

Environment Act Licence

Manitoba
Environment



Licence No. 1988
Issue Date February 2, 1995

In accordance with the Manitoba Environment Act (C.C.S.M. c. E125)

THIS LICENCE IS ISSUED TO:

FLORENCE - NORA ACCESS ROAD INC.: "the Licencee"

for the construction and operation of the Development being an access road and associated facilities connecting Block 5 on the Caddy Lake Cottage Road to a point near the south east end of Florence Lake, all in Township 10, Range 17E in Whiteshell Provincial Park, subject to the following specifications, limits, terms and conditions:

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

1. The Licencee shall construct the Development in accordance with the Environment Act Proposal dated May 18, 1993 and the proposed mitigation contained in the report "Proposed Construction of a Private Access Road to Lake Florence and Lake Nora" dated September, 1994, both prepared by Florence - Nora Access Road Inc.
2. The Licencee shall ensure that the Development is constructed and operated as a private access road to serve only the existing cottages on Florence Lake and Nora Lake. Any uses other than those approved by this Licence will be considered as an alteration to the Development and the appropriate Notice of Alteration shall be filed with the Director.
3. The Licencee shall establish the Florence and Nora Lakes Access Road Advisory Committee to advise on matters related to the planning, construction and operation of the Development. The Committee shall include representation from Manitoba Environment, Manitoba Natural Resources, Florence-Nora Access Road Inc., and the Manitoba Naturalists Society and another stakeholder as may be appointed by the Director. The structure of the Committee and its terms of reference shall be as described in Schedule A attached to this Licence.
4. The Licencee shall implement recommendations of the Florence and Nora Lakes Access Road Advisory Committee as approved by the Director.
5. The Licencee shall, within one year after setting into operation of the Development and in consultation with the Florence and Nora Lakes Access Road Advisory Committee, prepare a plan for mitigation of impacts to the Mantario Hiking Trail between the points of the trail intersected by the Development.
6. The Licencee shall submit the plan required by Clause 5 of this Licence for the approval of the Director.

7. The Licencee shall implement the mitigation measures included in the plan as required by Clause 5 of this Licence and as approved by the Director.
8. The Licencee shall ensure that the final alignment of the access road is chosen in order to minimize disturbance to environmentally sensitive areas.
9. The Licencee shall limit the clearing of vegetation for the road right-of-way portion of the Development to a maximum width of 20 metres.
10. The Licencee shall, prior to beginning construction of the Development, receive the approval of the Director for detailed construction plans for the road, parking facilities and all stream crossings. The construction plans shall include measures to revegetate disturbed areas and to protect streams from construction related erosion and sedimentation.
11. The Licencee shall ensure that all stream crossings are designed and constructed in accordance with the Manitoba Natural Resources' publication "Recommended Fish Protection Procedures for Stream Crossings in Manitoba".
12. The Licencee shall, prior to beginning construction of the Development, obtain all appropriate timber and work permits from Manitoba Natural Resources.
13. The Licencee shall cut and pile merchantable timber along the right-of-way as directed by Manitoba Natural Resources.
14. The Licencee shall dispose of all cleared material other than merchantable timber by burning, burying or removal as directed by Manitoba Natural Resources.
15. The Licencee shall not undertake any construction or maintenance activities in or adjacent to streams or other water bodies between April 1st and June 30th of any year.
16. The Licencee shall, during the construction and operation of the Development, use non-chemical means to control dust.
17. The Licencee shall, prior to commencement of operation of the Development, receive the approval of the Director for a detailed plan to control vehicle access to the Development.
18. The Licencee shall ensure that no permanent fuel storage facilities are established in conjunction with the Development.
19. The Licencee shall ensure that any temporary fuel storage areas established for the construction or for the maintenance of the Development shall comply with the requirements of *Manitoba Regulation 97/88R* respecting *Storage and Handling of Gasoline and Associated Products*.
20. The Licencee shall ensure that neither construction machinery or maintenance machinery used in association with the Development are fueled within 100 metres of any water body and that any vehicle maintenance done in conjunction with the Development is performed in an area constructed and equipped especially for that purpose.

21. The Licencee shall ensure that all used oil products and other regulated hazardous wastes generated by the machinery used in the construction and maintenance of the Development are collected and disposed of in accordance with all applicable Manitoba Environment and legislation requirements.
22. The Licencee shall, each year following the construction and for a period of two years following the setting into operation of the Development, prepare an annual report. The annual report shall contain information on the items identified under Schedule A, Item 3 of this Licence. Copies of the annual report shall be provided to: Manitoba Environment, Regional Director Eastern-Interlake Region; Manitoba Natural Resources, Director of Policy Branch; Manitoba Naturalists Society, Parks Committee Chairperson; and any other as directed by the Director or agreed to by the Licencee.
23. The Licencee shall ensure that any vehicle left derelict on or close to the Development is removed and disposed of in accordance with all applicable legislation and regulation.
24. The Licencee shall, during and at the conclusion of construction activities associated with the Development, cleanup and deposit all non hazardous waste and debris from the construction activities into a waste disposal ground operating under the authority of a permit issued pursuant to *Manitoba Regulation 150/91R* respecting waste disposal grounds.

REVOCATION

If, in the opinion of the Director, the Licencee has exceeded or is exceeding the limits, or has not complied or is not complying with the specifications, terms or conditions set out herein, the Director may revoke this Licence either temporarily or permanently.



Larry Strachan, P. Eng.
Director
Environment Act

Schedule A - To Licence No. 1988

Florence and Nora Lakes Access Road Advisory Committee

Membership

One member each to be appointed by:

- Manitoba Environment (chairperson)
 - Manitoba Natural Resources
 - Florence-Nora Access Road Inc.
 - Manitoba Naturalists Society
- An additional stakeholder as may be appointed by the Director.

Terms of Reference

The Committee shall advise the Director responsible for Environment Act Licence No. 1988 with respect to the following:

1. Planning of the Development

The Committee shall review and approve of the following plans to be prepared by the Licencee prior to their submission to the Director for approval:

- Access Control Plan for the Development
- Plan for the relocation of the portion of the Mantario Hiking Trail affected by the Development
- Detailed plans for the construction of the access road, parking facilities and stream crossings

2. Construction of the Development

The Committee shall meet not less than twice during construction seasons and provide recommendations to the Licencee respecting the disposal of cleared material, placement of excess fill material, revegetation, stabilization of stream crossings, and any other matters of concern to the Committee.

3. Operation of the Development

The Committee shall inspect the Development at least once each year following construction and review and make recommendations to the Licencee on the annual report which will contain information on the following items:

- Usage of the Development in the past year - number and names of members authorized to use the Development, special usage.
- Operating problems reported in the past year (maintenance, access violations, complaints, etc.).
- Proposed measures to address operating problems.
- Maintenance activities completed in the past year - dates, locations, volumes and sources of materials, equipment used.
- Maintenance activities projected for the following year - dates, locations, volumes and sources of materials, equipment used.
- Other matters as may be directed by Manitoba Environment or Manitoba Natural Resources.

4. Termination of the Committee

The Committee shall be terminated following the review of the second year annual report filed by the Licencee, unless otherwise extended by the Director.