

# STOP the Fall River Quarry

stopthefallriverquarry@gmail.com  
[www.stopthefallriverquarry.com](http://www.stopthefallriverquarry.com)

Honourable  
Minister of Environment  
Nova Scotia  
Canada

PO Box 442  
Halifax NS  
B3J 2P8

To the Honourable Minister of Environment, Margaret Miller,

**We do not accept your recent responses to our group members' complaints of wetland destruction at the Goffs Quarry proposed site as complete. We take issue with the following items, in particular, which you have not addressed:**

1. You have indicated the Google Earth images of the proposed site from September 5, 2015, "*show **tree harvesting** in a wetland identified in the Wetland Monitoring Plan,*" and that an approval is not required for tree harvesting. The images clearly indicate more than "tree harvesting," which would leave most ground conditions intact, with stumps and brush left behind. Isn't your department interested in determining why the wetland area needed to be not only tree-harvested but grubbed and cleared of brush and expose the soil?
2. You have referenced the Google Earth images only. Are we to assume that it was felt unnecessary to do a **site inspection** to determine the extent of the damage to the wetland, whether the flow of water was altered in the wetlands (a designated activity under the Environment Act), nor whether the functionality of the wetlands remain intact? If a site inspection has been conducted, we request the date of such, so it is not confused with other site inspections which have taken place. If a site inspection has been conducted, we don't see why Scotian Materials and Nova Scotia Environment wouldn't want to share photographs taken at ground level to show the public that our concerns are unfounded.
3. You have not addressed the issue surrounding the date of these images. These images were captured by Google Earth **ten days prior** to an industrial approval being issued. Under S.31(1) of the Environment Act, no person shall commence work on the undertaking until the proponent has been notified in writing by the Minister that the undertaking is approved. Contained within the file should have been an email from Nova Scotia Environment stating that no site preparation will take place prior to an approval. Our group holds a copy of this email and yet it has never been included in any FOIPOP request nor court submissions regarding

the Goffs Quarry application, along with hundreds of other pages also not included in court documents. The shape, size and location of the clearing, along with the application, leaves no question that *this was site preparation*.

4. You have not addressed the question of **why any activities** would take place in wetland areas. As you have referenced in your letter, the muddy wetland was included in a wetland monitoring plan by Scotian Materials. Isn't Nova Scotia Environment interested in investigating why clearing activities took place in an 11.6ha area, including wetland areas, rather than in the 3.9ha proposed footprint only, which was proposed to be located south of this wetland so as to *minimize disturbances* to the wetland areas?
5. We can quote multiple places in the file that state there is **exposed soil** at the site. Isn't the Minister interested in where the exposed soils are located for erosion purposes as well as investigation of our complaint?
6. You've stated your investigator's response on the telephone in reference to the environmental complaint of wetland destruction was a result of a miscommunication. However, there was no such miscommunication. The investigator was told within the first 30 seconds of the conversation that a letter with images had been submitted. The investigator acknowledged this statement. More than one of our members was present for the conversation, which took place on speaker phone. Our member's complaint about this investigator was her lack of concern, her suspiciousness, and her statement that this complaint "may or may not be investigated." **Your response appears to indicate that the department will not investigate.** We request this in writing.
7. You have not addressed our complaint which is the wetland areas are the areas **most heavily excavated**. Please see the images on the two last pages. Isn't your department interested in investigating why the wetland areas appear specifically targeted, rather than excavation of the proposed footprint, which was supposed to have a setback to these wetlands?
8. A wetland assessment was recently ordered. You have not addressed our complaint that these activities will **prevent a proper wetland assessment** from determining the size and functionality of the wetlands on the property because delineation methods rely on locations and types of plant life.
9. From your letters it appears you are also not concerned about the lack of "best management practices" for tree harvesting to minimize damage, a phrase you used in your letters. If you are still satisfied with your response to our group members after considering the 7 points above,

**we ask for your confirmation that wetlands in the Province of Nova Scotia, in municipal watersheds or elsewhere, whether they are habitats or not, may be legally tree-harvested by bulldozer by any proponent, leaving ground conditions as seen in the September 5, 2015 Google Earth image of the proposed Goffs Quarry site, without fear of reprisal from Nova Scotia Environment, and that this activity as described is not considered to be “wetland alteration.”**

Wetland non-footprint area (top), and non-wetland footprint area (bottom) part of the cleared property in Goffs, September 5, 2015:



