

DOCUMENT "A"

**MINISTER'S DETERMINATION
CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act
July 24th, 2014
File Number: 4561-3-1376

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 January 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. In the event of the discovery, or suspected discovery, of archaeological resources (of historic and prehistoric significance) during construction, all excavation must cease and the Project Executive – Archaeological Services, Department of Tourism, Heritage and Culture shall be contacted immediately at 453-2738.
5. Prior to the commencement of any construction activities, an application for an *Approval to Construct* must be submitted to the Manager of the Water and Wastewater Management Section, Department of Environment & Local Government (DELG). For more information, please dial (506) 453-7945.
6. An *Environmental Management Plan (EMP)* shall be prepared and must outline mitigation measures to be initiated during construction activities related to the Wastewater Treatment Plant upgrades. The EMP shall consider erosion and sediment control (if applicable), spill prevention and clean up as well as Emergency Response Plans in the event of a spill. The EMP shall be submitted to the Manager of the Environmental Assessment Section, DELG for review and approval prior to initiating construction activities. Contractors working on the project shall also be made aware of the contents of the EMP, and copies shall be made available at the site.
7. To minimize the spread of invasive plant species such as purple loosestrife, the proponent shall ensure all machinery is cleared of mud and vegetation prior to entering and leaving construction areas in close proximity to any wetland area.

8. Refueling and maintenance of equipment must take place in designated areas, on level terrain, a minimum of 30 metres from any surface water or wetland boundary, on a prepared impermeable surface with a collection system to contain gasoline, oil, and hydraulic fluids. Appropriate spill response equipment must be kept in a readily accessible location during project construction and operation activities. All spills and releases must be promptly reported to the 24 hour emergency response line at 1-800-565-1633.
9. The proponent shall ensure all contractors and operators associated with the construction and operation of this facility are familiar with the Migratory Birds Convention Act and associated regulations and how they would apply, as well as the requirements within this *Certificate of Determination*.
10. In order to comply with the Migratory Birds Convention Act (MBCA), the proponent should avoid vegetation clearing activities during the migratory breeding bird season (i.e. May 1st to August 31st). If a nest is discovered during project activities, the proponent shall immediately stop work and notify the Canadian Wildlife Services NB Office at (506) 364-5044. It is the responsibility of the proponent to ensure all project activities comply with the MBCA and associated regulations.
11. The Proponent shall submit the results of their Receiving Environmental Study and the results of their Monitoring Program to the Manager of the Water and Wastewater Management Section, DELG. For more information, please dial: (506) 453-7945.
12. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the Project comply with the above requirements.