

DOCUMENT "A"

MINISTER'S DETERMINATION

CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

July 22, 2009

File Number: 4561-3-1112

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 February 9, 2007), 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) 453-3014.
5. Well PW08-1 is approved for use at a maximum pumping rate of 100 USgpm for no more than 16 hours/day (or 363 400 L/day in a 24-hour period).
6. The status of existing Well # 1 must be changed from a main production well to a “back-up well,” and its use must be limited so as not to exceed a maximum pumping rate of 50 USgpm for no more than 16 hours/day (or 181 600 L/day in a 24-hour period).
7. The current operation of existing Well # 3 must be maintained so as not to exceed a maximum pumping rate of 120 USgpm for no more than 16 hours/day (or 436 080 L/day in a 24-hour period).
8. The proponent must apply for a new Approval to Operate from the Water and Wastewater Management Section of DENV. For more information, please contact Tim LeBlanc, Manager, at (506) 453-7945.
9. A Watercourse and Wetland Alteration (WAWA) Permit must be obtained for any construction activities within 30 m of a watercourse or a wetland. For more information, please contact Bernie Doucet, Manager, WAWA Program, DENV, at (506) 457-4850.

10. 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.