

DOCUMENT "A"

MINISTER'S DETERMINATION

CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

Dec 6, 2012.

File Number: 4561-3-1324

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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 and Local Government.
 3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration documentation dated November 17, 2011 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 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. Work in the area shall cease in the event that anything of an archaeological nature is encountered during construction. The find must be reported to Archaeological Services Unit at (506) 453-3014, and a plan of action agreed upon.
 5. Refueling and maintenance of equipment must take place in designated areas, on level terrain a minimum of 100 metres from any watercourse and 30 metres from any wetland boundary. Appropriate spill response equipment must be kept in a readily accessible location during project construction. All spills and releases must be promptly reported to the 24 hour emergency response line at 1-800-565-1633.
 6. The proponent shall provide a disclosure statement to all potential homeowners about the possible need for water treatment, and advise them to test their wells regularly. This disclosure shall also include a reminder that any well should be properly constructed with casing in competent bedrock, properly grouted, minimum setbacks maintained, in compliance with the *Water Well Regulation*, tested prior to consumption to determine if any specific parameters require water treatment, and monitored regularly (i.e. twice a year) to determine any changes to groundwater quantity and/or quality.

7. The proponent shall submit to the Environmental Assessment Section, DELG, for approval, a wetland compensation plan to offset direct loss of wetland habitat. The plan must be submitted within 6 months of the initiation of wetland disturbance. It must demonstrate a minimum 2:1 compensation of restored wetland to permanently impacted wetland. For more information regarding wetland compensation please contact the DELG Wetlands Specialist at (506) 444-5382.
8. A *Watercourse and Wetland Alteration Permit* must be obtained prior to any activity within 30 meters of a watercourse or wetland. Please contact the Manager of the Surface Water Protection Section, at (506) 457-4850, for further information. Please be advised that distances between the Brook and/or wetland and the proposed work must be noted on the application (diagram) and that a Site Specific Environmental Protection Plan (SSEPP) indicating measures that will be taken to protect the wetland will be required as part of the application.
9. The proponent must ensure compliance with the Species at Risk Act and the Migratory Birds Convention Act and associated regulations during construction. Measures to meet these regulations include, but are not limited to,
 - All clearing must be conducted outside of the breeding season, which is May 1st to August 31st for most birds,
 - Areas to be cleared must be clearly marked to limit the disruption to other vegetation, and
 - If construction does not commence within one month of clearing, a bird nest survey must be conducted by a qualified individual prior to construction.
10. The proponent must ensure that all future landowners are made aware of the flooding potential associated with the properties prior to purchasing them. In addition, this information will be included in covenants included in the Recitals Section of the Land Titles Transfer documents.
11. All future landowners must be made aware, prior to purchase, that any further infilling of a wetland area located on the property is likely to trigger an EIA review. Additionally, the subdivision plan, which will show the building area of each lot, must have a note stating the above mentioned.
12. The proponent shall ensure that all contractors and operators working on site are familiar with the above Conditions and all other conditions from permits issued to cover project activities.

