

# **DOCUMENT "A"**

## **MINISTER'S DETERMINATION CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

June 18, 2009

File Number: 4561-3-1200

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 January 2009 and to those in all 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 and the Department of Environment (ENV) is satisfied that all conditions have been addressed.
4. The proponent must obtain a *Watercourse and Wetland Alteration Permit* from the Regional Environmental Services Branch, ENV, for any activities that are carried out within 30 meters of a watercourse or wetland before any construction activities commence. It is recommended that submission of this application occur at least 90 days prior to the commencement of construction activity. Please contact Mr. Bernie Doucet, Manager, Watercourse Alteration and Wetlands Program (506) 444-5149 for further information.
5. The proponent shall ensure that there is no change to the water levels upstream and downstream of the facility as a result of implementation of the project.
6. The proponent must prepare an Environmental Protection Plan (EPP) describing mitigative measures to be implemented during the construction of the project. A progressive work schedule, including an outline of when each aspect of the project will take place, shall be part of the EPP along with contingency and response plans to address potential environmental issues. The EPP must be submitted to the Manager, Project Assessment Section, Department of Environment for review and approval prior to the commencement of construction associated with the project.
7. An Environmental Management Plan (EMP) must be developed that describes measures to address environmental issues that may occur during operation of the facility including but not limited to spills and power outages. The EMP must be submitted to the Manager, Project Assessment Section, Department of Environment for review and approval prior to the operational phase.

8. A professional archaeologist with a current Archaeological Monitoring License must be present and directly oversee the removal of any sediments/matrix known or suspected to be *in situ* and not associated with the fill during project implementation. A contingency plan shall be established whereby construction workers are informed about the type of material they should be conscious of while excavating. If anything of archaeological importance is encountered during the construction, the area will be assessed by a professional archaeologist holding a current Archaeological Field Research License (AFRL) for this particular project.
9. The revised EIA document (addendum) must be approved by the Project Assessment Section of ENV prior to the onset of construction.
10. Future upgrades and the eventual decommissioning of the facility must receive the approval from the Department of Environment in advance of implementation.