

# **DOCUMENT "A"**

## **MINISTER'S DETERMINATION**

### **CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

November 20, 2009

File Number: 4561-3-1216

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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 re-evaluated under the *Environmental Impact Assessment Regulation (87-83)* – Clean Environment Act, 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 June 17, 2009), as well as all those identified in all 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 of the Department of Environment (DENV) every six months from the date of this Determination until such a time as all the Conditions have been met.
4. If it is suspected that remains of archaeological significance are found during construction, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Department of Wellness, Culture and Sport, shall be contacted at (506) 453-3014.
5. Well 08-01 is approved for use at a maximum pumping rate of 103 igpm (674 m<sup>3</sup>/day). An automatic low-level shut-off probe must be installed at a depth of 35 m (115 feet) below the top of casing. If at any point the proponent wishes to increase the approved pumping rate of Well 08-01, a new EIA registration and an additional hydrogeological assessment will be required.
6. The proponent must apply for a new *Approval to Operate* from the Water and Wastewater Management Section of DENV. For more information, please contact Tim LeBlanc, Manager, at (506) 453-7945.
7. The municipality must formally request that the *Wellfield Protection Program/Wellfield Protected Area Designation Order* process be initiated by passing a Resolution of Council to that effect prior to bringing the new production well online. The municipality must subsequently complete a wellfield protection study within one year of bringing the well online. The Terms of Reference for this study will be provided by DENV.
8. Once Well 08-01 is brought online, the original Well # 2 must be decommissioned, as per the DENV Guidelines for Decommissioning (Abandonment) of Water Wells, unless it will be used for monitoring purposes.

9. The proponent will be responsible for any negative impacts to private water wells that occur as a result of pumping Well 08-01 or the installation of piping and other infrastructure. The proponent will be required to provide a temporary water supply for short-term impacts to a well, or to repair, remediate, or replace any permanently impacted well. This may include, but is not limited to, deepening a well or drilling a new well.