



## Sustainable Development

Environmental Stewardship Division  
Environmental Approvals Branch  
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**CLIENT FILE NO.: 5934.00**

March 8, 2018

Ms. Jackie Jenkinson  
Chief Administrative Officer  
Municipality of Norfolk Treherne  
Box 30  
Treherne MB R0G 2V0

Dear Ms. Jenkinson:

Enclosed is **Environment Act Licence No. 3252** dated March 8, 2018, issued to **Municipality of Norfolk Treherne** for the realignment of Road 54W in SE 24-9-10W, 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,

Tracey Braun, M.Sc.  
Director  
Environmental Approvals Branch

c: Don Labossiere/Yvonne Hawryliuk/Tyler Kneeshaw, Environmental Compliance and Enforcement  
Dan Leitch, KGS Group  
Public Registries

**NOTE:** Confirmation of Receipt of this Licence No. 3252 (*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 March 21, 2018.

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On behalf of Municipality of Norfolk Treherne

Date

**\*\*A COPY OF THE LICENCE MUST BE KEPT ON SITE AT THE DEVELOPMENT AT ALL TIMES\*\***



# LICENCE

Licence No. / Licence n° 3252

Issue Date / Date de délivrance March 8, 2018

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 :

**MUNICIPALITY OF NORFOLK TREHERNE;**  
**"the Licencee"**

for the construction and operation of the Development being a realignment of Road 54 W in SE 24-9-10W in the Municipality of Norfolk Treherne, in accordance with the Proposal filed under The Environment Act dated October 27, 2017, and subject to the following specifications, limits, terms and conditions:

## **DEFINITIONS**

In this Licence:

“**Director**” means an employee so designated pursuant to The Environment Act;

“**Environment Officer**” means an employee so designated pursuant to The Environment Act;

“**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

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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. 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 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, ambient quality, aquatic toxicity, leachate characteristics and discharge or emission rates, and for such duration and at such frequencies as may be specified;
  - b) determine the environmental impact associated with the release of any pollutant 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 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 labeled with the Licence Number and Client File Number associated with this Licence.

### **SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS**

#### **Notification**

3. The Licencee shall, not less than two weeks prior to beginning construction of the Development, provide notification to the Environment Officer responsible for the administration of this Licence of the intended start date of construction and the name of the contractor responsible for the construction.

#### **Heritage Resources**

4. The Licencee shall, prior to beginning construction of the Development, engage a qualified archaeological consultant to conduct a Heritage Resources Impact Assessment at the site of the Development. The assessment shall be conducted in accordance with the requirements of The Heritage Resources Act.
5. The Licencee shall comply with the requirements of The Heritage Resources Act, and suspend construction and immediately notify the Historic Resources Branch if heritage resources are encountered during the construction of the Development.

**Construction – General**

6. 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.
7. The Licencee shall locate fuel storage and equipment servicing areas established for the construction of the Development a minimum distance of 100 metres from any waterbody, and shall comply with the requirements of Manitoba Regulation 188/2001 respecting Storage and Handling of Petroleum Products and Allied Products, or any future amendment thereof.
8. 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 (fuel, oil, grease, hydraulic fluids, coolant, paint, uncured concrete and concrete wash water, etc.) from entering watercourses, and have an emergency spill kit for in-water use available on site during construction adjacent to watercourses.
9. 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.
10. The Licencee shall, following the reporting of an event pursuant to Clause 9,
  - 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/or the Environment Officer; and
  - d) submit a report to the Director about the causes of breakdown and measures taken, within one week of the repairs being done.
11. The Licencee shall, during construction and maintenance of the Development, prevent the introduction and spread of foreign aquatic and terrestrial biota by cleaning equipment prior to its delivery to the site of the Development and complying with the requirements of Manitoba Regulation 173/2015 respecting Aquatic Invasive Species, or any future amendment thereof.

12. The Licencee shall, during construction of the Development, dispose of all wastewater from on-site sanitary facilities in accordance with Manitoba Regulation 83/2001 respecting Onsite Wastewater Management Systems, or any future amendment thereof.

#### **Clearing**

13. The Licencee shall not, during construction and maintenance of the Development, clear, compact, grade or fill any areas of natural vegetation which are not required for the right-of-way of the Development. All construction and maintenance related traffic shall be restricted to the right-of-way of the Development.
14. The Licencee shall conduct clearing activities associated with the Development before April 1, 2018.

#### **Earthwork**

15. The Licencee shall:
  - a) not construct the Development during periods of heavy rain;
  - b) place and/or isolate all excavated and construction material where it will not erode into any watercourse;
  - c) implement effective long-term sediment and erosion control measures to prevent soil-laden runoff, and/or silt from entering any watercourse during construction and until vegetation is established;
  - d) routinely inspect all erosion and sediment control structures and immediately complete any necessary maintenance or repair;
  - e) revegetate soil exposed during the construction of the Development with native or introduced grasses or legumes. Native species shall be used to revegetate areas where native species existed prior to construction; and
  - f) use rock that is free of silt and clay for riprap.

#### **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.

A handwritten signature in blue ink, reading "Tracey Braun", is written over a horizontal line.

**Tracey Braun, M.Sc.**  
**Director**  
**Environment Act**

**Client File No.: 5934.00**

