

DOCUMENT “A”

MINISTER’S DETERMINATION

CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

February 3, 2005

File Number: 4561-3-1019

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 August 31, 2004, the amended document dated January 14, 2005 and to those in all 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 6 months from the date of this Determination until such a time as the construction is complete and a New Brunswick Certificate of Approval to Operate has been issued for this facility.
4. If it is suspected that remains of archaeological significance are found 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 for direction.
5. The proponent must obtain an Approval to Construct and an Approval to Operate from the Stewardship Branch, Environmental Management Division, Department of the Environment and Local Government. The *Approval to Construct* must be obtained before any construction activities commence. Please contact Mr. Greg Shanks, Director, Stewardship Branch at (506) 453-7945 for details.
6. Details regarding the final design of the wastewater treatment system must be submitted to the Stewardship Branch, Environmental Management Division, Department of the Environment and Local Government for approval prior to construction. Please contact Mr. Greg Shanks, Director, Stewardship Branch at (506) 453-7945 for details.
7. If tree clearing must be conducted outside of the winter months, a qualified biologist must conduct a migratory bird survey in advance and the results must be submitted to the Department of the Environment and Local Government, Project Assessment Branch, Director, for approval.

8. An Environmental Management Plan (EMP) must be prepared illustrating mitigation measures to be put in place for the construction, operation and maintenance phases of the project. The EMP shall consider erosion and sedimentation control, spill prevention and clean up. The plan shall also include emergency response plans to be put in place in the event of an accident or facility malfunction. The plan must be submitted to Mr. Paul Vanderlaan, Director, Project Assessment Branch, Department of the Environment and Local Government for review and approval prior to the commencement of all construction associated with the project. Contractors working on the project shall be made aware of the contents of the EMP, and copies shall be made available at the site.
9. The proponent must develop a monitoring plan for the facility in consultation with the Stewardship Branch of the Department of the Environment and Local Government. The final specifics of the plan will be included in the Approval to Operate. Please contact Mr. Greg Shanks, Director of the Stewardship Branch at (506) 453-7945.
10. The proponent shall implement routine inspections of the lagoon and associated infrastructure during operation to ensure that it is functioning properly. The inspection plan is to be worked out in consultation with the Stewardship Branch of the Department of the Environment and Local Government. Please contact Mr. Greg Shanks, Director of the Stewardship Branch at (506) 453-7945.
11. The proponent must obtain a Watercourse and Wetland Alteration Permit from the Regional Environmental Services Branch, Department of the Environment and Local Government (DELG), for any activities carried out within 30 meters of any watercourse or wetland before any construction activities commence. It is recommended that submission of this application occur at least 90 days prior to the commencement of any construction activity. Please contact Ms. Joanne Glynn, Manager, Watercourse Alteration and Wetlands Program (506) 457-4850 for further information.
12. Baseline groundwater monitoring must be conducted for all private drinking water supply wells located within 300 m down-gradient and 200 m up-gradient of the proposed facility. The monitoring must include microbial analysis. In the event that wells are adversely affected by the construction/operation of the facility, an alternative water supply must be provided (e.g., provision of a new well or hook-up to the municipal drinking water system).