

Licence No.: 2371

Licence Issued: November 6, 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 TOWN OF GIMLI; "the Licencee"

for the construction and operation of the Development being a harbour expansion consisting of a wharf, pier (breakwater), floating docking facilities and related marina facilities, and including dredging within the area enclosed by the Development, located in Section 16-19-4E in the Town of Gimli, in accordance with the Proposal filed under The Environment Act and dated August 10, 1998, 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 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 stabilize all areas above the normal summer water level of Lake Winnipeg which are disturbed by the construction of the Development to prevent water erosion. Stabilization shall be by paving or revegetation on inshore areas, and by riprapping or sand placement on shore areas including the pier, revetment and adjacent beaches.
3. The Licencee shall ensure that surface runoff from parking areas or streets in and adjacent to the Development is not directed to Lake Winnipeg.
4. The Licencee shall ensure that all material used for the construction of the wharf, revetment, pier and beaches and used as fill in connection with the Development is free of hydrocarbon or other contamination. Materials used for the construction of the Development shall be tested for contaminants upon the request of the Director or an Environment Officer, and materials found to be unsuitable shall be removed upon the request of the Director.
5. The Licencee shall ensure that any deleterious materials, including asphalt, exposed during the excavation of the temporary containment trench is removed from the area of the Development and disposed of as directed by an Environment Officer. Deleterious material shall not be reburied in the area of the Development or placed in Lake Winnipeg or in the infill area.

SPECIFICATIONS, LIMITS, TERMS AND CONDITIONS

6. The Licencee shall ensure that fuel storage and equipment servicing areas established for the construction of the Development are located a minimum distance of 100 metres from Lake Winnipeg, 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 Lake Winnipeg. Fuel spills in excess of 100 litres shall be immediately reported to an environment officer.
7. The Licencee shall, not less than one week prior to the commencement of construction of the Development, notify Manitoba Environment of the expected starting date of construction, and the name of the contractor.

8. The Licencee shall comply with all conditions specified in the document "Authorization for Works or Undertakings Affecting Fish Habitat", Authorization No. MB-98-0038, issued by the Department of Fisheries and Oceans in respect of the Development. A copy of the executed Authorization and any subsequent amendments or alterations shall be provided to an Environment Officer by the Licencee within two weeks of the date of the Authorization and amendments or alterations.
9. The Licencee shall not undertake underwater construction of the wharf, pier, revetment areas or beaches associated with the Development between April 1 and June 15 of any year.
10. The Licencee shall ensure, during construction of the Development, that all necessary measures are taken to contain dredge spoil material in the designated enclosed fill areas. These areas include the area enclosed by the wharf and revetment shown in KGS Drawing No. 98-526-01 01 Rev. 1, and the temporary containment trench to be excavated in the existing infill area. Dredge spoil material shall not be deposited in any other area without the prior written approval of the Director.
11. The Licencee shall construct the Development in accordance with the methodology described in the document "Proposed Work Plan", provided to Manitoba Environment by the KGS Group dated November 3, 1998, and attached to this Licence.
12. The Licencee shall, during construction of the Development, provide weekly construction progress reports to Manitoba Environment, Manitoba Natural Resources, and the Department of Fisheries and Oceans. The reports shall include quantities placed and/or excavated during the reporting period, and shall note unusual or unexpected conditions encountered and describe actions taken to address these conditions.
13. The Licencee shall suspend dredging operations if, in the opinion of an Environment Officer, cold weather or freezing conditions in the infill area has, or is about to cause, the uncontrolled release of dredge spoil material from the infill area.

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.: 4366.00