



Urgent
 Information
 Please Reply

Department of the Environment
 Environmental and Natural Areas Management Division

FAX

DATE: December 10, 2002

TO: Mr. Paul Buxton

FROM: Helen MacPherson

FAX: (902) 638-3522

PAGES: 6 (including this one)

RE: Nova Stone's Proposed Quarry Expansion on Dybb Neck

COMMENTS:

Original letter to follow in the mail.

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PO Box 607
Halifax, Nova Scotia
B3J 3B7

Tel: (902) 424-2581
Fax: (902) 424-0503
E-Mail: EA@gov.ns.ca

F. Helen MacPhail
Environmental Assessment Officer

Our File no.: 40100-34-70

December 10, 2002

Mr. Paul Buxton
PO Box 98
Annapolis Royal, NS
B0S 1A0

Dear Mr. Buxton:

This letter is to let you know that last week staff from the Environmental Assessment Branch met with federal authorities to discuss Nova Stone's proposed quarry expansion on Digby Neck, Digby County as described in your fax of September 30, 2002.

During the meeting it became clear that in order for provincial and federal authorities to determine the level of environmental assessment triggered by this project and to discuss environmental assessment coordination, a more detailed project description will be required. A copy of the Canadian Environmental Assessment Agency's Operational Policy Statement is attached to help you in the preparation of this project description.

In the meantime, it was felt that it would be useful for us all to meet as a group to discuss the project and its requirements. Please call me as soon as possible at 902 424-2581 so that we can make arrangements for this meeting.

Yours truly,

F. Helen MacPhail

F. Helen MacPhail
Environmental Assessment Officer

FHM

Encls.

cc: C. Daly, NSDEL
W. Coulter, CEAA
B. Jeffrey, EC
R. Sweeney, DFO

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Canadian Environmental
Assessment Agency

Agence canadienne
d'évaluation environnementale

Operational Policy Statement

August 2000

OPS - EPO/5 - 2000

Preparing Project Descriptions under the Canadian Environmental Assessment Act

1. PURPOSE

This Operational Policy Statement by the Canadian Environmental Assessment Agency (the Agency) is intended to provide guidance for proponents and federal authorities in preparing descriptions for projects¹ that may require assessment under the *Canadian Environmental Assessment Act* (the Act).

The need for guidance arises from concerns that, in the past, incomplete or unclear project descriptions have led to delays in response by federal authorities and to lack of coordination among various federal and provincial authorities. Effective project descriptions bring greater efficiency and predictability to the federal environmental assessment process by clarifying early on whether a federal assessment is required, identifying which federal authorities are involved and reducing the likelihood of

costly delays as federal authorities seek further information from the proponent.

The information requested in this policy is only intended to determine whether the projects require assessment under the Act. The guidance provided here supplements the more general guidance for proponents and federal authorities found in the Reference Guide on the Federal Coordination Regulations (available on the Agency Web site: www.ceaa.gc.ca).

2. ROLE OF PROJECT DESCRIPTION

A project description has two important functions in the federal environmental assessment (EA) process

2.1 To Determine Need for an Environmental Assessment

Under the Act, an environmental assessment is required when a federal authority has certain decision-making responsibilities for a proposed project. The Act is triggered when a federal authority:

¹ Undertakings in relation to a physical work under the Act, the proposed construction, operation, modification, decommissioning, abandonment or other undertaking in relation to that physical work; or certain activities listed in the Act's *Inclusion List Regulations*.



Environmental assessment ...
Before you decide

Canada

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A project description based on this Operation Policy Statement does not, however, preclude a federal authority from requesting additional clarification of the information from a proponent in order to determine if a federal authority has a decision-making responsibility for the project.

Information disclosed through a project description to the federal government, including confidential information, is given the same protection under section 55 of the Act as under the *Access to Information Act* (ATIA). Information identified as being protected under the ATIA, and thus not for public consumption, is also protected under section 55 of the Act. This information would not be part of the Public Registry.

4. SUBMITTING THE PROJECT DESCRIPTION

Proponents are encouraged to submit a project description once the essential details are known, with any gaps or uncertainties in relation to project details identified.

The project description should be submitted to a federal authority likely to require an environmental assessment under the Act. Detailed guidance on identifying federal responsible authorities and applicable federal legislation and regulations is provided in Appendix 3 of the *Reference Guide on the Federal Coordination Regulations*.

Should proponents be uncertain as to the federal authority most likely to be involved, they should contact the Agency which will assist them in identifying the appropriate authorities for submitting their project descriptions.

For complex projects, the Agency will provide additional assistance to proponents, such as helping them navigate through the federal EA process. In these cases, proponents could submit their project description directly to the Agency which will then ensure that it goes to the appropriate authorities.

Table 1: Sample Outline of a Detailed Project Description (continued)**(2. Project Information cont.)****Project Activities**

- the construction, operation and decommissioning phases, and the timing and scheduling of each phase
- schedule (time of year, frequency, duration, magnitude and extent of activities)
- site plans/sketches with project location, features, activities on map
- engineering design details (when applicable, e.g., temporary diversion works, dam) and
- identification of requirements for off-site land use.

Resource/Material Requirements

- the production process(es) to be used in the project
- the project's raw materials, energy and water requirements and sources, including associated infrastructure (such as access roads and pipelines)
- excavation requirements and quantity of fill added or removed and
- identification of any toxic/hazardous materials to be used or by-products of the project.

Waste Disposal

- the nature of any solid, liquid or gaseous wastes likely to be generated by the project, and of plans to manage these wastes and
- disposal procedures for any toxic/hazardous materials to be used or by-products of the project.

3. Project Site Information**Project Location**

- the location of the project, including a legal land description or geographical coordinates (latitude/longitude or UTM) and
- a map indicating the location of the project including the project site, the site layout of the main components of the project, and the environmental features in the area that could be affected by the project.

Environmental Features

- a summary of the physical and biological components in the area likely to be affected by the project, such as terrain, water, air, vegetation, fish and wildlife (including migratory birds)
- information on whether the project may affect fish and fish habitat, and navigable waters (see section 4) and any unique or special resources not already identified.

(continues next page)

For more information on this Operational Policy Statement or on the requirements of the Act, please contact the Agency office nearest you.

Head Office

Hull, Quebec
(819) 997-1000 (819) 953-2891 (Fax)
E-mail: info@ceaa.gc.ca

Regional Offices

Pacific and Northern, Vancouver
(604) 666-2431 (604) 666-6990 (Fax)
E-mail: CEAA.Pacific@ceaa.gc.ca

Alberta, Edmonton
(780) 422-1410 (780) 422-6202 (Fax)
E-mail: CEAA.Alberta@ceaa.gc.ca

Prairie, Winnipeg
(204) 983-5127 (204) 985-7174 (Fax)
E-mail: CEAA.Prairies@ceaa.gc.ca

Ontario, Toronto
(416) 952-1575 (416) 952-1573 (Fax)
E-mail: CEAA.Ontario@ceaa.gc.ca

Quebec, Quebec
(418) 649-6444 (418) 649-6443 (Fax)
E-mail: ACEE.Quebec@ceaa.gc.ca

Atlantic, Halifax
(902) 426-0564 (902) 426-6550 (Fax)
E-mail: CEAA.Atlantic@ceaa.gc.ca

Availability of Documents

Documents can be consulted on the Agency's Web site:
www.ceaa.gc.ca

Documents are also available by contacting:
Canadian Environmental Assessment Agency
Information Services
(819) 994-2578
(819) 953-2891 (Fax)