

PERMIT TO ALTER A BODY OF WATER

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

Date: **AUGUST 14, 2023**

File No:

Permit No: **ALT13197-2023**

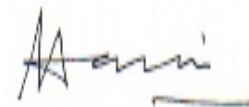
Permit Holder: **Newfoundland and Labrador Hydro
500 Columbus Drive
P.O. Box 12400
St. John's, NL, A1B 4K7
kensparkes@nlh.nl.ca**

Attention: **Ken Sparkes**

Re: **Various Waterbodies - Transmission Line L1301 Decommissioning Project - Blanket Permit**

Permission is hereby given for : **i) fording of various waterbodies in order to carry out decommissioning activities; ii) the removal or partial removal, where structures contain a viable raptors nest, of transmission line poles, cross-arms, cross-braces, conductor, guy wires, and other associated hardware within the 15m environmental buffer surrounding bodies of water, and iii) localized remediation where required within the 15m environmental buffer surrounding bodies of water, for the purpose of facilitating decommissioning activities for transmission line L1301, in reference to the application received on June 12, 2023 and additional information received on July 19, 2023 and on July 31, 2023.**

- 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

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 48 <https://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm> for any work activity within any designated flood risk area as indicated at <https://www.gov.nl.ca/ecc/waterres/flooding/frm/>.
2. 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/#MapApp>
3. The Permit Holder must obtain municipal approval before undertaking any work under this blanket permit within the municipal boundary and subsequently informs Water Resources Management Division.
4. All work must be carried out by the Permit Holder or its contractors bound by written contract to meet the requirements of the Permit Holder's Environmental Management Program.
5. If the work does prohibit, restrict or impede public access along the shoreline reservation then the Permit Holder shall restore the reservation to the satisfaction of the Minister within 60 days of written notification. Failure to do so shall result in the Minister restoring the reservation and the cost of the restoration shall be recovered from the Permit Holder as a debt due to the Crown.
6. 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. In addition, the Permit Holder must take necessary measures to control dust that may impair the quality of any adjacent body of water or wetland.
7. Select heavy rocks must be placed along the shoreline to provide slope stability and erosion protection.
8. Copies of this Permit, as well as any subsequent amendments, must be provided to the Permit Holder's contractors who will be carrying out any work under this Permit.
9. The Permit Holder acknowledges and agrees that this Permit may require and will be amended to include further provisions pursuant to the Water Resources Act, SNL 2002 cW-4.01 and its regulations and policies in effect thereunder from time to time, as deemed necessary in the opinion of the Minister.
10. All Section 48 permits are valid for two (2) years. Every two (2) years all existing fording sites will consider to be new if they are used again.
11. The Permit Holder must avoid construction activities in wetlands wherever possible.

Reporting Protocol

12. For each work activity carried out under this Permit, the Permit Holder must notify this Department via email to waterinvestigations@gov.nl.ca in accordance with a reporting protocol as deemed necessary and appropriate in the opinion of the Minister. Also, any work activity 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
13. Annually (at the end of the calendar year), the permit holder requires to submit a work done report under this permit along with the applicable fees incurred during the period.
14. Within 30 days after expiry of this Permit, the Permit Holder must submit to the department a report confirming that each fording location was left in as good or better condition than prior to Permit Holder's fording activities. This report should include detailed pictures of each site before and after project activities.

Fording

15. Except for single passenger all-terrain vehicles, crossings by other vehicles or construction equipment shall be limited to one trip in and one trip out.
16. Timbers or rocks shall be placed in streams to facilitate crossing or to minimize damage to the channel sections provided the streams are not unnecessarily constricted or backed up.
17. Alteration of the natural minimum streamflow is not permitted in order to preserve aquatic life.
18. Stream banks at fording sites that contain loose or erodible material must be adequately stabilized before crossing to minimize any siltation of streams.
19. The natural course of any stream must not be altered.
20. 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.
21. The fording sites must be located at shallow sections of the channels where there are low approach grades, and where the channels consists of stable non-erodible rock or cobbles.
22. Fording shall only be carried out during periods of low water levels.
23. When the fording sites are no longer required, the Permit Holder must dismantle and remove all constructed works and restore the sites to their original condition. All material placed in streams must be completely removed.
24. 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 as 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

General Alterations

25. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
26. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.
27. 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*.
28. 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.
29. 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.
30. 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.
31. 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.
32. 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.
33. All waste materials resulting from this project must be disposed of at a site approved by the Department of Digital Government and Service NL.
34. 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.
35. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
36. 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.
37. 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.
38. The attached Completion Report (Appendix C) for Permit No. 13197 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.
39. 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.
40. The location of the work is highlighted on the Location Map for this Permit attached as Appendix D.

41. All work must be carried out within the Permit Holder's legal property boundaries.
42. Except as stated in Clause #15 under **FORDING**, 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.

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. Mohammad Khayer, M.Eng., P.Eng.
Senior Engineer, Hydrologic Modelling Section
Water Resources Management Division
Department of Environment and Climate Change
P.O. Box 8700
4th Floor, West Block, Confederation Building
St. John's, NL A1B 4J6
MohammadKhayer@gov.nl.ca
- cc: Ms. Paula Dawe, P.Eng.
Manager, Water Rights, Investigations and Modelling Section
Water Resources Management Division
Department of Environment and Climate Change
P.O. Box 8700
4th Floor, West Block, Confederation Building
St. John's, NL A1B 4J6
pauladawe@gov.nl.ca
- cc: Jeff Bannister (Western and Labrador)
Western and Labrador Regional Lands Manager
Crown Lands Administration Division
Department of Fisheries, Forestry and Agriculture
JeffBannister@gov.nl.ca
- cc: Fish and Fish Habitat Protection Program
Aquatic Ecosystems Branch
Fisheries and Oceans Canada
P.O. Box 5667
St. John's, NL A1C 5X1
dfo.fppnl-ppptnel.mpo@dfo-mpo.gc.ca
- cc: Town of Happy Valley-Goose Bay
Nadine MacAulay
212 Hamilton River Rd.
P.O. Box 40
Happy Valley-Goose Bay, NL A0P 1E0
cao@townhvgb.com
- cc: Jennifer Barnes
Director (A) , Office of Indigenous Affairs and Reconciliation
Government of Newfoundland and Labrador
JenniferBarnes@gov.nlc.a



Appendix C - Completion Report

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

Date: **AUGUST 14, 2023**

File No:
Permit No: **ALT13197-2023**

Permit Holder: **Newfoundland and Labrador Hydro**
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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

Transmission Line L1301 Decommissioning Project - Centerline of ROW

