

PERMIT FOR DEVELOPMENT

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

Date: **APRIL 22, 2021**

File No: **550-01-01-07-018**

Permit No: **PRO11651-2021**

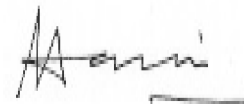
Permit Holder: **Town of Grand Bank
PO Box 640
Grand Bank NL A0E 1W0
townofgrandbank@townofgrandbank.net**

Attention: 

Re: **Grand Bank - Grand Bank Brook PPWSA - Linear Development - Town of Grand Bank**

Permission is hereby given for : **upgrades to an existing walking trail including ditching, culvert installations, new tread surface and new signage within the Grand Bank Brook Protected Public Water Supply Area (used by the Town of Grand Bank) with reference to the application dated March 3, 2021.**

- 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. 11651 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. Where possible, an undisturbed (no cutting or ground disturbance) buffer zone of at least **150 metres** shall be maintained around Grand Bank Brook for a distance of 1 kilometer upstream, at least **75 metres** along the remainder of Grand Bank Brook, at least **50 metres** along both sides of all streams and main tributaries running into Grand Bank Brook, and at least **30 metres** around all ponds and along both sides of all other water bodies. Exceptions to this would include work on existing walking trails within the these buffers as outlined in the application dated March 3, 2021. Non-exempted activity or development within these buffer zones is prohibited.
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 may visit the site to ensure compliance with this Permit.
10. Liaison is to be maintained with the Environmental Scientist. If there are any specific problems (ie sedimentation, fuel spill, other potential water quality impairment), the Environmental Scientist must be notified immediately at **(709)729-4817**.
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 regularly during work activities, and any water quality impairment related problems are to be reported immediately to the Environmental Scientist at (709)729-4817.
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. All vehicles and equipment must be in good working order with no leaking fuel, oil, or other harmful substances that could impair water quality.
18. 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.
19. 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.
20. Any streams not visible on a 1:50,000 scale map (including field identified streams) shall require a minimum buffer of 30 m.
21. For any clearing inside buffer zones: no unnecessary 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.
22. 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.
23. The Permit Holder is required to ensure that adequate sanitary (bathroom) facilities are available or provided on site.
24. The issuance of this permit does not guarantee, nor set precedent, that additional or similar permits or amendments will be issued in this or any other Protected Public Water Supply Area for additional or similar activity or development.

Fuel Storage

25. There shall be no bulk fuel storage associated with this project within the protected water supply area. Fuel shall be brought to the operating area in no more than two (2), 205 litre barrels or one (1) 500 litre slip tank. 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. Any spills of gasoline, fuel or oil, regardless of volume, shall be reported immediately to the Environmental Scientist by calling(709)729-4817. 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. 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*.
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.

Trails

30. 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.
31. Removal of streambank vegetation or trees is not permitted. Overhanging brush that collects snow and blocks ice movement may be pruned and cut back to allow free flow of water.
32. Where sand or gravel is used in the construction of trails, these areas must be closely monitored during and after periods of heavy rainfall for any signs of erosion or washout. Where washouts occur, these sections of trail should be replaced with boardwalks or other mitigative measures put in place to limit erosion.
33. Trail embankments near watercourses must be adequately protected from erosion by sodding, seeding or placing of rip-rap.
34. The constructed works must comply with all other terms and conditions provided in the Crown Lands grant, lease, or license for occupancy.
35. Permit Holder must avoid construction activities in a wetlands wherever possible.
36. A Domestic Wood Harvesting Permit may be required from the Regional Services Division of the Forestry Services Branch, Dept. of Fisheries, Forestry and Agriculture, for any wood cutting activities.
37. The Crown Lands Division must approve all trails on crown land.

38. Signage notification of entry into a protected area must be placed near the entrance to the PPWSA. Signs are available from the WRMD upon request.
39. Heavily travelled areas must be kept well drained to prevent the formation of mud puddles which can contribute to erosion and siltation events.
40. Public trail proponents must be a Local Service District, Municipality or registered as an incorporated company (profit or non-profit) with the Province of Newfoundland and Labrador and be in good standing order.

Culvert Design

41. The installation of four (4) - 300 mm diameter HDPE culvert may be installed within 15 metres and outfall into Grand Bank Brook near the Town of Grand Bank.
42. The crossing structure must provide adequate capacity to safely discharge flood flows without causing backwater effects upstream or increased flow velocity downstream.

Culvert Installation

43. Drainage ditches must collect and transport surface runoff in a manner that does not cause flooding, erosion or sedimentation of adjacent land or receiving waters.
44. Inlet and outlet areas of culvert installations must be adequately protected from erosion by placing rip-rap, fitted stone, or concrete headwalls.
45. Culvert installations must follow the stream channel gradient to the maximum extent possible and placed in line with the direction of the main flow to minimize disturbance to the channel. Culverts must not disrupt the flow of water or cause ponding at the upstream side of the installation.
46. In multiple culvert installations, one culvert must be set a minimum of 150 mm lower than the others to provide adequate water depth and velocity for fish passage during low flow conditions. In addition, multiple culverts must be installed within 0.6 to 0.9 metres apart for maximum stability.
47. Where pumping is used to bypass flow, cofferdams must be installed both above and below areas of construction. The Permit Holder must provide pumps with sufficient capacity to prevent washout of cofferdams.
48. Cofferdams must be properly designed and constructed of suitable materials to prevent leakage and to resist loss of any material as a result of erosion. Cofferdams must be removed upon completion of their intended function. All material must be removed carefully to prevent disturbance of the water body and to prevent water quality degradation.
49. All work involving minor alteration to the stream channel to permit culvert placement must be carried out at a time of low flow, and in a manner that prevents downstream siltation and unnecessary alteration of the channel.
50. Grading and finishing of roadways or road embankments must not cause damage to culverts or allow road material to enter the watercourse.
51. Roadside embankments near the watercourse must be adequately protected from erosion by sodding, seeding or placing of rip-rap.

52. Culverts must be inspected regularly so that immediate action can be taken to clear blockages caused by ice or debris or to undertake repairs as required.
53. The inlet and outlet of culverts must be clearly marked so that operators of road grading and snow clearing equipment can avoid blocking culverts.
54. Any damage to culverts during installation or due to inadequate capacity and/or improper construction must be reported to this Department. Damaged culverts must be replaced immediately to prevent overtopping, erosion, or flooding.
55. If a culvert is installed in natural fish habitat it must be embedded a minimum of 150 mm below the natural streambed (up to a maximum of 1/3 of the culvert diameter).

Storm Drainage Works

56. Outfalls must be inspected regularly so that immediate action can be taken to clear blockages caused by ice or debris or to undertake repairs as required.
57. 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.
58. Adequate erosion protection must be provided in the area where storm/sewer outfall discharges as per detail #560 of the *Municipal Water, Sewer and Roads Specifications*.

Infilling

59. The constructed works must be inspected regularly so that action can be taken to undertake repairs as required.
60. The natural course of any stream must not be altered.
61. 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.
62. Infilling must not disrupt the established surface drainage pattern of the area.
63. Infilling must not cause increased water elevation upstream or increase flow velocity downstream of the site.
64. 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.
65. Select heavy rocks must be placed along the toe of any infilling to provide slope stability and erosion protection.

General Alterations

66. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
67. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.

68. 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*.
69. 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.
70. 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.
71. 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.
72. All waste materials resulting from this project must be disposed of at a site approved by the Department of Digital Government and Service NL.
73. 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.
74. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
75. 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.
76. 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.
77. All work must be carried out within the Permit Holder's legal property boundaries.

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
Dept. of Environment and Climate Change
P.O. Box 8700
4th Floor, West Block, Confederation Building
St. John's, NL A1B 4J6
akhan@gov.nl.ca

cc: Christa Skinner
Environmental Scientist
Water Resources Management Division
Dept. of Environment and Climate Change
P.O. Box 8700
4th Floor, West Block, Confederation Building
St. John's, NL A1B 4J6
christavskinner@gov.nl.ca

cc: Ms. Leah Burry
Water Resources Tech II
Water Rights, Investigations & Modeling Section
Water Resources Management Division
Dept. Environment and Climate Change
P.O. Box 8700
4th Floor, West Block, Confederation Building
St. John's, NL A1B 4J6
LeahBurry@gov.nl.ca

cc: Ms. Paula Dawe, P.Eng.
Manager, Drinking Water and Wastewater Section
Water Resources Management Division
Dept. 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: Fisheries Protection Division
Ecosystem Management Branch
Fisheries and Oceans Canada
P.O. Box 5667
St. John's, NL A1C 5X1
FPP-NL@dfo-mpo.gc.ca

cc: InnovativeNL Engineering and Project Management
5 Job Street, 1st Floor
St. John's, NL
A1E 1H1
jrideout@innovativenl.ca



Appendix C - Completion Report

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

Date: **APRIL 22, 2021**

File No: **550-01-01-07-018**
Permit No: **PRO11651-2021**

Permit Holder: **Town of Grand Bank
PO Box 640
Grand Bank NL A0E 1W0
townofgrandbank@townofgrandbank.net**

Attention: 

Re: **Grand Bank - Grand Bank Brook PPWSA - Linear Development - Town of Grand Bank**

Permission was given for : **upgrades to an existing walking trail including ditching, culvert installations, new tread surface and new signage within the Grand Bank Brook Protected Public Water Supply Area (used by the Town of Grand Bank) with reference to the application dated March 3, 2021.**

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

