

# Environment Act Licence

## Loi sur l'environnement Licence

Manitoba  
Conservation  
Conservation  
Manitoba



Licence No./Licence n° 2713 R  
Issue Date/Date de délivrance January 31, 2006

REVISED: June 14, 2006

IN ACCORDANCE WITH THE ENVIRONMENT ACT (C.C.S.M. c. E125)  
THIS LICENCE IS ISSUED PURSUANT TO SECTION 11(1) AND 14(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 winter road relocation connecting Norway House to Waasagamack on Island Lake and in accordance with the Proposal filed under The Environment Act by the Department of Transportation and Government Services on January 10, 2006, and as amended on June 14, 2006, and subject to the following specifications, limits, terms and conditions:

### DEFINITIONS

In this Licence:

“**Director**” means the Director of Environmental Assessment and Licensing Branch so designated pursuant to The Environment Act.

“**new construction**” means surveying and clearing right-of-way for a new winter road including any deviation or realignment from an existing winter road right-of-way.

### 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.

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



1. The Licencee shall not deviate from the existing route between Norway House and Stevenson Lake until the Norway House Resource Management Board has been consulted and the proposed re-alignment has been reviewed by the Manitoba Conservation Northeast Region and the Norway House Band Council.
2. The Licencee shall locate fuel storage and equipment servicing areas established for the construction and operation of the Development a minimum distance of 100 meters from any waterbody, and operate the fuel storage areas in compliance with the requirements of *Manitoba Regulation 188/2001* respecting *Storage and Handling of Petroleum Products and Allied Products*.
3. The Licencee shall collect and dispose of all used petroleum products and other hazardous wastes generated by the machinery used in the construction and operation of the Development in accordance with Manitoba Conservation and legislative requirements.
4. The Licencee shall, during construction, dispose of all sewage and septage from on-site sanitary facilities in accordance with *Manitoba Regulation 95/88R* respecting *Private Sewage Disposal System and Privies*.
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*. The Licencee shall during construction and operation of the Development:
  - a) immediately report any reportable spills to Manitoba Conservation's Accident Reporting Line at (204) 944-4888; and
  - b) at the request of the Director, provide a follow-up report to the Director on a reportable environmental accident outlining the cause(s) and propose corrective action to prevent reoccurrence.
6. The Licencee shall, during the full term of the construction and operation of the Development, cleanup all non hazardous waste, litter and debris in accordance with the requirements of *Manitoba Regulation 92/88R* respecting *Litter* and deposit it at a disposal ground operating under the authority of a permit issued pursuant to *Manitoba Regulation 150/91* respecting *Waste Disposal Grounds*.
7. The Licencee shall construct and operate the Development as a winter road to serve the communities of Island Lake. Any other uses will be considered to be an alteration to the Development and the appropriate Notice of Alteration requesting approval shall be filed with the Director.

8. The Licensee shall, prior to construction, provide a copy of this Licence to the contractor(s) involved in the Development.
9. The Licensee shall, a minimum of two weeks prior to the start of construction, file with the Director a plan for the upcoming construction season. The plan shall include:
  - a) the scope of work including any proposed deviations from the existing route, maps (scale of 1:100,000 and the shp file), possible environmental impacts and mitigation; and
  - b) a description of the management system the Licensee proposes to implement to ensure compliance.

### **SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS**

#### **Respecting Pre-Construction**

10. The Licensee shall, prior to construction start-up, instruct the onsite project construction supervisor(s) to arrange a pre-construction meeting with the District Office in Norway House, with respect to ongoing compliance with the specifications, limits, terms and conditions of this Licence during the full term of the construction, operation and annual closures of the Development.
11. The Licensee shall, prior to new construction ensure the route is inspected by a qualified person to determine if:
  - a) woodland caribou and/or rare or endangered species or species at risk are present. The presence of rare and endangered species or species at risk within the Development area shall be reported to the Biodiversity Conservation Section of the Manitoba Conservation Wildlife and Ecosystem Protection Branch in order to reach an agreement on impact mitigation measures for these species; and
  - b) other significant wildlife habitat features are present including, but not limited to, heron rookeries or eagles nests. The route shall be aligned so that no construction or disturbance occurs within 100 meters of a heron rookery or eagles nest.

A Report documenting the field inspection shall be completed and filed with the Director prior to construction at new location.

12. The Licensee shall, prior to new construction, including deviations from the established route, flag the centerline of the route a minimum of 5 kilometers in advance of clearing.



13. The Licencee shall, prior to clearing or constructing the approaches of stream crossings, inspect stream crossings on the ground to confirm that banks grades and heights are adequate for snow and ice crossings as specified in the Manitoba Conservation guidelines titled *Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat, May 1996* and the Fisheries and Oceans *Manitoba Operational Statement for Ice Bridges*.

#### Respecting Construction

14. The Licencee shall:
  - a) provide copies of maps printed at a scale of 1:100,000 detailing any significant deviations to the proposed alignment of the winter road and/or the location of stream crossings to Manitoba Conservation's District Office at Norway House; and
  - b) notify the Norway House District Office prior to construction of the deviation.
15. The Licencee shall, during construction, ensure that a qualified inspector is present at all times to:
  - a) assist the contractor with the interpretation of license conditions;
  - b) provide advice if field conditions require route deviations;
  - c) provide a consistent line of communication with the Norway House District Office and with the Licensee; and
  - d) provide weekly reports to the Director, with a copy to the Norway House District Office summarizing progress, environmental issues and resolution, communications, and compliance status.
16. The Licencee shall, during construction, not affect private or Crown lands during construction other than lands required for the Development. Existing trails, portages and other travel ways shall not be altered.
17. The Licencee shall, during construction, maintain a minimum distance of 100 meters from all streams and waterbodies, with the exception of approaches to water crossings, unless in areas where less than a 100 meter separation has been authorized by the Norway House District Office.
18. The Licencee shall, during clearing of the right-of-way:
  - a) not push woody debris into standing timber;
  - b) allow for sufficient right-of-way width to spread windrows;
  - c) compact vegetation, including windrows to a maximum height of 2.5 feet above ground;
  - d) pile and burn debris in areas of heavy timber; and
  - e) obtain prior approval from the Norway House District Office for any deviation for woody debris disposal.

19. The Licencee shall, during construction and operation of the Development, adhere to the general recommendations on design, construction and maintenance of temporary stream crossings as specified in the Manitoba Conservation guidelines titled *Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat, May 1996* and the Fisheries and Oceans *Manitoba Operational Statement for Ice/Clear Span Bridges*. The Licensee shall ensure the qualified inspector is onsite prior to and during stream crossing construction. The Licencee shall, as a minimum:
- a) use clean snow and ice as fill for stream crossings;
  - b) wherever possible, locate water crossings to avoid known or suspected fish spawning areas and in areas with gentle slopes banks to minimize cuts to stream banks and lake shores;
  - c) cross with equipment at only one point on the water crossing;
  - d) keep heavy equipment off water crossings to avoid disturbing soil at stream banks and lakeshores;
  - e) pile and burn slash and trees a minimum distance of 100 meters from the edge of streams and water bodies;
  - f) consult with the Department of Fisheries and Oceans Canada before a log fill or any other fill method for stream crossings is undertaken; and
  - g) construct all temporary crossings so they can be removed completely at the close of the winter road season.
20. The Licencee shall:
- a) prepare "As Constructed" maps printed at a scale of 1:100,000, and shp files, for the Development and shall label the maps "As Constructed"; and
  - b) provide to the Director, within three months of the completion of construction of the Development, two sets of "As Constructed" maps, and shp files.

#### Respecting Closure

21. The Licencee shall close the road prior to spring thaws each year to avoid rutting or other environmental damage. Each year upon closure of the road the Licencee shall:
- a) remove all equipment, vehicles, fuel tanks, drums and other materials related to the construction and operation of the road;
  - b) ensure that the road is made impassable at each end;
  - c) remove any remaining temporary stream crossings associated with the road in accordance with the *Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat, May 1996* and the Fisheries and Oceans *Manitoba Operational Statement for Ice Bridges*;
  - d) post notices at each end of the road stating that the road is closed to traffic and stream crossings are removed;
  - e) remove any debris left on the ice at stream crossing locations;



- f) remove and dispose of any vehicle left derelict on Crown land on or close to the Development in accordance with all applicable legislation and regulation;
  - g) stabilize any cut stream banks and exposed soils to prevent erosion;
  - h) reconstruct and remediate affected areas;
  - i) notify the Norway House District Office no less than one week prior to completion of operations to allow for final inspection of the road; and
  - j) prepare a report summarizing the joint final inspection of the road, including key photographs. A copy of the survey report and results shall be provided to the Director.
22. The Licensee shall require that the qualified inspector prepare an annual post-construction monitoring report to be filed with the Director prior to September 30<sup>th</sup>.

**Respecting Decommissioning**

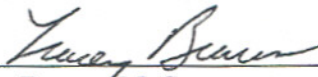
23. The Licensee shall, one year prior to decommissioning the road, provide the Director with a decommissioning plan.

**Respecting Alterations to the Development**

24. The Licensee shall obtain approval from the Director for any proposed alteration to the Development before proceeding with the alteration.

**REVIEW AND REVOCATION**

- A. If, in the opinion of the Director, the Licensee 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 or may amend the existing licence.

  
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Tracey Braun, M. Sc.  
Director  
Environment Act