

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the *Clean Environment Act*
December 7, 2018.
File Number: 4561-3-1505

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* (EIA) (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 August 23, 2018; all subsequent reports submitted and to all those identified in correspondence during the review. Additionally, the proponent shall submit a summary table detailing the status of each Condition listed in this *Determination* to the Director of the Environmental Impact Assessment (EIA) Branch, Department of Environment and Local Government (DELG) every 6 months from the date of this Determination until such a time that it is determined to be no longer necessary.
4. Appropriate spill response equipment must be maintained in a readily accessible location during project construction and operation. All spills and releases shall be promptly contained, cleaned up and the DELG Saint John Regional Office (506-658-2558) should be contacted during regular business hours while the 24-Hour Environmental Emergencies Report System should be contacted outside of regular business hours (1-800-565-1633).
5. All waste materials that are generated during project implementation must be disposed of at an approved disposal facility.
6. If it is suspected that objects or features of archaeological significance are found during construction, work shall stop immediately near the find and Archaeological Services, Department of Tourism, Heritage and Culture (THC) shall be contacted immediately at (506) 453-2738.
7. No person shall conduct excavation and/or dredging operations or remove or take a Quarriable substance from the area designated as "shore area" under the *Quarriable Substances Act* (QSA), defined as "that portion of land lying within three hundred metres above and three hundred metres below the ordinary high-water mark" of N.B. coastline(s), unless the person has been issued a quarry permit under the QSA. A *Quarry Permit* may be acquired from the Resource Tenure Section of the Department of Energy & Resource Development. Please contact the Quarriable Substances Technician, at (506) 444-5806 for permit and application inquiries.

8. The proponent shall ensure that any project modifications are submitted for review and approval prior to implementation by the Director, EIA Branch, DELG.
9. The proponent shall ensure that all project activities comply with the *Migratory Birds Convention Act* and associated regulations and that measures are taken during project implementation to avoid/minimize adverse effects on migratory birds.
10. The proponent shall ensure that all developers, contractors and operators associated with the project comply with the above requirements.