

PERMIT FOR DEVELOPMENT

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 39, 61, 48

Date: **MAY 14, 2021**

File No: **550-01-03-07-003**

Permit No: **PRO11815-2021**

Permit Holder: **Newfoundland Power Inc (Stephenville)**
10-14 Utah Drive
Stephenville, NL
A2N 2Z1

[REDACTED]

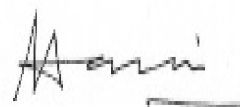
Attention:

[REDACTED]

Re: **Fox Roost-Magaree - Margaree Pond PPWSA - New Utility Line - Newfoundland Power**

Permission is hereby given for : **installation of a new utility line to the Fox Roost-Margaree pumphouse in the Margaree Pond Protected Public Water Supply Area (used by the Town of Fox Roost-Margaree) with reference to the application dated November 24, 2020.**

- 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 both a Protected Public Water Supply Area and 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 operations.
4. The attached Completion Report (Appendix C) for Permit No. 11815 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 Margaree Pond, at least **50 metres** along both sides of all streams and main tributaries running into Margaree Pond, and at least **30 metres** around all ponds 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*.
7. Equipment storage, maintenance facilities associated with this project, and all maintenance other than emergency repairs must not be located/carried out within the Wellhead Protected Public Water Supply Area or 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 (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)695-0514. The Environmental Scientists must also be notified immediately at **(709)637-2542 and (709)729-1671**.
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. Motorized vehicles, including snowmobiles and ATVs, shall not be used to cross the frozen surface of Margaree Pond the intake pond, within the Protected Public Water Supply Area.
13. Drainage from roads and other disturbed areas, and all water, runoff or effluent from the site, that is pumped or flows by gravity, shall have silt, sludge, sediment, cuttings, and visible turbidity removed by means of sediment boxes, settling tanks, settling ponds, sumps dug into the ground, filtration or other suitable treatment, to less than or equal to 30 milligrams per litre of Total Suspended Solids (TSS), before being discharged to the environment. More specifically, at the last point of control, the final discharge of all water, runoff or effluent must conform to the limits specified in Schedule A of the Environmental Control Water and Sewer Regulations, 2003, <https://www.assembly.nl.ca/Legislation/sr/Regulations/rc030065.htm>. It is the responsibility of the Permit Holder to demonstrate, that the final discharge meets the requirement of these Regulations.
14. 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.
15. 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)695-0514.
16. The location of the work is highlighted on the Location Map for this Permit attached as Appendix D.
17. This Permit is valid for two (2) years from the date of issue. If required, an application for Permit renewal must be submitted in writing prior to the expiry date.
18. 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.
19. All vehicles and equipment must be in good working order with no leaking fuel, oil, or other harmful substances that could impair water quality.
20. All stationary motorized equipment and associated fuel tanks shall have metal trays, absorbent pads or impervious liners under them to catch and contain in excess of 110 % of the aggregate volume of any fuel, lubricant and oil.
21. Drainage from roads and other disturbed areas into any body of water must first be discharged into a settling pond, a vegetated area or pass through a sedimentation fence where all suspended material can settle out before draining into any body of water.
22. Any streams not visible on a 1:50,000 scale map (including field identified streams) shall require a minimum buffer of 30 m.
23. 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.

24. 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.

Fuel Storage

25. 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*.

26. Any spills of gasoline, fuel or oil, regardless of volume, shall be reported immediately to the Environmental Scientists and the appropriate Municipal Authority or Watershed Management Committee by calling (709)637-2542, (709)729-1671 and (709) 695-0514 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.

27. 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

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

Protected Miscellaneous

29. 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.

30. 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.

Power Lines

31. Wood and brush removed from the work site must not be stored within undisturbed buffer zones of any water body.

32. The use of creosote or pentachlorophenol (PCP) treated utility poles and/or anchor boxes is strictly prohibited.

33. 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.

34. All poles and/or anchor boxes within 150 metres of Margaree Pond or within 30 metres of any water body must be of untreated wood, metal or concrete.

35. The **Policy for Utility Poles in Water Supply Areas (WR 93-01)** must be strictly adhered to.

Development in WPWSA

36. 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.
37. 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.
38. 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.
39. 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.
40. Bulk fuel storage, including home heating fuel, is prohibited.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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.
46. The well owner is responsible for compliance with this permit.

Infilling

47. The constructed works must be inspected regularly so that action can be taken to undertake repairs as required.
48. Fill material must be obtained from an approved quarry site. It must not be taken from beaches or streams, and must not be dredged from a body of water.
49. The natural course of any stream must not be altered.
50. 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.

51. Infilling must not disrupt the established surface drainage pattern of the area.
52. Infilling must not cause increased water elevation upstream or increase flow velocity downstream of the site.
53. Before infilling, any vegetation and topsoil must be completely removed and under no circumstances shall it be used as fill material. Topsoil must be stored and reused in final landscaping of the infilled area.
54. The constructed works must comply with all other terms and conditions provided in the Crown Lands grant, lease, or license for occupancy.
55. Select heavy rocks must be placed along the toe of any infilling to provide slope stability and erosion protection.

General Alterations

56. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
57. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.
58. 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.
59. 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.
60. 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.
61. 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.
62. 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.
63. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
64. 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.
65. 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.

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: Amir Ali Khan, Ph.D., P.Eng.
Manager, Water Rights, Investigations and Modelling Section
Water Resources Management Division
Department of Environment and Climate Change
P.O. Box 8700
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akhan@gov.nl.ca
- cc: Angela Buchanan
Groundwater
Water Resources Management
Municipal Affairs and Environment
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- cc: Ms. Carla Hayes, P.Tech
Environmental Scientist, Drinking Water Section
Water Resources Management Division
Department of Environment and Climate Change
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- cc: Ms. Leah Burry
Water Resources Tech II , Water Rights, Investigations & Modeling Section
Water Resources Management Division
Dept. Environment and Climate Change
LeahBurry@gov.nl.ca
- cc: Ms. Paula Dawe, 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
pauladawe@gov.nl.ca
- cc: Western Regional Lands Office
Crown Lands
Fisheries and Lands Resources
WesternRegionLands@gov.nl.ca
- cc: Local Service District of Fox Roost-Margaree
Chairperson
P.O. Box 11, Site 7 RR 2
Margaree, NL A0M 1C0

Appendix C - Completion Report

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 39, 61, 48

Date: **MAY 14, 2021**

File No: **550-01-03-07-003**

Permit No: **PRO11815-2021**

Permit Holder: **Newfoundland Power Inc (Stephenville)
10-14 Utah Drive
Stephenville, NL
A2N 2Z1**



Attention:



Re: **Fox Roost-Magaree - Margaree Pond PPWSA - New Utility Line - Newfoundland Power**

Permission was given for : **installation of a new utility line to the Fox Roost-Margaree pumphouse in the Margaree Pond Protected Public Water Supply Area (used by the Town of Fox Roost-Margaree) with reference to the application dated November 24, 2020.**

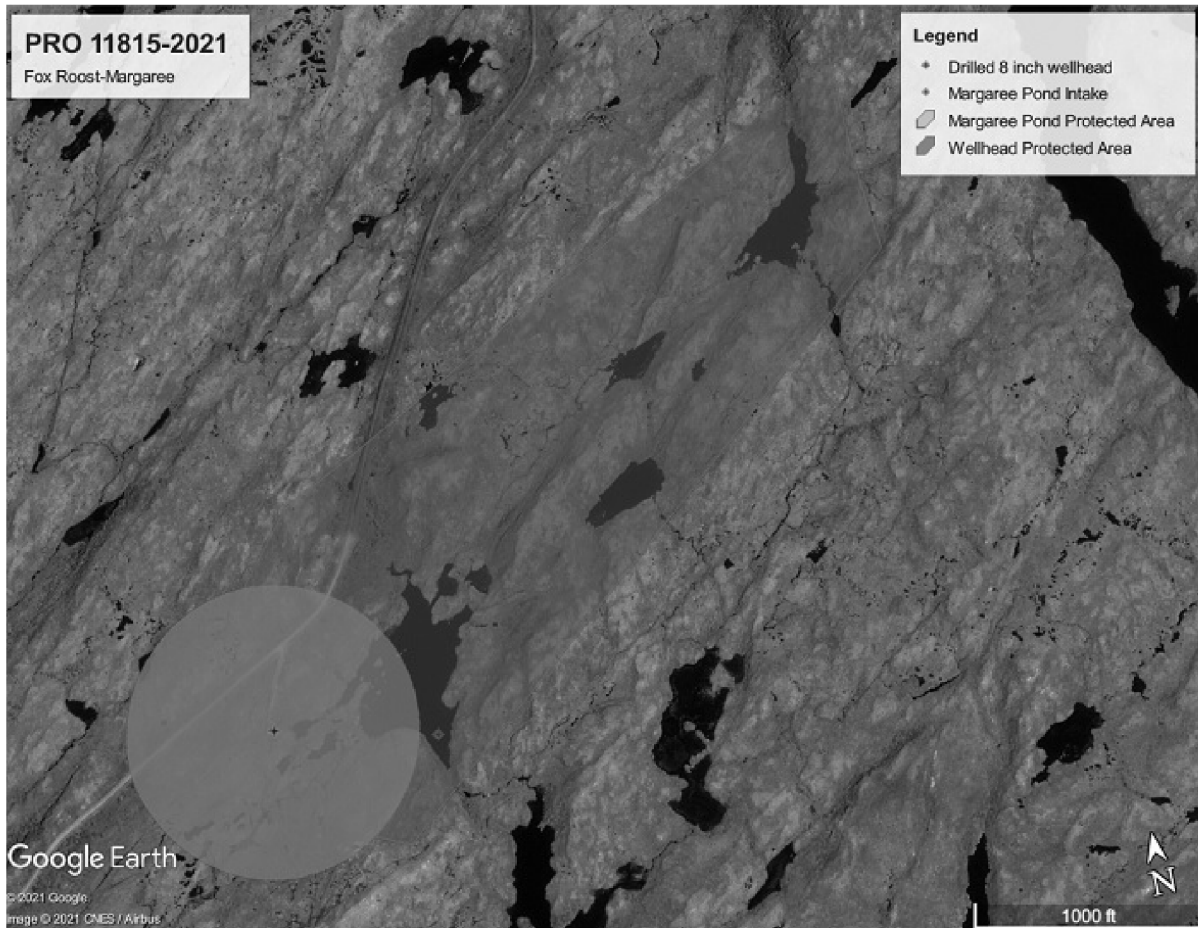
I (the Permit Holder named above or agent authorized to represent the Permit Holder) do hereby certify that the project described above was completed in accordance with the plans and specifications submitted to the Department of Environment and Climate Change and that the work was carried out in strict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



Second Attached Image File

