

DOCUMENT "A"

**MINISTER'S DETERMINATION
CONDITIONS OF APPROVAL**

Pursuant to Regulation 87-83 under the Clean Environment Act

April 8, 2015

File Number: 4561-3-1374

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 November 27, 2013 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 Manager of the Environmental Assessment Section of the Department of Environment and Local Government (DELG) 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, as per the Heritage Conservation Act, all activity shall be stopped near the find and the Resource Manager of the Archaeological Services Unit, Heritage Branch of the Department of Tourism, Heritage and Culture, shall be contacted at (506) 453-3014.
5. The maximum allowable pumping rate for well 14PW-1 is 15 USgpm (0.95 L/sec) for a maximum pumping time of 16 hours/day (equivalent to a water withdrawal limit of 54.7 m³/day). The well must be equipped with a flowmeter and water usage must be recorded daily when the facility is open in order to demonstrate compliance with the pumping rate restriction.
6. If at any time the proponent wishes to increase the maximum allowable pumping rate for well 14PW-1, or requires a new water supply well, the Manager of DELG's Environmental Assessment Section must be contacted as additional hydrogeological testing might be

required.

7. The proponent will be held responsible for any negative impacts to nearby private water wells due to the construction or operation of well 14PW-1. The proponent will be required to provide a temporary water supply for short-term impacts, or to repair, remediate, or replace any permanently impacted well(s), which might include, but is not limited to, deepening a well or drilling a new well.
8. If the daily water usage of the facility exceeds 50 m³/day, the proponent must contact the Manager of DELG's Water and Wastewater Management Section as an Approval to Operate might be required.
9. Before well 14PW-1 is brought online, it must be shock chlorinated and microbiological samples must be collected to ensure that there are no total coliforms or E. coli present in the well.
10. The proponent must ensure that the water quality from well 14PW-1 does not exceed any maximum acceptable concentrations (MACs) from the New Brunswick Drinking Water Quality Guidelines.
11. Appropriate land tenure must be secured from the New Brunswick Department of Natural Resources for all provincial Crown lands that might be affected by the project prior to the commencement of construction.
12. In the event of the sale, lease, or any other conveyance or change of control of the Project, or any portion thereof, the Proponent must provide written acknowledgement from the lessee, controller or purchaser confirming that they will comply with the Conditions of this Determination to the Manager of DELG's Environmental Assessment Section.
13. The proponent shall ensure that all developers, contractors, and operators associated with the project are familiar with and comply with the requirements of the Migratory Birds Convention Act and the Species at Risk Act and associated *Regulations*.
14. The proponent must ensure that all developers, contractors, and operators associated with the construction and operation of the project comply with the above requirements.