

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the *Clean Environment Act*
November 25, 2020.
File Number: 4561-3-1539

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 Climate Change.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration documents dated October 31, 2019; all subsequent reports submitted and to all those identified in correspondence during 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 (EIA) Branch, Department of Environment and Local Government (ELG) every 6 months from the date of this Determination until such a time that the Director determines that it is no longer necessary.
4. Appropriate spill response equipment must be maintained in a readily accessible location during construction and operation. All spills and releases must be promptly contained, cleaned up and the ELG Saint John Regional Office (506-658-255), should be contacted during regular business hours while the 24-Hour Environmental Emergencies Report System should be contacted outside of regular business hours (1-800-565-1633).
5. Any work proposed within 100 metres of the archaeological sites (CaDi-3, CaDi-4) will require an *Archaeological Site Alteration Permit* issued by the Minister of Tourism, Heritage and Culture.
6. The Archaeology and Heritage Branch requires that a permanent barrier (e.g. geotextile) be placed on top of the features at CaDi-3 prior to burial.
7. If it is suspected that objects or features of archaeological significance are found during construction or operation, as per the *New Brunswick Heritage Conservation Act*, all activity shall be stopped within 30 metres of the find and the Manager of the Regulatory Unit, Archaeology and Heritage Branch, NB Department of Tourism, Heritage and Culture shall be contacted at (506) 453-2738 for further direction.
8. From the date of issuance of this *Certificate*, the proponent has approval to proceed with Phase 1 as described in “Springhill Limestone Quarry Mining Plan” and “Springhill Limestone Quarry Environmental Management Plan & Reclamation Plan”. Subsequent phases must be submitted for review and receive written approval from the Director of the EIA Branch, ELG. Additional Conditions may be imposed if future phases are approved.

9. The proponent shall ensure that all proposed project modifications are submitted for review and receive approval from the Director of ELG's EIA Branch prior to implementing the changes.
10. To minimize impacts from dust on private residences located along Springhill Road, the proponent shall ensure site access roads and entrance ramps are paved to the satisfaction of the Director of ELG's EIA Branch, and within the first year of operation, the large overburden pile to be established adjacent to Springhill Rd shall be reclaimed with seeding and tree planting to reduce or eliminate soil erosion and dust.
11. In the event of a complaint by a neighbouring water user that project activities have negatively impacted the quality or quantity of their private water supply, the proponent must investigate the complaint and notify the Director of ELG's EIA Branch. If it is determined that the proponent is responsible for any negative impacts, the proponent will be required to provide a temporary water supply for short-term impacts, or to repair, remediate, or replace any permanently impacted well(s), which might include, but is not limited to, deepening a well or drilling a new well.
12. A screening and crushing plant may not be established on site without prior consultation with and approval from the Director of ELG's EIA Branch.
13. The proponent must complete a *Site-Specific Environmental Protection Plan* (SSEPP) for project activities. The SSEPP must include, but not be limited to, measures to reduce or eliminate dust and noise above background levels outside limits of quarry operations, and mitigative measures to address other sensitive environmental features that were identified during the project review. It must also include contingency plans for accidents or unforeseen incidents that may occur during the life of the project. Plans to address specific project phases may be submitted separately and must be reviewed and approved by the Director, EIA Branch, ELG prior to the commencement of each phase.
14. A *Complaint Response Protocol* that acts as a means by which the complaints, concerns, or issues expressed by area landowners or other members of the community that may be negatively impacted by the operation of the quarry can be effectively communicated to the proponent, managed and addressed/resolved must be in place. Issues relating to the Springhill Quarry operation must be made available to ELG upon request.
15. The Cross Road is a Class B Designated Highway. The proponent must contact the Director of the Department of Transportation and Infrastructure (DTI) Property Services Branch (506-453-3939) to discuss any proposed discontinuance of Cross Road located within the development area. If permission is not granted to discontinue this portion of the Class B designated highway, additional mitigation for the project will have to be proposed by the proponent and approved by the Director of ELG's EIA Branch.
16. The proponent shall ensure that all project activities comply with the *Migratory Birds Convention Act* and associated *Regulations* and that measures are taken during project implementation to avoid/minimize adverse effects on migratory birds.
17. The proponent shall ensure that all developers, contractors and operators associated with the project comply with the above requirements.
18. 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 ELG's EIA Branch.
19. The proponent must submit a financial security to provide for all aspects of environmental

protection, including but not limited to, groundwater monitoring and potential replacement of potable water wells. This security is to be negotiated with the EIA Branch, ELG and must be in an amount and form that is approved by the Minister of Environment and Climate Change. A security in the form of cash, or a Letter of Credit with terms that are acceptable to the EIA Branch, is an acceptable form. The financial security must be negotiated and in place prior to the commencement of operations.