

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act
February 4, 2016
File Number: 4561-3-1417

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 and Local Government.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document dated August 17, 2015, 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 Environmental Assessment Section of the Department of Environment and Local Government (DELG) every six months from the date of this Determination until such a time as the Manager determines it is no longer required.
4. If it is suspected that remains of archaeological significance are found during construction, as per the Heritage Conservation Act, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Department of Tourism, Heritage and Culture, shall be contacted at (506) 453-3014.
5. An Environmental Management Plan (EMP) must be prepared for the construction, operation, and maintenance phases of this project. The EMP must be submitted for review and must receive approval from the Manager of DELG's Environmental Assessment Section prior to the commencement of any project-related activities. For more information, please contact the Manager at (506) 444-5382.
6. The project must comply with the requirements of the *Coastal Areas Protection Policy for New Brunswick*. For more information, please contact the Manager of DELG's Surface Water Protection Section at (506) 457-4850.
7. Visual monitoring of the turbidity at the dredging and the disposal sites must be undertaken. If any changes occur in the turbidity of the water as a result of project-related activities, all work should stop immediately in order to determine if further mitigation is required.

8. The proponent must obtain a new *Approval to Operate* from DELG for the dredge spoil disposal site located on PID 01091685 because the volume of spoils at this site will surpass 10,000 m³. As part of this *Approval to Operate*, the proponent will have to develop and implement a monitoring plan for the watercourse adjacent to the disposal site. For more information, please contact DELG's Remediation and Materials Management Section at (506) 453-7945.
9. The proponent must obtain an approval from Transport Canada under the Navigation Protection Act before starting this project. For more information, please contact Transport Canada's Navigation Protection Program at (506) 851-3113.
10. The proponent must notify Fisheries and Oceans Canada's Fisheries Protection Program at least 48 hours before starting this project.
11. It is the proponent's responsibility to ensure that all reasonable measures are undertaken throughout the life of this project to prevent the release of deleterious substances into the marine environment. In the event that adverse impacts to the marine environment occur as a result of this project, additional mitigation may be required.
12. The proponent must ensure that any proposed project modifications are submitted for review and approval by the Manager of DELG's Environmental Assessment Section before they are undertaken.
13. The proponent must ensure that all developers, contractors, and operators associated with the construction and operation of the project comply with the above requirements.