

Licence No.: 2423

Licence Issued: October 8, 1999

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

**MANITOBA DEPARTMENT OF CONSERVATION AS REPRESENTED BY THE WATER RESOURCES
BRANCH; "the Licencee"**

for the construction and operation of the Development being reconstructed flood protection dykes at seven sites (designated as sites 5, 13, 14, 15, 16, 17 and 18) adjacent to the Assiniboine River in the rural municipalities of St. Francois Xavier, Cartier and Portage la Prairie, in accordance with the Proposal filed under The Environment Act and dated September 23, 1998, 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 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 Licencee shall ensure, during and after construction of the Development, that all necessary measures are taken to prevent the erosion of exposed soil and its deposition in natural or constructed waterways near the Development.
3. The Licencee shall minimize the duration of all instream construction activities associated with the Development.
4. The Licencee shall stabilize areas disturbed by the construction of the Development. Disturbed areas exposed to erosive flows shall be stabilized with rock. Other areas shall be revegetated with a mixture of native or introduced grasses or legumes. Exposed areas shall be stabilized as quickly as possible following construction to prevent soil erosion and the establishment of noxious weeds.
5. The Licencee shall rehabilitate and revegetate all borrow areas associated with the Development. Borrow areas shall be graded and shaped so as not to present a safety hazard or nuisance to adjacent property owners or other members of the public.
6. The Licencee shall, prior to construction of the Development, obtain all necessary permits from Manitoba Highways and Transportation and the Highway Traffic Board.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

7. The Licencee 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*. During construction and operation of the Development, the Licencee shall take all precautions necessary to prevent fuel from entering any waterbody. Fuel spills in excess of 100 litres shall be immediately reported to an environment officer.
8. The Licencee shall, not less than one week prior to the commencement of construction of the Development, notify Manitoba Environment of the expected starting date(s) of construction, and the name(s) of the

contractor(s).

9. The Licencee shall not undertake instream construction activities associated with the Development between April 1 and June 15 of any year.
10. The Licencee shall construct the river side slope of the dykes at sites 15 and 18 with slopes of 4 horizontal to 1 vertical.
11. The Licencee shall ensure that riprap used on the river side slope of the dykes of the Development conforms to the following size specification:

<u>Canadian Metric Sieve Size</u>	<u>Percent of Total Dry Weight Passing Each Sieve (300 mm Max. Aggregate Size)</u>
300 000	100
200 000	50 - 75
100 000	25 - 50
50 000	0 - 10

12. The Licencee shall comply with all conditions specified in the document "Authorization for Works or Undertakings Affecting Fish Habitat", Authorization No. MB-98-0095, issued by the Department of Fisheries and Oceans in respect of the Development and dated September 24, 1999.
13. The Licencee shall, within 30 days of the receipt of the results, provide to the Director a copy of all monitoring results required pursuant to Clause 12 of this Licence.

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 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

Client File No.: 4380.00