

RM ZONING DECISION SHEET

MINERAL EXTRACTION APPLICATION

1. Any extraction of mineral resources such as clay, sand, gravel and topsoil, and including associated storage, stockpiling, crushing, washing and similar operations and facilities, is a discretionary use and shall require development approval of Council.
2. Owners of existing site(s) shall remedy, to Council's satisfaction, any problems regarding the existing site(s) and operations prior to receiving a new mineral extraction development permit.
3. Require a fee of:
 - discretionary accessory use \$30
 - discretionary principal use \$35
 - all costs associated with the preparation, advertising and distribution of the notices stated in section 4 to be prepaid as follows:
 - ◆ \$1.00 for every separate property that abuts the subject property
4. Municipality to give notice of the Council meeting review. Notice shall describe:
 - the discretionary use applied for
 - the location of the discretionary use applied for
 - the date, time and location of the meeting at which Council will review the discretionary use application
 - notice shall be mailed to all assessed owners of abutting property
 - notice to be postmarked at least 3 weeks prior to meeting date
5. Council shall require the following reports to address environmental, operational and reclamation concerns and propose measures to mitigate negative impacts:
 - description of site development, operation phasing, effects on municipal roads
 - geotechnical details such as soil characteristics, slope stability, etc.
 - hydrological details such as aquifer testing, pollution prevention, affects on groundwater and local water supplies
 - description of progressive and final site reclamation and decommissioning
6. Mineral extraction developments are subject to the following standards:
 - a) **No excavation or stockpiling** shall be permitted **within 215 m of any residential site** unless an agreement to reduce separation is obtained.
 - b) **No excavation, stockpiling or structures** shall be permitted **within 46 m. of the centre line of any highway or municipal road, or municipal right of way, or within 6 m. of any site line** not adjacent to a highway or municipal road or municipal right of way.
 - c) No material is to be stored or piled on any road allowance or within 30 m. of the bank of any river or watercourse or the shore of any water body.

- c) The owner of the land and the mineral resource extraction operator **shall be required to enter into a mineral extraction agreement and a restoration agreement** with the municipality, subject to the following:
- d) The mineral extraction agreement and restoration agreement referred to in (c) above shall be based on a **detailed restoration plan, which must be submitted to and approved by the municipality**. The following guidelines shall be followed in the preparation of a restoration plan:
 - i) An appropriate and productive after use of the disturbed site including smoothing and contouring slopes, restoring subsoil and topsoil, and revegetating.
 - ii) Restoration should be recognized as an integral part of extraction, and should be included in pre-excavation planning. As part of this process a practical after-use should be selected as early as is possible. The municipality should undertake this planning jointly.
 - iii) Progressive restoration, in which depleted sections of a pit are restored while extraction is ongoing in other sections of the same pit, is encouraged, particularly for large pits.
 - iv) It may be advisable for the operator to delay intensive restoration or designation of any unusual or highly specialized after-use until final agreements are reached. This does not reduce the necessity for basic environmental protection and restoration during excavation. **Similarly, progressive restoration should not be delayed where the designated after-use does not require intensive restoration (e.g. an unimproved wildlife area).**
 - v) Rehabilitative earthwork normally should include the covering of bare rock and subsoil. **Nonusable or nonsalable materials**, including overburden, screenings and rocks, should be **placed in the pit bottom**. **Recontoured slopes** generally should be **no steeper than 4:1**.
 - vi) **Topsoil should be applied** to newly recontoured slopes to a **minimum depth of 5 to 10 cm**.
 - vii) **Revegetation as soon as possible following recontouring** (Grasses are usually the best species for doing this).
 - viii) Underwater slopes should have a gentle grade.
 - x) **Restoration normally should be finished within three years of completing excavation**.
- d) The resource extraction operator and any person who hauls the aggregate shall be **required to enter into a road maintenance agreement** with the municipality.

- e) The mineral resource extraction operator **must report the amount of aggregate extracted by December 15 of each year.**
- f) **Council shall require** the mineral resource extraction operator to provide a **performance guarantee**, subject to the following:
 - i) The guarantee shall be in the amount of a **minimum of \$5,000 for the first two (2) ha or portion thereof** of the area disturbed by the operation (including the area disturbed by excavation, stockpiling, overburden and debris storage and on-site access / haul routes) and **\$1,000 for each additional 0.4 ha or portion thereof.**
 - ii) The guarantee may take the form of cash, performance bond, irrevocable letter of credit or other form acceptable to Council.
 - iii) Guarantee to remain in effect for six months beyond the termination of mineral extraction, restoration and road maintenance agreements.
 - ix) Any performance bond which forms a part or all of the performance guarantee shall be renewed thirty (30) days before its date of expiry. Failure to provide written confirmation of renewal may lead to the municipality requiring a payout of the performance bond.
- g) **An approval of a mineral resource extraction development shall be for a maximum period of two years and may be renewed at the discretion of Council.**