

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act
July 25, 2005
File Number: 4561-3-1026

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 and Local Government.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the *Environmental Impact Assessment for the Removal of the McCormack Reservoir and North Little River Lake Dams* (dated November 2004) and the *McCormack Reservoir and North Little River Lake Freshwater Dams, Conceptual Closure Plan Final Report* (Revision 01, November 2004) and, 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 6 months from the date of this Determination (i.e.: July 12, 2005) until such a time as the project is complete and the Department of the Environment and Local Government is satisfied that all the conditions have been addressed.
4. Acquire a Watercourse and Wetland Alteration Permit from the Department of the Environment and Local Government before commencing any work on site. For additional information please contact the Watercourse and Wetland Alteration Program Section of the Department of the Environment and Local Government at (506) 457-4850.
5. A Wetland Monitoring Plan will be required as part of this project. Approval of this plan will be required from NBDELG and Environment Canada, with input from NBDNR and will need to be submitted for review within 6 months from the date of this EIA Determination. The direct and indirect wetland area/function loss will need to be verified by the Proponent after the project has been completed. For additional information please contact Lee Swanson at the Sciences and Reporting Branch of the Department of the Environment and Local Government (506 457-4844).
6. A detailed Sediment and Erosion Control Plan and an Emergency Response Plan are required for all projects works to prevent the release of sediment, sediment laden water, or other deleterious substances into the environment, specifically into any waterbody (i.e.: watercourse, drainage channel, etc). Please submit copies of these plans to the Director of the Project Assessment Branch, Department of the Environment and Local Government for review and approval prior to the commencement of work.
7. In order to achieve compliance with Subsection 20(3) of the *Fisheries Act*, all additional information

related to fish passage will have to be discussed and reviewed with Mr. Denis Haché, Fish Habitat Engineer, DFO, Moncton, N.B., at (506) 851-6252. In addition, forty-eight hours prior to initiating any construction activities please contact Mr. Ernest Ferguson, Oceans and Habitat Area Chief, DFO, Tracadie-Sheila, N.B., at (506) 395-7722.

8. All fish movements in the province are governed by DFO legislation. An Introductions and Transfers permit from DFO will be required for this project. This application will require a detail of the species, source and destination of fish, as well as some disease testing. Andrée LeBlanc at DFO Moncton ((506) 851-6207) should be contacted to discuss this process further.
9. The Stratmat Mine (currently shut down and reclaimed) pipeline will need to be removed and re-installed as part of the work proposed at the McCormack Reservoir dam. This pipeline will need to be pressure tested prior to having acid rock drainage flow through it from the Stratmat Mine. In addition, continuous monitoring will be required during operation of this pipeline. This testing and monitoring information is to be submitted to the Director of the Approval Branch for review and approval prior to having acid rock drainage flow through the pipeline.
10. If it is suspected that remains of archaeological significance are discovered during construction, all activity shall be stopped near the find and the Resources Manager of the Archaeological Services Unit, Heritage Branch of the Culture and Sport Secretariat, shall be contacted at (506) 453-2756.