

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

November 19, 2004

File Number: 4561-988

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. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document (dated January 13, 2004), as well as all those identified in subsequent correspondence 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 until such a time as the construction is complete.
4. A New Brunswick Watercourse and Wetlands Alteration Permit will be required from the New Brunswick Department of the Environment and Local Government prior to the commencement of construction. Please contact the Watercourse and Wetlands Alteration Program at (506) 457-4850 for additional information.
5. Should there be any excess excavated soil that will not be used in the construction of the nesting islands it must be disposed of outside the wetland buffer and contained so that any potential erosion and sedimentation will be prevented.
6. 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.
7. Refuelling and maintenance of equipment must take place in designated areas, on level terrain, a minimum of 30 m from any surface water, on a prepared impermeable surface with a collection system to contain oil, gasoline and hydraulic fluids. Appropriate spill response equipment must be maintained in a readily accessible location during project construction and operation. All spills and releases shall be promptly contained, cleaned up and reported to the 24-hour emergency response line (1-800-565-1633).

8. All waste generated during project construction/operation shall be removed immediately from the project area for reuse, recycling, or disposal at an approved facility, however priority should be given to reusing or recycling wherever possible.
9. The proponent shall inform the Director of the Moncton Regional Office, of the New Brunswick Department of the Environment and Local Government of the construction period at least 48 hours prior to the commencement of the undertaking.
10. The proponent shall ensure that all contractors and operators associated with the restoration project comply with the above requirements.