

Resolution 6C

REQUEST CHANGES TO *ENVIRONMENT ACT*, RE MINERALS OF THE ACTIVITIES DESIGNATION **(PASSED)**

⇒ Town of Bridgewater

WHEREAS public drinking water is one of five statements of Provincial interest within the *Municipal Government Act (MGA)*; and

WHEREAS section 196 of the *MGA* states that Provincial Departments must carry out their activities consistent with these statements; and

WHEREAS a municipal drinking water supply Protected Water Area is a multigenerational resource; and

WHEREAS mineral development and other similar commercial activities tend to be single generation resources; and

WHEREAS although Nova Scotia Department of Natural Resources has stated that local geology information gathered through exploration and development of mineral resources provides many benefits to the Province including municipal watershed managers, this information cannot be accessed in a timely manner and therefore of little benefit to water supply management; and

WHEREAS it is acknowledged that although the Department of Natural Resources and Nova Scotia Environment participate in the "One Window Process" where proposed mineral development activities and decisions are discussed among relevant provincial departments, this discussion excludes municipal Protected Water Area managers; and

WHEREAS the environmental assessment process was developed to mitigate impact to the environment and does not adequately address the protection of a municipal drinking water supply Protected Water Area; and

WHEREAS current enforcement of the *Environment Act* regulations is reactive, requiring a violation and the potential for contamination to exist before enforcement can occur; and

WHEREAS most municipalities are limited to only one available good quality Protected Water Area, that if protected will serve the area for the long term foreseeable future; and

WHEREAS the loss or disruption of such Protected Water Area would jeopardize the present and future of that community; and

WHEREAS Municipalities dependent on such Protected Water Area consider the value of a protected water supply resource far exceeds the value of a relatively short duration mineral development;

THEREFORE BE IT RESOLVED that the UNSM request that Nova Scotia Environment ban any activity designated under Division 5, Part 5, Minerals, of the Activities Designation Regulations made under Section 66 of the *Environment Act* in a Protected Water Area.

Response from:
Department of Environment

RESPONSE:

The Department of Natural Resources (DNR) is responsible for implementing policies and programs dealing with the exploration, development, and management of mineral resources under the Mineral Resources Act. Nova Scotia Environment regulates mining activity through approvals under the Environment Act to ensure they do not adversely affect the environment. A Class 1 Environmental Assessment is required for mineral extraction and processing facilities. Public consultation and the identification and consideration of water resources are a critical part of the review process. As part of the review process, municipalities are also formally contacted in writing to provide input.

Industrial approvals are also required for mines and mineral processing. Industrial approval reviews also include identification and consideration of water resources and may include public consultation requirements for the project proponent.

DNR is in the early stages of reviewing the province's Mineral Resources Act. As part of this review there will be a formal opportunity for stakeholder input into how mineral resources are accessed and managed in the province.