

Comments on the Focus Report on the Extension of the Miller Creek Quarry Operation on the Avon Peninsula

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Preamble

Firstly, I would like to make a few comments on the process and procedure for examining the Focus Report document and enabling public comments.

This is a huge document (700+ pages) and only 30 days have been allowed for public comments. This time period is unreasonably short considering that the proponent has had 2 years to prepare the document. I would suggest that 60 days would be more reasonable. Secondly, we had to travel to the Bedford NSE office to view the document. This is certainly the location where there is parking during the day (unlike downtown) and is more convenient than travelling to Windsor, which was suggested to me by an NSE employee at the Bedford office! On arrival in the office, we could not consult the document in either of the boardrooms but rather had to consult the massive report on a small desk (a second chair was kindly offered) in a rather busy waiting room. Not great!! May I suggest that in future documents such as this be made available to the public in the public libraries, including our neighbourhood one, the Keshen Goodman Public Library? In these locations there are large desks, plenty of room to spread out and make notes, and have more generous opening hours than the NSE offices. I am assuming here that you are **encouraging** the public to provide input.

I am a retired University Professor and an avid naturalist. I am a member of the Nova Scotia Bird Society, Halifax Field Naturalists, Nova Scotia Wild Flora Society and Nature Nova Scotia. However, the comments below are my own.

Concern #1 – Health Impacts on Local Residents

I have grave concerns regarding the proposal to extend the quarry as the proponents intend to do. Firstly, this is **not** an expansion of the current operation but rather a new open pit quarry operation. The size of the operation (some 400 ha) and its 50-year lifetime means that it will have a profound negative impact on the quality of life of the inhabitants of the Avon Peninsula. The mine site is within 2 km of over 100 wells of households in the area and thus the lives of hundreds of local residents will be severely affected. It would appear from the study that over a dozen wetlands will be destroyed or be severely compromised. It seems to me that this can only have a profound negative impact on the quantity and quality of ground water. It should be pointed out that the prediction of the effect of wetland disappearance on ground water and domestic water supplies is very inexact. I suggest that we follow the “Precautionary Principle”, i.e. don't do it unless the impacts can be predicted with some certainty! Further, the destruction of the wetlands noted in the Focus Report really flies in the face of the new Wetland Protection and Preservation Policy being considered by the Department (NSE), arising out of the Environmental Goals and Sustainable Prosperity Act. This Act states that the

Province will adopt a No Net Loss Policy with regards to wetlands. Approving this undertaking will definitely undermine the credibility of the Wetland Process.

Further, the blasting operations with accompanying tremors, noise and dust, and the heavy trucks with their accompanying noise and dust will have a severe health effect on local residents.

Concern #2 – Loss of Natural Values (Species at Risk and Others)

For precisely the same reason that the proponent wants to harvest the area, naturalists and environmentalists want to protect it! The gypsum-rich Karst topography provides a rich environment and habitat for a suite of flora and fauna, many of which are restricted to this ecosystem. This habitat includes several herbaceous plants that are listed species or species at risk provincially, nationally or globally!

My wife and I were among a group of naturalists who had the opportunity to visit the mine site in June 2008. We were overwhelmed by the diversity of species (by any criterion the biodiversity is remarkable) and amazed at the number of yellow-listed Yellow Lady's-Slippers. According to the Focus Report, the proponent intends to destroy over 50% of the population of this species on the Avon Peninsula! Surely, provincial legislation must be in place to prevent this from happening, and, if there isn't, there should be!

In addition, we came across a splendid patch of the red-listed Ram's Head Lady's-Slippers (possibly a dozen plants), including a rare 'alba' (white) form. Pictures were taken of both forms of this species. There are very few patches of this plant in NS (hence the red-listed status) and so 'preserving' it within a small conservation area so close to the excavation centre is a rather perilous venture. Further, it is quite possible that the patch we found lies within the excavation area itself.

The proponent has proposed to re-locate patches of the Lady's-Slipper species mentioned above. They and others will know that these species are notoriously difficult to transplant with any degree of success. This is NOT the conservation approach to follow! Other noteworthy plants and shrubs were also identified. These include Leatherwood which is known from only a very few locations in the Province.

In my previous submission, I requested that the proponent carry out an inventory of lichens in the area. To some extent this has been done and in doing so several rare species, including a couple of very sensitive cyanolichens, have been identified. One of these is a new species for the Province. And if a more thorough inventory for lichens were carried out I am confident that more sites and more species would be found. Again, the argument must be made for the conservation of this habitat!

One cannot help but wonder whether the frequency of noteworthy species within the 'conservation area' is a reflection of the amount of time and effort spent surveying this area at the expense of the active quarry area itself.

I was rather disappointed that the proponent did not address the question of whether the destruction of nearly 400 ha of Karst topography would have significant negative impact on other groups of flora and fauna found in this habitat. Included here would be birds, butterflies and odonates (dragonflies and damselflies). In our 3-4 hour visit to the site, we noted several or many species in each of these groups, although none were mentioned in the Focus Report. I did request that this question be addressed in my previous submission (response to the first EA report). For example, the Avon Peninsula lies within square #20MQ18 in the Maritime Breeding Bird Atlas project. During the last four years, atlassers have collected breeding evidence for 80 species of birds in this square. This number does not include those species that utilize this habitat during northward and southward migration. Where is the information in the Report of the impact of the quarry operation on bird species found here?

Again, no data is presented on those wetland specialists, the odonates. The presence or absence of these creatures provides direct evidence of the health and viability of wetland habitat. I am very concerned that the destruction of a dozen or more wetlands in the active extraction area and storage sites will have a very severe impact on all wetland species. Besides odonates, these include wetland plants and shrubs, aquatic invertebrates and wetland birds (shorebirds, herons, ducks and geese, rails and related species).

Clearly, I am strongly opposed to the extension of the Miller Creek quarry operation. In fact, I have a counter-proposal. Due to the fact that Karst topography is rather rare in the Province and it contains a suite of quite unique flora and fauna not found elsewhere, and because there are no examples of this habitat-type which are currently protected in the Province, I propose that the Province acquire all or a significant portion of undisturbed land on the Avon Peninsula and protect it! The type of protection, whether it be designated a Wilderness Area, a Nature Reserve or a Provincial Park, should be decided upon by scientists at NSE.

Thank you for allowing me to make these comments. If Environment Minister Belliveau does not decide to reject this proposal immediately, then at least a full thorough Environmental Assessment must be carried out on the proposal that addresses in detail all of the shortcomings outlined above.