



PERMIT FOR ACTIVITIES IN A PROTECTED PUBLIC GROUNDWATER SUPPLY

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

Date: **JUNE 17, 2021**

File No: **DA21-002**
Permit No: **GW11915-2021**

Permit Holder: **Newfoundland Power Inc.
55 Kenmount Road
P.O. Box 8910
St. John's, NL, A1B 3P6
spollard@newfoundlandpower.com**

Attention: **Shane Pollard**

Re: **Newfoundland Power, Utility pole replacement, Port au Port East WHPA**

Permission is hereby given for : **Utility pole replacement, Port au Port East Wellhead Protection Area**

- This Permit does not release the Permit Holder from the obligation to obtain appropriate approvals from other concerned municipal, provincial and federal agencies.
- 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*.

A handwritten signature in black ink, appearing to read "A. ...", on a white background.

(for) MINISTER

APPENDIX A

Terms and Conditions for Permit

Development in WPWSA

1. 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.
2. All equipment must be in good working order with no leaking fuel or oil. Refueling of heavy equipment is not allowed on site.
3. 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.
4. 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.
5. The use of treated wood, including the use of treated utility poles, is limited to wood protected by copper azole preservative.
6. During construction and after the project is complete, the use and/or storage of fertilizers, pesticides, herbicides, petroleum solvents, chlorinated solvents, and preservatives is limited or restricted. Please contact the Environmental Scientist at (709)729-1671 for more information.
7. The parking, storage, and maintenance of heavy equipment is prohibited.
8. 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.
9. Bulk fuel storage, including home heating fuel, is prohibited.
10. 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.
11. 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.
12. 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.
13. 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.

14. 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.
15. Any changes in the Town of Port au Port East 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.
16. 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.
17. 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
18. 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.
19. 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.
20. The permitted development activity is located at or near: 48.555497 N, 58.699701 W.
21. This permit is valid for one (1) year from the date of issuance.
22. The well owner is responsible for compliance with this permit.

Special Conditions

23. Treated wood shall not be used in Zone 1 of Wellhead Protected Area. The use of creosote treated wood anywhere within the Wellhead Protected Area is strictly prohibited.
24. Chromated copper arsenate (CCA), ammoniacal copper arsenate (ACA) or copper naphthanate (CuNap) treated utility poles and/or anchor boxes may be used outside the above-referenced buffer zones. Untreated poles must be used within the above-referenced buffer zones. The Policy for Utility Poles in Water Supply Areas (WR 93-01) must be strictly adhered to.

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: **DA21-002**
Permit No: **GW11915-2021**

cc: Groundwater Section File Copy
Groundwater Section
Water Resources Management
Environment and Climate Change
groundwatersection@gov.nl.ca

cc: Town of Port Au Port East
Ms. Joanne Ryan
P.O. Box 160
Port Au Port East, NL A0N 1T0
townofpape@hotmail.com

Appendix C - Completion Report

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

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Re: **Newfoundland Power, Utility pole replacement, Port au Port East WHPA**

Permission was given for : **Utility pole replacement, Port au Port East Wellhead Protection Area**

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