

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

**Pursuant to Regulation 87-83 under the Clean Environment Act  
August 10, 2022 - File Number: 4561-3-1426**

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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 December 22, 2015, 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. If it is suspected that remains of archaeological significance are discovered during construction, operation, maintenance or during any other project related activity, as per the *New Brunswick Heritage Conservation Act*, all activity shall be stopped near the find and the Archaeology and Heritage Branch, New Brunswick Department of Tourism, Heritage and Culture (THC), must be contacted immediately at (506) 453-2738 for further direction.

6. The maximum allowable pumping rate for Well ME22-02 (well ID # 63934 on PID 70607064) is 80 ipgm, for a maximum period of 12 hours/day, for a total daily water withdrawal limit of 262 m<sup>3</sup>/day.
7. Well ME12-01 and Well ME22-02 shall not be pumped at the same time.
8. A flowmeter must be installed on Well ME22-02 and the water usage data must be recorded daily. The flowmeter data must be submitted annually in the manner prescribed in the DELG *Approval to Operate* for this system.
9. The water level in Well ME22-02 must be monitored and recorded regularly once the well is commissioned for use. The water level data must be submitted annually in the manner prescribed in the DELG *Approval to Operate* for this system.
10. A low water level shut-off must be installed in Well ME22-02 at a depth of approximately 44.5 m below the top of casing in order to keep the water level in the well above the uppermost water-bearing fracture. This requirement may potentially be altered in the future depending on the results of long-term monitoring of the wellfield. Any change will require the approval of the Director, EIA Branch, DELG.
11. At a minimum, the raw water from Well ME22-02 must be sampled monthly for microbiology and annually for general chemistry and trace metals (or equivalent potable well water lab sampling package). The water quality data must be submitted annually in the manner prescribed in the DELG *Approval to Operate* for this system.
12. If at any time the proponent wants to increase the approved maximum allowable pumping rate of Well ME22-02, increase the hours of operation of the well and the total daily water withdrawal limit for Well ME22-02, and/or requires a new water supply well, DELG must be contacted as further hydrogeological testing and other information may be required, subject to the approval of the Director, EIA Branch, DELG.
13. In the event of a complaint by a neighbouring water user that the construction or operation of Well ME22-02 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, and 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.

14. A plan with a timeline for the decommissioning of any test wells that will not be used for production or monitoring purposes must be submitted within three months of the date of this Determination for review and receive approval from the Director, EIA Branch, DELG. All wells must be decommissioned as per the most up-to-date version of the DELG *Guidelines for the Decommissioning (Abandonment) of Water Wells and Boreholes*.
15. Any wellhead protection measures that have been identified in the EIA Registration document, Water Supply Source Assessment Report, and subsequent correspondence must be implemented for Well ME22-02.
16. Prior to connecting Well ME22-02 to the municipal distribution system, the Village of Memramcook must adopt a Resolution of Council to initiate the *Wellfield Protection Program/Wellfield Protected Area Designation Order (WfPADO)* process under the *Clean Water Act* for this well.
17. The Village of Memramcook must undertake a wellfield protection study within three months of the date of commissioning of the new well, as per terms of reference that will be established by DELG. This wellfield production study shall develop new wellfield protection zones for well ME22-02, based on the maximum pumping rate, and shall incorporate them with the previously developed wellfield protection zones for well ME12-01.
18. An *Approval to Construct* must be obtained from DELG's Authorizations Branch prior to the commencement of final well construction. For more information, please contact the Authorizations Branch at (506) 453-7945.
19. The Village of Memramcook must request that Well ME22-02 be added to the *Approval to Operate* for the municipality's drinking water system and the well must be added to the sampling plan before this well can be placed into production. For more information, please contact the Approvals Engineer, Authorizations Branch, DELG, at (506) 453-7945.
20. Prior to using water from Well ME22-02, but after proper disinfection of the well according to American Water Works Association (AWWA) standards, a full water quality sample must be collected for general chemistry, trace metals, and microbiology. The water quality data must be submitted for review and must receive approval from the Approvals Engineer of DELG's Authorizations Branch, who can be contacted at (506) 453-7945.
21. The water from Well ME22-02 must meet the New Brunswick *Drinking Water Guidelines* before reaching the first user in the water distribution system.

22. A *Watercourse and Wetland Alteration (WAWA) Permit* must be obtained from DELG prior to undertaking alterations in or within 30 metres of wetlands in the project area. Wetland compensation at a 2:1 ratio must be provided for the areas of wetlands that will be permanently impacted within all delineated wetlands. Plans showing the exact surface area of wetland impacts are required to be submitted for review to determine compensation requirements. A Wetland Compensation Plan must be submitted to and approved by the Director, EIA Branch, DELG, or arrangements can be made through a Wetland Compensation Consultant who may be able to provide compensation on your behalf. Note that a *WAWA Permit* application will be placed on hold until either a compensation plan or confirmation of payment to a Wetland Compensation Consultant is provided.
23. 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.
24. 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.
25. The proponent must ensure that all developers, contractors, and operators associated with the project comply with the above requirements.