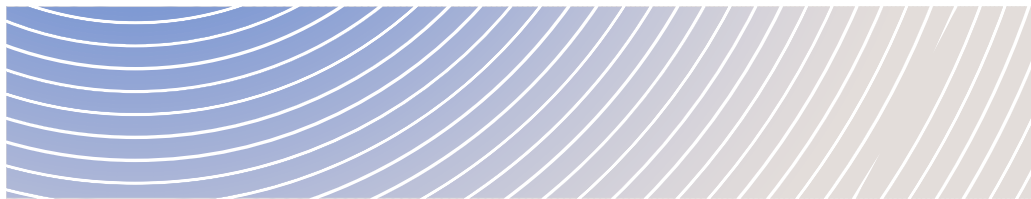


Analysis Report



WHETHER TO DESIGNATE THE **GOLDBORO GOLD PROJECT** IN
NOVA SCOTIA PURSUANT TO THE *IMPACT ASSESSMENT ACT*

December 2019



Impact Assessment
Agency of Canada

Agence d'évaluation
d'impact du Canada

Canada

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Context of Request

On November 20, 2018, the Kwilmu'kw Maw-klusuaqn Negotiation Office (KMKNO) requested that the Project be designated under subsection 14(2) of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) because of concerns of potential adverse environmental effects and potential impacts to Aboriginal and Treaty rights. The Agency sent a letter to the proponent notifying them of the designation request and requesting information prior to making a decision.

This request came following a decision on September 19, 2018 by the provincial Minister of Environment that the information in the 2018 Registration Document for a Class I environmental assessment was insufficient. The Province subsequently provided the proponent with the Terms of Reference for the Preparation of a Focus Report on October 14, 2018. Several federal departments participated in the provincial environmental assessment including Transport Canada, Fisheries and Oceans Canada, Environment and Climate Change Canada, and Health Canada.

On August 28, 2019, IAA came into force and CEAA 2012 was repealed. The proponent was informed on September 4, 2019 that the Agency did not receive the required project information prior to the IAA coming into force; therefore, a determination by the Minister on whether to designate the Project did not occur. As a result, the designation request under CEAA 2012 was terminated and is being considered under IAA in accordance with the Minister's powers to designate projects under subsection 9(1).

On September 16, 2019 the proponent submitted a request to the provincial Minister of Environment to withdraw the original 2018 Registration Document due to project changes. The proponent anticipates they will submit a new Registration Document before the end of the 2019 calendar year. In advance of this submission to the Province, the proponent provided additional information to the Agency on September 13, 2019 regarding the proposed changes to the Project. The updated provincial Environmental Assessment Registration Document was not available to the Agency to support the review of this designation request. Federal departments will continue to provide expert advice in the provincial assessment.


Advice on applicable legislative mechanisms and potential effects due to the Project was received from Environment and Climate Change Canada, Fisheries and Oceans Canada, and Health Canada. Advice from provincial experts provided to Nova Scotia Environment as part of the review of the 2018 Registration Document was also considered by the Agency.

Project Context

Project overview

As detailed in the 2018 Registration Document, Anaconda Mining Inc. is proposing to develop a 575 tonne per day mining and milling facility located 1.6 kilometres north of the community of Goldboro, in Guysborough County, Nova Scotia (Figure 1). The Project would start as an open pit development and would transition to underground mining by year three of operation. Prior to commercial production, an ore concentrator facility would be constructed where the feed material would be subject to crushing, grinding, and mineral concentration by gravity and flotation methods. Inert tailings produced from the concentrator processing circuit would be stored on the site in an engineered tailings storage facility. Additional information provided by the





proponent on September 13, 2019 indicated that a full-scale processing plant for producing gold doré bars would be constructed on-site.

Goldbrook Road provides access to the site from Highway 316 and transitions to a gravel road through the site. Residential dwellings are present along Goldbrook Road, with the closest being approximately two kilometres from the site. The area is moderately to heavily forested. Surface rights are held by various private landowners and by the Nova Scotia government.

The Goldboro area was an active and productive mining area for many years around the turn of the century from 1893 to 1910. As a result, there are historic workings as well as contamination throughout the area.

Project components and activities

Physical components of this Project include the mine (surface and underground), the mill, full-scale processing plant, bulk loadout facilities, stockpiles, waste rock piles, the tailings storage facility, sedimentation ponds, ditching, the effluent treatment facility, effluent discharge points, fuel storage, dangerous goods storage, pipelines, transmission lines, sewage treatment, and roadways (Figure 2).

The proponent identified three main phases of carrying out the Project: site preparation and construction, operations and maintenance, and decommissioning and reclamation.

The proponent estimated that the site preparation and construction phase would take approximately 3.5 years to complete, and would be initiated following a favourable decision by the provincial Minister of the Environment. The anticipated mine life would be approximately nine years, while the concentrator would run for an additional 1.5 years to process lower-grade ore accumulated during development. Development would start with a small open pit, which would be mined for the first four years of the operation and maintenance phase. The open pit mine would transition to underground mining in year three and would continue for approximately six years. The proponent stated that decommissioning and reclamation of the mine site would be expected to last up to three years following the completion of underground mining.

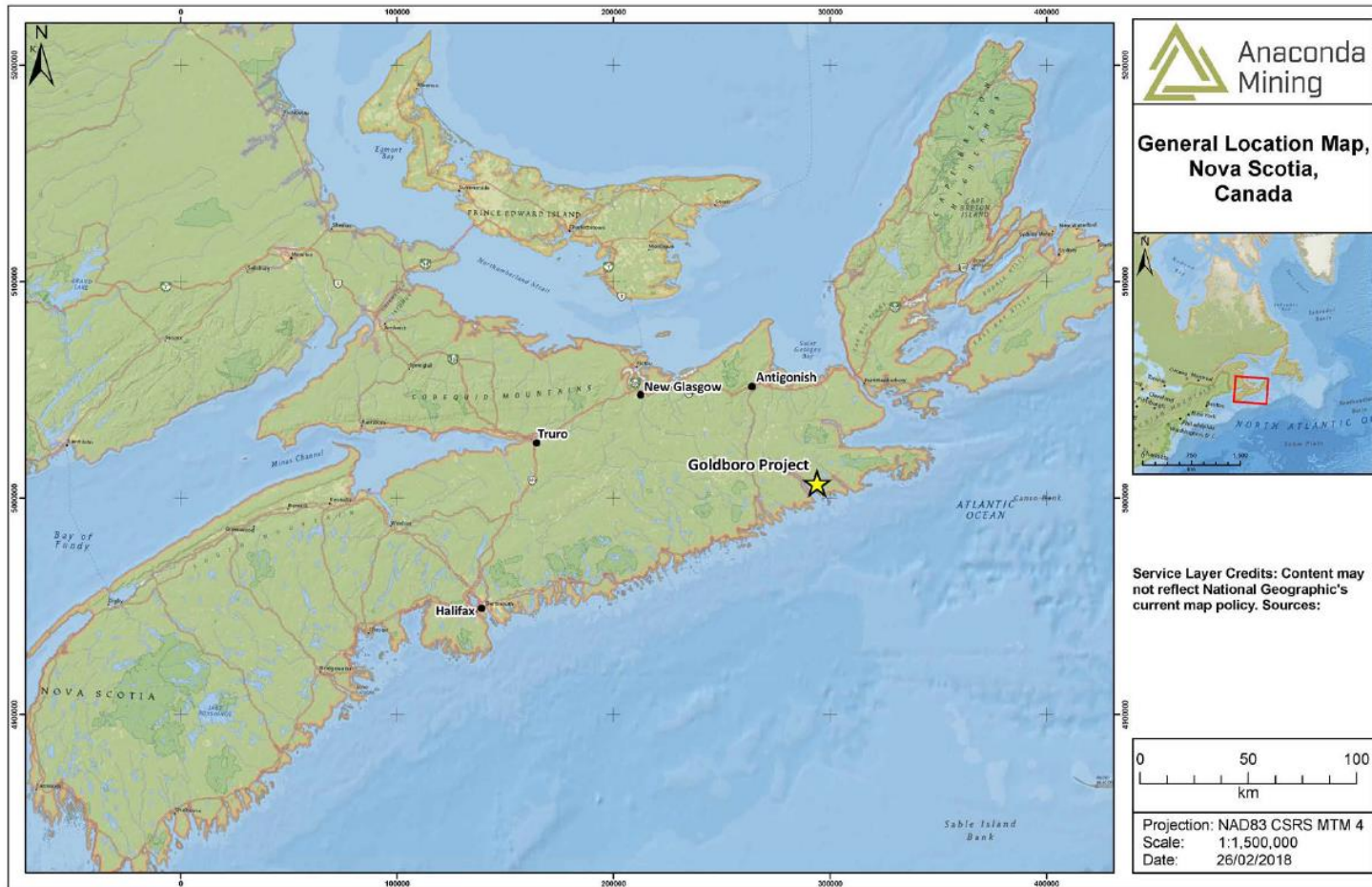


Figure 1: Project Location

(Source: WSP, 2018)

Analysis of Designation Request

Authority to designate the Project

The *Physical Activities Regulations* (the Regulations) of IAA identify the types of projects that are designated activities. The Project, as described in the information provided by the proponent, would have a maximum production capacity of 575 tonnes per day, and therefore is not included in the Regulations.¹

Under subsection 9(1) of IAA the Minister may, by order, designate a physical activity that is not prescribed in the Regulations. The Minister may do this, if, in the Minister's opinion, the physical activity may cause adverse effects within federal jurisdiction or adverse direct or incidental effects, or public concerns related to those effects warrant the designation.

The carrying out of the Project has not substantially begun and no federal authority has exercised a power or performed a duty or function that would permit the Project to be carried out, in whole or in part.² Given this understanding, the Agency is of the view that the Minister may consider designating this Project pursuant to subsection 9(1) of IAA.

Potential adverse effects within federal jurisdiction

Environment and Climate Change Canada, Fisheries and Oceans Canada, and Health Canada provided expert advice to Nova Scotia Environment during the provincial review of the 2018 Registration Document, which was shared with the Agency. Concerns identified by Environment and Climate Change Canada and Health Canada were specifically noted by the provincial Minister of Environment in her decision to require the proponent to submit a Focus Report. These concerns included gaps in bird survey data, lack of mitigation measures for migratory birds and species at risk, lack of identified measures to ensure compliance with the *Migratory Bird Convention Act, 1994*, and lack of air and noise baseline data and modelling results.


The Agency understands that aspects of the Project have changed since the submission of the 2018 Registration Document, most notably the addition of a full-scale processing plant to produce gold doré bars on-site, relocation of the tailings, and the addition of settlement and treatment ponds. Additional work is also being completed by the proponent to address data gaps and update the effects assessment.

Fisheries and Oceans Canada reviewed the additional information provided to the Agency by the proponent and determined there is insufficient information to provide specific advice to the Agency in regards to potential impacts of project activities to fish and fish habitat and fish species at risk. Fisheries and Oceans Canada advised that based on the available information, the Project has potential to result in direct and indirect impacts to fish and fish habitat, including the death of fish; and the harmful alteration, disruption, and destruction of fish habitat. Fisheries and Oceans Canada indicated that such impacts may occur as a result of

¹ The Project would not meet the threshold of 5,000 tonnes per day to be a designated project under the *Physical Activities Regulations*.

² The Minister must not make the designation if the carrying out of the physical activity has substantially begun, or a federal authority has exercised a power or performed a duty or function in relation to the project. s.s. 9(7) of IAA





the placement of project infrastructure and mine waste within or near fish habitat; infilling and excavation within or near fish habitat; changes in water levels and flows; loss of fish passage; and blasting.

Health Canada reviewed the additional information and stated that further information is still needed to adequately determine what effects the Project may have on human health including air quality, water quality, noise, and impacts on country foods.

Although the information provided in the 2018 Registration Document and the 2019 additional information package is limited, the Agency expects that environmental effects in federal jurisdiction typical of a gold mine project could apply to this Project and include:

- effects on fish and fish habitat,
- effects on migratory birds, and
- effects on Indigenous Peoples' health and socio-economic conditions, physical and cultural heritage, current use of lands and resources for traditional purposes and any structure, site or thing that is of historical, archaeological, paleontological or architectural significance.

The Agency also finds that in this case the level of environmental effects in areas of federal jurisdiction would be addressed through project design, by the application of standard mitigation measures, and by the existing federal and provincial regulatory mechanisms (Annex I and II).

Potential adverse direct or incidental effects

Direct or incidental effects refer to effects that are directly linked or necessarily incidental to a federal authority's exercise of a power or performance of a duty or function that would permit the carrying out, in whole or in part, of a project, or to a federal authority's provision of financial assistance to a person for the purpose of enabling that project to be carried out, in whole or in part.

The following federal authorization may be required for the Project to proceed:

- Fisheries and Oceans Canada may issue an authorization under the *Fisheries Act* for impacts to fish and fish habitat.

Based on the limited information available, the Agency did not identify any direct or incidental effects related to the described powers duties or functions beyond those already considered as effects within federal jurisdiction.

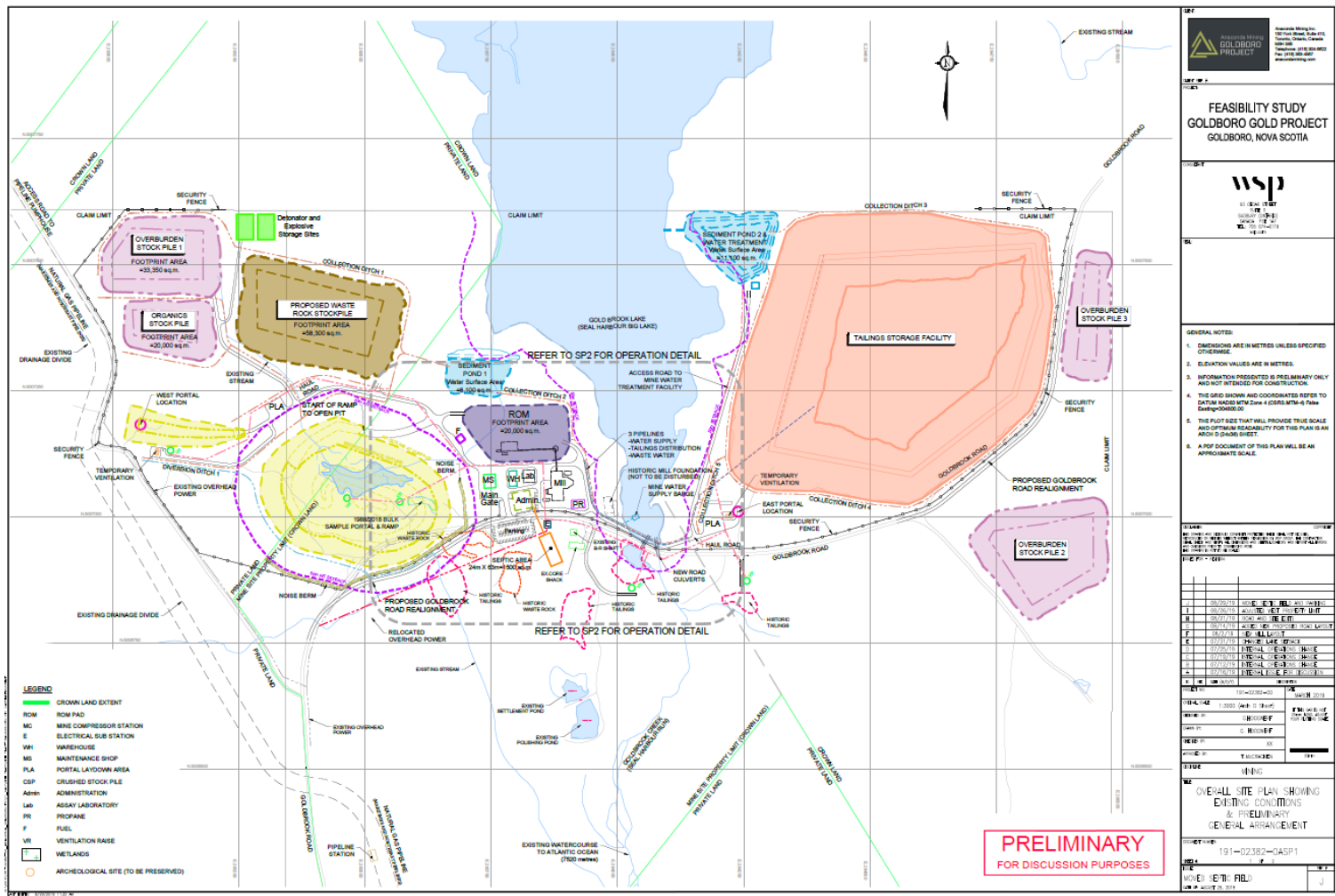


Figure 2: Project Site Layout

(Source: WSP, 2019)

Public concerns

The Agency is of the view that the public concerns known to the Agency do not warrant designation under subsection 9(1) of IAA. Eight public comments were received through the provincial environment assessment, which noted the following concerns:

- mobilization of contaminants caused by the disturbance of historic tailings;
- alteration or loss of wetlands;
- contamination of surface and groundwater,
- effects to drinking water;
- increased noise and dust;
- endangered and threatened species and their habitats, including bats and mainland moose; and
- perception that the Project would present environmental risks with little economic gain to the local communities or province.

The Warden of the Municipality of the District of Guysborough also submitted comments regarding the extent of consultation undertaken by the proponent and the concerns raised by the municipality. He offered support to the Project, on behalf of the Municipality of the District of Guysborough, based on favourable responses to the noted concerns, which included wetland compensation, impacts to drinking water, continued public engagement, and local employment.

The Agency understands that these concerns are expected to be addressed through project design, the application of standard mitigation measures, and through existing federal and provincial regulatory mechanisms. In addition, a Class 1 provincial environmental assessment is required for the Project, which provides an opportunity for public participation and to address public concerns.


The Agency's view on this matter was informed by information provided by the proponent, advice from federal authorities and provincial experts, comments received from Indigenous communities, the concerns expressed by the requester, and information in the public domain.

Potential adverse impacts on section 35 rights of Indigenous peoples

When considering whether or not to designate a physical activity, section 9 (2) of IAA states that the Minister may consider the adverse effects that a physical activity on Indigenous rights that are recognised and affirmed under section 35 of the *Constitution Act* 1982.

The KMKNO indicated that the project area is used for traditional and current use activities (i.e. deer hunting and trout fishing). In addition, the Mi'kmaq harvest salmon, bass, eel, blueberries, fir trees, rabbits, sea urchin and spruce trees within the project area. The KMKNO anticipates that the Project would impact Mi'kmaq Rights and Title and further notes that the Project is one of several gold mines operating or proposed in the region, which will act cumulatively for a magnified effect on Mi'kmaq Rights and Title. The Native Council of Nova Scotia expressed concern that the Project has the potential for adverse effects to fish and fish habitat, wetlands, aquatic species, migratory birds, species at risk (including bats), air quality, Indigenous peoples' health and socioeconomic conditions, and current use of lands and resources for traditional purposes. The Native Council of Nova Scotia acknowledged that the project area has seen intensive gold mining and





processing in the past, and indicated that existing contamination in soil and water may become mobilized through proposed project activities such as blasting.

The Province of Nova Scotia has a duty to consult with the Mi'kmaq First Nations and has delegated procedural aspects of consultation to the proponent. As such, the proponent has engaged with the Mi'kmaq of Nova Scotia and intends to continue to consult as the Project progresses, including during the reclamation and wetland compensation phases. Fisheries and Oceans Canada would also have a duty to consult prior to issuing an authorization, if required.

The Agency is of the view that potential impacts to Aboriginal or Treaty rights to hunt, fish or gather would be commensurate with potential impacts to fish and fish habitat, migratory birds and terrestrial plants and animals. Given the likely footprint of the proposed mine and its relatively small production capacity, with the application of standard mining mitigation measures and adherence to required provincial permitting, these effects are predicted to be low. The Agency is of the view that potential impacts to the Aboriginal or Treaty rights of the Nova Scotia Mi'kmaq can be addressed through the *Fisheries Act* authorization process (if required) and the provincial environmental assessment, led by Nova Scotia Environment.

The Agency's view on this matter was informed by information provided by the proponent, advice from federal authorities and provincial experts, comments received from Indigenous communities, the concerns expressed by the requester, and information in the public domain.

Regional and strategic assessments

There are no regional or strategic assessments pursuant to sections 92, 93 or 95 of IAA that are relevant to the Project.

Conclusion

The Agency is of the view that the Project does not warrant designation pursuant to subsection 9(1) of IAA. The potential for adverse effects would be limited through project design, the application of standard mitigation measures and through existing legislative mechanisms.

To inform its analysis, the Agency sought and received input from the proponent, federal authorities, provincial experts, and Indigenous communities. In addition, the Agency considered the concerns in the letter sent to the Minister and comments within the public domain associated with the provincial 2018 Registration Document. Further, the Agency considered the potential for the Project to cause adverse impacts on the rights that are recognized and affirmed by section 35 of the *Constitution Act, 1982* and is satisfied that these would be low given the nature of the Project and its location.

ANNEX I



Annex I: Analysis Summary Table

Impact Assessment Act, Subsection 9(1)	Effects and Concerns	Mitigation Proposed by the Proponent, Relevant Legislative Mechanisms, and Advice from Federal Authorities
<p>A change to fish and fish habitat, as defined in subsection 2(1) of the <i>Fisheries Act</i></p>	<p>Fisheries and Oceans Canada indicated that the Project has the potential to result in direct and indirect impacts to fish and fish habitat, including the death of fish; and the harmful alteration, disruption, and destruction of fish habitat. Such impacts may occur as a result of the placement of project infrastructure and mine waste within or near fish habitat; infilling and excavation within or near fish habitat; changes in water levels and flows; loss of fish passage; and blasting.</p>	<ul style="list-style-type: none"> • Fisheries and Oceans Canada stated that depending on the impact to fish and fish habitat, a <i>Fisheries Act</i> authorization might be required. • <i>Metal and Diamond Effluent Regulations</i> may apply. • Fisheries and Oceans Canada advised that any watercourse crossing, alteration, dewatering or withdrawal proposed would require review. • The proponent stated the Project would withdraw less than 160,000 litres per day from Goldbrook Lake; based on this a <i>Category 2 Water Withdrawal Approval</i> under the <i>Activities Designation Regulations</i> under Section 66 of the <i>Environment Act</i> would be required. • Nova Scotia Environment will be leading a Class 1 environmental assessment on an updated Registration Document. Environment and Climate Change Canada, Fisheries and Oceans Canada, Transport Canada, and Health Canada will participate by providing expert advice through this process.
<p>A change to aquatic species, as defined in subsection 2(1) of the <i>Species at Risk Act</i></p>	<p>No adverse effects to marine plants are anticipated, as there is no interaction between the Project and the marine environment.</p> <p>The 2018 Registration Document and did not provided enough information to adequately characterize the potential effects to fish species at risk.</p>	<ul style="list-style-type: none"> • Mitigation, legislative mechanisms and advice from federal authorities related to a change to fish and fish habitat, as defined in subsection 2(1) of the <i>Fisheries Act</i> also apply to a change to aquatic species, as defined in subsection 2(1) of the <i>Species at Risk Act</i>. • Fisheries and Oceans Canada will review the Project to determine whether it is likely to affect listed aquatic species at risk, any part of their critical habitat or the residences of their individuals in a manner which is prohibited under sections 32, 33 and



<i>Impact Assessment Act, Subsection 9(1)</i>	Effects and Concerns	Mitigation Proposed by the Proponent, Relevant Legislative Mechanisms, and Advice from Federal Authorities
<p>A change to migratory birds, as defined in subsection 2(1) of the <i>Migratory Birds Convention Act, 1994</i></p>	<p>The proponent identified that construction and operation activities would potentially cause temporary and/or long-term loss of migratory bird habitat due to clearing and grubbing; destruction or displacement of birds in areas of excavation and piling of mine wastes; decrease in prey populations caused by increase in dust levels affecting vegetative growth; disturbance resulting from reduced habitat, noise, and vibrations; and attraction and disorientation resulting from night-lighting.</p>	<p>subsection 58(1) of the <i>Species at Risk Act</i>, unless authorized. The authorization application process, if applicable, would include Indigenous consultation.</p> <ul style="list-style-type: none">• The proponent is required to comply with the <i>Migratory Birds Convention Act, 1994</i>.• Environment and Climate Change Canada stated that the proponent did not identify measures to avoid or minimize effects on migratory birds in the 2018 Registration Document and identified several applicable mitigation measures, which informed the requirements of the provincial Terms of Reference for the Preparation of a Focus Report.• Environment and Climate Change Canada will continue to support the provincial environmental assessment, led by Nova Scotia Environment.
<p>A change to the environment that would occur on federal lands</p>	<p>No adverse environmental effects on federal lands are anticipated, as there are no federal lands in the vicinity of the Project. The nearest federal land (Bonnett Lake Barrens Wilderness Area) is approximately 14 kilometres northeast of the Project.</p>	<ul style="list-style-type: none">• Not applicable
<p>A change to the environment that would occur in a province other than the one in which the project is being carried out or outside Canada</p>	<p>No adverse transboundary effects in other provinces or outside Canada are anticipated. The nearest provincial and international borders are approximately 215 kilometres northwest and 450 kilometres west of the property, respectively.</p>	<ul style="list-style-type: none">• The Project would be subject to federal greenhouse gas emissions reporting, pursuant to the <i>Canadian Environmental Protection Act, 1999</i>, if it emits 10 kilotonnes or more of greenhouse gas emissions, in carbon dioxide equivalent units per year.





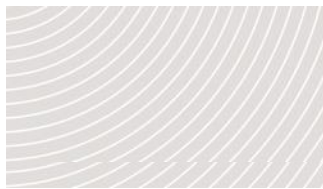
<i>Impact Assessment Act, Subsection 9(1)</i>	Effects and Concerns	Mitigation Proposed by the Proponent, Relevant Legislative Mechanisms, and Advice from Federal Authorities
	<p>With respect to greenhouse gas emissions, the volume of emissions from the Project would likely be low in magnitude. The proponent estimated that the Project would produce approximately 2,869 tonnes CO₂e per year, approximately 0.018% of the reported 2015 greenhouse gas emissions for Nova Scotia.</p>	
<p>With respect to the Indigenous peoples of Canada, an impact - occurring in Canada and resulting from any change to the environment - on physical and cultural heritage</p>	<p>The 2018 Registration Document and did not provided enough information to adequately characterize the potential effects to physical and cultural heritage.</p>	<ul style="list-style-type: none"> Heritage resources in Nova Scotia are protected under the Nova Scotia <i>Special Places Protection Act</i> as administered and enforced by the Culture and Heritage Division of the Nova Scotia Department of Communities, Culture and Heritage. The <i>Special Places Protection Act</i> protects important archaeological, historical, and paleontological resources both on land and underwater.
<p>With respect to the Indigenous peoples of Canada, an impact - occurring in Canada and resulting from any change to the environment - on current use of lands and resources for traditional purposes</p>	<p>A Mi'kmaq Ecological Knowledge Study conducted in 2017 identified trout fishing and deer hunting as the most commonly reported traditional use activities in the Project Area. Additional activities reported included harvesting for salmon, bass, eel, blueberries, fir trees, rabbits, sea urchin, and spruce trees. KMKNO expressed concern that the Project would negatively affect the hunting, fishing, and gathering activities of Indigenous peoples in the Project area.</p>	<ul style="list-style-type: none"> Mitigation, legislative mechanisms and advice from federal authorities related to a change to fish and fish habitat, as defined in subsection 2(1) of the <i>Fisheries Act</i> also apply to an impact - occurring in Canada and resulting from any change to the environment - on current use of lands and resources for traditional purposes. Impacts of the use of resources by Indigenous groups is also being considered by the Province of Nova Scotia as part of their environmental assessment process and during their consultations with KMKNO.
<p>With respect to the Indigenous peoples of Canada, an impact -</p>	<p>The 2017 archaeological assessment stated that five areas were identified as</p>	<ul style="list-style-type: none"> Heritage resources in Nova Scotia are protected under the Nova Scotia <i>Special Places Protection Act</i> as administered and





<i>Impact Assessment Act, Subsection 9(1)</i>	Effects and Concerns	Mitigation Proposed by the Proponent, Relevant Legislative Mechanisms, and Advice from Federal Authorities
<p>occurring in Canada and resulting from any change to the environment - on any structure, site, or thing that is of historical, archaeological, paleontological or architectural significance</p>	<p>having moderate potential for Indigenous archaeological resources.</p>	<p>enforced by the Culture and Heritage Division of the Nova Scotia Department of Communities, Culture and Heritage. The <i>Special Places Protection Act</i> protects important archaeological, historical, and paleontological resources both on land and underwater.</p> <ul style="list-style-type: none"> • Both KMKNO’s Archaeology Research Division and the Nova Scotia Department of Communities, Culture and Heritage reviewed the 2017 archeological assessment and did not have any archaeological or paleontological concerns. • The proponent proposed that shovel testing would be undertaken to determine whether any archaeological deposits exist at the five areas identified in the archaeological assessment. • The proponent stated that all of moderate potential locations border Gold Brook Lake and Gold Brook; therefore, they may be protected by a buffer zone or setback area related to other parts of the Project. In this case, these areas would not be disturbed and shovel testing would not be required. • In the event that other archaeological resources are discovered, ground-disturbing activity would be halted and the Coordinator of Special Places would be contacted immediately.
<p>Any change occurring in Canada to the health, social or economic conditions of the Indigenous peoples of Canada</p>	<p>The closest reserve lands (Pawtnkek-niktuek Indian Reserve No. 23 and Welnek Indian Reserve No. 38) are approximately 45 kilometers north of the Project. Historically and currently, the Project area is used for</p>	<ul style="list-style-type: none"> • Mitigation, legislative mechanisms and advice from federal authorities related to a change to fish and fish habitat, as defined in subsection 2(1) of the <i>Fisheries Act</i> also apply to any change occurring in Canada to the health, social or economic conditions of the Indigenous peoples of Canada. • The proponent stated that dust production would be minimized by a combination of





<i>Impact Assessment Act, Subsection 9(1)</i>	Effects and Concerns	Mitigation Proposed by the Proponent, Relevant Legislative Mechanisms, and Advice from Federal Authorities
	<p>traditional hunting and harvesting.</p> <p>The Project has the potential to cause adverse effects to the health, social, or economic conditions of the potentially affected Indigenous groups.</p> <p>Construction and operation activities have the potential to generate dust, cause increased noise levels, and effect nearby well water supplies.</p> <p>Increased traffic, blasting, and drilling would cause an increase of noise levels in the project area.</p> <p>Health Canada noted that there are protected well water supplies south of the proposed mining operation, which could become contaminated during construction or operation activities. The proponent stated that the surrounding watersheds have already been contaminated to various levels due to historic mining.</p>	<p>water trucks for the roads as well as sprinklers over large exposed dry areas. Crushing and grinding occur within insulated buildings with managed ventilation systems, when possible. In addition, the proponent committed to undertaking baseline and operational particulate monitoring.</p> <ul style="list-style-type: none"> • The proponent committed to staying in regular contact with the community to ensure noise does not negatively impact the residents. The proponent would only perform surface blasting and crushing during regular working hours. A berm would also be constructed around the rim of the pit to reduce noise. • The proponent stated that there would be a regular testing program with homeowners to ensure drinking water quality or composition would be maintained. • Depending on the number of projected site personnel, the onsite water supply may need to be registered with Nova Scotia Environment as a <i>Registered Public Drinking Water Supply</i>.
Adverse direct or incidental effects	<p>Fisheries and Oceans Canada stated that depending on the impact to fish and fish habitat, a <i>Fisheries Act</i> authorization may be required.</p> <p>Based on the available information, potential direct or incidental effects associated with any federal authorizations related to the <i>Fisheries Act</i> are noted in the fish and fish habitat section above.</p>	<ul style="list-style-type: none"> • Mitigation, legislative mechanisms and advice from federal authorities related to a change to fish and fish habitat, as defined in subsection 2(1) of the <i>Fisheries Act</i> apply.



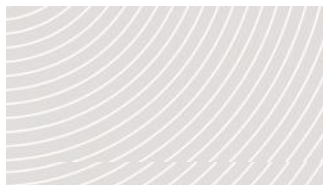


ANNEX II



Annex II: Potential Federal and/or Provincial Authorizations and Compliance Legislation Relevant to the Project

Authorization/Legislation	Description
Federal Legislation and Authorizations	
<i>Metal and Diamond Effluent Regulations</i>	<ul style="list-style-type: none"> • <i>Metal and Diamond Effluent Regulations</i> apply to metal mines that exceed an effluent flow rate of 50 metres squared per day, based on the effluent deposited from all the final discharge points of the mine. • The applicability of these regulations to the Project will be determined by Environment and Climate Change Canada following a review of the updated provincial Registration Document.
<i>Fisheries Act</i>	<ul style="list-style-type: none"> • Any activity that results in the death of fish and the harmful alteration, disruption or destruction of fish habitat will need authorization under the <i>Fisheries Act</i>. • Fisheries and Oceans Canada will review physical impacts from proposed construction projects to determine if there would be serious harm to fish that are part of or support commercial, recreational or Aboriginal fisheries which is prohibited under subsection 35(1) of the <i>Fisheries Act</i> unless authorized. • The authorization application process includes mandatory consideration of Indigenous knowledge and consultation.
<i>Migratory Bird Convention Act, 1994</i>	<ul style="list-style-type: none"> • The <i>Migratory Birds Convention Act, 1994</i> prohibits the deposit of harmful substances into waters or areas frequented by migratory birds, or in a place from which the substance may enter such waters or such an area. • The Act prohibits the disturbance or destruction of migratory bird nests and eggs in Canada.
<i>Species at Risk Act</i>	<ul style="list-style-type: none"> • Fisheries and Oceans Canada will review the Project to determine whether it is likely to affect listed aquatic species at risk, any part of their critical habitat or the residences of their individuals in a manner which is prohibited under sections 32, 33 and subsection 58(1) of the <i>Species at Risk Act</i>, unless authorized. • The authorization application process, if applicable, would include Indigenous consultation.
Provincial Legislation and Authorizations	
<i>Wetland Alteration Approval(s)</i>	<ul style="list-style-type: none"> • The <i>Environment Act</i> requires an approval for any alterations to wetlands, such as filling, draining, flooding, or excavation. • Wetland compensation is required through the wetland alteration approval process, consistent with the <i>Nova Scotia Wetland Conservation Policy</i>.



Authorization/Legislation	Description
<i>Nova Scotia Environment Act</i>	<ul style="list-style-type: none">• The Project was registered with Nova Scotia Environment on August 1, 2018 as a Class 1 environmental assessment.• Several federal departments participated in the 2018 Class 1 environmental assessment and provided expert advice (Fisheries and Oceans Canada, Transport Canada, Environment and Climate Change Canada, and Health Canada).• On September 19, 2018, the provincial Minister of the Environment determined that the information presented in the Registration Document was insufficient to make a decision and a Focus Report was required. A number of deficiencies relating to gaps in bird survey data, lack of mitigation measures for migratory birds and species at risk, lack of identified measures to ensure compliance with the <i>Migratory Bird Convention Act, 1994</i>, and lack of air and noise baseline data and modelling results were identified, which informed the development of the Terms of Reference for the Focus Report.• The Terms of Reference for the Focus Report was provided to the proponent on October 14, 2018.• On September 16, 2019 the proponent submitted a request to the Nova Scotia Minister of Environment to withdraw the original 2018 Registration Document due to project changes. The proponent anticipates they will submit a new Registration Document before the end of the 2019 calendar year.• Once submitted, the Project will undergo a 30-day comment period by provincial and federal experts, the public, and Indigenous communities.
Water Withdrawal Approval	<ul style="list-style-type: none">• Water Withdrawal Approval under the <i>Activities Designation Regulations</i> under Section 66 of the <i>Environment Act</i> is required for surface or groundwater withdrawal which exceeds 23,000 litres per day.• The proponent provided a technical report to accompany an application for a water withdrawal approval for the 2018 exploration program. The exploration program was projected to withdraw 160,000 litres per day which is greater than the projected operating usage of the Project once the initial water withdrawal occurs. The report stated that Goldbrook Lake has a total area of 75 hectares and a total volume of approximately 1.3 million cubic metres. The proponent determined that the water level within Goldbrook Lake would decrease by a maximum of 0.00128 metres per day. According to the report there are currently no other water withdrawal permits within the Gold Brook watershed.• As Goldbrook Lake is larger than 5 hectares, and the maximum daily withdrawal would reduce lake water levels by less than 0.2 metres, the Project would be considered a Category 2 Surface Water Withdrawal.





Authorization/Legislation	Description
Industrial Approval	<ul style="list-style-type: none">• An Industrial Approval is required to permit the construction, operation, or reclamation of projects that fall under Division V of the <i>Activities Designation Regulations</i> (i.e. a surface or underground mine where an opening or excavation is made in the ground from the surface or below the surface, which may require the use of explosives for the purpose of procuring any mineral bearing ore).• The Industrial Approval would contain conditions dealing with engineering requirements including design, monitoring, sampling, record keeping, etc.
Letter of Authority from the Director of Mines of Nova Scotia Department of Natural Resources	<ul style="list-style-type: none">• Extraction of a bulk sample of more than 100 tonnes of material would require an Excavation Permit and a Letter of Authority from the Director of Mines.• A requirement of this approval is that work must be conducted in compliance with the <i>Occupational Health and Safety Act</i> and Regulations, and the <i>Environment Act</i> and Regulations.
Reclamation Plan and Bond	<ul style="list-style-type: none">• The proponent will be required to submit a reclamation bond to the provincial government.• The bond will be returned as reclamation activities are carried out.

