

**DOCUMENT "A"**

**MINISTER'S DETERMINATION  
CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the *Clean Environment Act*  
July 23, 2021  
File Number: 4561-3-928

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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 Climate Change.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the document entitled, "*SUNRISE WELLFIELD DEVELOPMENT, ENVIRONMENTAL IMPACT ASSESSMENT REGISTRATION DOCUMENT - VILLAGE OF NEW MARYLAND*" dated December 24, 2019, as well as all those identified in subsequent correspondence during the registration review for the project on the following property identification number (PID) 75534586. 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 6 months from the date of this Determination until such a time that all the Conditions have been met.
4. The maximum allowable pumping rate for Well TW17-01 (PID 75534586) is 250 USgpm (208 ipgm or 1365 m<sup>3</sup>/day). The maximum allowable pumping rate for Well TW21-01 (PID 75534586) is 250 USgpm (208 ipgm or 1365 m<sup>3</sup>/day). At this time, wells TW17-01 and TW21-01 are not approved to pump at the same time.
5. A flowmeter must be installed on each of the production Wells TW17-01 and TW21-01, and the water usage data recorded daily. The flowmeter data must be submitted to DELG annually in the manner prescribed in the *Approval to Operate* for the water system.

6. The water level in Wells TW17-01, TW21-01, OW20-01, OW20-02, OW20-03, OW20-04 must be monitored and the level recorded at the frequency prescribed by the *Approval to Operate*. The water level data must be submitted to DELG annually in the manner prescribed in the *Approval to Operate* for the water system.
7. During pump operation, the drawdown in the wells must be limited to a depth of 21.5 m below the top of casing in Well TW17-01 and 22.0 m below the top of casing in Well TW21-01. This requirement may be altered in the future depending on the results of long-term monitoring of the wellfield.
8. If at any time the proponent wants to a) increase the approved maximum allowable pumping rate of Wells TW17-01 or TW21-01 and/or b) requires a new water supply well, then DELG must be contacted as further hydrogeological testing and other information may be required.
9. At a minimum, the raw water in Wells TW17-01 and TW21-01 must be sampled monthly for microbiology (E. coli and total coliform) and annually for general chemistry and trace metals or an equivalent potable well water lab sampling package. Wells OW20-01, OW20-02, OW20-03, and OW20-04 must be sampled for water quality (general chemistry, trace metals, and microbiology) once per year. The water quality data must be submitted to DELG annually in the manner prescribed in the *Approval to Operate* for the water system.
10. The wellhead protection measures identified in the EIA registration document and subsequent correspondence must be properly implemented on the production well(s) and any monitoring wells. All artesian wells associated with this wellfield (i.e. production, test, and monitoring wells, etc.) must be under control so that no water flows to waste (i.e. no artesian flowing wells).
11. In the event of a complaint by a neighbouring water user that the operation of these water supply wells has negatively impacted the quality or quantity of their private water supply, the proponent must investigate the complaint and notify DELG according to the manner stipulated in the *Approval to Operate*. If it is determined that the proponent is responsible for any negative impacts, the proponent will be required to provide a temporary water supply for short-term impacts, or to repair, remediate, or replace any permanently impacted well(s), which might include, but is not limited to, deepening a well or drilling a new well.
12. Within 3 months of the date of this Determination, the proponent must submit to DELG a decommissioning plan, with timelines, for any test/monitoring wells that will not be used for production or monitoring purposes. All wells must be decommissioned as per DELG's *Guidelines for the Decommissioning (Abandonment) of Water Wells and Boreholes* (V2.1 dated May 2021).

13. The Health Protection Branch of the Department of Health must be contacted at (506) 453-2830 prior to the use of Wells TW17-01 and TW21-01 as a potable water supply.
14. The proponent must apply for and obtain an *Approval to Construct* from DELG's Authorizations Branch prior to connecting Wells TW17-01 and TW21-01 to the water distribution system. For more information, please contact the Approvals Engineer, Authorizations Branch, DELG, at (506) 453-7945.
15. Prior to using water from Wells TW17-01 and TW21-01, the wells must be disinfected according to the latest version of "AWWA C654, Disinfection of Wells", and a full water quality sample must be collected for general chemistry, trace metals, and microbiology. The water quality data must be submitted for review and must receive approval from the Approvals Engineer of DELG's Authorizations Branch, who can be contacted at (506) 453-7945.
16. Water quality from Wells TW17-01 and TW21-01 must meet the New Brunswick *Drinking Water Guidelines* before reaching the first user in the water distribution system.
17. Prior to bringing Wells TW17-01 and TW21-01 online, the proponent must request that the wells be added to the *Approval to Operate* for the Village of New Maryland's drinking water system and the wells must be added to the sampling plan. For more information, please contact the Approvals Engineer, Authorizations Branch, DELG, at (506) 453-7945.
18. The proponent must undertake a wellfield protection study within 3 months of the date of commissioning the new wells, as per the terms of reference established by DELG.
19. Prior to connecting Wells TW17-01 and TW21-01 to the distribution system, the Village of New Maryland must adopt a Resolution of Council to initiate the *Wellfield Protection Program/Wellfield Protected Area Designation Order (WfPADO)* process under the *Clean Water Act*. In addition, any wells that are currently designated that will be decommissioned must be included in the Resolution of Council.
20. Appropriate spill response equipment must be maintained in a readily accessible location during construction and operation. All spills and releases must be promptly contained, cleaned up and the DELG Fredericton Regional Office should be contacted at (506) 444-5149 during regular business hours while the 24-Hour Environmental Emergencies Report System should be contacted outside of regular business hours (1-800-565-1633). Any spill that could impact human health through soil, air or water must be reported to the Health Protection Branch of the Department of Health at (506) 453-2830.
21. If it is suspected that remains of archaeological significance are found during construction, operation or maintenance of the proposed development, as per the *Heritage Conservation Act*, all activity shall be stopped within 30 meters of the find and

the Manager of the Archaeological Regulatory Unit, Department of Tourism, Heritage and Culture (506) 453-2738 shall be contacted for direction.

22. The proponent shall ensure that if a nest or chick of a migratory bird is detected, work in the area shall be halted and the Canadian Wildlife Service of Environment and Climate Change Canada shall be consulted for advice by contacting their main office in Sackville, New Brunswick at (506) 364-5044. The proponent shall ensure that activities are conducted in a manner that would be in compliance with the *Migratory Birds Convention Act*.
23. A *Watercourse and Wetland Alteration Permit* must be obtained prior to conducting any alterations in or within 30 metres of a watercourse or wetland which meets DELG's definitions.
24. All permanent impacts within mapped regulated wetland as per the pre-January 1<sup>st</sup>, 2020 GeoNB map that results in the loss of regulated wetland habitat requires compensation at a 2:1 ratio.
25. In the event of the sale, lease, or any other conveyance or change of control of the property (PID 75534586), 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 the EIA Branch, DELG.
26. The proponent shall ensure that any proposed project modifications or future expansions are submitted for review and approval to the Director of the EIA Branch, DELG, prior to implementing the changes.
27. The proponent shall ensure that all developers, contractors and operators associated with the development project comply with the above requirements.