

Early Warning System

Date: January 21, 2003
Prepared by: Derek McDonald
Region: Atlantic

1. Project Name: Whites Point Quarry
2. Location: Whites Cove, Digby Neck, Nova Scotia
3. Proponent Name: Global Quarry Products
4. Project Description: Aggregate Quarry and Marine Terminal

5. Region file #: NS-02-11

6. EA Process:

Federal
 Provincial
 Territorial
 Unknown at this time
 Other (please specify):
EA is likely to be both federal and provincial.

7. Potential RAs / Triggers(s) (and specify):

Proponent
 Financial Assistance
 Land
 Permit
Permits likely to be required from DFO (NWPA, HADD), IC (communications tower), and NRCan (explosives).

8. Potential Type of Federal Assessment:

Screening
 Comprehensive Study
 Panel Review / Mediation
 Other (please specify):
Comprehensive Study based on size of marine terminal and/or quarry. Public review is not out of the question as there is public opposition in the project area. Project regularly makes the local news.

9. Contacts (name, department & telephone):

Federal Departments: Melinda Donovan, DFO-NWPA, 902.426.7853
Jim Ross, DFO Habitat, 902.426.6111
Other FAs which may be involved include Industry Canada, NRCan, EC, TC
 Provincial / Territorial: Helen MacPhail, NSDEL, 902.424.2581
 Proponent: Global Quarry Products, local Agent is Paul Buxton 902.638.8108

10. Issue(s):

Possible issues include dust, noise, and effects on marine biota (e.g. whales) in the Bay of Fundy.

11. What's New:

A meeting with the proponent was held on Jan 6/03. Province, DFO and EC also in attendance. Proponent has submitted an NWPA application for a marine ship-loading facility (Jan 8/03).

12. What's Next:

A draft project description is expected shortly (last week in January – first week in February). Agency will circulate this for comment / feedback, then advise proponent on the adequacy of the project description for purposes of the Federal Coordination Regulation..

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Highlights and Action Items
Whites Point Inter-Agency EA Meeting
March 31, 2003

The meeting was chaired by the Canadian Environmental Assessment Agency and attended by representatives of DFO (Habitat and NWPA), Industry Canada, Natural Resources Canada, Nova Scotia Environment and Labour and Environment Canada.

Highlights:

- Federal Coordination Request has been sent out by DFO to Environment Canada, NRCan, Transport Canada and Industry Canada. Recipients anticipate no problems meeting April 10 deadline.
- Comprehensive Study is the most likely federal EA track, as opposed to a Panel Review.
- Provincially, quarries in excess of 4 Ha require a Class I environmental assessment.
- Will need a MOU (or similar but less formal agreement) to harmonize the two EA processes. CEA Act requires public comment on such an agreement (ss.58(3)), if signed by the Minister.
- Scope needs to be developed jointly by NS and RA(s) (in consultation with expert FAs). Draft Scope will be made available for public comment.
- DFO will act as Lead RA, and establish the Public Registry.
- Public participation plans still unspecified, but will include public comment on draft Scope and MOU. Public reaction to Scope and MOU may influence EA track decision.
- CEAA will continue to assist with coordination among the various agencies and the proponent.
- Preparation of CSR will likely be delegated to the proponent.
- A tentative schedule for the EA is recommended, based on expected duration of the various steps of the process.
- Need to coordinate communications. All parties to be advised before any announcements, news releases, etc. Need for formal communications plan undecided at this time.

- DRAFT -

- Proponent needs to be made aware of what will be expected of them (delegation, official languages).

Summary of Action Items:

- DFO to prepare a draft scope and circulate it to the group for comment.
- NSDEL to circulate their recently released sector guide for pits and quarries.
- CEAA to provide DFO with a copy of the Deep Panuke Scope.
- NSDEL to prepare a draft MOU, or similar harmonization agreement, and circulate it to the group for comment.
- CEAA to provide NSDEL with a copy of the Deep Panuke MOU.
- CEAA to draft a tentative schedule for the EA and circulate it to the group for comment.
- All parties to identify communications contacts and advise other members of the group.
- CEAA to contact proponent re: expectations (e.g. delegation and official languages).

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215#25

Zamora, Phil

From: McDonald, Derek [CEAA] [Derek.McDonald@ceaa-acee.gc.ca]
Sent: Thursday, April 03, 2003 11:10 AM
To: 'Mark G McLean'
Cc: Cheryl L Benjamin; zamorap@mar.dfo-mpo.gc.ca; Coultter, Bill [CEAA]
Subject: RE: Digby Neck Quarry agreement

Mark,

The Agency sees no requirement for a MOU. But given that it's a Comp Study and the Minister will have a decision to make, it would be appropriate to have something in writing that lays out the major elements of the harmonized process. From a practical perspective, this will at least ensure everyone has a common understanding of the process to be followed. I think a letter of agreement, signed by DFO (and any other RAs identified via FCR), NS and the Agency, can accomplish that.

Derek

-----Original Message-----

From: Mark G McLean [mailto:MCLEANMG@gov.ns.ca]
Sent: April 3, 2003 09:15
To: Derek.McDonald@ceaa-acee.gc.ca
Cc: Cheryl L Benjamin; zamorap@mar.dfo-mpo.gc.ca
Subject: Digby Neck Quarry

Derek as discussed, here the letter of agreement between DFO and NSDEL for the Tusket Loadout Facility. You have the Panuke MOU (probably memorized) so let me know if you have a feel for which format would best fit this project. Obviously the wording would have to be somewhat different but I'm more interest in the format.

Phil, let me know if there is a preference at DFO if this should be more "formal" like Deep Panuke or is the Tusket letter OK. I worked with Anita on the Tusket project so you can talk to her and see how she felt it worked.
 Thanks.

Mark