

Licence No.: 2529

Licence Issued: November 19, 2001

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

MANITOBA HYDRO; "the Licencee"

for the construction, operation and maintenance of the Development being the Glenboro-Rugby-Harvey 230 kV Transmission Line Project. The Development involves the construction of a 230,000 volt transmission line between Glenboro Station, located in southwestern Manitoba and the Manitoba/North Dakota border in accordance with the Proposal and Environmental Impact Statement filed under The Environment Act dated August 24, 2001, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence:

"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, during construction, ensure that any fuel storage areas established for the construction of the Development are located a minimum distance of 100 meters away from waterbodies including wetlands and ensure the storage areas comply with the requirements of *Manitoba Regulation 97/88R - Storage and Handling of Gasoline and Associated Products*.
2. The Licencee shall ensure that all used petroleum products and other hazardous wastes generated by the machinery used in the construction and operation of the Development are collected and disposed of in accordance with Manitoba Conservation and legislative requirements.
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*.
4. The Licencee shall, prior to construction, provide a copy of this Licence to any contractor involved in the Development.
5. The Licencee shall ensure during construction and operation of the Development that spills of petroleum or other contaminants are reported to an Environment Officer in accordance with the requirements of *Manitoba Regulation 439/87* respecting *Environmental Accident Reporting*.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

6. The Licencee shall submit to the Director for approval, prior to commencement of construction activities for the Development, a *Glenboro-Rugby-Harvey 230 kV Transmission Line Project Environmental Protection Plan*. The Plan shall describe the approach to be used by the Licencee to monitor environmental conditions both during and after construction of the 230 kV transmission line to ensure that mitigative measures are applied by

the contractors and subcontractor(s) systematically and in a manner consistent with the commitments made in the *Glenboro-Rugby-Harvey 230 kV Transmission Line Environmental Impact Statement, February, 2001*.

7. The Licencee shall, prior to commencement of construction activities for the existing and new oil containment facilities at the Glenboro Station, submit to the Director the results of an Oil Containment Assessment. Oil containment Plans and Specifications, as recommended in the Oil Containment Assessment, shall be approved by the Director prior to the commencement of construction of the oil containment facilities at the Development.
8. The Licencee shall construct and install the oil containment equipment as described in the Plans and Specifications approved by the Director as required by Clause 7 of this Licence.
9. The Licencee shall construct the Development between November 1 and March 30 of each construction year to avoid impacts to migratory bird habitat. Should any construction activity be required after March 30 the Licencee shall, prior to the construction activity, consult and reach an agreement with the Department of Conservation Regional Wildlife staff regarding:
 - a. the location of any waterfowl habitats to be avoided during the waterfowl nesting and brooding period of each construction year; and
 - b. the construction periods to be avoided during the waterfowl nesting and brooding period and the fall migration period of each construction year.
10. The Licencee shall, during construction in riparian areas associated with the Development:
 - a. complete construction under frozen ground conditions between November 1 and March 30 of each construction year;
 - b. maintain a minimum 30 meter buffer zone extending from stream bank shorelines to the top of stream banks. Trees within the buffer zone shall be cleared by hand and all existing low growth vegetation such as grasses, shrubs and willows shall be maintained;
 - c. locate any temporary marshalling yards and storage sites required for the Development a minimum distance of 100 meters from any wetland or watercourse;
 - d. locate transmission line structures to maintain adequate setback distance from streambanks;
 - e. use wood poles treated with chromated copper arsenate (CCA) in wetland areas related to the Development where wood poles are required; and
 - f. ensure that any additional on-site details and mitigative measures recommended for sensitive areas as identified in the approved *Glenboro-Rugby-Harvey 230 kV Transmission Line Project Environmental Protection Plan* are implemented and monitored.
11. The Licencee shall ensure that all contractors working on the Development restrict bush clearing to the transmission line right-of-way during clearing and construction activities. Clearing and use of other access trails and riparian buffer zones shall require prior approval of the landowners and Environment Officer assigned to the Development, respectively.
12. The Licencee shall obtain all necessary permits and agreements from Manitoba Transportation and Government Services prior to undertaking construction on or adjacent to highway rights-of-way.
13. The Licencee shall, at the completion of the construction of the Development stabilize and vegetate all erosion prone areas where the soil has been disturbed by construction. Erosion prone areas shall be monitored following construction to ensure stabilization procedures are effective.
14. The Licencee shall maintain a buffer near wetlands and waterbodies along the transmission line right-of-way of 30 meters for application of herbicides. Any herbicide application shall be carried out in accordance with applicable regulatory requirements.

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.

"original signed by"

Larry Strachan, P. Eng.

Director

Environment Act

Client File No.: 4670.00