

# DOCUMENT "A"

## MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

**September 2, 2005**

File Number: 4561-3-1033

---

---

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 17, 2005), as well as all those identified in subsequent correspondence during the determination 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 of the New Brunswick Department of the Environment and Local Government (NB DELG) every 3 months from the date of this Determination until such a time as construction is complete.
4. 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.
5. The proponent shall ensure the removal of the infill is conducted during the month of September and shall notify Mr. Gilles Godin, chairperson of the NB Maritime Ringleet Recovery Team, at (506) 547-2075 prior to the commencement any works within the wetland.
6. The removed infill material shall be disposed of at a landfill site approved by NB DELG.
7. 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 for further direction.
8. 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).
9. The proponent shall ensure that all ancillary features (observation decks, boardwalks 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, NB DELG at (506) 444-3611 for additional information.

10. The proponent shall ensure that all contractors and operators associated with the construction and operation of this facility comply with the above requirements.