

## DOCUMENT “A”

### MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the *Clean Environment Act*

August 2, 2019

File Number: 4561-3-1516

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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 February 15<sup>th</sup>, 2019 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 of the Environmental Impact Assessment (EIA) Branch of the Department of Environment and Local Government (DELG) every six months from the date of this Determination until such a time as the Director determines it is no longer required.
4. If it is suspected that remains of archaeological significance are discovered during construction, operation, or maintenance of any part of the proposed project, as per the *New Brunswick Heritage Conservation Act*, all activity shall be stopped within 30 metres of the find and the Director of the Archaeological Services Branch, New Brunswick Department of Tourism, Heritage and Culture, shall be contacted at (506) 453-2738 for further direction.
5. The maximum allowable pumping rate for Well TW19-1 (well ID # 58436 on PID 70409115) is 50 igpm (327 m<sup>3</sup>/day). A flowmeter must be installed on the well and the water usage data must be recorded daily (a minimum of five days per week).
6. The Argo building well (well ID # 51575 on PID 70409115) and the Soils building well (well ID # 58178 on PID 70502976) are each limited to a maximum allowable pumping rate of 7.6 igpm (50 m<sup>3</sup>/day). A flowmeter must be installed on each well and the water usage data must be recorded daily (a minimum of five days per week).
7. The water level in Well TW19-1 must be monitored and recorded daily (a minimum of five days per week).
8. If at any time the proponent wants to a) increase the approved maximum allowable pumping rate of Well TW19-1, the Argo building well, or the Soils building well, and/or b) requires a new water supply well, DELG must be contacted before any activities are undertaken to pursue those options as further hydrogeological testing and other information might be required, subject to review and approval by the Director of DELG’s EIA Branch.

9. In the event of a complaint by a neighbouring water user that the construction or operation of this water supply well 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 proponent 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.
10. Within one month of the date of this Determination, the proponent must submit a groundwater monitoring plan to the Director of DELG's EIA Branch for review and approval. The groundwater monitoring plan must include the required water quantity monitoring (flowmeter data recording), water level monitoring, and appropriate water quality sampling for wells TW19-1, the Argo building well, and the Soils building well. As part of the groundwater monitoring plan, the proponent must submit an annual groundwater monitoring report, for the reporting period of January to December, no later than March 1<sup>st</sup> of the following year. The report shall include all the groundwater quality and quantity data and information as per the requirements in the latest version of the groundwater monitoring plan. The groundwater monitoring report should always include a figure showing the locations of the wells along with the GPS coordinates of the wells.
11. The wellhead protection measures that were identified in the EIA registration document and in subsequent correspondence (June 7, 2019 letter from Michael Fisher) must be instituted on Well TW19-1, the Argo building well and the Soils building well.
12. 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 of DELG's EIA Branch.
13. The proponent must ensure that all developers, contractors, and operators associated with the construction and operation of the project comply with the above.