

## PERMIT TO CONSTRUCT

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 36, 37, 48

Date: **MAY 30, 2024**

File No: **844.097.106**  
Permit No: **WS13539-2024**

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

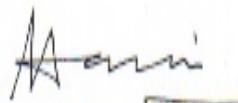
Attention: **Mr. Barry Clarke**

Re: **St. John's - Southlands Development Area 11 - Stage 1A**

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Permission is hereby given for : **the installation of approximately 50 m of 200 mm PVC watermain, 325 m of 300 mm PVC watermain, 400 m of 200 mm PVC sanitary sewer, 100 m of 200 mm preinsulated sanitary sewer and related appurtenances to develop 27 new building lots as described in the drawings titled, "Southlands Development Area 11 - Stage 1A" as received from Pinnacle Engineering on February 14, 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. 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 Digital Government and Service NL.
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. 13539 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 Permit holder 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**

15. Under no circumstances shall sewage be permitted to enter the waterline trench during or after construction.
16. All new waterlines and appurtenances shall be hydrostatically tested in accordance with the *Municipal Water, Sewer and Roads Specifications*.
17. 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.
18. Backflow prevention devices should/must be installed on service connections where there is a high risk of contamination of the potable water supply.
19. 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.
20. 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.
21. 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.
22. Additional water services resulting from this project will not adversely affect the distribution system's ability to maintain a minimum pressure of 140 kPa (20 psi) at ground level at all points in the distribution system under maximum day demand plus fire flow conditions.
23. 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.

### **Sewer Systems**

24. Storm water drainage, including roof drains, weeping tile drains, and street drainage, shall not be connected to the sanitary sewer system.

25. In the event that private or existing sewer lines are disturbed during construction, the lines are to be restored to their original *working* condition. Care shall be taken to ensure that soil or other material does not enter the lines to cause blockage.
26. The flow channel through manholes should be made to conform in shape and slope to that of the sanitary sewer.
27. The direct connection of sanitary sewer service lines to manholes is prohibited unless the service enters at the flow line of the manhole. In this instance, filleting must be provided to prevent solids deposition.
28. All sanitary sewers shall be laid or covered with sufficient depth of suitable material to prevent frost penetration and damage from traffic loading.
29. Where storm sewer and sanitary sewer service laterals are extended to property boundaries for future connections, the stub ends must be clearly marked to identify storm and sanitary lines to prevent possible cross-connections.
30. Sanitary sewers entering or crossing streams shall be constructed of ductile iron pipe with mechanical joints, or similar construction to ensure watertight joints free from change in alignment or grade. Material used to backfill the trench shall be stone, coarse aggregate, washed gravel, or other materials which will not readily erode, cause siltation, damage pipe during placement, or corrode the pipe.

### **Water & Sewer Installation**

31. 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.
32. 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.

### **General Alterations**

33. Any work that must be performed below the high water mark must be carried out during a period of low water levels.
34. Any flowing or standing water must be diverted around work sites so that work is carried out in the dry.
35. 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.
36. 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.
37. 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.
38. 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.
39. 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.

40. 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.

41. The owners of structures are responsible for any environmental damage resulting from dislodgement caused by wind, wave, ice action, or structural failure.

42. 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.

43. 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.

44. The following term is valid for the life cycle of the structure: 60

45. The location of the stormwater detention pond work is highlighted on the Location Map for this Permit attached as Appendix D.

46. All work must be carried out within the Permit Holder's legal property boundaries.

**Dam/Reservoir Design**

47. 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.

48. The dam and appurtenant structures shall be constructed at the following coordinates:

Name	Latitude (decimal degrees)	Longitude (decimal degrees)
Southlands Area 11 Stage 1A Stormwater Detention Pond	47.495278	-52.831389

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

Name	Height/Elevation of Dam (m)	Elevation of Spillway (m)
Southlands Area 11 Stage 1A Stormwater Detention Pond	1.44/185.09	184.79

50. 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 <sup>3</sup> /s)
Southlands Area 11 Stage 1A Stormwater Detention Pond	100	1.276

51. 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.
52. The dam and associated works shall be designed according to the Canadian Dam Association Dam Safety Guidelines and associated Bulletins (most recent edition).

### **Dam Construction**

53. 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.
54. The detention pond must provide enough storage for any captured sediment.
55. The spillway shall be constructed with a protective rip-rap barrier to prevent erosion of the structure when overtopping occurs. The spillway outlet channel shall be lined with rip-rap of  $D_{50} = 150-200$  mm to a depth of 300 mm.
56. The dam shall be constructed with a storm sewer outlet 750 mm diameter pipe with an invert elevation of 183.60 and an emergency spillway with an invert elevation of 184.79.
57. The area to be flooded by the reservoir must be prepared by removing timber, brush, and slash up to the maximum water elevation.
58. The transportation of labour and materials to the site must be along existing access roads.
59. The dam, spillway and outlet control structures 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.

### **Dam Safety**

60. 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.

### **Geoliners**

61. The geomembrane installer should be a member of the International Association of Geosynthetic Installers' Approved Installation Contractor Program. Installation will be carried out in accordance with the International Association of Geosynthetics Installers' industry standards.
62. Selection of geomembrane should consider stresses during construction, field survivability, and workability.
63. The geomembrane shall be protected from mud, dirt, dust, puncture, cutting or any other damaging or deleterious conditions. Rolls shall be stored away from high traffic areas. Rolls should be stored on pallets off the ground. If extremely hot or cold temperatures are present, keep the panels inside at a moderate temperature. Continuously and uniformly support rolls on a smooth, level prepared surface.
64. Materials should be transported by the most direct method to site to minimize handling. Materials delivered to site should be off-loaded in a location where minimum handling steps will be required.
65. Leave the geomembranes packaged in UV protected wrap until the day that the panels are to be installed.
66. Geomembrane should not be installed in the presence of standing water, mud, vegetation, snow, frozen subgrade, excessive moisture, while precipitation is occurring, during excessive winds, or when material temperatures are outside 0-75 C.

67. Subgrade surfaces should be free of loose rock fragments (>10 mm), sticks, sharp objects, or debris of any kind. The surface should provide a smooth, flat, firm, unyielding foundation for the geomembrane with no sudden, sharp or abrupt changes or break in grade that can tear or damage the geomembrane.
68. If coarse grained material is encountered in the subgrade, appropriate bedding should be used to protect the geomembrane. This bedding should consist of compacted finer material with a depth of 150 mm minimum. Where bedding sand is not available, a non-woven cushion geotextile may be used if it is designed for puncture protection.
69. The subgrade surface needs to be sufficiently compacted before installation of geomembrane.
70. The geomembrane shall not be allowed to bridge over voids or low areas in the subgrade. The geomembrane shall rest in intimate contact with the subgrade.
71. In general, seams shall be oriented parallel to the line of the maximum slope. In corners and odd shaped geometric locations, the total length of field seams shall be minimized. Seams shall not be located at low points in the subgrade unless geometry requires seaming at such locations.
72. Care should be taken when covering the geomembrane to prevent any damage. At no time will construction equipment be allowed to operate or drive directly on the geomembranes. No vehicular traffic shall travel on the geomembrane other than an approved low ground pressure vehicle or equivalent.
73. Sandbags or equivalent ballast shall be used as necessary to temporarily hold the geomembrane material in position under the foreseeable and reasonably expected wind conditions. Sand bag material shall be sufficiently close-knit to prevent soil fines from working through the bags and discharging on the geomembrane.
74. All seaming, patching, other welding operations, and testing shall be performed by qualified technicians employed by the geomembrane installer that are a member of the International Association of geosynthetic Installers' Certified Welding Technician Program.
75. The panels shall be overlapped prior to seaming to whatever extent is necessary to affect a good weld and allow for proper testing, generally 300mm or more in the case of high flow. In no case shall this overlap be less than 75 mm.
76. Once the geomembrane is properly placed, the material should be seamed as soon as practical. Only material that is to be welded during that work-day should be deployed.
77. The cover material shall be placed as soon as practical, in conjunction with or upon completion of the geomembrane installation or as the installation progresses to minimize traffic on the geomembrane and damage. Only geomembrane that can be covered during that work-day should be placed.
78. Cover material shall consist of 12 mm minus particles, clean rounded soils or gravels free of sharp edges, sticks, metal, rubbish, and debris or foreign materials. If suitable cover material is not available, a protection geotextile layer may be installed between the geomembrane and the cover materials.
79. Cover material should be dumped and leveled over the geomembrane and not pushed from one end to the other to minimize rolling and wrinkling of the geomembrane beneath the material. Cover material should always be placed from the bottom to the top of slopes to avoid stressing the geomembrane and slope stability problems.
80. Cover material should be placed in lifts of a maximum of 150mm and be sufficiently compacted.
81. For critical structures, if the geosynthetic is damaged, the damaged section should be removed entirely and replaced. For lower risk structures, new geosynthetic can be place over the damaged area with an overlap equal to the minimum overlap required for adjacent rolls.
82. The geomembrane shall be secured/anchored to the bedrock foundation, concrete plinth, toe of embankment with riprap, or by other sufficient means to form a hydraulic barrier.

83. The geomembrane shall be anchored in a trench, or by other sufficient means, at the dam crest to form a hydraulic barrier.

**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, 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: Trevor Moore, P.Eng  
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cc: City of St. John's  
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Director of Planning & Development  
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cc: Ms. Deneen Spracklin, P.Eng.  
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Water Resources Management Division  
Department of Environment and Climate Change  
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[dspracklin@gov.nl.ca](mailto:dspracklin@gov.nl.ca)

cc: Mr. Terry Battcock  
Manager of Operations (Environmental Health)  
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Government of Newfoundland and Labrador  
**Department of Environment and Climate Change**  
**Water Resources Management Division**

### Appendix C - Completion Report

Pursuant to the *Water Resources Act*, SNL 2002 cW-4.01, specifically Section(s) 36, 37, 48

Date: **MAY 30, 2024**

File No: **844.097.106**  
Permit No: **WS13539-2024**

Permit Holder: **Fairview Investment Limited**  
**360 Topsail Road**  
**St. John's NL A1E 5Y7**  
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Attention: **Mr. Barry Clarke**

Re: **St. John's - Southlands Development Area 11 - Stage 1A**

Permission was given for : **the installation of approximately 50 m of 200 mm PVC watermain, 325 m of 300 mm PVC watermain, 400 m of 200 mm PVC sanitary sewer, 100 m of 200 mm preinsulated sanitary sewer and related appurtenances to develop 27 new building lots as described in the drawings titled, "Southlands Development Area 11 - Stage 1A" as received from Pinnacle Engineering on February 14, 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**

