

Environment Act Licence

Loi sur l'environnement Licence

Manitoba
Conservation
Conservation
Manitoba



Licence No./Licence n° 2642

Issue Date/Date de délivrance March 23, 2004

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

CALVIN AND FAY MCEACHERN; "the Licencee"

for the construction and operation of the Development, the Riviera Resort and Marina, being a cottage development and marina located in W 34-4-16W in the Rural Municipality of Strathcona, in accordance with the Proposal filed under The Environment Act dated October 9, 2003, and additional information dated December 22, 2003 and January 16, 2004, 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 sewage from the Development in a licenced lagoon facility operating in accordance with applicable Manitoba Conservation and legislation requirements.
2. 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 legislation requirements.
3. The Licencee shall revegetate soil in areas of the Development exposed by construction 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.

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

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

4. The Licencee shall notify the Western Region of Manitoba Conservation not less than two weeks prior to beginning construction of the Development. The notification shall include the intended starting date of construction and the name of the contractor responsible for the construction.
5. The Licencee shall, during construction and operation of the Development, report spills of fuels or other contaminants to an Environment Officer in accordance with the requirements of *Manitoba Regulation 439/87* respecting *Environmental Accident Reporting*.
6. The Licencee shall, during construction and operation of the Development, establish fuel storage areas in compliance with the requirements of *Manitoba Regulation 188/2001* respecting *Storage and Handling of Petroleum Products and Allied Products*. Machinery used in the construction and maintenance of the Development shall not be fueled or serviced adjacent to Pelican Lake.
7. The Licencee shall install and maintain sewage collection facilities associated with the Development in accordance with the requirements of *Manitoba Regulation 83/2003* respecting *Onsite Waste Management Systems*.
8. The Licencee shall dispose of non-reusable construction debris and solid waste from the Development at a waste disposal ground operating under the authority of a permit issued under *Manitoba Regulation 150/91* respecting *Waste Disposal Grounds* or a licence issued pursuant to The Environment Act.
9. The Licencee shall, prior to construction of components of the Development other than the marina, undertake a survey of the site of the Development for rare plants. A report on the survey, including any proposed mitigation measures, shall be provided to the Director for approval before further clearing activities occur.
10. The Licencee shall, prior to construction of components of the Development other than the marina, undertake a survey of the site of the Development for breeding birds, bird habitat and federal Species-at-Risk Act species. A report on the survey, including any proposed mitigation measures, shall be provided to the Director for approval before further clearing activities occur.

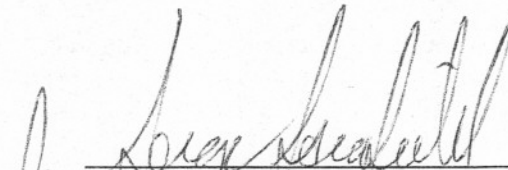
11. The Licencee, during construction of the Development, shall not disturb migratory bird nests.
12. The Licencee shall not undertake clearing activities associated with the Development between May 1 and July 31 of any year.
13. The Licencee shall, before, during and after construction of the Development, implement appropriate measures to prevent the erosion or deposition of sediment into Pelican Lake.
14. The Licencee shall, within two months of completing construction of the marina component of the Development, provide to the Director "As Constructed" versions of KGS Drawings No. 03-1066-01, sheets 1, 2 and 3, showing the marina as built, and all ongoing sediment and erosion control measures associated with the marina site.
15. The Licencee shall not undertake any in-water maintenance work in or adjacent to Pelican Lake:
 - (a) between April 1 and June 15 of any year; and
 - (b) without the written approval of the Director.
16. The Licencee shall not use wood treated with phenol or creosote based preservatives in the construction and maintenance of the Development.
17. The Licencee shall not use chemical dust suppressant materials on roads in the Development within 100 metres of Pelican Lake.
18. The Licencee shall not undertake shoreline modifications or construct works, except those associated with the marina component of the Development, below an elevation of 413.80 metres above sea level, without the written approval of the Director.

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.

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- 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.



Larry Strachan
Director
Environment Act

File: 4995.00