



Environment and Climate Change

Environmental Approvals Branch
Box 35, 14 Fultz Blvd.
Winnipeg MB R3Y 0L6
T 204-945-8321 F 204-945-5229
EABDirector@gov.mb.ca

File No.: 4254.10

December 5, 2023

Vitaly Golubev
Sunterra Horticulture (Canada) Inc.
124 Bannister Road
Winnipeg MB R2R 0S3
VGolubev@profileproducts.com

Dear Vitaly Golubev:

**Re: Sunterra Horticulture (Canada) Inc. - Environment Act Licence
No. 2288 RRR - Notice of Alteration Approval**

Thank you for your notice of alteration dated May 15, 2023. The department understands you wish to build a sedimentation pond at the Mill Creek sub-area of Peat Harvest Licence #20.

I approve the alteration per Section 14(2) of The Environment Act and amend clause 14 b) of the licence to allow for the construction of the proposed pond in the buffer zone.

In executing this work, the licensee must:

- follow clauses 8 c) and d) of this licence
- update the Peatlands Management Plan for approval by the Forestry and Peatlands Branch of the Manitoba government
- apply measures to protect heritage resources as stated in clause 48 of the licence

All other clauses of Environment Act Licence No. 2288 RRR remain in effect. This approval is available on the public registry at <https://www.gov.mb.ca/sd/eal/registries/index.html>.

If you have any questions regarding this approval, please contact Bryce Wood, Environment Officer, Environmental Approvals Branch at Bryce.Wood@gov.mb.ca or 204-781-7226.

For questions relating to the ongoing administration of the licence, please contact Kim Kmet, Acting Regional Supervisor, Environmental Compliance and Enforcement Branch at EnvCEInterlake@gov.mb.ca or 204-641-4091.

Sincerely,

Original Signed By
Agnes Wittmann
Director
The Environment Act

- c. Bryce Wood - Environmental Approvals
Yvonne Hawryliuk, Nada Suresh, Kim Kmet - Environmental Compliance and Enforcement
Brad Epp, Lee Fedorchuk - Forestry and Peatlands

File No.: 4254.10

June 2, 2022

Vitaly Golubev
Sunterra Horticulture (Canada) Inc.
124 Bannister Road
Winnipeg MB R2R 0S3
VGolubev@profileproducts.com

Dear Vitaly Golubev:

Re: Mill Creek Processing Plant - Notice of Alteration Approval – Environment Act Licence No. 2288 RRR

Thank you for your notice of alteration dated May 11, 2022. The alteration will add a 135 cubic foot baler to the Sunterra Horticulture (Canada) Inc.'s Mill Creek peat processing plant. The proposed addition will improve the efficiency of the processing facility and will not increase the plant's existing production output.

I am satisfied that the potential changes in the environmental effects resulting from the proposed alteration would be insignificant. I approve the notice of alteration under section 14(2) of The Environment Act.

All clauses of Environment Act Licence No. 2288 RRR remain in effect.

If you have any questions, please contact Elise Dagdick, Environment Officer, Environmental Approvals Branch, at Elise.Dagdick@gov.mb.ca or 204-619-0709.

Sincerely,

Original Signed by
James Capotosto
Director

- c. Kristal Harman, Yvonne Hawryliuk, Tyler Kneeshaw - Environmental Compliance and Enforcement
Asit Dey, Elise Dagdick - Environmental Approvals Branch
Public Registry

File No: 4254.10

April 28, 2022

Vitaly Golubev, M.Sc.
Environmental Manager
Sunterra Horticulture (Canada) Inc.
124 Bannister Road
Winnipeg MB R2R 0S3
vitaly@sunterrahorticulture.com

Dear Vitaly Golubev:

Re: Notice of Alteration Approval - Environment Act Licence No. 2288 RRR

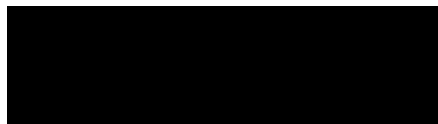
Thank you for your notice of alteration dated April 18, 2022. The alteration is for changing the proposed location of a sedimentation pond to a new location within the North Little Deer Lake sub-area of Peat Harvest Licence # 20.

I am satisfied that the potential changes in the environmental effects resulting from the proposed alteration would be insignificant. I approve the new location of the sedimentation pond.

All clauses in Environment Act Licence No. 2288 RRR remain in effect.

If you have any questions concerning this approval, please contact Elise Dagdick, Environment Officer, Environmental Approvals Branch, at Elise.Dagdick@gov.mb.ca or 204-619-0709.

Sincerely,



James Capotosto
Director

- c. Kristal Harman, Yvonne Hawryliuk, Tyler Kneeshaw – Environmental Compliance and Enforcement
Asit Dey, Elise Dagdick – Environmental Approvals
Public Registry



Conservation and Climate

Environmental Approvals Branch
1007 Century St
Winnipeg MB R3H 0W4
T 204-945-8321 F 204-945-5229
www.gov.mb.ca/sd

File No: 4254.10

October 29, 2021

Vitaly Golubev, M.Sc.
Environmental Manager
Sunterra Horticulture (Canada) Inc.
124 Bannister Road
Winnipeg MB R2R 0S3
vitaly@sunterrahorticulture.com

Dear Vitaly Golubev:

Re: Notice of Alteration Approval - Environment Act Licence No. 2288 RRR

Thank you for your Notice of Alteration dated October 26, 2021 requesting approval to install an additional processing facility at the Mill Creek sub-area of Peat Harvest Licence #20.

I am satisfied that the potential environmental effects of the proposed changes would be insignificant and hereby approve the alteration pursuant to Section 14(2) of The Environment Act.

All clauses in Environment Act Licence No. 2288 RRR remain in effect.

Please contact Elise Dagdick, Environment Officer, at Elise.Dagdick@gov.mb.ca or 204-619-0709 if you have any questions concerning this approval.

Sincerely,

Original signed by,

Laura Pyles, A/Director
The Environment Act

- c. Kristal Harman, Yvonne Hawryliuk, Tyler Kneeshaw – Environmental Compliance and Enforcement
Asit Dey, Elise Dagdick – Environmental Approvals
Public Registry



Sustainable Development

Environmental Stewardship Division
Environmental Approvals Branch
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5
T 204 945-8321 F 204 945-5229
www.gov.mb.ca/sd/eal

CLIENT FILE NO.:4254.10

February 5, 2018

Albert M. Dorish
Sunterra Horticulture (Canada) Inc.
PO Box 760
Riverton MB R0C 2R0

Dear Mr. Dorish:

Enclosed is revised **Environment Act Licence No. 2288 RRR** issued to **Sunterra Horticulture (Canada) Inc.** for the continued construction, operation and recovery of the Development being the peat harvesting operation located at the Mill Creek, North Little Deer Lake and East Pine Dock sub-areas issued pursuant to Peat Harvest Licence No. 20, in accordance with the initial Proposal filed under The Environment Act.

As the potential environmental effects resulting from the proposed alteration in your letter, dated June 4, 2015, are not expected to be significant, the alteration is hereby approved pursuant to Section 14(2). The attached licence has been revised to reflect the approved changes. In addition, the following alterations have been approved but do not require licence revisions:

- Installation of an additional auxiliary settling pond located at the northwest corner of Bog A1
- Installation of an additional fire pond located at the southwest corner of Bog B.
- Installation of the Bog A1 Pumping Station
- Upgrades to the existing infrastructure within the former QSL-3 not previously approved in my letter dated, March 14 2016.

Please also note that Licence terms and conditions have been updated, where appropriate, to reflect new standard wording and revised to reflect the new regulatory regime pursuant to the Peatlands Stewardship Act. If you have any questions, please contact Darrell Ouimet at Darrell.Ouimet@gov.mb.ca. For operational issues contact Regional Supervisor Mike Baert at 204-782-9104.

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 Sustainable Development within 30 days of the date of the Licence.

Yours truly,

Tracey Braun, M.Sc.
Director
Environmental Approvals Branch

c: Don Labossiere/Mike Baert - Environmental Compliance and Enforcement
Sterling Dorish; Public Registries

NOTE: Confirmation of Receipt of this Licence No. 2288 RRR (*by the Licencee only*) is required by the Director of Environmental Approvals. Please acknowledge receipt by signing in the space below and provide a copy (letter only) to the Department by February 19, 2018.

On behalf of Sunterra Horticulture (Canada) Ltd

Date

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

LICENCE

Licence No. / Licence n°	2288 RRR
Issue Date / Date de délivrance	October 27, 1997
Revised :	October 5, 2001
Revised :	March 23, 2015
Revised :	February 5, 2018

**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) and 14(2) / Conformément au Paragraphe 11(1) et 14(2)

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

**SUNTERRA HORTICULTURE (CANADA) INC.;
"the Licencee"**

for the construction, operation and land recovery of the Development being a peat harvesting operation and processing plant located in association with Peat Harvest Licence no. 20 issued to Sunterra Horticulture (Canada) Inc., pursuant to The Peatlands Stewardship Act in the East Pine Dock, North Little Deer Lake and Mill Creek sub-areas, not including former Quarry Lease 2257, and a bog access road connecting Bog A and Bog B of the Mill Creek sub-area in accordance with the Proposal dated May 1, 1997, Notice of Alteration dated October 2, 2001, the Proposal dated December 9, 2011, supplementary information dated July 8, 2013 and August 26, 2013, and Notice of Alteration dated June 4, 2015 filed under The Environment Act, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

"accredited laboratory" means an analytical facility accredited by the Standard Council of Canada (SCC), or accredited by another accrediting agency recognized by Sustainable Development to be equivalent to the SCC, or able to demonstrate, upon request, that it has the quality assurance/quality control (QA/QC) procedures in place equivalent to accreditation based on the international standard ISO/IEC 17025, or otherwise approved by the Director;

“active harvesting area” means any prepared field within the Development, which has undergone preliminary induced drainage for access, and on which surface disturbance in preparation for peat harvesting has commenced, until such time as when the harvested field has been isolated for recovery;

“approved” means approved in writing;

“buffer zone” means a strip of undisturbed land comprised of in-situ vegetation;

“dangerous goods” means dangerous goods as defined in The Dangerous Goods Handling and Transportation Act, and regulations issued thereunder;

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

“drainage water” means surface or sub-surface water induced, by reason of constructed drains, to drain towards a final discharge point of the Development, but does not include surface runoff diverted around an active harvesting area nor preliminary induced drainage;

“effluent” means drainage water or wastewater released into the environment;

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

“final discharge point” means an effluent quality control point as designated within this Licence, unless otherwise re-designated in writing by the Director;

“fugitive emissions” means suspended particulate matter windblown into the atmosphere and off-site from any source on-site of the Development;

“Integrated Resource Management Team (IRMT)” means a regional management team made up of members of Sustainable Development organized to review natural resource issues;

“noise nuisance” means an unwanted sound, in an affected area, which is annoying, troublesome, or disagreeable to a person:

- a) residing in an affected area;
- b) working in an affected area; or
- c) present at a location in an affected area which is normally open to members of the public;

if the unwanted sound

- a) 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
- b) 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 and who do not live in the same household;

“particulate matter” means any finely divided liquid or solid matter other than water droplets;

“peat” means peat as defined in The Peatlands Stewardship Act, or any future amendment there of;

“peat harvesting” means peat harvesting as defined in The Peatlands Stewardship Act, or any future amendment there of;

“peat harvest licence” means a peat harvesting licence as defined in The Peatlands Stewardship Act, or any future amendment there of;

“peatland management plan” means a peatland management plan as defined in The Peatlands Stewardship Act, or any future amendment there of;

“peatland recovery plan” means a peatland recovery plan as defined in The Peatlands Stewardship Act, or any future amendment there of;

“preliminary induced drainage” means induced surface and subsurface drainage, off an area intended to be harvested, to the extent as may be required to facilitate access to, and the construction of, sedimentation ponds incorporating final discharge points;

“recovery” means land recovery as defined in The Peatlands Stewardship Act and associated Peatland Recovery Plan Guidelines, or any future amendment there of;

“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);

“septage” means the sludge produced in individual on-site sewage disposal systems such as septic tanks;

“sewage” means sewage as defined in Manitoba Regulation 83/2003, or any future amendment thereto, respecting private sewage disposal systems and privies;

“Standard Methods for the Examination of Water and Wastewater” means the most recent edition of Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, the American Waterworks Association and the Water Environment Federation;

“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); and

“wastewater” means any liquid containing a pollutant (as defined in The Environment Act) which is designated for release into the environment.

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.

Compliance

1. The Licencee shall adhere to the commitments made in the Proposal dated May 1, 1997, Notice of Alteration dated October 2, 2001, the Proposal dated December 9, 2011, Notice of Alteration dated June 4, 2015, and supporting information filed in association with these proposals and alterations during construction, operation, and land recovery of the Development.

Additional Reporting

2. The Licencee shall, in addition to any of the 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 the Development for such duration and at such frequencies as may be specified;
 - b) determine the environmental impact associated from the Development;
 - c) conduct specific investigations in response to the data gathered during environmental monitoring programs; or
 - d) provide the Director, within such time as may be specified, with such reports, drawings, specifications, analytical data, descriptions of sampling and other information as may from time to time be requested.

Sampling and Analysis

3. The Licencee shall, unless otherwise specified in this Licence:
 - a) carry out all preservations and analyses of liquid samples in accordance with the methods prescribed in the Standard Methods for the Examination of Water and Wastewater or in accordance with equivalent preservation and analytical methodologies approved by the Director; and
 - b) ensure that all analytical determinations are undertaken by an accredited laboratory.

Reporting Format

4. The Licencee shall provide to the Director or Environment officer, upon request, all information required under this Licence, in an acceptable electronic format, or in writing as requested, and in

such form and content (including number of copies), as may be specified by the Director or Environment Officer. Each submission shall be clearly labelled with the Licence Number and Client File Number associated with this Licence.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Notification

5. The Licencee shall, prior to beginning construction of the Development, provide notification to the Environment Officer responsible for the administration of this Licence of the intended start date of construction and the name of the contractor(s) responsible for the construction.
6. The Licencee shall, prior to construction, provide a copy of this Licence to the contractor(s) and subcontractor(s) involved in the Development.

Emergency Response Plan

7. The Licencee shall prepare, within 90 days of the date of issuance of this Licence, and maintain an emergency response contingency plan in accordance with the Canadian Centre for Occupational Health and Safety "Emergency Response Planning Guide" or other emergency planning guidelines acceptable to the Director.

Pre-Construction Surveys

8. The Licencee shall, before commencing any surface disturbance or preliminary induced drainage of an intended harvesting area within the Development:
 - a) conduct a survey of the intended harvesting area with respect to rare or endangered species and species of special concern, as well as migratory birds, their nests and their eggs;
 - b) submit a report on the survey for the approval of the Director;
 - c) transplant any visible rare, endangered or threatened species of vegetation, including species of vegetation used for traditional medicines which may be encountered on the site, to another equally suitable site in consultation with the regional wildlife manager of Sustainable Development; and
 - d) upon the completion of any transplantation activity, advise the Director, in writing, of the type and number of any plant species so transplanted and the location to which they were transplanted.

Project Land Use

9. The Licence shall restrict construction and operational activities related to the Development, except for the road allowance of all access roads, to those lands to which the Licencee possesses:
 - a) a Peat Harvest Licence issued pursuant to The Peatlands Stewardship Act or any future amendment thereof, for peat harvesting operations on Crown Lands;
 - b) surface rights, or complete ownership, or a signed agreement with another person or legal entity respecting the use of any land to which that person or legal entity possesses the surface rights or

- complete ownership, wherein the agreement clearly identifies the party which accepts full responsibility for any environmental liabilities incurred by the activities of the Licencee; and
- c) applicable work permits and timber cutting permits, as may be required by Sustainable Development.

10. The Licencee shall restrict all harvesting of peat associated with the Development to only those areas located within:
- a) the boundaries of East Pine Dock, North Little Deer Lake and Mill Creek sub-areas, not including former Quarry Lease 2257 (QL 2257) of Peat Harvest Licence no. 20, listed in Schedule "C" of this licence;
 - b) the boundaries as described in any future newly acquired peat harvesting area of which the Director has been notified in writing, and has approved as an alteration to the licensed Development.

Harvesting Area

11. The Licencee shall limit the construction and operational activities of the Development at East Pine Dock and North Little Deer Lake sub-areas:
- a) 350 hectares of the total combined area for East Pine Dock and North Little Deer Lake sub-areas listed in Schedule "C", attached to this Licence, during the first 10 years following the construction start date;
 - b) 66% of the total combined area listed for East Pine Dock and North Little Deer Lake sub-areas in Schedule "C", attached to this Licence, over the lifetime of the Development, unless otherwise approved by the Director.

Harvesting Plan

12. The Licencee shall, prior to commencing the surface disturbance of an undisturbed peat harvesting area that has been authorized to be prepared for harvesting, meet with and present to the IRMT the harvesting plan for the newly authorized area, outlining and detailing the following, and in accordance with the Licencee's Peatland Management Plan:
- a) the proposed drainage ditches;
 - b) the proposed periphery and corridor buffer zones, where or if applicable;
 - c) the depth of peat versus the proposed depth of harvesting; and
 - d) the projected rates of water release, the projected effluent quality and the projected water quality impact downstream based on the compiled and reported sampling data collected pursuant to this Licence up to the time of the meeting;
- where upon any outstanding concerns brought to the attention of the Director by the IRMT may be addressed through work permits or other applicable approvals for the affected area.

Wildlife Habitat Losses

13. The Licencee shall, where any potential wildlife habitat losses have been identified by Sustainable Development, consult with the regional wildlife manager of Sustainable Development with respect

to the mitigation of the losses, and carry out any related mitigation measures required by the Director.

Buffer Zones

14. The Licencee shall, unless otherwise approved by the Director, leave a buffer zone:
- a) of at least 150 metres from:
 - i) the riparian areas of lakes, rivers, creeks, and streams; and
 - ii) riparian beaver flood habitat;
 - b) along the interior of the entire perimeter of each sub-area as defined by the Peat Harvest Licence having a width of at least 100 metres and possessing a minimum of 0.5 metre in depth of peat; and
 - c) along such corridors within the Development, and to such a width as may be specified in writing by the Director in consideration of any recommendation(s) received from the IRMT respecting a desirability for any windbreak or habitat corridors.

Minimum Depth of Peat

15. The Licencee shall, until such time that a Peatland Management Plan is approved pursuant to Peat Harvest Licence no. 20, maintain an average of 1.0 metre of in-situ peat throughout the bottom of any active harvesting area.

Clearing

16. The Licencee shall, where practical, avoid draining and clearing any portion of the overall Development too soon in advance of its needs.

Access Road and Borrow Pit Construction

17. The Licencee shall not create any new borrow pit(s) for the construction of the access/haulage road without prior consultation with, and the written concurrence of, the IRMT.
18. The Licencee shall not construct other roads connected to the Development. Short access routes for construction and maintenance purposes shall be approved in writing by IRMT prior to construction.
19. The Licencee shall apply and maintain dust suppressant on access roads associated with the Development within 100 metres from Provincial Road (PR) 234.

Water Rights Licence

20. The Licencee shall not construct any water control works associated with the Development, including engineered drains, nor release any drainage water from the Development, without the prior receipt of a Water Rights Licence to Construct Water Control Works from the Water Stewardship Division of Sustainable Development.

Drainage, Sedimentation Ponds and Effluent

21. The Licencee shall prevent, as much as practical, natural surface runoff water from outside the boundaries of the Development from entering the active harvesting areas of Development, by diverting such surface runoff water around the perimeter of the Development.
22. The Licencee shall, during construction and operation of the Development direct all drainage water associated with any harvesting area of the Development through one or more sedimentation ponds that are designed and constructed to achieve the effluent quality criteria specified in this Licence.
23. The Licencee shall release the effluent from each sedimentation pond through one or more final discharge points and shall register with the Director a list of all active final discharge points and their GPS locations, and maintain the registered list in a current status at all times.
24. The Licencee shall maintain sedimentation ponds associated with the Development as described in the Proposal dated December 9, 2011.
25. The Licencee shall design and construct each sedimentation pond associated with the Development:
 - a) to facilitate the termination, if necessary, of the release of any effluent from each final discharge point;
 - b) with a manual flow rate measuring device at each final discharge point that is adequate to measure the full range of instantaneous rates of discharge as may be expected to be released into the environment; and
 - c) with a floating debris boom at the outlet of each final discharge point.
26. The Licencee shall not release any effluent from the Development where the release of the effluent would:
 - a) cause a downstream flooding condition;
 - b) contribute to a forecast downstream flooding condition; or
 - c) further aggravate an existing flooding condition prevailing at that time.
27. The Licencee shall not, unless otherwise approved by the Director, release any effluent from a final discharge point if the quality of the effluent, as determined from the analysis of any grab sample taken of the effluent at the outlet of the sedimentation pond, is such that:
 - a) the pH is less than 5.0 pH units; or
 - b) the suspended solids concentration is greater than 30 milligrams per litre.
28. The Licencee shall not release any effluent from a final discharge point if the quality of the receiving water, as determined from the analysis of any grab sample indicates that the discharge of effluent appears to be causing:
 - a) the water quality to be adversely affected relative to the current Manitoba Water Quality Standards, Objectives, and Guidelines;
 - b) the pH of the effluent is causing, or contributing to, the pH at the location of receiving water sampling locations identified in Schedule "A" attached to this Licence, to fall below the lesser of 6.5 pH units or the prevailing pH of the receiving stream; or

c) naturally elevated levels (i.e. in excess of the current Manitoba Water Quality Standards, Objectives, and Guidelines) in these surface waterways to be further degraded.

29. The Licencee shall, immediately upon identifying any non-compliance pursuant to Clauses 26, 27 and 28, notify the Environment Officer responsible for this Licence.

30. The Licencee shall not increase nutrient loading on Lake Winnipeg such that the Development contributes to a net increase of total nitrogen and total phosphorous over the first 3 years from the date which construction begins and every subsequent 3 year interval.

Sewage Disposal

31. The Licencee shall 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.

Stream Crossings

32. The Licencee shall adhere to the general recommendations on design, construction and maintenance of stream crossings as specified in the guidelines titled Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat, 1996.

Operation of Transport Trucks

33. The Licencee shall not operate transport trucks along PR 234 from 10 pm to 6 am, local time.

34. The Licencee shall not operate transport trucks along PR 234 between May 15th and September 15th in any year on Fridays after 3:00 pm or at any time on Saturdays, Sundays and statutory holidays.

35. The Licencee shall securely cover truck transport loads during transport to and from the development.

Air Emissions

36. The Licencee shall take all appropriate measures to limit wind entrainment of peat beyond the property boundary of the Development.

Solid Wastes

37. The Licencee shall dispose of solid waste at a waste disposal ground operating under the authority of a permit issued pursuant to the Waste Management Facilities Regulation 37/2016, or any future amendment thereof, or a licence issued pursuant to The Environment Act.

Storage and Handling of Dangerous Goods and Hazardous Wastes

38. 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 Sustainable Development and legislative requirements.
39. The Licencee shall ensure fuel storage containers incorporate secondary containment satisfactory to an Environment Officer.
40. The Licencee shall comply with all the applicable requirements of:
 - a) Manitoba Regulation 188/2001, or any future amendment thereof, respecting Storage and Handling of Petroleum Products and Allied Products;
 - b) The Dangerous Goods Handling and Transportation Act, and regulations issued thereunder, respecting the handling, transport, storage and disposal of any dangerous goods brought onto or generated at the Development; and
 - c) the Office of the Fire Commissioner – Province of Manitoba.
41. The Licencee shall establish any fuel storage areas required for the construction and operation of the Development a minimum distance of 150 metres from any waterbody, not including ditches.
42. 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 waterbody. An emergency spill kit for in-water use shall be readily available on site during construction.

Environmental Accident Reporting

43. The Licencee shall, 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 the 24-hour environmental emergency response line at 204-944-4888 or toll-free at 1-855-944-4888 pursuant to the Notice and Reporting Regulation 126/2010 or any future amendments thereof. The report shall indicate the nature of the event, the time and estimated duration of the event and the reason for the event.
44. The Licencee shall, following the reporting of an event pursuant to Clause 43:
 - 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.

45. The Licencee shall, in a manner approved by the Environment Officer, remove and dispose of all spilled dangerous goods or pollutants.

Noise

46. The Licencee shall not cause or permit a noise nuisance to be created as a result of the construction, operation, or alteration of the Development, and shall take such steps as the Director may require to eliminate or mitigate a noise nuisance.

Heritage Resources

47. The Licencee shall, prior to commencing subsurface disturbance of soil within the intended active harvesting area at East Pine Dock and North Little Deer Lake sub-areas, submit for approval of the Director a Historic Resources Protection Plan, prepared in consultation with Historic Resources Branch, that will include, at a minimum, the following:
- a) protocols and procedures related to surveys of the harvesting areas with respect to any archaeological or cultural resources;
 - b) protocols and procedures related to the protection and reporting of heritage resources that may be discovered as a result of activities related to the Development; and
 - c) a description of how local and Indigenous knowledge was considered in the development of protection measures of heritage resources.
48. The Licencee shall, during construction and operation of the Development, apply measures to protect heritage resources, as prescribed in the Peatland Management Plan and Historic Resources Protection Plan and as may be directed by Historic Resources Branch.

Monitoring, Record Keeping, and Reporting

49. The Licencee shall, throughout the draining and harvesting of the site of the Development, but only under conditions of effluent release:
- a) collect samples of the effluent at all final discharge points and downstream receiving water sampling locations listed in Schedule "A" attached to this Licence and have them analyzed at such frequencies as specified in Schedule 'A', for such substances and characteristics as specified in Schedule 'B' attached to this Licence; and
 - b) once per week, measure and record the flow rate (in cubic metres per second) of effluent being released from each final discharge point of the Development, and use the weekly flow rate measurements to determine an estimate of the total monthly volumes (expressed in cubic metres) of effluent released from each final discharge point of the Development; unless otherwise specified in writing by the Director.
50. The Licencee shall maintain records onsite available for inspection of the analytical data, and flow rate measurements recorded in accordance with Clause 49 of this Licence.

Decommissioning and Recovery

51. The Licencee shall:

- a) until such time that a Peatland Recovery Plan is approved pursuant to the Peat Harvest Licence No. 20, comply with the Mine Closure Regulation 67/99, or any future amendment thereof, particularly in regards to addressing environmental issues including, but not necessarily limited to:
 - i) implementation of a restoration plan that includes the re-establishment of self-regulatory mechanisms and a return of the affected areas to functional peat accumulating ecosystems;
 - ii) the implementation of any progressive recovery of those peat bog areas of the Development where harvesting has reached its terminal depth;
 - iii) the decommissioning of any temporary fuel storage site used at or for the Development;
 - iv) the decommissioning of access and bog roads, stream crossings, and power lines constructed for the Development;
 - v) the decommissioning, reclamation and restoration of the overall affected operational area of the Development;
 - vi) the restoration or replacement of wildlife or fish habitats disturbed, adversely affected, or lost as a result of the Development;
 - vii) the containment, control, or treatment of pollutants originating from the harvest site of the Development; and
 - viii) the strategy, scope, frequency, and duration of post-closure environmental monitoring activities at the harvest site;

where applicable; and

b) provide the Director with:

- i) written notice three months in advance of any imminent permanent closure of this Development; or
- ii) an immediate written notice of any sudden decision to temporarily close this Development whereby the Development would be placed in a mothballed state for re-opening in the foreseeable future; and
- iii) in the course of progressive reclamation and restoration, as well as upon the permanent or temporary closure of this Development, implement the environmentally related aspects of the Closure Plan approved pursuant to the Mine Closure Regulation 67/99, or any future amendment thereof, to the satisfaction of the Director.

52. The Licencee shall, upon approval of the Peatland Recovery Plan pursuant to Peat Harvest Licence No. 20, follow the monitoring program and assessment protocols set out in their Peatland Recovery Plan.

Annual Report

53. The Licencee shall submit an annual report to the Environment Officer responsible for this Licence, by no later than February 28th each year, including an annual summary containing the following information:

- a) a discussion and trend analysis of all the analytical values, measurements, and estimates determined and recorded pursuant to Clauses 49 of this Licence;
 - b) a comparison of measurements to Manitoba Water Quality Standards Objectives, and Guidelines, or future amendments thereof;
 - c) annual report on land recovery;
 - d) annual report on net release of nitrogen and phosphorus pursuant to Clause 30; and,
 - e) a summary of adaptive management strategies implemented to mitigate previously identified or anticipated non-compliance issues with this Licence,
- in an acceptable electronic format and in writing if requested.

Progress of Recovery

54. The Licencee shall consult a specialist in restoration ecology for Manitoba if the annual monitoring of the progression of the recovery suggests a progression rate which is unsatisfactory to the Director.

Future Monitoring and Research

55. The Licencee shall participate in monitoring and research activities related to the development of best practice standards in cooperation with Sustainable Development.

Alterations to the Development

56. The Licencee shall obtain written approval from the Director for any proposed alteration to the Development before proceeding with the alteration.

REVIEW OR REVOCATION

- A. Environment Act Licence No. 2288 RR is hereby rescinded.
- B. 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.
- 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

Appendix 'A' to licence 2288 RRR

Mill Creek Sub-Area Sedimentation Ponds, Final Discharge Points and Downstream Sampling Locations



SCHEDULE 'A' to licence 2288 RRR

Area	Source	Location	Sampling Frequency*	Determinations or Analyses
Final Discharge Points	Effluent	Immediately downstream of outlet of sedimentation ponds	Weekly & 3x/year	See Schedule 'B'
Mill Creek @ Mill Creek Sub-Area	Downstream Receiving Water(s)	Station 'Q' of Appendix 'A'	2x/year	See Schedule 'B'
Little Deer Lake @ North Little Deer Lake Sub-Area	Downstream Receiving Water(s)	In the vicinity of each effluent discharge into Little Deer Lake from North Little Deer Lake Sub-Area	2x/year	Schedule 'B'
Lake Winnipeg @ Mill Creek Sub-Area	Downstream Receiving Water(s)	Station 'W' of Appendix 'A'	2x/year	Schedule 'B'
Lake Winnipeg @ East Pine Dock Sub-Area	Downstream Receiving Water(s)	In the vicinity of each effluent discharge into Lake Winnipeg from East Pine Dock Sub-Area	2x/year	Schedule 'B'

- * "weekly" means one sample every seven days, but on an operating day.
- "2x/year" means one sample every spring freshet and late fall.
- "3x/year" means one sample every spring freshet, late summer, and late fall.

Note: The Director reserves the right to make future alterations to this Schedule in the interests of effective environmental management.

SCHEDULE 'B' to licence 2288 RRR

	Effluent	Effluent	Receiving Water
Parameters / Characteristics / Data	(weekly) *	(3x / Year)*	(2x / Year)*
Sampling Date	X	X	X
Flow rate	X		
pH	X	X	X
Total Alkalinity		X	X
Acidity		X	X
Conductivity		X	X
Total Dissolved Solids		X	X
Total Suspended Solids	X	X	X
5-day Biochemical Oxygen Demand		X	X
Hardness		X	X
Total Kjeldahl Nitrogen		X	X
Total ammonia (as N)		X	X
Total organic carbon		X	X
Nitrate + Nitrite (as N)		X	X
Sulphates (as S)		X	X
Total and dissolved metals and metalloids:			
Aluminum (Al)		X	X
Antimony (Sb)		X	X
Arsenic (As)		X	X
Barium (Ba-		X	X
Beryllium (Be)		X	X
Bismuth (Bi)		X	X
Boron (B)		X	X

continued...

	Effluent	Effluent	Receiving Water
Parameters / Characteristics / Data	(weekly)*	(3x / Year)*	(2x / Year)*
Total and dissolved metals and metalloids (continued):			
Cadmium (Cd)		X	X
Calcium (Ca)		X	X
Cesium (Cs)		X	X
Magnesium (Mg)		X	X
Manganese (Mn)		X	X
Mercury (cold vapour)		X	X
Molybdenum (Mo)		X	X
Nickel (Ni)		X	X
Phosphorus (P)		X	X
Potassium (K)		X	X
Rubidium (Rb)		X	X
Selenium (Se)		X	X
Silicon (Si)		X	X
Silver (Ag)		X	X
Sodium (Na)		X	X
Strontium (Sr)		X	X
Tellurium (Te)		X	X
Thallium (Tl)		X	X
Thorium (Th)		X	X
Tin (Sn)		X	X
Titanium (Ti)		X	X
Tungsten (W)		X	X
Uranium (U)		X	X

continued...

Total and dissolved metals and metalloids (continued):			
Vanadium (V)		X	X
Zinc (Zn)		X	X

"weekly" means one sample every seven days, but on an operating day.

"2x/year" means one sample every spring freshet and late fall.

"3x/year" means one sample every spring freshet, late summer and late fall.

Note: The Director reserves the right to make future alterations to this Schedule in the interests of effective environmental management.

SCHEDULE 'C' to licence 2288 RRR

Peat Harvest Licence sub-area	Total Area (ha)	Property Ownership
Mill Creek (except former QL - 2257)	438.3 ha	Crown Land
East Pine Dock	298.1 ha	Crown Land
North Little Deer Lake	367.6 ha	Crown Land
TOTAL AREA =	1104 ha	