

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

**Pursuant to Regulation 87-83 under the Clean Environment Act  
February 14, 2024 - File Number: 4561-3-1607 – SR 074002**

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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 January 23, 2023, 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. Communal well TW23-2 is approved to provide drinking water to 70 dwelling units (four 4-unit townhouses and nine 6-unit townhouses) with an allowable pumping rate of 27.2 Lpm for an average of 24-hour individual pumping. A flowmeter must be installed, and the water usage data must be recorded a minimum of five days per week (including Friday, Saturday, Sunday) while the well is in operation. All flowmeter data for the reporting period of January to December must be submitted annually to the Director, EIA Branch, DELG, no later than March 1st of the following year.
7. Well TW23-1 (an observation well used during pump testing), is not approved for drinking water use. Confirmation of the intent for well TW23-1 must be provided to the Director, EIA Branch, DELG, within one month of the date of the Determination. If there is no intent to use well TW23-1 in the future, it must be decommissioned in accordance with DELG's *Guidelines for the Decommissioning (abandonment) of Groundwater Wells and Boreholes*. If there is intent to keep well TW23-1 as either an observation well or a potential future production well, request must be made in writing to the Director, EIA Branch, DELG for review and approval and additional hydrogeological assessment and other requirements will be imposed.
8. The raw water in the production well TW23-2 must be sampled twice a year (spring and fall) for microbiology, and every two years for general chemistry and trace metals. The chlorination must be conducted once a year on the well and the entire distribution system as per New Brunswick's "*How to Chlorinate Your Well Water*" guidelines. The water quality data must be submitted to DELG in the annual report required as per Condition # 6 of this Determination.
9. The proponent must install a water treatment system to ensure manganese and other parameter concentrations in the water extracted from well TW23-2 remain below the *Canadian Drinking Water Quality Guidelines*.
10. In the event that a neighbouring water user complains that the operation of the water supply well has negatively impacted the quality or quantity of their private water supply, the proponent must immediately investigate the complaint and notify the Director, EIA Branch, 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.
11. Alterations that are in or within 30 metres of a watercourse or wetland that meet the definition as per the *Watercourse and Wetland Alteration Regulation (Reg. # 90-80)* of the *Clean Water Act* will require a Watercourse and Wetland Alteration (WAWA) permit prior to conducting any work/alteration. The WAWA application for the required permit should refer to the EIA file number SR 074002 / 4561-3-1607.
12. Wetland compensation at a 2:1 ratio must be provided by August 1, 2024, for all permanent impacts to wetlands as a result of the project. 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.

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. 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.
15. The proponent shall ensure that all developers, contractors, and operators associated with the project comply with the above requirements.