

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

April 6, 2018

File Number: 4561-3-1480

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 document dated October 5, 2017 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 Director of the Environmental Impact Assessment (EIA) Branch, Department of Environment & Local Government (DELG) every six months from the date of this Determination until such a time as all the Conditions have been met, or until it is deemed by the Director, EIA Branch, DELG to be no longer necessary.
4. The proponent shall apply for and obtain a *Watercourse and Wetland Alteration (WAWA) Permit* from DELG prior to commencing any activities within 30 meters of a watercourse or wetland.
5. All loss of regulated wetland habitat requires Wetland Compensation at a 2:1 ratio. A Wetland Compensation Plan shall be submitted to DELG within 6 months of the date of this Determination for those regulated wetland areas permanently impacted by this project.
6. A Wetland Monitoring Plan which will monitor wetland function at 1, 3 and 5 year intervals from the date of the onset of initial construction must be submitted for review and approval by the Director, EIA Branch.
7. Prior to commencing pile driving work, the proponent shall collect baseline water quality data from all groundwater wells located less than 50 m from the activity.
8. The proponent shall apply for and obtain a *Quarry Permit* from the Resource Tenure Section of the Department of Energy and Resource Development (DERD) prior to removing or taking of a quarriable substance from an area designated as "shore area" under the Quarriable Substances Act (QSA).

9. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the measures outlined in the NBDTI Environmental Management Manual (EMM). Site Specific Environmental Protection Measures will be included in the project documents.
10. If it is suspected that remains of archaeological significance are discovered during construction, operation, or maintenance of the proposed development, as per the New Brunswick Heritage Conservation Act, 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) 238-3512 for further direction.
11. The proponent must ensure that all project activities are conducted in compliance with the Migratory Birds Convention Act and associated Regulations. A check for nesting activity under the bridge must be conducted within the breeding season prior to construction. If evidence of nesting is found, the nest shall not be disturbed and mitigation measures (i.e. buffering) must be considered to ensure compliance with the Act.
12. The proponent shall ensure that all project activities are conducted in compliance with the federal and provincial Species at Risk Acts and associated Regulations.
13. The proponent should ensure that all precautions are taken by the contractors and/or staff to prevent fuel leaks from equipment, and that a contingency plan in case of oil spills is prepared.
14. The proponent shall ensure that any proposed project modifications or future expansions are submitted to the Director, EIA Branch, DELG, for review and approval.
15. In the event of the sale, lease, or any other conveyance or change of control of the property, or any portion thereof, the proponent must provide written acknowledgement from the lessee, controller, or purchaser confirming that they will comply with the Conditions of this Determination to the Director of DELG's EIA Branch.
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.