

DOCUMENT “A”

MINISTER’S DETERMINATION

CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

January 21, 2005

File Number: 4561-3-919

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 New Brunswick Department of Transportation (NBDOT) shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the original EIA registration document submitted on December 11, 2002, the updated registration document dated December 7, 2004, as well as to those in all correspondence during the registration reviews, and shall apply the mitigation measures suggested in the document entitled “Environmental Background Studies Wallace Cove Wharf Replacement Final Report (February 2004)”.
4. NBDOT shall adhere and ensure adherence to the document entitled, “Environmental Management Plan Wallace Cove Ferry Landing” received by the Project Assessment Branch, Department of the Environment and Local Government on August 18, 2004. NBDOT shall include this plan in the contract documents issued for this project.
5. Blasting shall be conducted in accordance with the DFO *Guidelines for the Use of Explosives In or Near Canadian Waters* and Regulation 89-108, the Blasting Code Approval Regulation, under the Municipalities Act. All monitoring results of blasting activity shall be submitted to the Department of the Environment and Local Government (DELG) Saint John Regional Office, within 2 weeks of the event. Any exceedances of the limits specified in Sections 11 and 12 of the Blasting Code Approval Regulation shall be reported immediately to the DELG Saint John Regional Office.
6. The perimeter of the rock excavation area shall be fenced.
7. NBDOT shall ensure that a domestic groundwater well survey is conducted within 200 m of the blasting site prior to initiating site development. The groundwater sampling

program shall include an *I analysis or equivalent (for information on *I analysis, please contact Department of the Environment and Local Government Analytical Services) and microbiological analysis. Water well construction information should also be collected including the water well report (if available), well depth, casing depth, well yield and static water level. If any wells are impacted as a result of this project, NBDOT shall ensure a continuous and acceptable water supply.

8. 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.
9. These Conditions of Approval supercede those issued on June 11, 2004.