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Ref: 99527

December 15, 2009

Paul Griffiths and Carol Ramsey
544 Springbok Rd
Campbell River BC V9W 8A2

Dear Mr. Griffiths and Ms. Ramsey:

I have been asked to respond to your letter of September 16, 2009, addressed to the Honourable Barry Penner, Minister of Environment, regarding Lehigh Northwest Materials Limited's proposal to operate a limestone quarry in the Davie Bay area of Texada Island. In your letter, you requested that Minister Penner designate the proposed quarry a reviewable project, by Order under section 6 of the *Environmental Assessment Act* (Act), on the grounds that the proposed quarry may have a significant adverse environmental effect on nearby karst cave systems, and the designation would be in the public interest.

Minister Penner has considered your request, and in doing so sought input from the Executive Director of the Environmental Assessment Office regarding the proposed quarry and associated marine loadout. Minister Penner has accepted the advice of the Executive Director not to designate the proposed Texada South Quarry and associated marine loadout as a reviewable project under the Act, due to the following factors:

- The Ministry of Energy, Mines and Petroleum Resource's (MEMPR's) Mine Development Review Committee process will address the potential environmental, health, social and heritage effects of the proposed Texada South Quarry, including potential effects on the karst cave systems.
- The federal screening level environmental assessment that is underway for the proposed marine loadout will address the potential effects of the proposed loadout on the marine environment.

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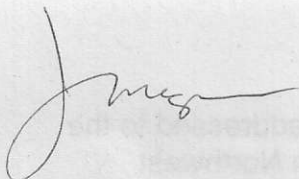
Environmental
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Victoria BC V8W 9V1

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1st & 2nd Fl - 836 Yates Street
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- Public consultation has been conducted as part of MEMPR's review process to date for the proposed Texada South Quarry, and the federal screening level environmental assessment for the proposed marine loadout will include public consultation.
- Although the proposed quarry would have a production capacity close to the *Reviewable Projects Regulation* threshold, the concerns you have raised are not related to the proposed level of production (the size of the proposed quarry), but to the existence of the proposed quarry and marine loadout.

Sincerely,



John Mazure
Executive Project Assessment Director
Environmental Assessment Office

pc: Greg Carriere
Manager, Industrial Minerals, Exploration and Development
Lehigh Northwest Materials Limited

Linda Sullivan
Senior Environmental Officer
Transport Canada

Lisa Walls
Associate Regional Director
Canadian Environmental Assessment Agency