



Environment and Climate Change
Environmental Approvals Branch
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EABDirector@gov.mb.ca

File No.: 6172.00

February 24, 2025

Jacob Maendel
Treesbank Colony – Irrigation Project
Box 328
Wawanese MB R0K 2G0
jsmaendel@gmail.com

Dear Jacob Maendel:

Re: Treesbank Colony – Irrigation Project - Environment Act Licence No. 3429

Please find enclosed the Environment Act Licence in response to your proposal dated April 6, 2023. You wish to construct and operate an agricultural irrigation project in the rural municipalities of Glenboro-South Cypress and Oakland-Wawanese.

All licence requirements and federal, provincial, and municipal regulations and by-laws must be followed. The licensee must get approval from the director per The Environment Act to alter the development.

Anyone affected by this decision may appeal, in writing, to the Minister of Environment and Climate Change at minecc@manitoba.ca by March 26, 2025. The licence is available on the public registry at <https://www.gov.mb.ca/sd/eal/registries/index.html>.

If you have any questions regarding this approval, please contact Kayla Hagenson, Acting Regional Supervisor, Environmental Compliance and Enforcement Branch at EnvCEWestern@gov.mb.ca or 204-648-4794.

Sincerely,

Original Signed By
Agnes Wittmann
Director
The Environment Act

Enclosure

c. Kayla Hagenson

THE ENVIRONMENT ACT
LOI SUR L'ENVIRONNEMENT



LICENCE

File No.: 6172.00

Licence No. / Licence n°: 3429
Issue Date / Date de délivrance : February 24, 2025

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:

Treesbank Colony Farms Ltd.; "the Licensee"

for the construction and operation of the development being an irrigation project in the rural municipalities of Glenboro-South Cypress and Oakland-Wawanesa as identified in Schedule A of this licence, diverting water for irrigation from the Assiniboine River, following the Environment Act Proposal dated April 6, 2023, additional information dated June 20, 2023, January 23, 2024, September 5, 2024, and November 1, 2024, and subject to the following specifications, limits, terms, and conditions:

DEFINITIONS

In this Licence,

"act" means The Environment Act, and any future amendments;

"approved" means approved by the director or assigned environment officer in writing;

"director" means an employee so designated under the act;

"environment officer" means an employee so designated under the act;

"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 under the Waste Management Facilities Regulation, or any future amendments, or a licence under The Environment Act;

"water body" 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, as defined in The Water Protection Act;

GENERAL TERMS AND CONDITIONS

Retain Copy of Licence

1. The licensee must at all times maintain a copy of this licence at the development or at the premises from which the development's operations are managed.

Alterations to the Development

2. The licensee must obtain approval from the director for any proposed alteration to the development before proceeding with the alteration.

Future Sampling

3. In addition to any of the limits, terms and conditions specified in this licence, the licensee must, 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.
4. The licensee must, 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

5. The licensee must submit all information required to be provided to the director or environment officer under this licence, in written and in 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 must be clearly labelled with the licence number and file number associated with this licence.

Equipment Breakdown

6. The licensee must, 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 must indicate the nature of the event, the time and estimated duration of the event, and the reason for the event.
7. The licensee must, following the reporting of an event under 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 following any written instructions of the director and/or the environment officer; and
 - d) submit a report to the director about the causes of breakdown and measures taken, within one week of the repairs being done.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Project Scope

8. The licensee must, unless otherwise approved by the director in writing, construct the water diversion and management works and irrigate the lands described below:
 - a) A river pumping system with an annual allocated capacity of 1850.2 cubic decametres (1500 acre-feet) and up to 504 litre per second as shown in Schedule A of this licence; and
 - b) annual irrigation of up to 1418 hectares (3504 acres) as shown in Schedule A.

Construction - General

9. The licensee must notify the assigned environment officer not less than two weeks prior to beginning construction of the development. The notification must include the intended starting date of construction and the name of the contractor responsible for the construction.
10. The licensee must restrict construction and operational activities to only such lands to which the licensee possesses legal control, by ownership or by rental, lease, or other agreement.
11. The licensee must, prior to constructing components of the development on or adjacent to highway and road rights-of-way, obtain all necessary approvals from Manitoba Transportation and Infrastructure.
12. The licensee must, during construction and maintenance 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 any waterbodies, and have an emergency spill kit for in-water use available on-site during construction.

13. The licensee must dispose of non-reusable construction debris from the development at a waste disposal ground.
14. The licensee must revegetate areas disturbed by the construction of the development with a mixture of native or introduced grasses or legumes. These areas must be revegetated as quickly as possible following construction to prevent soil erosion and the establishment of noxious weeds. Native species must be used to revegetate areas where native species existed prior to construction.
15. The licensee must, during construction of the development, take all appropriate measures to prevent erosion and the deposition of sediment into any water body.
16. The licensee must locate fuel storage and equipment servicing areas established for the construction and operation of the development a minimum distance of 100 metres from any water body, and must comply with the requirements of the Storage and Handling of Petroleum Products and Allied Products Regulation or any future amendments.
17. The licensee must collect and dispose of all used oil products and other regulated hazardous wastes generated by the machinery used in the construction and operation of the development following applicable legislation and Manitoba Environment and Climate Change requirements.
18. The licensee must, during construction and maintenance of the development, prevent the introduction and spread of foreign aquatic and terrestrial biota by cleaning equipment before its delivery to the site of the development following the requirements of the Aquatic Invasive Species Regulation or any future amendments.
19. The licensee must not remove, destroy or disturb species listed as rare, endangered, or of special concern, or their habitats. These species are listed in the Threatened, Endangered and Extirpated Species Regulation or any future amendments, and in the federal Species at Risk Act.
20. The licensee must not harm, remove, destroy or disturb migratory birds, their nests or their eggs pursuant to the requirements of the federal Migratory Birds Convention Act. Construction must not occur between March 15 and May 15 if there are sharp-tailed grouse lekking in the vicinity of the development, and between April 15 and August 31 if any migratory birds have nested in the vicinity of the development.
21. The licensee must 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.
22. The licensee must install buried pipelines on cultivated land or land in its natural state following the methodology illustrated in Schedules B, C, and D of this licence. These procedures do not apply when a plough, continuous trencher, or directional drill is used to install a pipeline.

23. The licensee must, during construction and maintenance of the development, adhere to the general recommendations on design, construction, and maintenance of stream crossings as specified in Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat, May 1996, and the current versions of applicable federal Department of Fisheries and Oceans Operational Statements.
24. The licensee must not undertake instream construction activities in connection with the development:
 - a) between April 1 and June 30 of any year; and
 - b) during periods of high streamflow.

Operation – Water Management and Water Quality Protection

25. The licensee must divert water at the diversion point on the Assiniboine River in SE-35-8-7 WPM as specified in a Water Rights licence issued under The Water Rights Act.
26. The licensee must:
 - a) install a flow measuring device used to divert water into the development; and
 - b) record rates of water pumped, duration of pumping, daily volumes, and accumulated volumes of water pumped for the season on a daily basis while irrigating.
27. The licensee must install effective backflow prevention devices if fertilizer or crop protection products are applied through the irrigation system of the development.
28. The licensee must, if fertilizer or crop protection products are applied through the irrigation system of the development, not allow irrigation water containing these materials to be applied to or drain to surface water bodies.
29. The licensee must comply with the requirements of the Nutrient Management Regulation or any future amendments.
30. The licensee must not apply nutrients within eight metres of nutrient buffer zones, including roadside ditches and drains.

Operation – Land Management and Soil Quality Protection

31. The licensee must implement agronomic practices described in the document “Draft Best Management Practices Manual 1999” by the Central Manitoba Irrigators Association and Central Manitoba Resource Management Ltd., regarding general agronomic practices, or future versions.
32. The licensee must manage phosphorus as well as nitrogen in all nutrient management plans developed according to clause 31 of this licence.
33. The licensee must not allow the irrigation system to spray onto the road surfaces of Provincial Road 340, 453, and 530.

Monitoring and Reporting

34. The licensee must, unless otherwise approved by the director or environment officer, provide an annual report on monitoring for the development, including the information required in clause 26 b) of this licence.
35. The annual report must be provided, by March 1 of the following year, to the environment officer responsible for the administration of this licence. The report must be provided in a format approved by the environment officer.
36. The licensee must maintain records of soil test results and nutrient application information for the development for a period of not less than five years, and provide this information to the environment officer on request.

Respecting Closure

37. The licensee must, 90 days prior to imminent closure of the development, submit for the approval of the director, a formal detailed closure plan for the development.
38. The licensee must implement and maintain the approved closure plan as identified in clause 37 of this licence.

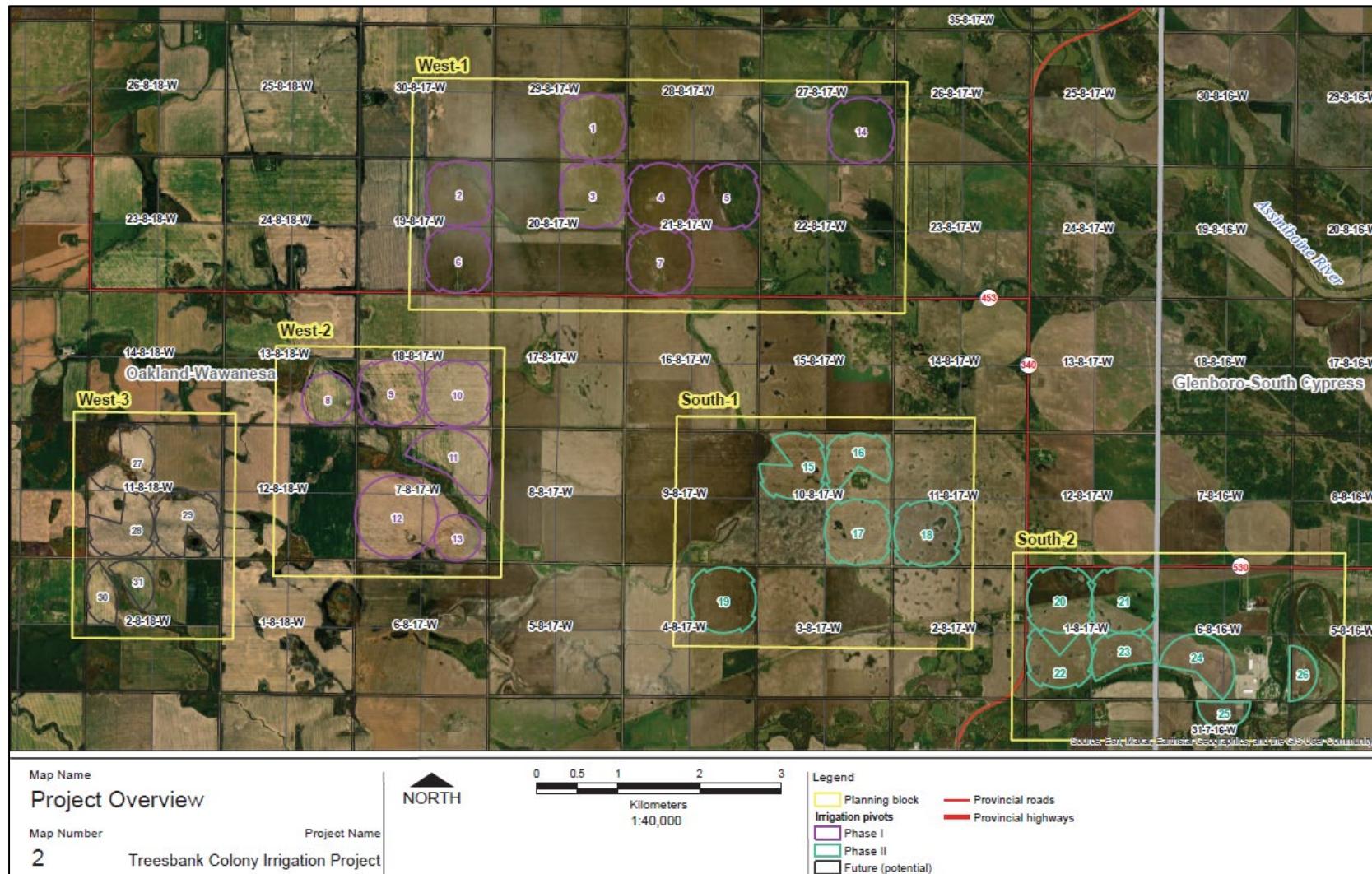
REVIEW AND REVOCATION

39. If, in the opinion of the director:
 - i. 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; or
 - ii. for purposes of effective environmental management, a change in the specifications, limits, terms, or conditions of this licence is necessary, the director may amend the licence accordingly and thereafter the licensee must comply with the licence as amended.
40. If the licensee has not commenced construction of the development within three years of the date of this licence, the licence is revoked.
41. 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 under Section 11 of The Environment Act or request the filing of a Notice of Alteration under Section 14 of The Environment Act.

Original Signed By
Agnes Wittmann
Director
The Environment Act

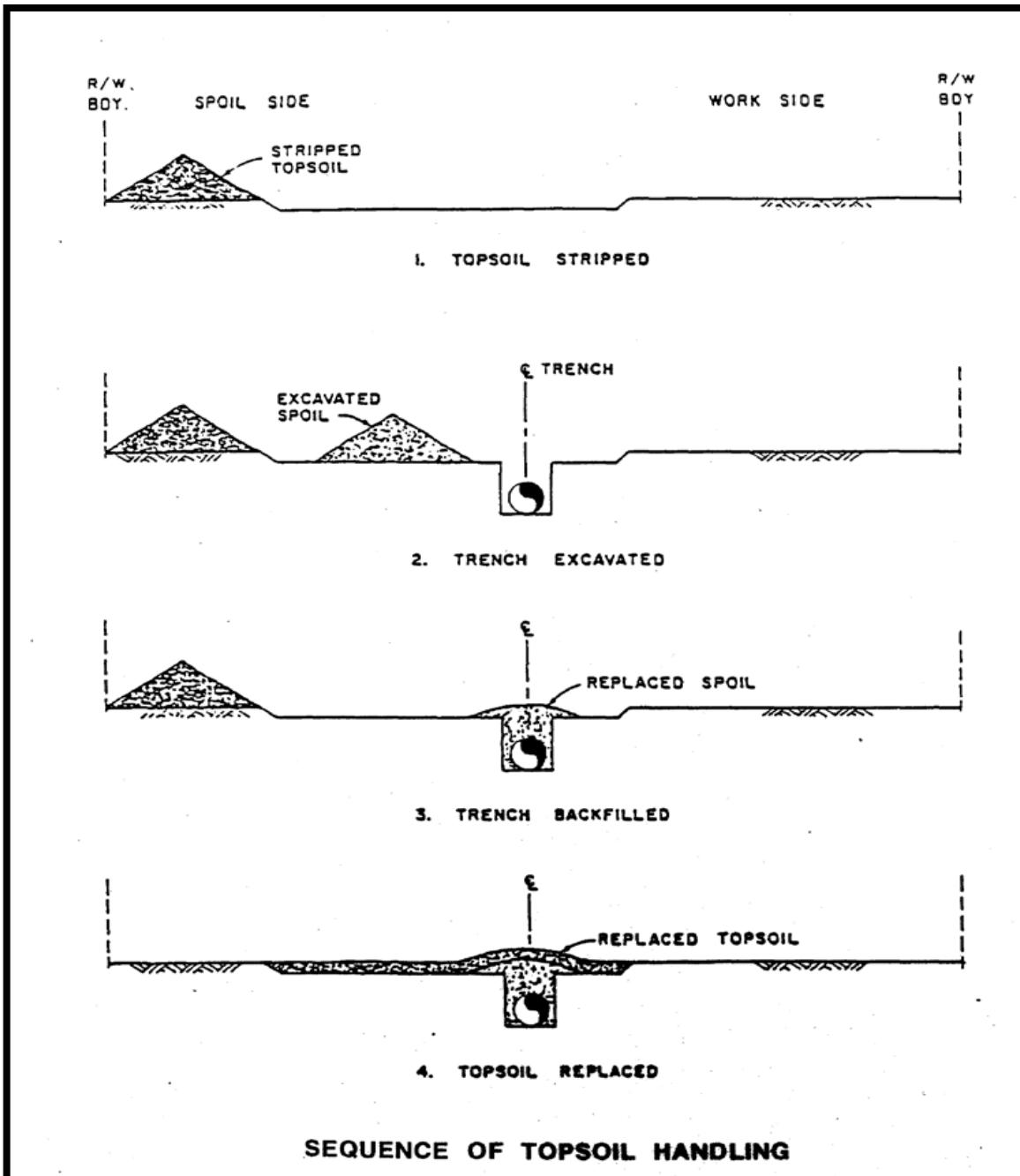
Schedule A to Environment Act Licence No. 3429

Treesbank Colony Farms Ltd. irrigation system layout following clause 8 of the licence.



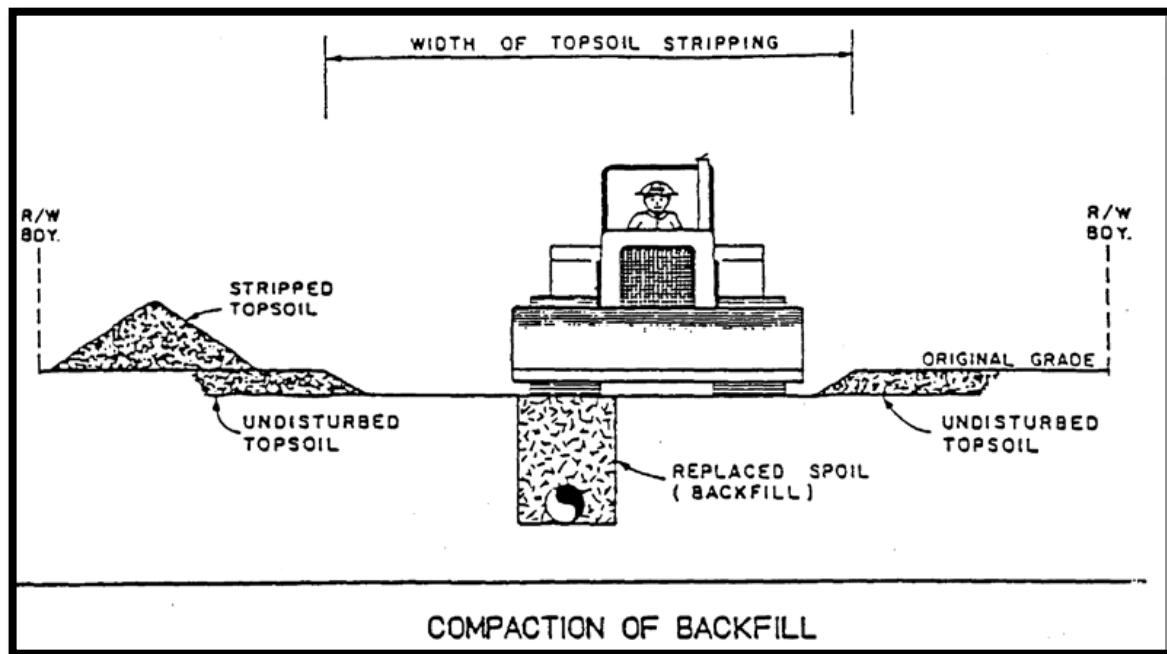
Schedule B to Environment Act Licence No. 3429

Topsoil handling following clause 22 of the licence.



Schedule C to Environment Act Licence No. 3429

Topsoil compaction following clause 22 of the licence.



Schedule D to Environment Act Licence No. 3429

Trench roaching following clause 22 of the licence.

