

DOCUMENT "A"

**MINISTER'S DETERMINATION
CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

30 December 2013

File Number: 4561-3-1338

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 implement measures to require adherence by all contractors, sub-contractors and workers on this project, to all obligations, commitments, monitoring and proposed mitigation measures presented in the EIA registration document dated June 27, 2012 as well as all those identified in subsequent correspondence during the registration review. Additionally, the proponent must 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 and Local Government (DELG) every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. The proponent must ensure that all contractors and/or employees working on the project construction are made aware of and adhere to the contents of the approved *Environmental Management Plan (EMP)*, and copies shall be made available at the site during construction activities.
5. The Proponent shall submit detailed design copies of the final subdivision plans and street design to the Manager, Environmental Assessment Section, DELG, and the Department of Transportation and Infrastructure (DTI) for review and approval. This Finalized Site Layout Plan must include, but is not limited to, a site-specific project layout plan, details for construction that must be directly linked to the *Environmental Management Plan* as per condition #4 above, and a construction schedule. Commencement of construction cannot be undertaken prior to the approval of the site plan by the Environmental Assessment Section, DELG, and DTI.

6. The proponent must submit an Environmental Protection Plan (EPP) for construction to the Manager, Environmental Assessment Section, DELG, the Department of Transportation and Infrastructure (DTI), and Fisheries and Oceans Canada (DFO) for review and approval. This EPP should include, but is not limited to, erosion control measures and associated contingency plans that reflect a consideration of potential accidents and malfunctions, taking into account site-specific conditions. The approved EPP must be kept on-site during the construction of this project and all contractors and employees shall be made aware of the requirements within. Construction cannot commence until this EPP is approved.
7. 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, be planned and conducted to ensure that sediments, debris, concrete, and concrete fines are not deposited, either directly or indirectly, into the aquatic environment.
8. Prior to commencement of any construction activities within 30 metres of any watercourse or wetland, the proponent must obtain a *Watercourse and Wetland Alteration (WAWA) Permit*. If additional information is required, please contact the Manager of the Surface Water Protection Section, DELG at (506) 457-4850.
9. A groundwater monitoring program must be implemented to ensure that theoretical estimates of recharge are consistent with actual recharge: hourly water levels recorded at four locations, two within the developed area and two in the future development area, should be analyzed and reported to the Manager, Environmental Assessment, DELG, every 6 months.
10. The proponent must provide disclosure to any potential homeowner about the possible need for water treatment so that they are fully aware of the issue and can plan for the expense.
11. If it is suspected that remains of archaeological significance are discovered during construction, operation or maintenance of the proposed development; as per the New Brunswick Heritage Conservation Act (2010) all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit of the New Brunswick Department of Wellness, Culture and Sport (WCS), shall be contacted at (506) 453-3014, for further direction.
12. Refuelling and maintenance of equipment must take place in designated areas, on level terrain, a minimum of 30 m from any surface water bodies and potable water supply wells, on a prepared impermeable surface with a collection system to contain oil, gasoline and hydraulic fluids. Appropriate spill response equipment must be maintained in a readily accessible location during project construction and operation. All spills and releases shall be promptly contained, cleaned up and reported to the 24-hour emergency response line (1-800-565-1633).

13. In the event of the sale, lease, or any other conveyance or change of control of the Project, or any portion thereof:
- i. The proponent shall provide written notice of the conditions to the lessee, controller, or purchaser;
 - ii. The proponent shall provide written notice of such lease, change of control, or conveyance to the Minister; and
 - iii. All of the above terms and conditions are an integral part of this Determination and will apply to the lessee, controller, or purchaser.