

DOCUMENT "A"

MINISTER'S DETERMINATION

CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

August 17, 2004

File Number: 4561-3-778

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 Environment and Local Government.
3. Premier Horticulture shall adhere and ensure adherence to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document (January 2001), the change in access road (February 2004) as well as to those from all subsequent reports and correspondence during the EIA reviews.
4. Premier Horticulture shall establish a Community Environmental Liaison Committee for the construction and operation of the peat operation. Membership, terms of reference and mandate of the committee shall be determined in consultation with interested individuals from the local community and the Project Assessment Branch, Department of the Environment and Local Government. The Committee shall be established no later than 60 days from the date of this Determination.
5. Premier Horticulture will ensure that trucking the peat does not cause dusting off of the bog and that trucks used for transporting the peat do not use engine/jake brakes in the community of Baie Ste Anne.
6. Monitoring and assessment of dust and noise during construction and operation shall be undertaken in consultation with the Community Environmental Liaison Committee. Remedial measures will be implemented, as required, by Premier Horticulture to the satisfaction of the Community Environmental Liaison Committee.
7. If petroleum impacted soil is removed during construction of the access road, this shall be carried out under the direction of the Department of the Environment Regional Office in Miramichi.

8. A 50 meter no-development buffer zone must be respected between the developed area and the boundary of the peatland.
9. The level of suspended solids at the discharge point of the sedimentation ponds shall not exceed 25 mg/l, even after heavy precipitation events.
10. Premier Horticulture shall acquire a Watercourse Alteration Permit before commencing any work on the watercourse/wetland crossing for the access road. An Environmental Protection Plan, including work schedule and mitigation measures, shall be included with the Watercourse Alteration application.
11. The Area Habitat Coordinator, Tracadie-Sheila Region, DFO shall be contacted 48 hours prior to the commencement of construction at (506) 395-7713.
12. If it is suspected that remains of archaeological significance are discovered during construction, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Culture and Sport Secretariat, shall be contacted at 453-2756.
13. This Determination supersedes that previously issued on May 15, 2001.