

## **DOCUMENT “A”**

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

Pursuant to Regulation 87-83 under the Clean Environment Act

April 25, 2007

File Number: 4561-3-1113

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 February 9, 2007), 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 2 months from the date of this Determination (i.e., April 27, 2007) until such a time as the construction is complete and the Department of Environment is satisfied that all the conditions have been addressed.
4. A *Watercourse/Wetland Alteration Permit* will be required for any activities conducted within 30 m of a watercourse or wetland. Please contact the Manager of the Watercourse/Wetland Alteration Program, at (506) 444-5149 for additional information.
5. A compensation plan for any unavoidable loss or alteration of wetland habitat due to the road extension footprint (e.g., Wetland 1 and Wetland A - EIA registration document, dated February 9, 2007) must be developed and submitted by June 30, 2007 to the attention of the Director, Project Assessment Branch for review and approval. The compensation plan must take into consideration any altered wetland habitat, and any opportunities for the potential restoration of habitat in proximity to the project area. Compensation will be required for any area that is directly removed, as well as for any future wetland area that is shown to have residual impacts as indicated by the post-construction environmental effects monitoring (EEM) plan (Section 3.5 of the EIA registration document, dated February 9, 2007). An EEM program for Wetlands 1 (including B-KP) and A will be required in years 1, 3, and possibly 5 post-construction.
6. The additional rare plant field survey proposed for Wetland 1 (EIA registration document, dated February 9, 2007) must be conducted in August and the results submitted to the NB Department of Natural Resources (DNR). Also, the proponent must provide a map or aerial photograph to DNR showing the locations of the unidentified specimens of *Potamogeton* in Wetland 1.

7. In the event of any environmental upset, (e.g., hazardous materials spill, overturned heavy equipment, etc), the Director of the NB Department of Environment regional office must be notified immediately at (506) 444-5149.
8. Measures must be incorporated into the final road design to accommodate existing recreational use within the UNB woodlot (e.g., walking, jogging, snowshoeing, bicycling, etc.) and to ensure pedestrian safety where the proposed road extension will intersect with the gravel road (currently the main pedestrian access into the UNB woodlot).
9. The Proponent must develop an Environmental Management Plan (EMP) and submit it to the Director, Project Assessment Branch for review, and receive approval prior to the start of construction. The EMP must include an Environmental Protection Plan (linking mitigation measures to a location), project contingency plans (e.g., emergency response, etc.), and monitoring plans (e.g., wetland monitoring and/or any follow-up programs).
10. If it is suspected that remains of archaeological significance are discovered during construction, all activity shall be stopped near the find and the Project Executive, Archaeological Services Unit, Heritage Branch (WC&S) shall be contacted at (506) 453-2756.
11. Development planning within the study area, including the final design of the proposed Sports and Leisure Complex, must explicitly consider wetland habitat as a constraint.
12. The Maritime Institute of Forest Technology (Former Maritime Ranger School) must be notified of the finalized construction schedule once available.
13. The proponent shall ensure that all developers, contractors and operators associated with the project comply with the above requirements.