

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act
December 11, 2015
File Number: 4561-3-1418

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 & Local Government
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document dated August 24, 2015 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 every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. If remains of archaeological significance are encountered during project activities, all excavation shall cease and the Archaeological Services Unit, Heritage Branch (WC&S) should be contacted immediately at 453-2756.
5. The project shall comply with the requirements of the *Coastal Areas Protection Policy*. For more information, please contact the Manager, Surface Water Protection Section, at (506) 457-4850.
6. No construction or infill material may be obtained from any coastal feature, namely a beach, dune, or coastal wetland.
7. The proponent shall ensure that if a nest or chick of a migratory bird is detected within the project area, work in the area shall be halted and Canadian Wildlife Service shall be consulted at (902) 426–9152. The proponent shall ensure that all project activities are conducted in a manner that would be in compliance with the Migratory Birds Convention Act and associated Regulations.
8. Project activities shall not disturb female eiders with broods of chicks, groups of moulting eiders, or flocks of staging or wintering birds. Contractors/staff should not approach concentrations of seabirds, waterfowl, or shorebirds; and shall have well muffled vessels and equipment. Access routes shall be carefully planned, and vessels should reduce their speed when in the vicinity of flocks of birds.

9. Prior to commencing the project, the proponent shall contact Northern Harvest Seafarms Ltd. who operate aquaculture site MF0350 at (506) 754-6092 and, Cooke Aquaculture (Kelly Cove Salmon Ltd.) who operate aquaculture sites MF002, MF0213, MF0368 and MF0349 at 506-755-0556, to notify them of upcoming project activities.
10. Visual monitoring of the turbidity at the dredging and the disposal site must be undertaken. If any changes occur in the turbidity of the water by this activity, the work should immediately stop to determine if further mitigation is required.
11. Prior to commencing the project, the proponent must obtain an Approval from Transport Canada under the Navigation Protection Act. For more information, please contact Transport Canada's Navigation Protection Program at 506-962-1511.
12. Prior to commencing the project, the proponent must obtain a Fisheries Act authorization from the Fisheries Protection Program of Fisheries and Oceans Canada. For more information, please contact the Fisheries Protection Program at 506-851-2913.
13. The proponent shall notify the Fisheries Protection Program, DFO a minimum of 48 hours in advance of commencing the project.
14. The proponent must ensure the containment cell is designed to accept all of the proposed dredge material. Disposal at sea is not permitted for this project.
15. It is the proponent's responsibility to ensure all reasonable measures are undertaken throughout the life of this project to prevent the release of deleterious substances into the marine environment. In the event that adverse impacts to the marine environment occur as a result of this project, additional mitigation may be required.
16. An Environmental Protection Plan (EPP) must be prepared for the construction, operation, and maintenance phases of this project. The EPP must be submitted for review and must receive approval from the Manager of the Environmental Assessment Section of DELG prior to the commencement of any project activities. For more information, please contact the Manager at (506) 444-5382.
17. The proponent shall ensure that any proposed project modifications are submitted for review and approval by the Manager of the Environmental Assessment Section of DELG.
18. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the above requirements.