

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

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

September 20, 2018

File Number: 4561-3-1386

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 dated April 15, 2014 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, EIA Branch, Department of Environment and Local Government (DELG) every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. In the event of the sale, lease, or any other conveyance or change of control of the Project, or any portion thereof, the proponent must provide written acknowledgement to DELG from the lessee, controller or purchaser confirming that they will comply with the commitments made during the registration review and with the Conditions of this Determination. The information must be addressed to the Director, EIA Branch, DELG.
5. The proponent must ensure that all contractors, workers and/or employees involved with the project are aware of, and adhere to the approved Environmental Protection Plan (EPP). EPP copies must be made available at the project site during construction activities.
6. The proponent is responsible for ensuring that all developers, contractors, workers, and operators associated with the project are familiar with, and comply with the requirements of the *Migratory Birds Convention Act (MBCA)*, and the federal and provincial *Species at Risk Acts* and associated *Regulations*.
7. During construction, no vegetation and/or ground clearing will occur during the migratory bird breeding period from April 5th to August 30th annually; however, note that some bird species breed and nest outside of this period and the requirements of the MBCA still apply.

8. If it is suspected that remains of archaeological significance are discovered on site, as per the New Brunswick *Heritage Conservation Act* (2010) all activity shall be stopped near the find and the Manager of the Archaeological Regulatory Unit, Archaeological Services Branch, New Brunswick Department of Tourism, Heritage and Culture shall be contacted at (506) 238-3512 for further direction.
9. All petroleum or chemical spills/leaks must be immediately contained, cleaned up, and reported to DELG's Regional Office at (506) 444-5149 during normal working hours; after hours contact the Canadian Coast Guard at 1-800-565-1633.
10. This project and the previously approved Harris & O'Leary Estates Subdivision project (EIA 4561-3-1338) must be considered jointly moving forward as the development progresses and connections are made between the adjacent projects.
11. Any changes to the subdivision plan must be submitted to the Director, EIA Branch, DELG for review and approval.
12. The Wood Turtle Protocol must be implemented and followed if any wood turtles are discovered on the properties.
13. The proponent must provide disclosure to any potential landowner about the possible need for water treatment so that they are fully aware of the potential water quality issues and can plan for the expense.
14. Following the drilling of water wells, the water from each well must be analysed for water quality (i.e. microbiology and general chemistry) prior to consumption to determine if any specific parameters require water treatment and to provide the results to the future landowner. In addition, future landowners should be advised to regularly (i.e. twice a year, in spring and fall) monitor their well water quality (i.e. microbiology) and be aware of any changes to water quantity and/or quality.
15. The proponent shall ensure that all developers, contractors and operators associated with the project comply with the above requirements.