravel excavation! The proposal is grossly inappropriate and all the reasons have been shared with you time and time again! It is redundant to review it all again when my email delivered to you weeks ago went unanswered!

We have six pits already active in this area. We spent all of our savings moving to the country only to find that the municipality of Rockyview decided we had no right to peace and quiet that had been promised to us. This proposal is ludicrous and self-serving based on the .50 cents a ton you would collect in tax on the gravel.

What happened to protecting your residents? What happened to giving them a fair deal when you keep putting us through the constant threat of application after application for the same piece of property. Absurd and inappropriate.

Our resounding NO MORE GRAVEL may mean nothing to you but believe me.... it means a lot to me and the rest of this area

Colleen Morrison

District 8

---

**From:** "Rocky View Gravel Watch" [REDACTED]  
**To:** "Rocky View Gravel Watch" <[rockyviewgravelwatch@gmail.com](mailto:rockyviewgravelwatch@gmail.com)>  
**Sent:** Monday, October 19, 2020 6:43:37 PM  
**Subject:** Additional information on Lehigh Hanson's Application

Greetings:

We have been asked by the residents organizing opposition to Lehigh Hanson's application to distribute their draft form letter (see below) so that people who have concerns with Lehigh's application have a model to submit their concerns before the County's deadline of November 2<sup>nd</sup>. Comments should be emailed to Ms Andrea Bryden in Rocky View's Planning Department at [abryden@rockyview.ca](mailto:abryden@rockyview.ca).

As always, if you have any questions, please ask. Also, please share this email with your friends and neighbours.

All the best,

## Rocky View Gravel Watch

*[If you no longer want to receive our emails, just let us know and we'll remove you from our distribution list.]*

### **Draft response to RVC request for comments on Lehigh Hanson's application:**

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

January 20, 2021

Legislative Services  
Rocky View County  
262075 Rocky View Point  
Rocky View County, AB  
T4A0X2

Attn: Municipal Clerk's Office

**Re: Letter of Opposition – Bylaw C-8082-2020 – Lehigh Hanson's Proposal**

My wife and I are writing to register our opposition to this application and we are affected landowners having lived in Silverwoods for over 20 years now. Our resident is situated some 1 km from Lehigh Hanson's (LH) proposed gravel mine and extraction operation.

Having reviewed LH's application – I must say that it is a 'Failed Project'. This project will create far reaching permanent impacts on the environment and well-being of all residents within the Bearspaw area of Rocky View County.

**Disclosure**

To begin, LH has not provided residents with 'full disclosure' of their application and have claimed that some of their material is 'confidential in nature' and should not be disclosed! They have allowed RV County staff to provide this apparent critical information to Council to help strengthen their proposal. In every legal application ongoing within Canada whether that be criminal, civil or municipal applications such as LH application within Rocky View County must proceed under the clear auspices that for all individuals involved either the applicant or individuals opposed must have full and complete disclosure to assist in making valued and informed decisions regarding each application. LH has not done so and even upon request by various landowners have still refused to cooperate and provide their complete application. Under the Charter of Rights and Freedoms and various courts leading up to the Supreme Court of Canada have continued to emphasize that 'full disclosure' is full disclosure of all relevant information to all involved. Landowners must be allowed to view all the evidence and documents gathered by LH and their specialists and the same holds true with information gathered by the opposition to this proposal. Claiming confidentiality on various apparent critical documents and information simply flies in the face of various court decisions. As well, Rocky View County by allowing LH to submit reports and documents that may in one fashion or another impact RV Council's decision in relation to the application also flies in the face of this legal court decision and case law where full disclosure is simply a legal precedent 'right' for all involved. To obstruct this ingrained legal commitment is simply cause for appeal!

**Consultation**

LH has over the course of the last year held community open houses to invite landowners to gather information about this project at Scott farm as their method of consultation. This

method of apparent consultation over the history of Scott pit has not been successful in mitigating the legitimate concerns of the Bearspaw community. Quite the opposite! LH consultation process for this current application has simply followed the same flawed process and does not meet the current consultation requirements to engage in a personal meaningful discussion and disclosure of all aspects of this project. LH has done nothing of meaningful substance that one could deem of essence and meant to show trust and 'full disclosure'. LH is under the impression that everyone needs gravel so what's the problem if we mine the gravel in a residential area - gravel is good for all. Consultation should not be viewed as an 'add-on' to a project but an integral part of the whole process – from start to finish. Regulatory standards and expectations for consultation has changed dramatically since their last application process. Truly meaningful consultation and informed consent requires a 'personal approach' especially with stakeholders that are most impacted and directly affected by the adverse effects of this proposal. Showing flip charts and handing out coffee and donuts does not cut the mustard with evocative heart to heart consultant. All regulators and government agencies have enacted and follow a higher consultation standards and legal requirements for proponents in all meaningful thought-provoking project decisions. Commitments for mitigation and reclamation must be defined in detail up front. LH has in numerous areas of their application either advised that their proposal in this area will be defined once the project has been excepted by RV Council and landowners. Realistically, what does that actually mean – 'we have valid plan that we will disclose but we're not going to disclose until we're given the green light to go ahead'. This truly sounds like much like the country song 'I have some ocean front property in Arizona'. This is not meaningful consultation! One really has to wonder what reclamation plan LH would have after 30 years of gravel mining and having a 100-200-foot-deep pit sitting over 600 acres of pristine farmland. More soccer fields, swimming pool for the county, ice rink in the winter. Realistically, how could you reclaim that property to any meaningful appearance that it currently exhibits. I would guess that is why LH has totally forgotten to even mention their proposal for reclamation once their done 30 years from now. Commitments for mitigation and reclamation must be defined in detail at the beginning so opponents understand totally what will happen to this property once the gravel is extracted. Assurances and general statements by project managers that will be retired prior to the project completion are just words and statements that are meaningless and worthless. If RV Council except that LH will be good for their word will be stuck doing the reclamation via rate increases to landowners. The proponent must have binding commitments both technically and financially and these commitments must be borne by the parent company.

In the event of a catastrophic event caused by gravel pit operations (e.g., poisoning well water, dewatering of a large regional area, etc.), compensation may not be available if the subsidiary company is isolated from the parent. Indeed, public disclosure documents from Heidelberg Cement Group (LH's German parent company) state that

*"Significant reclamation, recultivation and quarry closure obligations which may not be sufficiently covered by provisions and requirement to maintain financial assurances to meet these obligations".* This, from a company that has been fined US\$130M for environmental offences over the last 20 years in the United States alone.

These are significant risks that Council should not be prepared to take on behalf of its ratepayers. ***Orphan Wells, comes to mind!***



Given the fate of the Aggregate Resource Plan and the amount of consultation and engagement by Bearspaw landowners illustrates the critical need for getting gravel and gravel mining correct. Even after all of this engagement by both landowners and county it was inexplicably shelved by council without discussion in late 2019. Thus, given that gravel operations are a highly sensitive issue and with the former history of Scott pit denials consultation by LH should have been their highest priority that met the highest standards on landowner/applicant communication standards. That, however, was not the case.

### **Personal Consultation**

Now, since LH has filed this latest bylaw application, I have had the opportunity to door knock all residents situated on Aspen Drive, Meadow Drive, Crest View Estates, Silverwoods, Briarwood Estates, Harvey Hills and RR25 over the last several months leading up to the December 22, 2020 hearing date and up to the latest hearing date of February 02, 2021. With each and every resident situated in these various areas, not one resident has been approached by a LH employee or a representative of LH concerning this gravel mine application. Thus, not a single resident has been formally advised of the entire proposal and had a meaningful discussion of how that will affect their home, neighbors or community. I attended one of the two open-houses put forward by LH at Rock Point Church and a chance to look at LH proposal on various flip charts. It was obvious that LH was attempting to meet what they thought was consultation but it was truly lacking on so many fronts. Without any personal dialogue – LH overall proposal was never discussed or provided. In fact, I left their more concerned than when I attended. Finally, when LH makes statements such as “...well the gravel industry is also facing a battle, although it is usually a few residents who turn out and shut down any local growth and development or expansion plans”. This comment leaves me totally mystified in that a large portion of RV County has substantial deposits of gravel not just Scott pit and we are not just a ‘few’ residents. Sadly, LH doesn’t live here nor do they care who lives here in Bearspaw – this is simply a financial enterprise for them!

**Cumulative Effects** - The cumulative impacts of the Lafarge, Volker Stevin, current LH, City of Calgary, Stoney Trail Aggregate Resource (STAR) and Burnco gravel operations are already applying extreme impacts on the community in terms of all the issues discussed in this response. Put very bluntly, this LH application (in the center of long-established country living residential communities) is simply idiotic.

**Incompatible Land Use and Social Licence to Operate** - The proposed LH Scott Project gravel pit is a completely incompatible land use because of the existing adjacent country residential communities. RVC rightly turned down Lehigh Hanson’s earlier applications twice for this very reason, including a 9 - 0 vote in 2010, clearly establishing a precedent that heavy industry is incompatible with country living residential development.

Since those earlier rejections, RVC has approved many more new country residential communities in the immediate vicinity of LH’s proposed open pit mine, including and referenced by Division 8 - Bylaw C-8060-2020 - Redesignation Item - Residential Use File: PL20200059 (06606046). Property located on the NW corner of Burma Road and Range Road 25, immediately

adjacent to Scott Property on the west side. Reference also plan numbers 201 1503 (to the north) and 201 0276 (to the south) of Scott Property.

These approvals signaled that RVC is committed to the land use strategy in the Bearspaw Area Structure Plan, which identifies this land as the location for future country residential development. Residents took this to be an honourable, ethical and trustworthy statement of intent by RVC. Consequently, RVC has earned no social license to now impose open pit mining in this location.

LH also appears totally ignorant on its need to earn its “license to operate” within the local community of Bearspaw. From my previous experience in resource extraction, I have learned that it takes decades of consistent effort to build trust and earn a “license to operate” from the local community. An activity LH does not even understand, let alone to yet initiate! LH even took to insulting residents publicly, in an article published in the Rocky View Weekly, referring to residents as “Anti-business activists”, NIMBY’s and “misinformed resistance”! Many of these residents, LH is so quick to denigrate, built their careers and reputation in ethical resource extraction industries!

In conclusion, **THIS IS A FAILED PROJECT!** The approval of this application would have devastating impacts for every person and every aspect of life in the Bearspaw area. It would create unmitigable impacts on our environment, our water, our future development and our sense of community and our social well-being. This application is fatally flawed, LH has not provided full disclosure on their project and generally leaves landowners questioning its value, if any, for the Bearspaw community and RV County. I trust that as unified council can view all submissions with an open mind to look at and determine what really is best for County but more importantly what is best for the Bearspaw residential community.

**This LH application has to be denied!**

Doug and Colleen Morrison  
61 Silverwoods Drive

**Steven Lancashire**

---

**From:** David Jones [REDACTED]  
**Sent:** November 23, 2020 5:28 PM  
**To:** Andrea Bryden  
**Cc:** Division 8, Samanntha Wright  
**Subject:** [EXTERNAL] - Lehigh Hanson's Gravel Pit

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Do not open links or attachments unless sender and content are known.

Dear Samanntha,

Please accept this email as a notice of my strong objection to the approval of Lehigh Hanson's gravel pit being planned for development on Burma Road.

I and my family have lived in Bearspaw since 1998 and have enjoyed the lifestyle and rural nature that the location offers. We have seen the expansion of many homes in the area and have really valued the community it has developed. I believe it would be a travesty to allow further industrial development in such close proximity to where we all live. I and many others have serious health concerns about the consequences of such a development, not to mention the additional heavy traffic and noise.

I would be most grateful for any support you can offer in declining the request to create this gravel pit.

Yours sincerely,

David Jones

220, Rolling Acres Dr.

**From:** [Dominic Kazmierczak](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - BYLAW C-8032-2020  
**Date:** January 15, 2021 3:14:30 PM

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**From:** David Jones [REDACTED]  
**Sent:** January 15, 2021 2:54 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - BYLAW C-8032-2020

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To Whom it May Concern:

---

**From:** David Jones [REDACTED]  
**Sent:** Monday, November 23, 2020 5:28 PM  
**To:** 'abryden@rockyview.ca' <[abryden@rockyview.ca](mailto:abryden@rockyview.ca)>  
**Cc:** 'SWright@rockyview.ca' <[SWright@rockyview.ca](mailto:SWright@rockyview.ca)>  
**Subject:** Lehigh Hanson's Gravel Pit

Dear Samanntha,

Please accept this email as a notice of my strong objection to the approval of Lehigh Hanson's gravel pit being planned for development on Burma Road.

I and my family have lived in Bearspaw since 1998 and have enjoyed the lifestyle and rural nature that the location offers. We have seen the expansion of many homes in the area and have really valued the community it has developed. I believe it would be a travesty to allow further industrial development in such close proximity to where we all live. I and many others have serious health concerns about the consequences of such a development, not to mention the additional heavy traffic and noise.

I would be most grateful for any support you can offer in declining the request to create this gravel pit.

Yours sincerely,

David Jones

220, Rolling Acres Dr.

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Lehigh Hanson Gravel plant application PL20200093/0094  
**Date:** October 28, 2020 10:21:44 AM

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Do not open links or attachments unless sender and content are known.

Hi Andrea,

This letter is in response to a landowner notification we received in the mail regarding a new application for a gravel pit at RR25 and Burma rd.

We are opposed to this development for many reasons I will list, however, the overarching concern I have is for the safety of my family. We have already had an incident involving a gravel truck on Burma road where a large rock struck my wife's vehicle with her driving and my 2 primary school aged children onboard. Please see two attached photos from October 2019. I called 311, the Public Safety Investigator of the Government of AB, RV County, Mike Vail trucking, Burnco, Lafarge and Volker Steven without any resolution. There has been no accountability for this.

There is no accountability for this because, as I was repeatedly told: Since my wife failed to recover from the shock of the impact, turn the vehicle around and chase the truck down for a license plate number, there was no offence and it didn't happen.

We moved to Bearspaw in 2015 because of its many amenities and attributes. We could have purchased a similar house on a similar lot for \$100,000 to \$150,000 less if we purchased south or east of Calgary and we fully accepted this. This fact is still true today in the present real estate market. My point is, Bearspaw is a residential community that people pay a premium to live in. We will not stand idle and watch our investment be tarnished by another gravel pit.

Three seasons a year, I can count upwards of 20 gravel trucks an hour driving east and west on Burma road between Woodland Road and Bearspaw Road. The County has failed to curtail this traffic and, if the PL20200093/0094 application is accepted would potentially increase traffic. Lehigh Hanson has previously proposed a conveyor system to replace gravel trucks, as great an idea as that may be, is impractical and easily worked around, resulting in more gravel trucks. If it were such a grand idea, surely the other operators in the area would have already adopted it.

For now, I will keep my objection to the safety issue with gravel truck traffic that is present already in this area. I have presented an example of this safety issue and my concern for my family and I hope that you will include this email, including the two attachments, in your correspondence with the applicant with respect to our objection. Please confirm receipt of this email and thank you for your time.



Regards,

David Parks











From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Gravel Pit Application  
Date: October 20, 2020 3:23:09 PM

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Do not open links or attachments unless sender and content are known.

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

David Rodger  
15 Lone Pine Crescent  
Calgary, AB T3R 1B9



**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 18, 2021 4:59:11 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** David Rodger [REDACTED]  
**Sent:** January 18, 2021 1:19 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

**Do not open links or attachments unless sender and content are known.**

Subject: Bylaw C-8082-2020

We are vehemently opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bears paw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable adverse impacts to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled this public hearing in the current Covid-19 environment. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation.

We moved to Bearspaw to enjoy the semi-rural lifestyle it offered which includes quiet, low traffic, frequent wildlife encounters and dark nighttime skies. All of these things will be negatively impacted by an open pit mine on our doorstep not to mention the reduction in our property values. Additionally, we have family members who suffer from respiratory issues so the last thing we need is to deal with silica dust. At no time has anyone from Lehigh Hanson or a representative acting on behalf of Lehigh Hanson contacted or consulted with us, or anyone else in our neighbourhood for that matter.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Sincerely

David and Monique Rodger  
15 Lone Pine Crescent  
Calgary, Alberta T3R 1B9

## Steven Lancashire

---

**From:** Michelle Mitton  
**Sent:** November 24, 2020 4:26 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Against Bylaw C-8082-2020.

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** [REDACTED]  
**Sent:** November 24, 2020 9:11 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Against Bylaw C-8082-2020.

**Do not open links or attachments unless sender and content are known.**

I live less than ½ mile from this proposed OPEN PIT MINE.  
Myself and my family are totally against its approval in any form!

We moved into the peaceful country side to raise a healthy family and not to be engulfed by industry!  
We do not want the noise, dust or traffic associated. Why is such an industrial plan being done in a rapidly growing residential area anyway? Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area!

These developers remind one of a 'Mafia' group with only their deep pockets in mind and willing to screw over anyone or use any underhanded technique they can find. Wonder where do they live?

Rocky View should be mighty ashamed of even entertaining this meeting after the past denials and to now to risk its members health with this scheduled Xmas meetings in the middle of the centuries worst pandemic. This is OUTRAGEOUES! This meeting should be cancelled or postponed, how inhuman! I think we should point this whole meeting and its circumstances to the press given the times we are in. Did the Mafia's lawyers pick this date?

Can we then SUE you for making us be exposed to a Killer virus during such a meeting?  
Can we reduce our rates and TAXs to about ½ if you do PUSH this on us?

Here are some of the cleaner words that come to mind:

Shameless

Greedy  
Corrupt  
Back stabbing  
Under-handed  
VOTE  
( Can hardly wait for the next elections)

Doug Horne



**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Subject: Bylaw C-8082-2020  
**Date:** January 20, 2021 10:10:23 AM

---

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

---

**From:** [REDACTED]  
**Sent:** January 20, 2021 9:57 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Subject: Bylaw C-8082-2020

**Do not open links or attachments unless sender and content are known.**

Revision to previous letter as it may have excluded address info last time as was written in rage!

**Subject:** Bylaw C-8082-2020

**To:** Rocky View Council

I am opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bears paw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose

open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable adverse impacts to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled this public hearing in the current Covid-19 environment. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

There some of the many reasons we are in strong opposition:

- 1) Consultation – We or no one we know has ever been consulted about this application by anyone from Lehigh Hanson or a representative acting on behalf of Lehigh Hanson?
- 2) Economics - Profits flow to Lehigh Hanson, residents and MD incur the costs, including a significant reduction in property values and increase in Road maintenance!
- 3) Air Quality and Health - Crystalline silica dust is a known carcinogen and significant health hazard, can result in silicosis of the lungs (think asbestos!).
- 4) Wildlife - All the wildlife we enjoy seeing in Church Ranches will not live in a denuded gravel pit hole!
- 5) Other issues including: noise, increased traffic, impact on our dark skies, ground water (key for the residents that get their water from wells and the wildlife), etc
- 6) You will be messing up underground water and have no idea what those effects it will have on its supply and quality. Water and nature are sacred around these parts!

Name: Doug Horne

Municipal Address: 36 Cody Range Close

Date: Jan 20 2021



From: [REDACTED]  
To: [Andrea Bryden](#)  
Cc: [REDACTED]  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
Date: October 30, 2020 9:58:32 AM

---

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments. I appreciate the attempt Lehigh Hanson made to mitigate traffic, but the silica dust, crusher noise and back up beepers from equipment required to mine and move the gravel are not acceptable; our home is within 800m of the proposed gravel pit and we will be adversely affected by the mine for the rest of our lives (I am 60 years old). Additionally, the construction of the mine will take a very long time with earthmovers, bulldozers and trucks constantly running and adversely affecting our right to peaceful living. There are a lot of other places to find gravel that are not right in the middle of residential communities and the company should pursue a different location.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

In closing, this application should not be approved.

Respectfully,

Dwayne Romansky

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 18, 2021 12:45:59 PM

---

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** Dwayne Romansky [REDACTED]  
**Sent:** January 17, 2021 12:10 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Cc:** Dwayne Romansky [REDACTED]  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

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### **To Rocky View County**

Dwayne and Dawn Romansky, residents of 37 Timber Ridge Way, Calgary, AB T3R 1B9 are **opposed** to Bylaw C-8082 -2020, described as follows:

### **A BYLAW C-8082-2020**

**DIVISION 8** – Public hearing to consider Bylaw C-8082-2020 to redesignate NW-05-26-02-W5M, Block 1, Plan 7410996 within NE-05-26-02-W5M, a portion of NE-05-26-02-W5M, a portion of SW-05-26-02-W5M, and SE-05-26-02-W5M from Agricultural, General District to Direct Control District in order to facilitate an aggregate operation. Located at the northeast junction of Range Road 25 and Burma Road. File: PL20200093 (066605001/002/003/004/005) and PL20200094.

The proposed application to redesignate the subject land from Agricultural, General District to Direct Control District to facilitate construction and operation of an aggregate operation is incompatible with other existing uses in my residential neighborhood. Construction and operation of an open pit mine directly adjacent to residential properties is not acceptable for numerous reasons including construction noise pollution, gravel crushing and conveyor belt

noise pollution, continuous generation of carcinogenic crystalline silica dust, light pollution and destruction of our right to a peaceful enjoyment of life on our property.

The Lehigh Hanson Materials Limited Master Site Development Plan (MSDP) shows the project property line is approximately 500 m from our residence and will destroy our right to peaceful existence. **Lehigh acknowledges that the maximum noise generation thresholds will be exceeded during the preliminary site preparation and commencement of the initial phase of aggregate operations until such time mining activities drop below existing grades and/or the elevation of the berms.** Construction of each phase of the project is expected to take 2-3 years and the life of the open mine pit is anticipated to exceed 30 years. The developer will never remove back-up beepers for dozers and trucks because of safety requirements. Constant beeping and noise from the gravel trucks, gravel crushers and the gravel conveyor will be persistent for 30 years or more. Regarding noise exceeding 55 dB during Construction (2-3 years per Phase); this is unacceptable and the proposal does not define how loud this would be, they only state that 55 dB will be exceeded during construction phases and while the mining is above grade and that an exemption from maximum allowable noise is required during construction of each phase. Minimum noise cannot be met for significant periods of time during Construction and Operations of the pit over a 30 year timeline and that is completely unacceptable.

Silica dust is another major concern with the proposed development. I have driven on 85th street during current gravel operations and the amount of dust settling on top of the fresh snowfall tells a chilling story; the dust volume is significant and is not contained to the pit property. I had to put my fan on "recirculate air" because the dust plume was so large. There is no way to prevent dust dispersion and mitigate risk to nearby residents. Studies show **crystalline silica dust is carcinogenic** therefore creating an unnecessary health risk to residents in the area.

Rocky View County have refused two previous applications at the same property and subsequently approved additional new residential developments in the immediate vicinity. The County should refuse to grant the application to change land use for the purpose of aggregate operations and should commit to a land use strategy for agricultural or residential development only. Residential development using 2 acre parcels on the same property would generate tax revenue equal or greater than the aggregate operation in the fullness of time.

An open pit gravel mine will impose dramatic negative consequences on everyone living close by. Negative consequences include unavoidable impacts to residents health and wellbeing due to the stress created by noise and continuous operations over 30 years, health consequences due to generation of carcinogenic crystalline silica dust and a very likely reduction in value of our property value due to the proximity of the proposed aggregate construction and operation and finally, the destruction of our right to peaceful enjoyment of life on our property.

Thank you for your time and consideration,

Sincerely,

Dwayne and Dawn Romansky  
Legal Description,  
Plan 9411421; Block 1; Lot 14

37 Timber Ridge Way, Calgary, AB T3R 1B9  
January 17, 2021

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
Date: November 1, 2020 6:33:39 PM  
Attachments: [image001.png](#)

---

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Ms. Bryden:

I believe I have communicated with you in the past regarding this matter and understand you are the person to whom I should be directing my comments.

I understand this is the last day to provide comments regarding Lehigh Hanson's application to re-designate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on that site and their application for the accompanying Master Site Development Plan.

I live immediately to the north of that site and express again that I am strongly opposed to this application. Variations of this application have been rejected in the past for the very sane and rational reason that it is not compatible with pre-existing country residential living. Homes were here first. It is an unwanted intrusion into the community, regardless of the promised mitigation efforts (of highly questionable merit) to noise, air quality, traffic, property value, wildlife and general standard of living – heavy industry is incompatible with residential developments. Residents in Bearspaw have spent a lot of money to move here to get away from industrial operations and proximity to neighbors.

In addition, if approved, it will directly impact where I live. The pit will be seen by me every day because of where my home is situated – no berm or trees will be able to hide it because of my home's vantage point to that site. I will see a scarred open mining pit every day of my life while I live – I will hear the operations – the noise carries – I know because I already have a larger oil and gas surface lease with three pumpjacks immediately to the north of me and I can hear the compressors, and three more wells are scheduled to be drilled very shortly. I and my neighbors immediately to the north of the site will become surrounded by industrial operations and our property values will only decline. Beyond mine, I can't imagine how badly the property values of Crestview Estates will drop if this is approved – The county will have MANY unhappy constituents if this is approved.

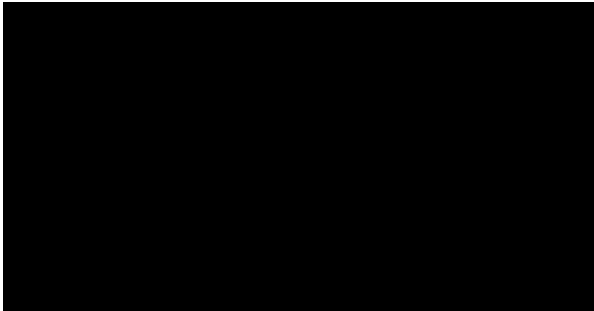
I have also been advised that there has been inadequate public engagement by Lehigh Hanson in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

Please reject the application and tell Lehigh to move on – maybe they could sell the property to a developer of acreage sized lots – that would certainly be more

compatible with the existing surrounding lands.

Thanks,

Evan Low  
261108 Range Road 25  

---

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---

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020 - Written Submission AGAINST Lehigh Hanson's application to redesignate 600 acres at the NE corner of Burma Road and Range Road 25 Burma Road and Range Road 25 into an open pit gravel mine  
**Date:** January 20, 2021 12:21:04 PM  
**Attachments:** [image001.png](#)

---

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** Low, Evan D. [REDACTED]  
**Sent:** January 20, 2021 12:13 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Cc:** Andrea Bryden <ABryden@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020 - Written Submission AGAINST Lehigh Hanson's application to redesignate 600 acres at the NE corner of Burma Road and Range Road 25 Burma Road and Range Road 25 into an open pit gravel mine

**Do not open links or attachments unless sender and content are known.**

This written submission is in response to Bylaw C-8082-2020 in respect of the above matter.

My family and I live directly adjacent to the north of the subject location: Evan and Kristy Low, 261108 Range Road 25, Calgary, Alberta, T3R 1J8.

I have communicated our strong opposition to this application in the past as per my e-mail below, which I ask that you refer to and include as part of this submission.

To further illustrate my opposition I am attaching a picture from my back deck at home facing south (sorry, I couldn't figure out how to rotate the image). The land on the horizon is the subject location for the gravel pit. If approved, the open pit mining will be completely visible to us, a significant eyesore regardless of the proposed set backs or berms, and will greatly diminish our property value as a result. The sounds will carry to us on our deck (we already hear the oil and gas operations immediately to the north of us that are equally or further away from that location).

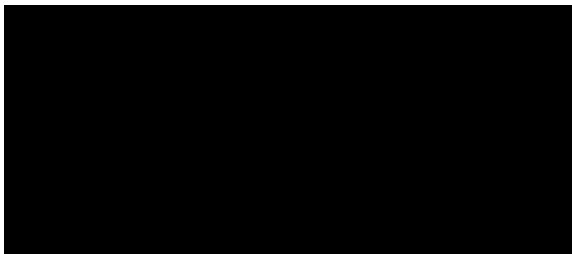
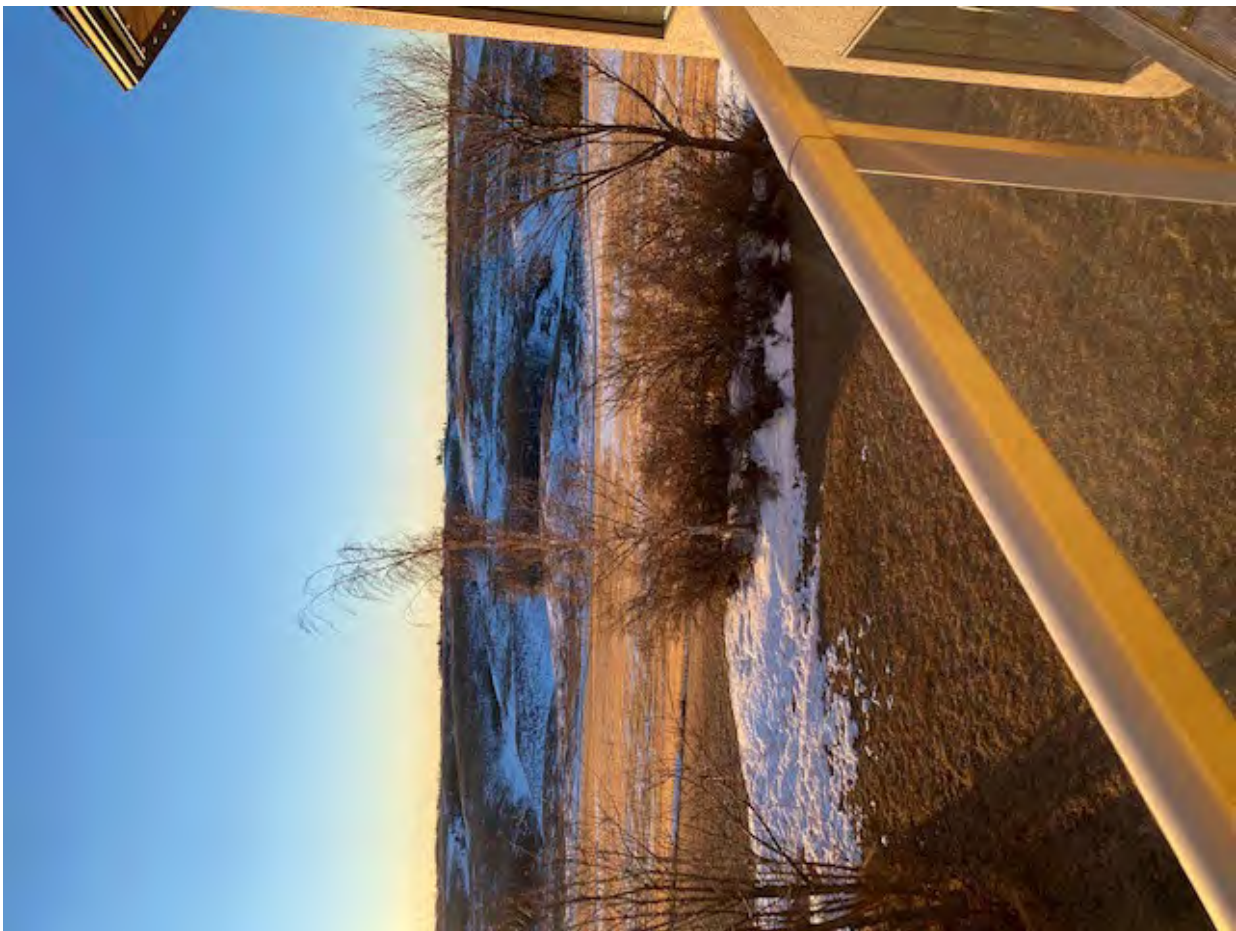
A pit at that location is an insult to the county citizens whose existing land use assured

them that this would not occur.

Please do the right thing and reject the proposed land use bylaw amendment – to do otherwise will, I'm sure, result in unfavourable political backlash, bad publicity, and an exodus of tax payer dollars.

Thanks,

Evan Low



---

**From:** Low, Evan D.



**Sent:** Sunday, November 01, 2020 6:33 PM

**To:** 'abryden@rockyview.ca' <[abryden@rockyview.ca](mailto:abryden@rockyview.ca)>

**Subject:** Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)

Ms. Bryden:

I believe I have communicated with you in the past regarding this matter and understand you are the person to whom I should be directing my comments.

I understand this is the last day to provide comments regarding Lehigh Hanson's application to re-designate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on that site and their application for the accompanying Master Site Development Plan.

I live immediately to the north of that site and express again that I am strongly opposed to this application. Variations of this application have been rejected in the past for the very sane and rational reason that it is not compatible with pre-existing country residential living. Homes were here first. It is an unwanted intrusion into the community, regardless of the promised mitigation efforts (of highly questionable merit) to noise, air quality, traffic, property value, wildlife and general standard of living – heavy industry is incompatible with residential developments. Residents in Bearspaw have spent a lot of money to move here to get away from industrial operations and proximity to neighbors.

In addition, if approved, it will directly impact where I live. The pit will be seen by me every day because of where my home is situated – no berm or trees will be able to hide it because of my home's vantage point to that site. I will see a scarred open mining pit every day of my life while I live – I will hear the operations – the noise carries – I know because I already have a larger oil and gas surface lease with three pumpjacks immediately to the north of me and I can hear the compressors, and three more wells are scheduled to be drilled very shortly. I and my neighbors immediately to the north of the site will become surrounded by industrial operations and our property values will only decline. Beyond mine, I can't imagine how badly the property values of Crestview Estates will drop if this is approved – The county will have MANY unhappy constituents if this is approved.

I have also been advised that there has been inadequate public engagement by Lehigh Hanson in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

Please reject the application and tell Lehigh to move on – maybe they could sell the property to a developer of acreage sized lots – that would certainly be more compatible with the existing surrounding lands.

Thanks,

Evan Low  
261108 Range Road 25

[REDACTED]

[REDACTED]

---

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---

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - PL20200093/0094  
**Date:** October 18, 2020 9:36:44 AM

---

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Dear Andrea,

We are residents of Timber Ridge in Church Ranches. We are very opposed to the proposed gravel pit due to the excessive noise, dust and traffic. This is a well established residential area and no place for a gravel pit. The health and safety of our residents is more important than gravel.

NO TO THE GRAVEL PIT!

Best regards,

Dr. Faizal Meghani

Dr. Nazanin Meghani

Sent from my Samsung Galaxy smartphone.

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 24, 2020 4:28 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** drmeghani [REDACTED]  
**Sent:** November 24, 2020 10:43 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

To whom it may concern,

The County has requested comments in advance of the December 22<sup>nd</sup> public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Best regards,

Dr. Faizal Meghani

Dr. Nazanin Montakhab

Sent from my Galaxy

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [Division 8, Samantha Wright](#)  
**Subject:** [EXTERNAL] - Residents comments re: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 23, 2020 4:35:19 PM

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Dear Ms. Bryden,

Thank you for the opportunity to respond to yourself and Rocky View County (RVC) regarding the County's request for comments about redesignating the 600 acres located in section 5 Twp. 26 Rge. 2 W5 (known as the Scott Property) to develop an open pit gravel mine proposed by Lehigh Hanson.

Myself and my wife are opposed to this application for the following reasons:

The simple truth is that an open pit mining operation is totally incompatible with residential development regardless of whether the application is from Lehigh Hanson or any other gravel company.

The reason? Large open pit gravel development, like the pit proposed by Lehigh Hanson, impose severe negative impacts on everybody living in the vicinity of that pit. These negative impacts include impacts to resident's health, safety and quality of life. In addition, there is the environmental impact of digging a 150' deep hole in the ground that covers an area of 2.34 square kilometers! In addition, an open pit operation of this magnitude would leave a permanent scar in our community and render the land useless and unusable for future generations.

In 2012, I bought my property in Church Ranches which sits within a kilometer of the SW edge of the application lands. As Council is aware, Lehigh Hanson has made two earlier applications on this property and both times, RVC turned down their application. Council's refusal to approve the previous Lehigh Hanson applications on the Scott Property and RVC's Bears paw Area Structure Plan (BASP) which designated the Scott Property as future Country Residential (BASP, By-Law C:4129-93, Fig. 7) were key to my decision to buy my residence with the confidence that no incompatible development, like an open pit mine, would be considered by RV Council. In view of the preceding, my wife and I are extremely disappointed that RV Council is even permitting Lehigh Hanson to proceed with its application for the third time.

It is also our opinion RVC should not be accepting and proceeding with an application from Lehigh, or any other applicant, given the state of the COVID 19 pandemic we have now enduring. Public engagement is required to allow residents the freedom to express their concerns as well as hear other resident's concerns before Council. This cannot be done safely under the current pandemic conditions. If this application is going to proceed, then no or minimal public engagement is likely to occur because of safety concerns. Lehigh Hanson's planning strategy to submit an application at this time undoubtedly aims to take advantage of a situation that minimizes public engagement and

this is just wrong!

Council has a moral and legal obligation to ensure that a fair and open public can be engaged and can be heard by council and RVC residents. Our concern is that this is not going to happen.

Respectfully Yours.

Gary G. Moroz [REDACTED]  
Joanne M. Moroz

7 Alexa Close  
Church Ranches Area, Bearspaw.

**Gary G. Moroz**  
7 Alexa Close,  
Calgary Alberta, T3R 1B9  
(Plan 9411421, Block 1, Lot 30  
Rocky View County, Alberta)

January 19, 2021

**Rocky View County**  
262075 Rocky View Point  
Rocky View County, Alberta  
T4A 0X2

Sent by email to [legislativeservices@rockyview.ca](mailto:legislativeservices@rockyview.ca)

Dear Sir or Madam,

**RE: Submission of OPPOSITION to Application #PL20200093, BYLAW C-8082-2020**

In the following pages, please find my report to Rocky View County regarding the captioned submission.

I strongly **OPPOSE** the proposed Application and the amending Bylaw as does my wife, and those residents of Rocky View County shown at the back of this submission who have given me authorization to submit this report and speak on their behalf at the public hearing on Feb. 2 ,2021.

I summarize the reasons for our opposition in the following report which I hope be read by Rocky View County Council.

Respectfully yours,



Gary G. Moroz, P.Geol.



**OBJECTION**

To Rocky View County Application PL**20200093**

**Regarding RVC proposed amending Bylaw C-8082-2020**

RE: Lehigh Hansen's Application to Rocky View County  
To redesignate the property to facilitate an Aggregate Operation

Located in Section 5, Twp. 26 Rge 2 W5

Objection Submitted by

**Gary G. Moroz, P.Geol.**

a resident of Rocky View County living at 7 Alexa Close

also representing

**Dr. Faizal Meghani**

a resident of Rocky View County

and also representing

**Dr.Aravind Ganesh**

a resident of Rocky View County

-January, 2021-

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## 1. Introduction

Lehigh Hansen Materials Limited (Lehigh) has applied to Rocky View County (RVC) to construct and operate a Class 1 Aggregate Pit located in Section 5, Twp. 26 R2W5. The property, known as the Scott Property, is shown in [Fig. 1](#) below.

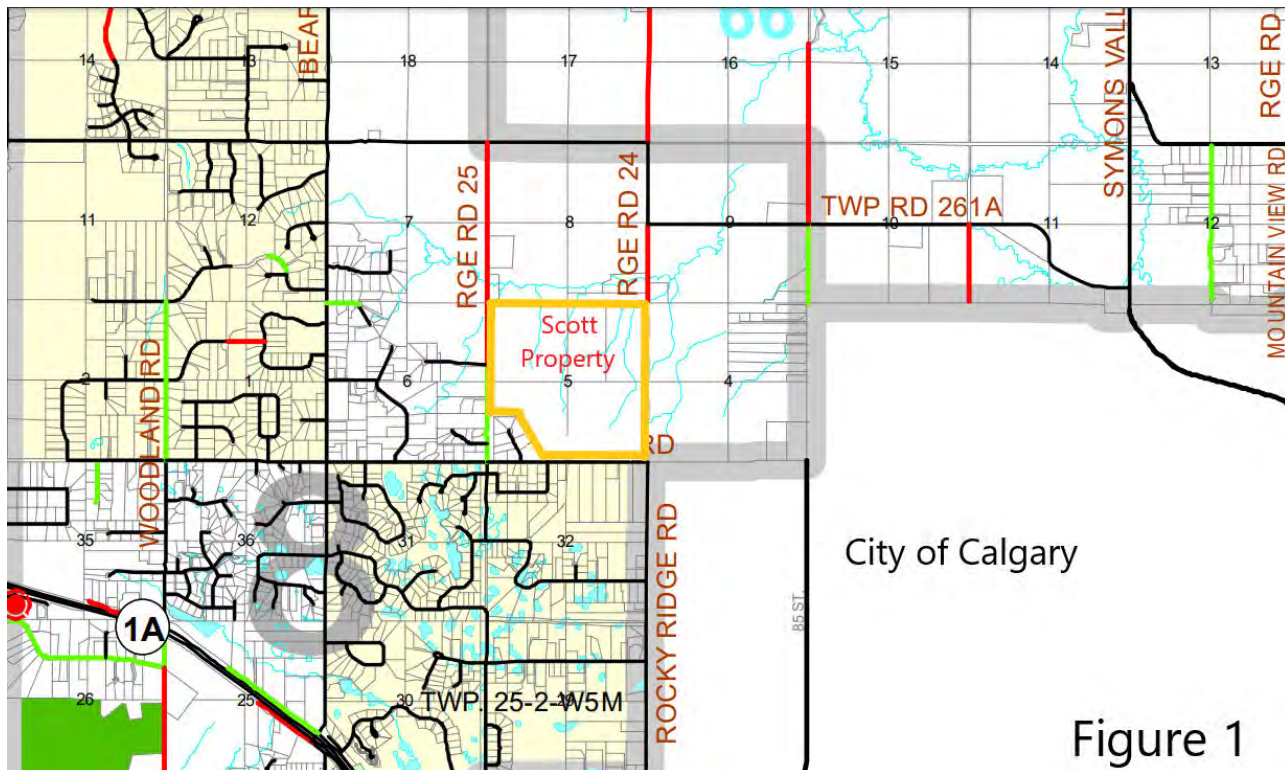


Figure 1

The project will encompass an area of about 600 acres (243 hectares). The pit will be located immediately east of the rural residential community of Crestview Estates which lies on the east side of the greater Bearspaw Rural Residential area. Between 50 to an estimated 75 Bearspaw residents who reside along the west and south limits of this proposed pit are dependent on water wells for drinking water and domestic uses. This report reviews the AECOM Hydrological Technical Assessment (HTA) report to determine whether the proposed pit will have an impact on the local aquifer these residents use to draw water from. **This aquifer is protected under Section 8.3.15 of the Bearspaw Area Structure Plan.** Lehigh has submitted two previous applications to build this pit in 1994 and 2010. Members of RVC Council in 1994 and 2010 turned down both previous applications.

## 2. Qualifications of Gary G. Moroz, P.Geol. to make this submission

Gary G. Moroz, B.Sc. (Specialization in Geology), P.Geol. mem. #21037 graduated from the University of Alberta in 1974 and obtained his P.Geol. designation in 1976. He has over 40 years of extensive experience in the oil and gas industry working in sedimentary basins throughout North America and Offshore North America with large Multinational and Canadian Independent Companies. In the early 1990's and 2000's, he founded and co-founded several successful public and private independent oil and gas companies. These companies grew into successful enterprises because of his solid understanding of geological principles and expertise in stratigraphy, depositional environments and reservoir dynamics. Mr. Moroz is a resident of the rural residential community of Church Ranches (located in Sec. 31, Twp.25 Rge. 2 W5) and is a concerned resident of the community who is affected by this pit application.

### **3. Data sources used in this submission**

The water well and borehole data used in this submission is derived from three sources.

- 1) The Lehigh Hydrological Technical Assessment prepared by AECOM Canada Ltd, Calgary Alberta in July, 2020
- 2) The Alberta Water Well Index.
- 3) Information gathered directly from residents living adjacent to the Scott Property Project.

### **4. Executive Summary of Conclusions Reached Upon Review of the AECOM Canada Ltd (AECOM) Hydrological Technical Assessment July 2020**

- 1) **AECOM's HTA utilizes very little data of the 54 well data base available to them in the Scott Property area and even less of the 87 well data base located in the Hydrostatic Study Area (HSA) around the project area. AECOM's HTA did not seek, use, or confirm any well data from residents living adjacent to the project area. As a result, the conclusions that AECOM reaches in the HTA are often inaccurate, erroneous, and misleading. [See detailed discussion in section 6.1](#)**
- 2) **The AECOM HTA submits that there is a shale caprock over the Paskapoo aquifer that will provide a hydraulic barrier between the Paskapoo Aquifer and Basal Gravel water thus protecting the Paskapoo Aquifer from the mining operation. AECOM admits the shale caprock is discontinuous. They confirm in their HTA that only 8 of the 54 boreholes drilled in their project area have tagged shale subcrop. AECOM does not use well data from within the Scott Property area or wells within the HSA to map this shale caprock to prove its lateral continuity. Furthermore, their concept a shale caprock that follows the unconformable Paskapoo slope in their cross-sections is wrong and misleading. [See detailed discussion in section 6.2](#)**
- 3) **The AECOM HTA submits the Basal Gravel water is in a separate hydrostatic unit from the Paskapoo aquifer because there is a hydraulic barrier between the Basal Gravel and the Paskapoo Aquifer. This postulation is inaccurate and misleading. By their own admission, AECOM admits that Basal Gravel water is in direct contact with the Paskapoo Aquifer in several of their wells but ignores the fact that Basal Gravel water is in contact with many other wells adjacent to their project area. The sheer number of wells with Basal Gravel water in contact with Paskapoo aquifer prove that there cannot be separate hydrostatic units. [See detailed discussion in section 6.3](#)**
- 4) **The AECOM HTA submits that clay aquitards in the gravel deposits prevent vertical hydraulic conductivity to the Paskapoo aquifer. AECOM does not provide any maps showing the lateral continuity of their aquitards. AECOM does not provide any porosity/permeability tests over cores they claim have aquitard intervals. The thinness of the clay intervals they claim are aquitards (1 foot) would not have, the lateral continuity or areal size that would prevent hydraulic conductivity from occurring in the gravel deposits. [See detailed discussion in section 6.4](#)**
- 5) **There are no shale caprocks or clay aquitards that will prevent contaminated water from recharging the Basal Gravel- Paskapoo Aquifer once the mining operation commences. [See detailed discussion in section 6.5](#)**

- 6) AECOM submits that there are only 3 monitoring wells in the project area that have basal gravel water leaving the reader the impression that this is only 3 wells out of 54 wells. First the HTA report omits to clarify that several of their monitoring wells were not completed in the Basal Gravel water and some were drilled outside the project area. The remaining 44 boreholes were not cased and completed as wells making it impossible to determine if Basal Gravel water was present at those 44 locations. [See detailed discussion in section 6.6](#)
- 7) AECOM submits that dewatering of the aquifer may occur and if it does occur, it would occur over a limited area. AECOM's cross section B-B' ([Fig. 9](#)) shows that dewatering will occur over a large area of the SW/4 of the project area. [See detailed discussion in section 6.7](#)
- 8) Resident water wells can draw contaminated water from areas of recharge like the pit floor. This would threaten the health and lives of local residents dependent of water from the local aquifer. [See detailed discussion in section 6.8 and 6.9](#)
- 9) AECOM states that all the wells in the HSA are completed below 10 meters from the top of bedrock. This statement is pure fiction like many of their other statements in the HTA. [See detailed discussion in section 6.10](#)

The AECOM HTA report is erroneous, misleading and unreliable. The conclusions reached in HTA report are flawed and should not be relied upon by RVC Council. Lehigh's application should be rejected by RVC Council as has been rejected twice before because Lehigh's application presents unacceptable risks to the health of RVC residents and the integrity of the local Basal Gravel-Paskapoo Aquifer.

## 5. Geology of the Tertiary Gravel and Tertiary Paskapoo Formation

### 5.1 Local Tertiary Gravel Geology

Tertiary sands and gravels that Lehigh wants to mine were deposited in an alluvial depositional environment deposited by meltwater channels that flowed in the Bow River Valley. The gravel deposit covers a broad area that trends westward from the Nose Hill area of Calgary to just west of Cochrane. This entire deposit is estimated to contain 185,000,000 m<sup>3</sup> of gravel (Moran,1986) These deposits are mostly unconsolidated (non-cemented) and can reach thickness of 30 – 35 meters in the project area. Grain size variations of up to cobble size material indicate that water flows were dynamic during certain cycles of deposition. These Upper Tertiary sediments unconformably overlie the Tertiary Paskapoo Formation also referred to as the Porcupine Hills Formation in Southern Alberta.

### 5.2 Local Tertiary Paskapoo Geology

The Paskapoo Formation was also deposited in an alluvial and lacustrine depositional environment however grain size distribution in the Paskapoo is finer indicating deposition occurred in a less dynamic energy environment. The Paskapoo can reach thicknesses of several hundred meters in the project area and is composed of a series of consolidated (cemented) fine to medium grained sandstones, siltstones, mudstones and shales with lesser amounts of pebble conglomerate and thin coal beds. The Paskapoo and the lower Basal Gravel combine to make up the local aquifer in the project area. The Paskapoo portion of the aquifer contains numerous channel sand deposits that are porous and permeable and interconnect with laterally adjacent over bank deposits.

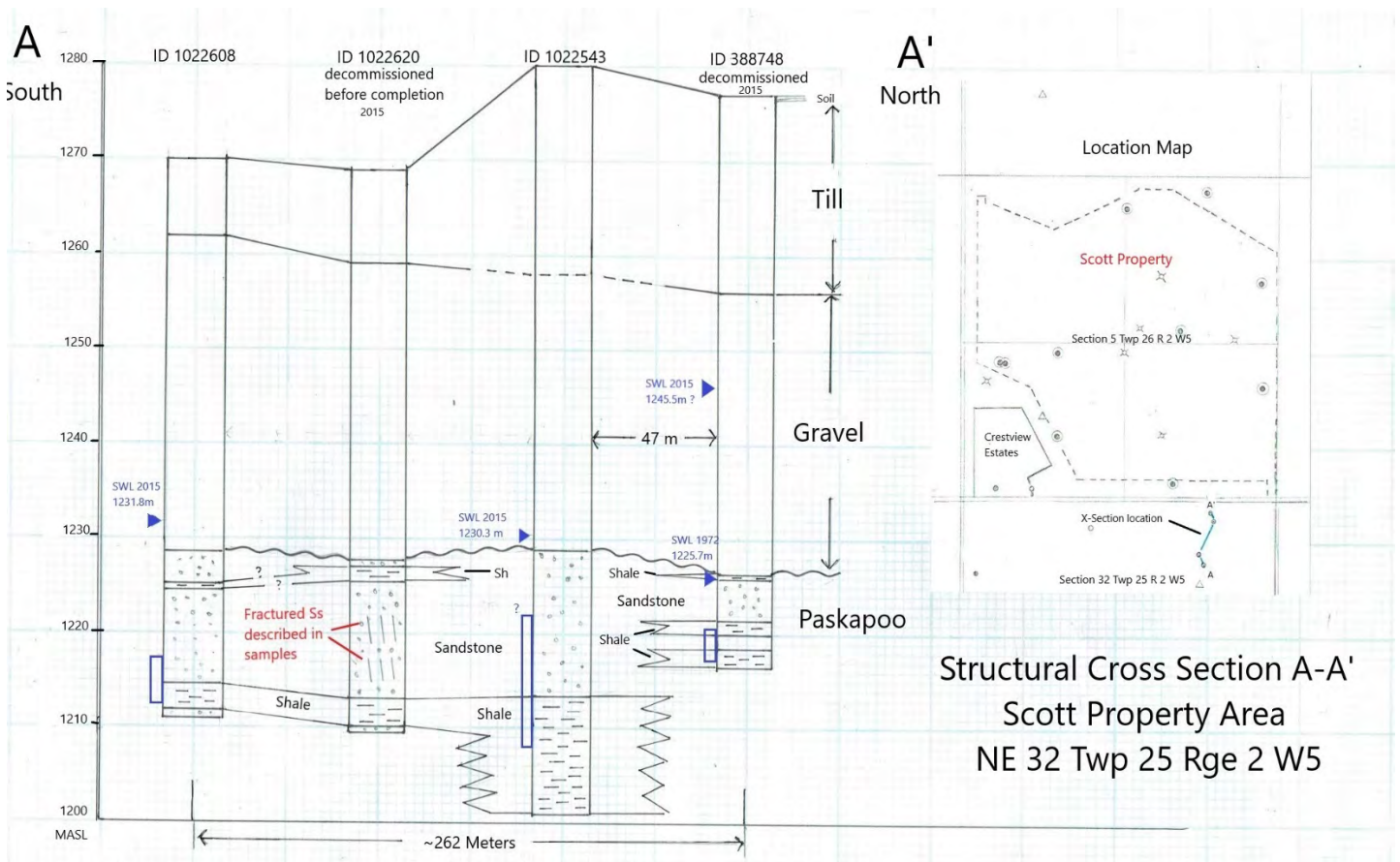


### 5.3 Discussion of Cross Section A-A' (Fig. 2 in this report)

**Fig. 2** below is a cross section located immediately south of the Scott Property project area. This cross section was constructed to show the rapid lateral lithological changes that occur in the Paskapoo. Well 388748 on the right shows the rapid lateral change of interbedded sandstones and shales to a massive (channel?) sandstone in the 1022543 well which was drilled only 47 meters away. Note the following in the cross section (**Fig. 2**):

- Well 388748 was drilled in 1972 and had a static water level (SWL) of approximately 1226 meters above sea level (masl). The well was decommissioned in 2015 and had a reported SWL of 1245 masl (possibly due to a mechanical problem or a compromised well casing).
- Well 1022543 drilled in 2015 has a SWL of 1230.3 masl indicating the water table has moved up approximately 4 meters since well 388748 was drilled in 1972.
- Well ID 1022608, 1022620 and 1022543 have sandstone sub-cropping at the top of the Paskapoo While Well 388748 has a thin shale sub-cropping at the top of the Paskapoo.
- Three of the four wells in the section would have Basal Gravel water in direct contact with the Paskapoo sandstone aquifer. This cross section shows how the Basal Gravel water and Paskapoo Aquifer combine to form one unconfined aquifer.
- Fractured sandstone samples were described in the main Paskapoo sand in the 1022620 well and contribute to making the Paskapoo aquifer an “**unconfined aquifer**”
- Paskapoo channel sandstones (like the massive sand occurring in the 1022543 well) connect laterally with interbedded sands and shales to make the Basal Gravel and Paskapoo one “**unconfined aquifer**”.

**Fig. 2** Cross section shown rapid lithological changes in the Paskapoo aquifer



#### 5.4 Fractures in the Paskapoo Aquifer



Grasby et al (2008) identified fractures in Paskapoo cores and outcrops from the Red Deer River Valley to the Bow River Valley. Fractures are vertical to subvertical (as shown in Fig. 3) and trend in a general northeast – southwest direction. Samples are often preferentially stained along the fracture plane as red or red -brown due to iron-oxide staining as shown in Figure 3. Grasby and others suggest that these fractures are related to the regional tectonic-stress regime and therefore not local in nature.

**Fig. 3.** Fractures in a Paskapoo Core (From Grasby et al, 2008)

**Fig. 4** Fracture Description in Well 1022620 (NE 32 T25 R2W5)

41.76		Brown Sandstone
43.59		Brown Shale
48.16		Brown Sandstone
48.77		Gray Sandstone
51.51		Brown Fractured Sandstone
53.64		Gray Hard Sandstone
55.78	Yes	Brown Fractured Sandstone
58.83		Gray Shale
59.44		Sandstone

Well ID 1022620 shown in Fig. 2 identified fractured sandstone in the upper Paskapoo sandstone aquifer in the HSA. The formation log records (Fig 4), shows that the fractured sandstone is brown (due to oxidation) with interbedded gray sandstone.

Well records in the HSA also identify fractured samples in 5 other wells that surround the project area:

- well 1020144 located in the SE/4 of section 4 T26 R2W5
- well 2097514 located in the NE/4 of section 4 T26 R2W5
- well 9511019 located in the SE/4 of section 8 T26 R2W5
- well 389960 located in the NW/4 of section 6 T26 R2W5
- well 352738 located in the NW/4 of section 32, T25 T2W5

**Fracturing in the project area is important because fracturing greatly enhances transmissibility within the aquifer in the project area.** The AECOM HTA omits mentioning the presence of fractures seen in the aforementioned six wells, or references in the literature that cite fracture presence.

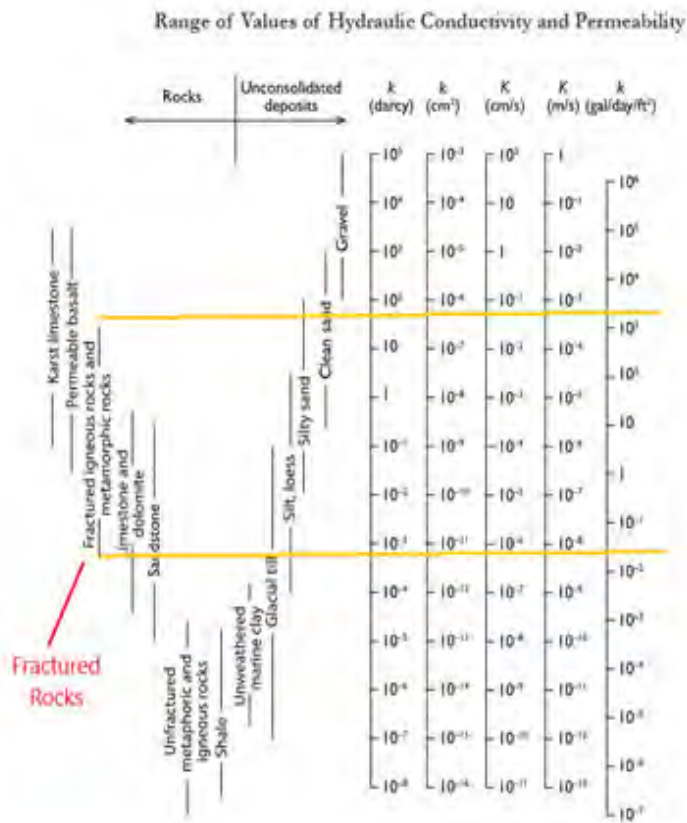
#### 5.5 Hydraulic Conductivity and Water Production in a Fractured Reservoir.

It is important for the reader to realize the significance of fracturing occurring in the Paskapoo aquifer. Fig. 5 shows that fractured non-reservoir igneous or metamorphic rocks can equal the transmissibility range of unconsolidated silty sand and clean sand, which both have excellent transmissibility.

The point of this comparison is to show that if fractures occur in a Paskapoo sandstone reservoir, which is a consolidated cemented rock, transmissibility can increase dramatically accompanied by significant increases in well productivity.

The average Paskapoo well in the HSA for instance, produces at rates of 18-22 liters per minute. Wells like the Crestview Estates Goodwater Utilities well # 390970 (located immediately adjacent to the project area) or well # 388750 located in the NE/4 of section 32 T25 R2w5 (located immediately south of the project area) produce at high rates of 82 and 91 liters/minute respectively. This 4-5 fold production increase over the average Paskapoo water production rate is most likely attributed to the fracture network present in the Paskapoo Aquifer in and around the project area.

**Fig.5** Range of values for Hydraulic Conductivity



This also means that contaminants in a fractured aquifer can move faster to a pumping well with increased transmissibility. The Walkerton Ontario tragedy that happened in May, 2000, occurred, in part, because contaminated water containing E. coli from manure entered the local reservoir through a shallow well located in an area of fractured bedrock aquifer. The contaminated water quickly entered the fracture system and the “zone of influence” of a pumping town water well. Water was then pumped into the town water plant that was not properly chlorinating their water system. This resulted in the **death** of 6 residents and several thousand residents becoming sick and/or hospitalized. Fracturing increases the probability for contaminated pit water to enter the Paskapoo Aquifer and then be rapidly drawn into the zone of influence of nearby domestic water wells. **All the residents living around this “project area” that use domestic wells rely on untreated well water. Their health and lives are at risk if their wells draw in contaminated water.**

## 6. Detailed Discussion of Conclusions Reached in this Report

### 6.1 AECOM use of well data used in the Project Area and HSA

Fig. 2 in the AECOM HTA shows the location of Lehigh’s 54 bore holes drilled on the Scott Property. Fig 3 in the HTA lists 87 wells registered in the Alberta Water Well Index that are located in the HSA that surrounds the project area. In spite of the abundant amount of information available to AECOM, the HTA report (Appendix A) only provides detailed information on 10 of the 54 holes drilled. Limited information on another 5 or 6 wells is shown in their cross-sections (Fig. 5, 6, 12 & 13 in the HTA). Some of the information provided on these 10 wells is technically deficient and substandard. Four of the ten wells AECOM provided including MW 19-01(aka SC 19-26), MW 19-02(aka SC 19-21), MW 19-03(aka SC19-25), and MW 19-04 (aka SC 19-18) were cored but do not provide a proper lithological description over the Paskapoo bedrock. Samples are simply described as “weathered bedrock” which is not an accurate lithologic description. In addition, many of these wells do not even have a sample number assigned to the Paskapoo suggesting that interval was not analyzed.



Samples descriptions of 5 wells (MW 11-01 to MW 11-05) only offer a single vague lithologic description that often covers large bore hole intervals of up to 20 – 25 meters. This is surprising considering that AECOM states in 3.3.1 (below) that the 54 wells have been cored.

### 3.3.1 Boreholes

A total of 54 boreholes were drilled (Figure 2) between 1994 and 2019 across the Project Area and were advanced to depths of between 11.1 to 48.8 metres below ground surface (mbgs). These boreholes have been cored and logged for geological and hydrogeological interpretation and resource estimation.

A technical reader would expect to see detailed sample descriptions over cored boreholes. The absence of this detailed data casts doubts over the integrity of Lehigh's data, and consequently, the soundness of AECOM's interpretations and the conclusions they reach in the HTA.

## 6.2 Continuity of Shale Caprock in the Project area and HSA

AECOM structural cross-sections AA' and BB' exhibit a thin shale caprock, (less than a meter thick) that is represented by a green line that separates the base of the gravel and the Paskapoo bedrock. In both cross-sections, this green line moves up or down the unconformity surface covering essentially flat lying Paskapoo bedrock. Geologically, there is only way a caprock can exist on an undulating slope surface. This requires a widespread depositional event to occur that deposits a blanket of shale over the undulating Paskapoo surface. This shale, would then have to withstand the ravages of erosion during the dynamic fluvial events that deposited gravel size material millions of years later. The Stratigraphic Table (below) taken from Fig. 4 of the HTA report, (Table 1 in the HTA) verifies that there is NO depositional event that would result in the deposition of a shale caprock. The presence of shale can be expected to occur occasionally as a subcrop but, as shown in Fig. 2 of this report, its presence is highly variable depending on the erosion that occurred at the top of the Paskapoo and rapid lateral stratigraphic changes created by Paskapoo channel systems. AECOM's submission of this shale caprock event occurring in the project area is FICTION.

### Description of Stratigraphic Units

Table 1

Post Glacial (Undivided)	Fluvial lacustrine and aeolian sediment deposited following retreat of the last glacier from the study area. Sediments ranges from gravel to clay depending on the environment of deposition
Balzac Formation	Glacial Till and stratified sediment. The Till is characteristically silty and and stony and contain abundant rock fragments
Lochend Formation	Glacial Till associated with stratified sediment. The Till is characteristically silty with abundant Tertiary and Cretaceous sandstone and siltstone rock fragments
Spy Hill Formation (upper Unit)	Glacial Till associated with stratified sediment. The Till is characteristically silty to clayey. It is commonly stony and contains abundant Tertiary and Cretaceous sandstone and siltstone rock fragments
Spy Hill Formation (Lower Unit)	Glacial Till associated with stratified sediment. The Till is characteristically silty to clayey. It is commonly stony and contains abundant Tertiary and Cretaceous sandstone and siltstone rock fragments
Tertiary Gravel (undivided)	Gravel and minor sand lying beneath all Quaternary units and resting on bedrock.. Gravel is well sorted, well rounded, pebble and cobble gravel consisting dominantly of limestone and quartzite.
Porcupine Hills Formation	Series of crossbedded sandstone and calcareous bentonitic shale

NO depositional event between base of Gravel and Paskapoo (PHF)

Furthermore, AECOM's HTA ,section 5.1.5, states:

SC19-19 and DH94-02 (Figure 6, Appendix A). The Paskapoo Aquifer is additionally protected by the Shale-Siltstone Caprock encountered at several locations across the Project Area (Figures 5 and 6; e.g., D94-02, TH08-02, TH08-04, MW11-05, BH11-03, MW19-05, SC19-03, SC19-04, SC19-05, SC19-08 in Appendix A).

This leaves 42 boreholes in the project area that either were not drilled deep enough or do not have a shale caprock. Then Section 5.1.4 AECOM HTA states:

A discontinuous layer, Shale-Siltstone Caprock, is capping the underlying sandstone aquifers across the HSA. The uppermost Shale-Siltstone Caprock within the HSA is present at elevations greater than 1235 mASL south of Burma Road (Figure 5). Within the Project Area, the Shale-Siltstone Caprock layer was also found to be present in some locations to the southeast and north. The Shale-Siltstone Caprock is not present and seems eroded at MW11-01, MW11-02 (Figure 5), TH08-02 (Figure 6) and BH11-03 (Appendix A).

First, this statement omits that shale caprock is also eroded at the Lehigh MW 11-04 well and #389886 location which is on AECOM's cross section B-B'. This statement also confirms boreholes TH-08 and BH 11-03 have no shale caprock which contradicts what they said in section 5.1.5 (above).

Fig. 6 (below) highlights the 10 confirmed wells and boreholes that AECOM claims protect the aquifer with a shale caprock. The status of two boreholes, TH 08-02 and BH 11-03 is unconfirmed as mentioned above. This leaves only 8 wells in the project area as 2 confirmed wells are outside the project area. This leaves 44 wells, which cover most of the project area, that either haven't been drilled deep enough to determine the lithology of the bedrock or have NO shale caprock. Either way, AECOM's data does not support their argument that a shale caprock over the project area protects the Paskapoo aquifer from their mining operation. The only thing AECOM's statement does prove is how inaccurate and misleading their statements are regarding protection of the Paskapoo aquifer.



Fig.6 Highlighted wells have shale caprock

### 6.3 Basal Gravel Water and Paskapoo Aquifer as Separate Hydrostatic Units

AECOM's case for trying to separate Basal Gravel water from the Paskapoo aquifer which sits immediately below the Basal Gravel water as two separate hydrostatic units is unsupported by Lehigh's data and AECOM statements made in the HTA. 3 monitoring wells including MW 11-01, MW11-02, & MW -11-04 don't have a shale caprock or subcrop. Well #389886 shown in AECOM's Fig .6 and 13, doesn't have shale subcrop. AECOM's statement in 5.1.4 says boreholes TH 08-02 and BH11-03 don't have shale subcrop either. As previously discussed, there's a significant portion of the 44 remaining wells Lehigh drilled in the project area that do not have shale subcrop. A search of the wells in the north half of section 32 which borders the south edge of the project area shows that there are 11 wells that do not have shale subcrop. A list of these aforementioned wells is as follows:

The following wells in the north half of Sec 32 Twp 25 R2W5 that also DO NOT have shale caprock (subcrop) are:

McKinley Masters #1020043	Nu-West Homes #388750
Mike Novak #388730	Nu-West Homes #388752
Laurie Forbes #388728	Nahal, Sarwan # 1022543
Eliseo D'Altorio #372402	Pinglia Harpeet #1022620
Nu-West Homes #388744	Nu-West Homes #391024
Pinglia Harpeet # 1022608	

Well control in the HSA shows conclusively that there are too many locations confirmed within and around the project area to support AECOM's argument that there is a hydrostatic separation between the Basal Gravel water and the Paskapoo aquifer. This theory holds about as much water as a kitchen sieve. AECOM's weak attempt to convince the reader that these two hydrostatic units exist is pure fantasy and geologic fiction. **Basal Gravel water and Paskapoo aquifer are one common unconfined aquifer.**

### 6.4 Clay Aquitards in the Project Area.

Section 5.1.3 of the HTA report (copied below) states the clay aquitards shown in their Cross Sections A-A' and B-B' are the main aquitards in the project area. AECOM thus confirms then that shale caprock aquitard is not a main aquitard.

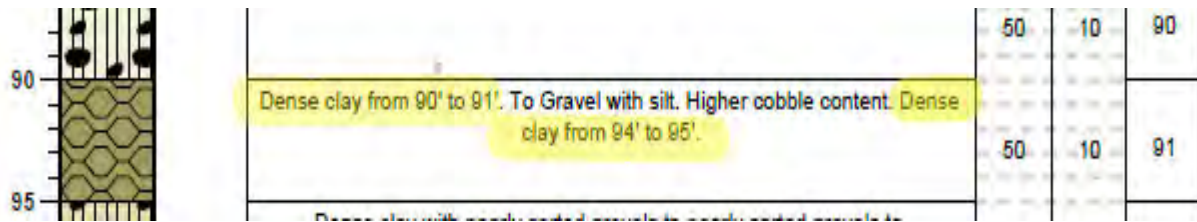
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#### **5.1.3 Clay Aquitard**

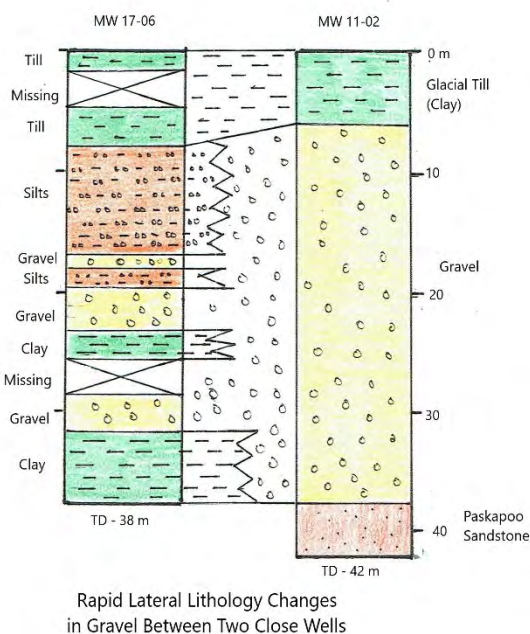
Clay lithofacies are low flow units and constitute the main aquitards (zones that restrict the vertical flow of groundwater from one aquifer to another) present at variable depths separating the sand and gravel and conglomerate lithofacies within the Tertiary Sand and Gravel deposit (Figures 5 and 6). The thickness of the aquitard is generally less than 1 m although in some areas thicker clay layers are present. A 4.3 m thick clay

AECOM cross section B-B' (Fig 6 in the HTA) shows the two aquitards at a structural level of 1248.3 masl and 1247.5 masl in the MW 19-02 monitoring well. This hole was cored by Lehigh and is the only well provided by AECOM that has a core description of what AECOM calls an aquitard. The core description of these two aquitards is shown below.





The upper clay layer is only 1 foot thick as is the lower clay interval and these two thin clay layers are separated by 3 feet of gravel with silt which would be porous and permeable. AECOM's correlates this upper thin, 1' thick clay unit over distances of hundreds of meters through the south half of the project area in spite of the fact this thin clay unit shows up in only 3 of 54 boreholes. AECOM's latitude to make this lengthy correlation without any mapping stretches the limits of geological reasonableness given the dynamic depositional environment the sediments were deposited in. To illustrate this point, Fig. 7 below shows the gravel lithology of the MW 17-06 and the MW 11-02 monitoring wells drilled by Lehigh in the south half of the project area. These boreholes are virtually drilled side by side.



These two boreholes are drilled so close together that AECOM's Table 5 in the HTA shows both wells at the same location. The reader can easily see the interbedded clay, silt and gravel sections of the MW 17-06 well change rapidly to an all-gravel lithology a few meters away. Fig. 7 shows that even thicker clay intervals of 2.4 meters (7.9 feet) and 6.1 meters (20 feet) show no lateral continuity just a few meters away. It is an unrealistic, therefore, for AECOM to correlate 1 foot thick clay beds over distances of hundreds of meters as they do in their cross sections A-A' and B-B' without additional well control. AECOM also doesn't provide any maps which show the continuity of any aquitard over the project area. For AECOM to suggest that these aquitards have the lateral continuity and thickness to restrict any significant amount of vertical flow amounts to nothing more than geological FICTION.

**Fig. 7** Comparison of clay intervals in two close wells

## 6.5 Importance of Shale Caprock and Clay Aquitards

Why is AECOM devoting so much effort to stress the importance shale caprock and clay aquitards in the HTA report? The answer is quite simple. **Concern over contaminated water recharging the aquifer.**

Google the Walkerton Ontario tragedy ( [https://en.wikipedia.org/wiki/Walkerton\\_E.\\_coli\\_outbreak](https://en.wikipedia.org/wiki/Walkerton_E._coli_outbreak) ) to see what contaminated water can do to people.

Lehigh and AECOM know that the majority of readers are non-technical readers who have never been inside an enormous open pit mining operation like the one Lehigh is planning for the Scott Property. Lehigh and AECOM want the non-technical reader to believe that their purported clay and shale caprock aquitards will protect precipitation from penetrating into the Basal Gravel water and Paskapoo Aquifer. The uninformed reader may

ask why recharging the aquifer from precipitation is a bad thing? The answer can be explained by a simple analogy.

You would not drink water from a pothole in the gravel road in front of your residence. The reason is that the water is murky from all the vehicles driving through the pothole. Then there's all the things that might have washed into the pothole from the air like bird droppings to chemical sprays, fertilizers etc. There's always a chance the water is contaminated with pathogens like bacteria and viruses that frequent standing water. These can make you sick or kill you.

The average person doesn't understand that pit machinery is constantly moving gravel material including clay fines which combine with precipitation to make the water turbid. Machinery requires fuels, lubricants, solvents and greases that can contribute to contaminate the pit floor throughout all stages of mining. Water accumulates in areas of the pit floor after heavy precipitation throughout all stages of mining. Some of this water evaporates but much of it drains through the gravel layers to the aquifer. This water picks up the pit floor contaminants and then recharges the aquifer with polluted water that is drawn into nearby pumping water wells.

AECOM wants the uninformed reader believe that thin clay intervals of unknown lateral extent will protect the aquifer even though at some point in the mining process, any clay layer is going to be stripped away leaving the gravel below it subject to recharging.

AECOM admits (p. 13, last paragraph of the HTA report) that recharge of the bedrock aquifer is expected to increase up to 66 times the original recharge of the bedrock aquifer as excavation gets close to the top of the bedrock. That calculation is low because it's done without factoring in fracture permeability which increases transmissibility. **Lehigh's mining operation, if approved, will do permanent unrepairable damage to the local aquifer because once contaminated water enters an aquifer, nobody will be able to remove it. This will also risk the health and lives of residents who depend on water from this aquifer.**

**Fig. 8** Water collection at the bottom of Burnco's pit



**Fig. 8** (above) shows the Burnco pit, located immediately east of the proposed project area. The photo shows large areas of the pit floor covered with pools of turbid water. This murky, contaminated water is recharging the Basal Gravel water in the pit and the Paskapoo aquifer under it. In section 6.2 of the HTA, 2<sup>nd</sup> paragraph, AECOM states: *"the Paskapoo will likely benefit with a higher recharge (e.g. up to 66 times of the original*

*recharge) when the bottom of the pit approaches the bedrock. “* The notion that this will “benefit” the aquifer with mining altering the protection of the aquifer and the hydrodynamics is completely false and misleading.

#### **6.6 Basal Gravel Water in the Project Area.**

AECOM’s HTA, (section 5.2) states that only 3 wells in the project area have Basal Gravel water. It is important for the reader to understand that only 10 of the 54 boreholes Lehigh drilled were completed as ground water monitoring wells used to determine if water was present at that location. AECOM misleads the reader because they infer that 7 of the remaining monitoring don’t have Basal Gravel water. For clarity, of the remaining 7 wells, 1 well (MW 19-05) was drilled considerably outside the project area while 3 wells, MW 11-04, MW 17-06 and the MW 19-02 wells **were not** completed at the base of the gravel section. The only thing a reader can really determine is that 3 monitoring wells had Basal Gravel water and 3 wells did not.

Furthermore, it is impossible to determine whether Basal Gravel water exists at the other 44 borehole locations because none of these boreholes were cased and completed as wells to determine the presence of Basal Gravel water. The only certainty a reader can determine and confirm from Lehigh’s data is that only 6 out of 54 locations have been completed to determine the presence of Basal Gravel water in the project area.

Domestic well data in the SW/4 of section 5 and the N/2 of section 32 was reviewed to determine how many wells just outside the edge of the project area had Basal Gravel water. Thirteen wells in this area had Basal Gravel water; 2 wells in the SW/4 of section 5, and 11 wells in the N/2 of section 32. This represents approximately half of the wells where data was available. **Statistically, a reader should expect that a far larger part of Lehigh’s project area probably will require dewatering. Far more than AECOM is suggesting in the HTA.**

#### **6.7 Dewatering of Basal Gravels**

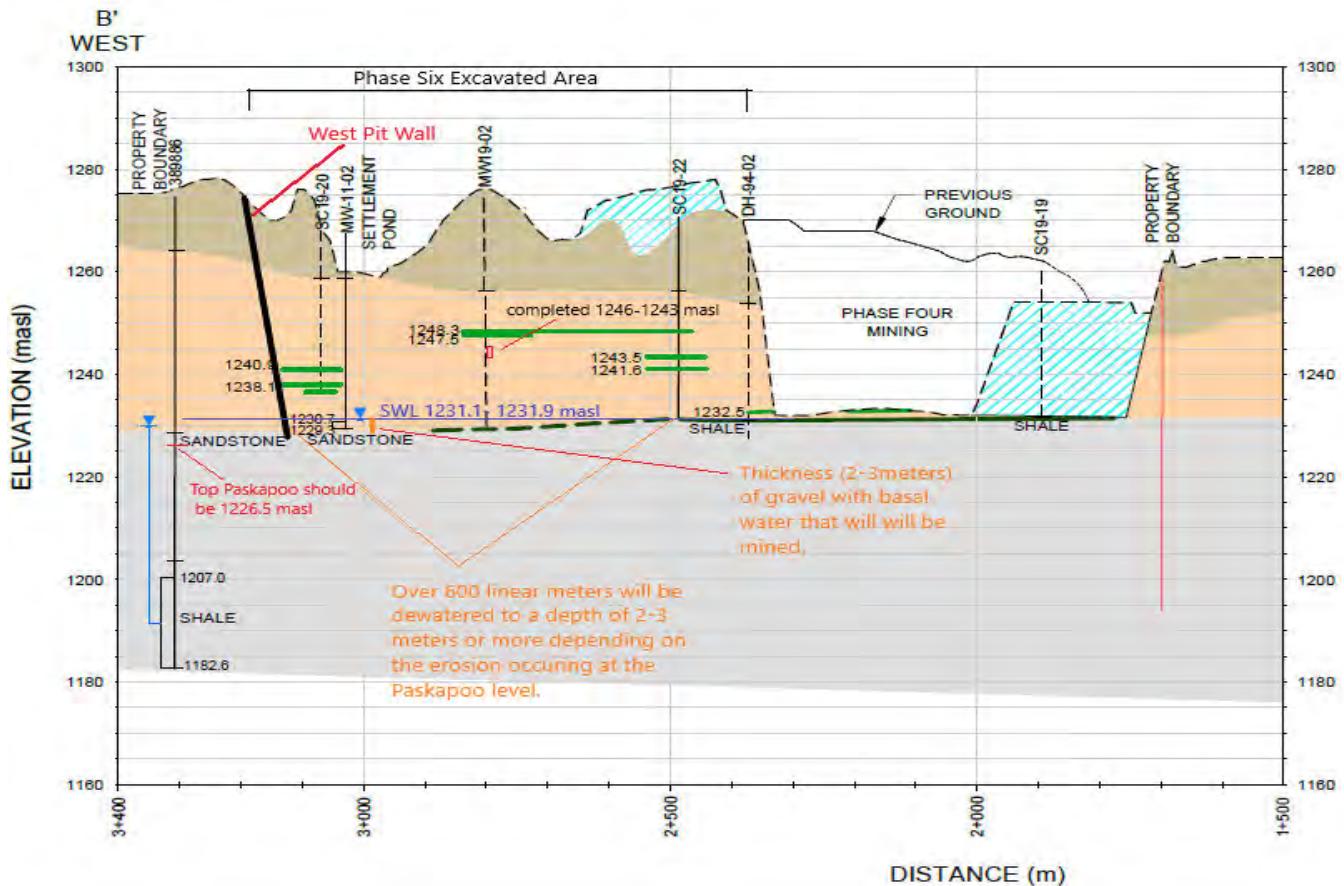
Section 6.2, p. 18 par. 2 (of the HTA reports) states: *Therefore, dewatering of the southwest section may be required.* AECOM further states in the following paragraph: *Dewatering will result in a low drawdown of the initial groundwater elevation with a short radius of influence.*

If the reader of this report reads section 6.6 (above) and then notes the location of monitoring wells in Fig 2 of the HTA report, the reader will realize that of the 10 monitoring wells (blue/white circles), 8 of these wells are drilled on the perimeter of the project area. Only 2 wells, MW 19-02 and MW 19-04, are located away from the project area edge. MW-19-02 was not completed in the Basal Gravel leaving only 1 well, MW 19-04, that confirms no Basal Gravel water is present. This leaves a huge area within the project area about which the presence or absence of Basal Gravel water is unknown. Lehigh’s well and borehole data, therefore, DOES NOT SUPPORT the statement that dewatering will be limited to a *short radius of influence* (around the MW 19-02 well). **Lehigh and AECOM do not know where the Basal Gravel water is going to be found within the project area because the vast majority of their boreholes were not drilled and completed to evaluate Basal Gravel water.**

AECOM’s HTA does not provide much detail with regard to mining operations that will be conducted in the project area. Mining information is restricted to what is shown in cross sections A-A’ and B-B’ (Fig. 12 and Fig. 13 in the HTA). These cross sections show that gravel will be mined to an elevation of about -1229 meters above sea level (masl) in the north half of the project area or to the top of the Paskapoo bedrock elsewhere. Fig. 13 (in the HTA) only shows a portion of the Phase 4 mining plan. AECOM purposely avoids showing Phase 6 mining plans on the west side of this cross section (Fig. 13 in the HTA). because the cross section would show a significant area of the pit would have to be dewatered.



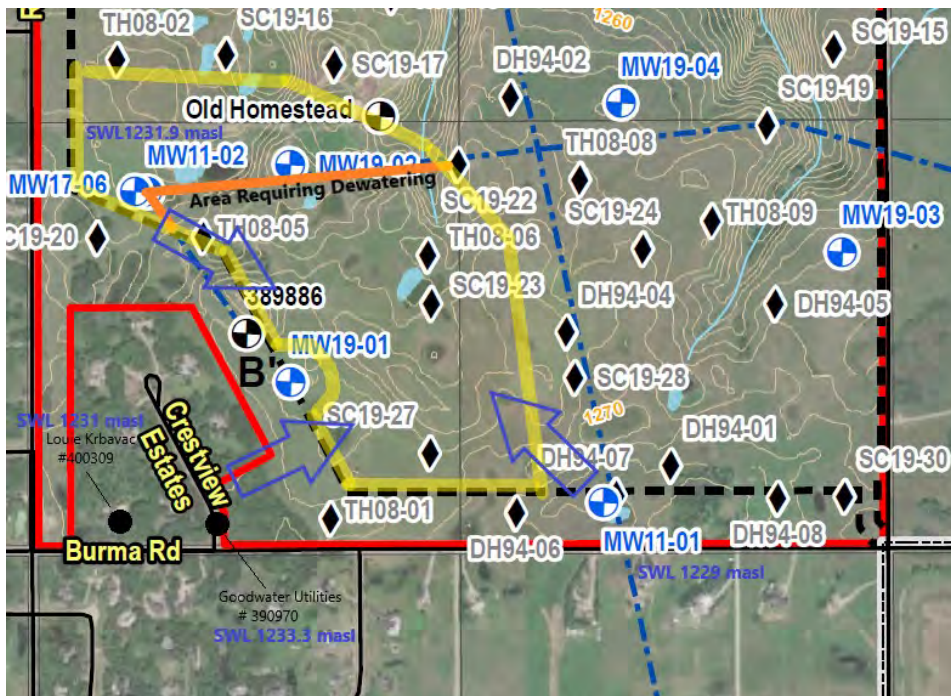
**Fig. 9** below illustrates this point. **Fig. 9** shows the planned Phase 6 excavation area, the position of the west pit wall and the structural position of the static water level (SWL) extending above the pit floor. The area below the SWL to the top of the Paskapoo bedrock is the area which would have to be dewatered. Thickness of this Basal Gravel water varies up to 3 meters or so as seen in this cross section. **Fig. 9** also shows that Lehigh will have to dewater an area that extends from the pit wall to the position of the SC 19-22 well. This is a distance of over 600 meters (as highlighted in orange notation). If bedrock elevations are found to be lower, Basal Gravel water thicknesses increase and more gravel would have to be dewatered.



**Fig. 9** (above) AECOM cross section B-B' (Fig. 13 in the HTA) showing Phase 6 mining area and where extensive dewatering will occur

**Fig. 10** is a map view showing the area (yellow outline) of the project area that is extrapolated to require dewatering. The orange line in **Fig. 10** displays the orange line of cross section (shown in **Fig. 9**) that requires dewatering. This area of dewatering could extend northwest and south of the of this line. Gravel thickness requiring dewatering may increase both north and south of the orange line shown in **Fig. 10** because dewatering thicknesses are a function of both the piezometric level of the water and bedrock elevation..

For instance, the static water levels (SWL) at the Louie Krbavac #400309 well and the Goodwater Utilities #390070 well are 1231 masl and 1233.3 masl respectively indicating a rising piezometric water surface to the east. This would also suggest that the piezometric surface would rise in a NW direction from the MW 11-01 well which has a SWL of 1229 masl and rise to the south east from the MW 11-02 well which has a SWL of 1231.9 masl. The direction of the rising piezometric surface is shown by the blue arrows. A local piezometric high area probably exists immediately east of the Crestview Estates area and in the project area where Lehigh have very little well control (i.e. between the SC 19-27 borehole and the SC 19-23 bore hole). AECOM did not provide any information on the SC19-27, SC19-23 or the TH 08-06 well in their HTA. These boreholes were not cased and completed as wells therefore it is impossible to determine how much Basal Gravel water is present at these locations.



**Fig. 10** Potential area of dewatering

A rising potentiometric surface would increase the thickness of gravel that would be required for dewatering, providing the elevation of the bedrock remained constant. Paskapoo bedrock is an undulating surface due to erosion and as a result, a lower bedrock elevation would increase the thickness of the gravel that has to be dewatered and vice versa. For instance, of the four wells (MW 11-01, MW 11-02, Louie K. # 400309 and E. Roland # 389896), that all have Basal Gravel water, MW 11-02 has the highest bedrock elevation of 1229.9 masl. Bedrock elevations decrease southward from the MW 11-02 well. The Roland # 389996 well has an elevation of 1226.5 meters, the Louie K. #400309 well has a bedrock elevation of 1227.3 masl and the MW 11-01 well has a bedrock elevation of 1227.4 masl. The dropping bedrock elevations and the rising piezometric water levels south of the MW11-02 well could combine to create a thicker gravel water section, up to 7-8 meters, between the TH08-01 and SC19-23 locations that would require dewatering.

## **6.8 Pumping Wells Influence Groundwater Flow**

**Fig. 11a** and **Fig. 11b** shows the effect of pumping wells in an unconfined aquifer with two schematic cross sections **A** and **B**. Schematic section **A** shows the groundwater movement flowing equally from a surface water divide to the stream on the left and the lake on the right. Schematic section **B** shows how a pumping well located between the surface water divide and the lake influences flow direction. Water no longer flows toward the lake in **Fig 11b** but instead water from the lake flows towards the well. The well creates a cone of depression around the well bore that reverses the hydraulic gradient shown in section **A** and induces the flow from the lake into the groundwater system and toward the well.



A

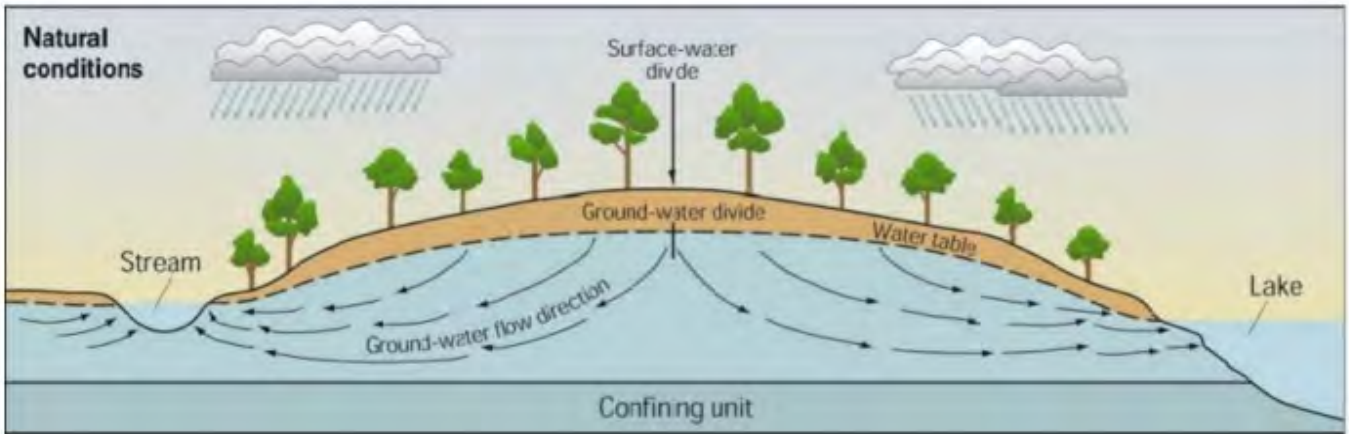


Fig. 11a Normal ground water flow without well interference

B

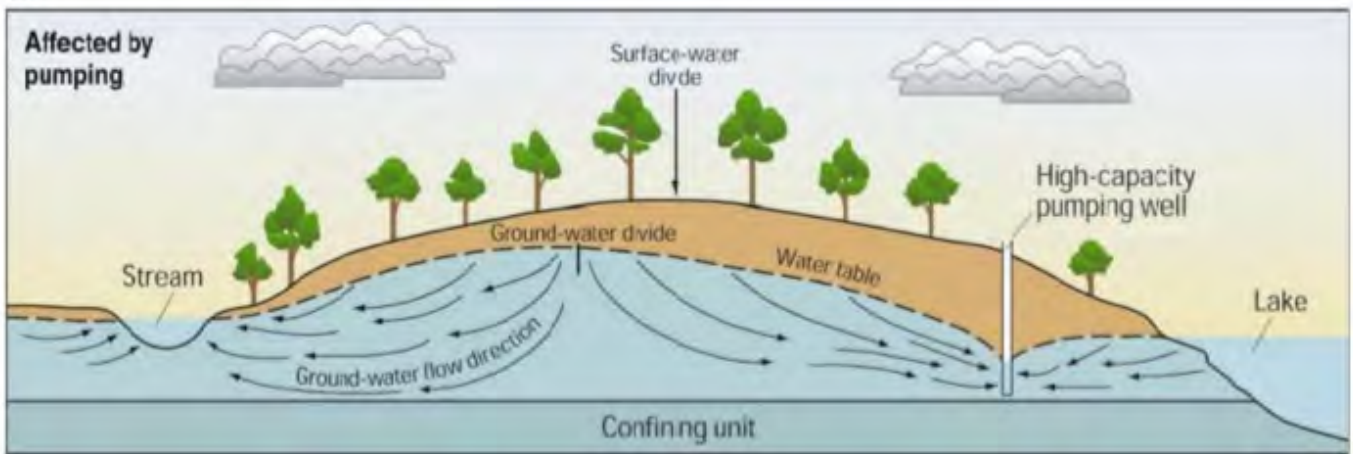


Fig. 11b Ground water flow with well interference

## 6.9 Drawdown, Cone of Depression and Zone of Influence Around a Well

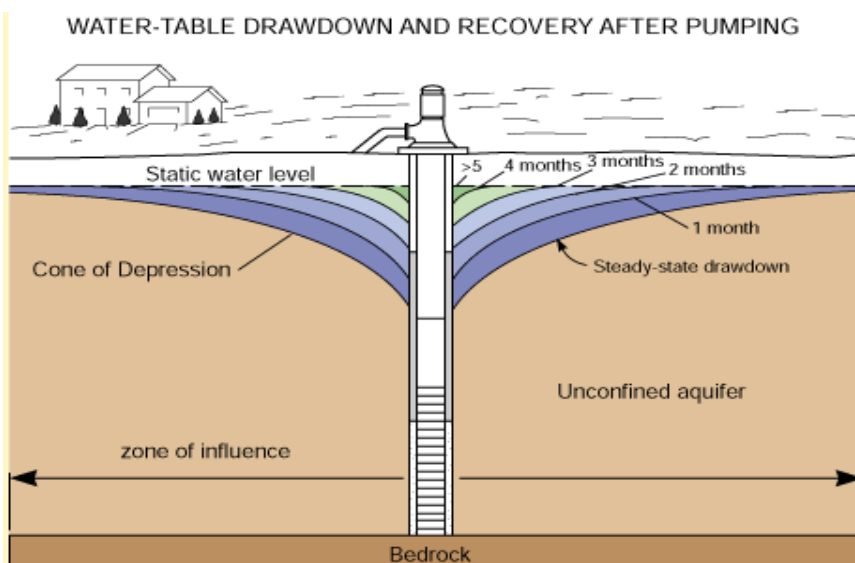


Fig.12 Cone of Depression around a well

**Fig. 12** shows a schematic diagram of drawdown (water table dropping) around a pumping well. Initially when a well begins pumping, water levels drop in the immediate vicinity of the pumping well. Depending on the pumping rate and the nature of aquifer, this drawdown can amount to tens of meters. A pumping well exerts a zone of influence around the well and draws water laterally from the upper portion of the aquifer. If the water table declines, the well may lose its ability to pump water depending on the depth of the well and the location of the completed interval in the well. Shallow water in the aquifer is affected by pit operations resulting in contamination. This water sits near the top of the Basal gravel/Paskakoo aquifer. As **Fig.12** shows, this will be the first water to be drawn in closer to a domestic well to replace the drawdown that is occurring.

#### 6.10 Completion of Domestic Wells Around the Project Area

In section 5.1.5, second paragraph, AECOM states:

All of the domestic water wells in the HSA are installed in this aquifer at depths greater than 10 metres below the top of the bedrock (**Figures 5 and 6**). Within the Project Area, the Paskapoo Aquifer is partially protected at the top

AECOM's statement above that all the domestic water wells are installed at depths greater than 10 meters below the top of bedrock is FICTION. There are numerous wells in the HSA that are completed within 10 meters of the top of the bedrock and/or within the Basal Gravel. Well 400309, for instance, is located in Crestview Estates area and is completed in an interval 4.6 – 10.7 meters below the top of the Paskapoo bedrock. The following 14 wells, only from the north half of section 32, (a very small area of the HSA) illustrate AECOM's disregard for accuracy because they are ALL completed with 10 meters from the top of bedrock.

NW 32-25-2W5 - #372402, #388728 (base of gravel and lower), #349667 (gravel and bedrock), #348165 (gravel and bedrock), #349165 (completed in gravel), #388728 (gravel and bedrock).

NE 32-25-2W5 - #388750, #388761, #388749, #391024 (from base of gravel and lower), #349572 (from base of gravel and lower), #388744, #388747, #388748

#### 6.11 Why is Where Domestic Wells are Completed (installed) Important?

Lehigh and AECOM understand the concept of cone of depression and drawdown. A non-technical reader likely doesn't know or understand the concept of "cone of depression" or "zone of influence" of a well. AECOM's fictitious statement that ALL domestic wells are completed 10 meters or greater from the top of the bedrock is an attempt to make the reader think that water in a pumping well is drawn from the lower part of the aquifer, not the top part of the aquifer as shown in **Fig.12**. Not only is this water drawn from the top of the aquifer but in the case of a well located by the proposed pit, that well would quickly draw in the contaminated water that is recharging the aquifer from the pit floor. Lehigh and AECOM don't want the reader to know that.

7. Conclusions Reached in this Report

- Water in the Basal Gravel and the Paskapoo Sandstone exists as a single aquifer. There is no hydraulic barrier between them in the project area. AECOM's submission that "discontinuous shale caprock" separates the Basal Gravel water from the Paskapoo water is not supported by their own data or data outside the project area.
- AECOM's submits that thin (1 foot thick) clay aquitards can be laterally extensive and limit the vertical migration of water in the aquifer. This concept is not supported by Lehigh's borehole data provided in the HTA, any kind of permeability tests done on their cores, or mapping.
- Mining activities planned by Lehigh will permanently impact the Basal Gravel-Paskapoo Aquifer in a negative way. Recharge of this aquifer with contaminated pit water will impact the aquifer far beyond the boundaries of the project area and create irreversible damage.
- Mining activity will dewater larger areas of the project area than AECOM admits to in the HTA report. Mining activity will permanently lower the aquifer. This is contrary to the Bearspaw Area Structure Plan Section 8.3.15.
- AECOM's states that dewatering may occur over 1600 m<sup>2</sup> (a radius of about 22.5 meters) around the MW 11-02 well. AECOM's own cross section reveals in Fig. 9 of this report that seepage and dewatering will occur over distances of at least 600 meters where Basal Gravel water is up to 3 meters thick.
- Fig. 10 in this report shows that a large portion of the SW/4 of the project area will potentially require dewatering. This is where a higher piezometric surface and a lower bedrock elevation could combine to create Basal Gravel water 7-8 meters thick.
- AECOM's cross sections are fraught with errors and manipulations. Wells without known locations or elevations are plotted in their cross sections, Lehigh boreholes are projected into to the line of section to show aquitards where they are not present and wells with sandstone subcrops are presented as wells with shale caprock as examples.
- Many statements in the HTA are totally erroneous causing the reader to be misled. For instance, AECOM's statement that ALL wells in the HSA are completed (installed) at depths greater than 10 meters below the top of bedrock is total fiction.
- The HTA omits any reference about fracturing that occurs in the Paskapoo Aquifer. It ignores that well data on all sides of the project area have recorded fractures in sample data. The HTA certainly doesn't tell the reader that fractures increase transmissibility which allows domestic wells to draw in contaminated pit floor water faster than an aquifer that doesn't have fractures.

**AECOM has a fiduciary responsibility to the public to incorporate all Leigh and public data in a manner that creates an accurate technical report. Especially when it affects hundreds of residents living in the vicinity of the project they are endorsing. They have failed miserably in this regard. It is incomprehensible that a report**

on a project, the magnitude of the Scott Pit Project that has 54 boreholes, would only use a fraction of the borehole data from the project area to assemble the report. It is incomprehensible that this report makes geological statements and assumptions without providing the reader with a single map which should be used to back up their statements or assumptions. It is incomprehensible that AECOM or Lehigh would not seek well information from residents adjacent to the project area and include this data in the report to get a more accurate understanding of how the project would affect the residents and their wells that they depend on. In my opinion, their poor effort shows the arrogance and indifference AECOM and Lehigh have for the reader of the report including RVC Council, RVC Staff and the residents that live around the project area.

While the focus of this report has been the geology of the project area and adjacent lands, I, as a landowner living within a kilometer of the project will experience a myriad of impacts including noise, dust and its potential health hazards ,and loss of property value just to name a few impacts if this pit is given approval. I have reviewed the reports submitted by Mr. John Weatherill which bring these other issues to the forefront in more detail. I agree fully with the statements made in his submission.

**I strenuously OBJECT to this application being approved. The AECOM HTA report is erroneous, misleading and unreliable. The conclusions reached in HTA report are flawed and should not be relied upon by RVC Council. Lehigh's application should be rejected by RVC Council, as it has been rejected twice before, because Lehigh's application would result in unacceptable risks to the health of RVC residents and the integrity of the Basal Gravel -Paskapoo Aquifer.**

Respectively Submitted to Rocky View County.  
January 19, 2021



Gary G. Moroz, B.Sc. P.Geol.  
A resident of Church Ranches Area,  
Rocky View County



Joanne M. Moroz  
A resident of Church Ranches Area  
Rocky View County

## References

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- Bearspaw Area Structure Plan, Bylaw C-4129-93, Adopted Jan. 18, 1994, Municipal District of Rocky View #44
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Letter of Authorization

January 17, 2021

Rocky View County  
262075 Rocky View Point  
Rocky View County, Alberta  
T4A 0X2

To Whom it May Concern:

RE: Authorization to grant Gary G. Moroz P.Geol., permission to represent me with his submission to Rocky View County and speak on my behalf with regards to our OPPOSITION to Application #PL20200093, proposed Bylaw C-8082-2020

Please be advised that the undersigned hereby grants Gary G. Moroz P.Geol. of Rocky View County, Alberta permission to represent me with his submission to Rocky View County and speak on my behalf with regard to my OPPOSITION to the captioned application which redesignates the Scott Property Lands for an aggregate operation.

  
\_\_\_\_\_  
Signature

Dr. Faizal Meghani  
Print Name

10 Timber Ridge Way  
Calgary, AB T3R 1J9  
Print Full Address



Letter of Authorization

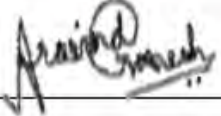
January 17, 2021

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262075 Rocky View Point  
Rocky View County, Alberta  
T4A 0X2

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Please be advised that the undersigned hereby grants Gary G. Moroz P.Geol. of Rocky View County, Alberta permission to represent me with his submission to Rocky View County and speak on my behalf with regard to my OPPOSITION to the captioned application which redesignates the Scott Property Lands for an aggregate operation.

  
\_\_\_\_\_  
Signature

ARAVIND GANESH  
\_\_\_\_\_  
Print Name

11 ALEXA CLOSE  
\_\_\_\_\_

CALGARY, AB T3R 1B9  
\_\_\_\_\_  
Print Full Address

Rocky View County  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

October 28, 2020

Attention: Planning and Development Services Department

Dear Sir/Madam

**Re: Application # PL202000093/0094**  
**File #06605001/002/003/004/005**

In regard to the abovementioned applications, we are responding to your letter of Friday, October 9, 2020 requesting adjacent landowner input.

We oppose both of the above applications as they are entirely inconsistent with the rural character of the adjacent neighborhood and the original Bearspaw Area Structure Plan which we acknowledge is under review.

We have been residents of the Harvey Hills subdivision of Bearspaw since 1990. When the community of Bearspaw is mentioned the immediate thought is one of country residential living. People invested in and moved to this community to enjoy the tranquility of the country, clean air, space and proximity to nature. An open pit mine is in direct conflict to these objectives. To allow the extraction of gravel so close to existing residences would severely impact the rural residential character of the community as follows:

- the inevitable (no matter how large the berm is) increase in noise from heavy equipment and mining operations
- Lehigh does not indicate in their proposal that they have been successful using the proposed conveyor technology. Thus, it is unknown if it will reduce dust and noise.
- the substantial increase in dust and air pollution from the pit and potentially the conveyor.
- the increase in risk to wells, natural ponds and the water table with the creation of a large deep hole.

Rocky View County ("Rocky View" or the "County") has approved development permits and subdivisions (some recently in a long term planning sense) in proximity to the proposed extraction operation, particularly those along Burma Road and Range Road 25. Having granted these approvals, we believe that it is Rocky View's duty to preserve the rural residential nature of the surrounding community that was in place when the approvals were granted, for those residents who have made a long term investment in the community.



According to the Rocky View County website the review of the Bearspaw Area Structure Plan (BASP) is in Phase 2 of 4. It seems inappropriate to consider the approval of this application prior to the completion of that review. On page 19 of the Phase 2A Engagement Summary (April 2020) from the County website, there is an Aggregate summary. It does not appear that at this stage of the review there is a clear path forward with respect to aggregate extraction for Bearspaw. Granting the creation of an open pit mine prior to the completion of the BASP and a clear consensus on aggregate extraction does not appear to make sense.

We strongly urge Rocky View council to reject both of the referenced applications. We are very pleased with the country character of our community and the beneficial lifestyle we have been fortunate to enjoy for the nearly 30 years we have lived here. The introduction of another open pit mine would dramatically change that character of the adjacent community for the worse. Please do not allow this to happen.

Sincerely

George and Bonnie Hart  
100 Harvey Hills  
Calgary, AB T3R 1J8

[REDACTED]  
[REDACTED]

Rocky View County  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

January 20, 2021

Attention: Planning and Development Services Department

Dear Sir/Madam

**Re: Application # PL202000093/0094**  
**Lehigh Hanson Application – Gravel Mine**  
**Bylaw C-8082-2020**

In regard to the abovementioned applications, we are responding to your request for adjacent landowner input.

We oppose both of the above applications as they are entirely inconsistent with the rural character of the adjacent neighborhood and the original Bearspaw Area Structure Plan which we acknowledge is under review.

We have been residents of the Harvey Hills subdivision of Bearspaw since 1990. Harvey hills is approximately 1 kilometer from the western edge of the Lehigh Hanson property. When the community of Bearspaw is mentioned the immediate thought is one of country residential living. People invested in and moved to this community to enjoy the tranquility of the country, clean air, space and proximity to nature. An open pit mine is in direct conflict to these objectives. To allow the extraction of gravel so close to existing residences would severely impact the rural residential character of the community as follows:

- the inevitable (no matter how large the berm is) increase in noise from heavy equipment and mining operations
- Lehigh does not indicate in their proposal that they have been successful using the proposed conveyor technology. Thus, it is unknown if it will reduce dust and noise.
- the substantial increase in dust and air pollution from the pit and potentially the conveyor.
- the increase in risk to wells, natural ponds and the water table with the creation of a large deep hole.
- currently the residents of this division do not have a representative voice before Rocky View Council (“Council”). Given the dispute between other members of Council and the Councilor for our division, we do not feel our views will get fair consideration until this dispute is resolved.

Rocky View County (“Rocky View” or the “County”) has approved development permits and subdivisions (some recently in a long term planning sense) in proximity to the

proposed extraction operation, particularly those along Burma Road and Range Road 25. Having granted these approvals, we believe that it is Rocky View's duty to preserve the rural residential nature of the surrounding community that was in place when the approvals were granted, for those residents who have made a long term investment in the community.

According to the Rocky View County website the review of the Bearspaw Area Structure Plan (BASP) is in Phase 2 of 4. It seems inappropriate to consider the approval of this application prior to the completion of that review. On page 19 of the Phase 2A Engagement Summary (April 2020) from the County website, there is an Aggregate summary. It does not appear that at this stage of the review there is a clear path forward with respect to aggregate extraction for Bearspaw. Granting the creation of an open pit mine prior to the completion of the BASP and a clear consensus on aggregate extraction does not appear to make sense.

We strongly urge Rocky View council to reject both of the referenced applications. We are very pleased with the country character of our community and the beneficial lifestyle we have been fortunate to enjoy for the over 30 years we have lived here. The introduction of another open pit mine would dramatically change that character of the adjacent community for the worse. Please do not allow this to happen.

Sincerely

George and Bonnie Hart  
100 Harvey Hills  
Calgary, AB T3R 1J8

[REDACTED]  
[REDACTED]

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
Date: October 21, 2020 8:34:09 AM

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21 October, 2020

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to re-designate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities, of which my wife and I live in one of them. . The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location. I find this is not falling within the "good neighbour policy" as identified by Rocky View County.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs. As the Bearspaw population continues to age, health is of utmost importance and we did not move to the County to be subjected to dust and noise which affects our well-being.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

George & Donna Coutts  
Church Ranches Development

[REDACTED]

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 24, 2020 4:27 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Scott Property Gravel Mine Opposition

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

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**From:** George Coutts [REDACTED]  
**Sent:** November 24, 2020 9:06 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Cc:** Andrea Bryden <ABryden@rockyview.ca>  
**Subject:** [EXTERNAL] - Scott Property Gravel Mine Opposition

Do not open links or attachments unless sender and content are known.

**Subject: Bylaw C-8082-2020**

The County has requested comments in advance of the December 22<sup>nd</sup> public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application because heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location. We find it hard to understand that after two separate applications, another has surfaced, what is going on?

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs. Have Lehigh go to the

country to obtain gravel, what's so hard to understand they can do that. I would be surprised if a farmer say 20 kilometres for Calgary would be opposed to selling a parcel of land to them for a gravel mine. No people, just farm land.

I am also disturbed that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

George & Donna Coutts

239 Church Ranches Way

Calgary, AB. T3R 1B2

From: [REDACTED]  
To: [Andrea Bryden; Sayeh Moayerian](#)  
Subject: [EXTERNAL] - Comment on the new Gravel Pit Operation request, ( Scott Property MSDP)  
Date: October 18, 2020 9:56:22 AM

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Do not open links or attachments unless sender and content are known.

Dear Ms. Bryden,

Thank you for asking my opinion in regard to redesignation of an agricultural property to a gravel pit operation site.

I have a land in Church Ranches (close to this above-named property) which I plan to develop for my family in the new future.

I have reviewed a few handouts, mailed to me by the requesting company over the past 2 years about this proposal. I can imagine that this could bring a lot of benefits to that company.

**What I am worried about most though, is the traffic safety which could be affected intensely and yes dangerously.**

What I am especially concerned about is road congestion, higher speed and dangerous driving conditions if columns of heavy and long trucks commute, on these one-lane narrow roads in our neighborhood. These roads are in no shape to bear this kind of traffic and heavy commute. Especially 144 Ave NW, 85 St NW, Burma Road and Bearspaw Road. Here, there are barely a traffic light, only stop signs.

As you are aware there is another similar gravel operating site at the 144 Ave NW and 85 St NW. Every day when I drive my kids to their school in Royal Oak, I observe that there are numerous heavy trucks, semi trucks on the road going in and out of this neighbourhood starting 7-7:30 AM until sunset.

You can easily observe that unfortunately not all the drivers are paying attention to the traffic rules or respecting any traffic safety as one might hope.

For some of them it only counts to reach their destination as quickly as possible.

Of course I am not the person to judge how they have to operate their transport vehicles, this is neither my job nor my intention. **However I can see for sure that opening up a new, huge facility in this quiet and low traffic Bearpaw area, and inviting more trucks and machineries, on these narrow roads , would bring a major disruption to the residents safety and security, no matter old or young.**

This is of course in addition to the potential environmental pollution both (noise and/or material) and even worse a possibility of increase in criminal activities etc, but I prefer to not speculate too much about those issues at this time.

In conclusion, I am certain that the current infrastructure does not allow a healthy and safe environment to operate a gravel facility in this location at present time.

I'll be certainly happy to participate in any future discussion in person or remotely if needed.

Once again, I thank you for this opportunity to express my concern.

Sincerely



Hamid Adib Azad MD

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 18, 2021 12:50:09 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** Hamid Adib Azad [REDACTED]  
**Sent:** January 17, 2021 11:40 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

**Do not open links or attachments unless sender and content are known.**

Dear Sir or Madam,

My name is Hamid Adib Azad. My wife and I own a lot in Church Ranches.

I am opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County should refuse licensing a gravel pit

operation in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable adverse impacts to residents' health, safety, traffic safety and quality of life, as well as serious environmental costs.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Best Regards  
Hamid Adib Azad  
Sayeh Moayerian  
Jan 17, 2021

--

Sent from Gmail Mobile

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
Date: October 24, 2020 11:31:44 AM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

We are responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan. We live on Bearspaw Summit and are a resident that is directly affected by this application

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs. My 12 year old child has asthma, having an open pit gravel mine this close to our house will be detrimental to his and any other people's health around us. The value of our homes will be significantly adversely and permanently affected by having a gravel pit to close to our homes. The increased traffic and noise to our residential community is not acceptable. **There is not one single benefit that this gravel pit has for the community and the residents (the residents that YOU are meant to serve).** This is not an industrial area but a place that we call home. Would you want a gravel pit this close to your house? This application has met with community disapproval for at least 3 times in the past. There has been no change in our opinion on the matter. It is time to once and for all to give this up and move on.

I am also disturbed that the County is permitting Lehigh Hanson to

proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons we have listed above.

Thanks for your attention to this matter,  
Matt and Janell Priddey

Matt and Janell Priddey  
3 Bearspaw Summit Rise  
Calgary, AB  
T3R 1H2

Date: Jan 20, 2021

Dear Rocky View Council

Re: **PL20200093/0094 Lehigh Hanson application - Gravel Mine – Bylaw C-8082-2020**

**We are Opposed!**

We have resided in Bearspaw for 8 years **and when we purchased understood that the land across Burma Road was designated as agricultural for and earmarked for future residential development** and therefore we will be directly affected by the decision made by council regarding this application.

It is our understanding that this is the third application made by this same applicant, with the most recent one being rejected unanimously. The same reasons for that rejection still apply. There will be significant environmental effects; significant health consequences to residents and it will greatly interfere with the enjoyment of residences in all the properties surrounding the area. Our property values will decline, we will see increase traffic of gravel trucks on the road and increase noise. This list of negative impacts of this gravel mine is endless.

This proposed mine provides zero benefits to the community and to my family, it only provides scary increased health risks to my family (my 12 year old has severe asthma and has been hospitalized in the past). We simply cannot have our air quality ruined by a gravel pit. Please understand that this is where we live and this is not an industrial commercial site that they are proposing to put this mine on.

More significantly, meaningful consultation should have occurred with affected residents. This has not occurred. We have been home almost exclusively since the middle of March due to the global pandemic and have not received any correspondence or had contact from Lehigh Hanson or its affiliates in that time other than notice of the application.

In conclusion, I hope Rocky View Council will use the prudent voice used in the previous two applications and reject this application.

Thank you,

*Janell Priddey*  
*Matt Priddey*

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Gravel pit application  
**Date:** October 16, 2020 8:11:32 PM

---

**Do not open links or attachments unless sender and content are known.**

Hi Andrea,

I am writing to you in response to a letter I received in the mail about an application for the Lehigh Hanson gravel pit (application number (PL20200093/0094)).

We just purchased land that is close to this proposed gravel pit. We are completely against this redesign to subject lands from Agricultural to accommodate the gravel pit. We wanted to get away from the city and build in this area away from the noise and business of the city.

I am wondering if I can email my concerns to you or do I need to send them in writing to the Planning and Development department.

Please let me know.

Thanks.

Jaspreet Khaira

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 26, 2020 2:35 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

---

**From:** jaspreet khaira [REDACTED]  
**Sent:** November 25, 2020 4:45 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

I am opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

I hope my concerns will be considered in the decision.

Thanks

Jas



**Andrea Bryden**

---

**From:** Jaydon Wigelsworth [REDACTED]  
**Sent:** August 20, 2020 8:40 PM  
**To:** Andrea Bryden  
**Subject:** [EXTERNAL] - application # pl2020093/0094 roll number 06605001/002/003/004/005

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Do not open links or attachments unless sender and content are known.**

I am replying to the application set forth by Lehigh Hanson the Scott project off of Burma road. Which is next door to where I live 36 Crestview Estates.

I can appreciate business wanting to expand operations and I can see the dilemma for the council and pressure to approve this application. During these times during covid there will be a push for economic projects and a push towards positive infrastructure.

As Lehigh Hanson is reporting in the news that this is attack on big business. Which is further from the truth, You ask most residents we would approve a pipeline going through the property we would approve more development in residential properties which rocky view would make way more property tax then allowing this gravel pit. The difference is that this is a gravel pit that has been rejected twice before. We must decline again therefore sending a message for Lehigh Hanson to sell the lands and leave, As this will cause more damage to the environment, water tables, air pollution and noise pollution along with road traffic and devalue in properties and tax assessments for the surrounding area.

The problem more then ever is an increase in population in this area then it was 20 years ago when they first applied. They still have no plan of the property devaluation it will cause on all Bearspaw residents especially the ones living in close proximity. Home values will drop as Bearspaw is an expensive area, so property tax must drop and that will hurt rocky view overall tax payments.

Now they have a fancy conveyor belt to transport the gravel lets not kid ourselves there will be gravel trucks and increase of traffic which Burma road can not handle. Also the noise and air pollution caused by a gravel pit belongs no were to residential homes. This will be a black plague on the community of Bearspaw and will not attract future developments that would beatify this community as this gravel pit will be an eye sore for 40 years then they promise to make it look beautiful a little to late.

We must not vote for approval just because they have had some fancy town hall meetings that every resident was against and demanded to be bought out and Lehigh Hanson plan is just to force everyone to live in a gravel pit. We have enough gravel pits in the surrounding area and it must end after rocky ridge road

Leigh Hanson has put this council on wait mode and stalemate and forced them collect no property tax on these acres as Lehigh Hanson has this designated as agriculture land and brings in cows once a year. We must move on and grow Bearspaw as the way residents want a rural community not an industrial zone.

Please council do not get caught up with rubber stamping approvals to bring on jobs and infrastructure. There are many industries that will get a boost but the gravel industry does not need that we have tonnes of gravel in Alberta they need to focus on lands designated for gravel pits with no residential lands next to them. We have rejected this twice before and must keep rejecting until they get the idea that there a little too late to start developing a gravel pit in a populated residential area.

Regards,

Jaydon Wigelsworth  
36 Crestview Estates  
Calgary Alberta



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - PL20200093/0094 comments  
**Date:** October 15, 2020 5:30:23 PM

---

Do not open links or attachments unless sender and content are known.

Dear Andrea Bryden,

I am writing my concerns today in response to the Lehigh Hanson application to turn the precious agriculture land into a gravel pit for their benefit. I live in the culdacad right within that agriculture property in Crestview Estates. My property and the people within my home and neighborhood are directly affected good or bad by the outcome of these next decisions regarding what to approve and what not to.

In short, I want no such thing as a gravel pit as my neighbor and never will. My concerns are for my families protection, health, property value, future disease risk, well water safety and these are just a few. I have lived here for 7 years and am trying to raise a family in good health. I support the land being used for its intended purpose such as agriculture but not for gravel extraction to the sole benefit of another foreign company. It's not local, it's not helpful, it's not healthy, it's a manipulation of canadian administration and residents for their benefit and not ours, it's one sided, its illegal even at this point, it's immoral, it's uncanadian, it's not sustainable, nor is it eco friendly nor environmentally friendly. Science technology has already proven the particles from extraction that are the airborne dust from gravel causes lung cancer and much more suffering.

If we stand back and take a larger view of the Canadians at risk, we will see not only residents in the area, but there is an elementary school in proximity full of young children (two of them are mine) and young adults, teachers, staff further exposed to more and more toxins if this goes. This will surely end up costing the province more health care costs and clogging up hospital rooms and staff, which are currently needed for the covid crisis. BEARSPAW CHRISTIAN School is sandwiched in the middle of a major residential development happening soon in crystal ridge and now a potential gravel pit?? There's never been a more urgent time for our government to put their own people first, to protect them and lookout for them. We have the power to guard and keep our dwindling precious agriculture land instead of keep giving it away. Did you know I heard the province is beefing up funds and resources to enhance and grow our agriculture sector because we desperately need it? Protection is key and we have the right as a country to protect ourselves.

Thank you for receiving and considering my concerns. I am not alone on this. We stand on guard for thee....as it was originally intended.

Please don't hesitate to contact me.

Kellie Wigelsworth

Sent from my iPhone

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - PL20200093/0094  
**Date:** October 15, 2020 7:53:38 PM

---

Do not open links or attachments unless sender and content are known.

Thank you for taking the time and reading my email I am Jaydon Wigelsworth 36 Crestview estates the neighbour of the proposed gravel pit.

Regarding the application from Leigh Hanson to change the agriculture land off of Burma road to a gravel pit. As your aware this is there third time applying. As much as they will tell you, they did it different this time by doing open houses and engaging the public. There application is the same there is still no discussion or talk about the millions that will be loss in property values. They are proposing this fancy conveyor built but that's it. Will still have issues with air pollution, noise and let's not kid ourselves traffic will still be an issue. I understand the increase of business tax the county will receive but that's nothing that the county could receive if Leigh Hanson is forced to sell and move on. The land can be used for future residential development which the county will receive way more in property tax. Bears paw is rural residential period it is not industrial.

It is insulting that they did not address the property values dropping as this was a concern of every Resident

They will spin this that we're not pro business that we're anti gravel, I am not anti gravel or big business there is a place and area for it, not smack dab in a residential development, Bears paw has grown to much since there first application in 2004. Alberta has tones of gravel were good time to move on.

I hope the county is for residents and not big business And they protect there residents.

Regards

Jaydon Wigelsworth

36 Crestview Estates

Sent from my iPhone

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** Re: [EXTERNAL] - PL20200093/0094 comments  
**Date:** October 16, 2020 9:01:01 AM

---

Dear Andrea Bryden,

Thank you for including my letter and I must reiterate the seriousness of this decision. Thank-you so very much for letting the concerns be heard. The stakes are high, not only would our property value plummet, it must be said that there is an elementary school (with my two children) sandwiched between the "potential" gravel pit and a new housing development. The gravel pit would pose a serious risk to the children's health adding insult to the already existing pit across the street and the garbage dump next door. Years back, Calgary was the #1 producer of methane gas from our garbage dump leading to potentially toxic rain. Jeesh, I really want to keep the remaining land for agriculture, I'd take the cows all day long instead of anything else to start working on a better future. I don't want to be a victim and be used for what Canadian land has to offer someone who doesn't care about the people. I have the right to good health and protection from my country men. I have a brother who worked on a gravel extraction site and got a serious, needing antibiotics, lung infection in one day just from inhaling the dust. Please include this letter too.

Thanks,  
Kellie Wigelsworth

Sent from my iPhone

> On Oct 16, 2020, at 8:31 AM, <ABryden@rockyview.ca> <ABryden@rockyview.ca> wrote:

>

> Hi Kellie,

>

> Your letter of opposition has been received and will be included in the Council agenda package once this item has been scheduled for a public hearing.

>

> Thank you,

>

> Andrea Bryden, RPP, MCIP

> Senior Planner | Planning Services

> ROCKY VIEW COUNTY

> 262075 Rocky View Point | Rocky View County | AB | T4A 0X2

> DIR: 403-520-7294

> abryden@rockyview.ca | <https://protect2.fireeye.com/v1/url?k=7de70625-237f8b7e-7de004d7-86712524712d-5d9183fda7942997&q=1&e=729ec1ef-1fc2-4c8f-a16d-22380037d278&u=http%3A%2F%2Fwww.rockyview.ca%2F>

>

>

> -----Original Message-----

> From: Kellie Wife's worth [REDACTED]

> Sent: October 15, 2020 5:30 PM

> To: Andrea Bryden <ABryden@rockyview.ca>

> Subject: [EXTERNAL] - PL20200093/0094 comments

>

> Do not open links or attachments unless sender and content are known.

>

> Dear Andrea Bryden,

> I am writing my concerns today in response to the Lehigh Hanson application to turn the precious agriculture land into a gravel pit for their benefit. I live in the culdacad right within that agriculture property in Crestview Estates. My property and the people within my home and neighborhood are directly affected good or bad by the outcome of these next decisions regarding what to approve and what not to.

>

> In short, I want no such thing as a gravel pit as my neighbor and never will. My concerns are for my families protection, health, property value, future disease risk, well water safety and these are just a few. I have lived here for 7 years and am trying to raise a family in good health. I support the land being used for its intended purpose such as agriculture but not for gravel extraction to the sole benefit of another foreign company. It's not local, it's not helpful, it's not healthy, it's a manipulation of canadian administration and residents for their benefit and not ours, it's one sided, its illegal even at this point, it's immoral, it's uncanadian, it's not sustainable, nor is it eco friendly nor environmentally friendly. Science technology has already proven the particles from extraction that are the airborne dust from gravel causes lung cancer and much more suffering.

> If we stand back and take a larger view of the Canadians at risk, we will see not only residents in the area, but there is an elementary school in proximity full of young children (two of them are mine) and young adults, teachers, staff further exposed to more and more toxins if this goes. This will surely end up costing the province more health care costs and clogging up hospital rooms and staff, which are currently needed for the covid crisis. BEARSPAW CHRISTIAN School is sandwiched in the middle of a major residential development happening soon in crystal ridge and now a potential gravel pit?? There's never been a more urgent time for our government to put their own people first, to protect them and lookout for them. We have the power to guard and keep our dwindling precious agriculture land instead of keep giving it away. Did you know I heard the province is beefing up funds and resources to enhance and grow our agriculture sector because we desperately need it? Protection is key and we have the right as a country to protect ourselves.

>

> Thank you for receiving and considering my concerns. I am not alone on this. We stand on guard for thee....as it was originally intended.

>

> Please don't hesitate to contact me.

>

> Kellie Wigelsworth

>

> Sent from my iPhone

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 26, 2020 2:37 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Fwd: Bylaw C 8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** jaydon wigelsworth [REDACTED]  
**Sent:** November 25, 2020 9:53 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Fwd: Bylaw C 8082-2020

Do not open links or attachments unless sender and content are known.

Hello I am a resident at 36 Crestview Estates

The County has requested comments in advance of the December 22<sup>nd</sup> public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location

for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravelpits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

I know the council has been divided on every issue I hope the council can unite in protecting residents and stopping gravel in residential areas there is enough land in rockyview that we can propose a proper pit that will work for both parties just not the Scott property.

Thank You for your time

Jaydon Wigelsworth



**Steven Lancashire**

---

**From:** Andrea Bryden  
**Sent:** November 30, 2020 8:38 AM  
**To:** Steven Lancashire  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Andrea Bryden, RPP, MCIP  
Senior Planner | Planning Policy  
ROCKY VIEW COUNTY  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
DIR: 403-520-7294  
abryden@rockyview.ca | www.rockyview.ca

-----Original Message-----

From: Michelle Mitton <MMitton@rockyview.ca>  
Sent: November 27, 2020 8:15 AM  
To: Andrea Bryden <ABryden@rockyview.ca>  
Subject: FW: [EXTERNAL] - Bylaw C-8082-2020

MICHELLE MITTON, M.SC  
Legislative Coordinator | Municipal Clerk's Office

ROCKY VIEW COUNTY  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
MMitton@rockyview.ca | www.rockyview.ca

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-----Original Message-----

From: Kellie Wife's worth [REDACTED]  
Sent: November 26, 2020 3:11 PM  
To: Legislative Services Shared <LegislativeServices@rockyview.ca>  
Subject: [EXTERNAL] - Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

Dear Municipal Clerk,  
Concern: Bylaw C-8082-2020

I am writing a letter of opposition to allow Lehigh Hanson to turn proposed agriculture land into industrial land for the use of gravel extraction. I know that mixing industrial land and residential land has more long term health and financial consequences than one would think at first glance. I think it's a wiser choice to say no to allowing the land use change and permitting the gravel pit. I am well aware there are current operating gravel extraction businesses in the area already, however, it's important to consider there are residential growth plans amidst the same area, ie. Crystal Ridge. There would possibly be an endless slew of disharmony, county and personal financial costs, and political unrest with Lehigh and Rockyview county over the nature of the gravel extraction for the future if allowed. I think there are better options for the land, more profitable, if we hold the ground and stand firm against the proposal. There's only so much land and we need to steward it with wisdom, control, and responsibility. Gravel Pitts do not speak wisdom, control and responsibility in a already residential area. Not an appropriate setting only leads to more problems. I say keep the land agriculture or turn it residential and grow in that direction as a whole.

Thanks for considering, I know this is a tough decision, Kellie Wigelsworth Sent from my iPhone

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - Lehigh Hanson's application: Subject: Application #: PL20200093/0094 (File #: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 30, 2020 12:16:10 PM

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Attention:  
Andrea Bryden  
Planning and Development Services Department, Rocky View County

**Response to RVC request for comments on Lehigh Hanson's application:**

Subject: Application #: PL20200093/0094

(File #: 06605001, 06605002, 06605003, 06605004, 06605005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Sincerely,

**Jesse & Nicole Nickel**

24308 Meadow Drive

Calgary, AB

T3R 1A8



**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 24, 2020 4:27 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Nicole Nickel [REDACTED]  
**Sent:** November 24, 2020 9:33 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

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The County has requested comments in advance of the [December 22<sup>nd</sup>](#) public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

**The timing of this public hearing is insulting to the residents of Bearspaw. I have THREE children that will be out of school on the day of the public hearing, which I would like to attend to show my opposition to the application, however, it's not responsible to drag children around to public places during a pandemic! We live in very close proximity to this site and we escaped the city to enjoy a healthy, outdoor lifestyle. This application is trying to steal that lifestyle from family and my neighbours. It's disgusting that this application has been denied multiple times, yet here we are again having to consume an extraordinary amount of resources and time. Residents will not back down.**

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Regards,

Jesse & Nicole Nickel  
24308 Meadow Drive

Sent from my iPhone

October 31, 2020

Planning and Development Services Department,  
Rocky View County  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

Attention: Ms. Andrea Bryden

Dear Ms. Bryden

Re: File Numbers: 06605001 06605002 06605003 06605004 066005005  
Application Number: PL20200093/0094  
Scott Property

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Once again because we are in the immediate vicinity of the Scott Property, we have received notification from Rocky View County for applications by Lehigh Hanson Materials Limited for redesignation to an open pit gravel mine and for a related Scott Property Master Site Development Plan.

Once again we are replying we are opposed to these applications. The gravel pit is not compatible with the adjacent country residential communities which have developed over time. Just because we are in the middle of a pandemic, why is it that a proponent is being allowed to conduct a less rigorous public engagement process when applying to the County for a third time?

  
  
Jim and Donna Pearson

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020: Lehigh Hanson Gravel Extraction Application  
**Date:** January 18, 2021 12:53:01 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
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**From:** [REDACTED]  
**Sent:** January 18, 2021 12:28 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020: Lehigh Hanson Gravel Extraction Application

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Attention: Municipal Clerk

**Re: Bylaw C-8082-2020**

We are writing to comment about the February 2, 2021 public hearing to be held by Rocky View County Council regarding Lehigh Hanson's application for a gravel pit on the Scott Property at the northeast corner of Burma Road and Range Road 25.

Thank you for the inevitable and completely reasonable decision to cancel the earlier December 22, 2020 public hearing. That hearing three days before Christmas would have been inconsiderate in judging the level of community opposition as it was rushed and the limits to participation would have been an advantage for the proponent.

Rocky View's website indicates COVID-19 is slowing down the development of a new Bearspaw Area Structure Plan Review which should be an important part of this gravel pit application. Is there a reason the same consideration hasn't been extended to the schedule for this gravel pit application as well?

Our opposition to this project has not changed. Rocky View should recognize the majority opinion expressed by residents in the past. It does not make sense that Rocky View would refuse two applications, approve more residential development in the area, and then re-consider an open pit gravel mine application for a third time. Based upon the two previous



failed applications for this project, Rocky View Council knows many residents are unhappy about the proposal.

It is very obvious in the Landowner Circulation Area Map of the Notice of Public Hearing that this proposed gravel pit would encroach on many more existing residential acreages than the other operational pits in the area. We live approximately one kilometre from the proposed site and there are many residents living closer. The incompatibility of an industrial gravel pit with nearby residential development as well as the associated dust and noise are our main objections.

**We are opposed to proposed Bylaw C-8082-2020** and we do not intend to present at the public hearing.

Jim and Donna Pearson

Plan 9411421 Block 1 Lot 16  
Rocky View County

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - regard to the LeHigh Hanson open pit mine Application #: PL20200093/0094  
**Date:** October 30, 2020 11:35:20 AM

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hi, I am against this proposal, we don't need a gravel pit near our community. Thanks for your consideration! Jin

**Steven Lancashire**

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**From:** Michelle Mitton  
**Sent:** November 24, 2020 4:32 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Subject: Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
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**From:** Jin Wei [REDACTED]  
**Sent:** November 24, 2020 4:29 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Subject: Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

The County has requested comments in advance of the December 22<sup>nd</sup> public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy

of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

**From:** [Dominic Kazmierczak](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8000-2020, opposition to Lehigh Hanson's application  
**Date:** January 15, 2021 12:13:27 PM

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**From:** Jin Wei [REDACTED]  
**Sent:** January 15, 2021 10:40 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8000-2020, opposition to Lehigh Hanson's application

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Hello,

I'm Jin Wei, owner of 307 Church Ranches Rise with my husband, I'm also in strong opposition to Lehigh Hanson's application to build a gravel pit right next to Church Ranches!

Below are our reasons that we against this application:

- 1) I have ever been consulted about this application by anyone form Lehigh Hanson or a representative acting on behalf of Lehigh Hanson;
- 2) It's development would cause significant reduction in property values;
- 3) Crystalline silica dust is a known carcinogen and significant health hazard, can result in silicosis of the lungs; who is going to pay for my priceless health?
- 4) Not just us, all the wildlife we enjoy seeing in Church Ranches will not stay to live by a gravel pit either; and
- 5) there are numerous other issues including: noise, increased traffic, impact on our ground water etc.

Thanks for your consideration!

Jin Wei  
[REDACTED]

88 Timber Ridge Way  
Calgary,  
Alberta  
T3R 1B9

October 29, 2020

Rocky View County,  
262075, Rocky View Point,  
Rocky View County,  
Alberta  
T4A 0X2

**Subject: Response to Rocky View County's (RVC) request for comments on Lehigh Hanson's Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005 and #: PRDPDP20202785)**

Dear Ms. Bryden,

We are responding to RVC's request for comments on Lehigh Hanson's (LH) application to re-designate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan (MSDP).

Our family have recently moved back to Canada after living in the Caribbean for 12 years. One of the reasons we moved back home and specifically to this neighborhood was to have our kids grow up in the country with clean air and safe, empty streets. One of the things we dealt with in the Caribbean was air pollution from a burning landfill. As a preschooler my son had asthma and on a particularly bad day he had an asthma attack due to the poor air quality. While I realize that these 2 scenarios have many differences (gravel pit and operations vs. landfill scenario) it is extremely disappointing to have returned to Canada and to have to continue fighting for our health in a neighborhood that we hand picked to be clean and safe; for our kids specifically. This morning was a grim foreshadow of things to come should this application move forward, at 7am on an otherwise very quiet morning as I let the dogs out, I could hear the sounds and feel a slight vibration of the existing in use gravel pits much further away from our house. I don't want to wake up in my quiet country neighborhood and have to listen to the grinding sounds of a gravel pit next door.

We are therefore vehemently opposed to this LH application. My mother lived in Church Ranches for 22 years and has fought this same application for as long. Below are the same reasons why she disagreed 2 decades ago to this same gravel pit and they STILL are the same reason why we in 2020 are so opposed to the LH application:

**Health**

Alberta's gravel deposits are known to have very high levels of crystalline silica. Crystalline silica is a recognized carcinogen and is found in the smallest particles of gravel dust. At levels of PM2.5, this type of particulate is an extremely toxic form of air pollution. Clearly, this LH application will seriously impact the health of residents and all those who live and work (schools, employees and all other land users) within a significant radius of LH's proposed operations.

### **Water**

LH's proposed operation will certainly cause significant negative impacts to the surrounding water table and aquifers, which many residents rely on for their drinking water. It is critical to protect the quality and integrity of the water table and aquifers.

LH's proposed operation will remove the natural ground filters that turns dirty surface water into clean underground water. It will impact resident septic fields, which will possibly result in fecal contaminants entering the water table! Once ground water and aquifers are contaminated they are impossible to return to their original condition. They are lost forever!

### **Infrastructure - Roads and Conveyor Belt (including Noise)**

LH's proposed operation will generate a tremendous amount of heavy truck traffic, workforce traffic, contractor traffic, etc., largely on RVC roads that are not designed for such use. This will inevitably result in accidents. Car vehicle occupants and cyclists will be injured or worse!

To reduce heavy truck traffic LH has offered conveyor belts as a mitigation measure, however, conveyor belts themselves are not benign. The dropping of rocks, boulders and gravel into a metal hopper; the digging and shoveling of rocks and boulders at the mine face and placing into a mine truck will all be extremely noisy. Mine trucks will take rocks and boulders from the mine face to the hopper, crusher, and screening unit before transfer to the conveyor belt. All of this processing will be extremely noisy and dusty. At the conveyor belt transfer points noise will also be emitted. Significant noise will be generated by the drive gearbox and motor at the head of each conveyor flight.

LH claim in their MSDP that "Noise will be reduced to a minimum". What does this mean? What will the dB level be 1km away downwind?

If the hours of operation are intended to be a mitigation - Monday to Friday: 7:00am to 8:00pm and Saturday: 7:00am to 6:00pm. Seriously? 7:00am on a Saturday! What time do you get up on a Saturday?

### **Cumulative Effects**

The cumulative impacts of the Lafarge, Volker Stevin, current LH, City of Calgary, Stoney Trail Aggregate Resource (STAR) and Burnco gravel operations are already

applying extreme impacts on the community in terms of all the issues discussed in this response. Put very bluntly, this LH application (in the centre of long established country living residential communities) is nothing short of obscene!

### **Incompatible Land Use and Social Licence to Operate**

The proposed LH Scott Project gravel pit is a completely incompatible land use because of the existing adjacent country residential communities. RVC turned down Lehigh Hanson's earlier applications twice for this very reason, including a 9 - 0 vote in 2010, clearly establishing a precedent that heavy industry is incompatible with country living residential development.

Since those earlier rejections, RVC has approved many more new country residential communities in the immediate vicinity of LH's proposed open pit mine. These approvals signaled that RVC is committed to the land use strategy in the Bearspaw Area Structure Plan, which identifies this land as the location for future country residential development. Residents took this to be an honourable, ethical and trustworthy statement of intent by RVC. Consequently, RVC has earned no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

Having worked for much of my career in the oil sands industry it was recognised that the oil sands industry directly impacted the residents of Wood Buffalo (Fort McMurray, Fort Mackay and Fort Chipewyan), similarly the gravel industry (LH included) directly impacts the residents of Rocky View County.

The oil sands industry has therefore worked extremely hard over the past forty years, to earn its "license to operate" with the local community of Wood Buffalo. It takes decades to build trust and earn a "license to operate" from the local community. An activity LH does not even understand (they referred to us as NIMBY's), let alone to yet initiate!

### **Public Engagement/Consultation**

I find it particularly disturbing that RVC is even permitting LH to proceed with its application given the complete inadequacy of the public engagement process, that they are required to conduct, in advance of submitting their application. RVC must not permit LH, or any other applicant, to ignore its consultation obligations simply because of the current COVID-19 pandemic.

I attended some of the pre-pandemic so called "public engagement" sessions, which created the illusion of public engagement but in practice was merely an exercise in "ticking the box". Public engagement, or consultation, requires meaningful engagement



and good faith efforts to accommodate valid stakeholder concerns. LH has the obligation to establish and prove consultation has taken place and demonstrate how it has accommodated valid concerns where it is able, and explain where it cannot. Consultation is an obligation in and of itself. No actual public engagement or consultation has ever taken place!

### **Stakeholder Capacity Funding**

Given the difficulty and constraints for individual homeowners and/or homeowner associations to organize themselves to provide meaningful input and feedback to LH's application (it runs to at least 1,555 pages!), common sense and current practice dictates LH provide appropriate capacity funding to stakeholders/residents so that they may provide appropriate input/feedback to the application. All Oil Sands companies, submitting a development or expansion plan, are required to provide such capacity funding of financial resources to stakeholders, including Environmental Non-Government Organizations (ENGO's) and other interveners, so that they may provide appropriate and meaningful input and feedback to those plans. LH must be held to the same standard of stakeholder engagement and responsibility.

It is not reasonable that the homeowners and residents of RVC should provide credible and valuable input and feedback on an application at their own expense/cost be it financial, time and/or professional experience! This is compared with LH who, in comparison, have unlimited resources to promote their application.

### **Light Pollution**

Given I have an interest in astronomy the light pollution from LH's proposed operation would negate one of the prime reasons I chose to live in Rocky View. I regard this as a serious negative impact on my life style.

### **Fiduciary Responsibility**

We chose to live in Rocky View to enjoy the cleaner air, quieter lifestyle, less traffic, dark night skies and the many other qualities that make living in a rural country living environment attractive. RVC encourages this lifestyle through the approval of residential developments. RVC has a fiduciary responsibility to honour the implicit social contract between itself and its residents.

### **Summary**

Clearly, LH's application will create many problematic issues that will be of paramount importance to the local community, Bearspaw and Rocky View. Consequently, this application **must not be approved** for all the reasons we have addressed in this letter including, but not limited to:

- Reduction in air quality resulting in serious health concerns arising from dust pollution in general and crystalline silica, a known carcinogen (toxin), in particular;
- Impacts to the water table, which is critical to those who rely on wells for their water;
- Noise arising from truck operations and conveyor belt operations will be extreme, within a significant radius of the pit. If the hours of operation are intended to be a mitigation, I will say no more than 7:00am each and every Saturday (see above)!
- Serious safety concerns with significant increases in road traffic on roads that are not to the standard to accommodate such traffic loads;
- Incompatible land use; no earned social licence to operate; and the current lack of Stakeholder Capacity Funding leaves this application well short of even the minimum standards that would be expected; and
- Given my interest in astronomy, the increased light pollution, from gravel operations would negate one of the prime reasons I chose to live in Rocky View!

It is clear that these serious issues with the LH's application and the Scott Property proposal makes it antithetical with country residential living. These two activities simply do not mix and will result in the irreversible degradation of the rural idyll that the RVC so rightfully promotes and the residents of Bearspaw enjoy,

**We therefore request that Rocky View County reject Lehigh Hanson's Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005 and #: PRDPDP20202785)**

Sincerely,

*Signed Jonathan Pendlebury*

*Signed Julie Pendlebury*

Jon and Julie Pendlebury

CC: Peter Guthrie MLA  
The Honourable Leela Aheer MLA  
Angela Pitt MLA

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 24, 2020 4:28 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Gravel Pit - How is this still a thing?

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
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**From:** Jonathan Pendlebury [REDACTED]  
**Sent:** November 24, 2020 10:10 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Gravel Pit - How is this still a thing?

Do not open links or attachments unless sender and content are known.

To Whom It May Concern,

Firstly, good morning. I am a resident of Church Ranches (88 Timber Ridge Way) with 3 children all going to [REDACTED]. When I drive 85th I simply can't see due to the dust and truck traffic. We can no longer bike there as a family. I am in complete disbelief that:

- 1) Lehigh is allowed to resubmit after being rejected TWICE. Is this a yearly event?
- 2) Million dollar homes are literally next door. Depreciation next to gravel pits is a known fact and as a local Real Estate agent, this greatly concerns me. 2020 has been a challenging year already!

Please see below points, all of which I agree.

Regards,

Jonathan Pendlebury

Subject: Bylaw C-8082-2020

The County has requested comments in advance of the December 22<sup>nd</sup> public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

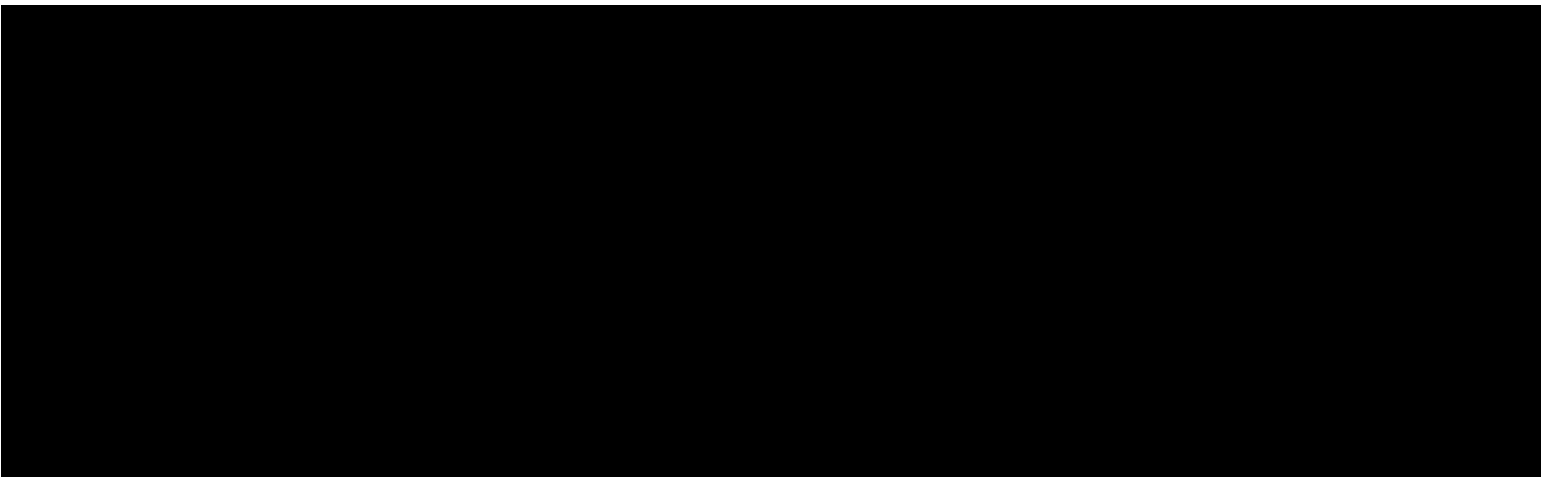
I am opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - Registering my opposition to Lehigh Hanson's Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 30, 2020 6:51:21 PM  
**Attachments:** [2020.10.30 Scott Property Opposition Supporting Document.pdf](#)

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**Do not open links or attachments unless sender and content are known.**

Dear Ms. Bryden,

**I am opposed** to LeHigh Hanson's application to put a gravel pit at the Scott Property (Burma Road/Range Road 25).

For consideration by Council, reasons for my opposition include:

- It is more economically beneficial for the county and its residents if the Scott Property site not a gravel pit.
  - Residential property values adjacent will go down.
  - If Scott Property was a residential development, it would generate far more in taxes for the county than the gravel pit will.
- Rocky View County is blessed with large aggregate deposits, many of which are in less densely populated areas.
  - Gravel sites could be developed in less dense areas, thus still enabling a steady supply of gravel to local areas and benefitting the county (and perhaps a benefitting a locally owned gravel extraction company vs and internationally owned one).
- Lack of regulations to enforce respectful extraction:
  - If approved and once operational, there is nothing to hold Lehigh Hanson to their "hours of operation" or lack of crushing commitments. As we have seen with other pits/extraction, there are no regulations (impactful fines or penalties) to enforce respectful extraction (ie controlling noise and dust pollution) and protect local residents.

Supporting information attached.

Thank you for the consideration,

Leah Weatherill  
51 Timber Ridge Way  
T3R 1B9




## Gravel extraction & processing is not compatible with a country residential lifestyle.

We are blessed to have an abundance of aggregate in Rockyview, and can therefore choose to extract it only in areas of low population density.

Tell Rockyview Council and Lehigh Hanson that the Scott Property gravel pit **does not belong in Bears paw's densely populated area**, and must not be approved.

## Lehigh Hanson's claims about Scott Property should be questioned:



### HOW WILL SCOTT PROPERTY BENEFIT THE COUNTY AND REGION?

Aggregate is a scarce, non-renewable resource found in specific locations. Calgary and RVC have local, high-quality supplies of gravel, however these are depleting and large deposits for future supply are limited and rare.

Locally produced aggregate means reduced community and infrastructure impacts, reduced travel costs and greenhouse gas emissions, and significant benefit to the economy, local tax base and quality of life to those in RVC, Calgary, and throughout the province.

**SCOTT PROPERTY WILL CONTRIBUTE A NET COMMUNITY BENEFIT IN THE FOLLOWING WAYS:**

- ACCESS TO AFFORDABLE AGGREGATE PRODUCTS** | A consistent supply of aggregate in the region preserves low sale costs of sand and gravel resources, reduces the need for tax dollars to support infrastructure projects and lessens potential for gravel shortages.
- RVC FISCAL AND ECONOMIC DEVELOPMENT** | The project will contribute millions of dollars through the CAP levy, transportation levy, application fees, property taxes and other indirect benefits.
- LAND USE CERTAINTY** | The site contains a significant source of quality aggregate and has been subject to multiple applications and land use uncertainty for years. Accepting aggregate extraction at this site will allow for an assured future.
- COMMUNITY AMENITIES** | Aggregate is a temporary disturbance on the land and the end-uses can create community amenities and benefits including residential / non-residential uses, parks, trails, future housing, and infrastructure facilities.
- REDUCED GHG EMISSIONS AND TRUCK TRAFFIC CONCERNS** | The conveyor system means a significant number of trucks won't be needed, resulting in overall emission reductions.
- RAISING THE STANDARD OF INDUSTRY MITIGATION** | Lehigh is committed to exploring solutions to potential cumulative impacts and is open to working with other companies, regulators and the municipality to achieve this.
- PRESERVATION OF A PUBLIC ASSET TO SUPPORT PROJECTED REGIONAL GROWTH** | According to the CMRB, demand for aggregate is expected to double over the next 50 years. Scott Property provides certain access to local aggregates for future decades.

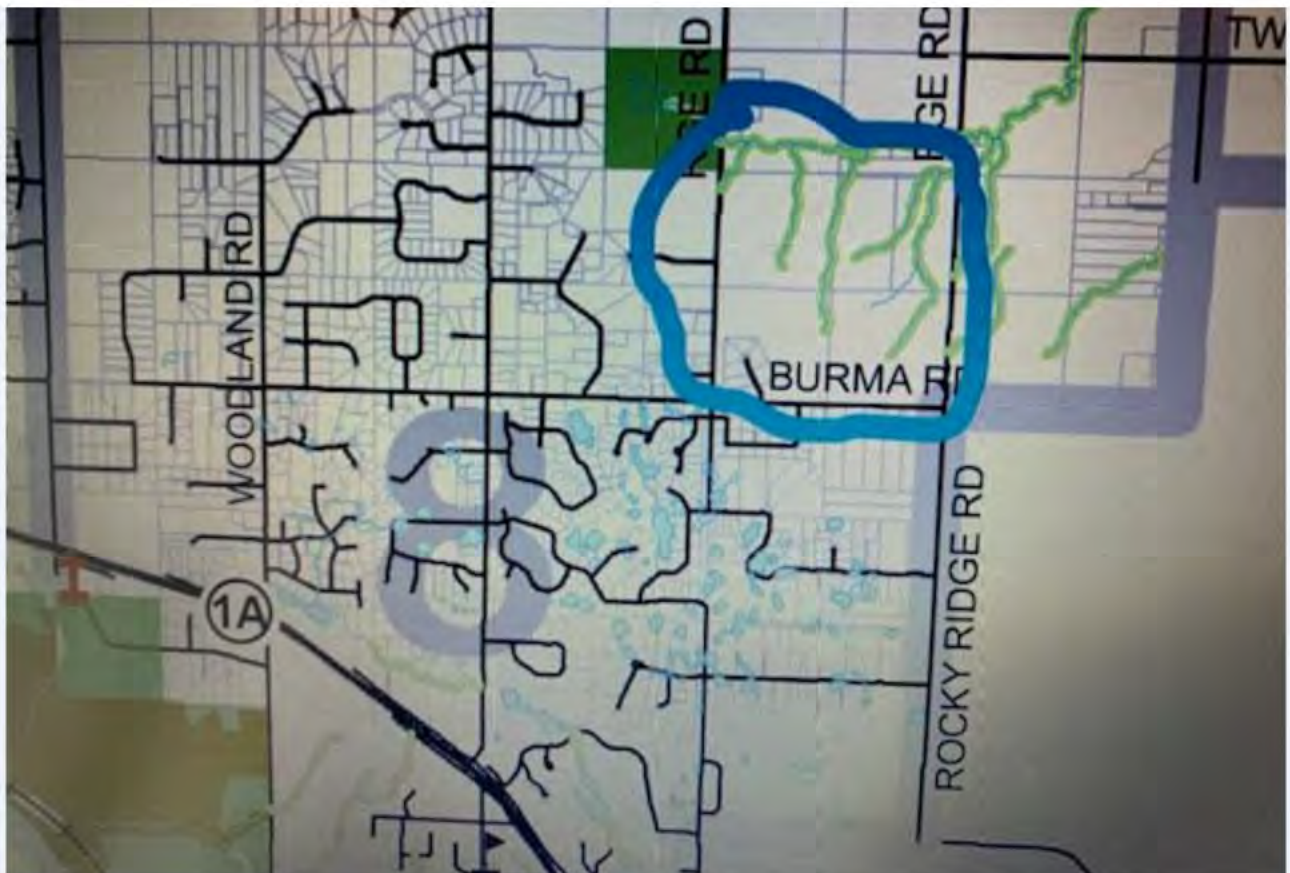
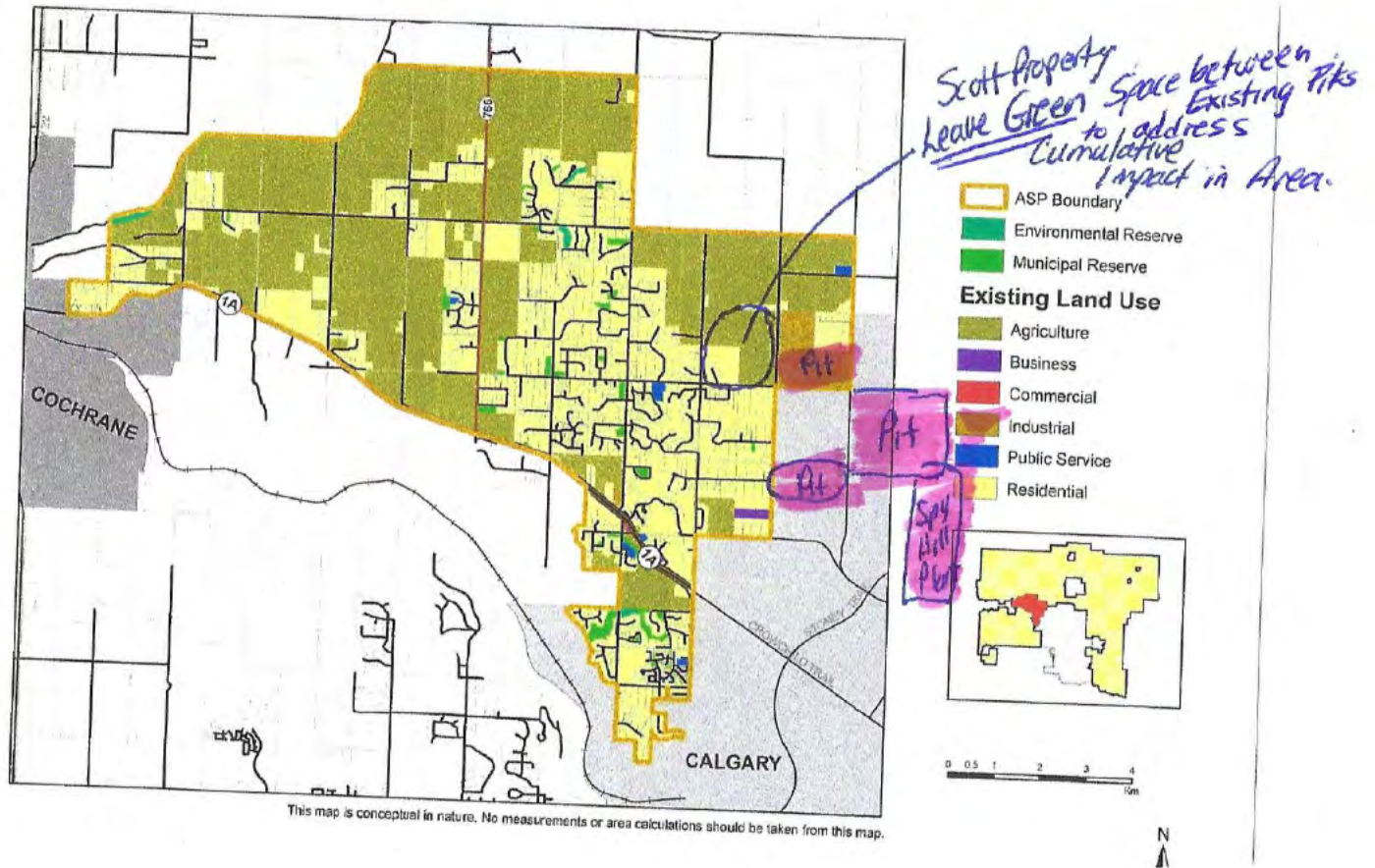
- × Aggregate is not scarce. Deposits are not limited or rare. Map 2 in Rockyview County's Draft Aggregate Resource Plan (Feb. 2018, p.19) indicates that aggregate deposits exist under roughly 1/3 of the County. Assuming half of this is close enough to the surface for extraction, RVC has enough aggregate to run quarter-section-sized pits sequentially for 30,000 years<sup>1</sup>.
- × Aggregate deposits exist throughout RVC. Extracting gravel in Bears paw, the most densely-populated part of the county, is unnecessary and dangerous. Quality of life will be negatively impacted by dust, particulate, noise, light pollution and traffic.
- × There is no risk of gravel shortages. Gravel exists under roughly 1/3 of RVC, yet just 4% of the county's land could provide enough gravel to serve Southern Alberta's demand *for the next 500 years*.<sup>2</sup>
- × The Calgary Aggregate Producers Group estimates that a typical ¼ section gravel pit will generate only \$66,000 in CAP levy payments and property taxes for RVC per year.<sup>3</sup> Meanwhile, studies show that homeowners within 1.6km of a gravel site can expect their property values to decline by 15%. There are more than a hundred homes within 1.6km of Scott Property, and with an average home value in Bears paw exceeding \$1M, the lost value to a *single* Bears paw family will outweigh the total annual benefit to the County.
- × The site has been subject to multiple applications because the County has consistently and rightfully rejected a gravel pit in Bears paw. The land is zoned for agricultural use, and is contemplated for future residential use in the Bears paw Area Structure Plan. Accepting aggregate extraction at this site assures only decades of dangerous industrial activity in the midst of a country residential setting.
- × Gravel pits are not 'temporary' disturbances: they operate for many decades – the recently approved Hughes Gravel Pit is expected to operate for 50 years. The proposed Scott Property pit will outlast many Bears paw residents, depriving *a generation or more* of children and families of life in a peaceful country environment.
- × A conveyor system will create noise and dust, will not eliminate an increase in truck traffic to/from the site and requires regular maintenance.
- × Vague promises of 'exploring solutions' will not protect Bears paw residents from the harmful impacts of a gravel pit close by. It is foolish to rely on any such promises, which are likely to be quickly forgotten if approval is granted.
- × Calgary and Rockyview are expected to require 560M tonnes of additional gravel in the next 50 years. Assuming that RVC supplies 1/3 of this gravel (with the remainder coming from Calgary and other counties), that would require 15 quarter-section sized pits in RVC; that is equal to just 3.7 sections of land, or 0.2% of the land area of RVC. As significant gravel deposits are widespread across the County, including in areas with very low population density, it is unnecessary and irresponsible to extract aggregate in the midst of Bears paw, the County's most densely-populated area.

1. Rockyview area 1,500 sq. mi. x 1/3 x 50% = 1,000 quarter section pits x 30 year operating life = 30,000 years.

2. Calgary Aggregate Producers Group estimates demand of 760M tonnes over 50 years. 500 year demand estimated at 760M x 10 = 7.6B tonnes, rounded to 10B tonnes for growth.

3. Source: CEAC Aggregate Workshop, May 25, 2015 p.17, adjusted for subsequent increase in CAP Levy to \$0.40/tonne.





John Weatherill  
51 Timber Ridge Way  
Calgary AB  
T3R 1B9

October 31, 2020  
*via E-Mail*

Rocky View County  
262075 Rocky View Point  
Rocky View County, Alberta  
T4A 0X2

Dear: Ms. Andrea Bryden

**RE: PL20200093/0094 (Files 06605001-5005) Lehigh Hanson application for a Bearspaw Open Pit Gravel Mine (the "Application")**

I am writing to express my strong opposition to the proposed Scott Property gravel pit in Bearspaw. I oppose both the proposed redesignation of this land from its current agricultural use, and the proposed master site development plan for a gravel extraction and processing operation at this location.

I have lived in Bearspaw since 2012. My wife and I chose to move to Bearspaw for the benefits of country residential living: nature, clean air, quiet surroundings and dark skies. We feel fortunate to be raising our three young children in this environment, and we are not alone in this choice: nearly two hundred families have moved into the immediate vicinity of the Scott Property since the last gravel pit application was rejected in 2010, and Bearspaw has seen the highest population growth of any division in Rocky View since that time.

**Gravel pits are clearly incompatible with country residential areas**, and the proposed Scott Property pit would irreparably destroy the qualities of life in Bearspaw that I've noted above. The proposed pit would create decades of noise, dust, dangerous crystalline silica and light pollution in an environmentally sensitive area filled with families and wildlife.

There is no requirement for the supply of gravel at Scott Property, as aggregate deposits are plentiful in Rocky View County, and can be developed in areas with far lower population density than Bearspaw. Lehigh Hanson has no inherent right to demand the resignation and development of this land: gravel extraction and processing at Scott Property will generate profit for a single corporation, while creating material and long-lasting negative impacts which will be suffered by thousands of local residents.

Lehigh Hanson has not properly consulted with local residents and has instead simply provided notification of intent. Their determination to dismiss and ignore the valid concerns from Rocky View residents was made evident in their June 2020 paid advertisement in Rocky View Weekly, where they state: "...the gravel industry is also facing a battle, although usually it's a few residents who turn out to shout down any local growth and development...". The company has provided no funding for those impacted to engage qualified experts to properly evaluate the impacts of this proposed development.

This application should be rejected for the reasons outlined above, and for others, and I look forward to the opportunity to expand on our objections.



Thank you for the opportunity to provide our comments. We are relying on the councilors of Rocky View to reject Lehigh Hanson's application, and to protect the country residential lifestyle the County promotes.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Weatherill", enclosed within a large, loopy oval shape.

John Weatherill



# **Landowner Submission**

## **Bylaw C-8082-2020**

Submitted in Opposition by  
John Weatherill  
51 Timber Ridge Way, Rocky View County

January 2021

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## Introduction and Executive Summary

As an affected resident and landowner, I strongly oppose the application for this destructive development by Lehigh Hanson ("Applicant", "Proponent"). The impact of this proposed redesignation is overwhelmingly harmful, and the community is unanimous in its opposition of this failed project.<sup>1</sup> Furthermore, the Proponent's Master Site Development Plan (MSDP) and associated technical documents are of such obvious poor quality that this application is unworthy of Council's consideration. The glaring defects in the application are so egregious that it must be permanently rejected.

This report presents overwhelming evidence, validated by independent experts, that this project should not proceed.

**Section 1.0** of this submission describes the natural and pristine country residential community that Lehigh Hanson proposes to damage. Scott Property is in a densely populated and environmentally sensitive rural area, with one-in-ten Rocky View County (RVC) residents living within 5km of the site. A gravel operation at this location would threaten human health and irreparably destroy important environmental features.

Approving what would be one of Canada's largest gravel mining operations at this site would be incompatible with existing and established adjacent land uses; would inflict maximum harm on the County, its residents, and its environment; and would not respect the expectations established by Council's two prior rejections of similar applications.

This is not just unconscionable, it is unnecessary. Gravel is prevalent in Rocky View, and there are many areas in the County with abundant gravel deposits located away from population centres and areas of environmental significance. Rocky View can supply its share of gravel for Calgary and region for hundreds of years by mining just a tiny fraction of County land. Council has the luxury and obligation to choose where aggregate extraction should occur, and can minimize harm to residents and the environment while maximizing economic return to the County by directing development to more appropriate parts of Rocky View.

**Section 2.0** addresses the harmful impacts that Lehigh Hanson proposes to impose upon the community, and demonstrates that the MSDP, in the whole, and in its component parts, is deficient and cannot be relied upon by Council. The technical case presented by the Applicant is incomplete and inaccurate; it is unworthy of belief, and this submission comprehensively refutes it.

Landowners have justifiable concerns about the proposed project. It will displace wildlife and destroy Bearspaw's Country residential lifestyle for generations. Many of the

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<sup>1</sup> Rocky View County Access to Information Request 12-02-2020-03. Between July 1 and November 3, 2020, Rocky View County received 291 submissions from residents related to the Scott Property project. All were opposed.

project's harmful impacts will be permanent and unmitigable. It is no exaggeration to state that the rural residential character of this area will be unduly negatively impacted and substantially altered for decades.

**Section 3.0** of this submission sets forth the consistent framework of statutory requirements that must be met by Lehigh Hanson and Rocky View County through the Municipal Government Act (the Act), the County Plan, and the Bearspaw Area Structure Plan (ASP). The legislation and governing legal framework guards against precisely the harm that Lehigh Hanson is attempting to inflict with an industrial operation in a country residential area.

The application must comply with, among many other requirements, all of the Act, the County Plan, and the Bearspaw ASP. It is woefully deficient, and the framework compels that the Applicant be rejected for the third time and on terms that are final and conclusive.

The current natural local environment, the certain damage to be inflicted by the proposed project, and the provincial and municipal regulatory framework provide the context for evaluating the application and its many harmful impacts:

- **Groundwater** will be harmed and there is significant risk of domestic well water contamination. The water table will be permanently lowered, which is prohibited under the Bearspaw Area Structure Plan.
- **Surface Water** will be irreversibly harmed by the proposed pit, which will disrupt established drainage patterns and risk contaminating Nose Creek, and ultimately the Bow River.
- **Noise** will be at levels dangerous to residents closest to the proposed pit and will have long term impacts on the health of those over a broad area. This will fundamentally alter the rural residential character of adjacent lands.
- **Air Quality** will deteriorate to dangerous levels, with particulate concentration exceeding provincial safety standards. Gravel dust presents a real and foreseeable risk to human health, as it contains crystalline silica, a known carcinogen.
- **Economic analysis** indicates that the Scott Pit will have *negative* financial impact to the County, as reduced residential property tax (due to \$163M in property value destruction) will exceed the benefits claimed by Lehigh Hanson.
- **Reclamation** of the site to equivalent quality land use will not be possible. The Proponent intends to remove millions of tonnes of rock, leaving a pit that will require perpetual water management to be funded by the County and its ratepayers.
- **Consultation** obligations have been breached. Lehigh Hanson has fallen short of even minimum requirements for consultation; they have discouraged, dismissed, and even ridiculed valid feedback from impacted stakeholders. The Proponent has had Scott Property applications rejected twice before, but rather than engaging in meaningful consultation with real mitigations, they return with a proposed project that magnifies damaging impacts.

- **Cumulative effects** have been ignored or dismissed by the Applicant, despite the obvious compounding impacts that this project would impose upon the area.

As found in the appendices to this submission, independent experts in the subjects above have reviewed the Applicant's MSDP and supporting technical reports. They have unanimously found that landowners' concerns are valid, that the impacts are real, and the materials provided by Lehigh Hanson in support of its application are wholly deficient and cannot be relied upon by Council.

Far from being alleviated, landowner concerns are amplified by the inaccurate and incomplete content of the MSDP. Courts have established that "the purpose of the requirement for an MSDP is to ensure sufficient information for meaningful decision making and public inputs".<sup>2</sup> This MSDP is wholly deficient in this regard, and the plan fails in adequately addressing critical impacts. These impacts are summarized below, with detailed discussions and references provided in the remainder of the report.

#### **Groundwater will be Harmed and the Water Table Permanently Lowered**

Expert evidence provided in Section 2.1 by Drs. Zaghloul and Burton demonstrate that the MSDP and the Hydrogeological Technical Assessment are deeply and obviously flawed, and cannot be relied upon. The MSDP draws conclusions which are not supported by the technical data, which indicate that breaching the domestic use aquifer is almost certain, and that there is no margin for error. Impacts could be catastrophic and unmitigable.

Mining into the sand and gravel deposit will impact the underlying drinking water aquifer, with the reasonably foreseeable potential to:

- Lower the water table for surrounding inhabited properties, which is prohibited under Sec. 8.3.15 of the Bearspaw Area Structure Plan. This result is inevitable, according to Dr. Zaghloul.
- Poison well water, as contaminants will flow into the domestic use aquifer, threatening human health.
- Permanently and irreversibly dewater wetlands, ponds and lakes across a broad area, beyond the project boundaries, to the detriment of residents and wildlife.

The groundwater claims in the MSDP and supporting AECOM report are incorrect and cannot be relied upon. Drs. Zaghloul and Burton find that the Proponent makes a fundamental and demonstrably false assertion that groundwater in the sand and gravel deposit and Paskapoo aquifer are separated by an impermeable barrier, yet the evidence provided overwhelmingly indicates that these water sources are connected.

The Proponent's reports lack technical credibility and ignore data that undermines their assertions of a sealing unit. No evidence of such a unit is provided, and indeed the

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<sup>2</sup> Koebisch v Rocky View (County), 2019 ABQB 508, Reasons for Judgement at [101]

available data demonstrates that no barrier is present at the Scott Property; such a barrier is incompatible with the depositional environment.

The implications of this expert finding are fatal to the application. Mining into the sand and gravel deposit will impact the underlying drinking water aquifer, permanently lowering the water table, risking human health and threatening the widespread dewatering of wetlands.

#### **Surface Water and Fish Habitat will be Irreversibly Harmed by the Proposed Pit**

The proposed Scott Property project will be destructive to wetlands and drainage courses both on the property and in surrounding areas and will have broader regional impacts. The section of land is identified by the County and the Province as being an environmentally significant area with a steep slope and high water table. The Scott Property's riparian areas are tributaries of Nose Creek (a fish bearing stream), and water flows down the property's slope to eventually feed the Bow River.

The application includes the destruction of 48 wetlands on the property as well as the disruption of surface and sub-surface drainage patterns. Ground and surface water at Scott Property is an interconnected system (surface to aquifer) in hydrodynamic continuity. There will be a regional impact affecting the water table throughout the area, affecting the presence of surface water. There is a direct pathway for contaminants created by the mine into the drinking water aquifer, and water inevitably will drain into the water shed and thus introduce contaminants into the Bow River.

Expert evidence provided in Section 2.2 of this report by Robert Best, Aquatic Biologist with Integrated Sustainability, confirms that impacts to fish habitat may include, but are not limited to, a reduction in the downstream flow from the project site, potential reductions in groundwater contributions to the site and offsite tributaries to West Nose Creek (a fish bearing stream), a change in timing of downstream flows, geochemical changes in water due to increased exposure of groundwater that may impact sensitive fish species, and potential changes in nutrient cycling through the wetland removal.

Mr. Best finds that the documentation and analysis provided by the Proponent is deficient and inadequate. The Wetland Technical Assessment report (AECOM 2020b) does not consider any potential impacts to fish or fish habitat, whether directly or indirectly, and does not include a discussion of required mitigation measures to address potential impacts. Insufficient work has been completed, and a lack of evidence has been provided by Lehigh Hanson, to reliably consider all potential impacts to fish and fish habitat.

Mr. Best's conclusions are confirmed by Dr. Burton's findings that "the Proponent's MSDP will have negative impacts to domestic water supply wells, wetlands, creeks and rivers upon and outside of the proposed development area."

The sloped location of the Scott Property, at the edge of Symons Valley, means that when mining breaches the underlying aquifers, groundwater from a widespread area will seek to flow to and through the pit, leading to dewatering of the surrounding area. This will



be the geological equivalent of pulling the plug from a bathtub, with no ability to replace that water.

Expert recommendation to Rocky View County is that the proposed land use change destructive development application not be approved.

#### **Noise will Impact Health and Alter Adjacent Rural Residential Character**

In a country residential setting like Bearspaw, where ambient sound levels are low, the noise imposed by a gravel pit would fundamentally damage the nature of the area and the quality of life of the roughly one-in-ten Rocky View residents who have chosen to make this area home.

Noise is one of the most widespread negative impacts that any gravel pit imposes upon surrounding areas. The risk is acute for those residents nearest the proposed pit, who will be exposed to levels of noise considered damaging by Health Canada for prolonged periods. Residents over a larger area will also be subjected to health impacts: continued exposure to noise at the levels proposed in the application has been demonstrated to cause stress, reduced concentration, fatigue, cognitive impairment, cardiovascular disease and high blood pressure. Individuals subjected to prolonged environmental noise are at elevated risk of psychological stress and heart attack.

This has not been addressed by the Applicant in the MSDP, nor by their technical contractor in the acoustic assessment. As detailed in Section 2.3, critical data has been omitted, information about machinery in operation and extended periods of noise limit exceedances during multi-year and multi-phase site preparation has not been fully disclosed.

The Proponent seeks to anchor to urban noise guidelines that are inappropriate for a rural country residential setting. Modelling assumptions about below-grade noise generation, receptor height and ground absorption factors combine to consistently understate impacts. The noise assessment is so fundamentally deficient that it does not allow for Council or the public to properly evaluate impacts and must be discarded.

The Applicant proposes to operate at noise levels 20 dB higher than existing ambient levels – this would represent a *quadrupling* of perceived noise. It is certain that excessive noise created by a Scott Property pit will negatively impact and substantially alter the rural residential character of the adjacent lands, in direct violation of Section 8.3.21 of the Bearspaw Area Structure Plan. The application for this intrusive development must therefore be rejected.

#### **Air Quality Deterioration Poses an Unacceptable Risk to Human Health**

Gravel dust presents a real and foreseeable risk to human health, as it contains crystalline silica, a known carcinogen. Silica and other dusts are linked to kidney disease and cause Chronic Obstructive Pulmonary Disease (COPD). COPD includes chronic bronchitis, emphysema, bronchiectasis, and chronic airway obstruction. Harvard University has

found that higher exposure to particulate matter at the size of crystalline silica is associated with higher COVID-19 mortality rates.

Lehigh Hanson itself warns that “inhaling dust may cause discomfort in the chest, shortness of breath, and coughing. Prolonged inhalation may cause chronic health effects. This product contains crystalline silica. Prolonged or repeated inhalation of respirable crystalline silica liberated from this product can cause silicosis and may cause cancer.” (See Appendix G). Despite being well known to Lehigh Hanson, this topic is effectively absent from the MSDP.

Residents in the area of Scott Property will be subjected to prolonged and repeated inhalation of this deadly dust over the roughly 30-year operating life of the proposed pit, which will compound the cumulative effects of dust created by other pits in the area. The MSDP relies on AECOM’s Air Dispersion Modelling Assessment (ADMA), which indicates that small particulate matter generated by the proposed project will be at dangerous levels for residents of Crestview Estates, and will exceed provincial standards in several instances.

Despite the critical importance of this topic, the methodologies used in the MSDP and ADMA are wholly inadequate and do not provide an accurate assessment of the likely air quality impacts in areas surrounding the Scott Property. Critically, the Applicant’s assertions are based on a receptor grid which did not include sensitive receptors in nearby residential neighbourhoods where there is a significant risk of exposure to particulate matter. This shortcoming was acknowledged in the report, which states that “there are additional residences in the area that could be considered sensitive receptors. In particular, additional receptors could have been chosen south, east and north of the property boundary.” Lehigh Hanson has provided fatally incomplete information about the impacts on human health.

Air quality expert Dennis French (see Section 2.4 and Appendix D) states that “there are gaps and omissions in the reporting that could lead to inadvertent risk to the neighboring communities and its residents. The ADMA does not accurately assess the immediate resident health risk for short term and chronic/accumulated exposure to known Carcinogens and Respiratory Hazards. As a result, the ADMA and Supplemental Air Quality report (are) deemed flawed and not reliable.”

Rocky View Council cannot gamble with the health of its residents. In such cases, the precautionary principle must apply, and Council cannot approve an application that will have real, foreseeable and permanent impacts on human health.

#### **Economic Impacts are Negative, Transferring Wealth from RVC to Lehigh Hanson**

The MSDP claims economic benefit based on a report that has been withheld from the public and has not been provided upon repeated request to both Lehigh Hanson and Rocky View County. The economic assessment, as summarized in the MSDP, contains many serious omissions and inaccuracies, and cannot be relied upon. As detailed in Section 2.5, and in the appended expert submission of Dr. Matthew Ayres of the

University of Calgary, the economic assessment provided by the Proponent is entirely deficient, in that:

- The market analysis is deficient in considering reserves only at operating projects; no evidence is presented that suggests a shortage of alternative sites for aggregate operations.
- The economic impact analysis uses an inappropriate methodology, presents data that is irrelevant to Council's decision, and makes claims that are implausible.
- The fiscal analysis is incomplete. It focuses only on benefits, the majority of which are driven by CAP levy payments that must be considered uncertain. It ignores costs entirely, including an expected \$163 million reduction in surrounding property values and associated reduction in residential property tax revenue to the County.

These estimated costs are significantly larger than the likely benefits of the proposed development. Costs need to be explicitly considered as they will overwhelm any potential benefits to Rocky View County.

Rocky View Council is being asked to approve a fundamentally imbalanced transfer of wealth from the County and its residents to Lehigh Hanson. The Applicant could achieve similar production and generate similar revenue by operating a pit elsewhere in Rocky View County (as other current operators do successfully), but seeks to operate this pit in a densely-populated, environmentally sensitive area because it is located close to market and will save trucking costs. To authorize those cost savings, Council is being asked to:

- Degrade the quality of life of one-in-ten RVC residents
- Permanently destroy an environmentally sensitive area
- Gamble the health of its citizens on the risk of poisoned wells and carcinogenic dust
- Transfer \$163 million of wealth from its citizens in the form of property value destruction, and
- Accept a minimum \$1.8 million net negative impact on County finances

All of this, so that a German conglomerate can save trucking costs on a project that will generate profits for shareholders who are not even residents of Rocky View. Lehigh Hanson has utterly failed to provide meaningful mitigation for the harms they will cause, presumably because mitigations are costly, and they seek to protect their profit margins. This proposition is so clearly and disproportionately harmful to the County and its citizens that it must be permanently rejected.

#### **Reclamation will be Impossible**

The proposed project area is an environmentally significant property. It will not be possible to reclaim this property to equivalent quality land use. Lehigh Hanson will remove tens of millions of tonnes of rock and soil from the property, leaving behind a pit that will draw groundwater and require perpetual water management to be funded by Rocky View County and its ratepayers. The resulting property will be appropriate neither

for its existing land use (agricultural) nor its designated future land use (country residential).

This end state of a water-filled hole will be nothing like the current state of the property, which is aesthetically pleasing, is home to dozens of wetlands and listed species of wildlife, and has high ecological drainage value. Further, the evidence indicates that widespread dewatering could be triggered by excavation of the Scott Property, with the potential to drain wetlands and ponds across a broader area.

Under the Rocky View County Plan, detailed reclamation plans are a legal requirement that cannot be omitted or circumvented with vague indications of possible future intent. No reclamation plan has been provided by the Proponent. Unfunded and uncertain reclamation requirements are dangerous when Scott Property's profits will be stripped to a foreign parent company and only costly liabilities will remain, as the site's assets are cannibalized each and every day. Publicly available reports set forth that this company has been fined US\$130M for environmental offences over the last 20 years in the United States alone. The proposal is non-compliant with regards to reclamation, and must be rejected.

#### **Mitigations are Entirely Ineffective**

The mitigations proposed by Lehigh Hanson in the MSDP and associated technical reports are wholly deficient, and do not meet regulatory requirements. The mitigations are limited, inadequate, vague indications of possible future intent. Detailed mitigation and reclamation plans have not been provided, ostensibly because the Applicant knows that the damage it causes will be permanent. Many of the known and likely impacts are unmitigable.

The primary 'mitigation' proposed by the Applicant is a conveyor system that will introduce new and significant harm, as the conveyor requires onsite primary crushing, with all associated noise and dust impacts. In fact, the Applicant has regressed significantly in relation to their prior two rejected applications for Scott Property. They have neglected to consider best practices for noise mitigation, despite identifying superior mitigations in their prior proposals. In 1994, the Proponent committed to enclosing the crusher in custom-designed housing. In 2010, the Proponent committed to absolutely no on-site crushing.

Several other proposed mitigations have regressed since the Applicant's last proposal in 2010, including those related to active pit size, operating hours, noise limits and setbacks. The Proponent has had Scott Property applications rejected twice before, but rather than engaging in meaningful consultation with real mitigations, they return with a proposed project that magnifies damaging impacts.

Lehigh Hanson seeks for its own financial benefit, as a single landowner, the right to unduly negatively impact and substantially alter the rural residential character of adjacent lands. It does not hold this right; to the contrary, residents have the right *not* to have damages and harms inflicted upon them, whether such harms can be partially mitigated or not.

The deficiency of any serious reclamation or mitigation plans indicate that Lehigh Hanson will not mitigate impacts or apply best practices for the wellbeing of the community. The proposed mitigations are so deficient that the application must be rejected outright. Adverse impacts can only be minimized by rejecting an aggregate operation at this location.

#### **Consultation Obligations have been Breached**

Lehigh Hanson has fallen short of even minimum requirements for the breadth of consultation, the obligations of disclosure, and the requirement of personal consultation. They have made no attempt to engage in direct, personal consultation even with adjacent residents. They have discouraged, dismissed, and even ridiculed valid feedback from impacted stakeholders.

It is not for landowners to hunt out details of potential project impacts; it is for a proponent to disclose them all in good faith. It is not consultation to deny impacts that are plainly obvious on the facts. Yet information provided in the MSDP and in supporting technical documents has the potential to confuse or mislead stakeholders. Noise level modelling uses questionable assumptions to consistently understate impacts. Meaningful discussion of silica has been omitted, despite the obvious concerns for residents. The economic assessment has been withheld from the public. The impact to domestic well water has been brushed away, despite data indicating likely risk. Even when requested directly, details of proposed indemnification programs have been refused. The list goes on and reveals that the Proponent has demonstrated no evidence of engaging in meaningful or transparent consultation. Critical information has been withheld by Lehigh Hanson, denying impacted parties the opportunity to properly evaluate the MSDP.

As a result of inadequate disclosure by the Applicant, many residents, including those located immediately adjacent to the proposed pit site, are not in a position to fully understand the potential impacts. As detailed in Sections 2.0 and 3.3 of this submission, information has been omitted entirely, or presented with unnecessary technical complexity such that affected stakeholders cannot reasonably assess the likely outcomes, even in matters as important as human health and drinking water supply.

Lehigh Hanson has not properly consulted with residents but has instead simply provided notification of intent. This is a failed project with universal opposition from adjacent landowners.

#### **Cumulative Effects from this Project have been Inadequately Addressed**

Landowners are justifiably concerned that the addition of a massive gravel operation directly beside residential areas will be the proverbial straw that breaks the camel's back when considered both on its own impacts, and in conjunction with the cumulative impacts of other gravel operations to the east and southeast of Scott Property. Another gravel operation will add the cumulative impacts on land use conflict, noise, air quality, visual aesthetics, wetlands, property values, surface and groundwater and wildlife habitat. Many of these impacts are permanent and entirely unmitigable.

The Cumulative Effects Assessment (CEA) referenced in the MSDP contains errors and omissions, and multiple instances of non-conformance and misalignment with applicable requirements, regulations and best practices. Expert evidence provided by Peter Jalkotzy and peer reviewed by Dr. G.A. Yarranton in Section 2.9 demonstrates conclusively that the CEA is deficient and unreliable as evidence to accurately assess and evaluate the cumulative impacts associated with the proposed project, and it must be rejected.

The CEA incorrectly excludes or scopes out essentially every valued component. Air and noise impacts have been omitted based on flawed modelling. Surface water hydrology is ignored, rendering the wetlands analysis deficient. Groundwater impacts are inadequately addressed, despite risks of well contamination and regional dewatering. Obvious socioeconomic impacts are ignored. Land use, soil and wildlife impacts are deficient. Other elements have been omitted entirely, despite regulatory requirements for their inclusion. Temporal and spatial boundaries selections are inappropriate, and the interaction of present and future activities are incomplete and inaccurate, particularly in relation to surrounding aggregate operations.

Cumulative effects are critical in evaluating a gravel operation. "If the cumulative aspects of aggregate extraction are not meaningfully disclosed and addressed during the redesignation phase, then the opportunity of affected persons to make submissions to Council, and the opportunity of individual Councillors to participate in debate, to persuade their colleagues in a council meeting, or to deliberate on the redesignation, are undermined."<sup>3</sup> The application has not met the requirement for a meaningful cumulative effects assessment, and must therefore be rejected.

#### **Regulatory Requirements Have Been Breached**

There exists a consistent framework of statutory requirements that must be met by Lehigh Hanson and Rocky View County by the Municipal Government Act (the Act), the County Plan, and the Bearspaw Area Structure Plan (ASP). The legislation and governing legal framework, outlined in Section 3.0 of this report, guards against precisely the harms that Lehigh Hanson is attempting to inflict with an industrial operation in an established country residential area.

The purpose of the requirement for an MSDP is to ensure sufficient information for meaningful decision making and public inputs.<sup>4</sup> The MSDP, and its supporting technical documents, do not satisfy regulatory requirements, with dozens of required components missing entirely. Other items have been addressed only superficially based on incomplete, faulty, and inaccurate technical documents. It is the Proponent's obligation to present complete and factual documentation, and administration's responsibility to identify and disregard deficient submissions as non-compliant.

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<sup>3</sup> Koebisch v Rocky View (County), 2019 ABQB 508, Reasons for Judgement at [119]

<sup>4</sup> Koebisch v Rocky View (County), 2019 ABQB 508, Reasons for Judgement at [101]

The application must be disqualified for non-compliance with regulatory requirements. Selected deficiencies of this application include violation of or misalignment with:

- Rocky View County Plan (Bylaw C-7280-20130) Sections 1.0, 2.2, 5.0, 5.8, 7.0, 7.13, 7.16, 15.2, 24.0 and 29.8
- Rocky View County Land Use Bylaw (C-8000-2020) Sections 104 and 204
- Rocky View County Policies 419 and 420
- Bearspaw Area Structure Plan Sections 6.5, 7.1.3, 8.3.15, 8.3.21(a), 8.3.21(b) and 8.6.5
- Nose Creek Watershed Water Management Plan Sec. 6.4.3.b
- South Saskatchewan Regional Plan Sections 8.11, 8.12 and 8.15
- Alberta Municipal Government Act Sections 3.a.1, 632(1) and 632(3.a.i)
- Alberta Environment Code of Practice for Pits Section 8.2
- Alberta Utilities Commission Rule 007
- Canada Fisheries Act Section 36(3)

Based on the overwhelming non-compliance of this application, it must be rejected.

#### **Health Risks are Real, Foreseeable and Unacceptable**

The application is clearly deficient in addressing critical concerns, non-compliant with regulatory requirements, negligent in planning for mitigation and reclamation, and financially detrimental to the County and its residents. But importantly, at its core, it is dangerous. **The proposed project presents a real and foreseeable risk to human health:**

- The operation will expose Rocky View residents to decades of continuous, cumulative exposure to gravel dust, a Category 1A carcinogen and a Category 2 Lung Toxin. Prolonged inhalation may cause chronic health effects. This product contains crystalline silica. Prolonged or repeated inhalation of respirable crystalline silica liberated from this product can cause silicosis and may cause cancer.
- The operation will subject Rocky View residents to decades of consistent noise at damaging levels, including regular impulsive, highly impulsive and high-energy impulsive types of noise as defined by Health Canada. There is overwhelming evidence that exposure to prolonged noise has adverse effects on the population. Continued exposure to noise at the levels proposed in the application has been demonstrated to cause stress, reduced concentration, fatigue, cognitive impairment, cardiovascular disease and high blood pressure. Individuals subjected to prolonged environmental noise are at elevated risk of psychological stress and heart attack. Mental health will be adversely affected.
- The operation is highly likely to contaminate domestic use aquifers, threatening to poison the drinking well water relied on by Rocky View residents in approximately 50 nearby homes.

**It is the duty and obligation of Rocky View Council to protect the health and safety of its constituents and citizens.** In matters of human health, the precautionary principle must apply; the many health risks posed by this project are too great for Council to accept.

For the reasons laid out in this submission, including the magnitude and obviousness of defects in the MSDP, it is patently unreasonable to approve the application and to enact bylaw C-8082-2020. The application must be rejected.

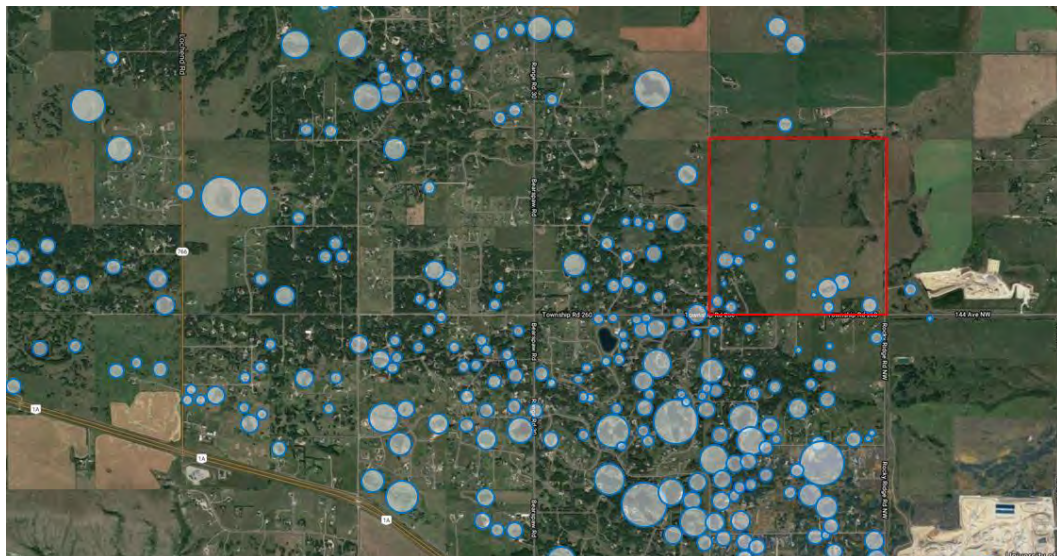


## 1.0 The Community That Lehigh Hanson Proposes to Damage

The local area surrounding the Scott Property is comprised of agricultural and country residential land use. It sits in the heart of Bearspaw and offers the benefits and attractions of country residential living: abundant wildlife in wetlands and other natural settings, clean air, quiet surroundings and dark skies. Redesignating the Scott Property land to industrial use is not compatible with country residential living, nor is it compatible with responsible county planning, land use best practices, or the expectations of the thousands of residents who have chosen to live here.



Much of the character of Bearspaw is the beneficial result of water. The area contains many wetlands, ponds and small lakes which are enjoyed by residents and which attract and sustain wildlife. Each circle in the map below is a wetland in proximity to Scott Property (outlined in red).

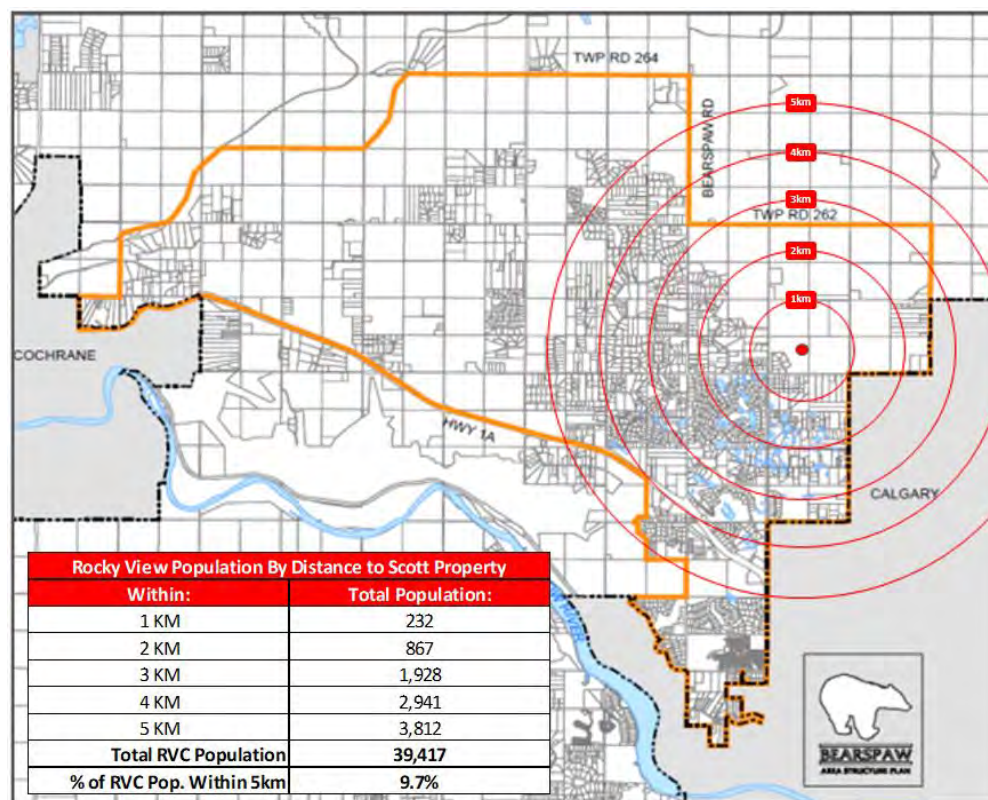


## 1.1 Bearspaw is a Densely Populated Rural Residential Area

The area immediately surrounding the Scott Property is among the most densely populated areas in Rocky View County, and nearly one-in-ten of all County residents live within five kilometers of the proposed pit site. Situating a pit in this location will have greater negative human impacts than in almost any other site in the County:

- Scott property sits in the area of highest population density in the county; this maximizes the harm caused by a new industrial operation
- One in ten RVC residents live within 5km of the Scott Property
- Nearly 70% of Bearspaw residents live within 5km of the Scott Property

**Figure 1: Rocky View Population by Distance to Scott Property**



The proposal to situate what would be one of the largest gravel operations in Canada in the heart of Rocky View County's most densely populated area is not just harmful, it is unnecessary. There is no shortage of gravel in Rockyview.

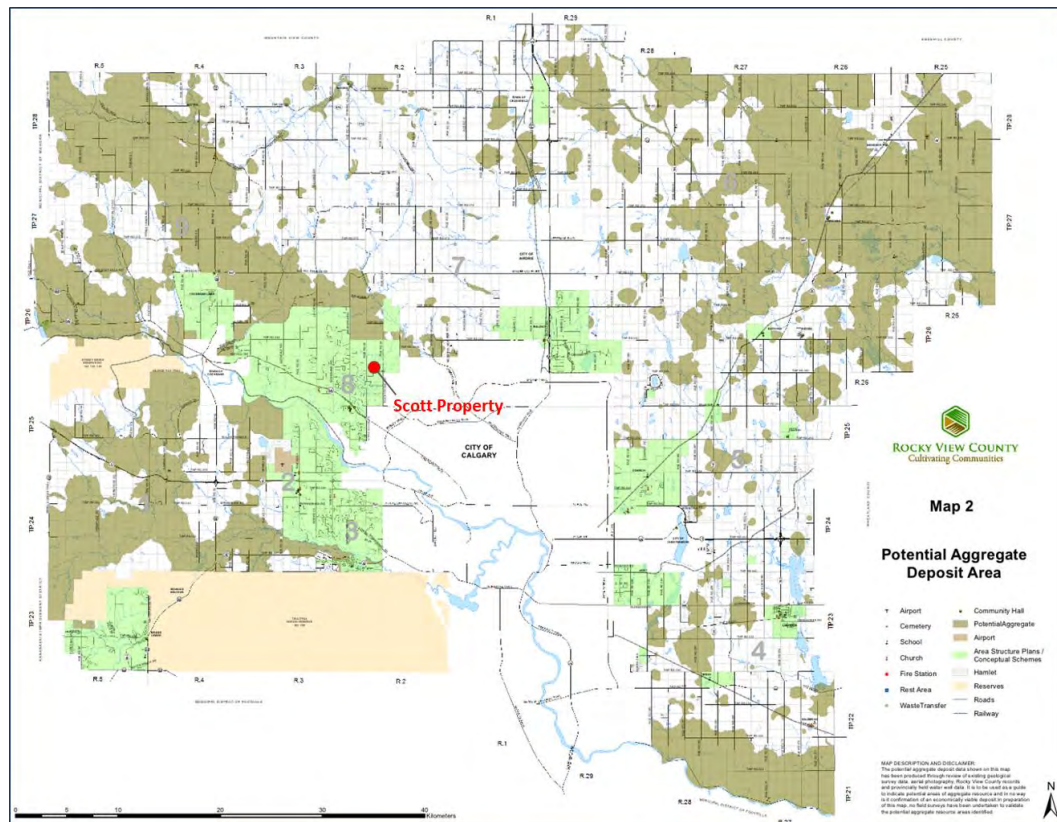
Gravel deposits exist under roughly 500 sq. miles of RVC. Even assuming that only half of this gravel is close enough to the surface to commercially extract, that equates to 250 sq. miles of gravel – enough for 1,000 quarter-section sized pits. If an average pit operates for 30 years, and pits were operated sequentially, Rocky View County could produce gravel continuously for the next 30,000 years. This is not a scarce resource!



The Applicant's MSDP implies that regional demand cannot be met without developing Scott Property: *"The forecasted demand for gravel in the Calgary Census Metropolitan Area (CMA) between 2020 and 2050 is estimated to be between 522M and 833M tonnes...the Region will require additional aggregate operations to supply Regional demand and avoid the need to import product from outside the Region under high transportation costs."* This demand estimate suggests that Calgary and region will require ~10B tonnes of gravel over the next 500 years, and RVC has sufficient aggregate deposits to supply its share of this 500-year demand with just 4% of the County's area. There is no risk of requiring product to be imported from outside the region, and therefore no compelling reason to allow extraction at the Scott Property.

Most of this resource is located in areas of low population density, outside of Area Structure Plans or Conceptual Schemes, as illustrated in the following map<sup>5</sup>.

**Figure 2: Abundance of Aggregate Deposit Areas in Rocky View County**



By directing aggregate extraction and processing to those parts of the County with lower population density, Rocky View can encourage economic development while minimizing economic harm. Dr. Matthew Ayres of the University of Calgary notes that "an aggregate operation further from residential areas might produce similar benefits without imposing

<sup>5</sup> Map 2, Rocky View County Aggregate Resource Plan, Revised Draft February 2018

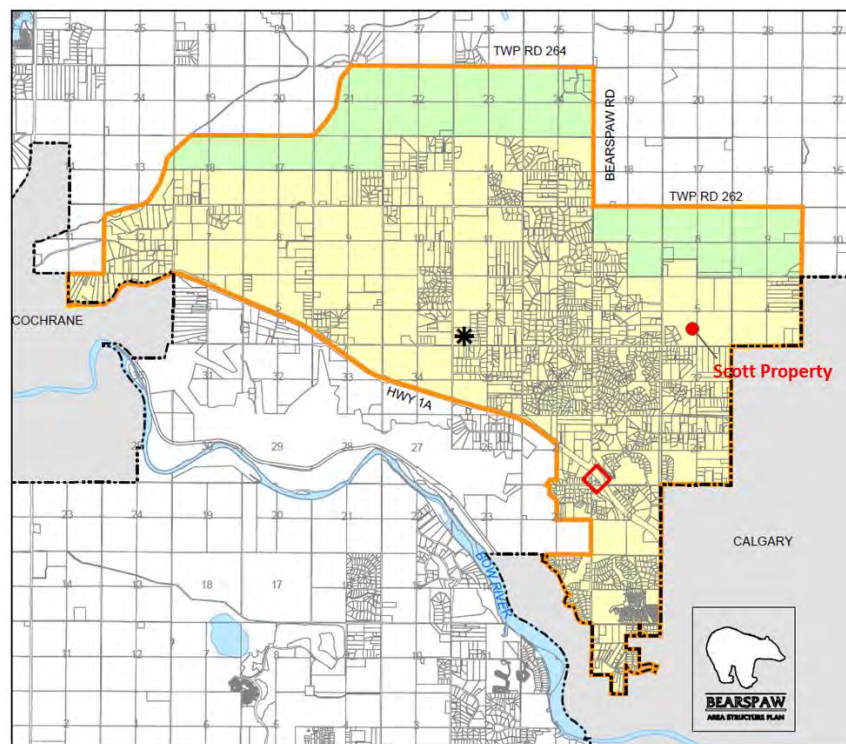
as many costs on the community” (see Appendix E). Aggregate extraction can and should be located in less densely populated areas of the County.

## 1.2 RVC has Continued to Approve New Residential Subdivisions

By rejecting a gravel extraction operation at the Scott Property location on two prior occasions, and by identifying the subject land as priority for future country residential use in multiple planning documents, the County has created settled expectations that incompatible aggregate extraction uses will not be permitted.

The Rocky View County Draft Municipal Development Plan (MDP) identifies the subject property as within a ‘primary residential’ priority growth area.<sup>6</sup> The Bears paw Area Structure Plan identifies the Scott Property as future country residential land use, as illustrated in the following map.<sup>7</sup> Council’s subsequent and continued approval of residential subdivisions around Scott Property has been consistent with the designated land use for this area under these statutory plans.

**Figure 3: Bears paw ASP – Future Land Use for Scott Property**



**Figure 7:  
Future Land  
Use Scenario**



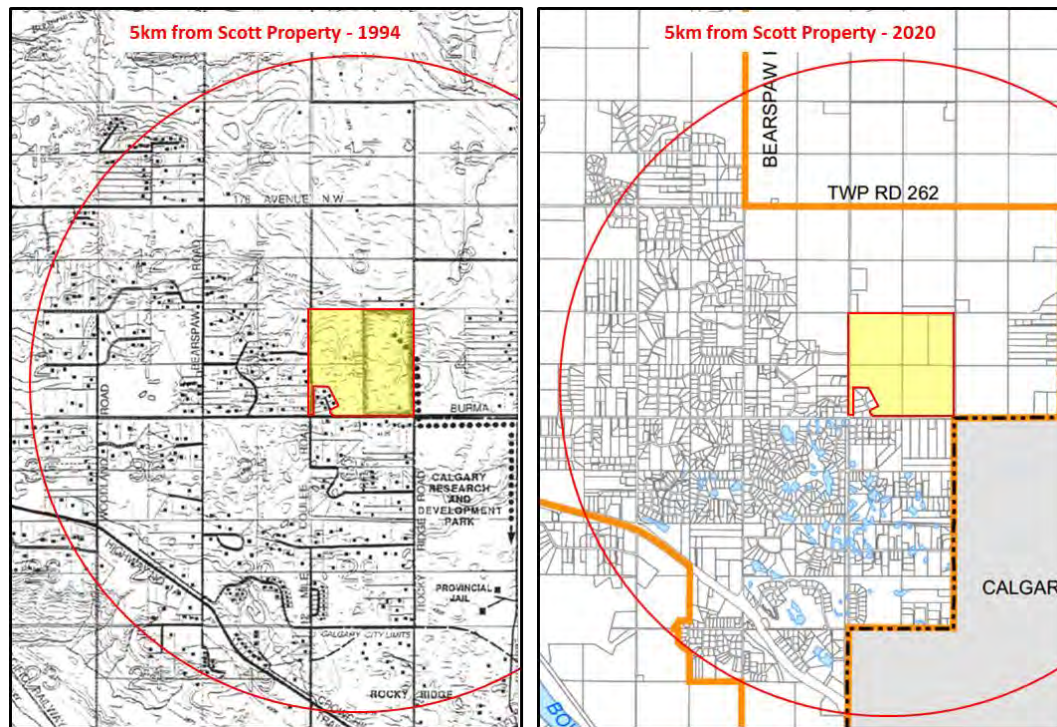
<sup>6</sup> Draft Municipal Development Plan, Summer 2020, Draft 4, Appendix B: Growth Concept Map

<sup>7</sup> Bears paw Area Structure Plan, Bylaw C-4129-93, Fig. 7: Future Land Use Scenario

Rocky View Council rejected prior applications for an aggregate extraction operation at the Scott Property location in 1994 and 2010. In 1994 specifically, County Administration recommended “refusal of the application as the rural residential character of adjacent lands would be negatively impacted and/or substantially altered as referenced in Section 8.3.21 of the Bearspaw Area Structure Plan”.

The rural residential character of the adjacent lands has only been strengthened since the 1994 and 2010 rejections. Since that time, the County’s decisions have consistently reinforced that the area is to be utilized for country residential land use, through the publication and revision of County planning documents, and through the consistent track record of approving new residential subdivisions in proximity to the Scott Property. Since 1994, the number of country residential dwellings within 5km of the project site have roughly quadrupled from approximately 340 to approximately 1,350.

**Figure 4: Country Residential Population Has Quadrupled Since 1994**



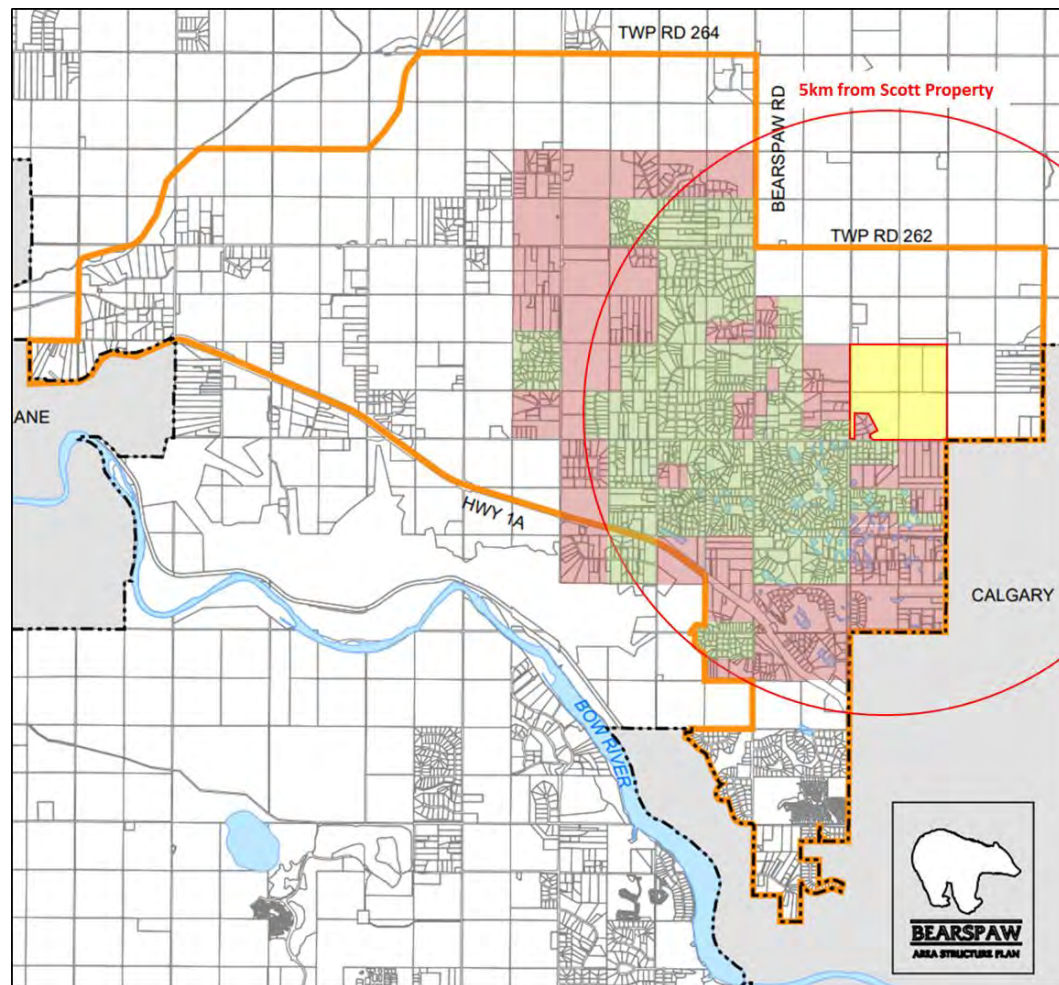
Sources:

1994 Map: Proposed Scott Gravel Extraction Operation: Land Use Redesignation, Submitted by Consolidated Aggregates and Walker Brown Urban Consultants, September 1994, p. 2

2020 Map: Bearspaw Areas Structure Plan, Figure 1: Plan Area Location

Rocky View Council has approved large scale subdivisions with hundreds of new residential properties covering almost 30 quarter sections within 5km of Scott Property since the original gravel rejection in 1994 (see green shaded areas in Figure 5 below). This includes the largest country residential subdivision in Bearspaw, Church Ranches. Church Ranches is home to 194 residences built from 1996 onwards, the closest of which is located less than 200 meters from the Scott Property boundary. Lehigh Hanson materials do not even reference Church Ranches.



**Figure 5: Subdivisions Approved or Built Since 1994**

New residents continue to move into the immediate area based on the expectations established by Rocky View Council and Administration. Bears Paw recorded the highest absolute growth of any Rocky View County division between 2013-2018, the latest data published by the County.<sup>8</sup> A total of 187 property transactions totalling \$207 million in value have occurred within three kilometers of Scott Property since the last rejection in 2010, in addition to the many new house builds in the area.

Residential development in the immediate area continues to be encouraged by the County. Rocky View Council has approved subdivisions immediately adjacent to the north, west and south sides of Scott Property in the past 14 months, including the

<sup>8</sup> <https://www.rockyview.ca/Portals/0/Files/Government/Census/2018-RVC-Census-Population-Division.pdf>

subdivision of a property for country residential land use less than 50 meters from the Scott Property as recently as November 10, 2020.<sup>9</sup>

In addition to inflicting irreparable damage on the surrounding residences, an aggregate operation at Scott Property would sterilize residential development in that section, and in surrounding sections, for decades to come. This would be entirely inconsistent with the County Plan and Bearspaw Area Structure Plan, both of which designate and prioritize the Scott Property land and surrounding sections for future country residential land use.

Residents of Bearspaw have invested in this community with awareness of Council's consistent approach to approving rural residential use and rejecting aggregate extraction in the area, and with the expectation that Council will maintain this approach.

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<sup>9</sup> Division 8 - Bylaw C-8060-2020 - Redesignation Item, File: PL20200059, approved by Council on November 10, 2020. Property located on the NW corner of Burma Road and Range Road 25, immediately adjacent to Scott Property on the west side. Reference also plan numbers 201 0276 (approving subdivision creating two residential lots immediately to the north of Scott Property, November 2019) and 201 1503 (approving subdivision creating two residential lots immediately to the south of Scott Property, approved August 2020).

### 1.3 Council Should Not Permit Conflicting Adjacent Land Uses

Best practices in land use planning dictate that it would be inappropriate and irresponsible to redesignate the Scott Property from its current agricultural use to industrial use, both because of the magnitude of that change, as well as incompatibility with the adjacent, established country residential land use. In 1994, as required under the Bears paw ASP, County staff correctly recommended that Council reject a proposed gravel operation at Scott Property, because the rural residential character would have been negatively impacted or substantially altered. This requirement has not changed, and indeed is more important now as additional rural residential subdivisions have been approved by Council in the vicinity of Scott Property in the intervening years.

**Section 8.3.21 of the Bears paw Area Structure Plan requires that “Redesignation proposals...to accommodate the extraction of natural resource – aggregates should only be considered where, in the opinion of the Municipality, the rural residential character of the adjacent lands is not unduly negatively impacted or substantially altered”.** It is undeniable that this area is not industrial in the least, and that the rural residential character of adjacent lands will be negatively impacted and substantially altered. It is incorrect for the Proponent to suggest otherwise. The application must be rejected on this basis, as it was in 1994.

The final draft Rocky View County Aggregate Resource Plan (ARP) provides insight into County staff’s understanding that gravel pits do not belong in parts of the county with high population density, and particularly those areas which fall under an area structure plan, as Bears paw does. The draft ARP states that:

- Sec. 5(9) - Redesignation applications for new or expanding aggregate extraction and/or processing development on land within or adjoining an existing Area Structure Plan (ASP)...area **shall not be supported** when...the boundaries of the quarter section proposed for aggregate development, in part or in its entirety, are within 100 metres (±0.06 miles) of a quarter section within an ASP/CS area that contains 20 or more parcels designated for residential land uses, and/or agricultural parcels less than or equal to 10 hectares (24.7 acres) in size. Three of the four quarter sections in the Scott Property would have been ineligible for aggregate extraction under this requirement.
- Sec. 6 - Specific instances where **other land uses take precedence over the potential future extraction of an aggregate resource** may include when the subject lands are located within an area covered by an Area Structure Plan, Conceptual Scheme, or Master Site Development Plan

Rocky View County administration was fully responsible for the drafting of these common-sense provisions, following multiple rounds of stakeholder consultation, and these conditions should be respected by Council. Applying these commonsense criteria, the application to extract gravel at Scott Property, which sits within an Area Structure Plan, and which is adjacent to densely populated sections to the west, southwest and south, should be summarily rejected. In fact, it should never have been brought forward.



The consideration of land use compatibility (land suitability) and best practices for facilitating the location of optimal land uses adjacent to each other is a key area of consideration. Best practices in land use planning dictate that it would be inappropriate and irresponsible to redesignate the Scott Property from its current agricultural use to industrial use. Best practice is to redesignate land use by one “level” of intensity at a time, with consideration to compatibility with adjacent land uses.

This concept is illustrated in the following Land Use Compatibility Matrix<sup>10</sup>, which identifies the combination of land uses which, when adjacent to each other, are considered compatible, compatible with mitigations, or incompatible. The matrix clearly and intuitively indicates that ‘semi-rural residential’ land use and ‘industrial employment’ land use are incompatible, as highlighted in the yellow cell.

**Figure 6: Land Use Compatibility Matrix**

Land Use Category	REC	RCC	FEC	EI	GC	CEC	O	NC	SRH	SRM	SRL	CR	SRR	A/E	URL	URM	URH	UMU	VMU
Regional Employment Center (REC)	○																		
Regional Commercial Center (RCC)	⊗	○																	
Flexible Employment Center (FEC)	⊗	⊗	○																
Industrial Employment (EI)	⊗	⊗	⊗	○															
General Commercial (GC)	⊗	⊗	⊗	⊗	○														
Community Employment Center (CEC)	⊗	⊗	⊗	⊗	⊗	○													
Office (O)	⊗	⊗	⊗	⊗	⊗	○	○												
Neighborhood Commercial (NC)	⊗	⊗	⊗	⊗	⊗	⊗	⊗	○											
Suburban Residential - High (SRH)	⊗	⊗	●	●	⊗	⊗	⊗	⊗	○										
Suburban Residential - Medium (SRM)	⊗	⊗	●	●	⊗	⊗	⊗	⊗	⊗	○									
Suburban Residential - Low (SRL)	⊗	⊗	●	●	⊗	⊗	⊗	⊗	⊗	⊗	○								
Convenience Retail (CR)	⊗	⊗	●	●	●	●	●	●	●	●	○								
Semi-Rural Residential (SRR)	●	●	●	●	⊗	⊗	⊗	⊗	⊗	⊗	⊗	⊗	○						
Agricultural Estate (A/E)	●	●	●	●	●	●	●	●	⊗	⊗	⊗	⊗	⊗	○					
Urban Residential - Low (URL)	⊗	⊗	●	●	⊗	⊗	⊗	●	⊗	⊗	○	○	⊗	●	○				
Urban Residential - Medium (URM)	⊗	⊗	●	●	⊗	⊗	⊗	●	⊗	●	⊗	●	●	●	⊗	○			
Urban Residential - High (URH)	○	○	⊗	●	⊗	○	○	⊗	○	⊗	●	⊗	●	●	⊗	⊗	○		
Urban Mixed Use (UMU)	○	○	⊗	⊗	⊗	⊗	○	⊗	⊗	⊗	⊗	⊗	●	●	⊗	⊗	○	○	
Village Mixed Use (VMU)	●	●	●	●	⊗	⊗	⊗	○	⊗	○	○	○	⊗	●	○	⊗	⊗	●	○

○ - Compatible    ⊗ - Compatible with Mitigation Measures    ● - Incompatible

The concept of land use compatibility (and incompatibility) is well understood in Canada. The Ontario Ministry of Environment, Conservation and Parks, for example, publishes guidelines “for land use planning authorities on how to decide whether new development or land uses are appropriate to protect people and the environment.” In respect to irreconcilable incompatibilities, the Province requires that “When impacts from discharges and other compatibility problems cannot be reasonably mitigated or

<sup>10</sup> Prince William County 2008 Comprehensive Plan:

[https://www.pwcgov.org/government/dept/planning/Documents/Land\\_Use\\_Compatibility\\_Matrix.pdf](https://www.pwcgov.org/government/dept/planning/Documents/Land_Use_Compatibility_Matrix.pdf)

prevented to the level of a trivial impact...new development, whether it be a facility or a sensitive land use, shall not be permitted.”<sup>11</sup>

In Southern Alberta, the South Saskatchewan Regional Plan<sup>12</sup>, which covers Rocky View County, addresses land use compatibility by mandating that “Municipalities are expected to establish land-use patterns which:

- Provide an appropriate mix of agricultural, residential, commercial, industrial, institutional, public and recreational land uses; developed in an orderly, efficient, compatible, safe and economical manner
- Contribute to a healthy environment, a healthy economy and a high quality of life.
- Minimize potential conflict of land uses adjacent to natural resource extraction, manufacturing and other industrial developments”

The proposal from Lehigh Hanson would require Council to approve a 19-level increase in land use intensity from Agricultural, General District to a Direct Control District for aggregate operations.<sup>13</sup> Vaulting so many district levels to place incompatible land uses adjacent to each other will inevitably magnify impacts. Approval of this proposal would allow an inappropriate mix of residential and industrial uses in an incompatible and unsafe manner; would detract from, rather than contribute to, a high quality of life for residents of the Municipality; and would ensure, rather than minimize, conflict of existing country residential land use adjacent to the proposed industrial aggregate extraction use. This would be entirely counter to responsible land use planning.

The MSDP references ‘transition’ between aggregate operations and the country residential community of Bearspaw. Placing a disruptive gravel extraction and processing operation within 150 meters of an existing and established residential area does not represent acceptable or responsible transition. This is legal fiction, and contrary to clear planning requirements.

Rocky View Council itself has acknowledged the need for an appropriate and significant transition distance between country residential land use and incompatible land uses such as gravel extraction and processing. On July 21, 2017, Reeve Boehlke, on behalf of Rocky View County, wrote to the Provincial Government to request “an official change in the operating hours of the STAR mine as the noise pollution associated with the crushing operations has a significant detrimental impact on the quality of life for the local residents, many of whom were living in the area prior to the mine start-up.”

Indeed, even the Proponent acknowledged over twenty years ago that residential development in Bearspaw has made the Scott Property site inappropriate for industrial gravel operations. In its 1997 application to the City of Calgary, Inland (part of Lehigh

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<sup>11</sup> D-1 Land Use and Compatibility, Sec. 3.4 Irreconcilable Incompatibilities

<sup>12</sup> South Saskatchewan Regional Plan, Sec. 8.11, 8.12 and 8.15

<sup>13</sup> See Rocky View County Land Use Bylaw for description of land use districts.

Hanson) stated that the Spyhill site within city limits was desirable because “other possible gravel sites in northwest Calgary and in the M.D. of Rocky View have been lost through on-site surface development or surrounding country residential development”<sup>14</sup>. This seems a clear reference to the continued residential development around the Scott Property following the 1994 application rejection.

Given the incompatibility of the Scott Property application with the objectives and requirements of the Rocky View County Plan, the Bearspaw Area Structure Plan, the draft Aggregate Resource Plan, land use planning best practices, and Rocky View Council’s own acknowledgement that gravel pits have a significant detrimental impact on the quality of life for local residents, this application must be permanently rejected.

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<sup>14</sup> Inland Spy Hill Aggregate Operation proposal, April 1997, Page 6

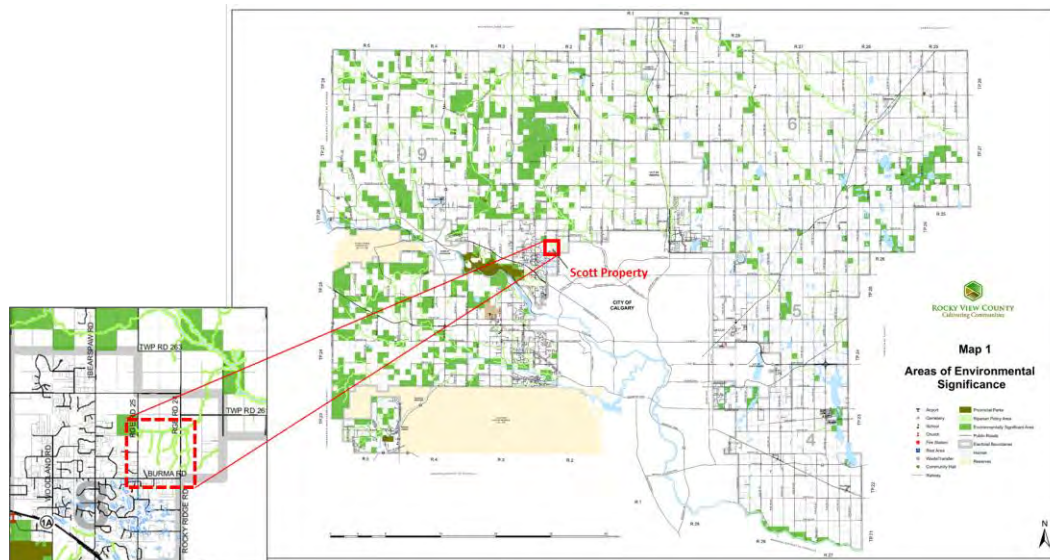
## 1.4 The Area is Environmentally Significant and will be Irreparably Damaged

Scott Property is an environmentally sensitive area that will be irreparably destroyed. The MSDP indicates that there are 48 wetlands on the property which will be permanently wiped out. The property is identified as having a high water table and steep slope, the combination of which could lead to the widespread dewatering wetlands, ponds and lakes across a wide area if gravel mining is to occur, as outlined in Sec. 2.1 of this report.

The subject section of land is identified by the County and the Province as being an environmentally significant area, because it falls under RVC's Riparian Policy Area, it has a slope greater than 15%, and it has a high water table.

The importance of protecting riparian areas was acknowledged by County administration in the draft Rocky View County Aggregate Resource Plan (ARP), which stated in Sec. 5(8) 1.a) **No aggregate development shall be located** within the County's Riparian Policy Area denoted on Map 1: Areas of Environmental Significance. That map is shown below, and the Riparian Policy Area includes Scott Property.

**Figure 7: Rocky View County Areas of Environmental Significance**

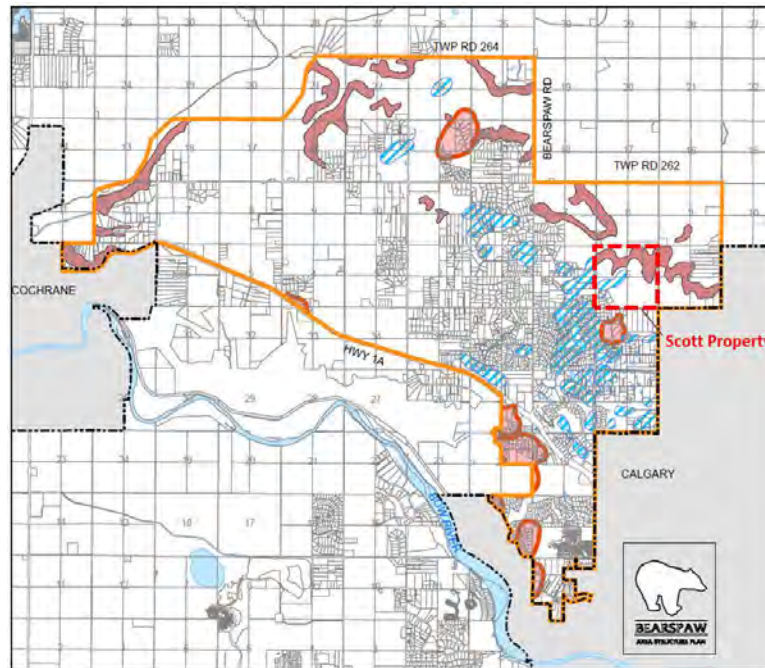


The Scott Property is also identified by the County as having a steep slope of greater than 15%: This is critically important for two reasons:

- The sloped location of the Scott Property, at the edge of Symons Valley, means that when mining breaches the underlying aquifers, groundwater from a widespread area will seek to flow to and through the pit, leading to dewatering of the surrounding area. This will be the geological equivalent of pulling the plug from a bathtub, with no ability to replace that water.
- The Scott Property's riparian areas are tributaries of fish bearing Nose Creek, and water flows down the property's steep slope to eventually feed the Bow River.

Finally, the Scott Property is identified by the County as having a high water table<sup>15</sup>, the implications of which are described fully in Sections 2.1 and 2.2 of this report.

**Figure 8: Bearspaw ASP – Environmentally Significant Features**



**Figure 6:  
Environmentally  
Significant  
Features**

- ASP Area
- Potential High Water Table Areas
- Potential Steep Slope Areas (greater than 15%)
- Known areas of potential archaeological, historical and / or cultural significance

Source: Alberta Environmental Protection and Alberta Community Development

Area boundaries are approximate only

Section 8.6.5 of the Bearspaw Area Structure Plan requires that: “When considering proposals for redesignation, applications for subdivision and/or development approval, located on or adjacent to lands exhibiting unstable or organic soils, poor drainage, high water table, flood and/or erosion characteristics, slope instability, soil contamination or any other physical condition that could create risk to life, property or damage to the environment; **the onus shall be on the proponent** to identify any hazards and implement measures which eliminate and/or mitigate the hazards while retaining and enhancing environmental attributes” (emphasis added).

These criteria have not been met by Lehigh Hanson. Drs. Zaghloul and Burton (Appendices A and B) demonstrate risks to groundwater which include permanently impacting groundwater quality and groundwater levels both locally and regionally, and that there is no means to mitigate this outcome. These impacts would be associated with significant costs, measured in both financial and human health terms. Jalkotzy (Appendix F) finds that the Applicant fails to provide a complete list of required mitigation standards for environmental impacts, wetlands impacts, climate impacts and other impacts under Federal and Provincial jurisdiction.

<sup>15</sup> Bearspaw Area Structure Plan, Figure 6

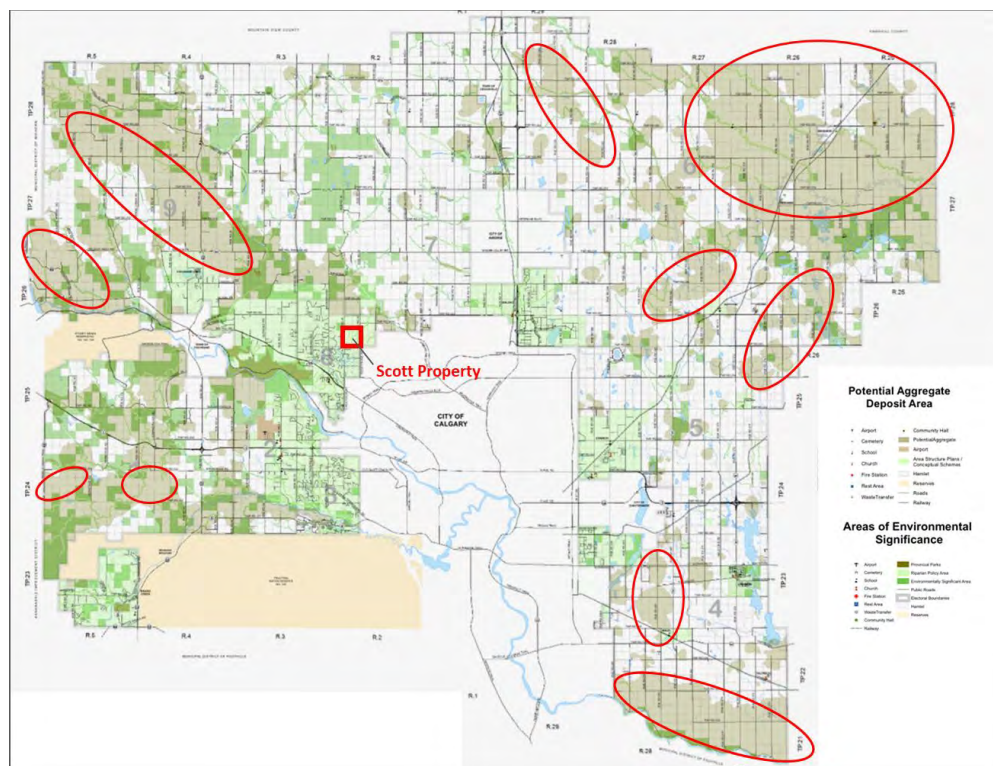


As described in the expert report of Robert Best presented in Appendix C, “there has been little to no discussion on the potential impacts to downstream receiving water bodies (i.e. unnamed tributaries to West Nose Creek, Nose Creek, and the Bow River), which may occur from the disruption of the surface water and groundwater interface. Impacts may include, but are not limited to, a reduction in the downstream flow from the site, potential reductions in groundwater contributions to the site and offsite tributaries to West Nose Creek (a fish bearing stream), a change in timing of downstream flows, geochemical changes in water due to increased exposure of groundwater that may impact sensitive fish species, potential changes in nutrient cycling through the removal of 48 wetlands, and the list goes on. Insufficient work has been completed and a lack of evidence has been provided by Lehigh Hanson, to reliably consider all potential impacts to fish and fish habitat.

As the application is deficient in identifying hazards, committing to eliminating and/or mitigating hazards, and committing to retaining and enhancing environmental attributes, the proposed project is non-compliant with this mandatory requirement in the Bearspaw Area Structure Plan, and must be rejected.

Gravel is prevalent in Rocky View, and there are many areas in the county with abundant gravel deposits without environmental significance. These large areas are outlined in red in the following map (sourced from Rocky View ARP Maps 1 and 2) and are more appropriate places for Council to consider for the approval of new gravel operations.

**Figure 9: Aggregate Deposits Outside of Environmentally Significant Areas**



## 2.0 The MSDP is Deficient in Addressing Obvious Harmful Impacts

Landowners have justifiable concerns about the proposed project. It will displace wildlife and destroy Bearspaw's country residential lifestyle for generations. Many of the project's harmful impacts will be permanent and unmitigable. It is no exaggeration to state that the rural residential character of this area will be unduly negatively impacted and substantially altered for decades, in many ways:

- **Groundwater** will be harmed and there is significant risk of domestic well water contamination. The water table will be permanently lowered, which is prohibited under the Bearspaw Area Structure Plan.
- **Surface Water** will be irreversibly harmed by the proposed pit, which will disrupt established drainage patterns and risk contaminating Nose Creek, and ultimately the Bow River.
- **Noise** will be at levels dangerous to residents closest to the proposed pit and will have long term impacts on the health of those over a broad area. This will fundamentally alter the rural residential character of adjacent lands.
- **Air Quality** will deteriorate to dangerous levels. Gravel dust presents a real and foreseeable risk to human health, as it contains crystalline silica, a known carcinogen.
- **Economic analysis** indicates that the Scott Pit will generate *negative* financial value to the County, as reduced residential property tax (generated by \$163M in property value destruction) will exceed the benefits claimed by Lehigh Hanson.
- **Reclamation** of the site to equivalent quality land use will not be possible. The Proponent intends to remove millions of tonnes of rock, leaving a pit that will require perpetual water management to be funded by the County and its rate payers.
- **Consultation** obligations have been breached. Lehigh Hanson has fallen short of even minimum requirements for consultation; they have discouraged, dismissed, and even ridiculed valid feedback from impacted stakeholders. The Proponent has had Scott Property applications rejected twice before, but rather than abandoning the project in the face of overwhelming opposition, or even engaging in meaningful consultation with real mitigations, they return with a proposed project that magnifies damaging impacts.
- **Cumulative effects** have been ignored or dismissed by the Applicant, despite the obvious compounding impacts that this project would impose upon the area.

Far from being alleviated, these concerns are amplified by the inaccurate and incomplete content of the MSDP. As found in the appendices to this submission and summarized in this section, independent experts in the subjects above have reviewed the Applicant's MSDP and supporting technical reports. They have unanimously found that landowners' concerns are valid, that the impacts are real, and the materials provided by Lehigh Hanson in support of its application are wholly deficient and cannot be relied upon by Council.

The purpose of the requirement for an MSDP is to ensure sufficient information for meaningful decision making and public inputs.<sup>16</sup> There exists a consistent framework of statutory requirements that must be met by Lehigh Hanson and Rocky View County by the Municipal Government Act (the Act), the County Plan, and the Bearspaw Area Structure Plan (ASP). The legislation and governing legal framework, outlined in Section 3.0 of this report, guards against precisely the harms that Lehigh Hanson is attempting to inflict with an industrial operation in an established country residential area.

The application must comply with, among many other requirements, all of the Act, the County Plan, and the Bearspaw ASP. Yet this MSDP relies on deficient reports that have either been withheld in their entirety, or that omit key information, do not comply with regulatory requirements, and provide incorrect conclusions. It is woefully deficient, and the framework compels that the Applicant be rejected for the third time and on terms that are final and conclusive.

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<sup>16</sup> Koebisch v Rocky View (County), 2019 ABQB 508, Reasons for Judgement at [101]



## 2.1 Groundwater will be Harmed and the Water Table Permanently Lowered

### Reference:

Appendix A: Expert Groundwater Report – Dr. Essam Zaghoul, Ph.D.

Appendix B: Expert Groundwater Report – Dr. Bradford R. Burton, Ph.D.

### Landowners Have Justifiable Concerns About Groundwater

Landowners are justifiably concerned that mining the Scott Property will have serious and unmitigable impacts on groundwater quality and quantity, as the proposed pit will mine below the water table, which is connected to the domestic use aquifer below. Approximately 50 properties in sections adjacent to Scott Property rely on domestic wells for drinking water, which is at high risk of contamination from gravel extraction operations. Just one litre of gasoline can pollute one million litres of groundwater.<sup>17</sup> The risks are unacceptable, with the reasonably foreseeable likelihood to:

- Lower the water table for surrounding inhabited properties, which is prohibited under the Bearspaw Area Structure Plan
- Contaminate and poison well water, threatening human health.
- Permanently and irreversibly dewater wetlands, ponds and lakes across a broad area, to the detriment of residents and wildlife.

The MSDP draws reckless and irresponsible conclusions which are not supported by the technical data, which indicate that there is no margin for error. As demonstrated in the Walkerton, Ontario tragedy, the consequences of contaminated drinking water are as serious as illness and death. This risk cannot be tolerated, and this application must be rejected.

### Expert Evidence Validates Landowner Concerns and Refutes the MSDP

Expert evidence provided by Dr. Zaghoul (see Appendix A) demonstrates unequivocally that the MSDP and supporting Hydrogeological Technical Assessment are deeply and obviously flawed and cannot be relied upon.

The Proponent makes a fundamental and demonstrably false assertion that groundwater in the sand and gravel deposit is separated from the underlying Paskapoo aquifer by an impermeable barrier, implying low risk of impacting the quality and quantity of drinking well water. Yet the evidence provided overwhelmingly indicates that these water sources are connected, and the implications of this expert finding are fatal to the application. Mining into the sand and gravel deposit is likely to impact the underlying drinking water

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<sup>17</sup> <https://www.canada.ca/en/environment-climate-change/services/water-overview/pollution-causes-effects/groundwater-contamination.html>

aquifer, permanently lowering the water table, risking human health and threatening the widespread dewatering of wetlands.

Dr. Zaghloul's expert opinion is that the Paskapoo Formation is a fluvial/alluvial geologic setting. AECOM fails to recognize the significance of the depositional environment. In such a geologic setting, there are no regional barriers due to a multitude of geologic factors. The fact that no barrier does exist is validated by the geologic data; this system has high vertical and lateral porosity and permeability. Therefore, the AECOM conclusions are contrary to the geologic setting and the available data.

All data must be honoured and not simply that which is claimed to support a claimed "barrier." As detailed in the expert reports, the data collectively and overwhelmingly demonstrates vertical continuity. This conclusion is clear based on the evidence which AECOM ignores, including:

- The indications of interbedded oxidized and unoxidized sandstone in the wells, implying fracturing with Paskapoo formation which would permit water communication.
- The observed disparity in local acreage water well flow rates, which is associated with and often attributed to fractured conditions which would permit water communication.
- The HTA notes significant seasonal changes in water temperature. Groundwater is typically stabilized at 6 to 7 degrees C and not subject to seasonal changes in temperature unless in direct connection with ambient air temperatures
- The HTA notes the presence of heavy hydrocarbons in the groundwater. This would be unexpected absent hydraulic connection.

Provincial guidelines require a minimum of 5 meters of massive undisturbed, unfractured fine-grained material to insulate groundwater, a standard necessary to protect human health. AECOM's own data conclusively demonstrates that no such unit is present at the pit site.

There is also a cluster of groundwater wells contiguous to the proposed mine that draw on the Paskapoo for drinking water and their daily needs. These wells inevitably will create a pressure sink and sub surface fluids like water will flow from high to low pressure. AECOM makes no mention whatsoever of this obvious impact.

Vertical hydraulic continuity in this area is well understood. AECOM makes no mention of known contamination emanating from the Spyhill landfill site that was open and notorious.<sup>18</sup> Over the 30-year life of a pit, the same can be expected at the Scott Property. Contaminants will flow into the domestic use aquifer.

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<sup>18</sup> "City reassesses risks near old landfill", Calgary Herald, May 9, 2009.

It is a physical impossibility to excavate a pit as envisioned in this setting and not permanently impact groundwater quality and groundwater levels both locally and regionally. The Proponent seems to acknowledge this by its statement that its pit must be “dewatered.” While they will need to dewater their pit, the source of that water will be groundwater in an interconnected and extensive system that will result in dewatering and significant impacts to the surrounding community.

The Lehigh Hanson pit will permanently lower the water table in this area in violation of Sec. 8.3.15 of the Bearspaw Area Structure Plan. Once the incorrect claims of a “barrier” are acknowledged, this result, in the opinion of Dr. Zaghloul, is inevitable.

Importantly, an alluvial aquifer exists in the Paskapoo formation beneath the Scott Property.<sup>19</sup> The sand and gravel aquifer is in direct hydrodynamic communication with the underlying domestic use aquifer, and excavation will permanently impact groundwater quality and water table levels. Approval of the Scott Property application would therefore be in violation of mandatory requirement of Sec. 7.16 of the County Plan, which states that “Development shall be planned, designed, and constructed to protect alluvial aquifers”. Council can only adhere to this mandatory requirement by rejecting this application and directing aggregate extraction operations to other locations in the County.

Dr. Burton’s findings (see Appendix B) reinforce those of Dr. Zaghloul. Dr. Burton finds that the proposed development poses a significant and unacceptable risk to cause adverse and irreversible impacts to the community and to residential properties through contamination of groundwater and permanently lowering the water table.

Dr. Burton confirms that the proposal to mine gravel from the “Tertiary Sand and Gravel Aquifer” (as defined by the Proponent) will directly impact the hydrogeologic system and cause a permanent reduction in the water table in the area, in stark violation of the Bearspaw Area Structure Plan. The Proponent’s mine will have negative impacts on domestic water supply wells, wetlands, creeks and rivers upon and outside of the proposed development area.

Technical reports submitted by the Proponent fail to address the significant and unacceptable risks of the proposed project. Dr. Burton finds that the AECOM report lacks technical credibility in its failure to accurately describe basic geological materials, assign rocks and sediments to their correct geological periods, follow logging and core description protocols and adhere to standard CSA and ASTM professional standards. It should not be relied upon.

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<sup>19</sup> Chen, Grasby, Hamblin and Xiu, 2007, Paskapoo Groundwater Study, Part II: Sandstone thickness and porosity estimations using well log data for the aquifer system in the Tertiary Paskapoo Formation, Alberta: GSC OF 5445: “The Paskapoo Formation of southern Alberta is an extensive Tertiary fluvial/alluvial complex covering over 10,000 km<sup>2</sup>”.

The Proponent's aquifer protection strategy, and hydrogeologic model for the property, are based on the false assumption of an aquitard/caprock separating overlying sand and gravel deposits from the underlying regionally extensive and crucial Paskapoo Formation aquifer. Such a sealing unit does not exist, is contrary to the data, and is incompatible with the depositional environment.

The Hydrogeology Study Area focuses only on the proposed development area and does not address potential impacts to the surrounding community or the regional groundwater system. The hydrogeologic system was not considered as a regionally interconnected system, which is required for a proper analysis.

The consequences of improperly assessing the broad range of potential risks could have catastrophic impact on the local community and the regionally crucial Paskapoo Formation groundwater system. The impacts to groundwater are very real, cannot be mitigated and can be summarized as follows:

- Direct contamination pathway to the Paskapoo which Landowners use for their domestic use (including the potential for contamination by using calcium chloride for dust suppression in the pit);
- Permanently lowering the water table, impacting water supply for those using wells, in direct violation of Bearspaw Area Structure Plan Sec. 8.3.15, which requires that "No extractive industrial operation shall be conducted in such a manner as to permanently lower the water table of surrounding inhabited properties."
- Permanent regional dewatering of wetlands across a broader area.

Unsupported assertions are not acceptable when human health is at stake. The groundwater studies provided by the Proponent do not address the objections raised in 2010 that caused the proposal to fail in Council. The experts strongly recommend that the Lehigh Hanson application be rejected now and forever as it presents unacceptable risks to the health of local residents and will result in regional impacts that cannot be mitigated.

### **The MSDP Does Not Meet Legal and Regulatory Requirements**

Lehigh Hanson has not complied with legal and regulatory requirements in relation to groundwater. Deficiencies are detailed in Sec. 3.4, and include, but are not limited to:

- Rocky View County Plan (Bylaw C-7280-20130) Sec. 5.0, 5.8, 7.0, 7.13, 7.16, 15.1, 29.8
- Bearspaw Areas Structure Plan Sec. 6.5, 8.3.15, 8.3.21, 8.6.5
- South Saskatchewan Regional Plan Sec. 8.15
- Koebisch v Rocky View (County), 2019 ABQB 508, Decision at [101]
- Rocky View Land Use Bylaw C-8000-2020 Sec 104/204 and County Policy 419/420
- Nose Creek Watershed Water Management Plan Sec. 6.4.3.b

The application must be rejected based on regulatory non-compliance.

## 2.2 Surface Water will be Irreversibly Harmed by the Proposed Pit

### Reference:

Appendix A: Expert Groundwater Report – Dr. Essam Zaghoul, Ph.D.

Appendix B: Expert Groundwater Report – Dr. Bradford R. Burton, Ph.D.

Appendix C: Expert Surface Water Report – Robert Best, M.Sc., P.Biol., R.P.Bio.

Appendix F: Expert Cumulative Effects Report – Peter S Jalkotzy, P.Biol., EP(EM)

### Landowners Have Justifiable Concerns About Surface Water

The proposed Scott Property project will be destructive to wetlands and drainage courses both on the property and in surrounding areas, and will have broader regional impacts. The subject section of land is identified by the County and the Province as being an environmentally significant area, because it falls under RVC's Riparian Policy Area, it has a slope greater than 15%, and it has a high water table. The Scott Property's riparian areas are tributaries of Nose Creek (a fish bearing stream), and water flows down the property's steep slope to eventually feed the Bow River.

"Whenever a mine is operated below the water table, water inflow occurs from the surrounding layers towards the mining excavation."<sup>20</sup> The sloped location of the Scott Property, at the edge of Symons Valley, means that when mining breaches the underlying aquifers, groundwater from a widespread area will seek to flow to and through the pit, leading to dewatering of the surrounding area to the detriment of residents and wildlife. This will be the geological equivalent of pulling the plug from a bathtub, with no ability to replace that water.

Ground and surface water at Scott Property is an interconnected system (surface to aquifer) in hydrodynamic continuity. There will be a regional impact affecting the water table throughout the area, affecting the presence of surface water. There is a direct pathway for contaminants created by the mine into the drinking water aquifer, and water inevitably will drain into the water shed and thus introduce contaminants into the Bow River.

The application includes the destruction of 48 wetlands on the property as well as the disruption of surface and sub-surface drainage patterns. Given the established interconnectivity between surface waterbodies and water courses, and between surface and groundwater at the site, landowners are concerned that the project could have far reaching impacts that have not been adequately assessed.

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<sup>20</sup> Prediction of groundwater inflow and height of the seepage face in a deep open pit mine using numerical finite element model and analytical solutions, Aryafar et al., 2007

### **Expert Evidence Validates Landowner Concerns and Refutes the MSDP**

Expert evidence provided by Mr. Robert Best, Aquatic Biologist with Integrated Sustainability, finds that the documentation and analysis provided by the Proponent is deficient and inadequate.

The boundary of the Phase 1 Environmental Site Assessment investigation, completed in 2008 (and relied on for this application), encompassed only approximately 50% of the current proposed project site. A Wetland Assessment and Impact Report (WAIR) was prepared and submitted to Lehigh Hanson to support the Water Act wetland application; this was not made available to the public.

The Wetland Technical Assessment report (AECOM 2020b) does not consider any potential impacts (either direct or indirect) to fish or fish habitat, and does not include any discussion of required mitigation measures to address potential impacts.

Impacts to fish habitat may include, but are not limited to, a reduction in the downstream flow from the Scott Property Project (SPP) site, potential reductions in groundwater contributions to the SPP site and offsite tributaries to West Nose Creek (a fish bearing stream), a change in timing of downstream flows, geochemical changes in water due to increased exposure of groundwater that may impact sensitive fish species, and potential changes in nutrient cycling through the removal of 48 wetlands. Dr. Burton's findings confirm that "the Proponent's MSDP will have negative impacts to domestic water supply wells, wetlands, creeks and rivers upon and outside of the proposed development area."

Mr. Best finds that insufficient work has been completed, and a lack of evidence has been provided by Lehigh Hanson, to reliably consider all potential impacts to fish and fish habitat. Throughout the review of the technical documents on the SPP website, the discussion of the potential impacts (both direct and indirect) to fish and fish habitat, are for all intents and purposes, absent. Fish and fish habitat were not included as a valued component in the cumulative effects assessment and were therefore not considered or discussed in the assessment of potential project effects. This exclusion was based on an incorrect and oversimplified interpretation of fish habitat that should not be used to characterize the project and, in Mr. Best's opinion, demonstrates a lack of understanding of what contributes to fish habitat.

This incomplete assessment by Lehigh Hanson does not provide stakeholders, nor provincial and federal regulatory bodies, an opportunity to consider the full potential impacts of the project and does not consider the federal *Fisheries Act* definition of fish habitat. Mr. Best's opinion is that Fisheries and Oceans Canada would consider the level of assessment of fish and fish habitat (both direct and indirect) functionally incomplete, and that if the level of assessment of fish and fish habitat is considered functionally incomplete, it follows that stakeholder consultation and public engagement are also functionally incomplete.

The potential for residual adverse cumulative effects on wetlands and ephemeral waterbodies were deemed by the Proponent to be minor and did not warrant the development of a specific cumulative effects follow-up program, based on the findings in

the cumulative effects assessment and absence of known foreseeable future physical activities within the West Nose Creek watershed. The assertion of an absence of known foreseeable future physical activities is contradicted based on:

- the municipal development plans reviewed by the authors of the CEA
- the CEA authors understanding of the historical trend of development in the SPP area over the past 20 years
- the City of Calgary's northwest and Rocky View County continued trend of development and expansion in the foreseeable future
- the CEA's acknowledgement that residential development and agricultural activities have the potential to impact wetlands within the West Nose Creek Watershed even further through loss of wetland area, change in surface water drainage pattern, change in water quantity, loss of surface water quantity and alternation of surface water quality.

It is Mr. Best's expert recommendation to Rocky View County that the proposed land use change application not be approved, given that a full assessment of the potential impacts has not been adequately conducted. Lehigh Hanson has failed to adequately describe, assess, and consider the potential risks their proposed project activities pose to surface water and groundwater resources, including both the direct and indirect potential impacts to fish and fish habitat. Therefore, as potential impacts have not been adequately described, stakeholder consultation completed by Lehigh should be considered both incomplete and uninformed.

### **The MSDP Does Not Meet Legal and Regulatory Requirements**

Lehigh Hanson has not complied with legal and regulatory requirements in relation to surface water. Deficiencies are detailed in Sec. 3.4, and include, but are not limited to:

- Rocky View County Plan (Bylaw C-7280-20130) Sec. 2.2, 7.0, 7.13, 7.16, 15.1, 29.8
- Bearspaw Areas Structure Plan Sec. 6.5, 8.3.21, 8.6.5
- South Saskatchewan Regional Plan Sec. 8.15
- Alberta Municipal Government Act Sec. 3.a.1
- Alberta Environment Code of Practice for Pits Section 8.2
- Rocky View Land Use Bylaw C-8000-2020 Sec. 104/204
- Rocky View County Policy 419
- Nose Creek Watershed Water Management Plan Sec. 6.4.3.b
- Canada Fisheries Act Sec 36(3)
- Koebisch v Rocky View (County), 2019 ABQB 508, Decision at [101]

The application must be rejected based on regulatory non-compliance.

## 2.3 Noise will Impact Health and Alter Adjacent Rural Residential Character

### Landowners Have Justifiable Concerns About Noise

Noise is one of the most widespread negative impacts that any gravel pit imposes upon surrounding areas. The risk is acute for those residents nearest the proposed pit, who will be exposed to levels of noise considered damaging by Health Canada for prolonged periods. Residents over a larger area will also be subjected to health impacts: continued exposure to noise at the levels proposed in the application has been demonstrated to cause stress, reduced concentration, fatigue, cognitive impairment, cardiovascular disease and high blood pressure. Individuals subjected to prolonged environmental noise are at elevated risk of psychological stress and heart attack.

This has not been addressed by the Applicant in the MSDP, nor by their technical contractor in the acoustic assessment. Critical data has been omitted, information about machinery in operation and extended periods of noise limit exceedances during multi-year and multi-phase site preparation has not been disclosed. The noise assessment is so fundamentally deficient that it does not allow for Council or the public to properly evaluate impacts, and must be discarded.

In a country residential setting like Bearspaw, where ambient sound levels are low, the noise imposed by a gravel pit would fundamentally damage the nature of the area and the quality of life of the roughly one-in-ten Rocky View residents who have chosen to make this area home. The Applicant proposes to operate at noise levels 20 dB higher than existing ambient levels – this would represent a *quadrupling* of perceived noise at nearby residences. It is certain that excessive noise created by a Scott Property will negatively impact and substantially alter the rural residential character of the adjacent lands, in direct violation of Section 8.3.21 of the Bearspaw Area Structure Plan.

### Expert Evidence Validates Landowner Concerns and Refutes the MSDP

The quality and nature of the analysis completed by SLR and summarised in the MSDP is wholly inadequate and the conclusions presented are inaccurate. The assessment cannot be relied upon in making a determination of the noise impacts to the neighboring properties from the proposed Scott Property operation.

SLR fails to discuss the human health impacts of prolonged exposure to noise that a gravel operation would generate. The operation will subject Rocky View residents to decades of consistent noise at damaging levels, including regular impulsive, highly impulsive and high-energy impulsive types of noise as defined by Health Canada.

- Residents in the closest properties to the pit may be exposed to noise levels at which hearing damage can occur. These residents may be forced to wear hearing protection when in their own yards.



- There is overwhelming evidence that exposure to prolonged noise has adverse effects on the population.<sup>21</sup> Continued exposure to noise at the levels proposed in the application has been demonstrated to cause stress, reduced concentration, fatigue, cognitive impairment, cardiovascular disease and high blood pressure. Individuals subjected to prolonged environmental noise are at elevated risk of psychological stress and heart attack.
- The World Health Organization recommends that daytime noise limits for wind turbines (which like gravel pits, operate for prolonged periods in rural settings) should be below 45db to limit mental health and quality of life impacts. This health guideline is far below the 55db proposed by the Applicant.

The noise impacts of the proposed project are significantly magnified in relation to the Proponent's 1994 and 2010 applications, which were rejected. Impacts are magnified because the surrounding country residential population has increased by a factor of four since 1994, and because Lehigh Hanson is proposing to increase noise generation and reduce noise mitigation efforts relative to their prior proposals.

In fact, they have regressed significantly in relation to their prior two rejected applications for Scott Property. In 1994, the Proponent committed to enclosing the crusher in housing: "A custom-designed noise-shielding enclosure on the gravel crushing machinery will provide highly effective noise attenuation. An enclosure will be custom designed by Atco Noise Management for use on this site."<sup>22</sup>

In 2010, the Proponent committed to absolutely no on-site crushing, screening, washing or other processing of aggregate material.<sup>23</sup> They now propose to use a conveyor system which will require operation of a jaw crusher to break rocks to a diameter suitable for the conveyor. This would dramatically increase the noise impacts and undermine the character of the adjacent rural residential area.

The application now proposes the loudest and most intrusive operation, yet somehow claims that noise levels will not increase relative to prior applications:

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<sup>21</sup> **Australian Academy of Science:** [www.science.org.au/curious/earth-environment/health-effects-environmental-noise-pollution](http://www.science.org.au/curious/earth-environment/health-effects-environmental-noise-pollution)

**University of British Columbia:** [srs.ubc.ca/health-safety/occupational-hygiene/occupational-hazards/noise-hazards/](http://srs.ubc.ca/health-safety/occupational-hygiene/occupational-hazards/noise-hazards/)

**Government of Quebec:** [www.quebec.ca/en/health/advice-and-prevention/health-and-environment/the-effects-of-environmental-noise-on-health/effects-of-environmental-noise-on-physical-health/](http://www.quebec.ca/en/health/advice-and-prevention/health-and-environment/the-effects-of-environmental-noise-on-health/effects-of-environmental-noise-on-physical-health/)

**World Health Organization:** [https://www.euro.who.int/\\_\\_data/assets/pdf\\_file/0008/383921/noise-guidelines-eng.pdf](https://www.euro.who.int/__data/assets/pdf_file/0008/383921/noise-guidelines-eng.pdf)

<sup>22</sup> Proposed Scott Gravel Extraction Operation: Land Use Redesignation, Submitted by Consolidated Aggregates and Walker Brown Urban Consultants, September 1994, p. 22 and Appendix 3.

<sup>23</sup> Inland Aggregate Extraction Presentation to Rocky View Council, Public Hearing, January 26, 2010, p. 11

- The 1994 application proposed 55 dB with fully housed crushing<sup>24</sup>
- The 2010 application proposed 57 dB with no onsite crushing at all<sup>25</sup>
- The 2020 application proposes 55 dB despite onsite jaw crushing, dumping rocks onto a conveyor, possible blasting and reduced setback distances.

This inconsistency defies belief and should not be relied upon by Council.

The sound propagation modeling completed by SLR, and that which Lehigh Hanson includes in its MSDP, does not include blasting within its primary scenario modeling. The blasting is included as a scenario in Appendix D of the SLR report “for informational purposes”, yet the Applicant may use blasting in its operations for the extraction of materials. This renders the analysis and modeling completed by SLR deficient and it should be disregarded as a result.

SLR states that “sound emissions are expected to be negligible at any residential receptor location in the area.” This statement is not corroborated by any analysis or verification and should be discarded.

Microphones and weather sensors were raised to 1.5 meters above ground and measured continuously from the time of deployment to collection. The microphones were not located at heights equivalent to the receptors’ top floors and would be impacted by ground surface conditions such as trees and landscaping. Furthermore, the Bearspaw region is an area that has significant changes in elevation across the region; there are homes in immediate proximity to Scott Property that sit above elevations of the proposed berms for the gravel pit. The predictive modeling performed by SLR does not properly consider the noise impacts to the receptors who will be positioned much higher than the proposed berms. The modeled impacts are therefore understated and cannot be relied upon.

The cumulative effects analysis included in the SLR report is entirely deficient:

- The SLR report states “There are no proposed gravel pits with a development permit that have the potential to add to the sound contributions from the Project operations at the assessed noise sensitive receptors”, which seems to entirely ignore known expansion plans at the adjacent Burnco and STAR pits.
- Impacts have only been assessed at the receptors at the site boundary, and no effort appears to have been made to quantify impacts (current or future) at locations beyond the site boundary (e.g., Meadow Drive). Calculations indicate that these areas between the STAR and Scott pits will see an increase in noise above the ‘no net increase’ levels.

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<sup>24</sup> Proposed Scott Gravel Extraction Operation: Land Use Redesignation, Submitted by Consolidated Aggregates and Walker Brown Urban Consultants, September 1994, p. 23

<sup>25</sup> Rocky View Planning & Community Services, File 06605001/002/003/004/005, p. 8

As the SLR report makes clear, ambient sound levels at the Scott Property are low, as it is in a natural rural environment. Ambient sound levels are reported at 34-39 dB, including 36 dB at Crestview Estates. The Applicant proposes to operate at noise levels of 55dB, or roughly 20dB higher than existing ambient levels. Humans with normal hearing will perceive a 10 dB increase in sound as twice as loud, so the Proponent's 20 dB increase will represent a *quadrupling* of perceived noise at nearby residences. This will fundamentally and negatively impact the rural residential character of the adjacent lands.

The Proponent seeks to anchor to urban noise guidelines that are inappropriate for a rural country residential setting. The superior and widely accepted approach is to limit the noise impact of a proposed development to a 5 dBA increase above ambient sound levels. Adaptations of this method are the foundation of many noise ordinances, bylaws, and guidelines including the Alberta Energy Regulator Directive 038 Noise Control and the Alberta Utilities Commission Rule 012, Noise Control. Applying this technique in the quiet country residential environment of Scott Property would rightly reduce permissible sound levels in the order of 15 dBA below what the SLR report suggests is appropriate. With such an approach, predicted sound levels during excavation, crushing, conveying and reclamation would significantly exceed acceptable limits at the surrounding residences.

Finally, the Proponent states that even the excessive 55 dB limit will be breached. "Lehigh acknowledges that the maximum noise generation thresholds may be exceeded during the preliminary site preparation and commencement of the initial phase of aggregate operations". No details about of exceedance are provided, even though initial site preparation is expected to last for several years, and operations will occur at or near existing grades as each phase of the project is initiated.

The noise created by the proposed industrial operation will unduly negatively impact and substantially alter the rural residential character of adjacent lands and will threaten the health of nearby residents. The evidence presented by landowners demonstrate conclusively the harmful impact of noise. But in any event, in matters of human health, the precautionary principle again must apply. These omissions present unacceptable risk, and the application must be rejected on this basis.

### **The MSDP Does Not Meet Legal and Regulatory Requirements**

Lehigh Hanson has not complied with legal and regulatory requirements in relation to noise. Deficiencies are detailed in Sec. 3.4, and include, but are not limited to:

- Rocky View County Plan (Bylaw C-7280-20130) Sec. 1.0, 5.0, 5.8, 15.1, 29.8
- Bearspaw Areas Structure Plan Sec. 7.1.3, 8.3.21
- South Saskatchewan Regional Plan Sec. 8.11, 8.12, 8.15
- Alberta Municipal Government Act Sec. 3.a.1
- *Koebisch v Rocky View (County)*, 2019 ABQB 508, Decision at [101]

The application must be rejected based on regulatory non-compliance.

## 2.4 Air Quality Deterioration Poses an Unacceptable Risk to Human Health

### Reference

Appendix D: Expert Air Quality Report – Dennis French, CIEC, CRMI

Appendix G: Lehigh Hanson Safety Data Sheet

Appendix H: ASGA Silica & Dust Exposure Control Handbook

### Landowners Have Justifiable Concerns About Air Quality and Silica Exposure

Gravel dust contains crystalline silica, a known carcinogen. Prolonged or repeated inhalation of respirable crystalline silica released from gravel during extraction, crushing and transporting, can cause silicosis, and may cause cancer. Silica cannot be expelled by the body, which reacts to the presence of silica in similar ways to the presence of asbestos. The effect in the lungs is cumulative and incurable, and is particularly damaging to children.

Residents in the area of Scott Property will be subjected to prolonged and repeated inhalation of this deadly dust over the roughly 30-year operating life of the proposed pit. Respirable dust can travel several kilometers with only very modest winds<sup>26</sup>, impacting thousands of Rocky View citizens (including school children immediately nearby), and compounding the cumulative effects of dust created by other pits in the area. In matters of human health, the precautionary principle must apply, and the application must be rejected.

### Expert Evidence Validates Landowner Concerns and Refutes the MSDP

The dangers of gravel dust are well understood<sup>27</sup>. Section 2.3 of The Alberta Sand & Gravel Association's *Silica & Dust Exposure Control Handbook* (see excerpt in Appendix H) describes the health effects of silica exposure as follows:

*"The primary disease caused by inhalation of respirable crystalline silica is Silicosis. When a crystalline silica particle of respirable size is inhaled, it may become deposited in the alveoli, where it becomes lodged and cannot be expelled by the lung's defense*

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<sup>26</sup> In winds of 10km/h, 5-micron particles travel 7.2km.

See <https://www.nosilicadust.com/how-far-can-respirable-dust-actually-travel/>.

<sup>27</sup> **Health Canada:** <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/environmental-contaminants>

**Ontario Gravel Watch:** <http://gravelwatch.org/air-quality-health/>

**The Center for Construction Research and Training:** <https://www.silica-safe.org/know-the-hazard/what-are-the-health-effects/signs-symptoms>

**Occupational Safety & Health Administration:** <https://www.osha.gov/Publications/osh3176.html>

*mechanisms. Upon deposition, the sharp edges of the crystal particle make micro-fine cuts in the delicate side wall tissue of the alveoli.*

*In response to the cuts in the alveoli, the lung's healing process creates scar tissue at the site of the wound. The scar tissue forms as a small ball of hard, dense material called a fibrotic nodule. The lungs will continue to wrap the silica particles in scar tissue, and this process continues even if exposure to silica stops. The progression of scar nodule formation, as more silica particles are inhaled and deposited, results in a condition called Fibrosis.*

*Scar tissue in the lungs cannot respire gases in or out of the blood. In other words, it cannot pass oxygen into the body nor expel carbon dioxide. Over many years the lungs lose respiratory capacity as the scar tissue progression begins to take over healthy lung tissue with fibrotic nodules. The lungs also lose their natural elasticity (scar tissue is inflexible) and the normal expansion and contraction of the lungs through breathing becomes difficult.*

*The end result is shortness of breath, even at rest, and painful breathing. In severe cases, there is early death from cardiac failure due to lack of oxygen.*

*Silicosis is IRREVERSIBLE – the lungs cannot remove or regenerate scar tissue nodules into healthy tissue again. There is no medical treatment or procedure which can reverse this condition.”*

**Figure 10: Silica Diseased Lung (Source: Alberta Sand & Gravel Association)**



*Healthy Lung – Note the dense spongy tissue; these are the deep lung areas where the fine air passages (alveoli) are, and where the silica crystals become lodged.*



*Silica Diseased Lung – The alveoli have been overtaken by silica-induced fibrotic nodules (in this case, a coal miner's lung; the black coloration is from coal dust containing silica)*

There is no cure for silicosis, but it is 100% preventable. The three types of silicosis are:

- *Chronic silicosis*, which usually occurs after 10 or more years of exposure to crystalline silica at relatively low concentrations;
- *Accelerated silicosis*, which results from exposure to high concentrations of crystalline silica and develops 5 to 10 years after the initial exposure; and
- *Acute silicosis*, which occurs where exposure concentrations are the highest and can cause symptoms to develop within a few weeks to 4 or 5 years after the initial exposure.

Silica and other dusts also cause Chronic Obstructive Pulmonary Disease (COPD). COPD includes chronic bronchitis, emphysema, bronchiectasis, and chronic airway obstruction. In addition, silica exposure has been linked to other illnesses including lung cancer and kidney disease.

Symptoms from both silicosis and COPD may not be obvious and can initially include shortness of breath, chest pain, or a persistent cough. Silicosis and COPD can be severe enough to cause respiratory failure, which may eventually lead to death. Harvard University has published a paper finding that higher PM2.5 exposures are associated with higher COVID-19 mortality rates.<sup>28</sup>

The dangers of gravel dust are well known to the Proponent. Lehigh Hanson's Safety Data Sheet on Sand and Gravel (see Appendix G) states that, under the Globally Harmonized System (GHS) of Classification and Labelling of Chemicals, gravel dust is identified as containing the following hazards:

- Carcinogenicity – Category 1A
- Specific Target Organ Toxicity – Category 2
- Skin Corrosion/Irritant – Category 2
- Eye Damage/Irritation – Category 2A

The document identifies the most important symptoms/effects (acute and delayed) as: "Inhaling dust may cause discomfort in the chest, shortness of breath, and coughing. Prolonged inhalation may cause chronic health effects. This product contains crystalline silica. Prolonged or repeated inhalation of respirable crystalline silica liberated from this product can cause silicosis and may cause cancer."

Lehigh Hanson's Safety Data Sheet on Sand and Gravel notes that "repeated inhalation of respirable crystalline silica (quartz) may cause lung cancer according to the IARC (International Agency for Research on Cancer) and the NTP (National Toxicology Program

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<sup>28</sup> Wu, X., Nethery, R. C., Sabath, M. B., Braun, D. and Dominici, F., 2020. Air pollution and COVID-19 mortality in the United States: Strengths and limitations of an ecological regression analysis. *Science advances*, 6(45), p.eabd4049.

within the US Department of Health and Human Services); ACGIH (The American Conference of Governmental Industrial Hygienists) states that it is a suspected cause of cancer.”

Despite these dangers being well understood by the industry in general, and by the Applicant in particular, they are either dismissed or ignored entirely in the MSDP. This is an unacceptable deficiency in a matter that directly impacts the health of Rocky View residents.

The MSDP relies on AECOM’s Air Dispersion Modelling Assessment, which indicates that small particulate matter generated by the proposed project will be at dangerous levels for residents of Crestview Estates. Modelling indicates an exceedance of Alberta ambient air quality objectives (AAAQO) and/or Alberta ambient air quality guidelines (AAAQG) at the maximum point of impingement for:

- Total suspended particulate (TSP) 24-hour average predicted concentrations during summer operations.
- PM10 24-hour average predicted concentrations during summer operations.
- PM2.5 1-hour average predicted concentrations during summer operations.

The modelling indicates that but for an assumed 25% reduction to account for the mitigating influences of vegetation, the project will cause an exceedance of AAQO and AAQG standards at Crestview Estates for:

- Total suspended particulate (TSP) 24-hour average predicted concentrations during summer operations.
- PM10 24-hour average predicted concentrations during summer operations.
- PM2.5 24-hour average predicted concentrations during summer operations.
- PM2.5 1-hour average predicted concentrations during summer operations.

Further, the methodologies used in the MSDP and in AECOM’s Air Dispersion Modelling Assessment are wholly inadequate and do not provide an accurate assessment of the likely air quality and health impacts resulting from dust dispersion in areas surrounding the Scott Property:

- The conclusions in AECOM’s ADMA are based on a receptor grid which did not include sensitive receptors in nearby neighbourhoods like Church Ranches, Silverwoods, Harvey Hills, etc., where there is a significant risk of exposure to particulate matter. Only two sensitive receptors were placed adjacent to residences in Crestview Estates. No other receptors were placed in any Bearspaw or adjacent City of Calgary residential neighbourhoods.
- The report states, “It is acknowledged that there are additional residences in the area that could be considered sensitive receptors. In particular, additional receptors could have been chosen south, east and north of the property boundary.” Why were these areas not included in the study, given their immediate proximity to the

proposed open pit gravel mine? An adverse inference might be that the data would not be helpful to the Proponent's position.

- AECOM has used average pit depths of 25 meters to do fugitive dust calculations, which will significantly underestimate particulate when operations are near the surface, likely for several years while ground is scraped, and initial mining operations commence in each block.

Lehigh Hanson has provided incomplete information about the impacts on human health. Air quality expert Dennis French (see Appendix D) has reviewed the Proponent's application and technical reports, and states that:

- The limited selection of sensitive receptor locations is "deficient" and "does not effectively account for varied wind conditions and as well does not accurately represent the residential aspects in a closer proximity from the processing facility."
- "Silica is a small particulate fraction that falls within the 2.5-micron size but also has its own distinct Health considerations and should be considered separately and monitored separately from general PM 2.5. There does not appear to be any specific reference to verification or analysis of the Silica separated for the general PM 2.5. Silica is a known Carcinogen and is a known lung hazard and due to the chronic and cumulative nature of this particle must be individually assessed and monitored, which is lacking in the ADMA proposal."
- "The obvious health impact has not even (been) acknowledged."
- "There are gaps and omissions in the reporting that could lead to inadvertent risk to the neighboring communities and its residents. The ADMA does not accurately assess the immediate resident health risk for short term and chronic/accumulated exposure to known Carcinogens and Respiratory Hazards."
- "The ADMA and Supplemental Air Quality report (are) deemed flawed and not reliable."

Rocky View Council cannot gamble with the health of its residents, and cannot approve an application that will have real, foreseeable and permanent impacts on human health.

The precautionary principle must at the forefront of Council's decision. According to the Interdepartmental Liaison Group on Risk Assessment in the UK<sup>29</sup>, the precautionary principle is forward looking and applied proactively, "to create an impetus to take a decision notwithstanding scientific uncertainty about the nature and extent of the risk, i.e. to avoid 'paralysis by analysis' by removing excuses for inaction on the grounds of scientific uncertainty. The precautionary principle should be invoked when: i. there is good reason, based on empirical evidence or plausible causal hypothesis, to believe that harmful effects might occur, even if the likelihood of harm is remote; and ii. a scientific evaluation of the consequences and likelihoods reveals such uncertainty that it is

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<sup>29</sup> International Forensic & Litigation Appraisal Services Inc. Research paper, April 24, 2020, p.71  
<https://intval.com/flyrock-and-other-impacts-from-quarry-blasting-operations/>



impossible to assess the risk with sufficient confidence to inform decision-making". The author states that "a lack of scientific certainty in addressing potential non-trivial adverse environmental (and potentially catastrophic) impacts and the threat of harm to human, animal and plant life is not a reasonable basis for issuing an aggregate licence (or permit) to permit a quarry operation."

**The MSDP Does Not Meet Legal and Regulatory Requirements**

Lehigh Hanson has not complied with legal and regulatory requirements in relation to air quality, dust and human health. Deficiencies are detailed in Sec. 3.4, and include, but are not limited to:

- Rocky View County Plan (Bylaw C-7280-20130) Sec. 1.0, 5.0, 5.8, 7.0, 15.1, 24, 29.8
- Bearspaw Areas Structure Plan Sec. 7.1.3, 8.3.21
- South Saskatchewan Regional Plan Sec. 8.11, 8.12, 8.15
- Alberta Municipal Government Act Sec. 3.a.1
- Koebisch v Rocky View (County), 2019 ABQB 508, Decision at [101]

The application must be rejected based on regulatory non-compliance.

## 2.5 Economic Impacts are Negative, Transferring Wealth from RVC to Lehigh

### Reference:

Appendix E: Expert Economics Report – Dr. Matthew Ayres, Ph.D.

### Landowners Have Justifiable Economic Concerns

Research is widely available that indicates gravel pits are “disamenities” that have significant, detrimental impacts on property prices across a widespread area (5+ km radius). More than 3,800 Rocky View residents live within 5km of the Scott Property, representing nearly one-tenth of the total County population, and almost 70% of Bears paw residents. Collectively, these residents stand to lose hundreds of millions of dollars in property value, while the County stands to lose tens of millions in residential property tax over the life of the project.

The proposed pit will provide negative financial benefit to the County and will devastate the personal finances of nearly one-in-ten County residents. Council is being asked to authorize a dramatically imbalanced wealth transfer from the County and its residents to Lehigh Hanson; this cannot be allowed to occur.

### Expert Evidence Validates Landowner Concerns and Refutes the MSDP

Expert evidence has been provided by Dr. Matthew Ayres, Adjunct Assistant Professor in the Department of Economics and Executive fellow at the School of Public Policy at the University of Calgary. His detailed report is provided in Appendix E. Dr. Ayres’ opinion is that overall, the economic analysis presented in the proposal does not adequately assess the costs and benefits likely associated with the proposed Scott Pit. As set out in this section and in his attached report, in a number of key areas the assessment is either deficient or entirely absent. Further, expert opinion is that the costs of this project may overwhelm potential benefits.

The MSDP claims economic benefit based on a report prepared by Nichols Applied Management. The report has been withheld from the public and has not been provided upon request to both Lehigh Hanson and Rocky View County. An economic study that is not produced yet apparently relied on is unacceptable, providing stakeholders no ability to question the Proponent on their economic assertions which, as Dr. Ayres concludes, are fundamentally flawed.

The Proponent states that the Nichols report “was prepared in support of this MSDP”. No reasonable economic analysis should be prepared to “support” a project but should instead be factually based and consider both costs and benefits.

The economic impacts in the proposal are described in three areas: a market analysis, an economic impact and a fiscal analysis. All of these are lacking:

- The market analysis is deficient. It considers only the reserves of aggregate at operating projects. It must consider whether there are alternative sites that could

be developed economically within the required timeframe. No evidence is presented that suggests shortage of alternative sites for aggregate operations.

- The economic impact analysis appears to utilize a method inappropriate to isolating the benefits to Rocky View County. It is also irrelevant - should the Scott Pit not proceed additional developments would occur elsewhere. A similar sized development or developments elsewhere in the Calgary region would appear to have the same regional economic impact. The proposal states that the positive economic impacts would all be felt as “contributions” to Rocky View County. Dr. Ayres finds this implausible both given the method of assessment and the close integration of Rocky View County into the economy of the Calgary region.
- The fiscal analysis is incomplete, focusing only on benefits and not costs. Uncertainty around the primary fiscal benefit, from the Community Aggregate Levy (CAP), is not recognized within the proposal. Further, during the multi-year construction period, property values and associated residential property taxes will decline before any production and associated CAP levy is generated. This has not been addressed in the MSDP.

CAP levy payments are uncertain because a) the maximum rate is not within RVC’s control (and could be reduced) and b) industry is lobbying for levy funds to be limited to specific uses, which may not benefit RVC. The CAP levy represents ~94% of the total fiscal benefit Lehigh Hanson is claiming for the County, and this revenue should be considered uncertain.

The costs associated with development of the Scott Pit on Rocky View County and its residents are not adequately assessed. The proposal does not include a detailed reclamation plan. In the absence of both a detailed reclamation plan and funds set aside for this specific purpose there appears to be a significant and unmitigated cost.

Similarly, the proposal references uncertain mitigation measures. There is no assessment of the risks of mitigants failing nor the economic consequences of such failures. Other studies have indicated risks to groundwater may be associated with significant costs should mitigants fail, and that these impacts extend beyond the property boundary.

The proposal recognizes the proximity of the proposed Scott Pit to existing county residential development. There is no economic assessment of the potential impact of the proposed pit on housing prices in the vicinity of the proposal even though the method for establishing such impacts is well established.

The estimated impact on housing values in Rocky View County within 5 km of the proposed Scott Pit has been calculated by Dr. Ayres, as detailed in Appendix E. This includes a decline in house prices by an average of 10% and \$163m in aggregate. The average predicted house price reduction is \$121,000 and individual property values are estimated to decline by up to 35%.

The Proponent claims that the project will “increase the non-residential tax basis for RVC”<sup>30</sup>, yet ignores the expected reduction in property values and associated residential taxes that would result from a new gravel operation. The calculated property value declines would drive a reduction in residential property taxes to Rocky View County of about \$800,000 per year or \$23 million of the proposed project’s lifetime.

As the table below summarizes, the estimated costs to the County and its residents are significantly larger than the likely benefits of the proposed development.

**Figure 11: Summary of Negative Financial Impact to Rocky View County**

Component	Benefit (Cost) to Rocky View
Property Tax from Scott Property	\$1,350,000
CAP Levy from Scott Property	\$20,000,000
Residential Property Tax Loss	(\$23,212,000)
Monitoring & Enforcement Costs	TBD
<b>Net Cost to Rocky View County</b>	<b>(\$1,862,000)</b>
Residential Property Value Destruction	(\$163,000,000)
Environmental Costs	TBD
<b>Net Cost to Rocky View County &amp; Residents</b>	<b>(\$164,862,000)</b>

Source: Benefits (MSDP); Costs (Dr. Ayres Expert Report, see Appendix E)

Costs to the County and its residents need to be explicitly considered as they may overwhelm any potential benefits. Other costs to the community that are difficult to quantify in dollar terms should also be noted; difficulty in quantifying costs (and benefits) is not sufficient reason to ignore them. For example, the City of Calgary spent at least \$5 million monitoring wells after “toxic chemicals were first detected in water beneath the ground at Spyhill”<sup>31</sup> landfill, which lies along the same formation as Scott Property. How many millions will be incurred by Rocky View to monitor groundwater contamination at Scott Property?

Indeed, Rocky View Council is being asked to approve a fundamentally imbalanced transfer of wealth from the County and its residents to Lehigh Hanson. The Applicant could achieve similar production and generate similar revenue by operating a pit elsewhere in Rocky View County (as many existing and proposed pits successfully do<sup>32</sup>), but seeks to operate a pit in this densely-populated, environmentally sensitive area because it is located close to market and will save trucking costs. Aggregate is a commodity, and Lehigh Hanson is a price-taker; any cost savings they achieve will increase

<sup>30</sup> AECOM Cumulative Effects Assessment, p. 9.

<sup>31</sup> “City reassesses risks near old landfill”, Calgary Herald, May 9, 2009.

<sup>32</sup> See Appendix I – Rocky View County Land Designated for Aggregate Extraction and/or Processing Development

their profits but will not be passed to consumers. Yet to authorize those cost savings, Council is being asked to:

- Degrade the quality of life of one-in-ten RVC residents
- Permanently destroy an environmentally sensitive area
- Gamble the health of its citizens on the risk of poisoned wells and carcinogenic dust
- Transfer \$163 million of wealth from its citizens in the form of property value destruction, and
- Accept a minimum \$1.8 million net negative impact on County finances

All of this, so that a German conglomerate can save trucking costs on a project that will generate profits for shareholders who are not even residents of Rocky View. Courts have reinforced that “it is improper for...risks to be imposed solely on the public...particularly when the private sector earns enviable profits on the harvesting of these non-renewable natural resources”.<sup>33</sup> That is exactly the improper decision the Proponent is asking Council to make: a certain and significant cost to the public on the one hand, to enable enviable profits to a foreign private company on the other.

Canadian regulators have established that “inherent in the concept of balancing benefits and burdens is the recognition that something more is required than simply reviewing the evidence to determine if a project would meet the minimum regulatory requirements, standards, objectives or guidelines”.<sup>34</sup> Where the burdens of a proposed project are imposed upon the public within a given jurisdiction (e.g., Rocky View residents), but the benefits substantively accrue to parties outside that jurisdiction (e.g., Heidelberg Cement Group in Germany), the project cannot be approved. Lehigh Hanson’s Scott Property proposition is so clearly and disproportionately harmful to the County and its citizens that it must be permanently rejected.

### **The MSDP Does Not Meet Legal and Regulatory Requirements**

Lehigh Hanson has not complied with legal and regulatory requirements in relation to economic impacts. Deficiencies are detailed in Sec. 3.4, and include, but are not limited to:

- Rocky View County Plan (Bylaw C-7280-20130) Sec. 1.0, 5.0, 5.8, 15.1
- Bearspaw Areas Structure Plan Sec. 8.3.21
- South Saskatchewan Regional Plan Sec. 8.11, 8.15
- *Koebisch v Rocky View (County)*, 2019 ABQB 508, Decision at [101]

The application must be rejected based on regulatory non-compliance.

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<sup>33</sup> *Sierra Club v. Strock*, United States District Court, Florida, July 13, 2007

<sup>34</sup> National Energy Board Reason for Decision, Sumas Energy 2, Inc. EH-1-2000, March 2004, Sec. 8.1

## **2.6 Reclamation Will be Impossible**

### **Landowners Have Justifiable Concerns About Reclamation**

The proposed project area is an environmentally significant property. It is the location of almost 50 identified wetlands that include the breeding grounds of listed species. It is a riparian protection area, with a steep slope which has high ecological value in drainage flows from the area to Nose Creek, and ultimately the Bow River.

It will not be possible to reclaim this property to equivalent quality land use. Lehigh Hanson will remove tens of millions of tonnes of rock and soil from the property, leaving behind a pit that will require perpetual water management to be funded by Rocky View County and its ratepayers.

Detailed reclamation plans absent from the MSDP, despite being a statutory requirement that cannot be omitted or circumvented with vague indications of possible future intent. Uncertain and unfunded reclamation requirements are dangerous when profits will flow to a foreign parent company and only costly liabilities will remain. This is particularly true for a company that has been fined \$130M for environmental offences in the last 20 years alone, and for a project that is likely to cause damage over a widespread area.<sup>35</sup>

### **Evidence Validates Landowner Concerns and Refutes the MSDP**

Reclamation of the Scott Property site to an equivalent quality land use will not be possible. Lehigh Hanson proposes to mine to depths below the water table in a down dip that drains to Nose Creek. Expert evidence presented in Sections 2.1 and 2.2 demonstrate that water will naturally and unstopably flow into the excavated pit, creating a permanently saturated hole which will require perpetual water management.

This end state will be nothing like the current state of the property, which is aesthetically pleasing, is home to dozens of wetlands and listed species of wildlife, and has high ecological drainage value. Further, the evidence indicates that widespread dewatering could be triggered by excavation of the Scott Property, with the potential to drain wetlands and ponds across a broader area. It will not be possible to reclaim or remediate that loss.

There will be no way to reclaim the Scott Property to anything resembling its current state, and as a result, reclamation plans are lacking in the application. Many references in the MSDP indicate that information will be provided in the future, or at the Development Permit stage. The true impact of the redesignation cannot be assessed without this information, and therefore must be rejected.

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<sup>35</sup> <https://violationtracker.goodjobsfirst.org/parent/heidelbergcement>

Without concrete, funded mitigation and reclamation plans, Rocky View County and its citizens may be exposed based on the corporate structure employed by Lehigh Hanson and its parent company, Heidelberg Cement. Individual gravel pits are often structured as independent legal entities. Profits ultimately flow to the parent company in Germany, while liabilities are contained in the subsidiary company.

In the event of a catastrophic impact caused by a Scott Property gravel pit operation (e.g., poisoning well water, dewatering a large regional area, etc.), any security provided by Lehigh Hanson may be insufficient, and compensation may not be available if the subsidiary company is isolated from the parent. This should not be a risk that Council should impose on its residents and ratepayers.

**Heidelberg Cement acknowledges that contamination is commonly caused by their operations, and that liabilities may not be funded<sup>36</sup>:**

- *“In connection with ongoing operations, several cases of soil and groundwater contamination are also known to HC Group.”*
- *“Significant reclamation, re-cultivation and quarry closure obligations which may not be sufficiently covered by provisions and requirement to maintain financial assurances to meet these obligations.”*

In the United States alone, it has been publicly disclosed that Heidelberg’s associated companies have been assessed US\$132 million in penalties for 661 violations applied in just the past 20 years. More than 94% of the monetary penalties relate to environmental offences.<sup>37</sup>

Each of these points raises concerns about Lehigh Hanson’s ability to reclaim the land to an equivalent quality use. They have made no effort to commit to applying best practices, and the limited proposed mitigations are so deficient that the application must be rejected outright.

### **The MSDP Does Not Meet Legal and Regulatory Requirements**

Lehigh Hanson has not complied with legal and regulatory requirements in relation to reclamation. Deficiencies are detailed in Sec. 3.4, and include, but are not limited to:

- Rocky View County Plan (Bylaw C-7280-20130) Sec. 1.0, 2.2, 5.0, 5.8, 7.0, 7.13, 7.16, 15.1, 29.8
- Bearspaw Areas Structure Plan Sec. 6.5, 7.1.3, 8.3.15, 8.3.21, 8.6.5
- South Saskatchewan Regional Plan Sec. 8.11, 8.12, 8.15
- Alberta Municipal Government Act Sec. 3.a.1

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<sup>36</sup> Heidelberg Cement Medium Term Note Programme Prospectus, April 1, 2020, p. 49/50

<sup>37</sup> <https://violationtracker.goodjobsfirst.org/parent/heidelbergcement>

- Alberta Environment Code of Practice for Pits Section 8.2
- Rocky View Land Use Bylaw C-8000-2020 Sec. 104/204
- Rocky View County Policy 419 and 420
- Nose Creek Watershed Water Management Plan Sec. 6.4.3.b
- Canada Fisheries Act Sec 36(3)
- Koebisch v Rocky View (County), 2019 ABQB 508, Decision at [101]

The application must be rejected based on regulatory non-compliance.



## **2.7 Mitigations are Entirely Ineffective**

### **Landowners Have Justifiable Concerns About the Lack of Mitigation**

A gravel operation at Scott Property will adversely and fundamentally impact the surrounding area. Many of these impacts are unmitigable, and will last for decades or, in some cases, generations.

The Applicant has not demonstrated an attempt to identify and address concerns with fulsome mitigation efforts. Instead, Lehigh Hanson's approach has been to ignore the wellbeing of the community in which it seeks to operate. Its mitigations are so deficient that the application must be rejected outright.

The Rocky View County Plan acknowledges adverse impacts of aggregate mining on existing residents and the environment, and notes that these must be minimized. Minimization is not accomplished by slightly mitigating an overwhelmingly destructive pit in a populated area. Minimization is accomplished by locating aggregate in parts of the county that are not densely populated and are not environmentally significant.

Courts have reinforced that "the ability to cure a problem does not justify its creation" and that "it is improper for...risks to be imposed solely on the public...particularly when the private sector earns enviable profits on the harvesting of these non-renewable natural resources".<sup>38</sup>

As Scott Property is identified by the County as being environmentally significant for three distinct reasons<sup>39</sup>, and as it is located in the most densely populated part of the County, Council must recognize that adverse impacts can only be minimized by rejecting an aggregate operation at this location.

### **Evidence Validates Landowner Concerns and Refutes the MSDP**

Evidence indicates that Lehigh Hanson will not protect the wellbeing of Rocky View or its residents. Lehigh Hanson has not adopted best practices, either as they apply to their own operations in other jurisdictions, or as other operators apply within Rocky View County.

In fact, the Proponent has regressed in its proposed mitigations since the last Scott Property application was refused in 2010, despite the fact that impacts will be greater now given the population growth in the area over the past decade. Lehigh Hanson now proposes to:

- Undertake crushing and screening onsite

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<sup>38</sup> Sierra Club v. Strock, United States District Court, Florida, July 13, 2007

<sup>39</sup> Riparian protection area, high water table, steep slope.

- Increase the active pit operation size from 40 acres to 60 acres
- Increase the operating hours by 21 hours/week
- Ignore prior Rocky View County staff requirements of 300m setbacks from residential dwellings, instead maintaining the prior proposal of 150m from residential property lines (less than 200m from dwellings).

The proposed conveyor system identified by Lehigh Hanson in the current proposal will not address the core issues that were identified in previous applications. The MSDP states that “Lehigh acknowledges the conveyor system is a key operational component intended to mitigate noise, air quality, and traffic safety concerns associated with hauling aggregates”. To the contrary, it will introduce new and significant harm, as the conveyor requires onsite rock crushing, with all associated noise and dust impacts.

Lehigh Hanson has neglected to consider best practices for noise mitigation, despite identifying superior mitigations in their prior proposals. In 1994, the Proponent committed to enclosing the crusher in housing: “A custom-designed noise-shielding enclosure on the grave crushing machinery will provide highly effective noise attenuation. An enclosure will be custom designed by Atco Noise Management for use on this site.”<sup>40</sup> In 2010, the Proponent committed to absolutely no on-site crushing, screening, washing or other processing of aggregate material.<sup>41</sup>

Indeed, the Proponent has even regressed in its proposed mitigations in the material presented during the current application. The Scott Property Public Information Package distributed on June 15, 2020 indicates a commitment to “Installing sound barriers around the crusher to control sound emissions” (p.19), yet the Master Site Development Plan includes no such commitment. What other commitments will Lehigh Hanson abandon?

Many comments in the MSDP related to mitigation of problems of unspecified magnitude are only vague assurances with no detail or commitment. Dr. Ayres (Appendix E) finds that no assessment has been provided of the risks of mitigants failing nor the economic consequences of such failures. This is not acceptable and does not allow Council or the public to understand or properly evaluate the proposal<sup>42</sup>.

Some of the impacts are entirely unmitigable. Drs Zaghloul and Burton (Appendices A and B) demonstrate risks to groundwater which would be associated with significant costs, measured in both financial and human health terms. The risk has been dismissed by the Proponent, who provides no mitigation plan.

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<sup>40</sup> Proposed Scott Gravel Extraction Operation: Land Use Redesignation, Submitted by Consolidated Aggregates and Walker Brown Urban Consultants, September 1994, p. 22 and Appendix 3.

<sup>41</sup> Inland Aggregate Extraction Presentation to Rocky View Council, Public Hearing, January 26, 2010, p. 11

<sup>42</sup> Koebisch v Rocky View (County), 2019 ABQB 508, Reasons for Judgement at [80]

Jalkotzy (Appendix F) finds that the Applicant fails to provide a complete list of required mitigation standards for environmental impacts, wetlands impacts, climate impacts, fisheries impacts and other impacts under Federal and Provincial jurisdiction.

Each of these points indicate that Lehigh Hanson will not mitigate impacts or apply best practices and illustrate that the proposed mitigations are so deficient that the application must be rejected outright.

### **The MSDP Does Not Meet Legal and Regulatory Requirements**

Lehigh Hanson has not complied with legal and regulatory requirements in relation to mitigation. Deficiencies are detailed in Sec. 3.4, and include, but are not limited to:

- Rocky View County Plan (Bylaw C-7280-20130) Sec. 1.0, 2.2, 5.0, 5.8, 7.0, 7.13, 7.16, 15.1, 24, 29.8
- Bearspaw Areas Structure Plan Sec. 6.5, 8.3.15, 8.3.21, 8.6.5
- South Saskatchewan Regional Plan Sec. 8.15
- Alberta Municipal Government Act Sec. 3.a.1
- Alberta Environment Code of Practice for Pits Section 8.2
- Rocky View Land Use Bylaw C-8000-2020 Sec. 104/204
- Rocky View County Policy 419 and 420
- Nose Creek Watershed Water Management Plan Sec. 6.4.3.b
- Canada Fisheries Act Sec 36(3)
- Koebisch v Rocky View (County), 2019 ABQB 508, Decision at [101]

The application must be rejected based on regulatory non-compliance.

## 2.8 Consultation Obligations have been Breached

### Landowners Have Justifiable Concerns About the Lack of Consultation

Lehigh Hanson claims that a “comprehensive Communication and Engagement program” was implemented in support of the MSDP to “ensure stakeholders were provided access to accurate and timely information”. The facts do not support this.

Lehigh Hanson has fallen short of even minimum requirements for the breadth of consultation, the obligations of disclosure, and the requirement of personal consultation. They have discouraged, dismissed, and even ridiculed valid feedback from impacted stakeholders.

As a result of inadequate disclosure by the Applicant, many residents, including those located immediately adjacent to the proposed pit site, are not in a position to fully understand the potential impacts. Information has been omitted entirely or presented with unnecessary technical complexity such that affected stakeholders cannot reasonably assess the likely outcomes, even in matters as important as human health and drinking water supply. Lehigh Hanson has not properly consulted with residents and has instead simply provided notification of intent. This is a failed project with universal opposition from County residents and impacted stakeholders.<sup>43</sup>

### Evidence Validates Landowner Concerns and Refutes the MSDP

Lehigh Hanson has breached its consultation obligations for this project. Without proper consultation, Council cannot approve this application, and it must be rejected.

Consultation involves knowing and fully disclosing what a project’s impacts will be, ensuring that those affected understand the impacts, allowing concerns to be raised, and working collaboratively to implement appropriate mitigations to alleviate concerns. The Applicant has done none of this.

In contravention of the requirements established for large industrial projects by Alberta Utilities Commission’s Rule 007 (which should apply by analogy), Lehigh Hanson has failed to personally consult with even those landowners directly adjacent to the Scott Property. Residents of Crestview Estates, which is surrounded by the subject property, confirm that Lehigh Hanson representatives did not:

- Speak to them in person
- Visit their residence
- Explain the project to them

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<sup>43</sup> Rocky View County Access to Information Request 12-02-2020-03. Between July 1 and November 3, 2020, Rocky View County received 291 submissions from residents related to the Scott Property project. All were in opposition.

- Ask about their concerns
- Discuss possible accommodations
- Raise any uncertainty in their sub surface geology
- Provide any information on potential health impacts of gravel dust
- Provide any information about property value impacts or any other impact
- Raise the potential for expansion of other pits as future impacts as required under cumulative effects analysis
- Explain their corporate structure
- Provide details or assurances regarding the terms on an indemnity or what party would provide that indemnity and secure it
- Discuss possible impacts to groundwater supply and well water quality

The Applicant has refused to produce their initial consultation plan and any amendments to it, and has provided no details of when it was prepared, who prepared it, what input Lehigh Hanson provided for the plan, the retainer agreement in relation to the plan, and the area of potentially directly and adversely affected landowners. They have refused to provide records of personal consultation with directly and adversely affected landowners, including details of date, time, and individuals involved, concerns raised, and the specific steps taken to accommodate the concerns raised through the consultation process. There is no information on the record of any personal consultation with landowners.

The contravention of the personal consultation requirement is inexcusable, particularly as the Proponent's predecessor companies highlighted the specific need for this in previous Scott Property applications. In 1994, the Proponent's application highlighted "Direct Personal Contacts with Neighbours" (emphasis included in original)<sup>44</sup>. They identified a "Direct Personal Contact" area and noted that they attempted to contact each individual property owner by phone to hold direct personal meetings. There has been a clear regression on consultation efforts with the current application.

Critical information has not been proactively disclosed. It is not for landowners to hunt out details of potential project impacts; it is for a proponent to disclose them all in good faith. It is not consultation to deny impacts. Yet information provided in the MSDP and in supporting technical documents has the potential to confuse or mislead stakeholders. Noise level modelling uses questionable assumptions that consistently understate impacts. Meaningful discussion of silica has been omitted, despite the obvious concerns for residents. The economic assessment has been withheld from the public. The impact to domestic well water has been brushed away, despite data indicating likely risk. The list goes on and makes clear that the Proponent has demonstrated no evidence of engaging in meaningful or transparent consultation.

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<sup>44</sup> Proposed Scott Gravel Extraction Operation: Land Use Redesignation, Submitted by Consolidated Aggregates and Walker Brown Urban Consultants, September 1994, p. 17

Even when requested directly, critical information has been withheld by Lehigh Hanson, denying impacted parties the opportunity to properly evaluate the MSDP. For example, the Proponent's materials state that they "intend" to include a well water indemnification program and property value protection plan in their application, yet have refused to provide details when requested. Without access to relevant information, a fulsome review cannot be completed, and potential concerns cannot be raised.

It is clear from the record that the Proponent has not undertaken adequate consultation. Formal "consultation" sessions were concluded before most technical studies were completed. Lehigh Hanson held its last engagement session in June 2020, which consisted of an online information package and survey. The information package, which was published and distributed on June 15, acknowledges that some technical studies were "currently in progress".

In fact, the publication and transmission dates of the technical reports themselves indicate that nearly all were delivered to Lehigh Hanson only *after* the information package for consultation was sent to the public on June 15.

The following reports were delivered to Lehigh Hanson before the consultation information package was distributed:

- Wetlands Technical Assessment delivered June 10
- Acoustic Assessment delivered June 11

Most of the technical reports were delivered to Lehigh Hanson after the consultation information package was distributed to the public:

- Air Dispersion Modelling Assessment delivered June 24
- Wildlife Technical Assessment delivered June 24
- Stormwater Management Report delivered July 7
- Hydrological Assessment delivered July 13
- Biophysical Impact Assessment delivered July 14
- Cumulative Effects Assessment delivered July 16
- Landscape & Visual Impact Assessment delivered July 16

It was impossible for the Applicant to properly inform stakeholders about impacts before relevant technical studies were complete.

The Proponent's actions call their intentions into question. A determination to dismiss, ignore and ridicule the valid concerns from Rocky View residents appears evident in their June 2020 paid advertisement in Rocky View Weekly, where they state: "...the gravel industry is also facing a battle, although usually it's a few residents who turn out to shout down any local growth and development...".

Finally, the potential costs of failed mitigations have not been disclosed, nor has the company provided funding for those impacted to engage qualified experts to properly

evaluate the impacts of this proposed development, including the 1,500 pages of technical documents prepared in support of the MSDP.

On the basis of grossly inadequate and insufficient consultation, this application must be rejected.

**The MSDP Does Not Meet Legal and Regulatory Requirements**

Lehigh Hanson has not complied with legal and regulatory requirements in relation to consultation. Deficiencies are detailed in Sec. 3.4, and include, but are not limited to:

- Rocky View County Plan (Bylaw C-7280-20130) Sec. 24, 29.8
- Bearspaw Areas Structure Plan Sec. 8.3.21
- Koebisch v Rocky View (County), 2019 ABQB 508, Decision at [101]
- Alberta Utilities Commission Rule 007 Sections 5 and 6

The application must be rejected based on regulatory non-compliance.

## 2.9 Cumulative Effects have been Inadequately Addressed

### Reference

Appendix C: Expert Surface Water Report – Robert Best, M.Sc., P.Biol., R.P.Bio.

Appendix D: Expert Air Quality Report – Dennis French, CIEC, CRMI

Appendix F: Expert Cumulative Effects Report – Peter S Jalkotzy, P.Biol., EP(EM)

### Landowner Justifiable Concerns

“Cumulative effects management recognizes that our watersheds, airsheds and landscapes have a finite carrying capacity. Our future well-being will depend on how well we manage our activities so that they do not exceed the carrying capacity of our environment.”<sup>45</sup>

Cumulative effects are critical in evaluating a gravel operation. “If the cumulative aspects of aggregate extraction are not meaningfully disclosed and addressed during the redesignation phase, then the opportunity of affected persons to make submissions to Council, and the opportunity of individual Councillors to participate in debate, to persuade their colleagues in a council meeting, or to deliberate on the redesignation, are undermined.”<sup>46</sup>

Landowners are justifiably concerned that the addition of a massive gravel operation directly beside residential areas will be the proverbial straw that breaks the camel’s back when considered both on its own impacts, and in conjunction with the cumulative impacts of other gravel operations to the east and southeast of Scott Property. Another gravel operation will add the cumulative impacts on land use conflict, noise, air quality, visual aesthetics, wetlands, property values, surface and groundwater and wildlife habitat. Many of these impacts are permanent and entirely unmitigable.

### Expert Evidence Validates Landowner Concerns and Refutes the MSDP

Expert evidence provided in Appendix F by Peter S Jalkotzy and peer reviewed by Dr. G.A. Yarranton demonstrates clearly that the Cumulative Effects Assessment (CEA) referenced in the MSDP contains errors and omissions, and multiple instances of non-conformance and misalignment with applicable requirements, regulations and best practices. As a result, the “CEA for the subject property is deficient and unreliable as evidentiary material in accurately assessing and evaluating the cumulative impacts associated with the proposed project”, and must be rejected.

Expert opinion is that the cumulative aspects of the project have not been meaningfully disclosed. The CEA report incorrectly scopes out or ignores every conceivable Valued Component (VC) except for Wetlands and Ephemeral Water Bodies. The residual

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<sup>45</sup> Government of Alberta Land Use Framework. P. 25

<sup>46</sup> Koebisch v Rocky View (County), 2019 ABQB 508, Reasons for Judgement at [119]



cumulative impact for this component is incorrectly ranked as minor and is limited to the regional study area for the project (1km radius). This is incorrect considering the regional network of surface and groundwater resources and risk of dewatering a broad area, policy that prohibits development of riparian areas, and other registered environmental sensitivities (e.g. steep slopes, high water table).

The exclusion of every other VC is not warranted and does not reflect the reality of cumulative impacts from the project. It is noted the Quality of Life in particular has been omitted as a VC.

Air and Noise have been incorrectly scoped out of the assessment despite clear and foreseeable impacts. As outlined in Sections 2.3 and 2.4, Air and Noise modeling is flawed and does not represent the cumulative effects of current and existing operations. No attempt has been made to assess the cumulative effects for areas located between existing gravel pits and Scott Property.

Surface water hydrology is not discussed despite RVC's signatures on the Nose Creek Watershed Water Management Plan, which stipulates preservation of wetlands and natural features for flood and water quality management. Surface hydrology is not included in the technical discussion of hydrology and wetlands and as such renders this component inadequate and deficient.

Hydrogeological impacts have not been adequately addressed by this assessment. Evidence by subject matter experts presented in Section 2.1 identifies risks to domestic well contamination and regional dewatering.

Land Use is scoped out of the Cumulative Effects Assessment, despite Rocky View County's consistent and continual approval of new residential subdivision in proximity to the Scott property following the rejection of gravel operations at this site in 1994 and 2010.

Wildlife Habitat, Fiscal Impact, Property Values and other Socio-Economic impacts have each been incorrectly scoped out of the assessment, despite overwhelming evidence indicating that impacts are likely to be significant.

Soil and terrain impacts have not been adequately addressed. The County Plan and the Bearspaw Area Structure Plan require a geophysical report and a geotechnical report, with specific reference to slope stability. These studies are not provided. Additional elements have been omitted from the assessment (geophysical, geotechnical, stormwater management, reclamation plan) that are specifically required by the Municipal process.

Finally, the terms of reference for the CEA are inadequate. Temporal and spatial boundaries selected for the CEA are inappropriate. The interaction of past, present and foreseeable future physical activities is incomplete and inaccurate, particularly in relation to the future activities at surrounding aggregate operations.

Statements related to mitigation and reclamation are vague and undefined. These do not satisfy the criteria for approval of an MSDP. The Cumulative Effects Assessment is a document in name only; it does not provide sufficient information to constitute compliance with the County's regulatory requirements, and the application must be rejected.

**The MSDP Does Not Meet Legal and Regulatory Requirements**

Lehigh Hanson has not complied with legal and regulatory requirements in relation to cumulative effects. Deficiencies are detailed in Sec. 3.4, and include, but are not limited to:

- Rocky View County Plan (Bylaw C-7280-20130) Sec. 1.0, 2.2, 5.0, 5.8, 7.0, 7.13, 15.1, 24, 29.8
- Bearspaw Areas Structure Plan Sec. 6.5, 8.3.21, 8.6.5
- South Saskatchewan Regional Plan Sec. 8.11, 8.12, 8.15
- Alberta Municipal Government Act Sec. 3.a.1
- Alberta Environment Code of Practice for Pits Section 8.2
- Rocky View Land Use Bylaw C-8000-2020 Sec 104/204 and County Policy 419/420
- Nose Creek Watershed Water Management Plan Sec. 6.4.3.b
- Koebisch v Rocky View (County), 2019 ABQB 508, Decision at [101]

The application must be rejected based on regulatory non-compliance.

### 3.0 Legal Framework & Non-Compliance Requires Rejection of the Application

Once again, Lehigh Hanson seeks approval for a radical change to existing land use in the heart of a country residential area. The repetitive attempts by the Applicant and its affiliated and predecessor companies to mine gravel in the heart of a country residential area have been turned down twice and for very good reason. Gravel pit operations are incompatible with the existing land use designation that in fact enticed residents to live in this beautiful area. The first application was turned down in 1994, and significant subdivisions for country residential living have been approved since.

The industrial development of a mine in an area zoned as country residential creates the myriad of drastic impacts that have been detailed in this submission. The application is fundamentally unsound and cannot be relied upon by any reasoned decision maker. And the blame for that falls squarely on Lehigh Hanson.

Every homeowner has the right and entitlement to a safe environment including drinking water. In addition to all the other impacts, within the immediate area of the proposed mine, there are many homeowners that rely on wells for their drinking water and daily use. Yet, the Applicant proposes to conduct one of Canada's largest gravel extraction operations directly in a country residential area and mine down to (and into) the very aquifer that residents rely on for their domestic use.

The legislation and governing legal framework guards against precisely what Lehigh Hanson is attempting to accomplish yet again. The framework compels that the Applicant be rejected for the third time and on terms that are final and conclusive so that landowners are not compelled to fight for their community, with their own resources, repetitive applications that only ramp up the severity of their impacts while reducing the amount of engagement with the local community.

The statutory framework imposes significant requirements that Lehigh Hanson has failed to satisfy.

First, the Municipal Government Act (the "Act") requires that both the County Plan and the Bears paw Area Structure Plan set forth the future use of the very lands that Lehigh Hanson now seeks, yet again, to redesignate. The lands are designated as future country residential and have consistently been so. This designation cannot be changed at the whim of Lehigh Hanson. The Act compels that the use of the lands be prospectively set forth and the County has done just that. Existing landowners including purchasers of lands rely on the existing designation and that is precisely the statutory purpose of providing current and future land use designations. Lehigh Hanson is bound to it.

Second, each of the County Plan and the Bears paw ASP provide concrete and mandatory requirements that have statutory force. The Applicant must satisfy *each and every requirement*. Lehigh Hanson must be held to a high onus to provide comprehensive and compelling evidence, which it has utterly failed to do, as detailed in this submission.

Existing obligations are not met by vague statements of developing mitigations or promises to provide additional evidence in the future. Further, all residents have the right not to be impacted as Lehigh Hanson acknowledges they will be. Mitigation only arises once the damage is done. Lehigh Hanson has no right, as a single landowner in a country residential area, to inflict the myriad of detrimental impacts that it seeks to do on its neighbors.

Therefore, the application must comply with, among many other requirements, all of the Act, the County Plan, and the Bearspaw ASP. It is woefully deficient and must be rejected.

In this of the landowner submission, the statutory framework is set forth. The application is flagrantly non-compliant with the statutory framework and must be rejected.

### **3.1 The Municipal Government Act**

The Municipal Government Act provides the legislative framework under which all municipalities must operate. Section 3 of the MGA (which sets forth “Municipal Purposes”) provides:

*The purposes of a municipality are*

- *(a) to provide good government,*  
*(a.1) to foster the well-being of the environment,*
- *(b) to provide services, facilities, or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality,*
- *(c) to develop and maintain safe and viable communities, and*
- *(d) to work collaboratively with neighbouring municipalities to plan, deliver and fund intermunicipal services*

Section 3 (a.1) was introduced into the Act by way of legislative amendment in 2017 by An Act to Strengthen Municipal Government, S.A. 2017, c. 13, s. 1(3).

Therefore, subsequent to both the County Plan and the Bearspaw ASP, a positive obligation was legislatively placed, to strengthen municipal government, on all municipalities to foster the well-being of the environment. Although “environment” is not specifically defined in the Act, it is well understood and expansive. Environment includes all components of the earth including, air, land, water, all layers of the atmosphere, all organic and inorganic matter and living organisms, and all interacting natural systems that include these components.

Without question, the impact on human health is a vital component of considering the well-being of the environment. Further, in assessing environmental impacts, the precautionary principle is applied. Threats to the environment, including human health, must be considered, and to comply with the legislation, those threats must be avoided.

The Lehigh Hanson application is utterly deficient based on any standard. It simply fails to meet the requirements that it must be held to. But given the obvious and significant

threats and impacts to the environment, to the extent there is any doubt as to the “science”, the application must still be rejected.

Part 17 of the Act (which applies to Planning and Development), sets forth additional statutory purposes in Section 617 as follows:

*The purpose of this Part and the regulations and bylaws under this Part is to provide means whereby plans and related matters may be prepared and adopted*

- *(a) to achieve the orderly, economical and beneficial development, use of land and patterns of human settlement, and*
- *(b) to maintain and improve the quality of the physical environment within which patterns of human settlement are situated in Alberta, without infringing on the rights of individuals for any public interest except to the extent that is necessary for the overall greater public interest.*

**Approval of this application would be in direct opposition to both of these requirements.**

Under the Act, every council of a municipality must, through by-law, adopt a municipal development plan. Section 632 of the Act specifically provides:

*(3) A municipal development plan (a) Must address (i) the future land use within the municipality*

There are good reasons to require future land use to be statutorily required. Planning is inherently forward looking. Landowners rely on land use designations in determining where to raise their families when purchasing homes.

For Rocky View County, the County Plan is the principal statutory plan under Section 632 of the Act. And as required by the Act, it has addressed future land use.

Map 1 at page 26 of the County Plan identifies the Scott Property lands as country residential. Further, section 5.8 of the County Plan provides that the County will “Support the development of existing country residential communities (identified on Map 1) in accordance with their area structure plan”, now and in the future. Lehigh Hanson has been fully aware of this fact throughout every attempt it has made to rezone the lands for industrial use. The County Plan is a public document intended to be relied upon, and in fact relied upon, by all landowners.

All lower-level plans are subordinate to and must be consistent with the policies and direction of the higher-order plans. If there is conflict between the County Plan and any other subordinate planning document, the County Plan prevails. This statutory direction is also set forth in Section 4 of the County Plan.

There is nothing in the County Plan, contrary to what the Proponent appears to suggest, that an industrial mine is consistent with land that is itself designated for future country residential development, and that is surrounded by existing country residential

development. In fact, as detailed below, the Bearspaw ASP comprehensively refutes any such suggestion.

If Lehigh Hanson is asserting that its lands are a “transition zone”, this term does not exist in the Act, in the County Plan or in the Bearspaw ASP. The lands are identified for current agricultural use and future country residential use, they are surrounded by established areas zoned as country residential, and there is no category of “transition zone country residential.” This suggestion is frankly offensive to landowners and contrary to the facts. The natural beauty of this country residential area is evident on the true facts as detailed above.

Turning to the Bearspaw Area Structure Plan, it too is a statutory plan and must be complied with by the Applicant. Specifically, just as with the County Plan, the Bearspaw Area Structure Plan (s. 633 (2)) must describe “the land uses proposed for the area, either generally or with respect to specific parts of the area.”

Here, the County’s intention is clear. The lands subject to the application are zoned for agricultural use and are surrounded by land zoned as country residential. Figure 6 of the County Plan sets forth environmentally significant areas and the Scott Property lands include riparian zones with high water table and steep slope. The surrounding country residential lands, including the subdivisions approved after the first Scott Property denial, are similarly environmentally significant with a high water table supporting extensive wetlands.

Figure 7 is appropriately labelled “Future Land Use Scenario”, which aligns with the statutory requirement in Section 633 to set forth the “land uses proposed for the area”. As is plainly set forth in Figure 7, the “Future Land Use Scenario” for the Scott Property is country residential.

That country residential and industrial aggregate extraction are entirely separate and distinct land uses is expressly recognized in the Bearspaw ASP. Section 8.3.23 provides:

*8.3.23 Prior to the approval of a proposal for subdivision and/or development approval that would accommodate the extraction of natural resource - aggregates on lands within the Plan Area; the Municipality **should proceed with an amendment to this Plan revising Figure 7 (Future Land Use Scenario) by identifying the lands proposed for redesignation, subdivision and/or development approval as a rural industrial - natural resource - aggregates land use.** (emphasis added)*

The County does not amend, and has not amended, its statutory plans without public input, nor should it. The Bearspaw ASP is currently under review; the County recognizes that such an undertaking is significant and requires extensive public consultation

Critically, the Bearspaw ASP recognizes that the Lehigh Hanson application seeks a completely different land use. “Rural industrial-natural resource-aggregate land use” is not “country residential.” If country residential encompassed aggregate extraction, then no amendment at all would be required.

As set forth above, extensive subdivision of lands has occurred within 5km of the Scott Property since 1994, increasing the number of residences from approximately 340 to 1350. Within the last 14 months, the County has approved residential subdivision for country residential living directly to the west, south and north of the subject lands.<sup>47</sup>

Therefore, the County has consistently demonstrated that these lands will have a country residential use now and into the future. It is inconceivable that country residential subdivisions would be approved to ring on three sides an open pit mine. Under Section 654 of the Act, a subdivision authority (like the County) “must not approve” a subdivision application unless the land is suitable “for the purpose for which the subdivision is intended.”

Therefore, yet again, the County has established that the Scott Property lands are to be country residential.

Approving the application will undermine the purposes of the Act, the County Plan and the Bearspaw ASP. It breaches the statutory requirements that apply to the application. The application is a failed project. The Proponent has done nothing meaningful to gain community acceptance and in fact has cycled back with a project that magnifies and not reduces impacts. Opposition to the project by those impacted is effectively unanimous as detailed in this submission and which is evident by the torrent of opposition to the application.

This submission now turns to the specific provisions of the County Plan and Bearspaw ASP that the Applicant has failed to comply with.

### **3.2 The Rocky View County Plan**

The County Plan is the paramount statutory plan that governs the application. Lehigh Hanson scarcely recognizes its existence.

Bearspaw landowners fully agree, as stated in the County Plan, that country residential is a form of rural living. Many of the critical characteristics of rural living are set forth in Table 3 of the County Plan including respect for the environment, natural and wildlife, dark skies, and quiet. All of these are critical to landowners who have bought property and decided to raise their families in Bearspaw.

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<sup>47</sup> Division 8 - Bylaw C-8060-2020 - Redesignation Item, File: PL20200059, approved by Council on November 10, 2020. Property located on the NW corner of Burma Road and Range Road 25, immediately adjacent to Scott Property on the west side. Reference also plan numbers 201 0276 (approving subdivision creating two residential lots immediately to the north of Scott Property, November 2019) and 201 1503 (approving subdivision creating two residential lots immediately to the south of Scott Property, approved August 2020).

Landowners also agree with the “Vision of the Future” for the Central West region “that it continues to be a desirable place for country residential areas and the agriculture sector to co-exist.”

The County Plan provides that “Rocky View will develop and operate in a manner that maintains or improves the quality of the environment” establishing the obligation to guide county development in a manner that maintains or improves the quality of the environment.

Bears paw landowners agree with Section 7 of the Country Plan that “County residents have a strong connection to the natural environment; valuing water, watersheds, working agricultural land, and wildlife. However, by the very nature of building communities, developing business parks, and farming and ranching, the environment is affected.” Bears paw landowners also agree that the Country should and must “Manage private development and County operations in a way that maintains and improves the quality of the natural environment.”

Land and environmental stewardship are obviously critical, and the County Plan states precisely that. Environmentally sensitive areas are to be protected, and rural landscapes, dark skies, open vistas and agricultural lands are to be retained.

Water is a critical component of the environment. Many residents use well water for their domestic use. They are entitled to safe, secure, and reliable drinking water supply and the County Plan recognizes this right. It is not a right that allows one landowner to pollute groundwater but promise to monitor and “mitigate.”

The conservation and effective management of riparian areas and wetlands in accordance with County Policy is to be supported and the landowners fully agree have relied upon and will continue to rely upon the County’s commitment to do so.

Lehigh Hanson recognizes that they are seeking to construct an industrial development over top of, and excavate to, an aquifer that is used by landowners for their drinking water. They attempt to, falsely and brazenly, sweep aside any risk to the drinking water reservoir. Bears paw landowners have comprehensively refuted this incorrect assertion above in Section 2.1.

But even more fundamentally, Lehigh Hanson has no business being in this location in the first place. The proposed project is directly located on an alluvial aquifer. Section 7.16 of the County Plan provides that “Development shall be planned, designed, and constructed to protect alluvial aquifers.”

None of this should be surprising to Lehigh Hanson given that the obligation to foster the well being of the environment has expressly been set forth in the Act since 2017.

It is expected that many landowners will express their views to the County. The “goals”, “vision” “aspirations” or whatever other term is used to describe the statements in commitments in the County Plan are real, relied upon, and must be enforced for Bears paw to maintain its character as a premier country residential area.



The application is precisely opposite to all of the above. It admittedly seriously degrades all components of the environment in what has already been designated as a sensitive environmental area by the County. Human health will be at risk. There is a serious risk (and landowners say certainty) of groundwater contamination. Fine particulate and carcinogenic matter will be broadcast over a broad area for 30 years. Wildlife habitat will be destroyed, and wildlife driven elsewhere. A jaw rock crusher will be operated on site, generating unacceptable noise, dust, and health impacts.

The County Plan does address aggregate extraction. The County Plan expressly states (in Section 15.3) that residential development is to be discouraged where it “may limit future aggregate extraction when proposed outside of an adopted area structure plan.” The County Plan expressly contemplates that aggregate extraction is proposed “outside” of an ASP. The Scott Property lands and the entire area is subject to an ASP and the lands have been designated for present agricultural and future country residential use. The County Plan on its face compels the application to be rejected.

The County Plan provides in Section 29.8 that “A master site development plan for aggregate development shall address all matters identified in Appendix C, section 1 and 4.” Appendix C, Sections 1 and 4 have a comprehensive list of more than 25 matters that must be addressed. These requirements are contained in the paramount planning document required under the Act, are mandatory, and govern in the case of any inconsistency. Failure to comply compels an application to be rejected.

Lehigh Hanson is proposing a radical change to existing land use and designation to the detriment of all surrounding landowners. It has a very high onus to not only address every requirement, but to do so with clear and compelling evidence. As detailed in this submission, they have failed to do so.

### **3.3 The Bearspaw Area Structure Plan**

The Bearspaw Area Structure Plan is also a statutory plan, though it is subordinate to the County Plan and the County Plan governs in the case of inconsistency. Lehigh Hanson must comply with all of the Act, the County Plan and the Bearspaw ASP. None exist in isolation. The County Plan designates the future use of the Scott Property lands as country residential.

As already referenced above, the Bearspaw ASP addresses future land use. The Scott Property lands are again designated as country residential now and into the future in accordance with the requirements of the Act.

Figure 7 of the Bearspaw ASP is the “future land use scenario for the Plan Area.” When considering proposals for redesignation, “the Municipality should confirm that the proposal is in accordance with Figure 7 and the applicable provisions of this Plan.”

That obligation is straightforward. The Lehigh Hanson proposal is not in accordance with Figure 7 as it seeks an industrial use on lands designated as country residential. The application must be rejected.

Further, Section 8.6.2 provides:

*When considering the appropriateness of redesignation proposals, applications for subdivision and/or development approval, **the Municipality shall consider the impacts on the environmental and archaeological, historical and/or cultural features identified on Figure 6 and should preserve and protect these features.** Additional features not identified on Figure 6 may also be considered, preserved and protected at the discretion of the Municipality. (emphasis added)*

As identified in Figure 6 (provided above as Figure 8 of this report), the Scott Property contains a high water table and significant steep slope areas, both of which are environmentally significant features. It is contiguous to an area where there is a high water table and significant surface water. As detailed above, the natural beauty of the area that Lehigh Hanson seeks to harm depends much on the presence of surface and ground water. Water is in hydrodynamic communication throughout the area and the impact of the mine will be extensive.

The municipality should (and is obligated to) “preserve and protect these features” and the proposed project does nothing of the sort. It seeks to obtain authorization to excavate a 600-acre pit on the lands that contain environmentally significant features and will obliterate them with undeniable regional and extensive impacts.

Under Section 8.3.15, “No extractive industrial operation shall be conducted in such a manner as to permanently lower the water table of surrounding inhabited properties.” But that very result is inevitable if the application is allowed. Section 2.1 of this submission conclusively demonstrates that Lehigh Hanson’s assertion of a fictional geologic barrier should be seen for precisely what it is: an unsupported claim to justify resource extraction where the benefits flow completely to the Applicant with the harm being borne by the community.

Again, the obligation is straightforward, and the application must be rejected.

Under Section 8.3.16.a, the Municipality must have regard for “the surrounding land uses and the possible impact which may result from the introduction of an extractive industrial use”. Once again, the obligation is straightforward. The impact on surrounding land uses will be devastating. The Scott Property lands themselves are presently agricultural and designated future country residential, and surrounding lands are designated current or future country residential. This is not an application where there is a difference in use between two adjacent parcels. There is no “surrounding land use” as all lands are the same, either through current zoning or future designation: country residential.

That is obvious by Section 8.3.23 which provides that:

*Prior to the approval of a proposal for subdivision and/or development approval that would accommodate the extraction of natural resource - aggregates on lands within the Plan Area; the Municipality should proceed with an amendment to this Plan revising Figure 7 (Future Land Use Scenario) by identifying the lands proposed for redesignation,*

*subdivision and/or development approval as a rural industrial - natural resource - aggregates land use.*

The Lehigh Hanson lands have never been identified as lands proposed for redesignation to a “rural industrial—natural resource—aggregated land use”. They are currently agricultural and have always been designated as future country residential under both the County Plan and Bearspaw ASP.

And finally, Section 8.3.21 provides that:

*8.3.21 Redesignation proposals and/or applications for subdivision and development approval to accommodate the extraction of natural resource - aggregates should only be considered where, in the opinion of the Municipality, the rural residential character of adjacent lands is not unduly negatively impacted or substantially altered...*

And once again, the obligation is straightforward. It is impossible for Lehigh Hanson to meet, or claim to meet, this standard. It seeks for its own financial benefit as a single landowner the right to unduly negatively impact and substantially alter the rural residential character of adjacent lands. Indeed, the clear non-compliance with Section 8.3.21 was the basis of Council’s rejection of a gravel operation at Scott Property in 1994.

Sections 8.2.19 and 8.3.21 set forth a catalogue of requirements that Lehigh Hanson must meet. It has completely failed to so, as set forth above in Section 2.0. A comprehensive summary of the application’s legal and regulatory non-compliance is provided in the following section.

### 3.4 Legal and Regulatory Non-Compliance Summary

The MSDP, and its supporting technical documents, do not satisfy municipal requirements, with dozens of required components missing entirely. Other items have been addressed only superficially based on incomplete, faulty and inaccurate technical documents. It is the Proponent's obligation to present complete and factual documentation, and administration's responsibility to identify and disregard deficient submissions as non-compliant.

The purpose of the requirement for an MSDP is to ensure sufficient information for meaningful decision making and public inputs.<sup>48</sup> This MSDP is entirely deficient in this regard. Selected deficiencies of this application are described in detail in this section, which include violation of or misalignment with:

- Rocky View County Plan (Bylaw C-7280-20130) Sections 1.0, 2.2, 5.0, 5.8, 7.0, 7.13, 7.16, 15.2, 24.0 and 29.8
- Rocky View County Land Use Bylaw (C-8000-2020) Sections 104 and 204
- Rocky View County Policies 419 and 420
- Bearspaw Area Structure Plan Sections 6.5, 7.1.3, 8.3.15, 8.3.21(a), 8.3.21(b) and 8.6.5
- Nose Creek Watershed Water Management Plan Sec. 6.4.3.b
- South Saskatchewan Regional Plan Sections 8.11, 8.12 and 8.15
- Alberta Municipal Government Act Sections 3.a.1
- *Koebisch v Rocky View (County)*, 2019 ABQB 508, Decision at [101]
- Alberta Environment Code of Practice for Pits Section 8.2
- Alberta Utilities Commission Rule 007
- Canada Fisheries Act Section 36(3)

Based on the overwhelming non-compliance of this application, it must be rejected.

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<sup>48</sup> *Koebisch v Rocky View (County)*, 2019 ABQB 508, Reasons for Judgement at [101]

**1) Rocky View County Plan (Bylaw C-7280-20130) Sec. 1.0**

**Requirement:** “Rocky View residents recognize the reality of regional growth and are willing to accept a moderate level of growth *if natural landscapes, rural character, agriculture and finances can be sustained.*”

**Deficiency:** The application does not meet this requirement. The proposed project will destroy natural landscapes, negatively impact the rural character of the area, remove agricultural land and result in negative financial impact to both the County and its citizens.

**2) Rocky View County Plan (Bylaw C-7280-20130) Sec. 2.2 and Sec. 7.0**

**Requirement:** “Rocky View County will develop and operate in a manner that maintains or improves the quality of the environment. The County will...

- ...not adversely impact surface or groundwater, while providing for a safe and reliable drinking water supply.
- Undertake a wide range of measures to support the conservation of land, water, watersheds, energy, and other natural resources
- Maintain the rural landscape and character of dark skies, open vistas, and working agricultural lands.”

**Deficiency:** The application does not meet this requirement. The proposed project will impact groundwater and surface water, lower the water table and threaten contamination of domestic drinking water supply, lead to widespread dewatering of wetlands, and negatively impact the Nose Creek Watershed (see expert reports in Appendices A, B and C). It will introduce light pollution to the detriment of dark skies, it will construct berms specifically to block sight lines and eliminate open vistas, and it will remove working agricultural land.

**3) Rocky View County Plan (Bylaw C-7280-20130) Sec. 5.0 and 5.8**

**Requirement:** The plan outlines goals to “Direct the majority of residential growth to those areas identified on Map 1, over the time frame of this Plan, and to manage residential growth so that it conforms to the County’s environmental, fiscal, and community goals; and so that the rural character of the county is retained”. Sec. 5.8 notes that a goal of the plan is to “support the development of existing country residential communities (identified on Map 1) in accordance with their area structure plan.” Bearspaw in general, and the Scott Property in particular, are identified as country residential areas on Map 1.

**Deficiency:** The application does not support this County Plan objective. The proposal will not retain the rural character of the county, nor will it support the development of existing country residential communities in accordance with the Bearspaw Area Structure Plan.

#### 4) Rocky View County Plan (Bylaw C-7280-20130) Sec. 7.0

**Requirement:** The County Plan supports decisions that minimize the adverse impacts of development on the environment. The Plan's policies in this section are supported and guided by the following provincial direction:

- Municipal Government Act that provides the legislative framework for statutory plans that "...maintain and improve the quality of the physical environment."
- Land Use Framework Strategy, which encourages conservation, land stewardship, healthy ecosystems, and the efficient use of land.
- Water for Life strategy goals of: a safe, secure drinking water supply; healthy aquatic ecosystems; and reliable, quality water supplies for a sustainable economy."

**Deficiency:** The application does not meet the requirements of this section. The Scott Property project will destroy, rather than maintain or improve the quality of the physical environment. It contradicts the Land Use Framework Strategy regarding healthy ecosystems, and the Water for Live strategy goals of a safe, secure drinking water supply and healthy aquatic ecosystems. As outlined in Section 2.1 of this report, this project will threaten both the safety and security of drinking water, as it has high risk of contaminating the domestic use aquifer, and lowering the water table for surrounding residential well users. As detailed in Section 2.2, the project will undermine healthy aquatic ecosystems, as "impacts may include, but are not limited to, a reduction in the downstream flow from the SPP site, potential reductions in groundwater contributions to the SPP site and offsite tributaries to West Nose Creek (a fish bearing stream), a change in timing of downstream flows, geochemical changes in water due to increased exposure of groundwater that may impact sensitive fish species, potential changes in nutrient cycling through the removal of 48 wetlands, and the list goes on. Insufficient work has been completed and a lack of evidence has been provided by Lehigh, to reliably consider all potential impacts to fish and fish habitat...This incomplete assessment by Lehigh does not provide stakeholders, nor provincial and federal regulatory bodies, an opportunity to consider the full potential impacts of the SPP and does not consider the federal *Fisheries Act* definition of fish habitat."

#### 5) Rocky View County Plan 7.13, County Policies 419 and 420

**Requirement:** The County Plan includes Policy 7.13: "Support the conservation and effective management of riparian areas and wetlands in accordance with County Policy."

- Policy 419 (Riparian Land Conservation and Management), requires that "the County's policies for conserving and managing riparian land will align with provincial objectives and policies, and whenever feasible, the County's policies will enhance provincial objectives." It requires that "the County will create and implement appropriate land use patterns through planning documents within and adjacent to riparian lands that will minimize possible negative effects on riparian lands and their functions. These land use patterns may or may not include appropriate permitted and discretionary land uses." It requires that "when approving development within its boundaries, the County will require applicants (developers, landowners and

others) to consider and demonstrate plans for the maintenance and/or restoration of riparian lands adjacent to natural water courses and water bodies to a functional condition, and where possible, to an enhanced or improved condition.”

- Policy 420 (Wetland Conservation and Management), states that the purpose of the policy is to conserve and manage wetlands, as these lands are an integral component of Alberta’s watersheds and perform many important functions, including but not limited to: protecting biodiversity and providing wildlife habitat; maintaining or improving water quality and quantity; contributing to groundwater recharge; reducing incidence of erosion and flooding; and providing recreational, education, and economic opportunities. The county is obligated to consider this policy when reviewing development and land use redesignation proposals. The policy requires that “The County will create and implement appropriate land use patterns through planning documents within and adjacent to wetlands that will minimize possible negative effects on wetlands and their functions. These land use patterns may or may not include permitted and discretionary land uses.” The policy’s highest priority is that development “avoid loss or degradation of wetlands”. “When approving development within its boundaries, the County will work with developers, landowners, and other stakeholders to require the maintenance and/or restoration of wetlands to a functional condition, and where possible, to an enhanced or improved condition.”

**Deficiency:** The proposed Scott Property development will permanently destroy the riparian areas and wetlands on the property. Lehigh Hanson has not included riparian protection plans within the MSDP development policies and has not demonstrated plans for the maintenance of riparian lands to a functional, enhanced or improved condition, in violation of County Policy 419. Similarly, Lehigh Hanson has not included wetlands protection plans within the MSDP development policies and has not demonstrated plans for the maintenance of wetlands to a functional, enhanced or improved condition, in violation of County Policy 420.

#### 6) Rocky View County Plan (Bylaw C-7280-20130) Sec. 7.16

**Requirement:** Policy statement 7.16 within the County Plan addresses environmental considerations regarding the planning of land use and development within the County, and requires that “Development shall be planned, designed, and constructed to protect alluvial aquifers.”

**Deficiency:** As noted in the expert reports of Dr. Zaghloul and Dr. Burton, an alluvial aquifer exists beneath the Scott Property. The sand and gravel aquifer is in direct hydrodynamic communication with the underlying domestic use aquifer. The experts’ opinions are that it is a physical impossibility to excavate a pit as envisioned by the Applicant in this setting and not permanently impact groundwater quality and groundwater levels both locally and regionally, and that there is no means to mitigate this outcome. Approval of the Scott Property application would therefore be in violation of mandatory requirement of Sec. 7.16 of the County Plan. Council can only adhere to this mandatory requirement by rejecting this application and directing aggregate extraction operations to other locations in the County.

**7) Rocky View County Plan (Bylaw C-7280-20130) Sec. B**

**Requirement:** Section B of the County Plan (p. 34-35), entitled “Building Communities”, identifies the characteristics that ‘should be considered in planning, design, and development of a rural community.” Characteristics identified include, inter alia: quiet, space and distance, nature and wildlife, dark skies, primarily residential development, variety of lot sizes, unique houses and landscaping. Bearspaw in general, and the Scott Property site in particular, are identified as primarily country residential and future country residential land uses.

**Deficiency:** As a heavy industrial operation, a gravel operation in the heart of Bearspaw is clearly incompatible with the County Plan objective of building communities. Such an operation would impact noise, nature and wildlife, dark skies and other identified valued components of country residential living, for decades, in conflict with County Plan objectives.

**8) Rocky View County Plan (Bylaw C-7280-20130) Sec. 15.1**

**Requirement:** This policy seeks to “minimize the adverse impact of aggregate resource extraction on existing residents, adjacent land uses, and the environment.”

**Deficiency:** The Scott Property sits in the most densely populated country residential area in Rocky View County, and the property itself is designated by the County as being environmentally significant due the presence of riparian areas, high water table and steep slope. In order to minimize adverse impacts of aggregate resource extraction on existing residents, adjacent land uses and the environment, in accordance with this Policy, the County must reject the Scott Property application, and direct aggregate development to the many areas of the County with gravel deposits that are a) away from populated areas, b) on lands not considered environmentally significant.

**9) Rocky View County Plan (Bylaw C-7280-20130) Sec. 24**

**Requirement:** This section of the County Plan deals with Central West Rocky View, which includes Bearspaw and the Scott Property land, and sets as a Key Direction for the County to “Respect and follow area structure plans. Public consultation forms an important part of the amendment process.”

**Deficiency:** The following pages of this report detail that the application violates several sections of the Bearspaw Area Structure Plan, including Sec 8.6.5, Sec 8.3.15, Sec 8.3.21, Sec. 6.5 and Sec 7.1.3. Approval of this application would not respect and follow the area structure plan, and it must be rejected. Further, the Applicant has breached its public consultation duties, as detailed in Section 2.8 of this report. Lehigh Hanson has fallen short of even minimum requirements for the breadth of consultation, the obligations of disclosure, and the requirement of personal consultation. They have discouraged, dismissed, and even ridiculed valid feedback from impacted stakeholders.

Many residents, including those located immediately adjacent to the proposed pit site, do not understand the potential impacts. Information has been omitted entirely or



presented with unnecessary technical complexity such that affected stakeholders cannot reasonably assess the likely outcomes, even in matters as important as human health and drinking water supply. This is a failed project with unanimous opposition from affected residents: Lehigh Hanson has not properly consulted with stakeholders and has instead simply provided notification of intent.

#### 10) Rocky View County Plan (Bylaw C-7280-20130) Sec. 29.8

**Requirement:** The County Plan mandates in Sec. 29.8 that “A master site development plan for aggregate development shall address all matters identified in Appendix C, sections 1 and 4.” Appendix C Section 4 dictates that “Applications for aggregate extraction shall include a master site development plan that addresses” 17 specified items.

**Deficiency:** The Scott Property application violates this County Plan requirement:

- 7 – Reclamation plan has not been provided. It will not be possible to reclaim this property to equivalent quality land use. Detailed reclamation plans are a legal requirement that cannot be omitted or circumvented with vague indications of possible future intent.
- 8 – Environmental mitigation strategies have not been adequately identified. As outlined in Sections 2.1, 2.2 and 2.9 of this report, the project will have permanent environmental impacts that cannot be mitigated.
- 9 – Identification of impacts to surrounding lands. As noted in Sections 2.1, 2.2, 2.3, 2.4 and 2.5 of this report and in the appended expert evidence, the application fails to properly identify impacts on groundwater (including contamination of residential wells and the potential to dewater wetlands outside of the site boundaries); the application is deficient in addressing impacts on surface water and aquatic habitat; the application uses inappropriate methodology for assessing noise impacts; and the application does not adequately address air quality impacts, including the risk of exposure to carcinogenic silica dust. Economic impacts have not been correctly identified or omitted entirely, as in the case of negative impacts on surrounding residential property values.
- 10 – Assessment of cumulative aspects of extraction activities. As noted in Sections 2.2 and 2.9 of this report and in the appended expert reports, the application is wholly deficient on both the methodology and conclusions regarding cumulative effects.
- 13 – Technical summaries. As noted in Sections 2.1, 2.2, 2.3, 2.4 and 2.9 of this report and the appended expert evidence, the technical documentation in the areas of groundwater, surface water, environmental impacts, noise and dust mitigation are incomplete and inaccurate.
- 13b – Stormwater management plan has not been provided. Only a “Conceptual Level” Stormwater Management Report has been provided and referenced in the MSDP. By the authors’ admission, this conceptual level document omits detailed drawings, stormwater quality information, a geotechnical investigation and other

work that is claimed will be carried out in a future designs stage. This does not satisfy the requirements of the County Plan.

- 19 – Consultation summary. The Applicant has breached its public consultation duties, as detailed in Section 2.8 of this report. Lehigh Hanson has fallen short of even minimum requirements for the breadth of consultation, the obligations of disclosure, and the requirement of personal consultation. Formal consultation sessions were concluded prior to technical reports being finalized. Summarizing the results of inadequate consultation is insufficient for compliance with this requirement.

The Master Site Development Plan, and therefore the application itself, are deficient and in violation of the statutory County Plan requirements. The application must be rejected.

#### 11) Bearspaw Area Structure Plan, Sec. 8.6.5

**Requirement:** “When considering proposals for redesignation...located on or adjacent to lands exhibiting...high water table, flood and/or erosion characteristics, slope instability...or damage to the environment; the onus shall be on the Proponent to identify any hazards and implement measures which eliminate and/or mitigate the hazards while retaining and enhancing environmental attributes.”

**Deficiency:** These criteria have not been met by Lehigh Hanson. Drs Zaghloul and Burton (Appendices A and B) demonstrate risks to groundwater which would be associated with significant costs, measured in both financial and human health terms. The risk has been dismissed by the Proponents, who provide no mitigation plan. Jalkotzy (Appendix F) finds that the Applicant fails to provide a complete list of required mitigation standards for environmental impacts, wetlands impacts, climate impacts and other impacts under Federal and Provincial jurisdiction.

As described in the expert report of Robert Best presented in Appendix C, “there has been little to no discussion on the potential impacts to downstream receiving water bodies (i.e. unnamed tributaries to West Nose Creek, Nose Creek, and the Bow River), which may occur from the disruption of the surface water and groundwater interface. Impacts may include, but are not limited to, a reduction in the downstream flow from the SPP site, potential reductions in groundwater contributions to the SPP site and offsite tributaries to West Nose Creek (a fish bearing stream), a change in timing of downstream flows, geochemical changes in water due to increased exposure of groundwater that may impact sensitive fish species, potential changes in nutrient cycling through the removal of 48 wetlands, and the list goes on. Insufficient work has been completed and a lack of evidence has been provided by Lehigh, to reliably consider all potential impacts to fish and fish habitat...This incomplete assessment by Lehigh does not provide stakeholders, nor provincial and federal regulatory bodies, an opportunity to consider the full potential impacts of the SPP and does not consider the federal *Fisheries Act* definition of fish habitat.

As the application is deficient in identifying hazards, committing to eliminating and/or mitigating hazards, and committing to retaining and enhancing environmental attributes,

the proposed project is non-compliant with this mandatory requirement in the Bearspaw Area Structure Plan, and must be rejected.

#### 12) Bearspaw Area Structure Plan, Sec. 8.3.15

**Requirement:** “No extractive industrial operation shall be conducted in such a manner as to permanently lower the water table of surrounding inhabited properties.”

**Deficiency:** The proposed project will lower the water table of surrounding inhabited properties, in direct contravention of this statutory requirement. Dr. Zaghloul (Appendix A) states that: “The LH pit will permanently lower the water table in this area. Once the incorrect claims of a “barrier” are accepted, this result in my opinion is inevitable.” There are more than 50 domestic use wells located within 1km of the project site.

#### 13) Bearspaw Area Structure Plan, Sec. 8.3.21

**Requirement:** “Redesignation proposals and/or applications for subdivision and development approval to accommodate the extraction of natural resource - aggregates should only be considered where, in the opinion of the Municipality, the rural residential character of adjacent lands is not unduly negatively impacted or substantially altered.”

**Deficiency:** The proposed project will unduly negatively impact and substantially alter the rural residential character of the adjacent lands. The surrounding lands are the most densely populated country residential areas in Rocky View County (see Section 1.1 of this report), home to wetlands and wildlife that will be destroyed and displaced, respectively, by the proposed project (Sections 1.4, 2.1, 2.2 and 2.9). Section 1.3 outlines how redesignation of Scott Property would situate heavy industrial activity directly beside country residential properties, a difference of 19 levels of land use intensity, in direct conflict with each other. Section 2.3 details how the project will generate noise at excessive and potentially dangerous levels, including a quadrupling of perceived noise relative to ambient levels. Section 2.4 concludes that the proposed project will introduce carcinogenic dust to the surrounding rural residential area at levels which have not been adequately assessed in the application. Section 2.5 quantifies the economic loss that this project will inflict on the nearly 10% of the County’s population that lives within 5km of the site; the well-documented impact of gravel pits on surrounding property values indicates that these homeowners will collectively lose \$160 million in value – a clear indication of the undue negative impact that gravel pits cause for surrounding residential area. Section 2.9 confirms that the cumulative effects of this project have been incompletely and inadequately described, and that the project will have negative effects across a broad range of measures.

Rocky View Council itself has acknowledged that gravel extraction and processing negatively impacts the rural residential character of adjacent lands. On July 21, 2017, Reeve Boehlke, on behalf of Rocky View County, wrote to the Provincial Government to request “an official change in the operating hours of the STAR mine as the noise pollution associated with the crushing operations has a significant detrimental impact on the quality of life for the local residents, many of whom were living in the area prior to the mine startup.”

**14) Bearspaw Area Structure Plan, Sec. 8.3.21 (a) and (b)**

**Requirement:** The Bearspaw Area Structure Plan identifies 22 items that should be considered by the County when evaluating proposals for aggregate development in Bearspaw. These items are to be included in three components: a) a comprehensive Development Plan, b) an Operations Statement and c) a Reclamation Plan.

**Deficiency:** The Scott Property application violates this Area Structure Plan requirement in several areas:

- a) iv – Hydrological Assessment has not been provided in sufficient detail, draws incorrect and unsupported conclusions from the data provided, ignores available data that contradicts the reports' findings, inadequately describes the risk of contaminating residential wells, dewatering surrounding wetlands, impacting fish habitat, etc. These deficiencies are outlined in Sections 2.1 and 2.2 of this report.
- a) vi – Environmental Overview or Impact Assessment has not been provided. The MSDP references a 'Phase 1 Environmental Site Assessment' conducted in 2008, which encompassed only approximately 50% of the proposed Scott Property project site. No current environmental impact assessment has been reported or provided.
- a) vii – Construction Management Plan has not been provided.
- a) viii – Post-extraction Plan has not been provided, in violation of this requirement. The Applicant has not demonstrated the requirements, including that future development of the site is viable (it is vaguely indicated that the site will revert to agricultural use, but it is foreseen that high water table will fill the end pit with water and render it unusable for agriculture), as outlined in Sections 2.1 and 2.6 of this report. The Applicant has not demonstrated that the proposed end land use is compatible with the surrounding area; this property is identified for future country residential land use in the Area Structure Plan; the Applicant's documentation does not suggest that this will be possible or attempted.
- a) ix – Community impact assessment, including the potential impact on adjacent and other affected lands, has not been adequately provided. As noted in Sections 2.1, 2.2, 2.3, 2.4 and 2.5 of this report and in the appended expert evidence, the application fails to properly identify impacts on groundwater (including contamination of residential wells and the potential to dewater wetlands outside of the site boundaries); the application is deficient in addressing impacts on surface water and aquatic habitat; the application uses inappropriate methodology for assessing noise impacts; and the application does not adequately address air quality impacts, including the risk of exposure to carcinogenic silica dust. Economic impacts have not been correctly identified or omitted entirely, as in the case of negative impacts on surrounding residential property values. As noted in Sections 2.2, 2.3 and 2.9 of this report and in the appended expert reports, the application is wholly deficient on both the methodology and conclusions regarding cumulative effects.
- b) i – A proposed buffering and noise reduction program has not been sequenced to the phases of resource extraction as required. Further, as noted in Section 2.3 of this report, noise modelling provided in the Applicant's Acoustic Assessment and MSDP is based on incomplete and inappropriate methodology. The Applicant

proposes a conveyor system that will require onsite crushing, yet the noise generated by that activity has not been fully discussed in the MSDP or Acoustic Assessment. Despite proposing a custom-built housing to fully enclose the crusher in the 1994 Scott Property application, no suggestion or commitment is made in the current MSDP.

- b) iv – Dust Abatement Program has not been provided. The MSDP includes vague statements about modelling and monitoring air quality, and comments that the proposed conveyor system will be covered to reduce dust, but this does not constitute a dust abatement program.
- b) iv – Erosion Control Program has not been provided. The Proponent states that “erosion & sediment control plans for each operational phase will be prepared in support of each development permit application”. Vague statements of future intent do not satisfy the requirement for a present program to be identified.
- b) v – Aesthetic Controls and Visual Abatement Program are unsatisfactory. The Proponent describes berms that will be built to block views of the pit from some directions but will not address views from other vantages. While the berms will block views of the pit from residences to the south and west, they will also block pleasing views of open ranchland to the north, in violation of County Plan sections 2.2 and 7.0 which seek to preserve open vistas within the County.
- c) i – Rehabilitation Plan has not been provided. The Applicant has not detailed the methods of accomplishment, phasing and timing of future land uses, as required. It will not be possible to reclaim this property to equivalent quality land use. Detailed reclamation plans are a legal requirement that cannot be omitted or circumvented with vague indications of possible future intent.
- c) iii – A re-vegetation plan has not been provided, as required.

The application is clearly deficient and in violation of Bearspaw Area Structure Plan requirements. The application must be rejected.

#### 15) Bearspaw Area Structure Plan, Sec. 6.5

**Requirement:** Plan objective 6.5 is “To protect, conserve and/or enhance the unique natural features of the Plan Area by requiring proposals for redesignation, subdivision and/or development to consider these features and implement measures that will avoid or mitigate any resulting potentially negative impacts.”

**Deficiency:** The proposed project would irreparably destroy the natural features of the Scott Property, which is designated by Rocky View County as being environmentally significant for riparian areas, high water table and steep slope. The Proponent has not identified measures that can mitigate these permanent negative impacts. The proposal must be rejected to ensure that such impacts are avoided, in accordance with this Area Structure Plan objective.

#### 16) Bearspaw Area Structure Plan, Sec. 7.1.3

**Requirement:** “When considering proposals for redesignation, the Municipality should confirm that the proposal is in accordance with Figure 7 and the applicable provisions of

this Plan.” Figure 7 of the plan identifies the Scott Property land as future country residential land use.

**Deficiency:** The proposed project would involve heavy industrial land use, which is not in accordance with Figure 7 of the Area Structure Plan, and which is in direct conflict to the predominant surrounding land uses. Further, the proposed project will leave behind a water-filled pit that will be unsuitable for future country residential land use.

#### **17) Koebisch v Rocky View (County), 2019 ABQB 508, Decision at [101]**

**Requirement:** “The purpose of the requirement for an MSDP was to ensure sufficient information for meaningful decision making and public input.”

**Deficiency:** The MSDP is deficient in providing sufficient information for meaningful decision making and public input. Among the many clear deficiencies are:

- Groundwater: The Proponent has made assertions that are not supported by the data presented and has irresponsibly asserted that the domestic use aquifer will not be impacted by mining into the water table. This assertion is incorrect, as explained in Section 2.1 of this report.
- Groundwater: The Proponent made no effort to contact residents to obtain data from residential wells and neglected to consider or present publicly available data on wells surrounding the property. The assertions presented in the MSDP rely on an insufficient amount of data collected from a small number of wells on property, and the Proponent’s conclusions are contradicted by data available from surrounding wells, as presented in Section 2.1 of this report.
- Noise: The Proponent’s technical assessment has presented selective and incomplete data about noise generation. Sound receptors were set at heights too low to capture the full impact and dispersion of noise. Modelling assumptions about below-grade noise generation and ground absorption factors combine to consistently understate impacts. See Section 2.3.
- Economic Assessment: data presented included only purported benefits and included no cost data. Information about economic impacts used inappropriate methodology, and implied contributions to Rocky View that will in fact accrue to other jurisdictions. No information on costs was provided; independent expert evidence suggests that these costs could outweigh the entirety of the benefits proposed, as outlined in Section 2.5.
- Air Quality: The Proponent’s air quality receptors were insufficient in number and inadequately positioned to provide a meaningful assessment of potential project impacts. Only two sensitive receptors were positioned within 2km of the property, and both were located to the west where prevailing winds minimize projected impacts. No sensitive receptors were located in residential areas to the south, southwest or northwest of the proposed project site. Most of the receptors were located in industrial, institutional or commercial areas approximately 5km from the site. See Section 2.4 of this report.

- Cumulative Effects: The Proponent has avoided any meaningful evaluation of cumulative effects by ignoring valued components or incorrectly scoping effectively all valued components out of the cumulative effects assessment. Spatial and temporal boundaries for the study have been inappropriately determined, and the impacts of other existing or likely future aggregate operations in the vicinity have been inadequately assessed. See Sections 2.2, 2.4 and 2.9 of this report.

#### 18) South Saskatchewan Regional Plan, Sections 8.11, 8.12 and 8.15

**Requirement:** The South Saskatchewan Regional Plan, which covers Rocky View County, addresses land use compatibility by mandating that “Municipalities are expected to establish land-use patterns which:

- 8.11 Provide an appropriate mix of agricultural, residential, commercial, industrial, institutional, public and recreational land uses; developed in an orderly, efficient, compatible, safe and economical manner
- 8.12 Contribute to a healthy environment, a healthy economy and a high quality of life.
- 8.15 Minimize potential conflict of land uses adjacent to natural resource extraction, manufacturing and other industrial developments.”

**Deficiency:** Approval of Scott Property application would violate Sec. 8.11 by allowing an inappropriate mix of residential and industrial uses in an incompatible and unsafe manner; by detracting from, rather than contributing to, a high quality of life for residents of the Municipality; and by ensuring, rather than minimizing, conflict of existing country residential land use adjacent to the proposed industrial aggregate extraction use.

#### 19) Alberta Municipal Government Act Sec. 3.a.1

**Requirement:** “The purposes of a municipality are to foster the well-being of the environment.” The 2017 amendment to the MGA was added by *An Act to Strengthen Municipal Government*.<sup>49</sup> The inclusion of this requirement as a direct component of good municipal governance reinforces its critical importance.

**Deficiency:** Approval of this application would be contrary to this requirement. The Scott Property project will destroy, rather than maintain or improve the quality of the physical environment. It will negatively impact the existing rural landscape and character. It will introduce light pollution to the detriment of dark skies, it will construct berms specifically to block sight lines and eliminate open vistas, and it will remove working agricultural land. It will introduce noise pollution and will degrade air quality with life-threatening silica dust.

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<sup>49</sup> S.A 2017 c.13 Sec. 1(3)



It contradicts the Land Use Framework Strategy regarding healthy ecosystems, and the Water for Life strategy goals of a safe, secure drinking water supply and healthy aquatic ecosystems. As outlined in Section 2.1 of this report, this project will threaten both the safety and security of drinking water, as it has high risk of contaminating the domestic use aquifer, and lowering the water table for surrounding residential well users.

As detailed in Section 2.2, the project will undermine healthy aquatic ecosystems, as “impacts may include, but are not limited to, a reduction in the downstream flow from the SPP site, potential reductions in groundwater contributions to the SPP site and offsite tributaries to West Nose Creek (a fish bearing stream), a change in timing of downstream flows, geochemical changes in water due to increased exposure of groundwater that may impact sensitive fish species, potential changes in nutrient cycling through the removal of 48 wetlands, and the list goes on.

The project will dewater wetlands across a broad area, beyond the project boundaries. It will displace wildlife and will destroy habitat of listed species. It would ignore established setback distances for riparian protection areas, several of which are identified on Scott Property, and would result in the permanent destruction of these riparian areas.

The proposed project is in complete contradiction to the requirement of Rocky View Council to foster the well-being of the environment, and the application must be rejected.

## 20) Alberta Environment Code of Practice for Pits Section 8.2

**Requirement:** Per 8.2 of the Code of Practice, Water Act authorization may be required in cases of, inter alia, pit dewatering, when wetlands will be permanently or temporarily affected, or when drainage courses will be modified, controlled or diverted. Per 38(2) of the Water Act, authorization “must consider, with respect to the applicable area of the Province, the matters and factors that must be considered in issuing an approval, as specified in an applicable approved water management plan”. Rocky View County is partner to the Nose Creek Watershed Water Management Plan, which identifies in 6.4.3.a the setback distances for riparian areas and states in 6.4.3.b that “Relaxations of the riparian setback should not occur”.

**Deficiency:** Approval of the Scott Property Application would ignore established setback distances for riparian protection areas, several of which are identified on Scott Property, and would result in the permanent destruction of these riparian areas, in violation of the Code of Practice (8.2), the Water Act (32(2)) and the Nose Creek Watershed Management Plan (6.4.3.a).

## 21) Rocky View Land Use Bylaw C-8000-2020 Sec 104/204 and County Policy 419

**Requirement:** Scott Property contains drainage courses identified by Rocky View County as Riparian Protection Areas. Rocky View Land Use Bylaw C-8000-2020 states that “Riparian Protection Area” means the lands adjacent to naturally occurring watercourses, which the County has deemed **necessary** to protect by limiting certain forms of development within this area. The purpose and intent of the riparian protection area is to conserve and manage riparian lands. Sec. 204 of the Land Use Bylaw identifies setback



distances for development in proximity to riparian areas, and Sec. 104 states that development setback 'variance **shall not** be considered by the Development Authority" in regards to setbacks to a riparian area.

County Policy #419 states that:

- The County's policies for conserving and managing riparian land will align with provincial objectives and policies, and whenever feasible, the County's policies will enhance provincial objectives.
- The County will create and implement appropriate land use patterns through planning documents within and adjacent to riparian lands that will minimize possible negative effects on riparian lands and their functions. These land use patterns may or may not include appropriate permitted and discretionary land uses.
- When approving development within its boundaries, the County will require applicants (developers, landowners and others) to consider and demonstrate plans for the maintenance and/or restoration of riparian lands adjacent to natural water courses and water bodies to a functional condition, and where possible, to an enhanced or improved condition.

**Deficiency:** Approval of the Scott Property Application would ignore established setback distances for riparian protection areas and would result in the permanent destruction of these riparian areas, in violation of the County Land Use Bylaw Sec. 204. The application proposes variance (in this case, elimination) of setback requirements for riparian areas, in violation of County Land Use Bylaw Sec. 104. Lehigh Hanson has not demonstrated plans for the maintenance of riparian lands to a functional, enhanced or improved condition, in violation of County Policy 419.

#### 22) Nose Creek Watershed Water Management Plan Sec. 6.4.3.b

**Requirement:** Rocky View County is a member of the Nose Creek Watershed Partnership, and a signatory to the Nose Creek Watershed Water Management Plan, both of which seek to protect the creek and its tributaries. Sec. 6.4.3.a of the plan identifies setback distances for riparian areas (consistent with those in Rocky View County Land Use Bylaw Sec. 204), and Sec. 6.4.3.b of the plan states that "relaxations of the riparian setback should not occur".

**Deficiency:** Approval of the Scott Property Application would ignore established setback distances for riparian protection areas and would result in the permanent destruction of these riparian areas. The application proposes relaxation (in this case, elimination) of setback requirements for riparian areas, in violation of Nose Creek Watershed Water Management Plan Sec. 6.4.3.b.

#### 23) Alberta Utilities Commission Rule 007 Sections 5 and 6

**Requirement:** Alberta Utilities Commission Rule 007 provides consultation requirements for applicants of large scale utilities projects (which should apply in this case by analogy).

Despite proposing a gravel operation that will be far more intrusive and detrimental than a transmission line, for example, Lehigh Hanson has failed to meet the requirements.

**Deficiency:** Despite proposing a gravel operation that will be far more intrusive and detrimental than a transmission line, for example, Lehigh Hanson has failed to meet the requirements.

- For all but minor projects, Sec. 5 requires “Personal consultation with occupants, residents and landowners on or directly adjacent to the proposed...site location”. In some cases, the personal consultation radius extends to 800m. **Personal consultation did not occur for this application.**
- The applicant is expected to conduct one-on-one consultation with occupants, residents and landowners as outlined in Sec. 5. **One-on-one consultation did not occur for this application.**
- Sec. 6: The applicant must make reasonable attempts to contact stakeholders, provide information about the project, discuss the project, and address any questions and concerns. If the applicant is unable to contact a stakeholder, it should be able to demonstrate reasonable attempts to establish contact. The applicant is accountable for the outcomes of personal notification and consultation, including consultation and notification completed on its behalf by all personnel (including contracted personnel). **The Applicant did not make reasonable attempts to contact stakeholders for this application.**
- Sec. 6: The applicant must ensure that individuals conducting personal notification and consultation use appropriate language and terminology in conversations and in written and electronic materials so that the stakeholders can clearly understand the details of the proposed project and the impact it may have on them. **The Applicant did not provide information to stakeholders using appropriate language and terminology.**

#### 24) Canada Fisheries Act Sec 36(3)

**Requirement:** “No person shall deposit or permit the deposit of a deleterious substance of any type in water frequented by fish or in any place under any conditions where the deleterious substance or any other deleterious substance that results from the deposit of the deleterious substance may enter any such water.” Scott Property contains drainage tributaries to West Nose Creek and interconnected wetlands and groundwater critical to the health of downstream waterways. The Nose Creek Watershed Water Management Plan documents eight fish species among a catch of 893 fish inhabiting West Nose Creek from 2006-2012. Water from Scott Property ultimately leads to the Bow River.

**Deficiency:** As described in the expert report of Robert Best presented in Appendix C, “there has been little to no discussion on the potential impacts to downstream receiving water bodies (i.e. unnamed tributaries to West Nose Creek, Nose Creek, and the Bow River), which may occur from the disruption of the surface water and groundwater interface. Impacts may include, but are not limited to, a reduction in the downstream flow from the SPP site, potential reductions in groundwater contributions to the SPP site and offsite tributaries to West Nose Creek (a fish bearing stream), a change in timing of

downstream flows, geochemical changes in water due to increased exposure of groundwater that may impact sensitive fish species, potential changes in nutrient cycling through the removal of 48 wetlands, and the list goes on. Insufficient work has been completed and a lack of evidence has been provided by Lehigh, to reliably consider all potential impacts to fish and fish habitat...This incomplete assessment by Lehigh does not provide stakeholders, nor provincial and federal regulatory bodies, an opportunity to consider the full potential impacts of the SPP and does not consider the federal *Fisheries Act* definition of fish habitat. The omission and lack of discussion of potential impacts to fish and fish habitat and a lack of review by Fisheries and Oceans Canada (DFO) may put this project in direct contravention of the federal *Fisheries Act*."

## **Appendix A: Expert Groundwater Report – Dr. Essam Zaghloul, Ph.D.**

**GEOLOGY/HYDROGEOLOGY REBUTTAL EXPERT REPORT**  
**OF DR. ESSAM ZAGHLOUL**

**January 11, 2021**

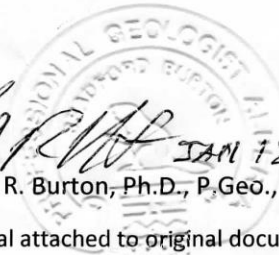
Author



Essam Zaghoul; Ph.D., P.Geo

**Statement of Authentication of Professional Work Product**

I have thoroughly reviewed the PWP "GEOLOGY/HYDROGEOLOGY REBUTTAL EXPERT REPORT OF DR. ESSAM ZAGHLOUL" and authenticate this report as technically accurate, and completed according to APEGA's Code of Ethics and Rules of Conduct.

A circular professional seal for Bradford R. Burton, a Professional Geologist. The seal contains the text "PROFESSIONAL GEOLOGIST" and "BRADFORD BURTON".  
*BRB* JAN 12, 2021  
Bradford R. Burton, Ph.D., P.Geo., M82393  
APEGA seal attached to original document

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## **GEOLOGY/HYDROGEOLOGY REBUTTAL EXPERT REPORT**

### **I. EXECUTIVE SUMMARY**

This Geological/ Hydrogeological Technical Assessment report for the Scott Property Project has been prepared by Dr. Essam Zaghloul as an independent expert.

Lehigh Hanson Materials Limited (“LH”) is proposing to construct and operate the Scott Property Project (“SPP”), which will be a Class I Aggregate Pit located in Rocky View County (“RVC”), in the rural community of Bearspaw, Alberta. The Project will occupy the majority of 05-26-02-W5M, with the exception of 33.9 acres located in the southwest corner (the “Project Area”). The Project Footprint refers to the proposed area of disturbance within the Project Area. The property totals an area of approximately 600 acres (243 hectares [“ha”]), of which 395 acres (160 ha) are proposed for development as a Sand and Gravel pit. The redesignation of the lands on which the SPP would be conducted has been declined on two separate occasions in the past.

I was requested by the Landowners to review the groundwater assessment advanced by LH in support of their application to redesignate farm lands to allow a gravel pit that will operate 25-30 years.

Fundamental to the AECOM report, and the application of LH, is the following assertion:

*Residential wells surrounding the MSDP area draw water from a deeper aquifer within the Paskapoo Formation, underlying the Tertiary Sand & Gravel which is proposed for mining. Groundwater present in the wells within the subject lands appears not to be hydrostratigraphically or chemically related to the water drawn in residential wells surrounding the MSDP area.*

*Furthermore, hydraulic conductivity properties tested in the wells which contained water and the saturated interval of water in those wells indicate low aquifer capacity in the Tertiary Sand & Gravel Aquifer. As such, this aquifer has no capacity to support residential uses. **The potential Project-related adverse effects to groundwater quantity are anticipated to be negligible because there is limited hydraulic connectivity between the Tertiary Sand & Gravel Aquifer and the underlying Paskapoo Aquifer.***

Essentially, AECOM is asserting on behalf of LH that an open mine pit can be excavated in a water prone area where many residents rely on groundwater for their daily needs without impacting the main groundwater formation (The Paskapoo Domestic Use Aquifer – DUA) in this area. In my view, this conclusion is absolutely incorrect.

In my expert opinion, the AECOM conclusions are deeply flawed and cannot be relied upon. I detail my reasons in this Report, but in summary:

1. All parties agree the Paskapoo Formation exists in a fluvial/ alluvial geologic setting. AECOM does not seem to recognize the significance of the depositional environment. In such a geologic setting, there are no regional barriers due to many geologic factors. Over the Project Area, it would be fully expected based on the geologic setting alone that no



regional or local competent and continuous geologic barriers would exist. This fact is fully substantiated on the geologic data.

2. Therefore, the AECOM conclusions are contrary to the geologic setting and the available data.
3. For a barrier to exist, it obviously must have the properties of a barrier. Here no such unit exists. There are no barriers to vertical flow and this system has high vertical and lateral porosity and permeability. Therefore, all available evidence demonstrates that no barrier exists as claimed by AECOM on behalf of LH.
4. Geologic conclusions cannot be drawn over a large area from isolated wells. First, as I have said, the geologic setting must be understood. Second, even if one isolated well or wells show a shale, this so-called barrier must be laterally continuous and competent over that entire area (extending a line between shales/muds in wells is incorrect as the geologic characteristics may be very different as the AECOM core data shows and the [Alberta Tier 2 Soil and Groundwater Remediation Guidelines](#) clearly show what a barrier is). In my opinion, it is completely unreasonable to infer a barrier across the entire area of the LH pit from sparse data from a few well bores in this geologic setting. In my opinion, the AECOM work attempts to do just that, is fatally flawed and cannot be relied upon.
5. In addition, all data must be honoured and not simply that which is claimed to support a claimed “barrier.” Here, as I detail in this Report, the data collectively and overwhelmingly demonstrates vertical continuity. This conclusion is demonstrated on the evidence which AECOM ignores. The entire area is hydraulically connected, from surface, through the gravel, to the underlying Paskapoo Formation
6. AECOM, in my opinion, incorrectly seek to ignore the obvious concerns to groundwater. I am advised that there are many landowners that rely on groundwater withdrawals for their daily needs.
7. The [Alberta Tier 2 Soil and Groundwater Remediation Guidelines](#), Jan 2019 provide guidance on the requirements of a claimed “barrier” where groundwater is being utilized. A minimum of 5 meters of massive undisturbed, unfractured fine-grained material is required. AECOM’s own data conclusively demonstrates that no such unit is present at the Project Area. At best there is a meter of sand, silt and shale in isolated wells. An interbedded unit that does not have 5 meters of continuous shale is not a barrier and cannot be interpreted as such. The few Paskapoo Formation wells in AECOM’s cross sections and the many I looked at show thin units at the top of the Paskapoo Formation that barely exceed a meter and cannot constitute a barrier to protect the DUA.
8. There is also a cluster of groundwater wells contiguous to the proposed mine that are utilized by landowners to draw on the Paskapoo Formation for drinking water and their daily needs. These wells inevitably will create a pressure sink and sub surface fluids like water will flow from high to low pressure. AECOM makes no mention whatsoever of this obvious impact.

9. AECOM does not present a single potentiometric map. This technique is standard and there is no excuse for their omission. This type of mapping is crucial to understanding subsurface flow of water and communication. I have examined all available data and it is clear that groundwater flow is generally to the northeast, but locally, groundwater flows to the west out of the proposed pit area toward domestic water wells in a continuous system both vertically and laterally.
10. Vertical hydraulic continuity in this area is open and notorious. AECOM makes no mention of known contamination emanating from the Spy hill land fill site that is well known and should have been of obvious concern. Over the 30 year life of a pit, the same can be expected at the LH Project Area. Contaminants will flow into the Domestic Use Aquifer ("DUA"). I have also been advised by the Landowner Group that none of this was brought to their attention by LH.
11. AECOM states in their report that there are five Hydrostratigraphic units identified within the project area. Fundamentally AECOM cannot claim to adequately understand what the impact is going to be on the hydrogeological regime if they didn't penetrate all of their claimed 5 hydrostratigraphic units. If you are going to refer to the units above the Paskapoo DUA as aquitards then you need to acknowledge the implication that removing it will have on groundwater vulnerability. However, this is irrelevant since the data used by AECOM and AECOM themselves admit that there are no barriers in some areas. There is no doubt that there is extensive hydrodynamic communication.
12. Sec 7.16 of the Rocky View County Plan states that "Development shall be planned, designed, and constructed to protect **alluvial aquifers**." LH/AECOM have totally ignored this prohibition and are planning on developing the Sand and Gravel aquifer which is an alluvial aquifer. Most alluvium is geologically Quaternary in age, and is often referred to as "cover" because these sediments obscure the underlying bedrock. Most sedimentary material that fills a basin ("basin fill") that is not lithified is typically lumped together as "alluvial". **Alluvium** is loose, unconsolidated (not cemented together into a solid rock) soil or sediment that has been eroded, reshaped by water in some form, and redeposited in a non-marine setting. Alluvium is typically made up of a variety of materials, including fine particles of silt and clay and larger particles of sand and gravel. When this loose alluvial material is deposited or cemented into a lithological unit, or lithified, it is called an **alluvial deposit**. When water flows directly from the underground aquifer to a surface, an alluvial aquifer exists as in the case of section 5. The sand and gravel aquifer is in direct hydrodynamic communication already and there is no means of mitigation. LH claims that this sand and gravel aquifer is already not suitable for domestic use, even though this is inaccurate as it is already utilized for domestic use in addition to the availability of many techniques to improve the water quality. LH claims that the alluvial aquifer "*has no capacity to support residential uses*". LH should not be allowed to proceed with it's application as it contravenes the Rocky View County Plan regarding protecting Alluvial aquifers.

13. Many international studies e.g. the USA, Finland, UK (which I have set forth in the Reference Section of my report) clearly illustrate the danger gravel extraction poses on surface and groundwater. Gravel extraction causes changes in seepwater (water seeping from the groundwater to the surface) and groundwater quality as well as in the elevation of the groundwater table and its variation. Acid rain flushes the soil, increasing the quantity of dissolved chemicals, salts and seepwater and groundwater quality variations. The composition of water in groundwater ponds varies in the same way as that of surface water, seasonally. The great variations in the quality of pond water increase the variations in groundwater quality.

Finally, in my opinion it is a physical impossibility to excavate a pit as envisioned by LH in this setting and not permanently impact groundwater quality and groundwater levels both locally and regionally. LH seems to acknowledge this by its statement that its pit must be “dewatered.” While they will need to dewater their pit, the source of that water will be groundwater in an interconnected and areally extensive system that will result in dewatering and significant impacts to the surrounding community.

I understand that Section 8.3.15 of the Bearspaw ASP states that: “No extractive industrial operation shall be conducted in such a manner as to permanently lower the water table of surrounding inhabited properties.” In my opinion, the LH pit will permanently lower the water table in this area. Once the incorrect claims of a “barrier” are accepted, this result in my opinion is inevitable.

The impacts to groundwater are very real, cannot be mitigated and can be summarized as follows:

- Direct contamination pathways to the Paskapoo Formation which certain adjacent landowners use for their domestic use; and
- Regional dewatering and permanently lowering the water table.

I strongly recommend that the LH application, which has been rejected in the past, be rejected now and forever as it contravenes the Rocky View County Plan regarding protecting Alluvial aquifers and presents unacceptable risks to local residents and will result in regional impacts that cannot be mitigated.

## **II. SCOPE OF REVIEW AND QUALIFICATIONS**

This Report was prepared by me, Dr. ESSAM ZAGHLOUL; Ph.D., DIC, P.Geo. I hold a B.Sc. in Geology from Cairo University and a Ph.D. in geology from the University of London. I am an experienced Geologist with 45+ years experience in the oil and gas industry having worked in major and independent oil companies in most geological provinces and sedimentary basins of the world. I have worked extensively on the Western Canadian Sedimentary Basin.

Applying my expertise in geology and sedimentology, I am one of Canada’s leading experts in improved and enhanced oil recovery. This requires a detailed knowledge of both depositional

environments and how fluids, including water, flow through subsurface reservoirs. I have appeared as an expert witness in Canada and Britain.

I was a leading Geoscientist on the Gas over Bitumen hearings held before the Alberta Energy and Utilities Board (“AEUB”), and specifically the proceeding leading to the shut in of all natural gas production in the Surmont area of Alberta. This hearing established the principles that were applied by the AEUB in many subsequent proceedings when determining whether or not to shut in gas production from zones overlying subsurface bitumen. The central argument in these proceedings seeking to allow continued gas production, which is not dissimilar to that made by LH, was that a “barrier” isolated the gas from underlying water and bitumen. These arguments were rejected as being geologically unsound, being based on snap shots of data taken out of context while all available data demonstrated that no barrier existed. The geologic setting, fluvial, was similar to that encountered on the lands where a pit is sought to be excavated. Issues such as the properties of a barrier, lateral continuity, potentiometric mapping demonstrating water flow, well interpretation in a fluvial setting, water flow in subsurface reservoirs, aquitards, aquicludes and a myriad of other issues were all examined exhaustively. I have also assessed and evaluated many hydrodynamic regimes in many geologic basins of the world and have used them in understanding hydrocarbon and water migration. In addition I have evaluated groundwater for domestic and agriculture use in Egypt using log and wireline data.

In addition to my training and experience, I have brought the specific and directly relevant experience gained through the Gas over Bitumen hearings to this matter. Fundamentally, whether or not a barrier exists is a question of geology based on a review of the depositional setting and all available data.

I was requested by the Landowners to review the geology and groundwater assessment advanced by LH in support of their application to redesignate farm lands to allow a gravel pit that will operate 25-30 years (MSDP of Oct 2020) and AECOM Report of 2020. The information, data, recommendations and conclusions contained in this Report (collectively, the “Information”) is based on my professional expertise in the fields of geology and hydrogeology, extensive geological research on the Paskapoo Formation from the literature, actual water wells drilled by the owners, wells in the Alberta Database most of which have been independently verified by me.. The report must be read as a whole and sections thereof should not be read out of such context. This report represents my independent and unbiased assessment of the geologic and hydrogeologic submissions of LH in support of the gravel pit.

### **III. BACKGROUND INFORMATION**

LH is proposing to construct and operate the SPP, which will be a Class I Aggregate Pit located in Rocky View County, in the rural community of Bearspaw, Alberta. The Project will occupy the majority of 05-26-02-W5M, with the exception of 33.9 acres located in the southwest corner (the “Project Area”). The Project Footprint refers to the proposed area of disturbance within the Project Area. The property totals an area of approximately 600 acres (243 hectares [ha]), of

which 395 acres (160 ha) are proposed for development as a sand and gravel pit. The Project is bound by 144 Avenue NW (also known as Burma Road) to the south, Range Road 24 to the East, and Range Road 25 (also known as Twelve Mile Coulee Road) to the west. This project has been declined in the past as per the following timeline.

Currently, there are several extraction operations in the Spy Hill region of northwest Calgary and a seventh in Rocky View (Burnco). At Crestview Estates, the Landowners continually hear the operations from about 4 km away and worry about the ‘cumulative effects’ of seven operations in about a five square mile area. An application by LH was rejected by Rocky View Council (“RV Council”) in 2010. In terms of yearly output, this would have been the second largest in all of Canada according to ‘Rock to Road’ (an industry newsletter LH purchased 320 acres off Burma Road in 1992 and an application was rejected by the MD of Rocky View in 1994. (Staff recommended against it at that time as an inappropriate land use.) It then purchased land in the City (from the Province) and is on record in its 1997 development permit application as indicating that this land would be sufficient to meet its needs for the next “...40-50 years”.

In 2008 LH then purchased the remainder of Section 5 (excepting the keyhole cul de sac known locally as Crestview Estates – which was severed 30 years earlier in 1978).

I am aware that the Province of Alberta has set safety requirements for a DUA. The legislation, I understand, promotes public safety. LH and its consultants make no mention of this requirement. This is a requirement where people withdraw water for their daily needs.

Specifically, the Alberta Tier 2 Soil and Groundwater Remediation Guidelines provide valuable guidance. As the Paskapoo is an unconfined reservoir, the DUA must be protected by a 5 meter continuous zone. For completeness, I have quoted the provision below with emphasis added:

*E.2 Exclusion of the Domestic Use Aquifer (DUA) Drinking Water Pathway by Geologic Barriers Under a Tier 2 approach, **if there is sufficient thickness of natural, undisturbed geologic material, acting as a barrier between the contaminant zone and the DUA, the drinking water pathway may be excluded. The objective of this approach is to maintain drinking water objectives within the DUA. To exclude the DUA pathway, there must be: 1. At least 5 metres of massive, undisturbed, unfractured fine-grained material meeting appropriate guidelines with a bulk hydraulic conductivity that is less than or equal to  $1 \times 10^{-7}$  m/s, or 2. An equivalent thickness of natural, undisturbed geologic material that is more than 5 meters thick and is supported by technical information regarding the lithological***

Hydraulic Conductivity (m/s)	Geologic Unit Thickness(m)
0.50	1.50
1.50	2.50
2.50	3.50
3.50	4.50
4.50	5.50
5.50	6.50
6.50	7.50
7.50	1.00E-06
1.00E-06	1.00E-05
1.00E-05	1.00E-04
1.00E-04	1.00E-03

***Hydraulic Conductivity (m/s) Geologic Unit Thickness(m) Not a DUA***

*DUA January 10, 2019 Alberta Tier 2 Soil and Groundwater Remediation Guidelines Page 139 of 140 © 2019 Government of Alberta properties prepared by the professional conducting the site assessment and accepted by Alberta Environment and Parks. The conditions in (1) above apply to petroleum hydrocarbon contaminants. Exclusion of the drinking water pathway for other substances, such as salt, must be supported by technical information regarding the lithological and substance properties prepared by the professional and accepted by Alberta Environment and Parks.*

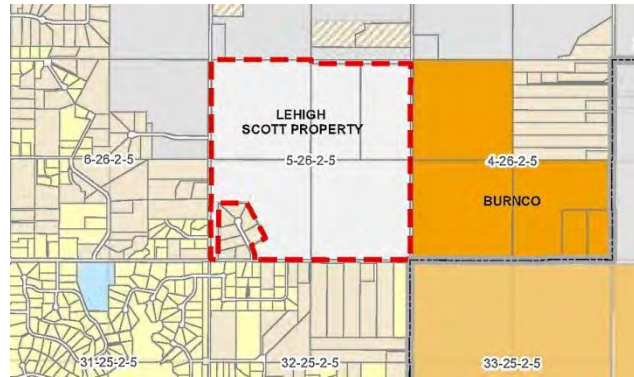
LH and its consultants do not even address this requirement. There is no evidence whatsoever of any type of subsurface formation that would fit this requirement for a barrier to protect a DUA. It is beyond doubt that the Paskapoo aquifer is being utilized for domestic use. It is also beyond doubt that there is no evidence of a unit at the pit that would fit the criteria. The AECOM report shows a maximum of 1 meter, and many gas wells in the immediate surrounding area, that LH/AECOM opted to ignore, show that there is no thick shale or caprock at the top of the Paskapoo Formation. Further, the unit not only must be in excess of 5 meters it must be massive, undisturbed, unfractured fine-grained material. That, again, does not exist at the pit site. The available data shows, where present, the so called barrier is thin, fractured, contains sand and silt and therefore does not meet the criteria of “massive, undisturbed, unfractured fine-grained material.”

I am also aware that Sec 7.16 of the Rocky View County Plan states that “Development shall be planned, designed, and constructed to protect **alluvial aquifers**.” Most alluvium is geologically Quaternary in age, and is often referred to as “cover” because these sediments obscure the underlying bedrock. Most sedimentary material that fills a basin (“basin fill”) that is not lithified is typically lumped together as “alluvial”. **Alluvium** is loose, unconsolidated (not cemented together into a solid rock) soil or sediment that has been eroded, reshaped by water in some form, and redeposited in a non-marine setting. Alluvium is typically made up of a variety of materials, including fine particles of silt and clay and larger particles of sand and gravel. When this loose alluvial material is deposited or cemented into a lithological unit, or lithified, it is called an **alluvial deposit**. When water flows directly from the underground aquifer to a surface, an alluvial aquifer exists as in the case of section 5. The sand and gravel aquifer is in direct hydrodynamic communication already and there is no means of mitigation. LH claims that this sand and gravel aquifer is already not suitable for domestic use, even though this is inaccurate as it is already utilized for domestic use in addition to the availability of many techniques to improve the water quality. LH claims that the alluvial aquifer “*has no capacity to support residential uses*” so they imply that it is OK to ignore the Rocky View County Plan regarding protecting Alluvial aquifers.

Aggregate mining is an extractive use of resources: mining alters the landscape and its natural hydrologic system. The mining operation uses a vast amount of water to wash the gravel, water the roads etc. There is no mention by LH of where they are going to get this water from since they claim that the sand and gravel has limited water.

The SPP, unlike other aggregate operations is situated in the immediate vicinity of a populated area as per the map below, where certain residents rely on the Paskapoo aquifer for their domestic use.





In addition, the map below shows certain of the groundwater wells in proximity to the gravel pit:



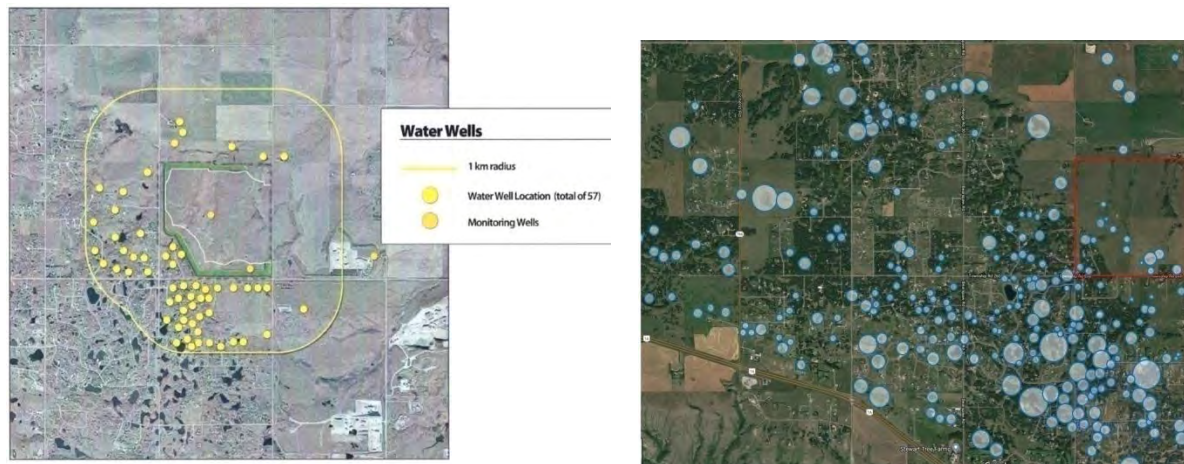
Quarries and pits can affect groundwater and surface-water systems in various ways. Therefore, aggregate pit operators should focus on the following potential impacts among many other impacts:

- Hydraulic communication with underlying aquifers leading to groundwater quality and quantity reduction;
- Concentration of naturally occurring contaminants or the disturbance of historic contamination;
- Lowering of local groundwater and surface-water levels from mining operations and mine dewatering, altering water quality and quantity reduction if the pits are near water bodies;
- Changes in turbidity levels in ground water due to quarry operations;
- Interruption of groundwater conduit flow paths by rock removal; and
- Temperature change (thermal impacts) in springs and surface-water streams.

Typically when conducting any sort of assessment of risks or impacts you describe a baseline, outline what impacts or risks would be without mitigating measures and then describe the actions required to mitigate those impacts or risks.

These impacts have not been evaluated adequately and the mitigations proposed by LH are boiler plate, not acceptable, do not recognize the unique setting of the Project Area and do not take into account the extreme risks their operation will have on the DUA and springs, lakes and surface water streams.

In addition, I have examined the regional topography and setting. The figure below demonstrates the amount of surface water in the area relative to the proposed pit site:



A regional Groundwater Assessment was carried out in 2002 by Hydrogeological Consultants Ltd. on behalf of the M.D. of Rocky View.

Rocky View Groundwater Study - Rocky View County [www.rockyview.ca](http://www.rockyview.ca) ›  
Portals › Files › Agriculture › RVC-, 2002

*There are 7,263 water well records with completion interval and lithologic information, such that the aquifer in which the water wells are completed can be identified. The water wells that were not drilled deep enough to encounter the bedrock plus water wells that have the bottom of their completion interval above the top of the bedrock are water wells completed in surficial aquifers. Of the 7,263 water wells for which aquifers could be defined, 222 are completed in surficial aquifers, with 183 (82%) having a completion depth of less than 40 metres below ground level. The data for 7,041 water wells show that the top of the water well completion interval is below the bedrock surface, indicating that the water wells are completed in at least one bedrock aquifer. From Figure 2, it can be seen that water wells completed in bedrock aquifers occur throughout the M.D. There are currently records for 64 springs in the groundwater database, including three springs that were documented by Borneuf (1983). The four available flow rates for springs within the M.D. range from less than 20 to 1,600*

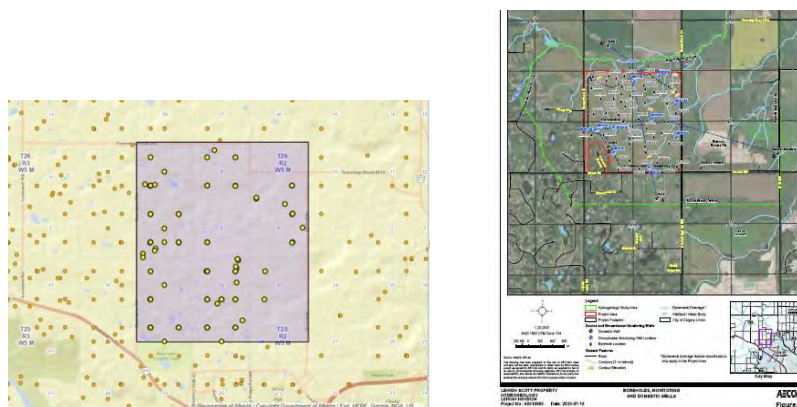


*litres per minute (lpm) or 0.02 to 1.6 Cubic Meters/min, with the highest flow rates at three springs in Big Hill Springs Park in 14-29-026-03 W5M.*

In summary, thousands of groundwater wells have been drilled into the Paskapoo Formation in the M.D. of Rocky View as this is the main DUA. The study was carried out to assess and develop guidelines for the managing and protection of the groundwater resource. In the own words of the authors of this regional study: ***“How a Municipal District (M.D.) takes care of one of its most precious resources - groundwater - reflects the future wealth and health of its people. Good environmental practices are not an accident. They must include genuine foresight with knowledgeable planning. Implementation of strong practices not only commits to a better quality of life for future generations, but also creates a solid base for increased economic activity. Though this report’s scope is regional, it is a first step for the M.D. of Rocky View in managing their groundwater. It is also a guide for future groundwater-related projects.”***

On a local scale where Scott property is located, there are 54 LH drill holes where the gravel pit is planned to be mined. The LH wells are shallow and barely tag the Paskapoo which is the zone that provides drinking water to well water users in the area. As I explain below, there are many deeper wells in the area that drill into the Paskapoo and are necessary to understand the depositional setting and the complete absence of any claimed barriers.

The figure below depicts the LH drilled wells and Paskapoo Formation and deeper Paskapoo wells. All of the wells should have been reviewed that are in the area from the Alberta Database :



LH uses only 4 of the wells in their cross-section (AECOM Fig 2 above that I will discuss below) which LH seeks to correlate and create barriers within the area to be mined.

This approach is fundamentally flawed, ignores the data, ignores the depositional and regional setting, and seeks to draw wholly erroneous conclusions about a small area within a larger depositional environment. Even on AECOM’s own data, as I will explain below, there is no barrier protecting drinkable groundwater at the mine site from the excavation. It is not possible to excavate to a “barrier” as claimed by LH and the excavation will impact both the quality of the ground water and permanently lower the water table.

In summary, LH/AECOM, in my opinion, have taken two to three wells with a thin, local sand/shale unit and drawn a straight line between them claiming a barrier. This interpretation is of no value, fundamentally flawed and should be rejected out of hand. Shales are isolated and are expected to be so in this environment. Where present they are thin and discontinuous. There is no evidence of a laterally continuous and competent barrier and nor would you expect one to exist. As I stated above, the Alberta Tier 2 Soil and Groundwater Remediation Guidelines require a minimum 5 meter massive and undisturbed unit. LH is proposing an industrial operation over top the source of water for domestic use and it is reckless to infer a non-existent barrier across the area.

#### **IV. THE REGIONAL AND SPECIFIC GEOLOGIC SETTING –THERE IS NO BARRIER BETWEEN GROUND WATER RESERVOIRS**

##### **A. The Regional Setting**

At page 37 (PDF) of the LH MSDP it states:

*“Residential wells surrounding the MSDP area draw water from a deeper aquifer within the Paskapoo Formation, underlying the Tertiary Sand & Gravel which is proposed for mining. Groundwater present in the wells within the subject lands appears not to be hydrostratigraphically or chemically related to the water drawn in residential wells surrounding the MSDP area.*

*Furthermore, hydraulic conductivity properties tested in the wells which contained water and the saturated interval of water in those wells indicate low aquifer capacity in the Tertiary Sand & Gravel Aquifer. As such, this aquifer has no capacity to support residential uses. **The potential Project-related adverse effects to groundwater quantity are anticipated to be negligible because there is limited hydraulic connectivity between the Tertiary Sand & Gravel Aquifer and the underlying Paskapoo Aquifer.**”*

I fundamentally disagree. The following discussion will illustrate that the assertions by LH in the MSDP are erroneous, reckless and unfounded.

The nature and distribution of aquifers and aquitards in a geologic system are controlled by the lithology, stratigraphy, and structure of the geologic deposits and formations. The *lithology* is the physical makeup, including the mineral composition, grain size, and grain packing, of the sediments or rocks that make up the geological systems. The *stratigraphy* describes the geometrical and age relations between the various lenses, beds, and formations in geologic systems of sedimentary origin. *Structural features*, such as cleavages, fractures, folds, and faults are the geometrical properties of the geologic systems produced by deformation after deposition or crystallization. In unconsolidated deposits, the lithology and stratigraphy constitute the most important controls. In most regions knowledge of the lithology, stratigraphy, and structure leads directly to an understanding of the distribution of aquifers and aquitards. In my opinion, LH/AECOM did not carry out appropriate geological studies to address these issues and assert the presence or absence of aquitards. The hydrogeological work is based on erroneous assumptions and resulted in erroneous conclusions.

To put this into perspective I evaluated the LH MSDP work in both a regional and local context. Figures 1 and 1A demonstrate the geologic setting. I will present later extensive evidence that illustrates geologically that **extensive vertical and lateral hydraulic continuity exists between the Paskapoo and the Tertiary Sand and Gravel aquifers.**

The Paskapoo Formation underlies much of south-western Alberta. It is thickest in the foothills of the Canadian Rockies, and thins eastward to the 112th meridian west in the plains. The formation is more than 750 metres (2,460ft) thick in the foothills, and about 600 metres (1,970ft) near Calgary. It is assumed that it originally reached thicknesses as great as 1,000 metres (3,280ft) in some areas prior to erosion.

The formation is exposed at the surface along a trend that extends from Calgary to west of Edmonton. Good outcrops can be seen in the eastern reaches of the foothills, and along the Bow River in and around Calgary (for example at Paskapoo Slopes), the Red Deer River near Red Deer, the North Saskatchewan River west of Edmonton, and the Athabasca River. The Dalehurst Member is an erosional remnant and is confined to an area adjacent to the foothills near Hinton and Obed.

The Paskapoo Formation underlies the present day erosional surface (unconformity or hiatus of approximately 58 million years) and it is exposed in outcrop in many areas. Cover, where present, consists of Quaternary sediments or, on a few localized plateaus, of younger Tertiary gravels (what LH would like to mine).

The Paskapoo rests on the Scollard Formation in the Alberta plains, and on the equivalent Coalspur Formation in the Alberta foothills. The lower boundary has been defined as the erosional base of the first prominent sandstone above the Ardley coal zone of the Scollard Formation. It has been established that, in the type area near Red Deer, this erosional surface represents a hiatus of about 1-2 million years. In the foothills, the contact with the underlying Coalspur Formation is less distinctive but is again placed at the base of the first dominantly sandstone unit overlying a dominantly coal and mudstone unit.

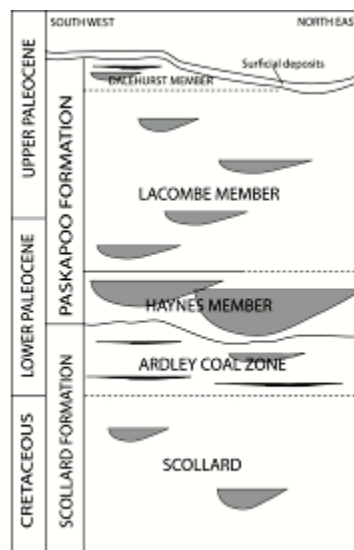


Fig. 1 Stratigraphic column illustrating the vertical relationship between Surface deposits &Paskapoo

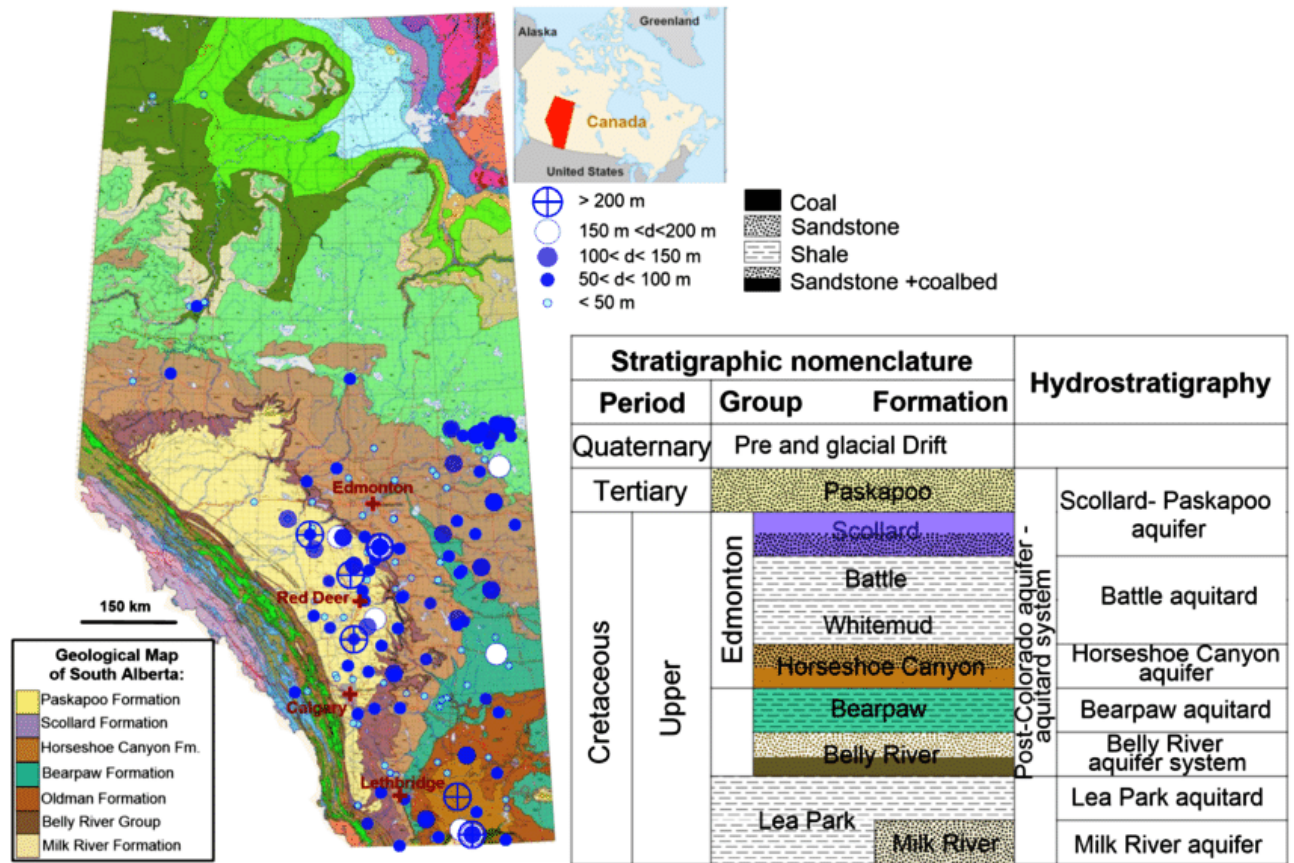


Fig. 1 A Lateral relationship between Paskapoo and Underlying Formations. Water Wells in Paskapoo at different depths.

The Paskapoo Formation is of fluvial origin and lithologically consists primarily of sandstones, siltstones and mudstones, with lesser amounts of pebble-conglomerate and coal. The sediments were derived from the Canadian Cordillera during tectonic uplift and erosion in the late stages of the Laramide Orogeny. They were transported eastward by river systems and deposited in fluvial and flood plain environments.

Fluvial systems tend to deposit sediment in well-defined relational geometries and in vertically and laterally repeating patterns. These sedimentary deposits are preserved to varying degrees depending on how much the fluvial system reworks the deposits. The Paskapoo bedrock aquifer system in Southern Alberta, Canada, was deposited in a foreland depositional basin during uplift of the Rocky Mountains, and both the geomorphic model and field evidence indicate that the upper 100m of the local aquifer system contains well-preserved, highly connected paleo-channels and associated overbank deposits.

According to Grasby et al, 2009, the Paskapoo Formation of Southern Alberta supports more groundwater wells than any other aquifer system in the Canadian Prairies. Located in a region of



rapid population growth and straddling the watersheds where no new surface water licenses are available, this aquifer system is under increasing pressure to provide water supply.

The glacial deposits that LH wants to mine unconformably overlie the Paskapoo. Unconformities are stratigraphic features of particular importance in hydrogeology. An *unconformity* is a surface that represents an interval of time during which deposition was negligible or nonexistent, or more commonly during which the surface of the existing rocks was weathered, eroded, or fractured. Aquifers are commonly associated with unconformities, either in the weathered or fractured zone immediately below the surface of the buried landscape or in permeable zones in coarse-grained sediments laid down on top of this surface when the system entered a new era of accretion. Again another indication that there is communication between the glacial deposits and the underlying Paskapoo.

The critical point is that **NO CONTINUOUS SHALE OR MUD BEDS ARE PRESENT IN SUCH FLUVIAL ENVIRONMENTS OF DEPOSITION.**

Therefore, in this geologic depositional setting, one would fully expect that no regional barriers are present.

#### **B. The Local Setting: The Pit Site**

I then examined the site specific evidence relating to the Project Areas and the site of the pit. The data shows thin units, obviously discontinuous, and not shale barriers. The data is therefore fully consistent with what one would expect in this depositional environment.

AECOM on behalf of LH states the following:

*AECOM p. i: Two main hydrostratigraphic units are present within the Project Area: Tertiary Sand and Gravel Aquifer and the Paskapoo Aquifer. The Tertiary Sand and Gravel deposit, the deposit of aggregate material, was found to be dry in most of the Project Area; however, a few meters of groundwater were detected locally at the bottom of the deposit within the Project Area. This constitutes basal water within the Tertiary Sand and Gravel Aquifer and generally coincides with where there was a lack of Shale-Siltstone Caprock over the Paskapoo Aquifer.*

This statement, if it is meant to suggest that gravel can be excavated down to a “barrier”, is incorrect and contrary to the data. The data clearly shows the Paskapoo aquifer and the Sand and Gravel aquifer are in hydrodynamic communication. Where water is present in the Sand and Gravel, these units are in hydrodynamic communication with the Paskapoo DUA as per AECOM’s statement above.

In AECOM’s report 5.1. Hydrostratigraphy section states “Five hydrostratigraphic units were identified within the Project Area based on the results of the CHM, lithology, pore media attributes and water bearing conditions: Till Aquitard, Tertiary Sand and Gravel Aquifer, Clay Aquitard, Shale-Siltstone Caprock, and the Paskapoo Aquifer. A summary of the hydrostratigraphy recorded in the respective ground monitoring wells is presented **Table 3** (in attachments). The general distribution of hydrostratigraphic units are presented in **Figures 5**

*and 6.* ". They then go on to describe these 5 hydrostratigraphic units in detail without presenting any geological properties, thicknesses etc. as evidence or proof of a barrier or aquitard.

AECOM without proof indicates in part of their report the presence of 2 hydrostratigraphic units and in other parts they claim without proof the presence of 5 hydrostratigraphic units. Neither two nor 5 exist. To have 2 or 5 hydrostratigraphic units within the project area, there must be a regional or extensive local barrier separating the two units. By their own admission, that is not the case as per the last sentence where there was a lack (absence) of shale-siltstone caprock over the Paskapoo aquifer. Their own Figures 12 and 13 below show that the shales are absent in more than one location and are conveniently correlated under the pit area when there is inadequate well control to do so. In other words, the shales, if present, are small in nature and no indication if they have been fractured or are competent.

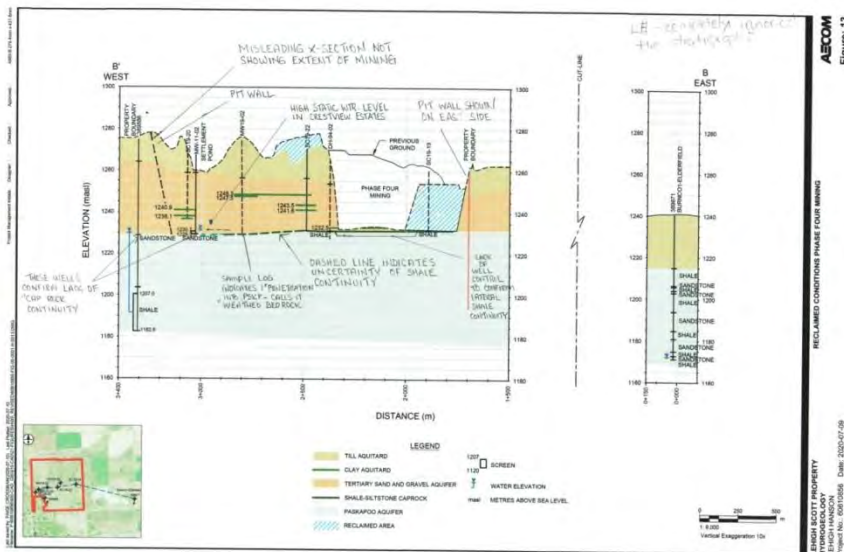
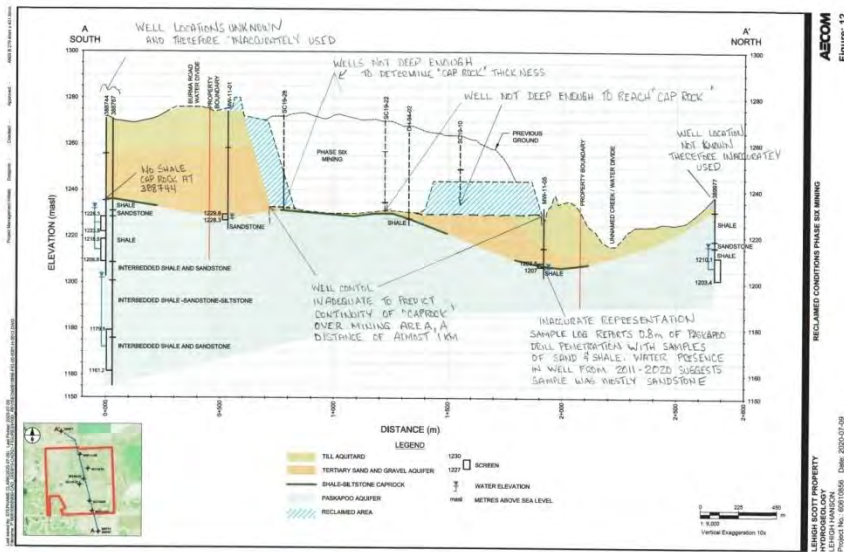
NO geological depositional event in the Scott property area occurred between the top of Paskapoo unconformity and the base of the Quaternary gravels that would deposit a shale caprock.

The AECOM figures below mainly show wells that penetrated just to the top "foot" or so of the Paskapoo as the majority of their drill holes did. Two or three deeper wells are presented on their cross section. The stratigraphy (interbedded shales, siltstones and porous sandstones) is quite complex. Varying depositional environments (like meandering channel sand deposits) break up the lateral continuity between stratigraphically equivalent aged deposits.

The figures below show that:

- 1) Rapid stratigraphic changes do not allow the prediction of continuity of a shale unit when stratigraphy and depositional environment are not considered
- 2) In LH's case, their argument that a shale caprock protects the Paskapoo Aquifer are unfounded and not supported by geological publications, geological principles or their own data and illustrations.

LH/ AECOM collected cores but did not test them to determine if fluids will flow through any of the units they claim are aquitards.



In the AECOM report and figures above, AECOM uses terms such as aquitards and aquicludes. However, these are general terms that hydrogeologists use without setting criteria for them and without understanding the actual properties of the unit being examined and can be erroneous.

Actual data includes extent, thickness, lithological content, compaction, properties such as porosity and permeability, bioturbation, erosion and fracturing.

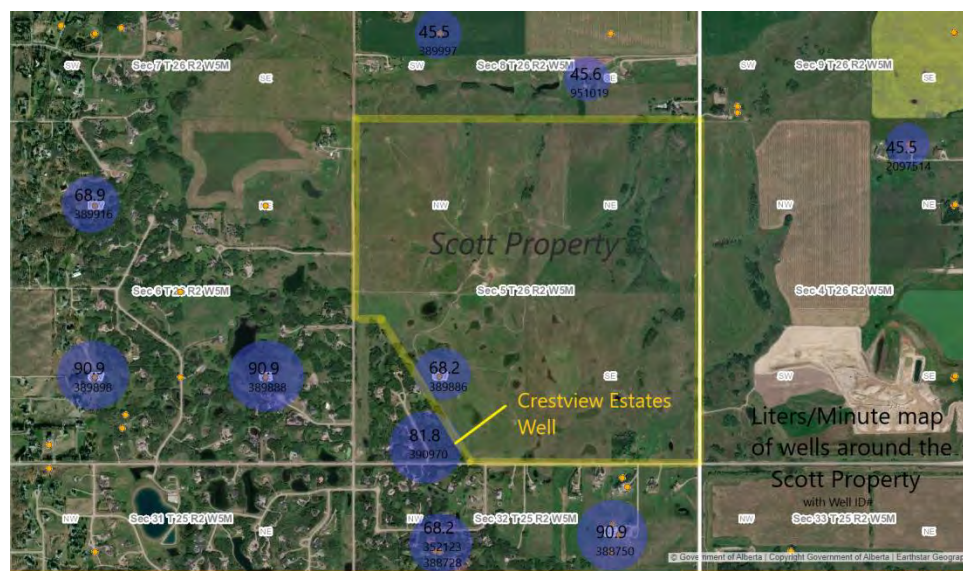
The AECOM data show that the “alleged barrier” unit on the Scott property is local and not present everywhere – even over this very small project area. The term sealing unit (aquitard) or aquiclude (an aquiclude is a geological formation which is impermeable to the flow of water, if it meets criteria of thickness, lateral extent, etc. It contains or may contain a large amount of water

in it but it does not permit water through it and also does not yield water. Clays and mud are examples of aquicludes, however, they should not be used to describe the so called barriers without physical core analysis. The descriptions provided by AECOM for the monitoring wells – although poor – all describe a clay bearing unit with interbedded silt, sand and gravel. A silt or sand bearing claystone unit is seldom a sealing unit or aquitard. It takes only a small percentage of silt to make a sealing claystone fail. If there was enough silt and sand in the unit on the Scott property to be logged in the field it's probably more than 20%. The clays, where present, are not described as high plasticity in the AECOM report and are therefore less malleable and not self-sealing.

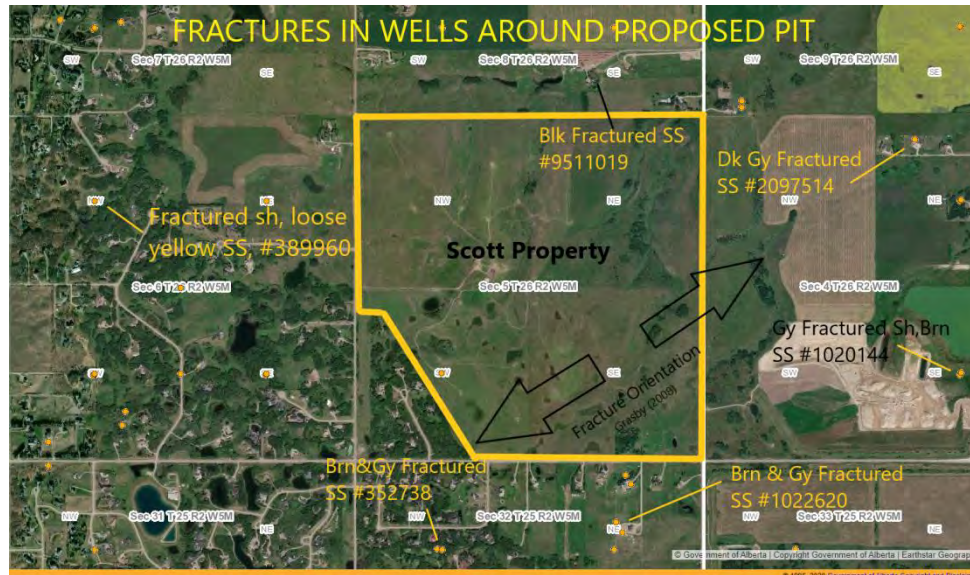
A very important criteria for failing any barrier are fractures. Fractures in underlying sandstone would likely be diffracted as micro-fractures in the overlying clays, reducing their sealing capacity.

Fractures are demonstrated by the Litre/Minute map below which shows the average well around the Scott property has a test rate of about 4- 5 gals/minute or about 18-22 L/minute. There are a number of wells in the figure below that exceed that rate including the Crestview Estates well which was tested in 2014 at a rate of 18 gal./minutes or about 81.8 L/minute as the figure shows. The disparity in flow rates is often attributed to fracture conditions. The number of wells that described fracturing in samples (figure below) around the Scott property suggests that the Paskapoo aquifer in the whole map sheet area is probably fractured as evidenced by high production water wells seen around the Scott Property. Fractures in the Paskapoo aquifer enable faster movement of water and associated with fractures in the overlying clays enable hydrodynamic communication between the Paskapoo and Sand and Gravel aquifers.

The difference of flow rates in the quarter sections north and east of the Scott property is a function of data availability the amount of drilling done in the quarter. In this case, there are very few wells drilled in the quarter as you might expect from the resident density associated with a farm. The SE quarter of section 6 (west) for example has about 25 or so wells drilled on it with several wells testing 15 gal/minute (about 68 l/min).







In summary, LH/AECOM, in my opinion, have taken two to three wells with a thin, local sand/shale unit and drawn a straight line between them claiming a barrier. This interpretation is of no value, fundamentally flawed and should be rejected out of hand. Shales are isolated and are expected to be so in this type of geologic environment. Where present they are thin and discontinuous. There is no evidence of a laterally continuous and competent barrier and nor would you expect one to exist. As I stated above, the Alberta Tier 2 Soil and Groundwater Remediation Guidelines require a minimum 5 meter massive and undisturbed unit. LH is proposing an industrial operation over top of the source of water for domestic use and it is reckless to infer a non-existent barrier across the area.

## **V. THE GROUNDWATER DATA DEMONSTRATES A HYDRAULICALLY CONTINUOUS RESERVOIR**

As I explain above, there is no geologic evidence of a barrier and none would be expected in this environment and the available evidence demonstrates that no barrier exists.

I then proceeded to examine the additional assertions of AECOM. They are seriously flawed and erroneous. The assertion that the impact on groundwater is “anticipated to be negligible” is, in my opinion, fatally flawed. The entire premise of AECOM/LH that they can excavate a pit down to (but apparently not breach) the Paskapoo should be summarily rejected.

There is significant additional evidence that demonstrates that the AECOM report is fatally flawed.

Table 5 of the AECOM’s report contains field temperature data collected during the nine sampling events. It is noted that the water temperature is 3.8 to 4.4 degrees C when sampled in December; and 9.8 to 11.5 degrees C in June, July or August. The significant change in water

temperature indicates influence by ambient air temperatures. Groundwater is typically stabilized at 6 to 7 degrees C and not subject to seasonal changes in temperature unless in direct connection with ambient air temperatures.

This data demonstrates that this not a confined system. The entire system is in vertical and lateral communication. It cannot be modeled as a confined system. In addition, as an unconfined system, groundwater guidelines require a minimum of 5 meters.

LH's own data establishes ground to Paskapoo continuity through existing undisturbed sediments. If you excavate a pit as the SPP envisions, this continuity will be even more rapid and pronounced.

The water well (id 400309), located to the northeast of Crestview Estates, indicates interbedded oxidized (brown) and unoxidized (grey) sandstone. These geologic conditions imply fracturing within the Paskapoo Formation. Also, well id 1020144, located in SE-04, indicates the presence of fractured shale; and well id 352738, located in NW-32, indicates fractured sandstone. The general disparity in acreage well flow rates observed in the water bearing Paskapoo units is often attributed to fractured conditions as demonstrated above. [See my comments on data they should have had but did not. My understanding is that we gathered this data. We need to make this clear]

In short, fracturing is common and is amply demonstrated in the data. Table 9, of the AECOM report summarizes a relatively "fresh" water quality for the three monitoring wells which contain groundwater [MW11-01, MW11-02 and MW-03]. The groundwater chemistry reflects "young" water characterized by bicarbonate-rich water. The report concludes more than once, that the total dissolved solids("TDS") exceeds drinking water guidelines. However, in Alberta, many acreage and farm wells have TDS as high, or higher than 2000 mg/L. In any event the water quality can be treated and therefore the comment regarding exceedance of drinking water quality is irrelevant.

Table 8 of the AECOM Report indicates the presence of heavy hydrocarbons albeit in low concentrations. The presence of hydrocarbons in MW11-02 would not be expected given that the authors argue that the till and clay aquitard layers isolate the basal quaternary sand and gravel ("SAGR") from the ground surface. How then, did heavy hydrocarbons find their way into the water bearing unit in the sand and gravel unless hydraulic connection was greater than anticipated. Therefore, when AECOM states in Section 5.5 of the report that "...under the current conditions there is poor vertical hydraulic connection between the surface and the hydrostratigraphic units" they are both inconsistent and wrong.

The report also states: "The results of the conceptual model also indicates that groundwater from the uppermost water bearing units of the Paskapoo Aquifer appear to rise about two meters above the top of the aquifer to saturate the bottom of the Tertiary Sand and Gravel deposit in some areas of the Project Area." The report therefore concedes that there is hydraulic communication between the basal water in the sand and gravel and the uppermost water bearing units in the Paskapoo.

The LH pit will remove impediments to vertical and lateral flow in the Paskapoo and significantly impact the area including permanently lowering the water table.

The AECOM report states that dewatering may be required when pit development intersects the water table in the southwest portion of section 5. Dewatering will then affect the uppermost water bearing units because of the hydraulic connection assumed in Section 5.5 of the report.

The pit dewatering will alter the local ground-water hydrology. In essence, the pits act as huge wells, lowering the water table in the aquifer. The impact of the dewatering at the SPP will affect neighboring DUA wells. A 3D model with the pit being dewatered continuously would show that the pit will be draining an unconfined surficial sand and gravel aquifer, draining part of the upper DUA and that the surficial waters, ponds, lakes streams adjacent to the property will be losing flow to the pit similar to other pits as per the literature (Hydraulic Impacts of Quarries and Gravel Pits - J.A. Green, J.A. Pavlish, R.G. Merritt, and J.L. Leete Minnesota Department of Natural Resources, Division of Waters for the Legislative Commission on Minnesota Resources funded by the Minnesota Environment and Natural Resources Trust Fund 2005).

Therefore, although flawed, the AECOM report admits that no competent and continuous barrier exists.

In addition, Section 8.3.15 of the Bearspaw ASP states that: No extractive industrial operation shall be conducted in such a manner as to permanently lower the water table of surrounding inhabited properties.” This result is inevitable and in my opinion admitted in the AECOM report as explained above.

My additional comments specific to the AECOM report are as follows:

Typically when conducting any sort of assessment of risks or impacts a consultant describes a baseline, outline what impacts or risks would be without mitigating measures and then describes the actions required to mitigate those impacts or risks. In this situation AECOM recognizes and states that there are issues but effectively ignores them.

The AECOM report is erroneous and should be rejected, in my opinion, as it selectively chooses certain facts and then attempts to draw predetermined conclusions.

### **Executive Summary**

*The potential impact of Project activities on groundwater quantity is anticipated to be negligible.*

The planned excavation activities extend into the groundwater table and there is no continuous hydraulic barrier (aquitard) from surface to the Paskapoo. The AECOM statement is erroneous, and false.

*Also, in the southwest of the Project Area, groundwater contains detectable petroleum hydrocarbons from an unknown source. In this area, the removal of groundwater and exposure to oxygen may induce in situ remediation. This phenomenon may extend laterally to remediate*

*potential impacted zones of the uppermost water bearing units of the Paskapoo Aquifer, if hydraulically connected.*

Petroleum hydrocarbon fractions F3 and F4 with carbon ranges of C16-c34 and c34-50, respectively are historically barely above laboratory detection limits. In addition, review of chromatograms from the 2020 samples (11-02 and 11-02 DUP) shown a chromatogram signature not-typical of petroleum hydrocarbons. F3 and F4 chromatogram signatures can represent biogenic or anthropogenic sources, and typically based on the lack of F2 fraction, are more typically seen in biogenic sources such as peat or manure. Suggesting that the project activities could actually enhance groundwater quality and quantity is disingenuous. Nowhere in this executive summary does it outline exactly how the site activities are going to involve groundwater. Also if its F3 and F4 “remediation” by introducing oxygen from the air cannot remediate this contamination. F3 and F4 are unlikely to present in dissolved phase because they have low solubility.

### *1.1 Project Description*

*The Project will occupy the majority of 05-26-02- W5M with the exception of 33.9 acres located in the southwest corner (the Project Area).*

This project area includes the proposed mining site only. The relevant area of potential impact includes the risk and adverse effects for the community and is grossly inadequate. The hydrogeological effects need to be looked at on an aquifer scale

## **3. Methods**

### 3.1 Study Areas

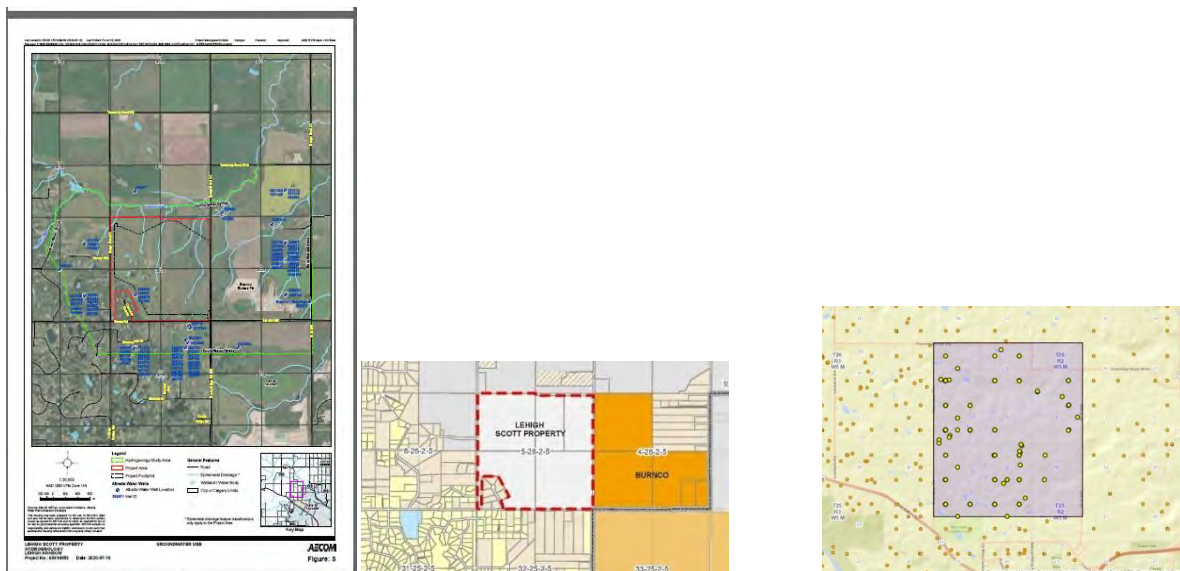
*Two study areas, Hydrogeology Study Area (HSA) and Project Area were defined for the purpose of establishing the hydrogeology baseline for the Project (Figure 1). The HSA was defined by four off-site water divides, along Range Road 23, south of Burma Road, a west unnamed creek and a north unnamed creek to downscale the control of topography, geology and hydrogeological setting on groundwater flow to the Project Area scale. The Project Area includes the boundaries of the Project Footprint as described in Section 1.1 and reflect the area subject to the development itself and the associated operational areas within the property boundaries. The Project Area was set to assess the interaction of the anticipated development on local groundwater regime and its extension to the HSA.*

The HSA is defined here and shown in Figure 1. This HSA is completely inadequate and does not include the potential area of hydrological impact. The HSA needs to be defined on an aquifer basis. The divides they have picked are based on surface drainage features (confirmed in Section 4.1) which do not necessarily have any relation to the regional aquifer particularly if their main argument is that the gravel is dry. The basis for their selection of the HSA is not technically rationalized. Figure 5 provides no evidence that the topographic feature at surface is actually a hydrogeological divide on a regional scale. They actually state that they are “downscaling to the project area” without providing any justification as to whether that is reasonable

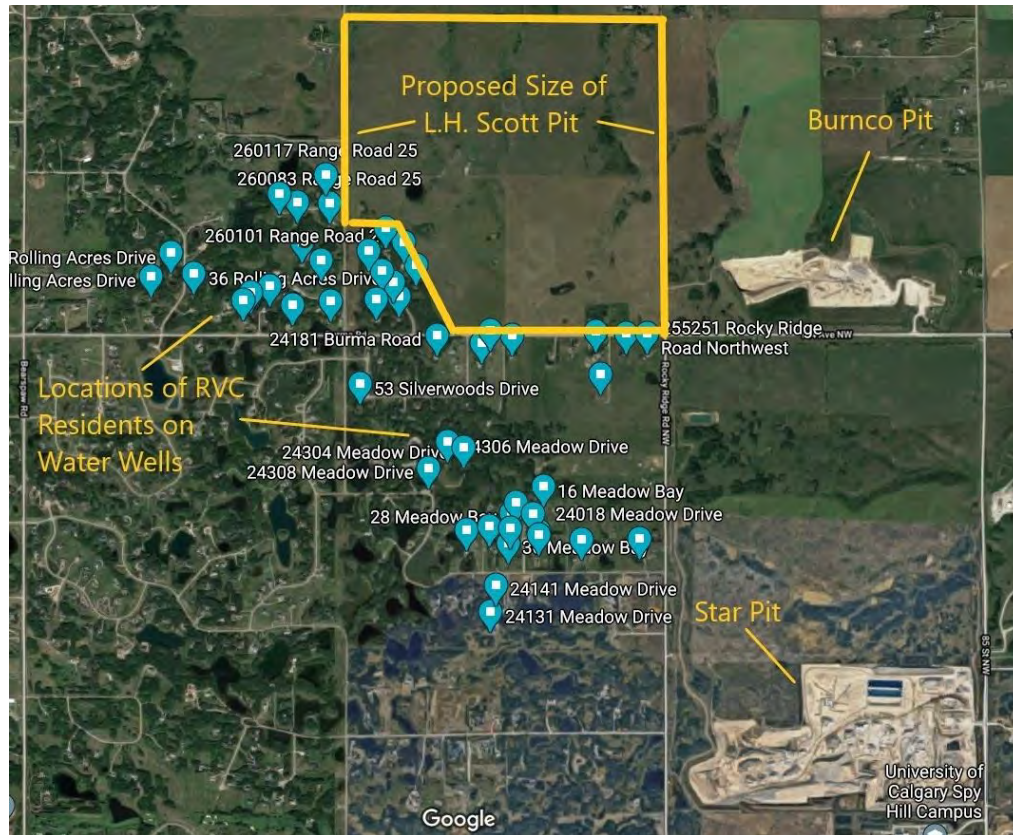
### ***AECOM p. 14 - 3.2 Groundwater Use***

*A water well inventory for the HSA was obtained from the Alberta Groundwater Well Information database (GOA, 2020). A total of 87 water wells are registered within the HSA; one water well was anticipated to be within the Project Area. However, a non-registered well was found during field investigations (referred to as Old Homestead). Water well ID 389886 appeared to be within the Project Area but could not be confirmed during field investigations and is believed to be located within Crestview Estates. Among the total, 77 water wells are licenced for domestic use, two for livestock and four are domestic and livestock, one for unknown monitoring and three have an unknown use. The locations of all water wells are presented in **Figure 3**, and are listed in **Appendix B**.*

Since Groundwater in the Paskapoo is key to the residents, it is startling that AECOM and LH did not bother looking at the 87 Paskapoo water wells to assess if there is a competent barrier that will separate the Gravel & Sand Reservoir from the Paskapoo reservoir. The way they plotted the wells in AECOM's Fig. 3 is also erroneous as it draws a simplistic and untrue picture of the magnitude of people and homes that are affected in the community. We have plotted these wells in the figure below to show the distribution and location of the wells that would be impacted if the LH assumptions were wrong or erroneous. Note the proposed size of the Scott pit relative to the Burma or Star pits.







AECOM & LH should have reviewed readily available data for all the wells in the Alberta well index that are around the Scott property. They did not ask the Landowners for Paskapoo well data that was readily available and would have illustrated fractures described in the samples. Below is a map in the Alberta Well index base that shows wells with sample descriptions as well. Interestingly, this includes some fractured shale in the description. Fractured Paskapoo and fractured shale/ clay means direct hydrodynamic communication between the aquifers.



### ***AECOM p 14 - 3.3.1 Boreholes***

A total of 54 boreholes were drilled (**Figure 2**) between 1994 and 2019 across the Project Area and were advanced to depths of between 11.1 to 48.8 metres below ground surface (“mbgs”). These boreholes have been **cored and logged**, according to AECOM, for geological and hydrogeological interpretation and resource estimation.

Most of the 54 wells appear to have just tagged the Paskapoo so they may have no relevant data.

If there was a genuine interest in assessing the presence or absence of a barrier, LH should have drilled through the assumed barrier and presented the data. If AECOM/LH looked at the Landowners wells and the many gas wells drilled in the area they would have found no shale barriers that are 5m thick, continuous and competent. AECOM/LH make claims of a barrier without any data (and contrary to the fluvial environment to be assessed) and apparently without taking any reasonable steps to obtain the data.

### ***3.3.2 Monitoring Well Installation***

*A total of 10 groundwater monitoring wells were installed within the Project Area between 2011 and 2019. Four monitoring wells; MW11-01, MW11-02, MW11-04 and MW11-05 were installed by Millennium Environmental Solutions (MEMS) in 2011 to depths of 17.1 to 46.0 mbgs. One monitoring well, MW17-06 was installed by AECOM in 2017 to a depth of 32.0 mbgs. Five more monitoring wells, MW19-01, MW19-02, MW19-03, MW19-04 and MW19-05 were installed by Lehigh in 2019 to depths of 13.72 to 46.58 mbgs. All monitoring wells tagged the bedrock; however, they were screened in sand and gravel on top of the bedrock. During each monitoring event, all monitoring wells were in good condition (PVC standpipe, PVC cap, and protective metal casing all in good condition, with a padlock locking the protective metal casing). The location of all monitoring wells is shown in AECOM Lehigh Hanson Materials Limited Scott*

*Property – Hydrogeological Technical Assessment RPT\_2020-07-13\_Groundwater\_Lehighscott\_60610856.Docx 5 Figure 2. Drilling and installation details of the groundwater monitoring wells, as available, are presented in Table 2 (in attachments) with the respective well logs in Appendix A.*

This section is completely inadequate as it does not describe the methodology, log details, investigation procedures, personnel etc. (the list is extensive) that are required in a proper soils investigation. While including geological, hydrological and lithological descriptions from previous investigations as was previously presented by others is acceptable practice, proper data collection, presentation, and technical requirements are missing as per required under the APEGA Codes of Practice:

- [www.apega.ca/docs/default-source/pdfs/authenticating-professional-work-products.pdf?sfvrsn=5a1b9b57\\_2](http://www.apega.ca/docs/default-source/pdfs/authenticating-professional-work-products.pdf?sfvrsn=5a1b9b57_2)
- [www.apega.ca/docs/default-source/pdfs/environment.pdf?sfvrsn=c7befdee\\_2](http://www.apega.ca/docs/default-source/pdfs/environment.pdf?sfvrsn=c7befdee_2)
- [www.apega.ca/docs/default-source/pdfs/others-work.pdf?sfvrsn=9e8d5f19\\_2](http://www.apega.ca/docs/default-source/pdfs/others-work.pdf?sfvrsn=9e8d5f19_2).

Specifically, the logs presented in the report for boreholes and groundwater monitoring wells are not properly logged and do not meet the standard practices for monitoring well installations (ASTM D5092 / D5092M – 16, Standard Practice for Design and Installation of Groundwater Monitoring Wells ([www.astm.org/Standards/D5092.htm](http://www.astm.org/Standards/D5092.htm)) and CAN/CSA – Z769-00, 2000, as amended, Phase 2 Environmental Site Assessment. Also (<https://open.alberta.ca/publications/9780778582762>))

In summary, the Monitoring well installation does not meet standards.

### 3.3.4 Aquifer Characterization

The report does not detail nor present the standard protocol for slug testing, that is typically presented and expected during hydraulic conductivity testing. A **slug test** is a controlled field experiment performed by groundwater hydrologists to estimate the hydraulic properties of aquifers and aquitards in which the water level in a control well is caused to change suddenly (rise or fall) and the subsequent water-level response (displacement or change from static) is measured through time in the control well and one or more surrounding observation wells. Slug tests are frequently designated as rising-head or falling-head tests to describe the direction of water-level recovery in the control well following initiation. Other terms sometimes used instead of slug test include *bail down test*, *slug-in test* and *slug-out test*.

The goal of a slug test, as in any aquifer test, is to **estimate hydraulic properties** of an aquifer system such as hydraulic conductivity. AECOM carried out the tests on the 3 wells that had sand and gravel water and relied on reports and studies from other operators for the Paskapoo not realizing that the Paskapoo aquifer is a heterogeneous fluvial system and you can't just import data from one area to the other.



### *3.4.1 Conceptual Hydrogeological Model (CHM)*

One cannot reasonably expect to characterize and conceptualize groundwater flow using only three water bearing wells over such an area. Vertical 2D modelling cannot be achieved without nested pairs. The wells have been installed with the purpose of determining how much water is in the gravel and presumably to allow the engineers to determine how much dewatering is required. As a hydrogeological characterization to assess impacts to a regional aquifer it is entirely inadequate.

The CHM was not extended through the potential area of impact (or even the study area). This is grossly inadequate to address hydrological modeling.

### *AECOM P.18. 5.1 Hydrostratigraphy*

*Five hydrostratigraphic units were identified within the Project Area based on the results of the CHM, lithology, pore media attributes and water bearing conditions: Till Aquitard, Tertiary Sand and Gravel Aquifer, Clay Aquitard, Shale-Siltstone Caprock, and the Paskapoo Aquifer. A summary of the hydrostratigraphy recorded in the respective ground monitoring wells is presented **Table 3** (in attachments). The general distribution of hydrostratigraphic units are presented in **Figures 5 and 6**.*

The only information AECOM gathered is limited data for the Sand and Gravel aquifer, but no data whatsoever for the Paskapoo or any of the other hydrostratigraphic units they falsely claim exist. They describe a Till aquitard without saying why it is an aquitard as they have no data (could be fractured and hence not an aquitard). Clay Aquitard; again no data to substantiate it is an aquitard as it could be bioturbated and fractured. Shale-Siltstone Caprock without proving it is extensive and without having any porosity or permeability data (clays and even shales if bioturbated have porosity and permeability in them as proven in the Gas Over Bitumen Hearings). They only have crude lithology descriptions, not sure what they mean by pore media attributes as they did not present any pore or permeability measurements anywhere.

#### *5.1.1 Till Aquitard*

This is a gross misrepresentation as proper lithological logging was not performed. Based on the soil information, it is reckless to offer a hydraulic conductivity value to soils that were not properly logged. If AECOM refers to the till as an aquitard then they need to acknowledge the implication it will have on groundwater vulnerability if it is being removed.

#### *5.1.3 Clay Aquitard*

Discontinuous sandy clay gravel layers do NOT constitute viable aquitards. If this is an aquitard, why did the authors go on in a later section of the report to calculate hydraulic conductivity using the Horslev method for *unconfined aquifers*. The mention of the clay as a hydrostratigraphic unit is highly erroneous. If AECOM cannot describe the Tertiary Sand and Gravels as an aquifer except where they are saturated then what relevance are clay layers in the Sand and Gravel deposit which are supposedly unsaturated. The well logging has been done based purely on lithology, disregarding stratigraphy and drawing lines between boreholes over a 500 m distance

with no stratigraphic characterisation is indefensible. Regardless, the clay units shown are not continuous and this has no bearing as a means of protection to the Paskapoo aquifer since it has already been stated that the Basal waters are at the bedrock interface on the bedrock. All this statement does is confirm that if you remove the overburden deposits you will be removing the protection provided the unsaturated zone and increasing the vulnerability of the aquifer.

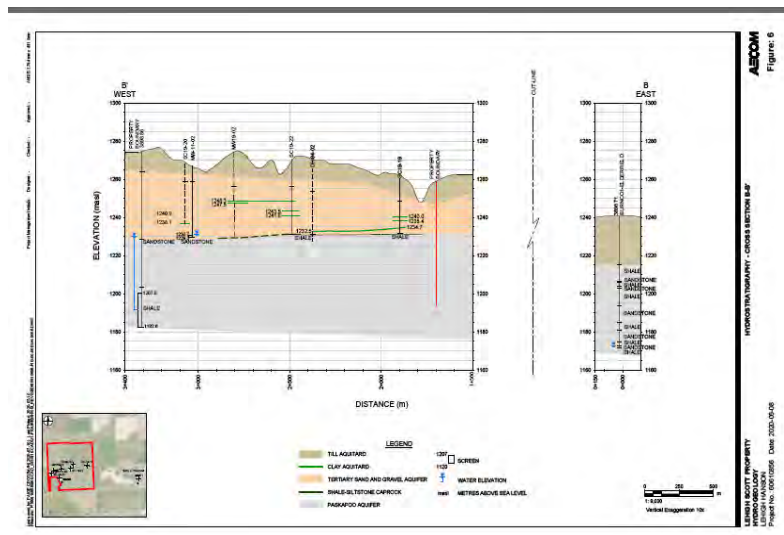
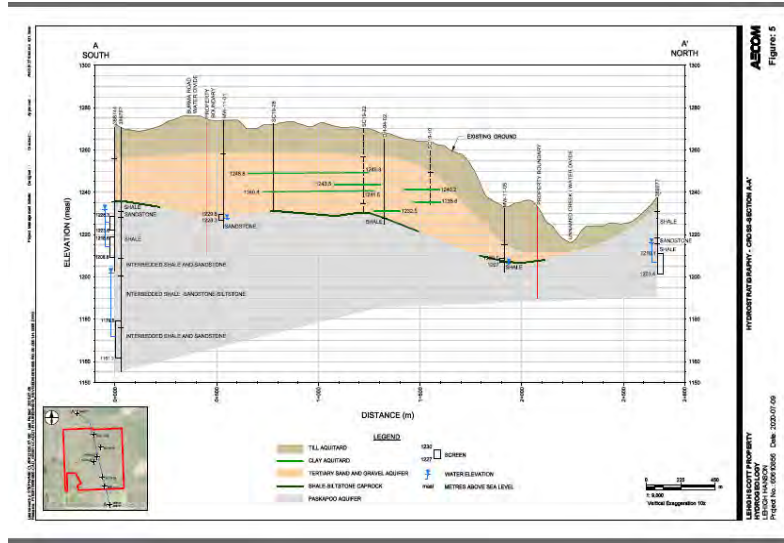
#### **5.1.5 Paskapoo Aquifer**

*The Paskapoo Formation is a regional aquifer and is the main source of drinking water underlying the surficial deposits within the HSA. It consists of interbedded shale, sandstone, and siltstone (Figures 5 and 6). The regional aquifer is believed to be confined because it contains several water bearing units (sandstone) which are hydraulically separated by interbedded shale and siltstone aquitards.*

Grasby et al 2008 which is the current definitive work on the hydrogeology of the Paskapoo, states that there are no confined regional scale flow systems in the Paskapoo but rather a shallow groundwater system dominated by local scale flow. The LH/AECOM report has no wells installed in the Paskapoo and is relying instead on previously installed regional wells and no nested pair upon which to base a statement of the Paskapoo aquifer being confined. This statement appears to be based entirely upon the relative water levels in well records 388744 and 388767 which does not represent the hydraulic connection between the Basal water and the Upper Paskapoo which is what is at stake here. Also this statement completely overlooks the role of sub-vertical fractures sets within the shale units of the Paskapoo which are known to be extensive and can provide hydraulic connection between sandstone units. The Alberta Tier 2 Guidelines specifically state that when dealing with interbedded fluvial systems such as the Paskapoo the system as a whole needs to be considered not just individual units.

I have replicated two figures below from the AECOM report that demonstrate the flawed approach of AECOM. First, the AECOM wells only tag the Paskapoo and therefore have no meaningful data on an alleged barrier. AECOM then referred to existing water wells that draw domestic use water from the Paskapoo that also show no unit that remotely would fit the criteria of a barrier. Then, AECOM superimposed certain of the LH wells on a figure and claim to depict a barrier underneath the few wells that it drilled.

This approach is contrary to any credible geologic analysis. It lacks an understanding of channel sizes, sand and silt/ mud distribution in a fluvial setting and essentially attempts to assert there is a barrier where one does not exist based on no data to substantiate it.



## *AECOM P.20. 5.2. Groundwater Elevations:*

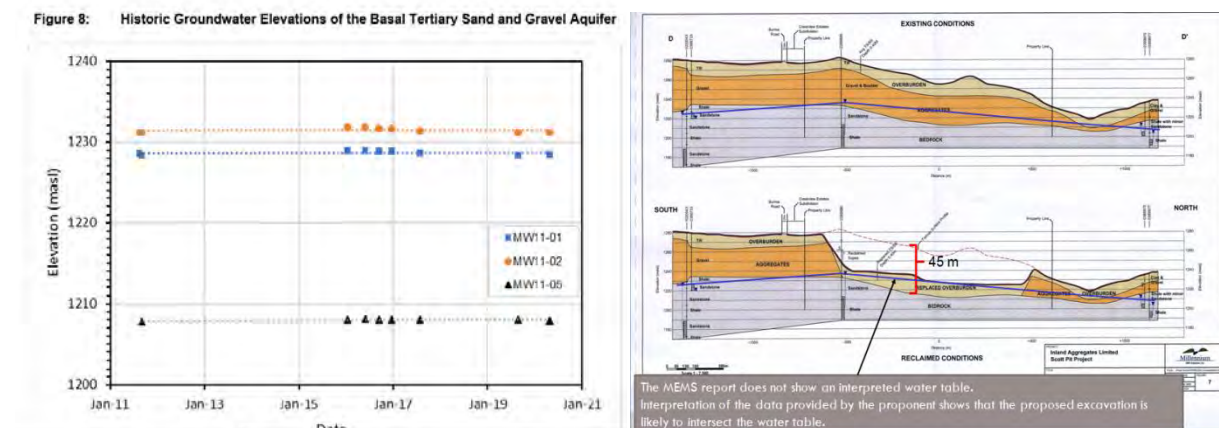
*The elevation of groundwater in the Paskapoo Aquifer within the HSA was monitored at the Burnco1-Elderfield and Burnco2-Windmill wells during the 2020 program. The measured groundwater elevation at these wells was 1180.89 mASL and 1221.60 mASL, respectively (Table 5 and Figure 7). The available data from the Alberta Water Well Information System indicate that groundwater elevation of the uppermost water bearing units of the Paskapoo Aquifer within the HSA appears to be the same, or close to the groundwater elevations recorded for the basal water within the Tertiary Sand and Gravel Aquifer at MW11-01 and MW11-02 (Figures 5 and 6). A review of 44 wells in the HSA conducted by Millennium (2012) indicated that 10 of these wells had groundwater levels above the top of the bedrock to a maximum of 4.0 m above, such as ID 389886 (Figure 6). A further review suggests that the Shale Siltstone Caprock of the Paskapoo Aquifer, present in well ID 389886 was removed by erosion within the Project Area and may explain the local presence of the basal water within the Tertiary Sand and Gravel Aquifer near MW11-02.*

This section just provides evidence that the Basal water in the sand and gravel aquifer is hydraulically connected to the Paskapoo and that there is no continuous layer of protection in the form of the siltstone caprock.

*The groundwater elevations at each monitoring well which yielded groundwater for sampling within the Project Area between 2011 and 2020 are presented in **Figure 8**. Groundwater in the south of the Project Area is at higher elevation than in the north with a maximum of 1232.15 mASL recorded at MW11-02 in January 19, 2016. The lowest elevation, 1207.94 mASL was recorded for MW11-05 in April 28, 2020.*

NO GROUNDWATER POTENTIOMETRIC MAP is included in the report. A **potentiometric map** is a contour map of the **potentiometric surface**. As on the surface of the earth, water flows from high elevation, or potential, to low elevation. Thus a **potentiometric map** indicates which direction water is moving in the subsurface.

AECOM's Fig. 8 shows that the wells in the South Are about 25 m higher than wells in the North and mimic the topography as per the Millenium EMS (MEMS) Solutions map presented by LH in the past (Figure on the right). The MEMS figure clearly illustrates that the pit will intersect the ground water in the Sand and Gravel. and alter the local ground-water hydrology which will be further exacerbated by dewatering. In essence, the pit will act as huge wells, lowering the water table in the aquifer. This lowering will affect neighboring wells since the Sand and Gravel and Paskapoo aquifers are in hydrodynamic communication.



*AECOM P.21. A review of 44 wells in the HSA conducted by Millennium (2012) indicated that 10 of these wells had groundwater levels above the top of the bedrock to a maximum of 4.0 m above, such as ID 389886 (**Figure 6**). A further review suggests that the Shale-Siltstone Caprock of the Paskapoo Aquifer, present in well ID 389886 was removed by erosion within the Project Area and may explain the local presence of the basal water within the Tertiary Sand and Gravel Aquifer near MW11-02.*

AECOM's Figure 6 (Discussed above) shows no Caprock, only what AECOM assumes without any proof, and AECOM Figure 5 (Discussed above) reflects a lack of understanding of the extent of the caprock as the limited data makes it impossible to correlate the way carried out by

AECOM in a fluvial setting. By AECOM's own admission the 2 alleged hydrodynamic regimes are in full communication.

At any rate the Province of Alberta has legislation that protects the DUA by setting a minimum of 5m of shale as a bare minimum for an aquitard. There are no shales that are laterally extensive or are 5m. The most presented is around 1m of shale and interbedded sand and silt, which can never be an aquitard.

*AECOM P.25. 5.5. Conceptual Model: The geological information obtained within the Project Area indicates that a shale-siltstone caprock is present in many places protecting the underlying water bearing units of the Paskapoo Aquifer. The Shale-Siltstone Caprock appears to be removed by erosion in most of the places where the basal water within the Tertiary Sand and Gravel Aquifer is present.*

As presented above there is no shale-siltstone caprock and AECOM's definition of a caprock is false and erroneous. Even if they are correct, which a thorough look at the data clearly shows no aquitard exists, by their own admission the caprock is absent where basal water in the Tertiary Sand and Gravel is present, meaning there is DIRECT HYDRODYNAMIC communication between the Paskapoo and the Sand & Gravel aquifers and of course no aquitards present. Again in their own words p.25 *"Groundwater elevations of the basal water within the Tertiary Sand and Gravel Aquifer in the Project Area are similar to those observed for the Paskapoo Aquifer in the HSA, suggesting a potential interaction with the uppermost waterbearing units of the Paskapoo Aquifer through the areas where the Shale-Siltstone Caprock is likely absent."*

The whole conceptual model is based on erroneous data/ interpretation, and the results of the model cannot be relied on or used. AECOM states:

*The vertical gradient within the Project Area is consistently downward. Therefore, the potential for aquifer recharge would be expected. However, under the current conditions there is poor vertical hydraulic connection between the surface and the hydrostratigraphic units. The Till deposits constitute a barrier for vertical flow which slows the direct recharge of the Tertiary Sand and Gravel deposits and by doing so, the recharge of the deeper water bearing units of the Paskapoo Aquifer is negligible. This would explain why the Tertiary Sand and Gravel deposit is dry almost everywhere within the Project Area.*

This statement is fundamentally incorrect as explained above. There are no continuous and competent barriers in this area. Just saying the till deposits constitutes a barrier without presenting any evidence does not make them a barrier. If excavation was introduced to the project area, further and increased potential induced vertical hydraulic communication, and potential for contamination to a DUA would occur. Again, HSA is not the affected area and therefore the statement is erroneous.

*Most of the groundwater use within the HSA is for domestic and livestock purposes, which generally draw water from water bearing units at elevations that are at least 30 meters below the anticipated bottom of the final pit elevation.*

HSA is not the affected area and therefore statement is erroneous in many ways. It is impossible to make reasoned conclusions about the area without understanding the regional setting. AECOM focus on a small local area within Section 5 and purports to draw sweeping (and erroneous) conclusions about it without regard to the clear and compelling data surrounding it. And within the small localized area, their wells only tag the so called barrier and provide no meaningful data. The AECOM statement is also flawed and erroneous as per the analysis above showing the pit will encounter the groundwater which is in direct hydrodynamic communication with the Paskapoo DUA.

*The concentration of PHC F3 and F4 reported at MW11-02 since 2016 indicates that the basal water within Tertiary Sand and Gravel has likely been exposed to an unknown source of organic compounds from off-site activities to the Project Area since no industrial activity occurs or has occurred on site.*

This statement is grossly erroneous and reckless and fails to appreciate the effect of digging a pit down to the Paskapoo. People in this area withdraw water from the Paskapoo and intend to do so many years into the future. By excavating, LH will create a direct path to the Paskapoo of existing contaminants and the contaminants that they will inevitably introduce through their operations on site. The suggestion that LH can excavate to a “barrier” that will protect Paskapoo ground water is, in my opinion, fictional. AECOM totally disregards the MEMS figures and analysis showing that the pit will encounter the groundwater and have dire effects on the Paskapoo DUA.

### 5.3 Groundwater Flow

*The groundwater elevations for the 2020 monitoring event from MW11-01, MW11-02 and MW11-05 and the two Burnco Burma Pit wells (Burnco1-Elderfield and Burnco2-Windmill) plotted in Figure 7 illustrate that the general horizontal gradient of groundwater is to the north, towards the unnamed tributary of West Nose Creek. However, the direction of the horizontal groundwater flow for the basal water within the Tertiary Sand and Gravel Aquifer observed at MW11-01, MW11-02, and MW11-05 was not established due to limited data points, uncertainty associated with the fact that water was not observed everywhere within the Project Area, and that groundwater elevation in the south of the Project Area may not correspond to the same hydraulic gradient in the north. In the south, groundwater at MW11-01 and MW11-02 appears to be at the same or close to the same elevation as the uppermost bearing units from the Paskapoo Aquifer (Figure 5). In the north, the groundwater elevation drops more than 20 m at MW11-05 and may correspond with deeper water bearing units of the Paskapoo Aquifer (Figure 5).*

This paragraph acknowledges 2 things:

- 1) the data presented is inadequate to characterize hydrogeology for the project area or the study area because they don't even have sufficient confidence to determine groundwater flow direction (as AECOM knows that three data points over a section is not enough) and,

- 2) the data AECOM has points toward the basal water being hydraulically connected to the Paskapoo aquifer because groundwater elevations are similar.

## 5.5 Conceptual Model Summary

*The Tertiary Sand and Gravel deposit is porous and permeable which would make it an aquifer when groundwater is present. However, the deposit within the Project Area does not fully meet the condition to be called an aquifer because, with the exception of a few locations where up to approximately two meters of water is present at the base of the unit (basal water), the Tertiary Sand and Gravel deposit is dry from top to bottom.*

AECOM points out that below the few meters of water that are present are likely hydraulically connected to the regional drinking water aquifer, so regardless of how dry the deposits are above, all protection to the aquifer will be removed in the project area and the water table will be disturbed.

*The geological information obtained within the Project Area indicates that a shale-siltstone caprock is present in many places protecting the underlying water bearing units of the Paskapoo Aquifer. The Shale-Siltstone Caprock appears to be removed by erosion in most of the places where the basal water within the Tertiary Sand and Gravel Aquifer is present*

This paragraph is erroneous. There is no shale siltstone caprock and the data from AECOM's report and the data I presented above shows that there is no barrier anywhere in the stratigraphic column between the Quaternary and Paskapoo. AECOM draws imaginary lines to imply a barrier, when all the data geologic and hydrodynamic clearly show that non exist.

*Groundwater elevations of the basal water within the Tertiary Sand and Gravel Aquifer in the Project Area are similar to those observed for the Paskapoo Aquifer in the HSA, suggesting a potential interaction with the uppermost water bearing units of the Paskapoo Aquifer through the areas where the Shale-Siltstone Caprock is likely absent.*

AECOM has not shown the presence of a caprock anywhere and this statement clearly illustrates hydrodynamic communication between the Paskapoo and sand and gravel aquifers.

*Therefore, the potential for aquifer recharge would be expected. However, under the current conditions there is poor vertical hydraulic connection between the surface and the hydrostratigraphic units. The Till deposits constitute a barrier for vertical flow which slows the direct recharge of the Tertiary Sand and Gravel deposits and by doing so, the recharge of the deeper water bearing units of the Paskapoo Aquifer is negligible. This would explain why the Tertiary Sand and Gravel deposit is dry almost everywhere within the Project Area..*

There are discontinuous shales, silts and clays that are not aquitards. If excavation was introduced to the project area, further and increased potential induced vertical hydraulic communication, and potential for contamination to DUA (domestic use aquifer). Suggesting that low recharge is the reason for the gravels being dry is an erroneous statement that is trying to imply that the gravels are a bathtub that hasn't been filled because there is a cover over the bath. The gravels are dry because they offer excellent drainage for infiltrating water so everything

moves downwards. Gravels also provide a high storage capacity which means that very small changes in hydraulic head (groundwater elevations) actually represent very large volumes of water. What the overburden does provide is an opportunity of attenuation of anthropogenic contaminants such as chloride and hydrocarbons as they move through a considerable thickness of unsaturated zone which will be lost if the overburden is removed.

***AECOM p. 27 - 6. Impact Assessment***

*The purpose of the impact assessment is to evaluate how the Project activities will impact current groundwater conditions within the Project Area. The assessment is also focused on proposing strategies to mitigate, eliminate, or otherwise minimize, the magnitude of potential adverse effects.*

AECOM was required in my opinion, as stated above, to analyse a much larger area. The purpose of the impact assessment is to evaluate how the Project activities will impact surface water and current groundwater conditions within the Project Area and surrounding areas. The assessment is also focused on proposing strategies to mitigate, eliminate, or otherwise minimize, the magnitude of potential adverse effects. The entire section is not relevant as does not address area of impact where the Landowners reside. But activities will expose DUA to risk of impacts and high potential for hydrology change. It also does not address the lowering of the groundwater table and it's impacts on both surface and subsurface water.

***6.1 Criteria***

*The criteria to assess the impact of the anticipated activities required for the extraction of aggregate materials within the Project Area is set by the potential effects, positive or adverse, on current water quantity and quality that can be anticipated based on information evaluated in this assessment. The impact on water quantity refers to potential effects on groundwater elevation and its possible interaction with surface water bodies (e.g., wetlands and ephemeral drainages) that may be modified as a result of mining activities on current conditions. The impact on water quality is represented by possible changes in the baseline chemical composition of the groundwater that would be attributed to the anticipated mining activities.*

**VI. THE REGIONAL IMPACTS**

In addition, the mine in my opinion will have significant regional impacts that cannot be mitigated.

There are two key impacts as I discuss below.

By way of background, I have been advised that the mine site is identified as environmentally significant by the RV County for three reasons that relate to water as follows:

- 1) Riparian policy area
- 2) High water table
- 3) Steep slope



The following is a discussion of the above items:

- RVC Riparian Land Conservation and Management Policy #419, effective March 30, 2010 ([www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjP\\_NtsK7tAhV1JDQIHflhAUgQFjABegQIBBAC&url=https%3A%2F%2Fwww.brbc.ab.ca%2Fbrbc-documents%2Fcommittees%2Fbow-basin-watershed-management-plan-phase-ii%2F213-rvc-government-policies-infrastructure-policy-420&usg=AOvVaw20ErUJ-m3\\_fsRQrDEiF6-N](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjP_NtsK7tAhV1JDQIHflhAUgQFjABegQIBBAC&url=https%3A%2F%2Fwww.brbc.ab.ca%2Fbrbc-documents%2Fcommittees%2Fbow-basin-watershed-management-plan-phase-ii%2F213-rvc-government-policies-infrastructure-policy-420&usg=AOvVaw20ErUJ-m3_fsRQrDEiF6-N)). This policy aligns with provincial policy.

### **Regarding Riparian Protection**

Riparian Policy Area, is the terminology used by the County in the Aggregate Resource Plan (ARP) drafting. Although the ARP was never enacted, it is referred to at least twice in Lehigh's MSDP technical reports (CEA and Acoustic Assessment).

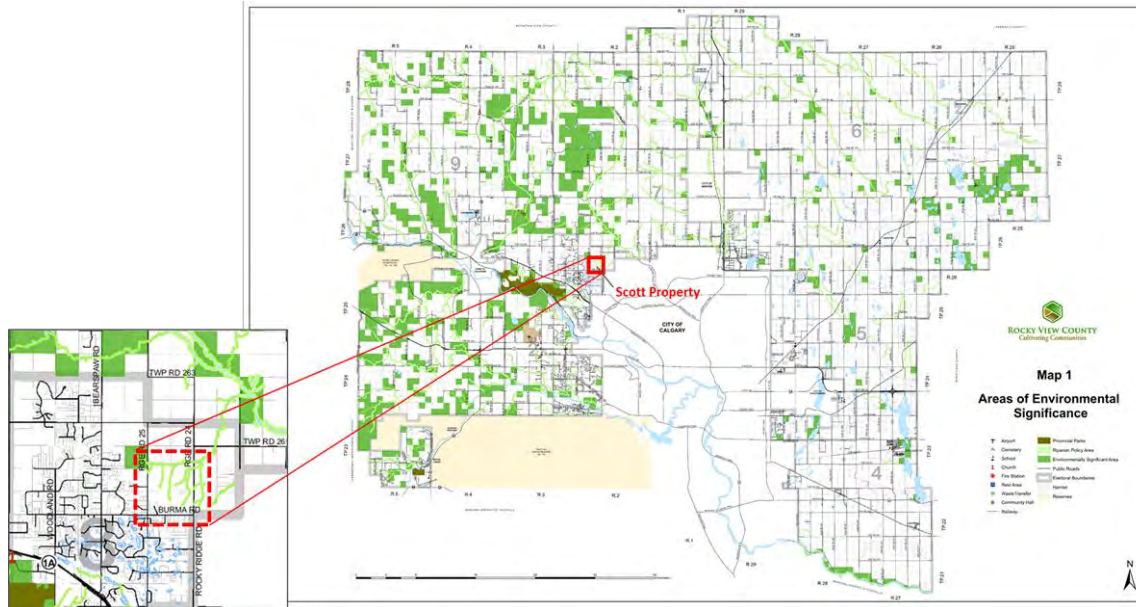
- 1) The final draft ARP (Feb 2018) would have prohibited, or significantly restricted, gravel extraction at Scott Property: **Sec. 5(8) 1.a) No aggregate development shall be located within the County's Riparian Policy Area denoted on Map 1: Areas of Environmental Significance.** This is evidence that even County planners did not believe that gravel extraction was appropriate at this location. "Rocky View County Aggregate Resource Plan, Revised Draft, February 2018". P. 12 of the report states: "Environmental setback shall apply to all new or expanding aggregate extraction and/or processing development, in accordance with the following criteria: a) No aggregate development shall be located within the County's Riparian Policy Area denoted on Map 1: Areas of Environmental Significance". Map 1 of the same report denoted the multiple drainage courses on Scott Property as included within the riparian policy area.

### **Riparian Protection Bylaw** ([www.rockyview.ca/watersheds](http://www.rockyview.ca/watersheds))

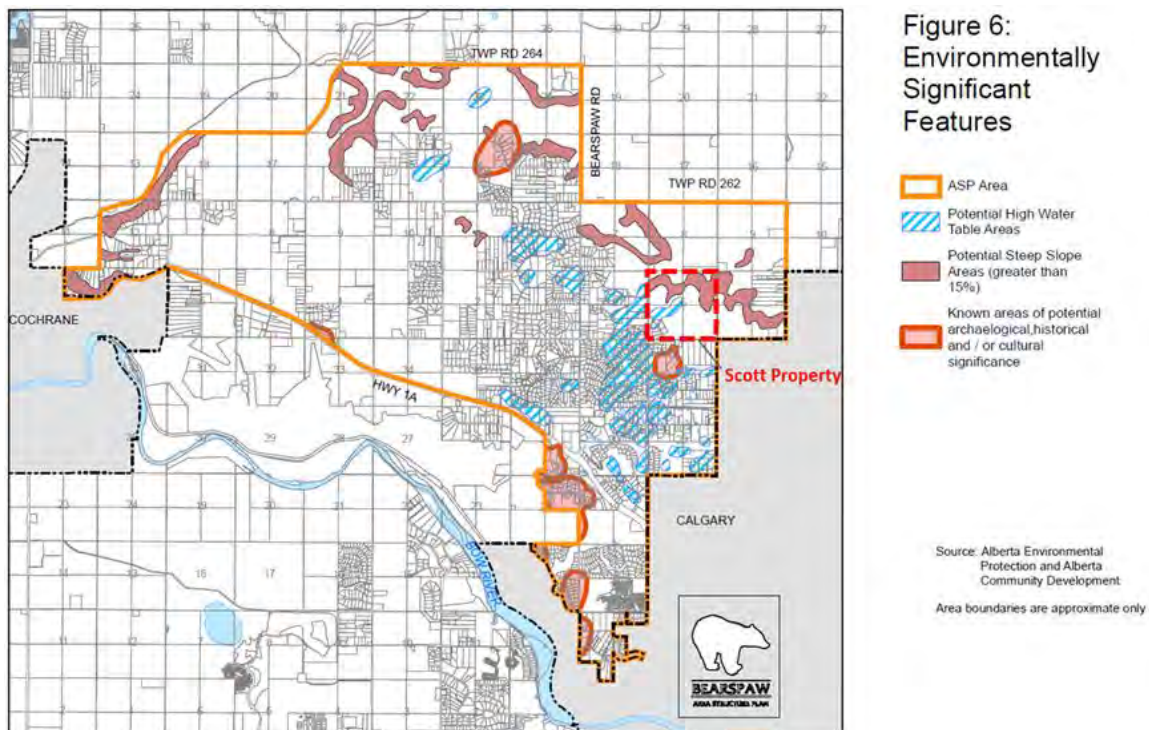
- "Riparian areas are where waterways and land meet and interact. They offer many benefits, including reduced erosion and flood damage, improved soil quality by capturing and recycling nutrients, naturally filtering water to improve quality, and providing a home to a variety of animal and plant species. Over the past several years, the County has supported riparian protection with the adoption of watershed management plans and riparian policy to conserve and manage riparian areas throughout the County. The **County's Riparian Protection Bylaw (Section 41 of the Land Use Bylaw)** is in effect to implement **development setback measures** for buildings and other infrastructure from riparian areas. The setback distance is based on provincial guidelines and applies to most creeks, streams, and rivers. Existing buildings and infrastructures within riparian protection areas would not be affected, but new development would be directed away from water bodies in order to minimize negative effects on riparian land."
- RVC Land Use Bylaw C-8000-2020, adopted 28 July 2020 ([www.rockyview.ca/Portals/0/Files/Government/Bylaws/RVC-Land-Use-Bylaw.pdf](http://www.rockyview.ca/Portals/0/Files/Government/Bylaws/RVC-Land-Use-Bylaw.pdf))

- 104, discussing variances to setbacks for development: “Variance shall not be considered by the Development Authority in the following situations: b) Setbacks to a riparian area.
- 204, discussion Riparian Protection Areas: “The extent of the Riparian Protection Area, as measured from the top of the bank for furthest extent of a wetted area, shall be:
  - Minimum of 30m if the underlying soil type is glacial till
  - Minimum of 60m if the underlying soil type is alluvial sediment, or
  - As otherwise established by a geotechnical assessment and environmental assessment prepared by licensed professionals that is acceptable to the Development Authority
- 209/210 discuss development restrictions in Riparian Protection Areas, and make some allowances “where no buildable area on a lot exists due to the RPA regulations”. It can be argued that ‘buildable area’ exists on Scott Property around the RPA, and therefore no exemption should be provided, and the riparian areas must remain undisturbed with required setbacks.
- However; 211 notes: 1 Notwithstanding Sections 204 to 210, any development which either has a Development Permit or was exempt from requiring a Development Permit pursuant to the Land Use Bylaw in place at the time of construction may be deemed to be in compliance with the provisions of this Section and shall not be considered as a non-conforming use or building
- Definitions: “Riparian Protection Area” means the lands adjacent to naturally occurring watercourses, which the County has deemed necessary to protect by limiting certain forms of development within this area. The purpose and intent of the riparian protection area is to conserve and manage riparian lands. The riparian protection area is based on the Province of Alberta’s “Stepping Back from the Water Guidelines: A Beneficial Management Practices Guide for New Development near Water Bodies in Alberta’s Settled Region” as amended or replaced from time to time.

**Revised Draft RVC Aggregate Resource Plan, Map 1: Areas of Environmental Significance**



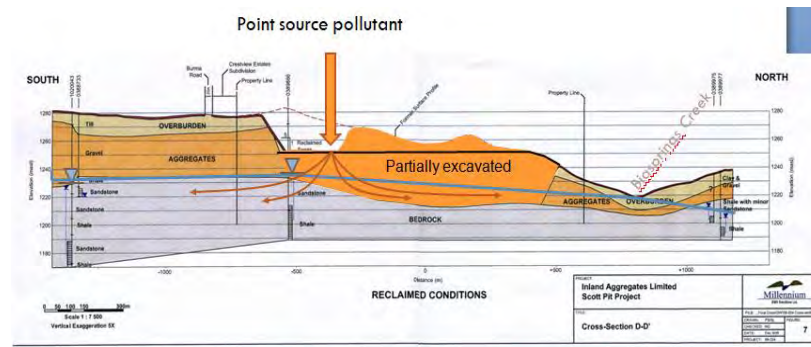
**Bearspaw Area Structure Plan, Figure 6: Environmentally Significant Features**



The above background facts/information are the basis of my opinion which is as follows:

Water in the area regionally drains away to the north/northeast given the slope on Scott Property, however locally it drains in all directions. A pit will disrupt this. The potential impacts of removing overburden above the aquifer are significant and have been erroneously analyzed by AECOM.

The removal of surface glacial drift exposes water table to contamination. When a pit is partially excavated, rainfall and snowmelt will infiltrate the exposed highly permeable aggregate layer. Point source pollutants can aggressively infiltrate the water table. A contaminant plume can move South or West in the phreatic zone toward the cone of depression of adjacent domestic water wells.



Point source pollution consists of: “A single identifiable source that discharges pollutants into the environment.” For example, a smokestack, a sewer, a ditch or a pipe. Non-point sources of pollution, by contrast, are ones that cannot be tied to a single, identifiable source. An example of the latter is nitrate pollution from agriculture, since a single source can't be identified. Non-point source pollution “occurs when rainfall, snowmelt, or irrigation runs over land or through the ground, picks up pollutants, and deposits them into rivers, lakes, and coastal waters or introduces them into ground water”.

In Walkerton, a city NW of Toronto with a population of 4800, groundwater was polluted by surface water runoff, and the Walkerton water supply became contaminated with *Escherichia coli* [*E. Coli*] and *Campylobacter jejuni*, in May of 2000. 2321 people became ill due to the contaminated water. Ultimately, 1346 people were treated, 65 people were hospitalized, and 7 people died from their illness. 179 people were confirmed to have *E. coli* 0157: H7, 97 were confirmed to have *campylobacter jejuni*, and 37 people were diagnosed with other bacteriological infections. 25 people were diagnosed with Hemolytic Uremic Syndrome (HUS) a serious and potentially fatal kidney condition (Snider, 2004: 270; Hrudey et. al., 2003: 7). 1,555 victims had unconfirmed infections. (*R.v. Koebel and Koebel*, at 20).

Obviously, contamination of groundwater is a serious health and environmental problem.

It is well known that contaminants are leeching from the Spy hill land fill site. See for example [www.pressreader.com/canada/calgary-herald/20090509/281603826417604](http://www.pressreader.com/canada/calgary-herald/20090509/281603826417604)

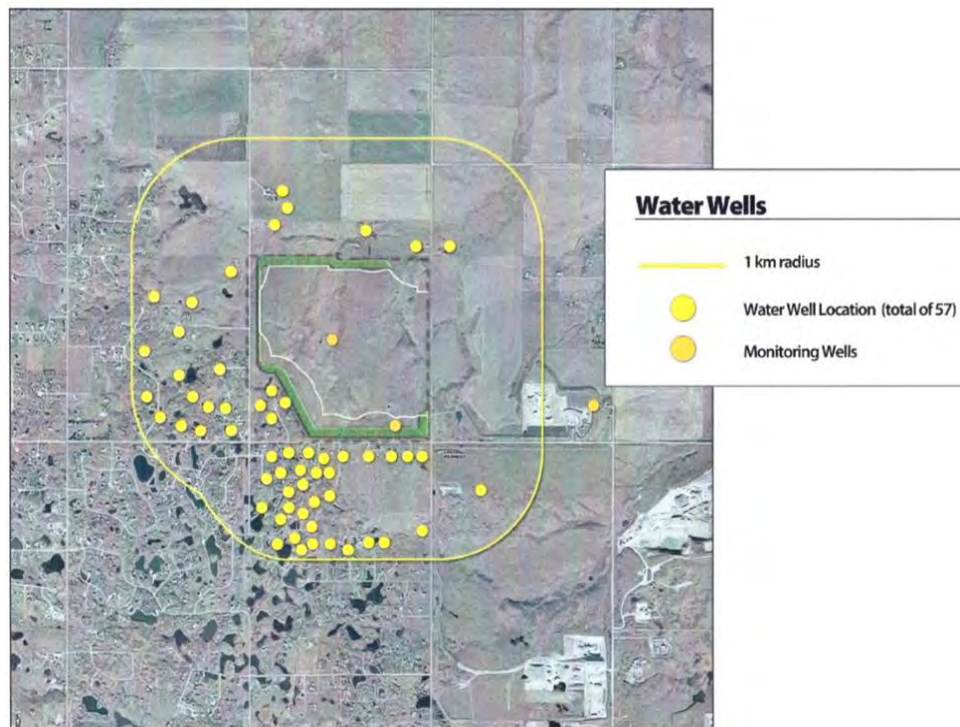
I am advised that this was not raised by LH or its consultants to landowners. The fact that contaminants are leeching from Spy hill demonstrate that hydraulic continuity to the Paskapoo and its equivalents is occurring and it's to be expected and, further, that an open pit results in



rapid communication of contaminants to the drinkable groundwater. At the gravel pit site, LH intends to remove the overburden, excavate a pit, and create a direct communication pathway to groundwater drinking wells.

As I depicted above, there are significant ground water wells to the west of the proposed gravel pit, all withdrawing from the Paskapoo. Groundwater will flow from high to low pressure and well water withdrawals will create a Delta P or pressure sink. In this way, contaminants introduced into the system will be drawn towards the wells as well water is withdrawn.

Further, as I have referenced above, LH admits that it will be required, at some point, to dewater its pit. Once again, LH and its consultants fail to understand that the Paskapoo is a regional system with significant porosity and permeability. Digging a pit and exposing the gravel will create a pathway for rapid flow of ground water on a regional scale. As the entire column is in hydraulic continuity, this will result in dewatering of surface water and significant impacts on local residents. One only need to look at a map to see how the presence of water enhances this area:



## **VII. CONCLUSION**

In summary, my conclusions are as follows:

- 1) The AECOM report is fatally flawed and cannot be relied upon;

- 2) There is no barrier separating the Paskapoo aquifer that is utilized for domestic use and the area that LH intends to mine. AECOM admits this in many parts of its report. This conclusion is overwhelmingly demonstrated on the evidence which AECOM ignores;
- 3) The entire area is in hydrodynamic communication. From surface, through the gravel, to the underlying Paskapoo;
- 4) Excavating gravel will induce rapid communication of contaminants to domestic use groundwater. The groundwater impact is significant; and
- 5) The LH pit will have regional impacts and permanently lower the water table in the area.

The impacts to groundwater are very real, cannot be mitigated and can be summarized as follows:

- Direct contamination pathway to the Paskapoo which people use for their domestic use; and
- Regional dewatering and permanently lowering the water table.

I strongly recommend that the LH application , which has been rejected in the past, be rejected now and forever as it contravenes the Rocky View County Plan regarding protecting Alluvial aquifers and presents unacceptable risks to local residents, DUA and surface water and will result in regional impacts that cannot be mitigated.



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**Dr. ESSAM ZAGHLOUL**

**TABLE OF REFERENCES TO REBUTTAL REPORT OF DR. ZAGHLOUL**

		<b>TAB</b>
1.	<a href="#">ASTM D5092 / D5092M - 16 Standard Practice for Design and Installation of Groundwater Monitoring Wells</a>	
2.	Borneuf, D. 1972. Research Council of Alberta. Hydrogeology of the Drumheller Area.	A
3.	Borneuf, D. M. 1980. Alberta Geological Survey. Hydrogeology of the Kananaskis Lake Area, Alberta. Borneuf, D. M. 1983. Alberta Geological Survey. Springs of Alberta.	B
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## **Appendix B: Expert Groundwater Report – Dr. Bradford R. Burton, Ph.D.**

January 11, 2020

# GEOLOGIC REPORT

PROPOSED LEHIGH HANSON GRAVEL DEVELOPMENT  
BEARSPAW COMMUNITY  
ROCKY VIEW COUNTY, ALBERTA

BRADFORD R. BURTON, PH.D.  
P.GEO. M 82393.

## **Purpose and Scope of this Study**

Bradford R. Burton, Ph.D., P.Geo. (the author) has conducted a technical study of the hydrogeology of the Scott Property, located in Sec. 5 Twp. 26 Rg. 2 West of the 5<sup>th</sup> Meridian, Rocky View County, Alberta. This study considers current hydrogeology and the impact of proposed gravel mining development of the Scott Property. This study was performed at the request of residents who may be affected by the proposal (the residents). The study reviews a technical report provided to Lehigh Hanson Materials Ltd. (the proponent) by AECOM Canada Ltd. (AECOM) and local and regional hydrogeologic factors that must be considered regarding the proposed development. The author has completed an extensive review of written reports in the public domain, peer reviewed technical papers, and Alberta Government documents that pertain to the Scott Property. All water wells and petroleum exploration and production wells for which data are available on and adjacent to the Scott Property have been reviewed. Well data provided in the AECOM report, the Alberta Water Well Information Database, and the Alberta Energy Regulator's General Well Database, and Base of Groundwater Protection Database (BGWP) were used in this study.

## **Statement of Qualifications and Impartiality**

The author is a disinterested third party performing professional technical work on behalf of the residents. The author has no economic interest in the outcome of the proposal, nor property nor mineral holdings potentially affected by the proposed development. The author is not in competition with the proponent, nor a shareholder in the proponent's corporation nor in corporations that may be competitors of the proponent. The author does not represent any client in this matter other than the residents.

The author is a Registered Professional Geoscientist (P.Geo.) in Alberta (APEGA P.Geo. M82393) and is in professional practice in Alberta and the 38 United States of the Association of State Boards of Geology (P.G. 2535). The author is a qualified person under the Bylaws of these professional organizations. The author holds the Ph.D. in Geology from the University of Wyoming, and is currently Professor of Geology at Western Colorado University where he also holds the Rady Chair in Petroleum Geology. He has more than 25 years' experience in the professional practice of geology and geophysics. The author is a specialist in subsurface geology and teaches subsurface geological methods and shallow earth geophysics courses in environmental and hydrogeology.

The author has experience in the evaluation of the impact of mining operations on groundwater in Mountain View and Red Deer Counties, Alberta, and conducted a groundwater study of the Scott Property in 2009. The author conducts groundwater exploration programs in west-central Colorado where new housing developments were sited on thick packages of Cretaceous Mancos shale, and where well performance and water quality are very low. The author has pioneered new "look-ahead" seismic techniques to locate domestic water supply wells in areas of historic coal mining where aquifers were dewatered by mining activities and subsurface mine workings present drilling hazards.



*Bradford R. Burton* JANUARY 11, 2021  
Bradford R. Burton, Ph.D. P.Geo. M 82393

APEGA seal affixed to original document

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## Key Findings

- The proposed development poses a significant and unacceptable risk to cause adverse and irreversible impacts to the community and to residential properties through contamination of groundwater and permanently lowering the water table.
- The groundwater studies provided by the proponent do not address the objections raised in 2010 that caused the proposal to fail in Council.
- The proposal is to mine gravel from an aquifer the “Tertiary Sand and Gravel Aquifer” – as defined by the proponent – and will directly impact the hydrogeologic system in stark violation of the Bears paw Area Structure Plan (BASP).
- The proponent’s MSDP will have negative impacts to domestic water supply wells, wetlands, creeks and rivers upon and outside of the proposed development area.
- Technical reports submitted by the proponent fail to address the significant and unacceptable risks of the proposed project.
- The AECOM report lacks technical credibility in its failure to accurately describe basic geological materials, assign rocks and sediments to their correct geological periods, follow logging and core description protocols and adhere to standard CSA and ASTM professional standards. It should not be relied upon.
- The proponent’s aquifer protection strategy, and hydrogeologic model for the property, are based on the false assumption of an aquitard/caprock separating overlying sand and gravel deposits from the underlying regionally extensive and crucial Paskapoo Formation aquifer. Such a sealing unit does not exist, is contrary to the data, and is incompatible with the depositional environment.
- The Hydrogeology Study Area focuses only on the proposed development area and does not address potential impacts to the surrounding community, local drinking water source or the regional groundwater system. The hydrogeologic system was not considered as a regionally interconnected system in the AECOM report.
- The consequences of improperly assessing the broad range of potential risks could have catastrophic impact on the local community and the regionally crucial Paskapoo Formation groundwater system.

In my opinion, the proposed development area (Section 5) and surrounding area is in continuous hydrodynamic communication from ground to the Paskapoo Formation aquifer, which is the main domestic-use aquifer. There is no laterally continuous and competent “seal” over the proposed project area. Therefore, excavating a gravel mine at this location will establish rapid communication to the underlying Paskapoo Formation. In addition, the pit will cause a permanent reduction in the water table in the area. Although the regional impacts cannot be determined with precision, geology does not stop at Burma Road and there will be significant regional impacts as ground and surface water flows to and accumulates at the gravel mine. AECOM Canada recognized the need for a dewatering plan and storage ponds of the Tertiary Sand and Gravel aquifer water holding pits, but this water apparently will be discharged into tributaries to the North of the proposed project areas that ultimately flow into the Bow River.

I have reviewed the final report of Dr. Essam Zaghloul, and I concur with the professional opinions of Dr. Zaghloul. The following report was prepared independently.





## Introduction

Lehigh Hanson Materials Limited (the proponent) has applied to Rocky View County to construct and operate a Class I Aggregate Pit (the project) located within the residential community of Bearspaw, Alberta. The project will occupy the majority of Sec. 05, Twp. 26, Rg. 02W5M and is located immediately adjacent to Crestview Estates subdivision, adjacent to the Silverwoods, Briarwood, Rolling Acres, Church Ranch, and Harvey Hills communities. Nearly 400 residences are present within a one-mile area of the project (Figure 1), exclusive of affected properties within the City of Calgary.

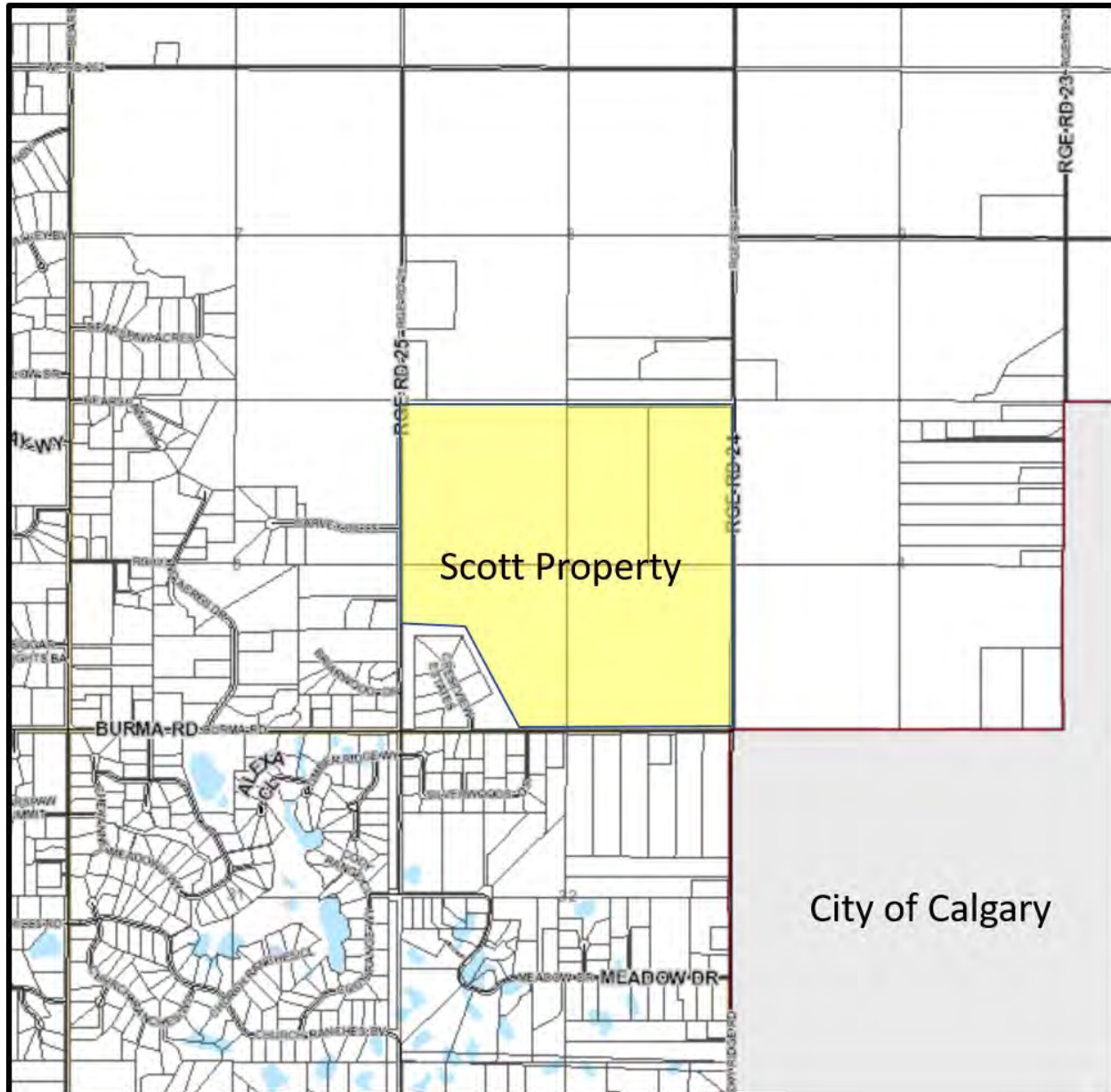


Figure 1: The Scott Property project area is immediately adjacent to suburban and rural family housing areas of Rocky View County.

Applications for development of the Scott Property were previously rejected by Rocky View County Council in 1994 and in 2010. There has been no significant change to the proposal since the 2010 submission.

The proposed project will negatively affect wetlands, surface water drainage systems, ecologically sensitive habitat, and the quality of life of residents in the community. This report focuses on the potential impacts to groundwater systems and to those surface water systems that are linked to groundwater, in particular, the regionally extensive and crucially important Paskapoo Formation aquifer system.

The proposed project would disturb and irreparably damage an alluvial aquifer in direct violation of Rocky View County's Policy Statement 7.16 of the County Plan which requires that "Development shall be planned, designed, and constructed to protect alluvial aquifers." The Paskapoo Formation aquifer and the overlying Tertiary Sand and Gravel aquifer are both alluvial aquifers.

The Scott Property Master Site Development Plan (MSDP) highlights that numerous gravel extraction industrial processes exist adjacent to the Scott Property – 2,560 acres (25.6 ha) of land are currently under development (Scott Property MSDP, Fig. 3). The proposal would increase the development area in the trend by 25%. The scale of the proposed development would not be a small incremental addition to the existing gravel mining activities in the area, but will instead have a major impact on the hydrogeology of the area surrounding the Scott Property.

The Scott Property MSDP describes the tenets of the Bearspaw Area Structure Plan (BASP) and maintains that the proposal is compliant with the legislative intent of the BASP. However, the BASP specifically prohibits industrial activities that would impact or alter groundwater resources. The Scott Property MSDP proposes mining sand and gravel resources that are classified as a groundwater aquifer by the proponent's technical submission – the AECOM report – and would dewater the mined aquifer, impact recharge to the underlying regional Paskapoo Formation aquifer, and expose the Paskapoo Formation aquifer to high potential for contamination as demonstrated in this report.

The Scott Property MSDP identified 48 wetlands and 6 ephemeral water bodies within the proposed project. The MSDP states that an application for disturbance of any wetlands within the Project area will be submitted to AEP. The MSDP shows a mining plan by which 44 of these wetlands will be completely excavated and destroyed. The proposal does not consider hydraulic interconnection of the wetlands and surface water features with groundwater systems and is inadequate for risk assessment of these linked systems.

The Scott Property MSDP presents a Groundwater Management discussion (Section 14.0) which dismisses the potential impact to groundwater resources. The MSDP cites a consulting study – the Hydrogeological Technical Assessment (AECOM, July 2020). The MSDP is disingenuous in stating that 10 monitoring wells were installed but only three contain water (page 37). A regional aquifer, the Paskapoo Formation aquifer, extends everywhere beneath the proposed project, as stated in the AECOM report, however, the monitoring wells described were not drilled deep enough to sample the groundwater aquifer – instead stopping just short of the top of the Paskapoo Formation aquifer. The MSDP falsely states that waters encountered in the 3 monitoring wells exceed TDS guidelines and is not suitable for drinking. This statement is incorrect and irresponsible. Alberta drinking water guidelines consider water of this quality potable and it is a protected resource. The MSDP dismisses potential risks to adjacent

domestic supply water wells and falsely states that there is no connection between the proposed mining activity and the aquifer, however, the AECOM report shows that these groundwater systems are linked.

**It is the professional opinion of this author that the studies referred to by the proponent are misrepresented in the Lehigh MSDP, and there are significant risks to the local and regional groundwater system from the proposed development plan.**

# **Review of Technical Report Submitted by AECOM Canada to Lehigh Hanson**

## **General Comments:**

The technical report provided by AECOM Canada to the proponent (AECOM report) includes data and interpretations of these data made by AECOM geoscientists as consultants to the proponent. Whereas the report consists of 298 pages, only 28 pages of the report detail the geologic setting and hydrogeological observations of the consultant. The majority of the report consists of routine data tables of water analyses and related appendices, some of which are irrelevant to the focus of the study. Crucial data – necessary for evaluation of the risks inherent in the proposed project – are not included in the AECOM report.

The AECOM report includes data and interpretations authored by previous contractors to Lehigh Hanson and Inland/Heidelberg as the proponents of the project. In some cases the AECOM report does not identify what data and interpretations are the work of the report authors, and what are reproduced from earlier reports.

The AECOM report contains inadequate data for the purposes of the study. For example, the report states that 54 boreholes were drilled between 1994 and 2019 in the project area, whereas only ten borehole logs and descriptions are provided in Appendix A of the report. Key borehole data, essential to evaluation of the hydrogeologic interpretations presented (such as boreholes SC19-28, SC19-22, and I94-02) were not included in the report. Stratigraphic logs of those wells included in Appendix A or the report are of such poor quality – lacking detailed descriptions of flow units and standard geological characterization – that they are inappropriate for use in hydrogeological studies.

Certain interpretations drawn by the authors of the AECOM report do not follow from data presented in the report. For example, the report concludes that a sealing shale unit separates the Tertiary Sand and Gravel aquifer from the underlying Paskapoo Formation aquifer. This interpretation is at odds with the description of the lithologic unit in boreholes presented in Appendix A of the report, and violates observed water table elevation measurements within the Scott Property. The study has, essentially, assumed which units will be flowing aquifers and which units will impede water flow (aquitards) and entered these assumptions into a hydrogeological model. The inputs to the hydrogeological model are inadequate and flawed. Details of the model, including software algorithms, equations, and modeling assumptions are not discussed in the AECOM report. Primary output results of the model, such as predicted flow tables, contamination dispersion analyses, and secondary output results such as maps and cross-sections are not presented. Not surprisingly, the modeling result verifies the assumptions of the model input. This is not an acceptable approach to subsurface modeling and fails to follow standard practice employed in the field of subsurface geologic modeling.

## **Detailed Review of AECOM Report**

Points of agreement and disagreement with the AECOM report are outlined in the following sections, along with inadequacies that the report should have addressed.

## **Executive Summary:**

The AECOM report states: “the potential impact of Project activities on groundwater quantity is anticipated to be negligible.”

Disagreement: This statement is false and is not supported by evidence presented in the report:

- The proposed mining activity will remove Tertiary sand and gravel which is defined in the AECOM report as an aquifer. The report presents data showing vertical flow of groundwater from the Tertiary Sand and Gravel aquifer to the underlying Paskapoo Formation aquifer.
- There is no continuous hydraulic barrier separating the Tertiary Sand and Gravel aquifer from the underlying Paskapoo Formation aquifer as shown by data presented in the AECOM report.
- The proposed activity will remove the unit defined in the report as Till aquitard which overlies the sand and gravel resource. The AECOM report describes this unit as a hydraulic barrier. If that is true, then the Till aquitard currently protects the underlying groundwater system from contamination. Removal of the Till aquitard to conduct industrial activities within underlying aquifer units would subject the regionally extensive Paskapoo Formation aquifer to a high risk of contamination.
- The AECOM report acknowledges that dewatering of the Tertiary Sand and Gravel aquifer will take place during the proposed mining activity.

The AECOM report states: “The Project-related impacts on groundwater quality are anticipated to be minimal.”

Disagreement: This statement is not supported by evidence presented in the report:

- The proponent implies that shallow groundwater in the project area is of low quality and therefore the impact of proposed industrial activities is reduced or irrelevant. This is inconsistent with data presented in the AECOM report which show that water quality in the Tertiary Sand and Gravel.
- The groundwater is suitable for, and is currently used as, drinking water by the community.
- The aquifer is defined by Alberta Environment as a domestic use aquifer (DUA) with potable drinking water. By law, the value of groundwater is not diminished by salinity or hardness as this is routinely treated.
- The additional statement in the AECOM report – that the proposed mining activity may actually reverse salinization and improve water quality is ludicrous. The proponent maintains that no groundwater will be affected by the mining activity and has therefore presented no water handling plan.

The AECOM report states: “...in the southwest of the Project Area, groundwater contains detectable petroleum hydrocarbons from an unknown source. In this area, the removal of groundwater and exposure to oxygen may induce in situ remediation...”

Disagreement: This statement is false and is based on questionable interpretation of data presented in the AECOM report.

- The system of monitoring wells installed by the proponent, and the infrequency of recording data from those monitoring wells, limits any interpretation of sustained groundwater contamination.
- The AECOM report has assumed that organic compounds found in one monitoring well (MW11-02) are petroleum hydrocarbons. This assumption is not proven by spectral analysis using F2/F3 ratios

and the analytical results shown by Fractions 3 and 4. The organic compounds detected in monitoring well MW11-02 are equally likely to be biogenic organic compounds derived from ranching activities or naturally occurring peat in surface wetlands or other natural sources. For example, MW11-02 is in close proximity to a surface wetland that contains peaty soils, and the Scott Property was used as a dairy farm for decades. The supposition that the low concentrations of organic compounds found in MW11-02 are petroleum hydrocarbons is not supported by the data presented. This shows a clear lack of understanding of contaminant hydrogeology.

The Executive Summary of the AECOM report also makes three important cautionary recommendations to the proponent as outlined in the following three sections of this report:

**Absence of a sealing unit:**

From the AECOM report, Executive Summary, Page 7:

*“Further delineation of:*

*– the absence of Shale-Siltstone Caprock, presence of the basal water and the potential implications prior to Phase Six Mining near MW11-02.”*

Agreement: The author agrees with the finding of AECOM consultants that the “Shale-Siltstone Caprock” which they have described, is absent in parts of the Project Area. Borehole data provided in the AECOM report show no evidence for a sealing unit in any of the ten boreholes for which logs are provided (MW11-01, MW11-02, MW11-04, SC19-26, or SC19-18). Five boreholes report the presence of clay-bearing deposits. In each of these five boreholes the clay-bearing unit was described as a mixed lithology including silt, sand, or gravel. These lithologies are inconsistent with the properties of an aquitard or “caprock”. The author’s review of Section 5.1 of the AECOM report, below, further describes the lack of regional or sub-regional seals at this stratigraphic location, and evidence provided in the AECOM report showing that no such sealing unit is present.

Disagreement: Despite these observations, the AECOM report presents a hydrogeologic model showing the Paskapoo Formation aquifer to be a confined aquifer, separated from overlying units by a shale/clay “caprock”. This interpretation is inconsistent with the data presented. Only one borehole (MW11-05) describes a shale unit at the top of the Paskapoo Formation – this unit is less than one meter thick (penetrated) and contains interbedded oxidized sandstone. None of the boreholes described in the AECOM report fully penetrate a potentially sealing shale or clay unit and none were completed as groundwater observation wells in the underlying Paskapoo Formation aquifer. The well data presented in the AECOM report are simply too shallow, and do not provide hydrodynamic head data above and below the “caprock” unit which would be necessary to prove that the “caprock” is a sealing unit. Therefore, no interpretation can be made nor conclusion drawn as to the hydrodynamic head nor flow direction in the Paskapoo Formation aquifer, and no statement can be made that the “caprock” unit, where penetrated, is an aquitard that separates groundwater flow in an overlying sand and gravel aquifer from the underlying Paskapoo Formation aquifer. **Interpretations made elsewhere in the AECOM report that rely upon a laterally continuous intraformational seal to separate the Paskapoo Formation aquifer from overlying aquifer(s) are therefore untenable.**

**Presence of a Perched Aquifer or Perched Surface Water:**

From the AECOM report, Executive Summary, Page 7:

*“Further delineation of:*

*– the horizontal extent of the areas with a higher groundwater elevation than the projected pit base at any mining stage to confirm the aquifer yield and influence design of the future dewatering scheme, if required.”*

Agreement: This statement reveals that the AECOM report authors are aware of groundwater existing at higher elevation than the proposed gravel pit base. **Excavation of the pit will therefore penetrate and excavate flowing groundwater units within the Project Area.**

Inadequacy: The AECOM consultant did not expand on this point to advise the proponent that **such impact is strictly prohibited by the Bearspaw ASP.**

The AECOM consultant further recommends:

*“A groundwater monitoring program to monitor surface and groundwater quality and quantity within the Project Area.” Page 7 – Executive Summary*

Inadequacy: The AECOM consultant has clearly recognized that there are risks to surface and groundwater quality and quantity associated with gravel mining in the Project Area, and advised the proponent that monitoring of surface and subsurface water quantity and quality is needed. A responsible hydrogeologist would not make this recommendation if the proposed activity were free of risk. The studies conducted by the proponent and by AECOM to date, are insufficient to conclude that the operation can be conducted without risk of impact to surface water and groundwater systems. The relationship and interconnectedness of surface water and groundwater is sufficiently uncertain as to require additional study.

## **1. Introduction**

Inadequacy: The study area defined in the AECOM report is only slightly larger than the area of the proposed mining activity. The area of potential impact to groundwater may be significantly larger than the study area and has not been identified nor studied. Hydrogeological impact of the proposed activity needs to be considered at a sub-regional aquifer scale. Surface water, which may be a connected part of the groundwater system, will be directly impacted through the excavation and destruction of permanent and ephemeral wetlands in the project area. Four surface drainage systems – tributaries to West Nose Creek, will be removed by excavation. The study area does not consider the surface water linkage to groundwater, the effect on the local drainage basin, or the potential effect on surface water and groundwater systems adjacent to the proposed development. The study area should be of sufficient size and scope to assess risks to local and regional groundwater systems. The scope of the AECOM report is insufficient for this task.

### **1.2 Purpose and Scope of Work**

Inadequacy: The methods used in the AECOM report are incapable of delivering the impact assessment as described. As outlined below, the number, siting and monitoring of groundwater in monitoring wells in this and previous studies are insufficient to establish baseline data or to make predictions of potential impacts on the groundwater systems present in the project area and adjacent areas.



### **3. Methods**

#### **3.1 Study Areas**

The AECOM report defines a Hydrogeology Study Area (HSA) confined to a small area, encompassing the proposed excavation and a narrow zone surrounding the proposed excavation.

Inadequacy: The HSA does not extend sufficiently far to the south or to the west to document the hydrogeology of recharge areas, and the study area is insufficient in size to address the hydrogeologic systems that may be affected by the proposed project. A minimum appropriate study area for the goals of the study would be an area of more than 9 sections (23km<sup>2</sup>) centered on the proposed project area, rather than the approximately 3 km<sup>2</sup> area of the AECOM study.

Disagreement: To understand the potential impact of the proposal on groundwater systems, the HSA should be defined on an aquifer basis. The boundaries described in the AECOM report are surface drainage features (see also Section 4.1) which may have no relationship to subsurface aquifer flow. The AECOM report provides no technical explanation for the defined boundaries of the HSA. Figure 5 of the report, which shows a “water divide” approximately at the position of Burma Road on the south side of the Scott Property, provides no evidence that the feature at surface is actually a hydrogeological divide. The AECOM report authors state that the HSA was limited in order to “downscale the control of topography, geology and hydrogeological setting on groundwater flow”. **Instead, the objective of the study should be to consider all potential impacts by taking a broad and inclusive approach to the study area, such that any potential risks can be assessed.**

#### **3.2 Groundwater Use**

The AECOM report describes 87 water wells within the HSA.

Inadequacy: It is noted that the AECOM report has not identified the surface location of the wells within the HSA that lie outside of the Scott Property. When actual location of wells are unknown, these wells are positions within the Alberta Groundwater Well Information database at the center of adjacent ¼ sections, rather than at the actual well location. This oversight led to errors in AECOM’s calculations of hydraulic conductivity in Section 5 of their report.

#### **3.3 Field Investigations**

The AECOM report states: “Several field investigations were conducted between 1994 and 2020 to gather geological and hydrogeological information at the Project Area.”

Inadequacy: The report fails to detail the number, frequency and nature of the studies, the types of data collected, the storage and ownership of these data, and the parties and qualifications of the parties conducting the field investigations. Such cavalier treatment of the nature of the studies performed is quite simply, unscientific, and not within the standards of professional practice.

##### **3.3.1 Boreholes**

The AECOM report states that 54 boreholes were drilled in the Project Area and that the boreholes were cored and logged. This statement appears to be incorrect. Of the 54 boreholes, logs were presented for only 10 boreholes..

Inadequacy: Logging of mud-rotary boreholes conducted by Millenium EMS Solutions in 2011 **lack sufficient detail to be used in any study of the hydrogeology of the project area.** This includes key

boreholes that the AECOM consultant has used as the basis of their inappropriate conclusion of hydrostatic gradient, the false assertion of a cap rock or sealing layer, the presence of a confined aquifer, and the hydrodynamic separation of unconfined and confined aquifers (including boreholes MW11-01, MW11-02, MW11-04, and MW11-05). Such interpretations cannot be derived from the inadequate lithologic descriptions provided in the Millenium EMS Solutions logs.

Core data – crucial to detailed understanding of the subsurface – are presented in the AECOM report for boreholes MW17-06, SC-19-26, SC-19-21, SC-19-25, SC-19-18, and SC-19-02. Whereas core data should provide detailed lithologic descriptions suitable for use in hydrogeologic studies, the lithologic logs provided in the AECOM report are inadequate for this purpose. Intervals of as much as 36m are described – with one word – simply as “till”. Other descriptions such as “weathered bedrock” provide no information that could be used to define water storage or flow parameters for hydrogeologic study or modeling. The logging of the boreholes and data presented in the AECOM report do not comply with ASTM and CAN/CSA standard practices.

### **3.3.2 Monitoring Well Installation**

The AECOM report states that 10 groundwater monitoring wells were installed between 2011 and 2019 ranging in depth from 13.76 to 46.58m.

Inadequacy: The monitoring wells only sample the “Tertiary Sand and Gravel Aquifer” and only three of the “monitoring wells” were sited within the water table. The groundwater monitoring effort does little to define the groundwater surface, flow direction or flow rate within the project area. No nested wells were installed to enable determination of hydrodynamic flow.

### **3.3.3 Groundwater Monitoring and Sampling**

The AECOM report states that “nine rounds of groundwater level monitoring and six groundwater sampling events were conducted between 2011 and 2020”, (page 5) and that only three of the wells were water bearing.

Inadequacy: The monitoring program described is inadequate to characterize groundwater flow. Over a period of nine years, the proponent collected groundwater measurements in only three wells – twice in 2011, four times in 2016, and once in each of 2017, 2019, and 2020. With more than four years hiatus between some measurement periods, this “monitoring program” is completely insufficient to provide baseline data for hydrodynamic modeling. Current practice would be to use remote data recorders in all monitoring wells to provide continuous groundwater elevation and conductivity data. The only wells monitored outside of the proposed project area were two wells in the Burnco Burma Pit to the east. These wells were only sampled beginning in 2020 and therefore do not constitute part of a “monitoring program”. Groundwater oxygen and turbidity were only measured in 2019 and 2020 and do not provide temporal baseline data upon which interpretations can be made. Because groundwater sampling protocols are not described in the AECOM report, and bailer sampling is an inappropriate method for collection of dissolved oxygen samples in groundwater and because the purged groundwater has been both agitated and oxygenated, the groundwater monitoring and sampling data in the AECOM report are of questionable quality. Specific inclusion of the dissolved oxygen data shows a lack of understanding of contaminant hydrogeology.

### **3.3.4 Aquifer Characterization**

The AECOM report does not detail nor present the standard protocol for slug testing, that is typically presented and expected during hydraulic conductivity testing.

### **3.4 Desktop Investigations**

Exception: The AECOM report refers to nine desktop investigations performed by five different consulting firms for gravel extraction activities in the Northwest Calgary to Cochrane area. These studies are proprietary and were not provided to stakeholders of the Scott Property proposal for inspection. An Information Request filed by residents with Lehigh Hanson has not been answered.

#### **3.4.1 Conceptual Hydrogeological Model**

Inadequacy: The CHM was not extended through the potential area of impact nor the full extent of the HSA. The CHM presented is inadequate to address hydrological modeling for a project of 600 acres based on three monitoring wells. Vertical 2D modeling requires nested pairs of monitoring wells. The monitoring wells installed appear to be well suited to determining the magnitude of the needed dewatering effort rather than characterization of the hydrogeology of the project area. As a hydrogeological characterization to assess impacts to a regional aquifer it is entirely inadequate.

#### **3.4.2 Groundwater Flow Modelling**

The AECOM report refers to a 2D groundwater flow model developed to simulate vertical flow in the project area. Some results ascribed to this model are discussed in Section 5 of the AECOM report.

Disagreement: No description of the type of model used, software packages, algorithms, equations, input assumptions, etc. were presented. In the absence of these data and assumptions, results from the 2D flow model cannot be evaluated.

## **4 Hydrogeology Baseline**

### **4.2 Surficial Geology and 4.3 Bedrock Geology**

Disagreement: The incorrect description of basic geologic units and or inadequate used of scientific reference material undermines the credibility of the AECOM report. The report separates “surficial deposits” from “bedrock” as if these hydrostratigraphic units are not hydrodynamically connected. The authors later describe vertical hydrodynamic flow from the surficial deposits to the “bedrock” unit. The authors mistakenly assign the Paskapoo Formation to the Cretaceous Period rather than to the Paleocene epoch (Hamblin, 2004). The authors inappropriately used descriptions of map units from Moran (1986) rather than site-specific lithologic descriptions, thus confusing the distinction made in the geosciences between units that can be identified and mapped in the field vs. the material properties of units. Whereas an abundance of peer reviewed literature, Alberta Geological Survey, and Geological Survey of Canada reports exist describing the Paskapoo Formation, the AECOM refers to “Cottage Club”, a real estate developer’s website as their source for the environment of deposition of the formation. This represents such an egregious lack of understanding of the proper use of citation in the geosciences as to be comical, should not the potential risks to public welfare be so serious. These fundamental errors in understanding of the geological framework undermine the Hydrogeology Conceptual Model and the Impact Assessment presented in the AECOM report. If properly investigated, referenced and written, the authors should have identified surficial deposits of Quaternary age overlying Paleocene age rocks,

and then subdivided hydrostratigraphic units based on hydrodynamic properties defined by well testing and detailed site-specific Earth Materials studies.

## **5. Hydrogeology Conceptual Model**

### **5.1 Hydrostratigraphy**

The AECOM report describes a Conceptual Hydrogeological Model (CHM). Such a model should define hydrostratigraphic units, as these are the fundamental Earth materials used in modeling and groundwater flow assessment. Hydrostratigraphic units should be defined based on their lithology, porosity, permeability, transmissivity, homogeneity and isotropic or anisotropic flow properties.

Disagreement: In the AECOM report, five hydrostratigraphic units were identified: Till Aquitard, Tertiary Sand and Gravel Aquifer, Clay Aquitard, Shale-Siltstone Caprock, and the Paskapoo Aquifer. The report fails to prove the hydrodynamic properties of these units or to fully define their lithology or other characteristics. The AECOM report cannot adequately address the potential impacts of the proposed project by relying on monitoring wells in only one of five hydrostratigraphic units. Furthermore, there is no evidence that the subdivision of hydrostratigraphic units is appropriate to the geology of the study area, as the water storage and flow properties of the five units has not been determined by testing, or even by adequate soil or rock descriptions.

#### **5.1.1 Till Aquitard**

Disagreement: The “Till Aquitard” is defined by reference to borehole SC19-09, which is not included in Appendix A of the report. The hydrodynamic properties of the “Till Aquitard” are suggested to be impermeable based on reference to a 1979 undergraduate textbook (Freeze and Cherry, 1979). In borehole logs provided in Appendix A, the “Till Aquitard” is sometimes described only as “till” (SC-19-21, SC-19-02) which is an interpretive genetic term, not an Earth Materials description. Hydrostratigraphic units cannot be defined based on such poor field descriptions or textbook references to properties that “till” units sometimes have. **Hydrogeologic modeling based on assumed lithologies and properties is of no value, and should not be considered as relevant to the proponent’s development application.**

Moran (1986a, b; and Shetsen, 1981) provided detailed descriptions of the “till” unit in the area of the Scott Property and map the distribution of the Lochend and Spy Hill Formation till units, also providing analyses of clay mineralogy, sediment type and grain-size distribution from which far more sophisticated estimates of permeability could be made. The AECOM report has comingled two till units, mapped and described by Moran (1986b) with distinctly different material properties. The proponent has failed to conduct testing to determine the hydrodynamic properties of the “Till Aquitard” unit and thereby disregarded the hydrogeology of units that cover much of the study area.

#### **5.1.2 Tertiary Sand and Gravel Aquifer**

Agreement: The AECOM report defines the Tertiary Sand and Gravel unit as an aquifer. The unit is water bearing, and has flow characteristics as described in the report. The project proposal, therefore, is to conduct gravel mining operations in a unit described by AECOM as an aquifer.

Disagreement: Whereas the AECOM authors seem to downplay the water bearing nature of the unit by describing “basal water” in the unit, the unit is a water bearing aquifer and should be recognized as such in the Impacts section.

Inadequacy: The AECOM report erroneously assigns the sand and gravel unit to the Tertiary Period. These unconsolidated to poorly consolidated sediments were deposited in the Quaternary Period and unconformably overlie the Paleocene Paskapoo Formation as broadly recognized by geologists (e.g., Hamblin, 2007b). Whereas this age assignment error may seem trite, Quaternary sediments and Tertiary rocks in Alberta have different hydrostratigraphic properties, as is widely recognized in the scientific literature (e.g., Grasby et al, 2007; Bachu and Michael, 2002). The AECOM report's repeated failure to correctly identify geological units and properly describe lithologies undermines confidence in the technical credibility of the report.

### **5.1.3 Clay Aquitard**

Disagreement: As defined in the AECOM report, the clay aquitard consists of discontinuous layers within the sand and gravel aquifer. This unit is not an effective barrier to flow. The clay aquitard will be mined along with the encasing sand and gravel aquifer removing any protection from vertical flow that the clay aquitard might have had if it were widespread and continuous. The authors seem to misunderstand the definition of an aquitard as a barrier to groundwater movement (an aquiclude), and as such derive a faulty representation of groundwater dynamics. Discontinuous sandy clay and gravel layers do not constitute viable aquitards. On the Scott Property, the unit is a discontinuous clay-bearing lens or lenses within the "Tertiary Sand and Gravel Aquifer". This type of stratification is typical in a deposit of this type, but has no bearing on protection of the Paskapoo Formation Aquifer.

### **5.1.4 Shale-Siltstone Caprock**

Agreement: The AECOM report describes the "Shale-Siltstone Caprock" as a discontinuous layer. This fact is supported by borehole data provided in the report.

Disagreement: Having shown that the "Shale-Siltstone Caprock" is a discontinuous layer, the AECOM report authors go on to describe the unit as "capping" the underlying sandstone across the HSA. This is incorrect. A discontinuous unit, as demonstrated by the AECOM report, cannot also "cap" the Paskapoo Aquifer in the same area where it has been shown to not exist.

Inadequacy: This author has already described in this report the inadequate borehole logging provided in the AECOM report. The "Shale-Siltstone Caprock" unit is described as being interbedded or of mixed lithology, and would not be an effective aquitard or aquiclude were it also laterally continuous – which the AECOM report has shown it is not. Interpretations made by the same AECOM authors that the "Shale-Siltstone Caprock" unit therefore acts in some way to mitigate risks of contamination of the Paskapoo Formation aquifer are untenable.

### **5.1.5 Paskapoo Aquifer**

Agreement: The AECOM report correctly states that the Paskapoo Formation is a regional aquifer and an important source of drinking water.

The MD of Rocky View commissioned a 2002 Regional Groundwater Assessment (Hydrogeological Consultants Ltd., 2002) which identified the Paskapoo Formation as the most important groundwater resource in (now) Rocky View County. Grasby et al., 2008 is the current definitive work on the hydrogeology of the Paskapoo Formation and is not cited in the AECOM report. Grasby et. al. (2007) state that there are no confined regional scale flow systems in the Paskapoo Formation. Instead the Paskapoo Formation is characterized by a shallow unconfined groundwater system and by local-scale flow.

From 2007 to 2010, Geological Survey of Canada geoscientists issued a series of eight Open File Reports in an extensive regional study of the Paskapoo Formation aquifer. None of these reports are cited or acknowledged in the AECOM report. **The GSC study states: “The Paskapoo Formation of southern Alberta is an extensive Tertiary fluvial/alluvial complex covering over 10,000 km<sup>2</sup>.” and “The Paskapoo Formation represents an eastward-thinning sedimentary wedge that includes alluvial and fluvial floodplain deposits with a maximum thickness of about 1100 meters.” (Chen, Grasby, Hamblin and Xiu, 2007). The GSC studies irrefutably show that the Paskapoo Formation aquifer is an alluvial aquifer, and therefore subject to the protections provided by Rocky View County’s Policy Statement 7.16 of the County Plan which requires that “Development shall be planned, designed, and constructed to protect alluvial aquifers.”**

Disagreement: The AECOM report states that the proponent installed no monitoring wells in the Paskapoo Formation and no nested pair of monitoring wells – necessary to document the presence of a confined aquifer in the Paskapoo Formation – exists within the HSA. The AECOM conclusion that a confined aquifer exists within the HSA is based entirely upon the relative water levels in well records 388744 and 388767, south of the Scott Property and one well on the Burnco development to the east of the Scott Property. These wells do not provide proof of a hydraulic barrier between the so called “basal water” of the “Tertiary Sand and Gravel Aquifer” and the Paskapoo Formation aquifer.

The AECOM report overlooks the role of sub-vertical, southwest-northeast oriented fractures within both sandstone and shale facies of the Paskapoo Formation as documented by Chen et. al. (2007a) which are known to be extensive and provide hydraulic connection between sandstone units. Chen et. al, (2007b) document facies-related, northeast-oriented flow anisotropy in the Paskapoo Formation aquifer. In a detailed study of core, core-derived, and geophysical well log derived porosity, and thin section petrography, Chen et. al, (2007b) document flow variation within the Paskapoo Formation aquifer and emphasize the lateral variability of rock properties. Hamblin (2007a) reported on detailed outcrop studies of the Paskapoo Formation in the Calgary region, including outcrops east and southwest of the Scott Property. The upper part of the Paskapoo Formation at these proximal locations is characterized by low-angle planar laminated fine sandstone and overlain by Quaternary silt, sand, and gravel. Hamblin (2007a) made no observation of a locally extensive clay or shale unit overlying the top of the Paskapoo Formation in any of the 15 measured stratigraphic sections. Instead, laterally discontinuous greenish overbank siltstones are common, as are discontinuous horizons of poorly-developed paleosols (soil horizons).

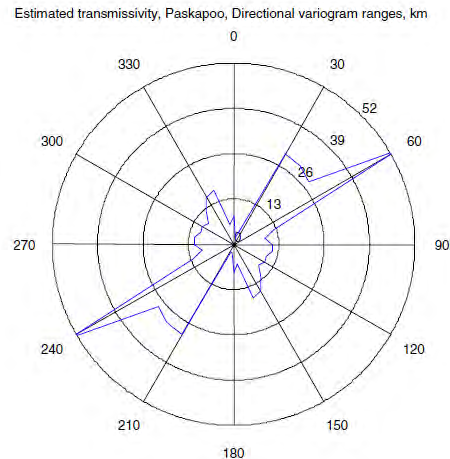


Figure 2: Hydraulic transmissivity in the Paskapoo Formation aquifer is strongly influenced by southwest-northeast fractures. (Chen et. al., 2007a) and stratal heterogeneity (Chen et. al., 2007b). Figure from Chen et. al., 2007a.

Continuously cored sections of the Paskapoo Formation in the vicinity of the Scott Property have been thoroughly studied by University of Calgary and Geological Survey of Canada workers (Grasby et. al., 2007). The University of Calgary's research borehole is located on West Nose Creek (NW-29-26-2W5) (Hamblin, 2007b) less than 5 miles (8.5 km) north of the Scott Property. The Geological Survey of Canada Airdrie 04-10 borehole is located east of the Scott Property (SE-2-27-2W5) near the intersection of Simons Valley Drive and Big Hill Springs Road. At both locations, the Quaternary – Paleocene boundary is characterized by fine-grained sandstone and siltstone (Quaternary) unconformably overlying Paleocene greenish-grey silty mudstone less than 1m in thickness, overlying fine-grained sandstone and siltstone of the Paskapoo Formation. These thoroughly studied research boreholes in the Paskapoo Formation provide thin-section petrographic analysis, and core permeability measurements that characterize the Paskapoo Formation aquifer in the area of the Scott Property. Neither borehole documents an aquitard or flow barrier separating the overlying sand and gravel deposits from the underlying Paskapoo Formation. The failure of the AECOM report to consider these data and the regional implications is a significant oversight.

The Alberta Tier 2 Guidelines specifically state that when dealing with interbedded systems such as the Paskapoo Formation – the properties of the system as a whole must be considered. Failure to recognize these regulatory criteria and failure to use relevant scientific studies in the hydrogeologic model of the Scott Property by the proponent is a significant deficiency.

Inadequacy: Detailed studies of the Characteristics of the Paskapoo Formation aquifer by Geological Survey of Canada geoscientists (Hydrogeological Consultants Ltd., 2002, Grasby et. al., 2007, 2008, Hamblin, 2007a and b, Chen et. al., 2007a and b, and Wozniak et. al., 2011) exist in the literature and were not referenced by the AECOM report.

### 5.1.6 Aquifer Characterization

Disagreement: The AECOM report presents results of conductivity tests in the sand and gravel aquifer which are summarized in Table 4 and Appendix C of the AECOM report. The determination of hydraulic conductivity performed by AECOM is not supported by accepted protocol, field procedures and

rationale for analysis and is therefore fundamentally flawed. The aquifer properties were “characterized” on the basis of only 3 wells over an area of 243 hectares. Moreover, single well response tests only provide a very local characterization and can only be considered to be characteristic when statistically valid data from multiple tests over the study area are compiled. Multi-day pumping tests are the more appropriate method for characterizing aquifer yield.

Having identified the Paskapoo Formation aquifer as the primary aquifer in the region, and the importance of aquifer protection, only the “Tertiary Sand and Gravel Aquifer” was tested for hydraulic conductivity. The authors imply that effort has been made to study the affected aquifer; however, this is simply not the case. In order to demonstrate that the project will have no adverse effect on local water supply the hydrodynamic connection between the “Tertiary Sand and Gravel Aquifer” and the Paskapoo Formation aquifer needs to be investigated and characterized. The monitoring wells installed by the proponent are insufficient for these studies. Characterization of the hydraulic conductivity of the “Tertiary Sand and Gravel Aquifer” - the unit that is proposed to be mined – has no bearing on aquifer protection and risk assessment.

## **5.2 Groundwater Elevations**

Disagreement: As in the Aquifer Characterization section, the AECOM report presents groundwater elevation data for one of five hydrostratigraphic units identified within the HSA. The data presented demonstrate the presence of water in the “Tertiary Sand and Gravel Aquifer”. The data show that the “basal water” in the “Tertiary Sand and Gravel Aquifer” is hydraulically connected to the Paskapoo Formation aquifer. **The hydrostratigraphic subdivisions of the AECOM report disguise the fact that the proposed mining activity will take place within groundwater of an aquifer that encompasses the lower part of the Quaternary sand and gravel deposits and the underlying Paskapoo Formation.**

The AECOM report states: “A review of 44 wells in the HSA conducted by Millennium (2012) indicated that 10 of these wells had groundwater levels above the top of the bedrock to a maximum of 4.0 m above, such as ID 389886 (Figure 6). A further review suggests that the Shale-Siltstone Caprock of the Paskapoo Aquifer, present in well ID 389886 was removed by erosion within the Project Area and may explain the local presence of the basal water within the Tertiary Sand and Gravel Aquifer near MW11-02.”

Disagreement: In reference to previous work by Millenium, AECOM states that as much as 4.0 m of water saturated aquifer exists within the “Tertiary Sand and Gravel Aquifer” unit within the project area. This would require 128 million litres of dewatering of the proposed mining unit, irrespective of recharge. The above cited passage also describes “further review” of the data by AECOM suggesting that localized erosion removed the “Shale-Siltstone Caprock” unit. The interpretation does not logically follow from the data presented. Furthermore, there is no accepted geological method for determination of localized erosion that can be supported by the data.

## **5.3 Groundwater Flow**

Agreement: The AECOM report acknowledges that: 1) the data presented are inadequate to characterize hydrogeology for the project area or the HSA, and, 2) the limited data available show that “Basal Water” in the “Tertiary Sand and Gravel Aquifer” is hydraulically connected to the Paskapoo Formation aquifer because groundwater elevations are similar.



Inadequacy: The AECOM report **does not present a groundwater potentiometric map**, which is a standard hydrogeological product used to describe groundwater flow. The data used in the report are insufficient to produce such a map. The study is grossly inadequate to document groundwater movement in the project area, and it does not include the surrounding area of potential impact of the proposal.

Further to the recognized inadequacy of data, the author agrees with the statement made in Section 5.3.1 of the AECOM report:

*"The groundwater elevations for the 2020 monitoring event from MW11-01, MW11-02 and MW11-05 and the two Burnco Burma Pit wells (Burnco1-Elderfield and Burnco2-Windmill) plotted in **Figure 7** illustrate that the general horizontal gradient of groundwater is to the north, towards the unnamed tributary of West Nose Creek. However, the direction of the horizontal groundwater flow for the basal water within the Tertiary Sand and Gravel Aquifer observed at MW11-01, MW11-02, and MW11-05 was not established due to limited data points, uncertainty associated with the fact that water was not observed everywhere within the Project Area, and that groundwater elevation in the south of the Project Area may not correspond to the same hydraulic gradient in the north."*

This statement clearly illustrates that the three groundwater monitoring wells used by the proponent are insufficient to characterize groundwater flow in the "Tertiary Sand and Gravel Aquifer". Other boreholes drilled on the Scott Property by the proponent were "Sand and Gravel Exploration" boreholes (AECOM report Appendix A) and are either too shallow or not adequately completed to serve as Monitoring Wells. No well data are presented in the AECOM report that can be used to determine groundwater flow behavior in the Paskapoo Formation. The above statement by AECOM also clearly illustrates that the hydraulic gradient in the southern part of the Project Area differs from the hydraulic gradient in the northern part. This is explained by the fact that **perched water exists in the southern part of the Project Area**.

Disagreement: The AECOM report presents a calculation of seepage velocity based on two points. This is not a defensible method for such a calculation and is a violation of Darcy's Law – the basis of permeability calculations. In the previous paragraphs, the AECOM authors acknowledged that they have insufficient data to determine flow direction. If flow direction cannot be determined, flow velocity certainly cannot be calculated.

The AECOM report states: "The results of the preliminary seepage estimation presented in Table 6 indicates that low seepage conditions (e.g., less than 1 m<sup>3</sup>/day) are likely to occur within the southwest portion of the Project Area, near MW11-02." This statement is incorrect and cannot be made based on the data available, the author's inability to determine flow direction, and incorrect procedures used in calculating flow velocity – it is a guess based on assumed properties.

The AECOM report states: "The elevation of the groundwater lies generally from a few meters above to more than 10 m below the top of the bedrock." The authors have no data to prove the water level in the Paskapoo Formation as no well data exist within the project area. The authors have already cited Millenium data showing at least 4m of water in the "Tertiary Sand and Gravel Aquifer".

The AECOM report states: "However, recharge of the Tertiary Sand and Gravel deposit is very limited because it is restricted by the Till Aquitard and further slowed by discontinuous, thin clay aquitards sporadically distributed throughout the Tertiary Sand and Gravel deposit (Figures 5 and 6)"

Disagreement: This statement is not based on measurement of recharge in the “Till Aquitard” but is instead based on the assumed permeability of the Quaternary till unit, which AECOM have defined as an aquitard. If the till unit is limiting infiltration and recharge rate, then the AECOM estimate of seepage (above) is incorrect for the duration of the proposed mining activities. AECOM will have underestimated dewatering of the “Tertiary Sand and Gravel Aquifer”. If the AECOM report is correct, then the till unit is currently protecting the underlying aquifers. By excavating the till unit, underlying aquifers will be more susceptible to contamination. It has already been acknowledged in the AECOM report that the “basal water” is likely hydraulically connected to the Paskapoo Formation aquifer. The interpretations presented do not follow from the evidence cited.

The AECOM report states: “The amount of recharge into the Paskapoo Aquifer is further reduced by the Shale-Siltstone Caprock - allowing it only through the areas where the caprock is absent (e.g., MW11-02)”.

Disagreement: If this statement were true then, given uniform surface infiltration, small perched aquifers would be present within the “Tertiary Sand and Gravel Aquifer”. The AECOM data show that no such perched aquifers exist. The recharge from the Earth’s surface gains access to the Paskapoo Formation aquifer by vertical flow or lateral flow around discontinuous claystone layers within the “Tertiary Sand and Gravel Aquifer”. No data were presented (in accordance with Alberta Environment and CCME (AEP 2019 and CCME 2016)) to show that areas beneath the “Shale-Siltstone Caprock” in the Paskapoo Formation have lower water elevations than adjacent areas where the “Shale-Siltstone Caprock” was shown to be absent.

## **5.4 Groundwater Quality**

The Groundwater Quality section of the AECOM report is particularly inadequate. The report contains little information on water quality, and does nothing to improve on regional groundwater data provided in Barker et. al., 2013.

### **Section 5.4.1 Hydrocarbon Constituents**

The AECOM report states: “Concentrations greater than the detection limit of at least one of the PHC fractions F3 and F4 has been consistently detected in MW11-02 since 2016. However, such concentrations do not constitute exceedances because no guidelines for these constituents are specified in the Guidelines for Canadian Drinking Water Quality, Health Canada (2019) or the Alberta Tier 1 Groundwater Remediation Guidelines (GOA, 2019).”

It is highly unusual for F3 and F4 to be included in an analytical suite for groundwater as these compounds are insoluble (therefore no guidelines have been established). The presence of F3-F4 fractions in a groundwater sample likely indicates turbidity and suspended solids in the sample, most likely derived from naturally occurring peat deposits or farming activities.

### **5.4.2 Routine Potability**

The routine potability and salinity tests reported by AECOM show fresh water properties consistent with Alberta Tier 1 Guidelines. The AECOM report erroneously claims that groundwater in the “Tertiary Sand and Gravel Aquifer” does not meet “the TDS criteria for drinking water” (AECOM report, page 21). The statement is based on measurements from three wells where TDS values of 430 to 790 mg/L are reported, and compared to a GCDWQ-Health Canada 2019 standard of 500 mg/L. In a footnote, the report correctly acknowledges that the 500 mg/L guideline is an aesthetic objective, not a health-based

standard (AECOM report, Table 9). However, in the context of the statements on Page 21, the report implies that groundwater in the “Tertiary Sand and Gravel Aquifer” is not potable water. This statement is false.

#### **5.4.4 Geochemistry of Groundwater**

The AECOM report states: The chemistry of major ions was plotted on a Piper plot (Figure 11) to identify the types of groundwater and to determine any relationship between groundwater from the basal water within Tertiary Sand and Gravel Aquifer sampled at MW11-01, MW11-02 and MW11-05 and with samples from the Paskapoo Aquifer collected in the Burnco1-Elderfield and Burnco2-Windmill wells. The composition of major ions in water samples from MW11-01, MW11-05 and Burnco2-Windmill wells indicate a calcium-magnesium type of water, but groundwater from MW11- 01 is slightly more alkaline. The composition of the groundwater from MW11-02 and Burnco1-Elderfield wells is clearly different from those reported for MW11-01, MW11 05 and Burnco2-Windmill wells. Groundwater from MW11-02 exhibits a bicarbonate-calcium-sodium type of water and groundwater from the Burnco2-Elderfield well is clearly a sodium-bicarbonate type of water.”

Inadequacy: The geochemical data reported by AECOM are important, however the AECOM report significantly fails to interpret these data or recognize their significance. The piper plots show that the geochemistry of the MW11-01, MW11-02 and Burnco 2 Windmill are typical of fresh relatively shallow groundwater i.e closest to point of recharge. MW11-02 and Burnco 1Elderfield represent older groundwater that has had a longer residence in the aquifer and undergone ion exchange. This is completely expected of natural processes and entirely consistent with the relative groundwater elevations for these wells. This contradicts the statements that recharge is currently negligible because clearly the groundwater quality reflects fresh, recently recharged water in 3 of the 5 wells tested.

The AECOM report states: “All groundwater sampled within the HSA is characterized by low chloride concentrations; therefore, TDS exceedances are attributed to the concentration of calcium, magnesium, sulphate and sodium.”

Inadequacy: Chloride is an indication of anthropogenic contamination (or sea water), whereas calcium, magnesium and sodium are natural constituents of groundwater. All this statement does is provide support that the sample water is typical of fresh uncontaminated groundwater in Alberta.

#### **5.5 Conceptual Model Summary**

In summarizing their findings, the AECOM report represents that the Tertiary Sand and Gravel Aquifer is “dry” (except for where it isn’t). The report has shown that water is present in three monitoring wells in the study area, and that the material properties are those of a porous and permeable aquifer. The report has also shown that the “Basal Water: within the Tertiary Sand and Gravel Aquifer is hydrodynamically connected to the underlying Paskapoo Formation. The proposed mining activity will remove the Tertiary Sand and Gravel Aquifer, dewater approximately 64,000 m<sup>3</sup> (64 million litres) of “Basal Water”, and expose the underlying Paskapoo Formation Aquifer to contamination.

The AECOM report states: “The geological information obtained within the Project Area indicates that a shale-siltstone caprock is present in many places protecting the underlying water bearing units of the Paskapoo Aquifer.:

Disagreement: The data presented in the AECOM report show that the “Shale-Siltstone Caprock” is not a continuous aquitard separating the Paskapoo Formation Aquifer from the overlying Tertiary Sand and Gravel Aquifer. The AECOM report further shows that “Basal Water” is present in the Tertiary Sand and Gravel Aquifer irrespective of the presence or absence of the Shale-Siltstone Caprock unit, further proving a hydrodynamic connection between the “Basal Water” and the Paskapoo Formation Aquifer.

The AECOM report states: “Groundwater elevations of the basal water within the Tertiary Sand and Gravel Aquifer in the Project Area are similar to those observed for the Paskapoo Aquifer in the HSA, suggesting a potential interaction with the uppermost water bearing units of the Paskapoo Aquifer through the areas where the Shale-Siltstone Caprock is likely absent.” (AECOM report, Page 15)

Agreement: The author agrees that the similar groundwater elevations indicate that the Tertiary Sand and Gravel Aquifer – the mining target – and the underlying Paskapoo Formation Aquifer are in hydrodynamic communication.

The AECOM report states: “Monitoring well MW11-02 appears to be undergoing a salinization process compared to MW11-01 and MW11-05.” The proponent uses this interpretation to suggest that groundwater quality in the Scott Property is non-potable and therefore not worth protecting (Lehigh MSDP, page 37).

Disagreement: The conductivity data presented in the AECOM report do not indicate any unnatural increase in electrical conductivity during the monitoring period. Instead, the data show slight decreases in conductivity in wells MW11-01 and MW11-05 of 100 – 200 microSiemens. Well MW11-02 shows no temporal trend in electrical conductivity and a variance of only 80 microSeimens. These data do not support the interpretation that salinization processes are taking place within the “Tertiary Sand and Gravel Aquifer”.

## **7. Conclusions**

In their report to the proponent, AECOM offers the following conclusions:

a) That “The Tertiary Sand and Gravel deposits are thick, porous and permeable materials found to generally be dry from top to bottom due to limited recharge.” (AECOM report, p. 21)

Disagreement: The report has presented data that as much as 4m of groundwater is present within the aquifer. Furthermore, the report has presented no studies nor data documenting recharge rates or volumes, nor catchment area of recharge to the aquifer. The report has shown that groundwater elevation in the “Tertiary Sand and Gravel Aquifer” varied in the few measurements taken by the proponent, and therefore recharge and hydrodynamic flow are occurring within the unit.

b) In reference to the “Tertiary Sand and Gravel Aquifer”, “These materials are also restricted by low precipitation and the thick Till blanketing the Project Area.” (AECOM report, p. 21)

Disagreement: **The AECOM report has provided no data to document recharge from precipitation, nor data showing the hydrodynamic properties of the “Till” unit.** Environment Canada data show that, during the study period, annual precipitation ranged from 318.4mm in 2001 to 539.6mm in 2005, with a mean annual precipitation of 450mm/yr. The report shows no mass balance calculation of resident water in the “Tertiary Sand and Gravel Aquifer” and no percolation rate for the overlying “Till” unit. The report shows that the “Till” unit only “blankets” the “Tertiary Sand and Gravel Aquifer” in part of the

Scott Property area, and groundwater elevations of the “Basal Water” unit does not coincide with the distribution or the thickness of the “Till” unit. The statement in the AECOM report is entirely unfounded.

c) The AECOM report further concludes” “During this study, no lateral gradients could be clearly established for the Tertiary Sand and Gravel Aquifer; therefore, this has been interpreted to suggest the two hydrostratigraphic units are isolated from one another.”

Disagreement: This statement is ludicrous, unfounded, and contradicts data presented in the report. **No lateral groundwater flow gradients were established because the proponent failed to install a network of monitoring wells capable of measuring lateral gradients.** This fact precludes reaching the interpretation that the two hydrostratigraphic units are isolated from one another. Evidence presented in the report has shown that no laterally continuous aquitard is present between the “Tertiary Sand and Gravel Aquifer” and the Paskapoo Formation aquifer within the Scott Property. All evidence presented, plus regional geologic data (Grasby et. al., 2007), show that the Paskapoo Formation hosts and unconfined aquifer system and no isolation exists between the Paskapoo Formation and overlying sand and gravel deposits.

d) The statement in the AECOM report, “...this has been interpreted to suggest the two hydrostratigraphic units are isolated from one another.” directly contradicts the report’s subsequent statement “A Shale-Siltstone Caprock layer is discontinuously present within the Project Area. The sandstone of the Paskapoo Formation is presumed to be in direct local contact with the Tertiary Sand and Gravel Aquifer where Shale-Siltstone Caprock is absent. The Tertiary Sand and Gravel Aquifer may require additional delineation to confirm the extent and capacity of the aquifer.”

Here, the report directly contradicts its claim – in the previous paragraph – that the two units are isolated from one another. The AECOM report authors acknowledge that the “Tertiary Sand and Gravel Aquifer” is a water bearing aquifer unit, is not stratigraphically isolated from the underlying Paskapoo Formation aquifer by a sealing unit, and that their studies have not delineated the extent or significance of the “Tertiary Sand and Gravel Aquifer”. **Thus, the report has both provided the client with a “quotable” sound byte that the mining target is isolated from the regionally crucial Paskapoo aquifer system, while also attempting to mitigate the meaning of this statement and protect the AECOM authors, who obviously do not believe the statement is true.** Such work is both irresponsible and unprofessional and should not be accepted by Rocky View County as evidence that the impact of the proposed activity is understood.

e) In the subsequent parts of the same paragraph, the AECOM report states that dewatering of the “Tertiary Sand and Gravel Aquifer” will be required during the proposed activity. The report then attempts to mitigate the impact of the dewatering effort by referring to uncertainties and referring again to their (already disproven) reference to a sealing unit overlying the Paskapoo Formation. **It is clear that dewatering of the “Tertiary Sand and Gravel Aquifer” will be required for the proposed mining activity, and that the magnitude of the dewatering is significant, but not fully known.**

Any dewatering activities in the project area effectively reduce the quantity of recharge of the Paskapoo Formation aquifer.

f) The AECOM report states that “The impacts on groundwater quality are anticipated to be minimal.”

Disagreement: The AECOM report provides no evidence that the impact of the proposed mining activity will not impact groundwater quality. Instead, the report makes the cavalier and erroneous statement that the current water quality in the “Tertiary Sand and Gravel Aquifer” does not meet drinking water standards. This is false. The report further describes a salinization process in one monitoring well (MW11-02) however the data tables presented show Ca, Mg, Na and SO<sub>2</sub> values that are within range of measurement precisions, with no discernable trend. If such a trend did exist, natural processes would not explain the trend, which the report states began in 2016. Instead, contamination of the well by the proponents monitoring activities would be the most likely cause. Natural salinization processes do not occur in aquifers over a four-year period.

g) The AECOM report also points to petroleum hydrocarbon fractions measured in well MW11-02 “with unknown influences”. As previously reviewed, the insoluble organics are most likely the result of contamination of the wellbore during well installation from peat or manure at the surface. The AECOM conclusions are based largely on data from only one well (MW11-02) and do not show that water quality in the “Tertiary Sand and Gravel Aquifer” is unsuitable for human consumption or agricultural uses.

h) In one of the most outlandish arguments of the AECOM report, the authors state that dewatering of the “Tertiary Sand and Gravel Aquifer”(which they have claimed will be minimal) is a good thing, in that it will promote remediation of the petroleum hydrocarbon fractions (which they state are from “unknown influences”) and that the “phenomenon may extend laterally to remediate potential impacted zones of the uppermost water bearing units of the Paskapoo Aquifer (for which there is no evidence), if hydraulically connected” (after arguing throughout the report that the units are not connected, but instead isolated). This entire line of argument is nonscientific, internally contradictory, and illogical. In the author’s 25 years as a professional geologist, I have never before read such rubbish.

i) Finally, the AECOM report concludes that “The potential impact on surface water quantity and quality is anticipated to be minimal”. The statement is beyond the scope of the report. “Stormwater management” has not been discussed in the report, and no stormwater or precipitation data have been presented. Stormwater management infiltration to the West Nose Creek drainage system is not described and has not been presented in the hydrogeologic model. Instead, the proposed activity is to mine gravel from an acknowledged aquifer, in communication with the regionally crucial Paskapoo Formation aquifer, subjecting the Paskapoo Formation to contamination by exposure to point source contaminants.

## **Inadequacies:**

The author finds the AECOM report to be inadequate for its intended purpose in a number of categories.

### **General Inadequacies:**

Science is built upon the application of the Scientific Method to problem solving and relies upon the findings of other scientists in order to advance its work. A scientific report, such as the AECOM report, should reference previous works and make appropriate use of the record of scientific inquiry. In the AECOM report, reference is made to unpublished consulting reports of limited circulation or restricted access. This is inappropriate, as these references are not available for inspection by third parties, and the works are not peer reviewed and generally accepted by the scientific community. The AECOM report makes use of **dated and irrelevant references** to provide input to the Conceptual Hydrogeologic Model, citing textbooks that are now collectors’ items, and consulting reports of Golder and Associates

prepared for clients in the gravel mining industry. The report makes inappropriate use of published descriptions of geologic units from 1:1,000,000 scale geologic maps for site-specific studies. The most absurd example is the report authors' reference to **a real estate promotional website** as a source for depositional interpretations of the Paskapoo Formation (Cottage Club – see AECOM report, Section 4.3). Peer reviewed articles in scientific journals and reports of the Alberta Geological Survey and the Geological Survey of Canada which contain relevant and scale appropriate information are widely available from libraries, the AGS and GSC . The authors' failure to cite appropriate references highlights the unscientific and unreliable nature of the AECOM report.

## **Review of Lehigh Hanson MSDP**

The development proponent, Lehigh Hanson Materials Limited (Lehigh) submitted a Master Site Development Plan to Rocky View County in support of their application to mine aggregate on the Scott Property. Reference is made to the MSDP Public Circulation Draft dated October, 2020 (the Lehigh MSDP or the MSDP).

MSDP Figure 8 shows wetlands across the southwestern ¾ of the project area. These wetlands indicate the presence of a perched aquifer or perched surface water system. The AECOM report does not address this perched system, percolation recharge of subjacent aquifers, or drainage of surface waters and their interaction with the groundwater system. The presence of surface wetlands supports the existence of a recharge pathway, and the interconnection of surface and subsurface waters. No study of the effect of disruption of this system or a local recharge pathway has been presented. Dry till, described in the AECOM report indicates that percolation from overburden into subjacent aquifers must exist.

The Lehigh MSDP devotes less than one page of discussion to the proponent's Groundwater Management plan (Lehigh MSDP, page 37). The MSDP states: "A Hydrogeological Technical Assessment (AECOM, July 2020) was prepared to establish baseline conditions, gain an understanding of subsurface hydrogeological conditions, and analyze the potential effects of proposed aggregate operations within the MSDP area on the quantity and quality of local groundwater resources."

Disagreement: It is the author's professional opinion that the AECOM report inadequately establishes baseline conditions and failed to properly characterize the subsurface hydrogeological conditions of the Scott Property and adjacent communities. The potential effects of aggregate operations on the property cannot be adequately addressed based on the inaccuracies in the AECOM report.

The MSDP further states that ten monitoring wells were installed of which only three contained water.

Disagreement: The monitoring wells on the Scott Property are inadequate to assess the presence, distribution, and subsurface flow characteristics of groundwater on the property, both in the number of wells installed, and the monitoring well design. The complexity of the subsurface geology of the Scott Property is apparent in the borehole data provided in the AECOM report in Appendix B. Ten monitoring wells is insufficient to characterize the hydrogeology of a large and complex groundwater system. The monitoring wells are not of sufficient depth to monitor groundwater elevation in the Paskapoo Formation aquifer, and no nested pairs of wells were constructed to provide for flow measurements.

The MSDP restates the incorrect conclusions of the AECOM report which claim that water within the "Tertiary Sand and Gravel Aquifer" is not potable. This statement is incorrect. Water within the "Tertiary Sand and Gravel Aquifer" was sampled and analyzed by AECOM and is potable under Health Canada and Alberta Environment guidelines. No natural salinization process is supported by the data presented in the AECOM report.

The MSDP states: "Residential wells surrounding the MSDP area draw water from a deeper aquifer within the Paskapoo Formation, underlying the Tertiary Sand & Gravel which is proposed for mining. Groundwater present in the wells within the subject lands appears not to be hydrostratigraphically or chemically related to the water drawn in residential wells surrounding the MSDP area."



Disagreement: This statement is incorrect and based on the myopic view that stacked, hydrodynamically separated aquifers exist in the project area. Instead, data presented in the AECOM report show that shallow and deeper aquifers in the area are hydrodynamically connected and are not separated by an impermeable layer.

Domestic supply wells surrounding the proposed activity were not studied in detail in the AECOM report, and are not shown on the proponent's map (MSDP Figure 17, page 38). The impact of the proposed activity on these wells, including wells completed in the Paskapoo Formation, was not presented in the AECOM report. The proponent has no basis for the implied claim that neighboring domestic supply wells will not be affected by the proposed activity. The AECOM report does not demonstrate that the groundwater in neighboring domestic supply wells is hydrostratigraphically or chemically unrelated to water in the "Tertiary Sand and Gravel Aquifer".

The MSDP states: "...hydraulic conductivity properties tested in the wells which contained water and the saturated interval of water in those wells indicate low aquifer capacity in the Tertiary Sand & Gravel Aquifer. As such, this aquifer has no capacity to support residential uses."

Disagreement: This claim is without basis. The proponent did not install nested wells capable of measuring the direction nor the rate of groundwater flow, and the storage capacity of the "Tertiary Sand and Gravel Aquifer" was not determined in the AECOM report.

Despite the inadequacy of the "Groundwater Management" discussion in the MSDP, the proponent states that the impact of the proposed activity "on local groundwater resources is anticipated to be negligible". The author disagrees with this statement. The effect of the proposed activity will be to dewater the "Tertiary Sand and Gravel Aquifer", and expose the underlying and regionally crucial Paskapoo Formation aquifer to contamination from aggregate mining operations.

## Conclusions

The author has reviewed the Lehigh MSDP for the proposed gravel mining operation on the Scott Property, the technical report of AECOM Canada, and all available published literature regarding the hydrogeology of the Scott Property and surrounding area. He has also reviewed submissions provided to Rocky View County regarding the proposal from Dr. Essam Zaghloul, P.Geo., Mr. Gary Moroz, P.Geol., and Ms. Ailsa Le May, P.Geo.

**It is the professional opinion of the author that the proposed activity on the Scott Property will permanently and irreparably impact the hydrogeology of the project area, and that these impacts will extend far beyond the boundaries of the Scott Property.** All data reviewed show that the Quaternary sand and gravel deposits of the Scott Property (referred to as “Tertiary Sand and Gravel Aquifer” in the AECOM report) are an active alluvial aquifer with variable water table, containing potable water suitable for human consumption and agricultural use. The proposed activity would be conducted within the aquifer in direct violation of the Bearspaw Area Structure Plan.

**Furthermore, all data show that the Quaternary sand and gravel deposits host groundwater that is in hydrodynamic communication with the Paskapoo Formation aquifer.** The Paskapoo Formation is the most important aquifer in the Prairie Provinces of Canada. As stated by Geological Survey of Canada geoscientists:

*“The Paskapoo Formation of southern Alberta is an extensive Tertiary fluvial mudstone and sand complex covering over 10,000 km<sup>2</sup> (Figure 1). Approximately 107,000 water wells (roughly one third of wells in Alberta) are located within the Paskapoo outcrop belt and we estimate 96% of these penetrate bedrock. The total number of wells in the Paskapoo is equivalent to all the water wells in Saskatchewan and exceeds the total number of water wells in Manitoba. This makes the Paskapoo Formation the most significant groundwater supply in the Canadian Prairies. The majority of water wells within the Paskapoo Formation are within the Calgary to Red Deer corridor, one of the fastest growing population regions in the nation.” (Grasby et. al., 2007, p. 1)*

This passage underlines the crucial importance of the Paskapoo Formation aquifer both locally and regionally, and the necessity of protecting this resource from depletion, degradation, or contamination. Nearly all domestic water supply wells in the vicinity of the Scott Property produce from the Paskapoo Formation aquifer. Thousands of additional wells lie northeast and down-hydrostatic gradient in the aquifer. The proposed activity has high potential to irreversibly contaminate and degrade the aquifer in the northwestern third of Rocky View County.

**The author’s professional opinion is that the proposed activity will alter the water table by dewatering the Quaternary sand and gravel deposits – the proposed aggregate target. Since no evidence supports the presence of an aquiclude or aquitard separating the target aggregate from the underlying Paskapoo Formation aquifer, the dewatering of the aggregate target will affect recharge to the Paskapoo Formation.**

**The author’s professional opinion is that the proposed activity will increase the probability of contamination of the Paskapoo Formation. The proposed mining activities will expose the Paskapoo Formation to direct point-source contamination. Hydrodynamic dispersion of contaminants in the Paskapoo Formation pose a high risk of contamination of the aquifer system over a large area outside of the proposed activity.**

## Definition of Terms:

AECOM report: The technical report provided to Lehigh Hanson by AECOM Canada entitled “Scott Property – Hydrogeological Technical Assessment”, dated July 2020, identified by Project #: 60610856.

Aquiclude: A geologic material, stratum, or formation that contains water (i.e., has porosity) but does not transmit it (i.e., has zero or negligible permeability). (Sharp, 2007)

Aquifer: A consolidated or unconsolidated geologic unit (material, stratum, or formation) or set of connected units that yields water of suitable quality to wells or springs in economically usable amounts. (Sharp, 2007)

Aquitard: A geologic formation, group of formations, or part of a formation through which virtually no water moves. (Driscoll, F.G., 1986) A geologic material, stratum, or formation of low permeability (a confining unit) that transmits significant amounts of water on a regional scale or over geologic time (Sharp, 2007)

Alluvial aquifer: Generally shallow sand and gravel deposits laid down over time in a river channel or floodplain. The name “alluvial” refers to the loose, unlayered nature of the material – often silt, clay, sand, and gravel, deposited by running water in and around rivers. Union of Concerned Scientists, Community Water Center, Glossary of Groundwater Terms

<https://www.ucsusa.org/sites/default/files/attach/2017/10/gw-ws-glossary-gwt.pdf>

Confined aquifer: A formation in which the groundwater is isolated from the atmosphere at the point of discharge by impermeable geologic formations; confined groundwater is generally subject to pressure greater than atmospheric (Driscoll, F.G., 1986). An aquifer that is immediately overlain by a low-permeability unit (confining layer). A confined aquifer does not have a water table (Sharp, 2007).

Isotropy: The condition in which the properties of a system or a parameter do not vary with direction (Sharp, 2007)

The Proponent: Lehigh Hanson Materials Limited, a division of Heidelberg Cement Group.

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**Appendix C: Expert Surface Water Report – Robert Best, M.Sc.,  
P.Biol., R.P.Bio.**



# **Scott Property Project**

## **Surface Water and Aquatic Environment Impacts**

**Prepared for  
Bearspaw Landowner Group**



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*Any questions concerning the information or its interpretation should be directed to Robert Best.*

## Document Revision History

Rev No.	Rev Description	Author	Reviewer	Approver	Rev Date
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TABLE 1	SUMMARY OF TECHNICAL DOCUMENTS REVIEWED
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## **1 INTRODUCTION**

Integrated Sustainability was retained by the Bearspaw Landowners Group (BLG) to review technical information provided by Lehigh Hanson Materials Limited (Lehigh) through the Scott Property Project (SPP) website and expert technical reports produced by Dr. Essam Zaghloul and Dr. Bradford R. Burton, commissioned by BLG.

Based on a review of the technical information provided by Lehigh and the assumption that the two expert technical rebuttal reports are factually accurate and reliable, Integrated Sustainability was requested to provide feedback and an opinion. The feedback and opinion provided by Integrated Sustainability is limited to whether the technical conclusions provided by the SPP technical reports, relating to surface water and aquatic environment impacts, are sufficient to allow stakeholders an opportunity to review and understand the potential impacts of the SPP. Integrated Sustainability has not considered all municipal, county, or regional water plans or documents and expect this to be addressed by others. Following from the feedback and opinion provided within this report is a brief discussion of the regulatory implications and requirements, as they relate to surface water and aquatic environment impacts, including potential impacts to fish and fish habitat.

### **1.1 Documents Reviewed**

#### **1.1.1 Scott Property Project Produced Documents**

- Phase I Environmental Site Assessment (Millennium EMS Solutions Ltd. 2008)
- Historical Resources Impact Mitigation – Report #1 (Ghostpine Environmental Services Ltd. 2013a)
- Historical Resources Impact Mitigation – Report #2 (Ghostpine Environmental Services Ltd. 2013b)
- Historical Resources Act – Approval #2 (Alberta Culture 2014a)
- Historical Resources Act – Approval #1 (Alberta Culture 2014b)
- Notification Package – Information Booklet (Lehigh 2019)
- Open House Information Boards (Lehigh 2020a)
- What We Heard Report #1 (Lehigh 2020b)
- Vegetation and Rare Plants Report (Lacuna Ecological Ltd. 2020)
- Soils Technical Assessment (AECOM 2020a)
- Wetlands Technical Assessment (AECOM 2020b)
- Wildlife Technical Assessment (AECOM 2020c)
- Scott Property Project Information Package – Round 2 Public Engagement (Lehigh 2020c)



- Biophysical Impact Assessment (AECOM 2020d)
- Conceptual Level - Stormwater Management Report (AECOM 2020e)
- Cumulative Effects Assessment (AECOM 2020f)
- Hydrogeological Technical Assessment (AECOM 2020g)
- Landscape and Visual Impact Assessment (AECOM 2020h)
- What We Heard Report #2 (Lehigh 2020d)
- Master Site Development Plan – Public Circulation Draft (Lehigh 2020e)

#### **1.1.2 Bears paw Landowner Group Produced Documents**

- Geology/Hydrogeology Rebuttal Expert Report of Dr. Essam Zaghloul (Zaghloul 2020)
- Geologic Report – Proposed Lehigh Hanson Gravel Development (Burton 2020)

## **2 AUTHOR QUALIFICATIONS**

Mr. Robert Best is independent and nonbiased on the matters contained herein.

**Robert Best, B.Sc. Env., M.Sc., P.Biol., R.P.Bio.**

- Bachelor of Science in Environmental Sciences – University of Guelph, 2010
  - Major: Environmental Biology
  - Area of Emphasis: Environmental Economics and Policy
- Master of Science – University of Guelph, 2012
  - Major: Environmental (Micro) Biology
- Professional Biologist (P.Biol.), Alberta Society of Professional Biologists, Alberta, Canada
  - Practice Areas: 1) Ichthyology, 2) Benthic Invertebrate Biology, 3) Environmental Management and Regulatory Compliance
- Registered Professional Biologist (R.P.Bio.), College of Applied Biology, British Columbia, Canada
  - Fields of Work: Ecology, Zoology
  - Practice Areas: 1) Assessment: Environmental Impact, Risk, Ecological, Habitat, Riparian Areas, 2) Restoration, Remediation and Mitigation, 3) Environmental Management

Robert Best is an Aquatic Biologist with 11 years of experience leading and supporting teams in Canada and internationally, through authorship of regulatory applications, technical assessments, environmental and social-economic assessments, in addition to other aquatic research, writing, regulatory, and editorial support. Robert is Registered as a Professional Biologist in both Alberta and British Columbia and is also designated as a Qualified Aquatic Environmental Specialist (QAES) in Alberta and a Qualified Environmental Professional (QEP) in British Columbia.



Robert has extensive experience leading field programs including fish and fish habitat assessments, fish rescues/salvages, spawning surveys, linear and non-linear construction monitoring, biological sampling of species at risk, hydrological monitoring, water quality monitoring, and working with federal and/or provincial species at risk. He also has experience with biological sampling, benthos collection, and fluvial geomorphology data collection, along with a multitude of fish collection and identification experience.

### **3 SUMMARY AND KEY CONCLUSIONS OF REVIEWED DOCUMENTS**

#### **3.1 Summary of Scott Property Project and Bearspaw Landowner Group Produced Documents**

Technical documents produced by or on behalf of Lehigh or the Bearspaw Landowner Group were reviewed and considered in preparation of this report and are detailed in Section 1.1. A summary of the content within each technical document reviewed by Integrated Sustainability, is provided in Table 1. The summary information is focused on descriptions of the interactions, conclusions, or omissions related to surface water and aquatic (including fish and fish habitat) environment investigations considered by Lehigh or the Bearspaw Landowner Group, related to the SPP. The summary information included within Table 1 is taken directly from each respective report and its accuracy and completeness, is based on the facts and findings therein. Where context is required for the inclusion of a summary statement, additional text has been added by Integrated Sustainability.

#### **3.2 Key Conclusions of the Scott Property Project Produced Documents**

##### **3.2.1 Phase 1 Environmental Site Assessment**

- Boundary of Phase 1 Environmental Site Assessment investigation encompassed approximately 50% of the SPP site (Millennium EMS Solutions Ltd. 2008).

##### **3.2.2 Wetlands**

- The Wetlands Technical Assessment report defined 48 wetlands and six ephemeral water bodies on the SPP site as "several wetlands and ephemeral water bodies" (AECOM 2020b).
- All 48 wetlands are expected to be removed during construction of the SPP site, including disruption of the surface and sub-surface water drainage patterns.
- Lehigh acknowledges that most of the wetlands on the SPP site provide seasonal water storage and groundwater recharge.
- Figures within the Wetland Technical Assessment report indicate connectivity between some wetlands, ephemeral water bodies, and unnamed watercourses (AECOM 2020b).



- A Wetland Assessment and Impact Report (WAIR) was prepared and submitted to Lehigh to support the *Water Act* wetland application – this was not made available through the SPP website.
- The Wetland Technical Assessment report (AECOM 2020b) does not consider any potential impacts to fish or fish habitat, whether directly or indirectly, and also does not include a discussion of required mitigation measures to address potential impacts.
- The potential for residual adverse cumulative effects on wetlands and ephemeral waterbodies were deemed to be minor and did not warrant the development of specific cumulative effects follow-up program, based on the findings in the cumulative effects assessment (CEA) (AECOM 2020f) and absence of known foreseeable future physical activities within the West Nose Creek watershed.
- The absence of known foreseeable future physical activities is contradicted based on:
  - the municipal development plans reviewed by the authors of the CEA (AECOM 2020f)
  - the CEA authors understanding of the historical trend of development in the SPP area over the past 20 years (AECOM 2020f)
  - the City of Calgary’s northwest and Rocky View County will continue to develop and expand in the foreseeable future
  - in the CEA (AECOM 2020f), residential development and agricultural activities were noted to have the potential to impact wetlands within the West Nose Creek Watershed even further through:
    - loss of wetland area
    - change in surface water drainage pattern
    - change in water quantity
    - loss of surface water quantity
    - alteration of surface water quality

### 3.2.3 Wildlife

- The wildlife species search radius was limited to 3 km, while known wildlife species are mobile and can travel greater than 3 km.
- The Wildlife Technical Assessment report does not include the *Fisheries Act* under the regulatory requirements section (AECOM 2020c).
- Fish and fish habitat were not included as a “valued component” (VC) and were therefore not considered or discussed in the assessment of potential project impacts.
  - During the field wetland verification program, surface water, wetlands and ephemeral water bodies within the SPP site were determined to be incapable of





sustaining viable fish populations (i.e., non-viable fish habitat due to lack of water permanency) and received fish habitat scores of zero.

- As such, fish and fish habitat were not carried forward in the assessment. There was no consideration or discussion of indirect contributions to fish habitat.

#### **3.2.4 Hydrology and Hydrogeology**

- Surface water drains overland to the north and northeast.
- There is expected to be an 86% reduction in the average release rate of stormwater from the SPP site.
- During Round 2 of Public Engagement Lehigh (Lehigh 2020c) indicated:
  - that there were local groundwater interactions with the underlying aquifer
  - that groundwater flows to the northeast
  - that there is a shale caprock that is discontinuous or absent in areas within the SPP site
  - no significant impact on groundwater quality, quantity or flow are anticipated because dewatering will be not required until approximately year 28 of the development
  - that wetlands are important for water storage, flood mitigation, groundwater recharge, mechanical and chemical filtration, and habitat
- The 10 groundwater monitoring wells installed between 1994 and 2020 were assumed to be sufficient to characterize the SPP and conclude:
  - that surface and groundwater interactions within the SPP site are considered null; and
  - the impact of removing the documented wetlands and ephemeral waterbodies, on groundwater quantity, is anticipated to be negligible.
- The regional Paskapoo Formation aquifer is believed to be confined due to a discontinuous shale caprock that exists over some areas of the SPP site.
- Based on the technical reports produced by, or on behalf of Lehigh, surface water bodies, hydrology, and groundwater are:
  - not expected to have any residual adverse effects from the SPP
  - not expected to be adversely affected by other past, present, or foreseeable future activities
  - not carried forward for analysis in the CEA

#### **3.2.5 Stakeholder Engagement**

- Open House Information Boards indicate that the aggregate industry is regulated in part by the *Fisheries Act* (Lehigh 2020a).



- Lehigh was made aware by stakeholders that more information was required, and reclamation plans need to be more specific, so stakeholders can make informed decisions on the potential impacts and benefits of the SPP.
- The majority of stakeholders disagreed that the information provided by Lehigh was clear and helped them understand the proposed operations and also disagreed that the SPP team was able to answer their questions and provide relevant information.
- Lehigh's operating commitments in the Master Site Development Plan do not consider expressed stakeholder concerns regarding surface water (Lehigh 2020e).

### **3.3 Key Conclusions of the Bearspaw Landowner Group Produced Documents**

#### **3.3.1 Geology and Hydrogeology**

- There is no clear hydraulic barrier separating the Paskapoo Formation aquifer from domestic use water wells in the area that Lehigh intends to mine.
- The entire mine area is in hydrodynamic communication, from surface, through the gravel, to the underlying Paskapoo Formation aquifer.
- Excavating gravel will induce rapid communication of contaminants to domestic use groundwater. This may also enhance the liberation of harmful constituents (e.g. metals and trace elements) from the sediments exposed to cyclic wetting and drying. The resulting groundwater impact may be significant.
- The Lehigh pit will have regional impacts and permanently lower the water table in the area. This will have implications for the interaction between groundwater and surface water environments.
- The proposed SPP development poses a significant and unacceptable risk to cause adverse and irreversible impacts to the community and to residential properties (including a loss of value) through contamination of groundwater and permanently lowering the water table.
- The groundwater studies provided by Lehigh do not address the objections raised in 2010 that caused the proposal to fail in Council
- Lehigh's Master Site Development Plan will have negative impacts to domestic water supply wells, wetlands, creeks and rivers upon and outside of the proposed SPP development area
- Ecosystems reliant on the discharge of good quality groundwater will be placed under threat
- Lehigh's aquifer protection strategy, and hydrogeologic model for the property, are based on the false assumption of an aquitard/caprock separating overlying sand and gravel deposits from the underlying regionally extensive and crucial Paskapoo Formation aquifer. Such a barrier unit does not exist, is contrary to the data, and is incompatible with the depositional environment.





- The Hydrogeology Study Area focuses only on the proposed SPP development area and does not address potential impacts to the surrounding community or the regional groundwater system. The hydrogeologic system was not considered as a regionally interconnected system.
- The consequences of improperly assessing the broad range of potential risks could have catastrophic impact on the local community and the regionally crucial Paskapoo Formation groundwater system as a result of unintended consequences.

## **4 CONSIDERATION OF SURFACE WATER AND AQUATIC ENVIRONMENT IMPACTS**

### **4.1 Feedback and Opinion**

Throughout the review of SPP technical documents and other related documents provided by Lehigh through the SPP website, there is clear evidence of significant surface water resources present on the SPP site. These surface water resources (e.g., wetlands, drainages, and unnamed tributaries) are not isolated features, but instead, are a complex and interconnected system that is fundamental to a healthy and functioning ecosystem. During Round 2 of Public Engagement, Lehigh indicated that wetlands are important for water storage, flood mitigation, groundwater recharge, mechanical and chemical filtration, and habitat (Lehigh 2020c). This material presented to stakeholders, by Lehigh, would lend support to the statement that surface water and groundwater resources are interconnected, with complex features.

If we make a reasonable assumption that a discontinuous shale caprock does not create an impervious barrier restricting surface water and groundwater interactions, then we must therefore assume that surface water and groundwater resources on the SPP site are interconnected. Therefore, any impact on one resource would be expected to have a high likelihood of imparting cascading effects on the other. The interconnectedness of surface water and groundwater resources are discussed fully within the technical reports produced by Dr. Essam Zaghloul (Zaghloul 2020) and Dr. Bradford R. Burton (Burton 2020). Therefore, if we assume that surface water and groundwater are interconnected, one must then consider the potential impacts of changing not only the quality and quantity of the water resources, but also the seasonality of the water movement. Based on the technical documents produced on behalf of Lehigh, there is a projected reduction of 86% in the average release rate of stormwater from the SPP site into downstream tributaries, which eventually flow into the Bow River.

Unfortunately, there has been little to no discussion on the potential impacts to downstream receiving water bodies (i.e. unnamed tributaries to West Nose Creek, Nose Creek, and the Bow River), which may occur from the disruption of the surface water and groundwater interface. Impacts may include, but are not limited to, a reduction in the downstream flow from the SPP site, potential reductions in groundwater contributions to the SPP site and offsite tributaries to West Nose Creek (a fish bearing stream), a change in timing of downstream flows, geochemical changes in water due to increased exposure



of groundwater that may impact sensitive fish species, potential changes in nutrient cycling through the removal of 48 wetlands, and the list goes on. Insufficient work has been completed and a lack of evidence has been provided by Lehigh, to reliably consider all potential impacts to fish and fish habitat.

Throughout the review of the technical documents on the SPP website, the discussion of the potential impacts (both direct and indirect) to fish and fish habitat, are for all intents and purposes, absent. Fish and fish habitat were not included as a VC and were therefore not considered or discussed in the assessment of potential project effects. The rationale for removal of fish and fish habitat as a VC was two part:

- 1) During the field wetland verification program, surface water, wetlands and ephemeral water bodies within the SPP site were determined to be incapable of sustaining viable fish populations (i.e., non-viable fish habitat due to lack of water permanency) and received fish habitat scores of zero.
- 2) As such, fish and fish habitat were not carried forward in the assessment.

The above rationale, asserted on behalf of Lehigh, utilized the Alberta Wetland Rapid Evaluation Tool – Actual (ABWRET-A) guide (Government of Alberta 2015). However, this is an incorrect and oversimplified interpretation of fish habitat that should not be used to characterize the SPP. The SPP plans to remove 48 documented wetlands and 6 ephemeral water bodies, with demonstrated connectiveness to both surface water and groundwater resources. The ABWRET-A guide indicates that unless a wetland is known to contain fish, it automatically scores a 0 out of 10 if it contains surface water for fewer than 4 consecutive weeks annually, or if salinity exceeds ~9 mS/cm (Government of Alberta 2015). The ABWRET-A guide provides excellent information for wetland practitioners in the province, when used correctly. However, it should not be the sole justification for the removal of an important environmental resource when considering the potential impacts of a major extraction project. This demonstrates a misunderstanding of what contributes to fish habitat, as indirect habitat is not considered in any assessment completed by, or on behalf of Lehigh. Individual wetlands are important landscape features, however, a documented wetland complex consisting of 48 interconnected wetlands form an invaluable link in a healthy ecosystem that provide extremely important, vital, and indirect contributions to downstream fish habitat. A meeting between Lehigh and Fish Protection Biologists with DFO would quickly resolve that misunderstanding and highlight the incomplete assessment of the SPP, completed on behalf of Lehigh.

This incomplete assessment by Lehigh does not provide stakeholders, nor provincial and federal regulatory bodies, an opportunity to consider the full potential impacts of the SPP and does not consider the federal *Fisheries Act* definition of fish habitat<sup>1</sup>. The omission and lack of discussion of potential impacts to fish and fish habitat and a lack of review by

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<sup>1</sup> fish habitat means water frequented by fish and any other areas on which fish depend directly or indirectly to carry out their life processes, including spawning grounds and nursery, rearing, food supply and migration areas



Fisheries and Oceans Canada (DFO) may put this project in direct contravention of the federal *Fisheries Act*.

## 4.2 Regulatory Considerations

Fish and fish habitat are regulated under both provincial and federal legislation.

In Alberta, the *Water Act*, *Wildlife Act*, and associated regulations are the two main legislative instruments that provincial regulators rely upon when reviewing a proposed project, to determine if the application is complete, whether the potential impacts to fish and fish habitat are adequately described, whether avoidance and mitigations are appropriate, and whether the project should be approved, modified, or rejected. Lehigh has failed to adequately describe and address the potential impacts to surface water and groundwater resources and therefore the potential impacts to fish and fish habitat.

Federally, the *Fisheries Act* and *Species at Risk Act* are the two main legislative instruments that DFO rely upon when reviewing proposed project activities, to determine whether a project is likely to result in the death of fish (whether direct or indirect) or a harmful alteration, disruption or destruction (HADD) of fish habitat (whether direct or indirect). While the technical documents produced on behalf of Lehigh indicate that fish and fish habitat are not a VC and were therefore not considered in the residual or cumulative effects assessment, Lehigh indicated to the public (through Open House Information Boards [Lehigh 2020a]) that the aggregate industry is regulated in part by the *Fisheries Act*. This would lead a reasonable person to assume that fish and fish habitat are being considered under the *Fisheries Act* and therefore DFO (the regulatory body tasked with administering the *Fisheries Act*) would be reviewing the SPP and providing scientific advice related to the protection of fish and fish habitat. This is objectively not the case, based on the technical documents reviewed.

Based on my 11 years of experience working with the DFO on various project types, both large and small, it is my opinion that the DFO would consider the level of assessment of fish and fish habitat (both direct and indirect) functionally incomplete. If the level of assessment of fish and fish habitat is considered functionally incomplete, that means that stakeholder consultation and public engagement are also functionally incomplete. It is also reasonable to expect DFO would refer the SPP to their Project Authorizations group and require detailed offsetting measures be determined through an extensive investigation on the potential impacts to fish and fish habitat, which is highly likely to require detailed surface water and groundwater interaction modelling to identify the various pathways of effects, which have not been considered in Lehigh's technical documents.

Furthermore, as part of DFO's review of project activities under the *Fisheries Act*, they are also required to consider:

- the adverse effects that decisions made under the *Fisheries Act* may have on the rights of the Indigenous peoples of Canada recognized and affirmed by section 35 of the *Constitution Act, 1982* (Section 2.4 of the *Fisheries Act*).



- when making certain decisions related to the fish and fish habitat protection (and pollution prevention) provisions of the *Fisheries Act*, the Indigenous knowledge of the Indigenous peoples of Canada that has been provided to the Minister (Section 34.1(1) (g) of the *Fisheries Act*).

## **5 RECOMMENDATIONS FOR ROCKY VIEW COUNTY**

Based on the information contained within this report, it is my recommendation to Rocky View County that the SPP land use change application cannot be approved, given that a full assessment of the potential impacts has not been adequately conducted. Should a full assessment not be conducted, and the application approved by Rocky View County, the SPP could potentially trigger a federal *Fisheries Act* violation in the future. In my area of expertise, Lehigh has failed to adequately describe, assess, and consider the potential risks their proposed project activities pose to surface water and groundwater resources, including both the direct and indirect potential impacts to fish and fish habitat. Therefore, as potential impacts have not been adequately described, stakeholder consultation completed by Lehigh should be considered both incomplete and uninformed.



## 6 CLOSURE

Integrated Sustainability would like to thank the Bearspaw Landowner Group for the opportunity to support the review of the Scott Property Project. If you have any questions please contact the undersigned at any time.

Sincerely,

Integrated Sustainability



Robert Best, B.Sc. Env., M.Sc., P.Biol., R.P.Bio.  
Senior Aquatic Biologist and Manager,  
Water Resources



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Tables



**Table 1. Summary of Technical Documents Reviewed**

Document Title	Summary of Information Related to Surface Water and Aquatic Environment Interactions, Conclusions, or Omissions
Scott Property Project Website Technical Documents Produced on Behalf of Lehigh	
Phase I Environmental Site Assessment	<ul style="list-style-type: none"> <li>• Upland areas are well-drained and some lowland areas are poorly drained</li> <li>• Surface drainage generally flows northeast and low areas with little offsite drainage</li> <li>• Small ponds formed in lowland areas</li> <li>• Nearest surface water body are two tributaries to Big Spring Creek, 1,600 m and 1,400 m northeast and southeast of the SPP</li> <li>• Surface water drains overland to the north and northeast</li> <li>• Boundary of investigation encompassed approximately 50% of SPP</li> </ul>
Historical Resources Impact Mitigation – Report #1	<ul style="list-style-type: none"> <li>• Material was required to be partially hand screened, due to high water saturation of soils from "below surface" artifacts</li> </ul>
Historical Resources Impact Mitigation – Report #2	<ul style="list-style-type: none"> <li>• No discussion of potential use of surface water and aquatic environment resources</li> </ul>
Historical Resources Act – Approval #2	<ul style="list-style-type: none"> <li>• No discussion of potential use of surface water and aquatic environment resources</li> </ul>
Historical Resources Act – Approval #1	<ul style="list-style-type: none"> <li>• No discussion of potential use of surface water and aquatic environment resources</li> </ul>
Notification Package – Information Booklet	<ul style="list-style-type: none"> <li>• Commitment indicating that technical studies will include ground / surface water evaluations</li> </ul>
Open House Information Boards	<ul style="list-style-type: none"> <li>• Indicates that the aggregate industry is regulated in part by the Fisheries Act</li> <li>• Commitment to complete surface and groundwater assessment and stormwater assessment</li> </ul>
What We Heard Report #1	<ul style="list-style-type: none"> <li>• Frequently mentioned topic and/or questions included; more information needed and reclamation</li> <li>• Six out of eight respondents indicated that the information provided was clear and helped them understand the proposed operations.</li> <li>• Five out of 9 respondents indicated that the project team was able to answer their questions and provide relevant information.</li> </ul>
Vegetation and Rare Plants Report	<ul style="list-style-type: none"> <li>• Several wetlands and ephemeral water bodies are located throughout the assessed site</li> <li>• Following operation, the SPP lands will be reclaimed to an equivalent end land use</li> </ul>
Soils Technical Assessment	<ul style="list-style-type: none"> <li>• No discussion of potential use of surface water and aquatic environment resources</li> </ul>
Wetlands Technical Assessment	<ul style="list-style-type: none"> <li>• Report indicates that "several wetlands and ephemeral water bodies" are documented; however, field verification confirmed a total of 48 wetlands and six (6) ephemeral water bodies on the SPP site</li> <li>• No permanent bed and banks were documented during the field verification</li> <li>• Disturbances to wetlands on the SPP site are expected to be finalized during the detailed engineering stage</li> <li>• Most of the 48 wetlands are expected to fully or partially removed during construction of the SPP</li> <li>• Commitment that the SPP site will be reclaimed to an equivalent end land use</li> </ul>



Document Title	Summary of Information Related to Surface Water and Aquatic Environment Interactions, Conclusions, or Omissions
	<ul style="list-style-type: none"> <li>A Wetland Assessment and Impact Report (WAIR) was prepared and submitted to Lehigh to support the Water Act wetland application – this was not made available through the SPP website</li> <li>Produced figures indicate connectivity between some wetlands, ephemeral water bodies, and unnamed watercourses</li> <li>Includes the statement "Any activity which results in a direct or indirect effect to a water body in Alberta requires an approval under the Water Act prior to undertaking the activity"</li> <li>All activities in wetlands will be conducted in accordance with the applicable Water Act and Code of Practice documents</li> <li>The Fisheries Act and associated direct and indirect impacts to fish and fish habitat are not discussed</li> <li>If shallow groundwater or springs are encountered, site-specific mitigations will be developed by a hydrogeologist</li> <li>Surface and sub-surface water drainage patterns will be retained except for those identified within this report</li> <li>The statement "The wetland provides seasonal water storage and groundwater recharge" describes the function of most wetlands identified, with the following statement "The entire wetland is expected to be removed by the development of the aggregate pit" describing the direct effect assessment</li> <li>Report does not consider impacts to fish or fish habitat, whether directly or indirectly, and also does not include a discussion of required mitigation measures to address potential impacts</li> </ul>
Wildlife Technical Assessment	<ul style="list-style-type: none"> <li>Wildlife species search radius included 3 km</li> <li>Report does not consider impacts to fish or fish habitat, whether directly or indirectly, and also does not include a discussion of required mitigation measures to address potential impacts</li> <li>Report does not include the Fisheries Act under regulatory requirement section</li> </ul>
Scott Property Project Information Package – Round 2 Public Engagement	<ul style="list-style-type: none"> <li>Indicates that the aggregate industry is regulated in part by the Fisheries Act</li> <li>Groundwater was assessed at the SPP and results indicate: <ul style="list-style-type: none"> <li>local interaction with the underlying aquifer</li> <li>groundwater flows to the northeast</li> <li>groundwater was up to two meters above the bottom of the anticipated final pit design in the southwest area of the development</li> <li>Pre-disturbance conditions indicate low aquifer productivity with high Total Dissolved Solids (TDS) unsuitable for drinking water. No discussion surrounding impacts to downstream fish and fish habitat.</li> <li>Sand and gravel at the Scott Property is predominantly separated from the underlying Paskapoo Formation aquifer by discontinuous shale caprock, a physical barrier that can prevent vertical flow of groundwater and contaminants</li> <li>Shale caprock is discontinuous or absent in very few areas within Scott Property. In these areas, there is potential for interactions with the underlying aquifer</li> <li>No significant impact on groundwater quality, quantity or flow are anticipated because dewatering will be not required until approximately year 28 of the development</li> </ul> </li> <li>Report figures indicate connectivity between surface water and groundwater sources</li> <li>Wetlands are important for water storage, flood mitigation, groundwater recharge, mechanical and chemical filtration, and habitat</li> <li>Lehigh is committed to managing stormwater in compliance with municipal and provincial requirements. There is no inclusion of federal requirements, including the Fisheries Act</li> </ul>
Biophysical Impact Assessment	<ul style="list-style-type: none"> <li>Fish and fish habitat were not included as a "valued component" (VC) and were therefore not considered and not discussed in the assessment of potential project impacts</li> </ul>





Document Title	Summary of Information Related to Surface Water and Aquatic Environment Interactions, Conclusions, or Omissions
	<ul style="list-style-type: none"> <li>A desktop assessment limited to 3 km from the SPP was completed to identify previously documented instances of fish presence. The report concludes "that no fish species or populations occur within 3 km" from the SPP.</li> <li>During the field wetland verification program, surface water, wetlands and ephemeral water bodies within the SPP area were determined to be incapable of sustaining viable fish populations (i.e., non-viable fish habitat due to lack of water permanency) and received fish habitat scores of zero according to the Alberta Wetland Rapid Evaluation Tool – Actual. As such, fish and fish habitat were not carried forward in the assessment.</li> </ul>
Conceptual Level – Stormwater Management Report	<ul style="list-style-type: none"> <li>Report does not consider impacts to fish or fish habitat, whether directly or indirectly, and also does not include a discussion of required mitigation measures to address potential impacts</li> <li>Any pond option for final reclamation must have a bottom elevation of at least 1.0 m above groundwater elevation to avoid groundwater – surface water interaction</li> <li>The existing release rate was estimated at 7.1 L/s/ha (average) for the entire 361 ha catchment area</li> <li>The pond Allowable Release Rate criteria of 0.99 L/s/ha will help to reduce downstream flooding and erosion potential</li> <li>There is expected to be a decrease in the existing release rate of 6.11 L/s/ha (average)</li> </ul>
Cumulative Effects Assessment	<ul style="list-style-type: none"> <li>A Valued Component (VC) is a feature that is considered to have importance or value to a stakeholder, regulatory authorities or a proponent and has the potential to be adversely affected by a project</li> <li>The Biophysical Impact Assessment determined that potential residual effects on wetlands and ephemeral waterbodies warranted further assessment</li> <li>Based on the findings in the cumulative effects assessment (CEA) and absence of known foreseeable future physical activities within the West Nose Creek watershed, the potential for residual adverse cumulative effects on wetlands and ephemeral waterbodies were deemed to be minor and did not warrant the development of specific cumulative effects follow-up program</li> <li>Fish and fish habitat were not included as a VC and were therefore not considered and not discussed in the assessment of potential project impacts</li> <li>The County Servicing Standards state that the Canadian Environmental Assessment Agency's identification and selection of VCs is an acceptable approach for municipal applications. <ul style="list-style-type: none"> <li>The Impact Assessment Agency of Canada has advised proponents that until new Technical Guidelines under <i>Impact Assessment Act</i> are released, the assessment of cumulative effects can be developed through using the Interim Technical Guidance document "Assessing Cumulative Environment Effects under the Canadian Environmental Assessment Act"</li> </ul> </li> <li>Surface water bodies, hydrology, and groundwater were not considered VCs and therefore were not carried forward in the CEA due to moderate to severe residual adverse effects</li> <li>Surface water bodies, hydrology, and groundwater are: <ul style="list-style-type: none"> <li>not expected to have any residual adverse effects from the SPP</li> <li>not expected to be adversely affected by other past, present, or foreseeable future activities</li> <li>not carried forward for analysis in the CEA</li> </ul> </li> <li>Removal of all identified wetlands and ephemeral waterbodies within the SPP area is anticipated</li> <li>A Water Act application will be submitted to the Government of Alberta to remove wetlands and Lehigh will be responsible for financial compensation for lost wetlands</li> <li>Residential development and agricultural activities have the potential to impact wetlands within the West Nose Creek Watershed even further through: <ul style="list-style-type: none"> <li>Loss of wetland area</li> <li>Change in surface water drainage pattern</li> </ul> </li> </ul>



Document Title	Summary of Information Related to Surface Water and Aquatic Environment Interactions, Conclusions, or Omissions
	<ul style="list-style-type: none"> <li>– Change in water quantity</li> <li>– Loss of surface water quantity</li> <li>– Alteration of surface water quality</li> </ul> <ul style="list-style-type: none"> <li>• Based on the municipal development plans reviewed in support of this CEA and the historical trend of development in the area over the past 20 years, the City of Calgary's northwest and Rocky View County will continue to develop and expand in the foreseeable future.</li> </ul>
Hydrogeological Technical Assessment	<ul style="list-style-type: none"> <li>• 10 groundwater monitoring wells were installed on the 600 acres SPP site between 1994 and 2020</li> <li>• A few meters of groundwater were detected locally at the bottom of the Tertiary Sand and Gravel deposit, within the SPP area</li> <li>• Although dewatering the Tertiary Sand and Gravel Aquifer may be required in some localized areas during the later stages of SPP development, no impacts on groundwater quantity or changes in groundwater flow in the Paskapoo Formation aquifer are anticipated because the SPP activities are not anticipated to interact with the Paskapoo Formation aquifer</li> <li>• The Fisheries Act was not considered as part of the review of relevant federal and provincial Acts and regulations for groundwater impacts</li> <li>• Three ephemeral drainages from the coulees drain to the north and northeast towards an unnamed tributary of West Nose Creek</li> <li>• There are no monitoring wells or wells installed in this aquitard (central area) within the SPP area, but surface features (e.g. ponds) are present in the unit suggesting low infiltration and no major groundwater quantity.</li> <li>• Surface and groundwater interactions within the SPP area are considered null and the impact of removing these wetlands and ephemeral waterbodies, by mining activities, on groundwater quantity is anticipated to be negligible</li> <li>• Clay layers of variable thickness sitting on, or in close proximity to the top of the bedrock, are set to provide vertical isolation and retardation of the vertical groundwater movement between the Tertiary Sand and Gravel deposits and the underlying aquifers</li> <li>• A discontinuous layer, Shale-Siltstone Caprock, is capping the underlying sandstone aquifers across the SPP area</li> <li>• The regional Paskapoo Formation aquifer is believed to be confined because it contains several water bearing units (sandstone), which are hydraulically separated by interbedded shale and siltstone aquitards</li> </ul>
Landscape and Visual Impact Assessment	<ul style="list-style-type: none"> <li>• No discussion of potential use of surface water and aquatic environment resources</li> </ul>
What We Heard Report #2	<ul style="list-style-type: none"> <li>• Master Site Development Plan and Land Use Redesignation application submitted to Rocky View County in July 2020</li> </ul>
Master Site Development Plan – Public Circulation Draft	<ul style="list-style-type: none"> <li>• Surface drainage within the Project will be managed to control unit area release rates and volume retention targets in accordance with the Bears paw Master Drainage Plan and the Nose Creek Watershed Management Plan</li> <li>• Surface drainage within the SPP is concentrated within a series of naturally occurring coulee features which have created individual sub-catchment areas, each containing ephemeral drainages flowing generally to the north towards an un-named tributary of the Bigsprings Creek</li> <li>• Report does not consider impacts to fish or fish habitat, whether directly or indirectly, and also does not include a discussion of required mitigation measures to address potential impacts</li> <li>• Report indicates the need for Alberta Environment and Parks to review the project activities, but does not mention the federal review process</li> <li>• Lehigh's operating commitments do not include expressed concerns regarding surface water</li> </ul>





Document Title	Summary of Information Related to Surface Water and Aquatic Environment Interactions, Conclusions, or Omissions
Technical Documents Produced on Behalf of Bears paw Landowner Group	
Geology/Hydrogeology Rebuttal Expert Report of Dr. Essam Zaghoul	<ul style="list-style-type: none"> <li>• There is no barrier separating the Paskapoo Formation aquifer that is utilized for domestic use and the area that Lehigh intends to mine.</li> <li>• The entire area is in hydrodynamic communication. From surface, through the gravel, to the underlying Paskapoo Formation aquifer.</li> <li>• Excavating gravel will induce rapid communication of contaminants to domestic use groundwater. The groundwater impact is significant.</li> <li>• The Lehigh pit will have regional impacts and permanently lower the water table in the area.</li> </ul>
Geologic Report – Proposed Lehigh Hanson Gravel Development	<ul style="list-style-type: none"> <li>• The proposed SPP development poses a significant and unacceptable risk to cause adverse and irreversible impacts to the community and to residential properties through contamination of groundwater and permanently lowering the water table.</li> <li>• The groundwater studies provided by Lehigh do not address the objections raised in 2010 that caused the proposal to fail in Council.</li> <li>• Lehigh's Master Site Development Plan will have negative impacts to domestic water supply wells, wetlands, creeks and rivers upon and outside of the proposed SPP development area.</li> <li>• Technical reports submitted by Lehigh fail to address the significant and unacceptable risks of the proposed SPP.</li> <li>• Lehigh's aquifer protection strategy, and hydrogeologic model for the property, are based on the false assumption of an aquitard/caprock separating overlying sand and gravel deposits from the underlying regionally extensive and crucial Paskapoo Formation aquifer. Such a sealing unit does not exist, is contrary to the data, and is incompatible with the depositional environment.</li> <li>• The Hydrogeology Study Area focuses only on the proposed development area and does not address potential impacts to the surrounding community or the regional groundwater system. The hydrogeologic system was not considered as a regionally interconnected system.</li> <li>• The consequences of improperly assessing the broad range of potential risks could have catastrophic impact on the local community and the regionally crucial Paskapoo Formation groundwater system.</li> </ul>

## **Appendix D: Expert Air Quality Report – Dennis French, CIEC, CRMI**

December 18, 2020

**Bearspaw Homeowners Association**

61 Silverwoods Drive  
Calgary, Alberta  
T3R 1E2

**Attention: Susan Brown**

**Regarding: Lehigh Hanson Materials Limited; Scott Property Air Dispersion Modelling Assessment and Air Quality Supplemental documents**

On or about December 9, 2020, this consulting firm was requested to review and evaluate submitted documents pertaining to a submission for a gravel processing facility located at the Scott Property to be operated by **Lehigh Hanson Materials Limited**. The documents provided are in the public domain and **MBC Group** specifically is reviewing the Air Dispersion Modelling Assessment (ADMA) prepared by **AECOM** reporting date of June 2020 and the Air Quality Supplemental report dated October 14, 2020.

The **Bearspaw Homeowners Association** contacted this consultant for a professional opinion based upon supplied data. As a representative of the **MBC Group** under Rule 19 of AUC Rule 1 section (d) I am an independent witness and have a duty to provide opinion evidence that is fair, objective and non-partisan. Further I have been deemed an Expert Witness in several proceedings all related to air quality, dating back as far as 2000 (see attached CV).

The extraction of gravel in a country residential neighborhood will generate fine particulate matter PM2.5 and, in addition, silica. Both are hazardous to human health and significantly so. This requires extensive monitoring, gathering of data, and mitigation and none of this has been proposed. The obvious health impact has not even acknowledged in the Lehigh Hansen application.

The ADMA references CALMET 2002-2006 data which is not most current modeling. A significant concern arises from the selected Sensitive Receptor locations with many of these sampling locations being in predominately the SE direction from the processing facility. The emission concerns around gravel processing facilities involve human health impacts and known carcinogens. There must be adequate monitoring, and anything less is deficient.

This vector does not effectively account for varied wind conditions and as well does not accurately represent the residential aspects in a closer proximity from the processing facility. It would be expected that Sensitive Receptor modeling (nearby people) also account for additional wind direction as well as a closer distance from the source. The submitted data ranges for most of the collection points at a distance of 3.8-5.9 km away from the source while a large number of potentially impacted receptors (people) reside much closer to the processing facility and in predominantly





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different wind directions as well. Residential housing exists near the facility and only 1 immediate wind direction has been accounted for in evaluation of the health risk. All other sampling locations would be considered too distant for the dust sources to provide accurate data for Health Risk considerations especially due to the cumulative health concerns around PM 2.5 as well as Silica.

Additionally, in the submission there exist many statements about the monitoring of emission potentially released from the processing facility. Within this proposal is the monitoring for PM 2.5 (particulate matter 2.5 micron) as well as multiple references to Silica. Silica is a small particulate fraction that falls within the 2.5-micron size but also has its own distinct Health considerations and should be considered separately and monitored separately from general PM 2.5. There does not appear to be any specific reference to verification or analysis of the Silica separated for the general PM 2.5. Silica is a known Carcinogen and a known lung hazard. Due to the chronic and cumulative nature of this particle, it must be individually assessed and monitored, which is lacking in the ADMA proposal.

The emission aspects of the facility, in addition to the conveyor transport line, need to be clearly understood from a dust suppression and engineering control aspect. Mining, hauling and transport for product all possess their own distinct emission potential and contaminant release. Controls must be developed for each aspect of the functional process. The document references controls in very general term but a clearer understanding must be provided to properly analyze the issue. An example of dust suppression is spraying water on the product to minimize dust, but watering only occurs on a varied or intermittent interval, then emissions will vary as well. Similarly, as to whether the conveyor be enclosed or simply shrouded, is another variation of emission control. The overall proposed activity at the processing facility includes different work activities that each need to be assessed for mitigation and this is lacking in the ADMA provided. Blasting, hauling, conveying, crushing activities, to name a few outlined in the site proposal, all generate different emissions, and each must be individually assessed for exposure and health concerns to the residents impacted.

In reviewing of the supplied data there are gaps and omissions in the reporting that could lead to inadvertent risk to the neighboring communities and its residents. The ADMA does not accurately assess the immediate resident health risk for short term and chronic/accumulated exposure to known Carcinogens and Respiratory Hazards. As a result, the ADMA and Supplemental Air Quality report deemed flawed and not reliable.

Should there be any question in this matter please contact the undersigned.

Regards,



Dennis French, CIEC, CRMI  
Executive Vice President of Environmental Services  
DF Technical – A Division of MBC Group

*Dennis French*

*Air Quality Consultant*

**EDUCATION:**

May 2019	American Industrial Hygiene Association – conference and review
June 2017	American Industrial Hygiene Association – conference and review
May 2016	American Industrial Hygiene Association – conference and review
May 2015	American Industrial Hygiene Association – conference and review
May 2014	American Industrial Hygiene Association – conference and review
Jan 2013	American Society of Air Conditioning and Refrigeration Engineers (ASHRAE) AHR Expo Conference
June 2012	American Industrial Hygiene Association – conference and review
Jan 2012	American Society of Air Conditioning and Refrigeration Engineers (ASHRAE) AHR Expo Conference
Sept 2011	BOMEX Conference and Exhibition
May 2011	American Industrial Hygiene Association – conference and review
May 2010	American Industrial Hygiene Association – conference and review
May 2009	American Industrial Hygiene Association – conference and review
Feb 2009	Indoor Air Quality Association – conference and review
May 2008	American Industrial Hygiene Association – conference and review
Oct 2007	Indoor Air Quality Association – conference and review
Nov 2006	American Indoor Air Quality Council <u>Certified Indoor Environmental Consultant</u>
May 2006	American Industrial Hygiene Association – conference and review

*Dennis French*

*Air Quality Consultant*

May 2005	American Industrial Hygiene Association – conference and review, including sampling strategies in mould investigations
April 2004	American Indoor Air Quality Council Certified Indoor Air Quality Consultant
Jan 2004	Certified Industrial Hygiene Review Course (CIH)
May 2003	Indoor Environmental Standards Organization - IESO <u>Certified Residential Mould Inspector</u>
2001 (January)	National Sanitation Foundation – Indoor Air Health
1999 – 2002	University of Alberta – <u>Occupational Health and Safety</u> (8 of 8 courses complete, plus 65 hours of seminars) <ul style="list-style-type: none"><li>-Indoor Air Quality</li><li>-Occupational Hygiene I</li><li>-Occupational Hygiene II</li><li>-Accident Control I</li><li>-Accident Control II</li><li>-Organizational Behaviour</li><li>-Auditing of Health and Safety Programs</li><li>-Monitoring of Occupational Health Hazards</li><li>-Interpersonal Communications in Business</li></ul>
1995-1998	University of Alberta – <u>Environmental Resource Management Certificate Program</u> (14 of 14 courses complete) <ul style="list-style-type: none"><li>-Indoor Air Quality</li><li>-Waste Management and Utilization</li><li>-PreAcquisition Site Assessment</li><li>-Environmental Audits</li><li>-Introduction to Environmental Mgt Project Management</li><li>-Environmental Impact Assessment</li><li>-GIS – Global Information Systems</li><li>-Environmental Law</li><li>-Environmental Geology</li><li>-Soils and Soil Resources</li><li>-Applied Hydrology</li><li>-Principles of Ecosystems</li><li>-Environmental Management Systems</li><li>-Environmental Site Assessment Methods</li></ul>
1995 (March)	A.P.Buck Inc; Air Sampling Equipment -Technical Training
1995 (February)	Draeger; Gas Detection -Technical Training Level 3 Advanced
1993 (November)	Sanyo Scientific; Laboratory Equipment,

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Service Training – CFC Training

1992 (December)	Revco Scientific; Laboratory Equipment, Service Training
1991 (December)	University of Alberta, Safety Office – Operation of Biological Air Samplers and Interpretation of Results
1991 (November)	Biotest, Manufacturer of Biological Air Samplers -Technical Training
1988 (October)	Forma Scientific; Laboratory Equipment, -Service Training
1986 (September)	FTS Systems; Temperature Conditioning -Service Training
1986 (July)	Harvard School of Public Health -Certification of Biological Safety Cabinets
1986 (May)	Skytron; Surgical Equipment -Service Training
1985 (September – December)	Canadian Institute of Management -Management Practices and Principles -Certificate Achieved
1983 (August)	Laboratory Centre for Disease Control -Laboratory Practices and Biological Safety
1983 (September – December)	NAIT; Electrical -Certificate Achieved

**MEMBERSHIPS:**

2006 to present	Indoor Air Quality Association (IAQA)
2007 to Present	Clean Air Strategic Alliance (CASA) -Co-Chair Indoor Air Quality Committee; June-December 2007
2005 to present	Calgary Residential Rental Association
2005 to present	Building Owners and Managers Association (BOMA) – Edmonton and Calgary
2005 to present	Canadian Condominium Association (CCI)
2005 to present	Canadian Green Building Council

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2004 to present	American Indoor Air Quality Council
2003 to present	Edmonton Apartment Association now Alberta Residential landlord Association
2003 to Present	Indoor Environmental Standards Organization-IESO – became part of IAQA
2000 to 2005	Member of Executive Council – Faculty of Extension; University of Alberta
1995 to Present	American Industrial Hygiene Association -International and Alberta Chapter AIHA
1990 to 2003	American Biological Safety Association -ABSA CANADA
1995 to present	Canadian Society of Safety Engineers CSSE
1990 to 1997	American Biological Safety Association-ABSA
1991 – 1993	Secretary/Treasurer ABSA CANADA
1988	Canadian Association for Biological Safety -CABS

**\*\*Qualified as Expert Witness –  
Air Quality Assessment – Court of Queens Bench Province of Alberta 2000\*\***

**WORK EXPERIENCE:**

1998 – present	MBC Group – DF Technical a division of DF Technical & Consulting Services Ltd. -Indoor Air Quality Investigations -Environmental Site Assessments -Occupational Exposure Sampling Certified instructor for the Government of Alberta OHS Asbestos Worker course Certified instructor for Alberta Insurance Council on Asbestos, Mould and Biological hazards Recognized instructor for Asbestos, Mould, Microbial and Hazardous Materials Awareness courses. Published articles on Mould issues as well as Asbestos Issues for Calgary and Edmonton Apartment Associations as well as Canadian Condominium Association
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Dennis FrenchAir Quality Consultant

	<p>**Guest Speaker – Calgary Real Estate Board (CREB) education seminar series – 2019 Hazardous materials in construction and real estate Edmonton Apartment Association; Educational seminars- mould in your building, what to look for and how to deal with it – April 2008</p> <p>**Guest Speaker – Master Brewers Association of the Americas; Industrial Hygiene and the role in industry – October 2004</p> <p>**Guest Speaker – Alberta Construction Safety Association on Noise and Dust issues for construction industry – March 2004</p> <p>**Panel Member – Public Forum for Northern Light Health Authority on Mould Concerns in the Home – April 2003</p> <p>**Assistant Facilitator University of Alberta Faculty of Extension – Industrial Hygiene, Indoor Air Quality</p> <p>**Guest Speaker – Canadian Institute of Public Health Inspectors October 2001 – Mould Investigation and Sampling Techniques</p> <p>**Guest Speaker – American Industrial Hygiene Association Alberta Section Annual General Meeting March 2001 – Mould Investigation and Sampling Techniques</p>
1994 to 1998	<p>Span-Gas Safety Services Ltd. -Rentals, Sales and Service of Safety Equipment -Sales and Service of laboratory equipment</p>
1994 – 1995	<p>Service Technician – Department Development of new Service Company (Gas Detection, Environmental Monitors, Air Quality Monitors)</p>
1995 – 1998	<p>Service Manager – Consulting and conducting Indoor Air Quality Investigations</p>
1982 to 1994	<p>Caltec Scientific Ltd. -Biomedical, Research and Industrial Equipment Supplier</p>

Dennis French

Air Quality Consultant

1982 - 1985	Service Technician
1985 – 1987	Service Supervisor
1987 – 1989	Service Manager
1989 – 1991	Western Regional Service Manager;
1991 – 1994	Manager of Service Operations Develop and Implement National Training Programs and National Testing Recognition (accreditation)

## **Appendix E: Expert Economics Report – Dr. Matthew Ayres, Ph.D.**



# Assessment of the Economic Costs and Benefits of Scott Pit

Matthew J. Ayres  
December 6, 2020

## **Introduction**

1. Lehigh Hanson Materials Limited (Lehigh) has proposing to construct and operate a Class I Aggregate Operation within the Scott Property, located in Rocky View County. Construction of the pit is expected to take 3 years. Operation of the pit is expected to be between 25-30 years with an expected total output of 50MT or 2MT per year over 25 years.
2. The Scott Property – Master Site Development Plan (the proposal) includes an assessment of the economic impact of the proposed development. That appears in part to be based on a report by Nichols Land Management dated July 2020
3. I have been retained to provide an expert opinion on the merits of the approach and overall assessment of economic impact reported in the proposal. I have not been asked to perform a thorough economic assessment of the costs and benefits of the proposal but have provided my views on the appropriate method of doing so and where applicable provided empirical estimates of some of the costs that are associated with the development of aggregate operations located near residential property.
4. In respect of my qualifications to provide this opinion I am and Adjunct Assistant Professor in the Department of Economics and an Executive fellow at the School of Public Policy at the University of Calgary. I have a PhD in Economics from the University of Nottingham and have over 25 years experience working as an economist in the academic, consulting and the public sector. My curriculum vitae is contained in Appendix A.
5. As an independent expert I acknowledge I have a duty to provide opinion evidence that is fair, objective and non-partisan.

## **Executive Summary**

6. From the perspective of a gravel operator a cost reduction, and presumably increase profits, are associated with locating gravel operations close to areas where gravel will be used. This is simply a function of the cost of transporting gravel. Since most gravel is used in an urban setting this prompts gravel operators to seek sites as close as possible to urban areas. Locating gravel operations in such areas, however, is likely to place them close to residential areas where the impact to local residents may be significant.
7. In determining whether a proposal should be approved. It is important to consider the costs and benefits associated with a given proposal. While a location close to an urban area may be preferred from the perspective of gravel pit operator it may be less preferable from the perspective of the County than an alternative site located further away that has fewer impacts on local residents.
8. Where possible, costs and benefits should be assessed using an appropriate and sound empirical method. In respect of the proposal of the Scott Pit I find serious deficiencies with respect to the assessment of benefits and no assessment of costs. Further the methods employed are do not

appropriate for informing whether the project is likely to a net benefit or cost to Rocky View County.

9. The proposal indicates that Nichols Applied Management conducted an economic analysis of the Scott Pit in a report (the Nichols Report) in July 2020. The proposal states that the report was “was prepared in support of this MDSP” page 48. No reasonable economic analysis should be prepared to “support” of a project. A reasonable economic assessment of project should be factually based and consider both costs and benefits. A reasonable economic assessment should be clear on the method used and the assumptions made. Where there is uncertainty over elements of a project, scenarios or sensitivity analysis may be used to convey the impact of that uncertainty on both costs and benefits. It is usual in an economic analysis to report on, or otherwise account for the timing of costs and benefits.

The economic impacts in the proposal are described in three areas: a market analysis, an economic impact and a fiscal analysis.

- The **market analysis** is deficient. It considers only the reserves of aggregate at operating projects. It must consider whether there are alternative sites that could be developed economically within the required timeframe. No evidence is presented that suggests shortage of alternative sites for aggregate operations.
- The **economic impact** analysis appears to utilize a method inappropriate to isolating the benefits to Rocky View County. It is also irrelevant - should the Scott Pit not proceed additional developments would occur elsewhere. A similar sized development or developments elsewhere in the Calgary region would appear to have the same regional economic impact. The proposal states that the positive economic impacts would all be felt as “contributions” to Rocky View County. I find this implausible both given the method of assessment and the close integration of Rocky View County into the economy of the Calgary region.
- The **fiscal analysis** is incomplete and focusses only on benefits and not costs. Uncertainty around the primary fiscal benefit, from the Community Aggregate Levy (CAP) is not recognised within the proposal.

10. The costs associated with development of the Scott Pit on Rocky View County and its residents are not adequately assessed.

- The proposal does not include a detailed remediation plan nor does it see a commitment to set aside specific funds during or prior to operation to cover the eventual remediation costs. In the absence of both a detailed remediation plan and funds set aside for this specific purpose there appears to be a significant and unmitigated cost.

- The proposal includes a list of mitigation measures. I find no assessment of the risks of mitigants failing nor the economic consequences of such failures. Other studies have indicated risks to groundwater may be associated with significant costs should mitigants fail.
- The proposal recognises the proximity of the proposed Scott Pit to existing county residential development. I find no economic assessment of the potential impact of the proposed pit on housing prices in the vicinity of the proposal even though the method for establishing such impacts is well established.

Utilizing estimates from other studies of the relationship between a house prices and distance from gravel operations I have estimated the impact on housing in Rocky View County with 5 km of the proposed Scott Pit. The results suggest a decline in house prices in that area by an average of 10% and \$163m in aggregate with a further reduction in residential property taxes of about \$800,000 per year or \$23 million of the proposed project's lifetime. These estimated costs are significantly larger than the likely benefits of the proposed development. It should be noted that these estimates are not a substitute for a proper analysis that could account for the specifics associated with the Scott Pitt but they do indicate these costs need to be explicitly considered as they may overwhelm any potential benefits.

- Other costs to the community that are difficult to quantify in dollar terms should also be noted. Difficulty in quantifying costs (and benefits) is not sufficient reason to ignore them. Some environmental impacts and cumulative effects may fall in this category.

11. Overall, I find that that the economic analysis presented in the proposal does not adequately assess the costs and benefits likely associated with the proposed Scott Pit. As set out in my report I find that in a number of key areas the assessment is either deficient or entirely absent.

### **Part 1: Economic Costs and Benefits**

12. The proposal indicates that Nichols Applied Management conducted an economic analysis of the Scott Pit in a report (the Nichols Report) in July 2020. While the report is listed as having been submitted along with the proposal, it is not available for review. Should the report or further details become available at a later date that may impact the views expressed herein.
13. The proposal states that the report was “was prepared in support of this MDSP” page 48. No reasonable economic analysis should be prepared to “support” of a project. A reasonable economic assessment of project should be factually based and consider both costs and benefits. A reasonable economic assessment should be clear on the method used and the assumptions made. Where there is uncertainty over elements of a project, scenarios or sensitivity analysis may be used to convey the impact of that uncertainty on both costs and benefits. It is usual in an economic analysis to report on, or otherwise account for the timing of costs and benefits.

14. Since the Nichols report is not available for review, I cannot conclude whether the analysis was limited to assess only benefits or whether both were in fact assessed but only the benefits were reported in the proposal. The absence of an assessment or acknowledgement of the costs is in my view a serious shortcoming of the Master Site Development Plan for the Scott Property.
15. On page 48 of the proposal, the Nichols report is noted to contain a market analysis, an economic analysis and a fiscal analysis. Based on the information provided in the proposal each of these appears to be deficient. In the following sections I address the shortcomings of the market analysis, economic analysis and a fiscal analysis.

## **Part 2: Critique of Market Analysis**

16. On page 48 of the proposal the Nichols report is attributed to have concluded the following with respect to a “Market Analysis”.

The remaining reserves in major operating gravel pits within a 50-km radius of Calgary’s core are estimated to be approximately 211M tonnes. The forecasted demand for gravel in the Calgary Census Metropolitan Area (CMA) between 2020 and 2050 is estimated to be between 522M and 833M tonnes. Given the remaining reserves from operating projects and the forecasted demand for gravel in the Region, the current reserves are expected to be depleted sometime between 2028-2033.

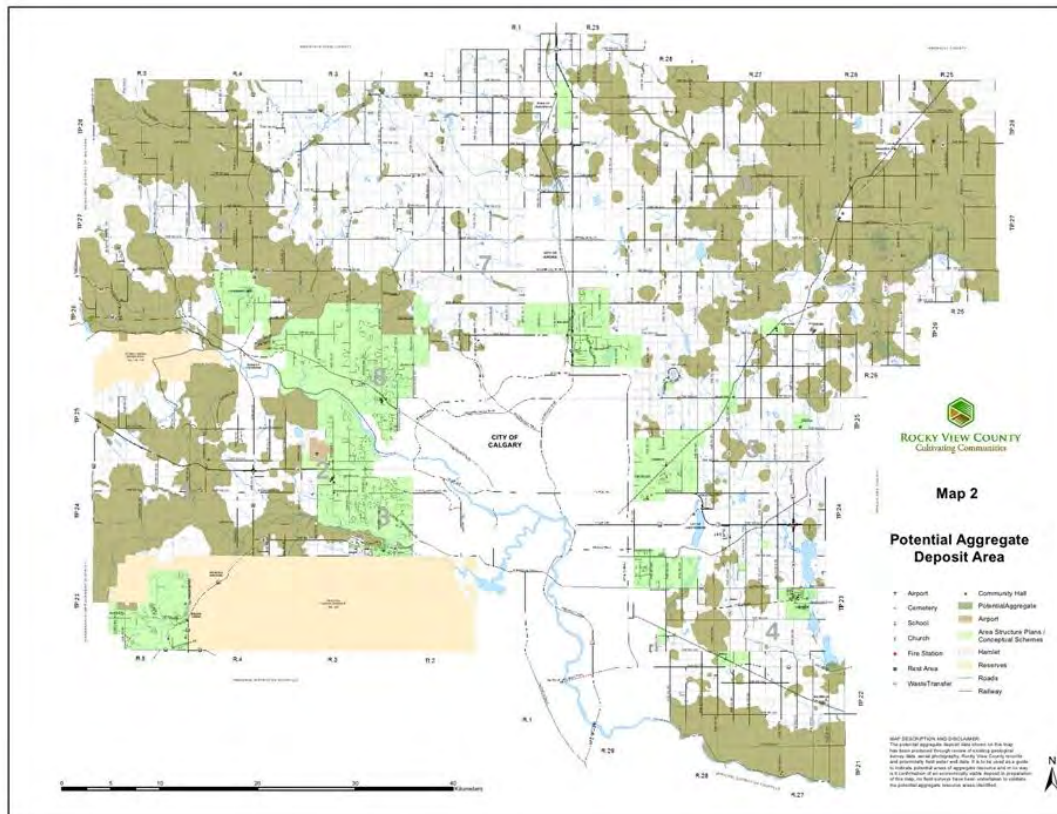
As such, the Region will require additional aggregate operations to supply Regional demand and avoid the need to import product from outside the Region under high transportation costs.

I find that this market analysis is deficient.

17. The market analysis should consider not just reserves at operating projects but the potential for other reserves to be developed. I find nothing in the market analysis to suggest there is not scope for the development of other aggregate operations that would avoid importing gravel outside the region. The figure below suggests there are alternative sites for aggregate operations available.<sup>1</sup>

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<sup>1</sup> Rocky View County Aggregate Resource Plan, Revised Draft Feb 2018, p. 19



18. A market analysis should also consider the existence of proposals or development plans by competitors to the extent that this information is available. The existing of alternatives being considered by competitors is relevant in that it may delay the actual construction and operation of the proposed Scott Pit upon which most of the reported benefits depend. Some costs associated with the Scott Pit, for example the impact on house prices (and resulting impact on residential property taxes) may be incurred should the project be approved even if construction is delayed.
19. The market analysis provided in the report concludes there is sufficient operating projects to meet all expected demands until 2028-2033. I find that entirely unremarkable. It would make little sense to develop operating resources before they were needed. The proposed project on the Scott Property is indicated to have a three-year construction period prior to operations. I have no reason to suspect that this is significantly different from other potential developments in the Calgary area. For this reason alone, you would not expect to see development of further aggregate operations until close to 2025 unless demands for aggregate increase or until later if demand for aggregate should fall.
20. Finally, a market analysis should address the nature of competition present within the gravel industry. This is important since it determines whether cost reductions associated with locating a particular gravel operation close to an urban area results in lower prices for consumers. I note that the gravel industry within the Calgary region is dominated by a small number of large

suppliers, many with operations already close to Calgary. Prices are likely set by the marginal producer (i.e. the producer with the highest costs who is needed to meet demand). Based on the information in the proposal, I conclude that there is no information that suggests that the Scott Pit would result in lower prices for gravel consumers. As such, cost reductions related to its urban setting might simply be translated into increased profits.

## **Part 2: Critique of Economic Impact Analysis**

21. On page 48 of the proposal the project reports on the economic impact of the proposed project, including the direct, indirect and induced economic effects.
22. No description of the method for estimating these effects is given. However, direct, indirect and induced economic impacts are the outputs of what economists refer to as input-output analysis. This is not the appropriate method for assessing the costs and benefits of the Scott Pit. To understand why this is so, it is necessary to understand the basis for input-output analysis and its limitations.
23. Input-output analysis relies on information about the supply and usage to trace the production of different industries through their use as intermediate inputs or as final consumption. The linkages between different parts of the economy are derived from national income and expenditure accounts, although it is possible to derive provincial level input-output tables. Industries with lots of linkages to other parts of the Canadian economy tend to generate more final effects from a change in production than those with weak linkages. For example, an industry that exports most of its production may generate less activity within Canada than an industry that does not since it has closer linkages with the rest of the economy.
24. The results of an economic impact analysis that relies on an input-output analysis are usually categorized as direct (those impacts related to the initial expenditures and revenues made a direct consequence of an activity), indirect (those that relate changes in activity for business impact by direct expenditures) and induced impacts (for example, resulting from changes in household spending from people employed in directly and indirectly impacted businesses).
25. The appropriate use of input-output tables is quite limited. It can answer a question such as: "If the demand for aggregate increased by X what would be the resulting direct, indirect and induced economic impacts." Statistics Canada who maintains input-output tables for both Canada and the provinces states:

The input-output tables allow the analyst to explore "what if?" questions at a fairly detailed level, exploring the impact of exogenous changes in final demand on output while taking account of the interdependencies between different industries and regions of the economy and the leakages to imports and taxes. For example, such models might be used to study the question: "If Canadian oil and gas exports doubled, what industries would be most affected and in which provinces"? The use of an input-output model to address such a question would permit the estimation of indirect, and possibly also some

of the induced effects of a demand shock of this nature, and the calculation of the corresponding multipliers.<sup>2</sup>

26. In the context of the Scott Pit there is no such “what if” analysed. No evidence at all in the proposal suggests that the demand for aggregate is set to increase. If the Scott Pit does not proceed the demand for gravel is unchanged and it would be met from existing or new locations with the same estimated direct, indirect and induced impacts reported in the proposal.
27. To be clear, there may or may not be economic benefits associated with the Scott Proposal over and above an alternate proposal, or indeed an alternate proposal may have greater benefits. The problem here is the use of input-output analysis to quantify those benefits.
28. Other than “what-if” questions input-output analysis is sometimes used to demonstrate the relative importance of one industry over another in contributing to the economy. The Alberta Sand and Gravel Association commissioned such a study in 2018 but I see no direct relevance to a cost-benefit analysis of the Scott Pitt.
29. While I do not see the relevance of an assessment of economic impact from aggregate development to whether this project creates benefits over an above an alternative I do have further concerns with how the results are reported and interpreted in the proposal. Notably I find a discrepancy between the reporting of results on page 48 and page 7 of the report.
30. On page 48, direct indirect and induced impacts are reported as:

Throughout its 3-year construction phase (including the planning, permitting and engineering phase) and 25-year operation phase, the Project will create positive economic effects on RVC and surrounding communities in the Calgary Region.

Over the nearly 3-year construction period, the Scott Pitt is expected to support a total (direct, indirect, and induced) of:

- \$43.4 million in GDP,
- \$27.9 million in labour income, and
- 367 jobs

An average year of operations of the Project is expected to support a total (direct, indirect, and induced) of:

- \$7.9 million in GDP,
- \$5.3 million in labour income, and
- 71 jobs.

31. On page 7 it is reported that:

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<sup>2</sup> [Surveys and statistical programs - Supply, Use and Input-Output Tables \(statcan.gc.ca\)](https://www150.statcan.gc.ca/n1/pub/28-263-x/2020001/article/00001-eng.htm), retrieved on November 24, 2020.



“An overall fiscal benefit to Rocky View County: Over the next 25 to 30 years, the proposed Scott Pit is expected to contribute to the County: » ± \$400M via combined GDP, job creation, property taxes and other direct and indirect financial benefits;”

32. No derivation of the \$400 million contribution is provided. However, I note summing the reported results of the Nichols report of \$43.4 million in GDP and \$27.9 million in labour income during construction and with a further 25 years of \$7.9 million in GDP and \$5.3 million in labour income (i.e.  $\$43.4 + \$27.9 + 25 \times (\$7.9 + \$5.3)$ ) equates to \$401.3m. If this is the method of deriving the \$400m I find it flawed. The reported impact on GDP would include labour income and this should not be double counted. While not relevant to an assessment of the costs and benefits of the proposal the correct figure for economic impact, without double counting, would be about \$160m ( $\$43.4\text{m} + 25 \times \$7.9\text{m}$ ).
33. The text on page 48 also attributes economic impacts to both Rocky View County and the surrounding region. The text on page 7 attributes these impacts as “contributions to the County”. I find that implausible given the limitations of input-output analysis, which do not distinguish impacts on such a restricted geographical area, and the obvious inter-linkages between the economy of Rocky View County and surrounding region.

### **Part 3: Critique of Fiscal Impact Analysis**

34. The fiscal analysis is incomplete and focusses only on benefits and not costs. Significant uncertainty around the primary fiscal benefit, from the Community Aggregate Levy (CAP) is not recognised within the proposal.

35. On page 48 of the proposal it states:

Throughout the Project’s operations phase it will contribute to County revenues through municipal taxes and the Community Aggregate Levy (CAP). The total expected financial contribution of the Project to RVC is estimated to be \$21.35 million or approximately \$854,000 annually.

This includes:

- \$1,350,000 in municipal tax, and
- \$20,000,000 in CAP Levy contributions.

36. There is no reported fiscal benefit during the three-year construction period.
37. The gross contributions to taxation are not relevant. It should be the net contribution that is used to assess that aspect of the benefits of the proposal. For example, should the project not proceed tax revenue is likely to be received based on its alternate use. Further, since proximity to an aggregate operation is likely to be viewed by potential homeowners as less desirable than its alternate use property values are likely to be impacted. Reduced property values would

reduce the residential tax base and consequently impacting tax revenues. I consider the impact on property values in more detail in part 4 of this report.

38. The proposal also lists a CAP levy contribution of \$20m. This is consistent with the current maximum charge allowable under regulation (\$0.40 per tonne) multiplied by the expected annual output of 2MT over the expected 25-year life of the proposal. It should be noted that the maximum CAP levy is set by regulation and not by Rocky View County and the current regulation is set to expire in 2022, prior to the operational phase of the project commencing. Information on the Alberta and Sand and Gravel Association website suggests there has been advocacy to allocate funds to specific community projects, research of reclamation techniques and remediation of orphan sites. As a result, I believe the contribution of the CAP levy should be considered uncertain. Further uncertainty results from uncertainty over the timing and actual production from the proposal.
39. On page 7 of the proposal lists a “± \$1.8M Regional Transportation Offsite levy contribution”. It does not seem to be attributed to or considered by the Nichols Report and other than a footnote on the same page of the proposal does not seem to be further justified in the proposal.
40. The objectives of the off-site levy are set out in section 13 of the Bylaw C-8007-2020 as:
- The object of the Off-Site Levy or Levies imposed and collected pursuant to this Bylaw are to pay for all or any part of the capital cost of any or all the following:
- (a) new or expanded Roads comprising the Regional Transportation Infrastructure required for or impacted by Subdivision or Development; and
  - (b) land required for or in connection with the Roads described within this Paragraph.
41. As such it seems clear the intent of the levy is to collect a contribution towards costs that would otherwise be avoided. As such whether this forms a cost or benefit to Rocky View County depends on whether the levy is expected to collect less or more than the infrastructure costs imposed by the proposed development.
42. There may also be other costs associated with development that are not addressed. For example, are there costs that fall on the county associated with environmental monitoring (during or after operations of the pit), the need for emergency services or would occur in the event of corporate failure of the project proponent.

#### **Part 4: Economic Costs must be assessed**

43. Reported results of Nichols do not assess economic costs at all. Some other parts of the proposal report on the projects impact on historic resources, vegetation, wildlife impacts and mitigation plan for other factors. Detailed evaluation of these aspects of the proposal is beyond my area of expertise. However, I do not find the costs associated with them have been thoroughly described, quantified where possible, or whether the mitigations proposed offset all or only a portion of the costs to the community. The proposal does not appear consider or report on the impacts should one of the mitigants fail to be effective.

44. Other studies on proposed gravel pits have sought to quantify the risks associated with contamination of groundwater.<sup>3</sup> There are two elements to risk assessment one is an assessment of the probability of mitigation failing and an impact occurring. The second is the economic cost of remediation. Even if risk is perceived be low, high remediation costs (particularly if the burden would fall in part or whole on Rocky View County) may be of significant concern.
45. The proposal does not consider broad quality of life impacts that may be experienced by the local community as a result in a change to the rural nature of the community.
46. The proposal does not include a detailed remediation plan nor does it see a commitment to set aside specific funds during or prior to operation to cover the eventual remediation costs. In the absence of both a detailed remediation plan and funds set aside for this specific purpose there appears to be a significant and unmitigated cost.
47. The proposal recognises the proximity of the proposed Scott Pit to existing county residential development. I find no economic assessment of the potential impact of the proposed pit on housing prices in the vicinity of the proposal even though the method for establishing such impacts are well established.
48. Economists have used an approach called hedonic pricing to establish the price of goods or services based on the internal or external characteristics associated with that good or service.<sup>4</sup> In application to a house prices the price of a house may depend on internal factors such as number of bedrooms, bathrooms whether the house has amenities such as a garage or air conditioning. It may also depend on external factors such as proximity to local amenities such as schools or parks. Proximity to such amenities may increase house prices. Similarly, proximity to disamenities such as busy roads or areas of high crime may reduce house prices. The approach is quite intuitive in that we may consider these same factors ourselves when consider whether to purchase a particular property.
49. The hedonic pricing approach can be considered to evaluate the impact of a specific dis-amenity. Historic data on house prices from a region can be related to a variety internal and external factors. Statistical techniques are used to establishing how each factor, independent of the others, impacts how prices. One of the factors that can be included is information on the proximity to a specific disamenity. Some houses may be close to the disamenity and some further away. Should the application of the statistical analysis find that there was no statistically significant impact on proximity to a disamenity that would support a hypothesis that there was no impact at all. Should the application of the statistical analysis find a statistically significant negative relationship that can be used to derive the impacts on individual properties in a given area.

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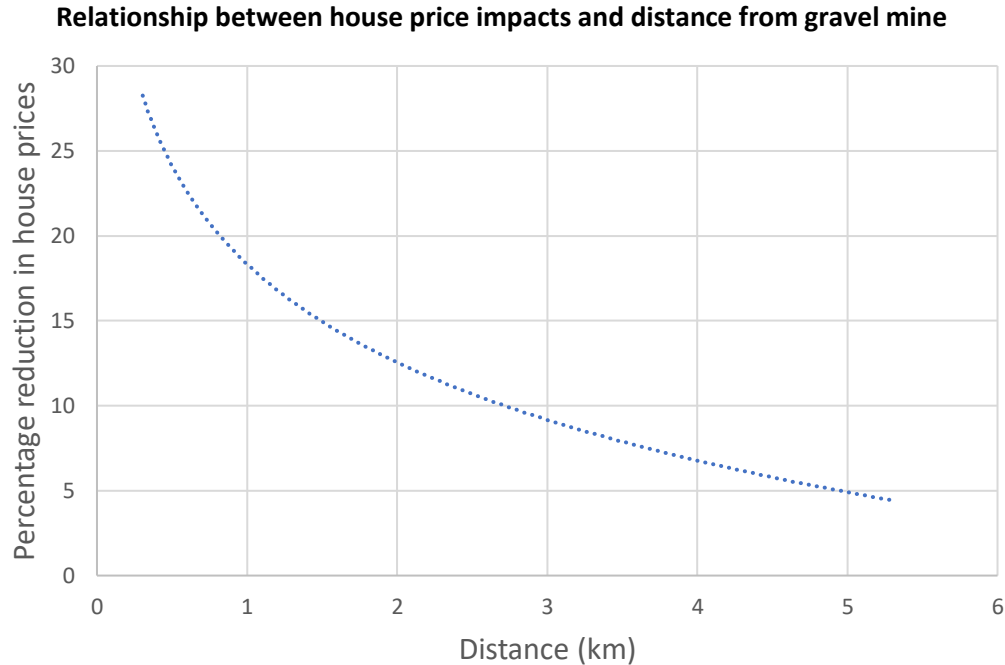
<sup>3</sup>See the expert reports of Dr. Zaghoul, Dr.. Burton, Ph.D for further consideration of these risk factors.

<sup>4</sup> The development of the hedonic pricing method dates to Rosen (1974)

50. The limitations of the hedonic pricing approach are that it relies on historic data about prices and internal and external factors that might influence those prices. The application to house prices may also be limited if price changes are caused by changes in taxes or interest rates not explicitly modelled. Part of the reason this approach is strongly associated with house prices is that information on internal and external factors is more readily available than it is for some other good and services thus overcoming one of the major limitations.
51. The use of the hedonic pricing approach is in my view an important part of assessing the costs and benefits associated with the proposed development of the Scott Pitt.
52. I also find that the hedonic pricing method has been previously applied to assessing the impact of aggregate extraction activities.
53. I am also of the view that the hedonic pricing approach is well-suited to the specific situation of the Scott Pitt. In this specific case where there are already aggregate operations some distance from the Scott Pit the method should be able to isolate the impact of the proposed development from any impacts of existing development. For example, consider, a house located 5km from an existing aggregate operation and that would be located 1km from the proposed Scott Pit. If the hedonic pricing approach indicated a reduction in house prices at a distance of 5km to be 5% and at a distance of 1km to 25% the incremental reduction associated with the Scott Pit would be 20%.<sup>5</sup>
54. An indication of how significant house price impacts might be can be obtained from looking at previous studies. While there are several published studies assessing house price impacts from a variety of disamenities those dealing with aggregate operations are less numerous.
55. A study by Erickcek (2006) assessed the economic impact of a proposed gravel development in Richland Township, Michigan quantifying both the impacts to the local economy and to house price impacts. This study uses estimates by Professor Hite of Auburn University on the relationship between house prices and proximity to a gravel mine. The estimated relationship between distance and house price impact is shown in the figure below, the distance scale has been converted to kilometres for ease of interpretation. This line shows impacts are proportionally greater close to mine operations and decline as distance increases (for example, the reduction in house prices is estimated to be approximately 25% at 0.5km and around 5% at 5km).

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<sup>5</sup> A paper by Ham, Maddison and Elliot (2013) examines the impact of being close to a number of active and historical landfill sites, finding that active sites impact house prices over greater distances than historic ones.



56. Using this relationship, it is relatively straightforward task to estimate the individual and aggregate house price impacts from the proposed Scott Pit. To do so, the following data was utilised:

- The distance of each residential property to the proposed pit. Data was obtained from the Rocky View County limited to all properties within 5km.<sup>6</sup> This identified 1346 properties impacted, about 10% of the residential properties in Rocky View County.
- For each residential property within 5km, the property assessment value was obtained from an Assessment Roll Search.<sup>7</sup> The total assessed property value of the 1346 properties identified was \$1.655bn

Using this information, the estimated aggregate impact on house prices is \$163.3m about 10% of the total assessed property value within the assessed area.<sup>8</sup>

57. The estimated aggregate impact assumes no houses further than 5km from the property were impacted and that the negative impacts assessed accurately capture the potential impacts of the Scott Pit. The proposed Scott Pit is both close in proximity to a relatively large number of properties, a generally high average property value (more than \$1.2m) with a number of homes considerably in excess of this.

<sup>6</sup> Information on the distance of individual properties from the site was obtained from Rocky View County, Information services. The distances are measured from a single location (coordinates: 51.186008, -114.250554) rather than the closest site boundary to a residence.

<sup>7</sup> <https://www.rockyview.ca/assessment-roll-search>

<sup>8</sup> No information was available on the distance from other gravel operations that would allow incremental impacts to be examined.

58. A recent peer-reviewed study by Malikov, Sun and Hite (2019) finds that the negative impacts of rock mining operation, including gravel production vary both with distance and are larger in percentage terms for more expensive properties.

“Rock mining operations, including limestone and gravel production, have considerable adverse effects on residential quality of life.....We find statistically and economically significant property-value-suppressing effects of being located near an operational rock mine which gradually decline to insignificant near-zero values at roughly a 10-mile distance. Our estimates suggest that, all else equal, a house located a mile closer to a rock mine is priced, on average, at about 2.3–5.1% discount, with more expensive properties being subject to larger markdowns.”

59. Reductions in property values have a secondary impact on residential property taxes. Assuming a residential tax rate set at 2020 levels a drop in property values of \$163m would equate to tax revenues declining by about \$829,000 per year. Since property prices are likely to be impacted at the time the project is approved that would be about \$23m over a 28-year period (3 years construction plus 25-year operations). If reclamation activities are not sufficient impacts may continue to be felt once operations have ceased.
60. In conclusion, a hedonic pricing study would normally seek to understand the impacts of the proposed Scott Pit by looking at comparable projects with comparable mitigants. No such study appears to have been undertaken. In this section I have illustrated that impacts from gravel operations have had significant impacts on house prices (and therefore residential property taxes) in other areas. The impacts can be substantial and may be significantly larger the economic benefits that would accrue to Rocky View County.

#### **Part 5: Comparing costs and benefits**

61. Having a comprehensive set of costs and benefits established for a given proposal that should be compared. This comparison would ideally be made to alternatives. For example, an aggregate operation further from residential areas might produce similar benefits without imposing as many costs on the community.
62. Consideration should also be given as to when costs and benefits are incurred over the period of the project. Normally, it is preferable that costs are deferred where possible and benefits enjoyed. Project developers often apply a discount rate to distant costs and benefits to express this preference (or simply that if a cost can be deferred that money could earn interest). Community projects are now more often examined with relatively low discount rates, sometimes referred to as social discount rates that do not discount future impacts as significantly.
63. Finally, I note that an independent assessment where expert analysis is made public to the greatest extent possible is preferable to an assessment by a proponent where expert analysis is withheld for reasons of business confidentiality. As noted above I have been unable to review

the July 2020 report by Nichols Land Management and can see no reason why the sections outlining the methods used to perform the assessment should be deemed confidential.

## **Part 6: Conclusions**

The economic impacts in the proposal are described in three areas: a market analysis, an economic impact and a fiscal analysis.

- The **market analysis** is deficient. It considers only the reserves of aggregate at operating projects. It must consider whether there are alternative sites that could be developed economically within the required timeframe. No evidence is presented that suggests shortage of alternative sites for aggregate operations.
- The **economic impact** analysis appears to utilize a method inappropriate to isolating the benefits to Rocky View County. It is also irrelevant - should the Scott Pit not proceed additional developments would occur elsewhere. A similar sized development or developments elsewhere in the Calgary region would appear to have the same regional economic impact. The proposal states that the positive economic impacts would all be felt as “contributions” to Rocky View County. I find this implausible both given the method of assessment and the close integration of Rocky View County into the economy of the Calgary region.
- The **fiscal analysis** is incomplete and focusses only on benefits and not costs. Uncertainty around the primary fiscal benefit, from the Community Aggregate Levy (CAP) is not recognised within the proposal.

64. The costs associated with development of the Scott Pit on Rocky View County and its residents are not adequately assessed.

- The proposal does not include a detailed remediation plan nor does it see a commitment to set aside specific funds during or prior to operation to cover the eventual remediation costs. In the absence of both a detailed remediation plan and funds set aside for this specific purpose there appears to be a significant and unmitigated cost.
- The proposal includes a list of mitigation measures. I find no assessment of the risks of mitigants failing nor the economic consequences of such failures. Other studies have indicated risks to groundwater may be associated with significant costs should mitigants fail.
- The proposal recognises the proximity of the proposed Scott Pit to existing county residential development. I find no economic assessment of the potential impact of the proposed pit on housing prices in the vicinity of the proposal even though the method for establishing such impacts is well established.

Utilizing estimates from other studies of the relationship between a house prices and distance from gravel operations I have estimated the impact on housing in Rocky View County with 5 km of the proposed Scott Pit. The results suggest a decline in house prices in that area by an average of 10% and \$163m in aggregate with a further reduction in residential property taxes of about \$800,000 per year or \$23 million of the proposed project's lifetime. These estimated costs are significantly larger than the likely benefits of the proposed development. It should be noted that these estimates are not a substitute for a proper analysis that could account for the specifics associated with the Scott Pitt but they do indicate these costs need to be explicitly considered as they may overwhelm any potential benefits.

- Other costs to the community that are difficult to quantify in dollar terms should also be noted. Difficulty in quantifying costs (and benefits) is not sufficient reason to ignore them. Some environmental impacts and cumulative effects may fall in this category.

65. Overall, I find that that the economic analysis presented in the proposal does not adequately assess the costs and benefits likely associated with the proposed Scott Pit. As set out in my report I find that in a number of key areas the assessment is either deficient or entirely absent.

A handwritten signature in blue ink, appearing to read 'Matthew J. Ayres', is written over a light blue rectangular background.

**Matthew J. Ayres, PhD.**

**December 6, 2020**



## **Materials Reviewed**

Scott Property - Master Site Development Plan, October 2020

## **References**

Erickcek, G., "An Assessment of the Economic Impact of the Proposed Stoneco Gravel Mine Operation on Richland Township" (2006).

Ham Y., Maddison D.J., Elliot R.J.R., "The valuation of landfill disamenities in Birmingham", *Ecological Economics* 85 (2013); 116-129.

Malikov E, Sun Y, Hite D. "(Under)Mining local residential property values: A semiparametric spatial quantile autoregression". *Journal of Applied Econometrics* 34 (2019); 82–109

Rosen, S., "Hedonic Prices and Implicit Markets: Product Differentiation in Pure Competition", *Journal of Political Economy*, (1974): 34-55.

## **Appendix A: Curriculum Vitae**

**Matt J. Ayres, PhD**

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### **Professional experience**

September 2017 - Present

#### **Consulting Economist - Self-employed**

- Providing expert advice and opinion on application of economics to practical problems.
- Focus on matters relating to electricity market design, market monitoring and investigations.

September 2013 - Present

#### **Adjunct Assistant Professor / Executive Fellow– University of Calgary**

- Sessional lecturer for an undergraduate course in electricity markets.
- Appointed an Executive Fellow in the School of Public Policy in January 2018

May 2018 – October 2018

#### **Market Surveillance Administrator (MSA)**

- Returned to the MSA as Chief Economist (Part-time) responsible for leading different areas of the MSA's activities and providing advice on investigations, market rules and market monitoring.

April 2005 - September 2017

#### **Market Surveillance Administrator (MSA)**

- Headed the agency tasked with acting as a “watchdog” for Alberta’s electricity market. Led a team in providing expert analysis of market rules, research into best practice in other markets, market monitoring activity and investigations.
- Provided advice to senior officials in Alberta Energy.
- Presented at conferences / stakeholder meetings on various matters relating to electricity markets and the work of the MSA, including expert evidence in Alberta Utilities Commission hearings.
- Represented the MSA at numerous external meetings, committees and at the Energy Intermarket Surveillance Group (EISG), an international organisation of market monitors.
- Prepared strategic plans, provided key input into budget setting, recruitment and staff retention strategies.
- Promoted from Specialist to Chief Economist in 2008 and Deputy Administrator in 2014. Appointed Market Surveillance Administrator, the Chief Executive Officer of the corporation in 2015.

January 2005 - March 2005

**Consulting Economist – Self Employed**

- Consulted for the Alberta Department of Energy providing advice as part of the provincial government review of the Alberta wholesale and retail electricity market.

September 2003 - December 2004

**Senior Director – Electricity, Canadian Energy Research Institute (CERI)**

- Responsible for project management and leading research on projects with total annual budget in excess of \$500,000.
- Led projects in electricity, natural gas, oil and cross-sector energy issues.
- Acted as chair and moderator at CERI conferences.
- CERI representative at industry workshops and roundtables.
- Member of CERI's management advisory group.
- Responsible for interviewing applicants and appraising staff.
- Joined CERI as Senior Director, Natural Gas in September, 2003. Moved to lead the electricity research program in 2004.

2001 – 2003: **Senior Economic Consultant**, Brown Economic Assessments

1998 - 2000: **Consultant (Economist)**, National Economic Research Associates

1995 – 1998: **Graduate Teaching Assistant**, University of Nottingham, UK

1993 – 1994: **Research Associate**, University of Portsmouth, UK

1992 – 1993: **Econometrician**, American Express Europe Ltd, UK

**Education**

Ph.D. (2001) University of Nottingham. Thesis titled *A Decision Theoretic Approach to Imperfect Recall and Complexity*.

M.A. (1996) Economics, University of Essex

B.A. (1992) Economics, University of York

## **Appendix F: Expert Cumulative Effects Report – Peter S Jalkotzy, P.Biol., EP(EM)**

**Scott Property Proposed Master Site Development Plan (MSDP)**

**Land Use Redesignation for SW 5 26-2-W5M**

**Report Review of Cumulative Effects for the Proposed Scott Property MSDP**

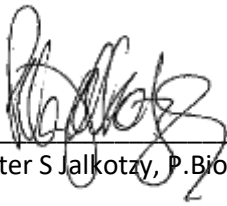
**Prepared For: Bearspaw Land Owner Group (TBC)**

**DATE: 10-Dec-2020 (FINAL)**

**Prepared By: Peter S Jalkotzy, P.Biol., EP(EM)**

**DATE: 10-Dec-2020**

As author of this report, I understand that I will provide fair, objective and nonpartisan opinion evidence and I confirm that I am able and willing to carry this out. I also confirm that this report expresses my own unbiased professional opinion and I further confirm that my opinion is the product of my own independent conclusions based on my own knowledge and judgment. I conclude that this report is deficient and unreliable in accurately assessing and evaluating the cumulative impacts associated with the proposed project.



Peter S Jalkotzy, P.Biol., EP(EM)

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**Senior Technical Peer Reviewed By: Dr. Tony Yarranton**

**DATE: 10-Dec-2020**

As Senior Technical Peer Reviewer, I can confirm I have reviewed this report and agree with the findings and conclusions, specifically, the report is deficient and unreliable in accurately assessing and evaluating the cumulative impacts associated with the proposed project. I also confirm that I am a published subject matter expert in Cumulative Effects and I am able and willing to carry this out.



Dr. Tony Yarranton

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## [Appendix A](#)

## **Executive Summary**

The Cumulative Effects Assessment (CEA) July 2020 Report (hereinafter “CEA Report”) for the subject property is deficient and unreliable as evidentiary material in accurately assessing and evaluating the cumulative impacts associated with the proposed project. The errors and omissions, non-conformance and misalignment of policy in force render this document unreliable as evidentiary materials for the proposed development activities. This application is incomplete as detailed in the CEA section.

The CEA report scopes out every conceivable Valued Component (VC) except for Wetlands and Ephemeral Water Bodies. The residual cumulative impact for this component is ranked as minor and is limited to the regional study area for the project (1km radius). This is not true considering the regional network of surface and groundwater resources, policy that prohibits development (i.e., Riparian Policy) and other registered environmental sensitivities (e.g. steep slopes, high water table).

The exclusion of every other VC is not warranted and does not reflect the reality of cumulative impacts from the project. Quality of Life is not even mentioned as a VC. Air and Noise have been scoped out all the while the residents file new complaints to the noncompliance of existing operations. Wildlife are scoped out because the assessors claim they can find a home somewhere else. Surface water hydrology is not even discussed despite RVC’s signatures on the Nose Creek Watershed Water Management Plan which stipulates preservation of wetlands and natural features for flood and water quality management. To assess the aggregate resource solely as a monetary resource neglects to acknowledge the ecological function value including downstream hydrology. Vegetation is scoped out while the proponent is in noncompliance with the provincial Weed Act.

In the process, they have missed a number of key elements within the assessment that are specifically required by Section 29 of the Rocky View County Municipal Development Plan for aggregate resources (i.e., geophysical, geotechnical, stormwater management, reclamation plan). Furthermore, the Technical Lead Verifier sign off on Soil and Groundwater Technical Reports has done so outside of their core competencies – BSc in Geography and MSc in Environment and Management – experience primarily in the environmental management, sustainability, community engagement, policy.

The proposed land use redesignation is not in alignment with Provincial, County or Bearspaw Area Structure Plan (BASP) policy and specific recommendations from previous applications for approval to develop aggregate resources at this property (1994 and 2010). A review of the BASP Future Land Use Scenarios clearly demonstrates that the distribution of residential land use has been the designated land use without aggregate extraction. As decided in 1994 when the county refused the proposed aggregate development plan for the subject property on the basis that the rural residential character of adjacent lands is not unduly negatively impacted or substantially altered remains unchanged, if not truer today.

The proposed activities do not align with the current Rocky View County Municipal Development Plan Summer 2020 DRAFT 4 which states “... discourage residential development that may be impacted by future aggregate extraction and related industrial uses.” The County has demonstrated a development pattern that does not align with its own policy. This aggregate resource development land use proposal is not compatible with the predominantly Country Residential land use of the region including new residential developments that have been approved by the County since the initial rejection of a gravel extraction operation at the Scott Property site in 1994 and again since the refusal in 2010. The region has consistently grown in residential land use, and residential land is the dominant land use across the region. The County continues to approve new residential subdivision immediately adjacent to the proposed development, as recently as November 10, 2020<sup>1</sup>.

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<sup>1</sup> Division 8 - Bylaw C-8060-2020 - Redesignation Item - Residential Use File: PL20200059 (06606046). Property located on the NW corner of Burma Road and Range Road 25, immediately adjacent to Scott Property.

## Introduction

A Bears paw Landowner Group has requested this Review Report of Cumulative Effects in relation to a proposed resource development initiative within their immediate area.

### Scope and Objectives

The scope and objectives of this report are to provide an expert review of relevant project documentation as provided by the proponent and the municipal review process to date. The objectives of this expert review are to

- (i) to assess the validity and accuracy of the cumulative effects assess completed for the project; and
- (ii) to identify gaps in the content, assessment, evaluation, and related processes for cumulative effects from proposed aggregate resource development at the subject property.

### Author Qualifications

The report is authored by Peter Jalkotzy, a certified and registered professional biologist and subject matter expert in environmental assessment and resource development activities. Peter's qualifications include a 40 +year professional career in managing environmental assessment and permitting / approval processes for industrial development in urban or remote frontier settings across the globe. A professional biography and CV are attached in Appendix A.

### Senior Technical Peer Review

The report is also subject to a senior technical peer-review by Dr. Tony Yarranton, a retired university professor, Board Vice Chair, and Chair of the first federal Environmental Assessment Panel in Canada. Dr. Yarranton is an independent environmental management consultant with more than 50 years' experience in academia, government, and industry. Dr. Yarranton has published extensively and is a well respected and renowned cumulative effects assessment practitioner. A professional biography is attached in Appendix A.

## Regulatory Requirements

The regulatory requirements for Cumulative Effects Assessment (CEA) are detailed in the Rocky View County (RVC) Servicing Standards. This is the guidance to the environmental assessment process including cumulative effects. The document outlines the municipal Biophysical Impact Assessment (BIA) process that is required for each project proposal.

The project's BIA document provides insight to the framework used for the assessment and includes individual assessment profiles for each component. The project's CEA document summarizes the individual assessment profiles and generates a cumulative effects assessment for the project.

The BIA document outlines the applicable municipal, provincial, and federal legislation and cites the basis for assessment as the municipal process and requirements. In Section 1.2.1, the report then also cites alignment with Federal EA and CEA definitions and processes. This implies that the assessment was carried out in conformance with the Federal standard. The project's individual technical reports, not included in the BIA, were also prepared based on meeting the enhanced requirements of provincial and federal agencies.



As a federally compliant document, it should cover all likely requirements of other jurisdictions. In fact, the project neglects specific requirements clearly outlined in the County Plan, Bearspaw Area Structure Plan, and DRAFT Municipal Development Plan. From a regulatory compliance perspective, this application is incomplete as detailed in the CEA section.

## Cumulative Effects Methodology (CEA)

The approach to the cumulative effects assessment (CEA) has been outlined in the BIA and CEA reports. The methodology for CEA is drawn directly from Federal guiding literature and formal regulatory process documents publicly available. This methodology includes scoping of project related Valued Components (VCs), analyzing interactions, applying mitigation, evaluating of adverse cumulative effects and following-up to monitor outcomes. The report cites definitions from Federal processes while also recognizing the municipal regulatory requirements for cumulative effects as outlined in the Servicing Standards (2013).

VCs were selected, spatial and temporal boundaries chosen, and past, present, and foreseeable future activities identified. If a potential adverse effect was identified, mitigation was applied, and residual effects assessed (i.e., impacts as represented in the post-mitigation period). If negligible or minor residual effects were identified after mitigation, the VC would not be carried forward into the CEA. Only those elements that had Moderate or Major rankings were advanced.

The report acknowledges the CEA was completed after the completion of all other technical reports, in their own admission, not an ideal approach. While the report references and addresses each individual component independently, they have scoped out all Valued Components (VCs) as not to be included in the CEA except Wetlands and Ephemeral Water Bodies. Furthermore, Quality of Life (QOL) is never referenced anywhere.

The scoping out of the CEA all of the identified VCs with one exception ignores several potentially significant impacts from the project related to land use, QOL, property values, wildlife and wildlife habitat, surface water hydrology, air quality and noise and groundwater. From a foreseeable future activity perspective, the cumulative effects have not taken into account the expansion of existing gravel operations, including those in process at the present time. From a regulatory compliance perspective, this application is incomplete as detailed in the CEA section.

## Cumulative Effects Assessment

This section of the report provides a detailed look at the individual components of the project and natural environment relative to cumulative effects assessment.

### Land Use

The primary challenge for this project is conflict of land use where Quality of life (QOL) and property values are particularly important in the process. The region is dominated by country residential and has been since the early 70's. The County has continued to approve additional Country Residential subdivisions near the proposed aggregate resource extraction project. This region's historical development 'pattern' is not compatible with the expansion of industrial development. Below are specific details from Provincial, Municipal and Regional policies. The proposed plan does not recognize

nor align itself with these Provincial, Municipal or Region (Bears paw Area Structure Plan) policies which apply to the subject lands and the project:

**Provincial** – The province’s 1996 land use policy under the Municipal Government Act clearly outlines expectations related to land development.

*Policy 6.2.1 Municipalities are encouraged to identify, in consultation with the appropriate provincial land management agency and the Alberta Geological Survey, areas where extraction of surface materials (e.g., sand and gravel) should be the primary land use. direct subdivision and development activity so as not to constrain or conflict with non-renewable resource development, particularly with respect to areas identified in accordance with Policies #1 and #2*

*Policy 6.2.3 Municipalities are encouraged to direct subdivision and development activity so as not to constrain or conflict with non-renewable resource development, particularly with respect to areas identified in accordance with Policies #1 and #2*

The historic record clearly demonstrates that RVC has not managed their land development processes in alignment with provincial land use policy. Residential subdivision near identified high value aggregate resources has continued since the early 70’s. This includes subdivision approval as recently as November 2020 for subdivision of a residential property immediately adjacent to the proposed gravel pit site.<sup>2</sup>

**Municipal** – Rocky View County Plan (2018) clearly supports the stated provincial policy direction for land use management as it relates to aggregate resource development. An analysis and review of Section 29 clearly demonstrates that the proponent has missed critically important planning documents to support their application.

*Policy 29.1 - All planning or development applications, and any associated infrastructure construction should meet the technical requirements of the County Plan, Land Use Bylaw, area structure plans, subordinate plans, Servicing Standards, County Policy, and provincial and federal requirements.*

*Request for variations from County requirements must include technical justification with all relevant studies, reports, and tests.*

*The County will make a decision to approve, approve with conditions, or deny a request to vary from County requirements as the County deems appropriate after reviewing all supporting information.*

*Policy 29.3 - All planning or development applications may be required to provide information on, and evaluation of, the matters identified in Appendix C.*

*29.8 A master site development plan for aggregate development shall address all matters identified in Appendix C, sections 1 and 4.*

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<sup>2</sup> Division 8 - Bylaw C-8060-2020 - Redesignation Item - Residential Use File: PL20200059 (06606046). Property located on the NW corner of Burma Road and Range Road 25, immediately adjacent to Scott Property.

A review of Appendix C, Section 1 through 4 reveals that the proponent has not addressed all the elements required by the County Plan including but not limited to geotechnical and slope stability from Appendix C 1(n).

Furthermore, while the applicant lists the relevant applicable provincial and federal legislation, the applicant does not list a summary of all the required provincial approvals such as the Alberta Environment Code of Practice, Alberta Environment wetland loss and mitigation, Alberta Community Development and Alberta roadside development permits. A full list of approvals, codes and standards is required, and the proponent has not demonstrated the knowledge of the requirements the how compliance will be achieved.

**Regional** – Bearspaw Area Structure Plan was adopted in 1994. In this plan, the subject property is designated for Country Residential land use in the Future Land Use Scenario illustrated as Figure 7 of the BASP. The Bearspaw region has and is predominantly a residential land use, and the individual history of subdivision of surrounding properties has been to increasingly smaller parcels (1970's, 1978, 1992, 1993, 2007, per 2010 Staff Report). These facts clearly demonstrate that the county has chosen to encourage further residential land use in the region, which is by their own words, a land use conflict with industrial development, including aggregate resource development. Below are relevant policy statements that the proposed development does not recognize or adhere to. While I have only listed the missing elements, this does not imply that the elements that were included were adequately addressed in the assessment process.

*Policy 8.3.14 outlines the direction and evaluation criteria including areas where there are indications of a high potential for natural resource extraction should be protected for such purposes. This has patently not taken place and resulted in the current circumstances of land use conflict.*

*Policy 8.3.15 - No extractive industrial operation shall be conducted in such a manner as to permanently lower the water table of surrounding inhabited properties.*

*Policy 8.3.20 - The Municipality shall not be bound to approve applications for aggregate extraction in any identified area.*

*Policy 8.3.21 – Redesignation proposals and/or applications for subdivision and development approval to accommodate the extraction of natural resource - aggregates should only be considered where, in the opinion of the Municipality, the rural residential character of adjacent lands is not unduly negatively impacted or substantially altered. When considering proposals, the Municipality should have regard for the following (only the missing elements have been highlighted here):*

- iii. a geophysical assessment in sufficient detail to locate and quantify the nature and origin of the natural resource - aggregates found on the site;*
- iv. a hydrological assessment in sufficient detail required to assess the potential affects extraction of natural resource - aggregates may have on surface water and groundwater in the area. The assessment should*

*address quantity, quality and recharge or discharge of the surrounding areas water resources;*

*c) a Rehabilitation Plan including, but not limited to:*

*i. the planned rehabilitation of the site including, but not limited to, the methods of accomplishment, phasing and timing of future land uses;*

*ii. the approximate final grades of the proposed excavation area including areas of cut and fill;*

*iii. planned rehabilitative landscaping and vegetative plantings;*

*iv. the plans for removal and storage of overburden;*

*Policy 8.3.23 - Prior to the approval of a proposal for subdivision and/or development approval that would accommodate the extraction of natural resource - aggregates on lands within the Plan Area; the Municipality should proceed with an amendment to this Plan revising Figure 7 (Future Land Use Scenario) by identifying the lands proposed for redesignation, subdivision and/or development approval as a rural industrial - natural resource - aggregates land use.*

As with Provincial and Municipal land use policies and expectations, the proposed development does not align with regional land use policy. This includes the DRAFT Aggregate Resource Plan (2018), subsequently rescinded. While rescinded, the proponent's own application documents have referenced the Aggregate Resource Plan as a planning document. The proposed development is located within the county's Riparian Policy Area where aggregate develop is prohibited, and on lands within an Area Structure Plan, adjacent to high-density residential parcels, for which aggregate resource development is not supported.

A review of Figure 4 - Natural Resource Aggregates in the BASP and Figure 7 - Future Land Use scenarios clearly demonstrates that the land use planning process has been country residential, and predominantly since that first refusal for the proposed project in 1994. As with the Provincial and Municipal circumstances, this has created an enormous conflict for residents in the region. As Policy 8.2.23 clearly states – “*prior to the approval of a proposal ... the land use plan should be revised to remove confusion and conflict*”. The record of the County's decisions, in consistently rejecting gravel operations at Scott Property, and in consistently approving new Country Residential developments in the area, clearly demonstrates that land use conflict has not been removed and has only been reinforced. This includes subdivision approval as recently as November 2020 for subdivision of a residential property immediately adjacent to the proposed gravel pit site.<sup>3</sup>

**Development Sequencing** - The proposed development plan involves 6 stages over 25-30 years. The project is limited to 60ac/24ha for any one active area. With a +/- 395 ac footprint, that equates to a greater than 60ac average when divided into 6 stages. If it is not possible to remain below the

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<sup>3</sup> Division 8 - Bylaw C-8060-2020 - Redesignation Item - Residential Use File: PL20200059 (06606046). Property located on the NW corner of Burma Road and Range Road 25, immediately adjacent to Scott Property.

threshold, this eventuality has not been discussed by the proponent. What is their plan to address this inconsistency?

As noted in the soil section, there remains an incongruity between the phased stages and reclamation. With the property operating for 25-30yrs with 6 stages of operation, that leaves each active pit a +/-5yr active time window. This is a long period for any one single active pit to remain not reclaimed and exposed to the elements. Dust generation and noise in the region are already a large source of complaints.

No detailed reclamation plan has been provided to the extent required by Municipal policy. The storage of soils for up to 25 yrs will render them useless.

The proposed sequence of stages starts in the south central, then spirals to the SW and then to the NE and finally the NW. Guidance from County Staff Reports for past application refusals were to start the sequence in the south central and progress in a clockwise manner. These previous recommendations have not been adopted.

### Socio-Economic

The proposal opens the conversation with reference to their interest in exploring the opportunity for a future regionally significant community amenity. There already is a regionally significant community amenity currently occupying the lands, one that provides stormwater management, wildlife viewing, wildlife habitat and rearing community, a buffer from the other industrial uses and a Quality of Life (QWOL) deeply appreciated by most residents.

The Quality of Life (QOL) Valued Component is entirely missing. While the planning process has obviously failed in its efforts to avoid land use conflict with nearby residential development, this project will only further exacerbate the existing decades long conflict. Country residential living is the QOL that has been sought by many residents in this region. The addition of another gravel extraction operation for the next 30yrs will deny that reality well into the future of these residents. Socio-economic subject matter expert has clearly identified land value as being at risk from aggregate resource development.

### Air Quality, Noise, and Climate

**Air Quality and Noise** - Air quality modeling demonstrated exceedances of the Alberta particulate air quality for PM<sub>2.5</sub> and TSP at the project boundary and at the nearest residences. News reports and the public record on air quality monitoring in the NW Calgary region have clearly demonstrated that current practices are exceeding limits. Nearby residents have registered complaints regarding noise and air quality in this regard for years.

The air and noise modeling are deficient from several perspectives. The air and noise VC is scoped out of the CEA in advance of assessing these for cumulative effects. The Noise report claims that all sound levels are within permissible limits, but it is not clear that all operations were included. For example, during crushing, the results only show the non-crushing engines running sound level. And for blasting, only the blasting drill is cited. Furthermore, the only receptors assessed are those within the property boundaries. The air and noise impacts will not stop at the property boundaries.

While the noise of the conveyer system is assessed for the subject property – the conveyer extends several km's outside of the property. This is not mapped or assessed, and the impacts of the conveyor

outside the property boundary are not specified or discussed. While the conveyor may be shrouded to prevent dust, the structure itself and its operation will occupy the lands for 30yr or more.

The cumulative effects assessment should include all available data for use in the assessment, appropriate temporal and spatial boundaries and receptors that will be directly affected by the project, and consider the current and future (foreseeable) activities by other gravel operations in the vicinity. It is unacceptable to scope out noise when the current conditions are already creating conflict and these conditions will likely only deteriorate with the addition of another operating facility.

Furthermore, reference is made in the MSDP (pg. 10 of 68) to a reduction in GHG compared to previous aggregate resource development proposals. While it is agreed that the proposed scenario is a reduction when compared to a truck supported operation, this does not represent a reduction in GHG compared to the “no project” alternative.

**Climate** - While there is reference to the project planning for significant weather events (MSDP pg. 38 of 68), by using the recent weather events as representative of 100:1 yr events, there is no mention of climate related issues associated with this proposed development plan. As a Federally compliant document, the application should in the least acknowledge the climate as a potential influence on the project and what mitigation plans address these influences.

### **Hydrogeology**

Groundwater is a valued resource for local and regional uses. Groundwater is an important resource in the watershed that provides water to rural residents and contributes to base flow in Nose and West Nose creeks (NCWWMP 2018). Local water wells rely upon groundwater for their domestic water supply. Furthermore, the landscape downstream depends on these groundwater resources as local and regional recharge areas to maintain downstream flows in both volume and quality.

The application treats the gravel resource as a simple monetary asset to be exploited. This approach negates the high functional value in providing high value ecosystem services such as public health and safety as flood control, stormwater management, water quality improvement, and modified seasonal releases rates and flows that support the Nose Creek Watershed. The reclaimed land will not reflect or duplicate that ecological functionality regardless of the approach taken to rehabilitating the property to previous land use capability.

The Hydrogeological Technical Report references that of the wells assessed, most were dry, while those located in the center of the deposit had several meters of groundwater. The zone has been described as a localized seasonal and possibly temporary aquifer, as thus, impacts are not significant.

*“The potential impact of Project activities on groundwater quantity is anticipated to be negligible.”*

This perspective diminishes the value of this water within the regional context, particularly as it related to hydrology of the unnamed tributary of West Nose Creek, West Nose Creek, and Nose Creek to the Bow River. See further comments under Surface Hydrology.

Previous applications were advanced based on a dry pit, as noted in 1994 and 2010 documentation while this application does not contemplate this. Selective identification of specific water wells for inclusion and the remainder not documented suggests there is other data on groundwater for the

property that is not being shared or data is being selectively used. In either case, the results become suspect and unreliable

The reporting claims that the groundwater resources are suitably isolated from each other and do not communicate. The statements made relative to specific domestic water wells and their sensitivity to this project domestic water wells in the vicinity will not be impacted, and if they are, Lehigh will compensate. These comments are more conjecture than evidence. It is well known that the groundwater monitoring wells at the Spy Hill Landfill are contaminated. Subject matter experts for hydrogeology and groundwater have clearly identified errors and unsupported conclusions in their technical reports. Hydrogeological impacts have not been adequately addressed by this assessment.

### Surface Water, Ephemeral Water Bodies and Wetlands

This section of the CEA reporting focuses entirely on the wetlands and the ephemeral water bodies. Little to no reference or discussion is made of surface hydrology, local dewatering impacts or potential downstream effects. As a component of the wetland removal and the Water Act application process, there will be a requirement to be able to clearly demonstrate no off-site changes to drainage, in either volume or quantity. While the application cites the opportunity to provide stormwater management functionality, it is this author's opinion that there is no meaningful comparison between water moving through an aquifer and that same water flowing through a constructed stormwater management facility made up entirely of surface water flows. The two do not represent the same ecological functionality.

Fundamentally, the Provincial, Municipal and Regional policies all support the retention of wetlands and terrain features particularly as it related to flood mitigation and water quality improvements. RVC is a signatory on the Nose Creek Watershed Water Management Plan that has strict limits to flow rates and volumes. Furthermore, historical evidence has clearly illustrated that downstream flows are exponentially increased with land development (NCWWMP 2018) and thus require specific attention to effectively manage this in accordance with the requirements.

### Soil and Terrain

The lands have been impacted by agricultural practices, and the character of the surface and subsurface is well understood. The landscape provides an important source of water year-round to the unnamed tributary leading into West Nose Creek. While the information provided is certainly helpful, it does not meet the requirements of the municipal process. The County Plan and the Bearspaw Area Structure Plan require a geophysical report and a geotechnical report, with specific reference to slope stability. These studies are not provided.

The project has proposed a sequencing of active pit and reclamation activities over the development period. Each stage of the development will be active for +/-5yrs. Topsoil and overburden soils will need to be stored for these periods. The proponent has not provided any details related to maintaining the usefulness of these soils after they have been stored for five years. Topsoil stored for 25yrs will be useless.

It is interesting to note that within the Soils Technical Report, the proponent acknowledges the limitation in accurately describing surficial materials at scale by stating uniformity cannot be assumed, and then fully discounts their findings by removing all liability through the Statement of Qualifications and Limitations at the beginning of the final report. The report author relies upon the assumption that



conditions are uniform, while accepting no responsibility for variability in conditions, geographically or over time. This is contradictory and confusing. The reality must be either or and cannot be both.

### Vegetation

The vegetation of the property has been impacted by past use and no rare plants or rare plant communities were identified nor expected.

The Vegetation Technical Report refers to a prohibited noxious weed, Nodding Thistle, that was identified during field surveys. Under the Weed Act, the property owner is responsible for the implementation of weed control on property they own. In the case of the prohibited noxious weed, the owner is required to destroy the weed and prevent its further spread. It appears that Lehigh is not in compliance with this statute considering the vegetation surveys were conducted in 2019 and 2020. There is no reference to action taken by the proponent on this matter.

### Wildlife and Wildlife Habitat

There is discussion regarding wildlife and wildlife habitat that is highlighted by a statement of “ ... limited habitat diversity ... ” (pg 21 of 68). This statement was followed by a rather detailed description of the listed species, sensitive species, sensitive landscape, and sensitive landscape features that were observed within the property boundaries.

The report also references the fact that the area is widely impacted, and “ ... the mobility of these species combined with the presence of wetlands and forest stands in the off-site surrounding areas suggests that the wildlife potentially displaced by the proposed Scott Pit will be capable of finding similar habitat.” While this may be true, this does not represent no impact. Individuals will be displaced, and wildlife habitat will be lost, including breeding habitat for a listed species, the Sora. While also considering potential local dewatering, surrounding wetlands and forested habitats could also be adversely affected. These animals will have to move into locations that likely already have their own wildlife inhabitants.

### Species at Risk

The wildlife section of this application acknowledges the presence of a variety of provincially and federally listed species that were observed using this property, including nesting, denning and specialized sensitive habitats including that of listed species (i.e., Sora breeding wetlands).

### Historical Resources

The subject property has received Historical Resource Act approval. No further action expected.

### Overall Assessment

The CEA Report is deficient and unreliable to accurately assess the potential cumulative effects from the project on the subject property. Table 1 provides a summary of the expert review and findings for each Valued Component (VC).



**Table 1. Tabular Summary of Issues and their Status**

<b>Valued Component</b>	<b>Cumulative Effects Assessment</b>	<b>Expert Review</b>	<b>Expert Finding</b>
Land use	Not included	<p>The primary issue of conflict is with land use in the region. The County has advanced and continued to approve additional residential development in the region immediately adjacent to the subject property that falls within the zone identified as a high value aggregate resource extraction zone.</p> <p>Quality of Life (QOL) has not be included as a Valued Component (VC)</p>	The development proposal is not in alignment with Provincial, County Plan and Bearspaw Area Structure Plan policies.
Air Quality and Noise	Not included	<p>Air modeling of worst-case scenario – modeling showed exceedances for PM<sub>2.5</sub> and TSP – current operating conditions in the region are subject to many complaints – existing operations cannot maintain suitable air quality at the present time</p> <p>The noise from the conveyor system outside the property is not included in the analysis</p> <p>GHG is claimed reduced or eliminating trucks – not relative to the no project scenario</p>	Current conditions generate significant complaints in the region for dust and noise. Modeling is flawed and does not represent the cumulative effects of current and existing operations. The information provided is insufficient to claim no impact and not conduct cumulative effects assessment.
Visual and Landscape	Not included	Berms as mitigation will have limited effectiveness in shielding view of operations.	Landscape will be indelibly changed for the next three decades and beyond.
Property Value	Not included	Proponent indicates that since air and noise have	A new gravel operation on undeveloped lands

Valued Component	Cumulative Effects Assessment	Expert Review	Expert Finding
		been scoped out, same is true for property values – it is well established that gravel operations in the vicinity of residential development has a negative effect on property value.	adjacent to multiple multi-year existing gravel operations will have a negative effect to property values.
Wetlands and ephemeral water bodies	Included in CEA – residual impacts are ranked negligible and no significant with mitigation	Residual cumulative effects rates as ‘minor’. Provincial, regional and local policy initiatives all recommend retention of natural features and topography to manage water quantity and quality in the West Nose Creek drainage in accordance with the Nose Creek Watershed Water Management Plan (2018). With no approved ASP for lands to the north, the proponent assumes that the future ASP will properly and adequately address the requirements regarding surface water, wetlands and ephemeral water bodies in this area.	Wetlands and ephemeral water bodies are critical elements of the local and regional watershed. These landscape features are protected by several levels of legislation and policy. Removal of the gravel resources and changes to hydrology and hydrogeology will likely result in changes to downstream ecological functionality which have not been included in the assessment. Expert evidence by subject matter expert for hydrogeology has identified risks to domestic well contamination and regional dewatering.
Surface Hydrology	Not included	Five drainage pathways are identified with no discussion. Technical Report incorrectly identifies the receiving drainage as Bigspring Creek when it is West Nose Creek. This is a critical component of the integrated natural and stormwater drainage management for the region as required by the Nose Creek Watershed Water Management Plan (2018).	Surface hydrology is not included in the technical discussion of hydrology and wetlands and as such renders this component inadequate and deficient.

<b>Valued Component</b>	<b>Cumulative Effects Assessment</b>	<b>Expert Review</b>	<b>Expert Finding</b>
Stormwater Management	Not included	Conceptual plan developed while the requirements cite a detailed stormwater management plan to understand the impacts and conformance with the Nose Creek Watershed Water Management Plan.	Required documentation for a stormwater management plan is not included. Information does not provide suitable evidence to not address this as an important part of the project.
Groundwater	Not included	<p>The application is written on the basis that this location will not affect regional groundwater resources or the local potable water users in a country residential setting. The zone is described as a gravel deposit that forms a seasonal and localized aquifer and highlights this to negate it's value, and eliminate the value of impact from the project – this overlooks a different value - this has high ecological value for maintained flows to West Nose Creek – Stormwater management of surface flows do not replicate or duplicate the ecologic functionality of established and historical groundwater flow.</p> <p>It is well documented that Spy Hill Land fill groundwater is contaminated.</p>	The groundwater report concludes that groundwater resources are not at risk of impacts from the project and do not communicate with other zones is false and unsupported by the evidence presented. Subject matter experts for hydrogeology have clearly identified errors and omissions that do not support the conclusions made. Cumulative effects of hydrogeological impacts have not been assessed adequately.
Vegetation	Not included	Vegetation surveys and assessment did not identify significant resources I the project area.	While vegetation is not a VC for this project, the proponent is in non-conformance with the Weed Control Act.

Valued Component	Cumulative Effects Assessment	Expert Review	Expert Finding
		Prohibited noxious weed identified, proponent is in nonconformance with the Weed Act.	
Wildlife and Wildlife Habitat	Not included	Report considers 'limited diversity' in wildlife habitat – while citing four listed species (American kestrel (sensitive Alberta), great blue heron (sensitive Alberta), least flycatcher (sensitive Alberta) and sora [sensitive Alberta), four raptor nests, four Sora breeding wetlands, and a coyote were confirmed. Provincially generated Landscape Analysis Tool (LAT) identified sensitive elements/species including Foothills Parkland, Sharptailed Grouse (sensitive Alberta), Bald Eagle (sensitive Alberta), Prairie Falcon (sensitive Alberta), Golden Eagle (sensitive Alberta), Bank Swallow (Threatened federal). The project will result in the displacement of individuals and a loss of wildlife habitat including breeding habitat for a listed species, Sora.	The wildlife report states that current wildlife inhabitants will be able to find suitable habitat elsewhere. Considering the potential for dewatering of neighbouring properties, wildlife habitat as wetlands and forest may be adversely affected. This is not NO Impact but a displacement of individuals.
Soil and Terrain	Not included	Operations contemplate active stages each approx. 5yrs in duration – the proponent has made no reference to soil management to maintain	The proponent has not fulfilled the reclamation or rehabilitation plan requirements for application of land use redesignation

Valued Component	Cumulative Effects Assessment	Expert Review	Expert Finding
		<p>soil quality – topsoil stored for 25yrs is useless.</p> <p>A geophysical and geotechnical and slope stability report are required according to the County Plan and Bearspaw Area Structure Plan – these have not been provided by the proponent</p>	
Operations and Management – phased stages and reclamation sequencing	Not included	<p>Requirement to have no more than 60ac active at any one time – with a property that is stated as 395ac +/- and 6 stages of development – on average, more than 24ha/60ac will be active at any one time, and this active pit is open for +/-5yrs.</p> <p>Significant opportunity for mobilization of dust and sediment.</p> <p>Recommendation by earlier council that the operations begin in south central and sequence clockwise has not been adopted.</p>	The report contains insufficient information to fully assess the cumulative effects of the project without these details relating to operations, sequencing and reclamation.
Agency Commentary Alberta Public Health	Not included	<p>Air, noise and dust mitigation – effective?</p> <p>Clearly not considering the complaints and news stories about exceedances in the public record.</p>	Agency commentary has not been adequately addressed. Air and noise complaints continue.
Agency Commentary Historical Resources	Not included	<p>Requirement to complete stage 1 excavation at 11 sites identified. Completed – no further work required.</p>	Historical resources have been adequately addressed.

## Conclusions

The Cumulative Effects Assessment July 2020 Report for the subject property is deficient and unreliable in accurately assessing and evaluating the cumulative impacts associated with the proposed project.

**APPENDIX A**

**Peter S Jalkotzy - Biography and CV**

**Dr. Tony Yarranton - Biography**

Peter Jalkotzy, P.Biol., EP(EM)

358 Cougar Ridge Drive SW ♦ Calgary ♦ Alberta ♦ Canada ♦ T3H 4Z5 ♦ +1 403-369-6977 ♦ [petersj@shaw.ca](mailto:petersj@shaw.ca)

---

### Professional Summary

An experienced Executive and Senior Manager with a passion for integrating the technical, economic, regulatory, social, and environmental aspects of development initiatives. Peter has succeeded at multiple levels of people and project management and thrives in an environment of collaboration and mindful progress.

A certified and registered environmental professional technically trained in wildlife biology and environmental law with 40+years' experience in his practice. Peter's focus has been the oil/gas and energy sectors, including conventional, unconventional, and renewable resources. He has worked closely with proponents, regulators, and local communities in urban, rural, and remote frontier settings. Peter is a strong leader and advocate for the integration and adoption of innovative technical solutions, locally and globally.

### Core Qualifications

- Experienced executive and management professional in energy, environment and technical quality
- Diverse / broad geographical, industry, and sector experience
- Competency with digital online platforms for delivering, learning, sharing and collaborating
- Excellent writing, organizational and communication skills
- Experienced expert witness, advisor and lecturer
- Strategic risk-based thinker with a keen technical mind
- Creative and innovative, comfortable challenging the status quo

### Experience

#### **Lead Technical Quality Auditor - AECOM**

**2018 – 2020**

**Los Angeles, CA / Calgary, AB**

- Responsible for driving technical quality throughout the Americas geography
- Lead the Technical Quality Audit (TQA) Program on behalf of the Director of Quality and the Chief Technical Officer
- Develop and implement TQA program for Design Consulting Services
- Successfully refined and launched self-sustaining evolution of TQA program (2.0)
- Elevated technical excellence through global collaboration and delivered innovative technical solutions across all business sectors through adoption of technical procedures and strong technical quality practices
- Developed the three E's of Technical Quality: Elevate the value of technical quality; Engage Lead Verifiers in the process; and Empower Technical staff with accountability and advocate for technical career path



Peter Jalkotzy, P.Biol., EP(EM)

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---

**Technical Leader - Environment - AECOM**

**2010 – 2020**

**Calgary, AB**

- Manager of Impact Assessment and Permitting (IAP) – Division Manager for five years
- Technical Leader - Environment / IAP team directing, and managing environmental assessment, regulatory and permitting processes, engaging strategic / critical thinking and mentoring technical staff
- IAP activities supported planning, design, development, operations, reclamation and closure of a wide range of large infrastructure, oil/gas, energy, renewables, mining, transportation, water management and land development projects across Canada
- Clients included other business lines and independent work directly with government, industry, and communities
- Roles included Technical Leader, Discipline Leader, Lead Verifier, Lead Verifier Auditor, Division Manager, Mentor, Senior Technical Advisor and general Strategist.

**Technical Leader – Unmanned Aerial Vehicle (UAV) Systems - AECOM**

**2014 – 2020**

**Calgary, AB**

- Leader of AECOM Canada and DCS Unmanned Aerial Vehicle (UAV) Systems as a Charter Member of the UAV Working Group working closely with global digital transformation leadership
- Key member of the Digitization and Innovation Working Group representing the UAV practice amongst engineering, design, construction and EHIS participants
- Responsible for organizing, scheduling, hosting monthly global unmanned systems collaborative call, highlighting company activities, opportunities, and research in the UAV space
- Strong advocate and key technical resource in the adoption and use of land, water or air based unmanned systems across all sectors, markets and activities through multiple media communications

**Other Applicable Experience (pre 2010)**

- Broad and extensive technical and managerial experience from the field to the boardroom in environmental management, permitting and regulatory approvals for industry, academia and consulting
- Primarily western Canada and the Arctic; includes broad international exposure
- Oil/gas, mining and energy including renewables, and conventional / non-conventional resource plays in urban, rural, and remote frontier regions
- Large complex infrastructure including transportation, water, municipal, commercial, residential, recreational land development
- Key soft skills are industry-local community-government liaison and negotiation
- Highly respected and experienced participant in indigenous and local community engagement, inclusion and accommodation initiatives

**Education / Registration / Certification**

**Bachelor's Degree – Wildlife Biology (BSc. Honours)**

University of Guelph

**Registered Professional Biologist, Alberta**

**Certificate – Environmental Law**

University of Calgary

**Certified Environmental Manager, Canada**

## **Dr. G.A. (Tony) Yarranton**

Dr. Yarranton was educated at University College London (B.Sc. Botany) and the University of Exeter (Ph.D. Plant Ecology). He was Professor of Botany at the University of Toronto from 1965-76, publishing 32 papers in refereed journals. He was Adjunct Professor of Biology and Environmental Design and Director of the Environmental Research Centre at the University of Calgary in the 1990s. Dr. Yarranton is also joint author of two papers on Cumulative Effects Assessment and one on decision making by Independent Administrative Tribunals.

From 1976-82 he held management and executive positions with the Government of Canada in Ottawa (Northern Affairs) and Calgary (Northern Pipeline Agency).

Dr. Yarranton became an independent environmental management consultant in 1982 and has completed assignments for more than 60 industry, government and First Nations clients. Major projects include : leading the environmental assessment of the Trans Canada/Gas Metro TransMaritime Pipeline Project, environmental project management of the Parallel Runway Project at Calgary International Airport, oversight on behalf of the Tsuu T'ina Nation of the clean up and return of Harvey Barracks by DND, strategic advice to Nova Chemicals with respect to a new polyethylene plant at Joffre, and advice and review to Stantec Consulting and Altalink with respect to three major new electrical transmission lines in Alberta.

From 1991-3 Dr. Yarranton was the founding Vice-Chairman of Alberta's Natural Resources Conservation Board where he was joint author of the Board's first six Decision Reports. He also chaired the first Federal Environmental Assessment Panel struck under the Canadian Environmental Assessment Act and has appeared as an expert witness before the Federal Court of Canada, the National Energy Board, and a joint CEAA/NEB/Nova Scotia Offshore Petroleum Board panel.

## Appendix G: Lehigh Hanson Safety Data Sheet 07/01/2018

Conforms to HazCom 2012/United States		<b>Lehigh Hanson</b> HEIDELBERGCEMENT Group
<h1>Safety Data Sheet Sand and Gravel</h1>		
<h2>Section 1. Identification</h2>		
GHS product identifier:	Sand and Gravel	
Other means of identification:	Aggregate, Manufactured Sand, Natural Stone, Crushed Stone	
Relevant identified uses of the substance or mixture and uses advised against:	Sand and Gravel aggregate may be used in the manufacture of bricks, mortar, cement, concrete, plasters, paving materials, and other construction materials. Sand and Gravel aggregate may be distributed in bags, totes, and bulk shipments. No known recommended restrictions.	
Supplier's details:	300 E. John Carpenter Freeway, Suite 1645 Irving, TX 75062 (972) 653-5500	
Emergency telephone number (24 hours):	CHEMTREC: (800) 424-9300	
<h2>Section 2. Hazards Identification</h2>		
GHS Classification:	CARCINOGENICITY – Category 1A SPECIFIC TARGET ORGAN TOXICITY – Category 2 REPEATED EXPOSURE SKIN CORROSION/IRRITATION – Category 2 EYE DAMAGE/IRRITATION – Category 2A	
<h3>GHS label elements</h3>		
Hazard pictograms:		
Signal word:	Danger	
Hazard statements:	May cause cancer May cause damage to organs (lung) through prolonged or repeated exposure Causes skin irritation Causes serious eye irritation	
Precautionary statements:		
Prevention:	Obtain special instructions before use. Do not handle until all safety precautions have been read and understood. Wash any exposed body parts. Wear protective gloves/protective clothing/eye protection/face protection.	
Response:	If exposed or concerned: Get medical advice/attention. If on skin: Wash with plenty of water. Take off contaminated clothing and wash it before reuse. If in eyes: Rinse continuously with water for several minutes. Remove contact lenses, if present and easy to do.	
Storage:	Restrict or control access to stockpile areas (store locked up). Engulfment hazard: To prevent burial or suffocation, do not enter a confined space, such as a silo, bulk truck or other storage container or vessel that stores or contains aggregates without an effective procedure for assuring safety.	
Disposal:	Dispose of contents/container in accordance with local/regional/national/international regulations.	
Hazards not otherwise classified (HNOC):	None known	
Supplemental Information:	Respirable Crystalline Silica (RCS) may cause cancer. Sand and Gravel is a naturally occurring mineral complex that contains varying quantities of quartz (crystalline silica). In its natural bulk state, sand and gravel is not a known health hazard. Sand and Gravel may be subjected to various natural or mechanical forces that produce small particles (dust) which may contain respirable crystalline silica (particles less than 10 micrometers in aerodynamic diameter). Repeated inhalation of respirable crystalline silica (quartz) may cause lung cancer according to IARC and NTP; ACGIH states that it is a suspected cause of cancer. Other forms of RCS (e.g., tridymite and cristobalite) may also be present or formed under certain industrial processes.	
Page 1 of 9		

**Lehigh Hanson**  
HEIDELBERG CEMENT Group

### Section 3. Composition/information on ingredients

#### CAS number/other identifiers

Substance/mixture: Sand and Gravel

Ingredient name	%	CAS number
Sand and Gravel	> 99	None
Crystalline Silica (Quartz)	> 1	14808-60-7

Any concentration shown as a range is to protect confidentiality or is due to process variation. There are no additional ingredients present which, within the current knowledge of the supplier and in the concentrations applicable, are classified as hazardous to health or the environment and hence require reporting in this section. These materials are mined from the earth. Trace amounts of naturally occurring elements might be detected during chemical analysis of these materials.

Occupational exposure limits, if available, are listed in Section 8.

### Section 4. First aid measures

#### Description of necessary first aid measures

Eye Contact:	Dust: Immediately flush with plenty of water for at least 15 minutes. Hold eyelids apart. Remove contacts if present and easy to do. Occasionally lift the eyelid(s) to ensure thorough rinsing. Beyond flushing, do not attempt to remove material from the eye(s). Get medical attention if irritation develops or persists.
Inhalation:	Dust: Move to fresh air. Call a physician if symptoms develop or persist.
Skin Contact:	Dust: Wash off with soap and water. Get medical attention if irritation develops and persists.
Ingestion:	Dust: Rinse mouth and drink plenty of water. Never give anything by mouth to an unconscious person. Get medical attention.

#### Most important symptoms/effects, acute and delayed

Inhaling dust may cause discomfort in the chest, shortness of breath, and coughing. Prolonged inhalation may cause chronic health effects. This product contains crystalline silica. Prolonged or repeated inhalation of respirable crystalline silica liberated from this product can cause silicosis, and may cause cancer.

#### Indication of immediate medical attention and special treatment needed, if necessary

Notes to physician:	Provide general supportive measures and treat symptomatically. Keep victim under observation. Symptoms may be delayed.
Specific treatments:	Not Applicable
Protection of first-aiders:	Ensure that medical personnel are aware of the material(s) involved, and take precautions to protect themselves.
General information:	Pre-existing medical conditions that may be aggravated by exposure include disorders of the eye, skin and lung (including asthma and other breathing disorders). If addicted to tobacco, smoking will impair the ability of the lungs to clear themselves of dust.

See toxicological information (Section 11)

### Section 5. Fire-fighting measures

#### Extinguishing media

Suitable extinguishing media:	Not flammable. Use fire-extinguishing media appropriate for surrounding materials.
Unsuitable extinguishing media:	None known.
Specific hazards arising from the chemical:	No unusual fire or explosion hazards noted. Not a combustible dust.
Hazardous thermal decomposition Products:	None known

Page 2 of 9

## **Appendix H: ASGA Silica & Dust Exposure Control Handbook**

See excerpt including:

- Title Page
- Table of Contents
- Sec. 2.3: Health Effects of Silica Exposure



# SILICA & DUST EXPOSURE CONTROL HANDBOOK (Rev. 1)



**NIELSEN**  
CONSULTING

Prepared on: 20-February-2014

Revised: —

*Prepared for:*

Alberta Sand & Gravel Association

Alberta Roadbuilders & Heavy Construction Association

*Prepared by:*

Nielsen Consulting

201 Ridge Road

Bolton, Ontario

L7E 4V8

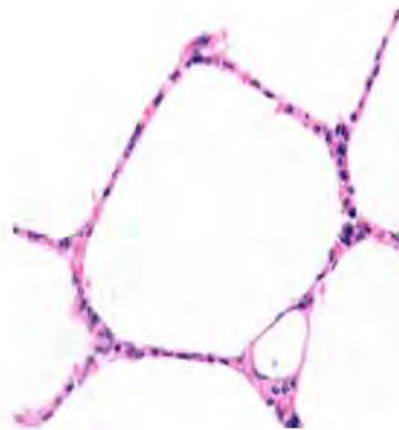
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## 2.3 Health Effects of Silica Exposure

The primary disease caused by inhalation of respirable crystalline silica is *Silicosis*. When a crystalline silica particle of respirable size is inhaled, it may become deposited in the alveoli, where it becomes lodged and cannot be expelled by the lung's defense mechanisms. Upon deposition, the sharp edges of the crystal particle make micro-fine cuts in the delicate side wall tissue of the alveoli.



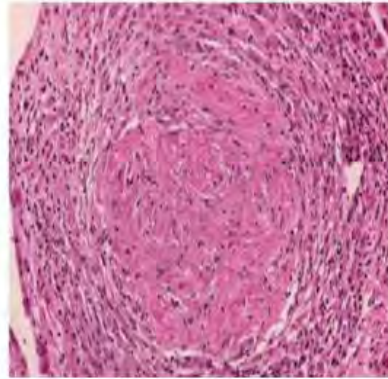
*Healthy Alveoli*  
(deep lung airway)

This image shows an unobstructed airway, ~3000x magnification; note the thin, delicate, blood-rich tissue of the alveoli wall (the dark spots are blood capillaries)

In response to the cuts in the alveoli, the lung's healing process creates scar tissue at the site of the wound. The scar tissue forms a small ball of hard, dense material called a fibrotic nodule. The lungs will continue to wrap the silica particles in scar tissue, and this process continues even if exposure to silica stops. The progression of scar nodule formation, as more silica particles are inhaled and deposited, results in a condition called *Fibrosis*.



Silica & Dust Exposure Control Handbook  
Rev. 1, 20-Feb-2014



*Alveoli Obstructed by Fibrotic Nodule*

This image shows a deep lung airway obstructed by scar tissue caused by wounding from a silica crystal

Scar tissue in the lungs cannot respire gases in or out of the blood. In other words, it cannot pass oxygen into the body nor expel carbon dioxide. Over many years the lungs lose respiratory capacity as the scar tissue progression begins to take over healthy lung tissue with fibrotic nodules. The lungs also lose their natural elasticity (scar tissue is inflexible) and the normal expansion and contraction of the lungs through breathing becomes difficult.

The end result is constant shortness of breath, even at rest, and painful breathing. In severe cases, there is early death from cardiac failure due to lack of oxygen.



*Healthy Lung* – Note the dense spongy tissue; these are the deep lung areas where the fine air passages (alveoli) are, and where the silica crystals become lodged.



*Silica Diseased Lung* – The alveoli have been overtaken by silica-induced fibrotic nodules (in this case, a coal miner's lung; the black coloration is from coal dust containing silica)

Silicosis is **IRREVERSIBLE** – the lungs cannot remove or regenerate scar tissue nodules into healthy tissue again. There is no medical treatment or procedure which can reverse this condition.

January 2021

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 24, 2020 1:59:17 PM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

As requested, I am forwarding my comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am a nearby resident to this proposed project in Church Ranches and I vigorously oppose this application. I am also forwarding an email I sent to Mr Stefan Kunz earlier this year – Stefan was kind enough to respond recommending that I forward my comments later when the County was looking for them.

I continue to have significant concerns about the impact this open-pit mine will have on the County residents who live in close proximity to the proposed project. Those concerns include the impact that increased dust, noise and road traffic associated with the project will have. This part of the County has many residential homes who will be unfairly and unreasonably affected by the dust, noise and traffic impacts of this proposed project.

While my concerns on the project focus on dust, noise and traffic, I am also incredibly disappointed and offended by Lehigh Hanson's approach to pushing this project forward. These concerns include:

- Having attended meetings on the Area Development Plan as well as this project and having seen the response from local citizens, I am shocked at how Lehigh Hanson has summarized the comments – largely portraying them as superficial – a complete misrepresentation of feedback that was given at meetings and was given when comments were solicited and sent in by residents. I am sure the County (who has attended these as well) will not be deceived but I would welcome more honesty and transparency from a developer who wants to move in to the Community.
- I am also offended by the comments that Lehigh Hanson has made in the media about local residents (see attachments). I object to being portrayed as an anti-business activist, eco-hypocrite or someone who is misinformed. In fact, I, other members of my family and our neighbours are none of the above. We are individuals (often with business backgrounds) who have spent considerable money to live in the neighbourhood and don't think it is reasonable to live with the health and safety impacts of dust, noise and increased traffic that come from this project. If a foreign-owned major company like Lehigh Hanson with no involvement in the local community would like to move in to the area, they should spend more time trying to understand and mitigate the impact of their proposed project on local residents rather than attacking them through the media. Its completely inaccurate and inappropriate and they should be ashamed on themselves.

In summary, this application should not be approved and I expect the County to respect the legitimate concerns of residents.

John Zahary  
39 Cody Range Way

---

**From:** "jzahary" [REDACTED]  
**To:** "skunz" <skunz@rockyview.ca>  
**Cc:** "Lzahary" [REDACTED], "szahary" [REDACTED]  
**Sent:** Tuesday, June 16, 2020 1:33:13 PM  
**Subject:** Comments on Lehigh Hanson Scott Property Open House

Stefan

I understand you are responsible at Rocky View County for the Lehigh Hanson Scott Property development project process. I have just provided comments to Lehigh Hanson and thought appropriate to send to you as well on behalf of myself and the 2 other residents of the house (my wife and daughter) who are cc'ed.

We continue to have a number of significant concerns with this project. Some of these concerns are with the developer Lehigh Hanson and some are with the process - I appreciate the process is not complete and is evolving but I raise these points nonetheless based on what has occurred thus far.

My concerns include:

- the summary of the feedback from the first public open house that was provided by Lehigh Hanson was very superficial and did not give fair and honest representation of concerns that were raised. Just because they said it didn't happen, it doesn't mean that there were not significant concerns raised. The County was in attendance at the open house and should ensure that the developer provides a fair summary or the County should provide its own summary. In my correspondence with reps from the developer or from the County or other attendees, it was clear that there were significant concerns.

- the impacts of dust/air quality and associated health impacts in the area are very significant and need further mitigation - the conveyor (assuming it is covered and doesn't release dust) is a good step but much more work is needed on the mining side - this area is already substantially affected by other gravel pits in the area (some in the County and some outside in Calgary which we understand the County also has issues with) but all affect the residents of Rocky View in this area (who in many cases live closer to these pits than Calgary residents do)

- the analysis of noise and dust (eg silica) impacts needs to be broadened to look at with respect to other standards. This is particularly true in area where standards do not currently exist like silica. There are many residents in this area who will be affected and it is only appropriate to ensure that standards are used and are appropriate.

- the impacts of noise and associated health impacts also need more substantive consideration - there are many residents within the area that will be impacted making this a significant issue - as in my previous point about air quality, this area is already substantially affected by other gravel pits in the area (some in the County and some outside in Calgary which we understand the County also has issues with) but all affect the residents of Rocky View in this area (who in many cases live closer to these pits than Calgary residents do)

- the traffic issues on Burma Road which is a small and congested road already are significant - this road needs upgrading already by the County (and maybe it is the Province with the effort of the County to get it) to deal with the traffic and associated safety concerns on this road from existing developments - it is clear that the road is getting busier already as housing development in Calgary to the east of this area is pushing more traffic to the west into this area - the County needs to address this issue already - in terms of any further development like this pit, while the conveyor helps, significant traffic impacts will occur from bringing in equipment and personnel to the site - this

creates significant risk for locals who need to use this road and is something that Lehigh Hanson and the County need to address

- our understanding was that the consideration of this project was to happen following there being an approved Area Structure Plan in place and within the framework of that Plan - this ASP is not yet done yet and the project approval should be deferred until it is - it appears that the developer or the County is being opportunistic in pushing this project through or allowing it to be pushed through prior to the development of an ASP

Finally, Rocky View County is blessed with many gravel deposits in the County. We do not object to gravel development and recognize it is needed. We do however object to the amount of gravel development in this one region which happens to also be one of the most populated areas of the County. It would seem appropriate that there be some zoning done so that industrial development such as this that creates significant air quality, noise and traffic issues occurs in areas where fewer people would be impacted. This is particularly true given the significant development already undertaken in this area.

John Zahary  
39 Cody Range Way



## ANTI-BUSINESS ACTIVISM AND NIMBYISM HAS TO STOP

It must be tough to be in the resource industry these days. It seems like it is easy for the activist types to defame, degrade and discredit those who make a living providing the rest of us with the resources we need to build our homes and keep the heat on in the winter time.

The oil and gas industry is the easy target for eco-hypocrites globally. Those protestors turn up in their SUVs, or they fly across the world to protest the using of the very resources they require to fuel their excessive lifestyles. It's madness.

Well the gravel industry is also facing a battle, although usually it's a few residents who turn out to shout down any local growth and development or expansion plans. Since when did providing jobs, creating investment, and taking risks to create jobs while keeping the economy going become a bad thing?

You must empathize for the folks at Lehigh Hanson as they move forward with their application for the Scott Property project in Bearspaw. Here is a company with a terrific reputation for its operations and its legacy for building reclamation projects, having increased the cost of this project by millions to accommodate residents; and they are still facing the wrath of unwavering resisters. Certainly, mining gravel near any residential area must be done carefully and considerably. That is why a review of the plans for the Scott Property in Bearspaw is so impressive. Having failed with applications in the past, the company took the idea of community consultation to a whole new level, listening to residents' concerns and altering the project to reflect them.

Lehigh's new state of the art gravel operation proposes to use a conveyor system which eliminates all haul truck traffic. The material would be conveyed to Lehigh's existing Spy Hill site for processing and sale. In addition, the conveyor will be covered to mitigate noise and dust. This is a significant move by the company and should be applauded.

After all, we are a society that needs gravel and we are lucky to have it in our own backyard.

Our homes, schools, hospitals, playgrounds, golf courses, driveways, and sidewalks all require gravel. And we would quite literally be in the ditch without it being applied to our roadways to help make driving safer in the winter time.

It is estimated that on average one truck-load of aggregate is used for every Albertan per year. With 25 years of gravel in the Scott Property, it makes sense to use it well.

As the Canadian Encyclopedia states, "worldwide, sand and gravel as well as crushed stone aggregate, are becoming recognized as strategic resources in the context of land-use planning and sustainable development."

All this to point out what should be obvious to us all, particularly in these economic times. If we have a company willing to come forward with an investment worth tens of millions of dollars, creating hundreds of jobs through construction and operation, and committing substantial dollars into the community both now and when the site is reclaimed, we should be encouraging this project wholeheartedly.

By listening to residents and using the best available technology, this project is more than reasonable, even for those living down the road. It would be irresponsible to leave 25 years of gravel in the ground while we have it delivered to our communities from great distances.

Trucking it in from other places is unwise for several reasons; it increases the cost and environmental impact and means more trucks on the roads for longer periods thereby increasing the safety risks.

And what about the prospect for legacy projects for the community? Think of the Inland Athletic Park in Calgary where thousands of our kids and families gather. The place is buzzing with energy and activity and was once a gravel pit, now a community asset. And what about Riverbend, the entire community sitting on what was once an active gravel pit. Gravel operators do not just mine a pit and walk away. When the gravel is all gone, the site is reclaimed and used for generations.

It is incumbent on all of us to look past the misinformed resistance and gauge issues and projects on their own merit. Let us weigh out all the facts before we contribute to the quashing of good Alberta business. The Scott Property project proposal by Lehigh Hanson is an excellent opportunity to help kickstart an economy in desperate need of a boost, while ensuring a legacy for our families for generations to come.



**Riverbend** - The Community of Riverbend was created from a reclaimed gravel pit.



**Inland Athletic Park** - The park was at one time a gravel pit and has been reclaimed into a beautiful recreation area.

Paid Advertisement



Rocky View Weekly, Tuesday, June 23, 2020 - 3

## LEHIGH HANSON HAS BEEN A GOOD NEIGHBOUR



**Ross Utigard (left),  
President of Sage Hill Community Association  
with Pat Kelly MP for Rocky Ridge**

As Lehigh Hanson moves forward with its Scott Property gravel pit, they can be happy with the fact that the neighboring community of Sage Hill does not take issue with their project, at least not the President of the local Community Association. Ross Utigard has lived in this area for thirty years and has watched Lehigh Hanson conduct its business in Spy Hill. He has nothing but good things to say about the company and its commitment to working with community and doing what is right for a win-win.

"I've watched Inland reclaim and rework gravel pits like the one that became Inland Athletic Park and I've been impressed with how well they work with community to create family-friendly amenities. That site is enjoyed by thousands of Calgary kids on an ongoing basis, and as a community we are fortunate to have it."

Utigard is aware that the proposed Scott Property project in Bearspaw is being met with angst by some locals, including the activist group Rocky View Gravel Watch, but he says there are several positives that residents can look forward to that don't usually exist at gravel operations.

"That conveyor system they have proposed is state of the art. It is a very good thing that they won't be adding any truck traffic to the roads for sure. Gravel is not coal; it is highly needed in our communities. From the ball diamonds and golf courses, to our homes and streets and schools. Without gravel we cannot build the infrastructure we need for our families. I hear the resistance of some local groups, but if we can supply it locally, and do so responsibly, that's the wise thing to do."

Utigard points out that he knows people in his community who work for Inland and is happy to see another employer expanding locally to create more jobs, particularly in this economic climate.

Mike Smith, the VP GM of Materials at Lehigh Hanson estimates that if the Scott Property proposal is approved in Bearspaw, it will create roughly 350 jobs through construction which would mean an extra 70 million into the local economy.

The company is also soliciting feedback from local community groups to see how Inland might continue to give back to the community, both now and into the future.

"We have been hearing from locals about what's important to them and what they would like to see in their community. We are prepared to help where we can and if this project goes ahead, we look forward to a reclamation project that the community chooses down the road. We are extremely proud of what we have built next door in Calgary with the Inland Athletic Park," added Smith.

The public consultation process of the project is ongoing with Lehigh already having completed an open house, in addition to hosting a website for residents to review the project and register their concerns.

The company's previous applications failed to pass, but there is a renewed optimism around their current proposal. Company officials are vowing to get this proposal right so that it creates a win-win for everyone. Valerie Haaf is the project lead, and while she acknowledges there have been concerns from the public, she is also encouraged at the response to the planned conveyor system.

"It's been exciting to reveal this to the community and show that we listened to previous concerns and addressed them. We are excited for the process, having nearly completed all of the necessary studies, we look forward to getting the application before Rocky View County and hope that it will be approved so we can proceed."

As for Utigard in Sage Hill, he has a message for residents who may have reservations about the project. "Give them a chance. They have been a good neighbour and contributing member of our community and I am sure they will be the same for the people of Bearspaw. And given our current economic state, it's nice to see investment coming forward."

Lehigh Hanson plans to have its application in within the next month and hopes to be before Council with a public hearing before the end of 2020.



Graham and Cory Reiser  
60 Silverwoods Drive NW  
Calgary, AB T3R 1E2

November 24, 2020

Mr. Al Hoggan  
Chief Administrative Officer  
262075 Rocky View Point  
Rocky View County AB T4A 0X2

Email: [ahoggan@rockyview.ca](mailto:ahoggan@rockyview.ca)  
cc: [tcochran@rockyview.ca](mailto:tcochran@rockyview.ca), [legislativeservices@rockyview.ca](mailto:legislativeservices@rockyview.ca)

**Re: Lehigh Hanson Applications PL 20200093 / 00094**

We have been residents of Bearspaw in Rocky View County (RVC) since 2010 and reside at 60 Silverwoods Drive which is less than 2 kilometers from proposed Scott Property gravel pit development in section 5-26-02 W5M. We will be directly and adversely affected by the proposed open pit gravel mine.

It has now been confirmed by the RVC planning department that the public hearing is to be held December 22, 2020 but our written submissions are to be in by December 9, 2020. The quick timing of this for the residents of the area is unfair to be able to get the experts to have our documentation ready puts us at a disadvantage versus the years Lehigh Hanson has had.

I wish to express my concerns that the hearing be heard sometime in 2021 at a date that allows concerned residents to effectively participate in the hearing process. Proceeding on December 22 with materials to be filed by December 9 is not procedurally fair. To ensure there is no confusion I am requesting that RVC reschedule any hearing in relation to the Lehigh Hanson applications at a time in the new year that will allow fair and effective participation by all ratepayers and homeowners.

As I am unfamiliar with the procedures of RVC, I want to ensure that my concerns are brought to the attention of the County at the earliest opportunity. I do not want to be accused of an ambush if it becomes necessary to raise the issue on the record at the commencement of the hearing.

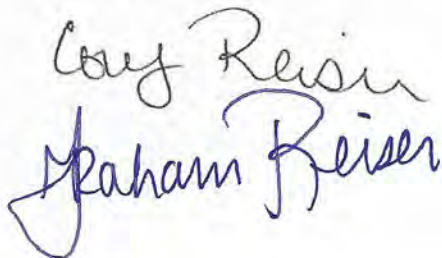
My concerns include those set out below. Although these are concerns of my family, conversations with other Bearspaw ratepayers and homeowners lead me to conclude they are widely held.

- 1 We are and have been for some time in the midst of a COVID pandemic with recent infections spiraling out of control. This has restricted proper consultation with affected residents. The consultation carried out by Lehigh Hanson creates an illusion of consultation without any real or effective consultation.

- 2 As a result of the recent surge in COVID infections, all levels of government have urged limiting contact with those outside your "bubble". This has affected the ability of impacted ratepayers and homeowners to prepare for and effectively participate in a hearing. In addition, that advice will limit the attendance of many who would otherwise participate. Attending a public hearing in a COVID pandemic flies in the face of direct advice from health officials and a full and robust public hearing process is required for these contentious Applications. Perhaps this is one of the reasons LH is pursuing these Applications at this time.
- 3 Lehigh Hanson has filed 1500+ pages of technical material in support of its applications. While much of this material is in my opinion "fill" – supplied for quantity rather than real probative value, a huge volume of material must be reviewed by residents who in the midst of the COVID pandemic may have more pressing matters to deal with such as making mortgage payments or keeping their jobs. There is simply not enough time to review that quantity of material and effectively participate in a December 22 hearing.
- 4 In addition, experts have to be retained, briefed and funded in order to properly assess the huge quantity of technical data filed. A December 22 date does not allow time for this to be done effectively. To put in context this request, I have asked for but not received, information on the time required by Lehigh Hanson to generate the material it filed but I suspect it is measured in months or years not days.
- 5 We understand Lehigh Hanson has refused to release certain documents referred to in its Master Site Development Plan including an economic analysis that has already been reviewed by staff and will probably be released to Council. We understand RVC has also refused to provide a copy and has suggested we make a Freedom Of Information Request. We do not anticipate this request will be completed by December 22.
- 6 We understand a number of information requests have been made to Lehigh Hanson which remain outstanding. It would be useful to have either responses or a refusal to provide responses prior to a hearing.
- 7 Scheduling what will clearly be a contentious hearing three days before Christmas during the Christmas break when people are tending to family matters under a COVID cloud will ensure that many directly impacted ratepayers and landowners will be unable to effectively participate in the hearing process.

We look forward to any advice you might have as to how to proceed. In particular do you think we should distribute this request to Councillors at this time?

Graham and Cory Reiser

Handwritten signatures of Cory Reiser and Graham Reiser in blue ink. Cory's signature is above Graham's, both written in a cursive style.

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 24, 2020 2:06:44 PM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am a homeowner and resident of the County living in Church Ranches. As requested by your letter of October 9, I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the northeast junction of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application.

The impacts from increased dust/air quality and associated health impacts associated with this proposed project are very significant and need substantial further mitigation were the project to be allowed to proceed - the conveyor (assuming it doesn't release dust) is a good step but much more work is needed on the mining side - this area is already substantially affected by other gravel pits in the area (some in the County and some outside in Calgary which we understand the County also has issues with) but all affect the residents of Rocky View in this area (who in many cases live closer to these pits than Calgary residents do).

The impacts of noise and associated health impacts with this proposed project also need more substantive consideration - there are many residents within the area that will be impacted making this a significant issue.

The traffic issues on Burma Road which is a small and congested road already are significant - this road needs upgrading already by the County to deal with the traffic and associated safety concerns on this road from existing developments. It is clear that the road is getting busier already as housing development in Calgary to the east of this area is pushing more traffic to the west in to this area. In terms of any further development like this pit, while the conveyor helps, significant traffic impacts will occur from bringing in equipment and personnel to the site during construction and on an ongoing basis (presuming that they are not taking the conveyor belt to the site). This creates significant risk for locals who need to use this road and is something that makes the proposed project unreasonable.

The proposed project will have severe health and safety risks for local residents. The project is incompatible with the significant number of local residents.

I provide my opposition and trust that the County will not impose health and safety risks on its residents by allowing this project to proceed.

Loretta Zahary  
39 Cody Range Way



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - PL20200093/0094  
**Date:** October 15, 2020 1:13:21 PM

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File numbers: 06605001,06605002, 06605003, 06605004, 06605005

NO TO SCOTT PROPERTY GRAVEL PIT

We live right across the road, please don't devalue our home. Also we are on a water well. This will affect our drinking water in my ways, even reroute our ground stream. We need our water supply to live here. We already see and hear a gravel pit across Rocky Ridge road. Dust is already a problem for us as in breathing and on our outside material things. All night we hear the gravel pit in the distance. We also have two more done the road. We surly do not need any more noise, trucks and dust. The animals that go through this area like the moose across this way for this is their route. Please let us breath, we live right here. Every morning we are wiping done furniture inside and out. Our windows can be cleaned one day and the next they are dusty. Our furnace filter has to be changed monthly. Please stop this, people live here we have three too many. Our grandchildren come to play and enjoy country life but one has extreme asthma/C.P. He has already found some days being visiting is harder than others. Depends on the wind. The dust seams to linger and settle more. Please stop, We love being out here and these people who own this Lehigh Hanson don't have to live here or would allow this in their neighborhood. Or would they like another gravel pit around their children, grandchildren or parents. This is our lives that we are desperately trying to save and our valve of our homes and mostly or water

Thanks

Judith and Lawrence Zariwny  
21 Silverwoods Drive

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - FW: Lehigh's Application  
Date: October 21, 2020 9:38:07 AM

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Do not open links or attachments unless sender and content are known.

**Lehigh Hanson's application:**

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Yours truly

Judith Zariwny  
21 Silverwoods Drive

**From:** [REDACTED]  
**To:** [Andrea Bryden](#); [Division 8](#); [Samanntha Wright](#); [Division 6](#); [Greg Boehlke](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - Scott Property Gravel  
**Date:** October 27, 2020 1:41:56 PM

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Rocky View County

Planning and Development Services Department

**Attention: Andrea Bryden**

Application #PL20200093/0094

File #06605001, 06605002, 06605003, 06605004, 06605005

Ms. Bryden,

I am responding to the County's request for comments regarding Lehigh Hanson's application to redesignate the 600 acres at the northeast corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

We have been residents of Silverwoods Drive in Bearspaw since 2002. Our property is located on a hill overlooking the Scott Property with about 300 meters of separation. We are strongly opposed to having this property redesignated to accommodate a heavy industrial open pit mining operation on our doorstep! The County has previously turned down earlier applications, in 2004 counsellors voted to reject 6-3 and in 2010 it was soundly rejected by a 9-0 vote. During this time The County has approved many new country residential communities in the immediate vicinity of the proposed Lehigh Hanson's open pit mine. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan. As a result, the County has no social license to now impose an open pit mine on this property, to do so would be unconscionable.

Lehigh Hanson's sales pitch has changed a little from the previous ones, the biggest being the removal of trucking from the site. It does not however remove or deal with any of the other prime concerns of the residents. They would look to turn us into a "fenceline" community, with the residents taking on all the negative impacts to our health, safety, quality of life, environmental and property values... supposedly for the benefit and betterment of others.

Doing rough numbers from information provided by Lehigh Hanson representatives at the February 8<sup>th</sup> 2020 Open House, the property has an estimated 50 million tonne of aggregate, sales value per tonne ranges from \$12 to \$39 (average \$25.50). This works out to \$1,275,000,000.00 (one billion, two hundred and seventy five million dollars), less their expenses. A levy payment of \$0.40 per tonne is paid to Rocky View County, this would equate to \$20,000,000.00 (twenty million dollars). Who do you see as getting the benefit from the approval of this project? This is a very valuable project for Lehigh Hanson and their

shareholders.

Lehigh Hanson refers to their anticipated 25 years of mining aggregate on this site as a “temporary disturbance”. For the surrounding residents this will have consequences that could last a lifetime!

I respectfully implore the Rockyview Council to leadership to firmly reject the Lehigh Hanson proposal and put an end to any future applications.

Sincerely,

Judy Gibson

33 Silverwoods Drive

Calgary, AB T3R 1E2



**Andrea Bryden**

---

**From:** [REDACTED]  
**Sent:** August 25, 2020 11:33 AM  
**To:** Andrea Bryden  
**Cc:** [REDACTED]; Division 6, Greg Boehlke; Division 8, Samanntha Wright;  
'Rocky View Gravel Watch'  
**Subject:** [EXTERNAL] - Inland Scott Pit Application  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Do not open links or attachments unless sender and content are known.

Andrea Bryden

MD of Rockyview

Ms. Bryden – we understand that you are coordinating input from local residents regarding the proposed Inland (Lehigh Hanson) Scott property development. This note will provide our thoughts.

We have been residents of Silverwoods Drive in Bearspaw since 2002. Our property is located on a hill overlooking the Scott lands with about 300 meters of separation.

WE STRONGLY OBJECT TO ANY ADDITIONAL OPEN-PIT GRAVEL OPERATION IN OUR IMMEDIATE AREA. We already experience the joys of living with the silica dust, noise of crushing operations and truck traffic related to the STAR, Burnco and Lafarge pits all located within just a few kilometers. Any additional strain on our community would be unfair.

It is unconscionable to believe that the Rockyview Council would consider approving Inland's upcoming development application when the last application made by Inland in 2010 was soundly rejected by a 9-0 vote at Council. The Bearspaw area has only grown and become more populated over the last 10 years, not to mention the addition of the YMCA on Rocky Ridge Road. The case against the Inland development has only become stronger.

We respectfully implore the Rockyview Council and leadership to firmly reject the Inland development proposal and put an end to any future applications. Twenty-five plus years of uncertainty is enough for local residents to endure.

Sincerely,

Ralph & Judy Gibson

33 Silverwoods Drive

Calgary, AB

T3R 1E2



**From:** [REDACTED]  
**To:** [Andrea Bryden](#); [Division 8](#); [Samanntha Wright](#); [Division 6](#); [Greg Boehlke](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - Scott Property Gravel  
**Date:** October 27, 2020 1:59:56 PM

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Rocky View County

Planning and Development Services Department

**Attention: Andrea Bryden**

Application #PL20200093/0094

File #06605001, 06605002, 06605003, 06605004, 06605005

Ms. Bryden,

I am responding to the County's request for comments regarding Lehigh Hanson's application to redesignate the 600 acres at the northeast corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

We have been residents of Silverwoods Drive in Bearspaw since 2002. Our property is located on a hill overlooking the Scott Property with about 300 meters of separation. We are strongly opposed to having this property redesignated to accommodate a heavy industrial open pit mining operation on our doorstep! The County has previously turned down earlier applications, in 2004 counsellors voted to reject 6-3 and in 2010 it was soundly rejected by a 9-0 vote. During this time The County has approved many new country residential communities in the immediate vicinity of the proposed Lehigh Hanson's open pit mine. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan. As a result, the County has no social license to now impose an open pit mine on this property, to do so would be unconscionable.

Lehigh Hanson's sales pitch has changed a little from the previous ones, the biggest being the removal of trucking from the site. It does not however remove or deal with any of the other prime concerns of the residents. They would look to turn us into a "fenceline" community, with the residents taking on all the negative impacts to our health, safety, quality of life, environmental and property values... supposedly for the benefit and betterment of others.

Doing rough numbers from information provided by Lehigh Hanson representatives at the February 8<sup>th</sup> 2020 Open House, the property has an estimated 50 million tonne of aggregate, sales value per tonne ranges from \$12 to \$39 (average \$25.50). This works out to \$1,275,000,000.00 (one billion, two hundred and seventy five million dollars), less their expenses. A levy payment of \$0.40 per tonne is paid to Rocky View County, this would equate to \$20,000,000.00 (twenty million dollars). Who do you see as getting the benefit from the approval of this project? This is a very valuable project for Lehigh Hanson and their

shareholders.

Lehigh Hanson refers to their anticipated 25 years of mining aggregate on this site as a “temporary disturbance”. For the surrounding residents this will have consequences that could last a lifetime!

I respectfully implore the Rockyview Council to leadership to firmly reject the Lehigh Hanson proposal and put an end to any future applications.

Sincerely,

Ralph Gibson

33 Silverwoods Drive

Calgary, AB T3R 1E2

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 26, 2020 9:00:04 PM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

We are residents of the Church Ranches community and responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above. Thank you.

Best Regards,

Ai Fang

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
Date: October 26, 2020 1:25:05 PM

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Ms. Andrea Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments. **How many times must affected residents be put through this process before the County gives a firm and final no to this development?**

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Al Kehler  
[REDACTED]  
36 Rolling Acres Drive

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 19, 2021 11:43:57 AM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**Rocky View County**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

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**From:** Alain Hepner [REDACTED]  
**Sent:** January 19, 2021 9:31 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

**Do not open links or attachments unless sender and content are known.**

My wife, Ferrol and I are residents of Church Ranches. For the reasons outlined in so many submissions, we join the chorus of **vehement** objections' to Lehigh Hanson's Application.

Alain and Ferrol Hepner  
63 Cody Range Close  
Rocky View, Alberta  
T3R 1A9

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 28, 2020 4:32:50 PM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons including the ones I have listed above.



Should you have any further questions, feel free to contact with me.

**Sincerely,**  
**Alex**

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** November 6, 2020 12:43:42 PM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

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In closing, this application should not be approved for a multitude of reasons including the ones I have listed above.

Alice Adams-Wood  
4 Woodland Rise  
Calgary, AB T3R1G9

FROM OUR HOME ON  

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**MEADOW BAY**

October 31, 2020

Planning and Development Services Department  
Rocky View County  
262075 Rocky View Point,  
Rocky View County, AB  
T4A 0X2

Attention: Andrea Bryden [abryden@rockyview.ca](mailto:abryden@rockyview.ca)

**Re:** File Numbers 06605001 06605002 06605003 06605004 06605005  
Application Numbers PL20200093/0094

Dear Andrea,

As a resident of Bearspaw, where we are raising our family, and a lover of wide open spaces who wants our children to enjoy the outdoors, I am writing in opposition to the above referenced proposed land changes from Agricultural, to a Direct Control District to allow for gravel pits to be developed and operated. This decision impacts our quality of life, the value of our home; the biggest investment of our lives, and potentially our overall health and the health of our children.

Not only would the proposed gravel pit impact the existing wildlife, it also leads to a loss of biodiversity as plants and aquatic habitats are destroyed. Moreover, adjacent eco-systems would be affected by noise, dust, pollution and potentially contaminated water. Though a study was completed on the topography and soil drainage there was no study on the effect it could have on the *movement* of the groundwater; they could possibly interrupt natural water recharge leading to reduced quantity and quality of drinking water for residents like us. Though they state any effects are anticipated to be "negligible" as we use a well to supply our home with water, this is a significant concern.

Additionally, this will impact the value of our property, by proximity and possibly our ability to access water. With its proximity to our home well, and the uncertainty of the effects on integrity of surrounding groundwater wells, they have listed that "Lehigh will offer a Property Value Protection Program to landowners within the area illustrated by Figure 17: Groundwater Monitoring." (page 37, Master Site Development Plan) however the proposed Value Protection Program boarder only extends around 500 m from the edge of the property, and we live around a kilometre away, so their "Protection Program" falls a little flat. Should we loss our well the financial cost to us would be extensive and ongoing.

As outlined in the Master Site Plan, the proposed Scott Pit is to limit its hours of operation to reduce noise, and to send its aggregate resources to the Spy Hill aggregate processing facility within the City of Calgary by conveyor belt to reduce the noise and dust associated with gravel pits. Though the conveyor system would reduce the number of gravel trucks on the roadways it would however still be creating dust at all of its transfer areas (from one belt to the next) as well as continue providing the Spy Hill facility resources to continue creating noise at all hours, day and night, while they process the incoming gravel.

How much longer will this type of development take precedence over the health and safety of the residents living in our community? It is our homes, that will pay the price, and possibly our health. It should be remembered that this is not an interim land use and can have long reaching negative impacts within our community. Destroyed ecosystems and source water aquifers are irreplaceable.

Sincerely yours,

Amber Lacoursiere and John Aaron MacAusland

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Proposed Land Redevelopment for Gravel Pit  
Date: October 25, 2020 2:30:31 PM

---

Do not open links or attachments unless sender and content are known.

Dear Ms. Bryden,

We are writing today to firmly state our position with regards to the proposed Scott Property gravel pit development located at Burma Road and Range Road 24. We are extremely opposed to the suggested re-designation of lands, for several reasons.

**1. Potential for gravel dust.** As parents of a child with asthma, the potential for gravel dust in such close proximity to our property is very concerning. Despite promises to keep the dust down by spraying, we have seen first hand that this method has very limited effect. You only need to drive down one of the neighbouring roads along the other gravel pits to witness exactly how much gravel dust is in the air, despite their so-called efforts. We would sincerely hope that the county would put the health of their residents before the potential for more industry tax dollars when considering this application.

**2. Traffic volume and safety.** We have already witnessed the disregard many gravel truck operators have for basic road safety on Burma road. We have been frequently illegally (solid lines) overtaken on Burma road in poor winter driving conditions by truck drivers in a hurry to get their job done. There have already been several accidents nearby where the guardrails have been destroyed by careless driving. While we all have places to be, this disregard for safety raises concerns about how increased truck traffic on the road will impact us. We have children who are just learning to drive, and many neighbours who enjoy walking around outside in the county, and the general recklessness of the truck drivers presents a huge issue with regards to safety, and for making the county a desirable place to live.

**3. Noise.** Despite their best efforts to tell us that the noise will be minimal, we already know it will not. When sitting outside, we can clearly hear the noise from the gravel pits located 5 km to the east of us. Therefore, we know that level of noise will be significantly amplified coming from a pit a fraction of the distance away.

We purchased this property and pay our taxes to enjoy rural living, not to have a gravel pit in our backyard. Please put the health and safety of your county residents before gravel pit tax dollars when considering this application.

Regards,

Dave and Angie Zoobkoff  
48 Silverwoods Drive

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 30, 2020 7:36:04 PM

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Do not open links or attachments unless sender and content are known.

**Regarding Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)**

Ms. Bryden:

We are responding to the County's request for comments on Lehigh Hanson's application to re-designate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

We are opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

We purchased and moved into our Bearspaw acreage in 1995. Before making our purchase, our only concern was that we would not eventually be surrounded by a 'Rocky Ridge Road development'. Happily, we have been spared that. However, never did we think that, some day, we would be fighting to not have a gravel pit near us! And we had feelings of confidence because we saw - still see - these highway signs on Burma Road immediately after the intersection of Range Road 24 and Rocky Ridge Road: 'Welcome Rocky View County' and right after that, 'Local Traffic Only', both right in front of the 600 acre gravel pit proposal.

And now 'Local Traffic Only' Burma Road has become a 'everyone's shortcut off Crowchild Trail-Hwy 1A Road'. The sound of traffic is non-stop during the day. We do understand that change happens but it SHOULD NOT exponentially conflict with the quality of life of those already here. The increase in traffic, even from the west going to the gravel pit, would increase. Has Rocky View counter-proposed to Lehigh Hanson that the land they purchased be offered to developers for more country residential estates. Why not. This thing about the gravel has been going on since 2011 if not longer! I can't tell you how many hours, days and weeks we the residents of Bearspaw, and you at the Rocky View offices, have spent time on this thing.

Since the earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

We are also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones we have listed above.

Regards,  
Louie and Anna Koutis

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Gravel Issue and Lehigh Hanson  
**Date:** October 30, 2020 7:47:55 PM

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Hi Andrea,

I live at 24185 Meadow Dr. I'm writing to oppose the new gravel pit. We do not want another gravel pit in our community. The noise and, pollution will be a issue for us.

Sincerely,  
Ashley and Isaac Sayles

Get [Outlook for iOS](#)



**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Re: PL20200093/0094 Lehigh Hanson application - Gravel Mine ? Bylaw C-8082-2020  
**Date:** January 18, 2021 5:00:59 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Badri Rickhi [REDACTED]  
**Sent:** January 18, 2021 3:13 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>; Division 1, Mark Kamachi <[MKamachi@rockyview.ca](mailto:MKamachi@rockyview.ca)>; Division 2, Kim McKylor <[KMckylor@rockyview.ca](mailto:KMckylor@rockyview.ca)>; Division 3, Kevin Hanson <[Kevin.Hanson@rockyview.ca](mailto:Kevin.Hanson@rockyview.ca)>; Division 4, Al Schule <[ASchule@rockyview.ca](mailto:ASchule@rockyview.ca)>; Division 5, Jerry Gautreau <[JGautreau@rockyview.ca](mailto:JGautreau@rockyview.ca)>; [gboehike@rockyview.ca](mailto:gboehike@rockyview.ca); Division 7, Daniel Henn <[DHenn@rockyview.ca](mailto:DHenn@rockyview.ca)>; Division 9, Crystal Kissel <[CKissel@rockyview.ca](mailto:CKissel@rockyview.ca)>; Al Hoggan <[AHoggan@rockyview.ca](mailto:AHoggan@rockyview.ca)>; Division 8, Samanntha Wright <[SWright@rockyview.ca](mailto:SWright@rockyview.ca)>  
**Subject:** [EXTERNAL] - Re: PL20200093/0094 Lehigh Hanson application - Gravel Mine ? Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

Badri Rickhi,  
  
51 Bearspaw Summit Place,  
  
Calgary, Alberta,  
  
T3R 1B5

January 18, 2021

Dear Rocky View Council and Rockyview Administrators,

Re: PL20200093/0094 Lehigh Hanson application - Gravel Mine – Bylaw C-8082-2020

I remain OPPOSED to the above application

This letter is to officially put on notice elected Council as well as those in Administration directly involved with the most recent application by Lehigh Hanson.

My family has resided in Bearspaw for over 17 years.

To place a new gravel pit, in addition to those that already exist in our area, would be a **direct violation of the Social Contract of our community.**

[http://www.qp.alberta.ca/1266.cfm?  
page=m26.cfm&leg\\_type=Acts&isbncln=9780779791484](http://www.qp.alberta.ca/1266.cfm?page=m26.cfm&leg_type=Acts&isbncln=9780779791484)

Municipal Government Act. Section 687

Further to this, to approve this application would be to **knowingly be complicit in the adverse health effects including mortality** of the residents that call Rockyview County home.

PM 2.5 particles are classified as carcinogens and in addition to causing cancer

are well documented to cause other heart and lung disease. These scientific arguments have been presented to the County on the previous application attempts by Lehigh Hanson. Since their last unsuccessful application, the evidence within the scientific literature has only strengthened the argument against placing gravel pits within residential communities.

What has happened since Lehigh's application is the introduction of Covid 19. Harvard University, one of the most respected institutions in the world has published a national study examining the long-term effects of PM 2.5 air pollution and Covid. 19 mortality.

<https://projects.iq.harvard.edu/covid-pm/home>

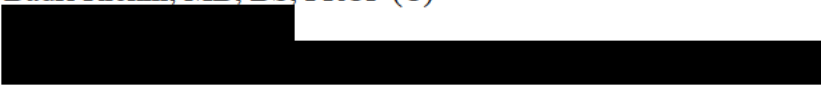
They found that **higher PM2.5 exposures are positively associated with higher county-level COVID-19 mortality rates** and concluded **a small increase in long-term exposure to PM2.5 leads to a large increase in the COVID-19 death rate.**

As a health professional, a citizen's health and well-being is of utmost importance. I assume that it would be for you as well.

Sincerely,

Badri Rickhi

Badri Rickhi, MB, BS, FRCP (C)





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**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 20, 2021 10:10:00 AM

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MICHELLE MITTON, M.SC  
Legislative Coordinator | Legislative Services

ROCKY VIEW COUNTY  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
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-----Original Message-----

**From:** [REDACTED]  
**Sent:** January 20, 2021 9:49 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

Subject: Bylaw C-8082-2020

I am opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable adverse impacts to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled this public hearing in the current Covid-19 environment. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Bertha & James Staddon  
24032 Country Hills Blvd NW  
Calgary, AB  
T3R 1A6

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - BYLAW C-8082-2020  
**Date:** January 19, 2021 1:05:45 PM

---

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Bev Martin [REDACTED]  
**Sent:** January 19, 2021 12:11 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - BYLAW C-8082-2020

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To Whom it May Concern:

As residents of Bearspaw for 37 years, we are extremely opposed to the prospect of yet another gravel pit in our area. We moved here to enjoy a clean, healthy country life and in no way do gravel pits support that!!

So ... “NO” ..... WE ARE **OPPOSED** TO ANY FORM OF GRAVEL PITS!!!

Sincerely,

Ron & Bev Martin  
192 Rolling Acres Drive,  
Calgary, Alberta  
T3R 1B8

Land description: NW- 6 -26- 5 - Lot 10

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 30, 2020 10:48 AM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - BylawC-8082-2020

MICHELLE MITTON, M.SC  
Legislative Coordinator | Municipal Clerk's Office

ROCKY VIEW COUNTY  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
MMitton@rockyview.ca | www.rockyview.ca

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-----Original Message-----

From: Ken & Bev [REDACTED]  
Sent: Saturday, November 28, 2020 2:27 PM  
To: Legislative Services Shared <LegislativeServices@rockyview.ca>  
Subject: [EXTERNAL] - BylawC-8082-2020

Do not open links or attachments unless sender and content are known.

To Whom It May Concern

We ( Beverley and Kenneth Hubert ) are residents of Church Ranches and we wish to register our objection to the Lehigh Hanson proposal for a gravel pit mine on the Scott Property.  
We already have a gravel pit in the area which has caused considerable noise and traffic problems over the years. This new proposal is unacceptable so close to the many residential communities in the immediate area. Rocky View County must deny this proposal by Lehigh Hanson and show more concern for the health and well being of its constituents! Please act responsibly and deny this proposal.

Beverly and Kenneth Hubert  
24 Church Ranches Close  
T3R 1C1



From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
Date: October 24, 2020 12:15:01 PM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

We do not want another gravel pit as the area is becoming a total extraction zone mixed with adjacent residential communities. The two are not compatible and since the approved residential communities are already existing another gravel pit should not even be entertained by Rocky View. Rocky View should consider the involved area as another residential community with manmade lakes to add beauty to the area and also rectify the drainage problems around Range Road 25 and Meadow Drive.

Thank you,

Biagio Oliverio

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 18, 2021 12:46:25 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
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---

**From:** Biju Kochatt [REDACTED]  
**Sent:** January 17, 2021 2:38 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

**Do not open links or attachments unless sender and content are known.**

Dear Municipal Clerk

I oppose the propose gravel pit in Rocky View County due to safety, environmental and noise concerns.

No to Gravel pit in Rocky view county

Thanks

Biju Kochatt

[REDACTED]  
254170 12 Mile Coulee Road

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Lehigh  
Date: October 29, 2020 5:38:56 PM

---

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Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Comments: file #06605001/02/03/04/05  
**Date:** November 2, 2020 7:21:30 PM

---

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Dear Andrea Bryden;

I am responding to the letter you sent to my residence 25071 Briarwood Dr NW in Bearspaw regarding the adjacent Scott Property gravel development.

While I do not support the development so close to school and residential areas, I would strongly request that council at least find a better compromise with residents should it choose to continue with the land use change.

My primary concern relates to the lack of appropriate set back for heavy industrial designation so close to my own and neighbours properties. I understand that there has been overwhelming and consistent feedback from our community on this issue. The map provided in the letter dated October 9th, the proposal shows that only 100M-150M is provided for setback to range road 25 and Crestview estate areas.

Given the vast area available within a 600 acre property I strongly believe that both Lehigh Hansen and local residents can co-exist but with a minimum of 500M setback to extraction, and a 200M setback to a natural berm with trees that protect the image, air quality, noise and wildlife habitat. Rockyview county also has a responsibility to tax paying residents to protect the value of our properties. We have been significant tax payers and supporters of Rockyview county development.

I request that my comments be fully considered and responded to at an appropriate time. I understand these are difficult decisions. I also manage land use issues in an international business. I am constantly reminded that maintaining social license is paramount. We must find a better outcome for Lehigh Hansen and the community. It is in their interest, Rockyview County, and local residents to achieve everyone's objectives.

Best regards,

**Brent Zacharias** | [REDACTED]  
[REDACTED]

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To: Planning and Development Services Department , Andrea Bryden and Rocky View Council

RE: Scott Property Master Site Development Plan, Application No. PL 20200093/0094,  
File Nos. 0660501/02/03/04/05, Division 8, Owner: Lehigh Hanson Materials Limited and  
Proposed Re-designation of lands from Agricultural, General District to a Direct Control District  
to accommodate a new Gravel Pit Operation

This letter is in response to Rocky View Council letter dated October 9, 2020 wherein the land use is proposed for an open pit gravel operation. We would like to make some very concerning points about this project.

1. On your Location Plan that was provided in your letter, it reveals there are in excess of 100 residences immediately impacted by this operation , let alone the 100s of residences beyond your map.
2. Excavation, mining and crushing gravel noise and air quality travel far beyond the proposed setbacks. We hear the existing pit operations daily that are 3 to 5 km away from our residence and , for example, we can hear the train whistle most days which is about 7 km from the railway tracks.
3. It would be naive and disrespectful to think by anyone that property values would not drop because of the noise and gravel pit operation to the nearby residences. Our property taxes reflect on our home and lot size. Will our taxes go down because of devalued property values? UNLIKELY!
4. There are already too many gravel pits in our area. Gravel haulers take shortcuts on roads that they should not be on: they speed, they cause road damage because of heavy loads, it increases more noise from increased road traffic, and air quality suffers with increased gravel dust.

We live in Bearspaw for the quality of life that this area provides: quiet, clean air and country living.  
**We are strongly, strongly opposed to this Scott Property Master Site Development Application (MSDP).**

When it comes time for the Rocky View Council to discuss the MSDP Application , they should think long and hard on where they live and why. If a gravel pit was proposed close to where they live, would they want to listen to open pit gravel mining operations 6 days a week with long hours , risking health and safety concerns, increased traffic and last but definitely not least, devaluation of their property?

Brian and Jean Melnychuk  
32 Bearspaw Acres

cc: Samantha Wright, Division 8 Councillor, sam@wrightforbearspaw-com

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 21, 2020 8:32:15 PM

---

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

Caroline Brooks

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 30, 2020 7:16:50 AM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Caroline Pustowka  
79 Cheyenne Meadows Way

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 19, 2021 3:57:37 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
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**From:** Carrie Zachkewich [REDACTED]  
**Sent:** January 19, 2021 2:07 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

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Hello,

Together with my husband and 3 kids (soon to be 4), we own a house a few kilometers away from LeHigh Hanson's proposed gravel pit - 23 Cody Range Way. We are opposed to the redesignation of the 600 acres of land at the corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine.

We worked hard and saved our money for our entire lives to give our children the rare opportunity to grow up in this quiet area, surrounded by nature, wildlife and fresh air - away from the busy city. Part of our purchase decision included the fact that the County had on two previous occasions refused to allow LeHigh Hanson to develop the area in question into a gravel pit. These refusals made us believe the County was committed to the land use strategy in the Bearspaw Area Structure Plan which identifies the land as the location for future country residential development.

I think it's quite plain to see that a project like this will have a negative impact on us residents who live nearby - I can't see anyone wholeheartedly arguing against this statement. We are particularly concerned about the noise, air quality degradation, dust accumulation, destruction of wildlife habitat, and traffic increase (understanding the plan includes a conveyor belt to reduce this). In addition to these health concerns, the pit will also severely impact our property value.

So, it seems the decision comes down to a cost/benefit argument. This argument would pit our



families' health against tax revenue, which I would hope is not an easy decision for you. If tax revenue will be the main driver of the decision, please also consider the ramifications on property values elsewhere in the County - values which depend on present zoning of surrounding areas. If you decide to allow LeHigh Hanson's application, think also that you may be signalling to the rest of County that their houses are at risk of the same situation.

Thank you for taking the time to consider us residents and our children.

Best regards,  
Carrie Zachkewich

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 30, 2020 5:10:20 PM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Sincerely  
Cathy Robertson  
24337 Meadow Drive  
Calgary, AB  
[REDACTED]

**From:** [REDACTED]  
**To:** [Evan Neilsen](#); [Andrea Bryden](#); [Althea Panaguiton](#); [Division 8, Samanntha Wright](#); [gbhoehlke@rockyview.ca](mailto:gbhoehlke@rockyview.ca)  
**Cc:** [Minister MunicipalAffairs](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005 and #: PRDPDP20202785  
**Date:** October 25, 2020 2:07:16 PM

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I am writing to express opposition to Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005 and #: PRDPDP20202785 concerning the designation of lands currently approved as rural agriculture to allow for Lehigh Hanson's application to develop a large new gravel mining operation, the Scott Farm development. I am also writing to also oppose Burnco's application to conduct assessment work at their current gravel mining operation that could result in the expansion of their current operation.

I am a long time resident of Silverwoods and have been through the previous attempts to reclassify the the Scott Lands to allow for gravel mining. This is the third attempt by Lehigh Hanson. The previous two attempts were appropriately voted down by Rocky View Council. This matter should have been settled as a matter of "settled expectations". I have a long experience as a project proponent for oil and gas, oil sands and pipeline projects in Canada and internationally.

A long time has passed since the first application by Lehigh Hanson and the current application, at least a decade. A lot has changed with respect to expectations as to how developments are brought forward by proponents and evaluated by governing jurisdictions and most importantly how stakeholders are treated. There are higher expectations with respect to consultation, engagement, mitigation, cumulative effects and the ability of directly affected engage in the process.

With respect to consultation, Lehigh Hansen has not met even minimal standards to engage the directly affected stakeholders to garner "social license" for the project. They have merely repackaged and expanded their previous application. More volume does not make the project acceptable as the issues remain the same. This is also being pursued at a rather convenient time when we are enduring COVID and there are economic challenges to all communities that are distracting stakeholders. Engagement with stakeholders has been disrespectful and dismissive, in my experience. This is a cynical perspective but I think it has merits.

On the issue of mitigation, there is high standard for long lived projects that have permanent impacts like gravel mining operations that will be in operation for decades. The mitigation attempts by current operators have been weak. Building a berm and planting a few spindly trees is not mitigation to the visual ethics; sound and dust mitigation is similarly weak.

Cumulative effects have been discussed in previous attempts but have not been adequately addressed. Noise, harmful dust emissions, the impact of increased heavy

load traffic and the increased risks to area residents, loss of precious wetland habitat over a significant portion of the lands. There are higher standards and expectations today.

The ability for directly affected stakeholders to meaningfully engage in the assessment of a proponents project is fundamental to any project proposal. Where project proponents have the ability to produce highly technical and voluminous reports and analysis for their projects the directly affected stakeholders need to have "capacity" to fully engage in the process to evaluate the proposed project. Stakeholders require adequate funding to fully evaluate and verify the proponents project and to put forward alternate technical and social analysis as well as options. It is a tremendous imposition on directly affected communities to be able to meaningfully engage in the process. There has to be adequate time for stakeholder to conduct their assessment. The current timing rushes and abuses the process. There is no urgency for the proponent. The process should meet current standards to allow for stakeholders the time to thoroughly assess the project. Stakeholders should have the funding to engage their own experts.

In addition, the Burnco application is of concern too as they plan to evaluate their land, that one would assume would lead to an expansion. This potential along with a Lehigh Hanson project would be a huge addition to cumulative impacts for the area. These operations are not independent of each other and have to viewed in the together for the big picture.

I look forward to engaging with my fellow community members and you on this matter.

Sincerely,

Chris bloomer  
Gianna Bloomer

CHRIS & GIANNA BLOOMER  
[REDACTED]

RESIDENTS OF SILVERWOODS DRIVE, BEARSPAW, ROCKY VIEW COUNTY

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**Sent Via email**

January 20, 2021

Legislative Services  
Rocky View County  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

**Attention: Municipal Clerk's Office**

**Re: Letter of OPPOSITION to Application No. PL 20200093, Bylaw C-8082-2020 Proposal for open pit gravel mine in Bearspaw (the Application)**

My wife and I are writing to register our opposition to the We are directly affected resident landowners. We reside on Silverwoods Drive within 1km of Lehigh Hanson's ("LH") proposed major gravel mining operation as described in the Application MSDP.

I am writing as an individual who has been responsible for major oil and gas developments domestically and internationally for over 30 years. I have been heavily involved in many large-scale project applications over that time. I understand the role and obligations of a proponent. I am not anti-development nor a "NIMBYist", but I know what a good project is and what a bad project is.

**LH's Application which is the subject of bylaw C-8082-2020 is a BAD project.** This project will create far reaching, profoundly damaging and permanent large scale unmitigable impacts on the environment and the health of the Bearspaw area. LH's Application and MSDP is fatally flawed and should be voted down for a third and last time by Rocky View County ("RVC"). LH and its ultimate parent Heidelberg Group ("HG") appears to be exploiting RVC's weak and outdated processes, relative to HG's other operating jurisdictions. HG would not be exposed to the material long term liabilities for the project as it is sheltered through its corporate structure, RVC's residents would.

**The Application does not meet the current standards for consultation. LH/HG's consultation does not meet the highest standard as they portray their consultation. The facts clearly suggest otherwise. On this basis alone the Application should be denied. Such denial must be done so that no future gravel developments would be brought forward on the subject lands.**

There has been opposition to Scott gravel pit since it was first proposed 1994. In 1994, 1,600 Bearspaw homeowners signed a petition opposing LH's predecessor's first application and it was turned down by Rocky View County ("RVC"). Again in 2010 the project was turned down by

RVC in the face of unanimous community opposition. Now LH submitted a third application. There is now, unanimous community opposition to the Application.

Over the last twenty-six-years the area near the Scott project has seen enormous changes. Housing development has expanded and increasing the number of residents affected, with the approval of RVC, and there has been an expansion of existing and new gravel operations. **The area is now saturated with gravel mine operations in a five-kilometer area close to residential developments in Bears paw.** These changes have increased and aggravated the impacts that communities were concerned about since 1994. The Application would result in the largest gravel mine and one closest to residential communities for the next 20 to 30 years.

Consultation over the history of the Scott pit has not been successful in mitigating the legitimate concerns of the community and achieving consent or community acceptance. Consultation for the current application has followed the same flawed process and does not meet the current consultation requirements to engage personally in a deeper meaningful way with full disclosure of all aspects of the project. **LH has not engaged meaningfully to gain the trust and acceptance of the community.**

Community consultation is not an “add on” to a project, it is integral. Best practices, expectations and regulatory standards for consultation have changed dramatically since LH’s application in 2010.

Meaningful consultation and informed consent requires personal consultation, especially with those stakeholders most directly and adversely affected. **LH has not personally engaged with us or others in the community as directly affected resident landowners.** Consultation begins long before a project application is made and must be a continuous communication loop of full disclosure. **Regulators and governments have enacted higher consultation standards and legal requirements for proponents.**

Project proponents must go above and beyond in their consultations. It must be full disclosure and thorough, **all** the information must be available. The proponent must ensure that it is understood. Communities must see and feel that the project proponent has incorporated their concerns and suggestions into the project. Commitments for mitigation and reclamation must be defined in detail up front. Assurances and earnest statements made by a proponent that it will mitigate impacts and have a reclamation plan are not enforceable and worth next to nothing. The proponent must have binding commitments both technical and financial. The proponent’s commitments and liability for not following through must be borne by the parent company with the means to do so.

The subject of gravel development RVC, especially in the Bears paw area, is one of the top issues for communities. In fact, the recent Aggregate Resource Plan consultation by RVC saw the highest level of engagement of any issue to date. (Inexplicably when it was brought to council for adoption, the Aggregate Resource Plan was shelved by RVC without discussion May 2019.) This is a clear indication of how sensitive the issue is for the community. **Given that gravel operations are already a highly sensitive issue RVC and the history of the Scott pit proposal, the consultation by the proponent must meet the highest standards.**



In the current LH Application, the ability for the community to have all the information and then the time, and to be fair the resources, to adequately evaluate and respond to the application is nonexistent.

**LH's consultation is grossly inadequate, and therefore their application is grossly deficient.**

After the project was voted down in 2010 LH conducted an open house and online communication on a possible project in February 2016. From the "what was heard summary" the issues had not changed. There was no personal consultation with those landowners and residents that would be most affected by a future project.

LH said that their current plan would mitigate most of the concerns but did not provide the details to adequately analyze whether or not the measures were acceptable or even doable. Comprehensive and detailed information is still not available around issues such as surface water, ground water, economic analysis and other impact analysis and mitigation. This among other fundamental issues are is described in detail in Mr. Wetherill's Bearspaw Landowners Submission on the Application ("BPLO Submission").

We have read the entirety of the BPLO Submission. We completely agree with its contents and conclusions.

LH proposed two changes to the project from its 2010 project, a conveyor system to move crushed gravel to their processing site via a 4.5 km surface conveyor system and a staged larger development. LH felt these changes would fully mitigate the community's concerns around the 2010 project. LH has not provided comprehensive and detailed disclosure in their consultation for the community to evaluate and respond. These changes do not mitigate the many other concerns.

The Application is actually is actually worse than the one proposed in 2010.

LH's has a dismissive attitude toward consultation and the community clear. Comments in a paid advertisement June 23, 2020 in the Rocky View Weekly makes clear LH's view of the community. Below are excerpts of the comments:

- *".... Well the gravel industry is also facing a battle, although it is usually a few residents who turn out and shut down any local growth and development or expansion plans."*
- *".... increased the cost of this project by millions, and they are still facing the wrath of unwavering resisters..."*
- *"It is incumbent on all of us to look past the misinformed resistance and gauge issues and projects on their own merit".*



**LH's comments are reprehensible. They do not reflect the expectations of a sophisticated company towards meaningful consultation. However, their approach to consultation and respect for the community are consistent with their comments.**

In the same article, LH states "The company took the idea of community consultation to a whole new level, listening to residents' concerns and altering the project to reflect them." LH's consultation process does not represent a whole new level of consultation. This comment indicates that they understand that the standards for consultation have changed. But their efforts have not.

**LH's Application consultation is grossly inadequate and falls far short of current legal and regulatory consultation requirements. The Application is therefore incomplete, fatally flawed, and should be denied.**

An example where LH has not gone to a "whole new level" in consultation is with respect to surface water and wetlands. **Wetlands are a precious resource and are protected. They are an integral aspect of the Bearspaw area environment.** They are also connected to the watershed, fish habitat regionally (the application ignores this issue) and subsurface water. This integrated system is outlined in the **Integrated Sustainability's expert's Surface Water and Aquatic Environment Impacts Report on the Scott Property ("Best Report")**, included in the BPLO Submission.

**The Best report concludes that LH's consultation on surface water did not consider community stakeholder's expressed concerns.**

There is no disclosure on how the 48 wetlands identified in the Best Report will be restored or reclaimed. Once these areas are disturbed and mined out there is no possibility of restoration or reclamation. Nor is it in any way acceptable to say, as LH has, that they will preserve wetlands in another area of RVC. The wetlands and surface water in the Application directly affect my area. I have wetlands on my property, and I know how precious they are to flora and fauna. I experience them up close and observe the seasonal cycles and the role they play. They are irreplaceable. **Wetlands are core to the environmental fabric of the Bearspaw area.**

**The Best Report concludes that the Application should be denied as a full assessment of potential impacts has not been conducted.**

Based on the foregoing and as outlined in detail in the BPLO Submission, LH's consultation is grossly deficient. Including but not limited to the following reasons:

- There has been no personal consultation by LH with those residents and landowners who would be most impacted by the project.
- LH has not provided comprehensive and detailed information for the community to fully understand the project's impacts and mitigations. Key information is held by RVC as confidential.
- LH did not meaningfully engage and provide full disclosure early enough to allow enough time to assess the project's impacts, mitigations.

- LH conducted the minimum consultation with the community, and it does not meet the current consultation standard for major resource project.
- LH has not materially changed its project based on community feedback. A conveyor system seems novel and staged development is interesting, but LH has not provided enough detail to assess the real impacts of a conveyor or the deployment.
- LH has not provided details of its property value and groundwater/well mitigation and has only said they will do “something” on this and other concerns. Which is how they address other mitigation issues.
- The economic analysis conducted by LH has not been made available for the community to validate or discredit. Their plan to mitigate economic impacts is unknown.
- LH has not provided details of their mitigation plans and reclamation plans including binding financial commitments.
- LH has not disclosed who will hold the ultimate liability to the HG level for the project.

An approval of this Application would be a travesty. It would have devastating impacts for every aspect of the Bearspaw area and RVC. It would create unmitigable impacts on the environment, water, future development and social well-being. It is inconceivable that there would be enough financial gain for RVC to offset the risks to RVC of these unmitigable impacts, although RVC has not been transparent about the financial benefits.

The Application is fatally flawed as detailed and concluded in the BPLO submission. It is a **BAD** failed project. RVC must set aside its differences vote against the Application.

**The Application has to be denied.**

Sincerely,



Chris Bloomer



Gianna Bloomer

20 January 2021

Christopher Waterhouse PhD, MD, FRCPC  
31165 Woodland Way  
Calgary, AB  
T3R 1G8

Municipal Clerk's Office  
262075 Rocky View Point  
Rocky View County, AB  
T4A 0X2

[legislativeservices@rockyview.ca](mailto:legislativeservices@rockyview.ca)

Re: Bylaw C8082-2020 (OPPOSED)

To whom it may concern:

My name is Chris Waterhouse. I am a paediatrician and a gastroenterologist residing in Bearspaw, approximately 2.5km from the western edge of the proposed gravel pit that Lehigh Hanson intends to create on the north side of Burma Road. I have never been consulted about this application by anyone from Lehigh Hanson, nor a representative acting on behalf of Lehigh Hanson. I am in opposition to this project.

As council is aware, there is a long history of opposition to this project going forward at this location. There are many reasons for concern as homeowners and local residents, who will be forced to live next to a newly developed industrial area in our backyard every day. For my part, and for the sake of brevity, I will focus solely on the health risks related to the fine particulate matter generated by the gravel industry, and how it currently regulated.

It will come as no surprise to anyone on council that fine particulate matter equal to or less than 2.5 microns in size (PM2.5) is a health hazard. This has been detailed extensively by Alberta Health Services in a summary document that council has received. The scientific data linking PM2.5 to a variety of chronic cardiovascular and respiratory conditions, as well as cancer and early death. The poster below is taken from the Health Canada website, and details this in lay terms.



### HEALTH EFFECTS OF PARTICULATE MATTER

Health effects of PM can occur even at very low concentrations, including:

- Increased heart problems
- Increased lung problems
- Increased hospital admissions
- Increased medical visits
- Lung cancer
- Premature death

## AIR POLLUTION: WHAT IS PARTICULATE MATTER (PM)?

PM is a mixture of small liquid and solid particles in the air we breathe. They vary in size and chemical make-up.

**PM is a component of smog.**

### WHO IS MOST AT RISK TO AIR POLLUTION?

Even healthy young adults can experience health issues on days when the air is heavily polluted but some groups are more at risk:

- Children
- Seniors
- People with asthma, chronic obstructive pulmonary disease (COPD), cardiovascular diseases, diabetes
- Active people of all ages who exercise or work hard outdoors

### WHERE DOES PM COME FROM?

PM can come directly from man-made and natural sources or be formed by reactions among other pollutants. Main sources of PM are (but not limited to):

- Vehicle emissions
- Road dust
- Industry
- Construction
- Wood burning
- Agriculture
- Forest fires

### HOW CAN I PROTECT MYSELF FROM AIR POLLUTION?

**Know when the air is unhealthy:**

- Check the Air Quality Health Index in your community to find out the best time to be active outside ([airhealth.ca](http://airhealth.ca))
- If you have a heart or lung condition, talk to your health care professional about additional ways to protect your health when air pollution levels are high

**Ways to reduce exposure:**

- Avoid or reduce strenuous outdoor activities when air pollution levels are high
- Avoid or reduce exercising near areas of heavy traffic, especially during rush hour

### WHAT ACTION IS THE GOVERNMENT OF CANADA TAKING ON PM?

- Federal regulations have reduced PM emissions in Canada from key sources.
- Canada has agreed to international treaties to reduce PM emissions.
- Canada has established the **Canadian Ambient Air Quality Standards (CAAQS)**. These are health- and environment-based numerical values of outdoor air concentrations of pollutants intended to drive continuous air quality improvement in Canada. The CAAQS, a key element of the Air Quality Management System, were developed through a process steered by the Canadian Council of Ministers of the Environment (CCME).

Pollutant	Averaging Time	CAAQS Numerical Values		Units	Metric
		Effective in 2015	Effective in 2020		
PM <sub>2.5</sub>	24 hours (calendar day)	28	27	Micrograms per cubic metre (µg/m³)	The 3-year average of the annual 98th percentile of the daily 24-hour average concentrations
	Annual (calendar year)	10.0	8.8		The 3-year average of the annual average concentrations

### LEVELS OF PM IN OUTDOOR AIR

Levels of PM in outdoor air can vary by region and by season. More information can be found on the **STATE OF THE AIR** website.

<http://www.airquality-qualiteair.alberta.ca/en>

For more information on air pollution, please visit [www.canada.ca/en/health-canada/services/air-quality.html](http://www.canada.ca/en/health-canada/services/air-quality.html) or contact us at: [HC.air.SC@canada.ca](mailto:HC.air.SC@canada.ca)

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The Canadian Ambient Air Quality Standards, or CAAQS, have been established to ensure that individuals can be assured of reasonable air quality in order to minimize health risks to themselves and their families. As of 2020, the recommended annual exposure limits to PM<sub>2.5</sub> (measured in µg/m<sup>3</sup>) was 8.8. This value recognizes the long term, cumulative risks associated with exposure to these particles, and sets a benchmark for industry to ensure that they maintain standards consistent with this theme.

Borrowing from the provincial website, the province of Alberta has objectives when air quality objectives are not being appropriately met. I have included their graphic for your consideration below.

Management level	Air quality objective
Green	To maintain good air quality through proactive air management measures to keep clean areas clean.
Yellow	To improve air quality using early and ongoing actions for continuous improvement.
Orange	To improve air quality through active air management and prevent exceedance of the CAAQS.
Red	To reduce pollutant levels below the CAAQS through advanced air management actions.

**i** When an air zone report indicates that an air zone is in the orange or red management level, a management plan must be developed for that air zone. The Management plans section below provides information on the management plans in place for Alberta.

For your convenience, I have also inserted the table from the same website detailing acceptable PM2.5 concentrations for the province. This information is readily available on the provincial website for your review, should you choose to do so.

**Table 2: PM<sub>2.5</sub>**

Management Level	PM <sub>2.5</sub> 24-hour (µg m <sup>-3</sup> )		PM <sub>2.5</sub> annual (µg m <sup>-3</sup> )	
	2015	2020	2015	2020
Red (CAAQS)	> 28	> 27	> 10.0	> 8.8
Orange	20 to 28	20 to 27	6.5 to 10.0	6.5 to 8.8
Yellow	11 to 19	11 to 19	4.1 to 6.4	4.1 to 6.4
Green	≤ 10	≤ 10	≤ 4.0	≤ 4.0

In an attempt to understand the levels of exposure that were generated by local industry, I utilized a publicly available data set published online by the STAR pit located across from the Calgary Young Offender Centre, between 85<sup>th</sup> St. NW and Rocky Ridge Road. The data set chosen to review was from 2015, as this was the most complete data set available. I entered all of the available information into a database that would allow a statistical analysis of those data. This involved entering hourly values for PM2.5 for each day (eg. up to 24 data points per day) for a total of 365 days of data.

The annual exposure to PM2.5 based on the published data from the STAR pit in 2015 was 14.4 ug/m<sup>3</sup>. The annual exposure in the following year (based on the summary data from the STAR pit) was 13.53. Each of these is far in excess of the annual recommended exposure limits detailed above.

In writing this letter, I took the opportunity to recheck whether these data are still available. Unfortunately, the dataset has been taken down in its raw form, and is presented now as summary data only, which is very regrettable from a transparency perspective.

Issues with the air quality related to the gravel industry remain dependent on complaints from individuals. We have not, to the best of my knowledge, achieved a standard where either the province or the county independently provide ongoing monitoring of these sites in order to hold the industry to account. Residents in the area deserve better than this. As an example, I draw your attention to a video that I took myself on the night of November 26, 2020 (at approximately 8 PM) just outside the STAR pit. In the video, the dust from what I assume was a crushing apparatus can be seen streaming eastward over the berm, made visible by the streetlights and the lights from the pit (turning the camera to the south shows no particulate matter in that area, in case there was any concern that this was snow). [Gravel Dust - STAR Pit, Calgary AB - YouTube](#). The resulting gravel pile from the activity can be seen below (image taken on 16 January 2020).



I firmly believe that residents in the area should expect a degree of responsibility from the gravel industry. I don't believe that, to date, we can say this with any degree of certainty or reassurance. I have tremendous reservations about Rocky View deciding that Lehigh Hanson can be trusted to proceed with gravel extraction from this new site in good faith without placing the surrounding community at risk. I assume at this stage that Rocky View County is aware of these risks. I contend that Rocky View County has a duty to ensure that its decisions do not place local residents at risk without a clear, transparent means of holding the industry to account, particularly given that the proposal to develop this area is dependant on approval from Council.

I am happy to share any or all of the information I have with Council, and would be happy to present any or all of my data to you at your request.

Please do not hesitate to contact me directly if you have any questions or concerns.

Christopher Waterhouse  
ccmwaterhouse@gmail.com

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Gravel pits - NO!  
**Date:** October 18, 2020 12:18:12 PM

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Do not open links or attachments unless sender and content are known.

I am finding this gravel pit stuff extremely frustrating and very upsetting! I think it's absolutely devastating that these gravel pits are being allowed so close to our beautiful community. We never would have purchase property here if the gravel pits existed then. It is impossible now to move our home somewhere else and selling is not an option for us! It seems these developers cannot and will not be stopped.

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 30, 2020 11:30:14 AM

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**Do not open links or attachments unless sender and content are known.**

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am strongly opposed to this application. It is not in my adjacent neighbourhood, but I would be furious if it was.

The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Sincerely, Claude

Claude Laflamme

[REDACTED]

1101 Bearspaw Village Lane  
Calgary, Alberta T3L 2P3



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Planning and Development  
**Date:** October 31, 2020 11:44:57 PM

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Do not open links or attachments unless sender and content are known.

Hello, I am emailing to comment on the gravel pit operation.

File number: 06605001 06605002 06605003 06605004 06605005  
Application number: PL20200093/00094

We are very disappointed that Rockyview would entertain this project in any way. The proposed property borders existing rural acreages and has very concerning health factors for the surrounding residents. There has been proven research shown at the open house that the airborne by-products are harmful to humans. This is harmful to your lungs which is very concerning with the current state of the pandemic battling COVID-19.

We do not agree with this development and we would like to ensure our comments are heard. We have invested in settling our family in rural acreage living and we feel rockyview doesn't have its residents best interest in mind by adding commercial projects at this large of scale.

We strongly disagree with this project.

Thank you for your time,  
Crystal and Brad Jepp

Sent from my iPhone

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 24, 2020 1:14:20 PM

---

**Do not open links or attachments unless sender and content are known.**

Dear Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

We oppose this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments, including schools.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs, not to mention the impact transport of gravel has on road safety.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

This application should not be approved for several reasons, including the ones I have listed above.

Yours truly,

*Daco Vroegindewey*  
*12 Woodland Rise NW*  
*Calgary Alberta T3R 1G9*



**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2-20  
**Date:** January 18, 2021 12:43:11 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** Dale Cugnet [REDACTED]  
**Sent:** January 16, 2021 7:09 AM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2-20

**Do not open links or attachments unless sender and content are known.**

The purpose of this e-mail is to oppose the application by LehighHanson for the following reasons

- 1) Consultation - I have not been consulted about this application by anyone from Lehigh Hanson or a representative acting on behalf of Lehigh Hanson,
- 2) Economics - Profits flow to Lehigh Hanson, residents incur the costs, including a significant reduction in property values,
- 3) Air Quality and Health - Crystalline silica dust is a known carcinogen and significant health hazard, can result in silicosis of the lungs (think asbestos!),
- 4) Wildlife - All the wildlife we enjoy seeing in Church Ranches will not stay to live by a gravel pit,
- 5) there are numerous other issues including: noise, increased traffic, impact on our dark skies, ground water (key for the residents that get their water from wells),

Dale G.A. Cugnet CPA CMA

Jackie M. Cugnet CPA CA  
47 Lone Pine Crescent  
Calgary, Ab  
T3R 1B9  
[REDACTED]

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 26, 2020 2:37 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - BYLAW C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** Dale Kuzyk [REDACTED]  
**Sent:** November 26, 2020 8:35 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Cc:** Division 8, Samanntha Wright <SWright@rockyview.ca>  
**Subject:** [EXTERNAL] - BYLAW C-8082-2020

Do not open links or attachments unless sender and content are known.

My name is Dale Kuzyk.  
My residence is 25070 Burma Road.  
I am NOT in support of Bylaw C-8082-2020.

I believe this industrial operation is too close to residences. The impact of this operation and the trucking involved will be a health risk to the residences. I have already had an expensive truck window broken by existing gravel trucks on Burma Road, and when I chased them down to tell them, they denied it and I have no recourse. Enough of this, it is time to deny this industrial operation for good. It is time the council supports the view of the people and vote this down.

Dale Kuzyk,  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - FW:  
**Date:** October 21, 2020 8:06:49 AM

---

Do not open links or attachments unless sender and content are known.

Dale McDougall

[REDACTED]  
[REDACTED]  
[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]



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---

:

**Draft response to RVC request for comments on Lehigh Hanson's application:**

**Subject:** Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

Dale McDougall

[REDACTED]  
[REDACTED]  
[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]



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**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 30, 2020 10:47 AM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Lehigh Hanson Gravel Pit - Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** Dan Halyk [REDACTED]  
**Sent:** Saturday, November 28, 2020 2:17 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Cc:** 'Nicole Halyk' [REDACTED]  
**Subject:** [EXTERNAL] - Lehigh Hanson Gravel Pit - Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

To the Municipal Clerk.

We reside at 56 Church Ranches Blvd. in Bearspaw and have lived there since 2008.

We are OPPOSED to the development by LeHigh Hanson of a gravel pit for several reasons, including the increased heavy truck traffic that will result from such development.

In 2019 when driving in the Royal Oak area, I was cut off by a gravel truck driver. The driver was very aggressive and gave me the middle finger as he made a sudden lane turn to exit off Country Hills Blvd. I was forced to swerve and hit the brakes to avoid a collision. A year earlier my wife had to replace her windshield when debris from a gravel truck struck her windshield on Stoney Trail.

We moved from the City to Church Ranches to get away from heavy traffic. We pay significant property taxes for minimal services but are willing to do so provided the lifestyle we moved for is protected. Increased heavy truck traffic will impair that lifestyle.

Thank you for your consideration of our concerns.

Dan and Nicole Halyk

56 Church Ranches Blvd.

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 30, 2020 10:49 AM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Lehigh Hanson (LH) Applications PL 20200093/00094

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** Danny Wong [REDACTED]  
**Sent:** Saturday, November 28, 2020 2:48 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>; Al Hoggan <AHoggan@rockyview.ca>  
**Cc:** Theresa Cochran <TCochran@rockyview.ca>  
**Subject:** [EXTERNAL] - Lehigh Hanson (LH) Applications PL 20200093/00094

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*Danny and Joyce Wong*

*254 Church Ranches Way, Calgary, AB T3R 1B1*

November 28, 2020

Mr. Al Hoggan

Chief Administrative Officer

262075 Rocky View Point

Rocky View County AB T4A 0X2

Email: [Ahoggan@rockyview.ca](mailto:Ahoggan@rockyview.ca)

Ccs. [Tcochran@rockyview.ca](mailto:Tcochran@rockyview.ca)

Re: Lehigh Hanson (LH) Applications PL 20200093/00094

*My wife and I are long time residents of the Bearspaw area of Rocky View County (RVC) and reside at 254 Church Ranches Way (within 2km or as appropriate) from S 5-26-02 W5M. We will be directly and adversely affected by the proposed open pit gravel mine.*

It has been brought to my attention by the RVC planning department that it is proposed to have the Council Hearing for the applications held on December 22, 2020.

I wish to express my concerns about the proposed scheduling and to suggest that the hearing be heard sometime in 2021 at a date that allows concerned residents to effectively participate in the hearing process. Proceeding on December 22 with materials, I understand, to be filed by December 8, is not procedurally fair. To ensure there is no confusion I am requesting that RVC schedule or reschedule any hearing in relation to the LH Applications at a time in the New Year that will allow fair and effective participation by all ratepayers and homeowners.

As I am unfamiliar with the procedures of RVC, I want to ensure that my concerns are brought to the attention of the County at the earliest opportunity. I do not want to be accused of an “ambush” if it becomes necessary to raise the issue on the record at the commencement of the hearing.

My concerns include those set out below. Although these are concerns of *my wife and I*, conversations with other Bearspaw ratepayers and homeowners lead me to conclude they are widely held.

- 1 We are, and have been for some time, in the midst of a COVID pandemic with recent infections spiraling out of control. This has restricted proper consultation with affected residents. The consultation carried out by LH creates an illusion of consultation without any real or effective consultation.
- 2 As a result of the recent surge in COVID infections, all levels of government have urged limiting contact with those outside your “bubble”. This has affected the ability of impacted ratepayers and homeowners to prepare for and effectively participate in a hearing. In addition, that advice will limit the attendance of many who would otherwise participate. Attending a public hearing in a COVID pandemic flies in the face of direct advice from health officials, and a full and robust public hearing process is required for these contentious Applications. Perhaps this is one of the reasons LH is pursuing these Applications at this time.
- 3 LH has filed 1500+- pages of technical material in support of its Applications. While much of this material is in my opinion “fill” – supplied for quantity rather than real probative value, a huge volume of material must be reviewed by residents who in the midst of the COVID pandemic may have more pressing matters to deal with such as making mortgage payments or keeping their jobs. There is simply not enough time to review that quantity of material and effectively participate in a December 22 hearing.
- 4 In addition, experts have to be retained, briefed and funded in order to properly assess the huge quantity of technical data filed. A December 22 date does not allow time for this to be done effectively. To put in context this request, I have asked for but not received information on the time required by LH to generate the material it filed but I suspect it is measured in months or years not days.
- 5 *We* understand LH has refused to release certain documents referred to in its MSDP, including an Economic Analysis that has already been reviewed by staff and will probably be released to Council. *We* understand RVC has also refused to provide a copy and has suggested *we* make a FOIP request. *We* do not anticipate the FOIP process will be completed by Dec 22.

- 6 *We* understand a number of Information Requests have been made to LH which remain outstanding. It would be useful to have either responses or a refusal to provide responses prior to a hearing.
- 7 Scheduling what will clearly be a contentious hearing 3 days before Xmas during the Christmas break, when people are tending to family matters under a COVID cloud will ensure that many directly impacted ratepayers and landowners will be unable to effectively participate in the hearing process.

*We* look forward to any advice you might have as to how to proceed. In particular, do you think *we* should distribute this request to Councillors at this time?

*Regards*

*Danny and Joyce Wong*

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - : Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005  
OPPOSED !!  
**Date:** October 26, 2020 2:02:36 PM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Regards,

Darrin Durda

31 Big Sky Close

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 31, 2020 11:59:20 PM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bears paw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Thank you and regards,

Dave and Leslie Scabar  
24131 Meadow Drive  
MD of Rocky View, Alberta  
T3R 1A7



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Lehigh Hanson Materials Limited  
**Date:** October 21, 2020 4:17:24 PM

---

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

David Skelton  
15 Church Ranches Blvd  
[REDACTED]

November 30, 2020

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

My name is Dean Kueber and I live at 25036 Briarwood Drive, which is located directly to the west of the proposed gravel mine. I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Best Regards,

A handwritten signature in black ink, appearing to be 'D. Kueber', with a large, sweeping flourish extending to the right.

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Opposition to Bylaw C8082-2020  
**Date:** January 18, 2021 12:47:28 PM

---

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** Diane Hibberd [REDACTED]  
**Sent:** January 17, 2021 5:32 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Opposition to Bylaw C8082-2020

**Do not open links or attachments unless sender and content are known.**

My name is Diane Hibberd and I reside at 24226 Aspen Dr.


I want to state that I am opposed to the proposed new (Hanson) gravel pit.

I am particularly concerned about the health hazards from the particulate matter which will be generated.

My concerns are for both human and animal health. These particulates are carcinogenic and will accumulate on the ground and in the surface water (of which there is an abundance in Rockyview).

I vote NO.

Diane Hibberd

**From:**   
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 31, 2020 8:01:15 AM

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Do not open links or attachments unless sender and content are known.

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

## Steven Lancashire

---

**From:** Dominic Kazmierczak  
**Sent:** January 15, 2021 10:27 AM  
**To:** Steven Lancashire  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**DOMINIC KAZMIERCZAK**  
Manager | Planning Policy

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520-6291  
[DKazmierczak@rockyview.ca](mailto:DKazmierczak@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** Michelle Mitton <MMitton@rockyview.ca>  
**Sent:** January 15, 2021 10:16 AM  
**To:** Dominic Kazmierczak <DKazmierczak@rockyview.ca>  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
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Phone: 403-520- 1290 |  
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**From:** Dominic Urban [REDACTED]  
**Sent:** January 15, 2021 8:00 AM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

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To whom it may concern

I have lived in the area my entire life and now have two kids and raising them in the same area I grew up in. I oppose this gravel pit as it will diminish our life style and affect us greatly.

On top of it I'm a residential contractor and we do work heavily in the area and this allowance of this gravel pit would also cause a massive diminish to our company as clients in the area will be affected

This gravel pit can not be allowed in this residential area

Thank you,

**Dominic Urban**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

October 20, 2020

Rocky View County  
Planning Dept.

Atten: Ms Andrea Bryden

Re : Application PL20200093/0094 ( File #s 00605001, 5002,5003,5004,5005

Dear Ms Bryden,

This is response to the County's request for comments regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

We have been Residents of Rocky View for over 20 years, and are vehemently opposed to any gravel development so close to residential neighborhoods. We constantly hear the activity ( in all hours of the night) in the Star Gravel Operation on 85 st ( which is further away than the proposed mine) . This includes Crushing, blasting, back up alarms, and related equipment noise

The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential

development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

We are also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

We reiterate our absolute opposition to this proposed development at any time.

Sincerely,

Don & Nicole Mason  
16 Cody Range Way  
Rocky View Alberta

cc: Samantha Wright  
Councilor, Division 8



Re: **Bylaw C-8082-2020.**  
To: **Rocky View Council**

**January 20, 2021**

I am **opposed** to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan. This application represents a completely unacceptable land use for this area since heavy industry such as **open pit mining is incompatible with residential communities**. Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include **unavoidable adverse impacts to residents' health, safety, and quality of life, as well as serious environmental costs**.

**Noise** from existing pits nearby will be compounded by this massive operation to unbearable levels! **Industrial noise levels** are incompatible with rural residential neighbourhoods, and the noise will harm physical and mental health.

**Air pollution** will also be a result of this mining operation. Silica dust is a carcinogen, and will severely impact human health.

**As we have a well for our water supply**, the project will impact our **drinking water supply**. **Blasting** into the groundwater table will put the **drinking water at risk of pollution, as well as possibly destroying the structure of the wells themselves**.

**The area is sensitive and includes wetlands, slopes, and wildlife** that will be removed entirely!

**HUGE devaluation of our properties** is a major concern, as is the **lack of proper community consultation**.

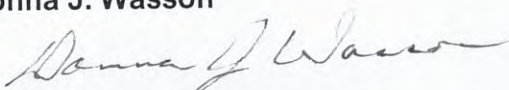
The County and Lehigh Hanson should not use the pandemic as an excuse to dispense **with meaningful public consultation and participation**. During the pandemic, this process has been rushed. We want to be able to come to meetings, ask our questions, and voice our concerns in person, which, of course, cannot be allowed at this time. It seems that there has been a move to eliminate avenues for community feedback, without offering accessible ways to participate. That's unacceptable!

We believed that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. **Many properties are being developed as country residential properties, as permitted by Rocky View County**. There is **no reason to now impose open pit mining in this location**.

**For these reasons, and many more, this application should be refused.**

Thank you.

**Donna J. Wasson**



**24140 Aspen Drive,  
Calgary, T3R 1A5**

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 28, 2020 12:18:14 PM

---

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the northeast corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearpaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety and quality of life as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Thank you  
Rudy and Dorothy Van Es  
92 Timber Ridge Way  
Calgary AB T3R 1B9

---



This email has been checked for viruses by AVG antivirus software.

[www.avg.com](http://www.avg.com)

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
Date: October 30, 2020 8:38:15 PM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

This is very disturbing. The area is already over run with gravel trucks. This is a very nice area to live and we pay quite high taxes for it. Because of the continual daily run of hundreds of gravel trucks already piling in and out of the existing gravel pits in the area our roads in the immediate vicinity – both in the county and in the city are always mucky dirty quagmires. Our roads are also full of loose gravel that busts up our windshields several times a year just from normal traffic let alone from all of the dump trucks themselves.

This application has got to go, and can we stop these people somehow from repeatedly putting out applications? Every year there are more and more planned communities in the area. We are interested in quality of life for ourselves and the animal population – not in traffic jams of dirty foul dump trucks. Enough already!!

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

Please do the right thing and oppose this gravel pit.

Sincerely

Doug and Katherine Wilson  
24270 Meadow Dr.  
[REDACTED]

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 20, 2020 5:00:47 PM

---

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

Doug and Tobi Stene  
247 Church Ranches Way  
Calgary, AB  
T3R1B2



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - FILE NUMBERS: 066055001 06605002 06605003 06605004 06605005 ; APPLICATION NUMBER PL20200093/0094  
**Date:** November 2, 2020 1:24:36 PM

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Do not open links or attachments unless sender and content are known.

Good Afternoon Andrea,

We would like to thank you for giving us the opportunity to share our input in the above referenced matter. Our points are as follows:

1. The proposed development will have adverse effects in the residential communities closeby on many aspects including, ambient air pollution, ambient noise level. We are already suffering from excessive airborne dust reaching our properties from the current Burnco facilities, plus excessive ambient noise levels again from Burnco operation facilities.
2. Excessive ambient noise level from the Burnco Operation facilities reach to a level cause at night peaceful environment and cause disturbance. The ambient noise levels cause disturbance to such extent that we can not have rest in our property.
3. These conditions will get worse on some days and nights depending on weather conditions, particularly on windy days.

We also like to mention that the above concerns are shared by our neighbours. We would be grateful if Rocky View County take our concerns into consideration during the review and approval process of the subject development project.

Best Regards,

Dr. Ahmet Ayalp



Virus-free. [www.avast.com](http://www.avast.com)

From: [REDACTED]  
To: [Andrea Bryden](#)  
Cc: [REDACTED]  
Subject: [EXTERNAL] - Gravel pit application  
Date: October 20, 2020 4:39:00 PM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine and their application for the accompanying Master Site Development Plan.

My wife and I live on Cody Range Way and we are opposed to this application. The proposed open pit gravel mine is incompatible with existing adjacent country residential communities. The existing gravel pit on 85th (despite being substantially further) already generates enough noise to interfere with the serenity we sought out by moving to Bearspaw. We are concerned with the health impacts, increased traffic in and around the area and decrease in property value. This is NOT why we moved to Bearspaw. A large mining operation must not be approved in such close proximity to residential properties. The county's position on subdivision density and policy on municipal reserves in the event of subdivision demonstrates that the county understands the value of overall density on quality of life. (We could also mention the ecological benefits - we love seeing deer and moose daily in our yard.) This development provides unilateral commercial benefit at the cost of residents who are established in the area. This land would better serve for its current agricultural use or even low density subdivision. Removing the shadow of a looming large mining operation in the area will also stimulate residential growth in the area which has been on hold (e.g. subdivided lots on HWY 25).

In closing, this application should not be approved, now or ever, for the reasons I have listed above.

Dr. Martin Gauthier

24 Cody Range Way

[REDACTED]

Edda Koopmann/Marcus Weidler  
71 Cheyenne Meadows Way  
Calgary, AB, T3R1B6  
[REDACTED]

October 29, 2020

**Response to Rocky View Country's request for comments on Lehigh Hanson's application – Due date November 1, 2020**

**Subject:** Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Dear Ms. Bryden:

We are responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

We are opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

We are also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons including the ones we have listed above.

Best regards

Edda Koopmann and Marcus Weidler



Municipal Clerk  
Rocky View County  
262075 Rocky View Point  
Rocky View County AB T4A 0X2

January 19, 2021

Email: [legislativeservices@rockyview.ca](mailto:legislativeservices@rockyview.ca)

Subject: Bylaw C-8082-2020

The County has requested comments in advance of the February 2, 2021 public hearing regarding Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

We are opposed to this application. Heavy industry such as open pit substrate extraction is incompatible with country residential communities. The application therefore represents a completely unacceptable land use for this area.

The Lehigh Hanson development will impose property value decreases and corresponding increases in ambient noise, dust particulate emissions, heavy machinery traffic, human health issues, and serious natural environmental degradation and quality of life. In particular, we are making known the following:

- Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signaled that the County is committed to the land use strategy in the *Bearspaw Area Structure Plan* which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose an open pit extraction operation at this location. The proposed Lehigh Hanson operation is also not identified on the County's *Aggregate Resource Plan* as a "*Potential Aggregate Deposit Area*".
- Our residence is located 3.40 kms WNW of a current gravel operation (*Stoney Trail Aggregate Pit*) on the east side of Rocky Ridge Road 900 m north of Country Hills Blvd in the City of Calgary. Noise from that operation can be heard disturbing the country quiet especially during times of low wind. The proposed Lehigh Hanson operation is closer to us at 2.52 kms NE from our residence. We therefore believe that the Lehigh Hanson claim of minimal noise to the surrounding area is totally false.
- Along with the *Stoney Trail Aggregate* operations, the area already supports the adjacent City located *Inland Aggregates* operation at 7722 112<sup>th</sup> Ave NW, and a previously City approved site south of Burma Road and east of Ricky Ridge Road. The area is becoming over run with these operations, promoted by individual industrial operators without an overall economical concept.

- As a trained mechanical engineer and environmental project planner with 45 years of practice, I know that projects that include infrastructure components such as the project's planned 4.5 km conveyor belt are never able to deliver anywhere near 100% dependability. The myriad of moving and wearing parts and continuous friction along the lengthy system will demand regular repair shutdowns thereby requiring gravel truck transfer with its inherent noise, dust, and safety implications. The County should expect that the operator will be requesting a future amendment to the operation that will reduce reliance on the conveyor system.
- It is forecasted that the Lehigh Hanson operation will result in a drop in the neighboring property values. There are at least 300 country residential parcels that can be classified as neighbours to the operation. That in turn, translates into a significant reduction in residential property taxes for the County. It is the County's moral responsibility to uphold property values of its residential tax payers.

In closing, this application must be refused for a multitude of reasons, including the ones we have identified above.

Thank you for the opportunity for us to supply our comments.

*Eileen Wotherspoon*

*Paul Wotherspoon*

Paul Wotherspoon, P.Eng.  
Eileen Wotherspoon  
235 Church Ranches Way  
Calgary, T3R 1B2  
SW-31-25-02-05  
Lot 54-5-0512935

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - ByLaw #:C-8082-2020  
**Date:** January 20, 2021 4:30:50 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Elizabeth Deagle [REDACTED]  
**Sent:** January 20, 2021 4:30 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - ByLaw #:C-8082-2020

**Do not open links or attachments unless sender and content are known.**

Good Afternoon,

My name is Elizabeth Deagle, I am writing to you with regards to the proposed Lehigh Hanson gravel pit. I live in the neighborhood, on Rolling Acres Drive. I am deeply disappointed in Rocky view for even considering allowing the gravel pit so close to so many homes. I am very concerned about what this will do to my family's health (carcinogenic Dust), the air quality in our community, the noise levels, the groundwater (our house is on a well) and the reduction in property value. I believe the pit could be moved much further away from the homes.

It is time for Rockyview county to stand up for its citizens and REJECT the Lehigh Hanson grave pit being built so close to so many peoples homes.

Thank you for your time,  
Elizabeth Deagle  
[REDACTED]

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 30, 2020 2:18:46 PM  
**Attachments:** [image006.png](#)

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**Do not open links or attachments unless sender and content are known.**

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

ERIN PERESTA, RCIC

[REDACTED]  
[REDACTED]  
[REDACTED]

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - FW: Lehigh's Application  
Date: October 21, 2020 9:36:39 AM

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**Subject:** FW: Lehigh's Application

**Lehigh Hanson's application:**

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Yours truly  
Everett Zariwny  
21 Silverwoods Drive

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - NO TO GRAVEL  
**Date:** January 20, 2021 12:20:17 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Florence Kong [REDACTED]  
**Sent:** January 20, 2021 12:05 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - NO TO GRAVEL

**Do not open links or attachments unless sender and content are known.**

Hello

This is 39 Silverwoods Dr. I am protesting and definitely a NO to gravel activities across from our neighborhood.

Sincerely  
Florence and Steve Kong.

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-80820-2020  
**Date:** January 19, 2021 1:10:32 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** frank bodell [REDACTED]  
**Sent:** January 19, 2021 12:47 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-80820-2020

**Do not open links or attachments unless sender and content are known.**

Dear Council,

I am writing in response to the Notice of Public Hearing Application of Lehigh Hanson Materials Ltd. To redesignate lands located at the northeast junction of Burma Road and Range Road 25.

I am opposed to Lehigh Hanson's application to redesignate these 600 acres to allow for open pit mining. Many people have chosen to live in this part of Bearspaw based on the decisions of previous councils to reject the applications of Lehigh starting as far back as 1994. I can see no conceivable reason to allow this application to proceed.

The negative impacts of open pit mining are well documented. From poor air and water quality to diminishing property values.

Due to prevailing wind we already are subject to the silica dust from Burnco, STAR and Lafarge.

Frank Bodell  
16 Crestview Estates

[REDACTED]

[REDACTED]



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - Lehigh Hanson's application: Application #: PL20200093/0094 (File #: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 23, 2020 5:08:24 PM

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Dear Ms. Bryden:

Our family is responding to the application and request for comments regarding an open Pit mine less than 1 km from our property. We have been residents of Rockyview County for over 35 years. We moved here from Calgary drawn by the country setting and many of our neighbours did the same. We took comfort from the country residential zoning and proceeded to invest money in the area. Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan we believe is a totally inconsistent land use. Therefore we strongly opposed this application. . The County turned down Lehigh Hanson's earlier applications twice for this reason. In addition, while there are social and economic costs resulting from gravel mining and extraction, the most important are health risks and the associated cost. I am sure you are aware of the numerous and well-documented reports on the health risks associated with gravel extraction and crushing. Fine particulate matter, 10 microns or less in diameter (PM 10), can be inhaled and are considered toxic. Smaller respirable particulate matter (PM 2.5) with a diameter of 2.5 microns or less, is even more dangerous, lodging deep within the lungs and tissue. There is no biological mechanism for clearing these toxic particulates from the body. These are only the obvious risks. The reduction in the quality of life for residents, the reduction in property values, and the negative impact on the environment make the application by LeHigh Hanson a significant risk to residents in the area.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to complete in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Kindest Regards

Fred Scharf

**From:** [Dominic Kazmierczak](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8000-2020 - Scott/Heather Sutherland 87 Church Ranches Blvd. Opposing application by Lehigh Hanson  
**Date:** January 15, 2021 3:14:13 PM

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**From:** Scott [REDACTED]  
**Sent:** January 15, 2021 2:38 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8000-2020 - Scott/Heather Sutherland 87 Church Ranches Blvd. Opposing application by Lehigh Hanson

**Do not open links or attachments unless sender and content are known.**

To: Rocky View Council

I am opposed to Lehigh Hanson's application to re-designate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable adverse impacts to residents' health, safety, and quality of life, as well as serious environmental costs.

The studies that have been conducted to date and distributed to area residents do not account for the heavy metals that will be released into the nearby aquifers and ground water. These precious gravels are what filter the waters that we drink as well as provide refuge for various ecosystems.

In addition, we do not believe the current infrastructure can support this type of increased traffic. There are other health concerns that I, Scott have, with the disturbance that will occur. I suffer from a lung condition and moved out of the city to avoid aggravating this health concern. The increased dust will have negative impacts on my already concerning condition.

We also enjoy the peace and quiet that the community offers and the residual sounds from a gravel operation would destroy this sanctuary we call Church Ranches.

I am also disturbed that the County has scheduled this public hearing in the current Covid-19 environment. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. Lehigh Hanson has never responded to the concerns we raised. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Scott and Heather Sutherland

87 Church Ranches Boulevard, Rocky View County AB T3R-1B1

January 1, 2020

**From:** [Dominic Kazmierczak](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8000-2020, opposition to Lehigh Hanson's application  
**Date:** January 15, 2021 12:13:27 PM

---

**From:** Hua Zhang [REDACTED]  
**Sent:** January 15, 2021 10:35 AM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8000-2020, opposition to Lehigh Hanson's application

**Do not open links or attachments unless sender and content are known.**

Hello,

I'm Hua Zhang, owner of 307 Church Ranches Rise, I'm in strong opposition to Lehigh Hanson's application to build a gravel pit right next to Church Ranches!

Below are reasons that I against this application:

- 1) I have ever been consulted about this application by anyone form Lehigh Hanson or a representative acting on behalf of Lehigh Hanson;
- 2) It's development would cause significant reduction in property values;
- 3) Crystalline silica dust is a known carcinogen and significant health hazard, can result in silicosis of the lungs; who is going to pay for my priceless health?
- 4) Not just us, all the wildlife we enjoy seeing in Church Ranches will not stay to live by a gravel pit either; and
- 5) there are numerous other issues including: noise, increased traffic, impact on our ground water etc.

Thanks for your consideration!

Hua Zhang  
[REDACTED]

**From:** [Dominic Kazmierczak](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 15, 2021 12:13:56 PM

---

**From:** Angie [REDACTED]  
**Sent:** January 15, 2021 11:26 AM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

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To: Rocky View Council

We are strongly opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

Heavy industry such as open pit mining is incompatible with residential communities and this application is a completely unacceptable land use for this area.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County should not allow open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable adverse impacts to residents' health, safety, and quality of life, as well as serious environmental costs. Another concern is the fact that traffic on Burma Road will be significantly altered. The road was never meant for large trucks, it doesn't even have a shoulder. Both cyclists and walkers use that road regularly and with increased traffic caused by the Gravel Pit, there is bound to be collisions with a huge potential for injury or worse.

We are disappointed that the County has scheduled this public hearing in the current Covid-19 environment. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation. In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Nels & Angela Lindstein  
12 Chamberlain Place  
Calgary AB  
T3R 1B7  
January 15, 2020

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - BYLAW C-8082-2020  
**Date:** January 20, 2021 2:07:21 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** KEN MITCHELL [REDACTED]  
**Sent:** January 20, 2021 12:41 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Cc:** Microsoft Office Outlook [REDACTED]  
**Subject:** [EXTERNAL] - BYLAW C-8082-2020

**Do not open links or attachments unless sender and content are known.**

To: Rockyview Council

We **oppose** the proposed bylaw to allow a gravel pit ("aggregate operation") in our neighbourhood.

It is totally & utterly inappropriate to allow a gravel pit in a residential area.

This sort of heavy industry will cause excessive noise, dust and equipment exhaust emissions in the middle of a residential area.

There should be a significant buffer zone of many kilometers, at least 5, between a large heavy industry such as a gravel pit and any residential area.

Regards  
Ken & Kathleen Mitchell  
30 Biggar Heights Close  
Calgary, AB T3R 1H3

**From:** [Dominic Kazmierczak](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Fwd: Bylaw C-8082-2020 - Mike and Maria Perkovic - 25083 Burma Road  
**Date:** January 15, 2021 3:14:59 PM

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**From:** Perkovic [REDACTED]  
**Sent:** January 15, 2021 3:05 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Fwd: Bylaw C-8082-2020 - Mike and Maria Perkovic - 25083 Burma Road

Do not open links or attachments unless sender and content are known.

To: Rocky View Council

I am opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable adverse impacts to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled this public hearing in the current Covid-19 environment. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Mike and Maria Perkovic

25083 Burma Road

Calgary, AB

T3R 1B7

January 15, 2021



**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Municipal Clerk: Bylaw C-8082-2020  
**Date:** January 20, 2021 2:30:20 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Laurene Head [REDACTED]  
**Sent:** January 20, 2021 2:27 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Municipal Clerk: Bylaw C-8082-2020

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Gary Penno & Laurene Head  
87 Bearspaw View  
T3R 1A4  
Rocky View County, AB

Rocky View County  
262075 Rocky View Point  
T4A 0X2  
Rocky View County, AB

January 20, 2021

Attention: Municipal Clerk's Office

Re: Opposition to Application No. PL20200093, BYLAW C-8082-2020

We are writing in opposition to the Scott Property gravel pit project.

Some of the reasons we choose to live in the Bearspaw, Rocky View County area are the open spaces, fresh air and quiet environment. In every season and every day, we enjoy spending time outdoors, and this is especially important now, during the pandemic. The mental and physical health benefits of being active, especially outside, cannot be ignored. We feel that the proposed Scott Property gravel pit will negatively affect our environment, and the health of the citizens of Rocky View County.

We are very concerned about the dust produced from this project, which may contain carcinogens that will directly impact our health. Adding to this, the noise from the pits will impact our quality of life – in particular, our enjoyment of our natural surroundings.

Please do not let profit be more important than the physical and mental health of Rocky View County citizens.

Our understanding is that this proposed project was denied in 1994 and again in 2010 on the grounds that this is a residential area, so with increased residential population since then in Rocky View County, how can this be a possibility now?

We trust that this council will make a decision that takes the residents' voices into account.

Our vote is a resounding NO to this project.

Sincerely,

Gary Penno

P/Eng.

Laurene Head

Rocky View County

October 22 2018

Proposed gravel pit Scott property

File numbers 0665001 06605002 06605003 06605004 06605005

Application Number PL20200093/0094

Division 8

Katherine and Gerrit Langejans

57 Silverwoods Drive Calgary T3R 1E2

Attn Andrea Bryden :

We would like to register that we are **strongly opposed** to the Scott Gravel Pitt.

We have lived in our home on Silverwoods Drive for approximately 20 years. We moved to a rural residence to improve the quality of life for our family. When we moved into the area there were 2 gravel pits, LaFarge and Burnco, and since then a 3<sup>rd</sup> gravel extraction pit, the Government of Alberta, has opened on 85<sup>th</sup> Street NW. We now have 3 gravel extraction pits within 7 Km of our house which impact our daily lives through noise and air pollution, plus increased traffic on Burma Road/144 Avenue NW and 85<sup>th</sup> Street NW.

**Noise Pollution:**

We can hear the crusher at the Provincial gravel pit on 85<sup>th</sup> Street NW. The crusher is running every day from morning until evening. There is a constant hum which increases when there is an East wind. It makes sitting outside unpleasant and we don't open windows due to the noise and dust.

The proposed pit has indicated they will use a conveyer belt to move the gravel and we have been assured this will reduce noise and traffic. Unfortunately, there is not a conveyer belt system in operation in Canada to review but how it can work silently is a mystery and when it breaks down, or is stopped for maintenance, the only way the gravel can be moved will be by truck. Increasing traffic, noise and dust.

**Air Pollution:**

Dust which includes Silica is a constant in our lives and will be increased by the operation of this pit. Silica has a cumulative factor and has been proven to be harmful to lungs and negatively affect those suffering from breathing issues. Rocky View doesn't seem to be concerned about this health hazard.

The proposed gravel site is directly north of our residence and the prevailing winds are from the north and the west which will mean increased dust and exposure to Silica.

**Wild Life:**

The effect on wildlife of the removal of open land, vegetation and natural wetlands will be detrimental. There will be a decrease of birds that nest in wetlands and an increased road deaths due to increased traffic.

**Water Table:**

The gravel extraction will disrupt natural underground water ways, dry out natural wetlands and affect existing well systems, plus add to Rocky View's existing flooding problem.

**Increased Traffic:**

There will be an increase to the number of gravel trucks moving gravel to other locations/processing plants and employees traveling to and from the gravel pit resulting in an increase of damage windshields hit by flying gravel. Gravel companies take no responsibilities for gravel dropped by their trucks onto the roads and for truck drivers not securing their loads correctly. Many residents replace their windshields and remove dents from the body of their vehicles every year due gravel damage at their own cost.

Trucks do not always obey the highway code. On numerous occasions we have witnessed trucks not stopping at stop signs but pulling out in front of cars when not safe to do so and by driving above the speed limit.

**Quality of Life:**

The operation of this 4th pit will impact our lives in many ways. With constant noise and increased dust, we will not be able to enjoy being outside in the future. It will have an impact on property values and a reduced availability of purchasers – who will want to buy a property close to a mining operation. Residences located at the east end of Silverwoods will look directly onto the gravel pit as a berm will not be able to built high enough to hide the pit. **The existing berms built to hide other gravel pits are full of weeds, dead or poor specimens of trees and bushes and do not disguise the pits or provide a barrier to the effects of gravel extraction.** Residents who live in Crestview will be only 150 meters away from the berm which is meant to provide a barrier to the mining operation. They have lived in their rural residences since the 70's, paid their taxes and have been good residential citizens and now will be in middle of an industrial site. How anyone on Counsel can support this proposed gravel pit is unbelievable.

This is the 3<sup>rd</sup> application for this gravel pit. The previous 2 times it was soundly defeated, the last time 9-0 which should be an indication to Counsel that they are many valid reasons not to approve this operation which have not changed since the last application. Why are they able to apply again?

In closing we chose to live in a rural neighbourhood and paid for the privileged to buy a residence here and now we are being surrounded by mining and gravel extraction pits and expected to be happy with the negative impact they will have on the community.

We are against the proposed Scott Pit.

Yours sincerely

Gerrit and Katherine Langejans

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Scott Property Gravel Pit Application No: PL20200093/0094, file no's 06605001-06605005  
**Date:** November 1, 2020 9:02:40 PM

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Do not open links or attachments unless sender and content are known.

Dear Ms. Bryden,

In regards to the above referenced application, I am writing to respectfully submit my strong objection to this proposed operation. My family lives at 29 silverwoods Drive, which is approximately 500 metres from the proposed border of the pit. We have 10 year old twins, one of which is an asthmatic and silica dust and other particulate matter would not be good for his or our daughter's health living this close to an extraction and crushing operation. Another concern is the noise associated with an operation like this, there are other operations much further away (star pit) which we still hear most days.

We moved to this location 16 years ago to raise a family and have a good quality of life and this gravel operation is trying to take that away from us. We were here first and this area is full of family residences and should stay that way. I am not against all gravel operations, but I am against this one being much too close to a population of people.

I hope that our county will do what is right for my son and our family.

Sincerely,

Gerry and Rolanda Kerkhoff

Gerry and Josie Scalise  
24185 Aspen Drive  
District of Rockyview  
Calgary, AB T3R1A5

January 19, 2021

Planning & Development Services Department  
Rocky View County  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

**Application Number: PL202000093 06605001/002/003/004/005**

**Subject: BYLAW C-8082-2020**

Dear Rocky View Council

**We are Opposed.**

We have resided in Bearspaw for 14 years and therefore will be directly affected by the decision made by council regarding this application. My family and I reside within 1-2 Kms away from this site.

It is our understanding that this is the third application made by this same applicant, with the most recent one being rejected unanimously. The same reasons for that rejection still apply. There will be significant environmental effects, significant health consequences to residents and it will greatly interfere with the enjoyment of residences in all the properties surrounding the area.

More significantly, meaningful consultation should have occurred with affected residents. This has not occurred. We have been home almost exclusively since the middle of March due to the global pandemic and have not received any correspondence or had contact from Lehigh Hanson or its affiliates in that time other than notice of the application.

In conclusion, I hope Rocky View Council will use the prudent voice used in the previous two applications and reject this application.

Thank you,

Gerry and Josie Scalise



**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 24, 2020 4:30 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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---

**From:** G K [REDACTED]  
**Sent:** November 24, 2020 12:00 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

Do not open links or attachments unless sender and content are known.

Hello,

As a resident of Bearspaw, near the proposed Scott open pit project, my husband & I would like to voice our firm opposition to this proposal.

Not only is the hearing, during COVID, 3 days before Christmas, the idea of yet another gravel pit in our residential area is abhorrent.

We have lived on Meadow Dr for 27 yrs. During that time, we have had to adjust to constant clunking noise from surrounding gravel pits. We are well aware of environmental impacts from open pit mining & have the added concern for the health of our well water. We have a beautiful property that is frequented by animals large & small & fear for the impact more gravel development will have on those critters as well as the expected devaluation of our property.

Though we understand the need for progress, we do not accept that our area needs to house yet another gravel pit. We have done our part. It's time you do yours & accept that enough is enough. No more gravel pits in our area.

Thank you for your consideration in this matter.

Sincerely,

Gisele & Julian Kyne  
24150 Meadow Dr



**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 24, 2020 4:31 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082 - 2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
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---

**From:** [REDACTED]  
**Sent:** November 24, 2020 1:00 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Cc:** Gloria Wilkinson [REDACTED]  
**Subject:** [EXTERNAL] - Bylaw C-8082 - 2020

Do not open links or attachments unless sender and content are known.

Good afternoon,  
The public hearing on the Scott Pit should conclude that the application is NOT approved.

Yes there is a valuable natural resource in a large gravel seam in the area, but RVC has already made it's own choice between country residential and natural resources.

RVC continues to approve more and more country residential in the area; so the County has set its direction for development. Story ended.

I look forward to the outcome as pre-set by RVC.

Respectfully,

Gloria Wilkinson (who happily lives next to a gravel seam that took precedence)

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 24, 2020 4:31 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Lehigh Hanson - Letter of Adjournment  
**Attachments:** Nov 24 Letter of Adjournment.pdf

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
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---

**From:** Graham Reiser [REDACTED]  
**Sent:** November 24, 2020 2:10 PM  
**To:** Al Hoggan <AHoggan@rockyview.ca>; Theresa Cochran <TCochran@rockyview.ca>; Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Lehigh Hanson - Letter of Adjournment

Do not open links or attachments unless sender and content are known.

Dear Mr. Hoggan and others,

Please see attached letter concerning the Lehigh Hanson public hearing December 22, 2020.

Graham Reiser

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 20, 2020 4:43:54 PM

---

**Do not open links or attachments unless sender and content are known.**

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I'm against this application. The proposed open pit gravel mine is not suitable land-use for a location adjacent to existing country residential communities. Lehigh Hanson has been turned down twice already because of this. – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals show that the County is committed to the land use strategy in the Bearspaw Area Structure Plan, in which this land is marked as the location for future country residential development. How can the County, in good conscience, approve open pit mining next to new communities?

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. This includes not only the adjacent land, but also the roads leading to this area. The roads were not designed for constant heavy plant machinery. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also concerned that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons listed above

*Grant & Karin Smith*

-----  
**319 Church Ranches Rise**  
**Bearspaw, Calgary,**  
**Alberta, T3R 1B1**  
**Canada**

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Gravel pit RR25 and Burma Road  
**Date:** October 20, 2020 4:38:02 PM

---

Do not open links or attachments unless sender and content are known.

Andrea BRYDEN

File# 06605001, 06605002, 06605003, 06605004, 06605005  
Application # PL20200093/0094

So once again we are having to fight this ridiculous proposal

How many times do we have to advise that this pit is not a good idea

Although it has been documented numerous times that the gravel dust is a health hazard, we keep having to state this only to have the Scott Gravel people state it is not, which is nonsense

I have seen large clouds of dust coming off the other pits and although I am not a medical doctor, anyone should be able to realize this is unsafe.

I would like to know how many of these pits are required in this area. There are already a number in operation, and gravel trucks are rolling constantly. I have had to replace two windshields from rocks being thrown by these units

Although they are proposing a conveyor belt, is going to carry the gravel, it still has to be crushed which is going to create noise pollution. Dont attempt to indicate there will be no noise as I have heard the crusher from the pit near the Remand center while at my residence and in the Church Ranch area

All of this is not only a health hazard, but in addition, it comes at a price to residents as our property values are going to be devalued. Does this seem like we are getting a fair deal from Rocky View County.

**This application should be denied**

H.E.and B. LACHUK  
52 Silverwoods Dr.

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 18, 2021 5:00:02 PM  
**Importance:** High

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**MICHELLE MITTON, M.Sc**

Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**

262075 Rocky View Point | Rocky View County | AB | T4A 0X2

Phone: 403-520- 1290 |

[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Harry Hodgson [REDACTED]  
**Sent:** January 18, 2021 2:42 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020  
**Importance:** High

**Do not open links or attachments unless sender and content are known.**

As a landowner in Rocky View County and in near proximity to several gravel pits, I am OPPOSED to Lehigh Hanson's application to redesignate land to an open pit gravel mine that will put local residents in harms way.

Heavy industry such as open pit mining is NOT compatible with residential houses. As such, this application represents a completely unacceptable land use for this area. The County has some of the most extensive gravel deposits in all of North America. Because of this, there is no need to extract gravel in locations that threaten existing residents or the environment.

I have heard horror stories from people who live next to the existing gravel pits. The constant and persistent noise causing headaches and nausea. Their kids waking up with nose bleeds from breathing the dust. This vane of gravel that extends northwest through the county has high volumes of silica dust, a known carcinogen. Who knows the potential damage that is being done to anybody who breaths in this carcinogenic dust? Any bylaw that puts residents in harms way should be defeated.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. At this point, almost 10% of the County's residents live

within three miles of this site. These approvals sent the message that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

I am also disturbed that the County has scheduled this public hearing in the current Covid-19 environment. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation.

It seems that the onus is on the residents to continually fight applications by gravel companies looking to maximize their profits with little or no concern for the costs they impose on County residents or the County's environment. Lehigh Hanson keeps submitting applications with the hope that residents let their guard down and/or tire from an ongoing fight. Lehigh Hanson may also be hoping that a less knowledgeable and informed council makes a huge mistake and approves their redesignation application.

The deck is stacked against the residents who want to make Rocky View a safer and better place to live. To level the playing field the applicant or the County needs to provide funding so that landowners can more fully understand the technical data and dangers this pit will cause.

In closing, this application should be refused and hopefully once and for all put this nightmare behind the residents that will be so devastatingly impacted.

Harry Hodgson  
Rocky View County Resident  
265201 Range Road 35

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - RE: 600 acre gravel pit - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 21, 2020 7:04:57 AM

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Good day Andrea Bryden,

Thanks for the opportunity to provide input as a resident in the area.

Please excuse any typos as I'm writing this at 5am, as a working tired mom of four under the age of 7 with a baby. Wonder how many other families are also up worrying about this, attending meetings?

In a way is it just blatantly disrespectful of this company to continue to push for this despite two past rejections, and know what the community sentiment is (people before gravel)?

Just writing to inform you our family opposes Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005...

Such a project is devastating to our health, livelihood, environment, wildlife and neighbourhoods.

There are many young children and families in the vicinity where it would negatively impact health for generations - when people get sick from the environment it is altering life genetically forever.

Bearspaw area as already have at least three to six neighbouring gravel pits along burma road at 85th, at Sarcee, etc. (along the northwest edge of city as they were there as the city residential area grew out). There are 3 in a row east of my home, across from the Bearspaw Christian school already. There are more on the west side Bearspaw too which is enough already in the area.

Not sure why AGAIN there is a request to change the zoning from residential and agricultural to mining/gravel pit operations ADJACENT to many residential homesteads?

There is already strong evidence about the detrimental effects of gravel pits regarding noise pollution, environmental and population health risks.

In general this is also very disappointing from an administrator and tax payer perspective that this is coming forward again after the plethora number hours (paid and volunteer time) of citizens and county administration having already denied the application twice - and all the past input already given previously!

The public's and county's administrative time and money wasted in salaries by even reconsidering this application again could have been used to *better* the community in other ways like a wild animal refuge, seniors residences, community farm/greenhouse, a nature park for the residents and children to be physically active.



Disappointed that is the County's wasting many peoples time, stressing many residents out with the anxiety and worry about their future livelihood and the health, their children, grandchildren, grandparents and other family member's.

Strongly opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan. This is completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications **twice** for this reason – heavy industry is incompatible with residential developments. Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County is unjust to even consider open pit mining in this location.

If the owners or employees want to, and they could - buy out all the hundreds or thousands of neighboring residences impacted and then petition if they want to go ahead and choose to live next to their gravel pit/mine. Im guessing they would choose not to suffer the grave health, environmental and other consequences of living in gravel mine noise-dust-air-water pollution. This would also then become a burden on the healthcare system with increased rates of bronchitis, asthma, lung cancer, etc.

A few references included below for your review.

Please advise if you require more references concerning the detrimental impact.

Warm regards,

References:

Health impacts

<https://www.ewg.org/research/danger-in-the-air>

<https://salidadailypost.com/2017/04/10/letter-physician-warns-of-adverse-health-effects-of-proposed-gravel-pit/>

Environmental impacts:

- <https://www.google.ca/amp/s/tonyladson.wordpress.com/2014/09/03/the-effect-of-gravel-mining-on-rivers/amp/>

- <https://www.sciencedirect.com/science/article/abs/pii/S0169204694900108>

- <https://files.dnr.state.mn.us/publications/waters/hdraulic-impacts-of-quarries.pdf>

Domestic water impacts

<https://link.springer.com/article/10.1007/s12665-014-3549-2>

<https://elc.ab.ca/media/7529/GravelPitsHandout.pdf>

Ivan W. Stark  
76 Cheyanne Meadows Way  
Calgary AB T3R 1B6

January 19, 2020

Rocky View County Council  
262075 Rocky View Point  
Rocky View County AB T4A 0X2

Re: **Bylaw C-8082-2020 Opposition**

---

This letter is in opposition to the proposed bylaw redesignating Scott Property lands, located at the northeast junction of Range Road 25 and Burma Road, from Agricultural, General District to a DC District for purposes of an aggregate operation.

Policy framework for the Scott Property lands is currently governed by the Bears paw Area Structure Plan ('BASP') proposing this land and surrounding areas to the West, South and East as future country residential. Furthermore, under General - Section 8.3.14 the BASP indicates areas of high potential for natural resource extraction should be protected. However, under Extractive Industry Aggregates - Section 8.3.21 the BASP goes on to state, **'Redesignation proposals and Development Approval to accommodate the extraction of natural resource -aggregates should only be considered where, in the opinion of the Municipality, the rural residential character of adjacent lands is not unduly negatively impacted or substantially altered'**. Aggregate extraction and processing are heavy industrial uses severely impacting air quality, noise and visual aesthetics. Being quite incompatible with county residential this unduly impacts the adjacent lands. Accordingly, Section 8.3.22 permits the Municipality to refuse this proposal for a gravel pit.

The applicant for the redesignation, Lehigh Hanson, in their Master Site Development Plan ('MSDP'), under sections 6.3 and 26.3, refers to Section 8.3.14 of the BASP to protect natural resource extraction. However, they fail to acknowledge Section 8.3.21 of the BASP where adjacent lands can be unduly negatively impacted or substantially altered. For an omission of this magnitude, the MSDP would require amendment to appropriately acknowledge that full section.

Primary processing or **'crushing'** of aggregate is referred to in the MSDP under section 1.0, third paragraph, as being limited to oversized material. However, there are no guidelines to specify the quantity of materials being crushed. In addition, MSDP section 9.0 under Policy 9.2 lists hours for primary processing between 7AM – 8PM weekdays. As aggregate crushing has one of the largest impacts on adjacent lands for air quality and noise, a daily crushing limit must be established suggesting a maximum of 80 – 100 tonnes. Hours of operation for crushing should be reduced to a four-hour timeframe 8AM – 12PM. The MSDP would require further amendment for these items.

Burnco Rock Products operates a gravel pit in Rocky View County west of Cochrane at NW13-26-05 W5M, for similar purposes of aggregate extraction and crushing. Country residential usage is limited in this area and impacts on adjacent lands are significantly minimized. In the future this area is recommended in Rocky View County for any further aggregate development. Road infrastructure is

established and the higher transportation costs would be transferred to the construction industry. This acts as an incentive for consumers to transition from a '**non-renewable resource**' and substitute a more sustainable product in buildings and concrete products. An increase in trucking emissions will be somewhat offset by reduced coal power plant emissions needed to generate electricity for the proposed lengthy 4.5km conveyor system. The health effects of a large-scale crushing operation at Lehigh's Spy Hill plant necessitated by these aggregate operations can potentially be damaging to nearby businesses, institutions and residents.

The Scott Property in the Bearspaw area is ideally suited for passive country residential development that showcases green spaces and natural areas. The Scott Property lands are clearly not suitable for aggregate extraction eventually to be reclaimed in 30 – 40 years. This is the vision for Rocky View Council members to accept and show prudent and wise leadership going forward.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Ivan Stark". The signature is written in a cursive, flowing style.

Ivan W. Stark

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - PL 2020093\0094(file#S - 06605001, 06605002, 06605003,06605004,06605005)  
**Date:** October 28, 2020 2:33:30 PM

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This is Jafar Zahedi @39 Lone Pine Cres.

Hi to whom it may concern:

I believe this is the third time Lehigh Hanson Material applied. As the first and second time the people resident of this area in vicinity of the proposed Gravel pit opposed this application due to concern of health and the safety and the quality of living their family; we again oppose and not welcoming this operation in our neighborhood and encourage you to deny again this Scoot Pit Application.

with Best Regards

Jafar Zahedi

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Lehigh gravel pit  
Date: October 20, 2020 7:32:41 PM

---

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Ms. Bryden:

I do not want a new gravel pit or a gravel conveyor belt to be functioning in the Bearspaw area. Lehigh must stop trying to ram this down our throats and as a “reputable company” they should first and foremost consider the community not their bottom dollar line since the application has already been turned down twice. I know the that LEHIGH FEELS THAT IF THEY KEEP PUSHING THAT THE BEARSPAW COUNCIL WITH CAVE – AND UNFORTUNATELY THEY ARE LIKELY RIGHT.

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason. Lehigh should realize the heavy industry is incompatible with residential developments and with draw their application.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, decrease in property values as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Janet Bantle  
255193 Woodland Rd  
T3R 1G4

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - STRONGLY OPPOSE Application Number PL20200093/0094 File Numbers 06605001, 06605002, 06605003, 06605004, 06605005  
**Date:** October 14, 2020 10:12:16 AM

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Dear Ms. Bryden:

I am in receipt of your letter dated October 9, 2020 regarding Application Number PL20200093/0094 in Division 8. I STRONGLY OPPOSE this application for the following reasons:

- There are more than 50 country residential properties within 1 km of the proposed gravel pit property, this is not a suitable land use
- Gravel pits are known to cause severe health risks including lung cancer and other respiratory diseases, this is not a suitable land use
- Gravel pits are known to cause severe noise to adjacent landowners where peace and enjoyment are greatly affected, this is not a suitable land use
- Gravel pits are known to reduce property values of surrounding country residential properties, this is not a suitable land use
- The Applicant is now trying for the third time to seek county approval for a gravel pit that council and area residents struck down twice and clearly do not want, this is not a suitable land use

For the above stated reasons I STRONGLY OPPOSE this application. Rocky View Council needs to listen to the adjacent landowners and reject this application. Enough is enough.

Jason Katchmer  
40 Bearspaw Acres  
Calgary, Alberta T3R 1H7



**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 25, 2020 8:10 AM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - C-8082-2020 gravel pit

MICHELLE MITTON, M.SC  
Legislative Coordinator | Municipal Clerk's Office

ROCKY VIEW COUNTY  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
MMitton@rockyview.ca | www.rockyview.ca

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-----Original Message-----

From: Jason wordie [REDACTED]  
Sent: November 24, 2020 7:32 PM  
To: Legislative Services Shared <LegislativeServices@rockyview.ca>  
Subject: [EXTERNAL] - C-8082-2020 gravel pit

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Dear Municipal Clerk,

I'm opposed to adding a gravel pit along Burma Road. The road itself is terribly narrow and cannot support additional heavy truck traffic. I already watch the trucks fly by the turn to my daughters school Bears paw Christian, and they routinely exceed the speed limit by double as they try to climb the hill there. Someone is going to be killed.

Adding more truck traffic to Burma would at minimum require the county to expand, improve and upgrade the road. Otherwise you will have a fatality along that road involving heavy trucks. You have a responsibility not to add to this safety concern. There must be better places to build a gravel pit that takes the safety of your constituents into greater consideration.

The Bears paw area generates a lot of residential property tax revenue for the county and I'm sure you're concerned about our opinions on the livability and safety of our neighbourhood.

You must also recognize that the growth of this lucrative tax base is at risk by approving this gravel pit.

We all use Burma Road daily. Please consider our safety as you undertake your third review of the Hansen gravel pit.

Find a more suitable location.

Jason Wordie



8 Church Ranches Close  
Calgary, Alberta  
T3R 1C1

31 October 2020

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden,

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am OPPOSED to this application.

The proposed open pit gravel mine is an incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible in extremely close proximity to residential developments. Significant spacing to residential developments is required, not the minimum that is proposed.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan, which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives very close to the gravel pits. These include;

- o High noise levels - with no recourse if the levels exceed their permit
- o High levels of silica dust - with no recourse if the levels exceed their permit
- o Vibrations from the mining and conveyer system
- o High levels of truck traffic - there is currently more than a truck every 5 seconds going by the Royal Oak Tim Hortons, a new pit will add to the already unsustainable truck traffic.
- o The reclamation plan for the pit is not set in stone. I believe that there will be intense pressure for a new landfill once the Spy Hill dump is full and an empty pit is a logical place to put a landfill.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

There are many other locations in Rocky View for gravel pits. The Area Structure Plan could designate land use for gravel pits in these areas and not allow increased residential development within a mile of the pit locations. This would provide stability in planning and avoid the issue that we now face.

In closing, this application should NOT be approved.

Sincerely,

Jeff Perry  


**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - APPLICATION NUMBER PL20200093/0094 F le Numbers: 06605001 06605002 06605003 06605004 06605005  
**Date:** October 30, 2020 1:32:54 PM

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Dear Andrea Bryden:

Please consider this my formal opposition to the above application to redesignate these lands for the purpose of building a gravel pit

I reside on Range Road 25 immediately across from the proposed gravel pit

There is no need for a gravel pit in our residential community Adding a gravel pit to the community will have no positive impact on our community, environment, roads, water supply, quality of life or house values Adding a gravel pit to our community will have many negative impacts

As council and administration are aware through community meetings on the subject, gravel pits offer dangerous health effects to those who live close to them Considering the applicant has offered only a one hundred meter buffer between their property and the road, it is evident that no due care for health has been considered for the residents who already have established their homes in the area To put it in perspective, one hundred meters is the distance between two telephone poles This "buffer" is a ridiculous attempt at demonstrating any consideration for neighbouring homes There are endless studies completed all around the world regarding the impacts to health living close to a gravel pit (<https://salidadailypost.com/2017/04/10/letter-physician-warns-of-adverse-health-effects-of-proposed-gravel-pit/>) ( <https://www.castanet.net/news/Homeopathy/37167/Dangers-of-gravel-pit-dust-explored#:~:text=Scientific%20studies%20have%20linked%20particle,just%20to%20name%20a%20few> ) (<https://www.torontoenvironment.org/gravel/impacts> ) ( [http://www.citicite.com/files/Uploads/1220/Dust%20Particulant%20Distance%20Travel%20and%20Impacts%20on%20Adj%20Properties\\_%20Incl%20Resp%20&%20Allergic%20Immune%20Responses.pdf](http://www.citicite.com/files/Uploads/1220/Dust%20Particulant%20Distance%20Travel%20and%20Impacts%20on%20Adj%20Properties_%20Incl%20Resp%20&%20Allergic%20Immune%20Responses.pdf) ) With all the information available and with council aware of the negative impacts associated with this gravel pit It would be irresponsible and negligent if council votes approves this operation

This applicant has made virtually the same application twice in the past Those Council members refused the application based on the existing Area Structure Plan which reflects future residential development Since the last application by Lehigh Hanson, there have been approximately 10 new homes and/or home improvements in the immediate area surrounding the proposed gravel pit The County approved those permits based on the ASP reflecting future residential development of the Lehigh Hanson land Those residents and land owners made substantial financial decisions to invest in the land and their homes because the ASP reflected further residential development, not a gravel pit!

We are currently on a well system Our water is tested on a regular basis and has always tested to be high quality water We have lived in our house for seventeen years In the previous hearing for the previous application by LeHigh Hanson, a resident Hydrogeologist testified that a gravel pit would jeopardize not only the quality of the well water but would also render the well unusable ( <http://ccob.ca/wp-content/uploads/2012/05/finnish-study-effect-of-gravel-extraction-on-groundwater.pdf> ) As a result, we would have a devastating financial impact as we would be forced to join the water COOP with not only a costly membership fee but also the monthly usage fees which we currently do not pay House prices will fall dramatically with a gravel pit across the road or immediately behind the property There are countless studies conducted on the impacts of living next to a gravel pit in relation to property values ( <http://gravelwatch.org/property-values/> ) Within ½ KM of the gravel pit values will fall at least 25% according to several studies The closer you are the greater the property value decreases Not only does the value decrease but the ability to sell your property decreases as well In these uncertain economic times, it is unfair to put additional financial stresses on the residents by devaluing their homes

I can not find one positive reason for adding a gravel pit to our community Heavy industry has no place in a residential community Especially when you consider the size of the land at 600 acres, to be used as a gravel pit relative to the residential home owners in the area The County has approved millions of dollars worth of residential development in the immediate area surrounding the proposed gravel pit since the last Lehigh Hanson application was refused signally a commitment from the County that the land should follow the ASP future plans for residential development for this land A gravel pit offers no environmental benefits to residents A gravel pit offers no financial benefits to residents A gravel pit will not enhance residents quality of life or enjoyment of their community It will however, destroy the environment not only on the subject lands, but also surrounding land It will destroy my water supply It will destroy my financial investment and; it will destroy my enjoyment of my land and property

This application must be denied A clear message must be sent to Lehigh Hanson that there is no place for gravel in our community

Sincere Regards,  
Jennifer Neal

260103 Range Road 25

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**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 18, 2021 12:47:43 PM

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MICHELLE MITTON, M.SC  
Legislative Coordinator | Legislative Services

ROCKY VIEW COUNTY  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
MMitton@rockyview.ca | www.rockyview.ca

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-----Original Message-----

From: Jennifer Stockwood [REDACTED]  
Sent: January 17, 2021 8:01 PM  
To: Legislative Services Shared <LegislativeServices@rockyview.ca>  
Subject: [EXTERNAL] - Bylaw C-8082-2020

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We have been residents of Rocky View County for over 30 years, residing at 16 Meadow Bay. We strongly oppose the installation of an open pit gravel mine in a residential area. We have a well to provide our water which will be impacted by the mine. Our air quality will suffer because of the dust and the noise impact will be unhealthy causing constant stress. Financially we will suffer owing to property values decreasing because of the proximity to industry. This has always been a residential area where families have enjoyed a healthy environment. There are presently 2 gravel pits within a half mile radius, this has caused enough impact on this area. Enough is enough! Herbert and Jennifer Stockwood

Sent from my iPad

Gerry and Rolanda Kerkhoff & Family  
29 Silverwoods Drive NW  
Calgary, Alberta  
T3R 1E2

January, 18, 2021

Dear Rocky View Council,

**RE: PL20200093/0094 Lehigh Hanson application – Gravel Mine – bylaw C-8082-2020**

## **WE ARE OPPOSED**

Regarding the above referenced application, we are writing to respectfully submit our strong objection to this proposed operation. My family lives at 29 Silverwoods Drive, which is approximately 500 metres from the proposed border of the pit. We have 10-year-old twins, one of which is an asthmatic and silica dust and other particulate matter would not be good for his or our daughter's health living this close to an extraction and crushing operation. The health of our young family and all those living within such proximity to the proposed site, trumps all.

Another concern is the noise associated with an operation like this, there are other operations much further away (star pit) which we still hear most days. In addition to numerous other issues at hand, concern for wildlife habitat, increased traffic and noise from traffic plus from the pit, the list goes on.

We moved into our home 17 years ago to raise a family and have a good quality of life and this gravel operation is trying to take that away from us. It is our understanding that this is the third application made by the same applicant, with the most recent one being rejected unanimously. The same reasons for that rejection still apply. We were here first, and this area is full of family residences and it should stay that way.

We are not against all gravel operations, but we are against this one being much too close to a population of people. Families. Children.

We hope that our county will do what is right for our children, for our son with asthma, and our family.

Sincerely,

Gerry and Rolanda Kerkhoff

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Lehigh Hanson's application:  
Date: October 26, 2020 10:53:17 AM

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Ms Bryden

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Increased traffic will become an issue and even though it may be guaranteed that may not be the case, it always deteriorate to this later on.  
Our district is a residential area and having a gravel pit is totally ridiculous.

Can you imagine a gravel going in the middle of Brianna or Roxborough in Calgary. Bearspaw is a residential area and we move here for the lifestyle not a gravel pit.

It would depreciate the value of our homes.

Never mind the health concerns.

We are already dealing with the safety issues, too many gravel trucks when we have to take our children to school

We would really like to see this issue put to bed once and for all. Put an end to it

Thank you

Jim and Julie Quillian



## **JIMMY and SHARON THOROGOOD**

104 Church Ranches Place  
Calgary, Alberta  
T3R 3B1



October 21, 2020

Rocky View Planning

Attention: Andrea Bryden  
*via email* [abryden@rockyview.ca](mailto:abryden@rockyview.ca)

Dear Ms. Bryden:

Re: Scott Pit Application

We are responding to the County's request for comments on Lehigh Hanson's application to redesignate 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

WE ARE ADAMANTLY OPPOSED TO THIS APPLICATION for a number of reasons:

1. Health reasons, residents living close to gravel pits obviously will be exposed to dust and other contaminants.
2. Safety, heavy truck traffic on Burma Road and others.
3. Noise, especially if they plan to work 24 hours per day.

In summary, when dealing with this application maybe you should consider having a gravel pit next to your home when voting on the approval.

Sincerely,

A handwritten signature in black ink, appearing to be a stylized 'J' and 'S' combined, written over the printed name.

Jimmy and Sharon Thorogood

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #:PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 31, 2020 1:10:35 PM

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Hello,

Once again our community is threatened with contamination so that a big foreign company can make money. Being an entrepreneur myself, I have no objection to them investing in gravel extraction but not beside existing established residential, in essence, people's homes, where the health effects will be suffered by those innocent victims so that Lehigh can profit. There are lots of other locations where gravel is available in the Calgary general region where they can extract it and not so negatively affect residents. Possibly many of them are viable but not as potentially profitable due to distance to market etc. This should not be a reason to approve this application for something that has been defeated twice before. The changes to this plan don't really address the harmful effects of the previous ones and are cosmetic at best.

We pray that Council will have the courage and integrity to once again refuse this.

Joan and Leigh Schubert,  
20 rolling acres drive,



**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - By-law c-8082-2020  
**Date:** January 20, 2021 10:03:15 AM

---

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** JOAN CLARKE [REDACTED]  
**Sent:** January 19, 2021 8:12 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - By-law c-8082-2020

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Aspen Drive Calgary Alberta T3R-1A5

29-25-02-05)  
[legislativeservices@rockyview.ca](mailto:legislativeservices@rockyview.ca)

Re: Scott Pit Lehigh Hanson Gravel Pit:  
By-Law C-8082-2020

24133

( NW-

I am writing to object to the above mentioned gravel pit by-law. We moved here for a rural experience, peace and quiet and that is being eroded and needs to be stopped. The pit at the end of Aspen Drive took away a wonderful walking area and has added industrial noise to the area. It is incompatible with rural residential communities and has spoiled a lovely area.. I expect Scott pit will do the same. Enough is Enough

Other Concerns:

Contamination of my water source as I am on a well

Silica dusts impact on health as it is known as a carcinogen

Hearing this proposal at a time we are in lockdown due to Covid and cannot congregate to discuss concerns with neighbors is wrong and leads to a lack of community consultation. As a senior I am not tech savvy so that adds to the stress of communicating on line and getting info.

Property devaluation .

In closing I just want to say again I am not in favor of the Lehigh Hanson application for the Scott Pit .

Sincerely

Charlene Joan Clarke

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005).  
**Date:** October 31, 2020 3:46:03 PM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Regards,  
Joanne Tanner

28 Meadow Bay



**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8000-2020  
**Date:** January 20, 2021 10:04:44 AM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Jody Seidel [REDACTED]  
**Sent:** January 19, 2021 9:43 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8000-2020

**Do not open links or attachments unless sender and content are known.**

Jody Seidel  
24 Crestview Estates  
Calgary, AB. T3R1E1

January 19, 2021

Dear Rocky View Council  
Re: **PL20200093/0094 Lehigh Hanson application - Gravel Mine – Bylaw C-8082-2020**  
**We Are Opposed**

I have resided in Bearspaw for 15 wonderful years. After much consideration my husband and I chose this rural area to raise our 4 children because of the quiet, clean, wildlife-filled beauty that is Bearspaw. We have always planned on living here into our golden years to see our grandchildren enjoy it as well. My family and I will be directly affected by the decision made by council regarding this application. We reside directly adjacent to the proposed site.

It is our understanding that this is the third application made by this same applicant, with the most recent one being rejected unanimously. The same reasons for that rejection still apply.

There will be significant environmental effects, significant health consequences to residents and it will greatly interfere with the enjoyment of residences in all the properties surrounding the area.

More significantly, meaningful consultation should have occurred with affected residents.

This has not occurred. We have been home almost exclusively since the middle of March due

to the global pandemic and have not received any correspondence or had contact from Lehigh Hanson or its affiliates in that time other than notice of the application.

In conclusion, I hope Rocky View Council will use the prudent voice used in the previous two applications and reject this application.

Thank you,

Jody Seidel

Sent from my iPhone

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - PL20200093/0094 file # 06605001 06605002 06605003 06605004 06605005  
**Date:** October 27, 2020 11:56:43 AM

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Do not open links or attachments unless sender and content are known.

We received a notice from Rocky View County regarding an application to redesignate approximately 600 acres in the Bears paw area, along Burma Road, from agricultural lands to accommodate a new gravel pit operation.

Apart from the obvious negative conditions this change would bring, ie. noise, dust, devaluation of property in the immediate area, increased traffic (even with the proposed, enclosed conveyor system), there are concerns for the health of nearby residents.

I request that a cumulative effects assessment be completed, specifically to examine the effects of the new pit and it's excavation on air quality in the immediate vicinity of the project and in the broader area. The effects of this gravel pit may be less at the beginning of operation and much higher as the project continues, and it's incremental effect on air quality will contribute to existing impacts. The project proponent should assess the project specific effects on air quality in the immediate vicinity of the project, especially at nearby residences. This must be considered in the context of the existing impacts to air quality in the region, related to traffic, other gravel operations, municipal landfills and other developments.

A big concern for us is the PM2.5 (particulate matter less than 2.5 micrometers) which are tiny enough to enter the lungs and human cells. I request that a comprehensive air quality monitoring program, specifically for the perMeter PM2.5, be required as a project approval condition and that the results of this monitoring be publicly shared. The monitoring plan should be developed with affected residents. These residents should also be made aware of the location of all air quality monitoring locations.

I am not in favour of this project and hope the county will take into consideration the health and well being, as well as the will of its residents when making its decision.

Johanna Thompson  
260214 Bears paw Road

Sent from my iPad

Subject: Application PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate a gravel pit operation and their application to adopt the accompanying Master Site Development Plan.

I am opposed to this application. The proposed gravel pit is completely incompatible for the area because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved more country residential communities in the immediate vicinity of Lehigh Hanson's proposed operation. These approvals signal that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose a gravel pit at this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Thank you for your attention,

John and Danielle Cooke



John and Janina Boguslawski  
24137 Aspen Drive  
District of Rockyview  
Calgary, AB T3R1A5

January 19, 2021

Planning & Development Services Department  
Rocky View County  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

**Application Number: PL202000093 06605001/002/003/004/005**

**Subject: BYLAW C-8082-2020**

Dear Rocky View Council

**We are Opposed.**

We have resided in Bearspaw for 15+ years and therefore will be directly affected by the decision made by council regarding this application. My family and I reside within 1-2 Kms away from this site.

It is our understanding that this is the third application made by this same applicant, with the most recent one being rejected unanimously. The same reasons for that rejection still apply. There will be significant environmental effects, significant health consequences to residents and it will greatly interfere with the enjoyment of residences in all the properties surrounding the area.

More significantly, meaningful consultation should have occurred with affected residents. This has not occurred. We have been home almost exclusively since the middle of March due to the global pandemic and have not received any correspondence or had contact from Lehigh Hanson or its affiliates in that time other than notice of the application.

In conclusion, I hope Rocky View Council will use the prudent voice used in the previous two applications and reject this application.

Thank you,

John and Janina Boguslawski  


**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - in opposition to the Lehigh Hanson application #PL20200093/0094  
**Date:** October 20, 2020 5:28:24 PM

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Attn: Ms. Bryden:

With regard to Lehigh Hanson's application to redesignate 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open-pit gravel mine, we are opposed to this application. We feel the proposed open-pit gravel mine is not in accordance with land use because of the nearby country residential communities.

We feel there are legitimate concerns with open-pit gravel mines as to their potential for negative impacts on those who live in their vicinity, as well as undesirable environmental consequences.

This application should not be approved.

Regards,

John and Shawna Cordara

227 Church Ranches Way

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [Samanntha Wright](#)  
**Subject:** [EXTERNAL] - Re: Objection to Application Number PL20200093/0094 Lehigh Hanson Gravel Pit  
**Date:** October 20, 2020 9:50:43 AM

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**Planning and Development Services Department – Rocky View County**  
**Attention: Andrea Bryden**

Since Lehigh Hanson's first attempt in 1994, the Bearspaw community and residential tax base has grown enormously with the approval and encouragement of the County. Many of the Bearspaw communities that will be impacted by the Scott Pit did not exist in 1994 or in 2010 when Lehigh's second attempt was rejected for very good reason. The County has consistently approved residential development in Bearspaw which clearly indicates that the County has designated this area of the RM as a residential community. The County's own policies in other Area Structure Plans emphasize the importance of transition zones between residential areas and heavy industrial areas. Putting open pit mining immediately adjacent to family homes is unacceptable and affects the health and safety of the residents.

I am not opposed to gravel in Rocky View, only to industrial operations in established residential communities like Bearspaw. The County has already exceeded the acceptable limit for cumulative pit operations in the area and the proposed operation is in the worst possible location adjacent to homes. The current operations should be mined and reclaimed before considering any additional pits or expansions to current operations in the Burma Road area.

I am hoping that the County does not use the Covid lockdown to limit representation and consultation at the upcoming council meetings. If this is a problem this application must be delayed until proper consultation can be achieved. Some governments and companies are looking at Covid as an opportunity to bypass the required democratic processes. Bearspaw has already been denied representation through much of this process due to the restrictions put on our councillors by the RM which has been deemed illegal by the courts. This must not continue and the taxpayers will be watching for conflicts of interest in this process.

The engineering reports supporting the application were narrowly focused, superficial and did not address the incompatibility of heavy industrial operations beside residential homes. Along those lines I would like to mention how ineffective Lehigh's public engagement was with two open houses on the same day, followed by one on-line survey. This is not enough when you are destroying the property values, safety and lifestyle of your neighbours.

Gravel is a very plentiful resource in Rocky View and it is essential for the County to use responsible land use policy in determining acceptable locations for new gravel pits. The most important factors to consider are as follows.

1. Gravel extraction must not negatively impact existing landowners living in subdivisions previously approved by the County.
  - The land use for this area has been established for many years and it is clearly residential. It is unethical to harm the landowners that have followed the County rules.
2. Open Pit Mines and other heavy industry must not be located immediately adjacent to residential areas.
  - It is ridiculous to even consider a pit in the middle of a residential neighbourhood. The application location map shows how close this pit is to the subdivisions touching on the south and west.
3. Assessments of the impact from gravel operations must take into consideration the cumulative impacts when multiple gravel pits are located in the same area.
  - This is a huge concern in Bearspaw where the cumulative affect of the many pits is having severe negative impacts on traffic, noise and dust. Just take a drive down Burma Road and count the large trucks and try to navigate through the heavy dust blowing from the pits. Another pit will significantly add to the existing health and safety problems.
4. All gravel pits should have access to highways that are safely designed for the volume of traffic generated by gravel extraction operations.
  - The conveyor system only moves the truck traffic a little further down the road into an even busier traffic bottleneck and does not reduce the pit traffic for employees, contractors and heavy equipment servicing vehicles.

I hope the County will apply responsible zoning policy and firmly reject these applications for the safety and quality of life of its residents.

Sincerely,  
John McGilvary  
39 Cheyenne Meadows Way, Church Ranches  
Calgary

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Proposed gravel pit  
**Date:** January 18, 2021 12:52:16 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
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**From:** John Perri [REDACTED]  
**Sent:** January 18, 2021 11:55 AM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Proposed gravel pit

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Subject: Bylaw C-8082-2020

I am opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable adverse impacts to residents' health, safety, and quality of life, as well as serious

environmental costs.

I am also disturbed that the County has scheduled this public hearing in the current Covid-19 environment. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

John Perri  
19 chamberlain Close  
T3R-1B7

*John Perri*

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

From: [REDACTED]  
To: [Andrea Bryden](#)  
Cc: [REDACTED]  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
Date: October 29, 2020 5:10:42 PM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application referred to as the Scott Property at the north-east corner of Burma Road and Range Road 25 and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use, because it is adjacent to existing country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations.

In closing, this application should not be approved for a multitude of reasons including the ones I have listed above.

Regards,  
Yingchen (John) Zhao

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #: 06605001, 06605002, 06605003, 06605004, 06605005).  
**Date:** October 30, 2020 11:37:51 AM

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**Do not open links or attachments unless sender and content are known.**

Dear Andrea Bryden:

I do not believe this gravel pit or any gravel pit has any place in the middle of a residential community.

In the last election candidate Lowther pushed the idea of a "Bears paw Brand" for upscale residential development.

Are we now to expect the "Bears paw Brand" to include a gravel pit as your next door neighbor?

This pit will decimate the property values in Church Ranches and turn Burma road into another 85th Street (I have already lost 2 windcreens there)  
sincerely,

Joseph Carson  
7 Big Sky Close.



**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 19, 2021 3:50:55 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Joy Teppler [REDACTED]  
**Sent:** January 19, 2021 1:32 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Cc:** Art Teppler [REDACTED]  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

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## Council Members

We moved to Bearspaw over 30 years ago for the purpose to enjoy the tranquility, fresh air, nature and space the area had to offer. Despite the growth of individual acreages and subdivisions we continue to appreciate the quality of life acreage living provides us. We live very close to the land planned for gravel exaction so this would have a significant impact on us.

While we recognize the financial benefit to the municipality a gravel pit will bring (increased revenue), it clearly comes at the expense of the property values of those living near the proposed gravel pit. We have had a number of discussions with realtors who confirmed that property located near an operational gravel pit will negatively impact property values by as much as 30 - 35% (above and beyond market fluctuations).

There are also many health and life style consequences to consider. The increased traffic, constant noise and poor air quality would have a detrimental affect on our physical, psychological and emotional well being. As health care providers we are

very concerned about the negative impact the gravel pit would have on the health of those in the area.

As indicated by our above comments, we adamantly oppose the approval of the Lehigh Hanson gravel extraction mine. We have never been approached by anyone identified as representative of Lehigh Hanson to inform or consult with us about the proposed gravel extraction.

As elected officials we trust you will consider the significant impact and damage approving this gravel pit would have on many of your constituents.

Respectfully  
Arthur and Joy (Dianne) Teppler  
97 Harvey Hills  
Calgary, Alberta  
T3R 1J8



From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
Date: October 20, 2020 9:07:46 AM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I reside at 58 Timber Ridge Way and have two 11 year old children. I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location. The simple addition of a conveyor belt does not mitigate the harmful air particles from crushing and producing gravel in the area.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs. The cumulative impact of the negative effects of this gravel pit proposal taken together with the existing gravel pits within the 5 mile radius are beyond what a reasonable person would endure in considering residing in the adjacent residential communities and as such the Rocky View Board should reject this proposal given the cumulative negative impact of an additional gravel pit in the area.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

Best regards,  
Julie Hendrix  
58 Timber Ridge Way

Rocky View County



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 31, 2020 10:15:55 AM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Regards,

Karen Duffee

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 25, 2020 12:43 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Opposed application

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

---

**From:** Karen Ray [REDACTED]  
**Sent:** November 25, 2020 12:35 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Opposed application

Do not open links or attachments unless sender and content are known.

Plan.

We moved to the country for clean air  
One of my children are highly asthmatic and to have dust gravel extraction in the area is a detriment to her health and everyone else's health

Would you be open to purchasing my property if this is approved so we could move to an area that is not creating dust? This dust is not healthy for anyone

We move to the country for peace and tranquility a fresh air not for a heavy industry to start mining to incur harmful substances in our air

You are also bringing down property values which is not fair. Out you planning to compensate us for this?

I am opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Rocky View County

October 22 2018

Proposed gravel pit Scott property

File numbers 0665001 06605002 06605003 06605004 06605005

Application Number PL20200093/0094

Division 8

Katherine and Gerrit Langejans

57 Silverwoods Drive Calgary T3R 1E2

Attn Andrea Bryden :

We would like to register that we are **strongly opposed** to the Scott Gravel Pitt.

We have lived in our home on Silverwoods Drive for approximately 20 years. We moved to a rural residence to improve the quality of life for our family. When we moved into the area there were 2 gravel pits, LaFarge and Burnco, and since then a 3<sup>rd</sup> gravel extraction pit, the Government of Alberta, has opened on 85<sup>th</sup> Street NW. We now have 3 gravel extraction pits within 7 Km of our house which impact our daily lives through noise and air pollution, plus increased traffic on Burma Road/144 Avenue NW and 85<sup>th</sup> Street NW.

**Noise Pollution:**

We can hear the crusher at the Provincial gravel pit on 85<sup>th</sup> Street NW. The crusher is running every day from morning until evening. There is a constant hum which increases when there is an East wind. It makes sitting outside unpleasant and we don't open windows due to the noise and dust.

The proposed pit has indicated they will use a conveyer belt to move the gravel and we have been assured this will reduce noise and traffic. Unfortunately, there is not a conveyer belt system in operation in Canada to review but how it can work silently is a mystery and when it breaks down, or is stopped for maintenance, the only way the gravel can be moved will be by truck. Increasing traffic, noise and dust.

**Air Pollution:**

Dust which includes Silica is a constant in our lives and will be increased by the operation of this pit. Silica has a cumulative factor and has been proven to be harmful to lungs and negatively affect those suffering from breathing issues. Rocky View doesn't seem to be concerned about this health hazard.

The proposed gravel site is directly north of our residence and the prevailing winds are from the north and the west which will mean increased dust and exposure to Silica.

**Wild Life:**



The effect on wildlife of the removal of open land, vegetation and natural wetlands will be detrimental. There will be a decrease of birds that nest in wetlands and an increased road deaths due to increased traffic.

**Water Table:**

The gravel extraction will disrupt natural underground water ways, dry out natural wetlands and affect existing well systems, plus add to Rocky View's existing flooding problem.

**Increased Traffic:**

There will be an increase to the number of gravel trucks moving gravel to other locations/processing plants and employees traveling to and from the gravel pit resulting in an increase of damage windshields hit by flying gravel. Gravel companies take no responsibilities for gravel dropped by their trucks onto the roads and for truck drivers not securing their loads correctly. Many residents replace their windshields and remove dents from the body of their vehicles every year due gravel damage at their own cost.

Trucks do not always obey the highway code. On numerous occasions we have witnessed trucks not stopping at stop signs but pulling out in front of cars when not safe to do so and by driving above the speed limit.

**Quality of Life:**

The operation of this 4th pit will impact our lives in many ways. With constant noise and increased dust, we will not be able to enjoy being outside in the future. It will have an impact on property values and a reduced availability of purchasers – who will want to buy a property close to a mining operation. Residences located at the east end of Silverwoods will look directly onto the gravel pit as a berm will not be able to built high enough to hide the pit. **The existing berms built to hide other gravel pits are full of weeds, dead or poor specimens of trees and bushes and do not disguise the pits or provide a barrier to the effects of gravel extraction.** Residents who live in Crestview will be only 150 meters away from the berm which is meant to provide a barrier to the mining operation. They have lived in their rural residences since the 70's, paid their taxes and have been good residential citizens and now will be in middle of an industrial site. How anyone on Counsel can support this proposed gravel pit is unbelievable.

This is the 3<sup>rd</sup> application for this gravel pit. The previous 2 times it was soundly defeated, the last time 9-0 which should be an indication to Counsel that they are many valid reasons not to approve this operation which have not changed since the last application. Why are they able to apply again?

In closing we chose to live in a rural neighbourhood and paid for the privileged to buy a residence here and now we are being surrounded by mining and gravel extraction pits and expected to be happy with the negative impact they will have on the community.

We are against the proposed Scott Pit.

Yours sincerely

Gerrit and Katherine Langejans

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 31, 2020 11:51:20 AM

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Ms. Bryden:

We responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

We are opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

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We are also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones we have listed above.

Keith and Cindy Dyck

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - PL20200093/0094 File 06605001, through 0005 Scott Pit Lehigh Hanson Application  
**Date:** October 30, 2020 3:45:21 PM

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Hi Andrea,

I am writing to give comment regarding the Lehigh Hanson Scott pit Application. I do not support the application for the following reasons;

1. The community has never supported previous applications when the community was smaller and there was a boom happening. Certainly the conditions are opposite now. Where is the big "need"? The county has about 50 licensed pits with many smaller ones that are unlicensed.
2. Lehigh Hanson didn't support the larger community as a whole as exhibited by their selling their stake in the Provincial Pit (too bad, big mistake, go home).
3. There is a better home grown company nearby. I don't need to mention the name.
4. "Hard Working Albertans" living near this "Scott Farm" don't want the damaging health effects and property devaluation resulting if the application is approved. If the company needs to be there, they should get their Land Men working to fairly compensate everyone within at least a mile radius of the pit. Consultant reports are worthless to those residents.
5. There needed to be an ARP written by the people for the people! That goes for all future NRI proposals.
6. This application as well as the proposed new County Plan should not be on the table during a Pandemic. Only cowards, having something to hide and gobs of profit in mind, would wish to do so.

While I do not live near the application, I do live near a pit in the county and know of what I speak. I write to support friends that do live there and do not want RVC hurting them.

Thanks,

Keith Koebisch  
271 011 Range Rd. 40

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094  
**Date:** October 22, 2020 2:08:02 PM

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Do not open links or attachments unless sender and content are known.

Hello Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I and my wife are opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also concerned that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement. Lehigh Hanson are required to do a thorough investigation in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

Sincerely;

Keith & Carmen Miller  
153 Bearspaw Loop  
Calgary, AB T3R1K2

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - File # 06605001 06605002 06605003 06605004 06605005  
**Date:** October 14, 2020 3:45:09 PM

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**Do not open links or attachments unless sender and content are known.**

Hey there, I am writing to you to let you know that we are a **HARD NO for any GRAVEL PITS** coming into this area. File # 06605001 06605002 06605003 06605004 06605005 Application # PL20200093/0094 Division 8. We live very close to this and its awful to think they want to make this area an industrial area when we live here, the dust and noise is awful. We have to premature children with very bad lung issues and have major concerns for there health it this goes through. PLEASE STOP WITH the Gravel pits already. NO GRAVEL PITS. We are concerned about our house value going down this is awful. We are a NO for this application.

Thanks Dominic and Kelsi Urban

Sent from [Mail](#) for Windows 10

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - application # 20200093/94  
Date: October 31, 2020 9:58:48 PM

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ATTN: Andrea Bryden: (To Whom It May Concern)  
2020

Oct 31,

Thank you for the opportunity to express our opinions.

This is the third attempt by Brown & Assoc. & Lehi Hanson to obtain approval for a very large (600 acres) gravel pit in our area.  
Perhaps it should be "Three Strikes and You're Out"

How can they make application in the middle of the Virus ??? We have been sequestered for 7 months -  
because we are old and we are trying to be careful  
!

I don't know how you can expect all the local residents to make a live (germ-free) presentation in front of your council  
(especially with the virus numbers increasing rapidly in Alberta, as they are at present) ???

Many nights we have laid awake worrying about what it would be like to have another large gravel pit immediately across the  
road from our property,... noise - silica dust & heavy industrial traffic !

We have lived at this location for 36 years and have thoroughly enjoyed it for the most part. However I do have a lung condition -  
COPD - "Cardio-Obstruction-Pulmonary-Disease" which was probably caused by the Silica Dust from the six existing gravel pits  
in our area - "Inland" - "Lafarge" - "City of Calgary" - "Star"- "Burnco" & "Volker- Steven" !

We sure don't need one more, very large gravel pit right across the road !  
There is a good chance that it would affect our water supply also !

NOW - if any of the Councillors would like to see exactly what they are voting on, - I would personally be willing to give them a  
tour and show them all the beautiful homes that exist in the proximity of the proposed gravel pit.  
No Charge - please accept my invitation ! I will provide the transportation !

If this gravel pit were to be approved... it would probably affect the selling price of our home & property by approx. -25%  
with no chance of compensation from Rockyview or Lehi-Hanson.

Thank you again for your attention to this matter. .... Our address is  
260117 Range Road 25 [REDACTED]

Sincerely, Kenneth McKerracher \_\_\_\_\_ Patricia  
McKerracher \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

[REDACTED]

**Keri Drennan, P. Eng**

24188 Aspen Dr, T3R 1A4  
Rocky View County, AB

**Rocky View County**

262075 Rocky View Point  
Rocky View County, AB T4A 0X2

**Attention: Municipal Clerk's Office**

RE: Opposition to Application No. PL20200093, BYLAW C-8082-2020

My husband and I built our home in Rocky View 17 years ago. We have contributed to the community, raised our family and intend to retire here. We are disturbed by the existing gravel pits but, since they were here before us, put up with the noise and dust. A new gravel pit is not in the community's best interest; I am writing in opposition of the Scott Property project.

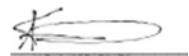
The proposed project is not taking people's physical or mental health into consideration. The dust produced from this project contains carcinogens which will severely impact human health. Noise from existing pits nearby will be compounded by this proposed operation to unbearable levels. I have learned so much from talking to community members who have studied the detrimental impacts from this type of industrial mine, and I believe that if everyone could educate themselves on the specifics, the understanding is that this project is putting a single landowner's profits ahead of people's health – physical and mental.

The expectation that this issue is to be debated during a lockdown in our province without a proper way to communicate and respond during the session is unacceptable. People who are not comfortable being around others and risking their health when already feeling compromised, should have a live video feed where they can communicate. Not only are the dates listed confusing, but the video message application is too complicated and is a barrier for many.

Rocky View county, especially the area affected by this proposed project, has increased in population density over the last 20 years. This proposed project was denied in 1994 and again in 2010 with the discussion that this area was a residential area. How can this be questioned now?

I trust that this Council will make a decision that takes the residents and those that are the voice of this community into account. The leaders of this community were elected by the citizens and I hope that we can continue to trust that our voice is being heard, and that our voice is valued. My vote is NO to this project.

Sincerely,



Keri Drennan, P.Eng

RVC Bearspaw Area Resident



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Scott Property Project  
**Date:** October 23, 2020 11:34:57 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
**Importance:** High

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**Re: Application number PL20200093/0094**

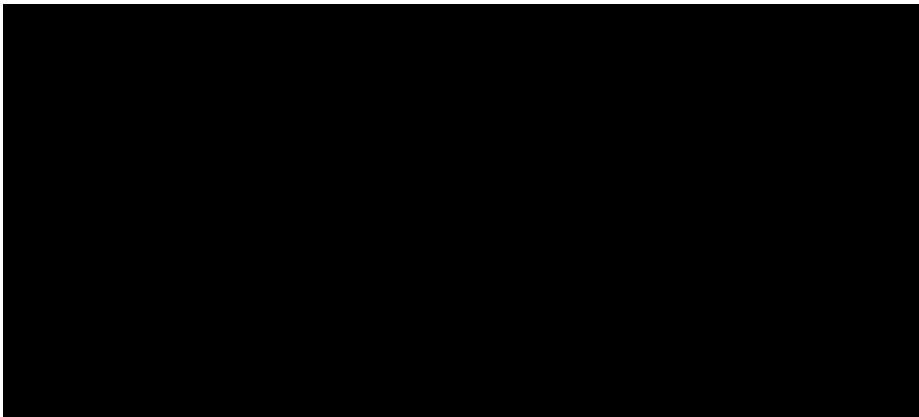
**Applicant: Ken Venner Brown and Associates Planning Group**

Hello,

I wish to add my name to those who are ***STRONGLY OPPOSED*** to this development approval. Another gravel pit operation so close to residential homes would be a travesty and extremely unfair to residents who have lived here and made this their home. The resulting traffic, particulate dust (a known health hazard) and noise will negatively affect not only our health, but quality of life and property values in an extremely negative way. ***PLEASE DO NOT APPROVE THIS.*** NW Calgary has enough gravel extraction centers that already create chaos via the points mentioned. The gravel vein runs much further out, away from residential properties. There is simply NO NEED to put them this close to such a pristine area where residents have invested decades in maintaining this. These have been denied many times – how often must we defend this? Enough already – please tell these companies NO – the residents don't want this! ***Literally ALL OF US do NOT want this!***

Sincerely,

Kerry & Carol Rioux  
49 Silverwoods Drive  
Calgary, Alberta T3R 1E2



**Draft response to RVC request for comments on Lehigh Hanson's application:**

Send emails to – Andrea Bryden, RVC Planning & Development Services  
[abryden@rockyview.ca](mailto:abryden@rockyview.ca)

Comments due by November 1, 2020

**Subject:** Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons including the ones I have listed above.

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 20, 2021 2:07:54 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

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**From:** [REDACTED]  
**Sent:** January 20, 2021 12:57 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Cc:** Isabelle Larose [REDACTED]  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

**Do not open links or attachments unless sender and content are known.**

Re: Bylaw C-8082-2020

To Whom it May Concern,

I am strongly opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

It is inconceivable to me that the county is considering this application given the proximity to the residential communities that abut the property and given the fact that the property was excluded from gravel development in the now defunct gravel master plan.

Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is

committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable adverse impacts to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled this public hearing in the current Covid-19 environment. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Kevin Trigg  
24181 Burma Road  
Rocky View County, AB  
T3R 1E1

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - 2020 Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 29, 2020 3:43:35 PM

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Do not open links or attachments unless sender and content are known.

Ms Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

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Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

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In closing, this application should not be approved for a multitude of reasons including the ones I have listed above.

Sincerely,  
Kim Sanderson

--

Have a great day!  
Kim

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 30, 2020 11:38:06 AM  
**Importance:** High

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Do not open links or attachments unless sender and content are known.

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)

Ms. Bryden:

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In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Thank you very much for considering the residents' concerns and perspectives.

Kim Shore

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Gravel Pit  
Date: October 29, 2020 4:44:45 PM

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Do not open links or attachments unless sender and content are known.

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

Kind regards,

Kirk and Diane Chace

11 Cheyenne Meadows Way



**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Subject: Bylaw C-8082-2020  
**Date:** January 18, 2021 12:42:47 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Lana Iwanski [REDACTED]  
**Sent:** January 15, 2021 9:30 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Subject: Bylaw C-8082-2020

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Subject: Bylaw C-8082-2020

To: Rocky View Council

I am opposed to Lehigh Hanson's application to re-designate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

The County refused Lehigh's two previous applications in respect to this property, based on this I am not sure why a third application is even being entertained. The impact this open pit gravel mine will have on the habitats of this area will be only negative. I chose to live in this area for its beauty. peace and serenity.

I strongly feel the health, safety, and quality of life, as well as serious environmental costs that will result from this gravel pit far outweigh any positive contributions it will have. Currently the traffic on Burma Road is average for the area. Once again with the development of this gravel pit the traffic flow will suffer with the inclusion of all the heavy truck traffic.

I also have a concern with the wildlife in the area. The impact on them will be grave and we will lose their presence altogether. Being closer to nature was another reason for choosing to live in this area.

In the current Covid-19 environment, everyone has had to rearrange their forms of communication so I would appreciate and expect The County and Lehigh Hanson to develop meaningful public consultation and participation.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Mrs. Lana Iwanski

104 Cheyanne Meadows Way, T3R 1B

Friday, January 15, 2021

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Lehigh Hanson application # PL20200093/0094 (File #s 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 31, 2020 12:08:50 PM

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Ms. Bryden

In response to the above noted application regarding the Scott property and plans for an open pit gravel mine, I offer the following thoughts.

As a retired petroleum geologist, I have spent almost 40 years in the resource extraction business, so I am not against the responsible development of resources. However, it has become very evident over my career that all extraction industries have an increased responsibility to develop these resources in a socially and environmentally appropriate manner.

Currently, I do not think that the residents of Crestview Estates should be subjected to having a open pit gravel mine "on their doorstep". I don't believe that a 150m setback is sufficient to mitigate the negative effects (noise, dust, increased traffic, decreased property values etc.) that the gravel pit would create. Perhaps a greater setback would reduce or eliminate some/all of these negative impacts? I recognize that Lehigh has proposed options to reduce the impact of the gravel mine, for example, the conveyor system. However, when I review the information on their website I see numerous impact assessments listed (air, traffic, visual etc). which all appear to be "in progress", with promises to share the results in the future. As a scientist, I want to see these results first, evaluate the results and then make an informed decision. Until I see these assessments, I cannot and will not support their gravel pit development plan. I would hope that council would take the same approach.

In addition, my understanding is that the subject lands are currently classified for Agricultural uses. With the apparently abundant gravel resources in Rocky View County, I see no reason for council to allow this proposed gravel pit to be developed so close to existing residents. Previous council decisions have affirmed that gravel extraction is incompatible with residential developments. My experience is that society's demand for socially and environmentally responsible development has increased significantly since the previous gravel pit applications were turned down. As such, I see no reason for the current council to redesignate the subject lands and approve this development plan at this time.

Yours truly

Larry Marshall

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 20, 2020 8:02:37 PM

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Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

Thank you for your consideration in this matter.

Launa Gratrix  
8 Cheyenne Meadows Gate North  
Calgary, Alberta  
T3R 1B7

**From:** [REDACTED]  
**To:** [Andrea Bryden](#); [Samantha Wright](#)  
**Subject:** [EXTERNAL] - Application PL20200093/0094 Comments  
**Date:** November 1, 2020 1:45:44 PM

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Hello Ms. Bryden & Wright:

I live in Bears paw on Meadow Dr. and as a long time resident would like to add my comments re the subject application.

I agree completely with the belief that gravel extraction operations have no legitimate place in such close proximity to extensive and existing residential development. Such conflicting developments should at the least be separated by a wide buffer zone and, there should be effective noise and dust mitigation measures in place.

In regards to mitigation, Lehigh Hanson does deserve some consideration in that the on-site crushing and truck hauling (and stockpiling?) have been eliminated from their proposal but more will be required if the application is ever approved. In this regard, I am thinking of the adjacent Burnco pit which, IMO, has handled mitigation concerns pretty well in that there is little visual impact to nearby residences (via berms and buffer zones), noise and dust reduction seem to have been well addressed and trucking from the site, at least to date, seems pretty light and non-intrusive.

Going on that criteria, I would expect that equal or better mitigation by Lehigh Hanson be a firm condition for any project approvals. I am however concerned about the conveyor belt system proposed for gravel transport to an existing pit operation. Specific concerns relate to visual impact of such a lengthy conveyor, noise and dust emanating from the conveyor, impact on wildlife movement and, reliability. Whilst the conveyor eliminates the downsides of on-site crushing and truck hauling, it does present those other possible downsides and I trust council will address those concerns appropriately. In particular there should be NO allowance for backup truck hauling if/when operational difficulties with the conveyor crop up. I am particularly concerned the covered conveyor may also function as a giant banging, rumbling metal drum - there should be stringent noise limits imposed by the County and, effective noise mitigation should be demonstrated, hopefully by reference to similar existing & proven operations, before any approvals are granted.

One other point in particular, will the conveyor crossing at Burma Road/Rocky Ridge Road be above or, much preferably, underground??

In conclusion, please put me down as Opposed but, if the project is approved, please insure that appropriate noise, dust and visual impact conditions are put in place. Consideration should also be given to reduced values that will likely be experienced by those properties located close to the site.

With best regards,

Laurie Forbes  
24304 Meadow Dr.  
Calgary  
[REDACTED]

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - FW: Lehigh's Application  
Date: October 21, 2020 9:35:09 AM

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**Lehigh Hanson's application:**

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Yours truly  
Lawrence Zariwny  
21 Silverwoods Drive



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 23, 2020 8:24:32 AM  
**Attachments:** [image002.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[oledata.mso](#)

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

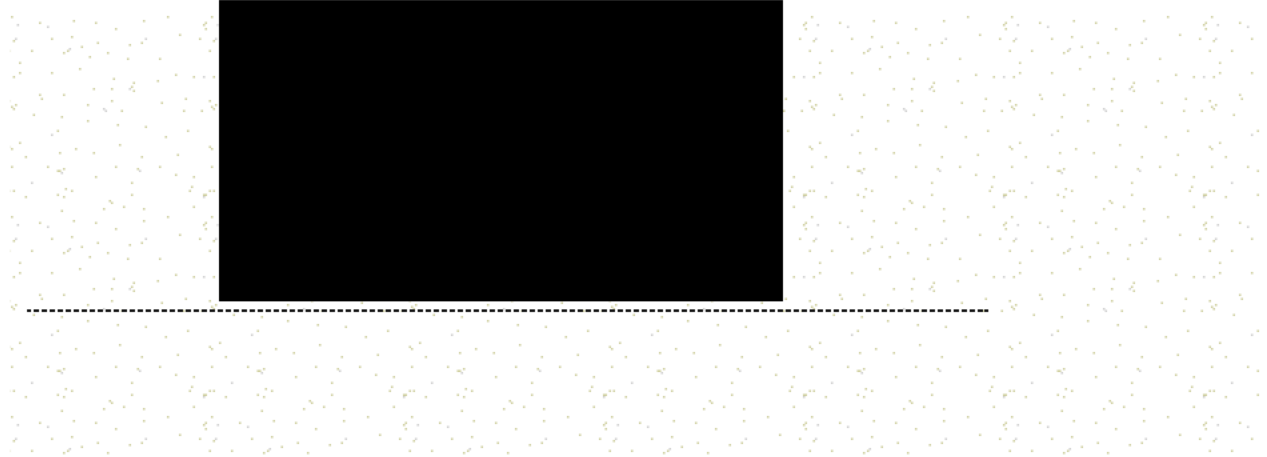
Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

Lee Alderman  
[REDACTED]



88 Timber Ridge Way  
Calgary, AB  
T3R 1B9



October 17<sup>th</sup>, 2020

Dear Andrea Bryden and Members of Rocky View County Council

RE: File numbers 06605001, 0660502, 0660503, 06605004, 06605005

Application number PL202020093/0094

Division 8

I received in my mail a notice from Rocky View County that applications have been received to redesignate Agricultural land north of Burma Road to accommodate a new Gravel Pit Operation and to adopt the Scott Property Master Site Development Plan (MSDP). I wish to voice my strong objection to these proposals.

I have been a resident and owner of 88 Timber Ridge Way in Church Ranches for more than 20 years and I was a proud member of the committee that opposed, on behalf of the neighbours, the last application by Scott to redesignate this land. At that time, the Council heard our opposition arguments and voted **unanimously** to turn the application down. In the last 20 years, nothing has changed and the application is still as inappropriate to our residential community as ever, in fact the increased traffic on Burma Road and the higher density of population in the area has made it even more inappropriate.

The increase in traffic, noise, air pollution and wear and tear on our roads are all unacceptable to a quiet rural community. There are more young children in this community now and the recent pandemic has seen a huge increase of cyclists of all ages on Burma Road and all our other local roads. Gravel trucks are a serious safety concern as not only do they have limited sight lines and cannot see nearby bicycles and pedestrians, they also leave hazardous gravel on the roads that make cycling dangerous.

In addition, it is inevitable that the increased quantity of gravel trucks on Burma Road will cause local traffic to choose to detour through residential communities, in particular through Range Road 25 and Cody Range Way to access 12 Mile Coulee Road; which are all quiet residential streets.

The proximity of a gravel operation will depreciate the value of nearby property, making the closest homes almost unsaleable. My property on 88 Timber Ridge Way would be negatively affected by this development, as would that of all my neighbours.

I ask that you reject this proposal for these and the many other reasons that I know my neighbours and colleagues will be presenting. You have turned down these inappropriate

applications for industrial operations inside residential areas in the past and I suggest you remember that in the educated and responsible world, **No means No**, and not **Please Try again later**.

Yours truly,

A handwritten signature in black ink, appearing to read "Lesley Fleming", followed by a period.

Lesley Fleming

88 Timber Ridge Way



**From:** [REDACTED]  
**To:** [Andrea Bryden](#); [Liba Levick](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005).  
**Date:** October 31, 2020 9:49:49 AM

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Do not open links or attachments unless sender and content are known.

Dear Ms. Andrea Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In addition there are several open gravel mines in immediate vicinity that serve the needs of local residents and have enough aggregate for decades of use. Given the current pandemic and worldwide slowdown of economy, including Calgary's and MD's slower growth rate, there is no need for additional gravel operations in the area, as the combined environmental impact as well as health impacts for those living in the area, including Calgary residents, are already large.

In closing, this application should not be approved, as there are many other reasons pointing against the approval, including the ones I have listed above.

Thank you for your attention,

Liba Levicek  
24080 Meadow Dr.  
[REDACTED]

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - RE: PL20200093/0094 bylaw C-8082-2020  
**Date:** January 18, 2021 5:01:44 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Judith [REDACTED]  
**Sent:** January 18, 2021 4:28 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - RE: PL20200093/0094 bylaw C-8082-2020

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My name is Lin "Sunny" Yuan address is 24127 Burma Road, Rocky view County. I live right across the road from Lehigh Hanson/Scott property.

I live right across the road from this property with my parents. We say NO to the gravel pit. NO NO We are on a well and we need our drinking water safe and secure. The noise well be loud and the dust unbearable. We already see and hear one going.

It is our understanding that this is third application by this applicant. Please protect our water and our air.

Say **NO** to gravel pit

Lin Yuan

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
Date: October 27, 2020 11:52:55 AM

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We are opposed to this application. We believe that a commercial open pit gravel mine, even with a conveyer belt installed to move the material to another location for final transport, is incompatible with the current land use which is residential acreage properties. There are several residential acreages on the same section of the proposed gravel pit land and residential acreages all around this proposed commercial development.

We believe that when commercial enterprises move into established residential areas, that the commercial enterprise must go over and above commercial standards and adopt residential standards in order to co-exist with its residential neighbors. Residential standards include visual esthetics, noise pollution, adding dust pollutants to the air and not interfering with your neighbor's right to quiet enjoyment of their property. After reading Lehigh Hanson's Scott Property plan, we do not believe this plan has met these standards – the site will not look like residential land and it will create noise and dust.

We believe an open pit mine at this location devalues our property by creating an inconvenience (a nuisance) for us and interfering with our right of enjoyment of our property. Open pit mines create noise, dust, light pollution and air borne pollutants even when a conveyer belt is installed which inconveniences us and interferes with our enjoyment of our property.

The conveyer belt itself will also be an eyesore along its proposed route. It also creates noise and will be in need of continuous repairs which creates further inconvenience and noise. All of which again diminishes our property value and interferes with our right of quiet enjoyment.

In closing, we believe that this application should not be approved as it stands and that more public consultation is required to ensure the resident's standards are met.

Yours truly

Linda and Allan Brown  
97 Timber Ridge Way  
Calgary, AB  
T3R 1B9



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Opposition to PL20200093/0094  
**Date:** November 2, 2020 6:51:55 PM

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Dear Andrea,

I have been a resident of the country residential area of Harvey Hills for 34 years. The level of dust, noise pollution & commercial traffic has escalated with the development of various gravel pits to the east. The proposed development of Scott Properties is even closer to my home and I am concerned about the additional impact from this plan. I have read through their proposal & still have major concerns. Plans to 'mitigate' noise & dust are not an assurance for eliminating the impact on health.

I note the proposal for the construction of a conveyor belt to reduce gravel truck traffic on residential roads but am concerned that this needs a collaborative agreement between the county, the City of Calgary and the province, which is by no means guaranteed.

In regard to effect on water aquifers, I read that there is 'limited' hydraulic connectivity, which does not equate to zero effect on water wells..

Likewise, biophysical effects are projected as 'negligible' to Moderate.

There will certainly be increased traffic on Burma Road from the proposed access point which is also a concern.

Linda Chesterman

Planning and Development Services Department, Rocky View County  
262075 Rocky View Point  
Rocky View County, AB  
T4A 0X2

Attention: Andrea Bryden  
abryden@rockyview.ca

Subject: Lehigh Hansen Redesignation Application #PL20200093 and Scott Property MSDP Application #PL20200094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)

Ms. Bryden:

This response is in regard to the Rocky View County's (RVC) request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the "*Scott Property*" and their application for the accompanying Master Site Development Plan (dated October 9<sup>th</sup>, 2020).

The issue of aggregate development, specifically the "*Scott Property*" proposal for an open pit gravel operation has been in front of RVC on 2 separate occasions. On both occasions the County ruled against the applications based on the fact that this type of land use development is completely incompatible with the existing adjacent country residential communities. Those earlier rulings (refusals), along with the fact that RVC has continued to approve new country residential communities in the immediate vicinity of the proposed project signalled that RVC is committed to the land use strategy outlined in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development.

Open pit gravel mines impose a number of environmental and social impacts that have the potential to negatively affect everyone who lives in proximity to the gravel pits. The following tables outline the potential environmental and Social impacts from the Lehigh Hanson Proposal.

#### **Environmental Impacts**

<b>Issue</b>	<b>Impact</b>	<b>Concern</b>	<b>Mitigation</b>
Groundwater	Environmental assessment indicates that surficial aquifers and the deeper aquifer utilized by residents are not connected.	LH assessment does not adequately address impacts to potential recharge of the deeper aquifer through wetland areas within the project area. LH has indicated that they will compensate affected	LH should be required to required to commit to connecting all residents within 1 km of the project onto the Rocky View Water Coop system.

		landowners if a problem occurs.	
Noise	Environmental assessment indicates that noise levels will be below 65 DB, which will not impact resident quality of life.	As a current resident, we can always hear current activity in the Star pit. LH indicated that they would exceed the noise criteria until the operation is sufficiently underground level. How will the LH operation be different with a conveyor running?	LH should be required to ensure that activity levels are below 55 DB.
Cumulative effects	Cumulative effects of the multiple pits already in the area.	The cumulative effects from the additional noise, dust and traffic volumes will significantly affect the quality of life in the area.	RVC needs to consider the entire cumulative effect which extends beyond the LH proposal.

#### **Social Impacts**

<b>Issue</b>	<b>Impact</b>	<b>Concern</b>	<b>Mitigation</b>
Traffic	Traffic volumes and impacts need to be considered on a cumulative scale.	Even though LH proposal indicates that additional traffic will be limited, RVC needs to evaluate this proposal on a cumulative scale.	RVC needs to consider the entire cumulative effect which extends beyond the LH proposal.
Hours of Operation	Operating until 8 pm Monday to Friday.	LH indicates that their hours of operation will be from 7 am until 8 pm Monday to Friday. Residents moved here to enjoy the quality of life, especially in the evening.	LH should be required to cease operations at 6 pm Monday to Friday.
Property Values	Reduction in property values	LH has indicated that they will provide a homeowner protection plan to protect against an erosion in property values, but they don't provide any details on what is included in that plan.	LH should be required to share all the criteria that goes into their homeowner protection plan prior to approval.
Public Consultation	LH has altered its approach to public consultation due to	There has been inadequate opportunity for concerned residents to interact with LH on the project. On line	LH application should not proceed until adequate consultation has been conducted.

	the current pandemic.	surveys are not adequate public consultation.	
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There was significant opposition to the proposal before and there continues to be overwhelming opposition today, so it would be irresponsible for RVC to make a step change and approve the application without completing a larger Area Structure Plan review to determine acceptable land uses.

In closing, we do not believe that Lehigh Hanson or the County has shown that they have achieved the required social license to approve this application.

Regards,

Linda Demchuk  
42 Church Ranches Close  
Calgary, AB, T3R 1C1

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020 - Opposed  
**Date:** January 18, 2021 12:48:02 PM

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**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Starfish Strategies [REDACTED]  
**Sent:** January 17, 2021 8:20 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020 - Opposed

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Dear Council,

**OPPOSED TO LEHIGH HANSON APPLICATION - GRAVEL  
MINE - BYLAW C 8082-2020**

I am shocked and disappointed that my council is still considering the gravel pit. You have clearly heard from residents that there is great opposition to it and yet you continue to consider it which makes me question your rationale. You have not consulted with the affected community sufficiently. I have never been consulted about this application by anyone from Lehigh Hanson or a rep acting on their behalf. As an elected body hired to govern for the community, I would like you to know that I am totally opposed to the application of changing the area into a gravel mine.

Additionally, I am very concerned about the lack of concern for the many people who live right around there

and will be directly affected by the dust, dangerous particles that arise from the gravel pit. My immediate family lives there and with health concerns, I am very worried about the long term negative affects the gravel dust particles have on their lungs and overall health. Also, I am against the increases in terrible trucks that are way too big for that road system and frequently throw rocks onto people's vehicles causing damage. Furthermore, there are clear and obvious environmental risks that have been repeatedly raised.

This area is so clearly a residential area, based on acreage and rural living, that it is shocking that you are still considering putting an industrial gravel operation in. It is foolish to me that in the middle of acreage living, you would consider a dirty, unhealthy industrial project, especially after the residents have spoken.

If you approve the gravel pit, it is proof to me that my elected officials have NO STRATEGY or PROPER AREA PLANNING in place. There is no way that putting a gravel mine in this area, is something that a well-run, well-researched, well-intentioned council would have approved as a positive, healthy and intelligent long-term strategy to optimize the community. If you approve the gravel pit, to me, it is proof that my council is opportunistic, short-sighted and possibly in a side-deal with the future business.

PLEASE listen to your residents and do the right thing. This area is for families, a healthy lifestyle and development that supports that healthy rural direction that is already in place.

I look forward to my council doing the right thing for the best community in the long run.

Thank you,

Lisa Wise

80 Hamilton Drive, Calgary AB T3R 1A2

I have lived in Bearspaw area for 13 years; have many family members in the area too.

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** December 15, 2020 5:07 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - BYLAW C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** [REDACTED]  
**Sent:** December 15, 2020 3:04 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - BYLAW C-8082-2020

Do not open links or attachments unless sender and content are known.

Dear Sirs,

Lehigh have been refused permission to have a gravel pit on Burma road twice already and yet the council appears to be considering their third application. The same arguments as before are still totally valid; the area is right in the middle of a residential area and the noise, extra traffic, dust, carcinogenic fumes. Please note that my husband and I vociferously vote against it once and for all.

Warm regards,

Lynn & Clive Chambers  
31124 Woodland Heights  
Bears paw



**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** December 15, 2020 5:09 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - BYLAW C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Lynn Whittingham [REDACTED]  
**Sent:** December 14, 2020 4:34 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>; Lynn Whittingham [REDACTED]; Steve Whittingham [REDACTED]  
**Subject:** [EXTERNAL] - BYLAW C-8082-2020

**Do not open links or attachments unless sender and content are known.**

I would like to convey my opposition to the Lehigh Hanson Gravel Pit to the Rockyview County Council.

I do not think this development should be approved so close to an already well populated area in the county. There are many existing residential acreages adjacent to the proposed development and the road there already has a good deal of traffic on it.

We are well aware of the drawbacks of a large gravel pit, due to the dust, noise and impact on natural habitat and wildlife at the nearby gravel pit between 85 St. and Rocky Ridge Road.

RVC Council, please do not support more of this so close to the city and residents of Rocky View County.

Sincerely,  
Lynn Whittingham  
8 Woodland Rise (RVC)  
Calgary, Alberta T3R 1G9

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Lehigh Hanson Application  
Date: October 21, 2020 8:46:23 AM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Lynne Moore

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - LeHigh Hanson Application #PL20200093/0094  
**Date:** October 29, 2020 12:23:58 PM

---

Do not open links or attachments unless sender and content are known.

Good day Ms. Bryden, the purpose of this e-mail is to provide you with our thoughts and concerns on the above referenced application by Lehigh Hanson for approval of a gravel extraction operation located at the NE corner of Burma Road and Range Road 25 (commonly referred to as the Scott Property). In general we are not opposed to suitable industrial and commercial projects within Rocky View (R.V.) as long as they provide a significant financial benefit to the county and are compatible with the surrounding area developments. With regards to this specific application, we are firmly opposed because there's no disputing the fact that it is non-compatible with the surrounding development as determined by residents and R.V. Council twice before. Here are our comments on this project for your consideration:

1. First of all, these applications are quite nerve wracking and frustrating for all affected residents. We understand the county is obligated to review each of them on a stand alone basis however the reason two previous applications failed was because a gravel pit was deemed incompatible with surrounding residential development by council. Council almost unanimously agreed that it was unacceptable to change the land use designation to allow industrial development in areas where people bought and/or built expensive homes to enjoy the rural lifestyle. Since that time, even more homes have been constructed in the immediate area so it's very disappointing we are even talking about it again.
2. While we understand that new and revised applications have to be considered by the county, perhaps the county needs to have a screening process (if they don't already have one) to decide whether or not these applications should even be considered. From our vantage point, Lehigh Hanson made a poor business decision by acquiring this property in the first place and then doubled down on it by increasing their land holdings after their first application was rejected. Maybe they believe they can eventually wear down area residents and Rocky View Council with their continuous applications and relentless pressure. It's time they were told there will never be a gravel pit operation at this site since there is no way they can circumvent the incompatibility issue.
3. Notwithstanding the fact that we don't think the application should even reach council for consideration, the only major change from the last one is that a conveyor belt system is being proposed to reduce or eliminate truck traffic. While that was one of several concerns associated with a gravel pit, there are many others including health effects of gravel dust, noise pollution, the risk of breaching and contaminating the water table and the potential reduction in property values etc. all of which have a negative impact on the overall quality of life for nearby residents. Those issues and concerns formed the basis of council's prior decisions to reject LeHigh's previous applications.
4. Just for reference, we live about 2 km from the existing Star extraction pit, which was developed a few years after we moved in. We can occasionally hear their gravel crusher in operation during the day, and pretty much every night. When we bought our house we were very careful to make sure there was little or no risk of any future commercial development nearby based on the land use restrictions in place at the time. Had we chosen to buy a property next to an industrial operation or airport or shopping mall at a discounted price, that would be our prerogative but we didn't do that. We, along with our neighbours paid a premium for our properties to obtain a semi-rural lifestyle and the peace and quiet that it afforded. We believed our lifestyle and our investment would be protected by the land use restrictions in place at the time and feel it would be a breach of trust to consider planting one of these operations in the middle of an established residential community after-the-fact.


Hopefully you find our comments helpful and expect our position on the matter is consistent with the majority of the residents in the area. As a side note, we find it rather objectionable for a company like Lehigh Hanson to refer to area residents as NIMBY's when they (Le High) are the ones insisting on a change to the land use designation to allow their project to proceed. The land use regulations weren't changed for the Scott Property after they acquired it. Not only that, they bought more after their first application was rejected. The residents don't need the hassle and frustration of dealing with these applications when it is clear to everyone but Lehigh that a gravel pit does not

belong on this property. Thank you.

Regards,

M.W. Coutney  
B.L.M. Coutney  
23 Lone Pine Crescent

Sent from my iPhone

From:   
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Gravel pit operation  
Date: October 13, 2020 7:42:27 PM

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Do not open links or attachments unless sender and content are known.

Re. Application number PL20200093/0094  
File # 06605001 06605002 06605003  
06605004 06605005

Hello

We are the residents in Jewel Valley, located 2 km from the proposed gravel pit site.

We are in complete opposition of the proposed gravel pit operation.

**Here are our concerns:**

- 1- Increased noise pollution
- 2- Increased large hauling trucks traffic volume in our neighborhood leading to safety concerns as well as increased damage to residents vehicles, windshields and local road conditions.
- 3- Reduced air quality which will negatively impact our health.
- 4- Decreased Property value. Who wants to buy a house close to a gravel pit?
- 5-Gravel extraction causes changes in seepwater and groundwater quality as well as in the elevation of the groundwater table and its variation. Acid rain flushes the soil, increasing the quantity of dissolved salts and seepwater and groundwater quality variations.
- 6- Negative impact on natural vegetation and local wildlife.

**Our Acreage neighbourhood welcomes development and construction  
not excavation, erosion & destruction of our local environment, health  
& safety**

Regards,  
Mac Ghobrial  
Jewel Valley Bearspaw



Virus-free. [www.avg.com](http://www.avg.com)

Malva and Albert Rakowski  
84 Bearspaw Acres  
Calgary, AB., T3R 1H7  
[REDACTED]

ROCKY VIEW COUNTY  
262075 Rocky View Point  
Rocky View County, AB  
T4A 0X2

Attention: Andrea Bryden

Re: Application #PL20200093 & 94

Malva and I do NOT support the aforementioned applications. We are clear on the concept of "greatest and best use" of lands and the usual desire to mine a resource prior to a lands final reclaimed usage such as housing or other appropriate development. However, having said that, the immediate neighbourhood is all residential and due to the proximity of the proposed gravel pit, I believe the application should again be rejected. Additional important issues associated with gravel mining are: 1) continuous noise of various frequencies, 2) expect sharp increase in commercial truck traffic, 3) And probably most important, approximately 25% of the time, winds will be from the NE or E or SE each of which will bring the dust plume across residential properties. Again, all of the aforementioned issues are very tangible and I don't see any reasonable method of mitigating them.

While we are not located immediately adjacent to the said property, my heart goes out the those residents that have historically opposed this intrusive development. I know my wife and I would be just sick knowing there was the possibility of having to live next to a gravel pit.

Respectfully submitted  
Malva and Albert Rakowski

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - LeHigh Hanson open pit mine Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 30, 2020 7:42:54 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)

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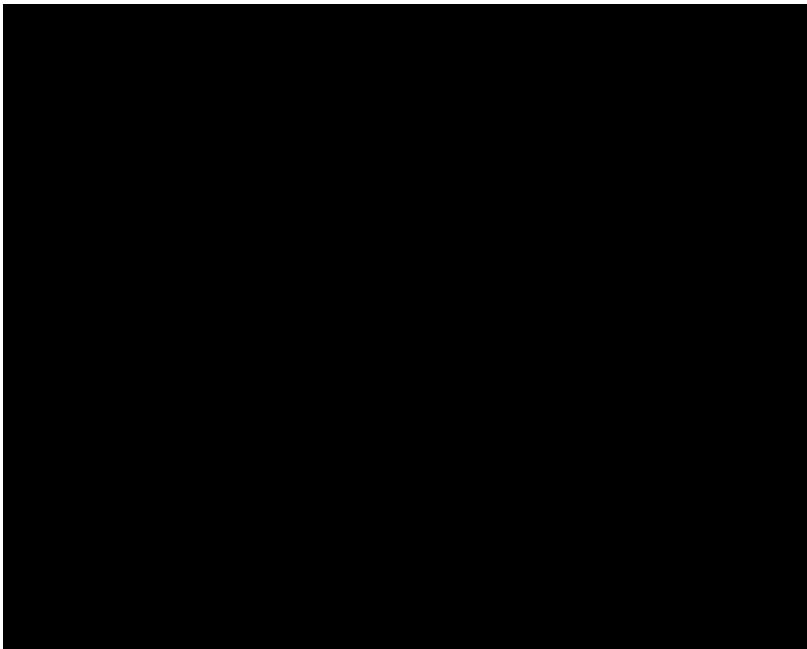
Hello Andrea,

I am not in support of this application for the Hanson open pit mine. As you know, we already have a plethora of mines in this area of Rockyview and a limited amount of country roadways. The noise, pollution and destruction to roadways by heavy equipment are a constant set back to the owners and residents in the County. There is also the increased safety risks of slow, heavy equipment on the surrounding roads. It is a travesty that the rural country area we live in is now becoming littered with open pit mines.

We say no.

Best regards,

Marc



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From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
Date: October 28, 2020 5:14:41 PM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons including the ones I have listed above.

Sincerely,

Resident of Rocky View

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [Evan Neilsen](#); [Althea Panaguiton](#); [Division 8, Samantha Wright](#); [Division 6, Greg Boehlke](#)  
**Subject:** [EXTERNAL] - PL20200093 and PL20200094  
**Date:** October 30, 2020 5:29:08 PM

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Do not open links or attachments unless sender and content are known.

Attention Ms. Andrea Bryden:

We are residents of Rockyview County, our home is located at 37 Silverwoods Drive. We are writing to voice our strong opposition to the above noted applications from Lehigh for the Scott Property Project which is directly north of our house across Burma Road.

Our opposition to the project is based on the following:

1. Health and Safety of Bearspaw residents. There are numerous scientific studies that demonstrate the negative impact to air quality that will impact the residential neighbours to this project, including us and our family. In addition, we are very concerned with the increased heavy truck traffic in the area and have witnessed firsthand the increased danger that these type of vehicles bring to our roads from the existing gravel operations in the area. The conveyor system is not enough, there will still be many more gravel trucks in the area and it is only a matter of time before there is a fatality due to the increased traffic.
2. Noise pollution. The proposed setback and berms are not nearly sufficient to mitigate the impact of the proposed operations on our day to day lives in Silverwoods
3. Impact on Property values. There is no doubt that this project would have a significant negative impact on our property value for the life of the project, which is 20+ years. What are the mitigants to the impact to the substantial neighbouring residential subdivisions in the area?

We find it unbelievable that this council is considering this application again after turning it down at least twice previously. It doesn't make any sense to put another gravel pit in the area, and particularly one that is so close to existing residential neighbourhoods. It's insane.

Mark and Stacey Williamson

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - PL20200093/0094  
**Date:** October 19, 2020 8:29:08 PM

---

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Andrea,

Please accept this email from the residence of 79 Rolling Acres Drive that we object to the development of the land located at the northeast junction of Range Road 25 and Burma Road for the development and operation of a gravel pit.

This development is situated too close to rural residents and their properties. It will significantly effect the area with regard to noise, dust, pollution and property values.

Thank you for your consideration on this matter.

Mark Burchby, P.Eng.

[REDACTED]

From: [REDACTED]  
To: [Andrea Bryden](#)  
Cc: [REDACTED]  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #: 06605001, 06605002, 06605003, 06605004, 06605005)  
Date: October 27, 2020 10:52:03 AM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

Being part of the Bearspaw community has given my family a relatively quiet peaceful environment to raise our children. Only recently have I been actively opposing open pit gravel mining expansion. On our roads we already have many large trucks due to the existing pits and the noise of heavy machinery can regularly be heard, often into the night. Expanding these operations even closer to our community is a dreadful thought.

The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments. Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

Lehigh Hanson is focused on the Scott property, but there are areas surrounding Calgary where homes do not exist. There are vast areas where communities are not established. It is possible to find opportunities for open pit mining in places where families and communities don't live. The mining company has reasons which would benefit them, but this should not override the group of families who have made Bearspaw community their home.

For the above reasons, the application(s) for the redesignation of the subject lands and the application to adopt the Scott Property Master Site Development Plan to guide redesignation should be **NOT APPROVED**.

Sincerely,  
Marlis Zielke

[REDACTED]

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005).  
**Date:** November 2, 2020 7:46:36 PM

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Do not open links or attachments unless sender and content are known.

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Thank you  
The Marshall Family  
88 Bearspaw acres nw T3r1h7

Sent from my iPhone

**Steven Lancashire**

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**From:** Michelle Mitton  
**Sent:** December 15, 2020 5:09 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - BYLAW C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** [REDACTED]  
**Sent:** December 15, 2020 10:05 AM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - BYLAW C-8082-2020

Do not open links or attachments unless sender and content are known.

To Whom it may concern:

This letter is to let council know of our opposition to the development of the proposed "Lehigh Hanson gravel pit". I find it deeply disturbing that this is before council, once again, after having been disputed and rejected by taxpaying residents before in this particular area of Bearspaw.

Marvin and Susan Olson

25208 Bearspaw Place,

Calgary, T3R1H5

Date: January, 20<sup>th</sup> 2021

Dear Rocky View Council

Re: PL20200093/0094 Lehigh Hanson application Open Pit Gravel Mine Bylaw C-8082-2020  
Mrs. Mary Buchwitz – 255091 Rocky Ridge Road, T3R1J9 - **I am opposed to the application**

I have resided in Bearspaw for over 40 years and therefore will be directly affected by the decision made by council regarding this application. In fact, I am in have a direct view of the site. I am opposed to the application. Since I am over 90 years old I have asked my neighbour to submit on my behalf.

It is our understanding that this is the third application made by this same applicant, with the most recent one being rejected unanimously. The same reasons for that rejection still apply. There will be significant environmental effects, significant health consequences to residents and it will greatly interfere with the enjoyment of residences in all the properties surrounding the area.

More significantly, meaningful consultation should have occurred with affected residents. This has not occurred. We have been home almost exclusively since the middle of March due to the global pandemic and have not received any correspondence or had contact from Lehigh Hanson or its affiliates in that time other than notice of the application.

In conclusion, I hope Rocky View Council will use the prudent voice used in the previous two applications and reject this application.

Thank you,

Mrs. Mary Buchwitz

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Lehigh Hanson's Application for gravel pit on Burma Road  
**Date:** October 21, 2020 9:44:04 AM  
**Importance:** High

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Do not open links or attachments unless sender and content are known.

Good day Ms. Bryden

I am writing in response to the County's request for comments on Lehigh Hanson's application to re-designate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I strongly oppose this application. The proposed open pit gravel mine is completely incompatible with the existing land use due to its proximity to several adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments. Why are we continuing to have this debate?

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signal that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location. The homes in the adjacent communities represent significant and long-term investments by local residents and it is imperative the County intervenes to protect these homeowners' interests.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs. Lehigh Hanson should look for a more appropriate location to develop an open pit gravel mine that does not impact the quality of life of hundreds of homeowners. The proposed site also sustains important grasslands and wetlands providing home to a multitude of animals, including blue heron and fox.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Sincerely,

Matthew Rogers



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - PL20200093/0094 (Files 06605001-5005)  
**Date:** October 31, 2020 10:15:12 AM

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**Do not open links or attachments unless sender and content are known.**

Dear Ms. Bryden,

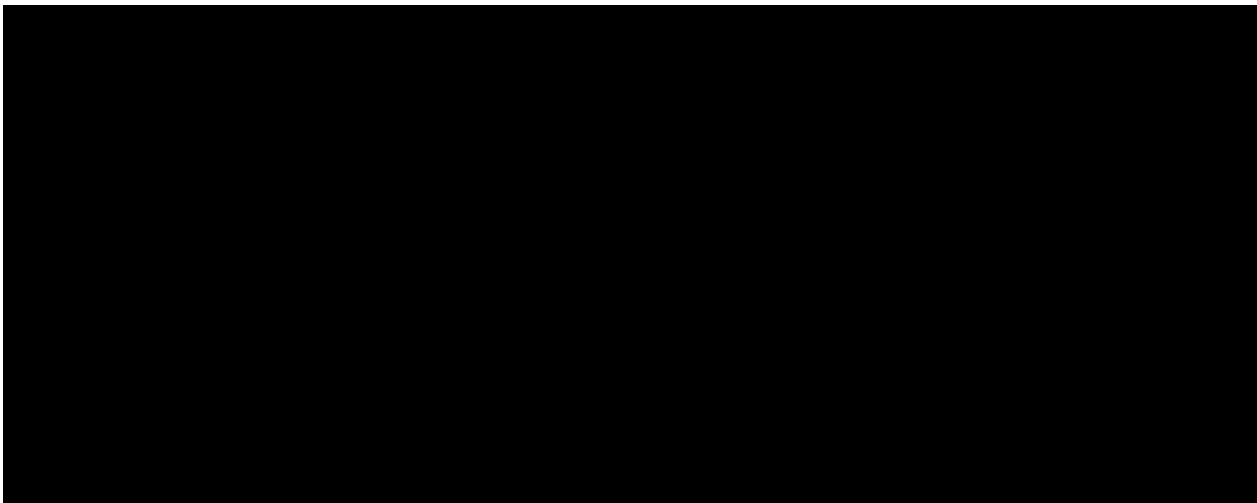
In response the letter we received on October 9, 2020, we would like to provide comments on the gravel pit application referenced above. In short, **we are opposed to the application.**

We purchased our property at 28 Crestview Estates in March 2018 after checking previous applications (gravel had been a concern as there are already 2 pits, one very large one, within a few kilometres) and being assured that the same application had been rejected twice, at a vote of 9-0 the most recent time. I personally called the county office and received the same reassurance- the application had been rejected twice. No material circumstances have changed since the last vote to make the application more appealing to the county. In fact, in light of more development having been approved in the immediate vicinity (within 3 km and in some cases, less than 1 km) I would argue that the application should be significantly less appealing. There are more residents that will be affected, the roads will be increasingly damaged and the fact that we are currently in a pandemic means that appropriate consultation with affected residents can not occur and, in fact, has not even been attempted.

There are many residents like us- those who have bought or built in the are under the false comfort that an application that had been rejected 9-0 after being rejected a first time would not be revived. The same reasons that resulted in the previous two rejections still exist. More people live in the area and are affected. There is little economic gain to the county to a gravel pit (I have researched several of the excavation sites in Rockyview county and not many employees and zero owners are resident in Rockyview County). Proper consultation with residents has not occurred and I have serious doubts about the ability of any of the 'experts' hired by the applicant to give an impartial assessment.

This application should not even exist let alone have the potential to pass. It is a terrible idea.

Cheers,  
Melinda Olliver





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From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
Date: November 1, 2020 8:33:22 PM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Michael and Christina Chu

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application # PL20200093/0094 Div 8  
**Date:** October 25, 2020 3:45:53 PM

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Hi Andrea,

I am responding to the Notice I received for the above Application number for BURNCO to apply for a gravel pit.

I would like to express my concern and voice that I do not agree with another gravel pit in this area.

I have been in my home for 18+ years and the dust, noise, traffic is affecting health and value.

I am available for any further discussions if required.

Thank you,

Michelle  
[REDACTED]

**From:** [Michelle Mitton](#)  
**To:** [Dominic Kazmierczak](#); [Jessica Anderson](#)  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020  
**Date:** January 18, 2021 12:48:23 PM

---

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Mike Chu [REDACTED]  
**Sent:** January 17, 2021 9:10 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

**Do not open links or attachments unless sender and content are known.**

I am opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable adverse impacts to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled this public hearing in the current Covid-19 environment. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Mike and Christina Chu

**From:** [Michelle Mitton](#)  
**To:** [Steven Lancashire](#)  
**Subject:** FW: [EXTERNAL] - BYLAW C-8082-2020  
**Date:** January 20, 2021 10:04:21 AM

---

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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**From:** Irina Zavialova [REDACTED]  
**Sent:** January 19, 2021 9:05 PM  
**To:** Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
**Subject:** [EXTERNAL] - BYLAW C-8082-2020

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Mikhail & Irina Zavialov  
24281 Meadow Dr T3R 1A8

Re: PL20200093/0094 Lehigh Hanson application - Gravel Mine – Bylaw C-8082-2020

Date: Jan 19, 2021

Dear Rocky View Council,

**We are Opposed.**

We have resided in Bearspaw for 14 years and will be directly affected by the decision made by council regarding this application. My wife and I reside within 1.4 Km away from

this site. It is our understanding that this is the third application made by this same applicant, with the

most recent one being rejected unanimously. The same reasons for that rejection still apply.

There will be significant environmental effects, significant health consequences to residents and it will greatly interfere with the enjoyment of residences in all the properties surrounding the area.

More significantly, meaningful consultation should have occurred with affected residents. This has not occurred. We have been home almost exclusively since the middle of March due to the global pandemic and have not received any correspondence or had contact from Lehigh Hanson

or its affiliates in that time other than notice of the application.

In conclusion, I hope Rocky View Council will use the prudent voice used in the previous two applications and reject this application.

Thank you,

Mikhail and Irina Zavialov



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 31, 2020 8:07:39 AM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signaled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons including

the ones I have listed above.

Should you have any further questions, feel free to contact with me.

Sincerely,  
Ming

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Re: File Numbers 06605001 to 06605005 Application number PL20200093/0094  
**Date:** October 27, 2020 6:39:41 PM

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Do not open links or attachments unless sender and content are known.

**Subject:** File Numbers 06605001 to 06605005 Application number PL20200093/0094

Dear Rocky View County,

With reference to the subject Application we as residents of the community have serious reservations if the subject land is redesigned from Agricultural, General District to Direct control district for a gravel pit construction and operation.

This change in land use will have devastating impact on the environment of the area including natural habitat, wild life, groundwater, air quality as well as human being and their living traffic congestion and badly impact property values.

The project will span many years and may be our future generations will continue to be impacted by this project if approved.

We would request the application be rejected to save our environment, our living and our earth.

Best regards,  
Muhammad Zaheer  
27 Gray Way

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**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Objection File no: 06605001 06605502 06605003 06605004 06605005  
**Date:** November 6, 2020 1:31:39 PM

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Reference: File no 06605001 06605002 06605003 06605004 06605005  
Application Number: PL20200093/0094  
Division 8

Hello Andrea Bryden,

We are the landlord of 255149 Rocky Ridge Road, Calgary, AB T3R 1E3. We received the letter from the county on above reference and application.

We are not in favor of this proposal and have following concerns as follows,

1. This creates noise pollution and sometimes this noise gives us an uncomfortable feeling leading to headache.
2. We not only saw dust around and we have a lot of gravel dust coming to our houses.
3. We can see this dust in the air when wind is in our houses direction. Which is not good for our health.

We are not at all in the favour of this pit as this will cause numerous damages to our and our community neighbour's health. Please feel free to contact us for any further information.

Best Regards,

Nasir and Ayesha Rahim  
[REDACTED]

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Gravel pit  
**Date:** October 22, 2020 7:21:28 PM

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Do not open links or attachments unless sender and content are known.

I have received notice that there is the potential of a gravel pit basically adjacent to my property. Literally directly across from my drive way... this is absolutely NOT acceptable !!!! Not only will this increase noise, constant dirt, traffic and increased non residents in the area be offensive and should be enough for a reason not to allow this , but it will also SUBSTANTIALLY DECREASE MY PROPERTY VALUE!!! How can these even be proposed to the residents of the county? This is disgusting... I feel that this SHOULD NOT EVER BE ALLOWED!!! How can the land owners and the county's tax payers even be subject to this??!! Why is this not something the country would PROTECT us from rather than propose and support. Absolutely disgusting. If this is approved and goes forward I will be seeking a dramatic decrease in my property taxes, as my property will be basically worthless!!! I'm furious about this proposal!! I purchased this property to find refuge and solace from the busy loud city. i just put 30,000\$ dollars into my new septic And I now have this abhorrent situation facing me! Do NOT ALLOW THIS !!! Support your home owners!!

Nicole Phillips

Sent from my iPhone

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - PL20200093/0094  
**Date:** October 15, 2020 3:54:46 PM

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I am opposed to any development other than Residential on that property.

1. There have been two applications before for a gravel pit and in both cases denied.
2. I live east of the pit and I see the dust blowing east from that pit and I do not want my families health to be compromised.
3. I have a good well and with that land being within a Km west I am very concerned about the effects that it will have on it.
4. The transportation and movement of equipment will be very disruptive to all of the adjacent properties.
5. Land values will be drastically effected and there is no plan for compensation.
6. The surrounding neighborhoods are high end and very expensive homes a gravel pit does not blend in.
7. There are already three pits in the area and they do nothing to enhance the community in which we live except provide noise dust and traffic problems.

Please do not allow this to go on.

Pat Green

260233 Range Road 23

[REDACTED]

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Comments on LeHigh Hanson open pit mine Application #PL20200093/0094  
**Date:** October 30, 2020 2:27:14 PM

---

Do not open links or attachments unless sender and content are known.

Dear Ms. Andrea Bryden,

I am responding to the County's request for comments on LeHigh Hanson's application to redesignate the area at the north-east corner of Burma Road and range Road 25 to accommodate an open pit gravel mine and their application for the accompanying Master Site Development Plan.

My family and I are opposed to this application. I think it's plain to see that a project like this is not a welcome sight for those living in close proximity. It's my understanding that the County rejected earlier applications for this site due to several reasons, but the main underlying issue was proximity to residential communities. Since then, the County has approved incremental residential community developments. It's our opinion that these approvals signalled the County's commitment to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Think of the hardship that would be imposed on new land owners and existing landowners who chose to stay in the vicinity of this area based on the signal.

I don't think anyone would argue against the statement that open pit gravel mines impact neighbours negatively. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs. We want a safe, healthy life for our children.

We are also bothered that the County is permitting LeHigh Hanson to proceed with its application given the inadequacy of the public engagement that they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

Thank you,  
The Penton family

October 30, 2020

Perry and Kori Schuldhaus  
59 Cody Range Close  
Calgary, Alberta  
T3R 1A9

Rocky View County,  
262075, Rocky View Point,  
Rocky View County,  
Alberta  
T4A 0X2

Attention: Ms. Bryden

**Subject: Response to Rocky View County's (RVC) request for comments on Lehigh Hanson's Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005 and #: PRDPDP20202785)**

Dear Ms. Bryden,

We are responding to RVC's request for comments on Lehigh Hanson's (LH) application to re-designate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and LH's application for the accompanying Master Site Development Plan (MSDP).

Our family have been residents of Bearspaw for over twenty years, having purchased a property and constructed our home in 1999. We were attracted to the area by the quiet, rural lifestyle away from the noise, congestion and commercial/industrial activities in the city. In the process of making the decision to purchase our property, we took comfort in the fact that a 1994 application to re-designate the Scott Property for development of an open pit gravel mine had been denied by RVC.

Then, much to our surprise and dismay, a new application was brought forward again requesting the re-designation of the Scott Property to allow LH to proceed with their planned gravel pit. We attended the municipal council meeting in 2010 to oppose LH's application and were very pleased that the council overwhelmingly denied the application by a vote of 9 – 0.

We are absolutely shocked that Lehigh Hanson is now bringing forward an application for a third time seeking to have RVC re-designate the Scott Property to allow for its proposed open pit mine. When does this ridiculousness stop? When does Lehigh Hanson stop taxing the resources and time of the RVC council, the RVC staff and the residents of Bearspaw who have loudly spoken that they are strongly opposed to the siting of this open pit gravel mine on this property?



It is clear that Lehigh Hanson has no respect for the residents of Bearspaw and in fact has complete and utter disdain towards them. Why do we say that?

1. It is clear that LH has not listened to the concerns that the residents have raised repeatedly over the past 25 years. Their current application has not adequately addressed those on-going concerns and the incorporation of the conveyor system only partly addresses one of the concerns related to traffic, but does not address all of the other concerns that still exist.
2. The full page advertisement that LH paid to publish in the Rocky View Weekly on June 23, 2020 reinforces the lack of respect that LH has for the residents. The headline was “Anti-business Activism and NIMBYISM has to Stop”. The tone of the advertisement is so off base for a company that claims it wants to become a good neighbour in the community. The advertisement paints a very misleading picture of the community consultation that LH has undertaken and implies that the conveyor system addresses all of the concerns raised by the residents; which it most certainly does not!
3. LH’s community consultation program has been woefully inadequate. They have held very few community open houses and they did not conduct door-to-door consultation with the neighbouring communities. In March 2016 they scheduled open houses on consecutive evenings almost certainly limiting the ability of all those who had interest to attend. This owing to the fact that if a community resident was out of town that week they would not be able to attend either open house. If LH truly wanted to hear the concerns of the greatest number of residents possible, they would have scheduled the open houses one or two weeks apart to allow the greatest number of residents to attend. Following those two open houses, which we were not able to attend, we reached out to executives of LH Canada and respectfully suggested that they schedule future open houses spaced apart to allow more people to attend. What did they do? On February 8, 2020, they scheduled two open houses on the same day, totally disregarding our request and in fact, making it even more difficult for community members to attend. I was again travelling on that date and therefore, was once more unable to attend.

It is clear by the way LH scheduled the open houses that they were simply going through the motions and had no sincere desire to hear the concerns of residents. Which is why the current application is completely deficient in respect to addressing the legitimate concerns of the residents.

4. The clear lack of respect that LH has for the residents is obvious from the content of the paid advertisement from June 23, 2020 and lack of sincere effort to meet with residents and hear their concerns. If this is how LH treats the residents, and potential neighbors, now, before their application is approved, how will they treat us should the application be approved and they begin operation of the gravel pit? I think the answer is painfully obvious!

There have been numerous valid concerns raised by many of those who oppose this open pit gravel mine. We will not go into detail on each as we are confident others will sufficiently support concerns such as:

1. Significant health concerns related to the gravel dust, with high levels of carcinogenic crystalline silica, emitted by the gravel pit operation and which will become airborne. There is significant, undisputed evidence as to negative health impacts to residents who live in close proximity to gravel pit operations.
2. Significant noise concerns with the gravel pit operations and impacts to the neighbouring residential communities.
3. Concerns related to impacts to wetlands, groundwater and wildlife habitat.
4. Significantly deficient public consultation including lack of meaningful engagement and good faith efforts to accommodate valid stakeholder concerns.
5. A comprehensive study of the cumulative impacts of adding another gravel pit operation to those (Lafarge, Volker Stevin, STAR and Burnco) that already operate to the East and South of the proposed LH gravel pit.
6. Incompatible land use, in that it is totally inappropriate to re-designate land for heavy industrial activities on lands immediately adjacent to existing country residential communities.

In addition, to the numerous concerns we raise above, what astonishes us the greatest is how the RVC and current council can even seriously contemplate an approval of this application. The historic facts are abundantly clear (we are bolding these points for emphasis):

1. **Over several decades, the RVC has rezoned numerous parcels of land in the vicinity of the Scott Property to allow country residential communities to be established on lots roughly 2 acres and higher.**
2. **The RVC has encouraged families to purchase these lots and to invest their hard earned money into building homes in these communities with a promise of a quiet and serene lifestyle. In fact, RVC's own website states:**

*Rural living is rich and rewarding, yet it is important that new residents know that rural life in Rocky View County is very different from life in the city.*

*Agriculture greatly shapes the economic, cultural and social fabric of the County. You have chosen to live in a rural setting among ranch and farm families. You can expect to share many of the benefits and challenges they enjoy, like open space and tranquility... (emphasis added)*

Notice, it does not mention "heavy industrial activities" alongside the reference to "ranch and farm families". Clearly, even RVC recognizes that would not entice families to move to the county, direct their incomes towards

buying or building a home, as well as paying property taxes to the county over many years, if the potential to live in the vicinity of heavy industrial activity were a possible outcome.

3. Two prior RVC councils have rejected LH's plans to develop the Scott Property into an open pit mining operation. The decision by council in 2010 overwhelming, by a vote of 9 – 0, confirmed that it is not appropriate to approve the re-designation of this land for gravel mining purposes.
4. Following the rejection of the two prior applications in 1994 and 2010, RVC supported, and encouraged, hundreds of families to establish their homes in this area; and clearly supporting the decisions by those families to invest was the two prior denials of the gravel pit applications for the Scott Property.
5. It is absolutely inconceivable that the RVC could now, decades later and after hundreds of families made the decision to build or buy homes in the area, decide to re-designate the Scott Property to allow Lehigh Hanson to proceed with this open pit mine!

Summary

**It is our strong position that the application put forward by Lehigh Hanson must not be approved and that any council member, when considering all of the relevant facts, cannot, in all good conscience, approve the re-designation of the Scott Property for open pit mining purposes.**

My wife and I reserve the right to raise additional objections in the future.

**We therefore request that Rocky View County reject Lehigh Hanson's Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005 and #: PRDPDP20202785)**

Sincerely,

*Signed Perry Schuldhaus*

*Signed Kori Schuldhaus*

Perry and Kori Schuldhaus

CC: Peter Guthrie MLA  
The Honourable Leela Aheer MLA  
Angela Pitt MLA

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Scott Property proposal, RR25 and Burma Rd  
**Date:** October 19, 2020 6:22:15 PM

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Do not open links or attachments unless sender and content are known.

TO: Andrea Bryden Rocky View County

FROM: [Rex] Peter Farran

I am writing concerning the Scott Property application, PL20200093 and PL20200094.

I am a resident of the area, 22 Rolling Acres Drive. We have lived here since 1994, going on 27 years.

We have seen the area evolve from agricultural to residential, with gradually increasing residential density to the current 2 acre parcel size.

Most of this has been done with good vision; quiet residential homes with a rural feel. Proposals for large retail complexes have thankfully been denied.

The Scott Property is contrary to that vision, and threatens the lifestyles [and real estate values] of the community.

We aspire to a quiet, clean, safe environment to live in and raise our families.

An adjacent Gravel Pit Operation is not in keeping with this. And the unfortunate presence of other gravel pits is not a reason to accept more.

I understand that progress requires construction, and gravel pits, but this proposed expansion is misplaced.

It is too close to residential living.

I have read the Scott Property documents in detail; they have, on paper, made an effort to accommodate the criticisms of the residents in the area.

But no effort will mitigate the presence of busy, dusty, noisy industry in a rural residential zone. It is simply non-compatible.

I have particular issues with truck traffic. Bylaws and enforcement have not removed the noise and danger. For example, I ride my bicycle to work in the city nearly every day, year round. My route can no longer be on 85th St; it is dangerous and no off-limits for cyclists. The most dangerous segment of my 25km commute is Burma Road, not the city. Gravel trucks frequent Burma Rd in the early morning despite regulations barring them. There is no shoulder, they travel at high speed, and hills obscure their vision for moving over into the oncoming lane. I have been forced into the ditch many times. Truck traffic throws rocks into our windshields, leaves a mess on the roads, and endangers us at intersections. It already makes the intersection of 112 Ave and Country Hills Blvd crowded, frustrating, and perilous; I cannot imagine increasing it further. I tell my friends and family to NOT drive on Burma Road east of Rocky Ridge Road; it is unacceptably dangerous due to trucks, and we feel forced to take alternate routes.

It is time to draw a line in the sand. The gravel pit operations near us are already intrusive. We cannot condone more. They need to go elsewhere.

Peter Farran  
Wanda Farran

Attention:

Andrea Bryden

Planning and Development Services Department, Rocky View County

**Response to RVC request for comments on Lehigh Hanson's application:**

Subject: Application #: PL20200093/0094

(File #s: 06605001, 06605002, 06605003, 06605004, 06605005)

Ms. Bryden:

This letter is in response to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application.

The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's (Scott) earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development.

We understand that gravel is a commodity that is required for development of all our communities and modern lifestyles. This however does not change the fact that living within close approximation to a gravel operation no matter how much noise and dust mitigation is required and implemented a negative impact to the residence results. We live with the noise and traffic from the existing gravel pits on a daily basis and even after 25 years still find ourselves going "what is that noise?" It is the crushers grinding away. The cost of repairing our windshields due to rock lost on the roads by the trucks coming and going is also something that affects our lives.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.


In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Sincerely,

**Randy & Marg Caspell**

24306 Meadow Drive  
Calgary, AB  
T3R 1A8

[REDACTED]

From:   
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Lehigh Hanson's application  
Date: October 21, 2020 10:19:39 AM

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Do not open links or attachments unless sender and content are known.

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Your Truly

Randy and Rhonda McCombs

Date: January 12, 2021

To: County Hall  
62075 Rocky View Point  
Rocky View County, AB  
T4A 0X2

From: Randy and Colette Andruckow  
234 Church Ranches Way  
Calgary, AB  
T3R 1B2

Re: Bylaw C-8082-2020

To: Rocky View Council

We are opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

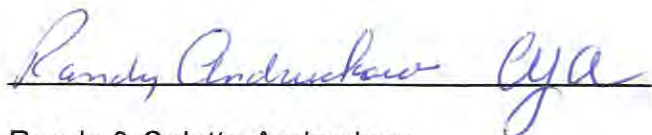
Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bears paw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable adverse impacts to residents' health, safety, and quality of life, as well as serious environmental costs.

We are also disturbed that the County has scheduled this public hearing in the current Covid-19 environment. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation.

In closing, this application should be refused for a multitude of reasons, including the ones we have listed above.

A handwritten signature in blue ink, appearing to read "Randy Andruckow", followed by a stylized monogram or initials "CJA".

Randy & Colette Andruckow



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - New gravel pit PL 20200093/0094  
**Date:** October 21, 2020 5:54:19 PM

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Do not open links or attachments unless sender and content are known.

Concerning the proposal by Ken Venner Brown and Associates.

File: 06605001 through 06605005  
Application number: PL20200093/0094

I am apposed to this development! The negative impact it will have on property values is massive. The potential health effects and increased traffic is a great risk to my family. There is no situation where I would consider this proposal.

Sincerely Reece Cobbe.

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
Date: October 30, 2020 8:02:25 AM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

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In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Sincerely,

Remo and Sandee Panaccione

Sent from my iPhone

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 28, 2020 10:19:48 PM

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Do not open links or attachments unless sender and content are known.

To: Ms. Bryden

I am responding to the letter I received from the County regarding the application(s) noted in the subject of this email.

My family are residents of the Bearspaw community living at 27 Cheyenne Meadows Way. We moved to Rockyview just under 7 years ago. We did so to live in a space that was rural, peaceful, and supportive of outdoor family living and health. Further we moved here to support and participate in a growing rural residential community.

I oppose the application by Leigh Hanson to redesignate the 600 acres at the north-East corner of Burma Road and Range Road 25 to an open pit gravel mine and their accompanying Master Site Development Plan.

The proposed mine is not compatible, nor complimentary to the existing residential land use. At the root of Leigh Hanson's application is an open pit mine, and a heavy industrial land use. Simply put these developments are not meant to exist side by side, (residential & heavy industrial) hence the existing land use designation of the "Scott Property".

I participated in the Leigh Hanson mail outs/requests for community involvement where I could due to covid-19 health concerns. I submitted written questions, and I have never received a response. I believe I was not alone in the content of questions, but it was disrespectful for Leigh Hanson to avoid answering (with facts and details) as to the direct and indirect benefit for adjacent communities to the lands they seek to destroy by open pit strip-mining them. So at this point I have the facts that the community has outlined (multiple times over the years) about the negative impacts this type of development would have on the Bearspaw community.

Not only is the land use change unacceptable, Leigh Hanson is also negligent and has misrepresented the community involvement in their application. The community has provided facts that lead any competent business owner to see that the existing communities which are filled with Ratepayers do not seek to destroy the health and community by allowing these applications to proceed. Allowing the Leigh Hanson applications to move forward would be a material breach to the social and community covenants that have existed since the beginning of the residential development plan in Bearspaw. Further these covenants have been supported by the conduct of the county relating to the approval of further residential development on the land(s) adjacent to the Scott Property.

As a small business owner and someone who develops projects that are classified as heavy industrial I can speak first hand as to the mandatory need to have full community buy in to have a successful development (Especially in a situation where a land use change is needed to start any development) This application has been brought forward in the past and has constantly failed to receive buy in. Heavy industrial development does not fit with existing

residential communities. We have industrial parks and segregated land use away from residential communities all across Canada for this very reason.

Leigh Hanson has tried to bring this open pit mining application forward in the past and it has been declined. In the time between the applications and now our County has continued to approve incremental residential development on the lands adjacent to the property in question. To approve any land use changes would now be a breach of the social contract the County has formed with the residents of Bears paw.

In summary for the reasons I have provided and many more that have been communicated by other residents now and in the past I respectfully ask that the County decline the applications (listed in the subject line) made by Leigh Hanson.

Thank you for your time, I request that you confirm back to me receipt of this email and that my (and my Family) rejection be formally registered with the County.

Regards  
Robb (wife Sarah) Fransoo

Sent From My iPhone

Robb Fransoo



Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

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In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Sincerely

A handwritten signature in blue ink, appearing to read "Robert and Patricia Steele", written over a horizontal line.

Robert and Patricia Steele

64 Church Ranches Blvd.

Calgary, T3R1B1

Roberto Benacchio  
24179 Aspen Drive  
District of Rockyview  
Calgary, AB T3R1A5

January 19, 2021

Planning & Development Services Department  
Rocky View County  
262075 Rocky View Point  
Rocky View County, AB T4A 0X2

**Application Number: PL202000093 06605001/002/003/004/005**

**Subject: BYLAW C-8082-2020**

Dear Rocky View Council

**We are Opposed.**

We have resided in Bearspaw for 4 years and therefore will be directly affected by the decision made by council regarding this application. My family and I reside within 1-2 Kms away from this site.

It is our understanding that this is the third application made by this same applicant, with the most recent one being rejected unanimously. The same reasons for that rejection still apply. There will be significant environmental effects, significant health consequences to residents and it will greatly interfere with the enjoyment of residences in all the properties surrounding the area.

More significantly, meaningful consultation should have occurred with affected residents. This has not occurred. We have been home almost exclusively since the middle of March due to the global pandemic and have not received any correspondence or had contact from Lehigh Hanson or its affiliates in that time other than notice of the application.

In conclusion, I hope Rocky View Council will use the prudent voice used in the previous two applications and reject this application.

Thank you,

Roberto Benacchio

## **Rocky View Forward Submission on Bylaw C-8082-2020 Dealing with Lehigh Hanson's Scott Property Application Submitted: January 20, 2020**

Rocky View Forward is responding to Lehigh Hanson's application to redesignate the 600-acre parcel at the north-west corner of Burma Road and Range Road 24 to enable it to operate an open pit gravel mine on that site.

Rocky View Forward is strongly opposed to the application. Our organization is a grassroots resident advocacy group representing between 400 – 500 Rocky View families.

The focus of this submission is the policy issues Council should consider in assessing Lehigh Hanson's application. As will be seen throughout our submission, these key policy issues strongly indicate that there is little, if any, policy rationale for supporting Lehigh Hanson's application.

Rocky View's key land use planning documents relevant for this application are the County Plan and the Bearspaw Area Structure Plan. The focus of all redesignations should be threefold:

- consistency with the relevant planning documents
- an evaluation of whether the parcel in question is suitable for the proposed use; and
- an evaluation of whether the proposed use is compatible with existing uses on adjacent and nearby properties.

As Rocky View County's Redesignation & Subdivision Guide states, "land use planning not only manages the use and development of land but also involves issues of compatibility, environment, health, aesthetics, equity, and efficiency. Sound land use planning respects the land as a community resource. It contributes to the conservation of the natural environment and cultural heritage and promotes healthy communities through improvements to the quality of life."

### **The County Plan**

As Rocky View's top planning document, the County Plan provides overarching guidance on land use and development issues. The most relevant policy guidance in the County Plan with respect to aggregate operations is in Section 15 which deals with natural resource development. This section includes as one of its goals to "support the extraction of natural resources in a manner that **balances the needs** of residents, industry, and society" (emphasis added).

Policies in that section stipulate that aggregate extraction in the County should:

- "**Minimize the adverse impact** of aggregate resource extraction on existing residents, adjacent land uses, and the environment." (Policy 15.1)

- “**Encourage collaboration** between the County, the aggregate extraction industry, and affected residents **to develop mutually agreeable solutions** to mitigate impacts of extraction activities.” (Policy 15.2)
- “Discourage residential development that may limit future aggregate extraction when proposed **outside of an adopted area structure plan**.” (Policy 15.3) (emphasis added)

Rocky View has generous aggregate deposits throughout the County. As a result, the goal of balancing the needs of residents and industry should direct aggregate extraction to areas where few people live. This, in itself, should preclude approval of a new open pit gravel mine adjacent to existing country residential developments in Bearspaw where almost 10% of the County's population live within 3 miles of the proposed gravel pit.

The goal of balancing the needs of industry and society should direct aggregate operations into areas where the environmental damage from open pit gravel mines will be minimized. Again, this should preclude approval of Lehigh Hanson's application since there are significant wetlands on the subject property. Lehigh Hanson itself has acknowledged that there are significant wetlands on this property that will be destroyed by its proposed operations.

Policy 15.1's direction to minimize adverse impacts from the proposed aggregate resource extraction will be dealt with by many other submissions. As a result, this submission will not address the inadequacy of Lehigh Hanson's specific proposals to mitigate the unavoidable negative impacts that result from all aggregate extraction. It should be noted, however, that the single most effective way to mitigate the unavoidably negative impacts from aggregate operations is to locate them far enough from where people live that distance provides a meaningful buffer from those impacts.

Policy 15.2 encourages aggregate companies to collaborate with residents to develop mutually agreeable mitigation solutions to the proposed aggregate extraction activities. This has clearly not been done by Lehigh Hanson. Its consultations were superficial – two open houses held on the same day and one on-line survey.

Lehigh Hanson's summaries of these engagements are thoroughly dismissive and disrespectful of Bearspaw residents and their many concerns. Lehigh Hanson does not appear to have made any effort to actually work with residents. Instead, Lehigh Hanson has downplayed and/or ignored residents' concerns. Lehigh Hanson claims that it will be offering some form of compensation to residents whom it determines are affected by its operations. However, it has refused to release any information on these “promises” until after its application is approved. These unenforceable “promises” do not meet Policy 15.2's direction to collaboratively find mutually agreeable mitigations. To have even the pretence of satisfying Policy 15.2, Lehigh Hanson needed to discuss its proposals openly with residents before submitting its application – not to take this paternalistic “trust us” approach.



Lehigh Hanson's disrespect for Bearspaw residents was demonstrated for all to see when it took out a full-page advertisement in Rocky View Weekly on June 22, 2020. Its advertisement accused affected Bearspaw residents of being NIMBYs and suggested that residents who oppose their application were the equivalent of eco-terrorists. This was certainly not the action of an applicant interested in being a good neighbour or collaborating with affected residents.

Policy 15.3 directs that residential development outside of approved ASPs should avoid sterilizing potential future aggregate extraction operations. This policy deals exclusively with areas outside of approved ASPs. The land that is the subject of Lehigh Hanson's application is inside the Bearspaw ASP. As a result, it is policies in the Bearspaw ASP that guide the acceptability of Lehigh Hanson's application. Lehigh Hanson's interest in exploiting these specific gravel reserves must be assessed in terms of its proposal's compliance with the Bearspaw ASP.

### **Bearspaw Area Structure Plan**

The Bearspaw ASP is currently being reviewed and the revised Plan is scheduled for approval later this year. One of the major issues that has been part of this review is whether future aggregate operations should be permitted on any land in the ASP.

At its open houses in February 2020, Lehigh Hanson provided residents with commitments that it would not bring this application forward until the new Bearspaw ASP had been approved. Lehigh Hanson has clearly broken those promises. Its failure to honour that commitment means that their application must be assessed with respect to the currently approved Bearspaw ASP. This broken promise also raises doubts about any other promises Lehigh Hanson has made to Bearspaw residents or to the County.

The Bearspaw ASP has a number of objectives that are directly relevant for assessing Lehigh Hanson's application. These objectives include (emphasis added):

- 6.1 – To establish a future land use scenario for the Plan Area that in concert with **sound land use planning principles** will provide a future reference for the achievement of an efficient development pattern while balancing and **protecting the character of the Bearspaw community**.
- 6.3 – To facilitate the review and evaluation of the feasibility and appropriateness of any redesignation, subdivision and/or development proposal within the Plan Area **in accordance with an established framework of policies**.
- 6.5 – **To protect, conserve and/or enhance the unique natural features of the Plan Area** by requiring proposals for redesignation, subdivision and/or development to consider these features and **implement measures that will avoid or mitigate any resulting potentially negative impacts**.

As will be demonstrated below, the Lehigh Hanson application fails to meet any of these objectives.

The Bearspaw ASP provides for the orderly development of the entire area as a country residential community and sub-communities. This is made clear in the maps at the beginning of the ASP. Figures 7 and 8 identify the land along its northern boundary as remaining agricultural while all other land is identified as future country residential development with three phases of development priority. The ASP does not identify any land as appropriate for commercial and/or industrial land uses other than one small commercial area at the Highway 1A and Bearspaw Road intersection.

Figure 6 identifies a substantial portion of the subject land as having environmentally significant features, including a high water table. This area is also identified in other County maps as having significant wetlands. Figure 4 does include Lehigh Hanson's land as within the tertiary gravel resources in the ASP. However, this does not distinguish Lehigh Hanson's land since almost half of the land within the Bearspaw ASP is identified as such. In fact, the entire Calgary region is one of the most generously endowed areas in all of North America in terms of availability of aggregate resources.

#### *Bearspaw ASP – Policy 8.3.21*

The critical provision in the Bearspaw ASP for assessing the acceptability of Lehigh Hanson's application is Policy 8.3.21 which states that "redesignation proposals and/or applications for subdivision and development approval to accommodate the extraction of natural resource-aggregates **should only be considered where**, in the opinion of the Municipality, **the rural residential character of adjacent lands is not unduly negatively impacted or substantially altered.**" (emphasis added)

Key characteristics of a rural residential community are generally accepted to include clean air, the presence of natural environmental features and the accompanying wildlife, and an overall quieter environment than in urban residential areas. These desirable characteristics cannot be achieved in the presence of nearby industrial activity and the unavoidable noise and pollution that accompany such activity. Locating a sizable open pit gravel mine on land surrounded on three sides by country residential development cannot avoid "unduly negatively impacting" and "substantially altering" the character of the adjacent lands – an outcome that Policy 8.3.21 indicates should preclude any consideration of this application.

The County's approval of innumerable large and small residential land use redesignations in the immediate area since the first time Lehigh Hanson attempted to redesignate the subject land in 1994 has repeatedly reasserted the County's commitment to the area's country residential land use as specified in the Bearspaw ASP. Only months ago, the County reinforced that commitment when it approved two separate residential land use redesignations along Burma Road – one adjacent to the south-west corner of the subject land and the other only a mile west of the subject land. To now ignore the explicit direction in Policy 8.3.21 should be unacceptable.

**Bearspaw ASP – Policy 8.3.16**

The Bearspaw ASP also indicates in Policy 8.3.16 that evaluation of proposals to redesignate land to a natural resource extractive industrial use should take into consideration:

- (a) the surrounding land uses and the possible impact which may result from the introduction of an extractive industrial use; and
- (b) the economic benefits to the Municipality accrued from the proposed industrial development.

Policy 8.3.16 fundamentally directs the County to apply sound land use policies, in accordance with the ASP's objectives. To do so, the County must determine the highest and best use for the subject land from the perspective of the County as a whole. From Lehigh Hanson's perspective, the highest and best use for the land is as a gravel pit conveniently close to its primary market in Calgary. However, the Bearspaw ASP directs the County to apply sound land use policies not in terms of maximizing profits for the current landowner, but in terms of what land use will provide the highest and best use for the land for the County in the long term.

**Policy 8.3.16(a)** reinforces the direction in Policy 8.3.21 which was discussed above. Policy 8.3.16(a) clearly indicates that if there will be impacts from aggregate operations on surrounding land uses, those impacts need to be incorporated into an evaluation of any proposal. If the impacts are negative, which is unavoidable for any open pit gravel mine, the adverse consequences to the surrounding land uses should weigh against the application.

The unavoidable negative impacts that would result from the approval of Lehigh Hanson's application are the focus of many other submissions and will not be repeated here. Suffice it to say that, for Council to comply with Section 8.3.16(a), these adverse impacts on the surrounding land uses must be seen as black marks against the appropriateness of Lehigh Hanson's proposed land use.

It is noteworthy that **Policy 8.3.16(b)** addresses the economic benefits that may accrue to the municipality – to Rocky View – not those that might accrue to the broader region or to the aggregate producer. In contrast, Lehigh Hanson considers the economic benefits (including substantial and questionable multiplier effects) for the broadly defined Calgary region that may accrue from its open pit gravel mine. Lehigh Hanson does not separate the economic benefits between Rocky View County and the rest of the region. Since most employees at the proposed open pit gravel mine will be from outside the County and most of the extracted gravel will be used outside the County, the economic impact of the mine's activities within the County will be minimal, leaving almost all of the economic benefits identified by Lehigh Hanson, even if accurately projected, to accrue elsewhere in the region – something that is not relevant for Policy 8.3.16(b).

The only economic impacts specific to Rocky View will be from changes in property tax revenues and incremental Community Aggregate Payment levy revenues. Lehigh

Hanson claims these will be \$854,000 per year - \$54,000 in annual property taxes and \$800,000 in annual CAP levies. The estimated revenue from CAP levies assumes that Lehigh Hanson will be able to sell as much gravel from its proposed site as it can produce each year – that the regional market can and will absorb this much more gravel production.

Lehigh Hanson's valuation of the benefits to the County is seriously flawed in that it only includes potential positive impacts on the County's revenues. It ignores substantial negative revenue impacts over the life of the open pit gravel mine's operations.

In exchange for the possibility of \$854,000 per year that Lehigh Hanson estimates will accrue to Rocky View from its operations, the County is giving up the property tax revenues it currently collects from this property and, much more importantly, alternative future revenues from the subject land. The property taxes the County will receive in exchange, according to Lehigh Hanson's information, will be \$90/acre/year. In comparison, the average property tax for a sample of a dozen residential properties adjacent to Lehigh Hanson's property provides the County with \$1,825/acre/year.

If the proposed open pit gravel mine is approved, the County will lose the property tax revenues from future country residential development that would otherwise occur on the 600 acres. This site would almost certainly already be country residential properties if the land were owned by any landowner other than Lehigh Hanson.

Although the amount of this foregone revenue cannot be precisely calculated, based on the average property tax per acre for adjacent properties and a conservative estimate of how much of the 600 acres would be residential properties rather than municipal reserve or roads, the foregone property tax revenue is over \$800,000/year. Lehigh Hanson's property taxes \$54,000/year pale in comparison.

Given the excavation depth proposed for the site, it is highly unlikely that it will be reclaimed for future residential development. As a result, it is only reasonable to assume that, if Lehigh Hanson's application is approved, this residential property tax revenue will be permanently lost rather than only delayed for a minimum of 25 – 50 years.

Lehigh Hanson's analysis also ignored the reality that locating a gravel pit near residential properties results in a substantial reduction in assessed values for residential properties up to five miles away – losses of up to 25%.

This is a cost that must be recognized as unavoidable should Lehigh Hanson's application be approved. The County could deal with this unavoidable reduction in assessed values for Bearspaw residential properties by adjusting the residential property tax rate over the County's entire remaining assessment base. However, it should be unacceptable to make all other Rocky View residents pay for the negative impact Lehigh Hanson's open pit gravel mine will have on property values in Bearspaw.

### Other Relevant Land Use Policies

Neither the County Plan nor the Bearspaw ASP speak directly to how to apply the directive in the County's Redesignation & Subdivision Guide that land use planning needs to involve "issues of compatibility" between industrial uses and residential land uses. This issue, however, is addressed in other Rocky View statutory plans.

The County's Land Use Bylaw defines light industrial activities as those that combine office and industrial activities where "nuisance factors are confined to the site area". Heavy industrial activities are defined as those "that may have off-site nuisance impacts". Based on these definitions, open pit gravel mines, with their many unavoidable adverse off-site impacts, are clearly a heavy industrial activity.

The **Conrich ASP** emphasizes the importance of ensuring the "integration of residential and business uses in a manner that provides for the transition of land uses, promotes land use compatibility, and mitigates impacts on adjacent lands".

To achieve this, the Conrich ASP directs all heavy industrial uses away from existing and future residential areas and provides at least a full quarter section between residential areas and heavy industry. The Conrich ASP also emphasizes the importance of providing transitional interface areas to mitigate the impact of commercial and light industrial activities on neighbouring residential areas.

The **Janet ASP**, which focuses almost exclusively on commercial/industrial development, directs that appropriate industrial uses are those that "do not have a significant offsite nuisance impact". In other words, the Janet ASP only supports light industry. The Janet ASP further restricts industrial activities on land adjacent to residential areas to uses that do not "interfere with the use and enjoyment of adjacent residential development".

The **North-Central Industrial ASP** limits industrial uses with potential off-site impacts to land surrounded by quarter sections of light industrial uses that do not have off-site impacts. The ASP further limits heavy industrial uses with significant off-site impacts only to those activities that can adequately mitigate their off-site impacts. It also requires that the land closest to Crossfield should be used for industrial uses with the least off-site nuisances and that industrial land uses with obvious off-site nuisances "shall be located farthest from the town boundaries".

The **draft North Springbank ASP's** land use strategy provides a buffer of at least a full quarter section between land identified as suitable for commercial/industrial development and for residential development. It also excludes all heavy industrial uses.

These ASPs all provide significant transitions and/or buffers between residential and industrial land uses. The few Rocky View statutory plans that permit heavy industrial land uses ensure that any such activity is located as far away as possible from residential land uses. The obvious conclusion is that when the County's statutory plans address the issue of land use compatibility between residential and industrial uses, the

direction is that such compatibility requires a significant transition area to buffer and protect residential areas from any industrial activity, and especially from heavy industrial activity.

It could be observed that the location of the industrial activities anticipated in these ASPs are not dependent on pre-existing conditions to the same extent as is an aggregate operation. It is true that open pit gravel mines can only be located where aggregate resources exist. If the Scott Property's gravel deposits were some of only a few aggregate deposits in the County, there possibly might be an argument that the County's responsibility would be to ensure appropriate mitigation measures for the exploitation of a scarce resource. However, nothing could be further from reality. Generous aggregate deposits exist throughout much of the County and the entire region. As a result, the considerations for determining the compatibility between residential land uses and the heavy industrial activity of an aggregate operation are the same as they are for any other heavy industrial land use in the County.

**Conclusion**

This review of relevant Rocky View land use policy demonstrates unequivocally that Lehigh Hanson's application should be refused as a completely incompatible land use with the extensive country residential land uses that exist in the immediate area. To do otherwise would disregard all sound land use policy.

**Bylaw C-8082-2020**  
**Lehigh Hanson Application**  
**Rocky View Gravel Watch**  
**Comments as of January 18, 2020**

Rocky View Gravel Watch is vehemently opposed to Lehigh Hanson's application to convert 600 acres at the north-east corner of Burma Road and Range Road 25 into an open pit gravel mine.

Rocky View Gravel Watch represents over 200 families across the County on issues related to aggregate operations. We have been working closely with many Bearspaw residents to support their opposition to Lehigh Hanson's third attempt to destroy their community. As a result, Gravel Watch will leave the detailed critique of Lehigh Hanson's application to these residents.

The submissions from these residents will highlight serious shortcomings and concerns with most key technical issues associated with Lehigh Hanson's proposed aggregate operations. A few examples of these are:

- Irreparable damage to ground water;
- Ongoing degradation to air quality from cancer-causing silica dust released as aggregate is extracted and processed;
- Destruction of the community's rural character from noise levels in excess of those found in busy urban industrial areas;
- Irreparable environmental damage from the destruction of wetlands;
- Completely inadequate and ineffective mitigation; and
- The absence of any effective reclamation plan.

Bearspaw residents hired technical experts to review and evaluate the technical studies Lehigh Hanson presented in support of its application. These experts' reports are included as part of the submission from Mr. John Weatherill. It is critically important that Administration and Council carefully consider these reports in their assessment of Lehigh Hanson's application. These experts raise serious doubts about the appropriateness of relying on Lehigh Hanson's technical studies. The reports from the experts hired by residents present strong evidence that contradicts and/or identifies serious omissions in Lehigh Hanson's technical data. An adequate evaluation of Lehigh Hanson's application must include an assessment of the quality of the data Lehigh

Hanson has presented. Simply submitting technical studies is not sufficient if those studies have demonstrable flaws.

The remainder of this submission will focus on other important points that Council needs to consider in evaluating this application.

### **Policy Guidance for Gravel Pit Applications**

Earlier Rocky View councils recognized the need for a County-wide policy dealing with aggregate operations. A decade ago, the Reeve's Task Force acknowledged that "Rocky View County has gravel deposits in many areas" and that "the Calgary region is one of the best endowed in terms of gravel resources in North America". The Reeve's Task Force noted that "gravel operations have been a flashpoint for controversy in some areas of the County" and that gravel companies wanted "more specific policy guidance". As a result, it recommended that "Rocky View should develop a comprehensive plan and policy on how to deal with gravel resources in the County, the siting and approval of gravel operations, and the mitigation of impacts on surrounding land uses, groundwater resources and residents".

The County Plan implemented this recommendation by directing Administration to prepare such a policy. Although the development of the Aggregate Resource Plan was a somewhat bumpy process, it was clear from private conversations we had with industry representatives that a mutually acceptable policy for both industry and residents had almost been achieved. Unfortunately, rather than complete the work started by their predecessors, this Council chose to kill the Aggregate Resource Plan in December 2019.

This decision has made Council's job much more difficult as it now must assess applications for new open pit gravel mines without the aid of generally accepted rules for where gravel pits should be located; without the identification of effective mitigation standards and procedures to address the unavoidable negative off-site impacts that accompany all aggregate extraction and processing; or without documentation of the best practices to be required for pit operations. All of these would have been part of an Aggregate Resource Plan.

### **Reconciling the Need for Gravel with its Unavoidable Adverse Impacts**

Rocky View Gravel Watch has always recognized the important role gravel plays in our modern day economy. No one questions the need for roads, commercial or residential construction, etc. However, we have always maintained that, given the generous aggregate reserves in southern Alberta, our society's need for aggregate products can easily be met without sacrificing peoples' health, safety or quality of life or by sacrificing the environment. The only thing that might have to be sacrificed is a bit of the gravel companies' profits. However, even this does not appear to be a significant concern since gravel companies



operate quite successfully in the Edmonton region where most gravel is extracted and processed 200 miles away and brought in by rail – a far safer method of transportation than the gravel trucks that occupy roads throughout the Calgary region.

The totally different approach adopted in the Edmonton area leaves Rocky View residents wondering why their health, safety and quality of life appear to be valued far less than their fellow Albertans who live just a few hours north.

### **The County's Relationship with its Residents**

Rocky View Gravel Watch believes it is critical for Council to acknowledge the social contract the County has with its residents. Rocky View has worked hard to make the County an attractive location for residents and businesses. A large part of Rocky View's attractiveness is its quiet rural character located just a stone's throw from major urban centres.

The County's policies for the past decades have encouraged people to move to Rocky View to share in that unique balance. These policies have made the County a far richer municipality, both literally and figuratively, than would otherwise have been possible. It should be inconceivable for Council to now consider reneging on those promises by permitting the destruction of its communities and their way of life so that a foreign-owned company can maximize its profits.

This is the third time Lehigh Hanson has sought to establish an open pit gravel mine in this location. The number of country residential properties close to the subject property has increased steadily over that time – all with the encouragement of Rocky View's residential development policies. Almost 10% of the County's residents live within three miles of the proposed pit location.

Over the same period, Lehigh Hanson's successive applications have each been increasingly aggressive in terms of how it proposes to operate an open pit mine at this location. The complete mismatch between its increasing disregard for the unavoidable negative impacts that accompany all aggregate operations and the growing residential community immediately adjacent to its proposed operations should, in itself, be sufficient grounds to reject this application. Earlier councils rejected less offensive proposals when there were fewer people living nearby.

### **Limited Effectiveness of Mitigation**

Effective mitigation and optimal pit operations can only go so far. Mitigation measures and best practice operating procedures reduce adverse impacts; they do not remove them. As importantly, mitigation measures are only effective if they are implemented and monitored appropriately. Gravel Watch has serious

concerns with respect to both the implementation and the monitoring of any mitigation measures Lehigh Hanson may commit to employ.

Lehigh Hanson and its parent company have terrible reputations elsewhere in North America for their disregard of rules put in place to reduce the damaging impacts from their gravel extraction and processing activities. (See <https://violationtracker.goodjobsfirst.org/parent/heidelbergcement> for a summary of their infractions.) Neither Rocky View nor the Province have the resources to properly monitor compliance with agreed-upon mitigation measures. This is a dangerous combination for the wellbeing of Bearspaw residents.

These realities mean that the only certain way to mitigate the unavoidable adverse impacts from gravel operations is provide a meaningful buffer or setback between the gravel operations and the locations where people live. Given that Lehigh Hanson's 600 acres are surrounded on three sides by country residential properties, this is not possible and should, on its own, be sufficient reason to reject their application.

### **Applying Council's Strategic Plan**

We also want to emphasize the relevance of Council's Strategic Plan to the decision on Lehigh Hanson's application. Council's mission, as articulated in the Strategic Plan, is to "preserve the Rocky View County's diverse landscape, lifestyle, and economic opportunities by serving our residents and businesses so that they can flourish and thrive". Protecting the valuable asset the County has nurtured in its Bearspaw country residential communities should be of paramount importance in fulfilling that mission. In our view, the accountability that features prominently as one of Council's key values in the Strategic Plan demands that you demonstrate "the courage to take personal responsibility to do the right thing", as is stated in the Strategic Plan, and refuse this application.

### **Conclusion – Irreconcilable Land Uses**

The Province delegates location decisions for gravel operations to municipalities as part of their broader responsibility for land use management. It is imperative that Rocky View Council exercises this duty responsibly. It should be obvious to everyone that residential communities and heavy industrial open pit gravel mining are totally incompatible land uses. Unfortunately, Rocky View residents have had to explain this glaring incompatibility to successive councils. We sincerely hope that the current Council understands the critical importance of these irreconcilable land uses and rejects Lehigh Hanson's application.

**Response to RVC request for comments on Lehigh Hanson's application:**

**Subject:** Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I did not buy a country residential property to have to put up with commercial noise, dust, and dirt. If I wanted this type of lifestyle, I would have bought a house in an industrial area. We, my neighbors and I, are sick and tired of all the noise from the STAR and Lafarge Pits, and they are further away than this pit will be. We are also sick and tired of the continuous on going battles we must fight to stop these pits. Council, stop this and all future pit applications now!!

If council approves this project, most of my neighbors and I are going to demand that we be bought out and every counsellor who voted in favor of this project and every owner and manager of the company be made to live in these houses for at least a year, to live in the filth, mess, noise and truck traffic . Just so they can experience the loveliness of this type of operation. This seems only fair that they live in this mess if they expect us to.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh

Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons including the ones I have listed above.

Rod & Gale Molle  
24241 Meadow Drive  
Calgary, Alberta, Canada  
T3R-1A8



From: [REDACTED]  
To: [Andrea Bryden](#)  
Cc: [REDACTED]  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 06605005)  
Date: October 27, 2020 2:28:57 PM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

Our family has lived here for over 20 years. We love the quiet peaceful country living. We are extremely concerned about the proposed open gravel mining site. For many reasons we are strongly opposed. We are concerned for our long term health. Gravel operations produce silica dust which is very harmful to breathe. There is also the added noise from the pit as well as the added industrial traffic.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

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In closing, this application should not be approved for a multitude of reasons including the ones I have listed above.

Regards,

Rodney Zielke



**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Comments re Applications PL 20200093 and PL20200094  
**Date:** October 20, 2020 2:54:24 PM

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**Do not open links or attachments unless sender and content are known.**

Ms. Andrea Bryden:

I am responding to Rockyview County's request for comments on Lehigh Hanson's above noted applications to redesignate land use to accommodate gravel pit operations.

My wife and I are opposed to this application as we have been with the two earlier failed attempts to redesignate this land use to gravel pit mining. As before NOTHING in these applications lends itself to compatibility of the current land uses in the community. There is every reason to believe that this type of mining operation will add the undesirable effects of traffic congestion, silica dust and noise pollution to our neighborhood, not to mention the cumulative negative effects of adding yet another gravel operation to a community already bearing the effect of several of these. There can be no argument that these applications will improve ANY of those conditions. It is also likely that this operation will impact ground water sources as was demonstrated during Lehigh Hanson's last application. In short there is NOTHING but disadvantage to our community through redesignation and this will likely reflect itself on property values as well as lessening our enjoyment of our community.

In their report of August 2020 entitled "What we heard report" Lehigh Hanson "heard" that "some stated that aggregate operations are not complimentary to adjacent residential communities and that Lehigh should explore other locations for extraction". To this Lehigh replied in part "close-to-market aggregate sources mean lower costs for consumers, and reduced greenhouse gas emissions and truck traffic." In other words Lehigh is not so much concerned over being complimentary to their neighbor's land use as they are of having lower costs, even if those lower costs come at increased costs to their neighbors. Had Lehigh chosen to explore other locations as the residents suggested they may have faced increased costs of aggregate. They seem to have found that transferring those costs to our neighborhood rather than bearing the costs themselves is preferable. They clearly "heard" only what they wished to hear.

Ron Lefebvre  
31 Lone Pine Cres NW

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Lehigh Hanson Pit application.  
Date: October 30, 2020 4:15:42 PM

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Do not open links or attachments unless sender and content are known.

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Regards  
Ron  
R.L. Prowse

[REDACTED]  
[REDACTED]



**Andrea Bryden**

---

**From:** ruth ludwig [REDACTED]  
**Sent:** August 26, 2020 2:58 AM  
**To:** Andrea Bryden  
**Subject:** [EXTERNAL] - Gravel extraction near existing residential

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Hi Andrea,

I am one of the Rockyview residents near the STAR pit. For years we have had meetings upon meetings with all sorts of powers that be over the intrusions created by the open pit mining of gravel in our residential area. The main issues for us are the sound intrusion thru the night, both of the gravel crushing, and of the trucks with back up beepers, and the health hard of silica dust ( not to mention the addition housekeeping required).

In this month alone we have been repeatedly woken up in the night with the banging of gravel crushing ...for extended periods,. I have just sent ANOTHER email off to Bruce Whale, Manager at the pit, about the truck back up beepers occuring again tonight. Almost impossible to sleep with the recurring intrusion.

My understanding is that the crushing is to be shut down between 11pm and 6 am. That is not happening. As mentioned before... Many nights, including tonight, the crushing clatter and banging go on all night, AGAIN. The pit management always puts on its mask of responsible concern and desire to be good neighbors BUT nothing ever changes, other than they are getting very good at PR and schmoozing. After several useless apologies and promises to do better already this year, I started to ask Bruce to bring the offending parties here to my home for a meeting so they could better understand the effect of their 'forgetting' to shut off the beepers, for example. They dutifully attend. BUT NOTHING changes. Here we are again at 2am.. And you can see the time stamp on this email.

We lived here long before gravel intruded... and this gravel operation continues to be untenable. Please do not allow/encourage any more gravel extraction near existing residences in Rockyview. Anywhere in Rockyview. Pleased also know that dust from the pit...I presume it is silica dust that invades our homes every time the wind is drifting in our direction... It has been particularly bad here this year. Personally, anyone can read what silica dust does to your lungs and your health. As tax payers, none of us want the County to be seen as being complicit down the road for allowing/encouraging the production and invasion of silica dust in residential areas. From what I see here in my own home, it is just a matter of time before this alone becomes a legally entanglement for the County.

Please consider any further gravel pit requests near existing residencial areas to be untenable. I believe that 2 miles is a recommended safety setback... the existing 400m is totally inadequate.

This insanity is intolerable. Please do not encourage/permit any further incursions into Rockyview near residential areas.

Thanks Andrea,

Sincerely,

Ruth Ludwig

254077 Rocky Ridge Rd  
[REDACTED]

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Scott Property Burma Road redesignation PL20200093/0093 & PL20200093/0094  
**Date:** October 19, 2020 10:47:59 AM

---

Do not open links or attachments unless sender and content are known.

Hello Andrea,

Reference to the above subject I am in receipt of a letter from Rocky View County  
File No:06605001, 06605002, 06605003, 06605004, 06605005 Dated October 8 2020

Comments Regarding this Application:

1 This location for proposed Gravel pit is near well developed acreage properties and homes hence approving an industrial operation near residential area is not to be considered for redesignation.

2 Proposed Gravel pit will reduce the value of the homes and properties nearby drastically, the homes and properties are comparatively high value homes the value reduction will be big dollar value for all of us owning homes near to the proposed gravel pit.

3 Burma Road & Bearspaw Road are two lane road during construction period and mobilization of equipments the heavy truck and other construction equipment transportation will seriously affect the safety of the neighbours as heavy machinery and trucks constantly moving through Burma Road & Bearspaw Road.

4 Dust in air during construction and subsequent operation will be harmful to health already Spyhill operation on 89th Street is clearly showing the poor air quality & noise pollution as neighbouring communities there have raised complaints regarding the operation.

5 The proposed technical solution to use conveyor belt from Scott properties to Inland plant is technically questionable unless a detail Environmental Impact Study and Front End Engineering (FEED) study report is submitted by applicant and evaluated by Rocky View County prior any further hearing about this redesignation application

6 Water table in the nearby areas will go down due to Gravel pit which will affect the water wells nearby

Yours Sincerely,  
Saji George  
16 Chamberlain Pl  
Calgary  
T3R1B7

From: [REDACTED]  
To: [Andrea Bryden](#)  
Cc: [REDACTED]  
Subject: [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
Date: October 28, 2020 4:49:37 PM

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Do not open links or attachments unless sender and content are known.

Dear Ms. Bryden:

I'm a resident of Bearspaw, and I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons including the ones I have listed above.

Regards,  
Sandy Wang

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 24, 2020 2:08:13 PM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden,

I am a resident of Rocky View County living in close proximity to the proposed Lehigh Hanson gravel pit. I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application.

The proposed open pit gravel mine will have severe health and safety impacts on local residents associated with the dust, noise and traffic impacts of the proposed project. It would be entirely inappropriate and unreasonable to impose these health and safety impacts on local residents by allowing this project to proceed in this area.

This application should not be approved for a number of reasons, including the ones I have listed above.

Shannon Zahary  
39 Cody Range Way

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** December 15, 2020 5:10 PM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C-8082-2020

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Legislative Services

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

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**From:** Shelley McLellan [REDACTED]  
**Sent:** December 14, 2020 11:26 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Bylaw C-8082-2020

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To whom it may concern,

I am opposed to the Lehigh Hanson Gavel Pit application.

I feel that a gravel pit is not something that should be put in an area with so many community homes. Gravel pits bring so many negative things with them. The large equipment, transport trucks, dust, noise, extra traffic, and other negative impacts to a residential community.

The county has refused the previous two applications and I can not understand why this new application is even being looked at, especially with several new residential developments being approved in the immediate vicinity. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

I believe that the scheduled hearing slated for December 22 will be rescheduled for after the new Covid restrictions. I hope that everyone will be given appropriate notice of the new hearing date so that our opinions can be heard.

Regards,

Shelley McLellan  
35 Woodlands Estates Cres.  
Calgary, AB  
T3R 1H1

**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 30, 2020 10:50 AM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Bylaw C 8082-2020 Lehigh Hanson Gravel Pit

MICHELLE MITTON, M.SC  
Legislative Coordinator | Municipal Clerk's Office

ROCKY VIEW COUNTY  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
MMitton@rockyview.ca | www.rockyview.ca

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

-----Original Message-----

From: Sherrie Anderson [REDACTED]  
Sent: Saturday, November 28, 2020 4:14 PM  
To: Legislative Services Shared <LegislativeServices@rockyview.ca>  
Subject: [EXTERNAL] - Bylaw C 8082-2020 Lehigh Hanson Gravel Pit

Do not open links or attachments unless sender and content are known.

Special Application # PL20200093/0094 (File#s 06605001, 06605002, 06605003,06605004, 066-5005. I am responding to the county's request for comments on Lehigh Hanson's Application on the Scott Property gravel pit on Burma Road and Range road 25. We are opposed to this application.The proposed gravel pit, is just more strain on the area that doesn't need more heavy industry, which creates move gravel trucks, dust, noise and environmental damage. My family and I have lived at 55 Cody Range Close Church Ranches for 22 years and moved here for country living, not to see , smell and hear the mess created by an open pit mine. Dan and Sherrie Anderson

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #: 06605001, 06605002, 06605003, 06605004, 06605005)  
**Date:** October 31, 2020 12:30:24 PM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use with the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

We know that at our home here in Harvey Hills, where we've lived for 40+ years, we used to enjoy the quietness of this rural area, but now we hear the Burnco operation steadily, and it's another entire section to the east of Lehigh Hanson's application area! Approving the application would just make things so much worse, so please do not issue an approval for this operation.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Regards,



Steve & Carole Clement

October 27, 2020

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

We are responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

We are opposed to this application. The proposed open pit gravel mine is a completely incompatible land use due to the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments. Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signaled the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental/infrastructure costs (degradation of roadways and increased noise pollution). We are concerned that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones listed above.

Thank you for considering this feedback

Church Ranches Owners

Susan and Matthew Page

From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - Lehigh Hanson Application  
Date: October 21, 2020 8:47:25 AM

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Do not open links or attachments unless sender and content are known.

Sent from my iPhone Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

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In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

Respectfully,

Terry Moore

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 27, 2020 5:25:56 PM

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Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons including the ones I have listed above.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[Terry Zielke](#)

*Andrea*

From: Audrey Faulkner [REDACTED]  
Subject: File Numbers 06605001, 06605002, 06605003, 06605004, 06605005, PL20200093/0094, Division 8  
Date: October 22, 2020 at 5:03 PM  
To: abryden@rockyview.ca



Planning and Development Services Department  
Rocky View County  
262075 Rocky View Point,  
Rocky View County, AB. T4A 0X2

Attention: Andrea Bryden

October 22, 2020

This letter is in response to your letter of October 9, 2020 addressed "To the Landowner" regarding redesignation of 600 acres (Scott Property) to allow for open pit gravel mining by Lehigh Hanson.

We say **NO** to the redesignation of this property to accommodate Lehigh's application for open pit mining. We are **SICK AND TIRED** of this issue presenting itself yet a "third time" and want this form of harassment by "**Big Gravel with deep pockets**" stopped.

Gravel operations in the midst of a residential community (*Harvey Hills being just one of them*) are not compatible with the many residential homes in the area. There are so many negative impacts that affect residents living anywhere near this property i.e. traffic concerns, resident's health, dust, environmental issues, noise, loss of home value, our quality of life etc. not to mention unsightly appearance of an open pit mine near beautiful surrounding country residential properties. We have enough gravel pits nearby as it is. We don't want or need anymore in a populated area such as ours!

We also feel Lehigh Hanson is using the pandemic to their advantage in pursuing an application without more public engagement. We find this very disturbing.

In closing, we **OPPOSE** the redesignation of the 600 acres to accommodate open pit gravel mining by Lehigh Hanson or any others. **NO** means **NO**. Let this land be designated as future country residential development, not open pit gravel mining.

We sincerely hope Rocky View Council listens to the resident's concerns and will put "**PEOPLE**" before "**BIG GRAVEL**". We ask Rocky View County to not accept Lehigh Hanson's application (Scott property) to allow this industry to "plop" themselves in the midst of a residential community. Thank you.

Respectfully Submitted,

*T. Faulkner*  
Tom and Audrey Faulkner

90 Harvey Hills  
Calgary, AB. T3R 1J8

[REDACTED]  
Residents of Bearspaw (40 years)

*Audrey Faulkner*

From: Michelle Mitton  
To: Dominic Evans, Jessica Anderson  
Subject: FW: [EXTERNAL] - Scott Pit Submission  
Date: January 18, 2021 5:02:28 PM

MICHELLE MITTON, M.Sc.  
Legislative Coordinator | Legislative Services

ROCKY VIEW COUNTY  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520-1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

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From: Foss, Tom  
Sent: January 18, 2021 3:05 PM  
To: Legislative Services Shared <[LegislativeServices@rockyview.ca](mailto:LegislativeServices@rockyview.ca)>  
Cc: [REDACTED]  
Subject: [EXTERNAL] - Scott Pit Submission

**Do not open links or attachments unless sender and content are known.**

As a landowner in Rocky View County and in near proximity to several gravel pits, I remain opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property. I am also opposed to their accompanying Master Site Development Plan.

Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area. The County has some of the most extensive gravel deposits in all of North America. Because of this, there is no need to extract gravel in locations that threaten existing residential communities or the environment.

The County refused Lehigh's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. At this point, almost 10% of the County's residents live within three miles of this site. These approvals sent the message that the County is committed to the land use strategy in the Bearsapaw Area Structure Plan which identifies this land as the location for future county residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

I am also disturbed that the County has scheduled this public hearing in the current Covid-19 environment. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation. It seems that the onus is on the residents to continually fight applications by gravel companies looking to maximize their profits with little or no concern for the costs they impose on County residents or the County's environment. Lehigh Hanson keeps submitting applications with the hope that residents let their guard down and/or tire from an ongoing fight. Lehigh Hanson may also be hoping that a less knowledgeable and informed council makes a huge mistake and approves their redesignation application.

The deck is stacked against the residents who want to make Rocky View a safer and better place to live. To level the playing field the applicant or the County needs to provide funding so that landowners can more fully understand the technical data Lehigh Hanson is presenting and, thereby, more effectively represent themselves against Lehigh's third push for this dangerous application. When I look through their statements and reports, I am concerned that there are many dangers and if I had funding I would reach out to experts to provide additional information so that I could understand these critical issues more fully.

In closing, this application should be refused and hopefully once and for all put this nightmare behind the residents that will be so devastatingly impacted.

Please acknowledge receipt of this letter.

Thanks

Tom

*Tom Foss*





From: [REDACTED]  
To: [Andrea Bryden](#)  
Subject: [EXTERNAL] - GRAVEL APPLICATION # PL20200093/0094  
Date: October 28, 2020 1:24:34 PM

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Do not open links or attachments unless sender and content are known.

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs. A active mining operation with a 150 meter set-back from existing homes hardly preserves the resident's quality of life. **We constantly hear noise from the pit operations on 85th street..**

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for the reasons I have listed above.

Regards



Tom Glassford

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] - Subject: Application #: PL20200093/0094 (File #: 06605001, 06605002, 06605003, 06605004, 066-5005)  
**Date:** October 29, 2020 8:12:29 AM

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Do not open links or attachments unless sender and content are known.

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

18 January 2021

Ulla and Steve Kalny  
261021 Range Road 23  
Calgary, AB T3R 1E4

Dear Rocky View Council:

**Re: PL20200093/0094 Lehigh Hanson Application - Gravel Mine – Bylaw C-8082-2020**

We are opposed to Lehigh Hanson's application to re-designate the 600 acres on the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

We have lived in Bearspaw for 21 years (one mile NE of the Scott Property) and therefore will be directly affected by the decision made by council regarding this application. Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable land use for this area.

It is our understanding that this is the third application made by this same applicant, with the most recent one being rejected unanimously. The same reasons for that rejection still apply. There will be significant environmental effects, significant health consequences to residents and it will greatly interfere with the enjoyment of residences in all the properties surrounding the area. A reduction in property values would also most certainly occur. Since the previous two refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.


More significantly, meaningful consultation should have occurred with affected residents. This has not occurred. We have been home almost exclusively since the middle of March due to the global pandemic and have not received any correspondence or had contact from Lehigh Hanson or its affiliates in that time other than notice of the application. The County has scheduled this public hearing in the current Covid-19 environment. This is particularly inappropriate given Lehigh Hanson's completely inadequate public engagement. The County and Lehigh Hanson should not use the pandemic as an excuse to dispense with meaningful public consultation and participation.

In conclusion, I hope Rocky View Council will use the prudent voice used in the previous two applications and reject this application.

Sincerely,

Ulla and Steve Kalny  




**From:**   
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Hanson gravel pit Burma road  
**Date:** October 15, 2020 8:10:37 PM

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This is a big mistake allowing this to move forward. The increase of traffic and the already existing careless driving of the gravel trucks in the area is crazy. There already is a shortage of traffic patrol in the area and this will add to an already existing strain and an unseen police presents. I have kids that play outside and these trucks drive by like they don't care. How can you ensure that follow rules like speed signs, road bans, covering there load and truck maintenance? Please explain

From: [REDACTED]  
To: [Andrea Bryden](#)  
Cc: [REDACTED]  
Subject: [EXTERNAL] - Application Numbers PL20200093 and PL20200094  
Date: October 27, 2020 10:03:23 AM

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October 27 2020

**Attention:** Andrea Bryden  
RVC Planning & Development Services  
[abryden@rockyview.ca](mailto:abryden@rockyview.ca)

**Subject:** Application Number: PL20200093/0094  
File #: 06605001, 06605002, 06605003, 06605004, 06605005

Dear Andrea Bryden:

**I am opposed to the Lehigh Hanson open pit gravel mine application.**

As a long term resident of the Bearspaw community I submit that this proposed land use re-designation is contradictory to the Bearspaw Area Structure Plan which identifies this land use area as future country residential living – not as open pit mining.

Twice previously has the County refused the applications from Lehigh Hanson to redesignate and develop the approximate 600 acre area of Agricultural General District at the NE junction of Burma Road and Range Road 25 to an open pit gravel mining operation (ie. Direct Control District to accommodate a new Gravel Pit Operation).

The gravel pit application proposes to be to almost 500 feet from some residential properties. As a resident of the Bearspaw community, I can testify that the existing gravel mining operations at approximately 6 kilometers from my residence can be heard day and night – the operations at Stoney Trail Aggregate Resource consistently demonstrate a disrespect for complying within designated work hours and contravene these regulations on a frequent basis. With the same type of operations as close as 500 feet from residential properties these unacceptable issues and problems would be even more exaggerated. They have not exhibited a track record of regulation adherence and residential community compatibility.

Therefore the application(s) for the redesignation of the subject lands and the application to adopt the Scott Property Master Site Development Plan to guide redesignation should be **NOT APPROVED**.

Regards,  
Walter Zielke  
[REDACTED]

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - OPPOSED Gravel Pit and Conveyor Belt  
**Date:** October 21, 2020 3:53:01 PM

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**Do not open links or attachments unless sender and content are known.**

Dear Ms. Bryden:

This letter was sent by Janet Bantle but I feel exactly the same way. I live in Bearspaw also, and certainly am opposed to this gravel pit and conveyor belt.

I do not want a new gravel pit or a gravel conveyor belt to be functioning in the Bearspaw area. Lehigh must stop trying to ram this down our throats and as a "reputable company" they should first and foremost consider the community not their bottom dollar line since the application has already been turned down twice. I know the that LEHIGH FEELS THAT IF THEY KEEP PUSHING THAT THE BEARSPAW COUNCIL WITH CAVE - AND UNFORTUNATELY THEY ARE LIKELY RIGHT.

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason. Lehigh should realize the heavy industry is incompatible with residential developments and withdraw their application.


Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, decrease in property values as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should **NOT** be approved for a multitude of reasons, including the ones I have listed above.

Thank you.

Wanda Thomson  
255225 Woodland Road  




*Wayne Bobye*  
*24100 Aspen Dr.*  
*Bearspaw, Alberta*  
*T3R1A5*

Planning and Development Services Department,  
Rocky View County- 262075 Rocky ViewPoint,  
Rocky View County, AB, T4A 0X2

File Numbers: 06605001 06605002 06605003 06605004 06605005  
Application #: PL202000093/0094

To whom it may concern:

“Aggregate is mined from the earth, either dug out of pits or blasted out of quarries. This process has many significant environmental impacts.

Creating the pits or quarries requires the removal of virtually all natural vegetation, top soil and subsoil to reach the aggregate underneath. Not only does this lead to a loss of existing animal wildlife, it also leads to a huge loss of biodiversity as plants and aquatic habitats are destroyed. Moreover, adjacent eco-systems are affected by noise, dust, pollution and contaminated water.

Pits and quarries disrupt the existing movement of surface water and groundwater; they interrupt natural water recharge and can lead to reduced quantity and quality of drinking water for residents and wildlife near or downstream from a quarry site.

Dust from surface mining operations produces airborne pollution including crystalline silica that can cause lung cancer, silicosis, COPD, kidney and autoimmune diseases; increase susceptibility to infections like TB; and increase hospitalizations for heart disease. The dust from gravel mining may also contain toxins such as heavy metals and radon, both of which cause cancer.

Dust and toxins can travel hundreds of miles, but the proximity to existing and future Chaffee County residents make the proposed gravel pit site an unacceptable health hazard. Fugitive particulate emissions, air pollutant emissions, and visible emissions will be produced, and even if these emissions are within the allowable limits of regulations, the potential health effects will not be eliminated.

Dust landing on the property and homes of nearby residents will be stirred up during daily activities, thus magnifying the health consequences particularly for children and babies in utero. Because of greater physical activity, higher metabolic rates, and hand-

to-mouth actions, young children will be more exposed than adults via both inhalation and ingestion. Exposure of pregnant women living nearby will extend the health consequences to more than one generation because of the damage that increased pollution and diesel exhaust can do to chromosomes and fetal development. Toxic dust generated by pit operations would continue for years, but the health consequences can last much longer.

Diesel emissions from trucks and equipment will add to the health hazard. Diesel exhaust is a carcinogen and is more toxic than gasoline vehicle exhaust. Long term exposure to even low levels of diesel exhaust raises the risk of dying from lung cancer about 50% for residents who live near industrial operations, and about 300% for the workers.”

<https://calgaryherald.com/news/local-news/dust-levels-nearly-seven-times-beyond-standard-at-provincial-gravel-pit-in-citys-northwest>

I oppose the Scott Property project for the above reasons and this project adds gravel to Calgary’s main plan, which did comply in 2017 with the provincial gravel pit standards for Calgary’s plant on 85 Street NW.

Yours very truly,

Wayne Bobye

A black rectangular redaction box covering the signature area.

**William D Nelson CPA, CA**  
**68 Church Ranches Blvd**  
**T3C 1B1**

**RE: Bylaw C-8082-2020**

To Rocky View Council:

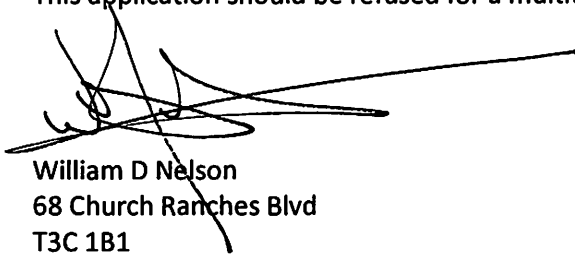
I am opposed to Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 so it can operate an open pit gravel mine on what is referred to as the Scott Property and their accompanying Master Site Development Plan.

Heavy industry such as open pit mining is incompatible with residential communities. As such, this application represents a completely unacceptable use for this area.

The County refused Lehigh Hanson's two previous applications in respect to this property. Since those refusals, the County has approved several new residential developments in the immediate vicinity. These approvals sent the message that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. Because of these earlier decisions, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere near the gravel pits. These consequences include unavoidable adverse impacts to residents' health, safety, and quality of life, as well as serious environmental costs.

This application should be refused for a multitude of reasons, including the ones listed above.



William D Nelson  
68 Church Ranches Blvd  
T3C 1B1

Date: *January 13, 2021*

Jan.15/21 Email to: [legislativeservices@rockyview.ca](mailto:legislativeservices@rockyview.ca) Re: Bylaw C-8082-2020 – A Bylaw of Rocky View County to Amend Land Use Bylaw C-8000-2020 Application Number: PL20200093 (066605001/002/003/004/005)

Don and Wilma Gathercole are submitting their **strong objection** (owners of three properties in this affected area) to redesignation of these parcels of land to facilitate this proposed application to change from Agricultural, General District to **Direct Control District in order to facilitate an aggregate operation, located at the north east junction of Range Road 25 and Burma Road for the following reasons:**

1. Having lived in the Community of Bearspaw for over 47 years, it is of utmost importance a plan is in place for the whole area development prior to allowing the changing of any land parcels to Direct Control District without having all the approval from ALL THE PEOPLE OF BEARSPAW, as this is signaling a change to what most of the people in Bearspaw have not bought into.
2. This commercial operation of an aggregate operation borders single home development and the County has made the decision that the land use in this area is better situated to smaller parcels to accommodate more residences that share the same value and in turn pay higher taxes for that usage. No one has bought into a Commercial Gravel Operation next door and it was well known for a long time this is a major issue in Bearspaw and yet Lehigh Hanson Materials Limited continued to purchase the Scott homestead for gravel development.
3. The County has failed to enforce similar development operations at a much smaller scale and the residences in this area have had to put up with this for numerous years of extreme noise at restricted times, poor air quality and decreased property values.
4. This proposed project changes this residential and farming community forever and sets an example that people do not count.
5. Rocky View is awash with gravel so it's not a scarce resource and this location has been chosen because of its proximity to Calgary and is only a benefit to Leigh Hansen but none of its neighbours. It should not be that the County and all their residences have to adjust to changing to Direct Control District when multiples of land that does not border single family residences and requires no land use change is available for purchase.
6. Health issues are a major concern with dust, poor air and environmental issues also.
7. Since we are being told that no crushing would take place in the subject area at the present time we understand that all gravel will be travelling in an above ground pipeline miles and miles away to a different location is shocking and a total joke. Think of the noise coming from all this which we find very disturbing and tells us that this development shows no good faith in anything it is suggesting.
8. It is in a poor location, improper zoning and a problem for additional traffic on Rocky Ridge Road, Burma Road as well as 85<sup>th</sup> street. No pipeline fixes that.
9. Our property values have been threatened for 30 years because of high water tables for mistakes the county has made in the past and are now trying to correct, thankfully. When that is done we hope to regain the \$250,000 that we have lost because of that situation. How can we have faith going forward that the County is not about to make an even greater mistake by this magnitude project that can destroy this area of Bearspaw forever and financially means greater losses in the future and the values that we hold so dear. PLEASE FINALLY PUT A STOP TO THIS APPLICATION.

DON AND WILMA GATHERCOLE - 24264 MEADOW DRIVE, 24190 MEADOW DRIVE AND 24180 MEADOW DRIVE

*Wilma Gathercole* *D. Gathercole*



**Steven Lancashire**

---

**From:** Michelle Mitton  
**Sent:** November 25, 2020 8:05 AM  
**To:** Andrea Bryden  
**Subject:** FW: [EXTERNAL] - Gravel pit Bylaw C-8082-2020.

**MICHELLE MITTON, M.Sc**  
Legislative Coordinator | Municipal Clerk's Office

**ROCKY VIEW COUNTY**  
262075 Rocky View Point | Rocky View County | AB | T4A 0X2  
Phone: 403-520- 1290 |  
[MMitton@rockyview.ca](mailto:MMitton@rockyview.ca) | [www.rockyview.ca](http://www.rockyview.ca)

This e-mail, including any attachments, may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying of this information is prohibited and unlawful. If you received this communication in error, please reply immediately to let me know and then delete this e-mail. Thank you.

---

**From:** Winifred Serfontein [REDACTED]  
**Sent:** November 24, 2020 6:38 PM  
**To:** Legislative Services Shared <LegislativeServices@rockyview.ca>  
**Subject:** [EXTERNAL] - Gravel pit Bylaw C-8082-2020.

Do not open links or attachments unless sender and content are known.

Dear Sir/Madam

I am opposed to this application. Heavy industry such as open pit mining is incompatible with residential communities. As a result, this application represents a completely unacceptable land use for this area.

Since the County refused Lehigh's two previous applications in respect to this property, several new residential developments have been approved in the immediate vicinity. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative consequences on everyone who lives anywhere close to the gravel pits. These negative consequences include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County has scheduled a public hearing just three days before Christmas in the current Covid-19 environment. This is particularly distressing given the complete inadequacy of Lehigh Hanson's public engagement. The County and Lehigh Hanson should not be permitted to dispense with meaningful public consultations.

In closing, this application should be refused for a multitude of reasons, including the ones I have listed above.

Sincerely  
Winifred Serfontein  
#3 Woodlands Estate Crescent  
Bears paw

**From:** [REDACTED]  
**To:** [Andrea Bryden](#)  
**Subject:** [EXTERNAL] - Fwd: Revised Gravel Letter  
**Date:** October 21, 2020 9:44:47 AM

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Do not open links or attachments unless sender and content are known.

----- Forwarded Message -----

**Subject:** Revised Gravel Letter  
**Date:** Wed, 21 Oct 2020 14:37:28 +0000  
**From:** Church Ranches Homeowners Association [REDACTED]  
**Reply-To:** Us, Contact [REDACTED]  
**To:** York & Kathryn Forrington [REDACTED]

Please see below the revised draft letter for RVC as described by the RV Gravel Watch.

George Coutts, secretary, CRHA

**From:** Rocky View Gravel Watch [REDACTED]  
**Subject:** Lehigh's Application - Comments Due by Nov. 1st, not Nov. 2nd!  
**Date:** October 20, 2020 at 6:43:13 PM MDT  
**To:** Rocky View Gravel Watch [REDACTED]

Greetings:

Apologies for yet another email. Our earlier emails on the Lehigh Hanson application indicated that comments were due on November 2<sup>nd</sup>. We were wrong – comments are due “prior to” November 2<sup>nd</sup>, which means they are due before the end of the day on November 1<sup>st</sup>.

We have also made a small change to the last sentence/paragraph in the draft response we shared in our last email. The revised version is below. Don't worry if you've already sent in a response based on the earlier version. If you have – congrats and thank you for acting so promptly. As we indicated, comments should be emailed to Ms Andrea Bryden in Rocky View's Planning Department at [abryden@rockyview.ca](mailto:abryden@rockyview.ca).

As always, if you have any questions, please ask. Also, please share this email with your friends and neighbours.

All the best, Rocky View Gravel Watch

**Draft response to RVC request for comments on Lehigh Hanson's application:**

Subject: Application #: PL20200093/0094 (File #s: 06605001, 06605002, 06605003, 06605004, 066-5005)

Ms. Bryden:

I am responding to the County's request for comments on Lehigh Hanson's application to redesignate the 600 acres at the north-east corner of Burma Road and Range Road 25 to accommodate an open pit gravel mine on what is referred to as the Scott Property and their application for the accompanying Master Site Development Plan.

I am opposed to this application. The proposed open pit gravel mine is a completely incompatible land use because of the existing adjacent country residential communities. The County turned down Lehigh Hanson's earlier applications twice for this reason – heavy industry is incompatible with residential developments.

Since those earlier refusals, the County has approved many new country residential communities in the immediate vicinity of Lehigh Hanson's proposed open pit mine. These approvals signalled that the County is committed to the land use strategy in the Bearspaw Area Structure Plan which identifies this land as the location for future country residential development. As a result, the County has no social license to now impose open pit mining in this location.

Open pit gravel mines impose dramatic negative impacts on everyone who lives anywhere close to the gravel pits. These negative impacts include unavoidable costs to residents' health, safety, and quality of life, as well as serious environmental costs.

I am also disturbed that the County is permitting Lehigh Hanson to proceed with its application given the complete inadequacy of the public engagement they are required to do in advance of submitting their application. The County should not permit Lehigh Hanson, or any other applicant, to dispense with its consultation obligations simply because of the current pandemic.

In closing, this application should not be approved for a multitude of reasons, including the ones I have listed above.

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