

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

The Department of Government Services is in receipt of an application from Torque Construction Incorporated for a quarry to be located 5.7 kilometers along Witless Bay Line, West of Route 10 on the Southern Shore Highway.

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 Government Services by emailing devcongsc@gov.nl.ca by March 13, 2026.

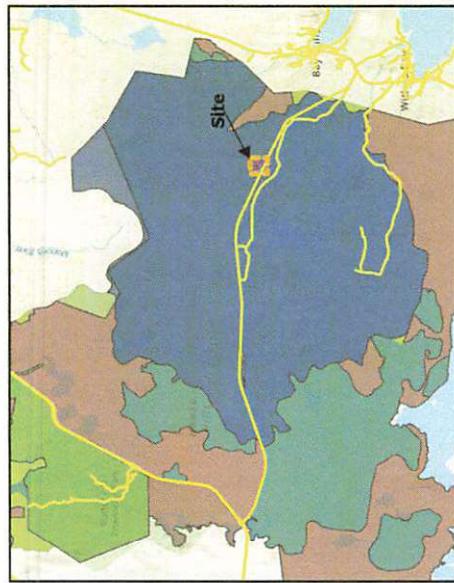
Please include the following in the email subject line: Attention: Development Control – File Reference 25-109912.

For more information about this application, please visit the Department’s website to view the Discretionary Use Notice for “Torque Construction Incorporated” or call 709-729-3699.

PUBLIC NOTICE

Development Application
Proposed Quarry-Torque Construction
Incorporated
Discretionary Use -Watershed Protection
Zone

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



**Newfoundland
&
Labrador**

For more information please contact
devcongsc@gov.nl.ca or (709)-729-3699
Government Services Centres



TORQUE CONSTRUCTION INCORPORATED WITLESS BAY LINE QUARRY

Environmental Impact Statement Document

(As per the Butterpot-Witless Bay Line Environs Development Control Regulations)



Submitted by:
Torque Construction Inc.
57 Track Road
P.O. Box 87)
Mobile, NL
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Prepared with the assistance of:
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November 18, 2025

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1.0 NAME OF UNDERTAKING

Witless Bay Line Quarry Permit

- Quarry Permit Application
 - File 711:11104 covering 4.4 ha (expired Sept. 05, 2025)
- Service NL Identification
 - File Reference #25-109912

2.0 PROPONENT

2.1 Name of Corporate Body

Torque Construction Inc.

2.2 Address

57 Track Road
P.O. Box 87
Mobile, NL
A0A 3A0

2.3 Principal Contact Person

Mr. Jonathan Ryan
Telephone: (709) 769-7195
Email: joryan15@hotmail.com

3.0 THE UNDERTAKING

3.1 Nature of the Undertaking

The proposed project, referred to as the Witless Bay Line Quarry, is a 4.4 ha quarry permit that expired on Sept 05, 2025, and was first issued to Torque Construction Inc. (Torque) in 2015. The quarry has been used to excavate pit run and armour stone that requires little secondary processing and is utilized in various construction and landscaping applications on the northeast Avalon Peninsula. The project is located ~3 km northwest of Gull Pond, ~5.7 km west of the Southern Shore Highway (Route 10) along the Witless Bay Line (WBL; Route 13) near Bay Bulls and within NTS map sheet 1N/07 (**Figure 1** and **Figure 2**). According to the Butterpot-Witless Bay Line Environs Development Control zoning map, the project area is zoned as Watershed Protection.

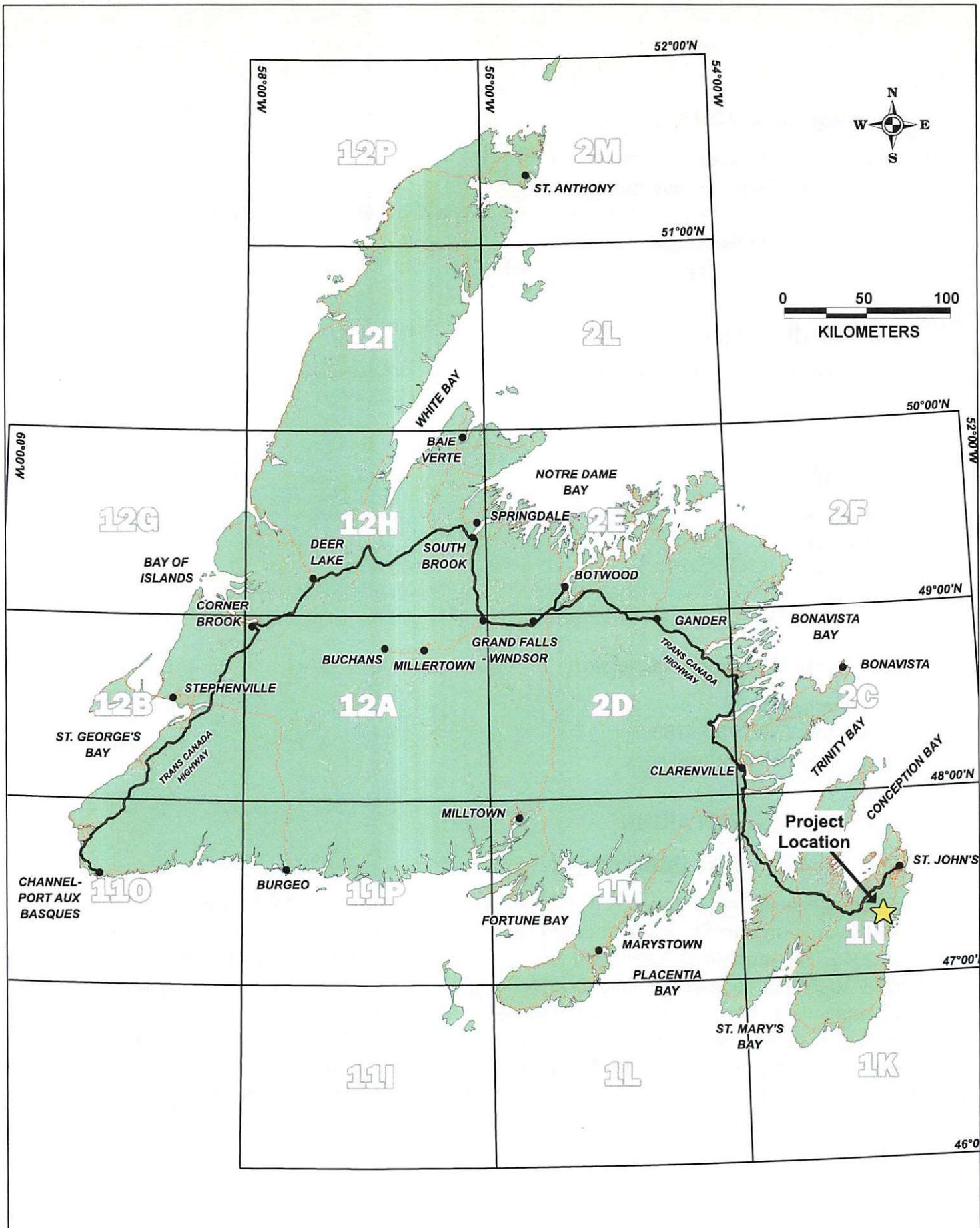


Figure 1: Project Location Map (NTS 1N/07)

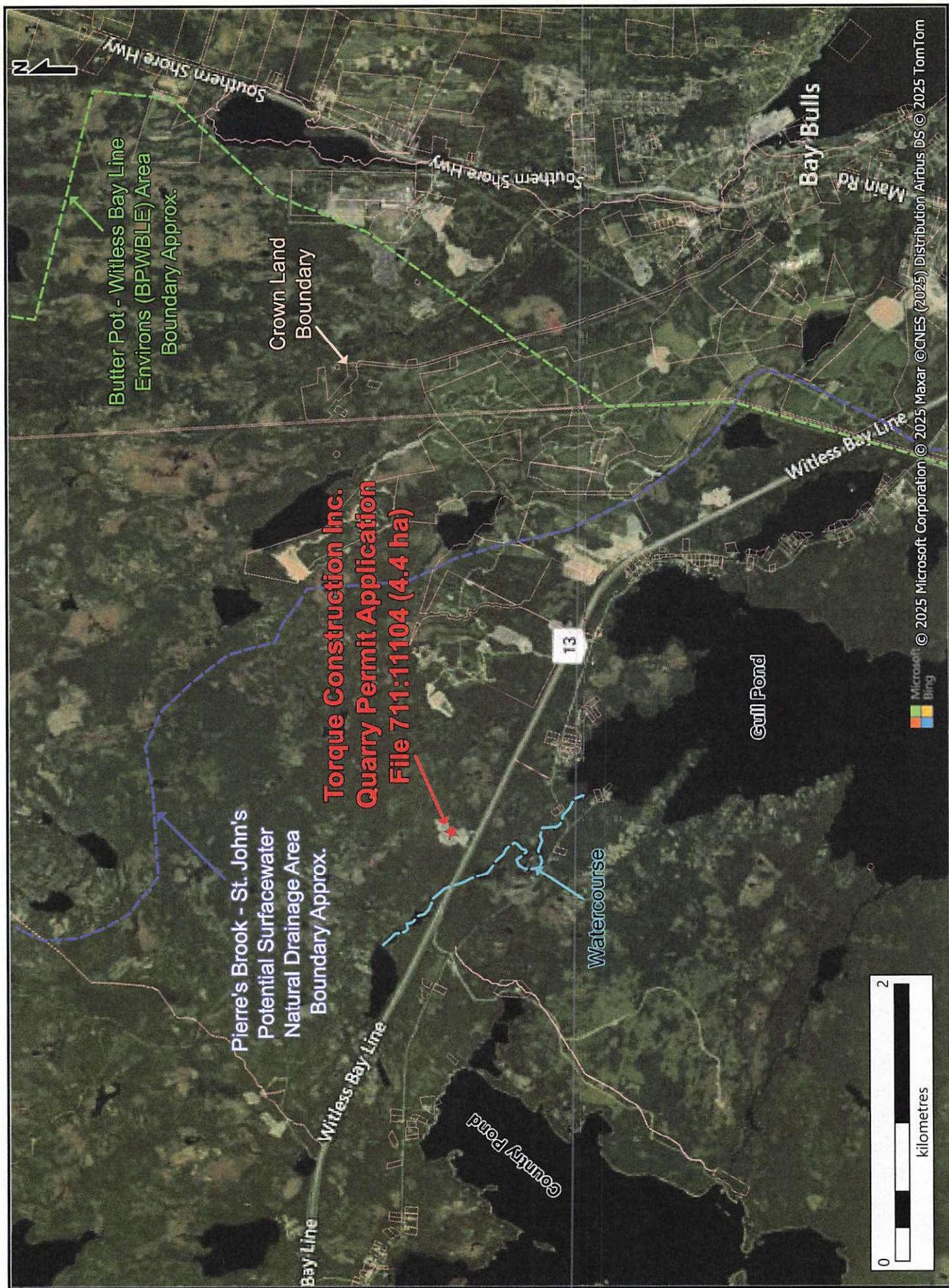


Figure 2: Quarry Area Location Map

Within this zone, mineral workings (i.e. quarrying) are listed as discretionary land uses and require permitted approval. The project is also, within the Pierre's Brook – St. John's Potential Surface Water Natural Drainage Area (**Figure 2**).

This Environmental Impact Statement (EIS) is requested by the Department of Municipal and Community Affairs. It documents the development plans and measures taken by the proponent to prevent negative environmental impacts and land use conflicts. A site visit by NCD on November 13, 2025, assessed the quarry conditions and site photos are provided on pages 12 and 13 of this report.

3.2 Purpose/Rationale/Requirement for the Undertaking

Torque has operated the quarry site (quarry permit File 711:11104) since 2015 and the quarry area was expanded in 2017 from 1 ha to 4.4 ha in size. The quarry project provides pit run and armour stone to consumers in the region. There will be no blasting of rock inside the quarry as it is not an approved quarry activity. Torque is seeking a discretionary development permit to continue operating the Witless Bay Line quarry to meet business demands.

A 50 m road buffer from the centerline of Witless Bay Line offers tree screening in addition to a constructed visibility berm and dog legged quarry access road (**Figure 3**). These measures were taken to prevent direct views of quarry activity from users of the WBL. The existing quarry areas, access road, berms and stockpiles cover ~1.3 ha of the quarry as depicted in the site layout (**Figure 3**). A 15 m internal buffer is set between the adjacent quarry permit issued to T & T Contracting (File 711:11038 – 5ha) that contains their access road and quarry areas (**Figure 3**). These areas are adjacent to a berm constructed from windrowed grubbing along the western project boundary (**Figure 3**) and will remain in place. The remainder of the project will have a 5 m internal buffer that should remain undeveloped.

A watercourse located ~260 m south of the quarry leads southeast into Gull Pond and is outside the 50 m buffer (**Figure 2 and 3**) required by the Quarry Materials Act. The topography within the quarry has a peak elevation in the northwest and dips gently over ~10 m in elevation to the southeast. Undeveloped areas are sparsely vegetated, and the quarry floor appears to have good surface drainage. Thick glacial till, fluvial and hummocky till constitute the surficial geology mapped in the region. The till available on site is permeable, requires minimal secondary processing and can be utilized directly as a pit run product. Oversized boulders ranging up to 3 m in diameter, are often angular, grey siltstone and removed from the till to be used as armour stone. Site water currently drains across the sloped quarry floor through a culvert beneath the access road, discharging into road ditches and culverts beneath the Witless Bay Line. Rock check dams and silt fencing will be used inside the quarry during excavating operations to filter

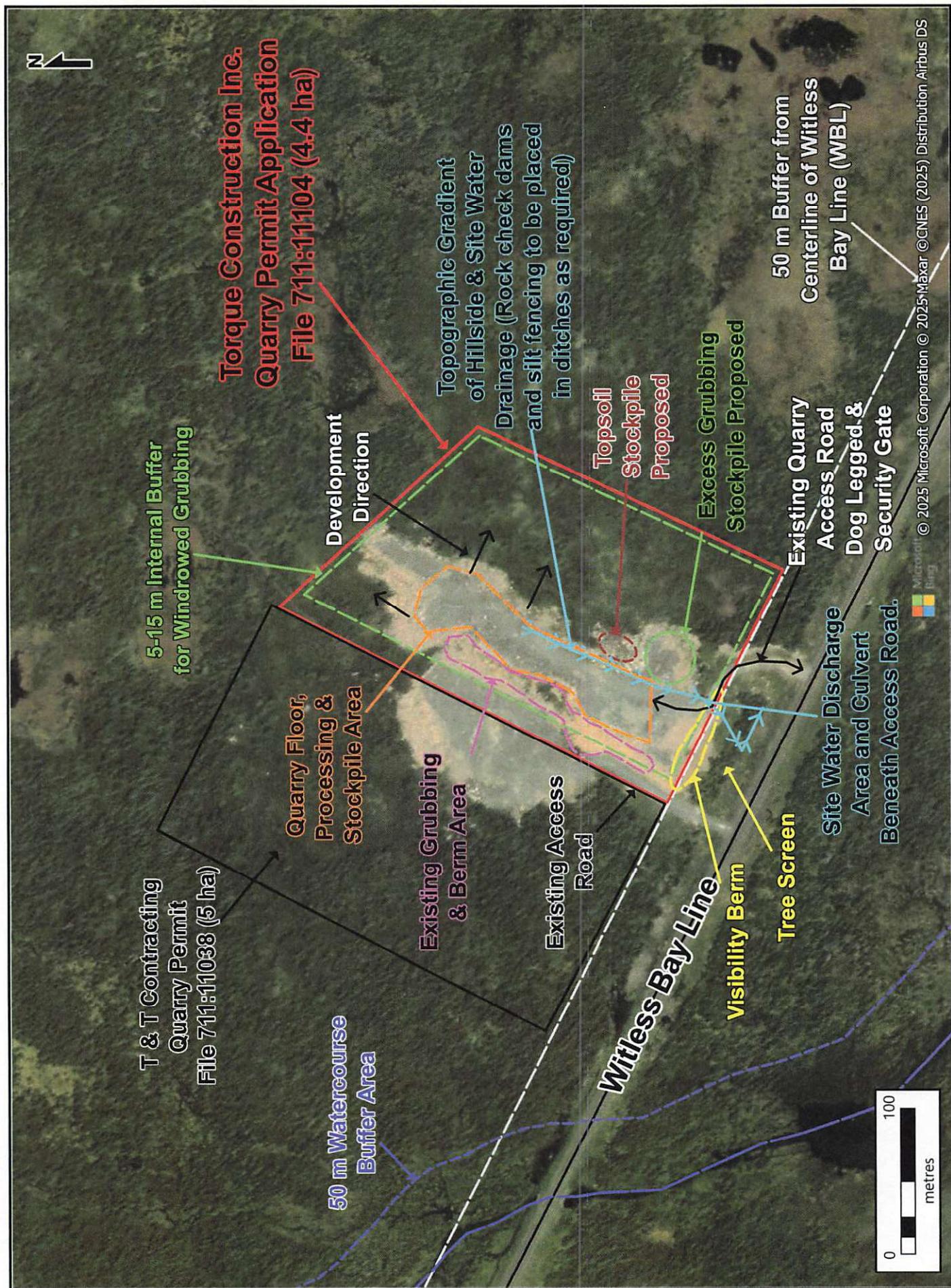


Figure 3: Quarry Layout

silt from surface water before being discharged from the project area. There are no plans to wash aggregate inside the quarry.

The project location offers advantages in being close to local markets, allowing Torque to compete efficiently with other quarry operators and supply aggregate to various construction projects in the region. The quarry permit boundary has established adequate buffer distances to watercourses as required by the Department of Environment, Conservation and Climate Change. Since becoming an active quarry in 2015 Torque has aimed to minimize the impact of quarrying on the surrounding environment and respects the land use in the area. The proposed development is a continuation of the existing quarrying activities and will continue to follow provincial legislation for quarries as per the Quarry Materials Act and the regulations enforced by Quarry Materials Division. This includes but is not limited to sloping all hazardous quarry faces after development, creating adequate drainage, preserving organic material for future reclamation and allowing revegetation of the area.

4.0 DESCRIPTION OF THE UNDERTAKING

4.1 Activities to be Carried Out

The site has been used primarily to extract pit run material and armour stone from the unconsolidated till at a rate of ~1,600 m³ per year. The quarry operations are small-scale utilizing three full time employees, an excavator and a dump truck owned by Torque. Excavation depths within the quarry have reached up to 5 m and there is no visible bedrock. Future development plans will expand within the buffered permit boundary to the north along benches no greater than 5 m in height. It is expected that there will be enough pit run material within the project to provide decades of production.

Where stripping of overburden is required, all organic material including grubbing and topsoil will be separated as best as possible and preserved (Figure 3). The 5 to 15 m internal lease buffer provides some capacity for grubbing and organics to be windrowed while excess grubbing and topsoil will be stockpiled separately (Figure 3) and respread during closure reclamation of the site. The western boundary is buffered 15 m from the T & T Contracting quarry permit where unauthorized access and development has occurred by T & T (Figure 3). The area is to remain undeveloped until the T & T quarrying activities are addressed. A berm constructed in this area from windrowed grubbing separates the two quarries and provides screening from public users of the WBL.

The pit run material on site is dense, containing silty sand and gravel with oversized boulders that will be separated via an excavator and stockpiled on the quarry floor to be used in construction projects and landscaping. The pit run material is used as general fill in various commercial or residential projects. The sorted and stockpile material will be loaded from the quarry floor into dump trucks by excavators and/or front-end loaders as

needed and delivered offsite to various project locations. The site layout of the quarry project is portrayed on **Figure 3**, and the quarry is expected to supply pit run for many decades depending on future demand.

4.2 Alternative to the Undertaking

Torque requires a consistent, secure supply of quarry material to continue operating in a highly competitive market and to carry out ongoing business contracts for residential, commercial and municipal projects. The alternative to using this established quarry project is to pursue another new undisturbed quarry site with a greater transport distance, having an increased hauling cost and overall carbon footprint. If an alternate, undeveloped quarry is chosen, the new site may pose other environmental impacts or land use concerns depending on its location. The current project is blocked from view to the WBL by visibility berms, constructed by Torque and a tree screen within a 50 m road buffer area. The quarry activities proposed, and subsequent closure reclamation (i.e. sloping quarry walls and respreading organics/grubbing) will follow industry standards listed in the provincial Quarry Materials Act and are expected to have minimal impact on future land use in the area.

Land use in the area includes recreational activities, such as hunting and fishing in addition to agriculture and there is ample undeveloped space outside of the quarry for such uses. Cabin owners reside near the shore of Gull Pond and Country Pond (**Figure 2**) located over 800 m from the project. The quarry boundary is buffered from waterbodies, wetlands and watercourses in the area. Drainage from the quarry enters a drainage ditch along the WBL within the vegetated buffer zone before reaching the nearest watercourse or waterbodies.

5.0 ENVIRONMENTAL IMPACTS

5.1 Anticipated Impacts

This Environmental Impact Statement is required by the Department of Municipal and Community Affairs under the Butterpot Witless Bay Line Environs (BPWBLE) Development Control Regulations. The project has been active since 2015 and is expected to have a minimal impact on the environment due to its small 4.4 ha footprint and the location being mostly surrounded by undeveloped land. The existing quarry area is separated by a 50 m buffer zone to the road centerline with existing tree screening and is ~260 m from the nearest water body/ watercourse.

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*

Siltation caused by site drainage will be mitigated by using rock check dams, silt fencing and haybales as required to adequately filter suspended solids (i.e. silt). Site drainage through the permeable, sloped quarry floor, passes through a culvert inside the quarry and exits the project within the 50 m road buffer and tree screen area along the southern boundary (Figure 3). The permeable nature of the quarry floor and topographic decline towards the south provides good drainage and prevents water from pooling inside the site. The southern quarry boundary is ~260 m north of the nearest watercourse, separated by the Witless Bay Line (Figure 3) and will act to redirect surface water along preexisting road ditches and culverts into vegetated areas before reaching the nearest watercourse.

5.2.2 *Dust*

The impacts of dust inside the quarry are expected to be minimal since the processing will involve mainly screening of oversized material using an excavator. Crushing of rock aggregate is more likely to generate dust and this will not be performed inside the quarry. If excess dust becomes a problem, then it will be controlled by water suppression systems with water delivered via water trucks. Site clearing may also cause dust in the form of windblown silt. This will be mitigated by clearing undeveloped areas of the quarry progressively in sections and not all at once during damp conditions when possible. During very dry conditions or if necessary, quarry operations can be reduced or halted until moisture levels in the ground and air improve and dust is reduced.

5.2.3 *Fuel*

Diesel fuel will be required to operate quarrying equipment that is limited most times to an excavator inside the quarry. The handling of petroleum products on site will comply with the Storage and Handling of Gasoline and Associated Products Regulations. Fuel is expected to be supplied through a mobile fuel truck and service provider. 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 storage tanks will be placed in a spill tray that has excess capacity in case of accidental leaks, and this is required to comply with the Storage Tank System Test from Service NL.

Emergency spill kits will be available on site for containment and cleanup of hydrocarbon leaks from equipment. 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 peak quarry operations, if deemed necessary by the number of employees on site, a portable lavatory will be used. Employees may also use public lavatory facilities within the Towns of Bay Bulls/Witless Bay given the proximity of the quarry to Route 10 and Bay Bulls, located ~5.7 km to the east (**Figure 2**). Domestic waste generated during operations will be collected and disposed of in accordance with the Environmental Protection Act 2002 using approved service providers and/or waste disposal sites (i.e. Southern Shore Recycling Depot, Robin Hood Bay Landfill, etc.).

5.2.5 Site Visibility

The quarry is screened from view to public users of the Witless Bay Line located 50 m south of the permit boundary. Tree screening of the site is provided within the 50 m road buffer area and a visibility berm along the southern permit boundary offers additional screening of the site (**Figure 3**). A berm of windrowed grubbing also exists along the western boundary helping to screen the quarry floor from view to the WBL. The berms are up to 5 m in height and contain organics that are expected to become naturally revegetated over time. Should site visibility become a concern in the future then progressive reclamation, berm placement/enhancement, hydroseeding, and/ or tree seedling planting would help to conceal areas from view.

5.2.6 Local Land Users

Local land use of the area includes agriculture, cabin dwellings and recreational activities such as hunting, fishing, and berry picking. Private granted land belonging to Smiling Land Farm Inc. is located ~1 km southeast of the quarry. The quarry project footprint offers little disruption of space available for farming or recreation in the area. Agriculture and recreational use of the land is more suitable in the vast areas of undeveloped land surrounding the quarry. Quarry access is restricted by a locked gate, berms and posted signage that warns the public of the active quarry. Access to Gull Pond and areas south of the project will not be impacted by the existing quarry development.

5.3 Quarry Rehabilitation

The quarry project contains a resource of till used as pit run material, estimated to provide over 20 years of future development. The life of the quarry is dictated by the extraction

rate and demand for the aggregate products which are likely to fluctuate. Once the available resources are exhausted closure reclamation will be completed to restore the land to a condition that is safe for future use. Exposed quarry faces will be filled with reclamation material to the quarry floor creating 30-degree slopes. The final quarry floor depth will not extend below the ground water table and surface water will be able to drain from the reclaimed site. The quarry will also be re-spread with preserved topsoil and grubbing material containing organics to promote natural revegetation and forest growth. Closure reclamation aims to blend the quarry area with the surrounding landscape leaving no long-term hazards from the quarry activity and allow for future generations to utilize the site for recreational activities.

6.0 PROTECTED WATERSHED

A development permit from Digital Government and Service NL is requested for the quarry operations outlined in this EIS. The quarry is in a Watershed Protection area according to BPWBLE Development Control Regulations and in the Pierre's Brook – St. John's Potential Surface Water Natural Drainage Area (Pierre's Brook). Quarrying is not new to the area as there are approximately seven approved quarry permit sites operated along the Witless Bay Line and several others that are located within the protected BPWBLE and Pierre's Brook drainage area. The 4.4 ha quarry project is a small fraction of the BPWBLE area that includes the over 10,000 ha Pierres Brook natural drainage area. Future development will be completed in a manner that mitigates negative impacts on this watershed area.

The operations inside the quarry are considered relatively small-scale consisting mainly of a single excavator and dump truck that pose minimal risk to the environment. Surface water inside the quarry site is generated mainly by natural precipitation and seepage from higher elevations toward the south. Drainage channels across the quarry floor will be constructed from permeable materials available on site that prevent ponding water. The water quality of site drainage will meet regulations set in the Water Resources Act by using rock check dams, silt fencing and haybales as required to filter suspended solids (i.e. silt). Site water exiting the quarry will enter road ditches along WBL extending to lower points in the road where culverts carry water to the lower side, then to vegetated areas before reaching any watercourse or water body. Precautions to prevent and/or clean up fuel spills as noted above (**Section 5.2.3**) will be followed to avoid contaminating the quarry drainage and harming the environment.

7.0 LIMITATIONS

This Environmental Impact Statement document was prepared by NCD Consulting Ltd. in consultation with Torque Construction Inc. for their use under the terms defined in a written contract between the two parties. The information included in this document was collected in a site visit and through correspondence with the client relating to the scope of this project exclusively. NCD Consulting Ltd. offers extensive experience and knowledge in local quarry development and environment related issues. NCD has drafted this document with the information available at the time to represent as accurately as possible the future development of the site in a safe and environmentally sustainable manner.



Name: Mr. Jonathan Ryan

Position: Owner/Operator

Torque Construction Inc.

Nov. 18, 2025

Approval Date

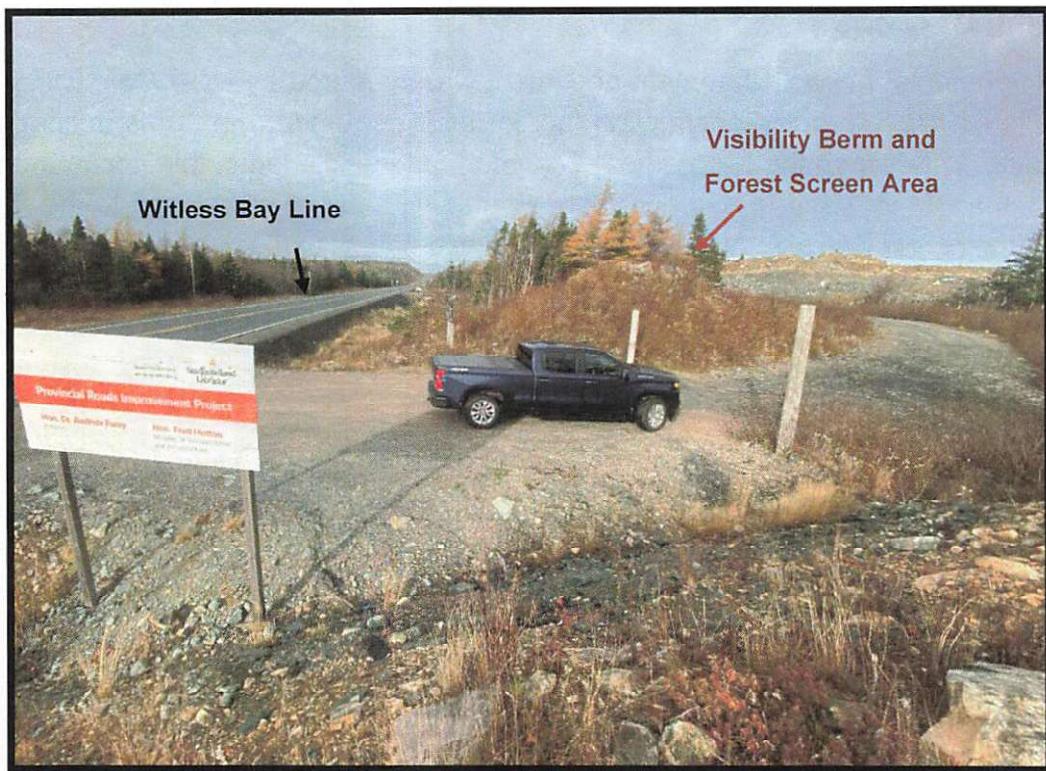


Plate 1: Quarry access road dog legged around a tree screen within the 50 m road buffer to the Witless Bay Line, looking northwest.



Plate 2: Quarry floor, development face and grubbing berm along the western side of the boundary, looking north.

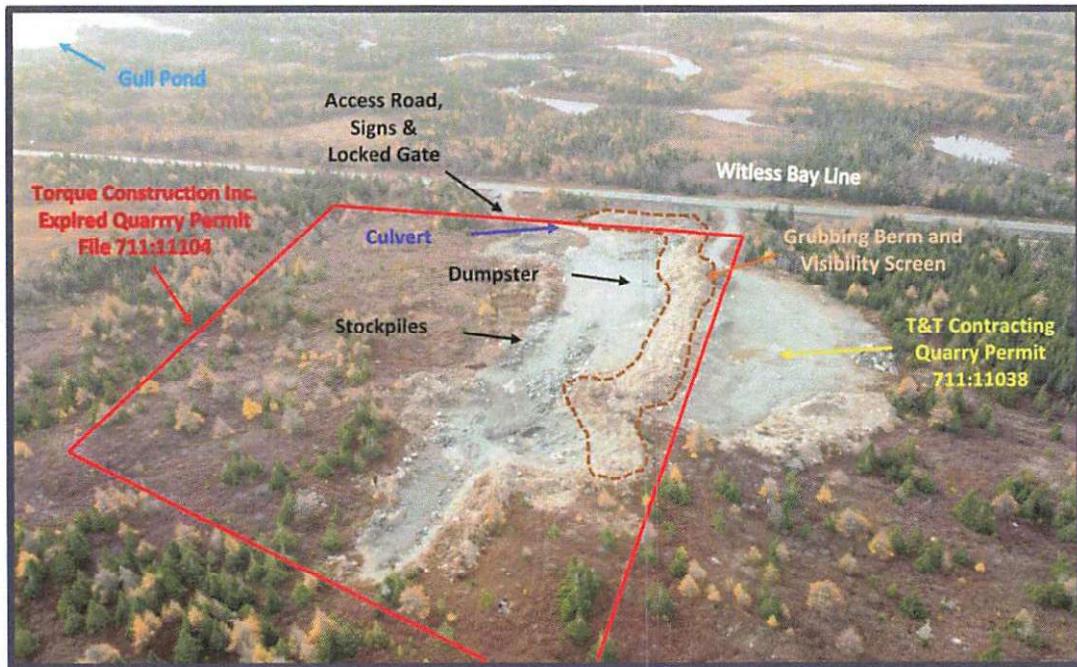


Plate 3: Aerial view of the quarry looking south towards the Witless Bay Line Road and distant watercourse.



Plate 4: Aerial view of the quarry looking north toward the western boundary.