

Licence No.: 2306

Licence Issued: January 30, 1998

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 HIGHWAYS AND TRANSPORTATION;
"the Licencee"**

for the construction and operation of the Development being the upgrading of the Birdtail Sioux First Nation Access Road beginning at the junction with PTH #83 in the Rural Municipality of Miniota and extending in a westerly direction to the Birdtail Indian Reserve No. 57 and in accordance with the Proposal filed under The Environment Act on November 27, 1997, 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, during construction, ensure that any fuel storage areas established for the construction 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 Products*.
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 Environment and legislative requirements.
3. The Licencee shall, during the full term of the construction of the Development, cleanup and deposit all debris from the construction site at a Waste Disposal Ground operating under the authority of a permit issued pursuant to *Manitoba Regulation 150/91* respecting *Waste Disposal Grounds*.
4. 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 Natural Resources guidelines titled *Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat, 1996*.
5. The Licencee shall, prior to construction, provide a copy of this Licence to the contractor and subcontractor(s) involved in the Development.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

6. The Licencee shall not extract gravel for the Development from Miniota Unit located on SE 11-14-27 W and Uno Unit located on SW 4-15-27 W of the upper Assiniboine Wildlife Management Area.
7. The Licencee shall, prior to construction, consult with the Department of Natural Resources Regional Wildlife staff regarding the following:
 - a. plans for creating replacement wetland habitat related to the Development; and
 - b. plans to mitigate impacts to wildlife from gravel and borrow areas related to the Development, as required by the Department of Natural Resources Regional Wildlife staff.
8. The Licencee shall, between April 1 and June 15 of each year of construction of the Development, cease all construction activities that may impact upon the stream channels affected by the Development.

9. The Licencee shall, during construction, undertake temporary erosion control measures to reduce siltation from erosion prone areas.
10. The Licencee shall ensure that any water required for dust control during construction be obtained from a source other than waste water treatment facilities.
11. The Licencee shall, prior to and during construction, ensure that the contractor responsible for the siting and operation of any temporary asphalt plant associated with the development adhere to the Manitoba *Temporary Batch Plant Siting Procedures/Guidelines*.
12. The Licencee shall, at the completion of the construction of the Development, landscape and vegetate stream banks and any other erosion prone areas disturbed during the construction with native plant species and cultivars.

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

Client File No.: 4284.00