

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

May 29, 2006

File Number: 4561-3-1076

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 re-evaluated under the *Environmental Impact Assessment Regulation (87-83)* – Clean Environment Act, 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 EIA registration documents (dated March 24, 2006 and April 6, 2006), as well as all those identified in all 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 of the Department of the Environment and Local Government (DELG) every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. If it is suspected that remains of archaeological significance are found during any phases of 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 (506) 453-2756.
5. The Town of Tracadie-Sheila's development plan must be finalized, in consultation with the Department of the Environment and Local Government (DELG), by January 31, 2007. As part of the plan, terms of reference will have to be included for the establishment of an Advisory Committee, with representation from the Town, the local planning authority, residents and business interests, for the management of the commercial/industrial areas within the context of the development plan. These terms of reference will also have to indicate the anticipated lifespan of this Committee. Development will not be allowed to proceed in the proposed regions of the development plan until the plan is finalized, with the exception of the lots indicated in Conditions 7 and 11 of this Certificate of Determination.
6. Watercourse and Wetland Alteration (WAWA) Permits must be obtained from DELG prior to the start of any activity within 30 m of a wetland or a watercourse. For more information, please contact Denis Deveau, Director, Watercourse and Wetland Alteration Program, DELG, at (506) 444-5149.

7. Once the appropriate permits have been obtained, development may proceed at this time on the following lots: PID # 20773511 and PID # 20415998. A compensation plan for the loss of wetland habitat on these two lots will have to be submitted to the Director of the Project Assessment Branch of DELG for review and approval within three months of the date of commencement of activity in the wetland. This compensation plan will be based on the results of the wetland functional assessment, and it will have to follow the Department of Natural Resources' (DNR) Draft Wetland Mitigation Guidelines.
8. Rare plant surveys must be conducted on all the wetlands that could be impacted as a result of the municipality's development plan. These surveys must be conducted during the month of August, 2006. The results must be submitted to the Director of the Project Assessment Branch of DELG as soon as they become available, and prior to any disturbance in or within 30 m of an individual wetland. The rare plant survey will be required before a WAWA Permit will be issued.
9. Wetland functional assessments must be conducted appropriately on all the wetlands that could be impacted as a result of the municipality's development plan. The results of these assessments must be submitted to the Director of the Project Assessment Branch of DELG for review and approval by October 31, 2006. The wetland functional assessment will be required before a WAWA Permit will be issued.
10. A wetland compensation plan for the loss of wetland habitat as a result of the municipality's development plan will have to be developed and submitted to the Director of the Project Assessment Branch of DELG for review and approval by October 31, 2006 (i.e. for all wetlands other than those discussed in Conditions 7 and 11). This compensation plan will be based on the results of the wetland functional assessments, and it will have to follow DNR's Draft Wetland Mitigation Guidelines.
11. Once the appropriate permits have been obtained, development may proceed at this time on the following lot: PID # 20774683. A compensation plan for the loss of wetland habitat will have to be submitted to the Director of the Project Assessment Branch of DELG for review and approval by October 31, 2006. This compensation plan will have to follow DNR's Draft Wetland Mitigation Guidelines, and it will have to be based on the final results of the wetland functional assessment that will be conducted on the adjacent wetlands, which must be submitted to the Director of the Project Assessment Branch of DELG for review and approval by October 31, 2006.
12. Stormwater management plans must be prepared for all the areas that will be developed as part of the municipality's development plan. These plans will have to be submitted to the Director of the Project Assessment Branch of DELG for review and approval by October 31, 2006. These plans must include guidelines for on-site stormwater management for future businesses within the area of the development plan.
13. The Town of Tracadie-Sheila will have to carry out a public involvement exercise in order to provide an opportunity for the community to be informed and to provide comments on the final development plan and its requirements.