

PERMIT TO ALTER A BODY OF WATER

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

Date: **AUGUST 09, 2017**

File No: **525**
Permit No: **ALT9297-2017**

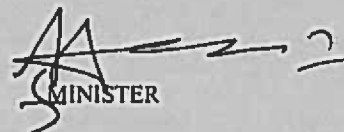
Permit Holder: **Department of Fisheries and Land Resources
Gambo District Office
Box 310
Gambo NL A0G 1T0**

Attention: **Michael Parkes**

Re: **Joe's Brook (Gander Lake PPWSA) - Bridge Removal**

Permission is hereby given for : **the removal of a 32 foot wooden bridge and cribbing damaged by a heavy rain storm along the Crown Ridge Forest Access Road over Joe's Brook and within the Gander Lake Protected Public Water Supply Area for Towns of Gander, Glenwood and Appleton as outlined in the application received, dated June 29th, 2017.**

- 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*.
- Failure to comply with the terms and conditions will render this Permit null and void, place the Permit Holder and their agent(s) in violation of the *Water Resources Act* and make the Permit Holder responsible for taking any remedial measures as may be prescribed by this Department.



MINISTER

GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Department of Municipal Affairs and Environment

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APPENDIX A
Terms and Conditions for Permit

Dredging

1. Alteration of the natural minimum streamflow is not permitted in order to preserve aquatic life.
2. The natural course of any stream must not be altered.
3. 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.
4. 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.
5. 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.

Landscaping

6. The slopes along the perimeter of infilled areas must be no steeper than two horizontal to one vertical (2H:1V).
7. 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.
8. 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.
9. Infilling must not disrupt the established surface drainage pattern of the area.
10. The Permit Holder must prevent erosion of drainage ditches, streams or other natural bodies of water by installing rip-rap and/or sodding.
11. 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.
12. 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.
13. Select heavy rocks must be placed along the toe of any infilling to provide slope stability and erosion protection.
14. To prevent erosion and to control sedimentation in drainage ditches with steep gradients, rock check dams must be installed at an interval such that the crest of each dam is level with the base of the one immediately above. The center of each dam must be lower than the sides.

General Alterations

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

17. 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*.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. All waste materials, including timbers from the bridge, decking and abutments, resulting from this project must be disposed of at the Central Newfoundland Water Management Facility at Norris Arm, or one of their associated transfer stations. No waste material may be buried on site.
24. 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.
25. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
26. 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.
27. 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.
28. The attached Completion Report (Appendix C) for Permit No. 9297 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.
29. 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.
30. The location of the work is highlighted on the Location Map for this Permit attached as Appendix D.

PPWSA General

31. 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.
32. Apart from the actual bridge removal, an undisturbed (no cutting or ground disturbance) buffer zone of at least **100 metres** shall be maintained along both sides of Joe's Brook, 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.
33. 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.

34. 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*.
35. 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.
36. Officials of the Department and the appropriate Municipal Authority, Operator, or Watershed Management Committee may visit the site to ensure compliance with this Permit.
37. 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)651-5915. The Environmental Scientist must also be notified immediately at (709)292-4280.
38. 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.
39. 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.
40. All vehicles and equipment must be in good working order with no leaking fuel, oil, or other harmful substances that could impair water quality.
41. All stationary motorized equipment and fuel tanks shall have metal trays, absorbent pads or impervious liners under them to catch any leaking fuel or oil.

Protected Miscellaneous

42. The Permit Holder must inspect the site daily, and any water quality impairment related problems are to be reported immediately to the Environmental Scientist and the appropriate Municipal Authority or Watershed Monitoring Committee.
43. The permit holder shall develop a road closure plan that will identify to the public that the bridge has been removed, provide adequate signage and physical barriers on both sides of Joe's Brook to prevent other road users from fording the stream and potentially impairing the water quality.

Fuel Storage

44. 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*.
45. 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) 292-4280 and (709) 651-5915 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.
46. 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 ax
 - Five metres of containment boom
 - Five absorbent pads
 - Twenty-five litres of loose absorbent material
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GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Department of Municipal Affairs and Environment

File No: 525
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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 and/or Ministerial orders and guidelines, as determined by this Department, the Minister may, after providing ten (10) day notice to the Permit Holder, 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 Municipal Affairs and Environment
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P.O. Box 8700, St. John's NL Canada A1B4J6
akhan@gov.nl.ca
- cc: File Copy for Binder
- cc: Mr. Robert Wight (C)
Environmental Scientist
Water Resources Management Division
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Environmental Engineer, Drinking Water and Wastewater Section
Water Resources Management Division
Department of Environment and Climate Change
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annettetobin@gov.nl.ca
-
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Water Resources Management Division
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- cc: Mr. Wayne Lynch
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- cc: Fisheries Protection Division
Ecosystem Management Branch
Fisheries and Oceans Canada
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- cc: Mr. James Blackwood, P. Eng.
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cc: Ms. Jennifer Hillier
Administrative Assistant
Engineering Department
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cc: Town of Appleton
Ms. Pat Barnes
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townofappleton@personainternet.com

cc: Town of Glenwood
Ms. Susan Gillingham
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townofglenwood@hotmail.com



Government of Newfoundland and Labrador
Department of Municipal Affairs and Environment
Water Resources Management Division

Appendix C - Completion Report

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

Date: **AUGUST 09, 2017**

File No: **525**
Permit No: **ALT9297-2017**

Permit Holder: **Department of Fisheries and Land Resources
Gambo District Office
Box 310
Gambo NL A0G 1T0**

Attention: **Michael Parkes**

Re: **Joe's Brook (Gander Lake PPWSA) - Bridge Removal**

Permission was given for : the removal of a 32 foot wooden bridge and cribbing damaged by a heavy rain storm along the Crown Ridge Forest Access Road over Joe's Brook and within the Gander Lake Protected Public Water Supply Area for Towns of Gander, Glenwood and Appleton as outlined in the application received, dated June 29th, 2017.

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

GOVERNMENT OF NEWFOUNDLAND AND LABRADOR
Department of Municipal Affairs and Environment

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APPENDIX D
Location Map for Permit

