



July 14, 2017

Sent via e-mail to hbasit@hrca.on.ca

Hassan Basit
General Manager
Conservation Halton
2596 Britannia Road West
Burlington, ON L7P 0G3

Dear Mr. Basit,

**Re: Meridian Brick East Aldershot Quarry, Licence #5500
1570 Yorkton, Burlington, ON
3-year Salamander Study Requirement for Aggregate Expansion**

Donnelly Law represents the Tyandaga Environmental Coalition Inc. (“TEC”), a not-for-profit corporation in Burlington, Ontario. TEC represents a number of Burlington residents and is actively involved in issues concerning Meridian Brick’s proposed expansion into the East Cell of its Aldershot Quarry in Burlington, Ontario.

We write on behalf of our client to:

- (1) Inform Conservation Halton of recent site investigations revealing the presence of endangered and other salamander species on the Meridian Brick lands, including the Jefferson dependent unisexual salamanders; and
- (2) Request a vote and Resolution of the Board of Conservation Halton confirming these investigations will continue through until at least 2019, as required under section 2.5 of the Ontario Recovery Strategy for the Jefferson Salamander, discussed below.

In late spring 2017, the Ministry of Natural Resources and Forestry (the “Ministry”) allegedly put a temporary hold on Meridian Brick’s plans to expand its operation

pursuant to the *Endangered Species Act, 2007*¹. Although Meridian Brick denies that there is a temporary hold on its operations, the Ministry has apparently required Meridian Brock to conduct an environmental site assessment of its property, specifically a search for a number of species at risk, including the endangered Jefferson Salamander.

This year, the Province's leading expert on endangered and other salamander species, Dr. Jim Bogart (Professor Emeritus, University of Guelph), began site investigations into the presence of salamanders on the Meridian Brick lands.

The site investigations were initiated after Dr. Bogart confirmed that tail clippings of five salamanders found in the area by our client were Jefferson dependent unisexual salamanders. Dr. Bogart also reported that a photograph of a salamander near the quarry site provided by TEC resembles an Allegheny mountain dusky salamander, a rare endangered species with only two small populations in Ontario.²

The Jefferson Salamander Recovery Strategy section 2.5 refers to investigative studies being conducted for up to three years to ensure adequate effort into investigating the species' presence. Per section 2.5, three years is also the recommended minimum for surveys that fail to indicate the species' presence in a historic location. The Aldershot Quarry is located adjacent to King Road, which is closed every year by the City of Burlington to ensure safe crossing by the Jefferson Salamander. It is inconceivable that Jefferson Salamander are not traversing and/or breeding in the Aldershot Quarry expansion area.

We urge Conservation Halton to insist that further study of the site adhere to the Jefferson Salamander Recovery Strategy – no exceptions.

On May 25, 2017, Meridian Brick hosted a community meeting in Burlington, Ontario, to provide the public with an update on its operations, plans and Ministry action.

At the community meeting, Meridian Brick indicated it was revising three technical studies for the proposed expansion: noise impact assessment, air impact assessment, and environmental impact study. Meridian Brick also denied that the expansion is on hold, leaving residents concerned that over 7,000 trees will be cut down before the studies are complete.

Please kindly confirm for TEC whether Conservation Halton has been informed of a temporary “hold” on the expansion pending the outcome of the environmental surveys.

¹ SO 2007, c 6.

² Liam Casey, “Endangered Salamanders Put Quarry on Hold as Residents Fight Against Project”, *Canadian Press* (24 May 2017), online: <<http://www.theprovince.com/news/national/discovery+rare+salamanders+quarry+hold/13393686/story.html>>.

Please do not hesitate to contact me at 416-572-0464, or by email to david@donnellylaw.ca, copying anne@donnellylaw.ca, should you have any questions or comments concerning this correspondence.

Yours truly,

A handwritten signature in blue ink, appearing to read 'D. R. Donnelly', with a large, sweeping flourish underneath.

David R. Donnelly

cc. R. Goldring
R. Burton
S. Harmer
R. Goulet