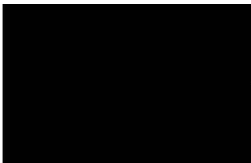


March 31, 2017



s.40(1)

Dear : s.40(1)

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* (File # NR-30-2017)

On March 14, 2017, the Department of Natural Resources received your request for access to the following records/information:

Looking for 2016 information on the operation of the quarry site in Charlottetown, Bonavista Bay. Would like to know what the government collected in royalties, rental fees, etc for 2016. Would also like to know whether the quarry site permit will be renewed for 2017? If so, will residents be informed this year and be permitted to have some say on the matter? Will blasting operations be permitted in 2017? If so, will the minister sign off on permitting such blasting operations so close to residents homes? Will the quarry site be expanded? Will permit conditions be made public knowledge and enforced this year? Will there be penalties this year for the contractor ignoring conditions of permit? Will the government look at the environmental impact the operation of this quarry site is having in 2017 and actually listen to public concerns? Will the government undergo a environmental impact study in 2017 on the quarry site in Charlottetown?

Please be advised that a decision has been made by the Deputy Minister for the Department of Natural Resources to provide answers to the questions posed in your request.

We note that you asked 10 questions:

Q1. Would like to know what the government collected in royalties, rental fees, etc. for 2016.

A1. \$102,700.35 collected in royalties; \$210 for rental.

Q2. Would also like to know whether the quarry site permit will be renewed for 2017?

A2. As per the minister's correspondence to you dated October 14, 2016, the permit is needed to provide quarry materials in support of the Trans-Canada Highway construction project. This project is scheduled for completion in 2017.

Q3. If so, will residents be informed this year and be permitted to have some say on the matter?

A3. We are waiting on a letter from the Charlottetown Local Service District that will provide satisfactory input for the permit to be issued in 2017.

Q4. Will blasting operations be permitted in 2017?

A4. As per the minister's correspondence to you dated October 14, 2016, blasting will only be permitted to produce the materials required to complete the project. Only surplus stockpiled material would be available (via permit) after 2017.

Q5. If so, will the minister sign off on permitting such blasting operations so close to residents' homes?

A5. Additional terms and conditions, including several related to blasting will be included in the permit.

Q6. Will the quarry site be expanded?

A6. The quarry permit area is two hectares. Other quarry related operations occur on private land outside the permit area.

Q7. Will permit conditions be made public knowledge and enforced this year?

A7. Permit conditions are available to the public.

Q8. Will there be penalties this year for the contractor ignoring conditions of permit?

A8. Quarry operators are held accountable under the Quarry Materials Act and the terms and conditions attached to the permit.

Q9. Will the government look at the environmental impact the operation of this quarry site is having in 2017 and actually listen to public concerns?

A9. Government is always open to receiving comments regarding operations at quarry sites. Inspectors authorized under the Quarry Materials Act will and have previously responded to concerns raised by residents regarding quarries.

Q10. Will the government undergo an environmental impact study in 2017 on the quarry site in Charlottetown?

A10. The site does not meet the criteria established by the Department of Environment and Conservation to warrant an Environmental Assessment (EA). For EA to be triggered, one or all of the following must be met: 1. Site greater than 10 hectares or combined ground disturbance. 2. Construction of an access road 500 metres or longer. 3. Within 200 meters of a scheduled salmon river. Various conditions and measures were implemented at the site to mitigate noise, dust, and impacts to water.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to deny access to the requested information, as set out in section 42 of the *Act* (a copy of this section of the *Act* has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act* (a copy of this section of the *Act* has been enclosed for your reference).

Please be advised that this letter will be published following a 72 hour period after it is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the letter posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any questions about the processing of your request, please feel free to contact me by telephone at 729-0463 or by e-mail at RHynes@gov.nl.ca.

Sincerely,

A handwritten signature in cursive script that reads "RHynes".

Rod Hynes
ATIPP Coordinator