

Environmental Assessment Approval

Approval Date: DEC 04 2014

Coldbrook Sand Pit Expansion 3048483 Nova Scotia Limited, Approval Holder Kings County, Nova Scotia

The Coldbrook Sand Pit Expansion (the "undertaking" or the "project"), proposed by 3048483 Nova Scotia Limited (the "Approval Holder"), Kings 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 Approval Holder 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 project is limited to the project as described in the Registration Document. Any proposal by the Approval Holder for expansion, modification or relocation of any aspect of the project from that proposed in the Registration Document must be submitted to the Environmental Assessment Branch for review and may require an environmental assessment (EA).
- 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 Surface Water Resources

- 2.1 The Approval Holder must not undertake any project related activities within 30 metres of a watercourse unless otherwise approved by NSE. No development or removal of vegetation within this 30 metre buffer is permitted unless otherwise approved by NSE.
- 2.2 The Approval Holder shall ensure that discharge limits are met with limits to be prescribed as part of Part V Approval under the *Environment Act*, for any water which is discharged from the project site to a watercourse or wetland.
- 2.3 Erosion and sedimentation controls are to be in place prior to construction at the project site. Additional controls shall be implemented if site runoff exceeds the discharge limits to be prescribed as part of Part V Approval under the *Environment Act*.
- 2.4 At the request of NSE, a monitoring program to determine the potential for and extent of sulphide bearing material and plan to manage any exposed acid generating material and associated drainage (in consultation with NSE).
- 2.5 All surface water protection and management programs must be updated/revised to reflect the progressive development of the project. This is to take place over the lifetime of the Undertaking, at a schedule acceptable to NSE, and revised as approved by NSE.

3.0 Wetlands

- 3.1 The Approval Holder must not undertake any project related activities within 30 metres of a wetland unless otherwise approved by NSE. No development or removal of vegetation within this 30 metre buffer is permitted.

4.0 Groundwater Resources

- 4.1 The Approval Holder, as part of the application for amendments to the Part V Approval under the *Environment Act*, must submit a groundwater protection plan to NSE for review and approval.
- 4.2 The Approval Holder must not excavate below the watertable, unless otherwise approved by NSE.
- 4.3 The Approval Holder must replace, at their expense, any water supply which has been lost or damaged as a result of project operations to the satisfaction of NSE.

5.0 Flora and Fauna

- 5.1 Clearing vegetation must be conducted outside of the breeding season for most bird species (April 1 to August 15), unless otherwise approved by NSE.
- 5.2 Prior to construction, the Approval Holder must provide Department of Natural Resources (DNR) Wildlife Division with digital way points and shape files of the project area. The Approval Holder must report to NSE that the files have been provided to DNR.

- 5.3 Prior to construction, the Approval Holder must provide DNR Wildlife Division with all wetland shape files with metadata about wetland types and vegetation communities. The Approval Holder must report to NSE that the files have been provided to DNR.
- 5.4 The Approval Holder must develop a turtle protection plan in consultation with DNR Wildlife Division, and notify NSE completion of this plan.

6.0 Noise and Dust

- 6.1 At the request of NSE, the Approval Holder must develop and implement an air quality and/or dust monitoring plan. This plan must include but not be limited to sampling locations, parameters, monitoring methods, protocols and frequency. 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.
- 6.2 At the request of NSE, the Approval Holder must monitor noise levels. Based on the results of monitoring program as proposed, the Approval Holder must make necessary modifications to mitigation plans and/or operations as required by NSE.

7.0 Archaeological and Heritage Resources

- 7.1 The Approval Holder must cease work and contact the Coordinator, Heritage Division, Nova Scotia Department of Communities, Culture and Heritage immediately upon discovery of an archaeological site or artifact unearthed during any phase of the proposed Undertaking. If the find is of suspected or certain Mi'kmaq origin, the Approval Holder must also contact the Executive Director of the Kwi'lmu'kw Maw-klusuaqn Negotiation Office.

8.0 Public Engagement

- 8.1 At the request of NSE, the Approval Holder must develop and submit to NSE, a complaint resolution program to address public concerns associated with the Undertaking. The complaint resolution program must include but not be limited to the appointment of a contact person designated to deal with concerns from the public.
- 8.2 The Approval Holder must appoint a contact person designated to deal with complaints from the public, and must provide the contact person information to NSE 30 days prior to the commencement of any work. Records of these complaints and associated actions must be made available to NSE upon request.
- 8.3 The Approval Holder must form a Community Liaison Committee (CLC). The NSE Guidelines for the Formation of a Community Liaison Committee should be used for guidance. The Approval Holder must operate the CLC for the duration of the Undertaking and until released in writing by NSE.

9.0 First Nation and Aboriginal Engagement

- 9.1 At the request of NSE, Approval Holder must develop and implement a Mi'kmaq Communication Plan for the Undertaking, which will include a process for communicating project details and seeking input from the Mi'kmaq community.

10.0 Transportation

- 10.1 Prior to construction, Approval Holder must submit a traffic impact study in consultation with Department of Internal Services, for the intersection of South Bishop Road and Highway 1 in Coldbrook, and notify NSE completion of this study. Based on the results of the study, the Approval Holder must make necessary modifications to mitigation plans and/or operations.

11.0 Contingency Plans

- 11.1 The Approval Holder, as part of the application for amendments to the Part V Approval under the *Environment Act*, must submit to NSE for review and approval a contingency plan that meets NSE's Contingency Planning Guidelines and addresses (including but not limited to):

a) accidental occurrences, and includes the location of spill equipment kept on-site and emergency phone numbers;

b) training to be delivered to staff, including contractors;

c) procedures for responding to incidents occurring during times when the facility is not staffed (e.g. evenings, weekends, holidays);

d) impacts to watercourses and water resources and domestic water supplies;

e) releases of dangerous goods or waste dangerous goods;

f) potential fire at the facility (to be reviewed and approved by the local fire and emergency service providers);

g) petroleum and hazardous material spills and surface water control structure failure; and

h) such other information as required by NSE.

- 11.2 Contingency plans must be updated/revised to reflect the progressive development of the project. This is to take place over the lifetime of the Undertaking, at a schedule acceptable to NSE, and revised as approved by NSE.

- 11.3 Refuelling must not be conducted within 100 metres of any surface water resource, unless otherwise approved by NSE.

12.0 Project Development and Reclamation

- 12.1 The Approval Holder, as part of the application for amendments to the Part V Approval under the *Environment Act*, shall provide for review and approval a preliminary reclamation plan that includes progressive reclamation.

- 12.2 Reclamation plans must be updated/ revised to reflect the progressive development of the project. This is to take place over the lifetime of the Undertaking, at a schedule acceptable to NSE, and revised as approved by NSE.
- 12.3 Project expansion approval is subject to progressive reclamation at the existing site being completed to the satisfaction of NSE. Re-vegetation will be limited to the use of native species unless otherwise approved by NSE
- 12.4 Project operations must be completed and reclaimed to the satisfaction of NSE and other appropriate regulatory departments.



Randy Delorey, MLA
Minister of Environment

