

Licence No.: 2534

Licence Issued: December 20, 2001

**IN ACCORDANCE WITH THE MANITOBA ENVIRONMENT ACT (C.C.S.M. c. E125)
THIS LICENCE IS ISSUED PURSUANT TO SECTION 11(1) TO:**

**THE PROVINCE OF MANITOBA REPRESENTED BY THE MINISTER OF TRANSPORTATION AND
GOVERNMENT SERVICES; "the Licencee"**

for the construction, operation and maintenance of the Development being a 28 km all weather gravel road connecting the St. Theresa Point and Wasagamack First Nation Communities and in accordance with the Proposal and Environment Assessment Report filed under The Environment Act on October 2, 2001 and subject to the following specifications, limits, terms and conditions:

DEFINITIONS

In this Licence,

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

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 ensure that any re-fueling and oil changes of the construction equipment and fuel storage areas established for the construction and operation of the Development are located a minimum distance of 100 meters away from waterbodies, including wetlands, and ensure the storage areas comply with the requirements of *Manitoba Regulation 97/88R - Storage and Handling of Gasoline and Associated Product*.
2. The Licencee shall ensure that all used petroleum products and other hazardous wastes generated by the machinery used in the construction and operation of the Development are collected and disposed of in accordance with Manitoba Conservation and legislative requirements.
3. The Licencee shall ensure that non-reusable demolition and construction debris from the Development is disposed of at a waste disposal ground operating under the authority of a permit pursuant to the *Waste Disposal Ground Regulation - MR 150/91*.
4. The Licencee shall ensure during construction and operation of the Development that spills of petroleum or other contaminants are reported to an Environment Officer in accordance with the requirements of *Manitoba Regulation 439/87* respecting *Environmental Accident Reporting*.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

Respecting Pre-Construction

5. The Licencee shall, prior to construction of the Development, submit to the Director for approval, a St. Theresa Point/Wasagamack Connecting Road Environmental Protection Plan (EPP). The EPP shall describe the integrated approach to be used by the Licencee to monitor the effects of construction activities and related environmental conditions associated with the connecting road both during and after construction to ensure that mitigative measures are applied systematically and in manner consistent with the commitments made in the *St. Theresa Point and Wasagamack First Nation Airstrip and Connecting Road Environmental Assessment Report, September 2001*.

6. The Licencee shall, prior to beginning construction activities associated with the Development, establish a St. Theresa Point First Nation Local Liaison Committee and a Wasagamack First Nation Local Liaison Committee. The Committees shall be responsible to ensure that there is community based monitoring of the commitments to mitigation of environmental impacts associated with the construction and operation of the connecting road as described in the *St. Theresa Point and Wasagamack First Nation Airstrip and Connecting Road Environmental Assessment Report, September 2001*.
7. The Licencee shall, prior to construction, provide a copy of this Licence and *The St. Theresa Point/Wasagamack Connecting Road Environmental Protection Plan (EPP)* to the Local Liaison Committees as required under Clause 6 of this Licence and to the contractor(s) involved in the Development.
8. The Licencee shall, prior to construction start-up, instruct the on-site project construction supervisor to ensure that no land, including Crown land, reserve land or Treaty Land Entitlement (TLE) land, other than the land required for the right-of-way, borrow areas and associated infrastructure related to the Development will be affected by clearing, compacting, grading or filling during construction. All construction related traffic shall be restricted to the right-of-way and borrow areas.
9. The Licencee shall, prior to beginning construction of the Development, obtain all appropriate timber and work permits from Manitoba Conservation.

Respecting Construction

10. The Licencee shall construct the Development in accordance with the design and route as described in the *St. Theresa Point and Wasagamack First Nation Airstrip and Connecting Road Environmental Assessment Report, September 2001*.
11. The Licencee shall, during construction, adhere to the general recommendations on design, construction and maintenance of stream crossings as specified in the Manitoba Department of Conservation guidelines titled *Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat, 1996*.
12. The Licencee shall, cut and pile merchantable timber in areas off the road right-of-way and the airstrip as directed by Manitoba Conservation.
13. The Licencee shall dispose of all cleared material other than merchantable timber by burning, burying or removal as directed by Manitoba Conservation.
14. The Licencee shall, during construction of the Development, use non-chemical means to control dust.

Respecting Post-Construction

15. The Licencee shall ensure that, during operation of the Development, any vehicle, left derelict on or close to the Development is removed and disposed of in accordance with all applicable regulatory requirements.
16. The Licencee shall, at the completion of construction, landscape and vegetate all riparian areas disturbed during the construction with native and/or introduced plant species in order to restore and enhance the affected sites and to protect against soil erosion.

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, 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"

Larry Strachan, P. Eng.

Director

Environment Act

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