

**PERMIT FOR DEVELOPMENT**

---

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

Date: **AUGUST 19, 2020**

File No: **550-01-03-11-009**  
Permit No: **PRO10996-2020**

Permit Holder: **Mr. Richard Kelly**



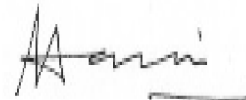
Attention: **Mr. Richard Kelly**

Re: **Steady Brook - Steady Brook PPWSA - Cabin Lease Transfer and Minor Repairs - Mr. Richard Kelly**

---

Permission is hereby given for : **the transfer of a Crown Lands cabin title 74720 from John Simmons to Richard P. Kelly, minor repairs to the cabin and the removal of the cabin owned by Richard P. Kelly at Crown Lands title 75589 in the Steady Brook Protected Public Water Supply Area with reference to the application dated June 18, 2019.**

- 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*.



(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. 10996 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 Steady Brook, at least **50 metres** along both sides of all streams and main tributaries running into Steady Brook, and at least **30 metres** around all ponds **including the Unnamed Pond where the cabin is located** 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.
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.* , including the cabin to be removed.
7. 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.
8. Officials of the Department and the appropriate Municipal Authority, Operator, or Watershed Management Committee may visit the site to ensure compliance with this Permit.
9. 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)634-7601. The Environmental Scientist must also be notified immediately at **(709)637-2542**.
10. 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.
11. Motorized vehicles, including snowmobiles and ATVs, shall not be used to cross the frozen surface of Steady Brook the intake body of water within the Protected Public Water Supply Area.
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 when at the site, 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)634-7601.
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. 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.
17. Existing access routes are to be used and this permit is not authorization for any upgrades to existing roads.
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. Any streams not visible on a 1:50,000 scale map (including field identified streams) shall require a minimum buffer of 30 m.
20. 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.
21. Any activity within a freshwater body (including wetlands and flood risk areas), requires a Permit under Section 48 of the Water Resources Act, 2002. This Permit refers to Section 39 of the Water Resources Act, 2002 and does not grant permission for the above stated work including fording and/or culvert or bridge installation.

### **Cabins & Dwellings**

22. Sign-posts clearly marked Richard Kelly must be placed, and remain in place, at the corners of the approved area.
23. 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.
24. This permit relates specifically to land application no. 74720.

### **Fuel Storage**

25. There shall be no bulk fuel storage associated with this project within the protected water supply area. Only the volume of fuel that will be used during a visit shall be brought to the operating area and that fuel will be in approved containers. Refueling sites shall be located at least 150 metres from any water body or wetland. The Permit Holder is hereby informed that fuel storage and handling requires a separate approval under the *Storage and Handling of Gasoline and Associated Products Regulations*, CNR 775/96.
26. 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*.

27. 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) 634-7601 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.
28. 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
29. Refueling sites shall be located at least 150 metres from any water body or wetland.

### **Protected Miscellaneous**

30. 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.
31. A separate approval under Section 48 of the *Water Resources Act SNL 2002 cW-4.01*. is required for the construction of a floating dock or any other activity or development within 30 metres of the high water mark of the Unnamed Pond the cabin is located near.
32. Dead trees may be removed for fuel wood, or along with brush, be burned on site. Areas for burning shall be located outside any buffer zones. Living trees shall remain uncut.
33. Permits for burning operations must be obtained from the Department of Fisheries and Land Resources.
34. 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.
35. This site is to be used for a cabin only and **must not** be used for any type of agricultural development involving livestock and/or manure. Furthermore, it **must not** be used for any type of commercial or business activity without a written approval from this Department.
36. Wood and brush removed from the work site must not be stored within undisturbed buffer zones of any water body.

### **Special Conditions**

37. The old cabin owned by Rick Kelly at Crown Lands title 75589 shall be removed by the expiration date of this permit. Burning of the old cabin is not a permitted method of removal.
38. The proponent is to advise the Environmental Scientist at (709) 637-2542 when work has been completed for an inspection by a representative(s) of the Steady Brook Watershed Management Committee.
39. The construction of any new structures at Crown Lands Title 75589 and Crown Lands Title 74720 will require a permit under Section 39 of the Water Resources Act, 2002.

**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: Western Regional Lands Office  
Crown Lands  
Fisheries and Lands Resources  
WesternRegionLands@gov.nl.ca
- cc: Ms. Carla Hayes, P.Tech  
Environmental Scientist, Drinking Water and Wastewater Section  
Water Resources Management Division  
Department of Environment, Climate Change and Municipalities  
P.O. Box 2006  
Corner Brook, NL A2H 6J8  
CarlaHayes@gov.nl.ca
- cc: Ms. Paula Dawe, P.Eng.  
Manager, Drinking Water and Wastewater Section  
Water Resources Management Division  
Department of Municipal Affairs and Environment  
P.O. Box 8700  
4th Floor, West Block, Confederation Building  
St. John's, NL A1B 4J6  
pauladawe@gov.nl.ca
- cc: Town of Steady Brook  
Ms. Tracey Caines  
P.O. Box 117  
Steady Brook, NL A2H 2N2  
townclerk@steadybrook.com
- cc: Referrals WRMD  
Water Resources Management Division  
Municipal Affairs and Environment  
Referrals\_WRMD@gov.nl.ca

**Appendix C - Completion Report**

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

Date: **AUGUST 19, 2020**

File No: **550-01-03-11-009**

Permit Holder: **Mr. Richard Kelly**

Permit No: **PRO10996-2020**



Attention: **Mr. Richard Kelly**

Re: **Steady Brook - Steady Brook PPWSA - Cabin Lease Transfer and Minor Repairs -  
Mr. Richard Kelly**

Permission was given for : **the transfer of a Crown Lands cabin title 74720 from John Simmons to Richard P. Kelly, minor repairs to the cabin and the removal of the cabin owned by Richard P. Kelly at Crown Lands title 75589 in the Steady Brook Protected Public Water Supply Area with reference to the application dated June 18, 2019.**

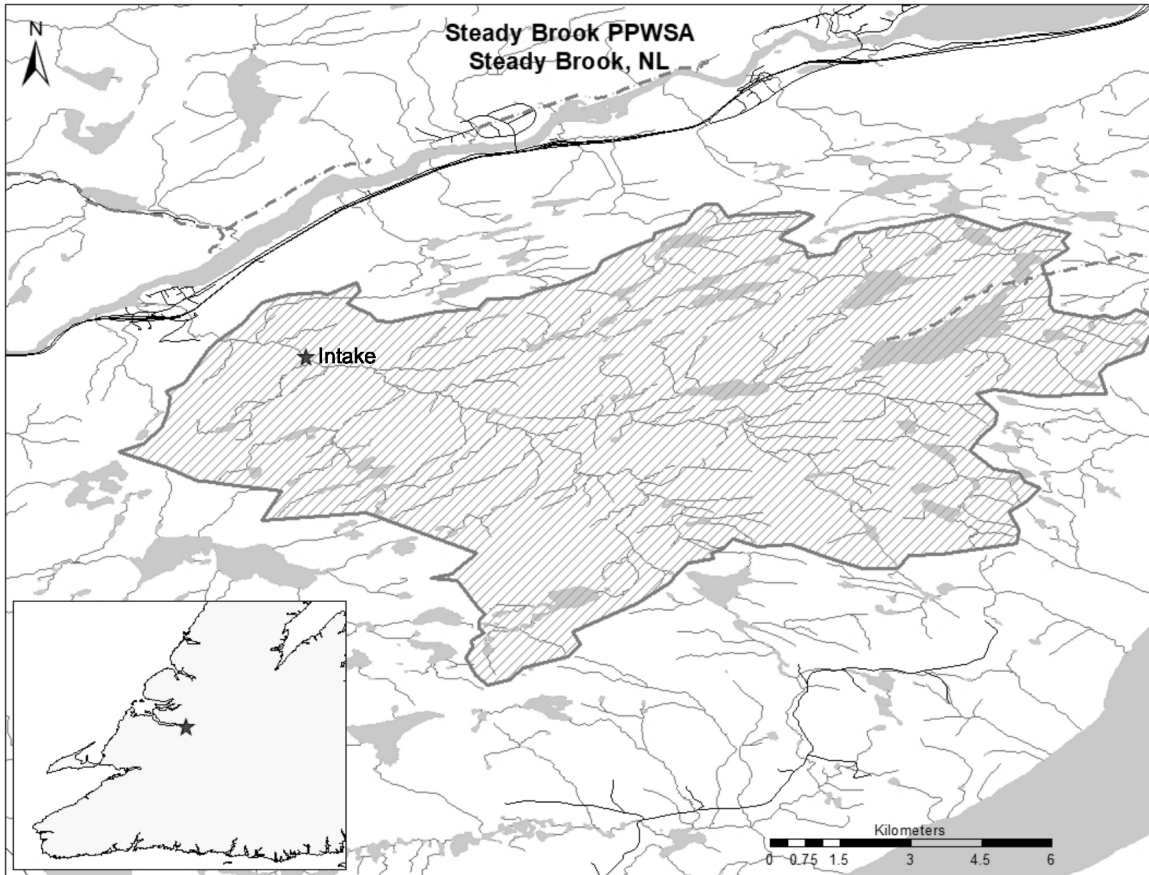
*I (the Permit Holder named above or agent authorized to represent the Permit Holder) do hereby certify that the project described above was completed in accordance with the plans and specifications submitted to the Department of Municipal Affairs and Environment and that the work was carried out in 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**





**Second Attached Image File**

