

PERMIT TO CONSTRUCT

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 37, 48

Date: **JUNE 30, 2021**

File No: **844.081.001**
Permit No: **WS11870-2021**

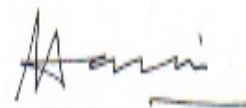
Permit Holder: **Town of Portugal Cove South**
PO Box 8, Site 11
Trepassey NL A0A 4B0
townofpcs@live.ca

Attention: **Ms. Ida Perry, Town Clerk**

Re: **Portugal Cove South - Infiltration Gallery**

Permission is hereby given for : **the upgrade of the existing water supply intake to an infiltration gallery as described in the drawings and specification titled, " Town of Portugal Cove South Infiltration Gallery" as received from Nova Consultants Inc. on April 15, 2021; 17-MCW-21-00018.**


- 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

Water & Sewer General

1. 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*.
2. 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.
3. 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.
4. All waste materials resulting from this project must be disposed of at a site approved by the Department of Digital Government and Service NL.
5. The works proposed must satisfy the requirements of the latest applicable codes and standards, and be consistent with or otherwise address the design criteria set out in this Department's publication *Guidelines for the Design, Construction, and Operation of Water and Sewerage Systems, 2005*, and as amended from time to time.
6. The work must be undertaken in strict compliance with the submitted documents and the latest version of the *Municipal Water, Sewer and Roads Master Construction Specifications*. A copy of all documents, including the *Municipal Water, Sewer and Roads Master Construction Specifications* must be available for viewing at the construction site office at all times.
7. Liaison is to be maintained with the Environmental Scientist representing the Drinking Water and Wastewater Section of this Department, during the construction and operation of the project. They shall be notified of the pre-construction and post-construction meetings so that they may attend, if deemed necessary. They can be reached at telephone (709) 729-2558 .
8. Officials of this Department may visit the project from time to time to ensure that work is carried out within the provisions of this Permit, and is not creating any environmental hazard.
9. Any changes in the approved works, or works other than those specified in the application, must be submitted, in writing, to this Department, and approved, in the form of an Amendment to this Permit, prior to any work.
10. Copies of this Permit, as well as any subsequent Amendments, must be provided to the contractor(s) who will be carrying out these works, and to the engineer's site representative.
11. The attached Completion Report (Appendix C) for Permit No. 11870 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.
12. This Permit is valid for two years from the date of issue. Work must be completed by that date or the application and approval procedure must be repeated.
13. The drinking water and wastewater system shall be operated and maintained in accordance with the Permit to Operate issued by this Department.

14. Management of stormwater is the responsibility of the municipality or LSD. Stormwater management should focus on ensuring that the post-development stormwater runoff rate will be equal to or less than the pre-development runoff rate. Any stormwater runoff has the potential to contribute to flooding downstream which may have liability issues for the municipality or LSD if not managed properly.
15. The Owner must update any drawings maintained of the drinking water or wastewater system to reflect the modification or replacement of the works, where applicable.

Miscellaneous

16. The Permit Holder must prevent erosion of drainage ditches, streams or other natural bodies of water by installing rip-rap and/or sodding.
17. All drains and vents shall be equipped with screens to prevent the entry of insects, birds and rodents.
18. The ends of drains and overflows shall be located so as to prevent erosion. Where necessary, concrete or similar splash plates shall be located below the end of the overflow, and the immediate surrounding area shall be filled to a depth of 10 cm with 19 mm minus stone to prevent ponding.
19. Council is advised to apply to the Water Resource Management Division of this Department, for protection of the watershed area.

Intake

20. A water supply intake may be placed in Wright's Brook as part of the water supply system for the Town of Portugal Cove South .
21. The intake shall consist of 5 m of 300 mm diameter HDPE pipe tied into an infiltration gallery consisting of two 3.66 m of 200 mm slotted stainless steel pipe embedded in a well graded gravel pack material with a $D_{15} = 2.5$ mm and $D_{85} = 10$ mm.
22. Pipe zone cutoff walls or other means must be installed to prevent lowering of the water table due to groundwater flow through the porous pipe zone material.
23. 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.
24. 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.
25. Close cut clearing and disposal must be undertaken around the perimeter of the water supply reservoir to an elevation not less than 200 mm above the proposed high water mark. Special care should be exercised to minimize siltation and erosion problems at the new shore wash area.
26. Adequate protection must be provided against clogging by sediment, debris, ice, frazil ice, wind, floatation and wave pressure.

Dredging/Debris Removal

27. Alteration of the natural minimum streamflow is not permitted in order to preserve aquatic life.
28. The natural course of any stream must not be altered.
29. 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.

30. 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.
31. 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.
32. Dredged material must be disposed of in accordance with the regional Service NL Centre of the Department of Service NL. The Department of Service NL may require samples to be submitted for testing and analysis.

Infilling

33. The constructed works must be inspected regularly so that action can be taken to undertake repairs as required.
34. 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.
35. 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.
36. Infilling must not cause increased water elevation upstream or increase flow velocity downstream of the site.
37. Select heavy rocks must be placed along the toe of any infilling to provide slope stability and erosion protection.

General Alterations

38. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
39. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.
40. 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.
41. 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.
42. 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.
43. 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.
44. 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.
45. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
46. 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.
47. 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: Mr. Stephen Barbour, P.Eng
Nova Consultants Inc.
37 Hallett Crescent
St. John's NL
A1B 4C4
sbarbour@ncinl.ca
- 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
4th Floor, West Block, Confederation Building
St. John's, NL A1B 4J6
akhan@gov.nl.ca
- cc: Ms. Deneen Spracklin, P.Eng.
Environmental Engineer, Drinking Water and Wastewater Section
Water Resources Management Division
Department of Environment, Climate Change and Municipalities
P.O. Box 8700
4th Floor, West Block, Confederation Building
St. John's, NL A1B 4J6
dspracklin@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
LeahBurry@gov.nl.ca
- cc: Mr. Inayat Rehman, P.Eng.
Regional Engineer
Department of Transportation and Infrastructure
P.O. Box 8700
St. John's, NL A1B 4J6
inayatrehman@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: Mr. Dean Shute (Harbour Grace - Eastern)
Manager of Operations, GSC-Harbour Grace
Digital Government and Service NL
7-9 Roddick Crescent
PO Box 512
Harbour Grace NL A0A 2M0
deanshute@gov.nl.ca

Appendix C - Completion Report

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 37, 48

Date: **JUNE 30, 2021**

File No: **844.081.001**
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Permit Holder: **Town of Portugal Cove South**
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Trepassey NL A0A 4B0
townofpcs@live.ca

Attention: **Ms. Ida Perry, Town Clerk**

Re: **Portugal Cove South - Infiltration Gallery**

Permission was given for : **the upgrade of the existing water supply intake to an infiltration gallery as described in the drawings and specification titled, " Town of Portugal Cove South Infiltration Gallery" as received from Nova Consultants Inc. on April 15, 2021; 17-MCW-21-00018.**

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