Black Point Quarry and Marine Terminal

Plans and Programs for Mi'kmaq Engagement

December 2024

Vulcan Materials Company

Purpose and Objectives

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- This slide presentation summarizes the basic project features of the Black Point Quarry and Marine Terminal and describes the project's permits and management plans.

- The project's Environmental Impact Statement was completed 2016 with a number of federal and provincial conditions to be implemented before and during construction. **Many conditions, especially those related to wildlife management plans and environmental permits, would benefit from further dialogue and discussion with Mi'kmaw.**

- Vulcan is providing you with this presentation to encourage collaboration on the content of the plans, answer questions and address any concerns you may have. We also encourage **Indigenous participation in field studies.**

Black Point Project Overview

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- Granite quarry and marine terminal with annual sales of 3-7+ million metric tonnes of **crushed stone** construction aggregate per year.
- Project lifespan: 50+ years
- Employment: 120-150 direct and indirect jobs during construction and 50-60 full time jobs during peak production
- Annual operating expenditures at peak production $9-$15 M per year

Location Map

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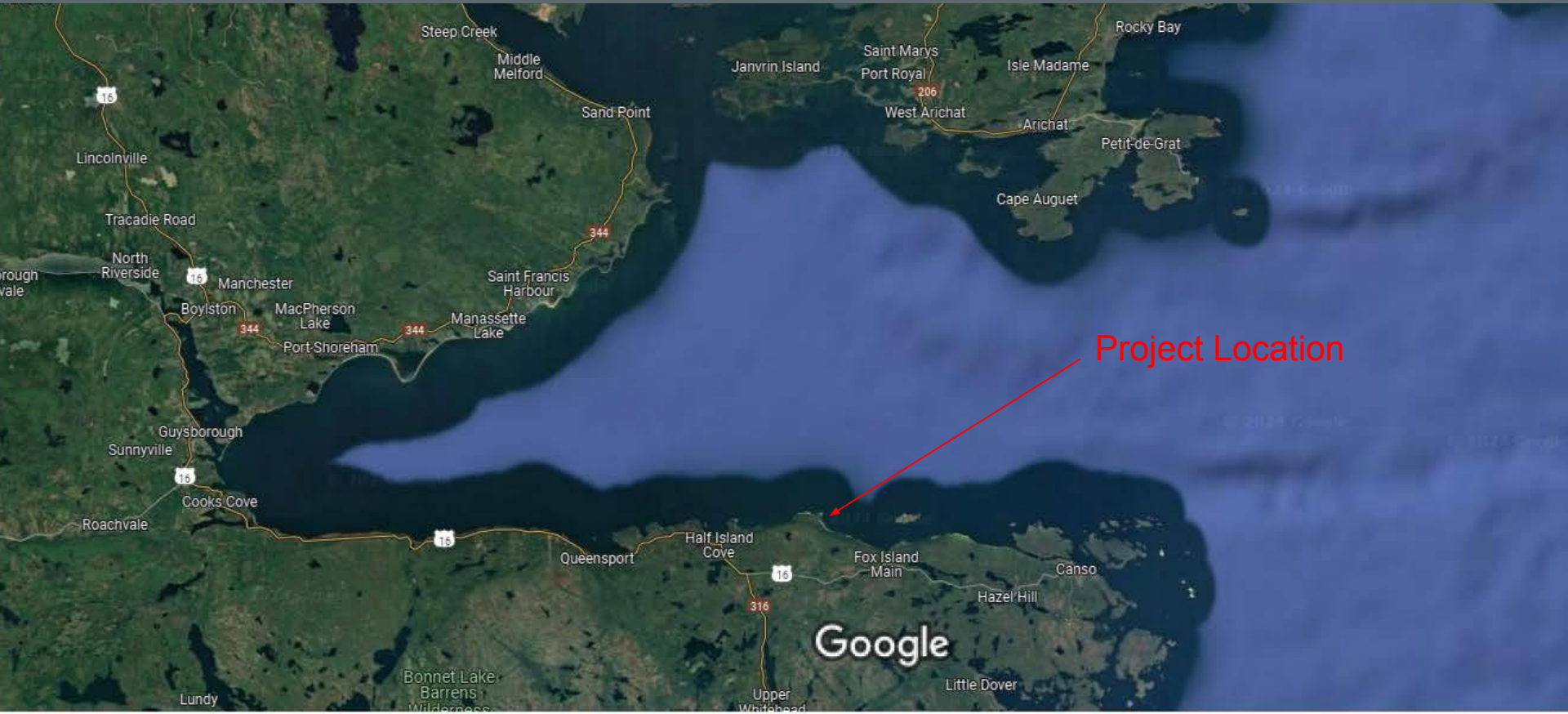

Project Area

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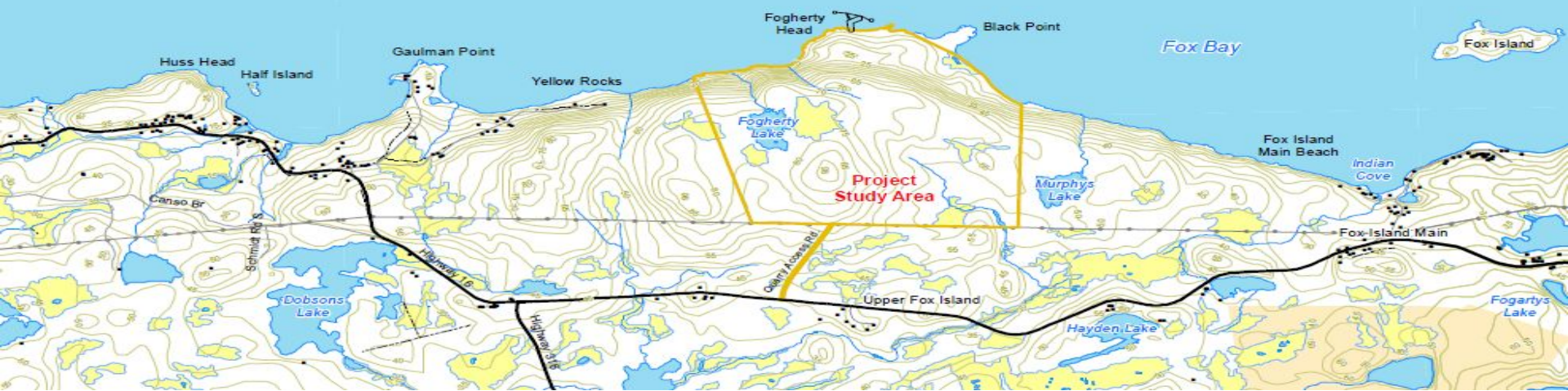

Project Phasing

Timing	Phase	Impacted Area
Year 1	**Field Work and Permit Preparation**	**0 Ha**
Years 2-10	Phase 1: Construction & Initial Mining	158 Ha
Years 11-70	Phase 2: Expansion	75.5 Ha

Phase 1 defined by the 10 yr Industrial Approval but construction sequencing is identical to that in the EA

Permit Submissions

Provincial Permits and Plans **Submitted** to NSE November 2024:

- Part V Industrial Approval Application - the main operating permit
- Wetland Alteration Applications
- Watercourse Alteration Applications

Upcoming Federal Permits for Future Submission

- Fisheries Act Authorization – **Freshwater** to submit December 2024
- Fisheries Act Authorization – **Marine** to submit Q1 2025
- Navigation Protection Program – for the marine terminal to submit 2025

Management Plans: Federal

Plan	EA Condition	Submission Date
Surface Water Monitoring Program	IAAC 3.2, NSE 2.2a & 2.2d	November 2024
Reynolds Brook Follow Up Program	IAAC 3.8	2025
Fish Offsetting Plans (Fisheries Act Authorizations)	IAAC 3.3	Freshwater December 2024; Marine to follow in 2025
Mainland Moose Follow Up Program	IAAC 5.8	2025
FSC Fisheries Follow Up Program	IAAC 5.9	2025
Indigenous Communications Plan - Vessels	IAAC 5.3	Shared August 2024
Emergency Response Plan	IAAC 7.3	November 2024

Management Plans: Provincial

Plan	EA Condition	Submission Date
Surface Water Monitoring Program	IAAC 3.2, NSE 2.2a & 2.2d	November 2024
Wetland Compensation Plan (Wetland Alteration Applications)	IAAC 4.3, NSE 3.4	November 2024
Mi'kmaq Engagement Strategy and Complaint Resolution Plan	NSE 9.1, NSE 8.3, IAAC 7.5	Shared August 2024
Cultural Resource Management Plan	IAAC 6.1, NSE 7.1	2025
Marine Oil Spill Emergency Plan (attached to Spill Contingency Plan)	NSE 10.1	2025

These and any other Plans will be available for your review on the Black Point Quarry website

FEDERAL Plan and Program Highlights

Surface Water Monitoring Program

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OBJECTIVE: to detect any potential impacts or changes to surface water quality and runoff volume

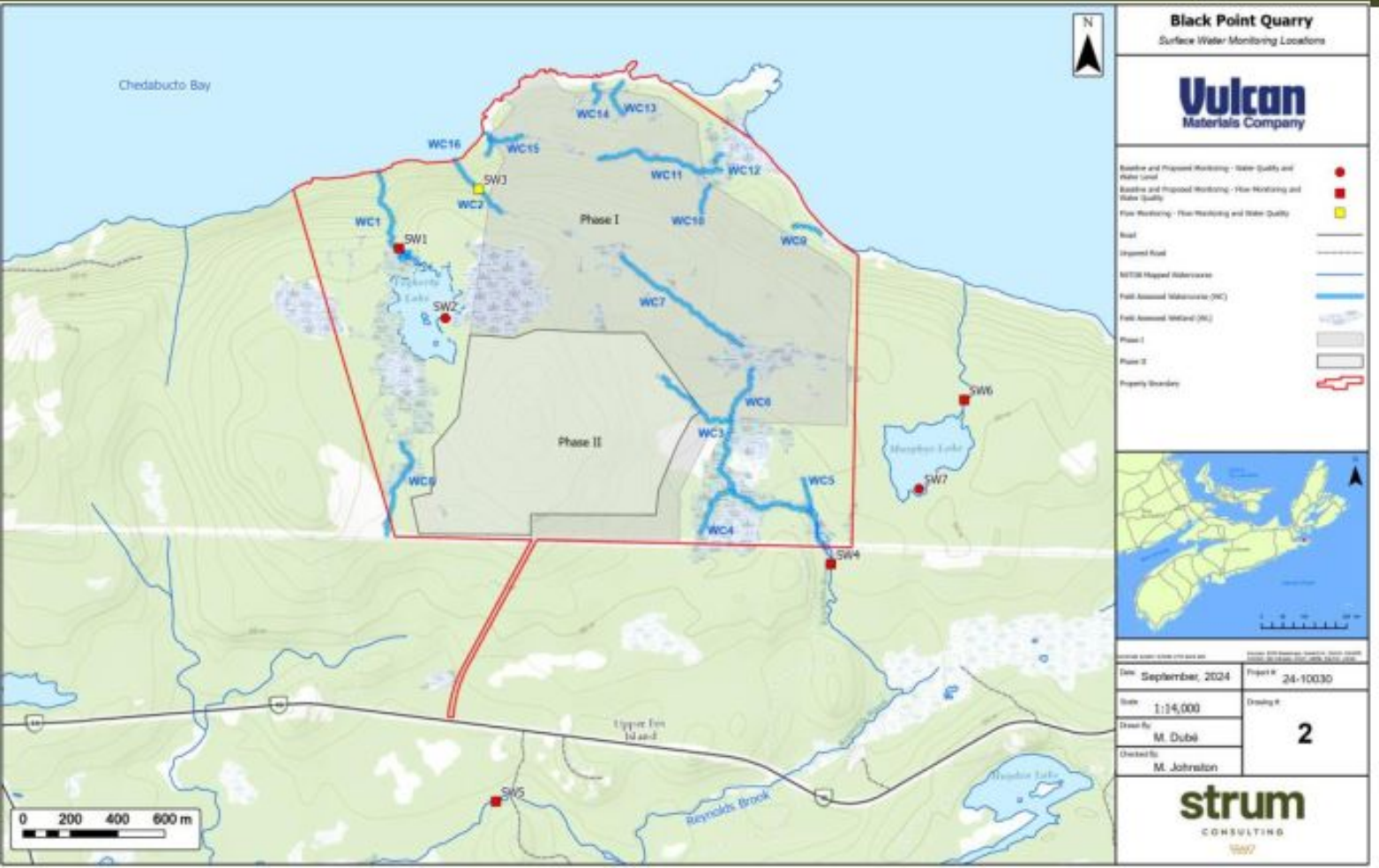
The Program describes:

- the location of baseline **(pre-construction)** data collection stations
- the location of **operational** data collection stations
- sampling frequency and chemical monitoring parameters
- mitigation measures to be implemented if impacts are observed

Based on monitoring results BPAI will modify mitigation plans or quarry operations to prevent unacceptable environmental effects.

The Surface Water Monitoring Program does not include wetland monitoring which is described separately within the wetland alteration application and Wetland Compensation Plan (slide 25).

Surface Water Monitoring



Frequency

- Quarterly baseline sampling in 2024
- Quarterly sampling to continue once project starts (excluding SW3)
- Annual sampling once site has stabilized

Parameters

Field Chemistry

- Ph, temperature, conductivity, and DO

Laboratory Chemistry

- TSS, RCAp-MS

Reynolds Brook Follow Up Program

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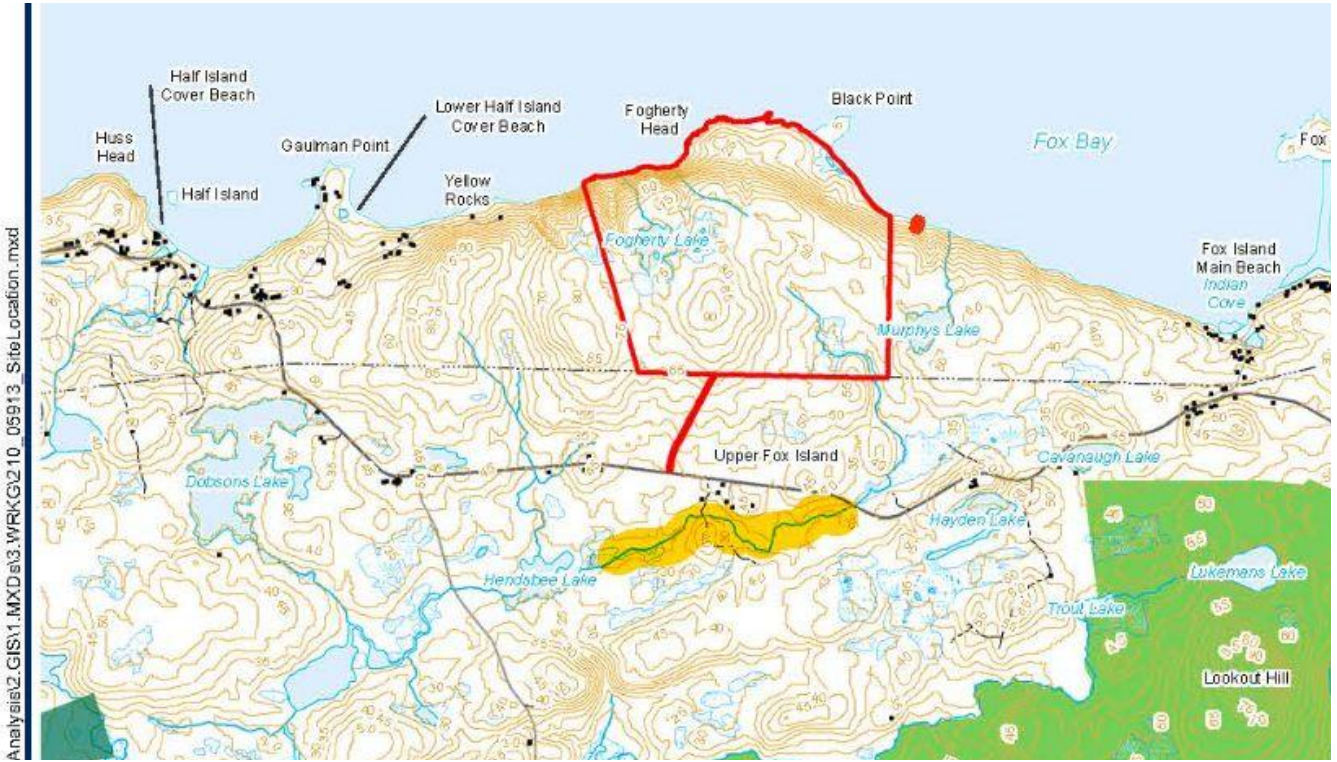

Reynolds Brook Follow Up Program

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Shall implement a follow-up program … to verify the Project **will not result in loss of fish or fish habitat** in Reynolds Brook upstream of Hendsbee Lake.

1. Conduct a pre-construction fish and fish habitat field survey. **If fish or fish habitat is confirmed**, then:

- **determine the water flow and water levels** required to maintain fish habitat; and
- **monitor** water flow and water levels construction and operation, and implement any measures required to maintain the water flow and water levels.

Fish Offsetting Plans - Fresh and Marine

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- An **Authorisation** under the federal Fisheries Act **AND a Fish Offsetting Plan** is required whenever a project results in the loss of fish or fish habitat.
- Although no fish will be lost, DFO has determined that freshwater and marine fish habitat will be affected so **two offsetting plans are required**, one for **freshwater** habitat and one for **marine** habitat
  - Freshwater habitat impacts result from road construction / diversion of water
  - Marine lobster habitat impacts result from marine terminal construction
- The Offsetting Plans are intended to promote long-term sustainability of fish populations and ecosystems
  - Freshwater Offsetting Plan is available for discussion
  - Marine Offsetting Plan will be circulated for discussion ASAP in 2025

Mainland Moose Follow Up Program

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- Moose or moose signs were **reported within 5 km** of the centre of the Project on 11 occasions since 1999, including visual sightings within the Property boundary in 2004.
- In 2014, project biologists noted moose tracks and scat during wetland surveys
- These traces may come from the Cape Breton population (not endangered) OR from the endangered Mainland Moose.
- To determine if Mainland Moose are present:
  - Targeted surveys in 2014, 2015 and 2017 **did not find any evidence of recent moose** presence on the Project site.
  - Each of these surveys consisted of boh winter track surveys and spring pellet surveys
  - Mr. Kerry Prosper was present during the 2014 surveys & noted there is more suitable habitat nearby, so it's unlikely that moose would reside in the Project area*
- A **Moose Monitoring Follow Up Program** is required as a condition of EA approval
  - A third winter/spring survey will be undertaken in 2026 following the protocols established in consultation with NRR in 2015

FSC Fisheries Monitoring Program

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OVERVIEW

- In consultation with the Mi'kmaw, federal EA Condition 5.9 requests that we develop an FSC Fisheries Follow Up Monitoring Program
- Program's **objective**:
  - maintain open **communication to facilitate** FSC fishing if desired
  - **detect any emerging FSC-related issues**
- **it is important to recognize that FSC fishing <u>may</u> occur in any given area. It is equally important to protect the right and ability to harvest for FSC purposes**
- Reported FSC fishing activities near the project site are minimal due to limited FSC habitat types at the Project site (lobster habitat but no salmon, eel, clams, oysters)
- The ultimate objective is that the Project site and adjacent waters remain reasonably accessible for safe harvesting of marine FSC resources.

FSC Fisheries Monitoring Program

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IMPLEMENTATION

To **protect the right to fish for FSC** purposes, a communication program is proposed:

1. **Proponent outreach** to ensure all fishers, including Indigenous FSC harvesters, are aware of Project-related vessel traffic
    a. Safety exclusion zone around a berthed ship (850 m x 250 m) - see next slide
    b. Defined vessel travel lanes - see following slide
2. **Communication from fishers** regarding their own vessel routes and FSC activities
3. Participation in Fisheries Offset Program to **create replacement lobster habitat**

FSC Fisheries Monitoring Program

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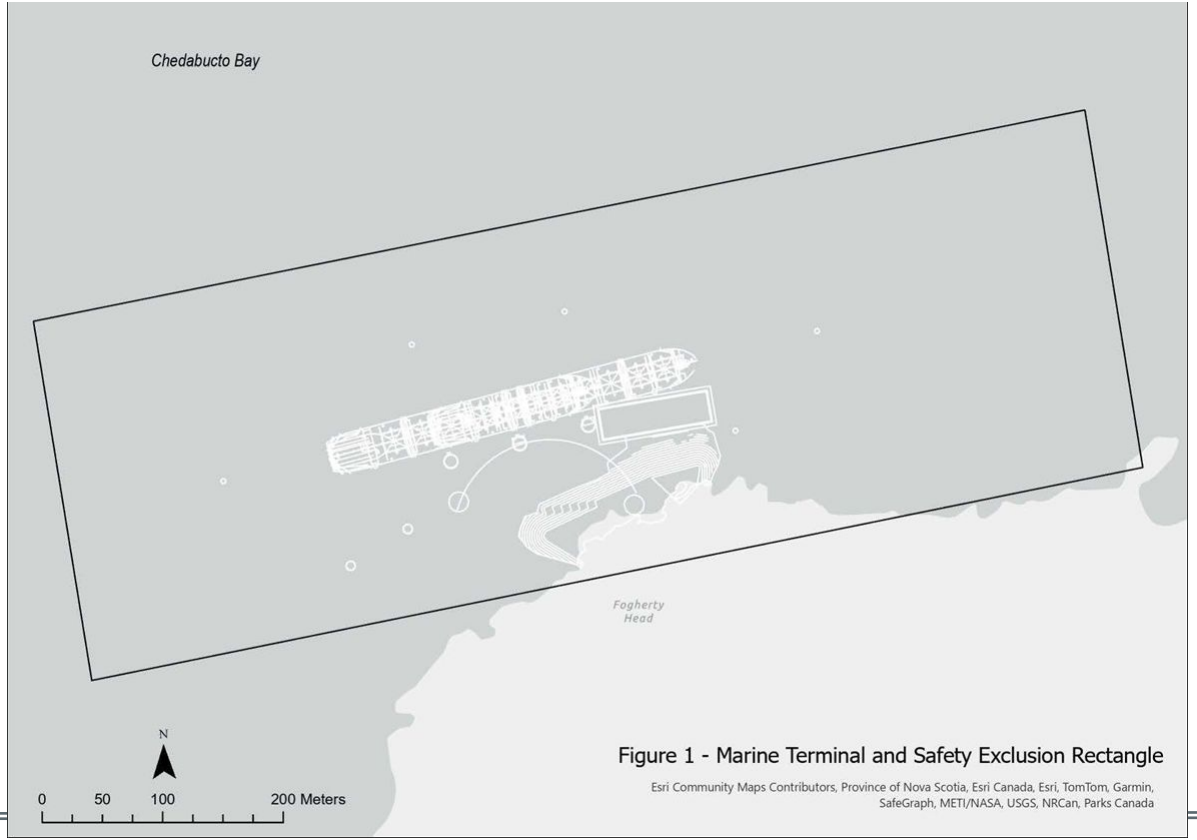
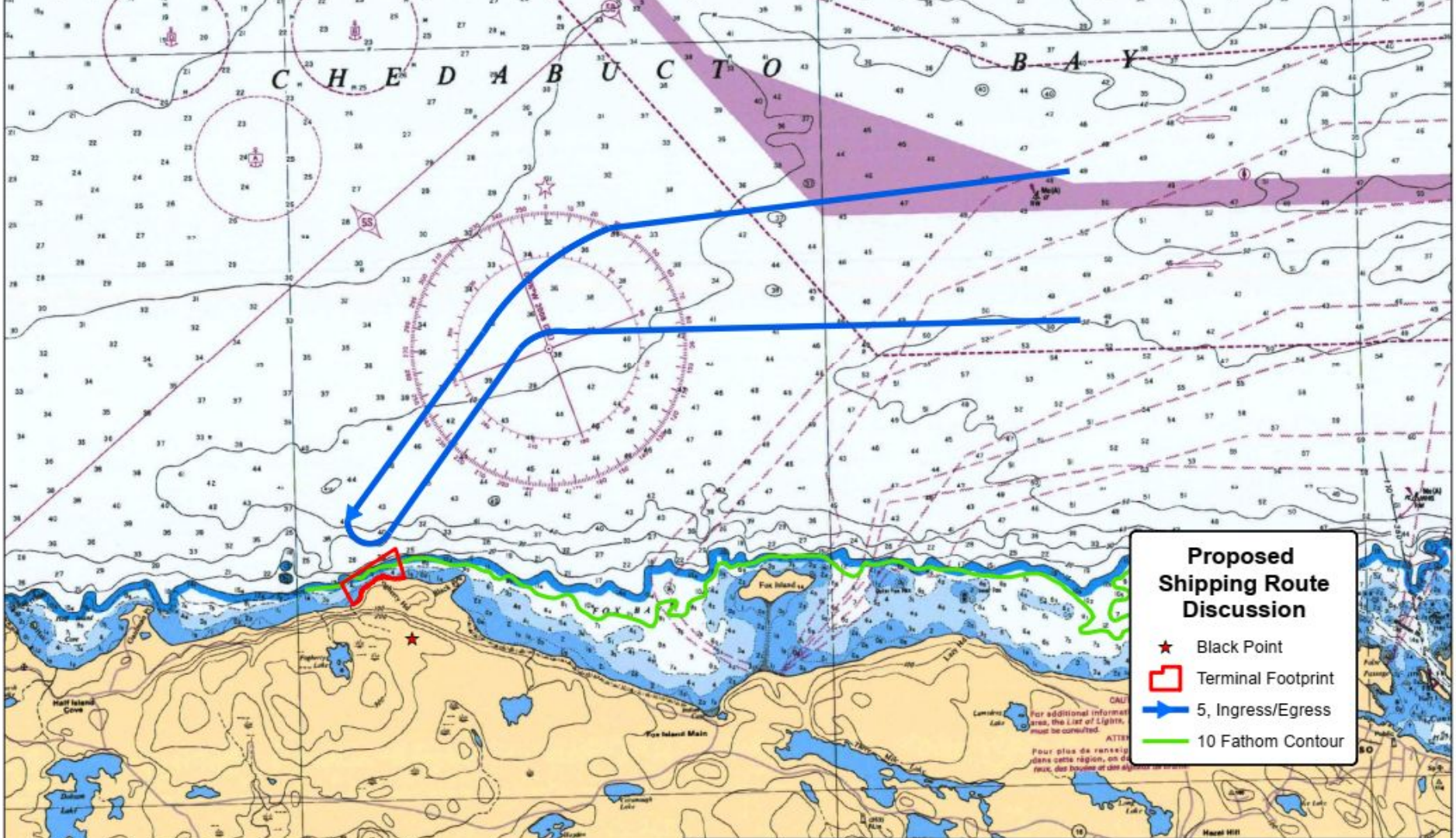


Figure 1 - Marine Terminal and Safety Exclusion Rectangle

Esri Community Maps Contributors, Province of Nova Scotia, Esri Canada, Esri, TomTom, Garmin, SafeGraph, METI/NASA, USGS, NRCan, Parks Canada


C H E D A B U C T O
B A Y
Proposed Shipping Route Discussion
Black Point
Terminal Footprint
5, Ingress/Egress
10 Fathom Contour
Fox Island
Fox Island Main
Half Island Cove

Indigenous Communication Plan - Vessels

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Objective: **minimize interaction** between ships and Indigenous fishers (not just FSC).

Implemented through information sharing:

1. Each management plan has methods for two-way information sharing and **feedback**

2. BPAI has undertaken (and will continue to undertake) **regular meetings** with KMKNO, Sipekne'katik, Paqtnkek, and Millbrook in order to share project information (management plans, permit applications, vessel routing, construction sequencing, etc.) and identify then resolve any emerging issues.

3. BPAI provides **contact information** for any questions related to vessel traffic, timing, and fishing activities.

Emergency Response Plan

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- The Emergency Response Plan (ERP) is a **guidance document** for the management, workers, contractors and external responders to assist in the response to accidents, malfunctions and extreme weather events.

- The ERP **assesses hazards** and **describes responses** to specific emergency events (accidents, fires, earthquakes, extreme weather events, etc.)

- **Preparation is key:** so that mitigation measures can be planned, staff trained, responses practiced, and equipment pre-positioned.

- The ERP also describes emergency event **notification** (to emergency responders, government, Indigenous communities and others) and incident **reporting** procedures.

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PROVINCIAL Plan Highlights

Wetland Compensation Plan

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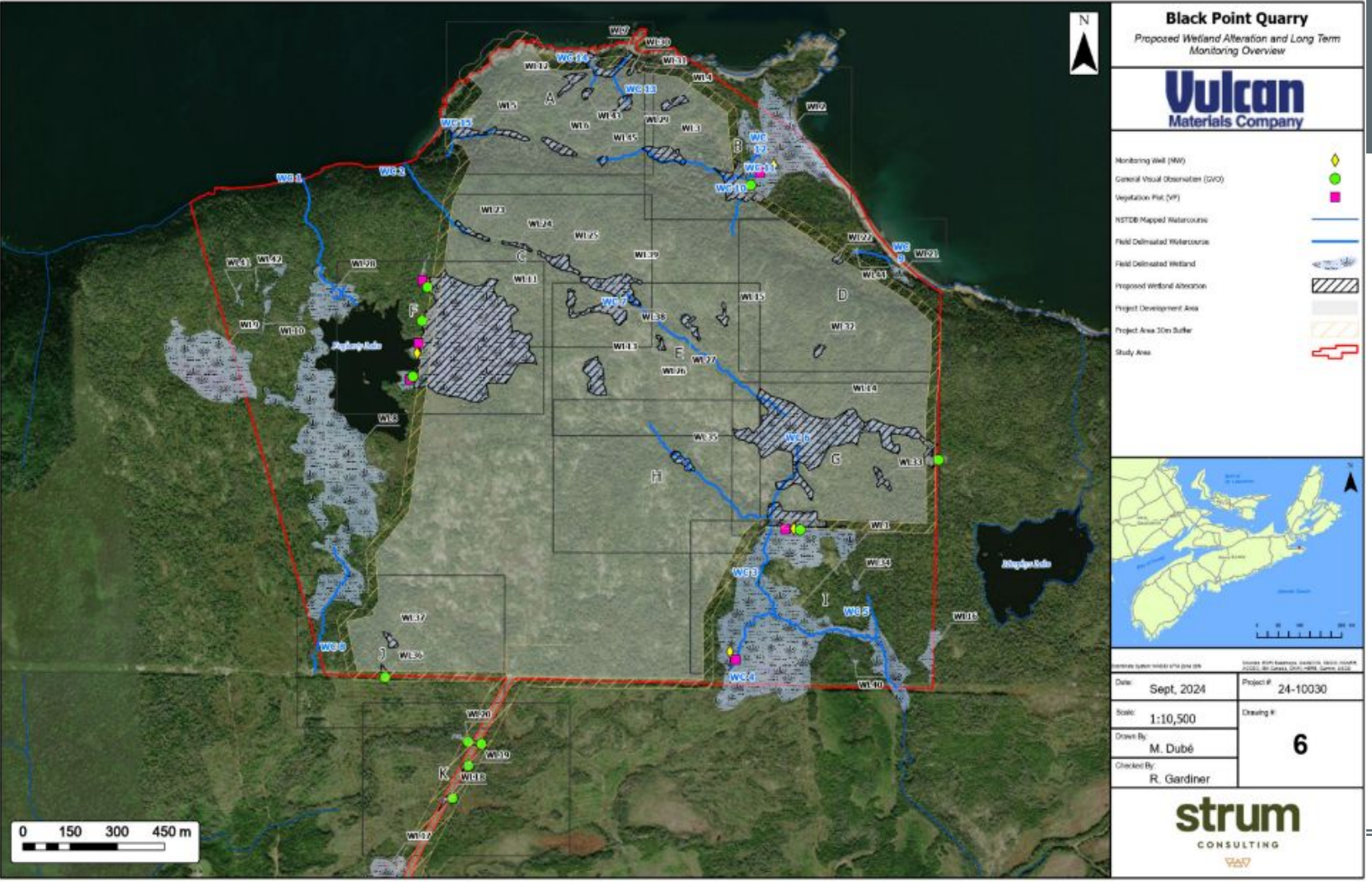
- There are 45 wetlands on the site
- None are Wetlands of Special Significance. No species at risk were observed in any of the wetlands proposed for alteration; none contain fish habitat
- After avoidance, minimization and mitigation there will still be loss of WL habitat and function
- 33 wetlands will be impacted (24.5 ha) and require compensation
- Typically a 2:1 compensation is applied so there are 49 ha of compensation requirements.
- Monitoring of **other wetlands** will be undertaken for at least five years to check for indirect or emerging impacts.
- Annual monitoring reports will be submitted to NSECC



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Wetland Compensation Plan

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OBJECTIVE: identify compensation options prior to construction for discussion with Indigenous communities, NSECC and others.

Primary and Secondary compensation options can be implemented together if needed

Primary Compensation: physical, on the ground compensation via wetland restoration, creation, enhancement, or wetland expansion;

Secondary Compensation: scientific research, watershed studies, wetland education (trails, signage, interpretive efforts), and others tools that NSECC thinks will support its Wetland Conservation Policy

NSECC's preferred methods are:

- **Restoration** of degraded wetland habitats or wetlands previously lost to historic alterations
- Targeted **compensation in proximity** to the Project (e.g., within the same or adjacent watersheds if possible)
- **Replacement** of lost wetland type and function

Wetland Compensation Plan

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NEXT STEPS

1. **Engage** with the Mi'kmaq and:
    a. NSECC / Nova Scotia Natural Resources and Renewables (NSNRR)
    b. Environment and Climate Change Canada (ECCC)
    c. Private Forestry Lands Groups and Co-operatives
    d. Local Municipalities / NGOs (Nova Scotia Nature Trust, Ecology Action Centre, etc)
2. Compensation Project **Identification**
    a. Site Identification
    b. Feasibility Studies
3. Compensation Project **Design**
    a. Preliminary Design
    b. Final Design
4. Compensation **Monitoring and Reporting**

Mi’kmaq Engagement Strategy

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OBJECTIVE: to ensure that information is exchanged on **all subjects of Indigenous interest**, which in turn helps BPAI meet the conditions of EA approval.

BPAI must:

1. Provide a **written notice** of the opportunity to present your views and information on the subject of the consultation;

2. Provide sufficient **information** and reasonable **time** to prepare your views and information;

3. Provide a full and impartial **consideration** of any views and information presented; and

4. Advise those who that have provided comments on **how their views have been considered** by BPAI.

Mi’kmaq Engagement & Complaint Resolution Plan Continued

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Complaints can be made by:

- Calling the **24-hour incident and emergency reporting line** (205.298.3189)
- Using the email address **blackpointquarry@vmcmail.com.** The person designated to deal with complaints is Atisthan Roach, Manager, Community and Government Affairs.
- Submitting a **Complaint Response Form** which is used by BPAI to document and track complaint resolution; or
- Reporting a complaint by **speaking directly with BPAI personnel** at an office location; or asking a member of the Community Liaison Committee (CLC) to assist in resolving a complaint.

Cultural Resource Management Plan

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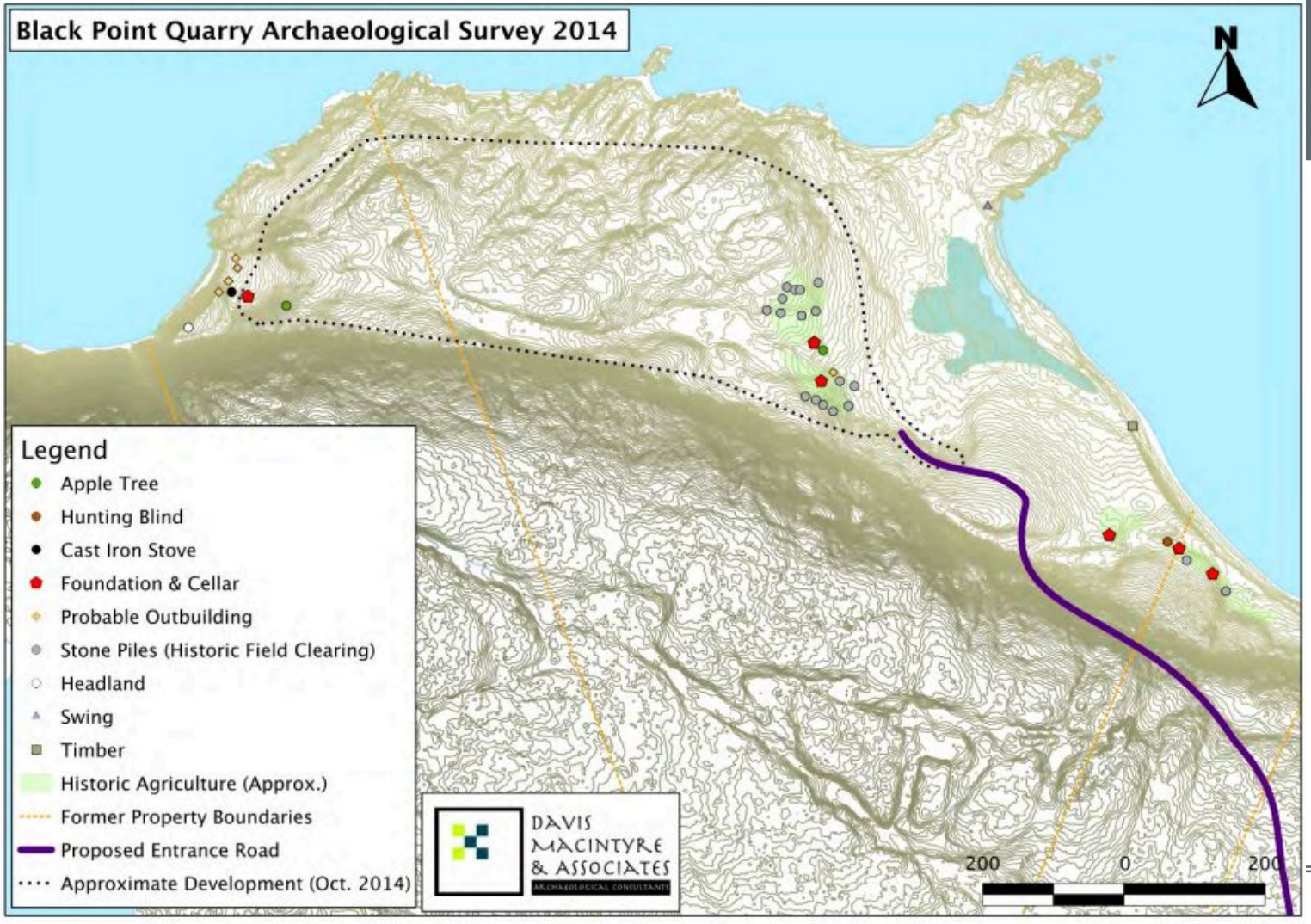
- Two archaeological surveys were conducted at the site, including offshore
- Potential for First Nations archaeological resources was assessed as “low” due to poor quality habitat (bald granite knob with very thin soil; exposed tidal zone)
- The surveys found the remains of past occupation, post contact (Lukeman family, Daly family, Fogherty family - next slide) so a Cultural Resource Management Plan was developed.

OBJECTIVE:

- Protect heritage resources during construction / manage removal of artifacts that can’t be protected
- Respond to any new discoveries, including Mi’kmaq heritage resources by reporting immediately to KMKNO and calling upon Mi’kmaq archeologists to manage subsequent preservation or excavation activities.



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Marine Oil Spill Contingency Plan

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Intended to address spills on land that may enter the marine environment
(Note: Ship refueling will <u>not</u> occur at the site).

Outlines the steps to be taken to detect, contain and respond to a spill such as:

1. Spills or leaks from tanks or trucks during storage and refueling
2. Spills or leaks from machinery, heavy equipment, or vehicles

The Marine Spill Plan describes **RESPONSE** to spills in the marine environment

- Equipement
- Training
- Emergency contact numbers
- First response, then clean up

As well as **COMMUNICATION** and **REPORTING**

Contact Information

For questions please contact:

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Questions?

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THE RIGHT WAY
AT THE RIGHT TIME
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