

PERMIT FOR DEVELOPMENT

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

Date: **JUNE 14, 2023**

File No: **550-01-03-11-040**

Permit No: **PRO13111-2023**

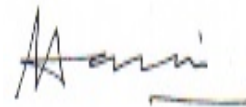
Permit Holder: **Town of Hughes Brook
46 Lidstone's Drive
Hughes Brook NL A2H 4A1
info@hughesbrook.com**

Attention: **Deborah White**

Re: **Hughes Brook - Reservoir PPWSA - Reservoir Maintenance - Town of Hughes Brook**

Permission is hereby given for : **the removal of sediment and debris from the reservoir in the Protected Public Water Supply Area (used by the Town of Hughes Brook) with reference to the application dated May 12, 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

PPWSA General

1. 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.
2. 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.
3. 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.
4. The attached Completion Report (Appendix C) for Permit No. 13111 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.
5. An undisturbed (no cutting or ground disturbance) buffer zone of at least **150 metres** shall be maintained around Reservoir , at least **50 metres** around major lakes and ponds and along both sides of all streams and main tributaries running into Reservoir , and at least **30 metres** around all ponds, along both sides of all other water bodies including wetlands and field identified streams. 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.
6. 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*.
7. 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.
8. 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.
9. Officials of the Department and the appropriate Municipal Authority, Operator, or Watershed Management Committee may visit the site to ensure compliance with this Permit.
10. Liaison is to be maintained with the appropriate Municipal Authority and Environmental Scientist. If there are any specific problems (i.e. sedimentation, fuel spill, or 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)783-2921. The Environmental Scientist must also be notified immediately at **(709)637-2542**.
11. 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.

12. Treated wood shall not be used in a water body or within buffer zones established in Condition #5 of any water body measured from the high water mark. The use of creosote treated wood anywhere within the Protected Public Water Supply Area is strictly prohibited.
13. 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)637-2542 and the appropriate Municipal Authority or Watershed Monitoring Committee at (709)783-2921.
14. The location of the work is highlighted on the Location Map for this Permit attached as Appendix D.
15. This Permit is valid for one (1) year from the date of issue. If required, an application for Permit renewal must be submitted prior to the expiry date.
16. Once work has been completed, contact the Environmental Scientist at (709)637-2542 so that a sample can be collected from the distribution system.
17. 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.
18. All vehicles and equipment must be in good working order with no leaking fuel, oil, or other harmful substances that could impair water quality.
19. 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.
20. Where permits, licences, approvals or authorizations are issued by multiple governments departments or agencies, in the case of similar conditions, the more stringent of those shall prevail; in the case of conflicting conditions, the Permit Holder shall seek clarification and direction in writing from each of the respective departments or agencies.
21. 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, 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.
22. Please collect photo documentation throughout the process and include with the completion report.

Fuel Storage

23. Contaminated snow and 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*.
24. 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)637-2542 and (709)783-2621 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.

25. 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
26. Refueling sites shall be located at least 150 metres from any water body or wetland.

Protected Miscellaneous

27. 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.
28. 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.
29. Wood and brush removed from the work site must not be stored within undisturbed buffer zones of any water body.
30. In the event the reservoir does not naturally refill, any water used to refill the system cannot contain chlorine or disinfection chemicals.

Special Conditions

31. When using a pressure washer, inspect the dam walls for any deficiencies before use. Use care and caution so that no deterioration to dam occurs. Any chlorinated water will be removed with a vacuum truck as it cannot enter drainage ditches or water bodies.
32. Any vacuum trucks used to remove sediment from an intake body of water must have the storage compartment disinfected and dried out prior to beginning work. All equipment that will enter the intake body of water, such as hoses need to be specifically designated for use only in drinking water. If there are no check valves on the truck to stop water from draining from the storage compartment if the truck loses vacuum pressure, than an operator must remain with the truck to manually stop the process. The truck will not be emptied or cleaned inside the Protected Public Water Supply Area.
33. Care and caution should be taken when working around the toe of the dam. No excavation shall be undertaken within 5 metres upstream or downstream of the toe of the dam.

Dam Safety

34. The dam has been conditionally classified in the HIGH Consequence category based on the 2007 Canadian Dam Association (CDA) guidelines. To meet the CDA's Dam Safety guidelines (Current Edition) for dams of this classification, the owner must:
- Carry out an annual Dam Safety Inspection and provide the results to this Department,
 - Carry out a Dam Safety Review and submit a Dam Safety Report to this Department every seven years,
 - Develop an Operation, Maintenance and Surveillance (OMS) Manual for the operation and closure phases,
 - Prepare an Emergency Preparedness Plan (EPP).

Dredging/Debris Removal

35. Alteration of the natural minimum streamflow is not permitted in order to preserve aquatic life.
36. The natural course of any stream must not be altered.

37. Dredging 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.
38. The area to be dredged must be enclosed and isolated from the rest of the body of water through the use of a filter fabric curtain or similar method.
39. Dredged material must be disposed of in accordance with the regional Service NL Centre of the Department of Digital Government and Service NL. The Department of Digital Government and Service NL may require samples to be submitted for testing and analysis. Only suitable, rocky material dredged may be used for breakwater construction as it will not be susceptible to erosion.

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: Ms. Deneen Spracklin, P.Eng.
Manager, Drinking Water and Wastewater 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
dspracklin@gov.nl.ca
- cc: Mr. Jeff Pickett (Western and Labrador)
Director
Digital Government and Service NL
Sir Richard Squires Building
PO Box 2006
Corner Brook NL A2H 6J8
jeffpickett@gov.nl.ca
- cc: Town of Hughes Brook
Ms. Terri Glynn
46 Lidstone's Drive
Hughes Brook NL A2H 4A1
info@hughesbrook.com
- cc: Ms. Kimberly Perry (Western)
Manager of Operations
GSC - Corner Brook, Service NL
Sir Richard Squires Building
Mount Bernard Avenue, P.O. Box 2006
Corner Brook, NL A2H 6J8
KimberlyHalfyard@gov.nl.ca
- cc: Ms. Carla Hayes, P.Tech
Environmental Scientist, Drinking Water Section
Water Resources Management Division
Department of Environment and Climate Change
P.O. Box 2006
Corner Brook, NL A2H 6J8
CarlaHayes@gov.nl.ca



Appendix C - Completion Report

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

Date: **JUNE 14, 2023**

File No: **550-01-03-11-040**

Permit No: **PRO13111-2023**

Permit Holder: **Town of Hughes Brook
46 Lidstone's Drive
Hughes Brook NL A2H 4A1
info@hughesbrook.com**

Attention: **Deborah White**

Re: **Hughes Brook - Reservoir PPWSA - Reservoir Maintenance - Town of Hughes Brook**

Permission was given for : **the removal of sediment and debris from the reservoir in the Protected Public Water Supply Area (used by the Town of Hughes Brook) with reference to the application dated May 12, 2023.**

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

POR13111-2023 - Hughes Brook



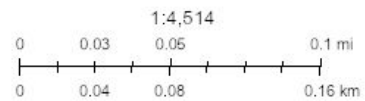
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Intakes / Wellheads

 Intakes

Public Water Supplies

 Protected



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