

**DOCUMENT "A"**  
**MINISTER'S DETERMINATION**  
CONDITIONS OF APPROVAL  
Pursuant to Regulation 87-83 under the Clean Environment Act  
**February 16, 2018**  
File Number: 4561-3-1470

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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 Environmental Impact Assessment (EIA) Registration document dated July 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 EIA Branch, 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. In the event of the sale, lease, or any other conveyance or change of control of the Project, or any portion thereof, the proponent must provide written acknowledgement to DELG from the lessee, controller or purchaser confirming that they will comply with the commitments made during the registration review and with the Conditions of this Determination. The information must be addressed to the Director, EIA Branch, DELG.
5. Les Tourbières Berger Ltée's current DELG *Approval* to harvest peat on Bog 324W only applies to the Crown Land portion of the bog; therefore, an application must be submitted to DELG to request a new *Certificate of Approval to Construct and Operate* that includes the additional private properties. Please contact the DELG Authorizations Branch at (506) 453-7945 for more information.
6. The Environmental Protection Plan (EPP) for both Les Tourbières Berger Ltée's owned private lands and leased Crown Lands (EIA # 4561-03-1452) must be finalized and approved by DELG prior to any work on site.
7. If it is suspected that remains of archaeological significance are discovered on site, 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. To further address this issue, prior to any ground disturbance on site, an Emergency Response Plan for the accidental discovery of archaeological/heritage resources must be submitted to DELG for review and approval. Once finalised, it must be incorporated as an Appendix to the EPP.

8. The proponent is responsible for ensuring that all developers, contractors, workers, and operators associated with the project are familiar with, and comply with the requirements of the Migratory Birds Convention Act and the Species at Risk Act and associated *Regulations*. The final EPP must include this requirement.
9. The proponent shall ensure that all developers, contractors and operators associated with the project comply with the above requirements.