

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

June 17, 2009

File Number: 4561-3-997

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 re-evaluated under the *Environmental Impact Assessment Regulation (87-83)* – Clean Environment Act, unless otherwise stated by the Minister of Environment.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document (dated March 1, 2004), as well as all those identified in all 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 Project Assessment Section of the Department of Environment (DENV) every six months from the date of this Determination until such a time as all the Conditions have been met.
4. If it is suspected that remains of archaeological significance are found during construction, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Department of Wellness, Culture and Sport, shall be contacted at (506) 453-2756.
5. Well TH08-1 is approved for use as a municipal production well at an initial maximum pumping rate of 50 igpm on a schedule of 8 hours on and 16 hours off for a total daily production rate of 109 m³/d.
6. In order to prevent excessive drawdown, well TH08-1 must be equipped with an automatic low-water shut-off probe set no deeper than 17.5 m below the top of casing.
7. A monitoring program must be established to measure water levels and groundwater quality in well TH08-1 and surrounding observation wells during the operation of well TH08-1. This program must be submitted to DENV for review and must receive approval prior to the commissioning of well TH08-1. In addition, the monitoring program must be undertaken for at least one year following the commissioning of well TH08-1. A report summarizing the findings of the monitoring must be submitted to DENV every four months (three reports in total) during the first year of operation, after which DENV may modify the approved pumping rate and schedule of well TH08-1.

8. If the water quantity or quality in a private well is found to be persistently/permanently adversely affected by the operation of well TH08-1, it will be the proponent's responsibility to remedy the situation to the satisfaction of all parties. This may include, but is not limited to, modifying the pumping rate or schedule of well TH08-1, replacing or modifying the construction of the affected well(s), or connecting the affected home(s) to the municipal water supply.
9. To remove the risk of possible surface water contamination, the existing golf course irrigation well (well tag ID 0016345) must be properly decommissioned by the Village of Fredericton Junction in accordance with the approved DENV method by a licensed well driller prior to the commissioning of well TH08-1. In addition, a number of wells that were drilled for this project will not be used. A decommissioning plan for these wells must be submitted for review and receive approval from the Manager of the Project Assessment Section, DENV. This plan must outline how and when the wells will be decommissioned. This plan must be submitted within one month of the date of this *Certificate of Determination*.
10. A signed agreement must be obtained between the Village of Fredericton Junction and the owner of the Junction Country Golf Course regarding the seasonal irrigation water requirements of the golf course. A copy of this signed agreement must be provided to the Manager of the Project Assessment Section of DENV once it is obtained.
11. The municipality must formally request that the *Wellfield Protection Program/Wellfield Protected Area Designation Order* process be initiated by passing a Resolution of Council to that effect prior to bringing the new production well online. The municipality must subsequently complete a wellfield protection study within one year of bringing the well online. The Terms of Reference for this study will be provided by DENV.