

# Environment Act Licence

# Loi sur l'environnement Licence

Manitoba  
Environment  
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Manitoba



Licence No./Licence n° \_\_\_\_\_

Issue Date/Date de délivrance **September 30, 1996**

In accordance with the Manitoba Environment Act (C.C.S.M. c. E125)

THIS LICENCE IS ISSUED TO:

**AGASSIZ IRRIGATION ASSOCIATION INC.: "the Licencee"**

for the construction and operation of the Development being irrigation water storage reservoirs and associated works located on Plum River tributaries, the Boyne River and North Tobacco Creek in the Rural Municipalities of Stanley, Rhineland, Thompson and Dufferin in accordance with the Proposal filed under The Environment Act and dated July 3, 1996, 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, prior to beginning construction of each component of the Development, submit detailed construction plans for that component prepared by a professional engineer for the approval of the Director. For instream reservoirs of the Development, the detailed construction plans shall show the areas and types of riparian vegetation to be cleared.
3. The Licencee shall consult with the Fisheries Branch of Manitoba Natural Resources in the design of rockfill weirs and culverts in the rockfill weirs. Fisheries Branch suggestions shall be incorporated in the construction plans for each site which requires a rockfill weir to facilitate the filling of the associated off-channel reservoir.
4. The Licencee shall obtain authorization from the Manitoba Water Resources Branch for works undertaken on Provincial Waterways.
5. The Licencee shall revegetate areas disturbed by the construction of the Development with a mixture of native or introduced grasses or legumes. These areas shall be revegetated as quickly as possible following construction to prevent the establishment of noxious weeds and purple loosestrife.

The Licencee shall:

- a) prepare "as constructed" drawings for the Development and shall label the drawings "As Constructed", and
  - b) provide to the Director, within three months of the completion of construction of each site of the Development, two sets of "as constructed" drawings for that site of the Development.
7. The Licencee shall ensure that the reservoirs are not used to dispose of sewage or any other waste materials.

### SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

8. The Licencee shall not undertake construction or maintenance activities related to the Development which may result in siltation or sediment deposition on or immediately adjacent to waterways between April 1 and June 15 of any year, or during heavy precipitation events.
9. The Licencee shall ensure that construction practices used during the construction of the Development are in accordance with the May, 1996 publication "*Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat.*"
10. The Licencee shall ensure that the capacity of pumps used to divert water into the Development does not exceed 0.75 m<sup>3</sup>/s at each site with a storage capacity less than 125 cubic decametres. Pumping capacity shall not exceed 1.5 m<sup>3</sup>/s at sites with storage capacities of 125 to 313 cubic decametres, and pumping capacities shall not exceed 2.25 m<sup>3</sup>/s at sites with storage capacities greater than 313 cubic decametres.
11. The Licencee shall ensure that minimum instream flows are maintained at monitoring locations on the affected streams at all times while water is being diverted into the Development. The minimum instream flows and their monitoring locations shall be determined by the Licencee in consultation with Manitoba Natural Resources and the Department of Fisheries and Oceans, and shall receive the written approval of the Director prior to the first filling of the Development. The Licencee shall immediately cease diverting water or reduce the diversion rate upstream of a monitoring location if the minimum instream flow at that location is not exceeded.
12. The Licencee shall determine pump intake screening locations and screen design details in consultation with Manitoba Natural Resources and the Department of Fisheries and Oceans, and shall receive the written approval of the Director for screening design details prior to the first filling of the Development.
13. The Licencee shall ensure that buried pipelines which are installed on cultivated land or land in its natural state are installed in accordance with the methodology illustrated in Figures 1 to 3, attached to this Licence. These procedures do not apply when a trencher is used to install a pipeline.

14. The Licencee shall on a daily basis monitor streamflows, diversion rates and pumping durations when the reservoirs are being filled. Weekly reservoir water levels, pumping rates and monthly cumulative pumping durations shall be monitored for each instream and offstream reservoir when water is being used from the reservoirs. An annual report on this operating data for each reservoir shall be provided to Manitoba Environment, Manitoba Natural Resources, the Prairie Farm Rehabilitation Administration and the Department of Fisheries and Oceans. This report shall be submitted prior to March 1 of the following year.
15. The Licencee shall monitor on-farm soil and water impacts as described in the Proposal.
16. The Licencee, shall, at the request of the Director, prepare and implement a remediation plan to address seepage from the Development if monitoring results indicate that seepage losses substantially exceed anticipated amounts.
17. The Licencee shall ensure that water from the Development is not applied on lands rated as poor according to the criteria of Agriculture Canada Report 87-83 unless they represent less than 10% of an irrigated parcel, or site specific investigations classify them differently, or improvements are undertaken to remove limitations.
18. The Licencee shall ensure that fuel storage areas established for the construction 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 operation of the Development (filling and irrigating), the Licencee shall take all precautions necessary to prevent fuel from entering the waterbody.

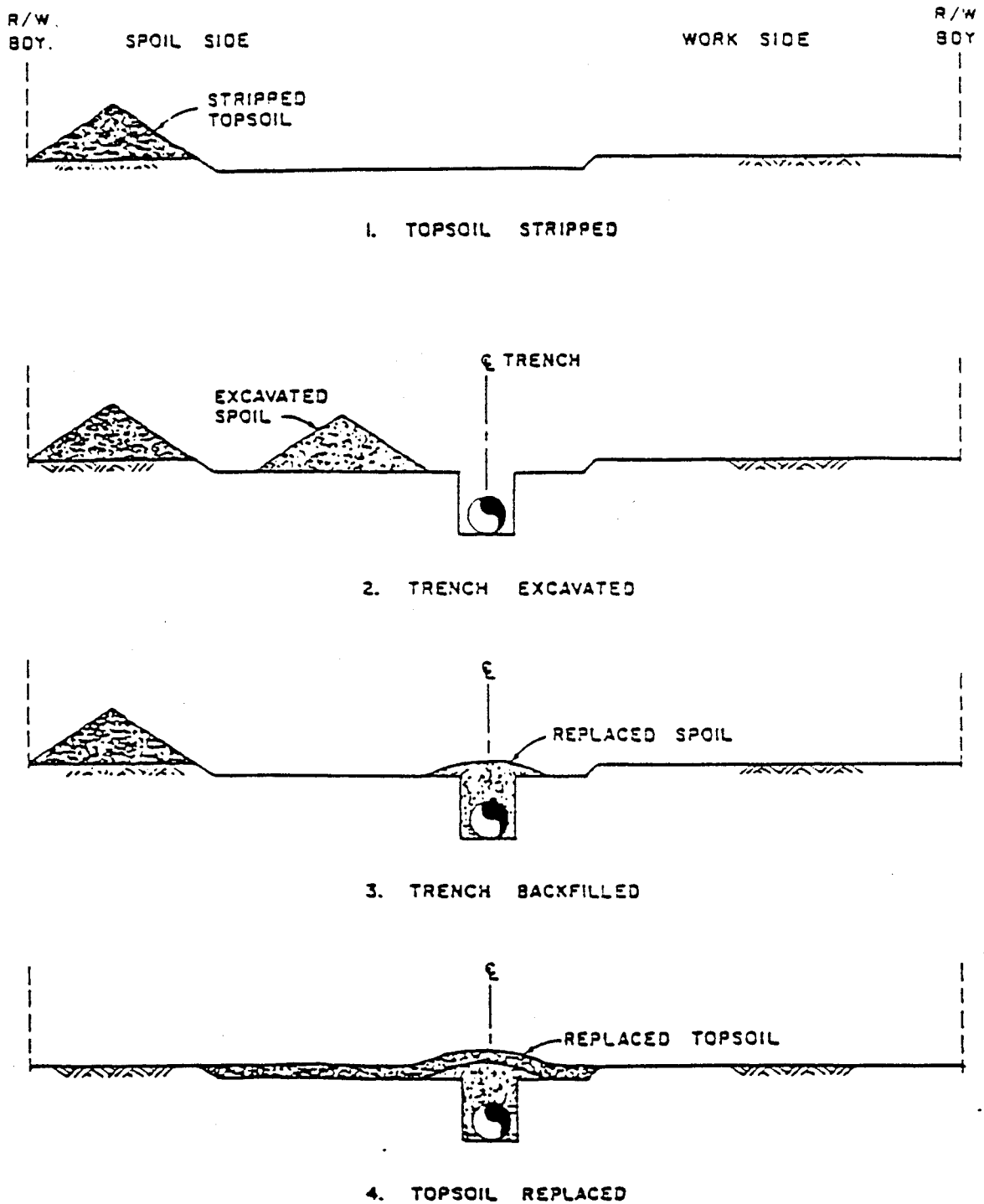
#### REVIEW AND REVOCATION

- 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.



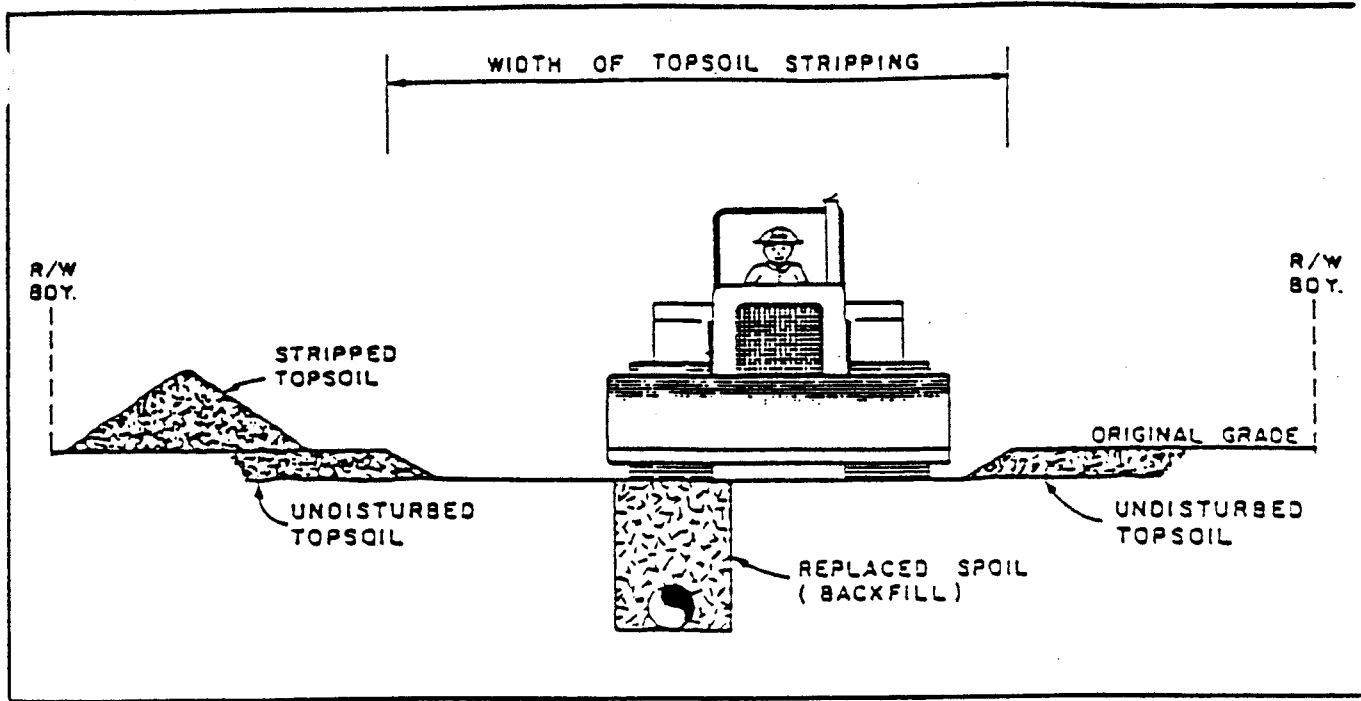
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Larry Strachan, P. Eng.  
Director  
Environment Act



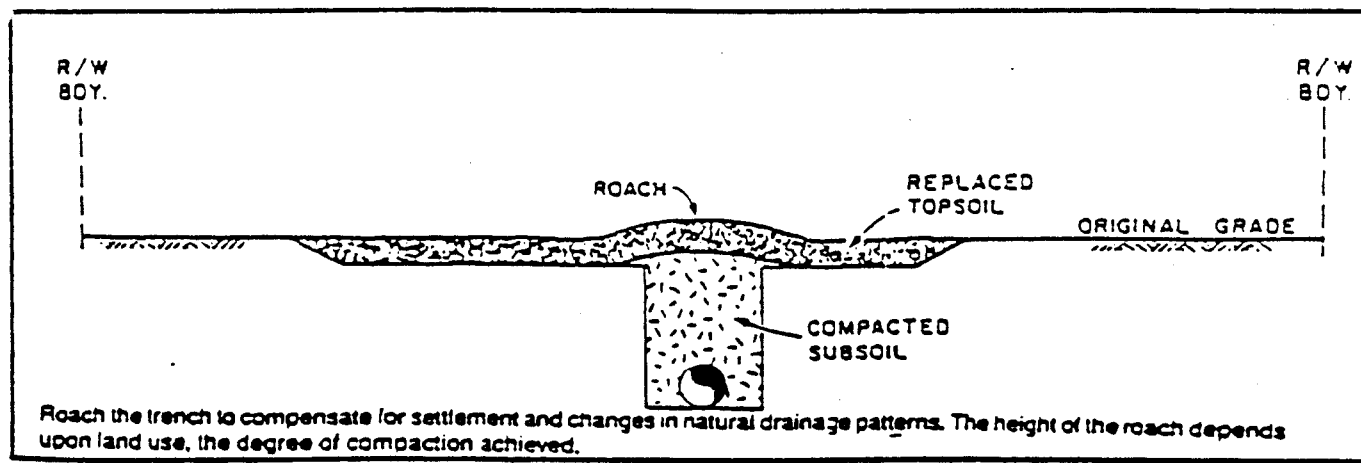
SEQUENCE OF TOPSOIL HANDLING

Figure 1



COMPACTION OF BACKFILL

Figure 2



Roach the trench to compensate for settlement and changes in natural drainage patterns. The height of the roach depends upon land use, the degree of compaction achieved.

ROACHING THE TRENCH

Figure 3