

## DOCUMENT "A"

### MINISTER'S DETERMINATION

#### CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

August 11, 2015

File Number: 4561-3-1280

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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 registered under the *Environmental Impact Assessment Regulation (87-83)* – Clean Environment Act again, unless otherwise stated by the Minister of Environment and Local Government.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document submitted in December 2010 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 Environmental Assessment Section of the 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.
4. If it is suspected that remains of archaeological significance are found during construction, as per the Heritage Conservation Act, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Department of Tourism, Heritage and Culture, shall be contacted at (506) 453-3014.
5. The maximum allowable pumping rate for the William Street well is 100 igpm for a maximum pumping time of 14 hours per day. This is equivalent to a daily water withdrawal of 382 m<sup>3</sup>. The well must be equipped with a flowmeter and the water usage must be recorded daily (for a minimum of five days per week) to ensure compliance with this pumping rate condition.
6. The casing in the William Street Well must be extended to a depth of 33.5 m (110 ft). Once the casing has been extended, the well must be developed and a set of water quality samples (general chemistry, trace metals, and microbiology) must be collected and submitted to DELG for review. This must take place before the well can be brought online for use.
7. All water level and flowmeter data that is collected from the William Street and all water level data collected from the two neighbouring private wells must be included in the annual report that the municipality must submit to DELG's Water and Wastewater Management Section.
8. If appropriate long-term data is collected in order to further evaluate the impact of pumping on the aquifer and neighbouring water users, the municipality may in the future request that the pumping rate be reevaluated. Any such request would have to be reviewed and would have to receive

approval from the Manager of DELG's Environmental Assessment Section.

9. Municipalities that develop wells that will be part of their municipal drinking water distribution system must adopt a Resolution of Council (ROC) to initiate the wellfield designation process under the *Clean Water Act*. The City of Miramichi adopted such an ROC on April 30, 2012, but given the timeframe since this adoption, the municipality will either have to adopt a new ROC to request the designation of the wellfield area for the William Street well or provide confirmation from the Mayor that the original ROC is still valid and that all City Council members are in agreement. This will have to be done prior to bringing the water source online.
10. Once completed, the design for the new piping that will connect the well to the existing distribution system must be submitted to the Manager of DELG's Environmental Assessment Section.
11. If the Geikie well (located on PID 40281495) is not going to be used in the future, it should be properly decommissioned as per the attached DELG Guidelines for Decommissioning (Abandonment) of Water Wells. However, if there is still the possibility that this well might be used in the future, it must instead be secured (locked) with well head protection measures in place in order to protect the well and/or the aquifer from contamination. Prior to any future use of the Geikie well, it will have to be registered with DELG for a new environmental impact assessment review and receive the appropriate approval.
12. In the event of a complaint from a neighbour that the operation of this water supply has negatively impacted the quality or quantity of their private water supply, the proponent must investigate the complaint and notify DELG. If it is determined that the operation of this well is responsible for any such 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.
13. In the event of the sale, lease, or any other conveyance or change of control of the Project, 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 Manager of DELG's Environmental Assessment Section.
14. The proponent must ensure that all developers, contractors, and operators associated with the construction and operation of the project comply with the above requirements.