

DOCUMENT "A"

MINISTER'S DETERMINATION

CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

December 9, 2006

File Number: 4561-3-1080

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 Environment.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document dated May 25, 2006 as well as all those identified in subsequent 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 Branch of the Department of the Environment and every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. If it is suspected that the remains of archaeological significance are found during construction of the project, work shall stop immediately in the vicinity of the find, and the Archaeological Services Unit, Heritage Branch, Wellness, Culture and Sport, shall be contacted immediately at (506) 453-2756. The proponent may be required to undertake a heritage assessment for which it would bare the financial responsibility.
5. The proponent shall apply for and obtain a Watercourse and Wetland Alteration Permit from the Department of Environment for any activities carried out within 30 meters of any watercourse or wetland, prior to the commencement of any construction activities. It is recommended that submission of this application occur at least 90 days prior to the commencement of any construction activity. Please contact Mr. Denis Deveau, Regional Director responsible for the Watercourse Alteration and Wetlands program at (506) 457-4850 for further information.
6. The proponent shall obtain an Approval to Construct and a revised Approval to Operate from the Stewardship Branch of the New Brunswick Department of Environment. The Approval to Construct shall be obtained prior to the commencement of any construction activities. Please contact Mr. Tim LeBlanc, Manager of the Water and Wastewater Section, at (506) 444-5194 for details.
7. Baseline monitoring of water quality (equivalent to *I) for all private water wells located within 500 m of the project site shall be completed prior to the commencement of any construction activities. The results of the analysis shall be submitted to the Director of the Project Assessment Branch.

8. An Environmental Management Plan (EMP) must be prepared illustrating mitigation measures to be put in place for the construction, operation and maintenance phases of the project. The EMP shall consider erosion and sedimentation control in general and for any aspect of the project that has potential to deposit sediment into the South Branch of Eel River, spill prevention, hazardous materials management (fuels, lubricants, hydraulic oil, waste oil etc.) and clean up. The plan shall also include emergency response plans to be put in place in the event of an accident or facility malfunction. The plan must be submitted to Mr. Paul Vanderlaan, Director, Project Assessment Branch, Department of Environment for review and must be approved prior to the commencement of all construction associated with the project. Contractors working on the project shall be made aware of the contents of the EMP, and copies shall be made available at the site.