



Conservation and Water Stewardship

Climate Change and Environmental Protection 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.: 5577.00

July 5, 2012

Ed Waldner
Daly Irrigation Development Group
1908 Currie Blvd.
Brandon MB R7B 4E7

Dear Mr. Waldner:

Enclosed is **Environment Act Licence No. 3010** dated July 5, 2012 issued to the **Daly Irrigation Development Group** for the construction and operation of the Development being an irrigation system in the Rural Municipality of Daly (Daly Irrigation Development Project), with four water intakes at one location on the Little Saskatchewan River in NW 10-12-21W, in accordance with the Proposal filed under *The Environment Act* dated March 15, 2012

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 Peter Crocker, Environment Officer at 204-726-6565.

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 within 30 days of the date of the Licence.

Yours truly,

Tracey Braun, M.Sc.
Director
Environment Act

c: Don Labossiere, Director, Environmental Compliance and Enforcement
Peter Crocker, Environment Officer
Public Registries
Ruth Pryzner (via email)

NOTE: Confirmation of Receipt of this Licence No. 3010 (*by the Licensee only*) is required by the Director of Environmental Assessment and Licensing. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by July 19, 2012.

On behalf of Daly Irrigation Development Group

Date

****A COPY OF THE LICENCE MUST BE KEPT ON SITE AT THE DEVELOPMENT AT ALL TIMES****

LICENCE

Licence No. / Licence n° 3010

Issue Date / Date de délivrance July 5, 2012

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:

**DALY IRRIGATION DEVELOPMENT GROUP (SUNDANCE FARMS, ED
WALDNER, DON LOEWEN, RAY REDFERN AND KEYWEST FARMS);
"the Licencee"**

for the construction and operation of the Development being an irrigation system in the Rural Municipality of Daly (Daly Irrigation Development Project), with four water intakes at one location on the Little Saskatchewan River in NW 10-12-21W, in accordance with the Proposal filed under *The Environment Act* dated March 15, 2012, and subject to the following specifications, limits, terms and 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.

1. 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 operation of the Development in accordance with applicable Manitoba Conservation and Water Stewardship and legislation requirements.
2. The Licencee shall submit all information required to be provided to the Director under this Licence, in writing, in such form (including number of copies) and of such content as may be required by the Director, and each submission shall be clearly labeled with the Licence Number and Client File Number associated with this Licence.

****A COPY OF THE LICENCE MUST BE KEPT ON SITE AT THE DEVELOPMENT AT ALL TIMES****

3. The Licencee shall revegetate areas disturbed by the construction of the Development with a mixture of native or introduced grasses or legumes. These areas shall be revegetated as quickly as possible following construction to prevent soil erosion and the establishment of noxious weeds. Native species shall be used to revegetate areas where native species existed prior to construction.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Project Scope

4. The Licencee shall, unless otherwise approved by the Director in writing, construct the water diversion and management works and irrigate the lands as described on Figure 1, attached to this Licence. Proposed amendments to this project must be submitted to the Director for approval with an accompanying discussion of the nature and purpose of the amendments.

Construction

5. The Licencee shall, not less than two weeks prior to beginning construction of the Development, provide notification to the Environment Officer responsible for the administration of this Licence of the intended starting date of construction and the name of the contractor responsible for the construction.
6. 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 unless double containment is provided; and
 - b) in compliance with the requirements of *Manitoba Regulation 188/2001* respecting *Storage and Handling of Petroleum Products and Allied Products* or any future amendment thereof.
7. The Licencee shall, in the event of a release, spill, leak, or discharge of a pollutant or contaminant in an amount or concentration, or at a level or rate of release, that exceeds the limit that is expressly provided under this Act, another Act of the Legislature, or an Act of Parliament, or in a regulation, licence, permit, order, instruction, directive or other approval or authorization issued or made under one of those Acts, immediately report the release, spill, leak, or discharge by calling 204-944-4888. The report shall indicate the nature of the release, leak, or discharge, the time and estimated duration of the event and the reason for the release, spill, leak, or discharge.
8. The Licencee shall not remove, destroy or disturb species listed as rare, endangered, or of special concern, or their habitats. These species are listed in *Manitoba*

Regulation 25/98 respecting ***Threatened, Endangered and Extirpated Species*** or any future amendment thereof, and in the federal Species at Risk Act.

9. The Licencee shall, during construction of the Development, take all appropriate measures to prevent erosion and the deposition of sediment into the Little Saskatchewan River.
10. The Licencee shall not undertake instream construction activities in connection with the Development between April 1 and June 30 of any year.
11. The Licencee shall not undertake instream construction activities in connection with the Development during periods of high streamflow.
12. The Licencee shall, during construction of water intake works in connection with the Development, minimize the extent of clearing of riparian vegetation adjacent to the Little Saskatchewan River.
13. The Licencee shall install buried pipelines on cultivated land or land in its natural state in accordance with the methodology illustrated in Figures 2 to 4, attached to this Licence. These procedures do not apply when a plough, continuous trencher or directional drill is used to install a pipeline.

Operation – Matters Respecting Water Management and Water Quality Protection

14. The Licencee shall install and maintain instream water diversion works associated with the Development in accordance with the requirements of the Department of Fisheries and Oceans.
15. The Licencee shall screen the pump intakes associated with the Development in accordance with the Department of Fisheries and Oceans publication "Freshwater Intake End-of-Pipe Fish Screen Guideline" (March, 1995). Final screen designs shall be approved by the Department of Fisheries and Oceans prior to the operation of the Development.
16. The Licencee shall alter the screens on the pump intakes associated with the Development if future research indicates that different design criteria are appropriate with respect to water withdrawals prior to July 1 of any year.
17. The Licencee shall, during times when irrigation of the Development is occurring, monitor flows in the Little Saskatchewan River upstream and downstream of the diversion point of the Development in NW 10-12-21 W.

18. The Licencee shall immediately cease diverting water from the Little Saskatchewan River or reduce the diversion rate if the minimum instream flow provided for in Clause 19 of this Licence is not equalled or exceeded immediately below the diversion point of the Development in NW 10-12-21W.
19. The Licencee shall not cause flow immediately below the diversion point of the Development to fall below a minimum instream flow of 0.524 cubic metres per second (18.5 cubic feet per second) or as determined by Manitoba Conservation and Water Stewardship and in accordance with the provisions of a Water Rights Licence issued for the Development.
20. The Licencee shall limit the maximum pumping rate at the diversion point of the Development on the Little Saskatchewan River in NW 10-12-21W to 0.555 cubic metres per second (19.6 cubic feet per second) or as specified in a Water Rights Licence issued for the Development by Manitoba Conservation and Water Stewardship.
21. The Licencee shall, on a daily basis while irrigation of the Development is occurring, record flows upstream and downstream of the diversion point of the Development, volumes and rates of water pumped, and durations of pumping. A report on this information shall be provided, by March 1 of the following year, to the Environment Officer responsible for the administration of this Licence and the Environmental Approvals Branch. The report shall be provided in the format shown in Table 1, attached to this Licence, or as otherwise approved by the Environment Officer.
22. The Licencee shall, while irrigation of the Development is occurring, monitor dissolved oxygen in the riffle of the Little Saskatchewan River immediately downstream of the diversion point of the Development. A dissolved oxygen monitoring plan shall be developed in consultation with the Fisheries Branch and submitted for the approval of the Director within one month of the date of this Licence. The monitoring plan shall address the location(s), frequency and duration of monitoring, and reporting.
23. The Licencee shall, on a daily basis while irrigation of the Development is occurring, take photographs of the riffle of the Little Saskatchewan River immediately downstream of the diversion point of the Development. The photographs shall be taken from a location that consistently illustrates the degree of exposure of the bed of the riffle under varying flow conditions, and shall be provided to the Environment Officer in conjunction with the report required by Clause 21 of this Licence, or in conjunction with reporting required by Clause 22 of this Licence.

24. The Licencee shall install backflow prevention devices and maintain them in operational condition at all times if fertilizer or crop protection products are applied through the irrigation systems of the Development.
25. The Licencee shall, if fertilizer or crop protection products are applied through the irrigation systems of the Development, not allow irrigation water containing these materials to be applied to or drain to surface water bodies.
26. The Licencee shall have any farmstead wells made redundant by the project sealed by a qualified professional well driller.
27. The Licencee shall comply with the requirements of *Manitoba Regulation 62/2008*, or any future amendment thereof, respecting *Nutrient Management*.
28. The Licencee shall not apply nutrients within three metres of Nutrient Buffer Zones, including roadside ditches and drains.

Operation – Matters Respecting Land Management and Soil Quality Protection


29. The Licencee shall provide a detailed land assessment and management recommendations and receive the approval of the Director prior to irrigating the nine land parcels identified in the Proposal as requiring a Phase II investigation. These parcels include E1/2 8-12-21W, NW 13-12-22W, SE 20-12-21W, N1/2 21-12-21W, SE 21-12-21W, SW 21-12-21W, NW 22-12-21W, SW 22-12-21W, and SW 36-11-22W.
30. The Licencee shall manage phosphorus as well as nitrogen in all nutrient management plans developed pursuant to Clause 31 of this Licence.
31. The Licencee shall implement agronomic practices described in the following documents:
 - a) Section 7 of the report “Environmental Impact Assessment for the Daly Irrigation Development Project” prepared by Stantec Consulting Ltd., March, 2012;
 - b) The report “Land Assessment Reports and Producer Surveys for the Daly Irrigation Development Project” prepared by Stantec Consulting Ltd., March, 2012;
 - c) “Draft Best Management Practices Manual 1999” by the Central Manitoba Irrigators Association and Central Manitoba Resource Management Ltd., concerning general agronomic practices, or future versions thereof; and
 - d) other practices approved by the Director and determined to be appropriate and providing equal or improved agronomic management of land and soil quality.

Monitoring

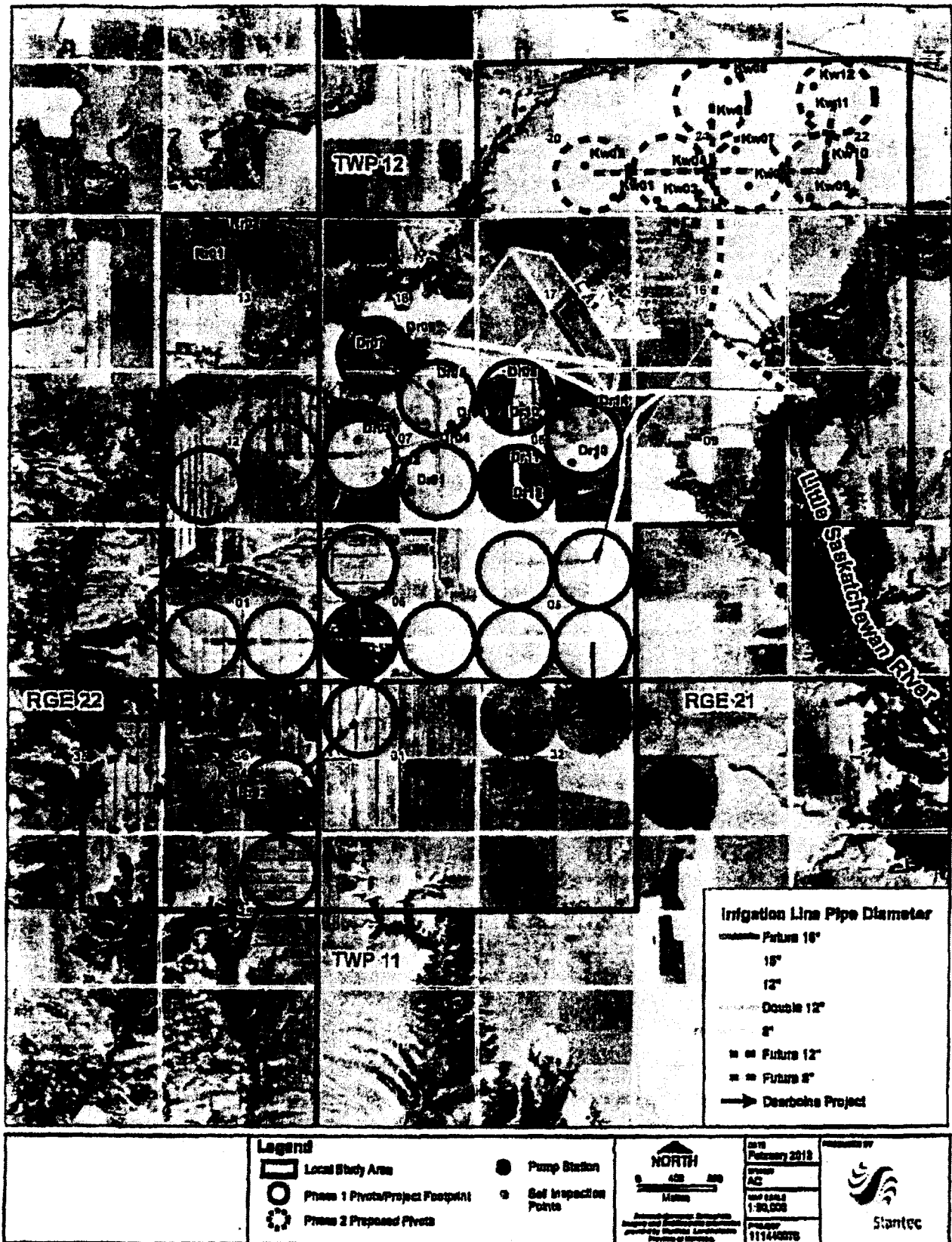
32. The Licencee shall, upon the request of the Director:
- a) sample, monitor, analyze or investigate specific areas of concern regarding groundwater, surface water and soil for such duration and at such frequencies as may be specified;
 - b) determine the environmental impact associated with the specific areas of concern; and
 - 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, and such other information as may from time to time be requested.
33. The Licencee shall, prior to the commencement of operation of the Development, meet with the Environment Officer responsible for the administration of this Licence and the contact person for the Environmental Approvals Branch of Manitoba Conservation and Water Stewardship to review the monitoring and reporting requirements of this Licence.

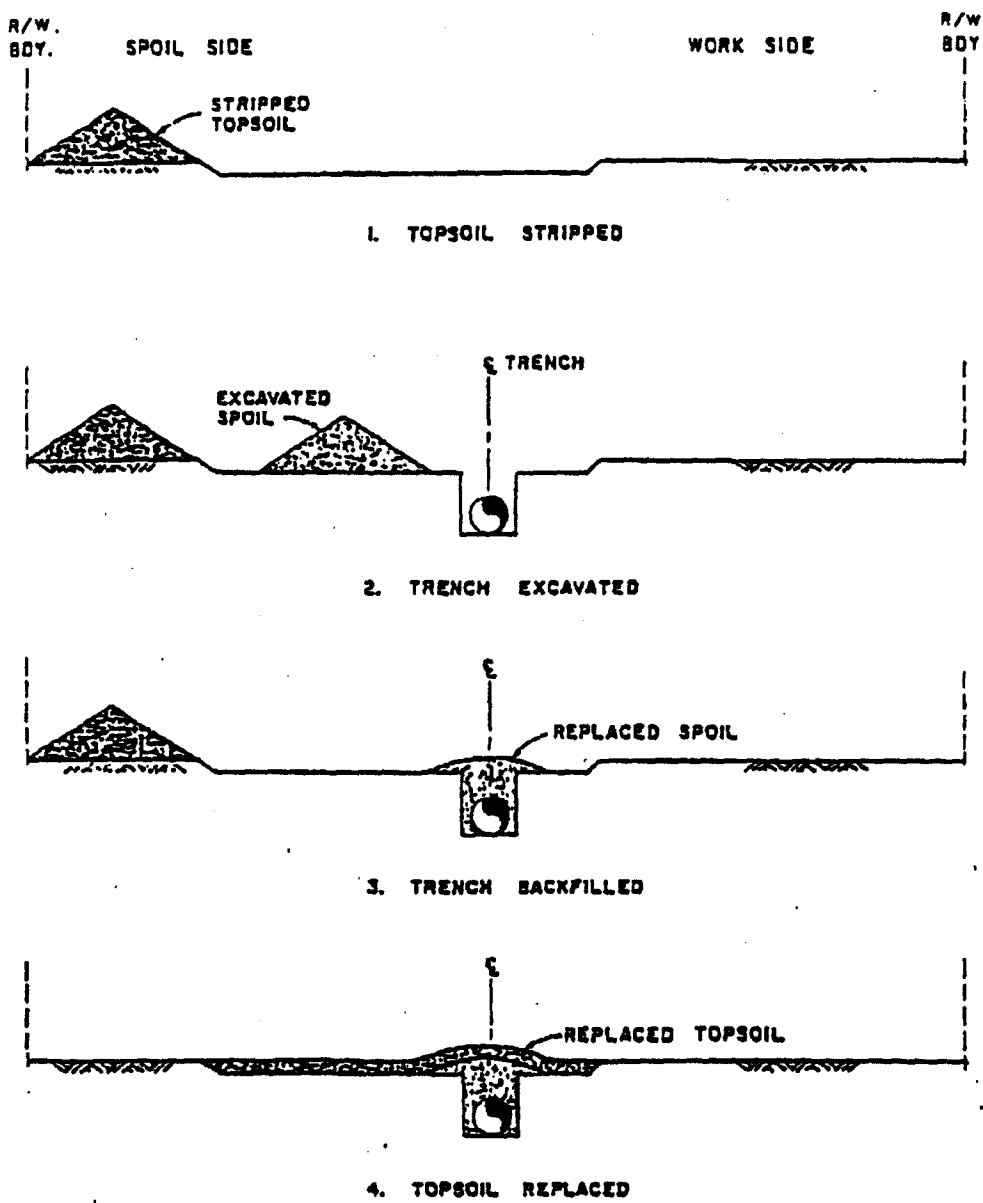
REVIEW AND REVOCATION

- 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 construction of the development has not commenced 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.


Tracey Braun, M.Sc.
Director
Environment Act

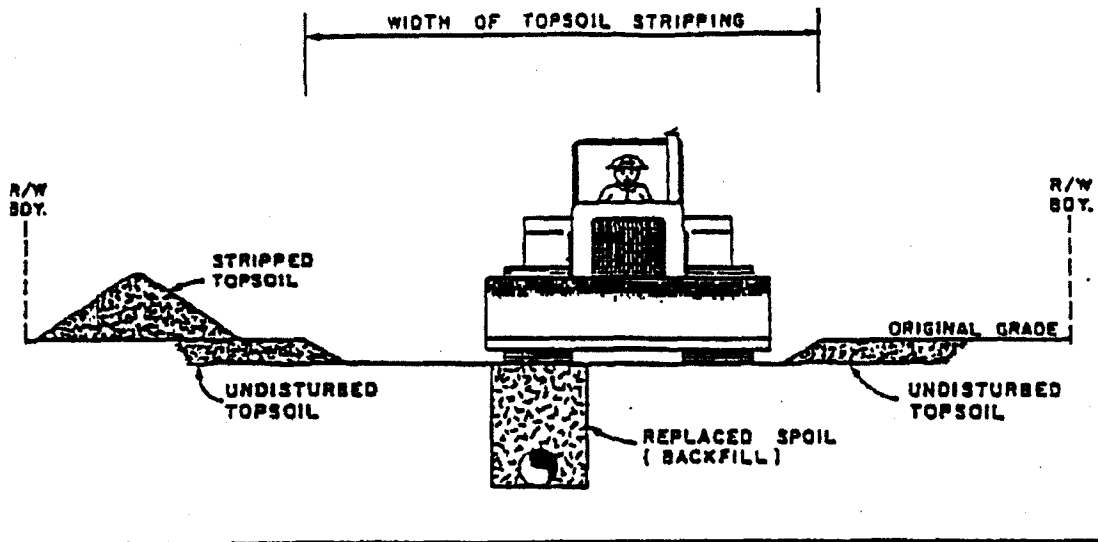
Client File: 5577.00





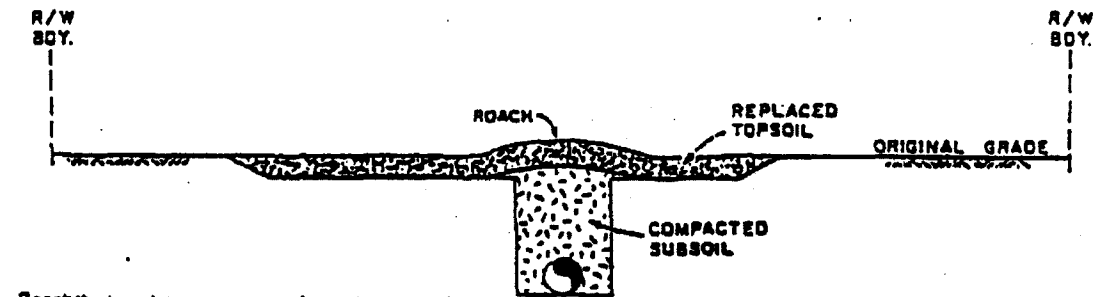
SEQUENCE OF TOPSOIL HANDLING

Figure 2



COMPACTION OF BACKFILL

Figure 3



Roach the trench to compensate for settlement and changes in natural drainage patterns. The height of the roach depends upon land use, the degree of compaction achieved.

ROACHING THE TRENCH

Figure 4

Table 1
 Daly Irrigation Development Project Licence No. 3010

Annual Water Use Report Year: _____

Intake Location: NW 10-12-21W

Pump Capacity: _____ m3/s or cfs
 Minimum Instream Flow: _____ m3/s or cfs Measured at: _____

Conversions: 1 acre (ac.) = 0.405 hectares (ha.) 1 ha. = 2.471 ac.
 1 acre-foot (ac.-ft.) = 1.233 cubic decametres (dam3) 1 dam3 = 0.811 ac.-ft.
 1 cubic foot per second (cfs) = 0.0283 cubic metres per second (m3/s)
 1 m3/s = 35.31 cfs
 1 imperial gallon per minute (IGPM) = 0.000076 m3/s
 1 US gallon per minute (USGPM) = 0.000063 m3/s

Date	Pumping Rate	Duration hours	Vol. Pumped dam3	Parcel(s) Irrigated
TOTAL		sum	sum	

