

## **DOCUMENT "A"**

### **MINISTER'S DETERMINATION CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

January 18, 2005

File Number: 4561-3-1013

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. These Conditions of Approval supercede those issued on November 10, 2004.
3. 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.
4. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document dated June 21, 2004, as well as to those in all subsequent correspondence during the registration review.
5. 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 Culture and Sport Secretariat, shall be contacted at 453-2756 for direction.
6. The proponent shall retain the services of a licensed archeologist to examine any area within 50 metres of the banks of the Little Presque Isle Stream that will involve the disturbance of earth prior to any activity.
7. The proponent must obtain an Approval to Construct and an Approval to Operate from the Stewardship Branch, Environmental Management Division, Department of the Environment and Local Government. Please contact Mr. Greg Shanks, Director, Stewardship Branch at (506) 453-7945 for details.
8. Details regarding the final design of the wastewater treatment system must be reviewed and approved by the Stewardship Branch, Environmental Management Division, Department of the Environment and Local Government.
9. If tree clearing must be conducted outside of the winter months, a migratory bird survey must be conducted in advance by a qualified biologist and the results submitted to the New Brunswick Department of the Environment and Local Government Project Assessment Branch Director for approval.

10. The *Provincial Building Regulation 2002 Reg 2002-45* requires that a building permit be issued before beginning construction. The proponent shall contact the building inspector, Gerret Hoekman at 325-4726 for further information.
11. An Environmental Protection Plan (EPP) must be prepared illustrating mitigation measures to be put in place for the construction, operation and maintenance phases of the project. A progressive work schedule, including an outline of when each aspect of the project will take place, shall be part of the EPP. The EPP shall also address, but not be limited to, erosion and sedimentation control, the potential impacts of accidents and malfunctions. Consideration should be given not only to spills of hazardous materials and the failure of erosion control structures, but also to wastewater treatment plant breakdowns. Also included should be basic response measures and key contacts, as well as the location of and how to quickly access spill response equipment and resources, particularly after-hours. The plan must be submitted to Paul Vanderlaan, Director, Project Assessment Branch, Department of the Environment and Local Government for review and approval prior to the commencement of all construction associated with the project for implementation during this project.
12. Effluent quality objectives for the wastewater treatment system must be reviewed and approved by the Project Assessment Branch prior to the commencement of construction of the facility. Please contact Mr. Paul Vanderlaan, Director, Project Assessment Branch, Department of the Environment and Local Government for further information.
13. A hydrogeological assessment similar in scope to the DELG Water Supply Source Assessment Guidelines (2004) must be completed to the satisfaction of the Manager of the Water Sciences Section, Sciences and Reporting Branch, and a safe sustainable pumping rate will be assigned prior to commissioning of the water supply.
14. Final design and monitoring requirements for the water supply must be established through consultation with the Project Assessment Branch and the Manager, Water Sciences Section, Sciences and Reporting Branch, prior to the commissioning of the water supply.
15. A water-sampling plan for the water supply must be approved by the Department of Health and Wellness in accordance with the *Potable Water Regulation, Regulation 93-203*. Please contact the Regional Public Health office at 325-4408.