

Environmental Stewardship Division
Environmental Approvals Branch
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www.gov.mb.ca/conservation/eal

CLIENT FILE NO.: 5719.00

January 30, 2017

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

Dear Ms. Johnson:

Enclosed is **Environment Act Licence No. 3207** issued to **Manitoba Hydro** for the construction, operation, and decommissioning of the St. Vital Transmission Complex project, which includes a new 119 km long, 230 kV transmission line extending from the St. Vital Station located near the intersection of Bishop Grandin and Lagimodiere boulevards to the Letellier Station near Letellier, Manitoba, and a 37 km long, 230 kV transmission line extending the St. Vital Station to the La Verendrye Station located near Oak Bluff, Manitoba.

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

Yours truly,



Tracey Braun, M.Sc.
Director
Environment Act

c: Don Labossiere, D. Smiley, Y.Hawryliuk, Environmental Compliance and Enforcement
Public Registries
Public Distribution List (att.) .../2

NOTE: Confirmation of Receipt of this Licence No. 3207 (*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 February 15, 2017

On behalf of Manitoba Hydro

Date

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St. Vital Transmission Project Environment Act Licence 3207

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LICENCE

Licence No. / Licence n° 3207

Issue Date / Date de délivrance January 30, 2017

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 decommissioning of the St. Vital Transmission Complex project, which includes a new 119 km long, 230 kV transmission line extending from the St. Vital Station located near the intersection of Bishop Grandin and Lagimodiere boulevards to the Letellier Station near Letellier, Manitoba, and a 37 km long, 230 kV transmission line extending the St. Vital Station to the La Verendrye Station located near Oak Bluff, Manitoba in accordance with the Proposal filed under The Environment Act, dated May 30, 2014, supporting information filed in association with the Proposal dated October 6, 2014, 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.

Future Sampling

1. In addition to any of the limits, terms and conditions specified in this Licence, the Licencee shall, upon the request of the Director:
 - a) sample, monitor, analyze and/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 pollutant(s) 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 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, unless otherwise specified in this Licence:
- a) carry out all preservations and analyses on liquid samples in accordance with the methods prescribed in the most current edition of Standard Methods for the Examination of Water and Wastewater or in accordance with equivalent preservation and analytical methodologies approved by the Director;
 - b) have all analytical determinations undertaken by an accredited laboratory; and
 - c) report the results to the Director, in writing and in an electronic format acceptable to the Director, within 60 days of the samples being taken.

Reporting Format

3. The Licencee shall submit all information required to be provided to the Director or Environment Officer under this Licence, in written and 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.

Permits

4. The Licencee shall, prior to the commencement of construction on Crown land, apply for and obtain permits for work to be performed on Crown Lands from Manitoba Sustainable Development and the Crown Land and Property Agency, and comply with the conditions of the permits.

Compliance

5. The Licencee shall adhere to the measures and commitments included in the Proposal, supporting information filed in association with the Proposal, and plans submitted and approved pursuant to this Licence during construction, maintenance, and decommissioning of the Development.

Environmental Inspection

6. The Licencee shall, during construction of the Development, employ qualified environmental inspectors to monitor the work on a daily basis to ensure that all the environmental practices outlined in the Proposal, supporting information, and the plans submitted pursuant to this Licence are carried out.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Notification

7. The Licencee shall notify the assigned Environment Officer not less than two weeks prior to beginning construction of the Development. The notification shall include the intended starting date of construction and the name of the contractor responsible for the construction.
8. The Licencee shall, prior to construction, provide a copy of this Licence to the contractor and subcontractor(s) involved in the Development.

Water Crossings

9. The Licencee shall, in accordance The Water Resources Administration Act, including sections 2.1 and 14(4), obtain written approval and authorization from the Minister of Infrastructure prior to initiating construction of any portion of the Development on, over, or across a provincial waterway, including but not limited to, the Red River Floodway.
10. The Licencee shall, prior to initiating construction of any portion of the Development across the Red River Floodway at the control structure, enter into a Memorandum of Agreement with the Minister of Infrastructure, with terms and conditions governing the construction and operation of the portion of the Development at this location.
11. The Licencee shall, during construction of the Development, adhere to the general recommendations contained in the Department guidelines titled *Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat, 1996*.
12. The Licencee shall not undertake work associated with the Development in water or on shorelines between April 1 and June 30 of any given year, or in periods of high stream flow.
13. The Licencee shall, during construction and maintenance of the Development within the riparian areas of fish-bearing waterbodies, potentially fish-bearing waterbodies, and/or waterbodies that contribute to fish bearing waterbodies:
 - a) maintain existing low growth vegetation such as grasses, shrubs, and willows to the extent possible;

- b) clear trees that must be removed using only low impact methods that do not significantly disturb surface vegetation and soils;
- c) prohibit the application of herbicides; and
- d) stabilize and re-vegetate disturbed soils with biodegradable erosion control materials and a seed mix native to the area.

Wetlands

14. The Licencee shall carry out construction and maintenance activities associated with the Development within wetlands only during frozen ground conditions.

Foreign Biota

15. The Licencee shall, prior to construction and maintenance of the Development, submit a detailed biosecurity plan for approval of the Director. The plan shall describe measures to be implemented during construction and maintenance of the Development to control the spread of soil borne diseases and invasive species from field to field in agricultural areas.

Clearing

16. The Licencee shall not conduct clearing components of the Development between April 15 and July 31, of each construction year, to avoid potential impacts to the nesting habitat for migratory birds. Should any transmission line clearing be required within this period, the Licencee shall, prior to the construction activity, consult and reach an agreement with the Wildlife Branch regarding the location of any key wildlife habitats to be avoided, including bird nesting and brooding areas.

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, consistent with the Heritage Resources Act, or any future amendment thereof.

Noise Nuisance

18. 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.

Petroleum Storage and Handling

19. The Licencee shall locate fuel storage and equipment servicing areas established for the construction and operation of the Development a minimum distance of 100 metres from any waterbody, and shall comply with the requirements of the *Storage*

and Handling of Petroleum Products and Allied Products Regulation 188/2001, or any future amendment thereof.

20. 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 contaminating soil or entering any waterbody. Emergency spill kits for both land and in-water use shall be readily available on site during construction.

Waste Disposal

21. 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*.

Onsite Wastewater Disposal

22. 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.

Pesticide Application

23. 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*, to minimize the exposure of its employees and the public, as well as non-target biota, to pesticides.

Release of Pollutants

24. 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.
25. The Licencee shall, following the reporting of an event pursuant to Clause 24,
- 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.
26. The Licencee shall, during construction and maintenance of the Development, take all appropriate measures to prevent erosion and the deposition of sediment into any waterbodies.

Decommissioning

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

Respecting Alterations to the Development

28. The Licencee shall obtain written 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 Licencee has not commenced construction of the Development 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*.



Tracey Braun, M.Sc.
Director
Environment Act