



Conservation and Water Stewardship

Environmental Stewardship Division
Environmental Approvals Branch
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5
T 204 945-8321 F 204 945-5229
www.gov.mb.ca/conservation/eal

CLIENT FILE NO.: 5655.00

March 17, 2014

Kevin Drewniak, Chief Administrative Officer
Rural Municipality of Mossey River
Box 80
Fork River MB R0L 0V0

Dear Mr. Drewniak:

Enclosed is **Environment Act Licence No. 3097** dated March 17, 2014 issued to the **R.M. of Mossey River** for the construction and maintenance of the Development being a low-level road crossing on the Fork River in NW 27-29-20W, in accordance with the Environment Act Proposal dated May 21, 2013, and additional information dated September 26, 2013 and January 16, 2014.

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 Tim Prawdzik, Environment Officer at 204-622-2123.

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 Water Stewardship within 30 days of the date of the Licence.

Yours truly,

“original signed by”

Tracey Braun, M.Sc.
Director
Environment Act

c: Don Labossiere, Director, Environmental Compliance and Enforcement
Michael O’Dwyer, Stantec (**via email**)
Public Registries

NOTE: Confirmation of Receipt of this Licence No. 3097 (*by the Licensee only*) is required by the Director of Environmental Approvals. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by March31, 2014.

On behalf of the R.M. of Mossey River

Date

LICENCE

Licence No. / Licence n° 3097

Issue Date / Date de délivrance March 17, 2014

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:

RURAL MUNICIPALITY OF MOSSEY RIVER;
“the Licencee”

for the construction and maintenance of the Development being a low-level road crossing on the Fork River in NW 27-29-20W, in accordance with the Environment Act Proposal dated May 21, 2013, and additional information dated September 26, 2013 and January 16, 2014, and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

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

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

“**riprap**” means irregularly sized stones placed on a geotextile fabric to protect soil from erosive high velocity water flow or wave action.

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. 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 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, 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 from the Development; or
 - c) 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 and/or the Environment Officer under this Licence, in writing, in such form (including number of copies) and of such content as may be required by the Director and/or the Environment Officer, and each submission shall be clearly labeled with the Licence Number and Client File Number associated with this Licence.
3. The Licencee shall collect and dispose of all used oil products and other regulated hazardous wastes generated by the machinery used in the construction and maintenance of the Development in accordance with applicable Manitoba Conservation and Water Stewardship and legislation requirements.
4. The Licencee shall revegetate soil in areas of the Development exposed by construction with a mixture of native or introduced grasses or legumes. Native species shall be used to revegetate areas where native species existed prior to construction. Exposed areas shall be revegetated as quickly as possible following construction to prevent soil erosion and the establishment of noxious weeds.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

5. The Licencee shall notify the Environment Officer responsible for the administration of this Licence not less than two weeks prior to undertaking construction of the Development. The notification shall include the intended starting date of construction and the name of any contractor responsible for the construction.
6. The Licencee shall:
 - a) place and/or isolate all excavated and construction and demolition material where it will not erode into any watercourse;
 - b) 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;
 - c) routinely inspect all erosion and sediment control structures and immediately complete any necessary maintenance or repair; and

- d) use rock that is free of silt and clay for riprap.
7. The Licencee shall dispose of non-reusable construction and demolition debris including cured and uncured concrete from the Development at a waste disposal ground operating under the authority of a permit issued under *Manitoba Regulation 150/91*, or any future amendment thereof, respecting *Waste Disposal Grounds* or a licence issued pursuant to *The Environment Act*.
8. The Licencee 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 *Manitoba Regulation 188/2001*, or any future amendment thereof, respecting *Storage and Handling of Petroleum Products and Allied Products*.
9. The Licencee shall, during construction 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.
10. 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 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.
11. The Licencee shall, following the reporting of an event pursuant to Clause 10,
 - 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.
12. The Licencee shall not during construction and maintenance of the Development, remove, destroy or disturb species pursuant to *Manitoba Regulation 25/98*, or any future amendment thereof, respecting *Threatened, Endangered and Extirpated Species*, or species listed in the federal *Species at Risk Act*.
13. The Licencee shall not, during construction and maintenance of the Development, disturb migratory bird nests.
14. The Licencee shall not undertake construction or maintenance activities in connection with the Development between April 1 and June 30 of any year, or during periods of high precipitation.

15. The Licencee shall not, in connection with revegetation of the Development, apply nutrients within 35 metres of wetlands or waterbodies, in accordance with the requirements of *Manitoba Regulation 62/2008*, or any future amendment thereof, respecting *Nutrient Management*.
16. The Licencee shall, during construction and maintenance of the Development, adhere to the general recommendations on design, construction, and maintenance of stream crossings as specified in the Manitoba Department of Natural Resources guidelines titled *Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat, May 1996*.
17. 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.

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 the Licencee 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”

Tracey Braun, M.Sc.
Director
Environment Act

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