

## **DOCUMENT “A”**

### **MINISTER’S DETERMINATION CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

March 20, 2006

File Number: 4561-3-718

1. In accordance with section 6(6) of the Regulation, it has been determined that the undertaking may proceed following approval under all other applicable acts and regulations.
2. Commencement of this undertaking must occur within three years of the date of this Determination. Should commencement not be possible within this time period, the undertaking must be registered under the *Environmental Impact Assessment Regulation (87-83)* – Clean Environment Act again, unless otherwise stated by the Minister of the Environment.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document (dated 12 march 2003), as well as to those from all subsequent correspondence and reports during the registration review. Additionally, the proponent shall submit a summary table detailing the status of each Condition listed in this Determination to the Director of the Project Assessment Branch every 12 months from the date of this Determination (i.e.: March 7, 2006) until such a time as the construction is complete and a Certificate of Approval to Operate has been issued for this facility.
4. Obtain an Approval to Construct and Operate for the project from the Department of the Environment prior to the start of any work on site. Please contact the Director of the Approvals Branch, Department of the Environment for additional information (506 444-4599).
5. No development is permitted on the section of peat bog 574 within the municipality of Sainte-Marie-Saint-Rafael prior to having the parcel rezoned to permit peat extraction. A letter stating that the municipality has approved the rezoning request will need to be submitted to the Director of the Project Assessment Branch prior to the start of peat extraction on this parcel of peat bog 574.
6. Submit an application for a Watercourse and Wetland Alteration Permit from the Department of the Environment before commencing any work on site. For additional information please contact the Watercourse and Wetland Alteration Program Section of the Department of the Environment at (506) 457-4850.
7. Harvesting on peat bog 574 must be done by bloc cutting and restauration is to be undertaken

simultaneously as described in the EIA document dated 12 March 2003. In order to verify the effectiveness of this innovative harvesting method a yearly status report is to be submitted to the Director of the Project Assessment Branch prior to December 31 of each year after the start of harvesting (until such time as the Department is satisfied with the efficiency of this method). This status report should contain a description of the activities undertaken during the year, the proposed works to be undertaken the following year, any difficulties as well as positive aspects related to this peat harvesting method including any environmental concerns raised during the EIA process (e.g.: air quality issues related to peat particles, restoration, water quality, etc.).

8. In order to obtain baseline data on the residential wells adjacent to this operation a well water sampling program will be required. In addition, a monitoring program will be required for these wells. The samples will need to be analysed for inorganic parameters equivalent to the Department of the Environment laboratory "*Package I\**". It is recommended that 12 wells be selected with a depth greater than average and a high pumping rate. The sampling program will also need to consider the following:
  - Depth of the well, diameter of the well, type of well (drilled or dug), pump tests, casing length, static (non-pumping) water level, name of driller, year of construction, geologic unit log, well yield, type of pump, depth of pump or intake depth, depth of water bearing fractures, water treatment equipment, etc.
  - water quality results for each well with the inorganic parameters, including conductivity.
  - the well owner and mailing address should be noted in addition to the property PID as well as the well serial number (if possible).

The results, as well as the above requested information are to be submitted to the Director of the Project Assessment Branch prior to the start of any activity on peat bog 574. In the event that the water quantity or quality of neighbouring residential wells is impacted by operations related to this facility (as raised by the resident(s)), it will be the proponent's responsibility to investigate and potentially rectify the situation. The proponent must immediately notify the Manager of the Water Sciences Section (506 457-4844), Department of Environment of any complaints received regarding water quantity or quality problems. If an agreement as to the cause of water problems cannot be reached between the proponent and the resident(s), the Department will provide independent third party arbitration.

9. This project is subject to the requirements of the *Water Classification Regulation*. Please contact the Sustainable Planning Branch, Department of the Environment in this regard at (506) 457-4846.
10. If it is suspected that remains of archaeological significance are discovered during construction, all activity shall be stopped near the find and the Project Executive, Archaeological Services Section of the Department of Wellness, Culture and Sport shall be contacted at (506) 453-2756.