



Conservation and Climate

Environmental Approvals Branch
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File No.: 6101.00

August 31, 2021

Erin Waterman
Manitoba Infrastructure
1420-215 Garry St.
Winnipeg, MB R3C 3P3
204-391-5914
Erin.Waterman@gov.mb.ca

Re: Environment Act Licence No. 3361

Dear Erin Waterman:

Enclosed is Environment Act Licence No. 3361, issued to Manitoba Infrastructure for the construction and operation of an interchange and re-alignment of St. Mary's Road at the intersection of PTH 100 (South Perimeter Highway) and PR 200 (St. Mary's Road) in the City of Winnipeg, in accordance with the Proposal filed under The Environment Act on March 29, 2021 and additional information dated May 5, 2021.

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.

If you have any questions on this matter, please contact Nada Suresh, Acting Regional Supervisor, Environmental Compliance and Enforcement Branch, at 204- 945-8214 or Nada.Suresh@gov.mb.ca.

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 Conservation and Climate within 30 days of the date of the licence.

Sincerely,

Original signed by,
Kristal Harman

for Laura Pyles, A/Director
The Environment Act

- c. Kristal Harman, Yvonne Hawryliuk, Tyler Kneeshaw - Environmental Compliance and Enforcement
Elise Dagdick, Asit Dey - Environmental Approvals
Public Registry

LICENCE

File No.: 6101.00

Licence No. / Licence n°: 3361
Issue Date / Date de délivrance : August 31, 2021

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 Sections 11(1) / Conformément au Paragraphe 11(1))

THIS LICENCE IS ISSUED TO: / CETTE LICENCE EST DONNÉE À:

MANITOBA INFRASTRUCTURE; "the Licensee"

for the construction and operation of the Development being an interchange and re-alignment of St. Mary's Road at the intersection of PTH 100 (South Perimeter Highway) and PR 200 (St. Mary's Road) in the City of Winnipeg, in accordance with the Proposal filed under The Environment Act on March 29, 2021 and additional information dated May 5, 2021 and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

"**accredited laboratory**" means an analytical facility accredited by the Standards Council of Canada (SCC), or accredited by another accrediting agency recognized by Manitoba Conservation and Climate to be equivalent to the SCC, or be able to demonstrate, upon request, that it has the quality assurance/quality control (QA/QC) procedures in place equivalent to accreditation based on the international standard ISO/IEC 17025, or otherwise approved by the Director;

"**affected area**" means a geographical area, excluding the property of the Development;

"**approved**" means approved by the Director or assigned Environment Officer in writing;

"**contractor**" means any party entered into a contract with the Licensee;

"**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 who do not live in the same household; and

"solid waste" means solid waste as defined in the Waste Management Facilities Regulation, or any future amendments thereto, respecting waste disposal grounds, excluding waste rock;

"waste disposal ground" means an area of land designated by a person, municipality, provincial government agency, or crown corporation for the disposal of waste and approved for use in accordance with the Waste Management Facilities Regulation, or any future amendments thereto, or a Licence pursuant to The Environment Act.

GENERAL TERMS AND CONDITIONS

This section of the Licence contains requirements intended to provide guidance to the Licensee 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.

Retain Copy of Licence

1. The Licensee shall at all times maintain a copy of this licence at the Development or at the premises from which the Development's operations are managed.

Future Sampling

2. In addition to any of the limits, terms and conditions specified in this Licence, the Licensee 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.
3. The Licensee 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) carry out all sampling of, and preservation and analyses on, soil, compost, and air samples in accordance with methodologies approved by the Director;
 - c) have all analytical determinations undertaken by an accredited laboratory; and
 - d) 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

4. The Licensee 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 File Number associated with this Licence.

Noise Nuisance

5. The Licensee shall not cause or permit a noise nuisance to be created as a result of the construction, or operation of the Development, and shall take such steps as the Director may require to eliminate or mitigate a noise nuisance.

Equipment Breakdown

6. The Licensee 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.
7. The Licensee shall, following the reporting of an event pursuant to clause 6,
 - 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.

Compliance

8. The Licensee shall adhere to the commitments made in the Proposal and supporting information filed in association with the Proposal during construction and operation of the Development, except as otherwise required by this Licence.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Environmental Management

9. The Licensee shall construct the Development in accordance with Manitoba Infrastructure's General Environmental Requirements and the project-specific mitigation measures described in Table 9-1 of the Proposal, unless otherwise approved in writing by the Director.
10. The Licensee shall provide notification to the Environment Officer responsible for the administration of this Licence if any deviations from Manitoba Infrastructure's General Environmental Requirements are approved in accordance with clause 9 of this licence.

Notification

11. The Licensee 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.

Pre-Construction Meeting

12. The Licensee shall meet with the Environment Officer responsible for administration of the licence at least two weeks prior to construction to discuss the licence conditions and potential issues during construction and operation of the Development.

Emergency Response Plan

13. The Licensee shall, prior to construction of the Development, submit to the Director of the Environmental Compliance and Enforcement Branch an emergency response and contingency plan in accordance with the Canadian Centre for Occupational Health and Safety "Emergency Response Planning Guide" or other emergency planning guidelines acceptable to the Director. The plan shall include contingency measures for construction near sewer lines and accidental spills.

Respecting Chemical Storage and Spill Containment

14. The Licensee 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, or any future amendment thereof.

Respecting Solid Wastes

15. The Licencee shall dispose of all solid waste generated at the Development, which is not recycled, only to a waste disposal ground operating under the authority of a permit issued pursuant to the Waste Management Facilities Regulation or any future amendment thereof, or a Licence issued pursuant to The Environment Act.

Respecting Heritage Resources

16. The Licensee 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.

Noise Study

17. The Licensee shall, within 60 days of completion of the post-construction noise study described in the Environment Act Proposal, submit a report to the Director on the results of the study. The report shall list the applicable noise by-laws and guidelines, and mitigation measures to be undertaken to address any exceedances of the by-laws and guidelines.

Respecting Alterations

18. The Licensee shall, prior to proceeding with any alterations to the Development as licensed, notify the Director and receive approval.

REVIEW AND REVOCATION

- A. If, in the opinion of the Director, the Licensee 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 Licensee 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.

Original signed by,
Kristal Harman

for Laura Pyles, A/Director
The Environment Act