



**Department of
Environment & Labour**

PO Box 697
Halifax, Nova Scotia
B3J 2T8

Our File Number:
10700-40
40100-34-15

Office of the Minister

original dated July 13, 2004

Mr. Peter Thomas, President
Mark-Lyn Construction Limited
1820 Gerald Drive
Coldbrook, NS B4R 1A3

Dear Mr. Thomas:

Re: Environmental Assessment - South Bishop Road Soil/Peat and Aggregate Operations

The environmental assessment of the South Bishop Road Soil/Peat and Aggregate Operations has been completed.

This letter is to advise that, pursuant to Section 13 (1)(a) of the *Environmental Assessment Regulations*, I have determined the registration information is insufficient to allow me to make a decision and that I require additional information.

Insufficient information was provided to address public concerns related to the proposed undertaking. In addition, more information is required with respect to reclamation of the site and preservation and analysis of the paleo-environmental record stored in the peat material.

To address public concerns, submitted during this assessment, additional information is required in the form of a report which responds to the specific concerns raised by public respondents during the environmental assessment review process. This report must consider and respond to all concerns raised in public submissions. These submissions are attached for your review.

A preliminary plan for the reclamation of Baltzer's Bog back to a functioning wetland is also required for evaluation. The Nova Scotia Department of Natural Resources (NSDNR) indicated that the North-Eastern quadrant of the project site is still a functioning wetland and disagree with your report conclusion that the bog "is of low value compared to other wetlands in Kings County". NSDNR states that "ombrogenous systems such as Baltzer's Bog comprise a much smaller percentage of the remaining organic soils" in the Annapolis Valley Ecodistrict. NSDNR further states the scarcity of peat producing wetland resources in the eco-district means "the proposed project falls within the compensation end of the mitigation continuum of avoidance, minimization, or compensation." As such, I require for consideration, a proposed preliminary plan for the site to be reclaimed to a functioning, peat producing wetland concurrently with proposed resource extraction.

The value of the “paleo-environmental” record contained in the peat archive was identified as a resource that should be analyzed prior to the final removal of peat from the project site. While the value of this record is recognized in the registration document, there is no indication as to how this resource will be analyzed. A proposed plan for this analysis, must be provided for my consideration, prior to my final decision on the project.

This additional information shall be submitted by Mark-Lyn Construction Limited, at your convenience, as an addendum to the original registration information. Upon submission of this information, I will have up to 25 days to make a decision pursuant to Section 13(1) of the *Environmental Assessment Regulations*. Mark-Lyn Construction Limited is also required to notify the public of the submitted addendum pursuant to Section 10 of the *Environmental Assessment Regulations*. I will consider public comments submitted on the addendum prior to making my decision on the Undertaking.

Mark-Lyn Construction Limited shall not commence the undertaking or any part thereof until the undertaking has been approved under Part IV of the *Environment Act*.

If you have any questions regarding this decision, please contact the Manager, Environmental Assessment, Mr. Chris Daly at (902) 424-4936.

Sincerely yours,

Original signed by

Kerry Morash
Minister