

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the *Clean Environment Act*

June 12, 2019

File Number: 4561-3-1509

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 Environmental Impact Assessment (EIA) Registration Document/Project Effects Determination Report, 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 6 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. Prior to removing a quarriable substance from within an area designated as a shore area, the proponent must obtain a *Quarry Permit* under the *Quarriable Substances Act*. For more information, please contact the Resource Tenure Section of the Department of Energy & Resource Development at (506) 444-5806.
5. The proponent must ensure that all project activities are conducted in compliance with the *Migratory Birds Convention Act* and associated Regulations.
6. The proponent must ensure that all project activities are conducted in compliance with the federal *Species at Risk Act* and the provincial *Species at Risk Act* and associated Regulations.
7. If it is suspected that remains of archaeological significance are discovered, as per the New Brunswick *Heritage Conservation Act*, all activity shall be stopped near the find and the Archaeological Services Branch, New Brunswick Department of Tourism, Heritage and Culture, must be contacted immediately at (506) 453-2738 for further direction.
8. A description of the final disposal plan and location for the cell contents must be submitted to the Director, EIA Branch, DELG for review and approval prior to its disposal. Sampling results must be submitted with the final disposal plan.

9. The proponent shall prepare and submit an Environmental Management Plan (EMP) for project implementation to the Director, EIA Branch, DELG for review and approval prior to commencing project activities.
10. The proponent shall ensure that any proposed project modifications or future expansions are submitted to the Director, EIA Branch, DELG, for review and approval prior to implementing the changes.
11. 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.
12. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the above requirements and the measures outlined in the EMP prepared for this project.