

DOCUMENT “A”

MINISTER’S DETERMINATION

CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

April 8, 2008

File Number: 4561-3-1082

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.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document dated May 2006 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 and Approvals Branch 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 construction, all activity shall be stopped near the find, and the Manager of Archaeological Services, Heritage Branch of the Department of Wellness, Culture and Sport, shall be contacted at 453-2756 for direction.
5. The proponent must obtain an Approval to Construct and an Approval to Operate for the facility. The Approval to Construct must be obtained prior to the commencement of any construction activities. For additional information, please contact Mr. Tim LeBlanc, Manager, Water and Wastewater Management Section, Stewardship Branch, at (506) 444-5194.
6. An Operations and Maintenance manual must be developed; submitted for review and approved prior to the commencement of operations of the facility. The manual will cover all operations and maintenance procedures that will be implemented during the operation of the facility and include but not be limited to, details of environmental monitoring including post construction environmental effects, and emergency procedures. The manual will be submitted to Mr. Paul Vanderlaan, Director, Project Assessment and Approvals Branch.
7. Prior to any blasting activity, the City shall collect baseline water quality data for all water supply wells located within 500 metres of sites where blasting may occur. Sampling shall include testing for inorganic chemistry, coliforms, TSS, and turbidity. Where possible, construction details for these wells including well age, depth, casing depth, water level and yield shall also be obtained. All information shall be submitted to the Director of Sciences and Reporting, Department of Environment.

8. To minimize the spread of invasive plant species such as purple loosestrife, the City shall ensure that all machinery is cleared of mud and vegetation prior to entering and leaving construction areas in close proximity to any wetland area.
9. Refueling and maintenance of equipment must take place in designated areas, on level terrain a minimum of 30 metres from any surface water or wetland boundary, on a prepared impermeable surface with a collection system to contain gasoline, oil, and hydraulic fluids. Appropriate spill response equipment must be kept in a readily accessible location during project construction and operation. All spills and releases must be promptly reported to the 24 hour emergency response line at 1-800-565-1633.
10. Prior to commencing construction activities associated with the outfall, the City shall provide adequate notice to all agencies, organizations and stakeholder groups that may be affected by this activity.
11. The City must ensure that during construction of the facility that all high disturbance activities, clarified as blasting, hammering and rock ripping, may only be undertaken during the September 1st to April 30th time period.
12. The City shall ensure that all contractors and operators associated with the construction and operation of this facility are familiar with the EMP documents (dated April 2008) for construction, the limits of the work zone adjacent to Red Head Marsh, the *Migratory Birds Convention Act* and associated regulations and how they would apply, the Operations and Maintenance manual and the requirements of this Certificate of Determination.
13. Prior to commencement of operations, a Biosolids Management Plan must be submitted to the Project Assessment Section of the Department of Environment. The plan must be approved by the Manager, Water and Wastewater Management Section, Stewardship Branch, prior to commissioning of the facility.