

DOCUMENT "A"

**MINISTER'S DETERMINATION
CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

17 May 2013

File Number: 4561-3-1067

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 3 December 2012 and subsequent addendums, 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 6 months from the date of this Determination until such a time as all the Conditions have been met;
4. In the event of the discovery or suspected discovery of unrecorded archaeological resources (of historic and prehistoric significance) during construction, all excavation shall cease and the Project Executive, Archaeological Services Unit, Department of Culture, Tourism and Healthy Living shall be contacted immediately at 453-2738;
5. The proponent must apply for and obtain a *Watercourse and Wetland Alteration (WAWA) Permit* from DELG for any activities conducted within 30 m of a watercourse or regulated wetland, prior to the commencement of construction activities. For additional information, please contact the Manager of the Surface Water Protection Section, DELG, at (506) 457-4850;
6. Whereas the proposed highway project involves watercourse crossings, involving watercourses deemed to provide fish habitat, the proponent must submit the crossing designs (detailed plans) to the Department of Fisheries and Oceans (DFO) for review. DFO will then determine if the installation of these structures will result in the harmful alteration, disruption or destruction (HADD) of fish habitat and if an authorization under Section 35(2) or 32 of the Fisheries Act is required for each water crossing;

7. *The* proponent shall undertake a pre-construction (baseline) survey for wells within 500 m of the RoW where blasting will take place, (including but not limited to general water chemistry, trace metal and bacteria analysis, homeowner well information, and photo or video evidence of the condition of the well) as described in the DTI Environmental Management Manual. The results of the survey(s) shall be submitted to the Manager, Environmental Assessment Section, prior to the commencement of blasting. The proponent shall be responsible for the repair and/or replacement of any wells found to have been permanently damaged or adversely affected by the proposed project;
8. The proponent shall provide compensation for loss of regulated wetland areas resulting from the project, through the general Department of Transportation and Infrastructure compensation tracking database;
9. The proponent shall meet the requirements of the *Federal Policy on Wetland Conservation*, where applicable, through the general Department of Transportation and Infrastructure compensation tracking database;
10. In the event of the sale, lease, or any other conveyance or change of control of the Project, or any portion thereof, the proponent shall provide written notice of the conditions to the lessee, controller, or purchaser, and
11. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the above requirements.