

URBAN AND RURAL PLANNING ACT
DEPARTMENT OF DIGITAL GOVERNMENT AND SERVICE NL
GOVERNMENT SERVICE CENTRE
DISCRETIONARY USE NOTICE

The Department of Digital Government and Service NL is in receipt of an application from Southeast Construction for a Quarry at Route 13 (Joyce's Trail, NW side at 0.38 km NE of Witless Bay Line). As per the [Butterpot-Witless Bay Line Environs Development Control Regulations](#), the proposed location for the quarry site is for discretionary use in the "Watershed Protection" zone.

Before making a final decision regarding this application, the Department wishes to receive any comments or representations on this matter. Anyone wishing to make a comment, objection or representation should submit a statement outlining their concern(s) to the Department of Digital Government and Service NL by emailing devconavalon@gov.nl.ca. **Attention: Development Control – File Reference 23-102179 by February 2, 2024.**

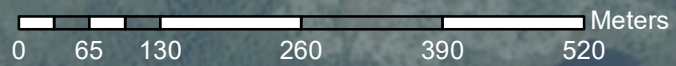
More information about this application is available on the Departments [website](#). See Discretionary Use Notice for Southeast Construction or call (709) 729-3699.



Watershed Protection zone (WP)



Witless Bay Line



PUBLIC NOTICE of Quarry Application at Joyce's Trail, Witless Bay Line

**Butterpot Witless Bay Line Environs
Development Control Regulations
Urban and Rural Planning Act, 2000**

 **Watershed Protection Zone (WP)**

 **Witless Bay Line**

 **Proposed Quarry Boundary**



For more information please contact
devconavalon@gov.nl.ca or (709)-729-3699

SOUTHEAST CONSTRUCTION LTD. JOYCE'S TRAIL QUARRY

Environmental Impact Statement Document

Submitted by:
Southeast Construction Ltd.
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Bay Bulls, NL
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Prepared with the assistance of:
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1.0 NAME OF UNDERTAKING

Joyce's Trail Quarry Permit Application

- Quarry Permit Identification
 - File 711:13093 covering 7.0 ha
- Service NL Identification
 - File Reference MP 2023 102179

2.0 PROPONENT

2.1 Name of Corporate Body

Southeast Construction Limited

2.2 Address

38 Dunn Drive
Bay Bulla, NL
AOA 1C0

2.3 Principal Contact Person

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Telephone: (709) 699-7744
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3.0 THE UNDERTAKING

3.1 Nature of the Undertaking

The proposed project, referred to as the Joyce's Trail Quarry, is a 7.0 ha quarry application area that is located adjacent to Joyce's Tail and is near Little Northern Pond along the Witless Bay Line (Route 13) on the Avalon Peninsula, within NTS map sheet 1N/07 (Figure 1). The project will be developed under a quarry permit to primarily extract rock to produce aggregates in order to support Southeast Constructions (SE Construction) commercial needs.

3.2 Purpose/Rationale/Requirement for the Undertaking

The aggregate materials produced on site will consist of, but are not limited to, Class A, Class B, rip rap, armourstone, etc. All surficial materials including till, sand and gravel will also be utilized if present.

The quarry site is located in a previously approved quarry area with existing access and a developed quarry face and laydown area. The site can be accessed via the Witless Bay Line, then exiting onto Joyce's Trail, an established truck drivable gravel road. After travelling 350 m to the northeast along Joyce's Trail the quarry entrance is located on the western side of the road (Figure 2). Figures 3 and 4 depict the previously approved quarry tenures which expired in 2022 and also the detailed access to the quarry site and general quarry layout.

The reasoning for the 7.0 Ha quarry permit application, submitted to the Quarry Materials Division on Aug. 11, 2022, is to renew the previously issued quarry permits in the area. Due to a clerical error Southeast missed the renewal deadline of their previous 2.0 Ha quarry area and Redwood Construction did not renew their 5.0 Ha quarry area. Thus, during the Aug. 2022 quarry permit re-application both adjacent sites were applied for under one permit area.

This quarry area is required by Southeast so they can continue to meet ongoing project demands. Southeast were previously utilizing the quarry site to maintain a supply of aggregates and due to the unforeseen expiry of the 2.0 Ha permit, which was unintended, the aggregate resources were no longer available as they have been working through the approval process since that time. The immediate requirement of the site is needed as currently materials are being sourced elsewhere from third parties which is increasing trucking distances, the environmental footprint/carbon impact and overall project and contract costs.

4.0 DESCRIPTION OF THE UNDERTAKING

4.1 Activities to be Carried Out

The site will be developed primarily as a rock quarry. In this regard the standard quarry development procedures for a rock quarry will be followed as per the Quarry Materials Act and an issued quarry permit by the Quarry Materials Division. These conditions include, but are not limited to, preserving all organic material in windrowed and stockpiled locations for later site rehabilitation. After all grubbing/organics are stripped the site will be prepared for blasting in less than 10 m bench cuts by drilling and blasting in the desired pattern to produce the rock size required. This is to be completed by a third party certified blasting company. After blasting, the rock will be transported via front end loader to a crusher in the quarry area where aggregates such as Class A, Class B, etc. will be

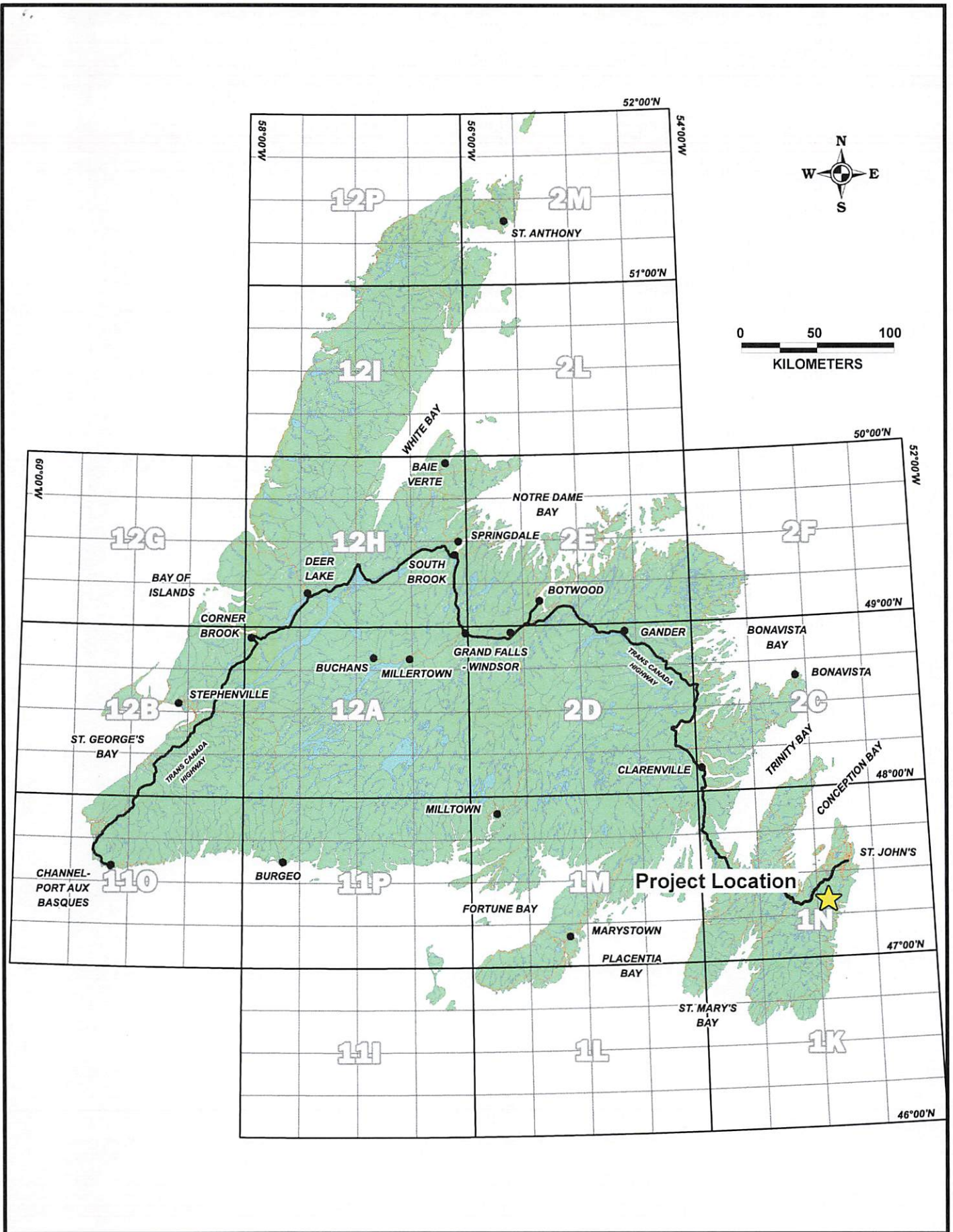


Figure 1: Project Location Map (NTS 1N/07)

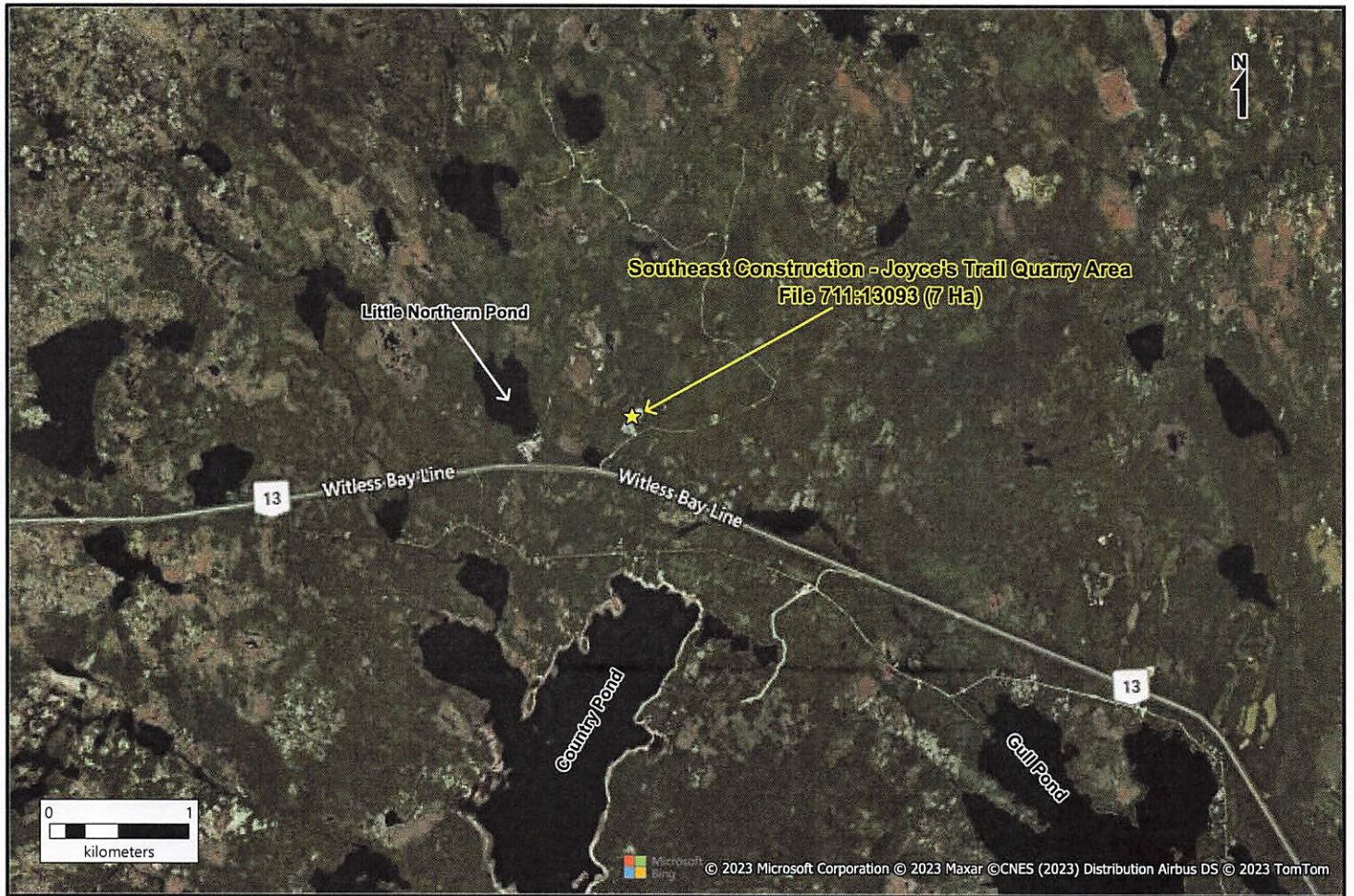


Figure 2: General Quarry Area Map

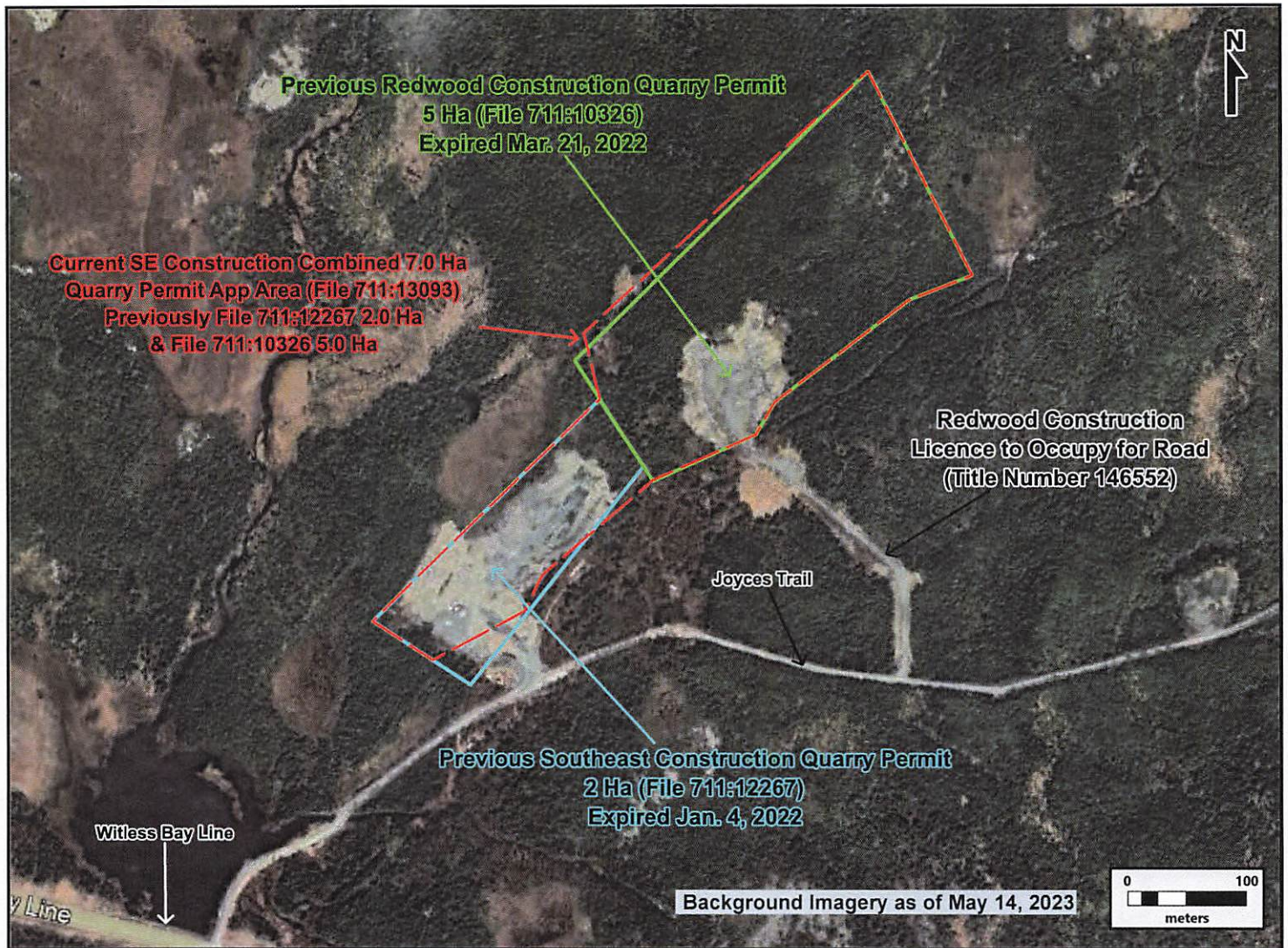


Figure 3: Previous Quarry Tenure

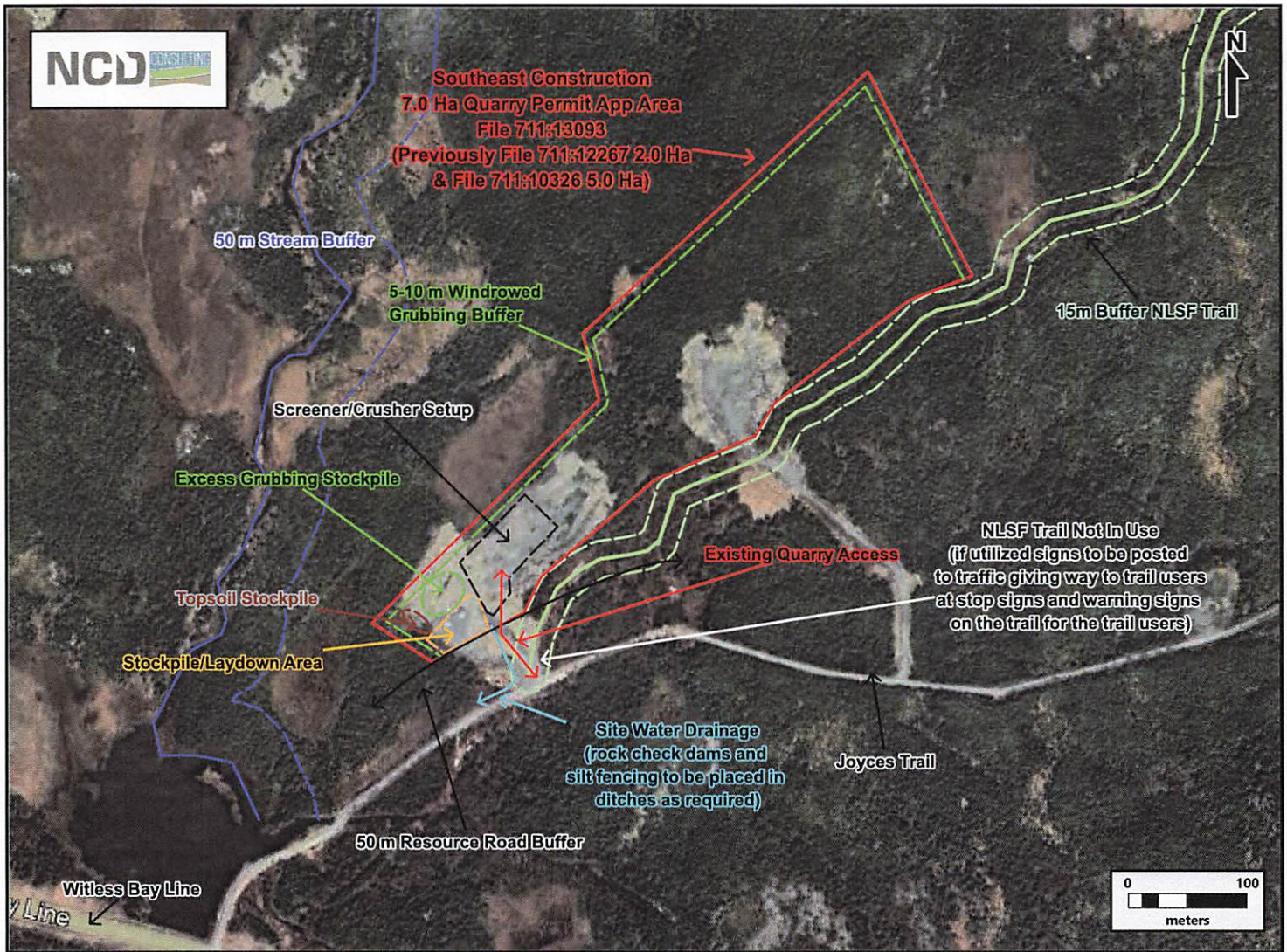


Figure 4: Quarry Layout

produced. In some cases, rock may not be crushed and transported directly from the quarry face after blasting to the offsite project area. After the crushing is completed, the aggregates will be stockpiled on site until they are required to be transported via dump truck offsite. There will be no washing of aggregates in the quarry area. Also, it should be noted that if a suitable sand, gravel or till material are encountered they will also be utilized in the same manner as noted above without any onsite secondary processing.

4.2 Alternative to the Undertaking

Southeast Construction requires a consistent, secure supply of aggregates to be able to remain commercially competitive and to bid ongoing municipal, provincial, etc. contracts. That said the alternative to continuing with this development, at the established quarry site, is to pursue another undeveloped quarry area somewhere on the Northeast Avalon. This seems unreasonable as it would cause a larger environmental impact than the already established quarry site. It is thought that the best option is to continue with the activities at the already established quarry area with the subsequent re-spreading of grubbing and sloping of quarry faces after the resources have been exhausted allowing for rehabilitation of the already disturbed area.

5.0 ENVIRONMENTAL IMPACTS

5.1 Anticipated Impacts

This project will have minimal impact on the environment as it is already established and operational. Also, the site generally has an overall small footprint of 7.0 Ha compared to some quarry sites that are 10's of Ha.

That noted some possible impacts are listed below:

- Siltation of adjacent watercourses and waterbodies
- Excessive dust from the quarry site
- Fuel requirements for equipment
- Domestic waste and sewage
- Quarry site visibility to individuals driving along the Witless Bay Line
- Effects on the adjacent snowmobile federation winter trail
- Impacts to local land users including berry pickers, hunters and hikers

5.2 Mitigation Measures Against Potential Impacts

5.2.1 Siltation

The site will contain drainage ditches to collect site water within the quarry area and direct it out of the quarry area to existing ditching along Joyce's Trail as depicted on **Figure 4**.

These drainage ditches will contain rock check dams, silt fencing and haybales to filter suspended solids.

The quarry site is well beyond the required 50 m buffer from watercourses and water bodies at per the Water Resources Division and based on previous operations there are not anticipated to be any negative impacts in the area.

5.2.2 Dust

The impacts of dust are expected to be minimal as the site is primarily dealing with the development of a rock quarry which is naturally coarse and lacks significant finer particles such as a sand and gravel site. Finer practices created or disturbed from the clearing of the site and the crushing of rock will be controlled by water suppression via water trucks if required. Also, the clearing of grubbing will occur in very small blocks, typically less than 0.5 Ha to minimize possible dust impacts. Crushing operations will try and be contained to more damp conditions. Based on historic weather conditions a northeast, east or southeasterly wind off the adjacent Atlantic Ocean to the east, will generate foggy conditions that will also help with natural dust suppression.

Should excessive dust become prevalent during prolonged drier conditions then operations will cease until more damp conditions are present.

5.2.3 Fuel

As with any industrial operation fuel is a necessity. Diesel fuel will be required to operate the development and processing equipment that will be located within the quarry area. Fuel may be supplied through petroleum storage tanks and/or a mobile fuel truck.

In the event that a petroleum fuel storage tank will be placed on site, all required permitting including the Registration of Gasoline and Associated Products and a Mobile Fuel Storage Tank Permit will be acquired from the Government Service Branch – Operations Division of the Government of Newfoundland & Labrador. Any potential fuel storage tanks will also comply with the required Storage Tank System Test from Service NL. The handling of petroleum products on site will comply with the Storage and Handling of Gasoline and Associated Products Regulations. All fuel stored on site will be placed in a spill tray that would exceed the capacity of the storage unit placed within it.

Fuel storage areas will be regularly checked, and emergency spill kits will be available on site at all times for containment and cleanup of any hydrocarbon leaks. All equipment will be kept in good operating order with regular inspections in an effort to proactively prevent spill incidents and identify leaks. Any leaks or spills in excess of 70 liters will be immediately reported to the Provincial Environmental Emergency Telephone Line and cleaned up. As in any case any amount of fuel spilled will be cleaned up immediately by using absorbent pads and transporting any contaminated soil to an approved fuel remediation site.

5.2.4 Domestic Waste and Sewage

During quarry operations, portable lavatories will be located within the quarry boundary and will be utilized as required. Employees may also utilize other facilities within the Towns of Bay Bulls/Witless Bay or other nearby communities. Domestic waste generated during general operations will be collected and disposed of in accordance with the Environmental Protection Act 2002. Waste and sewage will be removed by approved service providers.

5.2.5 Site Visibility

Based on a review of the most recent Google Street view conditions and the topography of the area from the Witless Bay Line it is anticipated that the future development of the quarry will remain hidden and be no more visible than it currently is. Should the visibility of the site become a concern for some unforeseen circumstance then a berm containing grubbing will be constructed along the southwest quarry boundary to obscure the quarry workings.

5.2.6 Newfoundland & Labrador Snowmobile Federation Trail

The snowmobile trail is located along the southeastern boundary of the quarry area with a 15 m undisturbed buffer between it and the quarry site. To date no documented concerns have been identified due to the proximity of both land uses. It is Southeast's understanding that the Newfoundland & Labrador Snowmobile Federation (NLSF) no longer grooms their trails on the Avalon Peninsula due to typical unfavorable winter conditions as of late. Also, alternatively snowmobilers in the area utilize the unplowed adjacent Joyce's Trail, a truck drivable gravel road. In any event the required 15 m buffer, as per the Quarry Materials Division, will be maintained. Also, quarry activities are typically dormant during the winter months.

5.2.7 Local Land Users

Possible immediate local land use includes hunting, hiking, berry picking, etc. In this case the quarry site is established and has been for an estimated 10 years. It is thought that individuals active in the area are aware of this and have/will seek other more undisturbed ground in the vast adjacent wilderness area. Access to the site itself will be restricted with a locked gate and perimeter berms will surround the quarry site with signage indicating there is an active quarry face ahead where required.

5.3 Quarry Rehabilitation

The most significant impact of a quarry is the removal of the grubbing/organic layer exposing the underlying sand/gravel/till and bedrock. This creates a stripped area with no natural vegetation growth. When considered on a larger long-term scale this is temporary in nature. Organics, including topsoil, grubbing and mineral soil, are preserved for respreading once the quarry has been exhausted of its resources. The aggregate resources are finite and non-renewable thus they have an extraction completion date which is dictated by demand. The demand depends on many factors including how successful a company is at being awarded contracts, the need for the material which may be dictated by catastrophic weather events and many other factors.

When all aggregate resources are removed, the quarry faces are sloped, and the entire area is covered with the preserved organic material allowing the forest to be able to regenerate. This ultimately leads to a change/reduction in topography in the area with an interim industrial quarry development/extraction over potentially several decades.

6.0 PROTECTED WATERSHED

As per the requirements of the Department of Municipal and Provincial Affairs under the Urban and Rural Planning Act, 2000 it was determined that an Environmental Impact Statement is required for the quarry application area. This was decided subsequent to a Development Permit application being submitted to Digital Government and Service NL for the development of the quarry in the Butterpot Witless Bay Environs area who are the permitting authority. As the project is located in the Pierre's Brook – St. John's Potential Surface Water Natural Drainage Area this report was drafted to determine if there are any potential impacts to the quality and quantity of the water within the protected watershed for future use.

Although the Pierre's Brook – St. John's Potential Surface Water Natural Drainage Area is not a currently utilized watershed area for active water supply similar to the Windsor Lake, Bay Bulls Big Pond and Petty Harbour Long Pond protected watersheds it is important that we ensure all long-term future development is completed in a responsible manner.


As outlined above the 7.0 Ha quarry site applied for by Southeast Construction is a previously approved area. There are no anticipated impacts on the quantity of water within the protected watershed as the site itself will redirect filtered water from the quarry site out to adjacent drainage ditches along Joyce's Tail. This quarry site water will eventually make its way back into the hydrologic system. It should be noted that the Pierre's Brook

– St. John's Potential Surface Water Natural Drainage Area is vast, at over 10,000 Ha, while the quarry site is 7 Ha in size or 0.07 % of the protected watershed area.

The quality of water is not anticipated to be affected by the quarry operations as demonstrated above. Suspended solids will be filtered before water leaves the quarry area and all precautions will be followed to prevent or contain a fuel spill as noted above. There have been no known issues raised over the last ~10 years of operations at the quarry that have impacted the quantity or quality of water in the area. Also, there are at least nine other approved quarry sites along the Witless Bay Line within the protected watershed. The overall temporary disturbance of the site with the length of time dictated by demand is expected to be 20-30 years. This may lead to the site being exhausted of aggregate material and rehabilitated before the Pierre's Brook – St. John's Potential Surface Water Natural Drainage Area is required as a water source on the Northeast Avalon thus further mitigating potential impacts during the water supplies use.

7.0 LIMITATIONS

This environmental impact statement document was prepared by NCD Consulting Ltd. in consultation with Southeast Construction Ltd. for their use under the terms defined in a written contract between the two parties. The information included in this document was provided by the client and relates to the scope of this project exclusively. NCD Consulting Ltd. has collaborated with the client and utilized NCD's combined extensive knowledge in quarry development and potential environment related concerns to, as accurately as possible and with the information available at the time of drafting this document, layout the development of the site in a safe and environmentally sustainable manner.



Name: Mr. David Ryan
Position: Director
Southeast Construction Ltd.

Jan 8 2024
Approval Date