

Document A – Minister’s Determination Conditions of Approval

**Pursuant to Regulation 87-83 under the Clean Environment Act
February 20, 2023 - File Number: 4561-3-1579**

- 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 March 23, 2022, 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 TH-1 (well ID #56672 on PID 75279125) is 7.5 ipgm (49 m³/day).
- 7 The maximum allowable pumping rate for Well BW-1 (well ID #56673 on PID 75279125) is 7.5 ipgm (49 m³/day).
- 8 Wells TH-1 and BW-1 cannot be pumped at the same time.
- 9 A flowmeter must be installed and the water usage data from the wells must be recorded daily (for a minimum of five days per week).
- 10 Once the facility opens to the public, the raw water from each of the production wells (TH-1 and BW-1) must be sampled monthly at a minimum for microbiology and annually for general chemistry and trace metals (or equivalent potable well water lab sampling package).
- 11 Once the facility opens to the public, at a minimum water must be collected at a high consumption point in the distribution system and sampled monthly for microbiology and annually for general chemistry and trace metals (or equivalent potable well water lab sampling package).
- 12 Chlorine residuals must be recorded on a daily basis at the farthest point in the distribution system to verify that they meet the standard of less than 0.2 mg/L for effective chlorination.
- 13 The proponent must submit an annual groundwater monitoring report, for the reporting period of January to December, no later than March 1st of the following year. The report shall include all the groundwater quality and quantity (flowmeter) data. The report should include data interpretation and trending and any recommended changes to the monitoring or required mitigation.
- 14 The water from wells TH-1 and BW-1 can only be used for public consumption after the water softener and reverse osmosis treatment systems have been installed. A water sample must be collected and analyzed after this installation and the results submitted to the Director, EIA Branch, DELG, to confirm that the treatment system is performing as expected. The water from the wells must meet the *New Brunswick Drinking Water Guidelines* if it is used for public consumption.
- 15 The wellhead protection measures that have been identified in the EIA Registration document and subsequent correspondence must be instituted on the production wells and any monitoring wells.
- 16 Within three months from the date of this Determination, the proponent must decommission

Well TH-2 since it will not be used for production or monitoring purposes. The well must be decommissioned as per the current version of the *DELG Guidelines for the Decommissioning (Abandonment) of Water Wells and Boreholes*.

- 17 If at any time the proponent wants to increase the approved maximum allowable pumping rate of Wells TH-1 or BW-1 or requires a new water supply well, then DELG must be contacted as further hydrogeological testing and other information may be required, subject to the approval of the Director, EIA Branch, DELG.
- 18 In the event of a complaint by a neighbouring water user that the construction or operation of these water supply wells have 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.
- 19 The proponent shall ensure that all developers, contractors, and operators associated with the project comply with the above requirements.
- 20 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.
- 21 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.

