

From: Mark G McLean
To: Langille, Brad D; Petrie, Bob D
Date: 4/11/02 9:08am
Subject: Nova Stone Quarry

Brad/Bob:

Sorry for the delay but we've got a lot of these requests coming in. I've looked at the application and as proponents often do, have stated the quarry will be 10 acres. But the EA regulation state that a pit or quarry in excess of 4 ha in area primarily engaged in the extraction of ordinary stone, building or construction stone, sand, gravel or ordinary soil is required to register for EA and 10 acres is 4.05 ha. I know this sounds like splitting hairs but if this project was ever brought into question, the courts would take a literal interpretation of "in excess of 4 ha". Also I've noted that there's an emergency spillway and constructed wetland which is not included in the 10 acres, this would also been considered associated works and included in the evaluation of the area. The existing access road is **not** included in the assessment of the area.

As the application stands now, the proposed project is required to register as a Class 1 undertaking under the Environmental Assessment Regulations. If the proponent plans to go ahead with the quarry as designed, please ask them to contact me as soon as possible to discuss the EA process. If the proponent modifies the project to ensure it is less than 4 ha, please let us know.

On an unrelated note, I am impressed that the company has taking the time and effort to examine the whale issue and have offered to monitor the blast levels in the bay.

Thanks for information, please call if you have any questions.

Mark McLean, BSc., MES
Environmental Assessment Officer
Nova Scotia Environment and Labour
Ph. (902) 424-2387
Fax. (902) 424-3571

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<http://www.gov.ns.ca/enla/ess/ea/>

CC: Daly, Chris A ; MacPhail, F Helen