

## Document A – Minister’s Determination Conditions of Approval

**Pursuant to Regulation 87-83 under the Clean Environment Act  
June 9, 2023 - File Number: 4561-3-1609, SR 081006**

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- 1 In accordance with section 6(6) of the *Environmental Impact Assessment Regulation – Clean Environment Act*, 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. Commencement is defined as the start of project-related physical construction activities as identified during the Environmental Impact Assessment (EIA) review. Should commencement not be possible within this time period, the undertaking must be registered under the *Environmental Impact Assessment Regulation – Clean Environment Act* again, unless otherwise stated by the Minister of Environment and Climate Change.
- 3 The proponent shall adhere to all obligations, commitments, monitoring, and mitigation measures presented in the EIA registration document dated January 17, 2023, 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, EIA Branch, Department of Environment and Local Government (DELG) every six months from the date of this Determination until such a time as all the Conditions have been met or until it is deemed by the Director to be no longer required.
- 4 In the event the project is commenced (i.e., partially completed) and becomes inactive for a period of five years or more after commencement, the undertaking must be registered under the *Environmental Impact Assessment Regulation – Clean Environment Act* again, unless otherwise stated by the Minister of Environment and Climate Change.
- 5 Prior to commencing the work, the proponent must apply and obtain an Approval to Construct. The application must be accompanied by engineering plans prepared by a professional engineer licensed to practice in New Brunswick
- 6 The proponent must conduct weekly monitoring of all wells within a 100 m radius around the lagoon during the project construction and a monthly monitoring of the same wells during the first year, following the completion of the project.

- 7 In the event of a complaint from a neighbouring private well water user that the operation of lagoon has affected the quality or quantity of their private water supply, the proponent must immediately investigate the complaint and advise the Director, EIA Branch, DELG. If it is determined that the proponent is responsible for any negative impacts, it will be required to provide a temporary water supply for short-term impacts, or to repair, remediate or replace any permanently impacted wells. This could include, but is not limited to, deepening a well, drilling a new well or, preferably to the extent possible, connecting the impacted property to the Caraquet water distribution system.
- 8 If it is suspected that remains of archaeological significance are discovered during construction, operation, maintenance or during any other project related activity, as per the *New Brunswick Heritage Conservation Act*, all activity shall be stopped near the find and the Archaeology and Heritage Branch, New Brunswick Department of Tourism, Heritage and Culture (THC), must be contacted immediately at (506) 453-2738 for further direction.
- 9 If the Department of Environment and Local Government determines that the facility, project, activity is a source of odour of concern, the Department may require the proponent to, at their own expense, investigate the odour source and take any necessary actions to control odours, to the satisfaction of the Director, EIA Branch, DELG.
- 10 The proponent shall ensure that all developers, contractors, and operators associated with the project comply with the above requirements.
- 11 The proponent shall ensure that any proposed project modifications or future expansions are submitted to the Director, EIA Branch, DELG, for review and approval prior to implementing the changes.
- 12 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, EIA Branch, DELG.