



**Environment  
Office of the Minister**

PO Box 442, Halifax, Nova Scotia, Canada B3J 2P8 • [www.novascotia.ca/nse](http://www.novascotia.ca/nse)

August 25, 2020

Our File number:  
10700-40-56546  
40100-30-309

Donald Chisholm, President  
Nova Construction Co. Ltd.  
3098 Post Road  
Antigonish, NS B2G 2L7D

Dear Donald Chisholm:

**Re: Environmental Assessment – Nova Construction Co. Ltd.  
Sporting Mountain Quarry Expansion Project, Richmond County, Nova Scotia**

The environmental assessment of the proposed Sporting Mountain Quarry Expansion in Richmond County, Nova Scotia has been completed.

This letter is to advise that, pursuant to Section 13 (l)(a) of the Environmental Assessment Regulations, I have determined that the Registration Document provided is insufficient to allow me to make a decision, and that I require additional information. Specifically, the review determined that the following additional information is required in order to evaluate potential environmental effects that may be caused by the undertaking:

1. In consultation with Nova Scotia Environment, Sustainability and Applied Science Division, provide additional details for the water resources assessment with accompanying discussion and analysis of potential effects to surface water resource quality and quantity, wetlands and groundwater quality and quantity, that includes the following:
  - a. A groundwater monitoring study completed for all phases of the project using an industry-standard permanent monitoring well network established to assess the water table location, vertical and horizontal hydraulic gradients, hydraulic conductivities for shallow and deep groundwater flow regimes, groundwater flow directions, baseline water quality and to monitor for downgradient water quality and quantity effects, including effects of groundwater recharge and groundwater-surface water interactions on nearby watercourses and wetlands.
  - b. Informed through the results of the groundwater monitoring study, provide an assessment of potential effects to water resources should excavation within 1 m of the measured maximum annual water level, or below, be occurring or proposed for the project.
  - c. A baseline wetland hydrology study for Wetland 2 (WL2 as identified in the EA Registration Document) conducted in tandem with the groundwater monitoring study. This wetland has been identified as a 'Wetland of Special Significance' per the NS Wetland Conservation Policy, due to the presence of Blue Felt Lichen.

- d. Water balances developed to represent all the planned phases of the project, including appropriate considerations for quarry floor infiltration, groundwater-surface water interactions, groundwater inflows into the existing quarry, and with consideration of the results of the groundwater monitoring study.
  - e. Additional details regarding the site water management plan for all the planned phases of the project, with the intent of clearly outlining what is proposed and the effectiveness of the proposed actions in mitigating impacts and alterations to nearby water resources. Details are to include, but not be limited to: considerations for the potential impacts associated with planned operations (e.g., times of site shut-down and restart, pumping requirements on site), plans/figures that provide sufficient detail to illustrate what is being proposed (e.g., sediment control ponds, drainage ditches) and provide confidence in their feasibility and effectiveness, and details that consider the results of the assessments (e.g., potential need to manage groundwater inflows).
  - f. An assessment of potential impacts to surface water quality and fish and fish habitat related to any active pumping used as a part of water management for the project and residual blasting contamination. This assessment is to consider the results of the other assessments (e.g., potential impacts associated with discharges of groundwater to surface water resources).
  - g. Additional baseline fish and fish habitat studies and assessment as appropriate, based on the results of the assessments.
  - h. A discussion of proposed mitigation measures and follow-up monitoring programs based on the results of the assessments.
2. In consultation with the Department of Lands and Forestry, Wildlife Division, and Environment Climate Change Canada, provide additional details for the wildlife and wildlife habitat assessment with accompanying discussion and analysis of potential effects to wildlife, wildlife habitat and species at risk, that include the following:
- a. A detailed methodology and justification for Canada lynx surveys and additional surveys and assessment as appropriate based on consultation with relevant departments.
  - b. Additional discussion regarding the quality and rarity of habitat within the lynx buffer area established by the province, and justification for non-adherence with the provincial recommended Canada lynx buffer areas.
  - c. A detailed methodology and justification for bird surveys, including common nighthawk surveys, and additional surveys and assessment as appropriate based on consultation with relevant departments.
  - d. A discussion and justification for instances where habitat for Canada warbler will not be avoided or would be affected, including a discussion of conservation allowances if appropriate.
  - e. A discussion and justification for non-adherence with the provincial recommended buffer for blue-felt lichen.

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- f. Project specific avoidance and mitigation measures for blue-felt lichen, frosted glass-whiskers, and other species at risk and their critical habitat including follow-up monitoring programs.
- g. A discussion of proposed mitigation measures and follow-up monitoring programs based on the results of the assessments.

This information must be submitted by Nova Construction Co. Ltd. within one year, as an addendum to the original Registration Document. Upon submission of the information, I will have 50 days to make my decision.

The Proponent shall publish a notice in the same manner as the original notice under Section 10 of the Environmental Assessment Regulations announcing the release of the additional information to the public and stating that written comments may be submitted about the additional information to the Department.

If you have any questions regarding the approval of this project, please contact Helen MacPhail, Supervisor, Environmental Assessment Branch, at (902) 483-2696 or via email at [Helen.MacPhail@novascotia.ca](mailto:Helen.MacPhail@novascotia.ca).

Sincerely,

A handwritten signature in blue ink that reads "Gordon Wilson". The signature is fluid and cursive, with the first name being more prominent.

Gordon Wilson, MLA  
Minister of Environment

Encl.

c: Helen MacPhail