



Fisheries and Oceans
Canada

Pêches et Océans
Canada

RID # 110

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Your file *Votre référence*

Our file *Notre référence*

June 20, 2003

Mr. Chris Daly
Nova Scotia Department of Environment and Labour
5151 Terminal Road, 5th Floor
Halifax, NS
B3J 3B7

Dear Mr. Daly:

RE: Whites Point Quarry and Marine Terminal - Environmental Assessment

I am writing to update you on Fisheries and Oceans Canada (DFO) review of the proposed Whites Point Quarry and Marine Terminal, proposed by Global Quarry Products (GQP).

DFO has determined that due to the need for a *Navigable Waters Protection Act* Ss. 5(1) approval, the terminal portion of the project will require an environmental assessment pursuant to the *Canadian Environmental Assessment Act (CEAA)*. The type of assessment required on the terminal is a Comprehensive study, pursuant to the *CEAA - Comprehensive Study List Ss. 28(c)* - marine terminal designed to handle vessels larger than 28,000 DWT.

On May 29, 2003, DFO advised GQP in writing that blasting as described in the blasting plan for a 3.9 ha. test quarry submitted November 18, 2002, by Nova Stone Exporters would require a *Fisheries Act* S. 32 authorization to destroy fish by means other than fishing. DFO is conducting discussions and field work of the overall 155 ha. quarry proposal to determine if it requires approvals under Ss. 35(2) or S. 32 of the *Fisheries Act*. Authorizations under either of these sections of the *Fisheries Act* necessitate an environmental assessment under *CEAA*.

In light of the information provided by GQP, DFO believes that the Whites Point Quarry and Marine Terminal Project as proposed is likely to cause environmental effects over a large area on both the land and marine environments.

Mr. C. Daly


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For that reason, we are looking at all environmental assessment options, including referring the project to the Minister of the Environment for a Panel Review under *CEAA*.

In the context of harmonizing the provincial and federal environmental assessment processes for this project, and prior to finalizing a decision on the scope of assessment, I am interested to know if your Department would be interested in participating in a joint review panel of this project.

Sincerely,


Paul Paul Boudreau
A/ Division Manager
Habitat Management Division

cc: Bruce Young
Bill Couiter