

Environmental Assessment Approval

Approval Date: **AUG 24 2017**

Glenholme Pit No. 4 Aggregate Extraction Project OSCO Aggregates Limited, Approval Holder Colchester County, Nova Scotia

Glenholme Pit No. 4 Aggregate Extraction Project (the "Undertaking"), proposed by OSCO Aggregates Limited (the "Approval Holder"), 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 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 (EA) 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.
- 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 notify Nova Scotia Environment (NSE) of the commencement date of the Undertaking, at a minimum 30 days prior to the commencement.
- 1.4 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.

- 1.5 The Approval Holder must implement all mitigation and commitments in the Registration Document, unless approved otherwise by NSE.

2.0 Surface Water Resources

- 2.1 The Approval Holder must not undertake any pit 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, as part of the application for amendments to the Part V Approval under the *Environment Act*, must submit the following to NSE for review and approval, and must implement the plans following NSE's approval: a surface water monitoring plan 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.
- 2.3 The Approval Holder, as part of the application for amendments to the Part V Approval under the *Environment Act*, must submit to NSE an erosion and sediment control plan that meets NSE's Erosion and Sedimentation Control Handbook.
- 2.4 The Approval Holder, as part of the application for amendments to the Part V Approval under the *Environment Act*, must submit to NSE a stormwater management plan including details regarding the plans for monitoring, maintenance and upgrading of the flow retention/siltation treatment areas. Design criteria must recognize increased likelihood of more intense precipitation events in coming decades.
- 2.5 At the request of NSE, the Approval Holder must implement in consultation with 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.
- 2.6 All surface water protection and management programs must be updated/revised to reflect the progressive development of the pit. 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 pit 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 unless otherwise

approved by NSE.

- 3.2 If avoidance of wetlands is not possible during the development of the Project, any loss of wetland habitat through direct infilling or indirectly through alteration of wetland hydrology will require a wetland evaluation and application for alteration under the Activities Designation Regulations.

4.0 Groundwater Resources

- 4.1 The Approval Holder, as part of the application for amendments to the Part V Amendment under the *Environment Act*, must submit the following to NSE for review and approval, and must implement the program following NSE's approval: a groundwater monitoring program including location of monitoring wells and monitoring parameters. This program must be designed to evaluate potential impacts to both groundwater levels and groundwater quality. Based on the results of the monitoring programs, the Approval Holder must make necessary modifications to mitigation plans and/or pit operations, if required, to prevent unacceptable environmental effects, to the satisfaction of NSE. This program must be updated upon application for amendments to the Part V approval or other frequency as determined by NSE.
- 4.2 The Approval Holder must not excavate within 0.5 meters of the measured maximum annual water table level.
- 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 The Approval Holder must clear vegetation outside of the breeding season for most bird species (April 15 to September 1), unless otherwise approved by NSE.
- 5.2 Prior to construction, the Approval Holder must provide DNR Wildlife Division with digital way points and shape files revealing precise locations for all S1, S2 and S3 Atlantic Canada Conservation Data Center listed species, identified during field work within the area proposed for development. The Approval Holder must report to NSE that the files have been provided to DNR.
- 5.3 The Approval Holder must report any turtle sightings to DNR Wildlife Division.

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 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 noise management plan. Once approved by NSE the Approval Holder must implement the plan.
- 6.3 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 Special Places Coordinator, at Communities Culture and Heritage (CCH) immediately upon discovery of an archaeological site or artifact unearthed during any phase of the Project. If the find is of certain or suspected Mi'kmaq origin, the Approval Holder must also contact the appropriate Mi'kmaq representatives as advised by CCH.

8.0 Public Engagement

- 8.1 The Approval Holder must develop and submit to NSE, a complaint resolution program to address public concerns associated with the Undertaking.
- 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, the 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 Contingency Plans

- 10.1 The Approval Holder, as part of the application for amendments to the Part V Approval under the *Environment Act*, must submit to NSE 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.
- 10.2 Contingency plans must be updated/revised to reflect the progressive development of the project. This is to take place over the lifetime of the project, at a schedule acceptable to NSE, and revised as approved by NSE.
- 10.3 Refuelling must not be conducted within 100 metres of any surface water resource, unless otherwise approved by NSE.
- 10.4 The Approval holder must construct the noise mitigation berms described in the Registration Document.

11.0 Project Development and Reclamation

- 11.1 The Approval Holder, as part of the application for amendments to the Part V Approval under the *Environment Act*, must provide for review and approval a preliminary reclamation plan that includes progressive reclamation, and details of future land use. The Approval Holder must also consult the preliminary reclamation plan with DNR, Wildlife Division.

- 11.2 Reclamation plans must be updated/revised to reflect the progressive development of the project. This is to take place over the lifetime of the project, at a schedule acceptable to NSE, and revised as approved by NSE.
- 11.3 Pit 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
- 11.4 Pit operations must be completed and reclaimed to the satisfaction of NSE and other appropriate regulatory departments.



Iain Rankin, MLA
Minister of Environment