

BILCON OF NOVA SCOTIA CORPORATION

November 21, 2007

By Courier

The Honourable John Baird
Minister of the Environment
Environment Canada
Gatineau, Québec
K1A 0H3

Rec'd - DCU - DOE

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Reçu UCM MDE

Dear Minister Baird:

Re: (Decision on Whites Point Quarry and Marine Terminal Project)

As the proponent of the Whites Point Quarry and Marine Terminal Project in Digby County Nova Scotia, we are writing to urge you to take a sufficient and reasonable period of time before making a determination about the fate of the Project.

Section 37(4) of the *Canadian Environmental Assessment Act* provides you must not take any course of action before the 30th day after receiving a Report such as the one submitted by the Joint Review Panel on our Project. Since the Report was issued on October 23, 2007 you must not make a decision until *at least* November 22, 2007. We point out, however, that this is the minimum period for consideration and deliberation and that *there is no set date by which you are required to render your decision*.

This is a complex and delicate matter that requires careful consideration on your part. There is a great deal at stake and there is no need to rush to judgment.

The Joint Review Panel Report is fundamentally flawed and is not based on sound science and facts. The Report does not apply the analytical framework established by the applicable legislation and guidelines, and makes far reaching recommendations that are well beyond the Panel's mandate. The Report ignores important information provided by Bilcon and adopts new rules and standards without providing any opportunity for Bilcon to respond.

In these circumstances, it would be entirely unfair to you, to Bilcon and to all Canadians to expect a just ministerial decision to be made without taking the time required for Bilcon to provide a response and for you to consider the full parameters of what is at stake. Yesterday, the provincial Minister of Environment and Labour made his decision to not approve our project without having afforded us an opportunity to discuss this matter. We urge you to take a more balanced and considered approach.

We wrote to the provincial Minister on October 29th, November 8th and November 16th of this year pointing out serious problems with the Joint Review Panel Report. We have enclosed



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these communications with this letter to you so that you will have an indication of the serious problems raised by the Report.

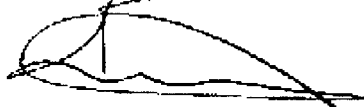
The Panel seems to have assumed that the Ministers will simply "rubber stamp" the Report, as it has failed to provide the customary recommendations for minimization of adverse effects and maximization of benefits in the event the project is approved by the Ministers. This unbalanced approach is contrary to the Panel's Terms of Reference.

We point out that you are neither required to follow the decision of the Nova Scotia Minister nor otherwise to "rubber stamp" this Report. If you reject this project an opportunity for significant job creation and economic infusion will be lost for Canada, a dangerous and inappropriate precedent for environmental assessments will be set, and a very negative message will be sent to the Canadian business community and to potential future investors in Canada.

Given that the Panel took months to provide its Report after lengthy hearings, it cannot be reasonable for you to respond with appropriate care and attention after only 30 days in light of the manifest errors in the Report and our need to correct the record. It is vital that you take your time to come to a balanced, well informed and fair decision. To this end, we urge you to meet with us and to hear our response before making a final determination.

Please let us know if and when we might have the pleasure of meeting with you to discuss this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Paul G. Buxton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Paul G. Buxton P. Eng.

Encl: