

Environment Act Licence Loi sur l'environnement Licence

Manitoba
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Licence No./Licence n° 2219

Issue Date/Date de délivrance August 27, 1996

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

THIS LICENCE IS ISSUED TO:

CENTRAL MANITOBA IRRIGATORS ASSOCIATION: "the Licencee"

for the construction and operation of the Development being irrigation water storage reservoirs and associated works located on Rat Creek, Beaver Creek and Squirrel Creek and their tributaries in the Rural Municipalities of Portage la Prairie, North Norfolk and Westbourne in accordance with the Proposal filed under The Environment Act and dated May 9, 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 the 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, in the final design of the instream reservoirs, ensure that flooding is confined to the property of producers who are utilizing the Development, unless written flood easements are obtained from other landowners.
- ④ 4. The Licencee shall, in the final design of the instream reservoirs, ensure that the storage volume at each reservoir is provided by the damming of water. In-channel excavation to increase the storage volume available at any site shall not be permitted. This requirement may be waived by the Director if the final plans for a site are accompanied by a satisfactory report from a qualified professional engineer discussing the stability of underwater excavated slopes and anticipated sedimentation rates.

5. The Licencee shall obtain authorization from the Manitoba Water Resources Branch for works undertaken on Provincial Waterways.
6. 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.
7. 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.
8. The Licencee shall ensure that the reservoirs are not used to dispose of sewage or any other waste materials.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

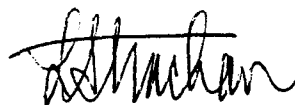
9. The Licencee shall not undertake construction or maintenance activities related to the Development which may result in siltation or sediment deposition on or immediately adjacent to waterways between April 1 and June 15 of any year.

The Licencee shall not undertake construction at the BC3, RC1 or RC2 sites until a site reconnaissance has been carried out at these sites by the Historic Resources Branch.
11. The Licencee shall ensure that the capacity of pumps used to divert water into the offstream reservoirs of the Development does not exceed 0.76 m³/s at each of sites BC1, BD1, BVC2, BVC1 and IC1, and 2.28 m³/s at site SC1.
12. 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.
13. The Licencee shall ensure that the water intake used to pump water from the RC1 site is screened in accordance with the 1995 Department of Fisheries and Oceans publication "Freshwater Intake End-of-Pipe Fish Screen Guideline."

14. The Licencee shall ensure that water intakes used to divert water into offstream reservoirs of the Development are screened in accordance with the 1995 Department of Fisheries and Oceans publication "Freshwater Intake End-of-Pipe Fish Screen Guideline", if fish movement in the affected stream reach is made possible by habitat improvement projects in the future.
15. The Licencee shall ensure that fish passage facilities are provided at instream reservoirs of the Development if fish movement in the affected stream reach is made possible by habitat improvement projects in the future.
16. 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.
17. The Licencee shall on a daily basis monitor streamflows, diversion rates and pumping durations when the offstream 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.
18. The Licencee shall monitor on-farm soil and water impacts as described in the Proposal. A report summarizing the monitoring program for each producer shall be submitted to the Director within one year of the date of this Licence. This report shall list the parameters to be sampled for each producer and the sampling frequency. Reports on the sampling shall be submitted to the Director annually or at the same frequency they are provided to the producers.
19. The Licencee shall ensure that water from the Development is applied for irrigation purposes as described in Section 4.2.3 of the Proposal. Specifically, lands rated as poor according to the criteria of Agriculture Canada Report 87-83 shall not be irrigated unless they represent less than 10% of an irrigated parcel, or site specific investigations classify them differently, or improvements are undertaken to remove limitations.
20. 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.

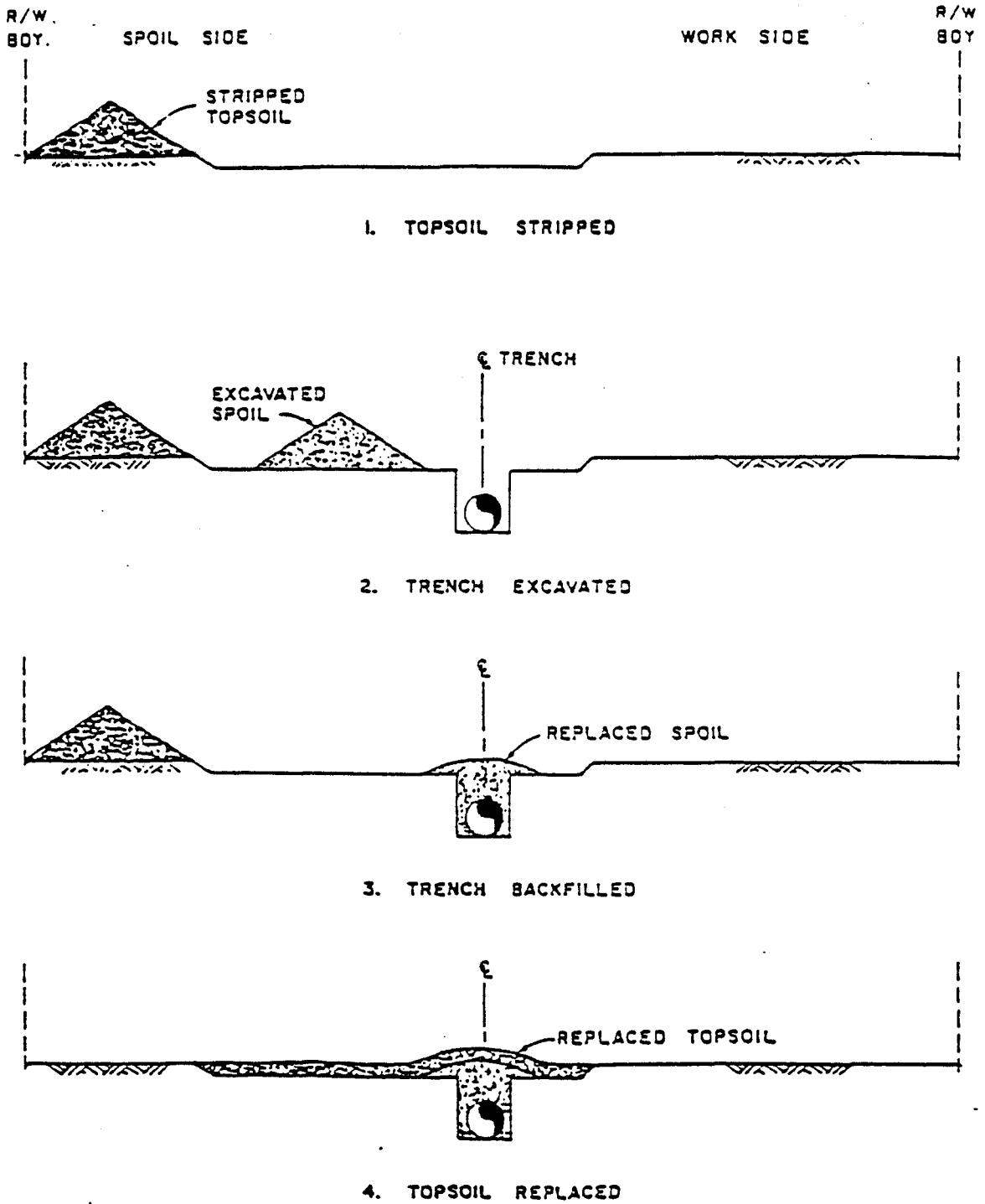
REVIEW AND REVOCATION

- 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.



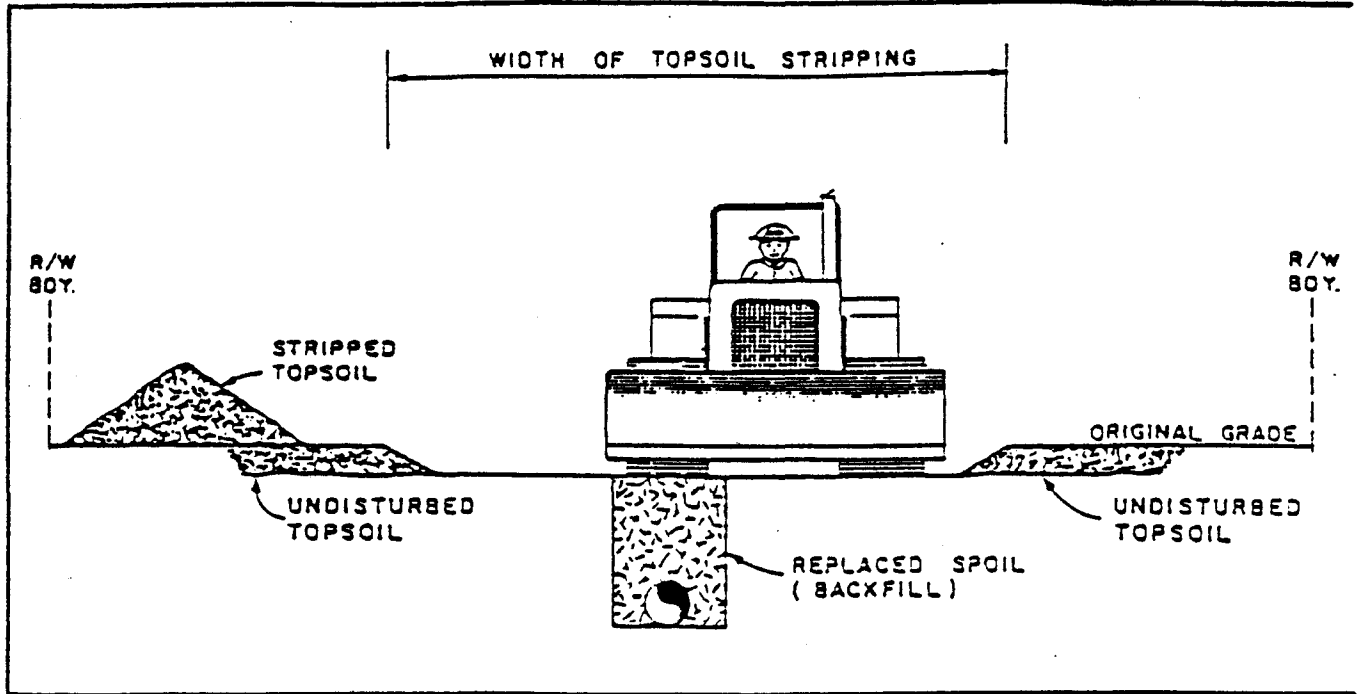
**Larry Strachan, P. Eng.
Director
Environment Act**

Client File No.: 4170.00



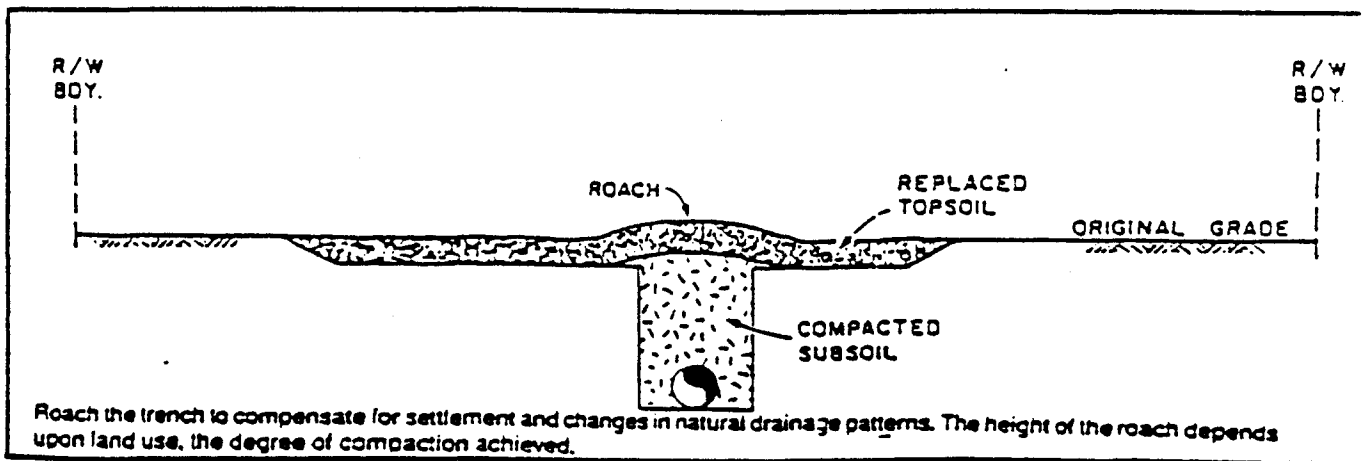
SEQUENCE OF TOPSOIL HANDLING

Figure 1



COMPACTION OF BACKFILL

Figure 2



ROACHING THE TRENCH

Figure 3