

PERMIT TO ALTER A BODY OF WATER

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

Date: **APRIL 29, 2016**

File No:
Permit No: **ALT8604-2016**

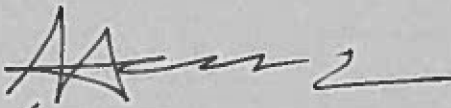
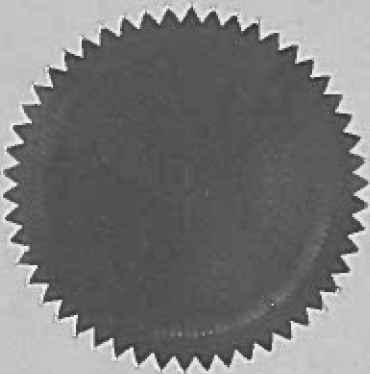
Permit Holder: **Canada Fluorspar (NL) Inc.
PO Box 337
1 Clarke's Pond Road
St. Lawrence NL A0E 2V0**

Attention: **Mr. Frank Pitman**

Re: **St. Lawrence Fluorspar Mine- Mill Site Event Pond**

Permission is hereby given for : **the construction of a dam/detention pond to control stormwater from the AGS Mill Site and associated activities as detailed in the application received from Knight Piesold Consulting and Canada Fluorspar (NL) Inc. on April 20, 2016 and supporting documentation received on April 26, 2016.**

- 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 Conservation 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

APPENDIX A
Terms and Conditions for Permit

Dam/Reservoir Design

1. Reservoirs must be provided with a spillway of adequate capacity to safely discharge design flows at non-erosive velocities without causing flooding of the reservoir or damage to the spillway or section downstream channel.
2. The dam and appurtenant structures shall be constructed at the following coordinates:

Name	Datum	Northing (m)	Easting (m)	Zone
Mill Site Event Pond Dam	NAD83	5195200	618300	21

3. The dam(s) must have the following dimensions:

Name	Height/Elev of Dam (m)	Elev of Spillway (m)	Maximum Water Elevation (m)	Minimum Water Elevation (m)	Minimum Freeboard (m)
Mill Site Event Pond Dam	5.0/91.0	90.0	90.55	88.0	0.45

4. To safely convey peak flows the dam(s) must be designed according to the following hydraulic criteria:

Name	Design Return Period (years)	Minimum Flow Capacity (m ³ /s)
Mill Site Event Pond Dam	100	3.7

General Alterations

5. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
6. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.
7. 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*.
8. 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.
9. 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.
10. 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.
11. 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 the Department.

12. 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.
13. All waste materials resulting from this project must be disposed of at a site approved by the Department of Service NL.
14. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
15. 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.
16. 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.
17. The attached Completion Report (Appendix C) for Permit No. 8604 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.
18. 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. The following terms are valid for the life cycle of the mine dam structure: 21.
19. The location of the work is highlighted on the Location Map for this Permit attached as Appendix D.
20. All work must be carried out within the proponent's legal property boundaries.

Dam Safety

21. The dam has been conditionally classified in the LOW Consequence category based on the 2007 Canadian Dam Association (CDA) guidelines. A Dam Safety Review is not required for low-consequence dams. However, the consequences of failure should be reviewed periodically, since they may change with downstream development. If the classification increases, a Dam Safety Review is required at that time. The owner must carry out a Dam Safety Inspection at least every two years and provide the results to this Department.

Special Conditions

22. The mill site event pond dam must meet the requirements of the Environmental Protection Plan (latest version) and mine Rehabilitation and Closure Plan for the project.
23. The dam and associated works shall be designed according to the Canadian Dam Association Dam Safety Guidelines and associated Bulletins (most recent edition).
24. The dam and associated works must be designed and constructed under the direct supervision of an engineer eligible for membership with the Professional Engineers and Geoscientists of Newfoundland and Labrador (or equivalent Canadian organization) who is able to demonstrate competence in the design, construction, and surveillance of dams.

Dam Construction

25. Embankment dam foundations shall be prepared to ensure a clean, stable, competent foundation. Exposed foundations will be inspected and approved by a qualified geotechnical engineer prior to fill placement.
26. 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.
27. Reservoir shorelines with moderately steep slopes or vulnerability to wave induced erosion, must be adequately protected with armour stone, rip-rap, or by other suitable measures.
28. The reservoir side of the dam structure must be constructed with a layer of organics overlaid with a layer of jute mesh to provide adequate protection from wave or ice induced erosion.
29. The dam structure must be constructed with an emergency spillway lined with a non-woven geotextile with a 0.4 m layer of 200 mm riprap along the spillway inlet and a 0.6 m layer of 300 mm riprap along the spillway channel to prevent erosion of the structure when overtopping occurs.

30. A chimney drain comprised of sand and gravel shall be installed within the southern and eastern embankments starting at the core of the embankment at an elevation of 89 m and sloping 2 horizontal to 1 vertical to the foundation on the downstream side and connecting to a 100 mm perforated collection pipe discharging away from the structure to a 200 mm riprap lined splash pad.
31. The finished downstream and upstream sides of the Mill Site Event Pond Dam shall have a slope of 2 horizontal to 1 vertical. The emergency spillway inlet and channel shall have side slopes of 2 horizontal to 1 vertical.
32. A pond decant system shall be installed comprising of two 8-inch floating Faircloth skimmers connected to two 200 mm PVC decant pipes that discharge to a 300 mm riprap lined splash pad.
33. The area to be flooded by the reservoir must be prepared by removing timber, brush, and slash up to the maximum water elevation.
34. The transportation of labour and materials to the site must be along existing access roads.
35. The dam and spillway must be inspected regularly to identify any indications of structural failure, leaking, erosion or other problem so that immediate action can be taken to rectify the problem.
36. Baffles shall be installed in the pond comprising of wire backed silt fencing approximately 1.5 m tall and anchored into the pond with metal posts.

Sedimentation Ponds

37. The sedimentation pond(s) must have the following approximate minimum dimensions:

Name	Length (m)	Width (m)	Depth (m)	Volume (m ³)	Width of Overflow (m)
Mill Site Event Pond	108	50	2	8700	3.0

38. The sedimentation pond(s) must be designed according to the following criteria:

Name	Outlet Capacity (m ³ /s)	Contributing Watershed (ha)	Return Period (years)	Retention Time(hours)
Mill Site Event Pond	0.036	9.5	10	41

39. The sedimentation pond(s) design criteria should consider soil type and the required time it will take for particle settlement.
40. The sedimentation pond(s) must be designed in that the sediment-laden runoff is captured and detained allowing the suspended sediment to settle from the water.
41. The sedimentation pond(s) must provide enough storage for the captured sediment.
42. Dewatering practices must be implemented to ensure clean stormwater discharge, recovery of sediment, and prevent scour at discharge points.
43. The discharge locations shall be directed away from any open surface water bodies and into existing vegetation. In areas where vegetation has become overburdened with sediment during this undertaking, measures should be taken to prevent sediment from entering water bodies.

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: File Copy for Binder
- cc: Ms. Paula Dawe, P.Eng.
Manager, Drinking Water and Wastewater Section
Water Resources Management Division
Dept. of Environment and Conservation
PO Box 8700
St. John's, NL A1B 4J6
- cc: Fisheries Protection Division
Ecosystem Management Branch
Fisheries and Oceans Canada
P.O. Box 5667
St. John's NL A1C 5X1
- cc: Mr. Alex McIntyre, P.Eng.
Knight Piésold Ltd.
1650 Main Street West
North Bay, Ontario P1B 8G5
- cc: Mr. Alex Smith, P. Eng.
Department of Natural Resources
PO Box 8700
St. John's NL A1B 4J6

Appendix C - Completion Report

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

Date: **APRIL 29, 2016**

File No:
Permit No: **ALT8604-2016**

Permit Holder: **Canada Fluorspar (NL) Inc.
PO Box 337
1 Clarke's Pond Road
St. Lawrence NL A0E 2V0**

Attention: **Mr. Frank Pitman**

Re: **St. Lawrence Fluorspar Mine- Mill Site Event Pond**

Permission was given for : **the construction of a dam/detention pond to control stormwater from the AGS Mill Site and associated activities as detailed in the application received from Knight Piesold Consulting and Canada Fluorspar (NL) Inc. on April 20, 2016 and supporting documentation received on April 26, 2016.**

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 Conservation 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 Conservation
Water Resources Management Division
PO Box 8700
St. John's NL A1B 4J6

APPENDIX D
Location Map for Permit

