

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act
May 30, 2019.
File Number: 4561-3-1444

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* (EIA) (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 document dated October 2016; all subsequent reports submitted and to all those in correspondence during the course of the review. Additionally, the proponent shall submit a summary table detailing the status of each *Condition* listed in this *Determination* to the Director of the Environmental Impact Assessment Branch, Department of Environment and Local Government (DELG) every 6 months from the date of this *Determination* until such a time that it is determined to be no longer necessary.
4. If it is suspected that remains of archaeological significance are discovered during construction, operation, or maintenance of the proposed development, as per the *NB Heritage Conservation Act* (2010), all activity shall be stopped near the find and the Manager of the Archaeological Regulatory Unit, Archaeological Services Branch, New Brunswick Department of Tourism, Heritage and Culture, shall be contacted at (506) 453-2738 for further direction.
5. Only full-service fuel dispensing conforming to Part 4 of the 2010 *National Fire Code* is permitted. This requires a trained staff person to perform all fuelling activity.
6. Please contact Danny Stymiest, Senior Approvals Engineer, Impact Management Branch DELG at (506) 453-6857 for further information regarding licensing/amendment requirements under the *Petroleum Product Storage and Handling Regulation* (87-97).
7. As required by the *Fire Prevention Act*, a paper set of design drawings for fuel storage and dispensing must be submitted to the Office of the Fire Marshal, Department of Public Safety, prior to commencement of construction of the fuelling station.

8. Prior to any ground disturbance associated with the project, a baseline water quality sample must be collected from the potable well located in the Maintenance Compound. The sample must be analyzed for microbiology, general chemistry, trace metals and petroleum products. Results should be forwarded to Director of the Environmental Impact Assessment Branch (EIA), DELG
9. The refuelling station and petroleum storage tanks must be located a distance of greater than 50 m from the potable water well and a protective barrier be constructed around the well prior to commissioning the project. The petroleum storage tanks are to be located within an impermeable concrete (or other acceptable material) secondary containment area.
10. 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 DELG's Grand Falls Regional Office at 506-473-7744. If the spill occurs after regular business hours, the Canadian Coast Guard 24-hour environmental emergencies reporting system must be contacted at 1-800-565-1633.
11. Inactive (empty, out of service) petroleum storage tanks must be removed from the Park by a licensed installer.
12. An Environmental Protection Plan (EPP) for project activities shall be developed by the proponent that outlines environmental protection commitments for the proponent and their contractor(s) during project construction and implementation and to ensure compliance with commitments as set forth during the EIA review and all subsequent correspondence. This EPP shall include, but not be limited to,
 - Documentation of environmental concerns and appropriate protection measures;
 - Consideration for the presence of flora and fauna in the park;
 - Environmental protection measures to be followed when working near specific environmentally sensitive areas;
 - Timing of activities in consideration of environmentally sensitive features;
 - Protection and mitigation measures to be implemented to ensure the refuelling stations (new and existing) do not pose a threat to the potable water well in the maintenance compound. Considerations will include petroleum storage tanks and secondary containment system inspection programs; removal/replacement of older tanks; well head protection, water monitoring etc.;
 - Contingency and emergency response plans for accidents, malfunctions or unplanned events that may arise during construction and operation; and
 - Address requirements for signage which will educate snowmobilers about the legal requirement to report spills.

The plan must be submitted to the Director, EIA Branch, DELG for review and approval prior to the commencement of construction activities.

13. The proponent must submit a report that provides an overview of snowmobile usage in the park and includes statistics/summaries of: the number of snowmobiles using the park; fuel consumption; number of snowmobile/wildlife collisions; number of accidents; number of fuel spills; off-trail usage of the park; non-authorized use of the park; etc. Submission of the report shall commence at the end of the first full snowmobile season following the issuance of this Determination and continue every other year for a minimum of 5 years (i.e., years 1, 3 and 5) until it is deemed no longer necessary by DELG.

The report will be submitted to the Director, EIA Branch, DELG, for review. If increased snowmobile usage of the park results in environmental impacts beyond what was assessed for this project, additional assessment and/or mitigation may be required.

14. An application for a *Building Permit* is required for the groomer shed as per *Provincial Building Regulation 2004-45*. Please contact the Greater Miramichi Regional Service Commission at 506-778-5359.
15. The proponent must ensure that all contractors working at the sites are familiar and will comply with the requirements of the *Migratory Birds Convention Act* (MBCA) and associated *Regulations*.
16. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the above requirements.