

LICENCE

Licence No. / Licence n° 2770

Issue Date / Date de délivrance May 17, 2007

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) / Conformément au Paragraphe 11(1)

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

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

for the construction and operation of the Development being the upgrade of one kilometre of Provincial Trunk Highway (PTH 10) in Brandon, also known as 18th Street, from a two lane to a four lane divided highway facility across the Assiniboine River. The project involves the construction of a new two lane bridge over the Assiniboine River adjacent and to east of the existing bridge and the demolition and replacement of the existing bridge on the same location, in accordance with the Proposal filed under The Environment Act, dated March 29, 2007 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 locate that fuel storage and equipment servicing areas established for the construction and operation of the Development:
 - a) a minimum distance of 100 metres from any waterbody; and
 - b) 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 collect and dispose of all used petroleum products and other hazardous wastes generated by the machinery used in the construction and operation of the Development in accordance with Manitoba Conservation and legislative requirements.

3. The Licencee shall, at all times during the construction of the Development, have available at the construction sites, materials to contain and recover spills of fuel and other fluids associated with construction machinery.
4. 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) at the request of the Director, provide a follow-up report to the Director on a reportable environmental accident outlining the cause(s) and propose corrective action to prevent reoccurrence.
5. The Licencee shall, during the full term of the construction of the Development, cleanup and deposit all debris from the construction site at a Waste Disposal Ground operating under the authority of a permit issued pursuant to *Manitoba Regulation 150/91* respecting *Waste Disposal Grounds*.
6. The Licencee shall, during construction, adhere to the general recommendations on design, construction and maintenance of stream crossings as specified in the Manitoba Department of Conservation guidelines titled *Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat, 1996*.
7. The Licencee shall, on a daily basis throughout construction and restoration of the Development, monitor the work activity to ensure that all the environmental practices outlined in the Environmental Assessment Report.
8. 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

9. The Licencee shall, prior to the final design stage of the foundation aspects for the Brandon 18th Street Bridge Project, consult and reach an agreement with the Department of Water Stewardship on the mitigation requirements to protect the surface water and the groundwater aquifer during construction of the bridge foundations.
10. The Licencee shall, prior to construction activity in the Assiniboine River, identify all water intakes near the project area and specify appropriate mitigation measures as required to ensure that that drinking water quality is not affected.

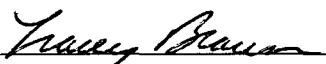
11. The Licencee shall, prior to construction activity in the Assiniboine River, obtain a Live Fish Handling Permit for the purpose of:
 - a) transferring live fish trapped within the construction area; and
 - b) relocating mussels affected by construction to similar habitat.
12. The Licencee shall, from April 1 to June 15 of each year during construction, cease all construction activities that may impact upon the Assiniboine River stream channel and which may affect fish mobility and fish habitat.
13. The Licencee shall, during construction and operation of the Development, not alter surface drainage patterns or wetlands.
14. The Licencee shall, during construction, undertake temporary erosion control measures to reduce siltation from erosion prone areas.
15. The Licencee shall, prior to April 1 of each year during construction, rip-rap all areas of the Assiniboine River banks that are disturbed by the construction activities with rock to limit erosion and sedimentation into the Assiniboine River.
16. The Licencee shall, during construction of the Development, undertake measures to ensure that demolition and construction debris is prevented from entering the Assiniboine River.
17. The Licencee shall, at the completion of construction, ensure that the banks of the Assiniboine River are stabilized from channel level to high water elevation at bank-full conditions.
18. The Licencee shall, at the completion of construction, landscape and vegetate all areas disturbed during the construction with native and/or introduced plant species in order to restore and enhance the site and to protect against soil erosion. Purple Loosestrife infestation of riverbank disturbed by construction shall be monitored and controlled until native and introduced species are well established.

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.

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- 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.



Tracey Braun, M. Sc.
Director
Environment Act

File: 5259.00