

DOCUMENT “A”
MINISTER’S DETERMINATION
CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

October 5, 2010

File Number: 4561-3-1234

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 September 4, 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 Environmental Assessment Section of the Department of Environment (DENV) every 6 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. The proponent must apply for and obtain a *Watercourse and Wetland Alteration (WAWA) Permit* from the Department of Environment for any activities conducted within 30 m of a watercourse or wetland, prior to the commencement of the Project. For additional information, please contact the Manager of the Watercourse and Wetland Alteration Program, DENV, at (506) 457-4850.
6. Please be advised that Section 6(6) of the *Water Quality Regulation 82-126* under the Clean Environment Act states that an application for an approval shall be made at least ninety (90) days prior to the construction, modification or operation of a source or waterworks; or the development, construction, operation or maintenance of an activity or thing in a protected area. Application forms or additional information may be obtained by contacting the Impact Management Branch at (506) 453-7945.
7. The maximum pumping rate for the well PW09-1 cannot exceed 167 igpm (1093 m³/day). It is recommended that the well not be pumped 24 hours per day. In addition, an automatic shut-off probe must be installed in well PW09-1 at a depth of 42.0 m below the top of casing in order to avoid de-watering the fracture at 43 m depth and a flowmeter must be installed in the well.

8. Should the proponent wish to increase the pumping rate of PW 09-01 above 167 igpm (1093 m³/day), a new Registration under the *EIA Regulation* and an additional hydrogeological assessment will be required.
9. Treatment for manganese must be installed before the new well is used to supply water to the municipality. The proposed method of treatment must be submitted to DENV for review and approval prior to installation.
10. If the water quantity or quality in a private well is found to be persistently/permanently adversely affected by the operation of well PW09-1, it will be the proponent's responsibility to remedy the situation to the satisfaction of all parties. This may include, but is not limited to, modifying the pumping rate or schedule of well PW09-1, replacing or modifying the construction of the affected well(s), or connecting the affected home(s) to the municipal water supply.
11. 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.
12. Any monitoring, observation or test wells drilled as a part of this project which will no longer be in use shall be decommissioned by a licensed Water Well Driller as per the *Guidelines for the Decommissioning (Abandonment) of Water Wells*.
13. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the Project comply with the above requirements.