

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

November 12, 2004

File Number: 4561-1004

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 March 26, 2004), 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 Director of the Project Assessment Branch every 6 months from the date of this Determination until such a time as the construction is complete.
4. 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 Unit, Heritage Branch of the Culture and Sport Secretariat, shall be contacted at 453-2756.
5. Refuelling and maintenance of equipment must take place in designated areas, on level terrain, a minimum of 30 m from any surface water, on a prepared impermeable surface with a collection system to contain oil, gasoline and hydraulic fluids. Appropriate spill response equipment must be maintained in a readily accessible location during project construction and operation. All spills and releases shall be promptly contained, cleaned up and reported to the 24-hour emergency response line (1-800-565-1633).
6. The proponent shall ensure that all ancillary features (parking areas boardwalks, observation decks and other structures) will be constructed in accordance with the requirements of the New Brunswick Coastal Areas Protection Policy. Please contact Paul Jordan, Community Planner, Integrated Environmental Planning Section, at (506) 444-3611 for additional information.

7. All waste generated during project construction/operation shall be removed immediately from the project area for reuse, recycling, or disposal at an approved facility, however priority should be given to reusing or recycling wherever possible.
8. A New Brunswick *Watercourse and Wetlands Alteration Permit* will be required from the New Brunswick Department of the Environment and Local Government prior to the commencement of construction. In addition, an erosion and sediment control plan shall be submitted for review with the *Watercourse and Wetlands Alteration Permit* application. Please contact the Watercourse and Wetlands Alteration Program Consultant at (506) 457-4850 for additional information.
9. The undertaking will affect Crown Land under the administration and control of the New Brunswick Department of Natural Resources (NB DNR). Permission must be obtained from the NB DNR Crown Lands Branch prior to commencement construction. Application can be made via the DNR's website (www.gnb.ca/0263/), e-mail (cltc@gnb.ca) or by phone (1-888-312-5600).
10. The proponent shall ensure that all contractors and operators associated with the restoration project comply with the above requirements.