



February 8, 2023

Ecology Action Centre Comments on Touquoy Gold Project Modifications – Environmental Assessment Registration Document Addendum No. 2

The following submission in response to Touquoy Gold Project Modifications – Environmental Assessment Registration Document Addendum No. 2 is on behalf of the Ecology Action Centre.

The Ecology Action Centre is an environmental charity based in Mi'kma'ki/Nova Scotia. We take leadership on critical environmental issues from biodiversity protection to climate change to environmental justice. Grounded in over five decades of deep environmental change work and fuelled by love and grief, EAC takes a 50-year perspective on what is needed to build towards a time of thriving and flourishing. We work to equip human and ecological communities for resilience and build a world where ecosystems and communities are restored not just sustained.

The Ecology Action Centre does not support the proposed modifications. Open pit gold mining in Nova Scotia creates negative social, health, environmental and economic impacts in exchange for almost no benefits. The inevitable harms and destruction from the contaminated mine tailings, depletion of aquifers, loss of wildlife habitat, and other pollution simply put too much pressure on the life support systems of our province, and cost us all. Globally and locally, the gold mining industry contributes to the climate crisis and biodiversity collapse. In the face of these worsening crises, we desperately need intact ecosystems to be doing what they do best: sequestering carbon, providing clean water and air for us and other living creatures, and supporting local biodiversity. Intact ecosystems play a critical role in addressing these twin crisis - the most effective way to benefit from them is by protecting these ecosystems from the mass destruction and harm of economically-driven open pit gold mining projects.

We do not need open pit gold mining as it is an unnecessary industry. Gold can be recycled infinitely, and there is already more than enough mined gold to meet the needs of humans. In fact, Nova Scotia's (and Natural Resources Canada's) list of minerals critical for the green energy transition does not include gold. Therefore, the degradation of communities and the natural environment from open pit gold mining is indefensible. This proposed project infringes upon Treaty Rights and threatens traditional hunting grounds and gathering areas of the Mi'kmaq. Local Mi'kmaq community members rely on these important lands for food security and more; gold mining activities would severely damage these areas.

In addition, jobs and economic activity associated with the open pit gold mining industry only concern the short term. However, we must also consider the long-term negative environmental and economic consequences from the legacy of the creation of contaminated sites from open pit gold mines. Those working at the mine are needed instead in jobs that move us all into a livable future. We need these skilled Nova Scotians to lend their efforts to adapting to climate change and reducing its impacts.

30 Day Comment Period

The Ecology Action Centre believes that the 30-day comment period is not enough time to provide a full response. Many of those who are interested in reviewing the documents and submitting comments do so on a volunteer basis and must dedicate a significant amount of time outside of their work and home life to write their comments. Please extend future public comment periods to at least 60 days so that organizations, groups and members of the public have a sufficient opportunity to review the relevant documents and form comments in response. This would also bring the EA public consultation period in line with another Nova Scotia Environment and Climate Changes comment period. NSECC seeks public input on proposed Wilderness Area designation through a public consultation process that is open for 60 days.

Comments on specific sections of the Environmental Assessment Registration Document Addendum No. 2

Wetlands and Water

Additional Information Request no. 6 concerns the alteration of Wetland 15, a confirmed Wetland of Special Significance. The proponent responds to this request by describing that “in Section 5.1 of the March Addendum Report (AMNS, Stantec 2022), the total area of alteration of Wetland 15 was reduced through careful design and planning. Wetland 15 has been permitted for a total of 4.12 ha of alteration area under previous wetland alteration approvals, some of which overlaps with the areas proposed in the EARD. Only 0.62 ha of Wetland 15 was proposed for alteration, 15% of the previously approved alteration area. The proposed alteration area was confined to the northeast lobe and to a 0.1 ha area next to the existing WRSA area.”. In the proponent’s response, a map of the area was provided (attachment 12), but no details are provided as to why the modification activities couldn’t be relocated to avoid all impacts to Wetland 15. Furthermore, **NSECC’s Wetland Policy does not support any alteration (direct or indirect) of a WSS**. It is clear in the policy that alterations of a WSS will only be granted if “deemed to provide necessary public function.” Therefore, **Wetland 15 should not be altered at all**. The proponent should provide detailed rationale as to why all impacts to Wetland 15 cannot be avoided.

With further regard to Wetland 15, the proponent should respond to Nova Scotia Department of Natural Resources and Renewables request for more information regarding the presence of Snapping Turtles at this wetland. In their comments, the Department wrote that the proponent should provide information to indicate surveys took place in Wetland 15 to confirm the presence or absence of Snapping Turtles. Without data to suggest otherwise, it is assumed turtles are present in this wetland and associated mitigation measures will have to be developed in consultation with the Department.

The proponent has also not included adequate detailing regarding the engineered wetland(s). This concern was also highlighted by the province's ICE Division and Sustainability and Applied Science Division. That is, the proponent has indicated that treatment will consist of settling and, if needed, engineered wetlands. Engineering wetlands in a complex undertaking and more details about these plans should be provided by the proponent. These details should include size and location of all possible engineered wetlands, and other supporting details about the processes regarding the engineered wetland(s).

We also support the comments by ICE Division who noted that the proponent should provide specifics as to how water quality and quantity have impacted fish and fish habitat within the Ship Harbour Long Lake Wilderness Area taking into consideration the current site activities and the proposed changes (cumulative effects assessment).

Wildlife

The Addendum EARD states that (pg. 56): "Project activities will result in direct loss of habitat within Mine Site boundaries for avian species, including priority species such as common nighthawk, Canada warbler, barn swallow, olive-sided flycatcher, and eastern wood-pewee. However, due to the abundance of these habitats regionally and the likely decreased quality of the impacted habitats because of their proximity to the operating Touquoy Mine Site, it is not expected that this Project will further impact avian species."

This rationale is not supported. Each of these bird species at risk has as one its main threats (and causes for population decline) is loss of habitat. It is unsubstantiated to state that additional loss of habitat is not problematic. In fact, these bird SAR may be using the "decreased quality" habitats at the site precisely because there has been loss and degradation of habitat in other parts of the province. Additional loss of bird SAR habitat should be taken seriously. **Key Mitigation measures for reducing impacts on wildlife should be a part of the EA Terms and Conditions if the project is approved.**

The Wildlife Management Plan should be updated in cooperation with the Department of Natural Resources and Renewables.

Protected Areas

We support the comment by NSECC that Ship Harbour Long Lake Wilderness Area should be treated and examined as a Valued Component. Given its very close proximity to the Project (including the proposed modifications) and the management objectives for Wilderness Areas, **this omission is unacceptable**. The analysis of potential impacts to the Wilderness Area (required as part of the Additional Information request) did *not*:

- Connect proposed Key Mitigation activities to Wilderness Area management objectives listed under the Wilderness Areas Protection Act (and listed in the Addendum No. 2 document).
- List Potential Project Interactions that could impact management objectives other than those related to wildlife habitat and “enjoyment” of the area, such as scientific study, environmental education, wilderness recreation, fishing, hunting, and trapping.
- Provide proposed mitigation measures that would reduce impacts to the above-mentioned management objectives for Wilderness Areas.

Lobbying for the Project by a Provincial Department

The comments on the Additional Information Addendum Nov. 2 from George MacPherson with Mineral Management at DNRR are too supportive of the project to be considered acceptable comments from a government department.

Timeframe of the Project

The timeframe of the project underlies many of the assumptions in the Addendum No. 2 and modeling for the project. The project in some ways assumes and describes a decommissioning of the site after the processing of Touquoy-pit ore is complete. However, it is well known to the Province that the intention of the company is to create open pits at Beaver Dam, Fifteen Mile Stream, and Cochrane Hill sites, and truck the ore from these sites to Touquoy for processing and deposition of tailings in the pit. But they claim it is acceptable that the impacts of these potential sites are being evaluated under separate assessment, even though the trucking, processing, and tailing deposition of ore from these sites would affect the Touquoy site environment.

The entire Touquoy Gold Project Modifications EARD, and Addendum No. 2, are flawed because the company is trying to play it both ways. They have attempted, since their original EARD in 2007, to model potential impacts as if the site will only remain active



for approximately 5 years, then be decommissioned and reclaimed. However, all along they have intended to develop other sites that rely on Touquoy for tailings deposition in the pit. They have attempted to have each site permitted as independent sites when in fact they are not. The current information before the Minister and staff is incomplete because it is based on a false premise of the site being decommissioned in 2025. Models relating to everything from groundwater contamination “after decommission,” to assurances that wildlife will return to the area once the site is reclaimed (2028?), are not valid and decisions should be based upon them. As stated by Environment and Climate Change Canada in their comments:

“The assumptions regarding temporal boundaries in the EARD are made solely based on the Touquoy Project modifications, despite the fact that activities at the site would continue for a number of additional years...”

The proponent has tried to parse out the interrelated mining projects yet avoid evaluating them in a cumulative or connected way:

“Use of the Touquoy Mine Site infrastructure for processing ore from Beaver Dam and Fifteen Mile Stream Gold Projects and disposal of associated tailings is assessed in the environmental assessment documents for those projects.”

If the Minister approves the modifications project they should only approve deposition of tailings in the Touquoy pit for Touquoy project tailings, not tailings from the other proposed sites. After all, only the impacts of the Touquoy modifications assuming an end-of-mine life in 2025 have been estimated by the proponent and examined by Nova Scotia Environment and Climate Change and other departments (and the public).

