

PERMIT TO CONSTRUCT

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 36, 48

Date: **AUGUST 13, 2026**

File No: **844.072.002**

Permit No: **WS15139-2026**

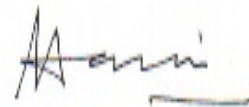
Permit Holder: **Fisheries and Oceans Canada Small Craft Harbour Newfoundland
80 East White Hills Road
St. John's NL
A1C 5X1
peter.fudge@dfo-mpo-gc-ca**

Attention: **Peter Fudge**

Re: **Petty Harbour-Maddox Cove - Breakwater Construction**

Permission is hereby given for : **the installation of 210 m of 300 mm HDPE sanitary outfall to extend the outfall as detailed in the drawings titled, "Breakwater Construction Petty Harbour" as received from Fisheries and Oceans Canada on May 20, 2026.**

- 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, Conservation 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 Government Services.
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. 15139 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. 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.
14. 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.

Outfalls and Overflows

15. A minimum of 5 metres of water cover at L.N.T. is required over the outfall outlet, and the end of the outfall shall extend a minimum of 50 metres from the mean low water mark.
16. The outfall or overflow shall be installed in such a manner as to protect against the effects of tides, floodwater, ice or other hazards to ensure continuous function.
17. A sign shall be posted indicating the location of the outfall.
18. A manhole or other sampling location shall be provided so that an effluent sample can be obtained at a point after the final treatment process and prior to discharge to the receiving water.

Dredging/Debris Removal

19. 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.
20. 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.
21. 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.
22. Dredged material must be disposed of in accordance with the regional Service NL Centre of the Department of Digital Government and Service NL. The Department of Digital Government and 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

23. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
24. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.
25. 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.
26. 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.
27. 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.
28. 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.

29. 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.
30. 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.
31. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
32. 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.
33. 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.
34. The location of the work is highlighted on the Location Map for this Permit attached as Appendix D.
35. All work must be carried out within the Permit Holder's legal property boundaries.
36. This licence/permit does not constitute an acknowledgement of interest in any land claims adjacent.

Infilling

37. The slopes along the perimeter of infilled areas must be no steeper than two horizontal to one vertical (2H:1V).
38. The constructed works must be inspected regularly so that action can be taken to undertake repairs as required.
39. 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.
40. 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.
41. Infilling must not disrupt the established surface drainage pattern of the area.
42. 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.
43. The constructed works must comply with all other terms and conditions provided in the Crown Lands grant, lease, or license for occupancy.
44. Select heavy rocks must be placed along the toe of any infilling to provide slope stability and erosion protection.

Fuel Storage

45. All spills in excess of 70 litres shall be reported immediately to the 24 hour spill report line at 1-800-563-9089.
46. Refueling sites shall be located at least 30 metres from any water body or wetland.
47. The proponent is hereby informed that an application form for fuel storage must be obtained under the Storage and Handling of Gasoline and Associated Products Regulations, 2003.

48. 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

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: Neil Hunt
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29 Brad Gushue Crescent
St. John's, NL A1H 0A3
nhunt@afnengineering.ca
- cc: Ms. Deneen Spracklin, P.Eng.
Manager, Drinking Water and Wastewater Section
Water Resources Management Division
Department of Environment, Conservation and Climate Change
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- cc: Ms. Paula Dawe, P.Eng.
Manager, Water Rights, Investigations and Modelling Section
Water Resources Management Division
Department of Environment, Conservation and Climate Change
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- cc: Eastern Lands Office
Fisheries & Land Resources
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- cc: Mr. Terry Battcock
Manager of Operations (Environmental Health)
Digital Government and Service NL
149 Smallwood Drive, Mount Pearl
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- cc: Fish and Fish Habitat Protection Program
Aquatic Ecosystems Branch
Fisheries and Oceans Canada
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- cc: Town of Petty Harbour/Maddox Cove
Mandy Dinn
35 Main Road
Petty Harbour, NL A0H 3H0
mdinn@phmc.nf.net

Appendix C - Completion Report

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 36, 48

Date: **AUGUST 13, 2026**

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Attention: **Peter Fudge**

Re: **Petty Harbour-Maddox Cove - Breakwater Construction**

Permission was given for : **the installation of 210 m of 300 mm HDPE sanitary outfall to extend the outfall as detailed in the drawings titled, "Breakwater Construction Petty Harbour" as received from Fisheries and Oceans Canada on May 20, 2026.**

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

APPENDIX D
Location Map for Permit

