

Environmental Assessment Approval

Approval Date: *April 6, 2018*

Project Name: Money Point Quarry Expansion Project

**Proponent Name: Dexter Construction Company Limited
Bay Road Valley, Victoria County, Nova Scotia**

Money Point Quarry Expansion Project (the "Project"), proposed by: Dexter Construction Company Limited (the "Approval Holder") in Bay Road Valley, Victoria 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 Project. It is the responsibility of the Approval Holder to ensure that all such approvals, permits or authorizations are obtained before commencing work on the Project.

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 shall be submitted to the Environmental Assessment Branch for review and may require an environmental assessment (EA).
- 1.2 The Approval Holder shall, within two years of the date of issuance of this approval, commence work on the Project unless granted a written extension by the Minister.
- 1.3 The Approval Holder shall provide written notification to Nova Scotia Environment (the Department) of the planned commencement date of the Project, at a minimum 30 calendar days prior to the commencement.

- 1.4 The Approval Holder shall 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 the approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.
- 1.5 The Approval Holder shall update and/or revise any of the mitigation, management and/or monitoring plans and programs required in this Approval to reflect the progressive development of the Project at a schedule acceptable to or upon request by the Department.

2.0 Surface Water Resources

- 2.1 The Approval Holder shall not undertake any Project related activities within 30 metres of a watercourse unless otherwise authorized in writing by the Department. No development or removal of vegetation within this 30 metre buffer is permitted unless otherwise authorized in writing by the Department.
- 2.2 The Approval Holder, as part of the application for the Part V Approval under the *Environment Act*, shall submit an erosion and sedimentation control plan to the Department for review. The Approval Holder shall implement the plan once the plan is deemed acceptable by the Department.
- 2.3 The Approval Holder, as part of the application for the Part V Approval under the *Environment Act*, shall submit a surface water monitoring plan including sampling locations, monitoring frequencies and parameters to the Department for review. The Approval Holder shall implement the plan once the plan is deemed acceptable by the Department.
- 2.4 The Approval Holder, as part of the application for the Part V Approval under the *Environment Act*, shall submit a stormwater management plan to the Department for review. Design criteria shall recognize increased likelihood of more intense precipitation events in coming decades. The Approval Holder shall implement the plan once the plan is deemed acceptable by the Department.
- 2.5 At the request of the Department, the Approval Holder shall implement, in consultation with the Department, a plan to manage any exposed acid generating material and associated drainage.
- 2.6 The Approval Holder shall make necessary modifications to the plans and/or operations as a result of Project activities, monitoring and/or as required by the Department.

3.0 Wetlands

- 3.1 The Approval Holder shall not undertake any Project related activities within 30 metres of a wetland unless otherwise authorized in writing by the Department.

4.0 Groundwater Resources

- 4.1 The Approval Holder, as part of the application for the Part V Approval under the *Environment Act*, shall submit a groundwater monitoring plan including the location of monitoring wells, monitoring frequencies and monitoring parameters to the Department for review. This plan shall be designed to evaluate potential impacts to both groundwater levels and groundwater quality. The Approval Holder shall implement the plan once the plan is deemed acceptable by the Department. Based on the results of the monitoring plan, the Approval Holder shall make necessary modifications to mitigation plans and/or Project operations to prevent unacceptable environmental effects, as authorized and required by the Department.
- 4.2 The Approval Holder shall not undertake any blasting or excavation activities within 800 metres of two Victoria County water supply test wells.
- 4.3 The Approval Holder shall replace, at their expense, any water supply which has been lost or damaged as a result of Project operations as authorized and required by the Department.
- 4.4 The Approval Holder shall not excavate within 0.5 meters of the measured maximum annual water table level unless otherwise authorized in writing by the Department.

5.0 Flora and Fauna

- 5.1 Prior to commencement of the Project, the Approval Holder shall provide Nova Scotia Department of Natural Resources (DNR), Wildlife Division with digital way points and shape files revealing precise locations for species listed under the *Species at Risk Act* and/or *Endangered Species Act* as well as all S1, S2 and S3 listed species under the Atlantic Canada Conservation Data Center, identified during field work within the area of the Project. The date of the above noted field data shall also be provided to DNR. The Approval Holder shall provide written notification to the Department that the files have been provided to DNR.
- 5.2 Prior to the commencement of the Project, the Approval Holder shall develop in consultation with DNR, Wildlife Division, a wildlife management plan to address the following points. The Approval Holder shall implement the plan once it is deemed acceptable by the Department:

a) a monitoring and management plan for bicknell's thrush (*Catharus bicknelli*), common nighthawks (*Chordeiles minor*), and bats species.

b) measures to protect bank swallows (*Riparia riparia*) during the breeding season; and

c) measures to manage non-native (alien invasive) plant species.

5.3 The Approval Holder shall clear vegetation outside of the breeding season for most bird species (April 15 to August 15), unless otherwise authorized in writing by the Department. Vegetation clearing shall be recorded in a daily log that shall be available for review by the Department indicating the date and time of the clearing operation and the contractor.

6.0 Air Quality and Noise

6.1 The Approval Holder, as part of the application for the Part V approval under the *Environment Act*, shall provide for review and approval, an updated blasting plan. The plan shall include an updated pre-blast survey for structures and water wells within 800 metres of the point of the planned blast area, a detailed blast monitoring plan, and a full blast damage response policy.

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

6.3 At the request of the Department, the Approval Holder shall monitor noise levels. Based on the results of monitoring plans proposed, the Approval Holder shall make necessary modifications to mitigation plans and/or operations as required by the Department.

7.0 Archaeological and Heritage Resources

7.1 The Approval Holder shall cease work and contact the Special Places Coordinator, Nova Scotia Department of 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 possible Mi'kmaq origin, the Approval Holder shall also contact the appropriate Mi'kmaq representatives as advised by CCH.

8.0 Public Engagement

- 8.1 The Approval Holder, as part of the application for the Part V Approval under the *Environment Act*, shall develop a complaint resolution plan to address all concerns associated with the Project. The Approval Holder shall appoint a contact person designated to deal with complaints, and shall provide the contact information to the Department. The Approval Holder shall implement the plan for the duration of the Project, once the plan is deemed acceptable by the Department.
- 8.2 At the request of the Department, the Approval Holder shall develop and implement a plan for the formation and operation of a Community Liaison Committee (CLC) including terms of reference, which meets the Department's Guide for the Formation and Operation of a Community Liaison Committee. The Approval Holder shall operate the CLC for the duration of the Project or until released in writing by the Department.
- 8.3 Six months prior to the quarry excavation and/or clearing becoming visible to surrounding communities, The Approval Holder shall submit a plan to mitigate visual impacts of the project to the Department. The Approval Holder shall implement the plan over the lifetime of the Project once it is deemed acceptable by the Department.
- 8.4 The Approval Holder shall correct, at their expense, any loss or damage to the Canadian Broadcasting Corporation (CBC) radio tower as a result of Project operations as authorized and required by the Department.
- 8.5 The Approval Holder shall obtain written consent from the CBC demonstrating the final site plan is acceptable to both parties.

9.0 Engagement with the Mi'kmaq of Nova Scotia

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

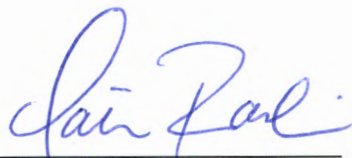
10.0 Contingency Plans

- 10.1 The Approval Holder, as part of the application for the Part V Approval under the *Environment Act*, shall develop a contingency plan which meets the Department's Contingency Planning Guidelines. The plan shall address accidental occurrences including but not limited to: spills of hydrocarbons or other hazardous materials, failure of erosion and sediment control measures, fires, and vehicular collisions. The Approval Holder shall implement the plan over the lifetime of the Project.

- 10.2 The contingency plan shall be kept on site at all times during operation and made available to the Department upon request.
- 10.3 Refuelling shall not be conducted within 30 metres of any surface water resource, unless otherwise authorized in writing by the Department.

11.0 Rehabilitation

- 11.1 The Approval Holder, as part of the application for the Part V Approval under the *Environment Act*, shall submit to the Department for review, a preliminary rehabilitation plan that includes progressive rehabilitation, details of future land use, and consideration for wildlife movement through reclaimed areas. The Approval Holder shall implement the plan once the plan is deemed acceptable by the Department.
- 11.2 This Approval is subject to progressive rehabilitation at the existing Project site being completed as required by the Department.
- 11.3 Project operations shall be completed and reclaimed as required by the Department.
- 11.4 Re-vegetation shall be limited to the use of native species, unless otherwise authorized in writing by the Department.



Iain Rankin, MLA
Minister of Environment