

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

April 25, 2007

File Number: 4561-3-1110

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.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document (dated December, 2006), as well as to those from all subsequent correspondence and reports 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 Project Assessment Branch every 6 months from the date of this Determination (i.e.: April 25, 2007) until such a time as the construction is complete and the Department of Environment is satisfied that all the conditions have been addressed.
4. Submit an application for a Watercourse and Wetland Alteration Permit from the Department of Environment before commencing any work within 30 m of the Little South Tomogonops River. For additional information please contact the Watercourse and Wetland Alteration Program Section of the Department of Environment at (506) 457-4850.
5. The Proponent must develop and submit an Environmental Protection Plan (EPP) that is to be applied during the construction and operation of this site. In addition, a detailed sediment and erosion control plan and an emergency response plan will need to be prepared and submitted for review. The purpose of these plans would be to prevent the release of sediment, sediment laden water, or other deleterious substances into the environment. These plans are to be submitted to the Director of the Project Assessment Branch and shall include a detailed work schedule and mitigation measures that will be implemented to minimize impacts to the surrounding environment. These plans must be approved prior to the start of construction.
6. All exposed material in close proximity to watercourses will need to be mulched and seeded to prevent sedimentation in proximity of watercourses.
7. Forty-eight hours prior to initiating any construction activities please contact the DFO Area Habitat Coordinator (DFO, Tracadie-Sheila, NB) at (506) 395-7722.

8. Please provide a plan to address the fish passage issue related at the CN railway culvert at the North Branch Tomogonops River. This plan will require a Wetland and Watercourse Alteration permit and will require discussions between the Department of Environment, Fisheries and Oceans Canada and the Department of Natural Resources. For additional information please contact the Watercourse and Wetland Alteration Program Section of the Department of Environment at (506) 457-4850.
9. As indicated during the EIA process, please provide a copy of the pre-feasibility study associated with this proposal to the Director of the Project Assessment Branch for review.
10. If it is suspected that remains of archaeological significance are discovered during construction, all activity shall be stopped near the find and the Project Executive, Archaeological Services Section of the Department of Wellness, Culture and Sport shall be contacted at (506) 453-2756.