

## DOCUMENT "A"

### MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the *Clean Environment Act*  
December 21, 2018  
File Number: 4561-3-1467

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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 and Local Government.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the document titled, "Environmental Impact Assessment (EIA) Registration Document Wastewater Treatment Facility Replacement, Village of Chipman, NB, FINAL - Revised October 2017" 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 Director of the Environmental Impact Assessment (EIA) Branch of the Department of Environment and Local Government (DELG) every six months from the date of this Determination until such a time that all the Conditions have been met.
4. The proponent must notify the Director of DELG's EIA Branch, the chosen Wastewater Treatment Facility (WwTF) option, either an Aerated Lagoon or Sequencing Batch Reactor, as soon as the WwTF option is chosen.
5. All areas which are to be impacted by the chosen WwTF option must be fully tested for archaeological materials. Within the proposed directional drilling location, archaeological testing must be completed within 5 m grids and an archaeologist must be on site during the excavation work. Within 50 m of the predictive model, archaeological testing must have a 5 m test grid and all areas outside of 50 m must have a 10 m test grid. If it is suspected that objects or features of archaeological significance are found during construction or maintenance, as per the *New Brunswick Heritage Conservation Act*, all activity shall be stopped immediately near the find and the Archaeological Services Branch, Department of Tourism, Heritage and Culture (THC) shall be contacted immediately at (506) 453-2738.
6. The proponent must contact the Environmental Impact Assessment Coordinator, Wolastoqey Nation in New Brunswick (WNNB), (506) 459-6341, prior to conducting the archeological work in order to involve Indigenous Archaeology monitors.
7. The proponent must apply for and obtain a valid *Watercourse and Wetland Alteration (WAWA) Permit* prior to the commencement of any work in or within 30 m of a regulated wetland or watercourse. The application for any required permit should make reference to the EIA file number (4561-3-1467). For more information, please contact the Director, Source and Surface Water Management Branch, DELG at (506) 457-4850.

8. If the Aerated Lagoon WwTF option is chosen, a conceptual Wetlands Compensation Plan (WCP) must be submitted for review within six months of the date that the Aerated Lagoon is chosen and must subsequently receive approval from the Director of the EIA Branch. The WCP must be developed for any loss or alteration of wetland habitat due to the project. The WCP must be consistent with the requirements for compensation in the *Federal Policy on Wetland Compensation* and take into consideration any altered wetland habitat, and any opportunities for the potential restoration of habitat in proximity to the project area.
9. The casing elevation of the new on-site water well must be a minimum of 8.0 m geodetic, in order to be above the new 2018 flood high water mark. The new well must have a pumping rate that is limited to a maximum of 7.6 igpm (0.58 L/s) and must have on-site water storage tanks in order to deal with peak demand water requirements.
10. Within one month of the date of this Determination, a complete groundwater monitoring plan must be submitted to the Director of DELG's EIA Branch for review and approval.
11. The proponent must ensure that all project activities are conducted in compliance with the *Migratory Birds Convention Act* and associated Regulations.
12. Any sightings of species at risk must be reported to Environment and Climate Change Canada's Canadian Wildlife Service Division at 1-800-565-1633.
13. The proponent must prepare and submit for approval an Environmental Management Plan (EMP) to address environmental issues pertaining to facility construction and operation. The EMP must include the open ended horizontal directional drilling into Salmon River. The portions of the EMP for specific phases (e.g. construction, operation, decommissioning, etc.) can be submitted for review to the Director of DELG's EIA Branch and must receive approval prior to the commencement of activities related to those phases.
14. Prior to the commencement of any construction activities, an *Approval to Construct* must be obtained from the Authorizations and Compliance Branch, DELG. Prior to the commencement of any operation activities, an *Approval to Operate* must be obtained from the Authorizations and Compliance Branch, DELG. For more information, please call (506) 453-7945.
15. In the event of the sale, lease, or any other conveyance or change of control of the property, or any portion thereof, the proponent must provide written acknowledgement from the lessee, controller, or purchaser confirming that they will comply with the Conditions of this Determination to the Director of DELG's EIA Branch.
16. The proponent shall ensure that any proposed project modifications are submitted for review and approval to the Director of DELG's EIA Branch prior to implementing the changes.
17. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the project comply with the above requirements.