

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act
February 13, 2008
File Number: 4561-3-1006

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 April 8, 2004 as well as all those identified in subsequent correspondence during the registration review, including Addendum No.1 dated July 26, 2007. 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 and Approvals Branch of the Department of the Environment and every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. If it is suspected that the remains of archaeological significance are found during construction of the project, work shall stop immediately in the vicinity of the find, and the Archaeological Services Unit, Heritage Branch, Wellness, Culture and Sport, shall be contacted immediately at (506) 453-2756, and the procedures described in Section 7.6 and 8.3 of the NBDOT EPP and Item 948 of NBDOT Standard Specifications (2006) must be followed. In the event that areas off the causeway or outside the footprint area are to be used for Project activities, these areas should be assessed by a qualified archaeologist prior to initiating round-breaking activities.
5. The proponent shall apply for and obtain a Watercourse and Wetland Alteration Permit from the Department of Environment for any activities carried out within 30 meters of any watercourse or wetland, prior to the commencement of any construction activities. It is recommended that submission of this application occur at least 90 days prior to the commencement of any construction activity. Please contact the Regional Director responsible for the Watercourse Alteration and Wetlands program at (506) 457-4850 for further information.
6. All solid waste generated from this project shall be disposed of in an appropriate manner. All measures to divert waste from landfills should also be undertaken, such as using material that meets the department’s “Clean Fill Guidelines” as clean fill, and by disposing of debris that meets the departments’ definition of “C&D Debris” at an approved C&D disposal site.

7. A Site Specific Environmental Protection Plan (SSEPP) must be prepared illustrating mitigation measures to be put in place for the construction phase of the project. The SSEPP shall address construction site water management, erosion and sediment control (i.e. proposed location of sediment control structures, silt fencing, silt containment booms, daily inspections / monitoring of turbidity, etc). The plan must be submitted to Mr. Paul Vanderlaan, Director, Project Assessment and Approvals Branch, Department of Environment for review and must be approved prior to the commencement of any construction associated with the project. Contractors working on the project shall be made aware of the contents of the SSEPP, and copies shall be made available at the site.
8. During excavation within the causeway, any sediment material (soil, stones, sand, gravel, mud, or aggregate of any kind) which is removed from below the ordinary high water mark, is defined as “dredge spoil” and must be disposed of at an approved location. Please Contact Mr. Jeff Porter of the Stewardship Branch of the New Brunswick Department of Environment at 453-7945 for additional information.
9. A Quarry Permit must be obtained from NBDNR for the removal of any fill material from the causeway during construction of the project. Please contact Mitch O’Donnell at NBDNR at (506) 453-2206 or <http://www.gnb.ca/0078/minerals/Aggregate-e.asp> for information on the application process.