

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

November 10, 2017

File Number: 4561-3-1445

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 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 (EA) Section, 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. 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 Manager of the Archaeological Regulatory Unit, Archaeological Services Branch, New Brunswick Department of Tourism, Heritage and Culture shall be contacted at (506) 238-3512 for further direction.
5. The proponent shall ensure all project activities are conducted in a manner that would be in compliance with the Migratory Birds Convention Act and associated Regulations.
6. The proponent shall ensure all project activities are conducted in a manner that would be in compliance with the Species at Risk Act, and does not result in the destruction of Critical Habitat for the Piping Plover.
7. Prior to commencing the project, the proponent shall:
 - a) Ensure the nearby mapped Provincially Significant Wetland and the 30 meter buffer as shown on the GeoNB mapping is clearly marked.
 - b) Ensure all dredge spoils are placed outside of any Provincially Significant Wetland and its 30m buffer.

- c) Ensure dredge material is stored in a manner that prevents it from re-entering the water.
 - d) Prior to undertaking any activity within 30 meters of a mapped wetland, contact the Regional Wetland Biologist at (506) 547-7463
8. Prior to moving the dredge spoils from either approved temporary disposal location, the proponent must first submit the final disposal location to the Manager, EA Section, DELG for review and approval.
 9. Should the proponent wish to use the containment cell as a permanent disposal location, the proponent must first submit a request to the Manager, EA Section, DELG for review and approval.
 10. If any changes occur in the turbidity of the water as a result of project activities, the work shall immediately stop to determine if further mitigation measures are required. For more information or guidance, please contact the Fisheries Protection Program of Fisheries and Oceans Canada at 506-851-4881 and refer to Fisheries Protection Program file #16-HGLF-00230.
 11. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the above requirements.