

PERMIT TO CONSTRUCT

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 37, 48

Date: **JANUARY 28, 2025**

File No: **844.097.106**

Permit No: **WS14077-2025**

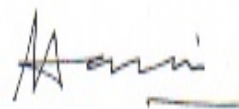
Permit Holder: **Fairview Investment Limited**
360 Topsail Road
St. John's NL A1E 5Y7
bclarke@fairviewinvestments.com

Attention: **Mr. Barry Clarke**

Re: **St. John's - Southlands Development Area 11 - Stage 1A Watermain Extension (Part A)**

Permission is hereby given for : **the installation of approximately 600 m of 300 mm PVC watermain and all related appurtenances as described in the drawings titled, "Southlands Development Area 11 - Stage 1A Watermain Extension (Part A)" as received from Pinnacle Engineering on October 17, 2024.**

- 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

Water & Sewer General

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. The attached Completion Report (Appendix C) for Permit No. 14077 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.
8. 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.
9. 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.
10. 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.

Water Systems

11. Under no circumstances shall sewage be permitted to enter the waterline trench during or after construction.
12. All new waterlines and appurtenances shall be hydrostatically tested in accordance with the *Municipal Water, Sewer and Roads Specifications*.

13. All components, lubricants and chemicals provided shall be compatible for use with drinking water and shall meet the requirements of ANSI/NSF 60 Drinking Water Treatment Chemical Standard and ANSI/NSF 61 Drinking Water and System Component Standard and any other standard applicable to potable water.
14. Backflow prevention devices should/must be installed on service connections where there is a high risk of contamination of the potable water supply.
15. All new lines and appurtenances must be disinfected by an approved method described in the latest edition of the AWWA C651 Standard for Disinfecting Watermains and using only chlorine products that meet the NSF 60 standard.
16. After final flushing and before the new water main is commissioned into service, bacteriological sampling must be conducted as per the latest edition of the AWWA C651 Standard for Disinfecting Watermains. Two acceptable options are available: (1) two consecutive sets of bacteriological samples, taken at least 16 hours apart, must be collected and tested for bacteriological quality, or (2) following a 16 hour rest period two consecutive sets of samples, taken 15 minutes apart, must be collected and tested for bacteriological quality. Sets of samples shall be collected for every 366 m of new water main including the end of the main line and the end of each branch line. These sampling locations shall be determined by the engineer. **A copy of test results must be submitted to this Department (Water Resources Management Division) before the new watermain is placed into service.** In the event of any bacteria detected in the sample results, flushing and re-sampling may be attempted or the disinfection process will need to be repeated until results for two consecutive sets of samples are bacteria free. Where necessary, this Department should be contacted to determine provisions for the disposal of heavily chlorinated water.
17. For the purpose of disinfecting new or upgraded watermains, connection may only be made to the existing watermain provided a valve is installed that maintains a water tight seal. This valve may be operated to flush the new water extension before disinfection and post disinfection provided adequate measures and procedures are followed to avoid a backflow and contamination of the existing system.
18. Wherever possible, water distribution system layouts should be designed to eliminate dead-end sections. Where dead-end mains cannot be avoided, they should be provided with a fire hydrant, blow off, or other acceptable measures taken to prevent problems associated with stagnation.

Water & Sewer Installation

19. Where the horizontal separation between watermains (including hydrant leads and drains) and gravity sanitary sewers is less than 3.0 metres, the watermain shall be laid in a separate trench, or on an undisturbed earth shelf located on one side of the sanitary sewer and at such an elevation that the invert of the watermain shall be a minimum of 450 mm above the crown of the sanitary sewer and 300 mm horizontally from the sanitary sewer measured edge to edge.
20. Watermains (including hydrant leads) crossing gravity sanitary sewers should be laid to provide a minimum vertical distance of 450 mm between the outside of the watermain and the outside of the sanitary sewer. This should be the case where the watermain is either above or below the sanitary sewer with preference to the watermain located above the sanitary sewer. At crossings, above or below, one full length of water pipe shall be located so both joints will be as far from the sanitary sewer as possible. Special structural support for the water and/or sewer pipes may be required.

Pipe Crossing

21. 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.
22. Completed pipe crossings must provide a minimum cover of 0.6 metres of stable compacted material sufficient to resist scouring and erosion. The finished surface cover must not extend above the original grade of the channel.
23. Where pumping is used to bypass flow, cofferdams must be installed both above and below areas of construction. The Permit Holder must provide pumps with sufficient capacity to prevent washout of cofferdams.

24. Cofferdams must be properly designed and constructed of suitable materials to prevent leakage and to resist loss of any material as a result of erosion. Cofferdams must be removed upon completion of their intended function. All material must be removed carefully to prevent disturbance of the water body and to prevent water quality degradation.
25. A temporary diversion channel adequate to convey flow without causing erosion or downstream siltation may be employed during construction of the stream crossing. After the installation is complete, all flow must be diverted back into the fully reinstated original channel. The temporary channel must be permanently closed to all flow, backfilled and the area must be restored to its original condition.
26. The installation of the water supply pipe must comply with the manufacturers specifications, particularly with regard to pipe zone bedding material, degree of compaction, and maximum - minimum pipe cover for design loadings.

Fuel Storage

27. All spills in excess of 70 litres shall be reported immediately to the 24 hour spill report line at 1-800-563-9089.
28. Refueling sites shall be located at least 30 metres from any water body or wetland.
29. 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.
30. 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

Flood Zone Development

31. The watermain crosses the designated floodplain of South Brook for the City of St. John's. This development, and future development at the site, must comply with this Department's policy directive for *Flood Plain Management W.R. 96-1*.
32. Any further development in the flood zone area not specifically covered by this permit will require a separate permit from this Division under Section 48 of the *Water Resources Act*.
33. The proposed use of the facility and site will not involve any storage of pollutants such as fuels, chemicals, pesticides, etc.
34. The structure will not interfere with the flow of water or displace water such that it creates a worse flooding situation for other properties.

General Alterations

35. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
36. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.
37. 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*.

38. 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.
39. 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.
40. 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.
41. 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.
42. 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.
43. 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.
44. 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.
45. All waste materials resulting from this project must be disposed of at a site approved by the Department of Digital Government and Service NL.
46. 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.
47. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.
48. 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.
49. 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.
50. The location of the work is highlighted on the Location Map for this Permit attached as Appendix D.
51. All work must be carried out within the Permit Holder's legal property boundaries.
52. This licence/permit does not constitute an acknowledgement of interest in any land claims adjacent.

Water Systems

53. When crossing watercourses which are greater than 4.5 m in width, valves should be provided at both ends of water crossings so that the section can be isolated for testing or repair and the valves shall be easily accessible and not subject to flooding.

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.

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- cc: Ms. Paula Dawe, P.Eng.
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Appendix C - Completion Report

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 37, 48

Date: **JANUARY 28, 2025**

File No: **844.097.106**
Permit No: **WS14077-2025**

Permit Holder: **Fairview Investment Limited**
360 Topsail Road
St. John's NL A1E 5Y7
bclarke@fairviewinvestments.com

Attention: **Mr. Barry Clarke**

Re: **St. John's - Southlands Development Area 11 - Stage 1A Watermain Extension (Part A)**

Permission was given for : **the installation of approximately 600 m of 300 mm PVC watermain and all related appurtenances as described in the drawings titled, "Southlands Development Area 11 - Stage 1A Watermain Extension (Part A)" as received from Pinnacle Engineering on October 17, 2024.**

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

City of St. John's (South Brook) - Pipe Crossing for Southlands Area 11 Stage 1A

