

NOV 20 2018

File # 2.2123.0194
Reg. #1979

Mr. Greg Fitzgerald, P.Eng.
Cabot Ready Mix Limited
14091, Station Manuels
Conception Bay South NL A1W 3J1

Dear Mr. Fitzgerald:

RE: Emerald Vale Quarry – Registration 1979

Your proposal has been reviewed by an interdepartmental screening committee and an opportunity to comment has been provided to the public as required by the Newfoundland and Labrador *Environmental Protection Act*, SNL 2002, cE-14.2. Please be advised that this undertaking is **released** from further environmental assessment subject to the following conditions:

1. The proponent must prepare and submit an Environmental Protection Plan for the construction, operation and rehabilitation phases of the undertaking to be approved by the Minister of Municipal Affairs and Environment prior to construction that shall include, but not limited to:
 - o a site drainage plan (water resources management plan),
 - o control measures to reduce dust generation from aggregate and heavy equipment operations at the site in order to reduce the potential of dust blowing offsite,
 - o noise control measures to mitigate noise from the site to surrounding areas, and
 - o a rehabilitation plan.
2. The proponent shall not carry out any activities at the quarry site between the hours of 18:00 to 07:00 Monday to Friday and from 18:00 on Friday to 07:00 on Monday.
3. The proponent must avoid land clearing during the migratory bird breeding season defined from April 15th to August 15th in this region.
4. The proponent must use dust control measures to control dust at the quarry site and the related road to ensure that dust is not transmitted off site. Stockpiles must be covered and watered to prevent aerial transmission of dust.

The Local Governance and Land Use Planning Division advise that project area is located in an area zoned as Mineral Workings (MW), a discretionary use subject to conditions in Schedule C of the *Town of South River Development Regulations* found at

<http://townofsouthriver.ca/wp-content/uploads/2018/01/DevelopmentRegulations-Dec17.pdf>. Discretionary uses may be permitted, at the discretion of Council, subject to a public notification process to consider public comments. Conditions may include the consideration of noise, vibration, fumes, dust, odour, water drainage, unsightly storage of materials, or general appearance. The Town also has a *Noise and Nuisance Regulation* found at <http://townofsouthriver.ca/wp-content/uploads/2014/05/Noise-Nuisance-Regulations.pdf> which provides measures to control noise, dust, fumes, etc. A Development Permit must be issued by the Town of South River prior to the commencement of any development of new quarry sites within the town boundary. For further information, please contact the Town of South River at (709) 786-6761.

The Water Resources Management Division of this department advises that an approval is required for a water resources management plan. They also advise that any effluent or runoff leaving the site will be required to conform to the requirements of the *Environmental Control Water and Sewage Regulations, 2003*. For further information, please contact the Water Resources Management Division at (709) 729-2295.

The Pollution Prevention Division of this department advises that you must comply with the *Used Oil Control Regulations*. Waste oils and used lubricating oil shall be retained in a tank or closed container, and disposed of by a company licensed for handling and disposing of used oil products. They also advise that all waters discharged to the environment from the proposed site, during construction and operation, are subject to compliance with the *Environmental Control Water and Sewage Regulations*. This will include, but may not be limited to water removed from the quarry, aggregate wash water, surface runoff and groundwater. For further information, please contact the Pollution Prevention Division at (709) 729-6771.

The Mines Branch of the Department of Natural Resources advises that you are required to obtain a quarry permit. Quarry permits contain many conditions including site access, dust control, noise control, etc. For further information, please contact the Mines Branch at (709) 729-5738 or (709) 729-6447.

The Forestry Division of the Department of Fisheries and Land Resources advise that a Commercial Cutting Permit and an Operating Permit must be obtained from the local forestry services office prior to any harvesting and/or timber removal activities. For further information, please contact the Paddy's Pond District Forestry Office at (709) 729-4180.

The Provincial Archaeology Office of the Department of Tourism, Culture, Industry and Innovation advises that you must contact them if there is a discovery of a historic resource. For further information, please contact the Provincial Archaeology Office at (709) 729-4142.

Fisheries and Oceans Canada advises that persons proposing to conduct work in or near water are now required to self-assess using the DFO "*Projects Near Water*" website, located at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>, and determine if their project requires a review. If a review is required they advise to complete the *Application for Review* found at <http://www.dfo-mpo.gc.ca/pnw-ppe/reviews-revues/index-eng.html>. For further information, please contact the Fisheries Protection Program at (709) 772-4140.

Although the undertaking, as proposed, is released from further environmental assessment, it is still subject to other legislative requirements. A summary of the comments received from government agencies during the review is attached to provide an indication of likely applicable permits, approvals and legislative requirements. Please note that you must comply with all relevant legislation and obtain all necessary permits and approvals. You are required to inform this Department of any proposed significant changes to the undertaking.

If you have any questions concerning these matters, please contact Dr. Susan Squires, Director, Environmental Assessment Division, at (709) 729-0673 or susansquires@gov.nl.ca.

Sincerely,



GRAHAM LETTO
Minister of Municipal Affairs and Environment

Attachment

Cc. Barry Petten, MHA
District of Conception Bay South

