

# Environment Act Licence Loi sur l'environnement Licence

Manitoba  
Conservation  
Conservation  
Manitoba



Licence No./Licence n° 2649  
Issue Date/Date de délivrance May 18, 2004

**IN ACCORDANCE WITH THE ENVIRONMENT ACT (C.C.S.M. c. E125)  
THIS LICENCE IS ISSUED PURSUANT TO SECTION 11(1) TO:**

**THE PROVINCE OF MANITOBA REPRESENTED BY THE MINISTER OF  
TRANSPORTATION AND GOVERNMENT SERVICES; "the Licencee"**

for the construction and operation of the Development being the upgrade of Provincial Trunk Highway #1 to a four lane divided highway from the Saskatchewan border to 1.9 km west of the west junction of PTH 83. The Development involves the construction of 33 km of two new westbound lanes on the north side of PTH 1, construction of sections of service road to allow for the consolidation of highway access points and realignment of municipal road intersections in accordance with the Proposal filed under The Environment Act, dated March 1, 2004, and subject to the following specifications, limits, terms and conditions:

### **DEFINITIONS**

**"Director"** means an employee of the department appointed as such by the Minister;

**"Environment Officer"** means an employee of the department appointed as such by the Minister; and

**"wetlands"** means those areas where the water table is at or above the land surface for a long enough period each year to make the area capable of supporting aquatic or hydrophilic vegetation, and which have soils with characteristics indicative of wet conditions.

**\*\*A COPY OF THE LICENCE MUST BE KEPT ON SITE AT THE DEVELOPMENT AT  
ALL TIMES\*\***

### **GENERAL TERMS AND CONDITIONS**

This Section of the Licence contains requirements intended to provide guidance to the Licencee in implementing practices to ensure that the environment is maintained in such a manner as to sustain a high quality of life, including social and economic development, recreation and leisure for present and future Manitobans.

1. The Licencee shall locate fuel storage and equipment servicing areas established for the construction and operation of the Development a minimum distance of 100 meters from any waterbody, and operate the fuel storage areas in compliance with the requirements of *Manitoba Regulation 188/2001* respecting *Storage and Handling of Petroleum Products and Allied Products*.
2. The Licencee shall, at all times during the construction of the Development, have materials available at the construction sites to contain and recover spills of fuel and other fluids associated with construction machinery.
3. The Licencee shall ensure that non-reusable demolition and construction debris from the Development is disposed of at a waste disposal ground operating under the authority of a permit pursuant to the *Waste Disposal Ground Regulation, MR 150/91*, or a Licence pursuant to The Environment Act.
4. The Licencee shall, during construction, dispose of all sewage and septage from on-site sanitary facilities in accordance with the *Onsite Wastewater Management Systems Regulation, MR 83/2003*.
5. The Licencee shall, during construction and operation of the Development, report spills of fuels or other contaminants to an Environment Officer in accordance with the requirements of *Manitoba Regulation 439/87* respecting *Environmental Accident Reporting*. Any reportable spills shall be reported immediately to Manitoba Conservation's Accident Reporting Line at 204-944-4888.
6. The Licencee shall, during construction, adhere to the general recommendations on design, construction and maintenance of stream crossings as specified in the Manitoba Department of Conservation guidelines titled *Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat, 1996*.

7. The Licencee shall, prior to construction, provide a copy of this Licence to the contractor and subcontractor(s) involved in the Development.

**SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS**

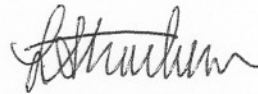
8. The Licencee shall, prior to construction activities which affect wetland habitat, consult and reach an agreement with the Manitoba Conservation Regional Wildlife staff and representatives of the Manitoba Habitat Heritage Corporation, regarding a site specific wetland mitigation plan. The plan shall:
  - a) recommend replacement or mitigation for the loss of wetland areas affected by the Development, and
  - b) provide for a post development evaluation of the wetland replacement or mitigation implemented pursuant to Clause 8 (a) of this Licence.
9. The Licencee shall, prior to construction in each construction year, conduct a wildlife survey and a waterfowl nest sweep of the affected area. Results of the wildlife survey and waterfowl nest sweep shall be reported to Manitoba Conservation prior to disturbance of rare, threatened or endangered species or disturbance and relocation of waterfowl nests and eggs.
10. The Licencee shall, prior to construction, obtain approval from the Water Branch of Manitoba Water Stewardship for water management activities related to the Development. In order to facilitate approval the following information shall be provided to the Water Branch prior to construction:
  - a) Changes in spill elevations of culverts or road side ditches;
  - b) diversions of water from natural channels/courses; and
  - c) alterations to culvert capacity as a result of changes to temporary or permanent water storage areas.

Facilitation of unapproved drainage activities on private lands adjacent to the Development during the construction period shall be prohibited.

11. The Licencee shall not, during construction, clear, compact, grade or fill any wetlands, native upland habitat, agricultural lands or yard sites, which are not required for the right-of-way of the Development. All construction related traffic shall be restricted to the development right-of-way.
12. The Licencee shall minimize construction activities near wetland areas between May 1 and July 1 of each construction year.
13. The Licencee shall, prior to commencement of construction of the Development, submit for the approval of the Director an erosion and sediment control plan in accordance with the Guidelines provided in Schedule "A" attached to this Licence. Construction shall not commence until written approval of the Director has been obtained.
14. The Licencee shall retain a 30 meter buffer between the highway right-of-way and borrow sites associated with the Development in areas where bush exists along the highway. Potential borrow areas covered by native vegetation shall be avoided.
15. The Licencee shall undertake dust control measures during construction. Water required for dust control during construction shall be obtained from a source other than waste water treatment facilities.
16. The Licencee shall, prior to and during construction, adhere to the Manitoba *Temporary Batch Plant Siting Procedures/Guidelines* and provide secondary emission equipment for the plant, being either a fabric filter or wet scrubber. The local Environment Officer shall be notified prior to siting and setup of the temporary asphalt batch plant.
17. The Licencee shall, at the completion of the construction of the Development, landscape and vegetate erosion prone areas disturbed during the construction with native plant species and cultivars.

**REVIEW AND REVOCATION**

- A. If, in the opinion of the Director, the Licencee has exceeded or is exceeding or has or is failing to meet the specifications, limits, terms, or conditions set out in this Licence, the Director may, temporarily or permanently, revoke this Licence.
- B. If, in the opinion of the Director, new evidence warrants a change in the specifications, limits, terms or conditions of this Licence, the Director may require the filing of a new proposal pursuant to Section 11 of The Environment Act.
- C. This Licence expires six months following completion of the construction of the Development.



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**Larry Strachan, P.Eng.**  
**Director**  
**Environment Act**

**Client File No. 5030.00**

**Schedule 'A' to  
Environment Act Licence No. 2649**

**GUIDELINES FOR THE PREPARATION OF EROSION AND SEDIMENT  
CONTROL PLANS**

A plan shall include:

- A map showing the areas on the site to be protected, and the direction of surface water flows;
- Identification of areas requiring special protection, such as surface water bodies or areas susceptible to groundwater pollution;
- A description of temporary and permanent erosion control measures and sedimentation containment measures. This includes a description of materials to be used and installation procedures;
- Standard detail plans for erosion control measures and sedimentation containment measures;
- A discussion of maintenance measures;
- A description of emergency plans - responsibilities for identifying emergency situations, contacts for notification, materials available on site, and equipment available on site; and
- Identification of responsibility for plan implementation - an onsite person responsible for all aspects of the installation, maintenance and removal of erosion and sediment control works.