

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

14 September 2005

File Number: 4561-3-1046

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 the Environment and Local Government.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document (dated June 2005), as well as all those identified in subsequent correspondence during the determination 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 Branch of the New Brunswick Department of the Environment and Local Government (DELG) every 1 month from the date of this Determination until such a time as construction is complete.
4. The bridge structure/span must be a minimum of 10 m in length.
5. Construction activities must be undertaken in a short-time frame to minimize the period when the project area is disturbed. Site drainage and dust generated from construction activities must be controlled. Erosion and sedimentation control measures must be incorporated in the final plans for construction, and implemented prior to the start of construction activities. In addition, existing vegetation on-site must be maintained to the extent practical (i.e., minimize vegetation clearing).
6. Refuelling and maintenance of equipment must take place in designated areas, on level terrain, a minimum of 30 m from any surface water or wetland, on a prepared impermeable surface with a collection system to contain oil, gasoline and hydraulic fluids. 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 reported to the 24-hour emergency response line (1-800-565-1633). In addition, in the event of any environmental upset, (e.g., hazardous materials spill, overturned heavy equipment, erosion/sedimentation plume, etc), the Director of the DELG regional office must be notified immediately at (506) 473-7744.
7. The location and design of the concrete production area and yard must include provisions for

environmental protection and be identified on the environmental protection plan (EPP - see item 16). All drainage from the concrete production area/yard, and washwater from the cleaning of batch plant mixers, mixer trucks, conveyors and pipe delivery systems must be directed to a settling pond for control and treatment, prior to entering receiving waters. All drainage from any aggregate storage areas must be directed to a drainage control system, and all effluent must be treated as appropriate prior to release.

8. A *Watercourse/Wetland Alteration Permit* will be required for any activities conducted within 30 m of a watercourse or wetland. Please contact the Manager of the Watercourse/Wetland Alteration Program, at (506) 457-4850 for additional information.
9. No equipment or staging areas shall be located in the wetland.
10. A compensation plan for any unavoidable loss or alteration of wetlands must be developed and submitted by November 1, 2005 to the attention of the Director, Project Assessment Branch for review and approval. The compensation plan must take into consideration any altered wetland habitat, and any opportunities for the potential restoration of habitat in proximity to the project area.
11. Once detailed design information and the final construction schedule are available, please contact the District Transportation Engineer at (506) 735-2050 to address any requirements to protect existing highway infrastructure or drainage systems, or requirements related to the transportation of construction equipment and materials. If the existing access to Gillespie Settlement Road will be relocated as part of the project, then approval (*Access Permit*) is required from the District Transportation Engineer prior to the start of construction. Also, the existing culvert under Gillespie Settlement Road (250 m upstream) must not be affected by the project
12. If any wood turtles are encountered during construction, they must not be harmed and must be relocated beyond the construction boundaries.
13. Development of the trail system must not adversely affect the watercourse or wetland, and any trail construction activity located within 30 m of any watercourse or wetland will require a *Watercourse/Wetland Alteration Permit*. Please contact the Manager of the Watercourse/Wetland Alteration Program, at (506) 457-4850 for additional information
14. The proponent must comply with the Migratory Birds Convention Act. If a migratory bird species is found nesting within the project footprint, a 20 m no disturbance zone will be placed around the nest until the young have fledged and left the nest. In addition, operational activities such as bridge cleaning and application/removal of protective coatings shall not take place during the breeding season if migratory bird nest (s) are present on the bridge.
15. If it is suspected that remains of archaeological significance are discovered all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit of the Heritage Branch, Culture & Sport Secretariat must be contacted immediately at (506) 453-2756.
16. The proponent shall develop an Environmental Protection Plan (EPP) that includes all mitigation

requirements to ensure the protection of the environment. The EPP shall be forwarded to the Director of the Project Assessment Branch, DELG for review and approval prior to the commencement of construction.

17. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the above requirements.