



**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.: 5690.00**

April 7, 2014

Tracey French, C.A.O.  
R.M. of Franklin  
Box 66  
Dominion City MB R0A 0H0

Dear Ms. French:

Enclosed is **Environment Act Licence No. 3100** dated April 7, 2014 issued to the **Rural Municipality of Franklin** for the construction and operation of a rural water supply system expansion with service connections in the Rural Municipalities of Franklin, Montcalm and De Salaberry, in accordance with the Proposal filed under *The Environment Act* dated December 3, 2013.

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 Diane Oertel, Environment Officer at 204-345-1846.

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  
Dee Genaille, The Manitoba Water Services Board – (via email)  
Public Registries

**NOTE:** Confirmation of Receipt of this Licence No. 3100 (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 April 21, 2014.

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On behalf of the Rural Municipality of Franklin

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Date

# LICENCE

Licence No. / Licence n° 3100

Issue Date / Date de délivrance April 7, 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 FRANKLIN;**  
**"the Licencee"**

the construction and operation of a rural water supply system expansion with service connections in the Rural Municipalities of Franklin, Montcalm and De Salaberry, in accordance with the Proposal filed under *The Environment Act* dated December 3, 2013 and subject to the following specifications, limits, terms and conditions:

### **DEFINITIONS**

**"Director"** means an employee of the department appointed as such by the Minister;

**"Environment Officer"** means an employee of the department appointed as such by the Minister;

**"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); and

**"wetlands"** means those areas where the water table is at or above the land surface for a long enough period each year to make the area capable of supporting aquatic vegetation, and which have soils with characteristics indicative of wet conditions.

## **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.

### **Future Sampling**

1. The Licencee shall, in addition to any of the specifications, limits, terms and conditions specified in this Licence, upon the request of the Director:
  - a) sample, monitor, analyse or investigate specific areas of concern regarding any segment, component or aspect of the Development for such duration and at such frequencies as may be specified;
  - b) determine the environmental impact associated from the Development; and
  - c) provide the Director, within such time as may be specified, with such reports, drawings, specifications, analytical data, descriptions of sampling and other information as may from time to time be requested.

### **Reporting Format**

2. The Licencee shall provide to the Director, upon request, all information required under this Licence, in writing and in such form and content (including number of copies), as may be specified by the Director, and each submission shall be clearly labeled with the Licence Number and Client File Number associated with this Licence.

### **Approvals and Permits**

3. The Licencee shall obtain all necessary provincial licences, authorizations, permits and/or approvals for construction of relevant components of the Development prior to commencement of any construction.
4. The Licencee shall construct and operate the water supply system in accordance with Manitoba Regulations under *The Public Health Act*, *The Drinking Water Safety Act*, *The Environment Act* and all operating requirements as recommended by Manitoba Conservation and Water Stewardship.

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

### **Construction – General**

5. The Licencee shall not permit the interconnection of a private water supply system with the Development.

6. The Licencee 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.
7. The Licencee shall, prior to construction, provide a copy of this Licence to the contractor and subcontractor(s) involved in the Development.
8. The Licence shall adhere to the commitments made in the Proposal, supporting information filed in association with the Proposal, and plans submitted and approved pursuant to this licence during construction and maintenance of the Development.
9. The Licencee shall minimize impacts on land adjacent to the pipeline route during construction of the Development.
10. The Licencee shall 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. Revegetation is not required for pipelines installed by chain trenching or ploughing on previously disturbed ground including road allowances.
11. The Licencee shall minimize impacts on land adjacent to the pipelines' routes during construction of buried pipelines associated with the Development. Previously disturbed publicly owned rights-of-way shall be followed where possible.
12. The Licencee shall not release chlorinated water from pipeline testing and startup activities associated with the Development to a surface water body until chlorine level concentrations are equal to or less than 0.02 milligrams per litre. Releases of chlorinated water at higher concentrations may be made to vegetated land or dry waterways, provided that chlorine level concentrations have decayed to 0.02 milligrams per litre or less before the released water reaches any body of surface water.

### **Pollutants**

13. 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.
14. The Licencee shall, following the reporting of an event pursuant to Clause 11,
  - 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.
15. The Licencee shall establish any fuel storage areas required for the construction and operation of the Development:
- a) a minimum distance of 100 metres from any waterbody; and
  - b) in compliance with the requirements of the *Storage and Handling of Petroleum Products and Allied Products Regulation 188/2001*, or any future amendment thereof.
16. 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 including fuel, oil, grease, hydraulic fluid, coolant, and other similar substances from entering any waterbody. An emergency spill kit shall be readily available on site during construction.
17. The Licencee shall collect and dispose of all used petroleum products and other hazardous wastes generated by the machinery used in the construction and operation of the Development in accordance with Manitoba Conservation and Water Stewardship and legislative requirements.
18. The Licencee shall, during construction and maintenance of the Development, take all appropriate measures to prevent erosion and the deposition of sediment into any waterbodies. Construction adjacent to waterbodies shall not occur during high rainfall events.
19. The Licencee shall undertake dust control measures during construction. Water required for dust control during construction shall be obtained from a source other than waste water treatment facilities.

### **Waste Disposal**

20. The Licencee shall dispose of non-reusable construction debris and solid waste from the construction and maintenance of the Development at a waste disposal ground operating under the authority of a permit issued under *Waste Disposal Grounds Regulation 150/91*, or any future amendment thereof, or a licence issued pursuant to *The Environment Act*.

### **Onsite Wastewater Disposal**

21. The Licencee shall, during construction of the Development, dispose of all sewage and septage from on-site sanitary facilities in accordance with the *Onsite Wastewater Management Systems Regulation 83/2003*, or any future amendment thereof.

### **Water Crossings**

22. The Licencee shall construct waterway crossings on flowing waterways by augering, tunneling or boring. Open cut crossings on flowing waterways shall not be made unless prior consultation with Manitoba Conservation and Water Stewardship and Department of Fisheries and Oceans staff has occurred and the prior written approval of the Director has been obtained. Dry or non-flowing (i.e. hydraulically unconnected to downstream flowing water) natural and artificial waterways may be crossed with open cut techniques where approval has been obtained where necessary from the authority responsible for the channel.
23. The Licencee shall complete augered, tunneled or bored waterway crossings in accordance with the Fisheries and Oceans Canada Manitoba Operational Statement on High-Pressure Directional Drilling, and notify the Environment Officer if a frac out occurs.
24. The Licencee shall, where conditions allow, excavate endpoints for directional drilling operations a minimum of 30 m from the high water mark of third and higher order waterways, and a minimum of 15 m from the high water mark of first and second order waterways.
25. The Licencee shall, where open cut stream crossing techniques are used on intermittent waterways and artificial drainage channels, not construct open cut crossings associated with the Development between March 15 and June 15 of any year.
26. The Licencee shall construct open cut stream crossings associated with the Development in accordance with the methodologies described in the October, 2005 publication "Pipeline Associated Watercourse Crossings Third Edition", published by the Canadian Pipeline Water Crossing Committee, and the May, 1996 publication "Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat", published by the Department of Fisheries and Oceans and Manitoba Natural Resources.
27. The Licencee shall, where open cut stream crossing techniques are used on intermittent waterways and artificial drainage channels, minimize disturbance to riparian areas and restore the bottom and banks of the waterways to their original elevations and shapes.
28. The Licencee shall not alter local drainage patterns by the construction of the Development, including inflows and outflows from small wetlands adjacent to the Development.
29. The Licencee shall separate and replace topsoil from backhoe and trenching operations associated with the Development in accordance with the methodology described in Figures 1, 2 and 3 attached to this Licence. This requirement is not applicable where the topsoil has been previously disturbed due to the construction of roads or drains.

**Wildlife**

30. The Licencee shall not, during construction, clear, compact, grade or fill any wetlands or native upland habitat, which are not required for the right-of-way of the Development.
31. The Licencee shall not remove, destroy or disturb species pursuant to *Manitoba Regulation 25/98*, or any future amendment thereof, respecting *Threatened, Endangered and Extirpated Species*, and in the federal Species at Risk Act.
32. The Licencee shall, during construction and operation 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.
33. The Licencee shall not construct the Development in areas likely to provide bird habitat before August 1 of any year. Construction in wetland areas and in riparian zones adjacent to rivers shall not occur before August 15 of any year.

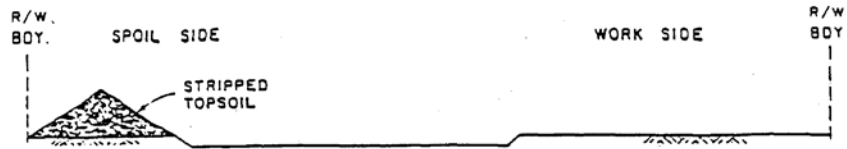
**REVIEW AND REVOCATION**

- 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, this 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*.

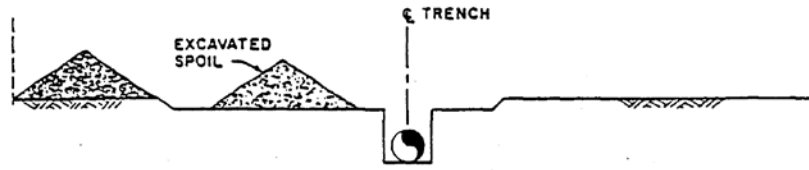
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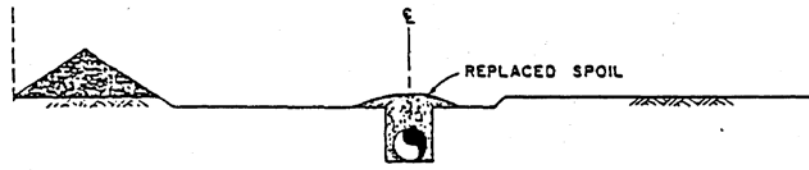
**Tracey Braun, M.Sc.**  
**Director**  
**Environment Act**



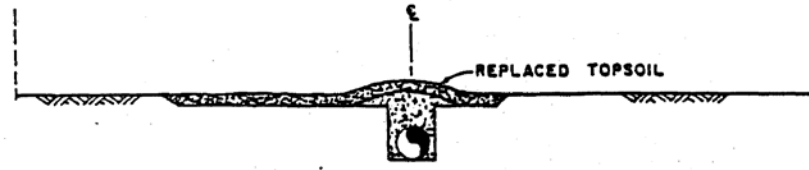
1. TOPSOIL STRIPPED



2. TRENCH EXCAVATED



3. TRENCH BACKFILLED

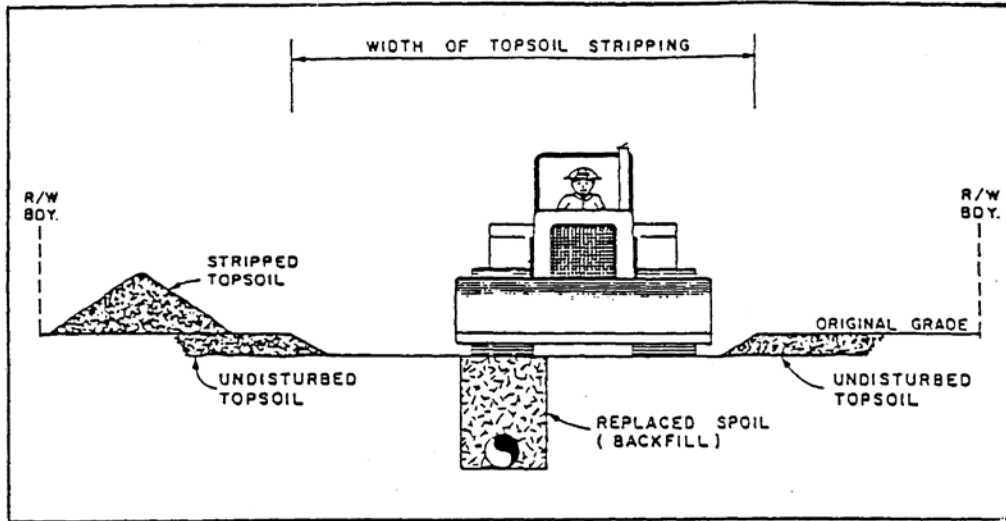


4. TOPSOIL REPLACED

SEQUENCE OF TOPSOIL HANDLING

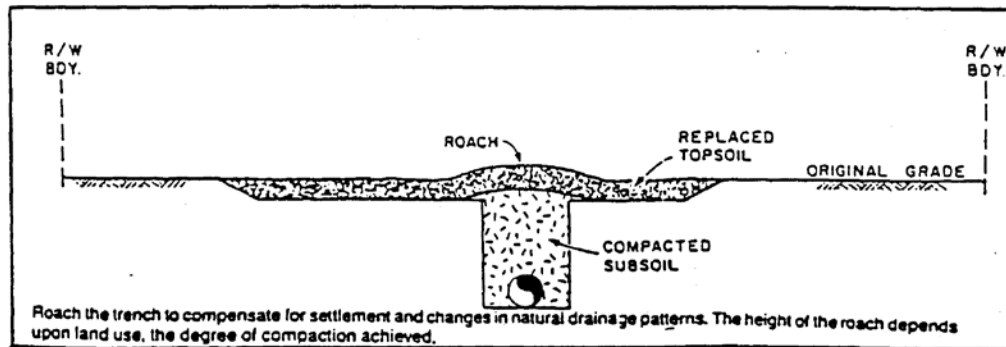
Figure 1





COMPACTION OF BACKFILL

Figure 2



ROACHING THE TRENCH

Figure 3