



PERMIT TO ALTER A BODY OF WATER

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 39, 48

Date: **JULY 10, 2020**

File No: **526**

Permit No: **ALT11152-2020**

Permit Holder: **Town of Cape St. George
876 Oceanview Drive
Cape St. George NL A0N 1T1
towncapestgeorge@eastlink.ca**

Attention: **Ms. Ina Renouf**

Re: **Cape St. George (Rouzes Brook) - Debris removal**

Permission is hereby given for : **the removal of debris from a water supply dam in Rouzes Brook in the Town of Cape St. George as shown in the location map in Appendix D, with reference to the application dated June 26, 2020 and additional information received on June 29 and July 3, 2020**

- 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*.

A handwritten signature in blue ink, appearing to read "A. Renouf", with a horizontal line underneath.

(for) MINISTER

APPENDIX A
Terms and Conditions for Permit

Dredging/Debris Removal

1. Alteration of the natural minimum streamflow is not permitted in order to preserve aquatic life.
2. The natural course of any stream must not be altered.
3. Debris removal activity must only be carried out during periods when wind, wave and tide conditions minimize the dispersion of silt and sediment from the work site.
4. The area of debris removal must be enclosed and isolated from the rest of the body of water through the use of a filter fabric curtain or similar method.
5. A water quality monitoring program is not required at this time. However, the Department reserves the right to require that the Permit Holder sample, analyse, and submit results of water quality tests, for the purpose of ensuring that the water quality is maintained within acceptable guidelines. All analyses must be undertaken by a CALA accredited laboratory.
6. Removed debris must be disposed of in accordance with the regional Service NL Centre of the Department of Service NL. The Department of Service NL may require samples to be submitted for testing and analysis.

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. 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*.
9. 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.
10. 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.
11. 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.
12. 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.

13. 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.
14. 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.
15. 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.
16. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
17. 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.
18. The attached Completion Report (Appendix C) for Permit No. 11152 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.
19. This Permit is valid for two years from the date of issue. Work must be completed by that date or the application and approval procedure must be repeated.
20. The location of the work is highlighted on the Location Map for this Permit attached as Appendix D.
21. All work must be carried out within the Permit Holder's legal property boundaries.

PPWSA General

22. All persons working on this project must be informed that they are within a Protected Public Water Supply Area, and must be made aware of all conditions of this Permit. A copy of this Permit must be on site during operations.
23. An undisturbed (no cutting or ground disturbance) buffer zone of at least **150 metres** shall be maintained around Rouzes Brook for a distance of 1 kilometer upstream, at least **75 metres** along the remainder of Rouzes Brook, at least **50 metres** along both sides of all streams and main tributaries running into Rouzes Brook, and at least **30 metres** around all ponds and along both sides of all other water bodies. Activity or development within these buffer zones is prohibited. All buffer zones must be marked with signs or flagging tape to avoid encroachment into the buffer zones.
24. All waste material is to be collected in refuse containers, and disposed of at an approved waste disposal site outside the Protected Public Water Supply Area in accordance with the *Environmental Protection Act, SNL 2002 cE-14.2*.
25. Equipment storage, maintenance facilities associated with this project, and all maintenance other than emergency repairs must not be located/carried out within the Protected Public Water Supply Area.
26. The Department reserves the right to require that the Permit Holder follow, and cover all costs incurred by the Permit Holder or this department, associated with any water quality monitoring program that may be ordered by the Minister for the purpose of ensuring that the water quality is maintained within acceptable guidelines.

27. Officials of the Department and the appropriate Municipal Authority, Operator, or Watershed Management Committee may visit the site to ensure compliance with this Permit.
28. Liaison is to be maintained with the appropriate Municipal Authority and Environmental Scientist. If there are any specific problems (ie sedimentation, fuel spill, other potential water quality impairment), the appropriate Town Manager/Clerk, Mayor, Chair of the Local Service District Committee, or Chair of the Water Supply Committee must be notified immediately at (709)644-2290. The Environmental Scientist must also be notified immediately at (709)637-2542.
29. The felling or disposing of trees, parts of trees, sawdust, bark, logging debris or slash into a water body or upon the frozen surface of a water body is strictly prohibited.
30. The Permit Holder must inspect the site daily, and any water quality impairment related problems are to be reported immediately to the Environmental Scientist at 709-729-1229 and the appropriate Municipal Authority or Watershed Monitoring Committee at (709)644-2290.
31. Any changes in water quality resulting directly from this project, rendering the water unsuitable as a public water supply, are the responsibility of the Permit Holder. The Minister may order the Permit Holder to provide an alternate source of potable water to the affected community until water quality returns to an accepted level.
32. All vehicles and equipment must be in good working order with no leaking fuel, oil, or other harmful substances that could impair water quality.
33. All stationary motorized equipment and associated fuel tanks shall have metal trays, absorbent pads or impervious liners under them to catch and contain in excess of 110 % of the aggregate volume of any fuel, lubricant and oil.
34. For any clearing inside buffer zones: no ground disturbance (no disturbance to the root mat, no grubbing, or removal of soil) shall take place in the buffer zones. The Permit Holder is to ensure that the appropriate best practices are employed to prevent any detrimental effects that could impact water quality. Where possible, work in buffer zones shall be completed when the ground is frozen.
35. The Permit Holder is required to ensure that adequate sanitary (bathroom) facilities are available or provided on site. This may be in the form of a portable toilet, chemical toilet, pit privy (outhouse), sub-surface disposal system, or municipal sewer system. If a portable toilet or chemical toilet is used, the waste water must be disposed of in a septic disposal system approved by Service NL, or at an approved waste disposal site, outside the Protected Public Water Supply Area in accordance with the Environmental Protection Act, SNL 2002 cE-14.2. If a pit privy (outhouse) or sub-surface disposal system is used, it must be located outside the required buffers, and be subject to Service NL standards, requirements and approval.

Fuel Storage

36. There shall be no bulk fuel storage associated with this project within the protected water supply area.
37. Contaminated soil must be removed from the site and disposed of at an approved location outside the protected public water supply area, in accordance with the *Environmental Protection Act, SNL 2002 cE-14.2*.

38. Any spills of gasoline, fuel or oil, regardless of volume, shall be reported immediately to the Environmental Scientist and the appropriate Municipal Authority or Watershed Management Committee by calling 709-729-1229 and (709) 644-2290 respectively. Furthermore, all spills in excess of 70 litres shall be reported immediately to the 24 hour spill report line at 1-800-563-9089.
39. A complete oil spill clean-up kit must be on site at all times when gasoline or fuel powered equipment is being used or refuelled. The kit must contain the following:
- One hand operated fuel pump
 - One recovery container such an empty 205 litre drum
 - One shovel
 - One pick axe
 - Five metres of containment boom
 - Five absorbent pads
 - Twenty-five litres of loose absorbent material
40. Refueling sites shall be located at least 150 metres from any water body or wetland.

Protected Miscellaneous

41. The Permit Holder is required to provide this Department with all documentation, information and data which may be requested or required in order to carry out the inspection or investigation.
42. Sawdust, bark, and logs must not be stored within undisturbed buffer zones of any body of water, and must be removed at regular intervals to prevent excessive accumulation at the site.
43. Wood and brush removed from the work site must not be stored within undisturbed buffer zones of any water body.

Special Conditions

44. Every effort must be made to avoid soil or sediment from eroding into the reservoir, with special care taken within a 150m buffer around the reservoir as this area may be sensitive to erosion and sedimentation issues.

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.

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Permit No: **ALT11152-2020**

- cc: Amir Ali Khan, Ph.D., P.Eng.
Manager, Water Rights, Investigations and Modelling Section
Water Resources Management Division
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- cc: File Copy for Binder
- cc: Fisheries Protection Division
Ecosystem Management Branch
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- cc: Ms. Carla Hayes, P.Tech
Environmental Scientist , Drinking Water and Wastewater Section
Water Resources Managment Division
Department of Municipal Affairs and Environment
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- cc: Jeff Bannister (Western and Labrador)
Western and Labrador Regional Lands Manager
Crown Lands Administration Division
JeffBannister@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) 39, 48

Date: **JULY 10, 2020**

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Attention: **Ms. Ina Renouf**

Re: **Cape St. George (Rouzes Brook) - Debris removal**

Permission was given for : **the removal of debris from a water supply dam in Rouzes Brook in the Town of Cape St. George as shown in the location map in Appendix D, with reference to the application dated June 26, 2020 and additional information received on June 29 and July 3, 2020**

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

APPENDIX D
Location Map for Permit

