

# Environment Act Licence Loi sur l'environnement Licence

Manitoba  
Conservation  
Conservation  
Manitoba



Licence No./Licence n° 2654  
Issue Date/Date de délivrance May 27, 2004

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

## **THE RURAL MUNICIPALITY OF WALLACE; "the Licencee"**

for the construction and operation of the Development being a water supply system in the Rural Municipality of Wallace, 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**

In this Licence,

**"accredited laboratory"** means any facility accredited by the Standard Council of Canada (SCC), or facilities accredited by another accrediting agency recognized by Manitoba Conservation to be equivalent to the SCC, or facilities which can demonstrate to Manitoba Conservation, upon request, that quality assurance/quality control (QA/QC) procedures are in place equivalent to accreditation based on the Canadian Standard Can/CSA-Z753, extension of the international standard ISO 9000, Guide 25; and

**"as constructed drawings"** means engineering drawings complete with all dimensions which indicate all features of the Development as it has actually been built.

### **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.

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

1. The Licencee shall, in addition to any of the following specifications, limits, terms and conditions specified in this Licence, upon the request of the Director:
  - (a) sample, monitor, analyse or investigate specific areas of concern regarding any segment, component or aspect of pollutant storage, containment, treatment, handling, disposal or emission systems, for such duration and at such frequencies as may be specified;
  - (b) determine the environmental impact associated with the release of any pollutants from the said Development;
  - (c) conduct specific investigations in response to the data gathered during environmental monitoring programs; or
  - (d) provide the Director, within such time as may be specified, with such reports, drawings, specifications, analytical data, flow rate measurements and such other information as may from time to time be requested.
2. The Licencee shall collect and dispose of all used oil products and other regulated hazardous wastes generated by the machinery used in the construction and operation of the Development in accordance with applicable Manitoba Conservation and legislation requirements.
3. The Licencee shall, prior to the commencement of operation of the Development, receive approval pursuant to The Public Health Act for final plans for the Development.
4. The Licencee shall construct waterway crossings on flowing waterways by augering, tunnelling or boring. Open cut crossings on flowing waterways shall not be made unless prior consultation with Manitoba Water Stewardship and Department of Fisheries and Oceans staff has occurred and the prior written approval of the Director has been obtained. Dry or non-flowing natural and artificial waterways may be crossed with open cut techniques where approval has been obtained where necessary from the provincial or municipal authority responsible for the channel.
5. The Licencee shall, where open cut stream crossing techniques are used on intermittent waterways and artificial drainage channels, minimize disturbance to riparian areas and restore the bottom and banks of the waterways to their original elevations and shapes.
6. The Licencee shall, during construction of the Development, implement all necessary measures to prevent the erosion of exposed soil into any waterbodies. Construction adjacent to waterbodies shall not occur during high rainfall events.

7. The Licencee shall revegetate soil exposed during the construction of the Development with native or introduced grasses or legumes. Native species shall be used to revegetate areas where native species existed prior to construction. Revegetation is not required for pipelines installed by chain trenching or ploughing on previously disturbed ground including road allowances.
8. The Licencee shall not alter local drainage patterns by the construction of the Development, including inflows and outflows from small wetlands adjacent to the route of pipelines.
9. The Licencee shall not permit the interconnection of a private water supply system with the Development.
10. The Licencee shall:
  - a) prepare "As Constructed" drawings for the Development and shall label the drawings "As Constructed"; and
  - b) provide to the Director, within three months of the completion of construction of the Development, two sets of "As Constructed" drawings.
11. The Licencee shall operate the municipal water supply in accordance with Manitoba Regulations under The Public Health Act and all operating requirements as recommended by Manitoba Water Stewardship.
12. The Licencee shall properly train or qualify individuals to carry out the operation of the Development.
13. The Licencee shall, prior to commencing construction of the Development, obtain all necessary approvals from Manitoba Transportation and Government Services and the Highway Traffic Board.

### **SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS**

#### **Respecting Construction:**

14. The Licencee shall, during construction of the Development, comply with the requirements of The Heritage Resources Act. Notification of pipeline route locations shall be provided to the Historic Resources Branch not less than one month prior to beginning construction of the Development in any year in which construction occurs.

15. The Licencee shall, in constructing pipeline crossings of the Development over or under oil or gas pipelines, comply with the requirements of Canadian Standards Association Standard Z662 respecting Oil and Gas Pipeline Systems. Notification of pipeline route locations shall be provided to the Virden District Office of the Manitoba Petroleum Branch not less than one month prior to beginning construction of the Development in any year in which construction occurs.
16. The Licencee shall notify the Western Regional Office of Manitoba Conservation not less than two weeks prior to beginning construction of the Development in any year in which construction occurs. The notification shall include the intended starting date of construction and the name of the contractor responsible for the construction.
17. The Licencee shall, where open cut stream crossing techniques are used on intermittent waterways and artificial drainage channels, not construct open cut crossings associated with the Development between April 1 and June 15 of any year.
18. The Licencee shall construct open cut stream crossings associated with the Development in accordance with the methodologies described in the November, 1999 publication "Watercourse Crossings Second Edition", published by the Canadian Pipeline Water Crossing Committee, and the May, 1996 publication "Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat", published by the Department of Fisheries and Oceans and Manitoba Natural Resources.
19. The Licencee shall, prior to beginning construction in areas of natural habitat affected by the Development, conduct a survey of rare or endangered plant or animal species. If rare or endangered species are found, a report on their presence, including appropriate mitigation measures for their protection, shall be provided to the Director for approval prior to beginning construction in the affected areas.
20. The Licencee shall not construct the Development in areas likely to provide bird habitat before August 1 of any year. Construction in wetland areas and in riparian zones adjacent to rivers shall not occur before August 15 of any year.
21. The Licencee shall separate and replace topsoil from backhoe and trenching operations associated with the Development in accordance with the methodology described in Figures 1, 2 and 3 attached to this Licence. This requirement is not applicable where the topsoil has been previously disturbed due to the construction of roads or drains.

22. The Licencee shall not release chlorinated water from pipeline testing and startup activities associated with the Development to a surface water body until chlorine level concentrations are equal to or less than 0.1 milligrams per litre. Releases of chlorinated water at higher concentrations may be made to vegetated land or dry waterways, provided that chlorine level concentrations have decayed to 0.1 milligrams per litre or less before the released water reaches any body of surface water.
23. 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*.
24. The Licencee shall, at all times during the construction of the Development, maintain materials to contain and recover spills of fuel and other fluids associated with construction machinery at construction sites.
25. The Licencee shall establish fuel storage and equipment servicing areas for the construction and operation of the Development:
  - (a) a minimum distance of 100 metres from any waterbody; and
  - (b) in compliance with the requirements of *Manitoba Regulation 188/2001* respecting *Storage and Handling of Petroleum Products and Allied Products*.

**Respecting Operation:**

26. The Licencee shall conduct an effluent monitoring program as described in Clauses 27 to 30, of this Licence, for a period of two years commencing with the operation of the Development. Following this period, the duration of the monitoring program may be extended by the Director if the results, in the opinion of the Director, indicate that a longer monitoring period is appropriate.
27. The Licencee shall, on a quarterly basis for the duration of the effluent monitoring program, collect grab samples at a location approved by the Director in the effluent stream inside the water treatment plant.
28. The Licencee shall transport the grab samples collected pursuant to Clause 27, of this Licence, to an accredited laboratory for analysis. The samples shall be stored and transported in accordance with procedures specified by Manitoba Water Stewardship to ensure that the samples are suitable for analysis.

29. The Licencee shall, at an accredited laboratory, have the samples collected pursuant to Clause 27, of this Licence, analysed for the following parameters:
- a) pH;
  - b) hardness;
  - c) total dissolved solids;
  - d) total suspended solids;
  - e) calcium;
  - f) chloride;
  - g) magnesium;
  - h) manganese;
  - i) nitrate;
  - j) sodium; and
  - k) sulphate.
30. The Licencee shall, not more than 30 days after the results of each quarterly analysis are available, submit the results to the Director.
31. The Licencee shall monitor erosion in the vicinity of the end of the effluent discharge pipeline of the Development. If significant erosion occurs in this vicinity at any time during the operation of the Development, the Licencee shall install erosion protection material at the end of the pipeline.
32. The Licencee shall monitor the accumulation of water in the vicinity of the end of the effluent discharge pipeline of the Development. If accumulated water increases adjacent to the culvert under Provincial Trunk Highway 83 at this location at any time during the operation of the Development, the Licencee shall take any steps necessary to prevent this accumulation from affecting the culvert.
33. The Licencee shall, each winter during the operation of the Development, monitor the accumulation of ice in the vicinity of the end of the effluent discharge pipeline. If accumulated ice approaches or affects the culvert under Provincial Trunk Highway 83 at this location, the Licencee shall take any steps necessary to prevent this effect on the culvert.

#### **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.

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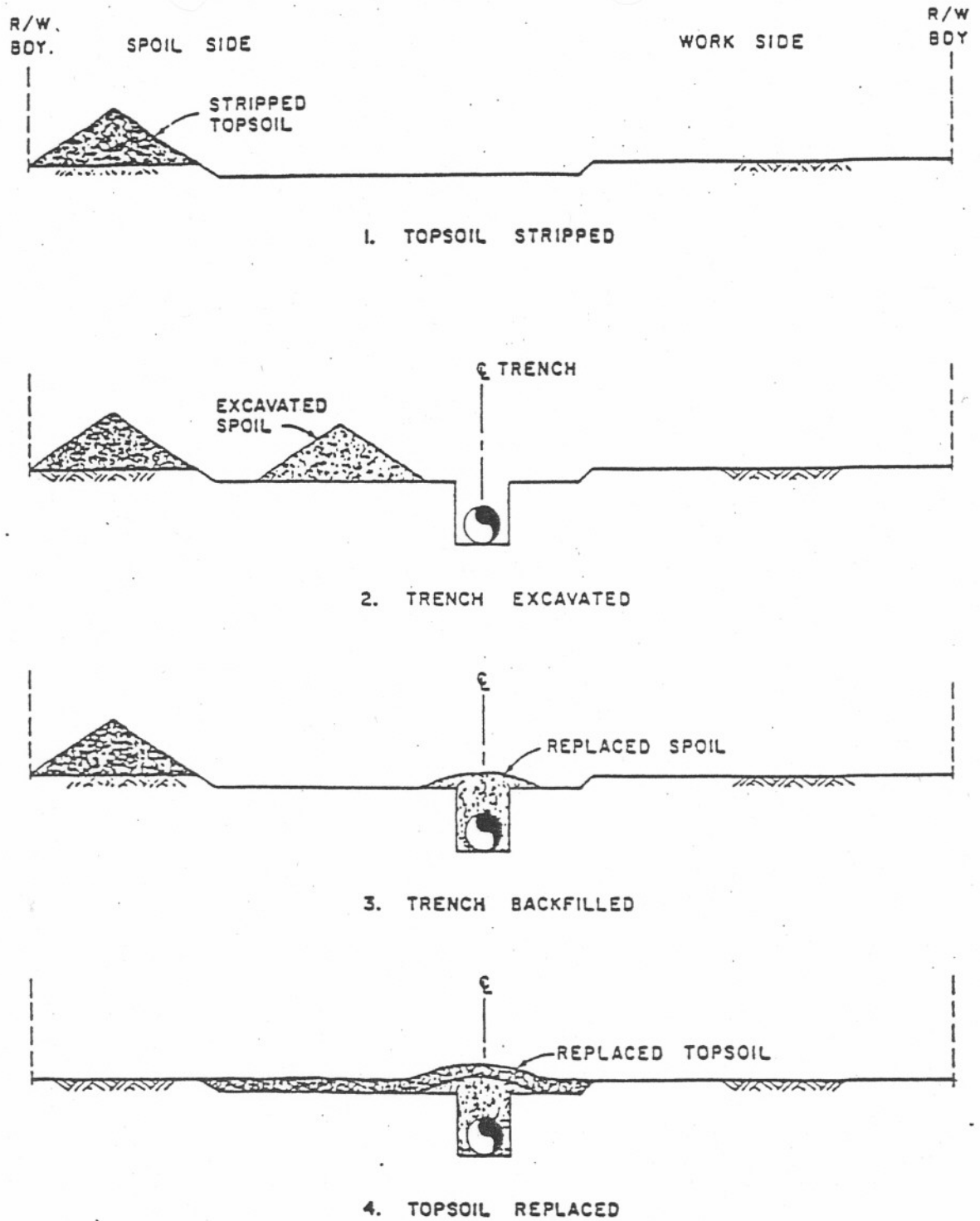
- B. If construction of the development has not commenced within three years of the date of this Licence, the Licence is revoked.
- C. If, in the opinion of the Director, new evidence warrants a change in the specifications, limits, terms or conditions of this Licence, the Director may require the filing of a new proposal pursuant to Section 11 of The Environment Act.



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

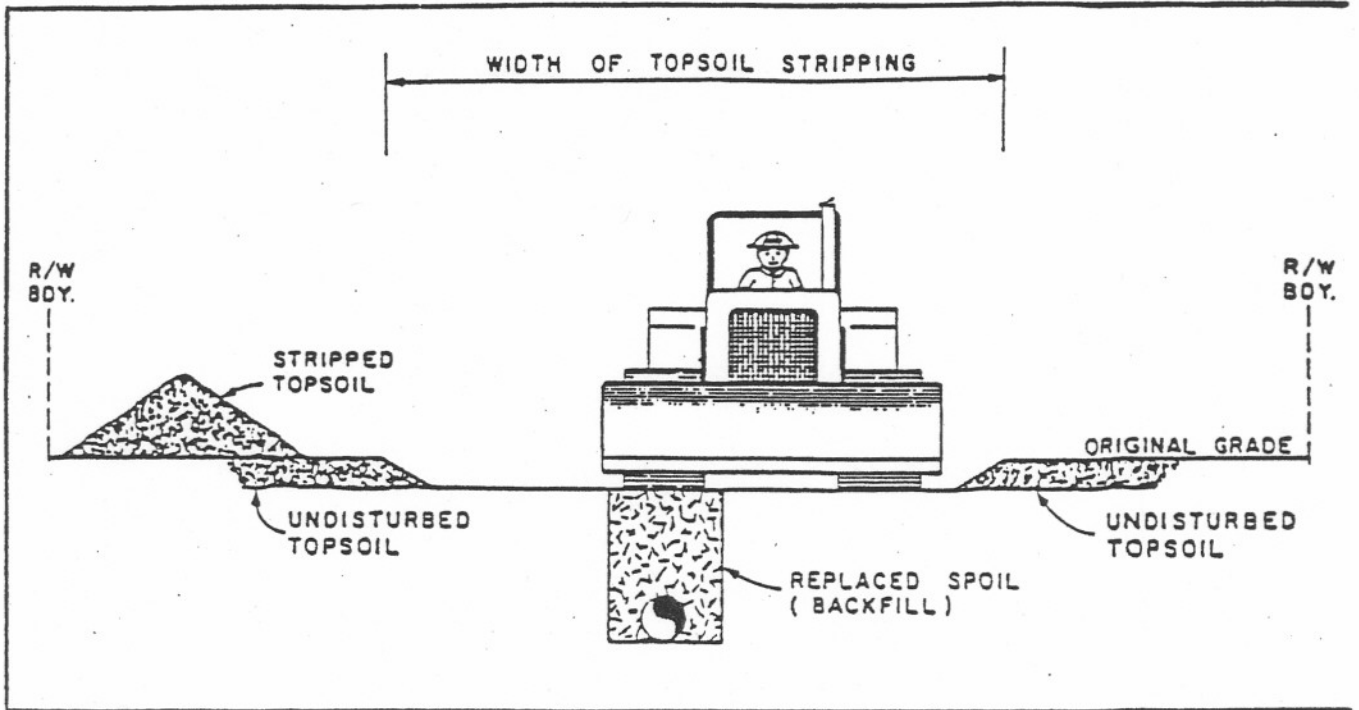
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SEQUENCE OF TOPSOIL HANDLING

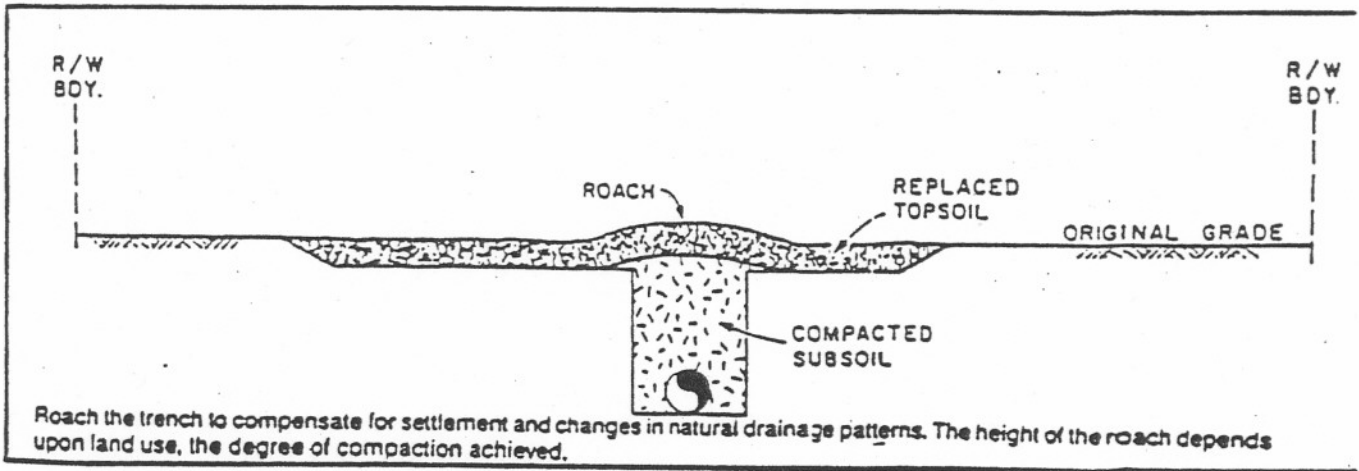
Figure 1





COMPACTION OF BACKFILL

Figure 2



ROACHING THE TRENCH

Figure 3