



Conservation

Climate Change and Environmental Protection Division
Environmental Assessment and Licensing Branch
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www.gov.mb.ca/conservation/eal

CLIENT FILE NO.: 5452.00

December 9, 2010

Bill Ebenspanger, P. Eng.
City of Winnipeg
106-1155 Pacific Ave.
Winnipeg MB R3E 3P1

Dear Mr. Ebenspanger:

Enclosed is **Environment Act Licence No. 2943** dated December 9, 2010 issued in accordance with The Environment Act to the **City of Winnipeg** for the construction, maintenance and operation of the Development being the Disraeli Bridges Project, consisting of a road bridge over the Red River located immediately west of the existing Disraeli Bridge and the conversion of the existing bridge to an active transportation bridge for pedestrian and cycling use, in accordance with the Proposal filed under The Environment Act dated February 26, 2010, and the Environmental Impact Statement dated August 13, 2010.

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.

For further information on the administration and application of the Licence, please feel free to contact Randy Webber, Regional Supervisor at (204) 945-7053.

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 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
Dave Tyson, M.Sc., R.P. Bio, Wardrop
Public Registries

NOTE: Confirmation of Receipt of this Licence No. 2943 (*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 December 23, 2010.

On behalf of the City of Winnipeg

Date

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

LICENCE

Licence No. / Licence n° 2943

Issue Date / Date de délivrance December 9, 2010

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 10(1) / Conformément au Paragraphe 11(1)

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

CITY OF WINNIPEG; "the Licencee"

for the construction, maintenance and operation of the Development being the Disraeli Bridges Project, consisting of a road bridge over the Red River located immediately west of the existing Disraeli Bridge and the conversion of the existing bridge to an active transportation bridge for pedestrian and cycling use, in accordance with the Proposal filed under The Environment Act dated February 26, 2010, and the Environmental Impact Statement dated August, 2010, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

"approved" means approved by the Director in writing;

"as constructed plans" means engineering drawings complete with all dimensions which indicate all features of the Development as it has actually been built;

"Director" means an employee so designated pursuant to The Environment Act;

"Environment Officer" means an employee so designated pursuant to The Environment Act;

"fuel storage area" means an area where bulk fuel is stored in above ground or underground petroleum storage tanks, and does not include fuel stored in tank trucks or portable tanks;

"noise nuisance" means a continuous or repeated noise in an affected area, which is offensive, obnoxious, troublesome, annoying, unpleasant or disagreeable to a person:

- a) residing in an affected area;
- b) working in an affected area; or

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- c) present at a location in an affected area which is normally open to the members of the public; if the noise
- 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 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 who do not live in the same household; and

“Remedial Action Plan” (“RAP”) means a plan to address the management of potentially contaminated soil, sediment or water in connection with the Development.

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. In addition to any of the following specifications, limits, terms and conditions specified in this Licence, the Licencee shall, upon the request of the Director:
 - a) sample, monitor, analyze or investigate specific areas of concern regarding any segment, component or aspect the Development, including but not limited to water quality, pollutant storage, containment, treatment, handling and disposal, and socioeconomic effects related to the environmental effects of the Development, for such duration and at such frequencies as may be specified;
 - b) determine the environmental impact associated with the release of any pollutant from the Development; and
 - c) provide the Director, within such time as may be specified, with such reports, drawings, specifications, data, analysis, descriptions of sampling and analytical procedures being used, and such other information as may from time to time be requested.
2. The Licencee shall submit all information required to be provided to the Director under this Licence, in writing, in such form (including number of copies) and of such content as may be required by the Director.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Respecting Construction and Maintenance

3. The Licencee shall, not less than two weeks prior to beginning construction of each component 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(s) responsible for the construction.
4. 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 maintenance of the Development in accordance with applicable legislative and policy requirements of Manitoba Conservation.
5. The Licencee shall establish any fuel storage areas required for the construction and maintenance of the Development 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*.
6. The Licencee shall, during construction, maintenance 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.
7. The Licencee shall, at all times during the construction of the Development, have materials available at construction sites to contain and recover spills of fuel and other fluids associated with construction machinery.
8. The Licencee shall dispose of construction debris from the Development 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*, or a Licence issued pursuant to The Environment Act.
9. The Licencee shall, during construction and maintenance of the Development, 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, maintenance and operation of the Development, take all appropriate measures to prevent erosion and the deposition of sediment into the Red River.
11. The Licencee shall not cause or permit a noise nuisance to be created as a result of the construction, maintenance and operation of the Development, and shall take such steps as the Director may require to eliminate or mitigate a noise nuisance.

Respecting Excavation and Handling of Potentially Impacted Soil, Sediment or Water

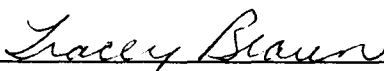
12. The Licencee shall excavate, classify, store, transport and dispose of impacted soil, sediment or water in accordance with methods described in the Environmental Impact Assessment associated with the Development, and in accordance with a Remedial Action Plan (RAP) approved by Manitoba Conservation for the project.
13. The Licencee shall, by December 31, 2010, provide to the Director a completed agreement between the Licencee and Manitoba Hydro respecting the responsibilities of each party with respect to impacted soil, sediment or water affected by the Development.
14. The Licencee shall, by January 31, 2011, provide financial assurance in a form and amount satisfactory to the Director respecting the excavation and handling of potentially impacted soil, sediment or water in the area of the Development, if financial assurance is not addressed to the satisfaction of the Director in the agreement required by Clause 13 of this Licence.

Respecting Monitoring and Follow-up

15. The Licencee shall implement an environmental monitoring program in accordance with any Remedial Action Plan approved by Manitoba Conservation with respect to the Development, the Environment Act Proposal for the Development, and the requirements of Manitoba Conservation.

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 construction of the development has not commenced within three years of the date of this Licence, the 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.


Tracey Braun, M. Sc.
Director
Environment Act