

## DOCUMENT “A”

### MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

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

September 24, 2021

File Number: 4561-3-1563

---

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 April 19, 2021, 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, 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.
5. The flow restrictor that was previously required to limit the pumping rate of Well TW20-1 to a maximum of 7.6 igpm is no longer required. The maximum allowable pumping rate for Well TW20-1 (well ID #58874 on PID 00189415) is 15 ipgm, with a total water withdrawal limit of 40 m<sup>3</sup>/day. A flowmeter must be installed on the well and the water usage data must be recorded weekly. The maximum allowable pumping rate, total daily water withdrawal, and frequency of flowmeter data recording may be altered in future, subject to the approval of the Director of DELG’s EIA Branch.

6. If at any time the proponent wants to increase the approved maximum allowable pumping rate of Well TW20-1, and/or increase the total daily water withdrawal amount for Well TW20-1, and/or requires a new water supply well, DELG must be contacted prior to implementing any of these changes as further hydrogeological testing and other information may be required, subject to the approval of the Director of DELG's EIA Branch.
7. At a minimum, the raw water in production Well TW20-1 must be sampled quarterly (four times/year) for microbiology and annually for general chemistry and trace metals (or an equivalent potable well water lab sampling package).
8. Once the well is commissioned for use, the proponent must submit a groundwater monitoring report for well TW20-1 with the flowmeter and water quality data to show compliance with these conditions. The report should be submitted no later than March 1<sup>st</sup> for the reporting period of January to December of the previous year. A minimum of two annual reports must be submitted, after which the reporting frequency may be altered, subject to the approval of the Director of DELG's EIA Branch.
9. Within three months from the date of this Determination, the proponent must decommission well TW20-2 as per the attached *Guidelines for the Decommissioning (abandonment) of Groundwater Wells and Boreholes* dated May 2021. The proponent must report the well decommissioning to DELG as per the Guideline requirement (Section 2.1, #6).
10. The wellhead protection measures that have been identified in the EIA registration document and subsequent correspondence must be implemented on the production well TW20-1.
11. In the event of a complaint by a neighbouring water user that the 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 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.
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 the EIA Branch of DELG.
13. 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.
14. The proponent must ensure that all developers, contractors and operators associated with the project comply with the above requirements.