

# **DOCUMENT "A"**

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

Pursuant to Regulation 87-83 under the Clean Environment Act

**March 8, 2006**

File Number: 4561-3-1016

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 Local Government.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document (dated July 19, 2004 and July 22, 2004), 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, Project Assessment Branch, Department of the Environment every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. The proponent shall notify the Director, Project Assessment Branch, Department of the Environment in writing at least 48 hours prior to the commencement of any well rehabilitation activities within the Carpenter Pond Wellfield. Thereafter every 6 months at a minimum, the proponent shall submit progress reports describing the rehabilitation activities and the results to the Director, Project Assessment Branch until the rehabilitation work is completed.
5. The cumulative withdrawal from the Carpenter Pond Wellfield ( all wells, including 1, 2, 3, 4, 5, 6 & 8) shall not exceed 1910 m<sup>3</sup>/d without the written consent of the Director, Project Assessment Branch, Department of the Environment.
6. Within 1 year of completion of the well rehabilitation work within the Carpenter Pond Wellfield, a pump test shall be conducted (with all production wells pumping simultaneously) in accordance with the requirements set out in the Water Supply Source Assessment Guidelines, to determine the sustainable yield of the aquifer. The results of the pump test shall be submitted to the Director, Project Assessment Branch, Department of the Environment. The Department shall then determine the sustainable yield for the wells, and whether or not the Wellfield Protection Study for the Town of Rothesay by TerrAtlantic Engineering Limited (June 2002) must be revised. If the Department determines that revisions are necessary, the proponent shall revise the Wellfield Protection Study accordingly. In any event, the Town of Rothesay Municipal Council must formally request (by resolution of council) that the wellfield protection process for the new

well (Well 8) be initiated prior to bringing this well on-line.

7. The proponent shall ensure that vegetation removal associated with this project is minimized and that the appropriate sections of the Environmental Protection Plan for Carpenter's Pond Water Transmission Main (CBCL Limited, August, 2003) are adhered to, and shall ensure that all contactors involved in the construction are made aware of the contents of this document.
8. Prior to commencement of any work, the proponent shall ensure that the portion of the construction area within 30 metres of Carpenter Pond is examined by a licensed archaeologist. For additional information, please contact Mr. Albert Ferguson of the Archaeological Services, Culture and Sport Secretariat at (506) 453-2756. If it is suspected that remains of archaeological significance are found at any location 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 the number noted above.