

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

December 22, 2009

File Number: 4561-3-1194

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.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document dated January 8, 2009, 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 Manager of the Project Assessment Section every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. A low-water shut-off probe shall be installed within the production well at a depth of 43.5 m (142.8 ft) below the top of casing to ensure that the maximum allowable pumping rate of 50 igpm is not exceeded.
5. Once Well 09-01 is approved and brought on-line, the original Well No.2 must be either decommissioned or converted to an observation/monitoring well. If the well is decommissioned, it must be carried out by a licensed Water Well Driller according to the *DENV Guidelines for Decommissioning (abandonment) of Water Wells (Clean Water Act 90-79)*. Any other monitoring, observation or test wells drilled as a part of this project which will no longer be in use shall also be decommissioned as per the noted guideline.
6. The proponent shall apply for a modification to the *Approval to Operate* from the Stewardship Branch of the New Brunswick Department of Environment. Please contact Mr. Kevin Gould, Drinking Water Approvals Engineer, at (506) 444-6728 for details.
7. An application shall be made with the Stewardship Branch of the Department of Environment for a Request for Modification of the latest approved Clean Water Act sampling plan to include the new production well. For additional information, please contact Kevin Gould, Drinking Water Approvals Engineer, at (506) 444-6728 for details.

8. A formal request shall be made by the municipality that the Wellfield Protection Program/WfPADO process be initiated (by passing a Resolution of Council) prior to bringing the production well on-line. A wellfield protection study shall also be completed within one year of bringing the well on-line. Please contact Mallory Gillis at (506) 453-3624 if you require further information.
9. The proponent will be responsible for any negative impacts to private water wells due to pumping well 09-01 or installation of piping and other infrastructure. 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, which may include, but not limited to, deepening a well or drilling a new well.
10. The proponent shall apply for and obtain a *Watercourse and Wetland Alteration Permit* from the Department of Environment for any activities carried out within 30 meters of any watercourse or wetland, prior to the commencement of any construction activities. It is recommended that submission of this application occur at least 90 days prior to the commencement of any construction activity. Please contact Mr. Bernie Doucet, Manager of the Watercourse Alteration and Wetlands program at (506) 457-4850 for further information.
11. If it is suspected that the remains of archaeological significance are found during construction of the project, work shall stop immediately in the vicinity of the find, and the Archaeological Services Unit, Heritage Branch, Wellness, Culture and Sport, shall be contacted immediately at (506) 453-2756. The proponent may be required to undertake a heritage assessment for which it would bare the financial responsibility.
12. Should the proponent wish to increase the pumping rate of well 09-01, a new Registration under the *EIA Regulation* and an additional hydrogeological assessment may be required.