

Licence No.: 2574

Licence Issued: September 16, 2002

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

**THE PROVINCE OF MANITOBA REPRESENTED BY THE MINISTER OF TRANSPORTATION AND
GOVERNMENT SERVICES; "the Licencee"**

for the construction and operation of the Development being the upgrading of a 28.1 km section of Provincial Trunk Highway (PTH) 16 extending from the south junction of PTH 10 near Minnedosa to the west junction of PTH 5 at Neepawa and in accordance with the Proposal filed under The Environment Act on May 29, 2002, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

"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 locate fuel storage and equipment servicing areas established for the construction and operation of the Development a minimum distance of 100 meters from any waterbody, and operate the fuel storage areas in compliance with the requirements of *Manitoba Regulation 188/2001* respecting *Storage and Handling of Petroleum Products and Allied Products*.
2. The Licencee shall, at all times during the construction of the Development, have materials available at the construction sites to contain and recover spills of fuel and other fluids associated with construction machinery.
3. The Licencee shall, during the full term of the construction of the Development, cleanup and deposit all debris from the construction sites at a Waste Disposal Ground operating under the authority of a permit issued pursuant to *Manitoba Regulation 150/91* respecting *Waste Disposal Grounds*.
4. The Licencee shall, during construction, dispose of all sewage and septage from on-site sanitary facilities in accordance with *Manitoba Regulation 95/88R* respecting *Private Sewage Disposal System and Privies*.
5. 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*.
6. The Licencee shall, prior to construction, provide a copy of this Licence to the contractor and subcontractor(s) involved in the Development.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

7. The Licencee shall, prior to construction, consult and reach an agreement with the Manitoba Conservation Regional Wildlife staff, regarding a site specific wetland mitigation plan. The plan shall:
 - a. recommend replacement or mitigation for the loss of wetland areas affected by the Development;

and

- b. provide for an post development evaluation of the wetland replacement or mitigation implemented pursuant to Clause 7 a).
8. The Licencee shall not, during construction, clear, compact, grade or fill any wetlands, agricultural lands or yard sites, which are not required for the right-of-way of the Development. All construction related traffic shall be restricted to the right-of-way.
9. The Licencee shall not undertake any construction activities near wetland areas between May 1 and July 15 of each construction year.
10. The Licencee shall, during construction and operation of the Development, not alter surface drainage patterns.
11. The Licencee shall, during construction, undertake temporary erosion control measures to reduce siltation from erosion prone areas.
12. The Licencee shall retain a 30 meter buffer between the highway right-of-way and borrow sites associated with the Development in areas where bush exists along the highway.
13. The Licencee shall obtain water required for dust control during construction be obtained from a source other than waste water treatment facilities.
14. The Licencee shall, prior to and during construction, adhere to the Manitoba *Temporary Batch Plant Siting Procedures/Guidelines*.
15. The Licencee shall, at the completion of the construction of the Development, landscape and vegetate erosion prone areas disturbed during the construction with native plant species and cultivars.

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.
- C. This Licence expires six months following completion of the construction of the Development.

"original signed by"

Larry Strachan, P. Eng.
Director
Environment Act

Client File No. 4802.00