

ROCKY VIEW COUNTY
AGGREGATE ADVISORY COMMITTEE

Committee Meeting Summary Notes

January 11th, 2024

8:30 – 4:40

RVC Committee Room

These notes, taken and prepared by the chair, are an informal record of the meeting and reflect the evolving discussion of the members. The notes are not a final record or set of recommendations and will be reviewed by the committee.

Attendance:

- Gerry Bietz, Hazel George, Monty McNair, Tom Foss, Dale Soetaert, John Weatherill. Members.
- Gerrit Scheffel. Administration
- Barbara McNeil. Chair

Agenda: The meeting was guided by the following agenda:

8:30	1.	Welcome.
	2.	Review December notes
8:45	3.	Updates from the stakeholder meetings
9:15	4.	Discussion on location criteria
9:45	5.	Further discussion on the concept of development centralization
10: 15		Break
10:30	6.	Discussion on human health and aggregate
11:00	7.	Consider the draft vision and principles in the 2023 ARP Terms of Reference. Are there additions or suggested edits?
11:30	8.	Review the draft recommendations. Provide relevant detail and reason for the recommendations.
noon		Break
12:45		Continue working though the draft recommendations and provide detail and reasons
1:45	9.	Determine additional recommendations.
2:15	10.	Identify the areas where consensus was not reached.
3:00	11.	What's next?
	12.	Adjourn

Review of Summary Notes:

- Members had no changes to the December notes. Notes will be available on the County website.

Updates from Stakeholder meetings:

John hosted a meeting on December 18th and had the following to report:

- John had asked the group. What has the committee missed? The tone is skepticism, not quite distrust of industry process. This speaks to the need for transparency. The recommendations on a high level seem reasonable. But stakeholders wanted to know the details. They had questions about what hasn't been discussed yet, such as human health impacts. Alignment on the balance in the ARP and the cost and benefit of gravel development. There is an expectation that landowners rights would be respected. They're looking for the location discussion. There were discussions about the legal concept of settled expectations and pre-existing land uses.
- There's no sense for gravel where there are pre-existing homes. The best mitigation is separation. Questions were raised about how aggregate works in other areas. It was noted that in Edmonton gravel is delivered by rail from further away. People are looking for improvements to technical reports. The ARP shouldn't be a shortcut of other previous decisions and shouldn't leapfrog previous decisions of councils about aggregate development.
- There's a strong need for independent monitoring. And the ARP should apply to county pits, and government of Alberta pits should also be encouraged to follow good practices.
- Regarding consultation, there's a need for transparency. People prefer open houses and online questionnaires. There is some confusion about all the plans that are under development right now by the County. There may be some consultation confusion. The stakeholders want distinct and separate consultation for the ARP. And to make sure that the consultation on the MDP doesn't merge with the ARP. There are also multiple ASPs on the go. It's important to use the prior draft of the ARP and to realize that there have been a series of drafts and that the input that's been provided on the last draft should be considered. So if the County uses the previous ARP draft as a starting point, please consider the feedback that came after that.
- There were questions about the potential economic benefit / detriment of aggregate development in the county.

Tom and Gerry hosted meetings at Weedon Hall. One was on January 4th and the other on the 10th.

- People have been fighting gravel development for 20 years. It's costly and time consuming. People have funded their own opportunities to be heard. People are exasperated. There was a push for intervenor funding. Gravel companies argue that there is a scarcity of gravel. But we seem to have lots of gravel and it's important to get it from the correct areas. The Big Hill Springs Provincial Park is an environmentally sensitive area.
- There are problems with trusting the gravel industry. Industry and the County say it's a temporary land use, but it's not temporary from the resident's point of view. That concept is misleading. We need to consider that this land use is not temporary.
- Complaint based enforcement doesn't work; for example, the Hillstone quarry has not reported since 2022, and they haven't presented any information for stakeholders.
- Pre-existing land uses should be given more weight.
- Alberta Transportation should look more at the cumulative effects of traffic.
- Gravel operators won't guarantee that operations won't affect wells. Landowners are looking for security of their water from their wells.
- There's poor compliance, poor enforcement. Landowners don't know who to complain to.
- How are cumulative effects measured? For example, when measuring noise and air quality, how do we say whose noise it is and whose dust it is? Renewals of operations shouldn't be automatic for bad players.
- It seems that there is scope creep in renewals, for example, Burnco has expanded operations through renewals.
- It seems that renewals get bumped along. It was pointed out that there's no public hearing for renewals because they already have approved land use (direct control district). However, landowners feel that there needs to be public engagement on renewals and engagement along the way. It's interesting that when someone renews a small home-based business every two years, that notification is circulated. Administration noted that all development permits, including renewals for gravel pits, follow the standard circulation procedures.
- An operator pointed out that complaints should be taken into account when renewals are considered. Burnco west has a dust issue - it's a problem. Local residents say that it has damaged their property values. Not all pits are a problem. Local residents say the Lafarge Glendale pit is OK.
- Some residents are certainly not happy with county pits. The county hires short-term contractors who often spill gravel on roads and operate at long hours. It's important to have consistent standards for county pits as well. Burnco has sullied the emotional environment by being underhanded.
- The question arises should there be different rules and approaches for the east areas of the county and West areas of the county?
- Another point was that definition of stakeholders is too limited and should be expanded, both geographically (circulation radius) and to include an expanded list of interested parties. For example, organisations such as Miistakas and Alberta Wildlife association should be included. There needs to be broader opportunities to be a stakeholder.

- Stakeholders who want to know that an operation is meeting standards should be able to find and access the reporting easily. All communications between operators and the county should be available. The current ARP restricts who is considered a stakeholder.
- Poor communication favors industry. There's great concern about groundwater levels and the impact to domestic wells, particularly due to drought. We need more information. In the Big Hill Springs area, there is a community well that is intensely monitored by AEP. This level of monitoring is not consistent across different operators within the County.
- While water levels may be monitored, water quality is not typically monitored. Near the BURNCO west pit, it was noted that a nearby well has been polluted by a hydrocarbon leak, however, due to the lack of monitoring, the source of the pollution cannot be confirmed.
- We need an ARP with strict rules that can be enforced.
- Clear and transparent communication is important. For example, Heidelberg owns land West of 22 and some members of the community heard that this pit was already approved by the County. The operator (sitting on the committee) confirmed that no applications for this pit have been submitted to the County and there are no approvals in place.
- We should learn from what oil and gas went through 50 years ago in terms of regulations.
- For rewriting the ARP, we should look at what other municipalities have done.
- It was pointed out that the county only gets \$1 million from the gravel industry levy, which is only \$25 per resident of Rocky View County. So, the question is, what's the economic benefit to the county? What are the costs? This should also include the effects on property values.
- People asked about how much gravel from the County is shipped to the US.
- Another question is who worries about the negative impact on wildlife? One consultant says there's no wildlife on a property, but in fact there is a lot of wildlife there.
- It was pointed out that if there are rules, industry can follow the rules. And it's important to improve the quality of science for assessments.
- The ARP needs to strike a balance; be written in plain language that a layperson can understand, but also be a technical document with teeth.
- The county needs to take responsibility for the industry. It needs to use professionals. The dissemination of information can be done through those professionals. The County needs to manage the industry on a formal basis and manage the communication.
- The impact on residents is hard, stressful, disruptive. Residents spend thousands of hours and 10s of thousands of dollars of their own money to have their concerns heard. It's important that intervenor funding be considered.
- The county needs to look at what regulation will cost. The group discussed how fees can be charged to industry to cover regulation through a site monitoring by law.
- Regarding standards and compliance, when does enforcement mean action and penalties? The County pointed out that there have been some penalties and the County can issue stop work orders on operations that are not compliant. Administration stated that application of fines and stop orders have not always been applied consistently in the past.
- Prescribed performance standards and monitoring requirements should change with industry improvements and evolve with the industry.
- Regarding environmentally sensitive areas, the County should use experts outside of the county and engage them to look at the actual situations on the ground.

- Regarding the recommendation of a cost benefit analysis; it should also include the effects on property values.
- Cumulative effects assessments require baseline studies ahead of time. There needs to be a means of attributing effects to the appropriate properties. There needs to be a means of assessing penalties in the cumulative effects.
- There should be no new approvals until the ARP is in place.

Hazel had spoken to area residents and reported the following comments.

- People don't want to see the sterilization of a resource. Country Residential development creates problems and brings issues. For new pits, people would like to see most companies come in, extract the gravel, and then get out in a timely way.
- They want to see due diligence on dust and traffic control. It's important that industry incorporates new technology for dust and noise.
- Health issues were not a big concern in this area.
- Most folks in the east weren't aware of issues with pits in the west part of the County. The point of view was that we need to extract our own gravel in the county instead of pushing extraction to other areas.
- Third party site monitoring should happen.
- Recognize the east/west differences on gravel... it is real.
- Recognize that people who do support gravel development are not heard because they don't go to hearings.
- Reporting on the website about pit operations would be good.

Observations from Operators:

- None of these comments are surprising.
- Regarding wildlife, industry does not allow hunting on their properties, so the wildlife go there because it's safe.
- In terms of economic benefit, it's important to recognize that aggregate consumption is 12 to 15 tons per person per year.
- The gravel industry operators are like grocery stores. We locate where the markets are and where the consumers are. It makes sense to deplete a resource close to an area of consumption and then go to more remote areas. It's not fair to push the issues on to somewhere else.
- An operator asserted that aquifers have no risk from gravel operations.
- The cost for regulating is not a problem. Industry would not find that a problem. There's plenty of money in the CAP levy and regulation would be beneficial.
- There's been 30 years of strife in the County regarding gravel. Wouldn't it be nice if it was done? Industry wants to do better. Obviously, the county must do more and we're not afraid of that.

- In general, we must find a balance between gravel extraction and the needs and wants of residents, and then be able to coexist. This operator respects the perspectives that have been expressed. There is a question of transparency in the industry.
- There are different regulatory responsibilities. Alberta Environment has control over the environment. Alberta Transportation has responsibility over traffic, Alberta Health has responsibility on health issues and OH&S regulates workplace safety. There's a sense that these jurisdictions aren't doing their job. We don't seem to have faith in those jurisdictions.
- Regarding the resource: It's important that we be able to get in and remove the non-renewable resource. Don't we have a responsibility for the whole community beyond Rocky View County?
- All the issues raised are valid. Pushing gravel extraction to other areas won't solve them – these same issues exist everywhere.
- Regarding technical studies: It was noted that a biophysical assessment may indicate that gravel development will not have a impact to wildlife, which doesn't mean that there is no wildlife in the area.
- We have to base decisions on science that we understand. We need experts in their fields.
- It was noted that using a third-party consultant to review technical reports can bring challenges.
- We need to use science to dictate what the issues are, the risks and the impacts.

Discussion on location criteria:

The group knows that this is likely a topic on which there will not be consensus, which is okay.

Chair's note: to recognize the varying points of view, remarks may be attributed to a landowner representative as 'LO' or to operators as 'OP'.

- OP. Location is different from east to west. In the east there are very shallow short-term deposits. It would be shortsighted to sterilize a non-renewable resource. It's responsible to develop a non-renewable resource before it's not available. Can we do a better job to reduce impacts? Yes.
- We need better mitigations and better communication.
- There would be arbitrary sterilization of resource is by saying that an operator can't be within specific setbacks.
- Can mitigation ever be 100%? A landowner pointed out that a German company entirely shrouds their operation. An operator noted that best practices can certainly be better in Alberta.
- A landowner pointed out that in some areas it's really a matter of costs, but that there is a lot of money in gravel. Operator noted that gravel is cheap in Alberta. The question was raised, what are the fundamental economics?
- LO. There is lots of gravel and it becomes a matter of costs. If we rolled back 50 years, we wouldn't be allowing strips of individual pits to operate for 30 years, period. Instead, there

would be focused, intensively developed and agglomerated development. There would be systematic extraction and intensive development. Like the Star Pit. It's important to consider the plan for the end use of pits and also to consider the highest and best use of the resulting end lands.

- LO. We don't want to sterilize 100% of the resource, but is it acceptable to sterilize some of it? The county needs an estimate of the gravel needed in the next 500 years. The County needs a long-term plan for aggregate development and good mapping. The goals in the ARP or the minimized impacts, while impacts vary. This landowner's point of view is that distance separation is the most effective mitigation.
- LO. Under existing operating conditions, there are impacts - that's a given. Some of the resource need to be sterilized.
- OP. There are further impacts the further out we go. Impacts such as greenhouse gases and time on the roads. We have to be careful of Nimbyism.
- LO. There could be gravel nodes and have agglomeration of development into certain areas with a very relatively short life extraction.
- LO. The original ARP had variable setbacks as long as there was unanimous consent with stakeholders. If industry internalizes the externalities.
- OP. Conflicts are experienced because of operations, not because of location criteria.
- LO. Does the county have a moral obligation to provide cheap gravel for the City of Calgary and to export gravel to the US? The ARP has to protect residents and has to protect environmentally sensitive areas. It's not fair to suggest that Rocky View County be a feeder station to supply the City of Calgary with gravel. Our job is to identify the areas of importance.
- LO. In some instances, mitigations are not possible.
- LO. Some potential locations are part of intentionally planned development by very large companies. The ARP should respect the intentional planning that's already been done by the County. OP disagreed with this point of view.
- Another point of view from a committee member was that the County should be careful about approving Country Residential in areas where there are known gravel deposits. It's important that the County coordinate their plans with the plans for aggregate.
- LO. Where there are already Country Residential designations, aggregate should not be allowed.
- Consensus that the Government of Alberta pit poses potential problems for the County.
- It was noted that the Committee should have a conversation about separation and enforcement and standards. Enforcements and standards are not a replacement for separation. If damage is done, enforcement won't be sufficient.

Human Health

- LO. Recognize that human health is an area for which Rocky View County needs to take leadership and set best practices. Should follow AHS guidelines and recommendations for dust levels and noise. It seems that Alberta doesn't have requirements that operators are required to meet, although there are federal standards. Recognized standards should be met.
- LO. Water, traffic, mental health and noise, and dust are the biggest concerns. With dust, we must know what's the risk and what's the concern. Lehigh Hanson report indicates that

mechanical forces can create silica dust, which can be a carcinogen, and it includes safety data for their employees. But what about dust clouds from gravel pits that affect residents? If the aggregate process can create dangerous dust, is it also dangerous for residents? To what extent is long term inhalation of gravel dust a problem for residents, what is the risk? The ASGA has a handbook on silica exposure. The Calgary Regional Airshed Zone (CRAZ) is a source of data. Does CRAZ monitoring cover this? Is there enough data?

- OP. There are jurisdictions that have more information. Dust is a concern for employees operating in a pit. The municipality has a role in monitoring.
- OP. There are certain levels of exposure to dust. We don't know what it is. Is it the same as a dusty gravel road?
- OP. The County has access to certain information on this.
- LO. Is there a specialist who may step into the regulatory role who can provide insight to the ARP before it's cast in stone? Health concerns should have a high prioritization. This is something to get educated on.

Vision Statement Feedback.

The Advisory Committee was asked to provide feedback on the following Vision Statement that was include in the Aggregate Terms of Refences.

"The County shall support environmentally sensitive and sustainable aggregate development to meet local, regional, and provincial resource needs, in a manner that balances the needs of residents, industry, and society. Through the establishment of performance standards, and the guiding of new aggregate development towards appropriate locations, the potential for adverse impact on existing residents, adjacent land uses, and the environment will be minimized."

The following points were made:

- Some don't agree with the need to look at regional and provincial needs in the county's vision statement for aggregate.
- There are questions about what 'appropriate' means in terms of location. That needs to be defined.
- 'The County shall support'. This statement was questioned because there is a concern that earlier versions of the ARP are too supportive of industry. Is this really the intention of the vision statement?
- What could be included is something that's along the lines of, 'The county recognizes its responsibility for active management and regulation of aggregate development in the County'.
- Perhaps include something about intentional development of aggregate. And minimizing the potential for conflict.

Recommendations:

The Committee reviewed their draft consensus points.

The following are the consensus points from the December meeting, updated with the feedback from committee members.

1. That the County prepares a comprehensive, independent, objective assessment of the costs and benefits and net economic impact of aggregate development. Consider costs to the environment and the costs of monitoring, enforcement, legal should be included.
 - Landowner committee members believe it's important to know if the industry is a net benefit or a cost to the County. The County should know if there is County benefit from the development of the resource.
2. That the County prepares the best possible mapping of aggregate resources to guide development.
 - There is not agreement between industry and landowners about supply and location of aggregate resources.
 - There should be informed decision making for directing development.
 - Operators believe that the current aggregate potential map exaggerates the supply in the County.
 - The whole County would not necessarily need to be mapped.
3. That the County accepts its role as an active regulator of aggregate operations and no longer responds on a complaint related basis. This would include clear performance standards, responsible monitoring, strict compliance, and enforcement.
 - Regulation makes the industry better.
 - Industry supports this and states that it would be good to have the County's role include accepting complaints, resolving disputes, regulating and reporting. There should be a transparent complaint process.
 - The County needs to have the technical knowledge to evaluate reports, and a bylaw person who can do on-site evaluations.
 - People want confidence that the resource is well managed. A County person could work with landowners to assist them in interpreting data from aggregate operations.
 - The County can fund a regulatory regime through fees to operators.
 - The County should look at other aggregate regulatory models.
 - The County has the opportunity to be a leader and a stable supply chain of aggregate development.
 - Could the County strive to be the regulatory jurisdiction for aggregate development that other jurisdictions would want to emulate?

Regulation:

4. That the County ensures that the standards that would be in place are actively evolving with the worldwide development of the industry and the impacts on residents.
 - To stay current.
5. The committee recommends that the County apply prescribed performance standards and prescribed monitoring.
 - Industry welcomes more noise monitoring and the use of real information, not just modeling.
 - In addition, monitoring information should be easily accessible. This would provide more transparency. Complete data will reduce mistrust of the industry.
6. That there are provisions for independent inspections and expert review of operator reports and that these reports are easily accessed by stakeholders through the County.
 - This is part of the regulation model.
7. County pits should follow the same requirements for operation and reclamation as private operators.
 - This would show respect for landowners of RVC.
 - County should be held to the same high standards as private operators; it would be hypocritical if they weren't. It's the right thing to do.
8. The County should use whatever means it has to encourage provincial aggregate operations in the County to follow County standards for operating and reclamation.
 - There should be a moral obligation to follow local standards.
 - LO. Perhaps require contracted operators who extract from provincial pits to follow county standards when they are operating in those provincial pits. This would be a requirement for those same operators to be considered eligible for operating in private pits in the county.
 - OP. This would not really be fair to industry. When operators have their permit conditions, they operate to those conditions. The operator is not sure about this and questioned whether the practice would be legal.

9. Subject to an enhanced aggregate regulatory regime, the county could consider using a streamlined approach for pit renewal applications for companies that have a good compliance record and where there are no concerns from affected stakeholders.
 - This could be like a Nexus reapplication where the re-applicant is not required to participate in an interview.

Stakeholders:

10. That the County have a defined stakeholder engagement process for industry to follow. Make the process open, engaging, inclusive and solution focused. Encourage development of relationships and trust for landowners and industry. The Alberta Energy Regulator industry stakeholder requirements in the AER Guide 56 could be a helpful resource.
 - Stakeholders should be defined. LO suggests that that a wider group of people and interest groups be considered as stakeholders. Who defines an affected Stakeholder or an interested parties? There could be a process whereby certain groups can register to be notified as an interested party within a certain area. It's recommended that the County established this process for gravel developments.
11. The current ARP is a complex technical and not user-friendly document. Landowners want to be able to understand processes and requirements. The Committee recommends that a separate reader-friendly and educational ARP document be prepared for a non-industry reader.
12. The Country and the Province have distinct roles and responsibilities for aggregate. Provide clear information for interested parties about both the province's and the County's roles in aggregate applications, compliance, and enforcement. There's an opportunity for a preamble that would define what the county has responsibility for in terms of aggregate development. It should also point out that the county is ultimately responsible for day-to-day aggregate operations.
13. That the County accesses an up-to-date inventory of environmentally sensitive areas. The committee understands that the CMRB is undertaking this work, and the information will be available to the County.
 - It's recommended that the County engage environmental experts to assess ESAs and understand the AT interaction with surrounding environment, including wildlife corridors.
14. That the ARP have a neutral and balanced tone.
 - Landowners feel the tone of the current draft ARP reads as promotional and supportive of industry. The committee recommends a more neutral balanced tone, clear and concise language, and objective information.

- This would be helpful in reducing the skepticism that many residents have about the County and the aggregate industry.
15. Provide clear, accessible, understandable information for stakeholders when they are concerned and affected by a bylaw related to aggregate.
- The world of bylaws is complex. There's a lack of trust. Better information could open the doors of understanding so that the whole process is not caught for confrontational. Information can be quick, concise, and clean. Not everyone can understand the complex 'wherefores and whys' of bylaw language. People often just give up and get frustrated and angry.
16. Find a way to eliminate the sense of bias in expert reports.
- One way would be to provide intervenor funding. Committee members don't want to see just a checklist of reports, they want to get past this. Intervenor funding provides a sense of objective review of the technical reports of industry.
 - Currently, administration can only look at information provided by the proponent, and council receives a lot of information prior to a hearing and in a short period of time. Administration has to have the ability and the expertise to review proponents' reports. For example, the county does not have an acoustical engineer. Ensure that Administration can access objective, independent expert advice in their review of proponents' technical information in applications. Also, that administration will show how this objective information was considered in their recommendation to Council. The reason for this is to increase public confidence in council decision making and also to increase Council's confidence in the decisions that they're making.
 - Right now, administration reviews applications against policy. It's recommended that they separate policy assessment and the technical review.
17. Determine how the County can optimize the revenue from CAP levies. One County uses an advisory committee to provide recommendations on how the funds can be used.
- A recommendation is that the County explore sources of funding available to the County to fund the recommendation for reaggregate regulation and enforcement.

Human Health, Traffic, Environment

18. Define cumulative effects clearly. Identify what's required, what the thresholds are, and what the County requirements are. Cumulative effects are a significant concern to residents, but reference to them in the current ARP is scarce. Cumulative effects includes air quality, dust, noise, traffic, and groundwater.
- Cumulative effects need study and analysis as to how they can be measured and attributed. It should be a mandatory requirement for an application. This is a significant concern to residents especially in areas where there are multiple pits

operating. It's important to landowners that cumulative effects are understood and are taken into consideration for pit approvals. It's also important to know where and when there may be exceedances and how that will be enforced.

- Also, valued components need to be identified. Certain things get scoped out for consideration, and that there's a lot of discretion in the current application process. Pay attention to the South Saskatchewan Land Use Framework. Study the cumulative effects of multiple operating pits.

ARP Engagement

- LO. It's important that the County consider the engagement and feedback that was provided after the last draft and before the stakeholder committee.
- It's safer to over consult rather than under consult.
- A first round of consultation could be validating the recommendations of the Committee.
- There is a lot of consultation going on for other County projects, too. i.e. the MDP and other ASPs. Ensure that ARP consultation is separate from that.
- Consultation needs will vary throughout the County.

Next Steps:

- The Committee Chair to draft the Committee Report, which will summarize the Committee process, Committee members' views on gaps in previous ARP, Consensus recommendations from the committee (and why), areas where consensus was not reached but which committee members feel are important for council to consider (and why), and recommendations on public consultation.
- Committee members will review the draft report and provide comments, likely through an online meeting.
- The Committee Report will be provided to Council prior to March 1, 2024.