

## PERMIT TO ALTER A BODY OF WATER

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

Date: MARCH 03, 2017

File No: 532-02  
Permit No: ALT8600-2017

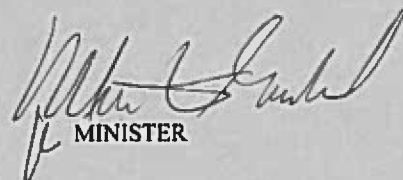
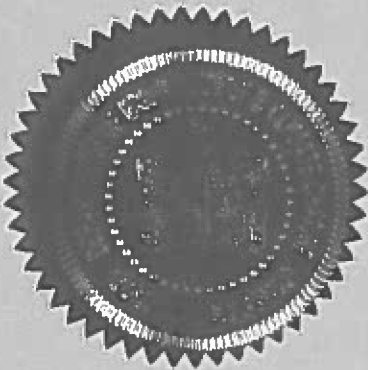
Permit Holder: Department of Fisheries and Oceans Canada  
Small Craft Harbour Branch  
John Cabot Building, 10 Barter's Hill  
St. John's NL A1C 5X1

Attention: Mr. Paul Curran

Re: Minor DFO Dredging and Works Projects

Permission is hereby given for : routine dredging or beach grading of 2000 cubic metres or less of primarily sand, gravel, cobble, and boulder material and other associated works in or near bodies of water in order to provide safe navigation at for the Department of Fisheries and Oceans' small craft harbours at various locations and facilities across the Province, in reference to the application received on April 19, 2016 and further information provided on or before March 1, 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

**APPENDIX A**  
**Terms and Conditions for Permit**

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**Dredging**

1. 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.
2. 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.
3. 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. Only suitable, rocky material dredged may be used for breakwater construction as it will not be susceptible to erosion.

**General Alterations**

4. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
5. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.
6. 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*.
7. 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.
8. 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.
9. All vehicles and equipment must be clean and in good repair, free of mud and oil leaks, or other harmful substances that could impair water quality.
10. 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.
11. 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.
12. Any areas adversely affected by any minor dredging or associated work carried under this Permit 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.
13. The bed, banks and floodplains of watercourses, or other vulnerable areas affected by any minor dredging or associated work carried under this Permit, must be adequately protected from erosion by seeding, sodding or placing of rip-rap.
14. All waste materials resulting from any minor dredging or associated work carried under this Permit, must be disposed of at a site approved by the Department of Service NL.
15. Periodic maintenance such as painting, resurfacing, clearing of debris, or minor repairs, must be carried out without causing any physical disruption of any body of water. Care must be taken to prevent spillage of pollutants into any body of water.
16. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
17. 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.

18. Fill material must be obtained from an approved quarry and must be of good quality, free of fines or other substances including metals, organics, or chemicals that may be harmful to the receiving waters. It must not be taken from beaches or streams, and must not be dredged from any body of water.
19. The Permit Holder must annually submit a written report to the Department including all completed minor dredging and other associated works along with photos showing the sites prior to and after all minor dredging and other associated works.
20. This Permit is effective January 1, 2016 and shall expire on December 31, 2018 or earlier if modified, suspended or cancelled by the Minister. Also, this Permit may be renewed by the Minister for such renewal term as the Minister deems appropriate, on such terms and conditions as the Minister considers appropriate and in the public interest, provided the Permit Holder applies for the renewal at least ninety (90) days before the expiry of this Permit.
21. All work must be carried out within the Permit Holder's legal property boundaries or with the approval of the upland owner. In case of Crown Lands, all work must comply with all other terms and conditions of the Crown Lands grant, lease or license for occupancy.
22. The Permit Holder acknowledges and agrees that this Permit does not grant any interest in land or any exclusive right in or to use or occupy lands.

#### Special Conditions

23. The Permit Holder must apply for and obtain a separate permit under the Water Resources Act, SNL 2002 cW-4.01, specifically Section 39 <http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm> for any minor dredging or associated works that may take place within any designated Protected Public Water Supply Area servicing any community as indicated in Water Resources Portal available at <https://maps.gov.nl.ca/water/mapbrowser/Default.aspx>.
24. The Permit Holder may be required to apply for and obtain a separate permit under the Water Resources Act, SNL 2002 cW-4.01, specifically Section 48 <http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm> for any minor dredging or associated works that may take place within any designated flood risk area as indicated at <http://www.env.gov.nl.ca/env/waterres/flooding/frm.html>.
25. Any alteration in or near a freshwater body (including wetlands) requires a separate permit under the Water Resources Act, SNL 2002 cW-4.01, specifically Section 48 <http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>. The Permit Holder must avoid work activities in wetlands wherever possible.
26. A water quality monitoring program is not required at this time. However, the Department reserves the right to require that the Permit Holder sample, analyze, 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.
27. Select heavy rocks must be placed along the shoreline to provide slope stability and erosion protection. Dredged materials unsuitable for erosion protection must not be placed along the shoreline.
28. The slopes along the perimeter of infilled areas must be no steeper than two horizontal to one vertical (2H:1V).
29. Infilling must not disrupt the established surface drainage pattern of the area.
30. Suitable booms must be deployed around work sites to contain any floating debris that might otherwise be carried away. All booms must be properly maintained and remain in place until all work is completed.
31. Creosote treated wood must not be used in the construction of any structures in or within 15 metre of any body of water.
32. Periodic maintenance such as painting, resurfacing, clearing of debris, or minor repairs, must be carried out without causing any physical disruption of any body of water. Care must be taken to prevent spillage of pollutants into any body of water.
33. If a minor dredging or associated work carried out under this Permit does prohibit, restrict or impede public access along the shoreline reservation then the Permit Holder shall restore the shoreline reservation to the satisfaction of the Minister within sixty (60) days of a written notice.
34. For each minor dredging or associated work carried out under this Permit, the Permit Holder must notify this Department via email to [waterinvestigations@gov.nl.ca](mailto:waterinvestigations@gov.nl.ca) or facsimile at (709)729-0320 in accordance with a reporting protocol as deemed

necessary and appropriate in the opinion of the Minister. Also, each minor dredging or associated work carried out under this Permit shall be subject to the payment of applicable fee by the Permit Holder as stated in the application fee schedules approved by the Minister.

35. The acknowledgment of the receipt of this Permit by the Permit Holder constitutes the acceptance of this Permit and its terms and conditions and requirements stated in Appendices A, B and C.
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GOVERNMENT OF NEWFOUNDLAND AND LABRADOR  
Department of Municipal Affairs and Environment

File No: 532-02  
Permit No: ALT8600-2017

**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 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: Dr. Abdel-Zaher Kamal Abdel-Razek, Ph. D., P.Eng.  
Manager, Water Rights and Investigations Section  
Water Resources Management Division  
Department of Municipal Affairs and Environment  
P.O. Box 8700  
4th Floor, West Block, Confederation Building  
St. John's, NL A1B 4J6  
aabdelrazek@gov.nl.ca
- cc: Mr. Carl Hann (Western)  
GSC - Corner Brook, Service NL  
Sir Richard Squires Building  
Mount Bernard Avenue, P.O. Box 2006  
Corner Brook, NL A2H 6J8  
chann@gov.nl.ca
- cc: Mr. Guy Perry  
Director  
GSC - Clarenville, Service NL  
8 Myers Avenue, Suite 201  
Clarenville, NL A5A 1T5  
gperry@gov.nl.ca
- cc: Mr. Ken Russell (Labrador)  
Manager of Operations, GSC - Happy Valley-Goose Bay, Service NL  
Government Service Centre  
2 Tenth Street, P.O. Box 3014, Stn. B  
Happy Valley-Goose Bay, NL A0P 1E0  
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- 
- cc: Mr. Robert Groves, Regional Manager  
GSC - Clarenville, Service NL  
8 Myers Avenue, Suite 201  
Clarenville, NL A5A 1T5  
rgroves@gov.nl.ca
- cc: Mr. Robert Locke  
Manager of Operations and Environmental Protection, GSC - Mount Pearl, Service NL  
P.O. Box 8700  
St. John's, NL A1B 4J6  
rlocke@gov.nl.ca
- cc: Mr. Wayne Lynch  
Regional Director (Central)  
Service NL  
P.O. Box 2222  
Gander, NL A1V 2N9  
waynelynch@gov.nl.ca
- cc: Ms. Sharon Williams, Regional Manager  
Environmental Health, GSC - Mount Pearl, Service NL  
P.O. Box 8700  
St. John's, NL A1B 4J6  
williams@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: Marine Safety  
Transport Canada, Atlantic Regional Headquarters  
Airports, Harbours and Ports, and Environmental Services  
95 Foundry St.  
P.O. Box 42  
Moncton, NB E1C 8K6  
NPPATL-PPNATL@tc.gc.ca
- cc: Mr. Mark McNeil  
Environmental Services  
Department of Public Works and Government Services Canada  
Suite 204, 1 Regent Square  
Corner Brook, NL A2H 7K6  
mark.mcneil@pwgsc-tpsgc.gc.ca
- cc: Mr. Shawn Kean  
Environmental Services  
Public Works & Government Services Canada  
John Cabot Building, 10 Barter's Hill  
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shawn.kean@pwgsc.gc.ca
- cc: Ms. Cathy Martin  
Public Works and Government Services Canada, ES  
10 Barter's Hill  
P.O. Box 4600  
St. John's, NL A1C 5T2  
cathy.martin@pwgsc-tpsgc.gc.ca
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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) 48

Date: **MARCH 03, 2017**

File No: **532-02**  
Permit No: **ALT8600-2017**

Permit Holder: **Department of Fisheries and Oceans Canada  
Small Craft Harbour Branch  
John Cabot Building, 10 Barter's Hill  
St. John's NL A1C 5X1**

Attention: **Mr. Paul Curran**

Re: **Minor DFO Dredging and Works Projects**

Permission was given for : routine dredging or beach grading of 2000 cubic metres or less of primarily sand, gravel, cobble, and boulder material and other associated works in or near bodies of water in order to provide safe navigation at for the Department of Fisheries and Oceans' small craft harbours at various locations and facilities across the Province, in reference to the application received on April 19, 2016 and further information provided on or before March 1, 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