

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

May 29, 2003

File Number: 4561-3-1045

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. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document for this project dated June 2, 1999, as well as to those in all subsequent correspondence and reports during the registration review.
3. At least six months prior to the start of any work for the proposed golf course, the proponent is to submit a site specific Environmental Management Plan (EMP) for review and approval by the Department of the Environment and Local Government. This EMP would address any potential impacts as a result of this development. The EMP would include a separate water management plan for the water from "managed areas", including a description of the proposed filtering mechanism and monitoring plan. The EMP would include an erosion and sediment control plan with emphasis on sedimentary runoff management and the protection of fisheries resources in the Killarney Brook watershed. This plan (with associated drawings, maps, plans) would include elevation and drainage, construction techniques and plans for bridges, culverts, watercourse diversions, removal of vegetation along watercourses, riparian zone management, pond creation and maintenance, pesticide use/storage, fuel storage areas, maintenance facilities, details on monitoring of watercourses, construction schedules, etc. It is expected that this undertaking will require extensive clearing and grading, the details of the above plans should thoroughly address this aspect of construction. This EMP is to be submitted to the Director of the Project Assessment Branch of the Department of the Environment and Local Government.
4. Phase 1 of the residential development can proceed as outlined in the EIA Registration document for this project and subsequent correspondence including the letter of May 2, 2003 which contains the drawing titled "West Hills Overall Plan Phase 1 Approval – 2003 – DOELG – Fredericton, NB".

Prior to starting work on any of the subsequent residential phases of the development, an Environmental Management Plan (EMP) will be required to be submitted and approved by the Department of the Environment and Local Government for each phase. This EMP will clearly outline the proposed work associated with the phase in question as well as any areas of concern from an environmental point of view, including mitigative measures to address these concerns. These EMP are to be submitted to the Director of the Project Assessment Branch, Department of the Environment and Local Government.

5. A 20 meter undisturbed buffer zone shall be maintained between Killarney Brook and all adjacent property boundaries for the Phase 1 residential development.
6. Prior to the start of any construction within 30m of a watercourse, Watercourse Alteration Permits will be required from the Regional Services Branch of the Department of the Environment and Local Government prior to the start of construction of both the residential development and the golf course. Please contact Linton Carr, Manager, Watercourse Alteration at (506) 457-4850 for additional information.
7. Should the proponent come upon remains or artifacts that may be of archeological significance during construction, work shall be stopped, and the Archeological Services Section, Heritage Branch, Archaeological Services, Culture and Sport Secretariat shall be contacted immediately at 453-2756.
8. Should a source of ground water be required for the irrigation of the golf course, which would exceed 50 m³/day, a Water Supply Source Assessment and an Environmental Impact Assessment registration will be required. This assessment would also include an evaluation of the potential impacts to the water production capabilities for the two nearby city wells (resulting from the proposed golf course well and possible impacts from the use of pesticides and herbicides during regular golf course maintenance). Please arrange for a meeting with the Department of the Environment and Local Government and the City of Fredericton to establish the Terms of Reference for this assessment.
Should a source of surface water be required for the irrigation of the golf course, which would exceed 50 m³/day, an Environmental Impact Assessment registration will be required.