

Environment Act Licence

Manitoba
Environment



Licence No. 1866
Issue Date July 7, 1994

In accordance with the Manitoba Environment Act (C.C.S.M. c. E125)

THIS LICENCE IS ISSUED TO:

**THE PROVINCE OF MANITOBA REPRESENTED BY THE MINISTER OF
HIGHWAYS AND TRANSPORTATION:
The "Licencee"**

for the construction of the Development being the upgrading of a section of Provincial Trunk Highway #59 to a limited access four lane divided highway beginning at the south Perimeter Highway (PTH #100) in the City of Winnipeg to a point south of Ile Des Chenes in the Rural Municipality of Ritchot subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence:

- "A-weighted sound level" means the sound level measured with a sound level metre set on the A-weighted network, being a filter designed to approximate the relative sensitivity of the normal human ear to different frequencies of sound. The unit of measurement is denoted dBA.
- "dBA" means a denotation used to indicate a unit of sound measurement.
- "dB (decibel)" means a dimensionless measure of sound level or sound pressure level. Sound level = $20 \log_{10} \frac{\text{pressure (actual)}}{\text{pressure (reference)}}$
- "L_{dn}" means the day-night average sound level; i.e., the 24 hour A-weighted sound level, with a 10 decibel penalty added to the night-time (11:00 p.m. to 7:00 a.m.) levels. The L_{dn} shall be based upon the design year traffic volume, and shall be in accordance with the outdoor sound level limits for residential areas adjacent to regional transportation facilities set out in the City of Winnipeg's "MOTOR VEHICLE NOISE POLICIES AND GUIDELINES." *(The point of reception for determining noise impacts as defined in the City of Winnipeg's "MOTOR VEHICLE NOISE POLICIES AND GUIDELINES," shall be at the limit of the outdoor recreational area closest to the roadway and at a height of 1.2 metres above ground.)*

"outdoor recreational area" means an area as defined in the City of Winnipeg's "MOTOR VEHICLE NOISE POLICIES AND GUIDELINES" as a ground level outdoor recreational living area adjacent to a residential unit accommodating a variety of individual outdoor activities.


SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

1. The Licencee shall construct the Development in accordance with the *Environment Act Proposal - Proposed Upgrading of Provincial Trunk Highway 59 South (from the Perimeter Highway to Just South of Ile Des Chenes)*, dated March 2, 1994.
2. The Licencee shall, during final design of the portion of the Development located within the City of Winnipeg, adhere to the City of Winnipeg's *Motor Vehicle Noise Policies and Guidelines* design noise level of 65 dBA L_{dn} in existing residential areas adjacent to the Development.
3. The Licencee shall, prior to beginning construction of the portion of the Development west of Ile Des Chenes, conduct a field monitoring program of ambient noise levels within the rural residential community properties located immediately west of the proposed alignment.
4. The Licencee shall during final design of the stream crossings related to the Development, consult and reach an agreement with the Manitoba Department of Natural Resources regarding:
 - a) the mitigative measures to be incorporated into the final design of the stream crossings in order to minimize impacts from the Development on vehicle related deer kills, and
 - b) the mitigative measures to be incorporated into a sediment control plan in order to address both temporary and long term erosion and sedimentation.
5. The Licencee shall in the design and during construction of the Development, adhere to the Manitoba Department of Natural Resources Guidelines titled *Recommended Fish Protection Procedures for Stream Crossings in Manitoba*.
6. The Licencee shall, from April 1 to June 15 of each year during construction, cease all construction activities that may impact upon the stream channel and which may affect fish mobility and fish habitat.
7. The Licencee shall, two weeks prior to beginning construction on the stream crossings related to the Development, notify the Regional Fisheries Biologist to arrange for an on-site inspection of the work.
8. The Licencee shall, during the rehabilitation or construction of any timber bridges related to the Development, use timbers treated with chromated copper arsenate (CCA).

9. The Licencee shall, during painting operations of the stream crossings structures related to the Development, adhere to the British Columbia Guidelines titled *Guidelines for the Protection of Fish and Fish Habitat during Maintenance Operations*.
10. The Licencee shall, during construction, ensure that fuel storage and fueling areas established for the construction of the Development are located a minimum distance of 100 metres away from the high water line of the stream crossings, and shall comply with the requirements of *Manitoba Regulation-97/88R* respecting *Storage and Handling of Gasoline and Associated Products*.
11. The Licencee shall, at the completion of the construction of the stream crossing structures related to the Development, ensure that the stream banks are stabilized and/or rip-rapped from channel bottom to high water elevation at bank-full conditions.
12. The Licencee shall, at the completion of construction, cleanup the construction area and deposit all resulting debris at a Municipal Waste Disposal Ground operating under the authority of a permit issued pursuant to the *Waste Disposal Grounds Regulation, Manitoba Regulation 150/91*.
13. The Licencee shall, at the completion of construction, landscape and vegetate all areas disturbed during construction with native and/or introduced plant species in order to restore and enhance the site and to protect against erosion.

REVOCATION

If in the opinion of the Director the Licencee has exceeded or is exceeding the limits, or has not or is not complying with the specifications, terms and conditions set out herein, the Director may revoke temporarily or permanently, this Licence.



Larry Strachan, P. Eng.
Director
Environment Act

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