

SEP 19 2023

COR-2023-3275

Reg. No. 2260

Leon Hodder
President, L & E Trucking and Excavation Ltd.
General Delivery
Stoneville, NL A0G 4C0
E-mail: hodderlenore@hotmail.com

Dear Leon Hodder:

STOP ORDER: Birchy Bay Quarry

On July 28, 2023, the Birchy Bay Quarry (the Undertaking) was registered for environmental assessment as EA Reg. # 2260 in accordance with Subsection 48(1)(f) of the Environmental Assessment Regulations under the **Environmental Protection Act** (the **Act**). The Proponent for the Undertaking is L & E Trucking and Excavation Ltd., for which you are the principle contact person for the purposes of environmental assessment. As noted in a letter addressed to you from my department, dated July 28, 2023,

*"...under the provisions of the **Act**, undertakings may not proceed and other government agencies may not issue any relevant authorizations until a decision is rendered by the Minister."*

A copy of the July 28, 2023 letter is attached.

Environmental assessment is a legislated process under Part 10 of the **Act**. In accordance with the legislation, I am consulting with the public and with other Ministers of the Crown prior to making a decision as to whether the Undertaking may be released from environmental assessment or whether further environmental assessment is required. I am due to issue my decision to L & E Trucking and Excavation Ltd. by the extended date of September 25, 2023.

My department has recently been advised that officials from the Department of Industry, Energy and Technology conducted a field investigation at the proposed site of the Undertaking, and observed unauthorized quarry operations in contravention of the **Quarry Materials Act, 1998**.

I am hereby advising you that proceeding with unauthorized operations associated with an Undertaking that has not been released or exempt from environmental assessment is a violation of Section 48 of the **Act**, and I am issuing the following order, effective immediately:

In accordance with Subsection 99(1)(a) of the **Act**, **L & E Trucking and Excavation Ltd. must immediately stop all activities to construct the Undertaking.**

Please be advised that, as Minister of Environment and Climate Change, I cannot render an environmental assessment decision on an Undertaking that is contrary to a law or a policy of the province.

Failure to comply with this order is an offence under s.114 (1) of the **Act**, and may result in prosecution of L & E Trucking and Excavation Ltd.

If you have any questions regarding these orders, or the reasons for the issuance of the orders set out above, please contact Joanne Sweeney, Director, Environmental Assessment Division at (709)729-0673 or by email at joannesweeney@gov.nl.ca.

Sincerely,



HON. BERNARD DAVIS, MHA
District of Virginia Waters – Pleasantville
Minister

Attachment