

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

February 6, 2008

File Number: 4561-3-680

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 re-evaluated under the *Environmental Impact Assessment Regulation (87-83)* – Clean Environment Act, unless otherwise stated by the Minister of Environment.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the revised Environmental Assessment Report (dated December 20, 2007), as well as all those identified in all other 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 of the Project Assessment and Approvals Branch of the Department of Environment (DENV) every six 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, 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) 453-2756.
5. A final version of the Environmental Management Plan for this project must be submitted for review and must receive approval from the Director of the Project Assessment and Approvals Branch, DENV, prior to the start of any construction activities. For additional information, please contact the Director at (506) 444-4599
6. A Watercourse and Wetland Alteration Permit must be obtained prior to any activities conducted within 30 m of a watercourse or wetland. For additional information, please contact the Director of the Watercourse and Wetland Alteration Program, DENV, at (506) 457-4850.
7. The proponent must prepare a wetland compensation plan in order to offset project-related effects on wetland habitat. The wetland compensation plan will be managed by the proponent throughout the duration of construction and follow-up monitoring. It must take into consideration any altered wetland habitat and any opportunities for the potential restoration of habitat in proximity to the project area. Compensation will be required for any wetland area that is directly removed, as well as

construction environmental effects monitoring that will be conducted. The final compensation plan must be submitted for review and receive approval from the Director of the Project Assessment and Approvals Branch, DENV, within two years of the date of this Certificate of Determination. The elements of the compensation plan must subsequently be realized within one year of the plan's approval. For additional information, please contact the Director at (506) 444-4599.

8. Baseline chloride concentration sampling must be conducted in wetlands prior to the construction of the highway. Subsequent chloride monitoring must be conducted along with the wetland environmental effects monitoring that will occur in years 1, 3 and 5 following the beginning of the operation of the highway. The chloride monitoring must take place during the spring of these years.
9. Baseline water quality sampling (general chemistry and microbiology) must be conducted on all wells within 500 m of any construction activities. Further sampling must also be conducted on these wells one year after completion of the project. All well data collected must be submitted to the Director of the Sciences and Reporting Branch, DENV. For additional information, please contact the director at (506) 457-4844.
10. Any wells that are impacted as a result of activities related to any phase of this project must be repaired or replaced by the proponent. The required action may include, but is not limited to, the deepening of a well or the drilling of a new well. If an existing well becomes unusable, the proponent must provide a temporary water supply until the well is repaired or replaced. The proponent must immediately notify the Manager of the Water Sciences Section, DENV, of any complaints that are received regarding water quantity or quality problems. The Manager can be reached at (506) 457-4844.
11. Surveys for the Common Nighthawk bird species will have to be conducted following clearing activities, and prior to the start of any grading activities. A proposed survey methodology, as well as proposed mitigative measures should any birds be found nesting in the project's Right of Way, or in areas adjacent to the Right of Way, must be submitted for review and must receive approval from the Director of the Project Assessment and Approvals Branch, DENV, prior to the start of any grading activities. For additional information, please contact the Director at (506) 444-4599.
12. The proponent shall ensure that all developers, contractors and operators associated with this project are made aware of and comply with the above requirements.