

Environmental Assessment Approval

Approval Date: *Original Dated September 6, 2012*

Expansion Of Retirement Care Facility GEM Health Care Group, Proponent

Middleton, Annapolis County, Nova Scotia

The Expansion of Retirement Care Facility (the “Undertaking”), proposed by GEM Health Care Group (the “Approval Holder”) in Middleton, Annapolis 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 (including details of sedimentation and flow retention basins);
 - 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.
- 2.3 All solid waste must be properly sorted for recycling, reuse, composting, or landfilling. The segregated materials must be stored in a manner so that they will not degrade, burn, or become buried on site until they are sent to the appropriate, provincially approved, waste disposal, recycling or composting facilities.

3.0 Wetland

- 3.1 As part of the application for Part V Approval under the *Environment Act*, the Approval Holder 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.

5.0 Flora and Fauna and Species at Risk

- 5.1 Clearing and grubbing of the site must be conducted outside of the breeding season for most bird species between April 15 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.

- 5.3 All sightings of Wood Turtles, during the construction phase within the approved project area, must be reported immediately by the Approval Holder to the local NSDNR office, and a relocation plan must be developed with the NSDNR regional biologist.
- 5.4 The Approval Holder must report on known losses of rare plants with Atlantic Canada Conservation Data Centre ranks of S1, S2 and S3 resulting from the development to the local NSDNR office with a map detailing the points and the extent where losses are known.

6.0 Archaeological Resources

- 6.1 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-klusuaqn Negotiation Office.

Original Signed By

Sterling Belliveau
Minister of Environment