

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act
November 29, 2004
File Number: 4561-3-1007

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 the Environment and Local Government.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document (dated April 8, 2004), 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 Director of the Project Assessment Branch of the Department of the Environment and Local Government (DELG) 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 Culture and Sport Secretariat, shall be contacted at (506) 453-2756.
5. In order to avoid any potential confusion between the existing Production Well # 2 and the new production well being brought online (referred to in the EIA review as 04TW-2), the new well shall be referred to as PW3.
6. The maximum pumping rate for PW3 shall not exceed 100 Igpm. Furthermore, the pumping water level must be kept above sea level, which is approximately 5 m below ground surface.
7. Weekly microbiological sampling must be conducted on PW3 for the first month of operation, followed by monthly sampling, as per the approved sampling plan to be established in conjunction with the Department of Health and Wellness. Also, weekly sampling must be conducted on PW3 for the month of April 2005 to observe changes in water chemistry during a recharge season.
8. In addition, inorganic sampling of PW3 must be conducted on a monthly basis for at least the first year of operation, and subject to review thereafter by the Sciences and Reporting branch of DELG. The samples should, at a minimum, be analyzed for chloride, bromide, conductivity and total organic carbon.

9. The Department of the Environment and Local Government's (DELG) Regional Water Planning Officer (RWPO) must be informed following the decommissioning of wells associated with this project. Donald Bourgeois, RWPO, Moncton Regional Office, DELG, can be reached at (506) 856-2374.
10. The Town of Richibucto shall submit a formal request to initiate the Wellfield Protection Program/*Wellfield Protected Area Designation Order* process prior to bringing the new municipal production well on-line. Please contact Shawn Hamilton, Wellfield Protection Program Manager, DELG, at (506) 457-4846 for more information.
11. The Town of Richibucto shall complete a Wellfield Protection Study within one year of bringing the new municipal production well on-line. For planning purposes, the Town of Richibucto must establish, in conjunction with the Wellfield Protection Program Manager, an interim Wellfield Protected Area until such time as the Wellfield Protection Study is complete and the Wellfield is designated as a protected area pursuant to the *Wellfield Protected Area Designation Order* under the New Brunswick Clean Water Act.
12. A preliminary long-term plan for the Town of Richibucto's drinking water system (including elements such as potential areas for future groundwater exploration, associated land-use planning, schedules of operation for wells, potential infrastructure modifications, etc.) must be submitted for review and comment to the Project Assessment branch of DELG. This plan must be submitted no later than one year following the date of this Certificate of Determination.