

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

April 14, 2011

File Number: 4561-3-1195

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 December 9, 2008, 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 Manager of the Environmental Assessment Section of the Department of Environment (DENV) 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 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 Department of Wellness, Culture and Sport, shall be contacted at (506) 453-3014.
5. An Environmental Management Plan must be submitted to the Manager of the Environmental Assessment Section of DENV for review and must receive approval prior to the start of construction activities associated with this project. For additional information, please contact the Manager at 444-5382.
6. Fisheries and Oceans Canada's Oceans and Habitat Area Chief from Tracadie-Sheila must be notified 48 hours prior to the commencement of any construction works. The Oceans and Habitat Area Chief can be reached at (506) 393-3036.
7. Heavy machinery is not allowed in the water as part of this project. Also, visual monitoring of the water turbidity near the work site must be undertaken during the periods of in-water works. If project activities produce any changes in the turbidity of the water, the works must stop immediately and the Oceans and Habitat Area Chief, DFO, Tracadie-Sheila, must be contacted immediately at (506) 393-3036 to determine if further mitigation measures are required.

8. Within one year of the date of this Determination, a plan must be submitted to the Manager of the Environmental Assessment Section of DENV outlining how the Village of Charlo intends to comply with the Canadian Council of the Ministers of Environment's Canada-wide Strategy for Municipal Wastewater Treatment. This plan will have to include, but not be limited to, a proposed timeframe for the extension of the wastewater treatment plant's outfall pipe. For more information, please contact the Manager at 444-5382.
9. The handling of dredge spoils during the extending of the outfall pipe may require a Disposal at Sea (DAS) Permit under the Canadian Environmental Protection Act. It is recommended that Ms. Jayne Roma, Marine Disposal Program Officer, Environment Canada, be contacted at (902) 426-3649 or via email at jayne.roma@ec.gc.ca for further information regarding the DAS permitting process and requirements.
10. Appropriate Crown Land authorization must be obtained for the extension of the outfall pipe since it will extend beyond the Ordinary High Water Mark. Authorizations may be obtained by submitting an application to the Department of Natural Resources' (DNR) Land Use Service Application Centre (LUSAC). Additional information can be obtained at the LUSAC by telephoning at 1-888-312-5600, by emailing to cltc@gnb.ca, or by visiting DNR's website at www.gnb.ca/0263.
11. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of this project comply with the above requirements.