

May 3, 2011

Report on Extension Request for Highlands Company

It is not my intent or desire to dwell on this but I would like to clarify what transpired.

I received an e-mail from Richard Linley a senior policy advisor for Minister Jeffrey late Tuesday April 26th asking for contact numbers where I could be reached that evening. I provided them about 6 p.m.

About 8 p.m. Minister Linda Jeffrey called my cell phone and asked if I had a minute to talk. Granted I was a bit surprised at the call. She said "I am only calling you and Sylvia Jones tonight to advise you the FORMAL commenting period on the Highland Company license has been extended 75 days (actually 76) until July 11, 2011. " "We have also filed information on the EBR at five o'clock tonight".

I quickly thought it was a good compromise particularly after my letter to the Premier on April 19. I thought 75 and 45 equal 120 and they could say "well we gave them 120 days".

To me the FORMAL commenting process is under the ARA. The Environmental Registry is a place for comments that will be considered but does not involve the proponent.

On Wednesday Morning I was at the Township office and after checking with the MNR it was determined that only the EBR commenting time had been extended. I called the Minister and left a message and sent an e-mail as well. About 5 p.m. on Wednesday I received a call from Brett Thalmann another senior policy advisor, that he would "clarify" the Ministers comments. He said he would put the comments in writing to me on Thursday. He did not. I called Friday morning, left a message. I heard nothing so I called Monday morning. Tuesday May 3, I received the attached letter from the Minister.

As well all know there was considerable press over the weekend about the extension. The fact is that there is an extension. The comments will be considered in the decision. In the event there is an OMB hearing "the Ministry will ensure that the comments received through the Environmental Registry are provided to the Ontario Municipal Board for its consideration".

I apologize for the fact I advised the ARA had been changed.

Submitted,

Bill Hill

Mayor

Questions regarding the Highland Companies Application and the ARA/EBR Commenting Period

Question asked by CAO Denise Holmes in Blue Font

Answer by Craig Laing, MNR in Red Font

“If people respond with comments on the Highland Applications between April 27th and July 11th, will those comments form part of the “package” if this application goes to the OMB?” We understand that the Ministry will be reviewing all of the letters received? The comments received on the Environmental Bill of Rights Registry will be forwarded to the OMB should the application be referred to the Board. We here at the Ministry will download the comments and undertake a review of them.

And, “If a person has commented before the April 26th deadline and they feel that they would like to add something to their comments or forgot to put something in, will they be given an opportunity to do this because the letter was in before the deadline?” As a result of the filing of an objection, the applicant is required to respond to the objectors explaining what, if any, action has been taken to resolve their concerns. (This process is outlined in the Provincial Standards.) The objectors by turn, are required to respond indicating whether they are now satisfied or wish to proceed to the OMB with their concerns. (I am not sure when Highland will undertake this process, only that they have 2 years to do so.) It is at this point I would suggest that objectors enhance their concerns. I can assure you that given the mail we have received, it would be hard for me to imagine anything about this application that has not been brought to our attention by someone. It would be awfully difficult to track additional comments at this point.

Also, it is my understanding that the OPA and ZBL will be out for comment if not now then soon. Folks will be able to comment and object to those documents as well.

Finally, there is no doubt in my mind that this application will be before the Board unless Highland withdraws. Anyone who would like to add to their objection or indeed file an additional objection can do so when the hearing is convened. The Board is very patient about making sure that everyone is heard.