

DOCUMENT "A"

**MINISTER'S DETERMINATION
CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act
February 4, 2015
File Number: 4561-3-1270

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 & Local Government
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document dated October 2014 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 Environmental Assessment Section every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. 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 remains of archaeological significance are encountered during project activities, all excavation shall cease and the Archaeological Services Unit, Heritage Branch (WC&S) should be contacted immediately at 453-2756.
5. The project shall comply with the requirements of the *Coastal Areas Protection Policy*. For more information, please contact the Manager, Integrated Planning Section, at (506) 457-4846.
6. The proponent shall obtain a quarry permit under the authority of the Quarriable Substances Act for the proposed dredging activities. For more information, please contact the Department of Natural Resources regional office in St. George at (506) 755-4040.
7. No construction or infill material may be obtained from any coastal feature, namely a beach, dune, or coastal wetland.
8. Visual monitoring of the turbidity at the dredging and the disposal site must be undertaken. If any changes occur in the turbidity of the water by this activity, the work should immediately stop to determine if further mitigation is required.
9. The proponent must ensure the containment cell is designed to accept all of the proposed dredge material. Disposal at sea is not permitted for this project.

10. The proponent shall notify the Fisheries Protection Program, DFO a minimum of 48 hours in advance of commencing the project.
11. The proponent shall continue to provide project related information (i.e. construction schedules and operational updates) to St. Mary's First Nation as well as Tobique First Nation, and their authorized representative (the Assembly of First Nations Chiefs in New Brunswick) until the project is completed or it is deemed no longer necessary.
12. The proponent shall provide the Aboriginal Affairs Secretariat with a summary of all ongoing project related communication with First Nations communities (as per Condition #11) until the project is completed or it is deemed no longer necessary.
13. The proponent shall install a minimum of two layers of filter fabric as a liner for the containment cell in order to maximize the containment of the dredge material.
14. It is the proponent's responsibility to ensure that all reasonable measures are undertaken throughout the life of this project to prevent the release of deleterious substances into the marine environment. In the event that adverse impacts to the marine environment occur as a result of this project, additional mitigation may be required.
15. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the above requirements.
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