

Conf Call re: Digby Quarry

Apr 25, 2003.

Joan Leadbetter, Joan Ross, Richard, Mei.

- Richard got call from Agency yesterday w/rt Phil's letter

- re: MOU + decision on scope of project

- CEA Agency feels this will go to a panel + they

- Joan never said ~~the panel review~~ <sup>Minister's Review</sup> to have said public review - meaning consultation

380 at Treasury. <sup>No DFO trigger</sup> might essentially have to dissent a week which would require an authorization 10-12 yrs away - not certain.

Joan - re: MOU - ~~Staff~~ <sup>Staff</sup> Coulter + Jean Blane were

involved in discussion - <sup>Bruce Young told Richard</sup> MOU is only for Panel -

never had MOU for CSR. <sup>Agency thought not u.</sup> I would reply that

the promise Co-owns the CEA process - They don't. Agency has been having problems with

NS on harmonization accord. CEA staff would know this so why did they promote MOU?

we should scope to terminal - run trigger.

- if we include the quarry in the agreement it implies that we are

approving the quarry after the agreement <sup>DFO</sup> if it went to panel. EC would have to make decision on scoping.

- what does Richard tell agency this morning

- Joan still confused about why not scope in terminal if we look at birds etc

- Richard scope to run trigger re: determining scope of project

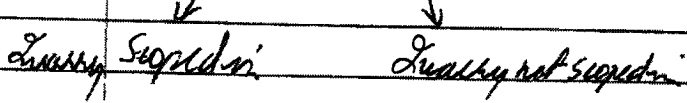
we have no authority to do this.

- we have NWPA, FEA + S.35 + probably S.32 trigger for major terminal but not trigger for quarry i.e. limit scope of project to terminal
- ask question - could project component exist without DFO approval - if "NO" then its our business + scope it in. IF "yes" its someone else's business + don't scope it in.
- Jim is going to talk to Phil Monday + get back to Richard
- Richard is going to talk to Bruce Young today + explain situation + that scoping not finalized

This is like the Hill where DFO trigger was S.35 for realignment of a stream but we scoped in things too + were making decision on effects on basis of removing trees in study corridor. Judge ruled that we had no regulatory authority over the highway + therefore were abusing the CEAA process.

- Shouldn't be scoping things in to satisfy public or other agency pressure.

- Pulled the Thurston Quarry note as well from audit explains why the scoping was done differently in Digby + Thurston



REDACTED

Paul cellphone (902) 222-0685

Jim 902-426-6111

Chris Daly - Proc of NS.

Steve is concerned that DFO might not  
scope in the quarry because it is a hot  
file. The Agency  
if we scope in the quarry & it goes to  
court.

Thomas <sup>at Phil's</sup> giving out next week to do HADD  
determination.

- Richard Seaman - process - 213

- start as case study + refer to panel.  
Then Min of Env. determine scope + Min DFO is off hook.  
in last 1 1/2 yrs have refused 2 prop acts  
+ 1 Dev

SM - don't have to give a reason  
- Memo to Minister in letter attached.

\* Richard - we need to sit down w/ Agency first.

Pat

\* don't screw up on scope to please province  
- we will end up in court &

- shouldn't pursue blanket plan

- they are still going ahead w the  
test quarry

Paul What does the Minister want -

Richard - we should talk to Minister's staff.

Every time we scope broadly to  
accommodate someone else we get screwed.

We want to get our Minister off this file.

Opt 1

(1) if we stick to Corp study  
we need to determine if there is  
a trigger for quarry

(2) - Refer to Min of Env as Panel (preferred)

if we do CSR. Richard thinks that from well  
puppy bark on it unless should be the other  
way around

- Richard calling Bruce Young to probe.

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