



Government of Newfoundland and Labrador
Department of Municipal Affairs and Environment
Water Resources Management Division

PERMIT TO ALTER A BODY OF WATER

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 48

Date: **DECEMBER 28, 2018**

File No: **536-12**
Permit No: **ALT10064-2018**

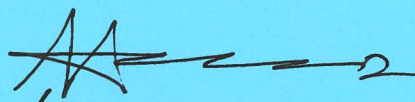
Permit Holder: **Muskrat Falls Corporation
P.O. Box 12800, Hydro Place
500 Columbus Drive
St. John's NL A1B 0C9**

Attention: **Marion Organ**

Re: **Lower Churchill Muskrat Falls - Repairing and maintenance of the existing stream crossings to maintain accessibility to HVac Transmission Line and reservoir clearing sites**

Permission is hereby given for : **repairing and maintenance of the existing stream crossings, constructed under permit ALT6625-2012 and ALT6655-2012 to maintain accessibility to Reservoir Clearing site (North and South) and associated access roads, and to access the Overhead HVac Transmission Line from Churchill Falls to Muskrat Falls, with reference to the application dated December 5, 2018.**

- This Permit does not release the Permit Holder from the obligation to obtain appropriate approvals from other concerned municipal, provincial and federal agencies.
- The Permit Holder must obtain the approval of the Crown Lands Administration Division if the project is being carried out on Crown Land.
- This Permit is subject to the terms and conditions indicated in Appendices A and B (attached).
- It should be noted that prior to any significant changes in the design or installation of the proposed works, or in event of changes in ownership or management of the project, an amendment to this Permit must be obtained from the Department of Municipal Affairs and Environment under Section 49 of the *Water Resources Act*.



MINISTER

GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Department of Municipal Affairs and Environment

File No: 536-12
Permit No: ALT10064-2018

APPENDIX A
Terms and Conditions for Permit

Special Conditions

1. The Permit Holder must apply for and obtain a separate permit under the Water Resources Act, SNL 2002 cW-4.01, specifically Section 39 <https://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm> for any stream crossing project within any designated Protected Public Water Supply Area servicing any community as indicated in Water Resources Portal available at <https://maps.gov.nl.ca/water/mapbrowser/Default.aspx>.
2. The Permit Holder may be required to apply for and obtain a separate permit under the Water Resources Act, SNL 2002 cW-4.01, specifically Section 48 <http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm> for any stream crossing project within any designated flood risk area as indicated at <https://www.mae.gov.nl.ca/waterres/flooding/frm.html>.
3. For any stream crossing project carried out under this Permit, the Permit Holder must notify this Department via email to waterinvestigations@gov.nl.ca or facsimile at (709)729-0320 in accordance with a reporting protocol as deemed necessary and appropriate in the opinion of the Minister. Also, any stream crossing project carried out under this Permit shall be subject to the payment of applicable fee by the Permit Holder as stated in the application fee schedules approved by the Minister.
4. This permit only allows to perform the repairing and maintenance work of the existing stream crossing structures, associated infrastructure and access road/trails within the body of water and/or with the fifteen metres of the body of water constructed under the permit ALT6625-2012 and ALT6655-2012.
5. Construction/installation of any new structure will require a separate permit under the Water Resources Act, SNL 2002 cW-4.01, specifically Section 48 <http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>.
6. At the end of each year, the permit holder submits a report of all the work done under this permit along with the applicable fees incurred during the period.

General Alterations

7. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
8. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.
9. Water pumped from excavations or work areas, or any runoff or effluent directed out of work sites, must have silt and turbidity removed by settling ponds, filtration, or other suitable treatment before discharging to a body of water. Effluent discharged into receiving waters must comply with the *Environmental Control Water and Sewage Regulations, 2003*.
10. All operations must be carried out in a manner that prevents damage to land, vegetation, and watercourses, and which prevents pollution of bodies of water.
11. The use of heavy equipment in streams or bodies of water is not permitted. The operation of heavy equipment must be confined to dry stable areas.
12. All vehicles and equipment must be clean and in good repair, free of mud and oil, or other harmful substances that could impair water quality.
13. During the construction of concrete components, formwork must be properly constructed to prevent any fresh concrete from entering a body of water. Dumping of concrete or washing of tools and equipment in any body of water is prohibited.
14. Wood preservatives such as penta, CCA or other such chemicals must not be applied to timber near a body of water. All treated wood or timber must be thoroughly dry before being brought to any work site and installed.
15. Any areas adversely affected by this project must be restored to a state that resembles local natural conditions. Further remedial measures to mitigate environmental impacts on water resources can and will be specified, if considered necessary in the opinion of this Department.

16. The bed, banks and floodplains of watercourses, or other vulnerable areas affected by this project, must be adequately protected from erosion by seeding, sodding or placing of rip-rap.
17. All waste materials resulting from this project must be disposed of at a site approved by the Department of Service NL.
18. Periodic maintenance such as painting, resurfacing, clearing of debris, or minor repairs, must be carried out without causing any physical disruption of any watercourse. Care must be taken to prevent spillage of pollutants into the water.
19. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
20. Sediment and erosion control measures must be installed before starting work. All control measures must be inspected regularly and any necessary repairs made if damage is discovered.
21. Fill material must be of good quality, free of fines or other substances including metals, organics, or chemicals that may be harmful to the receiving waters.
22. The attached Completion Report (Appendix C) for Permit No. 10064 must be completed and returned to this Department upon completion of the approved works. Pictures must be submitted along with the completion report, showing the project site prior to and after development.
23. This Permit is effective January 1, 2019 and shall expire on December 31, 2020 or earlier if modified, suspended or cancelled by the Minister. Also, this Permit may be renewed by the Minister for such renewal term as the Minister deems appropriate, on such terms and conditions as the Minister considers appropriate and in the public interest, provided the Permit Holder applies for the renewal at least hundred and eighty (180) days before the expiry of this Permit.
24. All work must be carried out within the Permit Holder's legal property boundaries.

GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Department of Municipal Affairs and Environment

File No: 536-12
Permit No: ALT10064-2018

APPENDIX B

Special Terms and Conditions for Permit

1. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall keep all systems and works in good condition and repair and in accordance with all laws, by-laws, directions, rules and regulations of any governmental authority. The Permit Holder or its agent(s), subcontractor(s), or consultant(s) shall immediately notify the Minister if any problem arises which may threaten the structural stability of the systems and works, endanger public safety and/or the environment or adversely affect others and/or any body of water either in or outside the said Project areas. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall be responsible for all damages suffered by the Minister and Government resulting from any defect in the systems and works, operational deficiencies/inadequacies, or structural failure.
2. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall operate the said Project and its systems and works in a manner which does not cause any water related and/or environmental problems, including but not limited to problems of erosion, deposition, flooding, and deterioration of water quality and groundwater depletion, in or outside the said Project areas. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) shall be responsible for any and all damages associated with these problems caused as a result of changes, deficiencies, and inadequacies in the operational procedures by the Permit Holder or its agent(s), subcontractor(s), or consultant(s).
3. If the Permit Holder or its agent(s), subcontractor(s), or consultant(s) fails to perform, fulfil, or observe any of the terms and conditions, or provisions of this Permit, as determined by this Department, the Minister may, without notice, amend, modify, suspend or cancel this Permit in accordance with the *Water Resources Act*.
4. The Permit Holder and its agent(s), subcontractor(s), and consultant(s) indemnify and hold the Minister and Government harmless against any and all liabilities, losses, claims, demands, damages or expenses including legal expenses of any nature whatsoever whether arising in tort, contract, statute, trust or otherwise resulting directly or indirectly from granting this Permit, systems and works in or outside the said Project areas, or any act or omission of the Permit Holder or its agent(s), subcontractor(s), or consultant(s) in or outside the said Project areas, or arising out of a breach or non-performance of any of the terms and conditions, or provisions of this Permit by the Permit Holder or its agent(s), subcontractor(s), or consultant(s).
5. This Permit is subject to all provisions of the *Water Resources Act* and any regulations in effect either at the date of this Permit or hereafter made pursuant thereto or any other relevant legislation enacted by the Province of Newfoundland and Labrador in the future.
6. This Permit shall be construed and interpreted in accordance with the laws of the Province of Newfoundland and Labrador.

File No: **536-12**
Permit No: **ALT10064-2018**

- cc: Fisheries Protection Division
Ecosystem Management Branch
Fisheries and Oceans Canada
P.O. Box 5667
St. John's, NL A1C 5X1
FPP-NL@dfp-mpo.gc.ca
- cc: Local Service District of Rattling Brook (Notre Dame Bay)
Chairperson
P.O. Box 48
59 Main Street
Rattling Brook, NL A0J 1P0
- cc: File Copy for Binder
- cc: Local Service District of Ship Cove-Lower Cove-Jerry's Nose
Chairperson
PO Box 14, Site 2, RR 3
Port au Port, NL A0N 1T0
- cc: Mark Bugden
Senior Analyst
Executive Council - Labrador and Aboriginal Affairs
Aboriginal Affairs
mbugden@gov.nl.ca
- cc: Amir Ali Khan, Ph.D., P.Eng.
Manager, Water Rights, Investigations and Modelling Section
Water Resources Management Division
Department of Municipal Affairs and Environment
P.O. Box 8700
4th Floor, West Block, Confederation Building
St. John's, NL A1B 4J6
akhan@gov.nl.ca



Government of Newfoundland and Labrador
Department of Municipal Affairs and Environment
Water Resources Management Division

Appendix C - Completion Report

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 48

Date: **DECEMBER 28, 2018**

File No: **536-12**

Permit No: **ALT10064-2018**

Permit Holder: **Muskrat Falls Corporation
P.O. Box 12800, Hydro Place
500 Columbus Drive
St. John's NL A1B 0C9**

Attention: **Marion Organ**

Re: **Lower Churchill Muskrat Falls - Repairing and maintenance of the existing stream crossings to maintain accessibility to HVac Transmission Line and reservoir clearing sites**

Permission was given for : **repairing and maintenance of the existing stream crossings, constructed under permit ALT6625-2012 and ALT6655-2012 to maintain accessibility to Reservoir Clearing site (North and South) and associated access roads, and to access the Overhead HVac Transmission Line from Churchill Falls to Muskrat Falls, with reference to the application dated December 5, 2018.**

I (the Permit Holder named above or agent authorized to represent the Permit Holder) do hereby certify that the project described above was completed in accordance with the plans and specifications submitted to the Department of Municipal Affairs and Environment and that the work was carried out in strict compliance with the terms and conditions of the Permit issued for this project.

Date: _____

Signature: _____

This completion report must be completed and forwarded to the following address upon completion of the approved work.

Department of Municipal Affairs and Environment
Water Resources Management Division
PO Box 8700
St. John's NL A1B 4J6