

Environment Act Licence

Manitoba
Environment



Licence No. 1622

Issue Date JANUARY 18, 1993

In accordance with the Manitoba Environment Act (C.C.S.M. c. E125)
THIS LICENCE IS ISSUED TO:

THE CITY OF WINNIPEG: "the Licencee"

for the construction and operation of the Development being the Charleswood Bridge connecting the communities of St. James and Charleswood across the Assiniboine River in the City of Winnipeg. The Development involves the construction of twin, two lane bridges across the Assiniboine River at the south end of Moray Street, construction of a four lane divided street from the bridge southward to Roblin Boulevard, widening of Moray Street to a four lane divided street from Portage Avenue southward to the bridge, and related intersection modifications at the Moray/Portage and Moray/Roblin intersections.

DEFINITIONS:

In this Licence:

"A-weighted sound level" means the sound level measured with a sound level meter set on the A-weighted network, being a filter designed to approximate the relative sensitivity of the normal human ear to different frequencies of sound. The unit of measurement is denoted dBA.

"dBA" means a denotation used to indicate a unit of sound measurement.

"dB (decibel)" means a dimensionless measure of sound level or sound pressure level. Sound level = $20 \log_{10} \frac{\text{pressure (actual)}}{\text{pressure (reference)}}$

Ldn means the day-night average sound level; i.e., the 24 hour A-weighted sound level, with a 10 decibel penalty added to the night-time (10:00 p.m. to 7:00 a.m.) levels. The Ldn shall be based upon the design year traffic volume, and shall be in accordance with the outdoor sound level limits for residential areas adjacent to regional transportation facilities set out in the City of Winnipeg's "MOTOR VEHICLE NOISE POLICIES AND GUIDELINES." (*The point of reception for determining noise impacts as defined in the City of Winnipeg "MOTOR VEHICLE NOISE POLICIES AND GUIDELINES," shall be at the limit of the outdoor recreational area closest to the roadway and at a height of 1.2 meters above ground.*)

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"outdoor recreational area" means an area as defined in the City of Winnipeg "MOTOR VEHICLE NOISE POLICIES AND GUIDELINES" as a ground level outdoor recreational living area adjacent to a residential unit accommodating a variety of individual outdoor activities.

SPECIFICATIONS, LIMITS, TERMS and CONDITIONS

- 1) The Licencee shall construct the Development in accordance with the alignment, configuration and design as described within the *Environment Act Proposal, dated March 1990*, and the *Charleswood Bridge Environmental Impact Assessment Final Report, February, 1991*, except as otherwise required by this Licence.
- 2) The Licencee shall retain a wildlife specialist and a fisheries specialist to incorporate mitigative measures into the final design of the Development in order to minimize impacts from the Development on wildlife, including vehicle related deer kills, and fish spawning habitat in the Assiniboine River.
- 3) The Licencee shall, prior to beginning any construction of the Development, submit an Engineering Report to the Director for approval. The Engineering Report shall:
 - a) contain the results of a completed field monitoring program of background noise levels for outdoor recreational areas in the residential areas adjacent to the Development between Portage Avenue in St. James and Roblin Boulevard in Charleswood;
 - b) recommend specific noise attenuation measures to reduce the anticipated noise levels to 65 Ldn for outdoor recreational areas in residential areas adjacent to the Development and at the same time permit vehicle and pedestrian access to the residential areas located adjacent to the Development while preserving the aesthetics of the areas to the maximum degree possible;
 - c) recommend specific pedestrian safety measures, particularly for the protection of children, to be incorporated into the final design of the Development;
 - d) recommend specific dust control measures to be undertaken during construction of the Development;
 - e) recommend specific measures to prevent runoff from the bridge decking from directly entering the Assiniboine River; and
 - f) recommend monitoring programs to be undertaken, after completion of construction, for traffic, noise, pedestrian safety, vehicle related deer kills, and fish spawning.

- 4) The Licencee shall construct the noise attenuation measures and the pedestrian safety measures as recommended in the Engineering Report required by Clause 3 of this Licence, and as approved by the Director, as part of the Development.
- 5) The Licencee shall construct, as part of the Development, the specific mitigative measures to prevent runoff from the bridge decking from entering the Assiniboine River as recommended in the Engineering Report required by Clause 3 of this Licence, and as approved by the Director.
- 6) The Licencee shall, during the full term of construction of the Development, implement the specific dust control measures as recommended in the Engineering Report required by Clause 3 of this Licence, and as approved by the Director.
- 7) The Licencee shall, no later than one year after completion of construction of the Development, implement the monitoring programs recommended pursuant to Clause 3)(f) of this Licence, and as approved by the Director. The data generated from these monitoring programs shall be reported to the Director annually.
- 8) The Licencee shall, no later than 1 year after completion of the monitoring programs recommended pursuant to Clause 3)(f) of this Licence, provide the Director with a second Engineering Report. This Report shall include a review of the adequacy of the implemented noise attenuation measures and an analysis of the data generated by the monitoring programs related to pedestrian safety, vehicle related deer kills, and fish spawning.
- 9) The Licencee shall, during construction of the Development, cease any construction activity which results in noise levels above 55 dBA for outdoor recreational areas in residential areas adjacent to the Development, on Sundays and statutory holidays and between the hours of 10:00 p.m. to 7:00 a.m. local time from Monday to Saturday.
- 10) The Licencee shall, during construction of the Development, maintain access to affected residential properties.
- 11) The Licencee shall, during construction of the feeder watermain across the Assiniboine River, consult with the Historic Resources Branch, Manitoba Department of Culture, Heritage and Citizenship to arrange for the recovery of archaeological material and to record soil strata.
- 12) The Licencee shall, during construction of the Development, restrict clearing of vegetation located between the south bank of the Assiniboine River and Roblin Boulevard, to the project area defined within the broken line on *Figure 5.1, General Plan / Profile of the Charleswood Bridge Environmental Impact Assessment Final Report, February, 1991.*
- 13) The Licencee shall, during construction of the Development, undertake measures to ensure runoff containing suspended soil particles that is being discharged to the Assiniboine River is minimized to the extent possible.

The City of Winnipeg

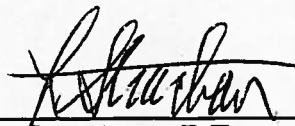
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- 14) The Licencee shall, during construction, adhere to the Manitoba Department of Natural Resources Guidelines titled *Recommended Fish Protection Procedures for Stream Crossings in Manitoba*.
- 15) The Licencee shall, from April 1 to June 15 of each year during construction, cease all construction activities that may impact upon the stream channel and which may affect fish mobility and fish habitat.
- 16) The Licencee shall, prior to April 1 of each year during construction, ensure that all areas of the Assiniboine River banks that are disturbed by the construction activities are rip-rapped with rock to limit erosion and sedimentation into the Assiniboine River.
- 17) The Licencee shall, during construction, and in accordance with *Manitoba Regulation 97/88R* respecting *Storage and Handling of Gasoline and Associated Products*, ensure that any fuel storage areas established for the construction of the Development are contained by an impermeable dyke and are located a minimum distance of 100 meters away from the high water line of the Assiniboine River.
- 18) The Licencee shall, at the completion of construction, ensure that the banks of the Assiniboine River are stabilized from channel level to high water elevation at bank-full conditions.
- 19) The Licencee shall, at the completion of construction, cleanup the construction area and deposit all resulting debris at a registered Municipal Waste Disposal Ground.
- 20) The Licencee shall, at the completion of construction, landscape and vegetate all areas disturbed during the construction with native and/or introduced plant species in order to restore and enhance the site and to protect against soil erosion.

REVOCATION

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



Larry Strachan, P.Eng.
Director, Environment Act

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