

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

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

September 3, 2019

File Number: 4561-3-1484

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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 dated October 2017 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*, all activity shall be stopped within 30 metres of 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 PW18-1 (well #56023 on PID 35077213) is 37.5 gipm (equivalent to 245.5 m³/day). A flowmeter must be installed on the well and water use data must be recorded daily for a minimum of five days per week. Flowmeter data must be submitted annually as prescribed in the *Approval to Operate* for this system. The maximum allowable pumping rate for well PW18-1 may be adjusted in the future, subject to approval by the DELG EIA Branch Director, based on the results of water quantity or quality monitoring and/or issues related to wellfield protected areas.
 6. Wells PW18-1, OW18-1 and OW18-2 must be added to the sampling plan associated with the *Approval to Operate* for this system. As a minimum, there must be annual raw water sampling from wells PW18-1, OW18-1 and OW18-2 for general chemistry, trace metals and organic materials, monthly raw water sampling from well PW18-1 for microbiology and quarterly sampling from well OW-2 for sodium and chloride. The municipality's consultant will need to determine whether

additional water quality monitoring will be required based on site conditions and potential contaminants of concern on the surrounding properties.

7. Water levels in production well PW18-1 and observation well OW18-2 must be monitored and recorded daily for a minimum of five days per week. The data record must be kept and included in the annual report in the manner prescribed by the *Approval to Operate*.
8. If at any time the Village of Rivière-Verte wants to increase the approved maximum allowable pumping rate of Well PW18-1 or requires a new water supply well, DELG must be contacted, as further hydrogeological testing and other information might 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.
9. In the event of a complaint by a neighbouring water user that the construction or operation of this water supply well 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 Village of Rivière-Verte is responsible for any such negative impacts, the Village 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.
10. The wellhead protection measures that were identified in the EIA registration document and in subsequent correspondence must be instituted on the production well and any observation wells.
11. The Village of Rivière-Verte must adopt a Resolution of Council to initiate the wellfield designation process as per the *Clean Water Act* before the water supply can be connected to the distribution system. Furthermore, the Village of Rivière-Verte must undertake a wellfield protection study within six months of the date of this Determination.
12. 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.
13. The proponent must ensure that all developers, contractors, and operators associated with the construction and operation of the project comply with the above.