

PERMIT TO ALTER A BODY OF WATER

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 61, 48

Date: **SEPTEMBER 16, 2021**

File No: **524**
Permit No: **ALT12099-2021**

Permit Holder: **Town of Holyrood**
34 Salmonier Line, P.O. Box 100
Holyrood, NL
A0A 2R0
marjorie.gibbons@holyrood.ca

Attention: **Majorie Gibbons**

Re: **Boland's Pond Brook - George's Cove - Pedestrian Bridge Installation**

Permission is hereby given for : **the installation of a 3.8 metre treated timber/steel bridge with concrete abutments for the extension of an existing bridge across Boland's Pond Brook within a wellhead protected water supply area in the Town of Holyrood and in reference to the application received on October 6, 2020 and additional information received on August 31, 2021.**

- 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 Environment and Climate Change under Section 49 of the *Water Resources Act*.



(for) MINISTER

APPENDIX A
Terms and Conditions for Permit

Small Bridges

1. A 3.8 metre treated timber/steel bridge with concrete abutments may be constructed across Boland Pond Brook in the Town of Holyrood.
2. The use of creosote treated wood is strictly prohibited within 15 metres of all bodies of fresh water in the province.
3. The crossing structure must provide adequate capacity to safely discharge flood flows without causing backwater effects upstream or increased flow velocity downstream.
4. Bridge abutments must be set back 0.5 metres from the normal edge of a watercourse to prevent constriction during high flow conditions.
5. The natural course of any stream must not be altered.
6. Infilling must not cause increased water elevation upstream or increase flow velocity downstream of the site. Reduction of the natural cross sectional area of any watercourse is not permitted.
7. Piers must be designed to prevent failure resulting from scouring of streambed material.
8. The upstream and downstream sides of abutments must be protected with rip-rap, concrete or heavy timber to prevent erosion and scouring.
9. Where pumping is used to bypass flow, cofferdams must be installed both above and below areas of construction. The Permit Holder must provide pumps with sufficient capacity to prevent washout of cofferdams.
10. Cofferdams must be properly designed and constructed of suitable materials to prevent leakage and to resist loss of any material as a result of erosion. Cofferdams must be removed upon completion of their intended function. All material must be removed carefully to prevent disturbance of the water body and to prevent water quality degradation.
11. Abutments and piers must be constructed in the dry and during times of low flow.
12. The bridge(s) must have the following minimum dimensions:

Crossing Name / No.	Span (m)	Waterway Opening (m²)	Freeboard (m)
Boland's Pond Brook	3.8	7.2	2.3

General Alterations

13. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
14. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.
15. 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*.

16. 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.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. All waste materials resulting from this project must be disposed of at a site approved by the Department of Digital Government and Service NL.
24. 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.
25. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
26. 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.
27. 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.
28. The attached Completion Report (Appendix C) for Permit No. 12099 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.
29. 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.
30. The location of the work is highlighted on the Location Map for this Permit attached as Appendix D.

Development in WPWSA

31. All persons working on this project must be informed that they are within a Wellhead Protected Water Supply Area and must be made aware of all conditions of this Permit. A copy of this Permit must be on site during construction.
32. All equipment must be in good working order with no leaking fuel or oil. Refueling of heavy equipment is not allowed on site.
33. Any spills of gasoline, fuel or oil, regardless of volume, must be reported immediately to the Environmental Scientist at (709) 729-1671. Furthermore, all spills in excess of 70 litres shall be reported immediately to the 24 hour spill report line at (709) 772-2083 (call collect) or 1-800-563-9089.

34. All operations must be carried out in a manner that minimizes damage to land, vegetation and water courses, and which prevents pollution of water bodies. Please note that groundwater aquifers are considered water bodies.
35. The use of treated wood, including the use of treated utility poles, is limited to wood protected by chromated copper arsenate (CCA) preservative.
36. The parking, storage, and maintenance of heavy equipment is prohibited.
37. Equipment storage and maintenance facilities associated with this project must not be located within the Wellhead Protected Water Supply Area, and all maintenance other than emergency repairs must be performed outside the Wellhead Protected Water Supply Area.
38. Bulk fuel storage, including home heating fuel, is prohibited.
39. The use and/or storage of fertilizers, pesticides, herbicides, petroleum solvents, chlorinated solvents, and preservatives are prohibited.
40. Fuel/gasoline storage is limited to one 23 litre (5 Imperial gallon) approved container during both the construction and occupation period of the property. Furthermore, every precaution shall be made to prevent spills, leaks, or other discharges while filling from the container.
41. Liaison must be maintained with the appropriate Municipal Authority and Department of Environment and Climate Change official. If there are any specific problems (i.e., fuel spill or other potential water quality impairment), the Town Manager/Clerk and/or Mayor must be notified immediately, as well as the Environmental Scientist at (709)729-1671.
42. Officials of the Department of Environment and Climate Change and the appropriate Municipal Authority, Operator, or Wellhead Protection Committee may visit the site from time to time to ensure compliance with this Permit.
43. Any areas adversely affected by this project must be restored to a state that resembles the local natural conditions or must be grass covered. Further remedial measures to mitigate environmental impacts on water resources can and will be specified, if necessary in the opinion of the Department of Environment and Climate Change.
44. The Department of Environment and Climate Change reserves the right to require the proponent to cover all costs incurred by the proponent or this department that is 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.
45. Any changes in the Town of Holyrood Wellhead Protected Water Supply water quality resulting directly from this project, rendering the water unsuitable as a public water supply, are the responsibility of the proponent. The Minister may order the proponent to provide an alternate source of potable water to the affected community until water quality returns to an acceptable level.
46. A water quality monitoring program is not required at this time. However, the Department of Environment and Climate Change reserves the right to require that the proponent sample, analyze, and submit results of water quality tests, for the purpose of ensuring that the water quality of the surrounding aquifer(s), is maintained within acceptable guidelines. All analyses must be undertaken by a CALA accredited laboratory.
47. The permit holder, contractor, subcontractor or other persons associated with this project shall not cross, operate in, or disturb any body of water, either directly or by means of installing a bridge or culvert, without first obtaining a permit under Section 48 of the Water Resources Act SNL 2002 cW-4.01
48. Any significant changes in the permitted operations, developments or activities other than those specified in the application must be submitted in writing to the Department of Environment and Climate Change, and permitted in the form of an Amendment to this Permit, before they are undertaken.
49. Renewal of this permit shall require the submission of a written application, on the prescribed form, to the Department of Environment and Climate Change, and is subject to review by this Department and the appropriate Municipal Authority, Operator or Wellhead Protection Committee.

50. The well owner is responsible for compliance with this permit.

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.

- cc: Mr. Tom Wright
Mills and Wright Landscape Architect
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- cc: Amir Ali Khan, Ph.D., P.Eng.
Manager, Water Rights, Investigations and Modelling Section
Water Resources Management Division
Department of Environment and Climate Change
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- cc: Frank Norman (Eastern)
Land Management Specialist
Crown Lands Administration
Department of Fisheries, Forestry and Agriculture
Howley Building
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- cc: Fisheries Protection Division
Ecosystem Management Branch
Fisheries and Oceans Canada
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Appendix C - Completion Report

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 61, 48

Date: **SEPTEMBER 16, 2021**

File No: **524**
Permit No: **ALT12099-2021**

Permit Holder: **Town of Holyrood**
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Attention: **Majorie Gibbons**

Re: **Boland's Pond Brook - George's Cove - Pedestrian Bridge Installation**

Permission was given for : **the installation of a 3.8 metre treated timber/steel bridge with concrete abutments for the extension of an existing bridge across Boland's Pond Brook within a wellhead protected water supply area in the Town of Holyrood and in reference to the application received on October 6, 2020 and additional information received on August 31, 2021.**

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 Environment and Climate Change 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 Environment and Climate Change
Water Resources Management Division
PO Box 8700
St. John's NL A1B 4J6

APPENDIX D
Location Map for Permit

