

Document A – Minister’s Determination Conditions of Approval

**Pursuant to Regulation 87-83 under the Clean Environment Act
June 1, 2023 - File Number: 4561-3-1606, SR 073005**

- 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 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.
- 4 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.
- 5 Any modifications that are in or within 30 metres of a watercourse or wetland in accordance with the *Watercourse and Wetland Alteration Regulation - Clean Water Act* (Reg. # 90-80) will require a Watercourse and Wetland Alteration Permit (WAWA) prior to any work/alteration. The application for the required permit must refer to the EIA file number (073005).
- 6 The Proponent must follow the mitigation measures for Species at Risk submitted in the “22207532 *Plan d’atténuation – EIE Pays de la Sagouine – Le 29 mai 2023*” on May 29, 2023.

- 7 The Proponent must ensure that a permitted archaeologist is present to monitor the installation of helical piles within 80-meters of the watercourse located at the western extent of Project 1. Based on Drawing 2207532.001-1D-C200, this includes the helical piles associated with Disturbance #5, Node D, and the pedestrian bridges. Upon completion of this work, if the archaeologist feels that ground disturbance is minimal or has low potential to impact archaeological resources, they may recommend that no further monitoring for helical piles is required for other portions of the project.
- 8 The Proponent must comply with the recommendations outlined in the Archaeological Impact Assessment completed for the project and to all subsequent requirements provided during the review of the new Project 1 project description, which include Project 1A-Lumina Reception Area, Project 1B-Access Road for Lumina infrastructure, and Project 1C-Lumina Natural Walking.
- 9 This Certificate of Determination authorizes the commencement of Project 1. A final design for projects 2-6 (i.e., the Reconstruction of the Pedestrian Bridge to Iles-aux-Puces; the New Multifunctional Building Outdoor Stage; the New Cultural Zone with Terrace and Kiosks; the New Access road for Potential Future Accommodation, and the Improvements to the Existing Parking Lots and Entrances) must be submitted at least 3 months prior to the scheduled start of construction for review and must receive approval from the Director, EIA Branch, DELG prior to commencing projects 2-6.
- 10 The Proponent must ensure that areas under construction are clearly identified as construction zones and marked as off-limits for the duration of the six projects.
- 11 The Proponent shall submit any proposed project modifications or future expansions to the Director, EIA Branch, DELG, for review and approval well in advance of 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.
- 13 The proponent shall ensure that all developers, contractors, and operators associated with the project comply with the above requirements.