



Conservation and Water Stewardship

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

August 25, 2015

Shannon Johnson, Manager
Manitoba Hydro
820 Taylor (3)
Winnipeg MB R3M 3T1

Dear Ms. Johnson:

Enclosed is **Environment Act Licence No. 3148** dated **August 25, 2015** issued to **Manitoba Hydro** for the construction, operation and maintenance of two 115 kV double circuit transmission lines, including new towers and conductors within the existing Manitoba Hydro right-of-way between Harrow Station (Harrow Street and Taylor Avenue) and Bishop Grandin Boulevard, in accordance with the Proposal filed under *The Environment Act*, dated April 16, 2015, and additional information dated July 7, 2015.

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 Darrell Ouimet, Environment Officer.

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,

“original signed by”

Tracey Braun, M.Sc.
Director
Environmental Act

c: Don Labossiere, Director, Environmental Compliance and Enforcement and
Donna Smiley, Environment Officer, Environmental Compliance and Enforcement (**via email**)
Public Registries; Public: David M. Sanders

NOTE: Confirmation of Receipt of this Licence No. 3148 (*by the Licensee only*) is required by the Director of Environmental Approvals. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by September 8, 2015.

On behalf of Manitoba Hydro

Date

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

LICENCE

Licence No. / Licence n° 3148

Issue Date / Date de délivrance August 25, 2015

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 two 115 kV double circuit transmission lines, including new towers and conductors within the existing Manitoba Hydro right-of-way between Harrow Station (Harrow Street and Taylor Avenue) and Bishop Grandin Boulevard, in accordance with the Proposal filed under *The Environment Act*, dated April 16, 2015, and additional information dated July 7, 2015, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence:

“**affected area**” means a geographical area, excluding the property of the Development;

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

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

“**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 the members of the public;

if the unwanted sound

- 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 and who do not live in the same household;

“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*);

“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

“wetland” means land that is saturated with water long enough to promote wetland or aquatic processes as indicated by poorly drained soils, hydrophytic vegetation, and various kinds of biological activity which are adapted to a wet environment. They are generally less than approximately 2 metres in depth (National Wetland Working Group 1997).

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, supporting information filed in association with the Proposal, and plans submitted and approved pursuant to this licence during construction, maintenance, operation and decommissioning of the Development.

Permits

2. The Licencee shall, prior to commencing construction of the Development, apply for and obtain all land tenure allocations and Work Permits as required from the appropriate Conservation and Water Stewardship district office and shall comply with the conditions of all permits.

Additional Reporting

3. 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.

Environmental Inspection

4. The Licencee shall, during construction of the Development, employ qualified environmental inspectors to ensure that all the environmental practices outlined in the Proposal and supporting information are carried out.

Reporting Format

5. The Licencee shall submit all information required to be provided to the Director or Environment Officer under this Licence, in written or electronic format, in such form (including number of copies) and of such content as may be required by the Director or Environment Officer, and each submission shall be clearly labelled with the Licence Number and Client File Number associated with this Licence.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Notification

6. 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.

7. The Licencee shall, prior to construction, provide a copy of this Licence to the contractor(s) and subcontractor(s) involved in the Development.

Dangerous Goods Storage and Handling

8. 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.
9. The Licencee shall provide containment for all vessels containing chemicals in each area of the development where the chemicals are stored, loaded, transferred, used or otherwise handled, in compliance with the National Fire Code of Canada (2010), or any future amendment thereof, such that any product leakage or spillage and any contaminated liquid generated is contained within the Development and contamination of groundwater is prevented.
10. The Licencee shall establish any fuel storage areas required for the construction and operation of the Development a minimum distance of 100 metres from any waterbody.
11. 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.

Spill Response

12. 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 accident reporting line at 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.
13. The Licencee shall, following the reporting of an event pursuant to Clause 12,
 - 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.
14. The Licencee shall, in a manner approved by the Environment Officer, remove and dispose of all spilled dangerous goods.
15. The Licencee shall, following construction of the Development, verify that terrestrial contamination of the environment has not occurred in work areas of the Development. Any areas of contamination shall be remediated to the satisfaction of the Environment Officer.

Noise Nuisance

16. 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

17. The Licencee shall, during construction and operation of the Development, apply measures to protect heritage resources, as directed by the Historic Resources Branch of Manitoba Tourism, Culture, Heritage, Sport, and Consumer Protection.

Onsite Wastewater Disposal

18. The Licencee shall, during construction of the Development, dispose of all wastewater from on-site sanitary facilities in accordance with *Manitoba Regulation 83/2001*, or any future amendment thereof, respecting *Onsite Wastewater Management Systems*.

Pesticide Application

19. The Licencee shall adhere to the policies and procedures for pesticide applications pursuant to *The Environment Act*, or any future amendment thereof, and regulations thereunder respecting *Pesticides*, so as to minimize the exposure of its employees and the public, as well as non-target biota, to pesticides.

Waste Disposal

20. 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 *Manitoba Regulation 150/91*,

or any future amendment thereof, respecting *Waste Disposal Grounds*, or a licence issued pursuant to *The Environment Act*.

Wetlands

21. The Licencee shall not, during construction, clear, compact, grade or fill any wetlands or native upland habitat, which are not required for the construction of right-of-way of the Development.
22. The Licencee shall establish marshalling yards and vehicle trails in dry upland areas.

Wildlife

23. The Licencee shall not conduct clearing of large trees and shrubs between April 21 and August 15.
24. The Licencee shall, before construction, maintain a regular mowing schedule to prevent the establishment of tall weeds or grasses.
25. The Licencee shall, where possible, avoid cattails stands and wet meadow areas not required for construction activities in spring and summer for the protection of northern leopard frogs.

Invasive Plant Species

26. The Licencee shall, during construction and maintenance of the Development, take measures to prevent the introduction and spread of foreign aquatic and terrestrial biota.

Revegetation

27. The Licencee shall, during construction and maintenance of the Development, take all appropriate measures to prevent erosion.
28. The Licencee shall, when natural re-vegetation methods are insufficient to revegetate soil in areas of the Development exposed by construction, a mixture of native or introduced grasses or legumes will be utilized. Native species shall be used to revegetate areas where native species existed prior to construction. Exposed areas shall be revegetated as quickly as possible following construction to prevent soil erosion and the establishment of noxious weeds.

Decommissioning or Alteration

29. The Licencee shall, prior to decommissioning of the Development, submit for approval of the Director, a decommissioning plan for the Development.

30. The Licencee shall implement the decommissioning plan as approved pursuant to Clause 29 of this Licence.
31. The Licencee shall obtain approval from the Director for any proposed alteration to the Development before proceeding with the alteration.

REVIEW AND REVOCATION

32. 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.
33. If construction of the development has not commenced within three years of the date of this Licence, the Licence is revoked.
34. 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

File: 5766.00