

## PERMIT TO CONSTRUCT

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Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 37, 39, 48

Date: **OCTOBER 04, 2023**

File No: **842.111.1**  
Permit No: **WS13252-2023**

Permit Holder: **Town of Ming's Bight**  
**PO Box 69**  
**Ming's Bight NL A0K 3S0**  
**townmingsbight@outlook.com**

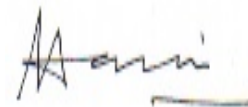
Attention: **Ms. Roxanne Dicks**

Re: **Ming's Bight - Water Transmission Main Replacement**

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Permission is hereby given for : **the installation of approximately 950 m of 150 mm diameter HDPE watermain as shown on a set of drawings numbered 22-052 (MI no. 17-MCW-23-00011), sheets C1 to C11 inclusive as received from Exploits Engineering Consultants Ltd. on August 4, 2023 and additional information submitted September 22, 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**

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**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. 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.
5. 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.
6. 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) 637-2034 .
7. 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.
8. 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.
9. 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.
10. The attached Completion Report (Appendix C) for Permit No. 13252 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.
11. 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.
12. The drinking water and wastewater system shall be operated and maintained in accordance with the Permit to Operate issued by this Department.

13. 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.

### **Water Systems**

14. Under no circumstances shall sewage be permitted to enter the waterline trench during or after construction.
15. All new waterlines and appurtenances shall be hydrostatically tested in accordance with the *Municipal Water, Sewer and Roads Specifications*.
16. All components, lubricants and chemicals provided shall be compatible for use with drinking water and shall meet the requirements of ANSI/NSF 60 Drinking Water Treatment Chemical Standard and ANSI/NSF 61 Drinking Water and System Component Standard and any other standard applicable to potable water.
17. When crossing watercourses which are greater than 4.5 m in width, valves should be provided at both ends of water crossings so that the section can be isolated for testing or repair and the valves shall be easily accessible and not subject to flooding.
18. All new lines and appurtenances must be disinfected by an approved method described in the latest edition of the AWWA C651 Standard for Disinfecting Watermains and using only chlorine products that meet the NSF 60 standard.
19. The existing watermain that is being taken out of service must be permanently disconnected so as not to create a cross-connection with the town's water distribution system.

### **Pipe Crossing**

20. 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.
21. Completed pipe crossings must provide a minimum cover of 0.6 metres of stable compacted material sufficient to resist scouring and erosion. The finished surface cover must not extend above the original grade of the channel.
22. 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.
23. 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.
24. A temporary diversion channel adequate to convey flow without causing erosion or downstream siltation may be employed during construction of the stream crossing. After the installation is complete, all flow must be diverted back into the fully reinstated original channel. The temporary channel must be permanently closed to all flow, backfilled and the area must be restored to its original condition.
25. The installation of the water supply pipe must comply with the manufacturers specifications, particularly with regard to pipe zone bedding material, degree of compaction, and maximum - minimum pipe cover for design loadings.

### **General Alterations**

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

28. 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.
29. 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.
30. 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.
31. 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.
32. 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.
33. 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.
34. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
35. 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.
36. 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.
37. The location of the work is highlighted on the Location Map for this Permit attached as Appendix D.
38. All work must be carried out within the Permit Holder's legal property boundaries.

### **Culvert Installation**

39. 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.
40. Inlet and outlet areas of culvert installations must be adequately protected from erosion by placing rip-rap, fitted stone, or concrete headwalls.
41. 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.
42. 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.
43. Grading and finishing of roadways or road embankments must not cause damage to culverts or allow road material to enter the watercourse.
44. Roadside embankments near the watercourse must be adequately protected from erosion by sodding, seeding or placing of rip-rap.

45. 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.
46. The inlet and outlet of culverts must be clearly marked so that operators of road grading and snow clearing equipment can avoid blocking culverts.
47. 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.
48. 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).

#### **PPWSA General**

49. 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.
50. An undisturbed (no cutting or ground disturbance) buffer zone of at least **150 metres** shall be maintained around Middle Brook Pond, at least **50 metres** around major lakes and ponds and along both sides of all streams and main tributaries running into Middle Brook Pond, and at least **30 metres** around all ponds, along both sides of all other water bodies including wetlands and field identified streams, with the exception of the area required to safely complete this work. 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.
51. 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.
52. 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*.
53. 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.
54. 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.
55. Officials of the Department and the appropriate Municipal Authority, Operator, or Watershed Management Committee may visit the site to ensure compliance with this Permit.
56. 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)254-6516. The Environmental Scientist must also be notified immediately at **(709)637-2542**.
57. 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.

58. 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.
59. Treated wood shall not be used in a water body or within buffer zones established in Condition 51 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.
60. 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.
61. 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.
62. 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.
63. 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**

64. 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 one (1) 500 litre slip tank. 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.
65. 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.
66. Any spills of gasoline, fuel or oil, regardless of volume, shall be reported immediately to the Environmental Scientist at (709)637-2542 and the appropriate Municipal Authority or Watershed Management Committee by calling (709)254-6516. Furthermore, all spills in excess of 70 litres shall be reported immediately to the 24 hour spill report line at 1-800-563-9089.

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

#### **Protected Miscellaneous**

69. 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)254-6516.
70. 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.
71. 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.
72. Wood and brush removed from the work site must not be stored within undisturbed buffer zones of any water body.

#### **Special Conditions**

73. A locked gate to restrict access to Middle Brook Pond Protected Public Water Supply Area will be required. The gate shall span the width of the road and placed in such a way that access by motorized vehicles cannot be gained by passing on either side of the gate. Location to be determined in the field. Keys to be provided to the town.

**APPENDIX B**

**Special Terms and Conditions for Permit**

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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. Rob Kearley, P.Eng.  
Exploits Engineering Consultants Limited  
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Grand Falls - Windsor NL A2A 1B7  
rkearley@exploitsengineering.ca
- cc: Mr. Chris Blanchard, B.Tech.(Env), AScT  
Environmental Scientist  
Water Resources Management Division  
Department of Environment and Climate Change  
P.O. Box 2006  
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cblancha@gov.nl.ca
- 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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Corner Brook, NL A2H 6J8  
CarlaHayes@gov.nl.ca
- cc: Mr. Wayne Lynch (Central)  
Regional Director (Central)  
Digital Government and Service Newfoundland and Labrador  
P.O. Box 2222  
Gander, NL A1V 2N9  
waynelynch@gov.nl.ca
- cc: Fish and Fish Habitat Protection Program  
Aquatic Ecosystems Branch  
Fisheries and Oceans Canada  
P.O. Box 5667  
St. John's, NL A1C 5X1  
dfo.fppnl-ppptnel.mpo@dfo-mpo.gc.ca
- cc: Ms. Deneen Spracklin, P.Eng.  
Manager, Drinking Water and Wastewater Section  
Water Resources Management Division  
Department of Environment and Climate Change  
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dspracklin@gov.nl.ca
- cc: Ms. Paula Dawe, P.Eng.  
Manager, Water Rights, Investigations and Modelling Section  
Water Resources Management Division  
Department of Environment and Climate Change  
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- cc: Dave Mercer (Central)  
Land Management Specialist  
Crown Lands Administration Division  
Department of Fisheries, Forestry and Agriculture  
davemercer@gov.nl.ca
- cc: Mr. Wilf Maloney, P. Eng.  
Regional Engineer, Central Regional Office  
Department of Transportation and Infrastructure  
PO Box 2222  
Gander, NL A1V 2N9  
WilfMaloney@gov.nl.ca

### Appendix C - Completion Report

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 37, 39, 48

Date: **OCTOBER 04, 2023**

File No: **842.111.1**  
Permit No: **WS13252-2023**

Permit Holder: **Town of Ming's Bight**  
**PO Box 69**  
**Ming's Bight NL A0K 3S0**  
**townmingsbight@outlook.com**

Attention: **Ms. Roxanne Dicks**

Re: **Ming's Bight - Water Transmission Main Replacement**

Permission was given for : **the installation of approximately 950 m of 150 mm diameter HDPE watermain as shown on a set of drawings numbered 22-052 (MI no. 17-MCW-23-00011), sheets C1 to C11 inclusive as received from Exploits Engineering Consultants Ltd. on August 4, 2023 and additional information submitted September 22, 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.*

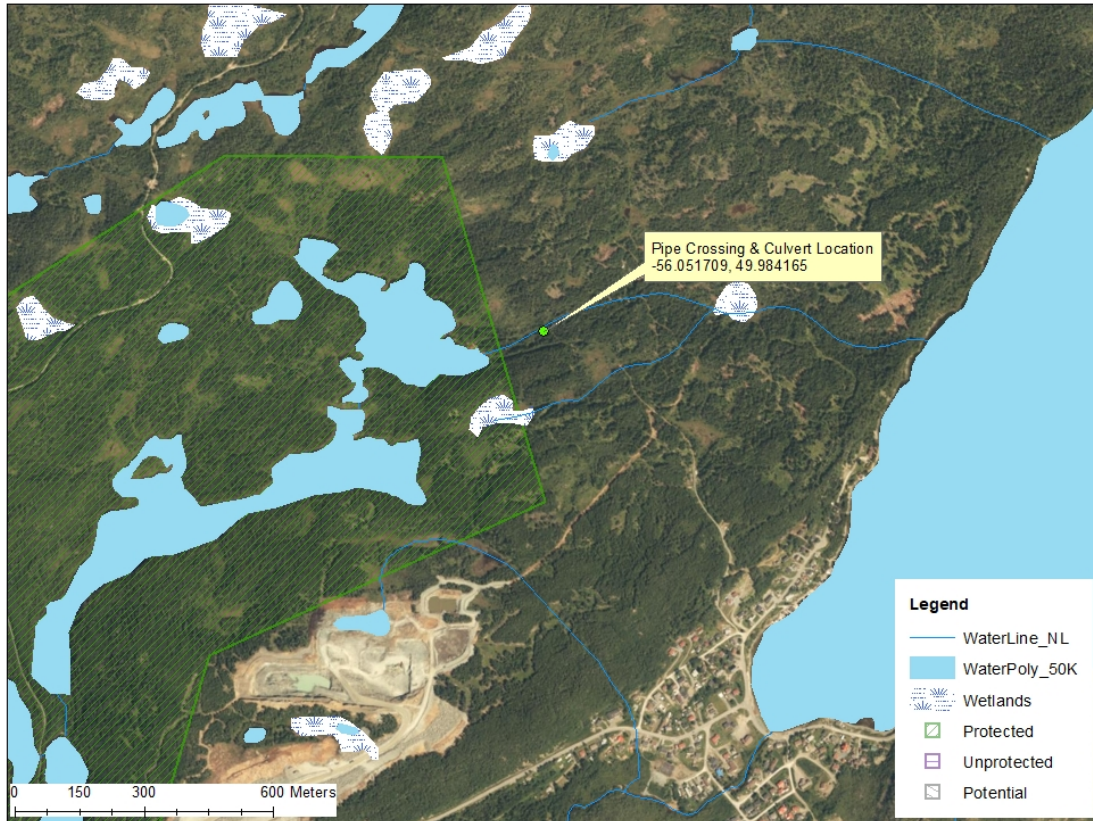
Date: \_\_\_\_\_ Signature: \_\_\_\_\_

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**

Town of Ming's Bite (Middle Brook) - Water Transmission Main Replacement





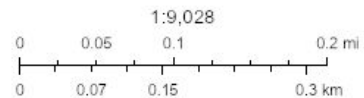
**Second Attached Image File**

WS13252-2023



9/25/2023, 12:02:43 PM

- Communities Public Water Supplies
- Intakes / Wellheads  Protected
-  ILUC Water Supplies
-  Intakes



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