

# **DOCUMENT "A"**

## **MINISTER'S DETERMINATION CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

**March 8, 2005**

File Number: 4561-3-920

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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 the Environment.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document (dated December 17, 2002), as well as all those identified in subsequent correspondence during the EIA Determination Review. Additionally, the proponent shall submit a summary table detailing the status of each Condition listed in this Determination to the Director of the Project Assessment Branch every 6 months from the date of this Determination until such a time as the project is complete and the Department of the Environment and Local Government is satisfied that all the conditions have been addressed.
4. If it is suspected that remains of archaeological significance are discovered during construction, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Culture and Sport Secretariat, shall be contacted at 453-2756.
5. Prior to bringing PW-11 on line, a monitoring plan shall be submitted to the Director of the Project Assessment Branch, New Brunswick Department of the Environment and Local Government for review and approval. The monitoring plan shall be designed to further verify the potential for saltwater intrusion in PW-9 and PW-11. In addition, monitoring must be carried out in both PW-9 and PW-11 and shall include water quality as well as water level measurements. Provisions for reporting the monitoring results to the Director of the Project Assessment Branch on a monthly basis shall be incorporated in the monitoring plan. The monitoring plan shall be carried out for at least one year after bringing PW-11 on line.
6. A detailed report including an interpretation of the data with respect to Condition 5 of this Determination shall be submitted to the Director of the Project Assessment Branch for review after the first year of operation of PW-11. Based on the findings of the report, the Department of the Environment and Local Government reserves the right to require additional monitoring and reporting with respect to potential saltwater intrusion.

7. The initial operational pumping rate of PW-11 shall not exceed 250 Imperial gallons per minute (ipgm). Should monitoring carried out as per Condition 5 of this Determination demonstrate that the potential for saltwater intrusion remains low, incremental increases in the pumping rate may be permissible. However, any increases in the pumping rate of PW-11 are subject to review and approval by the Director of the Project Assessment Branch of the NB Department of the Environment and Local Government.
8. Water levels in PW-11 and PW-9 shall not be pumped lower than 5 metres above sea level. Prior to bringing PW-11 on line, low-water shutoff probes must be installed at depths of 26 metres below top of casing and 26.7 metres below top of casing in PW-11 and PW-9 respectively.
9. The proponent shall submit a formal request to initiate the Wellfield Protection Program / Wellfield Protected Area Designation Order process prior to bringing the PW-11 on-line. Please contact the Wellfield Protection Program Manager, New Brunswick Department of the Environment and Local Government at (506) 457-4846 for further information.
10. The proponent shall complete a Wellfield Protection Study within one year of bringing PW-11 on-line. For planning purposes the proponent must establish, in consultation with the Wellfield Protection Program Manager, an interim Wellfield Protected Area until such a time the Wellfield Protection Study is complete and the wellfield is designated as a protected area pursuant to the *Wellfield Protected Area Designation Order* under the *New Brunswick Clean Water Act*.
11. All wells that were drilled during the groundwater supply source exploration project that will not be used as production wells, observation or monitoring wells must be decommissioned in accordance with the NB Department of the Environment and Local Government guidelines. For additional information please contact the Water and Marine Planning Section of the NB Department of the Environment and Local Government at (506) 457-4846.