

URBAN AND RURAL PLANNING ACT
DEPARTMENT OF DIGITAL GOVERNMENT AND SERVICE NL
GOVERNMENT SERVICE CENTRE
DISCRETIONARY USE NOTICE

The Department of Digital Government and Service NL is in receipt of an application from O'Brien's Trucking Limited for a quarry to be located 2.6 kilometers along Witless Bay Line, West of Route 10.

As per the Butterpot-Witless Bay Line Environs Development Control Regulations, the proposed location for the quarry is discretionary use in the watershed protection zone.

Before making a final decision regarding this application, the Department wishes to receive any comments, objections or representations on this matter.

Anyone wishing to make a comment, objection or representation should submit a statement outlining their concern(s) to the Department of Digital Government and Service NL by emailing devconavalon@gov.nl.ca by April 11, 2025.

Please include the following in the email subject line: Attention: Development Control – File Reference 25-100373.






For more information about this application, please visit the Department's website to view the Discretionary Use Notice for O'Brien's Trucking Limited or call 709-729-3699.

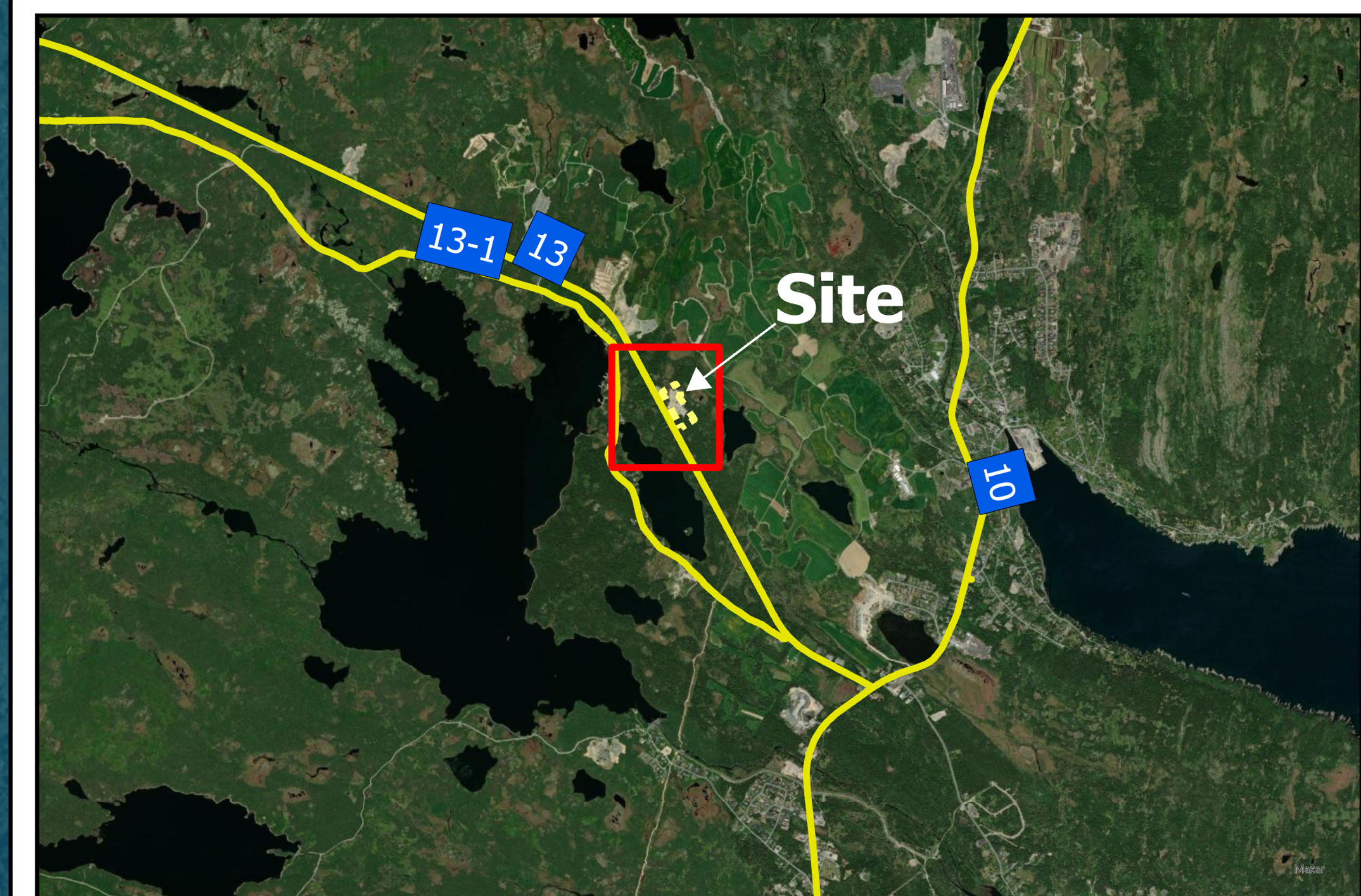


PUBLIC NOTICE

Development Application Proposed Quarry

Butterpot-Witless Bay Line Environs
Development Control Regulations
Urban and Rural Planning Act, 2000

-  Forestry
-  Watershed protection
-  Proposed Quarry Boundary
-  Quarry Acces Road
-  Witless Bay Line



**Newfoundland
&
Labrador**

For more information please contact
devconavalon@gov.nl.ca or (709)-729-3699
Digital Government and Service NL

O'BRIEN'S TRUCKING LTD. WITLESS BAY LINE LONG POND QUARRY

Environmental Impact Statement Document

Submitted by:
O'Briens Trucking Ltd.
126 Southside Track
Witless Bay, NL
A0A 4K0

Prepared with the assistance of:
NCD Consulting Limited
34 Yellow Wood Drive
Paradise, NL
A1L 0X9

March 7, 2025

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1.0 NAME OF UNDERTAKING

Witless Bay Long Pond Existing Quarry Permit and Application

- Quarry Permit Identification
 - File 711:12385 covering 1.6 ha (existing permit)
 - File 711:10379 covering 1.75 ha (application)
- Service NL Identification
 - File Reference # 25-100373

2.0 PROPONENT

2.1 Name of Corporate Body

O'Brien's Trucking Limited

2.2 Address

126 Southside Track
Witless Bay, NL
A0A 4K0

2.3 Principal Contact Person

Mr. Terry O'Brien
Telephone: (709) 725-3455
Email: obrienstrucking@hotmail.com

3.0 THE UNDERTAKING

3.1 Nature of the Undertaking

The proposed project, referred to as the Witless Bay Line Long Pond Quarry, is a combined 3.35 ha quarry that is located ~300 m northeast of Long Pond near the Witless Bay Line (Route 13) on the Avalon Peninsula, within NTS map sheet 1N/07 (**Figure 1**). The existing project will be developed by O'Brien's Trucking Ltd. (O'Brien's) under a quarry permit land tenure to extract primarily bedrock and/or sand/gravel within the permit boundary for producing various aggregate products needed for commercial sale to customers in the region. The project is within the Pierre's Brook – St. John's Potential Surface Water Natural Drainage Area. This Environmental Impact Statement (EIS) documents the development plans and mitigation measures to minimize potential future impacts.

3.2 Purpose/Rationale/Requirement for the Undertaking

O'Brien's has been operating in the quarry site since 2014, and the quarry project will continue to supply the aggregate needed to meet ongoing business demands. The quarry is accessed from the Witless Bay Line (**Figure 2**), via a ~50 m long gravel access road (**Figures 3**). The quarry includes an existing quarry permit, quarry application area, access road, and production area as depicted in **Figures 3** and **4**.

The 3.35 ha quarry area combines the existing quarry permit (File 711:12385 – 1.6 ha) issued to O'Brien's in 2018, and a quarry permit application (File 711.10379 – 1.75 ha), submitted to the Mineral Lands Division on September 4, 2024. The quarry permit File 711:10379 (1.0 ha) was first issued in 2014 to O'Brien's. The boundary for the 1.0 Ha site was subsequently readjusted, reissued and the permit expired inadvertently triggering the new 1.75 Ha expanded quarry permit application (**Figure 3**). The combined 3.35 ha project area will include File 711:12385 (1.6 Ha) and File 711:10379 (1.75 Ha). The boundary maintains the required buffer distances to adjacent roads, wetlands and waterbodies.

A stop work order was issued to O'Brien's by the Mineral Lands Division on July 17, 2024, due to non-compliant items arising from the quarry activity within the issued and expired permit boundaries. O'Brien's has since been working through the permitting and addressing the Mineral Lands concerns to re-gain access to the quarry and its stockpiles of aggregate. O'Brien's requires immediate access to the quarry and stockpiles to continue supporting their business. With restricted access to the site, other third party quarries have been utilized to source aggregate for projects which has had an overall negative impact including an increased overall project cost and an increased environmental/carbon footprint due to greater trucking distances.

4.0 DESCRIPTION OF THE UNDERTAKING

4.1 Activities to be Carried Out

The standard quarry development procedures under a rock quarry permit, including reclamation, will be followed as per the Quarry Materials Act. These conditions include, but are not limited to, preserving all organic material for future reclamation and establishing adequate internal buffer areas within the permit boundary. Quarry development will utilize drilling/blasting and crushing/screening to produce the aggregate from within the permit area, and from quarry faces not exceeding 10 m in height. A certified third-party drilling/blasting company will be contracted to perform this work.

The blasted rock and any suitable sand, gravel or till will be transported via front end loader to a mobile crusher/screener setup inside the quarry area (**Figure 4**) to achieve the desired product size. Numerous aggregate products (Class A, Class B, etc.) will be produced and stockpiled separately before being transported offsite via dump trucks.

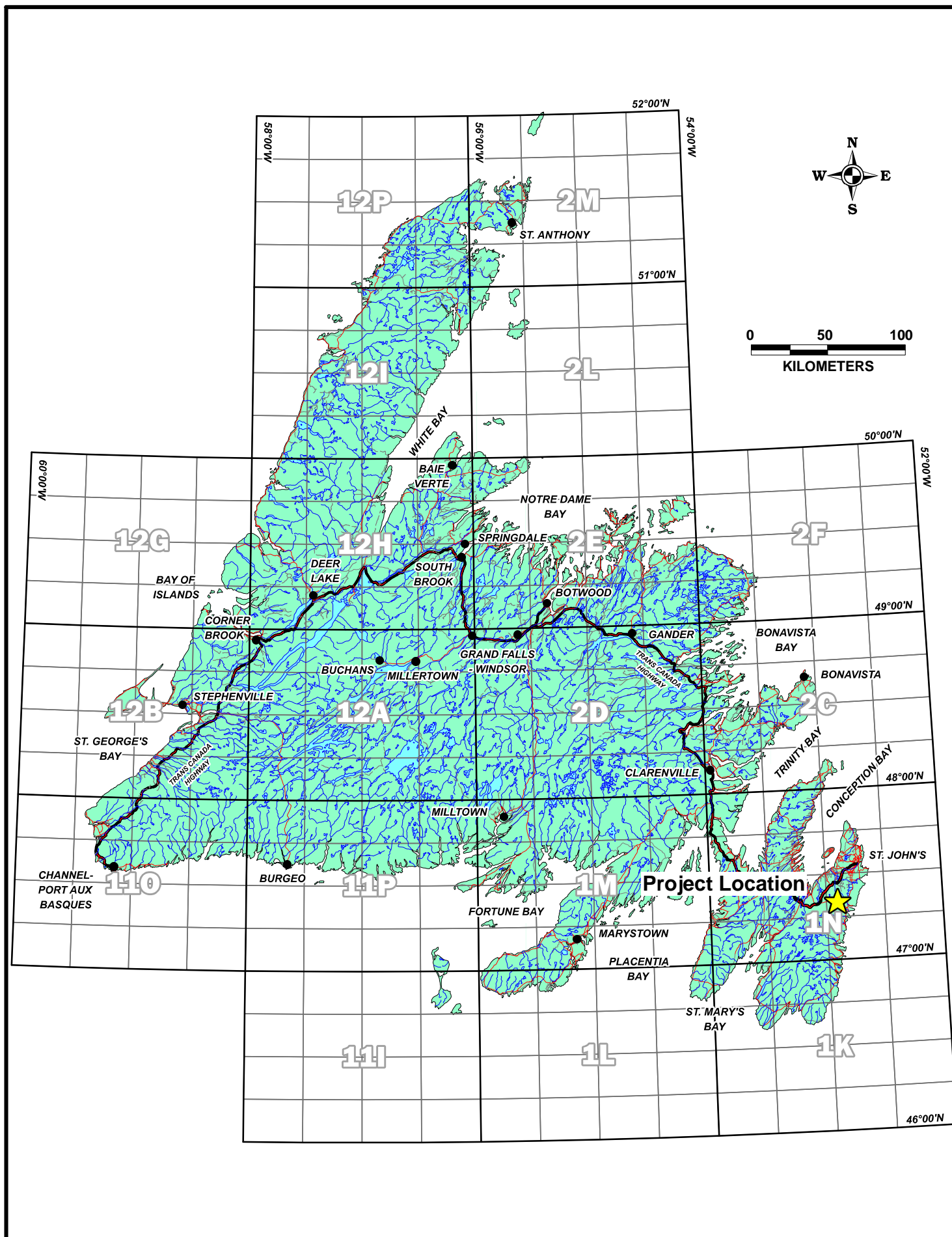


Figure 1: Project Location Map (NTS 1N/07)

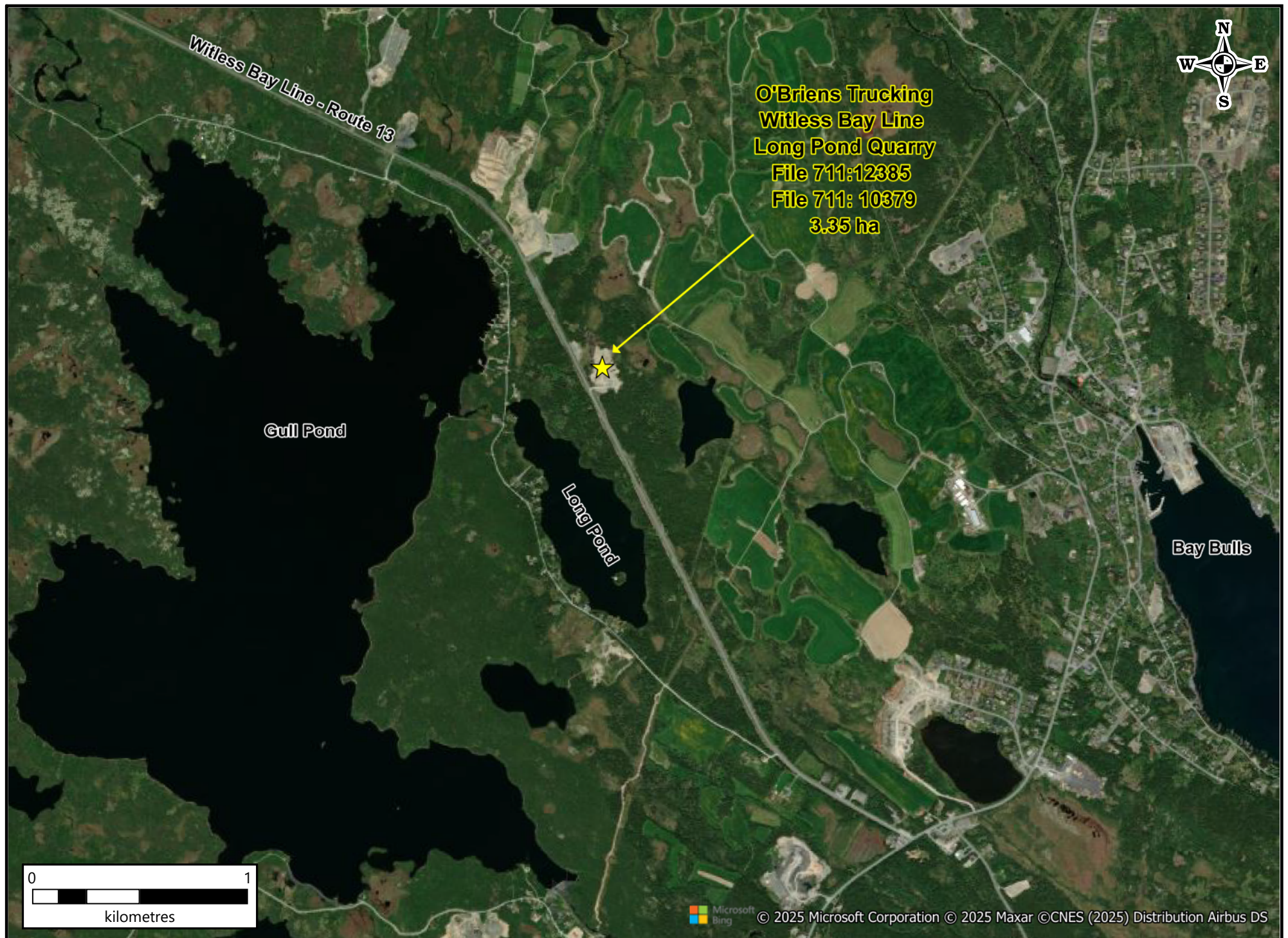


Figure 2: General Quarry Area Map

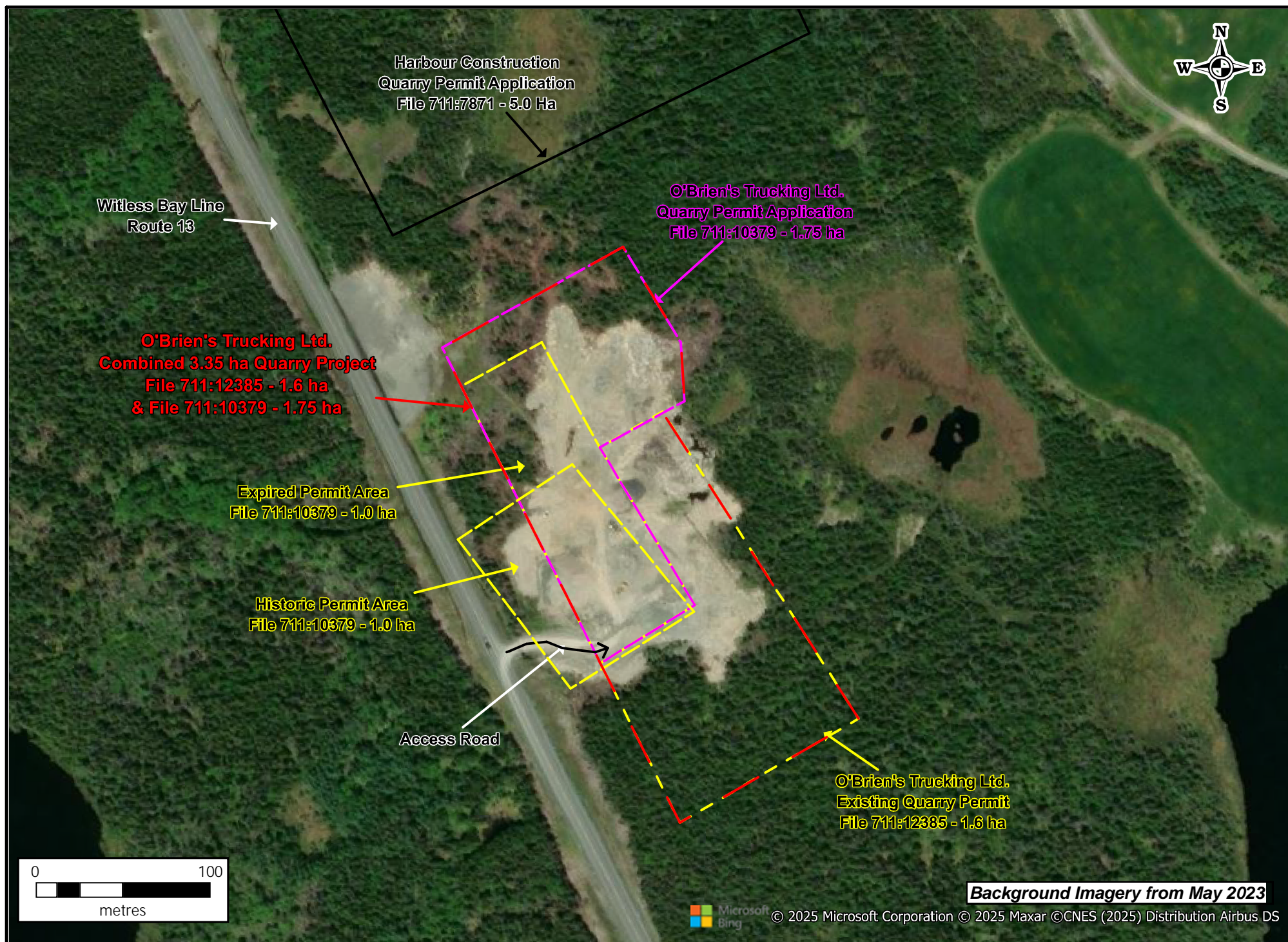


Figure 3: Previous Quarry Tenure

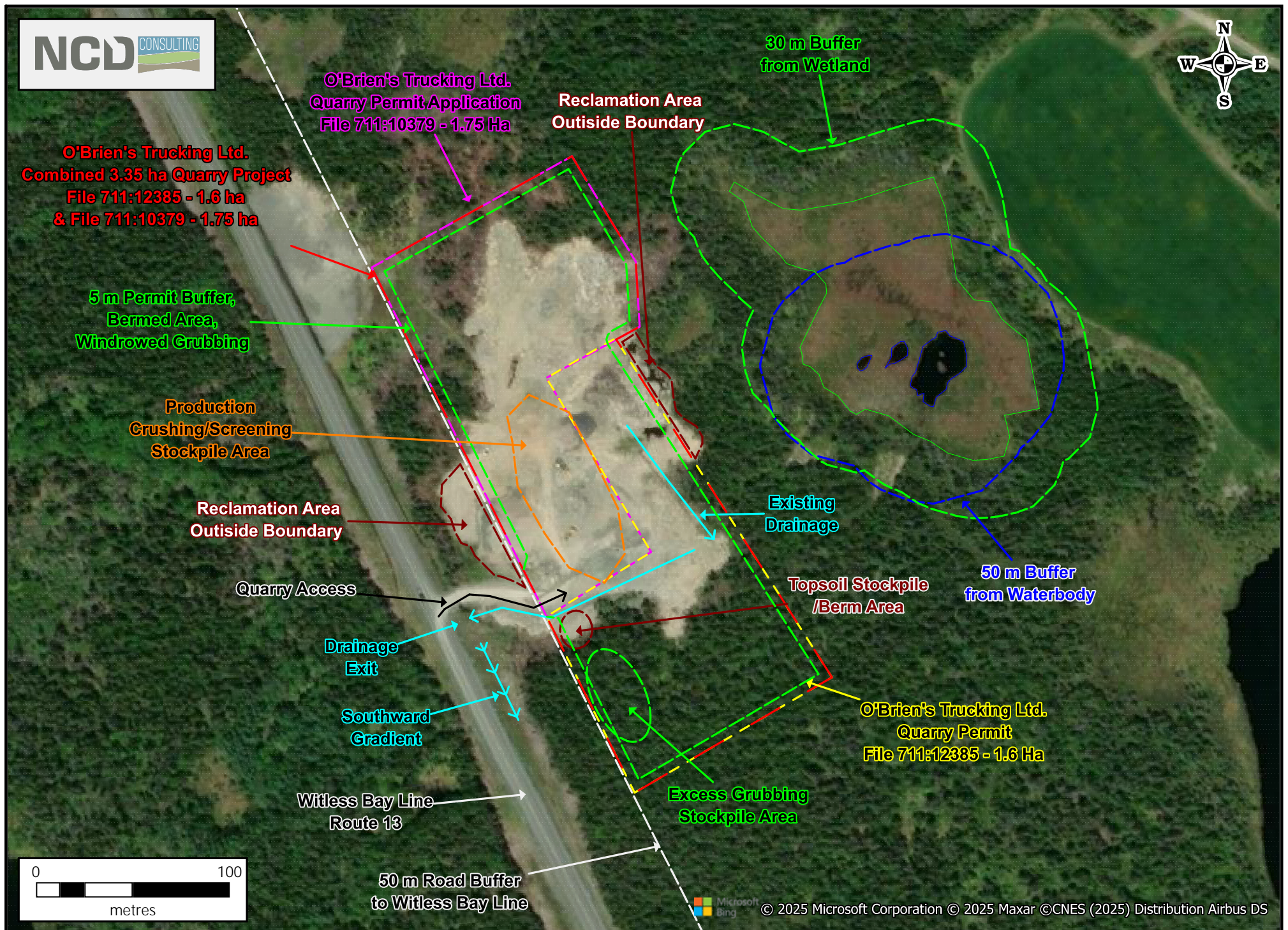


Figure 4: Quarry Layout

4.2 Alternative to the Undertaking

O'Brien's requires the available aggregate/quarry site to continue to operate in a highly competitive market and carry out ongoing business while securing infrastructure contracts for municipal and provincial projects. The alternative to using O'Brien's established quarry is to pursue another new undisturbed quarry site with greater transport distances, project costs and an increased carbon footprint. If an alternate, undeveloped quarry is chosen, the site may pose other environmental impacts depending on its location. The existing and proposed quarry activities and subsequent closure reclamation (i.e. sloping quarry walls and resspreading organics/grubbing) is considered to be an industry standard from a development and environmental perspective.

5.0 ENVIRONMENTAL IMPACTS

5.1 Anticipated Impacts

This project will have a minimal impact on the environment due to its small footprint totaling 3.35 Ha, the existing quarry development and established buffer zones.

Some possible impacts of the quarry are listed below:

- Siltation of adjacent watercourses and waterbodies
- Excessive dust from the quarry site
- Fuel leaks or spills
- Domestic waste and sewage
- Quarry site visibility to the Witless Bay Line
- Impacts on local land users

5.2 Mitigation Measures Against Potential Impacts

5.2.1 Siltation

Site drainage will be controlled by the proposed and established ditches to collect surface water and direct it out of the quarry adjacent to the access road (**Figure 4**). There have been no significant documented impacts from site drainage from the quarry during past operations. An existing drainage ditch located along the northeast boundary currently collects existing site water (**Figure 4**). Site water management will utilize rock check dams, silt fencing and haybales as required to adequately filter suspended solids prior to discharge from the quarry. Additionally, a berm created along the permit boundary (**Figure 4**) will help to retain site water within the quarry preventing unwanted siltation in nearby wetlands or waterbodies. The established 30 m buffer from wetlands, 50 m buffer from watercourses and water bodies are required by the Water Resources Division and will be adhered to.

5.2.2 Dust

The impacts of dust are expected to be minimal since the coarse aggregate products lack significant fine-grained particles. Dust created from site clearing or crushing and screening will be controlled by water suppression via water trucks if required. Site clearing will occur progressively, typically in areas less than 0.5 Ha and this will help minimize dust generation. Crushing operations during very dry conditions will be minimized and if necessary, suspended until water suppression can be maintained or atmospheric conditions are more suitable. The weather conditions in the northeast Avalon region do not typically yield long dry periods which will help minimize the risk of dust generation.

5.2.3 Fuel

Diesel fuel will be required to operate the equipment within the quarry area. The handling of petroleum products on site will comply with the Storage and Handling of Gasoline and Associated Products Regulations. Any fuel stored on site will be placed in a spill tray that would exceed the capacity of the storage tank in case of accidental leaks.

Fuel may be supplied through petroleum storage tanks and/or a mobile fuel truck. If a petroleum fuel storage tank is required, all permits including the Registration of Gasoline and Associated Products and a Mobile Fuel Storage Tank Permit will be acquired from the Government Service Branch – Operations Division of the Government of Newfoundland & Labrador. Any potential fuel storage tanks will also comply with the required Storage Tank System Test from Service NL.

Fuel storage areas will be regularly checked, and emergency spill kits will be available on site for containment and cleanup of hydrocarbon leaks. All equipment will be regularly maintained and inspected to prevent mechanical related incidents. Any leaks or spills of more than 70 liters will be immediately reported to the Provincial Environmental Emergency Telephone Line and cleaned up. In any case spilled fuel will be cleaned up immediately by using absorbents and transporting contaminated material to an approved remediation and disposal site.

5.2.4 Domestic Waste and Sewage

During quarry operations, portable lavatories will be located within the quarry boundary and will be utilized as required. Employees may also utilize other facilities within the Towns of Bay Bulls/Witless Bay or other nearby communities. Domestic waste generated during operations will be collected and disposed of in accordance with the Environmental Protection Act 2002. Waste and sewage will be removed by approved service providers.

5.2.5 Site Visibility

The quarry area is partly visible from the Witless Bay Line near the gated quarry access road. The forested topography surrounding the quarry area helps to conceal most of the development. A 50 m buffer to the Witless Bay Line will be maintained along with an internal grubbing berm aiding in screening. Should the visibility of the site become a concern then an expanded internal berm will be constructed along the southwest quarry boundary facing the Witless Bay Line. This area is also proposed for grubbing and topsoil stockpiles which will provide further visibility screening (**Figure 4**).

5.2.6 Local Land Users

Local land use includes agriculture and recreational activities such as hunting, hiking, and berry picking. Ocean View Farms Ltd. own large areas of farmland ~200 m northeast of the quarry. The quarry project area, however, is very rocky and unsuitable for farming. Recreational users may choose other adjacent wilderness areas that are more suitable than the existing, small scale quarry area. Quarry access will be restricted by a locked gate, perimeter berms and posted signage to warn the public of the active quarry.

5.3 Quarry Rehabilitation

The proposed quarry contains a finite non-renewable rock aggregate resource, and the project completion is dictated by production quantities and the demand for the aggregate products which are not fully known at this time. When all aggregate resources are removed, the quarry faces will be sloped at 30 degrees to the quarry floor which will not extend below the water table. The entire stripped area will then be re-spread with preserved organics and grubbing material to promote regeneration of forest as seen in adjacent areas. The aim is to blend the quarry area with the surrounding landscape leaving no long-term hazards from the quarry activity, that may span several decades.

6.0 PROTECTED WATERSHED

This Environmental Impact Statement is required for the quarry application area, and the previously issued quarry area, as required by the Department of Municipal and Provincial Affairs under the Urban and Rural Planning Act, 2000. This was determined after a Development Permit application was submitted to Digital Government and Service NL for the quarry project within the Butterpot Witless Bay Environs area and are the permitting authority. The project is in the Pierre's Brook – St. John's Potential Surface Water Natural Drainage Area. This report presents the quarry development plans so that if there are potential impacts to the protected watershed, indicated as a future water source, they can be identified.

The Pierre's Brook – St. John's Potential Surface Water Natural Drainage Area is over 10,000 Ha, while the quarry site is 3.35 Ha in size or 0.03 % of the protected watershed area. The watershed is not currently utilized like Windsor Lake, Bay Bulls Big Pond and Petty Harbour Long Pond watersheds. The proponent recognizes that any long-term, future development is to be completed in a responsible manner to protect the watershed area.

As outlined above, the 3.35 Ha combined quarry and operations pose minimal anticipated impacts on the protected watershed area. Surface water from the quarry site will be controlled to filter out suspended particles prior to exiting the quarry boundary. Excess site water may trend southward along the Witless Bay Line exiting ditches and continue to filter naturally. All necessary precautions to prevent and/or clean up a fuel spill will be followed as noted above.

There are approximately seven other approved quarry sites along the Witless Bay Line within the protected watershed area as this type of industrial activity is not new to the area. The quarry is expected to be in operation for 20-30 years, until the available aggregate material is exhausted, and the site is fully reclaimed. This may occur before the Pierre's Brook – St. John's Potential Surface Water Natural Drainage Area is used as a water source minimizing the projects potential impacts.

7.0 LIMITATIONS

This Environmental Impact Statement document was prepared by NCD Consulting Ltd. in consultation with O'Brien's Trucking Ltd. for their use under the terms defined in a written contract between the two parties. The information included in this document was provided by the client and relates to the scope of this project exclusively. NCD Consulting Ltd. has collaborated with the client and utilized NCD's combined extensive knowledge in quarry development and environment related concerns to, as accurately as possible and with the information available at the time of drafting this document, layout the development of the site in a safe and environmentally sustainable manner.

Terry O'Brien

Name: Mr. Terry O'Brien
Position: Owner/Operator
O'Brien's Trucking Ltd.

2025-03-06

Approval Date