

# **DOCUMENT “A”**

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

Pursuant to Regulation 87-83 under the Clean Environment Act

December 22, 2009

File Number: 4561-3-1089

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 July 2006 and to those in all 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 Manager of the Project Assessment Section every 6 months from the date of this Determination until such a time as the construction is complete and the Department of Environment (ENV) is satisfied that all conditions have been addressed.
4. The proponent must obtain a *Watercourse and Wetland Alteration Permit* from the Regional Environmental Services Branch, ENV, for any activities that are carried out within 30 meters of a watercourse or wetland before any construction activities commence. It is recommended that submission of this application occur at least 90 days prior to the commencement of construction activity. Please contact Mr. Bernie Doucet, Manager, Watercourse Alteration and Wetlands Program at (506) 444-5149 for further information.
5. A site specific environmental protection plan (SSEPP) for the construction of the new bridge and the decommissioning of the existing bridge must be submitted for review and be approved prior to the onset of construction. The plan must be submitted to the Manager, Project Assessment Section, ENV. The plan must include, but not be limited to measures to protect the wetland, prevent sedimentation and bank destabilization, surface water management plans, monitoring plans, and plans to protect other sensitive features that may be present such as wood turtles.
6. Monitoring of all wetlands directly or indirectly impacted by project activities will be required for years 1, 3, and 5 to determine if the wetland function has changed. The monitoring plan must include details for monitoring during and after the construction activity and must be approved prior to the onset of construction. Reports shall be submitted to the Manager of the Project Assessment Section ENV, after each monitoring period. Restoration will be required if there are impacts to the function of any of the wetlands located within the project area.

7. The proponent must prepare a wetland compensation plan to offset direct loss of wetland habitat. The compensation ratio will be 6:1. An implementation schedule for compensation must be established in consultation with the Project Assessment Section, Department of Environment.
8. Archaeological monitoring will be required on the south side of the watercourse (within 15 metres of the shoreline) if the bridge structure extends more than 37 cm below the surface. During all other project related activities, if anything of known or suspected archaeological significance is found, all activity shall be stopped near the find and Archaeological Services contacted immediately at 453-3014 for direction.
9. The proponent must contact Mr. Kurt McAllister (902) 426-3587, Fisheries and Oceans Canada, (Dartmouth, NS) several months in advance of the construction period to ensure that the requirements of the Fisheries Act are met prior to project implementation.
10. No in-stream work shall be permitted until requirements of the Navigable Waters Protection Program have been met. For further information please contact Mr. Kevin LeBlanc, Senior Environmental Officer, at the Transport Canada office in Moncton at (506) 851-2915 ([kevin.leblanc@tc.gc.ca](mailto:kevin.leblanc@tc.gc.ca)).