

Hood, Bruce

From: Zamora, Phil
Sent: December 16, 2003 1:47 PM
To: Hood, Bruce; Wood, Laurie
Cc: Potter, Ted; Wheaton, Thomas
Subject: Tiverton Quarry and Blasting Plan

Follow Up Flag: Follow up
Flag Status: Flagged

Attachments: Dear Mr Petrie.doc

Hi, Bruce, Laurie.

Would you please review the attached letter and provide advice. I offer the following points for your consideration:

- HMD is interested in being consistent in its decisions regarding blasting near the Bay of Fundy coast.
- Small Craft Harbours have proposed a project at Tiverton Harbour which will require large amounts of quarried rock from the Tiverton Quarry. Construction of the breakwater is proposed for December/03 to September/04 but the project is still under review by HMD.
- The Tiverton Quarry approval was issued by Nova Scotia Department of the Environment and Labour (NSDEL) to Parker Mountain Aggregates (approval # 2003-032388) on March 24, 2003. DFO reviewed and provided advice to NSDEL for this project and no CEAA trigger was identified. The approval is for two years ending March 24, 2005.
- NSDEL has a provision for amending the Tiverton quarry but will need a letter from DFO asking for the file to be opened for review.
- The potential effects from blasting near the shore line on inner Bay of Fundy Atlantic salmon came to light during the review of the Blasting Plan for the proposed 3.9 hectare quarry at White's Cove, Digby Co., after the Tiverton Quarry approval was issued.
- The proponent for the proposed 3.9 hectare Whites Cove quarry was given the option of 1) applying for a Section 32 Authorization or 2) submitting a revised blasting plan.
- For the 3.9 hectare Whites Cove quarry, blasting is proposed for 45Kg charge per delay with 35.6 meters setback from the Bay of Fundy. Dennis Wright (our explosive expert) has suggested a tripling of the minimum setback distance ($35.6 \times 3 = 106.8$ meters) and a reduction of the charge per delay for this quarry. (This decision came forward after discussions were initiated for a Joint Panel Review on Whites Point Quarry and Marine Terminal project).
- For Tiverton Quarry, blasting is approved for 86.67Kg charge per delay with 150 meters setback from the Bay of Fundy.
- The intent is to have the Area Habitat Chief send the attached letter to NSDEL as a first step in initiating a review of the Tiverton Quarry Blasting Plan to ensure consistency in the provision of DFO advice with respect to the protection of iBoF Atlantic salmon.

Thanks



Dear Mr
etrie.doc (14 KE)

Mr Bob Petrie, District Manager
Nova Scotia Department of Environment and Labour
13 First Street
Yarmouth N.S.
B5A 2S9

Dear Mr. Petrie:

RE: Tiverton Quarry

It has been brought to our attention that the assessment of the Tiverton Quarry project did not fully consider potential impacts on inner Bay of Fundy (iBoF) Atlantic salmon. The iBoF Atlantic salmon is listed endangered by the Committee on Status of Endangered Wildlife in Canada (COSEWIC) and included on Schedule 1 of the Species at Risk Act (SARA) that came into effect on June 5, 2003. It is important to note that SARA will enter into Phase 2 (coming into force of the prohibitions and enforcement provisions) on June 1, 2004.

DFO recommends that the blasting plan for this quarry operation be reviewed with full consideration given to this endangered species and the prohibitions and enforcement provisions under SARA. DFO is prepared to participate in this review and comment on any potential adverse environmental effects the blasting plan may have on iBoF Atlantic salmon. If, after this review, your department feels that the approval that has been issued by your office should be amended to take these potential effects into consideration, please notify this office of the changes.

Sincerely,

Thomas Wheaton
Area Habitat Chief
Southwest Nova Scotia