

A User's Guide to the 'One Window' Process: Mineral Development in Nova Scotia

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Foord Works Pit, Stellarton, 1870. Photo courtesy of the Nova Scotia Museum of Industry.



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A User's Guide to the 'One Window' Process: Mineral Development in Nova Scotia

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Nova Scotia Department of Energy and Mines*

Preface

The Government of Nova Scotia offers a 'One Window' process for the review, permitting and monitoring of mineral development projects in the province. Under this process, government departments involved with mineral development activities act collectively to streamline government oversight of these projects.

The 'One Window' process provides an informed, timely and consistent review of new and existing mining projects in the province. Provincial government departments involved in this process include Energy and Mines, Nova Scotia Environment, Labour and Advanced Education, Lands and Forestry, the Office of Aboriginal Affairs and other provincial, federal and municipal government as may be determined on a project-by-project basis. The 'One Window' function is managed within government by a Standing Committee, consisting of representatives from Energy and Mines, Environment, Labour and Advanced Education, Lands and Forestry and the Office of Aboriginal Affairs, in accordance with a Memorandum of Understanding. The committee acts as an initial liaison between a project proponent and the various government agencies that have responsibilities for mineral development in Nova Scotia.

This guide has been prepared by the Nova Scotia Department of Energy and Mines to offer interested parties a broad overview of the relevant legislation and the process for approving mineral development projects in Nova Scotia. However, proponents should familiarize themselves with the actual legislation (including regulations) affecting their projects. It should also be noted that the guide has been written for a 'typical' mineral development project and does not cover every possibility that may be encountered, and particularly any projects that require federal Impact Assessment review.

Information associated with the filing and review of documents required for regulatory approval and monitoring over the life of a project is provided. This includes information on environmental approvals, occupational health and safety, access on Crown lands, mineral rights and consultation with the Mi'kmaq of Nova Scotia. The guide focuses on the early stages of project permitting and emphasizes the fact that thorough planning provides the strongest likelihood of a successful mining venture.

The guide includes a description of the process and the roles of key government departments. The provincial Environmental Assessment (EA) process is described as it applies to mineral development projects, including detail of its intent and an overview of the various stages. A description of the necessary licences, leases and approvals is provided, along with a list of government contacts.

Mineral development projects will involve engagement by proponents with local communities and the Mi'kmaq of Nova Scotia. While the 'One Window' process may make mention of these activities, participation in the 'One Window' process does not, in itself, constitute third party engagement.

The Government of Nova Scotia believes that mineral development is important to the economic future of the province. Responsible development of the province's mineral resources will attract investment, create high-value jobs and grow the economy in a safe and efficient manner. This guide is intended to assist proponents and regulators alike in the approval process for mineral development projects.

This guide to the One Window process was written as a convenient reference for the approval and permitting of mineral development projects in Nova Scotia. Proponents are also referred to the *Mineral Resources Act* and its *Regulations*, the *Environment Act* and its *Regulations* and the *Occupational Health and Safety Act* and its *Regulations* for more detailed information. The *Acts* and *Regulations* take precedence should there be any discrepancies that occur with the information contained in this guide.

The first reference to any of the legislation is hyperlinked to that legislation in the digital version of this guide, for the convenience of the reader. As well, for ease of access, the applicable legislation is listed and also hyperlinked in Appendix A. However, it is acknowledged that website links will change over time, and the links in this document may eventually be broken.

The guide has been prepared by staff of the Inspection, Compliance and Enforcement Division and the Environmental Assessment Branch of Nova Scotia Environment, the Occupational Health and Safety Division of the Department of Labour and Advanced Education, the Land Services Branch of the Department of Lands and Forestry, the Impact Assessment Agency of Canada, the Office of Aboriginal Affairs, and the Mineral Development and Policy Section and the Registry of Mineral and Petroleum Titles of the Department of Energy and Mines. Their contributions to this guide are gratefully acknowledged.

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1. The One Window Process

1.1 Introduction

The mineral industry is a major contributor to the economy of Nova Scotia. In the interest of encouraging future mineral development, the provincial government seeks to make the review and approval process as streamlined and efficient as possible, free of unnecessary procedures that may unduly hinder progress of a development project.

Mining projects must respect environmental and occupational health and safety laws and standards. Mineral development projects in Nova Scotia are subject to a variety of statutes, which are administered by several government departments. In 1994, the Province of Nova Scotia initiated the One Window process for the review, approval and monitoring of mineral development and mine reclamation projects. The overall goal is to simplify the review process for both the mining industry and government. The One Window process facilitates interaction among the various government departments and the mineral development proponent, making the review process more consistent and expedient for all. The four government departments at the forefront of the One Window process are the:

- Nova Scotia Department of Energy and Mines;
- Nova Scotia Environment;
- Nova Scotia Department of Labour and Advanced Education; and
- Nova Scotia Department of Lands and Forestry.

Other government departments, offices and agencies, both provincial and federal, may become involved in the process depending on the nature of the project. These include the Nova Scotia Office of Aboriginal Affairs, Impact Assessment Agency of Canada, Nova Scotia Department of Business, Nova Scotia Department of Transportation and Infrastructure Renewal, Environment and Climate Change Canada, Fisheries and Oceans Canada, Transport Canada, and Natural Resources Canada.

In general terms, the One Window process includes the following steps (see Figure 1):

- initial meetings with government representatives and the mineral development proponent;
- screening whether consultation with the Mi'kmaq of Nova Scotia is triggered and whether proponent led engagement with the Mi'kmaq is recommended;
- registration and completion of the Environmental Assessment process, as applicable;
- application for the required leases, registrations and approvals from the various departments*;
- issuance of all required permitting;
- regulatory monitoring and inspection over the construction and operating life of the project; and
- regulatory monitoring and inspection during the reclamation and post-reclamation monitoring periods.

1.2 Objectives of the One Window Process

The One Window process is designed to facilitate cooperation between government departments, improve efficiency and reduce jurisdictional overlap. It facilitates communication between industry proponents and government. At the same time, the process helps to ensure that no significant issues are overlooked.

* Environmental Assessment Approval is not a pre-requisite for Mineral Leases and Non-Mineral Registrations. Submission and review of applications for Crown Land Leases may be carried out prior to or concurrently with the Environmental Assessment process, should it be required, but a Crown Land Lease will not be granted prior to EA Approval.

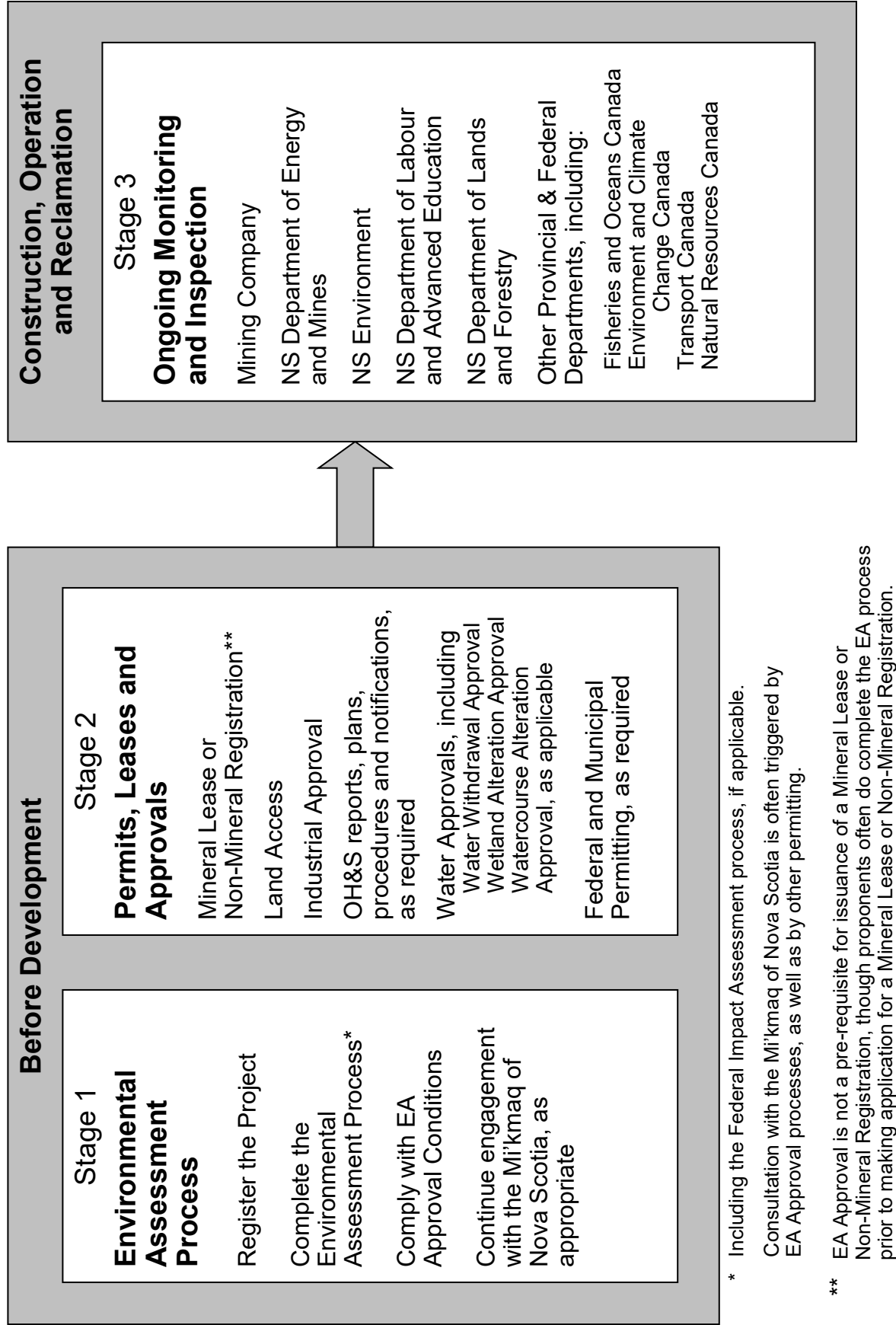


Figure 1. A brief outline of the 'One Window' process for mineral development projects.

2. Department Responsibilities

This section provides a brief overview of the key departments' responsibilities with respect to mineral development projects.

To the extent possible, DEM, NSE, LAE, and Lands and Forestry provide technical assistance to each other. However, the decision-making authority for matters related to mineral resource management, the environment, occupational health and safety and Crown lands will continue to rest with DEM, NSE, LAE, and Lands and Forestry, respectively.

2.1 Nova Scotia Department of Energy and Mines (DEM)

Proponents with an interest in mineral rights or mineral development in Nova Scotia should make DEM their first point of contact with government.

DEM's role with respect to mineral exploration, development and mining is to manage the province's mineral resources. Activities associated with this role include generating and distributing geological information, promoting the province's mineral resources, and administering and regulating mineral exploration and mining in Nova Scotia.

DEM's regulatory responsibility is based on the [Mineral Resources Act \(MRA\)](#) and its [Regulations](#).

Licences, authorizations, leases and registrations issued by DEM include: Prospector Registrations, Exploration Licences, Excavation Registrations, Letters of Authorization, Mineral Leases and Non-Mineral Registrations. Holders of Exploration Licences are required to file Drilling Notifications and Aerial Survey Notifications with DEM for such work, as well.

The Registry of Mineral and Petroleum Titles operates [NovaROC](#), Nova Scotia's online mineral rights management system. Applications for mineral rights are made through this system, and any required supporting information, reports or notifications are submitted using the system. The acronym stands for **Nova Scotia's Registry Of Claims**.

2.2 Nova Scotia Environment (NSE)

NSE is responsible for delivering effective and efficient regulatory management for the protection of the environment, including the provincial Environmental Assessment (EA) process, environmental approvals and environmental inspection, compliance monitoring, and enforcement.

Regulatory responsibility is based on the [Environment Act](#) and its [Regulations](#), including the [Environmental Assessment \(EA\) Regulations](#) and the [Activities Designation Regulations \(ADR\)](#). The *EA Regulations* identify those undertakings requiring an EA Approval and the *ADR* identifies those activities requiring an approval from or notification to NSE. Some mining-specific approval and notification requirements are discussed in the following paragraphs.

All mining projects require an Environmental Assessment Approval. Mining projects also require additional environmental approvals, including an Industrial Approval, and possibly one or more Water Approvals (including Wetland Alteration Approvals), as applicable. Advanced exploration projects, such as larger bulk samples, require an Industrial Approval, but may also require Water Approvals. In some particular and exceptional cases, advanced exploration projects may require Environmental Assessment.

Mineral development and exploration projects may require Water Approvals for water withdrawals, watercourse alterations and wetland alterations. Proponents are encouraged to contact NSE for guidance on water related activities that may require approvals.

NSE is also responsible for the regulations covering sewage disposal systems. On-site sewage systems require notification of the proposed installation and a certificate of installation once the system has been installed. However, sewage systems which are not covered by the [On-site Sewage Disposal Systems Regulations](#), or are not designed and installed in accordance with those regulations and the On-site Sewage Disposal Standard, require an On-site Sewage Disposal System Approval.

Most petroleum storage tanks in the province require notification prior to installation and a subsequent approval and certification following installation. NSE also requires registration of public water supplies.

2.3 Nova Scotia Department of Labour and Advanced Education (LAE)

LAE's responsibilities include workplace health and safety, industrial relations, labour standards, public safety and fire prevention. The Department also has a role in post-secondary education, apprenticeship, workforce training and adult education. Regulatory authority for workplace health and safety is based on the [Occupational Health and Safety Act](#) and its [Regulations](#). The [Underground Mining Regulations](#) and Part 15 (Surface Mine Workings) of the [Occupational Safety General Regulations](#) are prominent regulations for exploration and mineral development projects. The *Occupational Health and Safety Act* provides for the promotion, co-ordination, administration, and enforcement of occupational health and safety in the province.

The occupational health and safety (OH&S) legislation is based on the principle of internal responsibility through 'workplace parties,' which include any person working on a project or contributing components to a project. These can include, but are not limited to, employers, employees, the self-employed, contractors, constructors, owners, suppliers, architects, engineers and OH&S consultants. LAE's role is to establish and clarify the responsibilities of workplace parties under the law, to support them in carrying out their responsibilities and to intervene appropriately when those responsibilities are not carried out.

LAE's Occupational Health and Safety Division concentrates its efforts on healthy and safe workplaces and work practices, and health and safety standards protecting the general public. The division focuses on promotion of the internal responsibility system, which acknowledges the responsibility of employers, employees, and other workplace parties for workplace health and safety.

The OH&S Division, through information and enforcement, effects workplace health and safety by:

- supporting and encouraging the use of the internal responsibility system, which promotes the primary responsibility of employers and employees to create a healthy and safe work environment;
- providing inspection, certification and enforcement services, particularly in support of internal responsibility; and
- ensuring that legislation is kept up to date, in order to respond to changes in workplace practices, procedures and technology.

2.4 Nova Scotia Department of Lands and Forestry

The Department of Lands and Forestry has responsibility for administration of Crown lands and for the development, management, conservation, and protection of forest, parks and wildlife resources. Areas within Lands and Forestry's mandate that relate to mineral development include Crown land access, parks, wildlife considerations, and forestry.

Lands and Forestry provides expertise on wildlife, wetlands, and species of conservation concern for Environmental Assessment reviews, and on the use of Crown lands and potential impacts on those lands.

Crown land access authorities potentially required for advanced exploration and mineral development projects, and issued by Lands and Forestry, include: Access Permits, Letters of Authority, and Crown Land Leases, all under the [Crown Lands Act](#).

3. Permits and Approvals

3.1 Nova Scotia Department of Energy and Mines

The licences, registrations, authorizations, and leases issued by DEM under authority of the *Mineral Resources Act* are listed as follows:

Prospector Registration (ID Card): confirms that the holder has been registered with DEM for the non-exclusive right to explore for minerals in a preliminary way with the intent of acquiring a mineral right on unlicensed (not staked; i.e. open for application) areas. The holder must have the landowner's permission and only non-disturbance activity can be carried out.

Exploration Licence: grants the exclusive right to search and prospect for minerals on the claims included in the licence. Activities can include prospecting, geological survey work, drilling and minor excavation work (without mechanized equipment). Licensees may submit excavation registrations for limited excavation work, including a small bulk sample. They may also apply for a Letter of Authorization for a larger bulk sample. As well, holders of an exploration licence may make application for a Mineral Lease over part or all of the area held under licence.

Drilling Notification: holders of an exploration licence must file Part A of a drilling notification with DEM prior to the commencement of a drilling program on their licensed area. The licence holder is also required to file Part B of the drilling notification within 30 days of completion of the drilling program. Notifications are filed on the NovaROC online mineral rights management system.

Aerial Survey Notification: holders of an exploration licence must file a notice with DEM prior to the commencement of an aerial survey program over their licensed area. Aerial survey notifications are filed on the NovaROC online mineral rights management system.

Excavation Registration: grants the holder of an exploration licence authority to undertake limited trenching, test pitting, or stripping using mechanized equipment, underground exploration, or bulk sampling of up to 100 tonnes of mineral-bearing material.

Letter of Authorization: grants the holder of an exploration licence authority to extract a bulk sample of more than 100 tonnes of mineral-bearing material. Generally, bulk samples are limited to a maximum of 10 000 tonnes of mineral-bearing material and a maximum of 50 000 tonnes of total material removed.

Mineral Lease: grants the exclusive right to some or all of the mineral resources in a specific area, subject to payment of rentals, royalties, and all other provisions contained in the Lease or the *Mineral Resources Act*.

Non-Mineral Registration: grants the holder of the rights to gypsum or non-Crown limestone in a designated area the right to carry out production of that gypsum or non-Crown limestone, subject to payment of gypsum taxes, the *Mineral Resources Act* and the provisions contained in the Non-Mineral Registration. Generally, the landowner holds the rights to the gypsum or non-Crown limestone on their land, unless those rights have been granted to another party. Gypsum and non-Crown limestone are not defined as minerals under the *Mineral Resources Act*.

Applications for these licences, registrations, letters of authorization, and leases are submitted on NovaROC, Nova Scotia's online mineral rights management system. Registration is required in order to use the system for making applications and managing mineral rights. However, much of the system is publicly available, allowing anyone to learn about mineral rights in the province and to view existing mineral rights. The system can be accessed at <https://novaroc.novascotia.ca>.

3.2 Nova Scotia Environment

The following approvals are issued by Nova Scotia Environment (NSE) under the *Environment Act* and its *Regulations*:

Environmental Assessment (EA) Approval: Mining projects require EA Approval from NSE in accordance with Part IV of the *Environment Act* and the [Environmental Assessment Regulations](#). As well, in the exceptional case where the Minister has decided that an Environmental Assessment Report is required, the process could be referred to an EA review panel and would fall under the [Environmental Assessment Review Panel Regulations](#).

The EA process for a mine development project normally starts following advanced exploration, when the proponent has made the decision that geological and economic conditions demonstrate that mine development is viable. (There are some instances, however, when environmental assessment may be required for advanced exploration, such as bulk sampling in an ecologically sensitive area.) When a proponent has made a decision on the viability of a project, the EA Branch of NSE will, through meetings with the proponent and other agencies, establish the information that will be considered in the project's environmental assessment. The One Window process will continue throughout the period prior to Registration on an as-needed basis and as required for the project. Information gathered for environmental assessment may be used to support applications for other necessary approvals, such as an Industrial Approval or a Water Approval.

Industrial Approval: Approvals are required in accordance with the *Environment Act* and the [Activities Designation Regulations](#). These regulations identify those activities requiring an approval from or notification to NSE.

In relation to mineral development, activities requiring an Industrial Approval include:

- a lime plant in which lime is manufactured by the calcining of limestone, or produces other calcium carbonate derivatives as a saleable product;
- a coal processing plant in which coal is processed, including a wash plant, a recovery plant or a beneficiation plant;
- a mineral processing plant in which concentrates are produced from mineral-bearing ore, including lead, zinc, tin and copper;
- a surface mine where an opening or excavation is made in the ground from the surface, which may require the use of explosives for the purpose of procuring any mineral-bearing ore, including coal, and any associated infrastructure;
- an underground mine where an opening or excavation is made in the ground below surface, which may require the use of explosives for the purpose of procuring any mineral-bearing ore, including coal, and any associated infrastructure;
- a peat moss harvesting operation where an opening or excavation is made in the ground for the purpose of procuring peat, including any associated infrastructure;
- an in-situ leach mining operation where wells are drilled in mineral-bearing ore and the subsequent addition and removal of chemicals is used to extract the mineral;
- a bulk sample site where more than 100 tonnes of mineral-bearing ore are removed for the purposes of proving mineral quality, or where less than 100 tonnes of mineral-bearing ore are removed where total disturbed tonnage exceeds 10 000 tonnes; and

- a bulk solids handling loadout facility in which solids such as coal, gypsum, limestone, or mineral concentrates are stored and subsequently loaded.

Water Approval: Approvals are required from NSE in accordance with the *Environment Act* and the *Activities Designation Regulations* for the use or alteration of a watercourse, water resource, or wetland; with some exceptions.

Activities requiring an approval include, but are not limited to:

- withdrawal or diversion of surface water or groundwater in an amount greater than 23 000 litres per day;
- storage of water in an amount of 25 000 cubic metres or greater;
- construction, modification, or maintenance of a dam; and
- any alteration, or alteration of the flow of water, in a watercourse, a water resource, or a wetland.

There are some exceptions to the requirement for approvals for the above activities, in certain conditions. Generally, such exceptions will require notifications, but there are some situations that do not require either an approval or a notification.

Wetland alterations and some watercourse alterations require a compensation plan to offset any loss.

Proponents are encouraged to contact NSE for guidance on approval requirements. Generally, the dewatering of existing underground mine workings will require a Water Withdrawal Approval.

Water Approvals include Water Withdrawal Approvals, Watercourse Alteration Approvals, Water Allocation Approvals, and Wetland Alteration Approvals.

Sewage Systems: Most on-site sewage systems require a notification to NSE rather than a formal Approval. On-site sewage systems must be selected from a set of standards by a qualified person or a professional engineer in accordance with the [On-site Sewage Disposal Systems Regulations](#) and the [On-site Sewage Disposal System Standard](#). The qualified person or the professional engineer must notify NSE of the installation before the system is installed and file a Certificate of Installation after it has been completed.

Installations that do not meet the *On-site Sewage Disposal Systems Regulations*, and the standard for on-site sewage disposal systems, require an Approval.

Registration of Public Drinking Water Supply: Most public drinking water supplies are required to be registered in accordance with the *Environment Act* and the [Water and Wastewater Facilities and Public Drinking Water Supplies Regulations](#). A public drinking water supply means a system, including any source, intake, treatment, storage, transmission, or distribution that provides water used for human consumption with at least 15 service connections or regularly serves 25 or more persons per day for at least 60 days of the year. There are also some specific situations that require registration of public water supplies regardless of their size, including day cares, food establishments, campgrounds, hotels, and motels. Municipal water supplies require an Approval, rather than only a registration.

Notification, Approval and Registration of Petroleum Storage Tanks: Underground petroleum storage tanks, and above ground petroleum storage tanks of 4 000 litres or greater capacity, require notification, with subsequent approval and registration with NSE. A notification is required prior to the installation of these storage tanks and an installation and application form is required within 30 days after installation. NSE will then provide approval and a Certificate of Registration for the storage tank. The [Petroleum Management Regulations](#) cover petroleum storage tanks in Nova Scotia. Further information on petroleum storage is available on the department's [website](#).

3.3 Nova Scotia Department of Labour and Advanced Education

All exploration and mineral development projects are required to comply with the *Occupational Health and Safety Act* and its *Regulations*. The regulations that are particularly notable for mineral development are the *Underground Mining Regulations*, the [Blasting Safety Regulations](#) (for surface mines) and the *Occupational Safety General Regulations*. Part 15 of the *Occupational Safety General Regulations* includes specific sections on surface mining. As well, there are a number of filings and notices required under the OH&S legislation. With the exception of underground coal mining, the OH&S Division does not issue specific permits and approvals, but does issue Codes of Practice as warranted. Codes of Practice are specifically written documents that provide for adequate health and safety measures for specific tasks or operations. The OH&S Division does issue approvals covering various aspects of underground subsea coal mining, as discussed further in this section.

Code of Practice for the Re-entry of an Underground Mine: A Code of Practice specified by the Executive Director of OH&S may be adopted by a mining proponent who is planning to re-enter an underground mine and does not plan to significantly disturb the ground.

The *Underground Mining Regulations* will not apply for the re-entry into an underground mine where the ground will not be significantly disturbed and a Code of Practice specified by the OH&S Division has been adopted. However, relevant sections from the *Underground Mining Regulations* may be incorporated in a Code of Practice.

A Code of Practice is generally prepared by the proponent and then specified by LAE under the provisions of the *OH&S Act* and the *Underground Mining Regulations*. It should include the following items:

- a description of the project/work;
- an analysis of the project/work from a health and safety perspective;
- a description of the person power, equipment and materials to be used;
- a step-by-step description of the work procedures that will be used;
- information on the control measures that will be used;
- information on the safety measures that will be used;
- a description of the responsibilities of the various workplace parties as they relate to the health and safety of the project/work;
- notifications proposed;
- contingency plan;
- where there are other parties at the workplace, an indication that the other parties are aware of any health and safety impacts the project/work may have on them and that the other parties have no objection to the project/work proceeding; and
- any other information that is relevant to the healthful and safe performance of the project/work.

Underground Mining: A proponent of an underground mine that involves the disturbance of ground must comply with the *Underground Mining Regulations*, as well as all other regulations under the *Occupational Health and Safety Act*. A proponent planning to proceed with the initial development or construction of an underground mine, to re-enter a mine, or to shut down, close or abandon a mine, must file the following documents, as applicable, with the Director of OH&S at least 90 days before proceeding with any of the above-noted activities:

- a report on the proposed initial development or construction of a mine, or re-entry into a mine;
- a report on the shutdown, closure or abandonment of the mine;
- the mine plan;

- the electrical installations plan;
- the ground control procedure; and
- the ventilation plan.

The proponent must give the Director of OH&S written notice, including the anticipated start date, at least 30 days before actually proceeding with any of these activities.

In addition, at an underground coal mine, the proponent must file a report with the Director of OH&S detailing the methane rate of release for each stage of mining and a report on the electrical installations and equipment. Such information must be submitted at least 90 days before proceeding with the mining activities.

For subsea coal mines, the mining proponent must make an application to the Director for approval of plans, procedures and programs. The proponent should refer to the *Underground Mining Regulations* for the detailed list of items requiring an approval from the Director.

Documents filed in compliance with the *Underground Mining Regulations* are subject to a filing fee as listed in Schedule A: “Fees for Filing and Review of Documents” of the regulations. However, in some cases, the filing fees for review of the submitted documents may be waived or reduced. The proponent must apply in writing to the Director to have the fees waived or reduced.

Surface Mining: An operator of a surface mine must comply with the *OH&S Act* and its *Regulations*. Part 15 of the *Occupational Safety General Regulations* specifically covers surface mining, and blasting activities at a surface mine are covered under the *Blasting Safety Regulations*. It should be noted that the commencement of operation of a surface mine, or a resumption of operation after a period of four months or more, requires notification to the Director of OH&S at least two weeks prior to commencing operation.

3.4 Nova Scotia Department of Lands and Forestry

Permits and leases for access on Crown lands for the purpose of exploration or mineral development may be issued by the Department of Lands and Forestry under authority of the *Crown Lands Act*, and are listed as follows:

Crown Land Access Permit: authorizes non-exclusive access on Crown land for a specified purpose (e.g. exploration – non-disturbance or minimal disturbance). Examples of Crown land access permits are the Permit for the Purposes of Prospecting on Crown Land (allows the holder of an exploration licence access for non-disturbance prospecting, geological surveys, and sampling) and the Permit for Mineral Exploration on Crown Land (required for limited stripping or trenching, diamond drilling, or small bulk samples).

Letter of Authority: authorizes temporary non-exclusive access on Crown land for a specified purpose that involves some disturbance of the land (bulk sample) or the placement of a temporary building or other infrastructure.

Crown Land Lease: authorizes exclusive use of Crown land for a specified purpose (e.g. mining). Generally, a Crown Land Lease is required for a mining operation on Crown land.

3.5 Federal Government

The Government of Canada may have a role in the permitting and approval of mineral development activities in Nova Scotia. Impacts relating to migratory birds, fisheries, explosives storage, navigable waters, or a requirement for a federal impact assessment will involve federal agencies and departments.

Departments that may be involved include Environment and Climate Change Canada, Fisheries and Oceans Canada, Transport Canada, Health Canada and Natural Resources Canada. The federal “Impact Assessment” process has replaced the former federal environmental assessment process (under the *Canadian Environmental Assessment Act, 2012*), as of August 28, 2019. The federal impact assessment process is managed by the Impact Assessment Agency of Canada (IAAC), which reports to the Minister of Environment and Climate Change. Should a federal impact assessment of a project be required, IAAC will work with Nova Scotia Environment to co-ordinate and harmonize the provincial EA and federal impact assessment reviews as much as possible. The degree of federal government involvement will be assessed prior to and during One Window meetings with the proponent.

Explosive storage magazines require a licence, issued by Natural Resources Canada under the federal [Explosives Act](#). However, provincial regulations, including the *Blasting Safety Regulations* and the *Underground Mining Regulations*, also apply to explosives magazines.

Fisheries and Oceans Canada may also be involved for permitting activities that may affect fish or fish habitat. Environment and Climate Change Canada may have a permitting role in rare and specific situations relating to the disposal of tailings or mine waste rock in listed bodies of water.

3.6 Municipal Government

In addition to federal and provincial jurisdictions, Nova Scotia has a third tier of government: municipal government. Municipal governments administer regional municipalities, towns, districts, and counties, and have responsibility for municipal development plans, planning strategies, building permits, streets, secondary roads, and municipal bylaws. Thus, for mineral development projects, a proponent may need to obtain municipal permits and approvals.

4. Mineral Rights and Land Access

4.1 Ownership of Minerals

All minerals in Nova Scotia are reserved to the Crown. ‘Mineral’, as defined under the *Mineral Resources Act (MRA)*, Section 3(v), includes all common mineral substances except ordinary stone, building stone, construction stone, sand, gravel, peat or peat moss, ordinary soil, oil or natural gas, gypsum, and limestone in some areas. Several deposits of limestone have specifically been declared a mineral under the *MRA*. Otherwise, the rights to limestone and all stone, sand, gravel, peat, soil, and gypsum (but not anhydrite) are attached to ownership of the land (private or Crown). The rights to oil and gas are reserved to the Crown under the [Petroleum Resources Act](#). When a Mineral Lease is terminated for any reason, all minerals, including those in tailings and waste rock, revert to the Crown.

4.2 Identification of Mineral Rights

Mineral rights (exploration licences and mineral leases) are acquired by means of an online, map-based system (NovaROC). The areas included in a mineral right are established by the location and number of claims within the mineral right. Claims are approximately 400 m by 400 m, and their location is based on the lines of latitude and longitude. The map-based staking system eliminates the necessity of establishing claim lines on the ground and the attendant line cutting, blazing, and flagging. If required, claim boundaries can be located in the field by a qualified surveyor, but this practice is seldom necessary.

4.3 Land Access

Most land in Nova Scotia is open for mineral licensing (staking). Exploration is encouraged by government policy that emphasizes the importance of access and tenure to land by the mineral industry. In Nova Scotia the landowner holds the surface rights to the land but not the minerals; minerals are

reserved to the Crown. However, access on the land for mineral exploration or development requires the consent of the landowner or occupier.**

Although most land in Nova Scotia is available for mineral exploration and development, there are some areas where mineral exploration or development is restricted or prohibited. These areas include federal and provincial parks, park reserves, protected areas, Mi'kmaq reserves, certain ecological areas, and protected beaches.

Areas where mineral exploration or development activity is permitted, but may be restricted or allowed only under special conditions, include provincial or national wildlife management areas, designated water supply areas, and areas with developed infrastructure.

4.4 Access to Crown Lands

In order to access Crown lands for the purpose of mineral exploration, a project proponent should contact the Regional Resource Manager at the regional office of Lands and Forestry for an access permit. Alternatively, proponents may contact the DEM Regional Geologist, who will co-ordinate with the Lands and Forestry office in that area. Access permits authorize access to Crown lands for a specified purpose and may include conditions unique to the location. Crown land access permits include a "Permit for the Purposes of Prospecting on Crown Land" and a "Permit for Mineral Exploration on Crown Land." The permit for prospecting allows the holder of an exploration licence non-exclusive access on Crown land for prospecting, geological surveys, and hand sampling. The permit for exploration can allow stripping, trenching, diamond drilling, and small bulk samples (less than 100 tonnes).

Should a project on Crown land proceed to a point where a large bulk sample is proposed (more than 100 tonnes), requiring significant disturbance of the land, additional land access authority will be required and is typically granted under a Letter of Authority. This will be administered by the regional office of the Department of Lands and Forestry, or in some cases by the Land Services Branch. Generally, a security or bond will be required for a Letter of Authority, and may be required for an access permit.

Mineral development projects on Crown land that progress to the mining phase require a Crown Land Lease for land access. Crown land leasing is a relatively involved process, co-ordinated by Lands and Forestry's Land Services Branch. Staff from Land Services participate in the One Window Process for those projects that require Crown land access, and will advise proponents regarding Crown land leasing. Should access on Crown land be required for their mining project, proponents are encouraged to make application for such leases as early in the process as possible, and in parallel with all other permitting. However, Crown Land Leases will not be granted for a mining project until it has received Environmental Assessment Approval.

The following two links provide general information on leasing Crown land:

www.novascotia.ca/natr/land/clo/pdf/leasing-brochure.pdf, and
www.novascotia.ca/natr/land/clo/leasing.asp

More detailed information on leasing Crown land is provided in the Department of Lands and Forestry's policy on Crown land leasing, available at www.novascotia.ca/natr/land/pdf/2013-05-03_Crown_Land_Lease_Policy.pdf. Guidelines for Crown Land Lease applications are available at www.novascotia.ca/natr/land/pdf/Guidelines_Applicants_Crown_Land_Leasing.pdf.

The Mi'kmaq of Nova Scotia are informed of almost all land transactions under consideration for Crown lands, some of which may trigger the duty to consult.

** In exceptional cases, the Mineral Resources Act contains provisions for mineral right holders to obtain access to lands should the right holder be unable to reach agreement with a private landowner.

5. Aboriginal Consultation

5.1 The Legal Duty to Consult

In 2004 and 2005, the Supreme Court of Canada released three landmark decisions that established the common law duty to consult with Aboriginal peoples. The Supreme Court of Canada held that provincial and federal governments have a duty to consult with Aboriginal peoples, and accommodate their interests, where appropriate, when contemplating conduct that may adversely impact established and asserted Aboriginal or Treaty rights. The Supreme Court of Canada also stated that proponents do not have a legal obligation to consult with Aboriginal peoples. However, courts have also been clear that procedural aspects of consultation may be delegated to proponents or third parties by the Crown.

5.2 The Nova Scotia Office of Aboriginal Affairs (OAA)

The Nova Scotia Office of Aboriginal Affairs (OAA), through its Consultation Division, provides policy leadership, guidance, and advice to government departments and proponents about the duty to consult with the Mi'kmaq of Nova Scotia, and advises on the process to fulfill consultation obligations.

In Nova Scotia, three main documents set out the Government's policy and procedures for administering the Crown's duty to consult and accommodate, where appropriate:

- a [*Terms of Reference for a Mi'kmaq-Nova Scotia-Canada Consultation Process*](#) ("TOR" or "Consultation Terms of Reference").
- [*The Government of Nova Scotia Policy and Guidelines: Consultation with the Mi'kmaq of Nova Scotia*](#).
- a [*Proponents' Guide: The Role of Proponents in Crown Consultation with the Mi'kmaq of Nova Scotia*](#).

The *Proponents' Guide: The Role of Proponents in Crown Consultation with the Mi'kmaq of Nova Scotia* outlines how the province may delegate procedural aspects of consultation to the proponent, and how the proponent can play a proactive role in engaging with the Mi'kmaq of Nova Scotia throughout the approval process. The province retains accountability for consultation, therefore the province must be informed about proponent engagement with the Mi'kmaq to determine whether it has been adequate. The *Proponents' Guide* includes a description of six main steps for proponents to follow when engaging with the Mi'kmaq:

- (1) notify the Mi'kmaq early in the development process;
- (2) provide as much information as possible;
- (3) meet with the Mi'kmaq community(ies);
- (4) complete a Mi'kmaq Ecological Knowledge Study (MEKS), if appropriate;
- (5) address potential project-specific impacts; and
- (6) document and communicate to the Province the proponent led engagement process, including noted Mi'kmaq concerns and any mitigations.

Some provincial departments have dedicated staff to coordinate that department's consultation with the Mi'kmaq of Nova Scotia. In such cases, these individuals will typically participate in the One Window Process.

In summary, third parties or proponents have an important role to play as engagement with the Mi'kmaq of Nova Scotia informs the Crown's consultation process. OAA recommends that proponents seek their direction before engaging with the Mi'kmaq. All the documents referenced above are available on OAA's website at: <https://novascotia.ca/abor/office/what-we-do/consultation>.

6. Initial Meeting with Government

The proponent of an advanced exploration or mineral development project is encouraged to make initial contact with the Chairperson of the One Window Standing Committee, DEM's Manager of Mineral Development and Policy. This DEM representative will arrange an initial, informal meeting with the One Window Committee.

Additional representatives of government departments and other provincial and federal government officials, as appropriate, will be invited to this initial meeting. The meeting will give the proponent an opportunity to provide an overview of their project. Representatives of the various government departments will be informed of the proponent's plans and will use the meeting to advise and assist the proponent in understanding the regulatory process under the responsibility of each of the departments. The proponent will be asked to provide a brief summary of their project for circulation to committee members one week prior to the meeting.

Discussion items at the initial meeting may include:

- scope of the development project;
- description of the site;
- general work plan;
- corporate structure and project management;
- description of the proponent's staff, consultants, and contractors;
- excavation, processing, and tailings plans;
- mine and mill production rates;
- project schedule;
- locations of watercourses and wetlands in the area;
- fish and fish habitat;
- environmental protection measures;
- environmental assessment (provincial);
- impact assessment (federal);
- environmental approvals;
- occupational health and safety;
- community consultation and engagement;
- consultation with the Mi'kmaq of Nova Scotia;
- proponent engagement with the Mi'kmaq of Nova Scotia;
- mineral title;
- property (land) ownership;
- reclamation plans; and
- reclamation security.

The One Window Committee will answer any questions the proponent may have regarding the review, approval and permitting processes and discuss any significant issues. At the conclusion of this initial meeting, NSE may be able to make a determination as to whether or not an Environmental Assessment will be required for the proposed project. On occasion, NSE will require additional information or internal review to make this decision.

Representatives from the Impact Assessment Agency of Canada (IAAC) will generally attend One Window meetings and will provide advice as to whether or not the project will require a federal Impact Assessment.

7. The Environmental Assessment Process

7.1 Environmental Protection

Environmental Assessment (EA) is a planning and decision-making tool used to promote sustainable development. By predicting and evaluating the environmental effects of an undertaking before it begins there is the opportunity to mitigate potential impacts of the undertaking on the environment. For the public, this process ensures that public resources and the environment are protected. For the proponent, this promotes better project planning, ultimately saving time and money.

Through the One Window Process (Fig. 2) and subsequent contacts with the NSE-EA Branch, the proponent can ensure that issues associated with their project have been considered prior to the submission of their EA Registration Document and preclude an extended EA process. Proponents with thoroughly prepared Registration Documents are less likely to be required to submit additional information, a Focus Report, or an Environmental Assessment Report by an EA decision.

Project-specific information will vary according to project scale, location, surrounding environment and anticipated impacts to be assessed. It is the responsibility of the proponent to ensure that this information is submitted as part of the registration. For a list of the minimum requirements to register an undertaking, proponents are encouraged to review Section 9 (1A) of the [Environmental Assessment Regulations](#). It may also be helpful to review the registration information provided for past projects, which is available on the NSE Environmental Assessment webpage at www.novascotia.ca/nse/ea/projects.asp. As well, the assistance of a consultant experienced in the environmental assessment process is generally beneficial to a proponent.

Proponents may refer to the [Guide to Preparing an EA Registration Document for Mining Developments in Nova Scotia](#) for general information about EA and the proponent's role during an assessment. As well, many other publications relating to the EA process are available at www.novascotia.ca/nse/ea/pubs.asp. Proponents are encouraged to contact the EA Branch for guidance on the EA process at every stage from exploration to production.

In some cases, a project may require both provincial Environmental Assessment and federal Impact Assessment. In these cases, the NSE-EA Branch will coordinate or harmonize its review with the Impact Assessment Agency of Canada. Canada and Nova Scotia do not have a formal agreement for environmental assessment cooperation; however, Nova Scotia is a signatory to the 1998 Canada-Wide Accord on Environmental Harmonization and the Sub-Agreement on Environmental Assessment, which are designed to lead to improved cooperation and better environmental protection across Canada. In the spirit of these accords, Nova Scotia and Canada aim to cooperate by developing formal project-level agreements. The aim of these agreements is to achieve the shared objective of 'one project - one assessment' to reduce duplication and increase efficiency and certainty about the process.

Information on the federal Impact Assessment review process is available on IAAC's website: www.canada.ca/en/impact-assessment-agency.html.

Should a project also require environmental assessment under another provincial jurisdiction, the process may vary and there may be additional requirements for information to be submitted for environmental assessment. The proponent should contact the EA Branch and the appropriate jurisdiction early in project planning stages to determine if this applies to their project.

Mining Developments that Require Environmental Assessment

The *Environmental Assessment Regulations* designate that "a facility that extracts or processes any of the following: metallic or non-metallic minerals, coal, peat, peat moss, gypsum, limestone, bituminous shale, or oil shale" is a Class I undertaking. A proponent of these undertakings must complete the EA

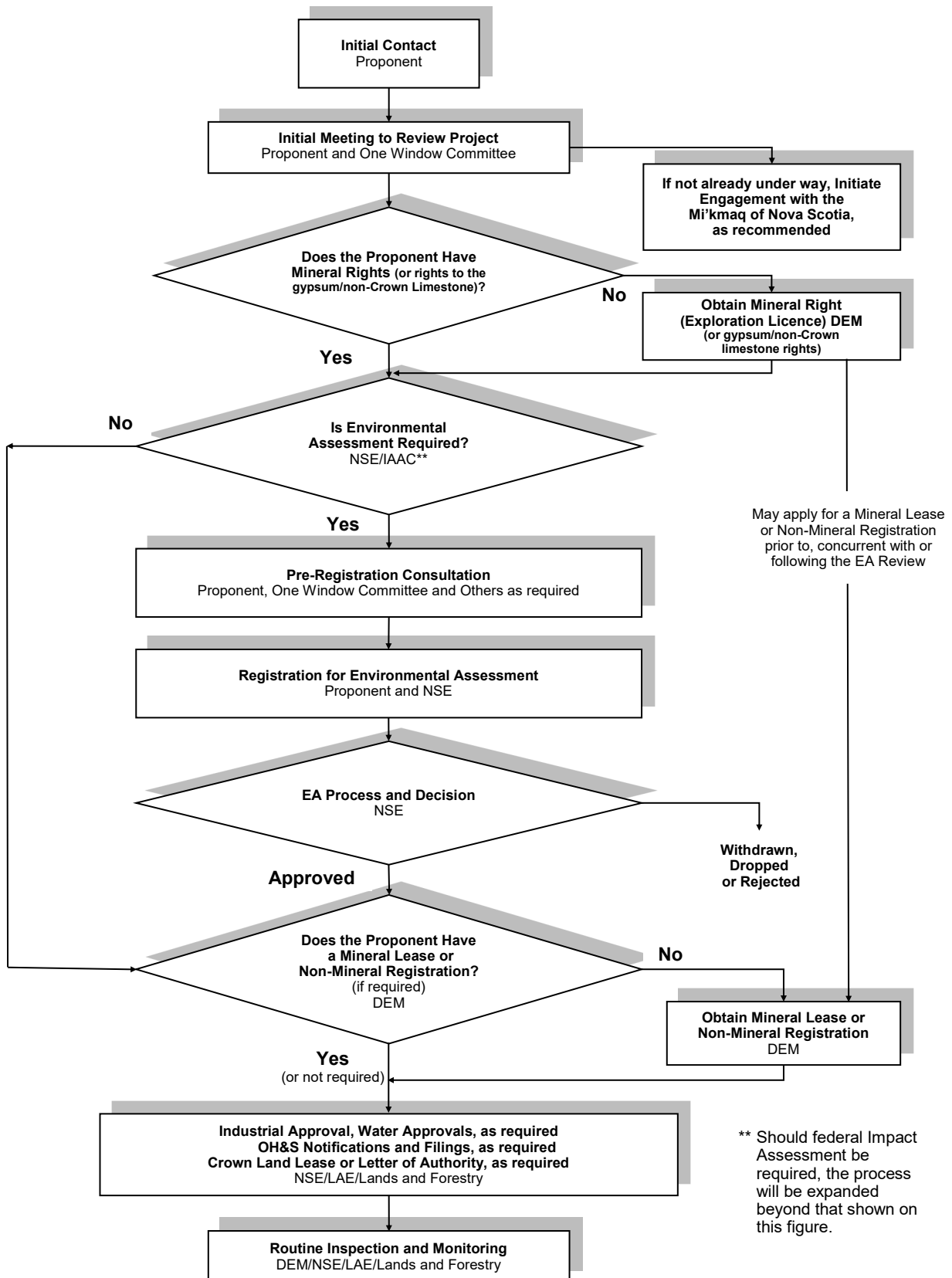


Figure 2. Process for mineral development approvals.

process before progressing to the next stage of environmental permitting. As well, a modification, extension, abandonment, demolition, or rehabilitation of an existing project may require further environmental assessment. Plans for expansion, modification, or relocation of any aspect of an approved undertaking from that proposed in the registration information should be submitted to the EA Branch for review.

Most advanced exploration projects, including bulk samples and underground exploration, will not require environmental assessment. In some exceptional cases, however, such as a bulk sample in an ecologically sensitive area, an environmental assessment may be required.

It is the responsibility of the proponent to accurately determine the scope of the undertaking and the valued environmental components (VEC's) that will be considered in the EA Registration Document. Scoping establishes the boundaries of the EA and focuses the assessment on relevant issues and concerns. The scope of the EA will vary from project to project but is determined through consideration of the project description, the expectations of stakeholders, and the potential for the project to have adverse environmental effects.

At an early stage in the preparation of the Registration Document, the proponent may find it useful to meet again with either the One Window Committee or the NSE-EA Branch. At this meeting, the EA Branch and the proponent can review the issues and valued environmental components that need to be addressed in the Registration Document. The proponent will be encouraged to provide a project description and discuss environmental baseline conditions. At this time, the proponent should have already collected some early feedback from community members most likely to be affected by the undertaking, in order to properly address their concerns in the Registration Document.

7.2 Planning for Public Input

It is within the proponent's discretion to work proactively with the public to address any concerns prior to registering their undertaking for environmental assessment. Proponents are encouraged to engage the public early so that issues and concerns can be incorporated into the final design of the project. Early engagement also enables comprehensive, accurate and relevant information to be provided to the community.

When involving the public, the proponent should identify and contact:

- local community representatives;
- government representatives (municipal, provincial and federal); and
- other stakeholders who may have an interest in the proposed undertaking.

A program of public involvement may use several techniques (Fig. 3), each designed to reach a different segment of the community. The program of public involvement must be scaled to the scope of the project. In general, the larger the project, the more time must be made available and the more detail provided.

In practice, the process of building public confidence involves informal discussions, resulting in a high level of understanding by both the public and the proponent. Early, informal consultation with the community usually pays dividends as the project proceeds. It is beneficial to stay in touch with the people and groups most likely to be affected by the project. As well, community response can be an "early warning system" for project management.

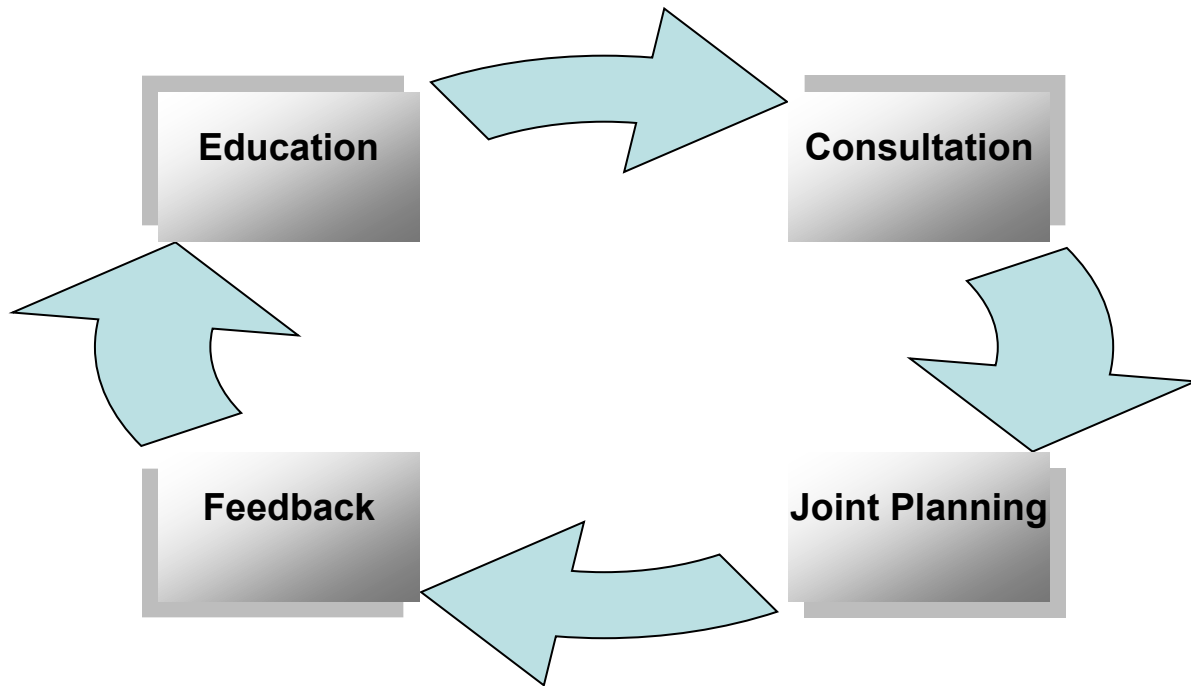


Figure 3. Techniques used for public involvement.

As a mineral development project evolves, the following checklist provides a useful evaluation of the effort to encourage public involvement.

- Are public comments considered in project decisions and plans?
- Has a broad range of interest groups been included?
- Will the public be informed of continuing operations? How?
- Are company documents written and presented in plain language?
- Are public concerns revisited from time to time?

DEM has prepared a guide for community engagement, which is available at www.novascotia.ca/natr/meb/data/pubs/ic/ic68.pdf. There are also many excellent guides for community engagement available on the internet.

Engaging with the Mi'kmaq of Nova Scotia is a similar but separate activity. A Registration Document for an undertaking must include all steps taken to identify, list and address concerns of Aboriginal people about potential adverse effects or environmental effects of the proposed undertaking. The *Proponents' Guide: The Role of Proponents in Crown Consultation with the Mi'kmaq of Nova Scotia* provides advice on how to meet this requirement. The *Proponents' Guide* also lists steps for proponents to follow when engaging the Mi'kmaq. For mineral development projects, this often includes completing a Mi'kmaq Ecological Knowledge Study (MEKS) and providing a summary report to government on the Mi'kmaq engagement process that was followed.

An overview of the consultation process with the Mi'kmaq of Nova Scotia, and a brief description of the role of the proponent, is provided in Section 5.2.

7.3 Stages of the Environmental Assessment

The types of projects required to undergo provincial environmental assessment are listed in Schedule A of the *Environmental Assessment Regulations*. These projects, referenced as undertakings, are divided into two classes, Class I and Class II. Class I undertakings are smaller in scale than Class II undertakings, which include projects such as petrochemical plants, pulp mills, generating stations, smelters, cement plants, and solid waste incinerators.

This guide focuses on Class I undertakings, which include all mineral development projects requiring environmental assessment. A flow chart of the process for Class I undertakings is shown in Figure 4. An Environmental Assessment formally begins when the proponent of a Class I undertaking registers their project by submitting an Environmental Assessment Registration Document and the applicable fees to the EA Branch. The Registration Document will describe the project, identify its potential impacts and propose mitigation measures. The document will be posted on NSE's Environmental Assessment Projects [webpage](#) and made available for public review and comment. Various interest groups, the Mi'kmaq of Nova Scotia, and selected government departments, both provincial and federal, will be advised of the registration and provided with the opportunity to provide comments on the project.

The proponent must place an advertisement in two newspapers, one with circulation in the vicinity of the undertaking and one with province-wide circulation. The advertisement will provide the name and

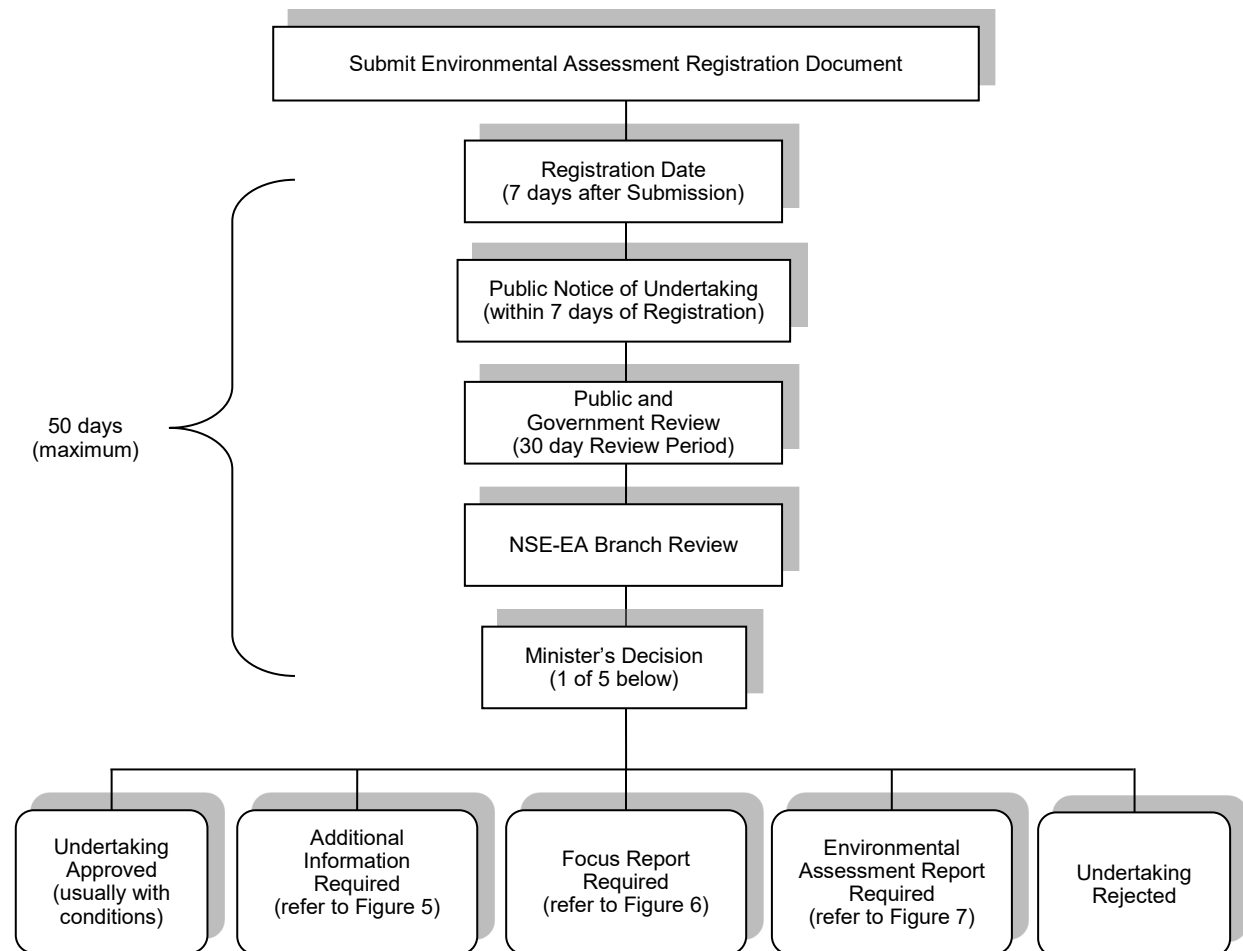


Figure 4. Provincial Environmental Assessment process for a Class I undertaking.

address of the proponent, the location, the nature of the undertaking, the registration date, the project schedule, indicate where the document can be viewed (in addition to the EA website), and state that written comments may be submitted to the EA Branch. There is a 30 day period for the submission of public and government reviewer comments.

Within 50 calendar days of the registration date, the Minister of Environment will provide the proponent with a decision in writing. The Minister must decide one of the following: (a) additional information is required; (b) the undertaking is approved (with conditions); (c) a Focus Report is required; (d) an Environmental Assessment Report is required; or (e) the undertaking is rejected.

The Minister will consider the following information when making a decision:

- the location of the proposed undertaking and the nature and sensitivity of the surrounding area;
- the size, scope and complexity of the proposed undertaking;
- concerns expressed by the public and aboriginal groups about the adverse effects or the environmental effects of the proposed undertaking;
- steps taken by the proponent to address environmental concerns expressed by the public and aboriginal groups;
- whether environmental baseline information submitted in the Registration Document for the undertaking is sufficient for predicting adverse effects or environmental effects related to the undertaking;
- potential and known adverse effects or environmental effects of the proposed undertaking, including identifying any effects on species at risk, species of conservation concern, and their habitats;
- project schedules where applicable;
- planned or existing land use in the area of the undertaking;
- other undertakings in the area;
- whether compliance with licences, certificates, permits, approvals or other documents of authorization required by law will mitigate the environmental effects; and
- such other information as the Minister may require.

Undertaking Approved

Approval is granted, with specific terms and conditions, when a review of the registration information indicates that the undertaking will not cause any adverse effects or significant environmental effects that cannot be mitigated. The terms and conditions will specify the requirements of the proponent to monitor and mitigate any adverse effects or significant environmental effects during construction, operation and reclamation of the project.

Additional Information Required

Additional information may be required if the registration document does not include sufficient information to allow the Minister to make a final decision on the undertaking. The additional information will be submitted as an addendum to the Registration Document and must be submitted within one year of the Minister's decision, unless extended by the Minister (Fig. 5). Depending on the information submitted, the Minister may or may not decide that a public review of the additional information be held. In practice, however, the additional information is generally made available for a 30 day public review period.

Focus Report Required

The Minister may decide that a Focus Report is required when a review of the registration document indicates that one or more specific aspects of the proposed project are unresolved, and those aspects may cause significant environmental effects or adverse effects. The EA Administrator will prepare and issue Terms of Reference for the Focus Report. The Focus Report must be submitted within one year of the

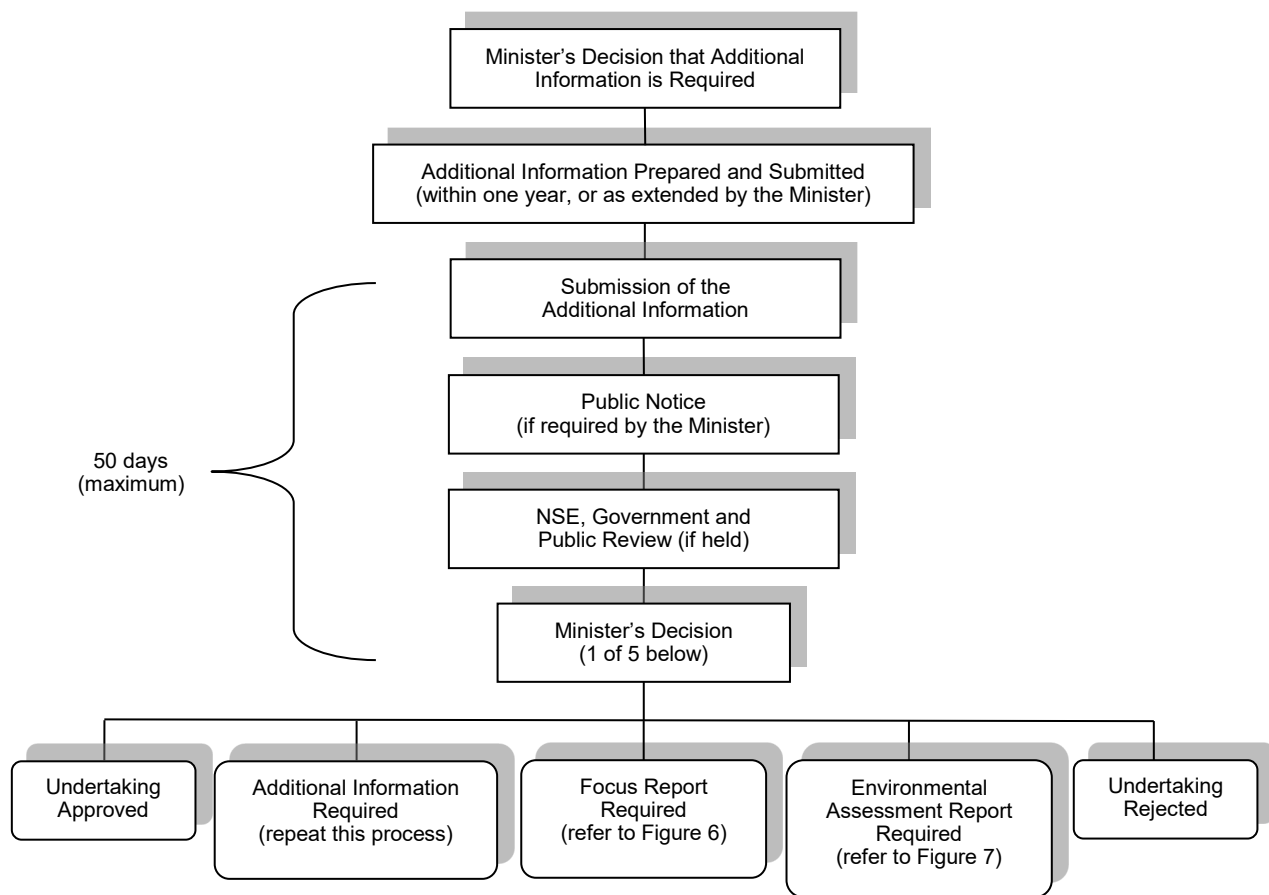


Figure 5. Provincial EA Process where additional information is required.

issuance of the Terms of Reference. Once the Focus Report is submitted there will be a public review of the report and the Administrator will then prepare a report and recommendation for the Minister to consider when making a decision (Fig. 6).

Environmental Assessment Report Required

The Minister may decide that an Environmental Assessment Report is required when there may be adverse effects or significant environmental effects caused by the undertaking and further information is needed to allow the Minister to make a final decision on the undertaking (Figure 7).

The process for preparation and review of an Environmental Assessment Report is very involved, and in some cases, may require an EA Review Panel and a public hearing. Further detail on this process can be provided by the EA Branch, the One Window Committee or by consulting the *Environmental Assessment Regulations* and the *Environmental Assessment Review Panel Regulations*. A flow chart of the process is shown on Figure 7. Decisions that an EA Report will be required are very rare.

Undertaking Rejected

An undertaking is rejected when a review of the registration information indicates that the undertaking is likely to cause adverse effects, or significant environmental effects, which are unacceptable.

It should be noted that some of the time periods established by the regulations as discussed above, and shown in the reference figures, are subject to extension by the Minister of Environment.

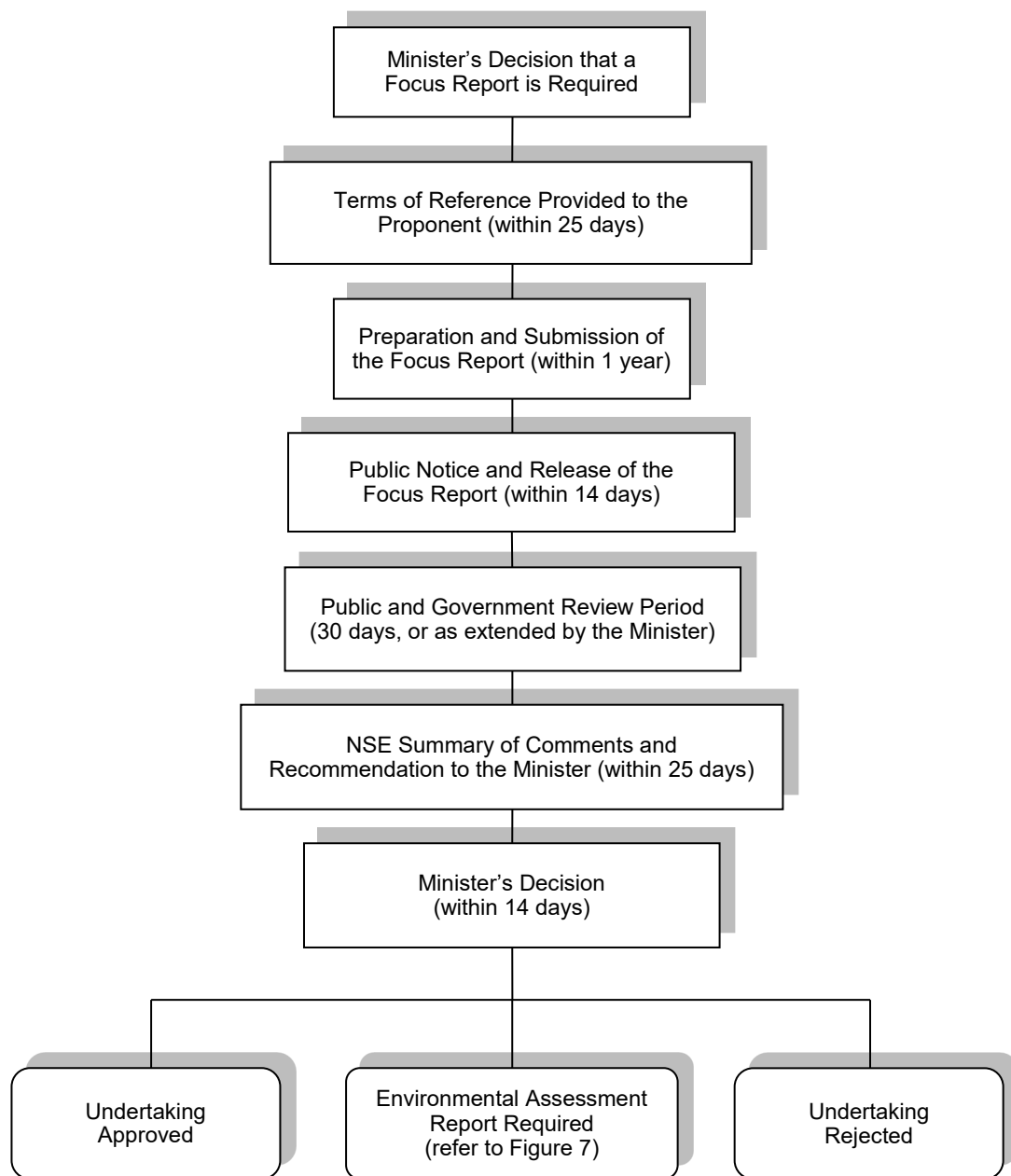


Figure 6. Provincial EA Process where a Focus Report is required.

Should a project also require review under the federal Impact Assessment process, generally that process and the provincial EA review process will be harmonized. In that case, the timelines for project assessment will be revised to allow co-ordination of the two processes. The timeline for an Impact Assessment review can be much longer than that of a provincial environmental assessment.

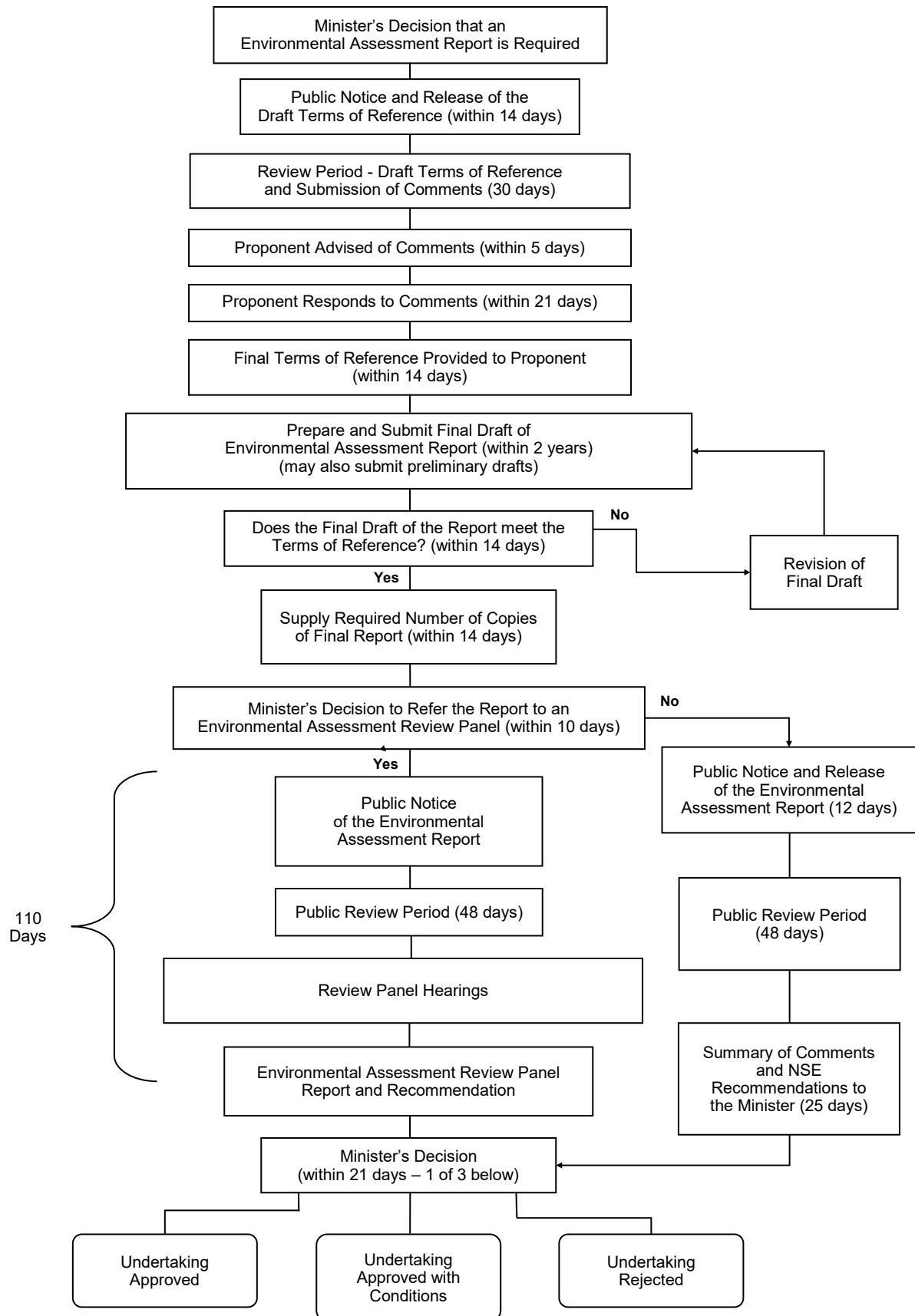


Figure 7. Provincial process - Environmental Assessment Report required.

8. Guide to Required Approvals, Licences, Leases and Registrations

Any hard copy (paper) support documents for applications to DEM or NSE for letters of authorization, leases, registrations or approvals should be prepared in triplicate. This provides DEM, NSE and LAE with the same information package - a convenience for the One Window process. With ready access to the complete information package, a specific application can more easily be considered in relation to the others and the time required for the overall process is reduced. Submissions in triplicate are not required of the information to support applications for exploration licences or environmental assessment.

It should be noted that many of the applications for licences, registrations and approvals require application fees. Mineral Lease applications require payment of the first year rentals to support the application.

For mineral development projects, some or all of the following may be required:

<p>N.S. Department of Energy and Mines</p> <ul style="list-style-type: none"> • Exploration Licence • Excavation Registration • Letter of Authorization • Mineral Lease • Non-Mineral Registration <p>N.S. Department of Lands and Forestry</p> <ul style="list-style-type: none"> • Permit for the Purposes of Prospecting on Crown Land • Permit for Mineral Exploration on Crown Land • Letter of Authority • Crown Land Lease 	<p>N.S. Environment</p> <ul style="list-style-type: none"> • Environmental Assessment Approval • Industrial Approval • Water Approval (i.e. Water Withdrawal, Watercourse Alteration, Wetland Alteration) • Notification or Approval of On-site Sewage Disposal System • Registration of Public Drinking Water Supply • Notification, approval and Certificate of Registration of Petroleum Storage Tank <p>N.S. Labour and Advanced Education, Occupational Health & Safety Division</p> <ul style="list-style-type: none"> • Code of Practice • Filing of documents on initial development, construction or re-entry of a mine, and shutdown of a mine (underground mine only) • Approvals - for a subsea coal mine • Notice of intention to begin development, construction, or re-entry of an underground mine; or to shut down, close or abandon a mine • Notice of intention to begin or resume operation of a surface mine
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A list of the key provincial *Acts* and *Regulations* covering mineral development is provided in Appendix A.

General information related to the various licences, letters of authorization, registrations and leases issued by the Department of Energy and Mines follows in Sections 8.1 through 8.5. Where application is made for a licence, lease, registration, etc., proponents are referred to the *Mineral Resources Act* and *Regulations* for detailed information.

Exploration for uranium is prohibited in Nova Scotia under the [*Uranium Exploration and Mining Prohibition Act*](#), and exploration licences exclude the right to explore for uranium.

8.1 Exploration Licences

An Exploration Licence grants the right to search and prospect for minerals within a designated area. The licensed areas are established by claims, roughly 400 m by 400 m each (16 hectares), and predetermined based on latitude and longitude. Activities can include prospecting, geological survey work, drilling, and minor excavation work (without mechanized equipment). Exploration Licences have a two year term and can be renewed subject to the requirements of the *Mineral Resources Act* and *Regulations*. Licence holders are generally required to carry out a minimum amount of exploration and/or prospecting work (assessment work) in order to renew their licence. A bi-annual fee applies and a report of assessment work is required bi-annually. In some cases, holders of exploration licences may post a payment covering the required value of assessment work in lieu of carrying out that work, and subsequently have the payments refunded once the required work has been carried out and the assessment reports accepted.

Licensees are required to prepare and maintain a stakeholder engagement plan. The department has published a guide to assist proponents with stakeholder engagement, *Community Consultation*, which is available online at www.novascotia.ca/natr/meb/data/pubs/ic/ic68.pdf.

An application for an Exploration Licence cannot be accepted for areas that are already subject to an Exploration Licence, Mineral Lease, Non-Mineral Registration, or where there is an existing application on file for any of the foregoing, except in the case where the applicant already holds the mineral right or Non-Mineral Registration. Other areas that cannot be staked include parks, park reserves, protected areas, Mi'kmaq reserves, certain ecological areas, and protected beaches.

Access to lands over which an Exploration Licence has been granted may have certain restrictions or require notifications to certain stakeholders and/or the Mi'kmaq of Nova Scotia. Licences over these areas will have specific limitations, both by area or by activity, and which will be stated in the Licence. Such areas include municipal water supply areas. Information on areas with restrictions is available from the Registry of Mineral and Petroleum Titles and on NovaROC.

Users of NovaROC should ensure that their client profile information is current in the system, along with their Registry of Joint Stock Companies identification number, and that the corporate information filed with the Registry of Joint Stock Companies is current.

8.2 Excavation Registrations

The holder of an Exploration Licence requires an Excavation Registration to undertake trenching or pitting using mechanized equipment, underground exploration, or limited bulk sampling (removal of less than 100 tonnes of mineral-bearing material) under authority of the *Mineral Resources Act*. Extraction of more than 100 tonnes of mineral-bearing material requires a Letter of Authorization (Section 8.3).

To have an Excavation Registration recorded, a licensee must submit the Registration on NovaROC with supporting information, as listed in Section 52 of the *Mineral Resources Regulations*. The registration must be submitted at least seven days prior to commencement of the work, and the work cannot begin until the registration has been recorded.

Once complete, an Excavation Registration is recorded by the Registrar and the licensee is notified that it has been recorded.

Key requirements of the supporting information include:

- a description of the excavation work to be carried out;
- the location of the excavation work;
- confirmation of the written consent of the landowner or occupier;
- sketch map(s) showing the extent of the proposed work;
- telephone number of the licensee's field representative, as applicable; and
- the schedule for the work, including reclamation of the disturbed area.

A full reclamation plan, as outlined in Section 74 of the *Mineral Resources Regulations*, is not required for an Excavation Registration. However, the supporting information should include a description of the reclamation work to be carried out.

DEM may require a reclamation security (cash, letter of credit, surety bond, or other financial security) in order to provide for reclamation of areas that may be disturbed during the activity.

Excavations must generally be backfilled and the area reclaimed within 30 days of the completion of the work program. The Registrar may grant a longer period to backfill the excavation, or to allow the excavation to remain unfilled, but an extension of the time for reclamation requires authorization from the Minister. The area disturbed by the work must be reclaimed to the satisfaction of DEM, and possibly the Department of Lands and Forestry (for excavations on Crown lands), and must meet the requirements of Section 73 of the *Mineral Resources Regulations* (see page 31).

8.3 Letters of Authorization

The holder of an Exploration Licence who proposes to extract a bulk sample of more than 100 tonnes of mineral-bearing material requires a Letter of Authorization from DEM. By policy, DEM generally limits the size of bulk samples to 10 000 tonnes of mineral-bearing material and 50 000 tonnes of total material removed.

To obtain a Letter of Authorization, the licence holder must submit an application on NovaROC along with supporting information. The required information is outlined in Section 55 of the *Mineral Resources Regulations*. The supporting information should include a description of the mineral resource to be sampled, and outline the objectives and expectations to be achieved by the bulk sampling program.

Key requirements of the supporting information include:

- the tonnage of mineral-bearing material to be extracted and whether the bulk sample will be extracted from surface or from underground workings;
- the tonnage of overburden and waste rock to be extracted;
- the location of the bulk sample;
- the telephone number of the licence holder's onsite representative supervising the work (if not the licence holder themselves);
- the requested dates for the issue and expiry of the letter of authorization;
- the expected date that reclamation will be completed;
- the written consent of the landowner or occupier;
- a description of work to be completed and expected outcomes; and
- a reclamation plan.

DEM requires a reclamation plan and reclamation security (cash, letter of credit, surety bond, or other financial security) in order to provide for reclamation of areas that would be disturbed during the bulk sample program. Acceptance of the reclamation plan and the amount of the reclamation security will be determined jointly by DEM and NSE.

Surface bulk sample excavations must generally be backfilled and the area reclaimed within 30 days of the completion of the work program. The Registrar may grant a longer period to backfill the excavation, or to allow the excavation to remain unfilled, but an extension of the time for reclamation requires authorization from the Minister. A bulk sample site must be reclaimed to the satisfaction of DEM, NSE and possibly the Department of Lands and Forestry (for bulk samples on Crown lands). The reclamation work must meet the requirements of Section 73 of the *Mineral Resources Regulations* (see page 31).

DEM will not issue a Letter of Authorization until NSE has advised that it has issued an Industrial Approval to the licensee and LAE has advised that it has reviewed the information provided by DEM and/or the licensee and does not oppose the granting of a Letter of Authorization.

In some cases, consultation with the Mi'kmaq of Nova Scotia may need to be carried out prior to issuance of a Letter of Authorization.

8.4 Mineral Leases

A Mineral Lease grants the exclusive right to some or all of the mineral resources in a specified area for the term of the Lease. A Mineral Lease usually has a 20 year term and is renewable. To obtain a Mineral Lease, the holder of an exploration licence must:

- file an application on NovaROC that meets the requirements of the *Mineral Resources Act* and *Regulations*; including:
 - the minerals to be leased;
 - the location of the area, including the claims, tracts, and claim reference maps; and
 - the applicant's name, exploration licence number, and contact information.

The applicant must:

- provide the prescribed information (Section 61 of the *Mineral Resources Regulations*);
- satisfy the Minister of Energy and Mines that they have delineated a mineral deposit within the proposed lease area;
- provide a written undertaking to commence production within five years of obtaining the lease;
- pay the first year's rent in advance;
- provide a reclamation plan; and
- post reclamation security.

The applicant for a Lease must submit a report that includes the information listed in Section 61 of the *Mineral Resources Regulations*. This includes:

- a general location map of the claim area showing all claim boundaries, surface rights ownership and boundaries, nearby roads, buildings, powerlines, watercourses, topography, and other surface features in the vicinity of the deposit.
- resource information, including:
 - a map showing the location of all drill holes, trenches, test pits, and sample locations;
 - a geological map showing the known location of the deposit and its relationship to the host

- geological units;
- geological cross-sections and longitudinal sections through the deposit; and
- unless the Registrar determines it to be unnecessary, a table of mineral resources and mineral reserves, including:
 - ◆ grades and quantities of mineral resources, categorized as measured, indicated, or inferred according to the CIM Definition Standards;
 - ◆ grades and quantities of mineral reserves, categorized as proven or probable according to the CIM Definition Standards;
 - ◆ a description of the method of calculating the mineral resources and mineral reserves; and
 - ◆ a statement of the cut-off grade used and reason for its use.
- a feasibility study that includes:
 - adequate information on mining, processing, metallurgical, economic, or other factors to demonstrate that economic extraction is justified; and
 - diluting materials and allowances for losses during mining of the mineral reserve.
- mining information, including:
 - a general map showing the surface facilities, buildings, water diversions, settling and treatment ponds, ore and waste storage areas, and tailings areas;
 - strip ratio for a surface mine;
 - recovery factor; and
 - a description of the proposed mining methods and schedules for all surface and underground development work.
- mineral processing information, including:
 - a description of the processing method; and
 - a flow sheet for the process showing metallurgical balances.

All of the supporting information should be uploaded on NovaROC, generally in pdf format.

The applicant for a Mineral Lease may be required to submit a survey of the boundaries of the proposed lease area, should one be required by the Registrar of Mineral and Petroleum Titles. As long as the proposed lease boundary is not too close to the planned mining footprint, or adjacent to an existing Lease or Non-Mineral Registration, such a survey is seldom necessary.

The reclamation plan will be reviewed by both DEM and NSE. Details on the requirements for reclamation plans are outlined in Section 74 of the *Mineral Resources Regulations*. The reclamation plan must ensure that, when complete, the reclamation work meets the requirements of Section 73 of the *Regulations*. The reclamation work must:

- protect the environment against adverse effects resulting from operations in the area;
- minimize the detrimental impact of operations on adjoining lands;
- minimize hazards to public safety resulting from operations;
- leave the area in a state that is compatible with adjoining land uses and that conforms to
 - any zoning bylaw or development plan applicable to the area; and
 - the specifications, limits, terms, and conditions of any licence, lease, non-mineral registration, or surface access rights issued under the *Act* in respect of the area.

DEM will require a reclamation security (cash, letter of credit, surety bond, or other financial security) in order to provide for reclamation of areas that would be disturbed during mining. Acceptance of the reclamation plan and the amount of the reclamation security will generally be determined jointly by

DEM and NSE. The amount of the reclamation security will, in almost all cases, be determined by the estimated cost for the province to reclaim the site at the peak reclamation liability, and will include a factor for procurement, engineering, and project management; as well as a contingency. The reclamation cost estimate included in the reclamation plan will also be considered. The Minister of Energy and Mines has the authority to adjust the amount of the reclamation security to an amount that he or she finds acceptable.

Existing reclamation securities may be held by either DEM or NSE. However, reclamation securities submitted in support of future lease applications will be held by DEM. The amount of security required at the time of application for a Mineral Lease is 5% of the estimated reclamation cost, or \$100,000, whichever is less.

Mine sites must be reclaimed in accordance with the most recent reclamation plan and the requirements of the *Mineral Resources Regulations*. The work must be carried out to the satisfaction of DEM, NSE and possibly the Department of Lands and Forestry (for Mineral Leases on Crown lands), and in accordance with the schedule accepted in the reclamation plan.

In accordance with the Memorandum of Understanding between the departments, DEM will notify LAE, NSE and OAA that it has received an application for a Mineral Lease and that the information will be available to them should they wish to review it.

In some cases, consultation with the Mi'kmaq of Nova Scotia may need to be carried out prior to the issuance of a Mineral Lease.

8.5 Non-Mineral Registrations

A Non-Mineral Registration may be granted to the holder of the rights to gypsum or non-Crown limestone who wants to carry out production of that gypsum or non-Crown limestone. Generally, the rights to gypsum and non-Crown limestone are held with the property title. In some cases, however, the rights to the gypsum or non-Crown limestone have been severed from the title to the land and sold or optioned to a second party, typically a gypsum mining company.

Note that “non-Crown limestone” is limestone that has not been declared to be a mineral pursuant to Section 6 of the *Mineral Resources Act* or under previous legislation. Many limestone occurrences throughout the province have been declared to be minerals and these areas are often referenced as Crown limestone. As such, limestone may or may not be a mineral under the *Act*, depending on its location. The areas where limestone has been declared a mineral are shown on NovaROC.

To obtain a Non-Mineral Registration, a proponent must file an application on NovaROC that meets the requirements of the *Mineral Resources Act* and *Regulations*, and which contains:

- the location of the area;
- the claims, tracts, and claim reference maps;
- the applicant's or their agent's name, phone number, and e-mail address;
- the applicant's registered office; and
- the prescribed fee.

In addition, the applicant must:

- provide the prescribed documentation (Section 64 of the *Mineral Resources Regulations*);
- satisfy the Minister that they have delineated a deposit of gypsum or non-Crown limestone within the proposed non-mineral registration area;
- provide a written undertaking to commence production within five years;
- provide evidence of the applicant's right to the gypsum or limestone, including surface rights

- access;
- provide a reclamation plan; and
- post reclamation security.

The prescribed information that an applicant for a Non-Mineral Registration must submit is a report that includes the information listed in Section 64 of the *Mineral Resources Regulations*. This includes:

- a general location map of the area showing all claim boundaries, surface rights ownership and boundaries, nearby roads, buildings, powerlines, watercourses, topography, and other surface features in the vicinity of the deposit;
- mining information, including:
 - a general map showing the location of the existing and proposed mine workings, surface facilities, buildings, water diversions, settling and treatment ponds, ore and waste storage areas, and tailings pond areas;
 - strip ratio and recovery factor;
 - a description of the proposed mining methods and schedules for all surface and underground development work; and
- any additional information that the Registrar considers necessary for the purposes of assessing the application.

The reclamation plan will be reviewed by both DEM and NSE. Details on the requirements for reclamation plans are outlined in Section 74 of the *Mineral Resources Regulations*. The reclamation plan must ensure that, when complete, the reclamation work meets the requirements of Section 73 of the *Regulations*. The reclamation work must:

- protect the environment against adverse effects resulting from operations in the area;
- minimize the detrimental impact of operations on adjoining lands;
- minimize hazards to public safety resulting from operations;
- leave the area in a state that is compatible with adjoining land uses and that conforms to
 - any zoning bylaw or development plan applicable to the area; and
 - the specifications, limits, terms, and conditions of any licence, lease, non-mineral registration, or surface access rights issued under the *Act* in respect of the area.

DEM will require a reclamation security (cash, letter of credit, surety bond, or other financial security) in order to provide for reclamation of areas that would be disturbed during mining. Acceptance of the reclamation plan and the amount of the reclamation security will generally be determined jointly by DEM and NSE.

The amount of the reclamation security will, in almost all cases, be determined by the estimated cost for the province to reclaim the site at the peak reclamation liability, and will include a factor for procurement, engineering, and project management; as well as a contingency. The reclamation cost estimate included in the reclamation plan will also be considered. The Minister of Energy and Mines has the authority to adjust the amount of the reclamation security to an amount that he or she finds acceptable.

Mine sites must be reclaimed in accordance with the most recent reclamation plan and the requirements of the *Mineral Resources Regulations*. The work must be carried out to the satisfaction of DEM and NSE, and in accordance with the schedule accepted in the reclamation plan.

In accordance with the Memorandum of Understanding between the departments, DEM will notify LAE, NSE, and OAA that it has received an application for a Non-Mineral Registration, and that the information will be available to them should they wish to review it.

In some cases, consultation with the Mi'kmaq of Nova Scotia may need to be carried out prior to the issuance of a Non-Mineral Registration.

8.6 Withdrawn Lands, Tender Calls, and Requests for Proposals

Section 59 of the *Mineral Resources Act* provides that the Minister of Energy and Mines may withdraw any lands from applications for a mineral right for all or certain minerals, and also establishes a mechanism for the issuance of mineral rights over withdrawn lands. Generally referenced as “closures”, areas withdrawn from application may be established by area (claim, tract and map sheet) or by commodity.

In 1975, the Minister of Mines (now Energy and Mines) withdrew coal, salt and potash from the standard licensing and leasing process. The withdrawal for salt and potash has been rescinded, but coal continues to be withdrawn from general staking. However, mineral rights for specific lands that have been withdrawn, or for coal, may be tendered or subject to a request for proposals. Should a viable expression of interest be made for a specific area, generally a tender or a request for proposals for the mineral rights of that area will be conducted. The tender or request for proposals, and the issuance of the mineral right, are subject to the Minister's discretion.

8.7 Industrial Approvals

An Approval is required under the *Environment Act* and the *Activities Designation Regulations* prior to construction, operation or reclamation of certain industrial activities designated in the regulations. These include activities associated with minerals, mining and mineral processing. Ministerial or NSE consent or approval is also required for significant changes to the activity conducted under an approval, transfer of the approval, or the transfer of control or ownership of the holder of the approval.

Applications for Industrial Approvals must be submitted on a prescribed form, which is available at NSE offices, or at www.novascotia.ca/nse/forms/docs/Application-IndustrialApproval.pdf.

Documentation must be submitted to NSE to support an Industrial Approval application, in accordance with Section 6 of the [Approval and Notification Procedures Regulations](#). The information will include, but is not limited to:

- (a) the name, address, e-mail address, telephone and fax number of the applicant and, if applicable, proof of current registration with the Registrar of Joint Stock Companies;
- (b) the location of the site and the capacity and size of the activity to which the application relates;
- (c) the nature of the activity, the change to the activity, or the amendment, addition, or deletion of a term or condition, as the case may be;
- (d) proof that the applicant
 - (i) owns the site,
 - (ii) has a lease or other written agreement or option with the landowner or occupier to enable the applicant to carry out the activity on the site, or
 - (iii) has the legal right or ability to carry out the activity without the consent of the landowner or occupier;
- (e) a plan or sketch of the site or, if the Minister considers it necessary, a survey plan prepared by a registered Nova Scotia land surveyor;
- (f) if required by the Minister under subsection 53(4) of the Act, any municipal approval, permit, or other authorization referred to in that subsection;
- (g) detailed plans and specifications that, if required by the Minister, are stamped by a professional engineer licensed to practice in Nova Scotia;
- (h) a detailed description of the activity to which the application relates;

- (i) details of site suitability and sensitivity, including proximity to watercourses, residences, and institutions, geology and hydrogeology;
- (j) copies of existing approvals relating to the activity that have been issued to the applicant under the Act or a predecessor to the Act;
- (k) copies of any environmental assessment study reports that may pertain to the activity;
- (l) the proposed or actual dates of the commencement of construction, completion of construction, commencement of operation, and completion of the project;
- (m) a description of any substance that will or might be released into the environment as a result of the activity, including all of the following:
 - (i) the source of the substance,
 - (ii) the amount of the substance,
 - (iii) the environmental impact of a release of the substance,
 - (iv) the method by which the substance will be released,
 - (v) the measures to be taken to reduce the amount of the substance released or to mitigate its impacts;
- (n) a summary of the required environmental monitoring information not already submitted to the department that was gathered during any previous approval period or while the activity was regulated by a notification;
- (o) a summary of the performance of substance release control systems used for the activity and not already submitted to the department, including performance during any previous approval period or while the activity was regulated by a notification;
- (p) an explanation for the release of substances into the environment as a result of the activity;
- (q) security, if required;
- (r) a description of any adverse effect, including surface disturbance, that may or will result from the activity and how it will be controlled;
- (s) contingency plans to deal with any reasonably foreseeable sudden or gradual release of a substance that is likely to have an adverse effect;
- (t) a preliminary abandonment or rehabilitation plan and, if required, a final abandonment or rehabilitation plan;
- (u) a description of any public consultation undertaken or proposed by the applicant;
- (v) information required to be submitted as part of, or in support of, the application under a regulation or standard;
- (w) any additional information required by the Minister in a policy or guideline for the type of activity covered by the notification.

The requirement for some of the above items may be waived in certain cases; for example if the requirement is not relevant for a particular application or if the application is for the renewal of an existing approval.

Proponents may contact the Inspection, Compliance and Enforcement Division of Nova Scotia Environment for further detail on the documentation required in their application for an Industrial Approval.

Sections 13 through 19 of the *Approval and Notification Procedures Regulations* include provisions on securities. Section 21 of the regulations covers the requirement to rehabilitate sites and submit rehabilitation (reclamation) plans, in addition to the preliminary plan required in item (t) above. NSE and DEM work jointly on reclamation plans and securities for advanced exploration and mineral development projects. This co-operation ensures that a proponent's reclamation plan meets the requirements of both departments, and that a proponent will not be required to post duplicate securities for reclamation liabilities. However, NSE may require security for other potential liabilities, such as a bond on domestic well water supplies for surrounding residents, or for potential impacts on adjoining properties. Such securities would be separate from the reclamation security.

Section 53 of the *Environment Act* provides general authority for applications for approvals. Of particular note for **underground projects**, Section 53(5) of the *Act* requires that:

- (5) The Minister shall require, as part of an application for an approval respecting an underground mine, that an applicant obtain written confirmation from the Executive Director of the Occupational Health and Safety Division of the Department of Labour and Advanced Education that:
 - (a) the applicant has provided the Executive Director with sufficient information to comply with the filing requirements of the *Underground Mining Regulations* in respect of the proposed underground mine; and
 - (b) that a review of the information provided pursuant to the *Underground Mining Regulations* has not revealed any apparent violation of the *Occupational Health and Safety Act* or regulations made pursuant to that *Act*.

An application for an Approval respecting an underground mine is not considered complete unless the information identified in Section 53(5) of the *Environment Act* has been provided to the department.

Decisions on applications for Industrial Approvals are made within 60 days after a complete application has been received, unless extended by the Minister. This review period also applies to applications for all other Approvals under Part V of the *Environment Act*.

In some cases, consultation with the Mi'kmaq of Nova Scotia may need to be carried out prior to the issuance of an Industrial Approval.

8.8 Water Approvals

A Water Approval is required under the *Environment Act* and the *Activities Designation Regulations* for the use or alteration of a watercourse or a water resource for one or more of the following purposes (listed in Section 5A of the regulations):

- Using or altering a watercourse or water resource, or the flow of water in a watercourse or water resource, for any of the following purposes, unless the activity requires (only) a notification under Section 5B or is exempt under Section 5D of the *Activities Designation Regulations*.
 - (a) withdrawing or diverting water in a volume greater than 23 000 L per day from a source of surface water or ground water;
 - (b) storing water in a volume of 25 000 m³ or greater;
 - (c) constructing, modifying or maintaining a dam.
- Altering any of the following, or the flow of water in any of the following, unless the activity requires a notification under Section 5B or is exempt under Section 5D of the *Activities Designation Regulations*:
 - (a) a watercourse;
 - (b) a water resource;
 - (c) a wetland.

Many activities related to watercourses require notifications (only) and that the work be carried out by a qualified person during a specific time of the year. The activities that require notifications are listed in Section 5B of the *Activities Designation Regulations*. These include, but are not limited to, work to

improve fish habitat, some culvert installations, some bridge work, and some bank alteration, as well as maintenance work on any of the above, providing that the work is carried out between June 1 and September 30 of the year.

There are exemptions from the requirement to obtain a Water Approval or provide notification for the following activities, as listed in Section 5D of the *Activities Designation Regulations*:

- (a) non-recurring use of water from the same watercourse for a total period of less than 2 weeks in the same year;
- (b) using seawater;
- (c) using brackish water from an intertidal zone of a river estuary;
- (d) maintaining of lands and structures by marsh bodies incorporated under the *Agricultural Marshland Conservation Act*; or
- (e) maintaining alterations or structures associated with activities designated above, (formally “in subsections 5A(1) and (2) and clauses 5B(1)(a) to (d)”), if the work is done above the ordinary high water mark.

There are various types of Water Approvals, including Watercourse Alteration Approvals, Water Allocation Approvals, Water Withdrawal Approvals, and Wetland Alteration Approvals. The application form for the various types of Water Approvals is available online at www.novascotia.ca/nse/resources/permits.asp or at NSE offices.

Applications for Water Approvals require a description of the activity, as listed under Section 5 of the application form, and supporting documentation, as listed in Section 6 of the form. Further information on watercourse alteration is available on an NSE webpage, www.novascotia.ca/nse/watercourse-alteration.

Typically, dewatering of existing underground mine workings at a rate in excess of 23 000 L/day for a period of more than two weeks will require a Water Withdrawal Approval, unless the activity will be covered under an Industrial Approval.

It should also be noted that a Water Approval for an underground project cannot be issued until the proponent has obtained written confirmation from the OH&S Division of LAE that the proponent has provided sufficient information to comply with the filing requirements of the *Underground Mining Regulations* and that a review of the information has not revealed any apparent violation of the *Occupational Health and Safety Act* or its *Regulations*.

In some cases, consultation with the Mi'kmaq of Nova Scotia may need to be carried out prior to the issuance of Water Approvals.

The province has instituted a policy for Wetlands Conservation. An introductory webpage on the policy is available at www.novascotia.ca/nse/wetland/conservation.policy.asp and there is a link on the page to the policy document. Projects that include wetland alterations must be consistent with the policy.

Appendix A: Legislation

Following are the four key acts related to exploration and mining activities in Nova Scotia, and their associated regulations. However, it should be recognized that there are others, including federal legislation.

A complete list of the regulations for any specific provincial act is available from the Registry of Regulations webpage at: www.novascotia.ca/just/regulations/regsxact.htm.

Nova Scotia Department of Energy and Mines

Act: *Mineral Resources Act*
www.nslegislature.ca/sites/default/files/legc/statutes/mineral_resources.pdf

Regulations: *Mineral Resources Regulations*
www.novascotia.ca/just/regulations/regs/mrregs.htm

Nova Scotia Environment

Act: *Environment Act*
www.nslegislature.ca/sites/default/files/legc/statutes/environment.pdf

Regulations: [Environmental Assessment Regulations](#)
 (generally [Activities Designation Regulations](#)
 applicable [Air Quality Regulations](#)
 for mineral [Approval and Notification Procedures Regulations](#)
 development [Dangerous Goods Management Regulations](#)
 projects) [On-site Sewage Disposal Systems Regulations](#)
[Pesticide Regulations](#)
[Petroleum Management Regulations](#)
[Sulphide Bearing Material Disposal Regulations](#)
[Used Oil Regulations](#)
[Water and Wastewater Facilities and Public Drinking Water Supplies Regulations](#)
[Well Construction Regulations](#)

Note: The above list of regulations is not a complete list of the regulations enacted under the Environment Act. Readers may reference the complete set of regulations under the Environment Act from the Registry of Regulations website: <https://www.novascotia.ca/just/regulations/regsxact.htm>.

Appendix A: Legislation (continued)

Nova Scotia Labour and Advanced Education, Occupational Health and Safety Division

Act: *Occupational Health & Safety Act*
[www.nslegislature.ca/sites/default/files/legc/statutes/occupational health and safety.pdf](http://www.nslegislature.ca/sites/default/files/legc/statutes/occupational%20health%20and%20safety.pdf)

Regulations: [*Blasting Safety Regulations*](#)
[*Disclosure of Information Regulations*](#)
[*Occupational Diving Regulations*](#)
[*Occupational Health and Safety First Aid Regulations*](#)
[*Occupational Safety General Regulations*](#)
[*Underground Mining Regulations*](#)
[*Violence in the Workplace Regulations*](#)
[*Workplace Hazardous Materials Information System Regulations*](#)
[*Workplace Health and Safety Regulations*](#)

Nova Scotia Department of Lands and Forestry

Act: *Crown Lands Act*
www.nslegislature.ca/sites/default/files/legc/statutes/crownlan.htm

Regulations: [*Harvesting Timber on Crown Lands Regulations*](#)
and [*Natural Resources Ministerial Land Transactions Regulations*](#)
(under the Court and Administrative Reform Act)

Appendix B: Contacts Within Government

Name	Location	Telephone
ONE WINDOW STANDING COMMITTEE		
Chairperson: Scott Hearn Manager, Mineral Development and Policy (DEM)	1701 Hollis St., PO Box 698, Halifax, NS B3J 2T9	(902) 424-7199
DEM Representative	1701 Hollis St., PO Box 698, Halifax, NS B3J 2T9	(902) 424-4911
DEM Representative Aboriginal Consultation	1690 Hollis St., PO Box 2664, Halifax, NS B3J 3P7	(902) 424-7891
NSE Representative Environmental Assessment	1903 Barrington St., Suite 2085, PO Box 442, Halifax, NS B3J 2P8	(902) 424-3600
NSE Representative Inspection, Compliance and Enforcement	30 Damascus Rd., Suite 115, Bedford, NS B4A 0C1	(902) 424-7773
LAE Representative	103 Garland Ave., 3 rd Floor, Dartmouth, NS	(902) 424-0451
OAA Representative	5251 Duke St., Duke Tower, 5 th Floor Halifax, NS B3J 3S1	(902) 424-7409
Lands and Forestry Representative	1701 Hollis St., PO Box 698, Halifax, NS B3J 2T9	(902) 424-3142
NS DEPT OF ENERGY AND MINES		
General Information	Founders Square, 1701 Hollis St., Halifax Joe Howe Building, 1690 Hollis St., Halifax	(902) 424-2035 (902) 424-4575
Executive Director, Geoscience and Mines Branch	1701 Hollis St., PO Box 698, Halifax, NS B3J 2T9	(902) 424-2523
Director, Mineral Management	1701 Hollis St., PO Box 698, Halifax, NS B3J 2T9	(902) 424-5618
Manager, Mineral Development and Policy	1701 Hollis St., PO Box 698, Halifax, NS B3J 2T9	(902) 424-7199
Registrar of Mineral and Petroleum Titles	1701 Hollis St., PO Box 698, Halifax, NS B3J 2T9	(902) 424-8155
Regional Geologist	107 Acheron Court, PO Box 999, Stellarton, NS B0K 1S0	(902) 424-2035 (Geoscience and Mines Branch, main number)
Core Library	107 Acheron Court, PO Box 999, Stellarton, NS B0K 1S0	(902) 752-4842
NS DEPT OF LANDS AND FORESTRY		
General Information		(902) 424-5935
Land Services	1701 Hollis St., PO Box 698, Halifax, NS B3J 2T9	(902) 424-3142
Regional Services <u>District Offices or Regional Offices</u>		
Antigonish Regional Director – Eastern	190 Beech Hill Road, RR #6, Antigonish, NS B2G 0B4	(902) 863-4513
Coxheath (Sydney) Regional Resource Manager - Eastern	300 Mountain Road, Sydney, NS B1L 1A9	(902) 563-3370
Truro Regional Director Regional Resource Manager - Central	15 Arlington Place, Suite 7, 2nd Floor Truro, NS B2N 5B8	(902) 893-6350
Lunenburg Regional Director Regional Resource Manager - Western	312 Green St., Lunenburg, NS B0J 2C0	(902) 634-7555

Appendix B: Contacts within Government (continued)

Name	Location	Telephone
NS ENVIRONMENT	1894 Barrington St., Suite 1800, PO Box 442, Halifax, NS B3J 2P8	
General Information	Emergency, 24 hr, Toll-Free	(902) 424-3600 1-800-565-1633
Executive Director, Inspection, Compliance and Enforcement	1894 Barrington St., Suite 1800, PO Box 442, Halifax, NS B3J 2P8	(902) 424-3600
Executive Director, Sustainability and Applied Science	1903 Barrington St., Suite 2085, PO Box 442, Halifax, B3J 2P8	(902) 424-3600
Executive Director, Climate Change	1903 Barrington St., Suite 2085, PO Box 442, Halifax, B3J 2P8	(902) 424-3600
Executive Director, Policy	1903 Barrington St., Suite 2085, PO Box 442, Halifax, B3J 2P8	(902) 424-3600
Environmental Assessment Branch	1903 Barrington St., Suite 2085, PO Box 442, Halifax, B3J 2P8	(902) 424-3600
<u>Inspection, Compliance & Enforcement Regional Offices</u>		
Central (Bedford) Regional Director, District Managers	30 Damascus Road, Suite 115, Bedford, NS B4A 0C1	(902) 424-7773
Eastern (Sydney) Regional Director, District Manager	1030 Upper Prince Street, Suite 2, Sydney, NS B1P 5P6	(902) 563-2100
Western (Kentville) Regional Director, District Manager	Provincial Building, 136 Exhibition St., Kentville, NS B4N 4E5	(902) 679-6086
<u>Inspection, Compliance & Enforcement District Offices</u>		
Amherst District Manager	71 East Victoria St., Amherst, NS B4H 1X7	(902) 667-6205
Antigonish District Manager	155 Main Street, Suite 205, Antigonish, NS B2G 2B6	(902) 863-7389
Pictou District Manager	20 Pumphouse Road, RR #3, New Glasgow, NS B2H 5C6	(902) 396-4194
Port Hawkesbury District Manager	218 MacSween Street, Suite 12, Port Hawkesbury, NS B9A 2J9	(902) 625-0791
Truro District Manager	36 Inglis Place, Truro, NS B2N 4B4	(902) 893-5880
Bridgewater District Manager	81 Logan Road, Bridgewater, NS B4V 3T3	(902) 543-4685
Yarmouth District Manager	55 Starrs Road, Unit 9 Yarmouth, NS B5A 2T2	(902) 742-8985

Appendix B: Contacts within Government (concluded)

NS LABOUR AND ADVANCED EDUCATION	PO Box 697, 1505 Barrington St., Halifax, NS. B3J 2T8	
General Information		(902) 424-5301 1-844-424-5301
Occupational Health and Safety Division	Toll Free, 24 hr Number	(902) 424-5400 1-800-952-2687
Executive Director, Occupational Health and Safety	PO Box 697, 1505 Barrington St., Halifax, NS B3J 2T8	(902) 424-8477
Senior Director, Compliance and Inspection Services	Office: 103 Garland St., 3rd Floor Dartmouth, Nova Scotia Mailing Address: PO Box 697, Halifax, NS B3J 2T8	(902) 890-6959
Mining Engineer — Dartmouth	Office: 103 Garland St., 3rd Floor Dartmouth, Nova Scotia Mailing Address: PO Box 697, Halifax, NS B3J 2T8	(902) 424-0451
Mining Engineer — Sydney	1030 Upper Prince St., Suite 3 Sydney, NS B1P 5P6	(902) 563-2268
NS OFFICE OF ABORIGINAL AFFAIRS	5251 Duke St., 5th Floor, PO Box 1617 Halifax, NS B3J 2Y3	(902) 424-7409
NS DEPT OF BUSINESS	PO Box 2311, 1660 Hollis St., Suite 600, Halifax, NS B3J 3C8	(902) 424-0377
NS DEPT OF SERVICE NOVA SCOTIA AND INTERNAL SERVICES	Maritime Centre, PO Box 2734 1505 Barrington St., Halifax, NS B3J 3K5	(902) 424-5200
ENVIRONMENT CANADA	45 Alderney Drive, Dartmouth, NS B2Y 2N6	(902) 426-7231
FISHERIES AND OCEANS CANADA	1 Challenger Dr. PO Box 1006 Dartmouth, NS B2Y 4A2	(902) 426-2373
IMPACT ASSESSMENT AGENCY of CANADA	1801 Hollis Street, Suite 200, Halifax, NS B3J 3N4	(902) 426-0564

Contact telephone numbers for specific Nova Scotia government employees can be found using the Employee Contact Directory at: <https://novascotia.ca/psc/geds/>.

Contact telephone numbers for specific federal government employees can be found using the Government Electronic Directory Services at: <https://geds-sage.gc.ca/en/GEDS>.