

## Document A – Minister’s Determination Conditions of Approval

**Pursuant to Regulation 87-83 under the Clean Environment Act  
August 4, 2023 - File Number: 4561-3-1591**

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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 June 13, 2022, 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. The proponent must ensure that all project activities are conducted in compliance with the *Migratory Birds Convention Act* and associated Regulations.
6. The proponent must ensure that all project activities are conducted in compliance with the federal and provincial *Species at Risk Act* and associated Regulations.

7. The contractor is required to have a spill response plan prepared in the event of an unplanned release, which will include maintaining appropriate spill kits on site, employee training, and will report any spills to the Moncton DELG regional office or the 1-800-565-1633 toll free number.
8. An Approval to Construct is required before the well can be completed.
9. A DELG Certificate of Approval to Operate is required for this water system as the daily water usage will exceed 50 m<sup>3</sup>/day.
10. The final production well is required to have the casing fully grouted in order to limit the potential for groundwater under the direct influence of surface water.
11. The maximum allowable pumping rate for well TW22-01 (drilled in 2022, on PID 70086335) is 50 igpm (60 USgpm, or 327 m<sup>3</sup>/day). A flowmeter must be installed on the well and the water usage data recorded daily (minimum 5 days/week). The flowmeter data must be submitted annually in the manner prescribed in the Approval to Operate for this system.
12. The water level in well TW22-01 must be monitored and the level recorded daily (minimum of 5 days/week). A record of the water level must be kept and included in the annual report to be submitted to DELG.
13. At a minimum, the raw water in the production well TW22-01 must be sampled twice a year (spring and fall) for microbiology, and every two years for general chemistry and trace metals. The chlorination must be conducted once a year on the well and the entire distribution system as per the department's "[How to chlorinate your well water](#)" guidelines. The water quality data must be submitted to the DELG in the annual report.
14. The proponent must install a treatment system to ensure the total manganese remains below 0.12 mg/L and must ensure all other parameter concentrations in the water extracted from well TW22-01 are below the New Brunswick Drinking Water Quality Guidelines for the use of this water as a source of drinking water.
15. A low water shut off must be installed in well TW22-01 at the depth of 8.80m from the top of casing, to keep the water level in the well maintained at 0.205m above the mean sea level to limit the potential for saltwater intrusion. In addition, electrical conductivity shall be monitored annually to better evaluate the risk of saltwater intrusion and included in the annual report.
16. 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.

17. 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.
18. The proponent shall ensure that any proposed project modifications or future expansions are submitted to the Director, EIA Branch, DELG, for review and approval prior to implementing the changes.
19. The proponent shall ensure that all developers, contractors and operators associated with the project comply with the above requirements.

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