

DOCUMENT "A"
MINISTER'S DETERMINATION
CONDITIONS OF APPROVAL

Pursuant to Regulation 87-83 under the Clean Environment Act

September 24, 2010

File Number: 4561-3-1225

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.
3. The proponent shall adhere to all obligations, commitments, monitoring and mitigation measures presented in the EIA registration document dated August 12, 2009, 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 Environmental Assessment Section of the Department of Environment (DENV) every 6 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. Any future work on-site requiring ground disturbance within the areas defined as high potential areas for archaeological resources, would have to be tested (e.g. test pits) at the standard 5 m intervals and the results reviewed and approved by the Archeological Services Unit, Heritage Branch of the Department of Wellness, Culture and Sport.
6. The maximum pumping rate for the Well M cannot exceed 26 igpm (169 m³/day). A flow meter must be installed on the pumping well with the water usage recorded daily and kept for a minimum of two years, in order to demonstrate compliance with the maximum pumping rate condition.
7. Should the proponent wish to increase the pumping rate of Well M, a new Registration under the *EIA Regulation* and an additional hydrogeological assessment will be required.
8. An automatic shut-off probe must be set in Well M at 0.3 m above sea level and a record must be kept indicating if and when the pump is shut off due to low water levels. The flow meter data and low level shut-off information should also be reviewed by a qualified hydrogeologist and included in the annual report submitted to the Department as part of the Approval to Operate.

9. An automatic conductivity sensor will be installed in the distribution system and the information will be reviewed by a qualified hydrogeologist at the end of every season. These findings should be submitted to the Department annually under the Approval to Operate. If at any time the water supply shows potential impacts of salt water intrusion, the pumping conditions may be altered.
10. The proponent must apply for and obtain a *Watercourse and Wetland Alteration (WAWA) Permit* from the Department of Environment for any activities conducted within 30 m of a watercourse or wetland, prior to the commencement of Project. For additional information, please contact the Manager of the Watercourse and Wetland Alteration Program, DENV, at (506) 457-4850.
11. The proponent will maintain a naturally vegetated buffer in order to prevent encroachment within the wetland and tidal creek buffer.
12. The proponent shall ensure that all developers, contractors and operators associated with the construction and operation of the Project comply with the above requirements.