

# DOCUMENT "A"

## MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

08 September 2010

File Number: 4561-3-1267

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 August 3<sup>rd</sup>, 2010, and subsequent addendums, 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 Project Assessment Section of the Department of Environment (DENV) upon completion of the project and the Conditions herein.
4. Any on-site water supplies no longer in use shall be decommissioned as per the requirements of the DENV *Guideline for Decommissioning (Abandonment) of Water Wells* (<http://www.gnb.ca/0009/0002-e.pdf>).
5. The proponent must provide a Wetland Compensation Plan, subject to the requirements of the *2005 DNR Draft Wetland Mitigation Guidelines*. This should be submitted to the Manager, Project Assessment Section, for review and approval, within 6 months of the onset of construction and the compensation work must be completed within 12 months of the completion of the construction. Please note that a Wetland Functional Assessment is required to complete the Wetland Compensation Plan.
6. The proponent shall submit a Surface Water Management Plan, detailing how surface runoff shall be collected and directed off-site, to be included in the *Watercourse and Wetland Alteration Permit* application. The Plan must include details of how the City of Fredericton off-take ditch outfall shall be stabilized to prevent erosion of the receiving wetland/watercourse and prevent draining of Wetland #4.
7. The proponent shall ensure that surface water runoff from construction activities and the operation of the project shall not adversely impact neighbouring properties.
8. The proponent shall ensure that project work involving the use of concrete, mortars and other Portland cement or lime-containing materials that may have a high pH, shall be planned and conducted to ensure that sediments, debris, concrete, and concrete fines are not deposited,

either directly or indirectly, into the aquatic environment.

9. The use of salt for de-icing in the winter shall be carried out in accordance with the “Best Management Practices for Salt Use on Private Roads , Parking Lots and Sidewalks”, available at <http://ec.gc.ca/nopp/roadsalt/en/rpt.cfm>
10. The proponent shall ensure that contingency plans that reflect a consideration of potential accidents and malfunctions, taking into account site-specific conditions, are prepared and kept on-site during the construction of this project. Furthermore, materials for the clean-up of all spills or leaks shall be kept on site, such as sorbents and booms) as appropriate.
11. Although no archaeological sites are presently recorded at this location, there still exists the possibility of encountering unrecorded archaeological resources (of historic and prehistoric significance) during excavation activities. If the proponent suspects that he has come upon remains of archaeological significance, all excavation must cease and the Archaeological Services Unit, Heritage Branch (WC&S) should be contacted immediately at 453-3014.
12. In the event of the sale, lease, or any other conveyance or change of control of the Project, or any portion thereof, the proponent shall provide written notice of the conditions to the lessee, controller, or purchaser.
13. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the above requirements.