

DOCUMENT "A"

MINISTER'S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

April 22, 2005

File Number: 4561-3-1028

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 January 21, 2005, 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 Project Assessment Branch of the Department of the Environment and Local Government (DELG) every 6 months from the date of this Determination until such a time as all the Conditions have been met.
4. With respect the water supply, the following conditions apply: **a)** The maximum allowable pumping rate of PW1 shall be 98 m³/d (15 Igpm); **b)** In order to accommodate peak demands on the water distribution system, storage tanks shall be installed in the system between the supply well and the disinfection unit; **c)** A water level data logger shall be installed in PW1 to monitor groundwater elevations in the well for a period of at least one year; **d)** A flow meter shall be installed in the distribution system to measure and record groundwater consumption in the development for a period of at least one year; **e)** All groundwater must be treated and disinfected to meet Canadian Drinking Water Quality Guidelines before entering the distribution system and disinfection shall occur downstream of the storage tanks; **f)** For a period of at least one year monthly microbiology samples and quarterly inorganic samples must be collected and analysed from the well(s) and from points within the water distribution system. The sample points must be approved by the Manager of the Water Sciences Section. If total coliforms or E. coli are detected, appropriate immediate notification of the users, and immediate disinfection of the distribution system must take place and the Manager of the Water Sciences Section must be informed immediately at (506) 453-4438; **g)** A report detailing the results of items c) to f) inclusive shall be submitted to the Manager of the Water Sciences Section for review after one year of operation of the distribution system. At that time, based on the results of the monitoring, the proponent may apply to Manager of the Water Sciences Section to increase pumping rates in PW1, and reduce the monitoring requirements; **h)** Until it can be proven that PW2 is a reliable water supply source and not under the direct influence of surface water, it shall not be connected to the water distribution system and may only be used for non-potable purposes at a maximum allowable pumping rate of 65 m³/d (10 Igpm). PW2 shall not be used as a potable water supply

and shall not be connected to the water distribution system unless approved by the DELG under the Water Supply Source Assessment Process.

5. The proponent shall ensure that septage from the various septic tanks is removed and hauled by a company licensed to handle this material and is disposed of at a location that is approved to receive it. For further information please contact the Manager, Waste Management Section DELG at (506)-444-5194.
6. If any potential adverse effects are anticipated to threatened or endangered species listed under the Species at Risk Act , the Committee on the Status of Endangered Wildlife in Canada, or the New Brunswick Endangered Species Act, a qualified biologist must conduct species at risk survey(s) at the appropriate time(s) of the year and submit the results, including any proposed mitigation measures, to the Director, Project Assessment Branch, DELG for approval.
7. Prior to commencement of construction the proponent shall develop and submit to the Director, Project Assessment Branch, DEL G for approval an Environmental Management Plan (EMP). The EMP must include the following elements: **a)** An Erosion and Sediment Control Plan; **b)** a materials management and spill prevention plan; **c)** a contingency plan describing measures that will enable an effective and timely response to a spill event; and **d)** measures to protect the butternut trees identified in a report prepared by Hugo Fillion dated March 6, 2005. The proponent shall ensure that EMP is made available to all contractors involved in the construction and maintenance of the proposed development.
8. The proponent shall apply for, and obtain, a Watercourse and Wetland Alteration Permit issued under the Watercourse and Wetland Alteration Regulation – Clean Water Act, prior to the commencement of any work located within 30 meters of a watercourse. Please contact Ms. Joanne Glynn, Manager, Watercourse Alteration and Wetlands Program (506) 457-4850 for further information.
9. Internal ditches within the proposed development shall be sized to convey drainage from the development and from upstream lands without impacting the proposed dwelling units and adjacent properties.
10. The proponent shall apply for and obtain all required building permits. For additional information please contact the Rural Planning District Commission at (506) 453-2956.
11. If it is suspected that remains of archaeological significance are found during construction, all activity shall be stopped near the find and the Archaeological Services Unit, Heritage Branch (Culture & Sport Secretariat) shall be contacted at (506) 453-2756.
12. The Proponent shall comply with normal regulatory agreements and minimum setback requirements of the Department of Transportation, and shall apply for an access permit off Route 560 prior to commencement of construction. For further information, please contact Mr. Norman Clouston, the District Transportation Engineer in Fredericton, at (506) 453-2611.