

**DOCUMENT "A"**

**MINISTER'S DETERMINATION  
CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

**September 22, 2008**

File Number: 4561-1152

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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 17, 2008), 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 Project Assessment Section 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 NB Department of Wellness, Culture and Sport (Archaeological Services Unit) shall be contacted at 453-2756 for further direction.
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. 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.
7. A New Brunswick *Watercourse and Wetlands Alteration Permit* will be required from the New Brunswick Department of Environment 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 New Brunswick Department of Environment, Watercourse and Wetlands Alteration Program Director at (506) 444-5641 for additional information.

8. The Habitat Biologist, Habitat Protection & Sustainable Development, Department of Fisheries and Oceans must be provided with the project construction schedule at least 10 working days prior to the commencement of construction. For additional information please contact Mr. Kurt McAllister by telephone at (902) 426-3587 or by fax at (902) 426-3587 or by e-mail at [McAllisterKD@dfo-mpo.gc.ca](mailto:McAllisterKD@dfo-mpo.gc.ca).
9. The Salisbury Marsh wetland must be drained to allow for fish passage following all flooding events where the Petitcodiac River breaches the Marsh berm and inundates the wetland.
10. The proponent shall ensure that all contractors and operators associated with the project comply with the above requirements.