

It's not over ...yet!



QUARRY

Friends of Rural Communities and the Environment (FORCE)

2010 ANNUAL REPORT & UPDATE



environmental
defence
INSPIRING CHANGE

Friends of Rural Communities and the Environment (FORCE)
is a citizen-based advocacy group formed to protect the surrounding communities from a
proposed large-scale limestone quarry north of Carlisle by St Marys Cement CBM.
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www.StopTheQuarry.ca

It's Not Over ... Yet!

It is not an April Fool's joke. The first pre-hearing conference with the Ontario Municipal Board (OMB) regarding the proposed Flamborough Quarry is scheduled to take place on April 1, 2011 in Hamilton. The fight against the proposed St Marys Cement quarry is not over... yet.

The Ministerial Zoning Order (MZO) issued by the Minister of Municipal Affairs and Housing in April 2010 was a signal that the Province of Ontario supported the positions taken by our Communities and our local governments and agencies to stop the proposed quarry. The MZO effectively placed a freeze on the zoning for the property and upheld its current zoning as Agricultural and Conservation Management. This zoning prevents the establishment of an open pit mine.

St Marys Cement has exercised its rights in relation to that decision by requesting that the Minister revoke the MZO and has requested a hearing into the revocation request before the OMB. April 1, 2011 has been selected as the date for the first pre-hearing conference. At that conference the OMB Hearings Officer will start to address matters such as, who the interested and affected parties are, what the issues are, how much time the main hearing should be expected to take, and what dates should be scheduled. St Marys Cement and its legal counsel will automatically have Party Status and be present at the pre-hearing conference as the "appellants". The Provincial Government also has automatic Party Status before the OMB since it made the decision that is being challenged. We understand that the City of Hamilton will also seek Party Status and Halton Region is expected to seek Participant Status.

Our Communities Need To Be At The OMB

Our Communities have managed our opposition with professionalism, persistence, and passion. We hired the experts; we framed our objections in science; we have packed the meeting halls; we have written objections repeatedly, numbering in the thousands. This is no time to walk away from the table! We will request Party Status at the Ontario Municipal Board (OMB) hearing.

Our Communities have kept the science of our case front and center in all our dealings with staff and elected officials. Our legal and technical experts, and members of our community, know our case best. We have the insight that comes from living in our Communities. That knowledge cannot be replicated. We can interpret the facts and understand how they might impact us in ways that only members of these wonderful Communities can.

As of June 2011, we will have spent seven years stopping a quarry from getting started. The end game is closer than ever before. The outcome of the OMB hearings is critical to the health and well-being of our Communities. The lawyers for the Province and the Municipalities will address the larger policy and planning issues that will arise during this hearing. We can support and buttress their arguments but it is only our Communities that can represent our case with the substance and the continuity that have helped us to shape our destiny thus far. We need full Party Status at the OMB hearings in order to present our Communities' perspective and to protect our interests.

A Call To Action

Dear Friends,

In the 2007 Annual Report we addressed the notion of *tipping points* - the points at which the momentum becomes unstoppable. At that time, our Communities had gathered three years worth of documentation against the proposed Flamborough Quarry. Four years later, we can say the balance shifted on April 13, 2010. The issuing of a Ministerial Zoning Order (MZO) was the event that tipped the balance. For our Communities in Hamilton and Halton, the MZO is more than a freezing of the current zoning bylaws. It is a validation of the science and fact based arguments that we consistently brought to the attention of elected officials and staff at the local, regional, and provincial levels.

While the MZO may tip the balance, it is not the end of the fight. The MZO is a good start to prevent St Marys Cement from constructing Ontario's 3rd largest limestone quarry in the midst of our rural residential and agricultural communities, but St Marys Cement is not giving up. The company requested that the Province of Ontario revoke or amend the MZO. By doing so, it has moved the playing field to the Ontario Municipal Board (OMB).

The OMB is an expensive place to skirmish. Deep pockets are critical to staying in the battle. We can have science and provincial laws and policies on our side (which we believe we do), but if we do not have the funds to keep our lawyers and our technical experts in the hearing rooms, we will not take advantage of the tipping point that occurred on April 13, 2010.

Since June 2004, our Communities have worked together and pooled our resources. In almost seven years we have raised over \$700,000. We spend cautiously. We have no administrative salaries to pay, volunteers do our day-to-day work, and have done so for over six years. Fees associated with legal and technical expertise are the largest expenditures. In 2010, for instance, we defended our Communities from St Marys Cement's appeal to the Environmental Review Tribunal. St Marys Cement withdrew the appeal at the last moment, but not until our communities had spent over \$40,000. We have also helped to defend the new City of Hamilton Rural Official Plan from challenges by St Marys Cement and others to the tune of over \$50,000.

Our Communities' successes have come from the facts of our case, our funding, and our persistence in being at the tables where decisions are made. The OMB hearing is no time to walk away from the fight and leave it to others.

We need to continue to do what we have done for the past six years. That means we need to ramp up our fundraising for the next 18 months. At the outset of this fight, in June 2004, we asked for a show of hands amongst hundreds of neighbours at our first meeting. The conclusion was that \$500.00 per family, per year, was a reasonable contribution. We have had the good fortune that many friends and neighbours have contributed this amount, and more, for each of the past six years. It is now time to ask every family to contribute to the best of their ability. When we are doing battle against a company with deep pockets, we need every single one of us to help fill our Community War Chest.

Together We Will Succeed!

G. Flint



The Risks Are Real

The Ministerial Zoning Order (MZO) was a validation of the risks that the proposed quarry could create for our Communities. They are real. The risks threaten our water, our health, our safety, our homes and our natural environment.

WATER

- Recent studies show the Carlisle Municipal Water System might run out of water if it draws water at the maximum volume that its permit allows.
- St Marys Cement's own studies indicate that approximately 20 times the Carlisle Municipal Water System's maximum permitted volume per day could flow into and then have to be pumped out of the proposed quarry.
- In addition to the Municipal System, Private Wells critical for our homes, farms and businesses may also be adversely affected.
- St Marys Cement's documents show that it now plans to attempt to demonstrate and prove its groundwater recirculation mitigation system **only after** it gets a quarry license and blasts a quarry rock face.
- There is no "Plan B" if our water quantity and/or quality are adversely affected. The Greenbelt Plan prohibits extensions of lake-based water systems. We can't just build a pipe up from Waterdown. Even if a case could be made, **after** the damage is done, environmental assessments and engineering can take years. And who would pay?



ROAD SAFETY

- The proposed quarry could add another 1,600 extra trucks trips per day on our roads. That's one truck movement every 26 seconds.
- A filled quarry truck travelling at 60 km/hour can need over 400 feet to come to a full stop. Imagine that as you walk, jog, bike or even drive our roads.
- Even if your home isn't located on one of the preferred haul route(s), chances are you could still encounter a haul truck in your daily travels.
- Safety issues are likely between fast moving quarry trucks and slower moving farm machinery, school buses, and emergency service vehicles. One accident would be too many. The issues are much greater than chipped car windshields.



HEALTH AND OUR COMMUNITIES

- Sustained exposure to noise, vibration and particulates such as dust and exhaust emissions, from operations like the proposed quarry are more than just nuisances. They are significant health factors relating to stress, heart, and respiratory diseases.
- Hundreds of acres of farmland that are to be protected within the Greenbelt would be permanently lost. Other working farms and the businesses that supply them could be affected too.
- Some homebuyers are already looking elsewhere because of the proposed quarry. Studies show homes within 3 miles of a quarry can drop 5-25% in value.



NATURAL ENVIRONMENT

- The proposed quarry site sits completely within the most valuable and protected part of our Greenbelt, called the Natural Heritage System.
- The proposed quarry site and haul routes include Provincially Significant Wetlands, Significant Woodlands, and Significant Wildlife Habitat among other features.
- Species at risk such as the butternut tree, the whip-poor-will, and the Virginia White butterfly, are just some of the species at further risk from the proposed quarry excavation, operation, and its haul routes.
- Just like for us, protection of the plants, animals and insects, and their habitat, would depend on an unproven groundwater recirculation mitigation plan.



Our Success Depends On All Of Us

We always knew that this fight would end up at the Ontario Municipal Board (OMB). That day has now arrived. Our reserve fund, which we started in 2005, holds approximately \$300,000. That's a large amount and something we should all be very proud of. Unfortunately, it is unlikely to be enough to see our Communities through to the end of the OMB hearing.

The hearing will be expensive. Our legal and technical experts will spend time preparing reports and submissions, as well as attending the hearing. The hearing could cost our Communities \$10,000 to \$15,000 per day for each day the OMB is in session. And the hearing could last for weeks or months. To be prepared, our Communities need to raise another \$200,000 over the next 18 months.

Two-hundred thousand dollars is a very large amount of money, but remember what we have done so far - \$700,000 in seven years. That's an amount few of us would have predicted when we started back in 2004. \$200,000 in 18 months is an achievable goal if we work together.

What's at risk is just too big not to succeed. Consider the potential threats to our drinking water, home property values, negative impacts to farmers and local businesses, road safety concerns, environmental impacts, health threats - and the list goes on and on.

Consider our successes so far. They are greater than many would have expected. The list of the governments, agencies, and stakeholders that have also objected to or documented concerns about this project is extensive. It includes:

- City of Hamilton
- Region of Halton
- Town of Milton
- City of Burlington
- Medical Officer of Health - Hamilton
- Medical Officer of Health - Halton
- Hamilton Wentworth District School Board
- Ministry of the Environment
- Ministry of Natural Resources
- Conservation Halton
- Hamilton Wentworth Federation of Agriculture
- Halton Region Federation of Agriculture
- Environmental Defence

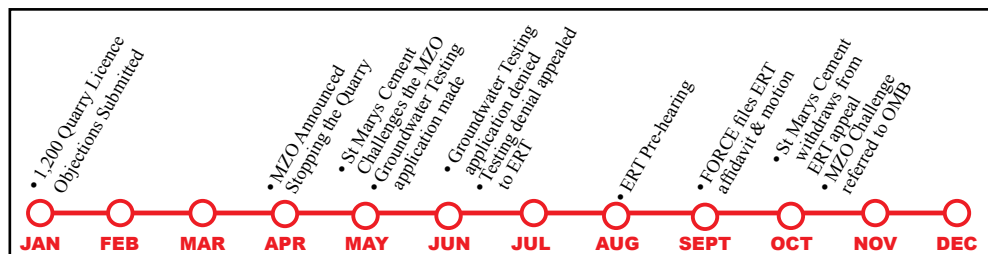
And the loudest voice of all was the Provincial Government, through the Minister of Municipal Affairs and Housing, which we heard when a Ministerial Zoning Order (MZO) was issued to stop the proposed quarry.

Our professional, scientific, and fact based approach has supported each of these organizations in adding their voices to ours in objecting to the proposed quarry. Our rural residential and agricultural communities are not the right hosts for this type of industrial development. The tipping point has been reached. The issue has been decided. Now we all need to defend that decision.

Alone, none of our families could afford the legal and technical experts necessary to stop the quarry. It is only by pooling our resources and working together that we can succeed. A contribution of hard earned dollars from every family is the only way our Communities can prevent the proposed quarry from becoming a reality.

The MZO was a validation of the risks that the proposed quarry could create for our Communities. These risks are real. The risks threaten our water, our health, our safety, our homes and our natural environment.

2010 Snapshot



2010 Financials

For the first time since we started our opposition in 2004, 2010 saw us spending more money than was raised. These expenditures were a result of the legal proceedings we undertook to protect our Communities. They are also a sign of what is in front of us. While contributions were \$80,000, legal and expert expenses brought our total expenses to over \$160,000. For the first time rather than adding to our hearing reserves, we withdrew funds from our war chest.

Statement of Financial Position December 31, 2010

The following condensed financial statements represent an extract from the audited financial statements of FORCE - Friends of Rural Communities and the Environment for the year ended December 31, 2010. A complete set of statements together with the report of our auditors, Martyn Dooley & Partners, Charter Accounts is available on our website

Assets	2010	2009
Cash / Short Term deposits	\$ 33,170	\$ 50,406
Internally Restricted Short Term Deposits	110,000	150,000
Cash Held in Trust	192,037	191,695
Other Current Assets	7,920	7,861
	<u>\$343,127</u>	<u>\$399,962</u>
Liabilities and Net Assets		
Accounts Payable and Accrued Liabilities	\$ 39,397	\$ 9,174
Externally Restricted Deferred Contributions ¹	192,037	191,695
Total Liabilities	<u>\$231,434</u>	<u>\$200,869</u>
Net Assets		
Restricted Net Assets / Hearing Fund ²	\$110,000	\$150,000
Unrestricted Net Assets	1,693	49,093
Total Net Assets	<u>111,693</u>	<u>199,093</u>
	<u>\$343,127</u>	<u>\$399,962</u>

1. Externally Restricted Deferred Contributions - represent resources held in trust and intended for experts fee's related to expected judicial hearings.

2. Restricted Net Assets / Hearing Fund - In 2010 the directors allocated \$40,000 from the internally restricted hearing fund to cover 2010 hearing costs. This leaves a balance of \$110,000 to cover future hearing costs.

3. Environmental Defence Canada Case Support - FORCE has an ongoing strategic relationship with Environmental Defence Canada (EDC). The relationship allows FORCE supporters to contribute to EDC on behalf of FORCE. EDC in turn agrees to pay for various legal and technical expert expenses incurred by FORCE. EDC receives a 10% administration fee as part of this agreement.

Statement of Operations - Year Ended December 31, 2010

Revenue	2010	2009
Environmental Defence Canada Case Support ³	\$ 67,399	\$ 104,402
Individual Contributions	11,665	8,195
Annual Gala and Golf Tournament	-	20,825
Interest	1,127	2,626
	<u>80,191</u>	<u>136,048</u>
Allocation to Externally Restricted Deferred Contributions	\$ -342	\$ -51,545
Total Revenue	<u>\$ 79,849</u>	<u>\$ 84,503</u>
Expenses		
Technical Experts		
Ecology	\$ 546	\$ 6,540
Hydrology	14,061	9,474
Legal	73,855	19,800
Planning	28,930	-
Research Materials	53	544
	<u>117,445</u>	<u>36,358</u>
Community Activities		
Community Meeting Expenses	\$ 20	\$ 475
Donor Perfect	3,666	-
Newsletter Delivery	7,442	1,397
Flyer Printing	5,481	40
Newspaper Advertising	17,028	3,875
MZO Celebration	8,486	-
Community Signage	3,068	2,907
	<u>45,191</u>	<u>8,694</u>
Expenses Related to Incorporation		
Insurance	\$ 2,414	\$ 2,384
Operating Costs		
Bank Service Fees	\$ 35	\$ 33
Meeting Expenses	256	337
Memberships	396	371
Office Supplies	452	318
Parking	75	73
Telephone	986	543
	<u>2,200</u>	<u>1,675</u>
Total Expenses	<u>\$167,250</u>	<u>\$ 49,111</u>
Excess of Revenue over Expenses	<u>\$ -87,401</u>	<u>\$ 35,392</u>

2010 Recognition Roll

Congratulations to those who have made the commitment to protect our Communities through a 2010 non-event base financial contribution to Stop The Quarry. And Special Recognition to those who have kept their support ongoing throughout the seven years of our opposition. (*)

Benefactor (> \$1,000)

Jerry Bloom*
Virginia & Michael Brazeau*
D.A. Croft*
Nora & Dan Curran-Blaney*
Robert & Alayne Duke
Graham & Silke Flint*
Alba DiCenso & Brian Hutchison*
John Jensen
Glenn Lawson
Herb Lawson
Susan Lawson
Kenn & Bonnie Lendrum*
Mike McPherson
Peter & Marion Pawlik
Gary & Elizabeth Plate
Gary Tansley
Patricia & Tom Weinstein*
Mark Rudolph & Jan Whitelaw*
Air Calm Climate Care
Lawson Park Limited*
Scott / Lostracco

+ 4 Anonymous with 2
contributing all 7 years

Sustaining (\$500 - \$999)

Ian Alderton
Carman & Sandy Amodio
Greg Armstrong
Carmel Augustyn
Dave Beaudoin
Gord & Anne Blair
Roland & Diane Boudreau
Suzanne Archie & Peter Bzonek
Donald & Helen Callaway*
Eros Callaway
Elsie Carr*
Peter & Anne Case*
Julie Wilkin & Glen Cavers*
Beverly Childs*
Don Cooke
Evelyn & Gunther Czerny
Madelienne & Eric Down*
Peter & Kathy Ernst
Mike & Julie Fearon
Carl Galloway
Suzanne Goodfellow
Paul & Anne Graham
S. Gray*
D. & M. Hainish
Paula & Percy Harcourt*
Grant Harrington
Barry & Jo-Anne Johnson
Philip & Jane Johnson*
Kamyar Kahn moui
Carole Bradley-Kennedy
& Malcolm Kennedy
Pamela Hesketh & Curt Least*
David Libbenga

David Low*
Ed & Pauline MacLellan
Lang & Cec Moffat
Brian & Marlene Murphy
Peter & Ann Nazar
Donna & John Neal
Dennis Nelson
Charles & Nancy O'Dell
Yvonne Parsons
Randy Pickard
Keith & Linda Rasmussen
Mike Sommerville
David Stedman
Don Surcon
John & Gwen Todd
Jennifer Trott*
Ted & Judy Van der Veen*
John & Joan Viaene
David Weston
Dick & Lorene Wildeman*
Peter Hill & Christie Zuk

+ 4 Anonymous with 1
contributing all 7 years

Contributing (\$300 - \$499)

C. Bartliff
Ms. Fergin
Michael Grills
Randy Harms
Grant & Brenda Head
Allan & Marianne Hoffmann
Keith Houston*
W. Jon Pyper*
Steve & Linda Shiers
Sabina Taylor
Gary & Faye Waddell*
Barkley Design Print & Copy

+ 3 Anonymous

Supporting (\$100 - \$299)

Betty Jean Allison
Emil & Ivanka Avdanovic
Ken Bailey
Gordon Baker
Barry & Nellie Barton
Anton Bayer
G. Biegerl
Lisa & Joe Bowles
Gerarda & Peter Burger*
Edward Burton
Neil & Beverley Campbell
Pamela & Alan Crost
Barb & Tom Dilworth
Jeffery Doyle*
Diana Elsebroek
Rolf & Betty Essig
Kim & Diane French
David Haughton

Stanley & Jo Ann Haworth
Joan & Wayne Hodges
Richard & Susan Hooper
Charles Hughes
Piers James
Peter Kalman
Laren King
Alex & Muriel Lambert
Darrell Legere
Stuart Levings
Leslie & Susan MacMillian
Karen Magee
Gary & Cynthia Maksymetz
Sandra Hale-Malhinha & Rui
Malhinha
Mrs. Jean Martin*
C & A Maunder
Rev. Wallace Metcalf
Peter Mielzynski
John & Judith Nederpelt
Elwin & Wendy Neu
Terrence & Irene Orr
Natalie Shaw & Carl Paulse
Ronald & Joan Phillips¹
G. Pieczonka
Lisbie & Mike Rae
Ray & Jean Rivers
Pat & Bill Roser
Morman & Frances Rukavina
Bradley Russell
Phillip & Margaret Russell
John Thorpe
Greg & Louise Tobin
Dianne & John Tummers
Annette Webber
Lowel & Ethel Wilson*
R. Wilson
Brian & Georgette Wiseman
Bill Wright
Bob Dickenson Auction Service LTD

+ 17 Anonymous
¹ in Memory of Ken Taylor
(Oct 16th 2010)

Friend (\$50 - \$99)

Don Drybrough
R & R Finnigan
Frances Goudey
Gary & Allie Kempenaar
Stephanie Kimmerer
Paul Larrabee
Robert McCloy
T.B. & A. Munro
Jacob & Maria Postman
Ron Romano
Jim & Susan Ruddle
Basil & Ellen Wall
Christine L. Zehr

+ 7 Anonymous