

Manitoba



Sustainable Development

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

CLIENT FILE NO.: 5901.00

September 28, 2017

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

Dear Ms. Johnson:

Enclosed is **Environment Act Licence No. 3230** dated September 28, 2017, issued to **Manitoba Hydro** for the construction, operation, and decommissioning of the Poplar Bluff Transmission Project, which includes a new 16.5 km, 230 kV AC transmission line from the Poplar Bluff Industrial Park, west of Portage la Prairie, to an existing transmission line located north of Long Plain First Nation, in accordance with the Proposal filed under The Environment Act.

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 Tyler Kneeshaw, Environment Officer, at 204-239-3608.

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,

A handwritten signature in blue ink that reads "Tracey Braun".

Tracey Braun, M.Sc.
Director
Environmental Approvals Branch

c: Don Labossiere/Donna Smiley/Tyler Kneeshaw, Environmental Compliance and Enforcement
Public Registries

NOTE: Confirmation of Receipt of this Licence No. 3230 (*by the Licensee 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 October 12, 2017.

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° 3230

Issue Date / Date de délivrance September 28, 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 Poplar Bluff Transmission Project, which includes a new 16.5 km, 230 kV AC transmission line from the Poplar Bluff Industrial Park, west of Portage la Prairie, to an existing transmission line located north of Long Plain First Nation, in accordance with the Proposal filed under The Environment Act, dated July 5, 2017, supporting information filed in association with the Proposal dated September 2, 2017, 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 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; and

"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).

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.

Compliance

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

Notification

5. 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.
6. The Licencee shall, prior to construction, provide a copy of this Licence to the contractor and subcontractor(s) involved in the Development.

Environmental Inspection

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

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Biosecurity

8. The Licencee shall, prior to construction and maintenance of the Development, submit a detailed biosecurity plan for approval of the Director of the Environmental

Approvals Branch. 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.

Water Crossings

9. 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*.

Clearing

10. 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 bird nesting habitat. 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 and Fisheries Branch of the Department of Sustainable Development regarding the location of any key wildlife habitats to be avoided, including bird nesting and brooding areas.

Noise Nuisance

11. 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

12. 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.
13. 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

14. The Licencee shall dispose of non-reusable construction debris from the Development at a waste disposal ground operating under the authority of a permit issued pursuant to Manitoba Regulation 37/2016 respecting Waste Management

Facilities, or any future amendment thereof, or a Licence issued pursuant to The Environment Act.

Onsite Wastewater Disposal

15. 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

16. 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

17. 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.
18. The Licencee shall, following the reporting of an event pursuant to Clause 17,
 - 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.
19. 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


20. The Licencee shall, prior to decommissioning of the Development, submit for approval of the Director of the Environmental Approvals Branch, a decommissioning and rehabilitation plan for the Development.

Respecting Alterations to the Development

21. The Licencee shall obtain written approval from the Director of the Environmental Approvals Branch 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

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