

# Environment Act Licence

Manitoba  
Environment



Licence No. 1967  
Issue Date November 28, 1994

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

THIS LICENCE IS ISSUED TO:

**THE PROVINCE OF MANITOBA REPRESENTED BY THE MINISTER  
OF HIGHWAYS AND TRANSPORTATION:  
"the Licencee"**

for the construction of the Development being the upgrading of Provincial Trunk Highway No. 3 beginning at PTH #3/PTH #5 intersection located in the Rural Municipality of Roblin and proceeding in an easterly direction for a distance of 29.1 km to the PTH #3/PTH #34 intersection located in the Rural Municipality of Louise subject to the following specifications, limits, terms and conditions:


**SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS**

1. The Licencee shall construct the Development in accordance with the Manitoba Department of Highways and Transportation Environment Act Proposal, *Proposed Upgrading of Provincial Trunk Highway No. 3 (PTH #5 to PTH #34) R.M.'s of Roblin and Louise*, filed as part of the Environment Act Proposal, dated August 17, 1994.
2. The Licencee shall, prior to construction, provide a copy of this Licence to all contractors and sub-contractors involved in the Development.
3. The Licencee shall, during construction, adhere to the Manitoba Department of Natural Resources guidelines titled *Recommended Fish Protection Procedures for Stream Crossings in Manitoba*.
4. The Licencee shall, during the fish spawning period from ice breakup to June 15th of each year during construction, cease construction activities that will impact upon Badger Creek.
5. The Licencee shall, prior to construction of the Badger Creek stream crossing and diversion channel, consult with the Manitoba Department of Natural Resources Western Region Fisheries Biologist and the Department of Fisheries and Oceans Impact Assessment Habitat Management Division and reach a Fish Habitat Compensation Agreement in accordance with the Department of Fisheries and Oceans *Policy for the Management of Fish Habitat*, and pursuant to Section 35 (2) of *The Fisheries Act*.
6. The Licencee shall construct, as part of the Development, the fish habitat compensation measures required by Clause 5 of this Licence and as specified under a Fish Habitat Compensation Agreement for the Development.

7. The Licencee shall, prior to construction, consult and reach an agreement with the Department of Natural Resources Regional Wildlife staff regarding:
  - a) the location of native prairie habitat within the project area;
  - b) waterfowl and upland nesting bird habitat, including burrowing owls, within the project area;
  - c) the location of areas to be avoided during the nesting period of waterfowl and upland nesting birds where suitable habitat exists;
  - d) replacement of loss of wetland habitat as a result of the construction of the Development;
  - e) the replacement of any artificial waterfowl nesting structures within the project area, and
  - f) the location of borrow and borrow storage areas required for the Development.
8. The Licencee shall, during construction and until vegetation is established, use erosion check devices on the streambanks and highway embankments adjacent to Badger Creek where the vegetation cover has been disturbed by construction activities.
9. The Licencee shall, during construction, adhere to Manitoba Environment's *Temporary Batch Plant Siting Procedures*.
10. The Licencee shall, during construction, ensure that fuel storage and fueling areas established for the construction of the Development are located a minimum distance of 100 meters away from the high water line of Badger and Gimby Creeks and shall comply with the requirements of *Manitoba Regulation 97/88R* respecting *Storage and Handling of Gasoline and Associated Products*.
11. The Licencee shall, during the full term of the construction of the Development, cleanup and deposit all debris from the construction site at a Waste Disposal Ground operating under the authority of a permit pursuant to the *Manitoba Waste Disposal Ground Regulation, MR 150/91*.
12. The Licencee shall, following construction, vegetate disturbed areas with native grasses.

#### **REVOCAION**

If in the opinion of the Director, the Licencee has exceeded or is exceeding the limits, or has not or is not complying with the specifications, limits, terms and conditions set out herein, the Director may revoke temporarily or permanently, this Licence.

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