

## **Resolution 1C**

### **BAN QUARRY AND MINERAL DEVELOPMENT AND OPERATIONS IN WATERSHEDS DESIGNATED FOR MUNICIPAL DRINKING WATER SUPPLIES (PASSED)**

⇒ Town of Bridgewater

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

**WHEREAS** Provincial Departments must carry out their activities consistent with these statements; and

**WHEREAS** a municipal drinking water supply protected watershed is a multigenerational resource; and

**WHEREAS** mineral development, quarry operations and other similar commercial activities tend to be single generation resources; and

**WHEREAS** it is the stated policy by the Nova Scotia Department of Natural Resources that the exploration and development of mineral resources provide many benefits to the Province; and

**WHEREAS** it is acknowledged that 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 departments with the exclusion of municipalities; and

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

**WHEREAS** the loss or disruption of such water supply would jeopardize the present and future of that community; and

**WHEREAS** Municipalities dependent on such water supply consider the value of a protected water supply resource far exceeds the value of a relatively short duration mineral development/quarry resource;

**THEREFORE BE IT RESOLVED** that the Union of Nova Scotia Municipalities request that Nova Scotia Environment and the Department of Natural Resources ban activities described in Division 5, Part 2, Construction, Section (e), Section (f), and any activity designated under Division 5, Part 5, Minerals, of the Activities Designation Regulations made under Section 66 of the *Environment Act*.

**Background:**

*Part 2, Section (e) referenced in the "Therefore" clause refers to a pit that is larger than 2 ha where a ground disturbance or excavation is made for the purpose of removing aggregate without the use of explosives. Part 2, Section (f) referenced in the "Therefore" clause refers to a quarry where a ground disturbance or excavation is made for the purpose of removing aggregate with the use of explosives. Part 5 referenced in the "Therefore" clause includes the construction, operation or reclamation of a lime plant, a coal processing plant, a mineral processing plant, a surface mine, an underground mine, a peat moss harvesting operation, an in-situ leach mining operation, a bulk sample site and a bulk solids handling loadout facility.*

Forwarded to:  
Minister of the Department of the Environment  
&  
Minister of the Department of Natural Resources

***RESPONSE (from Department of Environment):***

*The Department of Natural Resources (DNR) is responsible for implementing policies and programs dealing with the exploration, development, and management of mineral resources. Nova Scotia Environment (NSE) regulates mining activity through approvals under the Environment Act. A Class 1 Environmental Assessment is required for mineral extraction and processing facilities, as well as pits and quarries larger than 4 hectares.*

*Public consultation and the identification and consideration of water resources are part of the Environmental Assessment process. Industrial approvals are also required for mines and mineral processing, quarries and certain pit operations. Industrial approval reviews also include identification and consideration of water resources and may include public consultation requirements for the project proponent. NSE is updating the "Pits and Quarry Guidelines" and the UNSM had the opportunity to comment on the draft Pit Standards as part of the 2012 Pit Standard Consultation process.*

*Service Nova Scotia and Municipal Relations, DNR, and NSE are discussing mineral exploration activities in municipal watersheds as part of the province's commitment to integrated water management under the Nova Scotia Water Strategy, released in 2010. NSE continues to work with municipalities to support their efforts to protect their municipal drinking water supplies and has further committed to this in the Water Strategy. I have copied the Honourable Charlie Parker, Minister of Natural Resources, as I understand this resolution was also sent to him.*

The Honourable Sterling Belliveau  
Minister  
October 31, 2012

**RESPONSE (from Department of Natural Resources):**

*I am responding to your letter of October 4, 2012, regarding the Union of Nova Scotia Municipalities Resolution 1C to ban quarry and mineral development and operations in watersheds designated for municipal drinking water supplies. I have consulted with and copied the Minister of Environment, the Honourable Sterling Belliveau on this response.*

*I share your concerns over the safety of municipal drinking water in Nova Scotia. A safe supply of drinking water is a basic requirement for all Nova Scotians and the government will not support inappropriate development projects in municipal water supply watersheds that may threaten the quality of drinking water.*

*To assess the appropriateness of proposed developments, like mines and large quarries, and the risks they may present to drinking water and the environment, projects are subject to a rigorous environmental assessment carried out by Nova Scotia Environment. The environmental assessment process brings together experts from relevant provincial government departments and in some instances federal government departments and agencies, to better understand the risks posed by projects. The process provides opportunities for municipalities and citizens to make submissions to the environmental assessment. The result of the environmental assessment and regulatory process for any proposed mining and large quarry project is to either:*

- 1) approve the proposal with imposed terms and conditions designed to mitigate risks to the environment, including drinking water supplies, or*
- 2) to reject the project proposal in instances where the project is judged to not be in the public interest because it poses unacceptable risks.*

*Indeed, under the Environment Act, where the [Environment] Minister is of the opinion that a proposed activity should not proceed because it is not in the public interest having regard to the purpose of the [Environment] Act, the Minister may, at any time, decide that no approval be issued in respect of the proposed activity if notice is given to the proponent, together with reasons (see Section 52 of the Environment Act).*

*Thank you for your interest and your service to the Union of Nova Scotia Municipalities.*

The Honourable Charlie Parker  
Minister  
October 31, 2012