

DOCUMENT "A"

MINISTER'S DETERMINATION

CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

October 5, 2009

File Number: 4561-3-1201

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 13, 2009 as well as all those identified in 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 Manager of the Project Assessment Section of the Department of Environment every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. The proponent shall ensure that all recommendations in Section 6.0 of the "Heritage Resources Impact Assessment (HRIA) of the New Brunswick Transmission Line 0013 Rebuild" report authored by Stantec, dated September 17, 2009, are implemented. If it is suspected that remains of archaeological significance are found during construction, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Department of Wellness, Culture and Sport, shall be contacted immediately at (506) 453-3014.
5. Any additional off right-of-way staging areas must be submitted for review and must receive approval from the Manager of the Project Assessment Section, Department of Environment prior to the usage of the proposed area.
6. The proponent must obtain a *Watercourse and Wetland Alteration Permit* from the Regional Environmental Services Branch, ENV, for any activities that are carried out within 30 meters of a watercourse or wetland before any construction activities commence. It is recommended that submission of this application occur at least 90 days prior to the commencement of construction activity. Please contact the Manager of the Watercourse Alteration and Wetlands Program (506) 444-5149 for further information.

7. If any rock that could produce acid rock drainage is encountered during construction, the Project Assessment Section must be notified immediately as the material must be disposed of at an approved location.
8. If blasting is required, a pre-blast survey must be conducted for water wells located within 500 m of the right of way, including microbiological and inorganic sampling for water quality and construction details of the wells including, but not limited to, well depth, well age, casing length, estimated yield, and well photos; All well data collected must be submitted to the Manager of the Project Assessment Section of the Department of Environment.
9. Appropriate permission/permits from the NB Department of Natural Resources must be secured prior to undertaking construction activities on Crown lands.
10. The Oceans and Habitat Area Chief, Mr. Marc Godin, DFO, Tracadie-Sheila, must be notified 48 hours prior to the commencement of any project construction activity. Mr. Godin can be reached at (506) 395-7713.
11. All work must be carried out in accordance with the most current version of the Environmental Protection Plan for New Brunswick Power Corporation Transmission Facilities.
12. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the above requirements.