

Zamora, Phil

From: McDonald,Derek [CEAA]
Sent: April 17, 2003 1:19 PM
To: Paul Buxton (E-mail)
Cc: Zamora,Phil J; DFO XMAR
Subject: Nova Quarry question

Hello Paul,

We will not be in a position to resolve this today. At the working level, both CEAA and DFO are still uncomfortable with it. If the 3.9 Ha operation proceeds, it will certainly draw considerable attention. Almost as certainly, DFO and CEAA will be asked to explain why it has been allowed to proceed. We need to make sure that we are on solid legal ground and can withstand any legal challenge that may arise. Consequently, I've forward the matter to our Legal Services Group. In that context, it would be very helpful if you would provide greater clarity and detail on what your intentions are for the 3.9 Ha quarry. For example, will the rock be used for site preparation/development of the main quarry or marine terminal, or related facilities such as the access road? If not, where will it go? How much rock do you plan to extract? Is the purpose exclusively to gather information to support the EA? What information would be gathered and how would it be used in the EA? Will the 3.9 Ha quarry ultimately form part of the larger operation? I understand the approval is for a 10-year period - is that correct?

There is one other thing you could clear up for me. Did I understand you correctly to say that there is a deadline of April 30 to start operation? Where is that specified? What happens if you do not start by that date? Is it possible to amend that date?

Any further information you could provide (e.g. copy of original application, copy of provincial approval) would be appreciated.

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