

# **DOCUMENT "A"**

## **MINISTER'S DETERMINATION CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

**October 31, 2005**

File Number: 4561-3-1030

---

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 February 25, 2005), 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 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. A New Brunswick *Watercourse and Wetlands Alteration Permit* is required from the New Brunswick Department of the Environment and Local Government prior to the commencement of construction within thirty metres of any watercourse or wetland.
5. A wetland compensation plan (WCP) developed in consultation with NB DELG, NB DNR and the Canadian Wildlife Service must be implemented as part of this project. The development of the WCP must be initiated prior to any ground disturbing activities. The WCP must be submitted to NB DELG for review and approval and finalized within 12 months from the date of this Determination. For additional information please contact Lee Swanson, NB DELG, Sciences and Reporting Branch at 506 457-4844.
6. To minimize the spread of invasive plant species such as purple loosestrife, machinery must be cleaned of mud and vegetation prior to entering and leaving construction areas in proximity to any wetland habitat.
7. The local public must be notified of the finalized project construction schedule, prior to the commencement of construction activities.
8. A site-specific Environmental Management Plan (EMP) must be submitted to the Director, Project Assessment Branch, DELG for review/approval prior to the commencement of construction. The EMP must include: an Environmental Protection Plan (EPP), linking mitigation to locations, a monitoring plan (compliance and environmental effects monitoring), and contingency plans.
9. Prior to the commencement of construction, collect baseline water quality data (equivalent to NB DELG

\*I package and bacterial analysis) from all active down-gradient water wells within 500 metres of the corridor right of way as well as all active water wells within 500 metres of any areas where blasting will be conducted and all active water wells within 200 metres of major excavations. The baseline water quality data must be kept on file by the proponent and be made available to NB DELG upon request.

10. Prior to the commencement of construction the following water well construction information must be collected; total well depth, casing depth and type, static water level, approximate yields, and drillers reports (where practical/available). This information must be collected for all active water wells within 500 metres of any areas where blasting will be conducted and active water wells within 200 metres of major excavations.
11. In the event that the water quantity or quality of any water wells become significantly affected by the construction/operation of this transportation corridor, an alternative water supply must be provided.
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 for further direction.
13. 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).
14. The proponent shall ensure that all contractors and operators associated with the construction and operation of this facility comply with the above requirements.