

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

February 14, 2007

File Number: 4561-3-1099

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. This Determination supersedes the November 9, 2006 Determination issued to NB Power Transmission for the Helicopter Tower Construction for the 345 kV International Power Line Project.
3. 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 September 5, 2006, as well as all those identified in subsequent correspondence during the registration review, including the International Power Line Project (Line 3016) Final Contingency Plan, dated January 24, 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 Branch 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 in preferred staging areas 1, 6, 7, 9, 10, 11, 13, 15, 17, 24, and 25, 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.
5. Any activities in preferred staging areas 19, 27, and 35 which may cause disturbance to the subsurface soils (i.e. surface leveling, grubbing, or excavating) shall be monitored by a licensed archaeologist.
6. A small barrier (i.e. snow fencing) shall be placed ten (10) metres around the grave markers identified on the north edge of preferred staging area 32 to ensure these are not disturbed during project activities.
7. Any refueling, storage of petroleum products, or vehicle maintenance (i.e. heavy equipment and/or helicopter) within preferred staging area 35 shall be conducted on the west side of Route 3, outside the Dennis Stream designated watershed. All necessary measures shall be taken in order to prevent the discharge of any debris or contaminants into any watercourse within this staging area.

8. No refueling or servicing of the helicopter or storage of petroleum products shall occur within 30 m of a private well. Petroleum storage or refueling of the helicopter shall not occur within any Wellfield Protected Area.
9. Prior to the commencement of any activities at the closed dump sites, the proponent will be required to obtain a License Agreement for the use of the site(s) owned by the New Brunswick Department of Transportation, a License of Occupation for use of the site owned by the New Brunswick Department of Natural Resources, and approval from the Minister of Health. The proponent will be responsible for the implementation of any terms and conditions attached to these license agreements.
10. Should rutting and/or damage to the waste pile cap occur, the proponent will be required to place additional material to increase the bearing capacity of the cap. The material shall be comprised of clean, granular fill and must be imported from off-site (i.e. on-site material shall not be used as additional capping material).
11. Any waste or contaminated material that is accidentally removed or exposed during work activities shall be collected, placed in its original location, and covered with clean, imported fill to a thickness of 0.3 m or greater.
12. All illegally dumped garbage must be removed from the site and disposed of at a regional solid waste facility prior to the commencement of any work. Any illegally dumped wastes that are considered hazardous wastes or contaminated material shall be assessed, and the property owner of the dumpsite contacted for discussions on an appropriate disposal procedure for the waste. This procedure may include removal by a licensed hazardous waste hauler.
13. The New Brunswick Department of Natural Resources (NBDNR) must be advised when restoration of Area 15 is completed to enable them to determine the acceptability of the restoration. The contact would be David Black, Regional Forester, NBDNR Region 3, (506) 444-4888.
14. The New Brunswick Department of Transportation (NBDOT) must be advised when restoration of Areas 24 and 25 are complete. The contact would be Alan Acheson, Superintendent, District 4, (506) 466-7340.