

Licence No.: 2402

Licence Issued: July 9, 1999

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

MANITOBA DEPARTMENT OF NATURAL RESOURCES; "the Licencee"

for the construction and operation of the Development being a reconstruction of Netley Creek in sections 36-15-3E and 10 and 11-16-3E in the Rural Municipality of St. Andrews, in accordance with the Proposal filed under The Environment Act and dated December 9, 1998, and additional information dated June 15, 1999, 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 ensure that all used oil products and other regulated hazardous wastes generated by the machinery used in the construction and operation of the Development are collected and disposed of in accordance with applicable Manitoba Environment and legislation requirements.
2. The Licencee shall not undertake construction of the Development prior to the completion of an archaeological assessment of the area of the Development by the Historic Resources Branch.
3. The Licencee shall ensure, during and after construction of the Development, that all necessary measures are taken to prevent the erosion of streambank and streambed material and its deposition in Netley Creek.
4. 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.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

5. The Licencee shall ensure that fuel storage and equipment serving areas established for the construction and operation of the Development are located a minimum distance of 100 metres from any waterbody, and shall comply with the requirements of *Manitoba Regulation 97/88R* respecting *Storage and Handling of Gasoline and Associated Products*. During construction and operation of the Development, the Licencee shall take all precautions necessary to prevent fuel from entering any waterbody. Fuel spills in excess of 100 litres shall be immediately reported to an environment officer.
6. The Licencee shall, not less than one week prior to the commencement of construction of the Development, notify the Eastern-Interlake Region of Manitoba Environment of the expected starting date of construction, and the name of the contractor.
7. The Licencee shall, during construction of the Development, comply with the mitigation measures listed in a letter of June 28, 1999 from the Department of Fisheries and Oceans to the Licencee, and attached to this Licence as Appendix 1.
8. The Licencee shall not undertake construction or maintenance of the Development in water between April 1 and June 30 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 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.

"original signed by"

Larry Strachan, P. Eng.

Director

Environment Act

Client File No.: 4408.00

Appendix 1 - see hard copy of Licence.