

# Environmental Assessment Approval

Approval Date: **NOV 30 2017**

**Project name: Williamsdale Quarry Expansion Project**

**Proponent name: Dexter Construction Company Limited**

**Williamsdale, Cumberland County, Nova Scotia**

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Williamsdale Quarry Expansion Project (the "project"), proposed by: Dexter Construction Company Limited (the "Approval Holder") in Williamsdale, Cumberland County, Nova Scotia is approved pursuant to Section 40 of the Environment Act and Section 13(1)(b) of the Environmental Assessment Regulations. This Approval is subject to the following conditions and obtaining all other necessary approvals, permits or authorizations required by municipal, provincial and federal acts, regulations and by-laws before commencing work on the Undertaking. It is the responsibility of the Approval Holder to ensure that all such approvals, permits or authorizations are obtained before commencing work on the project.

This Environmental Assessment Approval is based upon the review of the conceptual design, environmental baseline information, impact predictions, and mitigation presented in the Registration Document.

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## **Terms and Conditions for Environmental Assessment Approval**

### **1.0 General Approval**

- 1.1 The Environmental Assessment Approval for the project is limited to the project as described in the Registration Document. Any proposal by the Approval Holder for expansion, modification or relocation of any aspect of the project from that proposed in the Registration Document shall be submitted to the Environmental Assessment Branch for review, may require an environmental assessment (EA), and must be acceptable to the Department.
- 1.2 The Approval Holder shall, within two years of the date of issuance of this approval, commence work on the Undertaking unless granted a written extension by the Minister.
- 1.3 The Approval Holder shall notify the Department of the commencement date of the project, at a minimum 30 days prior to the commencement.

- 1.4 The Approval Holder shall not transfer, sell, lease, assign or otherwise dispose of this Approval without the written consent of the Minister. The sale of a controlling interest of a business or a transfer of an approval from a parent company to a subsidiary or an affiliate is deemed to be a transfer requiring consent.
- 1.5 The Approval Holder shall implement all mitigation and commitments outlined in the Registration Document, unless those requirements are waived or amended in writing by the Department.
- 1.6 The Approval Holder shall update, implement and/or revise any of the mitigation, management and/or monitoring plans and plans required in this Approval to reflect the progressive development of the Project at a schedule acceptable to or upon request by the Department, and revised as required by the Department.

## **2.0 Surface Water Resources**

- 2.1 The Approval Holder shall not undertake any project related activities within 30 metres of a watercourse unless otherwise authorized in writing by the Department. No development or removal of vegetation within this 30 metre buffer is permitted unless otherwise authorized in writing by the Department.
- 2.2 The Approval Holder, as part of the application for the Part V Approval under the *Environment Act*, shall submit the following to the Department for review, an erosion and sedimentation control plan that meets the Department's Erosion and Sedimentation Control Handbook. The Approval Holder shall implement the plan once the plan is deemed acceptable by the Department at a schedule determined by the Department.
- 2.3 The Approval Holder, as part of the application for the Part V Approval under the *Environment Act*, shall submit to the Department for review a surface water monitoring plan including sampling locations and parameters. The Approval Holder shall implement the plan once the plan is deemed acceptable by the Department at a schedule determined by the Department. Based on the results of the monitoring plan, the Approval Holder must make necessary modifications to mitigations plans and/or operations as required by the Department.
- 2.4 The Approval Holder, as part of the application for the Part V Approval under the *Environment Act*, shall submit to the Department for review, a stormwater management plan including details regarding the plans for monitoring, maintenance and upgrading the flow of retention/siltation treatment areas. Design criteria shall recognize increased likelihood of more intense precipitation events in coming decades. The Approval Holder shall implement the plan once the plan is deemed acceptable by the Department at a schedule determined by the Department.

- 2.5 At the request of the Department, the Approval Holder shall implement, in consultation with the Department, a monitoring plan to determine the potential for and extent of sulphide bearing material and plan to manage any exposed acid generating material and associated drainage.

### **3.0 Wetlands**

- 3.1 The Approval Holder shall not undertake any quarry related activities within 30 metres of a wetland unless otherwise authorized in writing by the Department. No development or removal of vegetation within this 30 metre buffer is permitted unless otherwise authorized in writing by the Department.

### **4.0 Groundwater Resources**

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

### **5.0 Flora and Fauna**

- 5.1 Prior to construction, the Approval Holder shall provide Nova Scotia Department of Natural Resources (DNR) Wildlife Division with digital way points and shape files revealing precise locations for all S1, S2 and S3 Atlantic Canada Conservation Data Center listed species, identified during field work within the area proposed for development. The Approval Holder shall report to the Department that the files have been provided to DNR.

- 5.2 The Approval Holder shall clear vegetation outside of the breeding season for most bird species (April 15th to August 15th), unless otherwise authorized in writing by the Department. Vegetation clearing shall be recorded in a daily log that shall be available for review by the department indicating the date and time of the clearing operation and the contractor.
- 5.3 The Approval Holder shall develop an invasive plant species management plan deemed acceptable by DNR, prior to commencement of the expansion. The Approval Holder shall notify the Department when the invasive plant species management plan has been authorized in writing by DNR.
- 5.4 Prior to the commencement of the Project, the Approval Holder shall develop in consultation with DNR, Wildlife Division, a wildlife management plan including, but not limited to, the following species:
- a) measures to protect bank swallows (*Riparia riparia*), and Common Nighthawks (*Chordeiles minor*), and other species utilizing soft embankments and stockpiles for breeding and nesting during the breeding season; and
  - b) measures to mitigate potential Project related impacts on plants including Tender Sedge (*Carex tenera*) and Yellow Ladies'-tresses (*Spiranthes ochroleuca*).

The Approval Holder shall implement the plan once it is deemed acceptable and authorized in writing by DNR.

## 6.0 Air Quality and Noise

- 6.1 The Approval Holder, as part of the application for the Part V Approval under the *Environment Act*, shall submit to the Department for review, a dust mitigation plan for both the quarry site and quarry access road to the Wentworth-Collingwood Road. The Approval Holder shall implement the plan once the plan is deemed acceptable by the Department at a schedule determined by the Department.
- 6.2 At the request of the Department, the Approval Holder shall develop and implement an air quality and/or dust monitoring plan. This plan shall include, but not be limited to, sampling locations, parameters, monitoring methods, protocols and frequency. Based on the results of the monitoring plans as proposed, the Approval Holder shall make necessary modifications to mitigation plans and/or operations as required by the Department.

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

## **7.0 Archaeological and Heritage Resources**

- 7.1 The Approval Holder shall cease work and contact the Special Places Coordinator, Nova Scotia Department of Communities, Culture and Heritage (CCH) immediately upon discovery of an archaeological site or artifact unearthed during any phase of the project. If the find is of certain or possible Mi'kmaq origin, the Approval Holder shall also contact the appropriate Mi'kmaq representatives as advised by CCH.

## **8.0 Public Engagement**

- 8.1 The Approval Holder, as part of the application for the Part V Approval under the *Environment Act*, shall develop and implement a complaint resolution plan to address all concerns associated with the Undertaking. The Approval Holder shall appoint a contact person designated to deal with complaints, and shall provide the contact information to the Department.
- 8.2 At the request of the Department, the Approval Holder shall develop and implement a plan for the formation and operation of a Community Liaison Committee (CLC) including terms of reference, which meets the Department's Guide for the Formation and Operation of a Community Liaison Committee. The Approval Holder shall operate the CLC for the duration of the project and until released in writing by the Department.

## **9.0 Engagement with the Mi'kmaq of Nova Scotia**

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

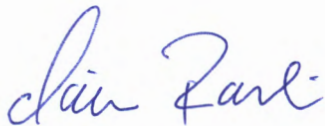
## **10.0 Contingency Plans**

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

- 10.2 Contingency plans shall be updated/ revised to reflect the progressive development of the project. This is to take place over the lifetime of the project revised at a schedule acceptable the Department.
- 10.3 The contingency plan shall be kept on site at all times during operation and made available to the Department upon request.
- 10.4 Refuelling shall not be conducted within 30 metres of any surface water resource, unless otherwise authorized in writing by the Department.

## **11.0 Project Development and Reclamation**

- 11.1 The Approval Holder, as part of the application for the Part V Approval under the *Environment Act*, shall submit to the Department for review, a preliminary reclamation plan that includes progressive reclamation, and details of future land use. The Approval Holder shall implement the plan once the plan is deemed acceptable by the Department at a schedule determined by the Department.
- 11.2 Reclamation plans shall be updated/ revised to reflect the progressive development of the project. This is to take place over the lifetime of the project, at a schedule required by the Department, and revised as required by the Department.
- 11.3 This approval is subject to progressive reclamation at the existing site being completed as required by the Department.
- 11.4 Project operations shall be completed and reclaimed as required by the Department.
- 11.5 Re-vegetation shall be limited to the use of native species, unless otherwise authorized in writing by the Department.



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Iain Rankin, MLA  
Minister of Environment