

ATTACHMENT: July 28, 2021

Federal Authority Advice Record: Designation Request under IAA

Response due by August 18, 2021

Touquoy Mine Expansion Project

Department/Agency	Natural Resources Canada
Lead Contact	Shelley Ball
Full Address	588 Booth Street, Ottawa, ON
Email	shelley.ball@nrca-nrcan.gc.ca
Telephone	613-240-1696
Alternate Departmental Contact	Peter Unger (peter.unger@nrca-nrcan.gc.ca)

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1. Has your department or agency considered whether it has an interest in the Project; exercised a power or performed a duty or function under any Act of Parliament in relation to the Project; or taken any course of action (including provision of financial assistance) that would allow the Project to proceed in whole or in part?

Based on the information provided to date, NRCan does not have an interest in the Project, nor has it exercised a power or performed a duty or function in relation to the Project, and it has not taken any course of action that would allow the Project to proceed.

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2. Is it probable that your department or agency may be required to exercise a power or perform a duty or function related to the Project to enable it to proceed?

No, NRCan is unlikely to be required to exercise a power or perform a duty or function in relation to the project.

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3. If your department or agency will exercise a power or perform a duty or function under any Act of Parliament in relation to the Project, will it involve public and Indigenous consultation?

N/A

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4. Is your department or agency in possession of specialist or expert information or knowledge that may be relevant to any potential adverse effects within federal jurisdiction caused by the Project or adverse direct or incidental effects stemming from the Project?

NRCan has the following expertise related to the project:

- Acid rock drainage and metals leaching
 - Mine waste management
 - Mine waste alternatives
 - Physical hydrogeology
 - Historical mine tailings
 - Economic and socioeconomic impacts on Indigenous communities, local and regional communities, and supply chains
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5. Has your department or agency had previous contact or involvement with the proponent or other parties in relation to the Project?

In 2020, at the request of the Impact Assessment Agency of Canada and Department of Fisheries and Oceans, NRCan provided advice on groundwater modelling of the Touquoy Mine Expansion as the model is part of the Beaver Dam and Fifteen Mile Stream Mine projects.

6. From the perspective of the mandate and area(s) of expertise of your department or agency, does the Project have the potential to cause adverse effects within federal jurisdiction or adverse direct or incidental effects as described in section 2 of IAA? Could any of those effects be managed through legislative or regulatory mechanisms administered by your department or agency? If a licence, permit, authorization or approval may be issued, could it include conditions in relation to those effects?

Components of the environment that are within the legislative authority of Parliament (e.g., fish and fish habitat)

- Acid rock drainage and metal leaching (ARD-ML) from mine waste associated with the expansion of site facilities and new waste has the potential to impact the quality of groundwater, surface water, and sediments.
- Project activities (e.g., open pit used for tailings, expansion of the waste rock storage area) have the potential to impact groundwater quantity/flow, which in turn has the potential to alter surface water quantities.

These effects are not managed through legislative or regulatory mechanisms administered by NRCan, but may be managed through the Fisheries Act and its Metal and Diamond Mining Effluent Regulations administered by Fisheries and Oceans Canada and Environment and Climate Change Canada.

Change occurring in Canada to the health, social or economic conditions of the Indigenous peoples of Canada

- Potential adverse economic and socioeconomic impacts to the Mi'kmaq in Nova Scotia. These potential impacts may be to traditional sustenance/barter economies; displacement of local businesses; negative changes to socioeconomic relations; migration between communities leading to negative impacts; increases to cost of living, housing, etc; loss of revenue from other reasonable development opportunities that are incompatible with this project.

These effects are not managed through legislative or regulatory mechanisms administered by NRCan.

7. Does your department or agency have a program or additional authority that may be relevant and could be considered as a potential solution to concerns expressed about the Project? In particular, the following issues have been raised by the requestor: The potential to cause adverse effects in areas of federal jurisdiction, including water quality, fish and fish habitat, species at risk, migratory birds, and Mi'kmaq of Nova Scotia.

NRCan does not currently have a program or additional authority that may be relevant and considered a potential solution to concerns expressed about the project.

8. Does your department or agency have information about the interests of Indigenous groups in the vicinity of the Project; the exercise of their rights protected by section 35 of the *Constitution Act, 1982*; and/or any consultation and accommodation undertaken, underway, or anticipated to address adverse impacts to the section 35 rights of the Indigenous groups?

NRCan does not have information about the interests of Indigenous groups in the vicinity of the project.

9. If your department has guidance material that would be helpful to the proponent or the Agency, please include these as attachments or hyperlinks in your response.

Shelley Ball

Name of departmental / agency responder

Senior Environmental Assessment Officer

Title of responder

18 August 2021

Date