

## DOCUMENT "A"

### MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act  
March 24, 2016  
File Number: 4561-3-1228

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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 Environment and Local Government.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document dated August 19, 2009, 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 Manager of the Environmental Assessment Section of the Department of Environment and Local Government (DELG) every six months from the date of this Determination until such a time as the Manager determines it is no longer required.
4. If it is suspected that remains of archaeological significance are found during construction, as per the Heritage Conservation Act, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Department of Tourism, Heritage and Culture, shall be contacted at (506) 453-3014.
5. The maximum allowable pumping rate for Well ME12-01 is 200 igpm (15.2 L/s) for a maximum total water withdrawal of 1309.3 m<sup>3</sup>/day. A flowmeter must be installed on this well and data must be recorded daily (for a minimum of five days per week) to ensure that this pumping rate is not exceeded.
6. Once Well ME12-01 is commissioned, the water level in the production well must be monitored continuously. Water levels must also be monitored continuously in at least one nearby observation well (OW12-1S, OW12-1D, or OW12-2D).
7. Daily flowmeter and water level data must be submitted to DELG annually in a format prescribed in the *Approval to Operate* that will be issued for the water system.
8. The final completed production well must have a minimum of 46 m of casing installed and grouted. A low water level shut-off probe must be installed in the well at 44 m below the top of casing in order to ensure that a main water bearing fracture located at a depth of approximately 47 m will not be dewatered.

9. The maximum allowable pumping rate for Well ME12-01 may be re-evaluated in the future if there is enough appropriate data collected to warrant a change or if other production wells are developed nearby and within the radius of influence of this well.
10. The final production well specifications must be submitted to DELG.
11. Once commissioned, Well ME12-01 will need to be added to the sampling plan. In addition to the regular water quality monitoring (as per the municipal sampling plan), raw water samples must be collected from Well ME12-01 seasonally (four times per year) and analyzed for manganese and microbiology for a minimum of one year. Following this first year of monitoring, additional monitoring may or may not be required, subject to the approval of the Manager of DELG's Environmental Assessment Section.
12. A dedicated monitoring well (a nested well including a shallow and a deep well) must be installed as described in March 4, 2016 correspondence from exp Services Inc. This monitoring well must be installed before Well ME12-01 can be brought online. As with Well ME12-01, the water levels in the shallow and deep monitoring wells must be monitored continuously. Also, once the nested monitoring well has been installed and developed, water quality samples (general chemistry, trace metals, and microbiology) must be collected from both the shallow and the deep wells, and the results must be submitted to DELG. Water quality samples must subsequently be collected from the dedicated monitoring wells (shallow and deep) a minimum of once per year.
13. In the event of a complaint from a neighbour that the operation of this facility's water supply 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 facility is responsible for any such 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.
14. Wells that are not going to be tested in the future or used as monitoring wells must be decommissioned according to the attached DELG Guidelines for Decommissioning (Abandonment) of Water Wells.
15. The Village of Memramcook must adopt a Resolution of Council to initiate the wellfield designation process under the *Clean Water Act* prior to connecting the water supply to the distribution system. Also, the Village of Memramcook will have to undertake a wellfield protection study within three months of the date of Determination of the Village's other groundwater exploration EIA review (file # 4561-3-1426) or within one year of the date of commissioning of Well ME12-01, whichever date comes first. This study will have to be conducted as per terms of reference that will be established by DELG. The study and the designation will have to include all municipal wells.
16. A Watercourse and Wetland Alteration (WAWA) Permit must be obtained from DELG for all project-related construction activities located within 30 m of a watercourse or a wetland. For more information, please contact the Manager of DELG's Surface Water Protection Section at (506) 457-4850.
17. The proponent must ensure that all developers, contractors, and operators associated with the construction and operation of the project comply with the above requirements.