



Conservation and Climate

Environmental Approvals Branch
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File No.: 6124.00

December 24, 2021

James Matthewson
Manitoba Hydro
Licensing and Environmental Assessment
Transmission Planning and Design
360 Portage Ave (5)
Winnipeg, MB R3C 0G8
jmatthewson@hydro.mb.ca

Dear James Matthewson:

Re: Environment Act Licence No. 3369

Enclosed is revised Environment Act Licence No. 3369, issued to Manitoba Hydro. The licence is for a new 230-66 kV transmission station and 200 m of 230 kV transmission line in NE-26-11-8 WPM in the Rural Municipality of Portage la Prairie, in accordance with the Environment Act Proposal dated August 31, 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.

Should you have any questions regarding this approval, please contact Tyler Kneeshaw, Regional Supervisor, Environmental Compliance and Enforcement Branch, at Tyler.Kneeshaw@gov.mb.ca or 204-239-3608.

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, pursuant to section 27 of The Environment Act.

Sincerely,

Original Signed by
Siobhan Burland Ross

for Laura Pyles
Acting Director

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

LICENCE

File No.: 6124.00

Licence No. / Licence n°: 3369
Issue Date / Date de délivrance: December 24, 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 HYDRO; "the Licensee"

For the construction, operation, and decommissioning of the Development being a new 230-66 kV transmission station and 200 m of 230 kV transmission line in NE-26-11-8 WPM in the Rural Municipality of Portage la Prairie, in accordance with the Environment Act Proposal dated August 31, 2021 (Proposal), and subject to the following specifications, limits, terms, and conditions:

DEFINITIONS

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

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

"Development" means any project, industry, operation or activity, or any alteration or expansion of any project, industry, operation or activity which causes or is likely to cause

- a) the release of any pollutant into the environment, or
- b) an effect on any unique, rare, or endangered feature of the environment, or
- c) the creation of by-products, residual or waste products not regulated by The Dangerous Goods Handling and Transportation Act, or
- d) a substantial utilization or alteration of any natural resource in such a way as to pre-empt or interfere with the use or potential use of that resource for any other purpose, or
- e) a substantial utilization or alteration of any natural resource in such a way as to have an adverse impact on another resource, or
- f) the utilization of a technology that is concerned with resource utilization and that may induce environmental damage, or
- g) a significant effect on the environment or will likely lead to a further development which is likely to have a significant effect on the environment, or
- h) a significant effect on the social, economic, environmental health and cultural conditions that influence the lives of people or a community in so far as they are caused by environmental effects.

"Director" means an employee so designated pursuant to The Environment Act;

"Environment Officer" means an employee so designated pursuant to The Environment Act;

"Environmental Approvals Branch" means the Environmental Approvals Branch of Manitoba Conservation and Climate, or any future branch responsible for issuing licences under 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;

"pesticide" means any chemical or biological agent registered under the Pest Control Products Act of Canada and used or represented as a means for preventing, destroying, mitigating or controlling any pest;

"rehabilitation" means physical treatment of a disturbed site to reclaim its productive potential. This may include, but is not limited to: levelling the surface, establishing appropriate slopes to prevent erosion, loosening compacted surface soils to enable vegetation to root successfully, and revegetation to promote the development of the former species composition; 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, slough, marsh, swamp, and wetland, including ice on any of them (Source: The Water Protection 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.

Reporting Format

3. 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 Client File Number associated with this Licence.

Notification

4. 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.
5. The Licensee shall, prior to construction, provide a copy of this Licence to the contractor and subcontractor(s) involved in the Development.

Compliance

6. The Licensee shall adhere to the commitments made in the Proposal and any future alterations approved in accordance with section 14(2) of The Environment Act, during construction, operation, and decommissioning of the Development.
7. The Licensee shall, prior to construction of the Development, arrange a meeting with the Manitoba Hydro construction project manager(s) and the assigned Environment Officer to review the Environmental Protection Plan.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Petroleum Storage and Handling

8. 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, unless otherwise approved by an Environment Officer, and shall comply with the requirements of Manitoba Storage and Handling of Petroleum Products and Allied Products Regulation or any future amendment thereof.
9. The Licensee shall, during construction and operation of the Development, operate, maintain, and store all materials and equipment in a manner that prevents any deleterious substances (fuel, oil, grease, hydraulic fluid, coolant, paint, uncured concrete and concrete wash water, etc.) 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.

Hazardous Waste

10. The Licensee comply with the requirements of Manitoba Hazardous Waste Regulation, or any future amendment thereof.

Noise Nuisance

11. The Licensee 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.

Spill Response

12. 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.
13. The Licensee shall, following the reporting of an event pursuant to Clause 12:
 - 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.

Pesticide Application

14. The Licensee shall adhere to the Pesticides Regulation, or any future amendment thereof, for the storage, handling and application of pesticides in conjunction with the Development.

Solid Waste Disposal

15. The Licensee 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 Manitoba Waste Management Facilities Regulation or any future amendment thereof, or a Licence issued pursuant to The Environment Act.

Decommissioning

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

Respecting Alterations to the Development

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

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
Siobhan Burland Ross

for Laura Pyles
Acting Director