

## DOCUMENT “A”

### **MINISTER’S DETERMINATION CONDITIONS OF APPROVAL**

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

December 16, 2020

File Number: 4561-3-1517

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 New Brunswick Minister of Environment and Climate Change.
3. The proponent shall adhere to all obligations, commitments, monitoring, and mitigation measures presented in the Environmental Impact Assessment (EIA) registration document dated February 2019 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 Environmental Impact Assessment (EIA) Branch (the Director), Department of Environment and 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 to be no longer required.
4. Prior to commencing any project related activities, the proponent must submit to the Director of the EIA Branch, DELG, written confirmation that an agreement has been reached with the current landowners for the use of the lands (e.g. a land use or lease agreement, and/or land transfer agreement).
5. The proponent must fulfill all project related commitments made to First Nations and must continue to engage and support the consultation process with First Nations, as appropriate, in an effort to understand the potential impacts on Aboriginal and treaty rights and avoid or mitigate these impacts where possible. The status of each commitment made to First Nations must be reported to the Director of the EIA Branch, DELG, as a part of the six-month summary updates (Condition 3, above).
6. If it is suspected that archaeological resources are discovered during any project related activity, as per the New Brunswick *Heritage Conservation Act*, all activity shall be stopped near the find and the Archaeology and Heritage Branch, New Brunswick Department of Tourism, Heritage and Culture (THC), must be contacted immediately at (506) 453-2738 for further direction.
7. If any material excavated from the wetted portion of the river bed during project activities is planned to be disposed of in the Province of New Brunswick, a description of the final disposal plan and location must be submitted to the Director, EIA Branch, DELG, for review and must be approved prior to disposal. Sampling results must be submitted with the description.

8. A Decommissioning Plan for the existing bridge must be prepared and submitted to the Director of the EIA Branch, DELG, for review and approval prior to commencing any activities associated with decommissioning.
9. The proponent shall prepare and submit an Environmental Management Plan (EMP) for all project phases to the Director of the EIA Branch, DELG, for review and approval prior to commencing any activity associated with that phase. The EMP must include but is not limited to, project specific mitigation, contingency plans, and emergency response plans.
10. A Wetland Monitoring Plan must be submitted within six months following the completion of project construction to the Director of the EIA Branch, DELG for review and approval. At a minimum, the Wetland Monitoring Plan must include monitoring of wetland function at years one, three, and five post-construction. Additional mitigation may be required for any further impacts to delineated wetlands based on the results of the Wetland Monitoring Plan. Once approved, the Wetland Monitoring Plan should be added into the approved EMP for this project
11. 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.
12. 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, EIA Branch, DELG.
13. The proponent shall ensure that all developers, contractors and operators associated with the project comply with the above requirements.