

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

May 16, 2011.

File Number: 4561-3-1254

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 documentation dated February 22, 2010 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 Manager of the Environmental Assessment Section, Department of Environment (DENV) every 6 months from the date of this Determination until such a time when all the Conditions have been met.
4. Work in the area shall cease in the event that any heritage resource is encountered during construction activities. The find must be reported to Archaeological Services, Heritage Branch at (506) 453-3014, and a plan of action agreed upon.
5. 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. 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.
6. A site visit is required to determine if wetland compensation is required. Following the site visit, compensation requirements must be determined in consultation with DENV.
7. 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 Environmental Assessment Section of ENV.

8. The location of any areas outside of the RoW to be used as marshalling yards, material storage areas, temporary work areas, etc., must be submitted to the Manager, Environmental Assessment Section, DENV, for review and approval, prior to the commencement of construction in that area. This includes the locations for all ancillary facilities (e.g. borrow pits, storage areas, temporary access roads, etc.), which must be sited in consideration of environmental constraints including wetlands, wildlife/wildlife habitat, etc.
9. No in-stream work is permitted outside the period from June 1st to September 30th unless permission is granted by Fisheries and Oceans Canada and DENV.
10. The proponent shall ensure that all developers, contractors and operators associated with the project comply with the above requirements.