

Licence No.: 2390

Licence Issued: April 19, 1999

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

**THE RURAL MUNICIPALITIES OF CARTIER, HEADINGLEY, PORTAGE LA PRAIRIE, AND ST.
FRANCOIS XAVIER; "the Licencees"**

for the construction and operation of the Development being water supply pipelines in the Rural Municipalities of Cartier, Headingley, Portage la Prairie, and St. Francois Xavier, in accordance with the Proposal filed under The Environment Act dated February 9, 1999, 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 Licencees 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 Licencees shall ensure that all used oil products and other regulated hazardous wastes generated by the machinery used in the construction and operation of the Development are collected and disposed of in accordance with applicable Manitoba Environment and legislation requirements.
2. The Licencees shall, prior to the commencement of operation of the Development, receive approval pursuant to The Public Health Act for final plans for the Development.
3. The Licencees shall construct waterway crossings by augering, tunnelling or boring. Open cut waterway crossings shall not be made unless prior consultation with Manitoba Natural Resources staff and Department of Fisheries and Oceans staff has occurred and the prior written approval of the Director has been obtained. This condition applies on continuously flowing watercourses at all times, and on intermittent streams and artificial drainage channels only when flow is occurring.
4. The Licencees shall revegetate soil exposed during the construction of the Development with native or introduced grasses or legumes. Native species shall be used to revegetate areas where native species existed prior to construction. Revegetation is not required for pipelines installed by chain trenching or ploughing on previously disturbed ground including road allowances.
5. The Licencees shall ensure that local drainage patterns are not altered by the construction of the Development, including inflows and outflows from small wetlands adjacent to the route of pipelines.
6. The Licencees 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.
7. The Licencees shall, prior to commencing construction of the Development, obtain an agreement with Manitoba Highways and Transportation respecting the construction of pipelines in the rights-of-way of Provincial Trunk Highways and Provincial Roads.
8. The Licencees shall ensure that backflow prevention devices are installed at all cross-connections between the Development and existing private water supply systems.
9. The Licencees 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.
10. The Licencees shall implement water conservation measures approved by the Director for the regional water supply system. These measures shall be as described in a report required by Clause 11 of Environment Act Licence No. 2358, issued to CWP Limited Partnership on September 14, 1998, copy attached to this Licence as Appendix "A".
11. The Licencees shall ensure that the operation of the municipal water supply is in accordance with Manitoba Regulations under The Public Health Act and all operating requirements as recommended by Manitoba Environment.
12. The Licencees shall ensure that the operation of the Development is carried out by individuals properly trained or qualified to do so.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

13. The Licencees shall notify the Winnipeg Region of Manitoba Environment (with respect to construction in the Rural Municipalities of Cartier, Headingley, and St. Francois Xavier) and the South-Central Region of Manitoba Environment (with respect to construction in the Rural Municipality of Portage la Prairie) not less than two weeks prior to beginning construction of the Development. The notification shall include the intended starting date of construction and the name of the contractor responsible for the construction.
14. The Licencees shall separate and replace topsoil from backhoe and trenching operations in accordance with the methodology described in Figures 1, 2 and 3 attached to this Licence. This requirement is not applicable where the topsoil has been previously disturbed due to the construction of roads or drains.
15. Notwithstanding Clause 3 of this Licence, the Licencees shall not construct open cut crossings of streams associated with the Development between March 15 and June 15 of any year. Open cut crossings shall comply with the provisions of the Fisheries and Oceans/Manitoba Natural Resources publication "Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat" (May, 1996).
16. The Licencees shall not construct pipelines associated with the Development in wetlands earlier than July 1 of any year. Disturbance to wetlands shall be minimized.
17. The Licencees shall avoid construction of the Development in and adjacent to areas of significant bird habitat prior to August 1 of any year.
18. The Licencees shall ensure that pipelines of the Development are not constructed within 100 metres of the Assiniboine River except within existing road rights-of-way.
19. The Licencees shall convene a meeting of its construction manager(s) and regional fisheries and wildlife staff of Manitoba Natural Resources not less than two weeks prior to the commencement of construction of the Development. At the meeting, sensitive areas of wildlife habitat and fisheries habitat, and areas sensitive to water erosion shall be identified and appropriate construction mitigation measures shall be determined.
20. The Licencees shall implement the construction mitigation measures determined at the meeting required in Clause 19 of this Licence.
21. The Licencees shall ensure that chlorinated water from pipeline testing and startup activities associated with the Development is not released to a surface water body until chlorine level concentrations are equal to or less than 0.1 milligrams per litre. Releases of chlorinated water at higher concentrations may be made to vegetated land or waterways which contain no standing water, provided that chlorine level concentrations have decayed to 0.1

milligrams per litre or less before the released water reaches any body of surface water.

22. The Licencees shall ensure that, during construction and operation of the Development, spills of fuels or other contaminants are reported to an Environment Officer in accordance with the requirements of ***Manitoba Regulation 439/87*** respecting ***Environmental Accident Reporting***.
23. The Licencees 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 issued under ***Manitoba Regulation 150/91*** respecting ***Waste Disposal Grounds***.
24. The Licencees shall ensure that fuel storage and equipment servicing areas established for the construction and operation of the Development are located a minimum distance of 100 metres from any waterbody, and shall comply with the requirements of ***Manitoba Regulation 97/88R*** respecting ***Storage and Handling of Gasoline and Associated Products***.

REVIEW AND REVOCATION

- A. If, in the opinion of the Director, the Licencees 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.

"original signed by"

Larry Strachan, P. Eng.
Director
Environment Act

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