

Quarry Legislation Review

Kevin Sheppard
November 14, 2019

Outline

- The Mineral Lands Division
- Background
- The review process

Mineral Lands Division



Director's Office

Mineral Rights

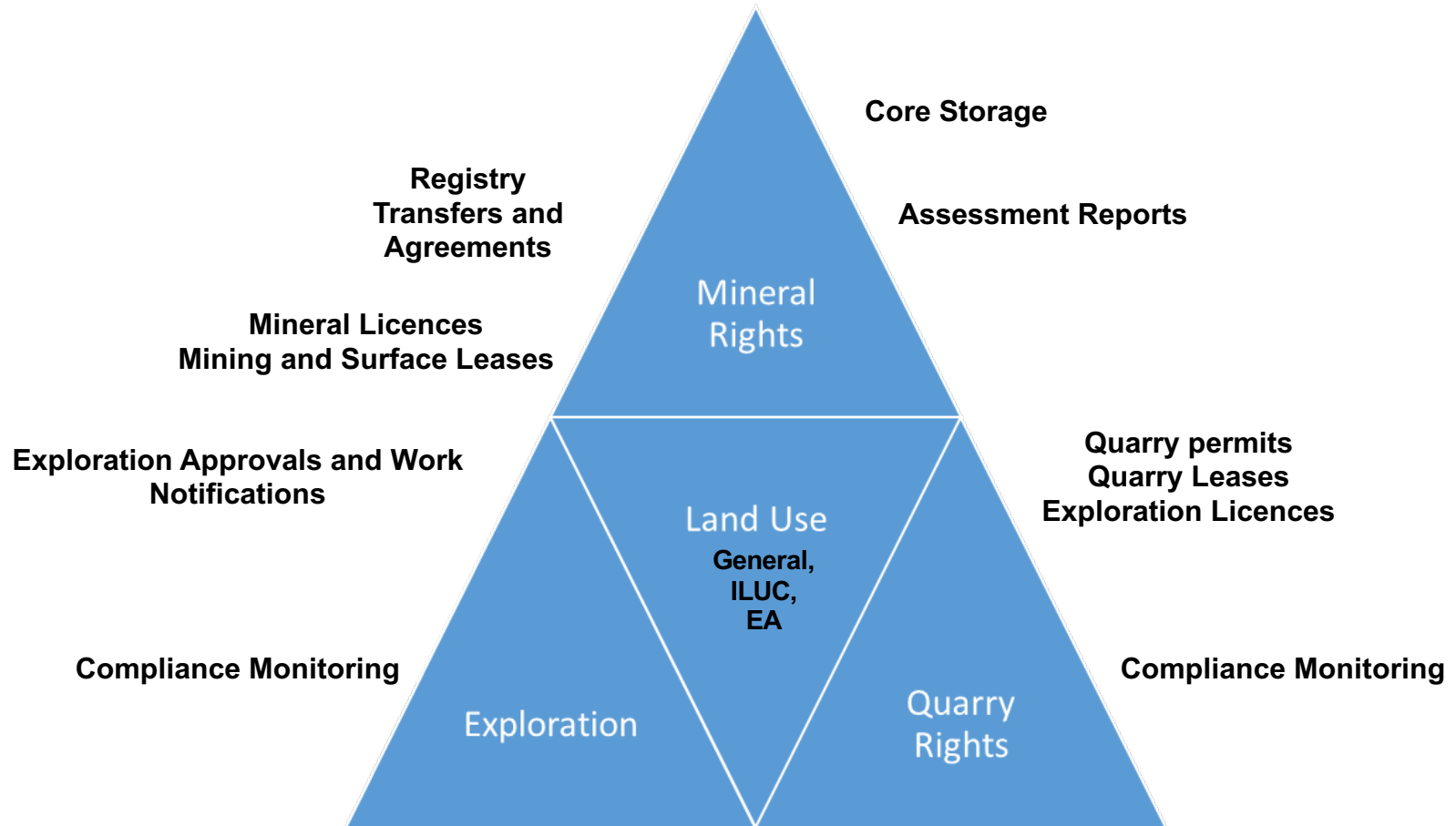
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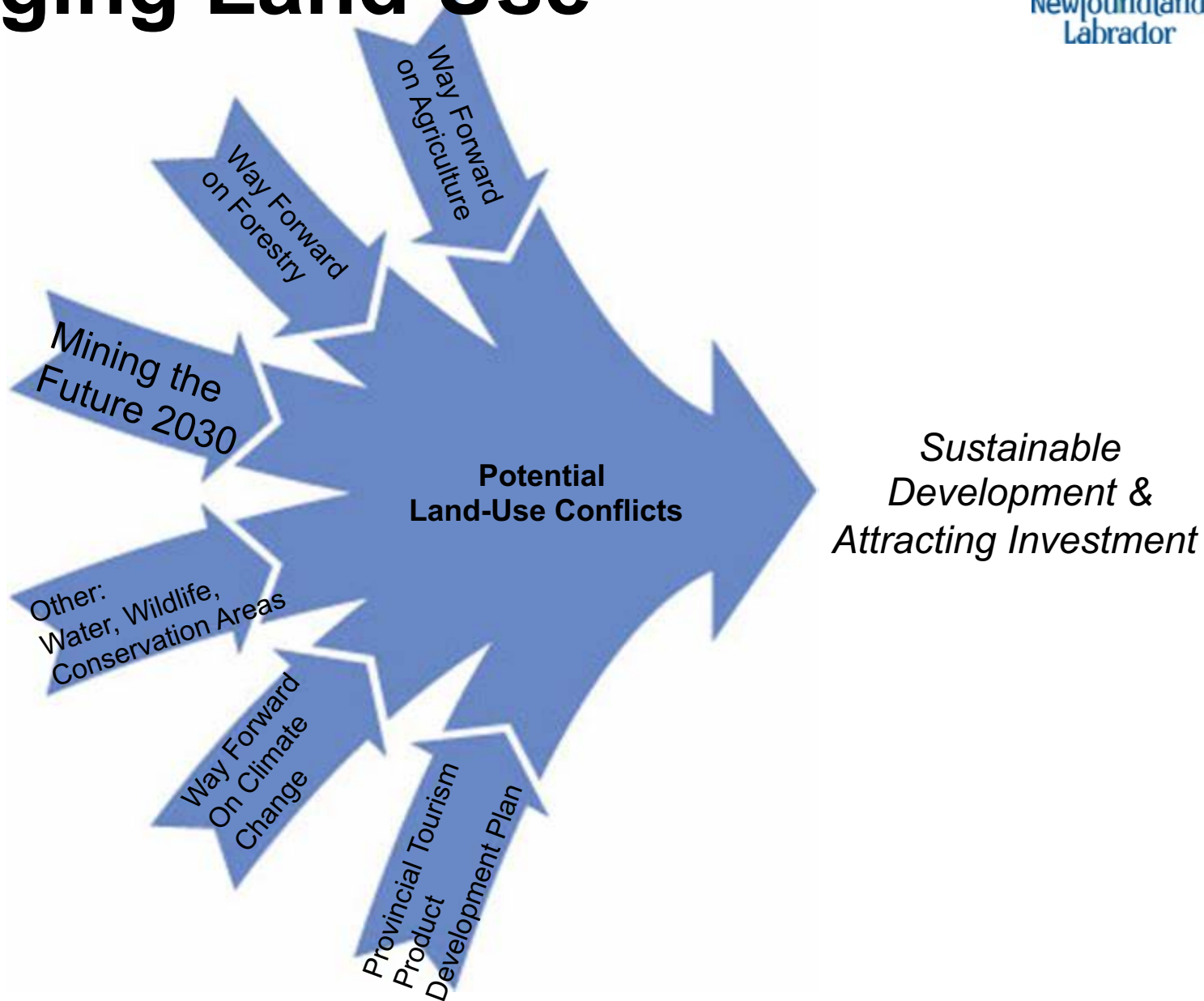
Core Storage

Quarry Rights

Connected by Land



Managing Land Use



Legislation

- Mineral Lands Division Legislation
 - Mineral Act
 - Quarry Materials Act
- Currently reviewing the Quarry Materials Act
- Mineral Act and Mining Act review in 2020-2021

Quarry Materials Legislation

- The current legislation was enacted in 1998.
 - Quarry Materials Act
 - Quarry Materials Regulations
- First comprehensive review since the legislation was enacted.
- Seeking input on ways to improve and modernize the legislation.

Why Review the Quarry Legislation?

- Despite modernizing internal processes, changes to legislation are required to develop a more efficient and robust program.
- Issues with the current legislation include:
 - Antiquated permit types (e.g., Beach Permits)
 - Quarry Materials Exploration Licenses allow large areas of land to be controlled for extended periods of time.
 - Lack of an appeal mechanism
 - Only allows the issuance of a quarry permit for one year, even though most sites are maintained for many years

What are Quarry Materials

- Materials such as clay, sand, gravel, rock, soil, and peat
- Used for construction or agriculture purposes
- Generally low value, heavy and bulky products
- Moving quarry materials long distances increases costs to consumers, increases the wear on local infrastructure (e.g., roads and bridges) and increases air emissions



truckloads
1 kilometer of 4-lane
highway



truckloads
a 32,000 meters square
hospital

What we've heard

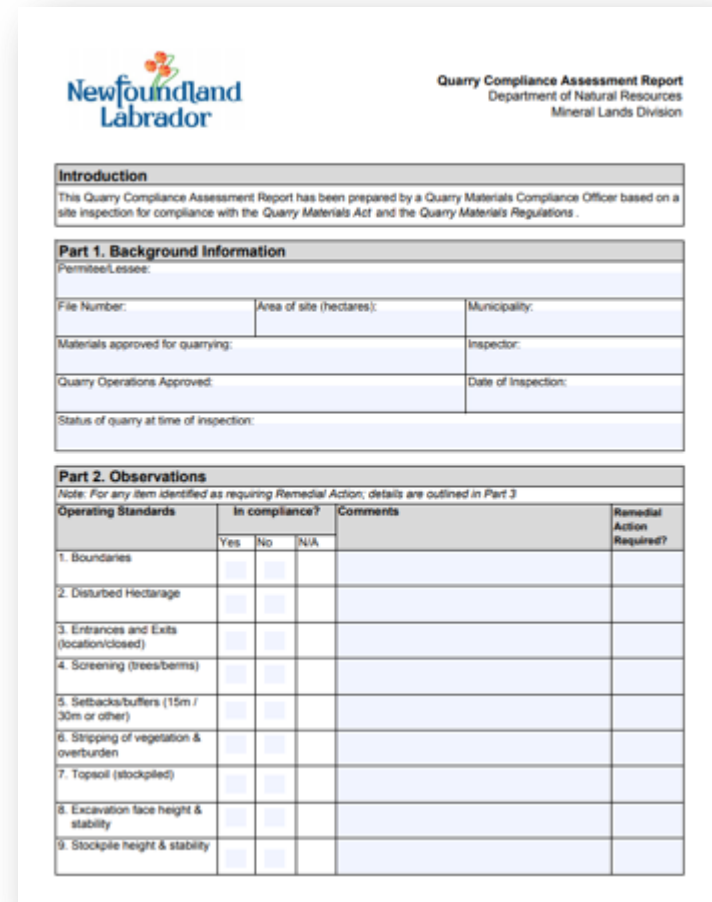
- There are gaps in the legislation associated with excavation related to the development of private land in unincorporated areas (e.g., Local Service Districts).
- Municipalities require quarry materials for town-related construction and maintenance projects
- Municipalities have concerns related to the regulatory oversight of quarries and the potential impact of these activities on public safety, environment, tourism, municipal road maintenance, and the ability for communities to generate revenue.

What we've heard (continued)

- Revised legislation is required to improve the rehabilitation of quarries.
- un-rehabilitated quarries impact property values and tourism
- Municipalities receive minimal financial benefits from quarries approved and operated within their jurisdiction.
- The current legislation results in poor resource management, inefficient use of land and the monopolization of quarry resources

So far...

- Jurisdictional review to help establish policies
- Implemented a new compliance inspection reporting form
 - Standardize the inspection process
 - Increase rate of compliance
 - Ensure consequences for non-compliance
- New quarry permit application form
 - more stringent screening criteria to address internal government feedback



Newfoundland Labrador

Quarry Compliance Assessment Report
Department of Natural Resources
Mineral Lands Division

Introduction
This Quarry Compliance Assessment Report has been prepared by a Quarry Materials Compliance Officer based on a site inspection for compliance with the Quarry Materials Act and the Quarry Materials Regulations.

Part 1: Background Information
Permittee/Lessee:

File Number:	Area of site (hectares):	Municipality:
Materials approved for quarrying:		Inspector:
Quarry Operations Approved:		Date of Inspection:
Status of quarry at time of inspection:		

Part 2: Observations
Note: For any item identified as requiring Remedial Action, details are outlined in Part 3

Operating Standards	In compliance?			Comments	Remedial Action Required?
	Yes	No	N/A		
1. Boundaries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
2. Disturbed Hectarage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3. Entrances and Exits (location/closed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
4. Screening (trees/bems)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
5. Setbacks/buffers (15m / 30m or other)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
6. Stripping of vegetation & overburden	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
7. Topsoil (stockpiled)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
8. Excavation face height & stability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
9. Stockpile height & stability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Recent Initiatives

- Development of improved rehabilitation guidelines and policies
 - Working with Nalcor to develop pilot projects from sites developed for the transmission line;
 - results to form the basis of revised rehabilitation policies and methodology
- Initiated consultation with other government departments to address the gaps in the legislation related to development-related excavation in unincorporated areas



So far...

- What we are hearing document
- Discussion guide focusing on the areas of the legislation where updates are being considered
- Pre-consultation with Heavy Civil Association Pits and Quarries Subcommittee
- Internal consultation within provincial government departments
- Public consultation plan and discussion guide



Have your say...

- engageNL website
- Discussion guide
- Online questionnaire
- Written submission
- Various in-person engagement sessions across the province
- World Café

World Café
Friday afternoon
Bowring Rooms 1 & 3
3:30 – 5:30 pm