

Environmental Assessment Approval

Approval Date: *Original Dated 06 December 2011*

Warehouse & Distribution Centre Expansion Home Hardware Stores Limited, Proponent

Debert Air Industrial Park, Colchester County, Nova Scotia

The Warehouse & Distribution Centre Expansion (the “Undertaking”), proposed by Home Hardware Limited (the “Approval Holder”) in Debert Air Industrial Park, Colchester County, Nova Scotia is approved pursuant to Section 40 of the *Environment Act* and Section 13(1)(b) of the *Environmental Assessment Regulations*. This Approval is subject to the following conditions and obtaining all other necessary approvals, permits or authorizations required by municipal, provincial and federal acts, regulations and by-laws before commencing work on the Undertaking. It is the responsibility of the Proponent to ensure that all such approvals, permits or authorizations are obtained before commencing work on the Undertaking.

This Environmental Assessment Approval is based upon the review of the conceptual design, environmental baseline information, impact predictions, and mitigation presented in the Registration Document.

Terms and Conditions for Environmental Assessment Approval

1.0 General Approval

- 1.1 The Environmental Assessment Approval for the Undertaking is limited to the Undertaking as described in the Registration Document. Any proposal by the Approval Holder for expansion, modification or relocation of any aspect of the Undertaking from that proposed in the Registration Document must be submitted to the Environmental Assessment Branch for review and may require an environmental assessment.
- 1.2 The Approval Holder must, within two years of the date of issuance of this Approval, commence work on the Undertaking unless granted a written extension by the Minister.
- 1.3 The Approval Holder must not transfer, sell, lease, assign or otherwise dispose of this Approval without the written consent of the Minister. The sale of a controlling interest of a business or a transfer of an approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.
- 1.4 The Approval Holder must implement all mitigation and commitments in the

Registration Document, unless approved otherwise by Nova Scotia Environment (NSE).

2.0 Facility Construction and Operation

2.1 As part of the application for Part V Approval under the *Environment Act*, the Proponent must provide for review and approval:

- a detailed site specific Erosion and Sediment Control Plan;
- plans for designated areas for refuelling and performing any maintenance of equipment. These designated areas must have measures in place to prevent petroleum products and other hazardous material from impacting the surrounding environment; and
- an acceptable Contingency Plan that meets NSE's Contingency Planning Guidelines, and addresses accidental releases of dangerous goods or waste dangerous goods, including but not limited to, procedures for responding to incidents occurring during off-work hours (i.e. evenings, weekends, holidays).

2.2 No hazardous materials or petroleum products are to be stored on the Site, unless approved by NSE.

3.0 Wetland

3.1 As part of the application for Part V Approval under the *Environment Act*, the Proponent must provide to NSE for review and approval, a Wetland Compensation Plan, developed in consultation with NSE and Nova Scotia Department of Natural Resources (NSDNR).

4.0 Water Resources

4.1 All discharges from the site must meet NSE requirements.

4.2 The Approval Holder, as part of the application for Part V Approval under the *Environment Act*, must submit to NSE for review and approval:

- a) details of sedimentation and flow retention basins
- b) a surface water monitoring program including sampling locations and parameters. Based on the results of the monitoring programs as proposed, the Approval Holder must make necessary modifications to mitigation plans and/or operations as required by NSE.

5.0 Flora and Fauna

5.1 Clearing and grubbing of the site must be conducted outside of the

breeding season for most bird species between May 1 to August 31, unless otherwise approved by NSE.

- 5.2 Prior to clearing, a survey must be conducted to ensure that no early nesting species protected by the *Migratory Birds Convention Act* are nesting on the site. If early nesting species are encountered, consult with the NSDNR regional biologist for mitigation.

6.0 Archaeological Resources

- 6.1 Archaeological work must be conducted according to the *Standards for Archaeological Impact Assessment and Reporting in Debert and Belmont, Nova Scotia* and an archaeological report must be submitted, for review and approval, to the appropriate contact at Nova Scotia Communities, Culture and Heritage.
- 6.2 The Approval Holder must cease work and contact the Coordinator, Special Places, Nova Scotia Department of Communities, Culture and Heritage immediately upon discovery of an archaeological site, artifact or human remains unearthed during any phase of the proposed Undertaking. If the find is of certain or suspected Mi'kmaq origin, the Approval Holder must also contact the Executive Director of the Kwilmu'kw Maw-klusuaq Negotiation Office.

7.0 Transportation

- 7.1 The Approval Holder must provide to Nova Scotia Transportation and Infrastructure Renewal the total truck volume currently entering and exiting the facility.

Original Signed By

Sterling Belliveau
Minister of Environment