

DOCUMENT "A"

MINISTER'S DETERMINATION

CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

July 28, 2016

File Number: 4561-3-1431

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 document entitled, "Environmental Assessment Registration JD Irving, Limited - Sawmill Decommissioning and Construction Project, Doaktown, NB, registered on April 11, 2016, 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 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. If it is suspected that remains of archaeological significance are found during construction, operation or maintenance of the proposed development, as per the Heritage Conservation Act (2010), all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit shall be contacted at (506) 453-3014.
5. The proponent shall ensure that if a nest or chick of a migratory bird is detected, work in the area shall be halted and the Canadian Wildlife Service be consulted for advice ((902) 426 – 9152). The proponent shall ensure that activities are conducted in a manner that would be in compliance with the Migratory Birds Convention Act.
6. The proponent shall apply for and obtain a *Watercourse and Wetland Alteration (WAWA) Permit* from DELG for any activities conducted within 30 metres of a watercourse or wetland, prior to the commencement of the Project. For additional information, please contact the Manager of the Watercourse and Wetland Alteration Program, DELG, at (506) 457-4850.
7. The proponent must obtain an *Approval to Construct* from the Impact Management Branch (IMB), before construction activities commence. The proponent shall also make an application for a new approval to operate before the new facility begins operating. For more information, please contact the Manager of the Permitting North Section, DELG, at (506) 453-7945.

8. An Environmental Protection Plan (EPP) must be prepared for the construction, operation, and maintenance phases of this project. The EPP must also include emergency response planning measures. The EPP must be submitted for review and must receive approval from the Manager of the Environmental Assessment Section of DELG prior to the commencement of any project activities. For more information, please contact the Manager at (506) 444-5382.
9. The proponent shall ensure that all permits and approvals required by the Greater Miramichi Regional Service Commission are obtained prior to commencement of the project.
10. The proponent shall ensure that two water wells (SM1 and SM2), are decommissioned once the new sawmill infrastructure is operational, and before the decommissioning of existing sawmill infrastructure. The wells shall be decommissioned as per the requirements of the New Brunswick *Water Well Regulation* and DELG's *Guideline for the Abandonment (Decommissioning) of Water Wells*. Such work must be conducted by a Water Well Contractor/Driller licensed in the Province of New Brunswick.
11. If at any time the proponent wants to increase the pumping rate of a production well or requires an additional water supply (i.e. new well), a water supply source assessment/additional studies may be required, and the proponent must obtain written approval from the Manager of the Environmental Assessment Section, DELG, prior to any changes being initiated.
12. The proponent shall ensure that any proposed project modifications are submitted for review and approval by the Manager of the Environmental Assessment Section of DELG.
13. The proponent shall ensure that all developers, contractors and operators associated with the development project comply with the above requirements.