

98-021E

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Environmental Protection
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June 24, 1999

File No.: 4194-82/1

John Appleby
Public Works And Government Services Canada
Environmental Services
1713 Bedford Row
Halifax, Nova Scotia
B3J 3C9

Dear ^{John} ~~Mr. Appleby~~:

**RE: Environmental Impact Comprehensive Study Report
Aguathuna Dolomite/Limestone Quarry and Marine Terminal
Port au Port Peninsula, Newfoundland EAS # 98-021E**

As requested, Environment Canada (EC) has reviewed the *revised* Comprehensive Study Report (CSR) and accompanying concordance for the above-noted project proposal, which was received from your office on June 7, 1999. The concordance highlighted revisions made to reflect EC input on draft assessment documentation.

In terms of EC's mandate, the department is satisfied that the revised CSR provides an adequate basis for public comment and assessment decision-making, given the recognized need for refinement of a mitigation and monitoring strategy through environmental management planning. It is recognized that the Atlantic Canada Opportunities Agency (ACOA) is committed to ensuring an Environmental Management Plan (EMP), outlined in Appendix B of the CSR, is prepared and revised on a continuous improvement basis. EC has reviewed the assessment documentation with a view to offering specific recommendations that should be addressed in the EMP, should the project be supported. In addition, detailed editorial comments on the CSR are attached for your consideration. It is suggested that the environmental assessment determination include conditions highlighting the need for an EMP that is acceptable to EC and other regulatory agencies.



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REVIEW COMMENTS

Wildlife

Migratory Birds

It does not appear that the project site was thoroughly inventoried for migratory birds or nesting migratory birds. It is stated in the report that the quarry site was "previously cleared and therefore provides marginal habitat for migratory birds." Some species of migratory birds may prefer this type of habitat, therefore *it is important for the proponent to conduct surveys in the area to determine the presence or absence of nesting migratory birds.*

On Pg. 68, Sec. 10.2.1, *Predicted Effects*: the proponent states "Where possible, provisions prohibiting the disturbance, destruction or removal of a migratory nest, egg, nest box or duck box will be strictly followed." The proponent should be aware that the Migratory Birds Convention Act (MBCA) and Regulations *must* be complied with at all times. In order to comply with the MBCA and Regulations, clearing of the vegetation should not take place until chicks have fledged from their nests.

In addition, the Port au Port Bay is used by bay ducks (mergansers, scaup and goldeneye) in the fall and throughout the winter until the bay freezes over. Proper erosion and sedimentation measures should be implemented to avoid fouling prey species and/or impeding foraging ability of the ducks.

Plants

It states in the CSR that "none of the plants listed on the rare, endangered or threatened species list were found". The plant survey should *not* have been restricted to these plants only and should have included an inventory of other "species at risk" that may be found in the area. For example, it should be determined if *Cystopteris laurentiana* (Weath.) Blasdell, ranked as S1 by the Atlantic Canada Conservation Data Centre, is located within the boundaries of the site. This particular "species at risk" has been reported on the limestone cliffs east of the quarry near Port au Port (utmE 370000, utmN 5380000).

Specific details regarding the botanical survey, such as the biologist's name, dates conducted, areas surveyed and plant species found should have been included in the CSR. The area surveyed should have included all the area within the project boundary, as indicated in Figure 1.1 of the CSR, and the surrounding area that could potentially be impacted by the dust resulting from the project. *It is recommended that a professional botanist conduct proper botanical surveys at the appropriate time of the year to determine the presence or absence of species at risk within and surrounding the project boundaries. The survey should include a list of the plant species found, a map*

indicating the location of species at risk and appropriate mitigation measures, if required.

Revegetation efforts should focus on replacing the native plant community which was lost.

It should be determined if Browmoore Bog, a candidate ecological reserve, will it be impacted by this development.

Impacts on Water Quality

Pathways of effluent discharges resulting from *dewatering* activities, including those planned prior to the construction activity, are vague and should be clarified;

The report states that sludge will be removed from settling ponds at the end of each season and mixed with 1mm and 0mm stone. Where will this material be disposed of?

The report also states that 15,000 gallons per month of make-up water will be withdrawn from the Jack of Clubs Pond, during excessive dry periods of the operation. What effects will this have on the pond, if any? It was claimed elsewhere in the document that make-up water would be drawn from Jack of Clubs Pond, not Goose Pond. Discrepancies related to the proposed source of make-up water should be clarified.

The report states that "The conveyor loading system will be equipped with hoods to reduce the amount of fugitive dust and mitigate the occurrence of accidental material release." It should be clarified if conveyors will be covered or there will be drop chutes between conveyor belts or both. In EC's view, consideration should be given to *covering the entire conveyor system*. In addition, consideration should be given to *covering trucks* hauling the product.

Hazardous Materials and Wastes

Refuelling and Maintenance Activities

On Pg. 56, it states that refueling will occur within 30m of a waterbody. It is recommended that refuelling and maintenance of equipment/machinery take place in designated areas, on level terrain, *at least 100 m* from any surface water, and on a prepared impermeable surface with a collection system to ensure oil, gasoline and hydraulic fluids do not enter surface waters.

I trust the above comments are helpful in the development of the EMP for the proposed project. If you have any questions or concerns, do not hesitate to contact me at 426-4633 or Suzanne Wade at 426-5035.

Yours truly,

for 

Barry Jeffrey
A/Head
Environmental Assessment Section

SW.BJ/

cc. I. Travers
S. Wade
S. Pierce
H. Hogan
A. Gauthier
R. Gautreau
C. Spicer
R. Albright
G. Ternan
R. St. Pierre
J. Crépault, CEAA

Detailed Editorial Comments

Pg. 9, Table 1.2:

Under the "RELEVANT SECTIONS OF THIS REPORT" column, it should be noted that Appendix A presents information on wave action, not information on public consultations.

Pg. 38, Section 7.6:

"Appendix B" should be changed to read "Appendix A".

Pg. 46:

Delete bullet 4, as it is repeated again in bullet 11.

Pg. 47, bullet 3:

Change ">60%" to "less than 60% of maximum", to be consistent with bullet 1 on Pg. 59.

Pg. 71, Table 11.1:

This table contains incorrect information for federal total suspended particulate (TSP) ambient air quality objectives and should be corrected.

Pg. 77, column 5:

The 24-hour emergency response line in St. John's should be 1-800-563-2444.

Pg. 79, Section 11.0:

It should be clarified in the revised CSR that the Newfoundland Department of Environment and Labour is principally responsible for air quality.