



**Conservation and Water Stewardship**

Climate Change and Environmental Protection Division  
Environmental Approvals Branch  
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5  
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[www.gov.mb.ca/conservation/eal](http://www.gov.mb.ca/conservation/eal)

**CLIENT FILE NO.: 5612.00**

January 31, 2013

Ryan Coulter, M.Sc., P.Eng.  
Manager of Environmental Services  
Manitoba Infrastructure and Transportation  
14th Floor - 215 Garry Street  
Winnipeg MB R3C 3P3

Dear Mr. Coulter:

Enclosed is **Environment Act Licence No. 3035** dated January 31, 2013 issued to **Manitoba Infrastructure and Transportation** for the construction and operation of the Development being the realignment of a section of Provincial Road 392, including the decommissioning of the existing roadway, from its intersection with Provincial Road 393 south of the Town of Snow Lake to approximately 3.0 km southerly, in accordance with the Proposal filed under *The Environment Act* dated October 10, 2012.

In addition to the enclosed Licence requirements, please be informed that all other applicable federal, provincial and municipal regulations and by-laws must be complied with. A Notice of Alteration must be filed with the Director for approval prior to any alteration to the Development as licensed.

For further information on the administration and application of the Licence, please feel free to contact Crystal Huculak, Environment Officer @ 204-627-8248.

Pursuant to Section 27 of *The Environment Act*, this licensing decision may be appealed by any person who is affected by the issuance of this Licence to the Minister of Conservation and Water Stewardship within 30 days of the date of the Licence.

Yours truly,

Tracey Braun, M.Sc.  
Director  
Environment Act

Enc.

c: Don Labossiere, Director, Environmental Operations  
Public Registries

**NOTE:** Confirmation of Receipt of this Licence No. 3035 (*by the Licensee only*) is required by the Director of Environmental Approvals. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by February 15, 2013.

\_\_\_\_\_  
Manitoba Infrastructure and Transportation

\_\_\_\_\_  
Date

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

Licence No. / Licence n° 3035

Issue Date / Date de délivrance January 31, 2013

In accordance with *The Environment Act* (C.C.S.M. c. E125) /  
Conformément à la *Loi sur l'environnement* (C.P.L.M. c. E125)

Pursuant to Section 11(1) / Conformément au Paragraphe 12(1)

**THIS LICENCE IS ISSUED TO: / CETTE LICENCE EST DONNÉE À:**

**MANITOBA INFRASTRUCTURE AND TRANSPORTATION;**  
**"the Licence"**

for the construction and operation of the Development being the realignment of a section of Provincial Road 392, including the decommissioning of the existing roadway, from its intersection with Provincial Road 393 south of the Town of Snow Lake to approximately 3.0 km southerly, in accordance with the Proposal filed under *The Environment Act* dated October 10, 2012 and subject to the following specifications, limits, terms and conditions:

**DEFINITIONS**

"affected area" means a geographical area, excluding the property of the Development;

"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;

"noise nuisance" means an unwanted sound, in an affected area, which is annoying, troublesome, or disagreeable to a person:

- a) residing in an affected area;
- b) working in an affected area; or
- c) present at a location in an affected area which is normally open to the members of the public;

if the unwanted sound

- d) is the subject of at least 5 written complaints, received by the Director in a form satisfactory to the Director and within a 90 day period, from 5 different persons falling within clauses (a), (b) or (c), who do not live in the same household; or
- e) is the subject of at least one written complaint, received by the Director in a form satisfactory to the Director, from a person falling within clauses (a), (b) or (c) and

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the Director is of the opinion that if the unwanted sound had occurred in a more densely populated area there would have been at least 5 written complaints received within a 90 day period from 5 different persons and who do not live in the same household, 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.

### 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 collect and dispose of all used petroleum products and other hazardous wastes generated by the machinery used in the construction and operation of the Development in accordance with Manitoba Conservation and Water Stewardship and legislative requirements.
2. The Licencee shall, at all times during the construction of the Development, have available at the construction sites, materials to contain and recover spills of fuel and other fluids associated with construction machinery.
3. The Licencee shall not cause or permit a noise nuisance to be created as a result of the construction of the Development, and shall take such steps as the Director may require to eliminate or mitigate a noise nuisance.
4. The Licencee shall notify the assigned Environment Officer not less than two weeks prior to beginning construction of the Development. The notification shall include the intended starting date of construction.
5. The Licencee shall not, during construction, clear, compact, grade or fill any wetlands or native upland habitat, which are not required for the right-of-way of the Development.
6. The Licencee shall construct the borrow pits in connection with the Development to minimize environmental and aesthetic impacts. Borrow pit designs shall be approved in writing by the Northwest Region Integrated Resource Management Team of Manitoba Conservation and Water Stewardship prior to construction, and subject to the requirements of a Quarry Permit.

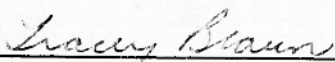
**SPECIFICATIONS, TERMS AND LIMITS**

7. The Licencee shall establish any fuel storage areas required for the construction and operation of the Development:
  - a) a minimum distance of 100 metres from any waterbody;
  - b) in compliance with the requirements of *Manitoba Regulation 188/2001*, or any future amendment thereof, respecting *Storage and Handling of Petroleum Products and Allied Products*; and,
  - c) incorporate secondary containment satisfactory to an Environment Officer.
8. The Licencee shall, during the full term of the construction of the Development, cleanup and deposit all debris from the construction site, including demolition debris, at a Waste Disposal Ground operating under the authority of a permit issued pursuant to *Manitoba Regulation 150/91* or any future amendment thereof, respecting *Waste Disposal Grounds*.
9. The Licencee shall, during construction, dispose of all sewage and septage from on-site sanitary facilities in accordance with *Manitoba Regulation 83/2003*, or any future amendment thereof, respecting *Onsite Wastewater Management Systems*.
10. The Licencee shall, during construction and maintenance, adhere to the general recommendations on design, construction and maintenance of stream crossings as specified in the guidelines titled *Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat, 1996*, with the exception that culvert crossings, where fish passage is determined to be necessary, shall be designed so that the period during which the culverts are impassable to fish should not exceed three days with a one in ten year flood frequency.
11. The Licencee shall, during construction, maintenance, and restoration of the Development, implement all necessary measures to prevent the erosion of soil into any waterbodies. Construction adjacent to waterbodies shall not occur during high rainfall events.
12. The Licencee shall, during construction and operation of the Development, immediately report any reportable spills to Manitoba Conservation and Water Stewardship's Accident Reporting Line at (204) 944-4888 pursuant to *Manitoba Regulation 439/87* or any future amendment thereof, respecting *Environmental Accident Reporting*.
13. The Licencee shall, prior to construction, provide a copy of this Licence to the contractor and subcontractor(s) involved in the Development.
14. The Licencee shall obtain asphalt for the Development from an asphalt batch plant licensed pursuant to *The Environment Act*.

15. The Licencee shall not remove, destroy or disturb species pursuant to *Manitoba Regulation 25/98*, or any future amendment thereof, respecting *Threatened, Endangered and Extirpated Species*, and in the federal Species at Risk Act.
16. 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.
17. The Licencee shall, rehabilitate decommissioned stream crossings to pre-existing conditions.
18. The Licencee shall landscape and vegetate all areas disturbed during construction and decommissioning with native plant species. These areas shall be revegetated as quickly as possible following construction to prevent soil erosion and the establishment of noxious weeds. This includes but is not limited to access roads no longer used for construction and operation purposes.

#### 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 the Licencee has not commenced construction of the Development within three years of the date of this Licence, this 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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Tracey Braun  
Director  
Environment Act