
Whites Point Quarry and Marine Terminal, Digby County

Issue:

- On October 22, 2007, the Joint Review Panel submitted its report to the Minister of Environment and Labour and the Minister of Environment for Canada.
- The Panel's primary recommendation to the Minister of Environment and Labour is to reject the project.

Key Message:

- The Ministers will review the panel's work carefully before making a decision.
- The Minister will release his decision on the project later in the Fall.

Background:

- Both a provincial and federal EA are required for the proposed quarry and marine terminal construction at Whites Point on Digby Neck.
- On October 22, 2007, the Joint Review Panel submitted its report to the Minister of Environment and Labour and the Minister of Environment for Canada available at www.gov.ns.ca/enla
- **The Panel's primary recommendation to the Minister of Environment and Labour is to reject the project.** The Panel considers the Project to be inconsistent with many government policies and principles at local, provincial and national levels. The Project does not make a net contribution to sustainability and is likely to have a significant adverse environmental effect on the people and communities that comprise Digby Neck and Islands, which are without doubt integral, essential and valued components of the environment.
- **The Panel recommends that the Province of Nova Scotia develop and implement a comprehensive coastal zone management policy or plan.** The Panel found provincial departments in NS differ in the priorities they set for the coastal zone, thus contributing to uncertainty for communities and investors about what kinds of uses should be permitted.
- **Because of the special issues associated with coastal quarries, the Panel recommends a moratorium on new approvals for development along the North Mountain until the Province of Nova Scotia has thoroughly reviewed this type of initiative within the context of a comprehensive provincial coastal zone management policy and established appropriate guidelines to facilitate decision-making.** The Panel believes that Nova Scotia needs to consider how it will address proposals for coastal quarries while achieving the range of values that Nova Scotians believe are important in the coastal zone.

- **The Panel recommends that the Province of Nova Scotia develop and implement more effective mechanisms than those currently in place for consultation with local governments, communities and proponents in considering applications for quarry developments.** The Panel believes that the Nova Scotia economy requires that aggregate resources continue to be available when and where they are required, but fairness suggests that municipalities and community members have the right to participate in determining how that is achieved
- The Panel believes that current policy facilitates "quarry creep", the incremental expansion of small quarries to larger ones. **The Panel recommends that the Province of Nova Scotia modify its regulations to require an environmental assessment of quarry projects of any size.**
- Two additional recommendations are directed at the federal government; one regarding a guidance document for the application of adaptive management and another for Transport Canada to revise its ballast water regulations.
- The Panel does recognize that natural aggregate is an absolutely essential commodity for the running of modern society. Where a proposed project confers important benefits on society, society may accept a level of inequity in the distribution of those benefits. Based on an analysis of the benefits and burdens in this instance, the Panel concluded that the burdens outweigh the benefits.

Recommendation / Current Position:

- The Minister should make a decision on the primary recommendation within a month.
- The Minister should consider advancing the prepared amendments to the EA regulations as partial response to the recommendations.
- The Minister should encourage discussion with Cabinet colleagues regarding the remaining recommendations.

Prepared by: Helen MacPhail
Phone: 424-3960
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