

## DOCUMENT "A"

### MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

February 21, 2017

File Number: 4561-3-1449

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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 EIA registration document dated October 12, 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 six months from the date of this Determination until such a time as the Manager determines it is no longer required.
  4. If it is suspected that remains of archaeological significance are discovered during construction, operation, or maintenance of the proposed development, 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.
  5. An *Approval to Construct* must be obtained from DELG prior to the start of any construction activities related to this project, and the facility's *Approval to Operate* will have to be subsequently updated. For more information, please contact DELG's Impact Management Branch at (506) 453-7945.
  6. The methodology for the proposed pre-construction bird survey must be submitted for review and must be approved by the Manager of DELG's Environmental Assessment Section prior to its implementation. A similarly composed post-construction bird survey will have to be undertaken in the breeding season after construction has finished. Based on the results of these surveys, additional mitigation measures may be imposed by the Manager of DELG's Environmental Assessment Section.
  7. 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 Manager of DELG's Environmental Assessment Section.
  8. The proponent must ensure that all developers, contractors, and operators associated with the construction and operation of the project comply with the above requirements and the measures outlined in the Environmental Management Plan that was developed for the project.