

PUBLIC HEARING

March 15, 2023

5:30 p.m.

Hearing Held in Council Chambers and via Electronic
Communications

**Bylaw 1607/22 – Resource Extraction Amendments to Land
Use Bylaw 1385/17**

RECORD OF SUBMISSIONS

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Bylaw 1607/22 – Resource Extraction Amendments to Land Use Bylaw 1385/17

VERBAL SUBMISSIONS

1.	Rakesh Mehra	In favour
2.	Hinke Therrien	Opposed
3.	Louis Belanger	Opposed
4.	Shannon Cory	Not identified
5.	Tim Cholewa	Not identified
6.	Janice Nolte	Not identified
7.	June Van Barbant	Not identified
8.	Emily Gilbert	Not identified
9.	Lyle Quintal	Not identified
10.	Ray Soetaert	Not identified

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Bylaw 1607/22 – Resource Extraction Amendments to Land Use Bylaw 1385/17

WRITTEN SUBMISSIONS

- | | | |
|-----|---|----------------|
| 1. | Mark & Hinke Therrien | Opposed |
| 2. | Raymond Soetaert | Opposed |
| 3. | Diane Pysmeny | Opposed |
| 4. | William Rudko | Opposed |
| 5. | Lafarge Canada Inc. | Opposed |
| 6. | Laura Cline, Sil Industrial Minerals | Not identified |
| 7. | Phil Soetaert | In favour |
| 8. | Jan & Leanne Cosby | Opposed |
| 9. | Mike Chadi | Opposed |
| 10. | Ian Skinner | Opposed |
| 11. | Dale Soetaert & Lauren Greenough,
Heidelberg Materials | Opposed |
| 12. | Candace Stoppa | Opposed |
| 13. | Carlee Caouette | Opposed |
| 14. | Rick & Beverley Reid | In favour |
| 15. | Kirsty Stewart | Not identified |
| 16. | Louis Belanger | Opposed |
| 17. | Tim Cholewa | Not identified |

Ment-2B Agribusiness Ltd

Marc, Hinke Therrien

Annelies, Emilie & Natalie

hmturkeyfarm@outlook.com

Marc: 780-887-0351

Hinke 780-893-8225



Poultry Farmers near a Resource Extraction site:

Locally Owned Family farm

1.6 Million Kgs annually of turkey meat

1.9 Million Kgs annually with turkey and chicken

3 employees besides ourselves.

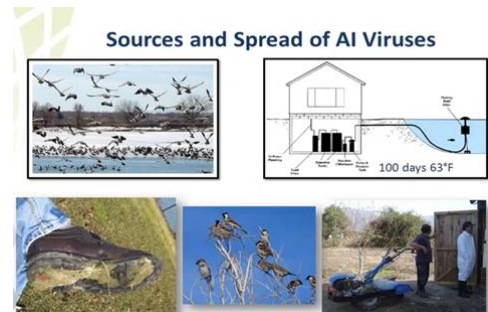
8 Barns, some fully enclosed and some open sided.

How would mining affect our farm and our birds?



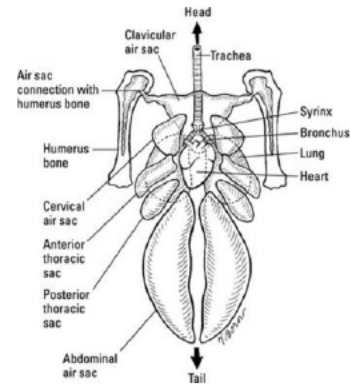
1. Risk of “piling” causing uninsurable losses due to unhabituated noise, flashing light, light refractions etc.
- Piling caused by quad on Adjacent SIL property

2. Avian influenza if a wetland is created.
 - Wild birds a source especially waterfowl
 - Currently in an Avian Influenza crisis.
 - Just lost all my birds due to the disease fall/2022.



3. Aisacculitis

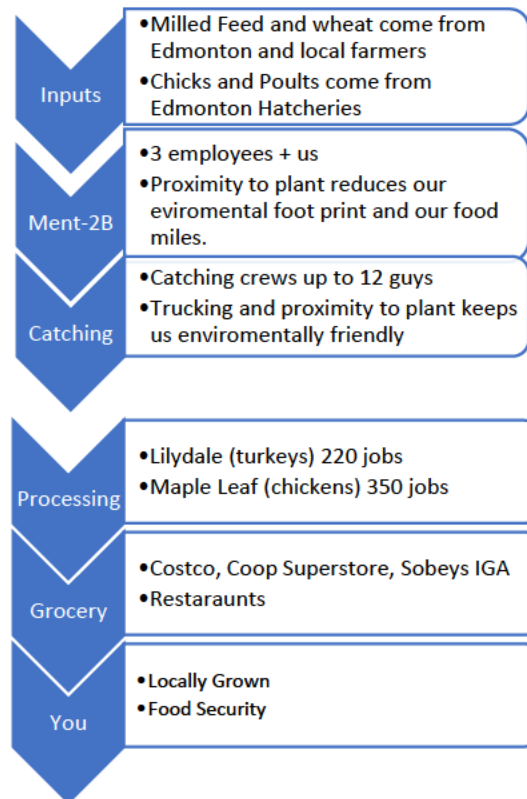
Higher levels of airborne particles producing airsac.
Birds with airsac can lead to death or are deemed unfit for human consumption and is usually found at processing plant.



4. Other Concerns

- Unduly interfere with amenities of the neighborhood.
- Health and wellbeing of us and children
- Health and wellbeing of livestock
- negative effects of future growth or replacement of existing barns.
- decrease in property values

Markets and Economic Impacts as part of a Supply Chain:



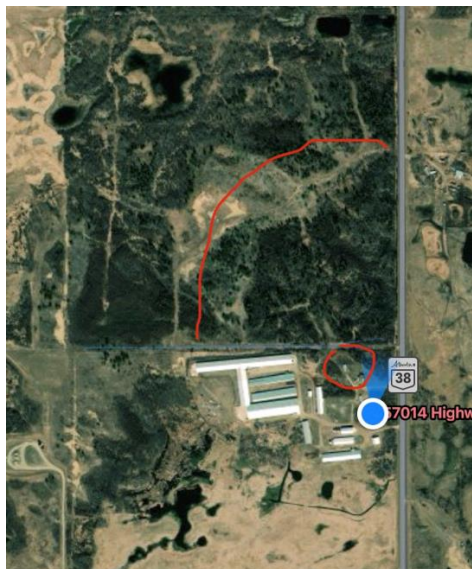
Comparative Setbacks:

Sturgeon County	
Sand and Gravel to multi-lot subdivision	800m
Multi-lot subdivision to Sand and Gravel	800m
Multi-lot subdivision to ILO (farm)	800m
ILO (farm) to multi-lot subdivision	800m
Sand and Gravel to ILO (farm)	?800m?

Our proposition to Sturgeon County is they implement setbacks for sand and gravel extraction from our farm at 800m. This is consistent with other sets-backs in place when looking at comparative data.

Natural Resource Conservation Board:	
From our farm to:	
Another agricultural Resident	455m
Another county residential	607m
Industrial or commercial house	759m*
Village and/or town	1214m
*Custom setbacks from our farm	

This proposed setback is also in line with the setbacks we have from NRCB.



400 meters from residence but only 6 meters from the barn.

Questions for Sturgeon County?

1. Can we have a setback clause to Intensive livestock operation (ILO)?
2. Can we consider setback clause to Barns? Not just residence.
3. Who will enforce these new operator requirements? We are a complaint-based bylaw system which will be too late for us as we will have livestock death.
4. If I have a noise issue and it has impacted my business due to livestock death how will that be dealt with? Who is liable? How do I ensure the death would be covered?

Only 2% of Canadians are farmers animal production is a drop in the bucket. We will have unique needs to keep farming.

From: [Raymond Soetaert](#)
To: [Legislative Services](#)
Subject: RERR
Date: February 14, 2023 1:54:52 PM

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One of the questions I have asked from the beginning and have not received an answer to is this:

Why is there a different set back for individual dwellings (400 m) and multi lot subdivisions (800 m)

What makes my life style, property, less valuable than someone in a subdivision?

Ray Soetaert

Member at Large

CVSG committee

From: [Diane Pysmeny](#)
To: [Legislative Services](#); [Jason Berry](#); [Jason Berry Candidate](#)
Subject: Fwd: Resource Extraction Public Hearing
Date: March 3, 2023 9:13:39 AM

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Firstly I would like to thank your Planning team for the excellent presentation made at the January meeting and all the work they have put into this project including the extensive public engagement.

I would like Council to take into consideration the following concerns I still have as a rural resident of Division 6.

Setbacks:

I still do not agree or understand why farming residents v's sub division residents are being treated differently. In the current bylaw and the proposed bylaw in my opinion farm houses are being treated as second class citizens where a lower setback of 400 metres from the corner of my home is acceptable.

I do not see the logic for this. Treat all residents the same - 800 metres from any home.

Enforcement:

I do hope in your planning for this you have included extra enforcement staff instead of spreading your current staff thinner?

As a resident in 2010 I endured over 20 oil wells and a battery site within a mile radius of my house.

This increased noise, traffic, pollution and destroyed the gravel road and our quality of life. This road subsequently had to be rebuilt at what cost as there was no road use agreement in place.

My family farm has been in your County for close to 100 years. We love where we live. We live here for a quiet rural life. Not to be living in an industrial area. When I built my new house the rules were **100 metres from property line**. So I am expected to follow these rules to build a home from my neighbour yet you believe a noisy, pollutant can be placed next to me under 400 metres from the corner of my house, not from my property line, that makes absolutely no sense to me.

Many of the fields surrounding my farm are owned by people who do not live here. Therefore, why would they care if they have resources they can make money on. They will not have to live next to their rural quiet life being destroyed.

Many of my neighbours have cattle and horses, having a resource extraction close to these animals will also affect their wellbeing with noise, traffic and pollution.

As a resident I am not in favour of reducing any setbacks from their current level. And I urge Council to reconsider treating residents as first and second class citizens based on the 800 vs 400 setback and make all 800.

The DC district concerns me. While I understand the need for obtaining resources, it makes me very uncomfortable as a resident that any current or future Council can determine this on a case by case basis. I believe DC districts are to make rules more stringent not to make them more flexible? While you are making them more stringent for noise etc. you are making it potentially more flexible with reduced setbacks.

Regarding the CAP levy I am interested to see how this has been distributed within the County for the past 3-5 years? I do not think many groups are aware of this funding so I am glad that you are including a refreshed communication plan around this.

Unfortunately I will not be able to make the Public Hearing due to prior commitments. I hope you take my written submission concerns seriously.

Respectfully

Diane Pysmeny

Resident and Farmer in Division 6

From:
To:
Subject:
Date:

[Legislative Services](#)
Resource extraction
March 8, 2023 4:08:11 PM

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To: Legislative Services, County of Sturgeon

My name is William R. Rudko and I am currently a landowner in the County of Sturgeon. I would like to comment on bylaw changes to the Resource Extraction Regulatory Review. I have entered into a lease agreement with an aggregate company for the extraction of the sand resource that exists on the property. I would like the county to consider the reduction of the setback distance of the existing bylaw. The actual process of this extraction work entails some activity which results in some noise but not an excessive amount. The extraction of this resource is a one time endeavour. Therefore it is only for a limited time. This property is remote without many residential properties in the area. I would like to see this resource developed. It benefits the local economy, myself included. The County of Sturgeon would receive a royalty benefit from this resource. The removal of this resource will level the property so that it can be put back into pasture land and other agricultural endeavours. The lease agreement states that the property will be brought back to a suitable condition for utilization. I intend to fence the property for livestock or hay production. At the present time, it is covered in scrub brush, and home to deer and moose. Environmentally speaking, there would be an advantage to reclaiming this land to grassland for future use.


William R. Rudko



March 6, 2023

Sturgeon County
9613 100th Street
Morinville, AB
T8R 1L9

Attention: **Travis Peter**
 General Manager, Development and Strategic Services

Reference: **Resource Extraction Regulatory Review**
 Bylaw 1607/22 Schedules A and B

Lafarge is Canada's largest provider of building materials and solutions including aggregates, cement, ready mix and precast concrete, asphalt and paving, and road and civil construction. With over 6,900 employees and 400 sites across the country, Lafarge's vision is to become the global leader in innovative and sustainable building solutions and our mission is to build progress for people and the planet.

Lafarge Canada Inc. has been an operator and landowner in Sturgeon County for over fifty years. Lafarge has reviewed all the documents pertaining to the Resource Extraction Regulatory Review, including proposed changes to **Bylaw 1607/22** Schedules A and B, and have been an active participant in all open houses and information gathering opportunities since the inception of this process. Our organization provides the following comments and feedback, which is broken down into three separate sections.

Bylaw 1607/22 Schedule A

1. Sturgeon County should leave condition 4c) (ii) in place, which allows industry to enter into individual agreements with landowners for encroachment within 400m of their residence. Lafarge feels, especially in circumstances where only one or two landowners are in close proximity to an existing or proposed pit, that industry should still have this opportunity to work specifically with landowners instead of automatic placement into the proposed NRE-DC zoning.
2. Lafarge is supportive of the inclusion of the mandatory use of the Alberta Sand and Gravel Association truck registry program, along with the proposed amendments to Condition 7d).
3. Lafarge is seeking additional clarification on Condition 7e). Firstly, does this apply to only new proposed sand and gravel pit operations or are permitted, existing pits also included? Secondly, do the mandatory TIAs apply to all pit operations, whether new or existing, or does it only apply when county road upgrades are deemed necessary?
4. Lafarge is seeking clarification on Condition 10b). Have subclauses (i) and (ii) always been in place and if so, when were they enacted into the Land Use Bylaw?

5. Lafarge is not supportive of Condition 12. While Lafarge is supportive of the incorporation of dust and noise control and mitigations for some operations, which could include the incorporation of perimeter berms, placement of a processing plant on the pit floor and/or strategic placement of aggregate product stockpiles, the proposed wording in subclause (i) is far too subjective to enforce and virtually immeasurable without an onsite noise monitor.
6. Lafarge is supportive of the Groundwater Monitoring program and has been an active participant since its inception. All operators within the monitoring area need to contribute and participate; not just a select few. Since the program currently monitors groundwater only in the Calahoo-Villeneuve areas, does condition (b) suggest that all new sand and gravel pits within the monitoring area require hydrogeological assessments or all new sand and gravel pits within the county boundaries itself require this assessment?
7. Lafarge supports community engagement but is not supportive of mandatory, annual open houses / community events. Community and neighbor engagement can be done through a variety of means and measures and open houses should not be the only mandated method. In fact, open houses are often not well attended and not necessarily the preferred method of communication by the public. Operators should also be permitted to mail/email quarterly, semi-annual and/or annual reports detailing our operations. Operators could also create websites/links to our operations for information and opportunities for residents to provide feedback. If open houses/community events are the only method for information sharing and community engagement, operators should be permitted to complete them for area operations (ie Lafarge Borle/Stollery sites along with our Calahoo Pit operations) or done in conjunction with another operator whose operations share the same jurisdiction.

Bylaw 1607/22 Schedule B

1. Lafarge has no issues with Condition 4 but clause (e) should not be mandatory and instead encouraged by the operator when pit planning allows for these situations. There are situations in which this would not allow for the most efficient extraction of sand and gravel and overall pit development and could ultimately extend the life of the pit.
2. Condition 6 represents a significant change to overall operations in closer proximity to subdivision and individual residents. While Lafarge is not opposed to more oversight and requirements, much of the details and requirements are either confusing, vague, extremely costly to oversee and/or too onerous for operators to undertake.
 - a) Regarding conditions 6 (a) and (b), the applications for other approvals/registrations should not be required at the time of a redistricting application as in some cases, it may not make financial/organizational sense to pursue these applications until redistricting has been achieved. Instead, it can be a requirement that these be provided when they have been prepared.
 - b) What are the particular requirements that necessitate a request by the county to complete a TIA as highlighted within condition 6 (d)?
 - c) Condition 6 (e) does not provide any direction and requirements related to a request for a traffic management plan.

d) Condition 6 (h) does not provide any description about the criteria for a track out management plan. Does this pertain to tracking sand, gravel and mud onto paved county roads and provincial highways?

e) Condition 6 (i) seems to indicate that NIA are now mandatory. Lafarge is supportive for requesting them when in close proximity to individual residents and subdivisions but feel that these requirements should be assessed on a site basis to determine if all operations require their completion.

f) NIAs, as part of the summary, provide operators with a series of proposed mitigations to reduce noise impacts on the surrounding area. Lafarge does not understand the rationale behind Condition 6 (j). Condition 6 (i) should provide direction to noise and acoustical consultants to provide possible mitigation measures in their documents.

g) As with Condition 6 (i), it also seems that air quality assessments are mandatory too as per Condition 6 (k). Again, Lafarge is supportive for requesting these but only when in close proximity to individual residents and subdivisions. Additionally, in the absence of measurable air quality standards within the LUB and MDP, what is the basis for the monitoring and what thresholds are being required?

h) It appears that hydrological impacts assessments could also mandatory as per Condition 6 (p). What are the criteria for requiring them? Again, site specific assessments should be undertaken first before making this assessment mandatory, especially if all water wells within a certain radius are not embedded within or using the sand and gravel aquifer.

i) Lafarge is seeking some rationale behind the request for a visual impact assessment, along with the criteria behind them. These assessments are highly subjective in nature, and difficult to enforce given the lack of standardized criteria and differing opinions on what constitutes effective mitigation.

3. Condition 9 will be very onerous to implement and expensive to manage for industry.

a) Condition 9 (a) will be impossible for industry to implement. The vast majority of operators' sand and gravel trucking fleet are subcontractors. Operators, cannot and likely will not, force the truck owners to install noise reducing mufflers. Secondly, is the county making noise berms mandatory?

b) Condition 9 (b) suggests that the county is implementing mandatory enforceable noise limits. Does this only apply for NRE-DC zoning? Again, Lafarge is not directly opposed to noise monitoring, under certain circumstances and situations, but annual reporting is more realistic and quarterly reporting is unacceptable as outlined in condition 9 (c). "Legitimate" complaints should also warrant disclosure of noise monitoring information to allow for a proper investigation for each complaint.

4. Condition 10 will also be onerous to implement and expensive to manage for industry. Lafarge does support measurement for air quality mitigation, including processing plant placement along the pit floor, strategic placement of berms and product stockpile but not enclosing a

crusher within a rural setting. Secondly, mandatory air monitoring is ineffective if non-point dust sources are not excluded (ie multiple operators, proximity to non-paved county roads) or if baseline studies of all non-point dust sources are not captured. Lastly, as suggested above, annual reporting is more realistic and quarterly reporting is unacceptable as outlined in Condition 10 (b). Participation in a regional airshed to undertake regional monitoring should be considered as an alternative to site specific monitoring.

5. Lafarge does not support mandatory perimeter berms nor quarterly or annual reporting as outlined in Condition 11. Berming requirements needs to be assessed on a site specific basis depending upon NIA recommendations and are not necessarily the optimal solution to visual concerns. How is the county planning to assess and enforce compliance of visual components? What is a “visual impact” and how is visual impact to be monitored?
6. Lafarge does not support Condition 12 (e). All this information can be provided to concerned residents, neighbors and the general public through other means (operator website, regular email / mail correspondence, contact number to the operator’s site superintendent on pit signage, etc).

General Comments from the Request for Decision Document

1. Lafarge is supportive of Motion 4 (d) pertaining to a review of CAPL allocation. Our organization would support more funds allocated to both initiatives within the communities surrounding our operations but also towards other projects in other areas in the county, with less allocation of CAPL into general revenue.
2. Lafarge does not feel that Motion 4 (e) should be undertaken by the Calahoo-Villeneuve Sand and Gravel Advisory Committee. Our organization feels that the Land Use Bylaw ultimately determines whether a project can be undertaken when applied for. Sterilizing sand and gravel deposits based upon geographic location should not be sought. Many government and industry-based sources of information are available to surmise where these deposits could be found.
3. Lafarge is indifferent about performance standards that are mentioned in Motions 396/22 and 397/22. Mandatory, across the board, performance standards are not supported by the industry. Implementation of performance standards based upon scientific analyses and recommendations to mitigate against negative effects to neighbors should be considered. Unfortunately, many performance standards do not account for non-point sources, inputs from other industry or commercial sectors, and are based upon subjective criteria. Continual monitoring of noise and air are expensive to run and operate and can make current and future developments uneconomical and unviable. Will existing and permitted operations be subjected to any of these new performance standards?
4. Lafarge requires additional information on a proposed amendment to Bylaw 1607/22 pertaining to transportation performance standards. What exactly is being proposed or suggested for both onsite and offsite mitigation measures?
5. Lafarge requires additional information on county’s “implementation of new technologies for noise mitigation and noise performance”. Lafarge has completed many NIAs throughout our


market area and implements many mitigations for our operations as recommended by our noise and acoustical consultants. The county cannot "force" operators into using certain mitigations and should defer to noise and acoustical experts for the proper implementation of effective mitigation strategies.

6. Lafarge is not supportive of reduced operating hours, reducing pit footprint sizes or implementing mandatory performance standards. Any reduction of secondary processing hours increases our costs but also extends the amount of time needed to complete processing at our pits. Lafarge is also confused about the topsoil salvage recommendations. Is the county suggesting that all topsoil be stripped in our current operating area only or across a larger portion of our site? Lafarge feels that reduction of pit footprints should be the goal, along with strategic progressive reclamation, but not implementing policies that inhibit or significant restrict an operator's ability to responsibly develop the site. Our organization does support hiring noise consultants to determine the best mitigation strategies to reduce any potential impacts to our surrounding neighbors and implementing strategies on pit operations and aggregate hauling that strike the correct balance with county administration and residents.
7. Lafarge requires additional clarification pertaining to bullet two on page 4 pertaining to the Groundwater Monitoring and Management Plan and process. Lafarge fully supports the program and has been an active participant in adding additional monitoring wells into the program. Industry and residents both value the information being provided and regardless of jurisdictional responsibility, the county should continue the program while sand and gravel operations continue in the Calahoo-Villeneuve areas.
8. Lafarge requires additional information pertaining to bullet one in the Implementation Process. What exactly is service enhancement and what goals are being sought with increased enforcement and compliance with sand and gravel pit operators? What are the current issues with existing sand and gravel operations, outside of community sentiments? How is the increased enforcement being supported and who is ultimately funding it? Does this translate into higher permitted fees and/or the implementation of additional fees and charges?

Thank you for the opportunity to provide input of the proposed amendments and changes to the Land Use Bylaw and changes to Natural Resource Extraction Zoning. If you have any questions or concerns related to the information provided in this document, please do not hesitate to contact me at (780) 423-6152, (780) 298-6747 or alternatively at brock.helm@lafarge.com.

Sincerely,

LAFARGE CANADA INC.

Per: 

Brock Helm
Land Manager, North and Central Alberta

March 9, 2023

**Bylaw 1607/22: Resource Extraction Regulatory Review
Public Hearing – March 16, 2023**

Dear Sturgeon County Council and Administration,

Sil Industrial Minerals is a member of Sureway Construction Group of Companies, and is western Canada's largest proppant producer, maintaining numerous privately owned and leased land investments in Sturgeon County for the intended purpose of natural resource extraction. Yellowhead Aggregates is a related entity within the Sureway Group, with land holdings near Villeneuve for the purpose of gravel extraction.

We thank-you for the opportunity to be heard in regards to the Resource Extraction Regulatory Review (RERR) in Sturgeon County, and the resulting proposed bylaw changes.

We are pleased that the proposed bylaw changes recognize the significant variability in resource extraction operations throughout the County, whether they're related to gravel extraction and/or processing, or silica sand extraction, by implementing a method in which impacts of an activity can be assessed on a case by case basis. We feel this is a critical recognition when implementing good governance, as there truly is no "one size fits all" approach to policies surrounding an industry such as resource extraction, and its development within the municipality.

However, the proposed bylaw provides very little certainty for industry operators, landowners, and neighbors alike regarding expectations around what applications will be approved. While we recognize there are many different potential outcomes that were considered as part of this review, it seems that the proposed bylaw change may simply implement more stringent performance standards, leaving operators with additional red tape and permitting challenges, with no certainty or expectation around what may or may not be accepted and approved. Alternatively, this leaves residents wondering how close an operation may be developed adjacent to their house. Further, this begs the question how similar applications may be treated by different councils and administrations in the future.

We understand that countless outcomes were considered over the course of the RERR, and again emphasize the importance of recognizing that each natural resource extraction activity is different and subject to varying environmental, social, and logistical conditions. However, in order to provide some certainty for operators and landowners, a system that provides defined setbacks under specific operating conditions could instead be considered.

An example of this system might look like the following:

- Implement a "Restricted Use Zone" defined as 300m from the outside wall of any dwelling (including multi-lot subdivisions), to ensure all residents are addressed equally.
- Define operating conditions and performance standards for extraction and reclamation with the "Restricted Use Zone"
 - o This would ensure residents have certainty that secondary processing such as crushing and screening would not occur within 300m from their residence. This would also allow

crushing to occur on a site where currently, multiple adjacent residences each with 400m setbacks could effectively sterilize a property.

- Implement limited operating hours for activities within the “Restricted Use Zone” to provide clear and consistent expectations for operating hours adjacent to neighboring land uses.

This outcome would provide understanding on what types of activities would be considered within certain distances from residences and would define expectations around operating hours within those setbacks. The outcome would also provide for flexibility of expectations pertaining to different types of natural resource extractions, with varying environmental, social, and logistical conditions.

We appreciate the work that Sturgeon County has undertaken to prepare information and engage and consult with stakeholders, and further we appreciate the County’s recognition that reviewing the existing policies regarding natural resource extraction is imperative to ensuring a responsible economic future within Sturgeon County.

Sincerely,

Laura Cline

Land and Environment Manager

Sil Industrial Minerals/Yellowhead Aggregates

From: [Phil Soetaert](#)
To: [Legislative Services](#)
Subject: Subject: Support for Resource
Date: March 13, 2023 2:18:45 PM

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- >
- > To whom it may concern:
- >
- > This letter is to express my support for the proposed by-laws revision that would provide for the direct control of resource extraction in Sturgeon County. I believe it's called Resource Extraction - Direct Control (DC-RE1).
- >
- > With the diminishing supply of gravel resources in the county I think that we need to move away from a cookie cutter approach with predetermined setbacks for all properties to one that provides more flexibility. The existing 400/800 M setbacks could remain as the default but with the flexibility to review applications for smaller setbacks.
- >
- > Currently some properties including smaller parcels have setbacks that would provide an area too small for gravel companies to consider feasible for extraction. Reducing the setback would make it more feasible and help to maximize this resource.
- >
- > I think that, as representatives of the County's residents you need to ensure the best use of this limited resource and maximize its benefits while it is still available. Levies, taxes, employment, and even things like gravel for County roads are going to be impacted in the near future.
- >
- > Please present this letter for consideration at the upcoming meeting.
- >
- Please reply to this email with confirmation that it was received.
- > Phil Soetaert

From: [LEANNE COSBY](#)
To: [Legislative Services](#)
Subject: Public Hearings - Resource Extraction Bylaws
Date: March 14, 2023 9:11:56 AM

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Sturgeon County,

We are 100% against the extraction project being in our backyard because of the dust (health reasons -asthma), noise, water table as we have our own well and what will it do to our property value. Our property is the most southernly in Waterdale Park, which puts us the closest to this project. We have wildlife (deer,moose,rabbits,etc.) that comes out everyday from that property. This will be gone once they start cutting the trees and digging those godforsaken pits and start the extraction process. This wildlife has been here for years and doesn't seem right they should suffer for the sake of money. We live here because of the peace and quiet. If this extraction project was to proceed it will definitely affect our quality of life. I'm sure no one else would accept this project in their back yard or any other acreage development ... would you?

We would like an email response that this has been read and by whom.

Jan & Leanne Cosby

RE: Public Hearing March 15, 2023, Amendments to Land Use Bylaw 1385/17

Dear Councillors:

Please accept this written submission with respect to the proposed Amendments to Land Use Bylaw 1385/17. Regarding this matter, it has come to my attention that the County is considering amendments and new rules for resource extraction – a framework of rules that are more than thirty (30) years old.

I wholeheartedly believe that these amendments provide a tremendous opportunity for the County to ensure the continued effective and efficient stewardship of the finite sand and gravel resources that have become ubiquitous with Sturgeon County and, in particular, the Calahoo-Villeneuve region for decades.

As these resources become depleted within the region, it is crucial that the County maintain best practices for extraction by ensuring measures that mitigate the impact on Sturgeon County's residents and stakeholders. Measures such as noise and dust control, water monitoring, limited hours of operation and measured use of transportation corridors ensure that the balance between quality of life for Sturgeon County's residents and the economic benefits derived from resource extraction is not only maintained but enhanced.

It is readily apparent that resource extraction within the Calahoo – Villeneuve region has a substantial economic impact throughout the County. Whether by jobs, or the direct pecuniary benefit of the Community Aggregate Payment (CAP) levy contributions, this particular industry has contributed significantly to the social fabric of our community and our County has always ensured that a fair share of the economic benefit is directed towards community initiatives, programs and services and overall revenue necessary to keep taxes low and infrastructure maintained.

One particular aspect that I believe is necessary to revisit are the buffer zones and setbacks, which are of course a significant component of the resource extraction framework. As presently defined, resource extraction is completely prohibited if the proposed extraction site is within 800 metres of multiple residential dwellings. In contrast, the buffer zone or setback is limited to 400 metres in the event of a single residential dwelling.

Respectfully, I find that this distinction between the two zones to be an arbitrary one. If 400 metres is deemed a sufficient distance to mitigate the impacts of extraction from a single residence, why would a doubling of that distance be required simply because there are multiple residences in a particular vicinity? This question of course presumes operators that are community stakeholders who follow and adhere to industry best practices and standards to ensure minimal disruption from extraction activities for nearby residents.

Undoubtedly, a broad stroke approach as is currently in use with the 800 meter setback has unnecessarily sterilized a vast quantity of extractable resources and arbitrarily rendered the viability of many projects within the County as uneconomic.

Before passing judgment on whether these setbacks should be amended, it is a worthwhile endeavor to consider the approach that other County's within our Province have taken. I have done such research and have found the following notable examples that I would wish this honourable Council take into consideration: (1) Parkland County's bylaws require a setback of 300 metres between any multi-parcel residential subdivision and sand and / or gravel developments (please see attached Exhibit "A" for reference); (2) Yellowhead County likewise requires a minimum separation of 300 metres between aggregate resource extraction and the nearest wall of an approved and occupied residential dwelling

(please see attached Exhibit "B" for reference); and lastly, (3) Foothills County requires an exceptionally aggressive buffer or setback of only 100 metres (please see attached Exhibit "C" for reference).

It is my respectful submission that the proposed amendments before this honourable council allow the opportunity to strike a better balance between all stakeholders in our community. That balance, in my humble opinion, is to reduce the current setback from 800 meters to 400 meters.

It is abundantly clear that a 400-metre buffer is both logically coherent and unrestrictive enough to properly develop these natural resources. 400 metres – deemed sufficient for any particular single residence, is a measured approach that ensures all residents are treated fairly and appropriately and economic development is not unduly hindered.

As sand and gravel deposits within the region become depleted, I am of the mind that the County has an economic imperative to ensure that jobs are maintained and CAP levy contributions maximized for the years ahead. This will help our community realize the benefit of these resources, which Sturgeon County has undoubtedly been blessed with. Simply put, if we do not extract these resources within our own backyard, the materials derived from this industry will still be required; however, the only difference is that it will have to be transported in from other jurisdictions with a costly premium attached and also to the detriment of County revenue and displaced employment.

Sincerely,



Mike Chadi

12.12 Natural Resource Extraction / Processing

1. Sand and/or gravel developments contained within the Natural Resource Extraction / Processing use shall not be within a Multi-Parcel Residential Subdivision.
2. There shall be no sand and/or gravel developments within 300.0 m of the boundary of a Multi-Parcel Residential Subdivision.
3. The Development Authority may consider a variance or a waiver Section 12.12.2 provided that:
 - a) No crushing, processing, washing, or similar is occurring within the 300.0 m requirement;
 - b) Extraction and reclamation activities within the 300.0 m requirement may only occur between 8:00 a.m. and 5:00 p.m. Monday to Friday;
 - c) The applicant/owner provides appropriate measures, to the satisfaction of the Development Authority, to mitigate any nuisance or potential nuisance from the Pit Area; and
 - d) The Development Authority is satisfied that extraction and reclamation activities occur expeditiously and in a manner that poses minimum affect to residents within the Multi-Parcel Residential Subdivision.
4. The Development Authority shall require as a condition of development permit approval for a new or renewal aggregate extraction use, or an expansion to an existing aggregate extraction operation, that the applicant(s) acquire all necessary provincial permits and approvals pertinent to the proposed development. Further, the applicant(s) shall be required to supply a copy of any such provincial permit or approval to the County for its records.
- Bylaw No. 2018-09 5. In considering whether to approve aggregate extraction as a Discretionary Use, the Development Authority may also consider the uniqueness of each application for a new or renewal aggregate extraction use, or an expansion to an existing aggregate extraction operation, and have additional due regard for the following:
 - a) the purpose of this Bylaw and the general purpose of the district in which the development is located and the future use of the site as proposed in a reclamation plan;
 - b) the provisions of the Municipal Development Plan and any relevant statutory plan;
 - c) relevant guidelines prepared by Alberta Environment and their comments on applications made for provincial approval;
 - d) the desirability to utilize the aggregate resource as a regional benefit;
 - e) conservation of topsoil for agricultural use on this or another site;
 - f) conservation of designated historical resources;
 - g) conservation of trees and maintenance of habitat;
 - h) conservation of environmentally significant and sensitive areas, including areas identified in the Environmental Conservation Plan;
 - i) conservation of watercourses; and
 - j) the safety and potential nuisance effect(s) on adjacent properties, including both operation and hauling activities.
6. Hours of Operation

EXHIBIT "B" (Yellowhead County)

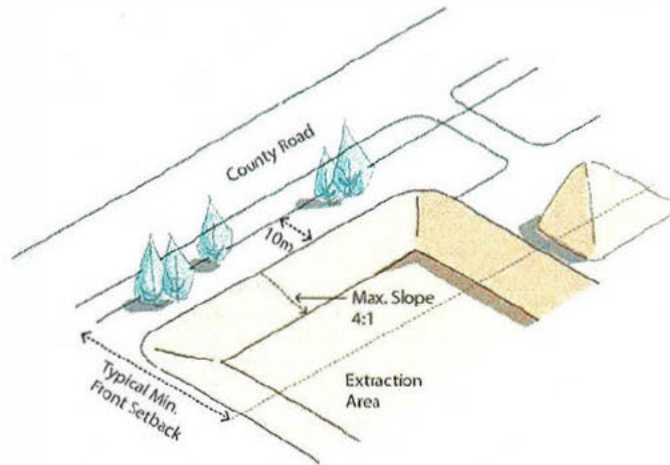
Land Use Bylaw No. 09.21

9.4 INDUSTRIAL USES

9.4.1 Natural Resource Extraction and Processing – Gravel Pits

Reduced Site Setbacks

- (a) The Development Authority may reduce the setback of Gravel Pits from County owned road right of ways from 30.0 m (98.4 ft.) to a minimum of 10.0 m (32.8 ft.), subject to meeting the following criteria:
- The grade change from the setback to pit bottom is graded to prevent subsidence of the road surface, to a maximum of a 4:1 slope.
 - The Development Authority may require that appropriate buffering/screening measures are undertaken to mitigate any safety or nuisance issues.



Measuring Distance

- (b) Minimum separation distances shall be measured from the following:
- For aggregate resource extraction: from the maximum extent of the aggregate operation area (pit edge) to the nearest wall of an approved and occupied residential dwelling.
 - For secondary processing of aggregate resources including, crushing, washing and asphalt plants: from the location of the use to the nearest wall of an approved and occupied residential dwelling.

Minimum Separation

- (c) The minimum separation distance shall be the greater of the following distances:
- Extraction: 300.0 m (984 ft.)
 - Secondary Processing: 750.0 m (2460 ft.)



- g. Any undeveloped portion of the site must be graded, contoured and seeded and shall provide for a satisfactory disposal of surface water by grading and drainage in such a manner that no surface water shall drain onto any public roadway or other neighboring property;
- h. There shall be no storage of hazardous materials or goods on-site; and
- i. Any other conditions imposed by the Development Permit approval.

10.17 NATURAL RESOURCE EXTRACTION AND PROCESSING

- 10.17.1 Properties subject to natural resource extraction and/or processing shall be zoned Natural Resource Extraction District and have an approved Development Permit prior to commencement of any excavation, operation, or processing.
- 10.17.2 Natural resource extraction operations shall be reclaimed in accordance with the approved Provincial site reclamation plan.
- 10.17.3 Natural resource extraction shall not be permitted within 100.0m (328.1 ft.) of an existing dwelling, nor shall a dwelling be permitted within 100.0m (328.1 ft.) of a natural resource extraction operation. This minimum setback requirement shall not be applicable if an existing dwelling is on the same parcel as a proposed natural resource extraction operation.
- 10.17.4 The Development Authority may impose the following conditions pertaining to natural resource extraction:
 - a. Standard hours of operation;
 - b. Parameters of operation – depth, total area available to develop;
 - c. Setbacks from roads, residential and other developments, including reciprocal setbacks limiting development encroaching on existing gravel operations;
 - d. Buffering and noise attenuation;
 - e. Road use agreements and/or development agreements;
 - f. Haul route requirements;
 - g. Reclamation schedules;
 - h. Conditions regarding the Community Aggregate payment; and/or
 - i. Any other matters deemed necessary by the Development Authority.

10.18 RECREATION VEHICLE STORAGE

- 10.18.1 A Development Permit is required for temporary storage of unoccupied recreation vehicles not exempted under Section 4.2.1 "No Development Permit Required" of this bylaw.
- 10.18.2 A Development Permit for temporary storage of unoccupied recreation vehicles may be considered for the following where listed as a Discretionary Use:
 - a. Storage of between 6 and 10 unoccupied recreation vehicles on Agricultural District, Agricultural Business District;
 - b. Storage of up to 2 (two) unoccupied recreation vehicles on Country Residential District (within a Hamlet boundary), and Cluster Residential District, Country Estate District, and Residential Community District parcels;
 - c. At the discretion of the Development Authority where listed as a discretionary use in the specific land use district

March 8, 2023

To: Mayor, Council and Administration Sturgeon County

Re: Sturgeon County Bylaw 1607/22 and 1608/22 - Proposed Resource Extraction Changes.

Decades of ignoring the integration of 'environmental legislation' at the earliest stages of municipal land use planning and development identifies **environmental prejudice against all Canadians!** This injustice is a **national** issue! Who will be held accountable for this abhorrent lack of democratic economic land-use decision-making?

"Ecocide the unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment being caused by those acts."

Ongoing concerns from citizens:

- "we must not mine or dewater aquifers", "no approval of mining below the water table"
- "we are worried about the effect of the pit on our well",
- "in the mid 60's our well was plentiful enough for the family household needs"
- "after the gravel pits came into the area the water table dropped, eventually the wells went dry"
- "several wells have gone dry due to dewatering", "our neighbours people had to dig new wells"
- "due to gravel pits from pumping water out of the water table", "no approval of dewatering"
- "since the gravel pit moved in across from us the water table could not produce enough"
- "the water table fell, the well went dry and a cistern had to be installed", "incurred costs to transport water for household and agricultural use"
- "water is very important for livestock, people, plants and nothing can live without water"
- "hours of operation should not include weekends, nights and holiday"
- "unacceptable ongoing noise from traffic, equipment, hauling and crushers"
- "reclamation has not been proven; similar land capability including hydrology (natural function) as described in the Alberta Reclamation Regulation",
- "reduced setbacks must not be approved"
- "Why is environmental legislation for the protection of public land and/or public water bodies' management pursuant to s 60 of the Municipal Government Act 'not applicable' and/or 'absent' from land use decisions, plans and bylaws?"

Land use planning and development must not be considered complete without the 'direction, control and management' of water.

In 1971 the Environment Conservation Authority 1971 reported to the hearings **where serious reductions in the flow rates, quantity and quality of major waterways were attributed to strip mining activities** in the region and in headwaters. **The most frequently expressed concern with mining centres on water quality and quantity.** In many cases where **adverse affects** on a waterway were cited, **the involvement of strip mining operation was fairly obvious.** Other important environmental impacts that concerned many of the participants were the destruction of wildlife habitats and the lowering of aesthetic values. Groundwater flow patterns are disrupted by strip mining. Both physical and chemical water quality are affected by strip mining. Recommendations from the public hearing identified **absolutely no mining operations permitted within one kilometre of a watercourse.**

According to a study by Dr. Jon Fennel, M.Sc., Ph.D., P Geol. Hydrogeologist and Geochemist in 2021 identifies cumulative development impacts of similar activities and risks of adverse impacts of strip mining (sand and gravel) activities to groundwater/aquifers. The fact is the reason for the recommended 1.6 kilometer development setback (at a minimum) and maintenance of a vertical 4 metre buffer zone above the water table for any pit development within 1.6 kilometer of that development setback. The sole purpose of this is to maintain the quality of groundwater sustaining the springs and supporting aquatic habitat reliant on the delivery of good quality water of stable temperature. Such a development buffer will also protect the quality of groundwater for nearby households and farms reliant on water wells for their everyday needs. In 2021, Alberta Environment has requested another municipality to consider these recommendations as a means of mitigating cumulative impacts. This can be achieved through prudent land use planning and decision-making within the Sturgeon River Watershed.

The **disturbing consequences of strip mining** activities in Alberta have been described as:

- land use plans and/or bylaws “fostering a healthy environment” as ‘not applicable’ and/or ‘absent’;
- a perceived or apparent failure to uphold the law and/or conflict of interest;
- having left a massive cleanup of the destroyed natural infrastructure ecosystem services over 50 plus years;
- AB ENV identified negative impacts of dewatering cone of depression extends eight kilometres away;
- lack of enforcement actions taken; inefficient reclamation inspections;
- reclamation not actively monitored and/or proven to function naturally upon completion;
- ignoring environmental legislation s.60 of the MGA and the other enactments during land use planning decisions, plans and bylaws;

- Lac Ste Ann County resident received a phone call in the spring of 2022 from Division 1 Councillor, about a development approved by Alberta Environmental and Lac Ste Anne County. There was a significant uncontrollable breach to groundwater aquifer at TWP 544 and RR 20, resulting in the permanent abandonment of the strip mining activity;
- no evaluation of reclamation and a lack of data;
- a significant risk that asset values had been overstated;
- risk of companies not being able to meet reclamation obligations;
- the risk of paying substantial amounts of 'public money'; and
- record breaking profits to shareholders.

Importance of the Protection of Public Lands and/ or Public Water Bodies Management:

The Canadian Geological Society indicates groundwater **provides drinking water to about 80%** of the rural Canadian population and **aquifers are under threat by human interference**. Direction, control and management of public lands and/or public water bodies, surface and groundwater water bodies' quality, quantity and natural functions are central to protect, conserve and/or safeguard ecosystems for future generations.

According to Environment and Climate Change Canada many aboriginal peoples of Canada believe that **one must consider the impact of any decision on one's children, grandchildren, and great grandchildren seven generations hence to ensure that their needs can be accommodated in the future**. Sustainable development has been defined by the Canadian Council of Ministers of the Environment as "development which ensures that the utilization of resources and the environment today does not damage prospects for their use by future generations". For example, **industrial development on a river may involve activities that seriously damage our soil, water, and atmospheric systems**.

Further to the above paragraph, to make the development "sustainable", environmental, social, and economic planning **cannot proceed** independently of each other. They must be integrated. **Our water resources must** be developed in harmony with the natural ecosystem so that neither the water resource nor the plant and animal life dependent on it are depleted or destroyed for short-term gain and at the expense of future generations. Long-term economic growth depends on a healthy environment.

2019 Auditor General of Alberta Report for Alberta Environment and Parks (AEP)

In the 2008, 2014 and 2019 audits for the Management of Sand and Gravel Pits identify reclamation, inspection, enforcement processes and security remain inadequate. **Key findings in 2019:** (1) no enforcement actions taken; (2) reclamation inspections inefficient; (3) reclamation not actively monitored and/or proven to function naturally upon completion on pits operated by government; and (4) no evaluation of reclamation and a lack of data. In conclusion, **AEP did not implement their own recommendations to improve processes regarding inspecting of sand and gravel strip mines on public land, and to enforce and/or improve reclamation requirements.**

Municipalities & Public Land and/or Public Water bodies' Management:

Discretion should be used to **promote** the policies and object of the constituting statute. Conversely, discretion must not be used to frustrate or thwart the intent of the Act, **or to achieve a purpose not contemplated by the Act**. A decision maker **must not** act on “extraneous, irrelevant and collateral considerations”; **it must consider all relevant factors as mandated by the enabling statute to fulfill its statutory duties.**

In application of the *Public Lands Act* s. 2 (1)(2), All public land is under the administration of the Minister, **except that public land that is, by virtue of any other Act under the administration of another Minister of the Crown**. Also, the *Public Lands Act* s. 2(3), **‘dispositions’ are in every respect subject to this Act and the regulations made under this Act.**

The Alberta *Public Lands Act* describes **‘water bodies’** as the bed and shores all permanent and **naturally occurring bodies of water**, and all naturally occurring rivers, streams, watercourses and lakes. *Prohibitions* s. 54, **“no person shall cause, permit or suffer...”** the text clearly describes the requirement to not cause or allow damage to public land and/or public water (bodies) or adjacent land. **(surface and ground water quality and quantity)**

Alberta *Public Health Act, Nuisance and General Sanitation Regulation, Prohibitions, s. 2*, **“no person shall** maintain a watercourse in a condition that is or might become injurious or dangerous to public health” **(surface and ground water quality and quantity)**

The Alberta *Water Act* states, **“water** means all water **on or under** the surface of the ground, whether in liquid or solid state” and **“all water** is vested in right of the crown”; **NOT Alberta Environment**. Given the ubiquity of groundwater-surface water exchange, it is more important to view groundwater and surface

water as a **single resource**. The *Water Act* defines '**body of water**' as any location where water flows or is present, whether or not the flow or the presence of water is continuous, intermittent or occurs only during a flood, and **includes but is not limited to** wetlands and **aquifers**.

The Alberta *Municipal Government Act* (MGA) is councils and administrators job description. It lays the foundation for how municipalities operate, function, and how citizens can participate with their municipalities. The MGA is the **legislation framework** in which all municipalities **must** operate and is one of the most significant and far reaching statutes in Alberta. The MGA affects all Albertans, the private sector and all ministries in the Alberta Government. Pursuant to S. 60 of the Municipal Government Act (MGA) "**subject to any other enactment, a municipality has the direction, control and management of the bodies of water within the municipality, including the air space above and the ground below**".

The **disregard and failure** to integrate the '**direction, control and management**' of public lands and/or public water bodies', surface and groundwater water bodies' quality, quantity, natural functions and/or ecosystem services at the earliest stage of land use planning **ignores the public good, redirects private and/or personal interests**, and **undermines legislation** designed to ensure our water resources are safe, healthy and well-managed for current and future generations.

The **purposeful neglect** to environmental land use planning, management and legislation discredits and/or marginalizes public input and **implies political interference and/or bureaucratic malfeasance**. Municipal land use planning, creates a manifestation and identifies deliberate **subversion** of environmental laws, land use planning and **subordinates the public interest to developer's demands**. This 'strategy' combines a high degree of strategic willfulness with a high level of disconnect (**blindness**).

Subversion:

Environmental legislation rewritten and definitions changed identify inconsistencies with municipal bylaws, provincial/ federal laws and **purposely establish *tertium quid*** to obstruct, pervert, and defeat the course of justice to purposely create political and/or personal gain.

Breach of Trust by Government:

Public trust is the principle that natural resources are maintained and preserved for the **common good** identifies public ownership of the water, surface and ground water, waterbodies. This '**natural capital**' must be safeguarded and well managed for current and future generations. The concept of public trust includes the belief; **all individuals in society must hold the interests of society above their own**.

Municipal governments are required to take an official oath of office. **Mayors and councilors swear or promise to diligently, faithfully, and to the best of their ability** fulfill the duties of the office to which they have been elected and that means they '**shall uphold the law**' established by the Parliament of Canada, the Legislature of Alberta and the bylaws adopted by council.

Knowingly and purposely **failing** to integrate 'environmental legislation' for 'public land and/or public water bodies' management' into land-use decisions, plans and bylaws is a '**flagrant breach of trust**', identifying culpability.

In Conclusion:

Our municipal governments must act now. The subversion of environmental protection of water, surface and groundwater, aquifers must cease and those responsible for failing to protect public lands and/or public water bodies quality, quantity, natural functions and/or ecosystem services at the earliest stages of land use planning decisions, plans and bylaws must be held to account.

Suborn self-interest is **not** acting in good faith; **not** in the public interest; but pretends greater public interest!

We **must not** support the referenced proposed land use changes as presented!

Sturgeon River Watershed/Aquifer concerned citizens:

Ian Skinner

Calvin Verbeek

Mike Northcott

Maureen Kwolick

Stacey Hagen

Mark Hagen

Cavell Stanley

Rod Nicholson

Larry Schindel

Norm Sanders

Ron Hubsure

Marina Ursulak

John Kiss

Dan Townes

Louis Verbeek

Tom McKinnon

Gerald Boyko

Eric Tophar

Judy Mohr

Shauna Verbeek

Terry Girouard

Milrod Pajic



Heidelberg Materials North America

Northern Alberta

Suite 100, 15015 – 123 Avenue

Edmonton, AB T5V 1J7

March 7, 2023

Sturgeon County
9613 – 100 Street
Morinville, AB T8R 1L9

RE : Comments on Proposed Bylaw 1607/22 – Resource Extraction Amendments to Land Use Bylaw 1385/17

Dear Mayor and Council,

Heidelberg Materials Canada Limited (Heidelberg Materials) is one of North America's leading manufacturers of cement, aggregates, and ready-mixed concrete. At Heidelberg Materials, we are placing sustainability, including the wellbeing of the communities in which we operate, at the core of what we do. Our vision is to build a more sustainable future that is net zero, safe and inclusive, nature positive, and circular and resilient.

In the Villeneuve area, we operate several resource extraction pits and a processing facility. We directly employ approximately 60 people at our processing facility, an additional 40 people during extraction and reclamation operations, and an additional 85 third-party haulers.

Overall, we applaud Sturgeon County's efforts during its Resource Extraction Regulatory Review (RERR) to understand regulatory impacts to the County, residents, industry, the environment, and the local economy. Please accept the following comments as part of the public input process for the March 15, 2023 public hearing for proposed *Bylaw 1607/22* which proposes amendments to *Land Use Bylaw 1385/17* (LUB) related to resource extraction.

a) Setbacks

- *Bylaw 1607/22* proposes the removal of clause 11.2.4 (c)(ii) which allows for a reduced setback to existing dwellings in the RE – Resource Extraction District provided the resident of such dwelling has agreed in writing.

Since the establishment of this provision under the *Calahoo-Villeneuve Area Structure Plan* in 2001, Heidelberg Materials has successfully operated within reduced setbacks to several residents with their written consent to prevent the sterilization of hundreds of thousands of tonnes of sand and gravel, develop unique mitigations, and improve reclamation outcomes. We believe that, in some situations, this provision can efficiently support the responsible development of aggregate resources without the need for expanded impact assessment and monitoring requirements as proposed in the DC – RE 1 Resource Extraction – Direct Control District 1.

- Suggestion: Maintain clause 11.2.4 (c)(ii) in the Land Use Bylaw as an option for operators and residents to consider within the RE – Resource Extraction District. This would still allow for redistricting to the RE – Resource Extraction District within 400m of individual dwellings if the resident and operator can come to an individual agreement.
- The setbacks in the RE district are unequally applied to single dwellings and multi-lot subdivisions. Heidelberg Materials is aligned with other comments summarized in the “What We Heard Report” in that our preference is for consistent and reasonable setbacks. Applying larger setbacks to multi-lot subdivisions is arbitrary and unnecessary.
 - Suggestion: Change the setbacks from multi-lot subdivisions in the RE district so they are equivalent to the setbacks from single dwellings.

b) Community Communications

- Heidelberg Materials is committed to being a good neighbour. Engaging with local communities helps us to understand and address the social and environmental impact of our operations which helps ensure our activities are sustainable and have a positive impact on local communities.

Overall, we are supportive of the community communication requirements proposed by *Bylaw 1607/22*; however, we noticed some duplication that may fatigue the community. Sections 11.2.15 and 11.3.12 require both annual community events and semi-annual landowner communications.

- Suggestion: Revise Sections 11.2.15 and 11.3.12 to require site-specific community engagement plan, in a form acceptable to the Development Authority.

c) Approval Timelines

- Sections 11.2.16 and 11.3.16 indicate that Development Permits for natural resource extraction and secondary processing will be issued for five years and will require a

renewal every five years thereafter until a reclamation certificate is received from the Provincial Government. This is a very short timeframe given the lifespan of pits in the municipality is closer to ten years and the reclamation certificate process alone takes at least three years. Frequent renewals are fatiguing to the community and require significant County and industry resources. If the land use has been approved and the operator is meeting the conditions of their permit, we do not see the value in frequent permit renewal processes. Industry requires certainty of operating conditions for the duration of their operation.

- Suggestion: Revise Sections 11.2.16 and 11.3.16 to reflect a more appropriate approval timeline. Heidelberg Materials suggests removing the time limit on development permits is more appropriate and aligns with provincially issued approvals and adjacent municipalities. The development permit application should provide an estimated lifespan expectancy which can be considered during the initial development permit review and approval.

Thank-you for the opportunity to provide comments. If you require clarification, please feel free to contact the undersigned.

Sincerely,



Dale Soetaert

Land Manager, AB & NE.BC
Heidelberg Materials
Phone: 780-423-6307
Email: dale.soetaert@heidelbergmaterials.com



Lauren Greenhough

Environment & Sustainability Manager, N.AB & NE.BC
Heidelberg Materials
Phone: 780-420-2552
Email: lauren.greenhough@heidelbergmaterials.com

From: [Candace Stoppa](#)
To: [Legislative Services](#)
Date: March 15, 2023 12:20:21 PM

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Good afternoon.

I live at 34 Ivan Road, and my parents at 4 Ivan road.

We do not support the building of SIL in our back yards.

This will affect the resale of our homes. Making our properties worth way less then they are

This affects the life expectancy of us and our children.

Breathing in this sand, and dirt created by SIL.

This will affect the life of our homes, by making our ACs, and vents work harder with sand in our air.

This will affect the traffic on our highways.

This affects the turkey farm right beside it, affecting the poultry farm, providing turkeys and chickens to thousands of Albertans.

This will add noise to our community.

We do not support this and we do not welcome SIL into our area.

If Waterdale park has bylaws, and rules to follow, then the county should be more responsible for the lot they want to build SIL on.

If they want us to comply, they should think about what they are doing .

Please reconsider, or move your boundary.

We don't want SIL and we want to live our lives.

Candace Stoppa

From: [Carlee Caouette](#)
To: [Legislative Services](#)
Cc: [Planning & Development](#)
Subject: Resource extraction
Date: March 15, 2023 12:38:44 PM

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Hello

As a resident of Waterdale Park, I am against the extraction of resources that is proposes. Reasons being, this will decrease our property values. What would be done to compensate us financially for this. Also, there will be an increase in dust that this is going to cause. This will affect the health of us and our children. My son already has allergies to dust and has asthma, this is going to make his breathing on a day to day basis worse. Also, there can be long term health effects of breathing in dust. If this goes through, I will be getting everyone in the area to get a baseline pulmonary function test.

Caouette

Sent from my Bell Samsung device over Canada's largest network.

From: [Rick Reid](#)
To: [Legislative Services](#)
Subject: Resource Extraction - Bylaw 1607/22, Public Hearing March 15 / 2023
Date: March 15, 2023 1:46:29 PM

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To: Mayor - A Hnatiw and Councillors - D Derouin, K Toms, M McLennan, N Comeau, D Stang and J Berry

As county residents and landowners / stakeholders in division 6 of Sturgeon County, we have been following the proposed Resource Extraction bylaw review since its onset, although it has been a long and at times frustrating experience. We are pleased to see the proposed bylaw recommendations in Bylaw 1607/22.

It is noted that the content in this proposed bylaw will keep and enhance the current qualifications / criteria for Resource Extraction in the county as well as addressing the possibility of specific (reduced setbacks) on a case by case basis. ref. DC - RE 1 Resource Extraction - Direct Control 1.

For stakeholders such as ourselves, whom have resources (sand) on our property we fully support the county moving ahead to implement this bylaw.

By implementing this bylaw the Sturgeon County residents as a whole should see many benefits, some of which include, more stringent environmental controls, tighter restrictions on the time line of mining operations before restoration / reclamation is implemented and completed, reduced costs of moving Gravel and Sand resources longer distances, as well as enhanced Tax / Royalty Revenue.

In many cases the land sites, once restored will be of greater value for Agriculture, Recreational and or even Residential usage.

It is our hope that there will be considerable support in the county to move this bylaw approval process to a positive result.

Sincerely

Rick and Beverley Reid

Input on the Proposed Resource Extraction in Sturgeon County

I am grateful for the opportunity to give some input into the above proposal in the area where my family and I are living. We have lived here now for over 30 years and place great value on the beautiful environment.

First I would like to say how impressed I am with the process involved in the resource extraction proposal. There has been a lot of hard work and information sharing throughout, and I would like to say thank you to all involved. I have three points however that I want to bring forward for more discussion and feedback.

1. Water

I am old enough to remember a time when everyone was focusing in the same economic way as we are for the resource extraction, but about oil resource extraction. At that time seismic machines were used to look for deposits in fields and farmland. It was all 'safe' and researched and no disturbing of the land was necessary. However many residents wells dried up immediately or over time. There was no compensation or replacement for this, and it was said simply to have been an 'unseen occurrence or something that could not be definitively proved as having been the cause'.

Question:

I am a lay person, but my question is will the removal of sand and gravel in a river valley might not inevitably fill the pits with water and lower the river itself? Will the farmland have less water under it as water runs the line of least resistance toward the pits? And if we are talking of restoration after extraction, how difficult will it be to fill in where maybe considerable water has accumulated. The building projects we see are all making lakes now around them because of this.

Finally, is it possible to ensure compensation if needed? I must add the future restoration proposed here also. Companies run out of funds or close down as we have seen with the abandoned oil derricks. I would like to suggest a restoration fund be setup by the resource extraction companies which they pay into at a decided rate over the years of operation.

2. Safety

There are many children, teens, and older that ride off-road vehicles around our area. There is also a wealth of wildlife. Already this year we have had 5 groups of deer, and a bull and a cow moose walk across our property. The cow usually has twins later on. This is to say nothing of the beavers, badgers, porcupine, rabbits, different owl species, and of course coyote.

Question:

For children and others, is there going to be ongoing safety monitoring near and around the extraction machinery and pits? For the wildlife, has there been any study of migration trails and input from conservation? Inevitable 'roadkill' and cleanup might be something also to consider, as is the possibility of driving increasing numbers of coyote into residential areas. And as we increasingly acknowledge the indigenous treaty land, I need to ask if the local tribes have been involved and what they say? Might there be a costly reaction later on if not?

3. Health and Economics

As COVID hit, and now all that we are going through economically with prices, the opportunity to create more jobs and get more money into our area is a huge plus. The opportunity for lower taxes, similarly appealing. However, again through COVID, we are seeing the increasing need to focus on mental health. The latest statistic has 1 in 2 youth now at risk to develop a significant mental health condition. If we gain more money - but simply have to spend it on supporting more and more within our healthcare system, then taxes etc, will not lower, and we even might end up needing to 'spend more'.

Question:

Mental health studies are starting to show the relation of the environment to increasing or decreasing mental 'angst'. Noise, vibration, lights are all being cited as problems in wellbeing and sleep. Might it not be worthwhile considering the 'value' that is inherent in the Sturgeon River area? An alternative to resource extraction could be to make trails and sitting/observation areas where people can come and enjoy the peace and beauty of nature and all it has to offer in better health and, the much needed opportunity to de-stress. I believe the increasing and vital need for this can no longer be overlooked or de-valued against the consideration of economic gains.

Thank you for your time and consideration of these concerns.

Kirsty Stewart and the Stewart Family

To whom this may concern,

My name is Louis Belanger, I reside on my family farm where I grew up and which is directly across from the Fresion pit and also surrounded by LaFarge south pit. The Fresion pit which was to be a quick extraction pit, has been an eyesore for many years with very little activity occurring. The LaFarge south pit gained their permit 10 years ago at which point they approached myself to negotiate extraction closer to my home. The missing factor in their contract was a starting date. As of today they continue to be granted renewal to their permit without any extraction activity taking place. This was to be a 10 year project which would be completed if started when they granted their permits. Its concerning to hear the county wanted direct control. I feel that the pits will use this to their advantages. Why should I have to settle for less or equal to what was present 10 years ago? I feel the county will force me to have to allow them closer than 400m without fair compensation? With the existing Fresion pit and LaFarge south pit both not extracting gravel. I don't feel there is a need to come within 400m as they are failing to obtain resources that are currently available. I don't feel the county should be getting between landowners and gravel corporations to come to a fair compromise.

Thank You

Louis Belanger

Greetings to the Mayor and the Counsel!!

Seems like I can't stay away from this place and this process! This is my 6th time here fighting for the country way of life in sturgeon county.

The saga began for the residents of Waterdale park and close neighbors, May 19, 2010, we held our first meeting about the sand extraction that Sil wanted to proceed with.

Sil and the landowner met with the effected residents and tried to intimidate us into agreeing to a sand extraction pit. The landowner threatened us that if we didn't let him extract the sand, he would put in a parking lot or a dog kennel on that spot. When we refused, he sold the land to Sil and the saga continued.

Before that it was the Industrial Heartland threatening to build an Upgrader within 1/2 mile of our subdivision. Mayor Helmet Hinterrager and Don Rigney told us and I quote" If you want a buffer zone buy your own [REDACTED] buffer zone." So I have a lot history with this County and it continues to this very day.

And here we stand 4674 days/13 years later, we are still fighting this extraction battle.

We've gone to review at least 5 times as Sil kept coming at us at different angles and different wording in the application, but each time we banded together and won. We just want to be left alone with the setbacks already in place.

The fifth time we walked out here a winner we figured it was the last time but here we are again defending our way of life from destructive/evasive industry and a money hungry County.

I suspect no one on counsel lives beside an extraction plant, but I can't ask this question as its too private I was told at a previous review!

If you want to see the wasteland, sand extraction leaves behind just drive down Victoria trail and see the devastation left by Sil as its not changed for the last 25 years.

When we arrived here were looked there to buy land and build a house but chose not to when we

drove down there and saw with our own eyes what a moon scape looks like!! Void of all wildlife and fauna, this all effects property values of the residents affected. Who pays that cost?? Will the county step up? I know Sil wont, they just care about their bottom dollar.

All this for a few tax dollars to the county but a plague to the residents in their daily lives and property values, as who wants to live beside an open pit mine. I'm a perfect example of a buyer who chose else to buy build and live.

I watched online the Council meeting where Council voted on the new bylaw and witnessed the Councilors' who voted against the current setbacks as they stated it sterilized too much land that would not be available for sand/ gravel extraction costing the County more money. Not one who voted against it mentioned the residents who pay the taxes to run the county and to look after their best interests! It was all about the tax revenue nothing more!

I'm just thankful the majority of council voted to keep the setbacks at their current value, but I'm disappointed they did leave an avenue for companies like Sil to appeal them.

I just hope and pray this is put to bed with this new bylaw and the residents come out more important than the blood money paid by Sil to allow them to rape the Sturgeon County countryside. The health effects of the dust are well documented as well as the dangers of the extra volume of loaded gravel trucks using an already busy highway. I can see a fatality in our future!!

In closing I will just say that the County has taken many hours of my free time to defend my way of life and allowed this elephant to stay in the room for 4674 days! That's almost 13 years, more if you take the Industrial Heartland issues.

Imagine the area residents stress levels with this ongoing battle! I know it's cost me many hours of sleep and relaxation. I've put my heart and soul into my acreage as we all have, and I will fight to my last breath to protect it from unabashed greed.

Tim Cholewa

