

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

February 26, 2009

File Number: 4561-3-1165

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 implement measures to require adherence by all contractors, sub-contractors and workers on this project, to all obligations, commitments, monitoring and proposed mitigation measures presented in the EIA registration document (dated August 14, 2008), as well as all those identified in all subsequent correspondence during the *Determination* review. In addition, the proponent shall also submit a summary table detailing the status of all obligations, commitments, monitoring and proposed mitigation measures to the Manager of the Project Assessment Section every 6 months from the date of this *Determination* until the Project construction is complete and the Manager is satisfied that all obligations, commitments, monitoring and proposed mitigation measures have been completed.
4. The proponent must implement a wetland compensation plan (WCP) developed in consultation with the New Brunswick Department of the Environment (NB DENV) 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 DENV for review and approval and finalized within 6 months from the date of this Determination. In addition the WCP must include appropriate monitoring plans for years 1, 3 and 5 post-construction in order to evaluate whether wetland function has changed within the remaining piece of natural wetland. A brief report must be submitted the NB DENV for evaluation to determine if further compensation would be required at that time (i.e. if there is functional loss caused by the project beyond the initial footprint area). The WCP projects must be completed within 12 months of any wetland disturbance associated with this undertaking.
5. Prior to commencement of construction activities within 30 metres of any watercourse or wetland, the proponent must obtain a *Watercourse and Wetland Alteration Permit* from NB DENV. Please contact Mr. Bernie Doucet at (506) 444-2891 for additional information.
6. 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 Section, NB Department of Wellness, Culture and Sport, shall be contacted at (506) 453-2756

for further direction.