



APPROVAL
PROVINCE OF ALBERTA
Water Act, RSA 2000, c.W-3, as amended

APPROVAL NUMBER: DAUT0012841
EFFECTIVE DATE: 2023-07-20
EXPIRY DATE: 2028-06-14
ACTIVITY LOCATION: NW-31-026-03-W5, SW-31-026-03-W5,
APPROVAL HOLDER: Mountain Ash Limited Partnership

Pursuant to the Water Act, R.S.A. 2000, c. W-3, as amended, an Approval is issued to the Approval Holder
\${commence, continue, discontinue} the following activities:

- placing, constructing, operating, maintaining, removing, disturbing works, in or on any land, water or water body;
- maintaining, removing or disturbing ground, vegetation or other material in or on any land, water or water body;
- altering flow, direction of flow or level of water;

("the Activity")

for the purpose of aggregate extraction subject to the attached terms and conditions

Designated Director under the Water Act: *Craig Knaus*

Date Signed: 2023-07-20



TERMS AND CONDITIONS

1. DEFINITIONS

5050. All definitions from the Act and the Regulations apply except where expressly defined in this approval.

5060. In all parts of this Approval:

- a. "Act" means the Water Act, RSA 2000, c. W-3, as amended;
- b. "Aggregate" means any sand, gravel, clay, or marl that is excavated from a pit, whether in a processed or unprocessed form
- c. "Application" means the written submissions to the Director in respect of application number DAPP0001717 and any subsequent applications for amendments of Approval Number DAUT0012841;
- d. "Aquifer" means the underground water-bearing formation that is capable of yielding water, that is accessed by the works authorized by this Approval;
- e. "Director" means an employee of the Government of Alberta designated as a Director under the Act;
- f. "Maintenance" means the routine repair, upkeep and preservation of the activity authorized under this Approval;
- g. "Minimization of wetland impacts" means reducing negative impacts on wetlands as described in the Alberta Wetland Policy, Alberta Government, September 2013, as amended;
- h. "Monitoring Well" means the water well used to monitor the water levels associated with the diversion of water authorized by this Approval;
- i. "Phase" means the sequence of activity referenced as Phases 1 to 6 inclusive in DAPP0001717 -R002 Appendix V Drawing 10.
- j. "Qualified Groundwater Specialist" means a member of The Association of Professional Engineers and Geoscientists of Alberta (APEGA)
- k. "Regulations" means the regulations, as amended, enacted under the authority of the Act.
- l. "Wetland Professional" means a professional that meets the requirements of Section 4 of the Professional Responsibilities in Completion and Assurance of Wetland



Science, Design and Engineering Work in Alberta, Professional Practice Standard, Alberta Government, May 1, 2017, as amended.

2. GENERAL

5200. The Approval Holder shall immediately report to the Director by telephone, any contravention of the terms and conditions of this approval at 1-780-422-4505.
5210. The terms and conditions of this Approval are severable. If any term or condition of this Approval is held invalid, the application of such term or condition to other circumstances and the remainder of this Approval shall not be affected thereby.
5220. The Approval Holder shall not deposit or cause to be deposited any substance in, on, or around any water body that has, or may have, the potential to adversely affect any water body.
5230. The Approval Holder shall retain a copy of:
- (a) this Approval
 - (b) all plans referenced in this Approval
 - (c) all reports referenced in this Approval at the site of the activity.

3. PARTICULARS

5240. This Approval is appurtenant to the NW and SW 31-26-03W5 as specified in 5250
5250. The Approval Holder shall only undertake the Activity in accordance with the following plan(s) and report(s):

Code of Practice for Pits in Alberta Application – Revised
Mountain Ash Limited Partnership
Prepared by SLR Consulting (Canada) Ltd.
SLR Project No. 212.06650.00007/8
Dated May 15, 2023
DAPP0001717 R001

Appendices A-W inclusive
Prepared by SLR Consulting (Canada) Ltd.
For Mountain Ash Ltd. Partnership
DAPP0001717 R002

5260. The Approval Holder shall retain a copy of the report(s) and plan(s) referred to in 5250 at the site of the Activity at all times while conducting the Activity.

5270. The Approval Holder shall not undertake the Activity in any manner or use any material that causes or may cause an adverse effect on the aquatic environment, human health, property or public safety.
5360. The Approval Holder shall:
- (a) develop a written Spill Contingency Plan prior to commencing the Activity;
 - (b) implement the Spill Contingency Plan; and
 - (c) retain a copy of the Spill Contingency Plan at the site of the Activity at all times while conducting the Activity.
5370. In the Spill Contingency Plan, the Approval Holder shall include, at a minimum, all of the following:
- (a) emergency contact numbers for the Approval Holder;
 - (b) a plan to contain and remediate any substance release that causes or may cause an adverse effect on the aquatic environment;
 - (c) readily accessible materials and supplies for containment; and access to approved disposal sites for contaminated material.
5380. The Approval Holder shall implement the Spill Contingency Plan in response to any spill.
5390. The Approval Holder shall:
- (a) implement the Wildlife Protection Plan as per DAPP0001717-R002 Appendix U; and
 - (b) retain a copy of the Wildlife Protection Plan at the site of the Activity at all times while conducting the Activity.
5400. The Approval Holder shall:
- (a) implement the Stormwater Management Plan as per DAPP0001717-R002 Appendix J; and
 - (b) retain a copy of the Stormwater Management Plan at the site of the Activity at all times while conducting the Activity.

4. MONITORING AND REPORTING

5780. The Approval Holder shall: (a) collect; preserve; store; handle; and analyze any sample required to be taken by this Approval in accordance with the Standard Methods for the Examination of Water and Wastewater, published jointly by the American Public Health Association, American Water Works Association, and the Water Environment Federation, 1998, as amended, unless otherwise authorized in writing by the Director.
5790. The Approval Holder shall:
- (a) record all of the following information;
 - (i) the place, date and time of all monitoring, measuring and sampling;
 - (ii) the results obtained pursuant to 5830; and
 - (iii) the name of the individual who conducted the monitoring, measuring and sampling stipulated in (i); and

(b) retain the information in (a) for a minimum of 5 years after being collected.

5830. The Approval Holder shall:

(a) implement the Water Monitoring Program as described in DAPP0001717-R002 Appendix H; and

(b) retain a copy of the Water Monitoring Program Proposal at the site of the Activity at all times while conducting the Activity.

5850. The Approval Holder shall compile an Annual Water Monitoring Program Summary Report.

5860. The Annual Water Monitoring Program Summary Report shall include, at a minimum, the following:

(a) the results of the monitoring and sampling as required in the Monitoring Program Proposal;

(b) interpretation of all data collected since the last reporting period, including an assessment of any trends;

(c) an assessment of identified objectives

(d) any proposed modifications to the Water Monitoring Program Proposal; including rationale for the modifications;

(e) a plan and cross-sections showing the extent of excavation activity; and

(f) any other information required by the Director

5870. The Approval Holder shall retain each Annual Water Monitoring Program Summary Report for a minimum of 5 years.

5880. The Approval Holder shall submit the Annual Water Monitoring Program Summary Report to the Director:

(a) on or before March 31st of each year for the previous year in which the information on which the report is based was collected; or

(b) within a time period specified in writing by the Director.

5890. The Director reserves the right to:

(a) amend any term or condition of the Approval;

(b) add a term or condition to the Approval; and

(c) delete a term or condition from the Approval; based on evidence of adverse effects in the Annual Monitoring Program Summary Report conducted by the Approval Holder.

5. WETLAND MINIMIZATION

5550. The Approval Holder shall implement minimization of wetland impacts as described in DAPP0001717-R002 Appendix S, as specified in 5250.

6. WETLAND REPLACEMENT

5660. The Approval Holder shall conduct a wetland monitoring program as described in DAPP0001717 R-001 Appendix B referenced in 5250.
5661. The Approval Holder shall include the following in the wetland monitoring program specified in 5660 for wetlands 19, 20 and 54
- (a) vegetation monitoring in comparison to pre-disturbance conditions and previous year(s) monitoring
 - (i) species list and relative percent cover in each plant community zone
 - (ii) relative cover of invasive species within the vegetated zone
 - (iii) average total percent cover of vegetated versus non-vegetated area
 - (b) an additional soil monitoring location on the edge of the upland border of wetlands
5670. The monitoring described in 5660 and 5661 shall only be undertaken by a Wetland Professional.
5671. The Approval Holder shall compile an Annual Wetland Monitoring Program Summary Report pursuant to 5660 and 5661 that is
- (a) completed;
 - (b) stamped; and
 - (c) signed
- by a Wetland Professional.
5672. The Annual Wetland Monitoring Program Summary Report shall include, at a minimum, the following:
- (a) the results of the monitoring and sampling pursuant to 5660 and 5661
 - (b) interpretation of all data collected since the last reporting period, including an assessment of any trends;
 - (c) an assessment of the progress towards identified objectives and timelines to meet these objectives;
 - (d) any proposed modifications to the Wetland Monitoring Program Proposal; including rationale for the modifications;
 - (e) any other information required in writing by the Director.
5673. The Approval Holder shall retain each Annual Wetland Monitoring Program Summary Report for a minimum of 5 years.
5674. The Approval Holder shall submit the Annual Wetland Monitoring Program Summary Report to the Director:
- (a) on or before October 15th of each year for the year in which the information on which the report is based was collected; or
 - (b) within a time period specified in writing by the Director.
5675. The Director reserves the right to:
- (a) amend any term or condition of the Approval;

- (b) add a term or condition to the Approval; and
- (c) delete a term or condition from the Approval; based on evidence of adverse effects in the Annual Wetland Monitoring Program Summary Report conducted by the Approval Holder.

7. SILTATION AND EROSION CONTROL

5480. The Approval Holder shall not do or permit anything to be done, nor omit or permit any omissions, which causes or may cause an adverse effect related to:
- (a) siltation; or
 - (b) erosion
- as a result of the activity.
5490. The Approval Holder shall:
- (a) implement the Siltation and Erosion Control Plan as per DAPP0001717 R001 Appendix B referenced in 5250; and
 - (b) retain a copy of the Siltation and Erosion Control Plan referenced in (a) at the site of the Activity at all times while conducting the Activity.

8. COMPLAINTS

6000. The Approval Holder shall:
- (a) make reasonable efforts to obtain further information regarding complaints of surface water and groundwater interference as a result of the Activity; and
 - (b) prepare a written report describing the steps taken to comply with (a) including, at a minimum, each of the following:
 - (b)(i) a detailed description of the efforts taken by the Approval Holder to obtain further information regarding the complaints as required in (a);
 - (b)(ii) all of the information obtained by the Approval Holder as result of the efforts required in (a);
 - (b)(iii) recommendations for measures to remediate and mitigate the interference(s) with surface water and groundwater as a result of the Activity;
 - (b)(iv) detailed information describing how the Approval Holder will implement the measures recommended in (i);
 - (b)(v) a schedule of implementation for the measures recommended in (i); and
 - (b)(vi) any other information required in writing by the Director.
6010. Within 30 days of the receipt of the complaint, the Approval Holder shall submit the written report in 6000(b) to the Director.
6020. If the written report in 6000(b) is found deficient by the Director, the Approval Holder shall correct all the deficiencies identified by the Director by the date specified in writing by the Director.

9. CERTIFICATE OF COMPLETION



6050. The Approval Holder shall submit a Certificate of Completion to the Director within 30 days following completion of each Phase of the Activity.

6060. The Certificate of Completion shall include:

- (a) a statement that the applicable Phase of activity has been completed in accordance with the Approval; and
- (b) an update to the Water Monitoring Program for subsequent Phases of the activity.

6061. The Approval Holder shall not enter a subsequent Phase of activity until such time that the Director has provided written consent that the Water Monitoring Program update pursuant to 6060 is adequate.