

DOCUMENT “A”

MINISTER’S DETERMINATION CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

April 15, 2008

File Number: 4561-3-1075

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 revised Environmental Assessment Report (dated March 27, 2006), as well as all those identified in all other 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 and Approvals Branch 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. The maximum pumping rate for the new well cannot exceed 150 Igpm, and it cannot be pumped for more than 12 hours per day. Also, the new well can only be pumped when wells Sheila # 3 and Tracadie # 2 are not being pumped.
6. A low-water shut off probe must be installed in the new well to prevent its pumping once the water level reaches a depth of 2 m above the high sea water level.
7. A monitoring plan must be submitted for review and must receive approval from the Manager of the Water Sciences Section, DENV, prior to bringing the well online. This plan should include provisions for monitoring water levels in the new well and also in the wells Sheila # 3 and Tracadie # 2. The water quality of the new well should also be monitored periodically for any evidence of salt water intrusion during the first year of operation, at a minimum. For more information, please contact the Manager of the Water Sciences Section, DENV, at 506-457-4844.

8. Approvals to Construct and Operate will have to be obtained for the new well. For more information, please contact the Manager of the Water and Wastewater Management Section, DENV, at 506-453-7945.
9. Any wooden poles installed for an electrical transmission line necessary for the operation of the well must be untreated if they are within 30 m of the new production well. No sub-stations, terminal stations or transformers can be located or constructed within 100 m of the new production well. No vegetation control using chemicals can be carried out in relation to the construction.
10. With respect to access roads to be constructed as part of this project, all ditches shall be constructed so that surface water flows away from the well head.
11. Vehicles and equipment used throughout construction activities must be refueled, maintained and/or repaired at a distance of no less than 100 m from the new well.
12. Baseline sampling must be conducted on any private wells within 200 m of the proposed access road. In the event that a private well experiences a loss of water quantity or quality as a result of construction activities, the proponent will be responsible for the repair or replacement of the private well.
13. 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.
14. The municipality must contact the New Brunswick Department of Transportation District Engineer in Bathurst prior to the start of construction so that he can review the proposed project location in more detail. The District Engineer can be reached at 506-547-2144.
15. DENV's Watercourse and Wetlands Alteration Program must be contacted regarding permit requirements for any activity within 30 m of a watercourse and/or a wetland. For more information, please contact the Director of the Watercourse and Wetlands Alteration Program, DENV, at 506-444-5149.
16. Details of erosion and sedimentation control measures must be submitted for review and must be approved by the Director of the Project Assessment and Approvals Branch, DENV, prior to the start of construction activities. For more information, please contact the Director of the Project Assessment and Approvals Branch, DENV, at 506-444-4599.