

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act
January 17, 2012
File Number: 4561-3-1286

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 June 6, 2011 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 Manager of the Environmental Assessment Section of the Department of Environment every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. If it is suspected that remains of archaeological significance are found during construction, as per the Heritage Conservation Act (2010) all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Department of Wellness, Culture and Sport, shall be contacted at (506) 453-3014.
5. A pedestrian survey of all areas below high water exposed immediately after lowering the headpond shall be conducted by a Permitted professional archaeologist. All finds made during this pedestrian survey will be reported to the Archaeological Services Unit, Heritage Branch of the Department of Wellness, Culture and Sport along with recommendations for mitigating the impact from erosion to resources exposed as a result of the dewatering.
6. The Area Chief, Ecosystems Management, Department of Fisheries and Oceans (DFO), Tracadie-Sheila, NB must be contacted at (506) 393-3036 at least 48 hours prior to the commencement of the Project.
7. The proponent shall adhere to all mitigation measures outlined in the DFO letter, dated October 13, 2011.
8. Authorization from the Department of Natural Resources (DNR) may be required if any upland Crown lands or portions of the bed of the river that is under the administration and control of DNR are physically altered or occupied by machinery, structures, etc. Please contact the Crown Lands Branch at (506) 453-3826.

9. An Environmental Protection Plan (EPP) shall be developed for the project to outline environmental protection commitments of NB Power and their contractor(s), and to ensure compliance with these commitments as set forth in the EIA Registration Document. The EPP shall ensure compliance with environmental legislation, policies and permitting requirements for those environmental issues anticipated during the project, and shall also include a commitment to consult with the Nepisiguit Falls Salmon Association regarding the timing of dewatering activities. The EPP must receive approval from the Manager of the Environmental Assessment Section, prior to the start of any construction activities.
10. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the above requirements.