



Conservation

Environmental Stewardship Division
Environmental Assessment and Licensing Branch
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5
T 204 945-7100 F 204 945-5229
www.gov.mb.ca/conservation/eal
FAXED
CLIENT FILE: 3636.00

Charlotte Unrau
Agassiz Resource Management Ltd.
PO Box 750
Winkler MB R6W 4A1

November 12, 2009

Dear Ms. Unrau:

RE: Agassiz Resource Management Ltd. – Irrigation Project (Sites S5a, S5b, S7 and S12)

An alteration request was filed on behalf of Agassiz Resource Management Ltd. for the above noted project by Daryl Jaques of the Agri-Environment Services Branch of Agriculture and Agri-Food Canada on August 12, 2009. The proposed alteration involves the construction of a new balancing reservoir (S5b) in SE 13-2-4W. This reservoir would be supplied with water from the existing S5a reservoir.

As the environmental effects resulting from the proposed alteration are insignificant, approval is hereby provided pursuant to Section 14 of the Environment Act to implement the alteration. Enclosed please find Environment Act Licence No. 1771 R which replaces Environment Act Licence 1771.

Please be informed that all other applicable federal, provincial and municipal regulations and by-laws must be complied with in addition to the Licence requirements.

For further information on the administration and application of Environment Licence No. 1771 R you may contact Raymond Reichelt at (204) 239-3608.

Yours truly,

Tracey Braun, M. Sc.
Director
Environment Act

Enc.

- c. Brian Wilson, Manitoba Agriculture, Food and Rural Initiatives
- Daryl Jaques, Agri-Environment Services Branch, AAFC
- Jim McConkey, Manitoba Water Stewardship
- Don Labossiere, Environmental Operations, Winnipeg
- Raymond Reichelt, Environmental Operations, Portage la Prairie

NOTE: Confirmation of Receipt of this Licence No. 1771 R (by the Licencee only) is required by the Director of Environmental Assessment and Licensing. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by November 27, 2009.

On behalf of Agassiz Resource Management Ltd.

Date

LICENCE

Licence No. / Licence n° 1771 R

Issue Date / Date de délivrance March 25, 1994

REVISED: November 12, 2009

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) and 14(2) / Conformément au Paragraphe 11(1) et 14(2)

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

AGASSIZ RESOURCE MANAGEMENT LIMITED; "the Licencee"

for the construction and operation of the Development being an irrigation water supply system consisting of water intakes and storage reservoirs in N 11-1-4W (S7) and SE 13-2-5W (S5a) and an off-stream storage balancing reservoir in SE 13-2-4W (S5b) in the Rural Municipality of Stanley, and a water intake and storage reservoir in NE 1-1-3W (S12) in the Rural Municipality of Rhineland, in accordance with the Environment Act Proposal dated July 5, 1993, PFRA drawings 117600, 117601A, 117602, 117603, 205300, 205301 and 205302, supplementary information contained in the February, 1994 report *Response to Manitoba Environment Request for Additional Information on the Agassiz Irrigation Association Project*, the alteration request dated August 12, 2009 and additional information dated August 17, 2009, and subject to the following specifications, limits, terms and 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 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.
2. The Licencee shall revegetate areas disturbed by the construction of the Development with a mixture of native or introduced grasses or legumes. These areas shall be revegetated as quickly as possible following construction to prevent soil erosion and the establishment of noxious weeds. Native species shall be used to revegetate areas where native species existed prior to construction.

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

3. 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.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Project Scope

4. The Licencee shall, unless otherwise approved by the Director in writing, construct and operate the Development as described on Figures 1 and 2, attached to this Licence.

Construction

5. The Licencee shall, not less than two weeks prior to beginning construction of the Development, provide notification to the Environment Officer responsible for the administration of this Licence of the intended starting date of construction and the name of the contractor responsible for the construction.
6. 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; and
 - b) in compliance with the requirements of *Manitoba Regulation 188/2001*, respecting *Storage and Handling of Petroleum Products and Allied Products*, or any future amendment thereof.
7. The Licencee shall, during construction and operation of the Development:
 - a) immediately report any reportable spills to Manitoba Conservation's Accident Reporting Line at (204) 944-4888; and
 - b) provide a follow-up report to the Director on a reportable environmental accident outlining the cause(s) and proposing corrective action to prevent reoccurrence.
8. The Licencee shall not remove, destroy or disturb species listed as rare, endangered, or of special concern, or their habitats. These species are listed in *Manitoba Regulation 25/98*, respecting *Threatened, Endangered and Extirpated Species*, or any future amendment thereof, and in the federal Species at Risk Act.
9. The Licencee shall not harm, remove, destroy or disturb migratory birds, their nests or their eggs pursuant to the requirements of the federal Migratory Birds Convention Act.

10. The Licencee shall, during construction of the Development, take all appropriate measures to prevent erosion and the deposition of sediment in waterways.
11. The Licencee shall not undertake instream construction activities in connection with the Development between April 1 and June 30 of any year.
12. The Licencee shall not undertake instream construction activities in connection with the Development during periods of high streamflow.
13. The Licencee shall, during construction of water intake works in connection with the Development, minimize the extent of clearing of riparian vegetation.
14. The Licencee shall, during construction of the pipelines of the Development, construct the water body crossings by augering, tunneling or boring. An open cut crossing shall not be made unless prior consultation with the local Conservation District office and Department of Fisheries and Oceans staff has occurred and the prior written approvals of the Conservation District and the Director have been obtained.
15. 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.
16. The Licencee shall construct open cut stream crossings associated with the Development in accordance with the methodologies described in the October, 2005 publication "Pipeline Associated Watercourse Crossings Third 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.
17. The Licencee shall not alter local drainage patterns by the construction of the Development.
18. The Licencee shall install buried pipelines on cultivated land or land in its natural state in accordance with the methodology illustrated in Figures 3 to 5, attached to this Licence. These procedures do not apply when a plough or a continuous trencher is used to install a pipeline.

Operation – Matters Respecting Water Management and Water Quality Protection

19. The Licencee shall install and maintain instream water diversion works associated with the Development in accordance with the requirements of the Department of Fisheries and Oceans.
20. The Licencee shall limit the combined capacity of pumps used to divert water into the Development to 0.75 m³/s at each site with a storage capacity less than 125 cubic decameters, 1.5 m³/s at sites with storage capacities of 125 to 313 cubic decametres, and 2.25 m³/s at sites with storage capacities greater than 313 cubic decameters, or as specified in a Water Rights Licence issued for the Development by Manitoba Water Stewardship.
21. The Licencee shall immediately cease diverting water or reduce the diversion rate if minimum instream flow(s) specified by Manitoba Water Stewardship in a Water Rights Licence issued for the Development pursuant to Clause 20 of this Licence are not equaled or exceeded.
22. The Licencee shall install backflow prevention devices and maintain them in operational condition at all times if fertilizer or crop protection products are applied through the irrigation systems of the Development.
23. The Licencee shall, if fertilizer or crop protection products are applied through the irrigation systems of the Development, not allow irrigation water containing these materials to be applied to or drain to surface water bodies.

Operation – Matters Respecting Land Management and Soil Quality Protection

24. The Licencee shall implement agronomic practices described in the “Manual of Best Management Practices for Irrigated Crop Production in Manitoba, 2nd Draft” by the Association of Irrigators of Manitoba, concerning general agronomic practices, or future versions thereof.
25. The Licencee shall manage phosphorus as well as nitrogen in all nutrient management plans developed pursuant to Clause 24 of this Licence.

Monitoring

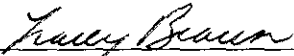
26. The Licencee shall monitor instream flows, seepage from reservoirs, and land impacts for the Development as proposed. All data shall be forwarded to Manitoba Conservation.
27. The Licencee shall, on a daily basis while the reservoirs of the Development are being filled and while irrigation is occurring from the Development, record volumes of water pumped, and durations of pumping for each intake site and

reservoir site. A report on this information shall be provided, by February 1 of the following year, to the Environment Officer responsible for the administration of this Licence and the Environmental Assessment and Licensing Branch. The report shall be provided in the format shown in Table 1, attached to this Licence.

28. The Licencee shall, upon the request of the Director:
- a) sample, monitor, analyze or investigate specific areas of concern regarding groundwater, surface water and soil for such duration and at such frequencies as may be specified;
 - b) determine the environmental impact associated with the specific areas of concern; and
 - c) provide the Director, within such time as may be specified, with such reports, drawings, specifications, analytical data, descriptions of sampling and analytical procedures being used, and such other information as may from time to time be requested.

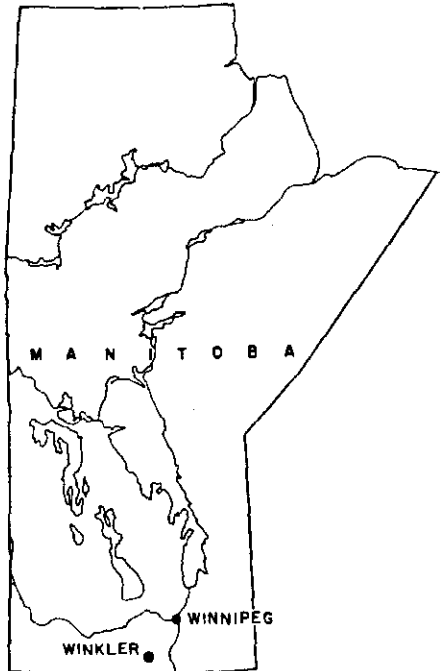
REVIEW AND REVOCATION

- A. This Licence replaces Licence No. 1771, which is hereby rescinded.
- B. 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.
- 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.

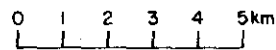
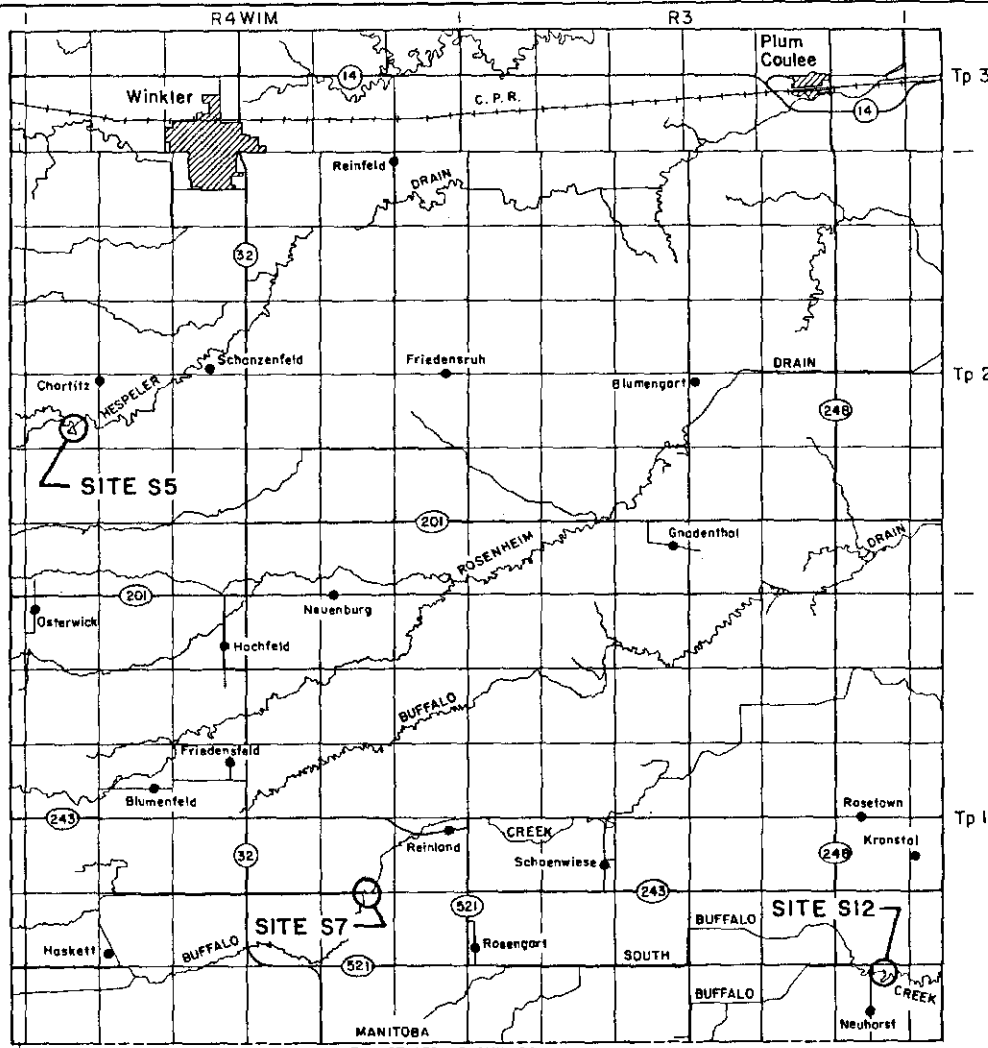


Tracey Braun, M.Sc.
Director
Environment Act

FILE: 3636.00



MANITOBA
N.T.S.



Designed Completed	Submitted <i>[Signature]</i>
Open <i>[Signature]</i>	Date 23-05-03
Checked <i>[Signature]</i>	Approved <i>[Signature]</i>
	Date 23/05/03

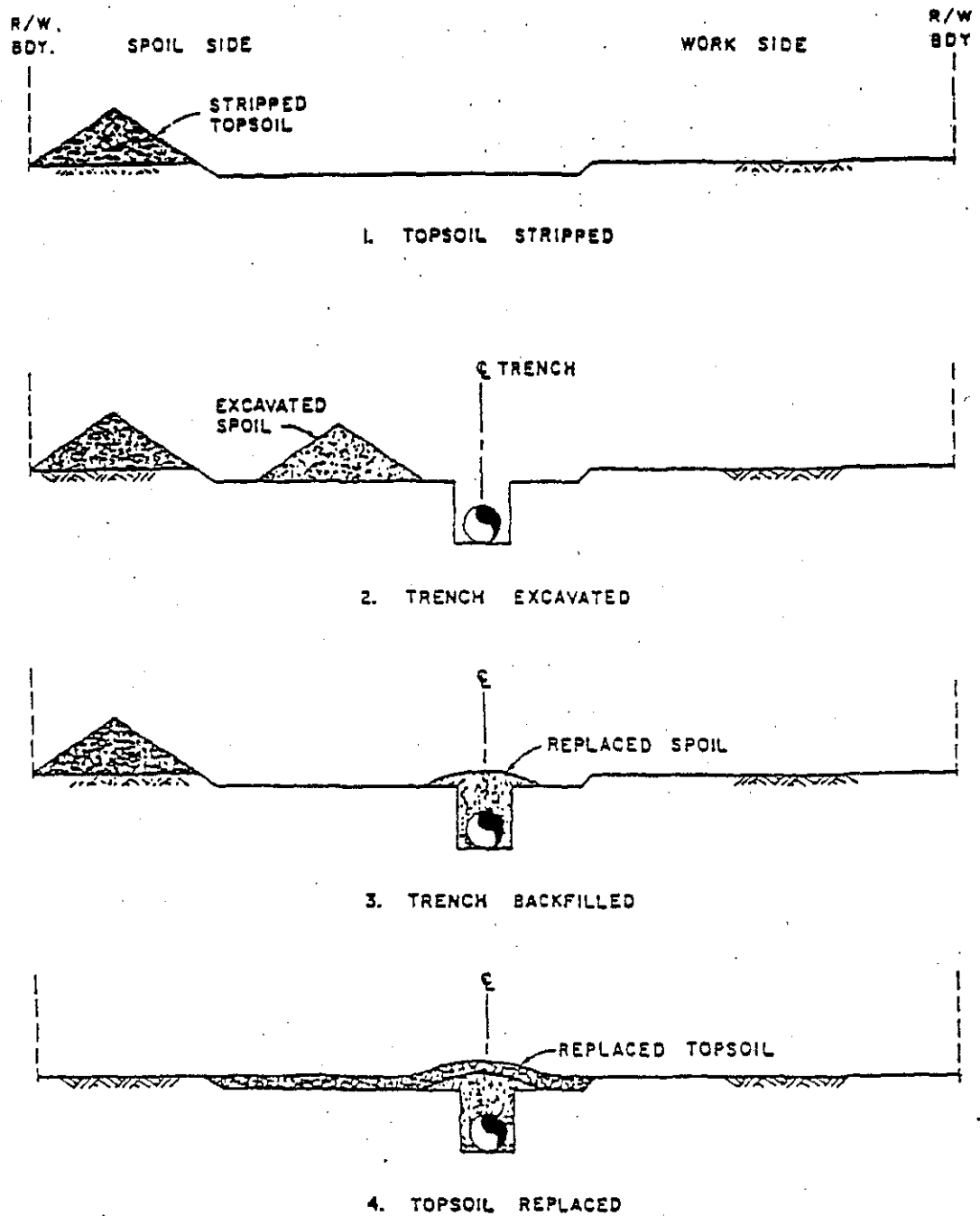
Agriculture Canada
 Prairie Farm Administration / Administration de l'Agriculture des Prairies
 Prairie Reservoir Service

AGASSIZ IRRIGATION ASSOCIATION PROJECTS		
PROPOSED DUGOUT SITES S5, S7 AND S12		
LOCATION PLAN		
Scale AS SHOWN	Date APR./93	Sheet 1 of 4
		117941

Figure 1

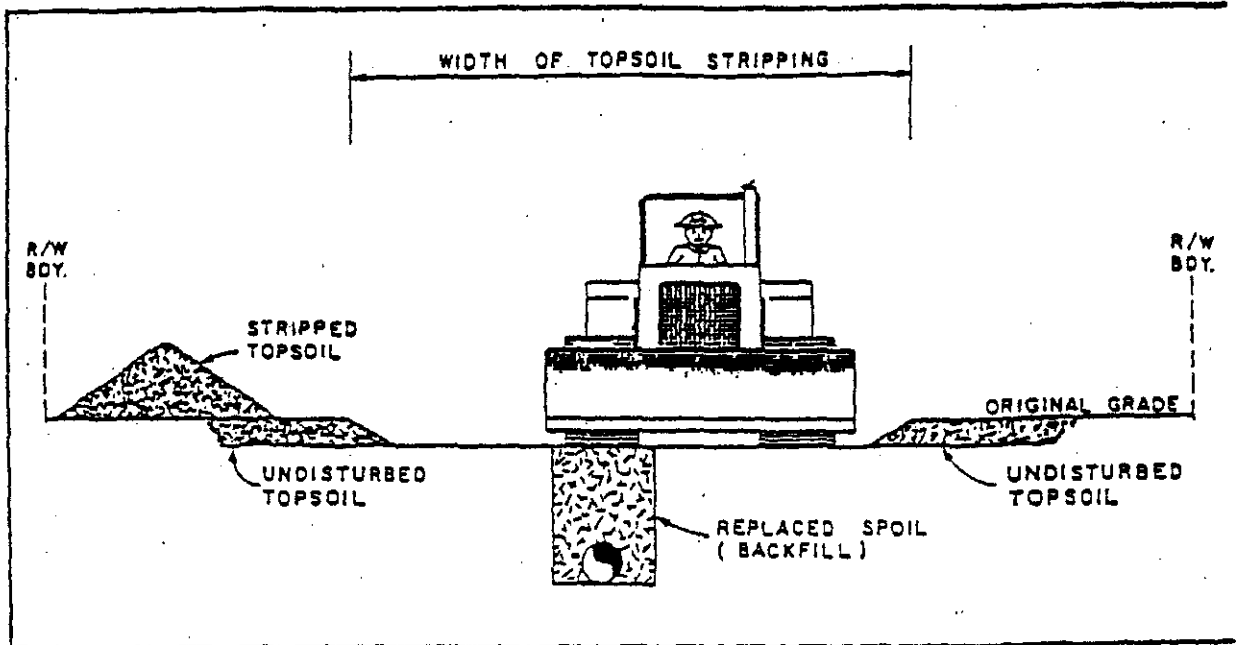


Figure 2



SEQUENCE OF TOPSOIL HANDLING

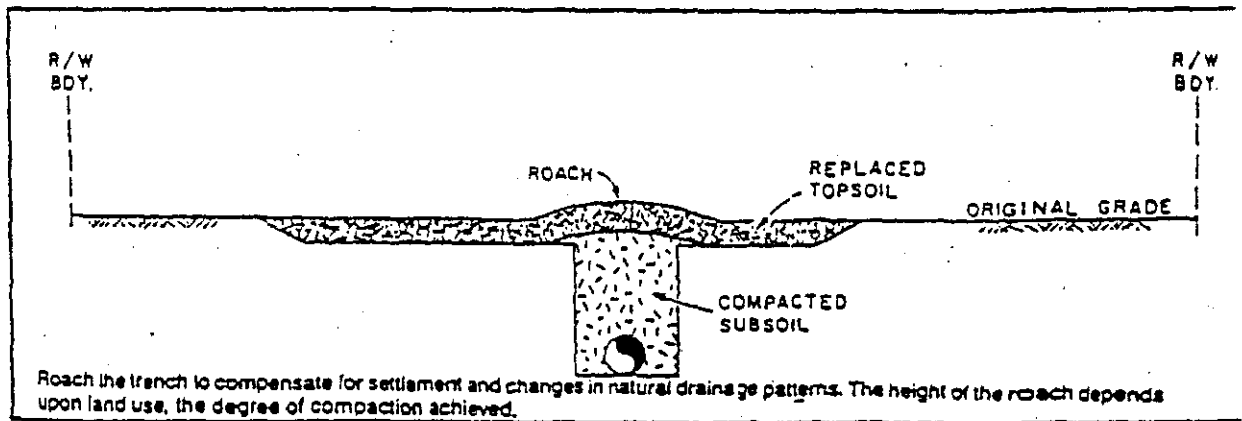
Figure 3



COMPACTION OF BACKFILL

Figure 4 to Environment Act Licence No. 1771 R

Figure 4



ROACHING THE TRENCH

Figure 5 to Environment Act Licence No. 1771 R

Figure 5

Table 1

Table 1					
Agassiz Resource Management Irrigation Project (S5a and b, S7 and S12 sites)					
Site: _____		Year: _____			
Reservoir capacity _____ dam ³ or acre-feet		Location: _____			
Pump Capacities: 1. Filling reservoir: _____ m ³ /s or cfs					
2. Irrigation from reservoir: _____ m ³ /s or cfs					
Minimum instream flow: _____ m ³ /s		MIF Monitoring Location: _____			
Notes:					
1. d/s Q - Flow measured at downstream point of interest (specify _____) or downstream of pump intake _____					
2. Elevation - reservoir elevation (Geodetic - metres)					
3. Volume Pumped - as measured by change in reservoir elevation _____ or pumping rate x time pumped _____					
1. Filling Reservoir					
Day	Date	d/s Q (1)	Elevation (2)	Hours Pumped	Vol. Pumped (3)
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
Total				0.00	0.00

Table 1

2. Irrigation from reservoir				
Day	Date	Elevation (2)	Hours Pumped	Vol. Pumped (3)
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
Total			0.00	0.00