



Conservation and Water Stewardship

Climate Change and Environmental Protection Division
Environmental Approvals Branch
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5
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www.gov.mb.ca/conservation/eal

CLIENT FILE NO.: 5611.00

August 14, 2013

Shannon Johnson
Manitoba Hydro
820 Taylor Avenue
Winnipeg MB R3M 3T1

Dear Ms. Johnson:

Enclosed is **Environment Act Licence No. 3059** dated August 14, 2013 issued to **Manitoba Hydro** for the construction, operation, and maintenance of a new 66 km, 230 kilovolt (kV) transmission line from the Dorsey Converter Station, located 500 m west of the intersection of Provincial Road (PR) 231 and PR 236 northwest of Winnipeg, to the Portage South Station, located 12.5 km southeast of Portage La Prairie, in accordance with the Proposal filed under *The Environment Act* dated October 12, 2012, and supporting information dated January 14, 2013.

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. A Notice of Alteration must be filed with the Director for approval prior to any alteration to the Development as licensed.

For further information on the administration and application of the Licence, please feel free to contact Yvonne Hawryliuk, Environment Officer @ 204-945-5305.

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 and Water Stewardship within 30 days of the date of the Licence.

Yours truly,

"original signed by"

Tracey Braun, M.Sc.
Director
Environment Act

Enc.

c: Don Labossiere, Director, Environmental Compliance and Enforcement
Donna Smiley, Provincial Manager, Environmental Compliance and Enforcement
Public Registries, Peguis First Nation

NOTE: Confirmation of Receipt of this Licence No. 3059 (*by the Licensee only*) is required by the Director of Environmental Approvals. Please acknowledge receipt by signing in the space provided below and return copy (letter only) to the Department by August 28, 2013.

Manitoba Hydro

Date

LICENCE

Licence No. / Licence n°

3059

Issue Date / Date de délivrance

August 14, 2013

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 :

MANITOBA HYDRO;
"the Licencee"

for the construction, operation, and maintenance of a new 66 km, 230 kilovolt (kV) transmission line from the Dorsey Converter Station, located 500 m west of the intersection of Provincial Road (PR) 231 and PR 236 northwest of Winnipeg, to the Portage South Station, located 12.5 km southeast of Portage La Prairie, in accordance with the Proposal filed under *The Environment Act* dated October 12, 2012, supporting information dated January 14, 2013, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence:

“Director” means an employee so designated pursuant to *The Environment Act*;

“Environment Officer” means an employee so designated pursuant to *The Environment Act*;

“riparian area” means an area of land on the banks or in the vicinity of a waterbody, which due to the presence of water supports, or in the absence of human intervention would naturally support, an ecosystem that is distinctly different from that of adjacent upland areas (*The Water Protection Act* 2005); and

“waterbody” means any body of flowing or standing water, whether naturally or artificially created, and whether the flow or presence of water is continuous, intermittent or occurs only during a flood, including but not limited to a lake, river, creek, stream, and

wetland (slough, marsh, swamp, etc.), including ice on any of them (*The Water Protection Act 2005*).

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, in addition to any of the following specifications, limits, terms and conditions specified in this Licence, upon the request of the Director:
 - a) sample, monitor, analyse or investigate specific areas of concern regarding any segment, component or aspect of pollutant storage, containment, treatment, handling, disposal or emission systems, for such pollutants or ambient quality, aquatic toxicity, leachate characteristics and discharge or emission rates, for such duration and at such frequencies as may be specified;
 - b) determine the environmental impact associated with the release of any pollutants from the Development; and
 - c) provide the Director, within such time as may be specified, with such reports, drawings, specifications, analytical data, descriptions of sampling and analytical procedures being used, bioassay data, flow rate measurements 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, and each submission shall be clearly labeled with the Licence Number and Client File Number associated with this Licence.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

3. The Licencee shall, prior to construction, provide a copy of this Licence to the contractor and subcontractor(s) involved in the Development.
4. The Licencee shall, not less than two weeks prior to beginning construction, notify the assigned Environment Officer of the intended start date of construction and the name of the contractor responsible for the construction.
5. The Licencee shall, during construction of the Development, dispose of all sewage and septage from on-site sanitary facilities in accordance with the *Onsite Wastewater Management Systems Regulation 83/2003*, or any future amendment thereof.

6. The Licencee shall dispose of non-reusable construction debris and solid waste from the construction and maintenance of the Development at a waste disposal ground operating under the authority of a permit issued under *Waste Disposal Grounds Regulation 150/91*, or any future amendment thereof, or a licence issued pursuant to *The Environment Act*.
7. The Licencee shall, during construction and maintenance of the Development, adhere to the general recommendations on design, construction, and maintenance of stream crossings as specified in the Manitoba Department of Natural Resources guidelines titled *Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat, May 1996*, and the current versions of applicable federal Department of Fisheries and Oceans Operational Statements.
8. The Licencee shall establish any fuel storage areas required for the construction and maintenance of the Development:
 - a) a minimum distance of 100 metres from any waterbody; and
 - b) in compliance with the requirements of the *Storage and Handling of Petroleum Products and Allied Products Regulation 188/2001*, or any future amendment thereof.
9. The Licencee shall, during construction and maintenance of the Development, operate, maintain, and store all materials and equipment in a manner that prevents any deleterious substances including fuel, oil, grease, hydraulic fluid, coolant, and other similar substances from entering any waterbodies. An emergency spill kit for in-water use shall be readily available on site during construction.
10. The Licencee shall, during construction of the Development, in the case of physical or mechanical equipment breakdown or process upset where such breakdown or process upset results or may result in the release of a pollutant in an amount or concentration, or at a level or rate of release, that causes or may cause a significant adverse effect, immediately report the event by calling 204-944-4888 (toll-free 1-855-944-4888). The report shall indicate the nature of the event, the time and estimated duration of the event and the reason for the event.
11. The Licencee shall, following the reporting of an event pursuant to Clause 10:
 - a) identify the repairs required to the mechanical equipment;
 - b) undertake all repairs to minimize unauthorized discharges of a pollutant;
 - c) complete the repairs in accordance with any written instructions of the Director; and
 - d) submit a report to the Director about the causes of breakdown and measures taken, within one week of the repairs being done.
12. The Licencee shall, during construction and maintenance in riparian areas associated with the Development, where possible, maintain 15 metres of riparian area from the high water mark of 1st and 2nd order creeks, and 30 metres from the high water mark of 3rd order and higher streams and rivers. Trees within the buffer

zone shall be cleared by hand or other low-impact techniques and all existing low growth vegetation such as grasses, shrubs, and willows shall be maintained.

13. The Licencee shall, during construction and maintenance of the Development, prevent the introduction and spread of foreign aquatic and terrestrial biota. All equipment used for the construction of the Development, including transport trucks and trailers, shall be cleaned prior to entering new locations along the transmission right-of-way, and if an affected area is traversed.
14. The Licencee shall, prior to construction of the Development, contract a qualified archaeological consultant to conduct archaeological investigations at tower locations near water crossings to identify and assess any heritage resources that may be negatively impacted by the Development.
15. The Licencee shall obtain approval from the Director for any proposed alteration to the Development before proceeding with the alteration.

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 the 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"

Tracey Braun, M.Sc.
Director
Environment Act