

## STANDARD PROCEDURE INSTRUCTION

Title		SPI
Working around Fish Habitat		# 35-6
Department	Supersedes SPI Dated	Effective Date
Environment, Health & Safety <b>APPLIES TO ALL SITES</b>		July 31st, 2014

### 1.0 PURPOSE

To provide guidelines which comply with regulations when working in, or near, fish habitat.

### 2.0 GUIDING PRINCIPALS

#### 2.1 Vale's Global Biodiversity Normative Document (NOR-BBBB-G)

Our activities must be driven at improving knowledge about the environment in which these activities will take place, including the biological diversity present in the areas under influence of operations and the risks and impacts which species and ecosystems are exposed. The planning of activities to be conducted favors the definition and adoption of effective measures for Biodiversity conservation, which consist of key actions for guiding the decision-making process. Planning must include the following:

- Assessment of Biodiversity values in areas of interest or areas for which we are responsible;
- Quantification of Biodiversity values considered more significant to each area, especially in concern to species (rare, endemic and/or threatened species) and Ecosystem Services;
- Development of Biodiversity Management Plans to manage its values, conciliating operations with the maintenance of species and ecosystems.

Biodiversity Management must follow the principles below:

- Sustainable use of Biodiversity components: Where activities may result in negative impacts and generate risks to Biodiversity conservation or to the functioning of ecosystems, whether directly or indirectly, it is required that the protection of biological diversity components and Ecosystem Services should be incorporated into our activities in order to provide the sustainable development of our operations.
- Compliance with legal requirements and adoption of effective measures and procedures: Operational Units must be kept operating in compliance with the applicable legal requirements and standards of excellence. These include internal requirements, establishing operational and administrative measures and procedures that contribute effectively to the evaluation, prevention, control, minimization and monitoring of operational activities, products and services' that may negatively impact Biodiversity.
- Respect for Biodiversity as an integral part of our activities: Biodiversity conservation is regarded as an intrinsic issue on our activities. Although there are inherent impacts due to the kind of operations carried out by Vale, they are based on the principle of transparency and are compatible with international leading best practices, being driven by the sustainable use of natural resources and respect for all life forms.

### 3.0 CONTEXT

This SPI is intended to inform project proponents and maintenance work planners of the procedure to follow when planning work in or near fish habitat.

3.1 In accordance with Section 35 (1) of the [Fisheries Act](#) :

**35. (1) No person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat.**

And in accordance with the Department of Fisheries and Oceans (DFO) [Policy for the Management of Fish Habitat](#), any project or activity which may impede fish passage, change water flow in a watercourse, impact fish habitat, or kill fish by means other than fishing, may require a project review by DFO.

#### 4.0 SCOPE

4.1 All employees and contractors planning work in or near fish habitat must contact the SHE department as early as possible in the project planning stage before any physical work is started. SHE will determine if DFO needs to be consulted

Examples of work in/near fish habitat:

- Beaver Dam Removal
- Culvert Maintenance
- Dock and Boathouse Construction
- Isolated or Dry Open-cut Stream Crossings
- Isolated Pond Construction
- Maintenance of Riparian Vegetation in Existing Rights-of-way
- Routine Maintenance Dredging
- Temporary Stream Crossing
- Overhead Line Construction

4.2 If DFO consultation is required we will need DFO approval to proceed. This process may take many months to complete.

#### 5.0 PROCEDURE

5.1 Contact the SHE department as soon as possible to determine if the water you are planning work around is considered fish habitat and if DFO consultation is required.

#### 6.0 CONTROLS

6.1 This SPI will be reviewed in the event of regulation changes or every three years.

Approved By	Title Vice President, Vale Manitoba Operations
Date	