

## DOCUMENT “A”

### MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the *Clean Environment Act*

December 10, 2020

File Number: 4561-3-1339

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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 Climate Change.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document dated November 2018 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 of the Environmental Impact Assessment (EIA) Branch of the Department of Environment and Local Government (DELG) every six months from the date of this Determination until such a time as the Director determines it is no longer required.
4. If it is suspected that remains of archaeological significance are discovered during construction, operation, or maintenance of any part of the proposed project, as per the *New Brunswick Heritage Conservation Act (2010)*, all activity shall be stopped near the find and the Director of the Archaeological Services Branch, New Brunswick Department of Tourism, Heritage and Culture, shall be contacted at (506) 453-2738 for further direction.
5. The maximum allowable pumping rate for well # 3 (well tag ID 59466 on PID 20152146) is 220 igpm (the equivalent of 1440 m<sup>3</sup>/day). This well must not be pumped 24 hours per day and it must be given time to recharge daily. A flowmeter must be installed on this well and the water usage recorded daily. The flowmeter data will need to be submitted annually in the manner prescribed in the *Approval to Operate* for this system. The pumping rate of this well could be increased to a maximum of 250 igpm in the future, subject to approval from the Director of DELG’s EIA Branch, based on well performance and monitoring data after the well has been in operation for at least a year.
6. A low water level shut-off must be installed in Well # 3 at the depth of 26.0 m below the top of the casing in order to keep the water level in the well within the casing and to ensure upper water bearing fractures are not dewatered.
7. The water levels in wells # 3 and OBS2 (well tag ID 57259) must be monitored and the level recorded daily (minimum five days/week). A record of the water level data must be kept and included in the annual report in the manner prescribed in the *Approval to Operate*.

8. As well OBS1 (no well tag) has collapsed and only had six feet of casing installed, this well must be decommissioned (as per the DELG *Guidelines for the Decommissioning (abandonment) of Water Wells*) before Well # 3 can be brought online for use. Furthermore, wells 17-PW-01, 17-OW-01, and 17-OW-02 must be decommissioned as per these same guidelines within three months of the date of this Determination.
9. If at any time the Regional Municipality of Tracadie wants to increase the approved maximum allowable pumping rate of Well # 3 and/or requires a new water supply well, then the DELG must be contacted as further hydrogeological testing and other information may be required. Any modifications to the restrictions related to the operation of the well must be approved by the Director of DELG's EIA Branch.
10. In the event of a complaint by a neighbouring water user that the construction or operation of this water supply well (including the water supply pipeline) has negatively impacted the quality or quantity of their private water supply, the proponent must investigate the complaint and notify the 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.
11. A *Watercourse and Wetland Alteration Permit* must be obtained prior to undertaking any activities within 30 m or less of any watercourse and/or wetland. Applications for such permits must be made through the online program (<https://www.elgegl.gnb.ca/WAWAG/en/Home/Site>).
12. The proponent must ensure that any proposed project modifications are submitted for review and approval to the Director of DELG's EIA Branch prior to implementing any such changes.
13. 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 of DELG's EIA Branch.
14. The proponent must ensure that all developers, contractors, and operators associated with the construction and operation of the project comply with the above.