

## **Environment wins over mining Permit Denied for Quarry at Mellon Lake Conservation Reserve**

The Minister of Natural Resources (MNR) has denied a permit for a controversial quarry that was proposed for the Mellon Lake Conservation Reserve.

"The Minister has done the right thing for the environment in denying the permit," said Evan Ferrari, Director of the Parks and Protected Areas program at CPAWS Wildlands League. "The environmental impacts would have been significant if the quarry had proceeded," he added.

"The Minister has made clear that he is moving away from the tradition of granting quarry licences even where important environmental features are put at risk," said Albert Koehl, a lawyer with Sierra Legal Defence Fund. "This bodes well for our collective future."

"This is a great day for the Mellon Lake environment. We can now breath a sigh of relief knowing that this Conservation Reserve is finally protected" said Lyn Sparling of No Quarry @ Mellon Lake.

The Conservation Reserve has been threatened by mining activity since it was first designated under the Lands for Life process in 1999. The Minister's decision signals a new approach under the act whereby the public interest is seen as including environmental protection. The environmental groups were advised that the Minister's decision was based on the view that environmental concerns outweighed economic interests. The groups are confident that the Minister's decision will put an end to any further applications for quarry permits given the sensitivity of the area.

Situated north of Napanee on Highway 41, the reserve protects a number of rare or significant species including: the Little Prickly Pear Cactus, Prairie Warbler and the Five-Lined Skink. In 1983 the area around Mellon Lake was identified as a provincially significant Area of Natural and Scientific Interest (ANSI). (See attached backgrounder). A mining claim was staked by a Concord Ontario company after the conservation reserve was created in March 1999, in spite of the ecological importance of the site.

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## **Mellon Lake Conservation Reserve**

**1983.** The area around Mellon Lake was identified as a provincially significant Area of Natural and Scientific Interest (ANSI). This was done largely due to the presence of prickly pear cactus and other rare species in the area. This designation was formalized in the 1983 Tweed District Land Use Guidelines of the Ministry of Natural Resources.

**October 1998.** Lands for Life consolidated recommendations of the Boreal West, Boreal East and Great Lakes-St Lawrence Round Tables identified Mellon Lake as a new conservation reserve and described area C-14 as a special study area but with a 'decision deferred' status.

**March 1999.** Conservation Reserve candidate lands staked under a prospectors license (323 ha) issued under the Mining Act. Two other sections of the candidate Conservation Reserve are also staked by the same company.

**March 31, 1999.** Mellon Lake Area designated as a Conservation Reserve (5, 440 hectares).

**Summer 1999.** A 36-hectare site was chosen for sampling and a permit to remove a bulk sample was issued by Ministry of Northern Development and Mines (MNDM).

A road was built across a portion of the Conservation Reserve, without a work permit under the Public Lands Act. The access road meets Highway 41 at a blind curve. The area has been posted with No Trespassing signs even though this is Crown (public) land.

**March 23, 2000.** Application for an aggregate permit submitted. The applicant intends to remove 'dimension stone' in 20 tonne blocks, which will be shipped to Italy for processing. The applicant also wants to remove stone for aggregate (gravel). The area is made up of granitic gneiss.

**Spring 2000.** Evidence of oil being spilled on site.

**July 7, 2000.** Deadline for public comment on aggregate permit. Over 250 submissions submitted opposing mine proposal, including PPL, local citizens, municipal government and others.

**July 2000.** Large amount of local media coverage highlighting concerns of residents about proposed mine.

**February 2001.** Natural Resources Minister John Snobelen turns down application from company to proceed to full production. However, company says it will re-apply for a permit for full-scale mining.

**April 2001.** Company re-applies for aggregate permit. *Aggregate Resources Act* puts no limit on the number of times the company can re-apply.

**July 1, 2002 .** MNR issues permit for mining but limits area and adds other restrictions to approval. Company refuses to meet conditions and walks away from permit.

**February 2003.** Company applies for the third time for a permit. New proposal covers slightly larger area than 2002 proposal.

**May 10 2005.** Minister denies aggregate permit on environmental grounds.

For more information:

<http://www.wildlandsleague.org/mellon.html>