

PERMIT TO ALTER A BODY OF WATER

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

Date: **FEBRUARY 24, 2025**

File No: **524**

Permit No: **ALT14184-2025**

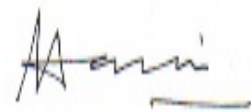
Permit Holder: **Edward's Developing Inc.**

Attention: **Mr. Mike Edwards**

Re: **Torbay - Valley Loop Drive 14 Lot Subdivision**

Permission is hereby given for : **the installation of a stormwater detention pond dam and appurtenances to develop 14 new residential building lots as described in the drawings titled "14 Lot Residential Subdivision" as received from MAE Design Limited on February 17, 2025.**

- 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

Storm Water Detention Pond Dam

1. 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.
2. 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.
3. The area to be flooded by the reservoir must be prepared by removing timber, brush, and slash up to the maximum water elevation.
4. 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.
5. The dam and appurtenant structures shall be constructed at the following coordinates:

Name	Latitude (decimal degrees)	Longitude (decimal degrees)
Valley Loop Drive 14 Lot Subdivision	47.650278	-52.778333

6. 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)
Valley Loop Drive 14 Lot Subdivision	100	0.672

7. 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.
8. The dam and associated works shall be designed according to the Canadian Dam Association Dam Safety Guidelines and associated Bulletins (most recent edition).
9. The detention pond must be constructed such that detained water has sufficient retention time to mimic natural flow conditions as if the catchment area had remained undeveloped.
10. The detention pond must provide enough storage for any captured sediment.
11. The finished upstream sides of the earthen dam structures shall have a minimum slope of 2 horizontal to 1 vertical. The finished downstream sides of the earthen dam structures shall have a minimum slope of 2 horizontal to 1 vertical.

12. The dam shall be constructed with a storm sewer inlet with an invert elevation of 155.00, a storm sewer outlet 450 mm diameter pipe with an invert elevation 154.84, and an emergency spillway with an invert elevation of 156.30.
13. The upstream and downstream slopes of the embankment dam shall be covered with topsoil and hydroseeded.
14. The dam(s) must have the following dimensions:

Name	Height/Elevation of Dam (m)	Elevation of Spillway (m)	Maximum Water Elevation (m)	Minimum Water Elevation (m)
Valley Loop Drive 14 Lot Subdivision	1.50 / 156.50	156.30	155.972	154.840

General Alterations

15. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.
16. 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*.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. 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.
24. All waste materials resulting from this project must be disposed of at a site approved by the Department of Digital Government and Service NL.
25. 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.
26. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.

27. 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.
28. 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.
29. The attached Completion Report (Appendix C) for Permit No. 14184 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.
30. 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 term(s) are valid for the life cycle of the structure: 4, 8 and 34.
31. The location of the work is highlighted on the Location Map for this Permit attached as Appendix D.
32. All work must be carried out within the Permit Holder's legal property boundaries.
33. This licence/permit does not constitute an acknowledgement of interest in any land claims adjacent.

Dam Safety

34. The dam has been conditionally identified as a very small dam. However, the consequences of failure of the dam should be reviewed periodically, since they may change with downstream development. If the consequences of dam operations or failure are likely to be unacceptable to the public the dam may be classified based on the 2007 Canadian Dam Association (CDA) guidelines and have to meet CDA best practices for that class of dam.

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: Dale Bickford
MAE Design Limited
26 Conception Bay Highway
Conception Bay South NL A1W 3A1
maedesign@thezone.net
- cc: Ms. Deneen Spracklin, P.Eng.
Manager, Drinking Water and Wastewater Section
Water Resources Management Division
Department of Environment and Climate Change
P.O. Box 8700
4th Floor, West Block, Confederation Building
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- cc: Eastern Lands Office
Fisheries & Land Resources
P.O. Box 8700
Howley Building, Higgins Line
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- cc: Town of Torbay
Ms. Dawn Chaplin
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Torbay, NL A1K 1K4
dchaplin@torbay.ca

Appendix C - Completion Report

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

Date: **FEBRUARY 24, 2025**

File No: **524**
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Attention: **Mr. Mike Edwards**

Re: **Torbay - Valley Loop Drive 14 Lot Subdivision**

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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

