

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

January 10, 2011

File Number: 4561-3-1275

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 October 19, 2010, 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 (DENV) 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 remains of archaeological significance are found during construction, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Department of Wellness, Culture and Sport, shall be contacted at (506) 453-3014.
5. Fisheries and Oceans Canada's Oceans and Habitat Area Chief in Tracadie-Sheila, Anne Turcotte must be notified 48 hours prior to the commencement of any project works. Ms. Turcotte can be reached at (506) 393-3036.
6. A baseline water quality assessment must be undertaken for Smelt Brook prior to the commencement of any activities related to this project. The results of this assessment should be submitted to the Manager of the Environmental Assessment Section of DENV. In addition, the proponent must consult with the Manager of the Environmental Assessment Section of DENV prior to the development of any of the lots in the industrial park in order to determine what additional baseline assessment of Smelt Brook, if any, must be undertaken. For more information, please contact the Manager at (506) 444-5382.
7. The proponent must ensure that all developers, contractors, and operators associated with the construction and operation of the project comply with the above requirements.