



**Conservation**

Environmental Stewardship Division  
Environmental Assessment and Licensing Branch  
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www.gov.mb.ca/conservation/eal  
FAXED  
CLIENT FILE NO.: 3094.70

August 12, 2009

Mr. Doug Hunt  
Woodlands Manager  
Tolko Industries Ltd.  
P. O. Box 5200  
The Pas MB R9A 1S1

Dear Mr. Hunt:

Enclosed is **Environment Act Licence No. 2896** dated August 12, 2009 issued in accordance with The Environment Act to **Tolko Industries Ltd.** for the construction, operation and maintenance of the Development being an all season road (Dickstone South Road) through Grass River Provincial Park from Provincial Trunk Highway 39 to the Chisel Lake railbed in Townships 65 and 66, Range 22W, in accordance with the Environment Act Proposal dated March 10, 2008, and additional information dated July 18, 2008.

In addition to the enclosed Licence requirements, please be informed that all other applicable federal and provincial regulations must be complied with.

For further information on the administration and application of the Licence, please feel free to contact Tim Prawdzik, Environment Officer at (204) 622-2123.

Pursuant to Section 27 of The Environment Act, this licensing decision may be appealed by any person who is affected by the issuance of this Licence to the Minister of Conservation within 30 days of the date of the Licence.

Yours truly,

Tracey Braun, M. Sc.  
Director  
Environment Act

Enc.

- c: Don Labossiere, Director, Environmental Operations Branch
- Tim Prawdzik, Environmental Operations Branch
- Craig Asselstine, Director, Northwest Region
- John Dojack, Director, Forestry Branch
- Barry Bentham, Director, Parks and Natural Areas Branch
- Jack Dubois, Director, Wildlife and Ecosystem Protection Branch
- Public Distribution List (attached)
- Public Registries

**NOTE:** Confirmation of Receipt of this Licence No. 2896 (*by the Licensee only*) is required by the Director of Environmental Assessment and Licensing. Please acknowledge receipt by signing in the space provided below and faxing a copy (letter only) to the Department by Aug 27, 2009.

\_\_\_\_\_  
On behalf of Tolko Industries Ltd.

\_\_\_\_\_  
Date

## Public Distribution List

Diane Pullen	Gwen Cave	Letty Last	Robert Butler
Marjorie Kobayashi	Jennifer Johnsen	Tyrrell Mendis	Michael Isaac
Jason Orchyk	David R Bryce	Karen Hammarstrand	Greg Muench
Scott Bias	Chris Potrebka	Ray Knispe	Lynne Fernandez
Andrea Fristensky	Denise Pancoe	Bronwyn Turnbull-Innis	Paul Reder
Andre Lacabanne	Andrew Molnar	Dave Taylor	Jessica Mary Benoit
Di Ingram	Stephen Grant	Micah Simcoff	Bruce Shefrin
Mary Lacabanne	Joy Stewart	Anne McGillivray	Garrett LeBlanc
Eldon Schmitz	Jeffery Cottes	Ian Band	Danielle Rioux
James Burr	Sylvie Schmitt	Brenda Eamer	Alex Rothney
Fred Goods	Philip Geisel	Myron Pasaluko	Manning W. Hobday
Tracey Wright	Gary & Bonita Cobb	Ken Dunsmore	John Toone
John Shearer	Fenella Temmerman	Jeff McColl	Diane Combot
Lisbeth Savard	Bruce Little	Susan Lindsay	David Konefall
Mary LeMaitre	Stephen Grimmer	Kate Edwards	Sylvie Kathler
Corey Bialek	Marts Luinenburg	Dennis Connelly	Karl Steininger
Cara Brown	Dawn Teasdale	Carole E. Gauthier	Greg Enns
Victor Simpson	Amber Rusnak	Sally Hubble	Beverly Anne Rawluk
Alexis Simpson	Marjorie E. Larson	Filmer Hubble	Carl Enns
Kathy May Simpson	Margerit Roge	Lorraine Leo de Jong	Leonard MacWilliam
Terry Boettcher	Valerie Dorwar	Cheryl Winger	Christine Mader
Deborah Judith	Theodor Melnyk	Rick Penner	Iona Pople
Bernadette Carlson	Marc DeGagne	Les McCann	Janice Clark
Tom Pearce	Lee Treilhard	Geoffrey Senichenko	Sheila Corrigan
Leslie Taylor	Karl Heymann	Marie Simon	Laura Willmek
Pat Jorgensen	Nick Neufeld	Harv Dueck	James Soko
Sandy Schirrmeister	Sherry Bailey	Chris Martin	Joanne Katz
Jennifer Wilson	Adrian Ashcroft	John Pelletier	Dr. Shannon Dixon
Vic Pople	Marla Simcoff	Mireille Roy	Casey Dixon
Lynne Mellow	Russ Popp	Michael Mowat	Melanie Mill
Sarah McEwen	Scott Nystrom	Roberta Orosz	Lindsay Schubert
Jasmine Dexter	Pat Popp	Peter Hudson	Armando Suba
Bea Cherniack	Clay Baumung	Kevin Miller	Josh Drury
Jason Dawe	Sharleen Jacques	Eric Reder	Tim O'Toole
Hugh Burton	Delores Christoff	Billy Granger	Jason Allan
Bruce & Barb Sewart	Robin Bryan	Jeannine Sorin	Lori Grant
Diane DeBattista	Linda J. Watson	Angela Chotka	Stewart McEwen
Jim Nickels	Garry Christoff	Robert Ashley Mills	Michelle Becker
Dylan Jones-Drewniak	Chantal Phaneuf	Rene Vielfaure	Stephen Kirk
Hutzi Nickels	Tammy Kauf	Amy Dick	Kevin Desjarlais
Marjolaine Axford	Neil Pennie	Beverley Cann	Laura George
Carol J. A. Hill	Maureen Ferley	Sara Wiebe	Kelly Quigley
Walter Eugene Swayze	Delores F. Christoff	Amanda Leuschen	Emily Rivers
Christian Bazin	James A Antoine	Sharon Muldrew	Mike Kazina
Gisile Bazin	Garry E Christoff	Nathan Gerbrandt	Joan Rachel Roberts
Patrick Buat	Robert Rutkowski	Clark Greenfield	Kim Laura Shotton
Gail Brown	Andrew Clare	Jodi Munn	Corbett Draper
Jessica Adelman	Paul Puzio	John Speer	Deanna Kazina
Lorna Cameron	Matthew Morison	D. Donovan Wiebe	Fiona Maureen Muldrew

Richard Moody  
Laura Kazina  
Ryan Germain  
Darlene Dunn  
Kiersten Nord  
Kathryn MacKenzie  
Paloma Corrin  
Larry Powell  
Dayton Powell  
Patrick May  
Nancy Eberhard  
Michelle Becker  
Kate Kehler  
Stanley G. Enns  
Lisa D Squair  
Megan Wegert  
Joanne Clark  
Natalija Subotincic  
Curtis Wiebe  
Suzanne Bremault  
Pauline Nembhard  
Joe Dokuchie  
Keith Schinkel  
Dianne Ross  
Kendall Thiessen  
Natalie Lukowycz  
Glenn Duncan  
Noreen Duncan  
Michael McIsaac  
Katharina Nuss

Nicole Lahaie  
Dianne Scoles  
Allison Peters  
Cory Storm  
Alon Weinberg  
Co Lam  
Bernadette Sabourin  
Summer Hansell  
Kathryn Funk  
Andrew Majewski  
Jeffrey Thiessen  
Paul Morgan  
Arun Jagdeo  
Sally Nystrom  
Karla Funk  
Jason Hildebrand  
Nancy Hall  
Mona Sobkowich  
Dave Hololwaty  
Robert Loiselle  
Katharine Wiebe  
Patricia Janzen  
Wilfred Neufeld  
Eric Stutzman  
Bernard Ferguson  
Clark Cunningham  
Kris Halderson  
Mark Courtney  
G. Salmon  
Sandra Klwak

Kath Kolotylo  
Scott West  
North W. Reder  
Doug Hunt  
Joyce Totte  
Paul Chapman  
William Aaron Goethe  
Rhonda Lukey  
Paula Lynn Jones  
Ward Perchuk  
Eleanor Douglas  
Darren M Atkinson  
Greg Slack  
Rick Bobby  
Laurie Totte  
Greg Petryk  
Michelle Petryk  
Nick Totte  
Lorraine Petryk  
Michael Petryk  
Travis Romanchuk  
Shayne Elliott  
Tim Chotka  
Ione Anderson  
Don Aikman  
T. K.  
Pete Peters  
Vern Bauman  
Paul LeBlanc  
Ted Unrau

Brian Nickel  
David Lund  
Tony Smith  
Art Fenner  
John Dyck  
Ward Perchuk  
Tom Bridgeman  
Avery Ascher  
Alan Gibb  
Conrad Swanson  
Mike Camp  
Ryan Proulx  
Eva Pielak  
MaryAnn Mihychuk  
Ike Enns  
Eric Reder  
Gaile Whelan Enns  
Peter Wood  
Chris Chell  
C. and D. Lauterer  
Ward Perchuk  
Michael F. Petryk  
Mayor Garry Zamzow  
Tony Brew  
Rick Bobby  
John L. Knowles  
Lee Theriault

# LICENCE

Licence No. / Licence n° 2896

Issue Date / Date de délivrance August 12, 2009

In accordance with The Environment Act (C.C.S.M. c. E125) /  
Conformément à la Loi sur l'environnement (C.P.L.M. c. E125)

Pursuant to Section 10(1) / Conformément au Paragraphe 10(1)

**THIS LICENCE IS ISSUED TO: / CETTE LICENCE EST DONNÉE À:**

**TOLKO INDUSTRIES LTD.: "the Licencee"**

for the construction, operation and maintenance of the Development being a road in Grass River Provincial Park from Provincial Trunk Highway 39 to the Chisel Lake railbed in Townships 65 and 66, Range 22W (Dickstone South Road), in accordance with the Proposal filed under The Environment Act dated March 10, 2008, and additional information dated July 18, 2008, 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 used petroleum products and other regulated hazardous wastes generated by the machinery used in the construction, maintenance and decommissioning of the Development in accordance with applicable Manitoba Conservation and legislative requirements.
2. The Licencee shall revegetate areas disturbed by the construction, maintenance and decommissioning of the Development with a mixture of species native to Grass River Provincial Park. These areas shall be revegetated as quickly as possible following construction to prevent soil erosion.

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

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

### **Construction - General**

3. The Licencee shall, not less than two weeks prior to beginning construction of the Development, provide notification to the Environment Officer responsible for the administration of this Licence of the intended starting date of construction and the name of the contractor responsible for the construction.
4. The Licencee shall, prior to construction of the Development, obtain a General Permit from the Parks and Natural Areas Branch of Manitoba Conservation.
5. The Licencee shall, prior to construction of the Development, submit a Forest Road Development Plan and obtain a Work Permit from Manitoba Conservation.
6. The Licencee shall, prior to construction of the Development, provide a copy of this Licence and the Work Permit required by Clause 5 of this Licence to the contractor(s) involved.
7. The Licencee shall, prior to construction of the Development, obtain a permit from the Highway Traffic Board for the connection of the Development to Provincial Trunk Highway 39.
8. The Licencee shall establish any fuel storage areas required for the construction, maintenance and decommissioning of the Development:
  - (a) a minimum distance of 100 metres from any waterbody; and
  - (b) in compliance with the requirements of *Manitoba Regulation 188/2001*, or any future amendment thereof, respecting *Storage and Handling of Petroleum Products and Allied Products*.
9. The Licencee shall, during construction, maintenance, operation and decommissioning of the Development:
  - (a) immediately report any reportable spills to Manitoba Conservation's Accident Reporting Line at (204) 944-4888; and
  - (b) provide a follow-up report to the Director on a reportable environmental accident outlining the cause(s) and proposing corrective action to prevent reoccurrence.
10. The Licencee shall, at all times during the construction and decommissioning of the Development, have materials available at all construction sites to contain and recover spills of fuel and other fluids associated with construction machinery.
11. The Licencee shall, during the construction and decommissioning of the Development, clean up and deposit all debris from construction sites, including demolition debris, at a Waste Disposal Ground operating under the authority of a permit issued pursuant to *Manitoba Regulation 150/91*, or any future amendment thereof, respecting *Waste Disposal Grounds*.
12. The Licencee shall, during construction, maintenance, operation and decommissioning of the Development, dispose of all sewage and septage from on-site sanitary facilities in accordance with

***Manitoba Regulation 83/2003***, or any future amendment thereof, respecting ***Onsite Wastewater Management Systems***.

13. The Licencee shall design the right-of-way of the Development to avoid rare or endangered species and species of special concern, as well as migratory birds, their nests and their eggs. A survey of the right-of-way for these species shall be completed and a report on the survey shall be provided for the approval of the Director prior to construction of the Development.
14. The Licencee shall not remove, destroy or disturb species listed as rare, endangered, or of special concern, or their habitats. These species are listed in ***Manitoba Regulation 25/98***, or any future amendment thereof, respecting ***Threatened, Endangered and Extirpated Species*** and in the federal Species at Risk Act.
15. The Licencee shall not harm, remove, destroy or disturb migratory birds, their nests or their eggs pursuant to the requirements of the federal Migratory Birds Convention Act.
16. The Licencee shall, during construction, maintenance, operation and decommissioning of the Development, take all appropriate measures to prevent erosion and the deposition of sediment into any waterbodies adjacent to the Development.
17. The Licencee shall not undertake construction or decommissioning activities in connection with the Development in waterways and wetlands between April 1 and July 15 of any year, or during periods of high streamflow.
18. The Licencee shall, during construction, maintenance and decommissioning of the Development, not alter surface drainage patterns or wetlands.
19. The Licencee shall not, during construction, maintenance and decommissioning of the Development, clear, compact, grade or fill any areas of natural vegetation including wetlands, which are not required for the right-of-way of the Development. All construction and maintenance related traffic shall be restricted to the right-of-way of the Development.
20. The Licencee shall not construct other roads connected to the Development. Short access routes for construction and maintenance purposes such as routes to borrow pits shall be approved in writing by Northwest Region staff of Manitoba Conservation prior to construction.
21. The Licencee shall design and construct borrow pits in connection with the Development to minimize environmental and aesthetic impacts. Borrow pit designs shall be approved in writing by the Northwest Region Integrated Resource Management Team of Manitoba Conservation prior to construction, and subject to the requirements of a Quarry Permit.
22. The Licencee shall construct the Development in accordance with requirements provided in the most recent edition of Manitoba Conservation's Forest Practices Guidebook on Forestry Road Management.

### **Construction – Grass River Bridge**

23. The Licencee shall, during construction and maintenance of the Development, adhere to the general recommendations on design, construction and maintenance of stream crossings as specified in the Manitoba Department of Natural Resources guidelines titled *Recommended Fish Protection Procedures for Stream Crossings in Manitoba, May 1996*, and the current version of the federal Department of Fisheries and Oceans Operational Statement on Clear-Span Bridges ([www.dfo-mpo.gc.ca/regions/central/habitat/os-eo/provinces-territoires-territoires/mb/pdf/os-eo05\\_e.pdf](http://www.dfo-mpo.gc.ca/regions/central/habitat/os-eo/provinces-territoires-territoires/mb/pdf/os-eo05_e.pdf)).
24. The Licencee shall locate the Grass River Bridge of the Development in accordance with the Proposal so that the bridge is not visible from Provincial Trunk Highway 39.
25. The Licencee shall locate the Grass River Bridge of the Development so that clear sightlines are provided to the bridge for both truck traffic on the road and boat traffic on the river.
26. The Licencee shall construct the Grass River Bridge of the Development as a single span, single lane structure with an approximate maximum width of 5 metres and a precast concrete deck.
27. The Licencee shall comply with the requirements of Transport Canada pursuant to the Navigable Waters Protection Act respecting the Grass River Bridge of the Development.
28. The Licencee shall make provisions to maintain a safe boat portage at the site of the Grass River Bridge of the Development.

### **Operation**

29. The Licencee shall, between April 1 and October 31 of any year, limit access to and use of the Development to logging trucks hauling from or returning to the Operating Area north of Grass River Provincial Park. Service vehicles and equipment other than that required for maintenance of the Development shall access the Operating Area north of the Development using the Chisel Lake Railbed Road and the existing Dickstone North Road.
30. The Licencee shall, between November 1 of any year and March 31 of the following year, limit access to and use of the Development to logging trucks and other vehicles directly related to forest harvesting operations in the Operating Area north of Grass River Provincial Park. Vehicles not directly related to forest harvesting operations or the maintenance of the Development shall access the Operating Area north of the Development using the Chisel Lake Railbed Road and the existing Dickstone North Road.
31. The Licencee shall provide locked gates at each end of the Development. The North gate shall be locked except at times when hauling is occurring. The South gate shall be locked at all times, and operated for individual vehicles when hauling is occurring to allow only authorized traffic. Keys for both gates shall be held only by the Licencee's authorized gatekeepers and Northwest Region staff of Manitoba Conservation.

32. The Licencee shall secure the South gate of the Development when hauling is occurring either by staffing the gate so that the gate is opened for authorized vehicles and locked when no authorized vehicle is passing through, or by installing an electronic control system acceptable to the Director to accomplish the same objective. If an electronic control system is used, the gate must be immediately staffed during hauling in the event of a failure of the electronic control system. An electronic control system must be capable of opening and closing the gate for each vehicle using coded cards, identifying the card, vehicle and time of each operation, and transmitting this information in real time to the Licencee. Reporting of this information shall be required in accordance with Clause 35 of this Licence.
33. The Licencee shall provide and maintain signage at trail crossing points along the Development for the safety of trail users and to inform trail users that travel on the Development is not authorized.
34. The Licencee shall not use chemical means for dust or ice control on the Development. Sand shall not be used in winter within 100 m of the Grass River Bridge of the Development. Crushed rock may be used for traction assistance within 100 m of the Grass River Bridge. Any crushed rock carried onto the bridge deck shall be removed each spring.
35. The Licencee shall, commencing one year from the date of this Licence, provide an annual report to the Director on usage of the Development. The report shall include information on the number and dates of loads hauled on the Development, incidents of unauthorized use and remedial measures, and maintenance issues including those at watercourse crossings for the reporting period.

### **Decommissioning**

36. The Licencee shall, not later than six months from the date of this Licence, provide for the approval of the Director a plan for the decommissioning of the Development. The plan shall include a discussion of actions to be taken by the Licencee in the decommissioning of the Development, including the anticipated timing of decommissioning following the conclusion of forest harvesting activities in the Loonhead Lake/Wheadon River operating area, restoration and re-forestation of the roadbed with tree species native to Grass River Provincial Park, the removal of the Grass River Bridge and the permanent blocking of access at trail crossings and gate locations.
37. The Licencee shall implement the plan approved by the Director pursuant to Clause 36 of this Licence. Implementation of the plan shall be as described in the plan unless otherwise required by the Director in writing.
38. The Licencee shall provide financial assurance in an amount and form required by the Director in respect of the implementation of the plan required by Clause 36 of this Licence.


### **Monitoring**

39. The Licencee shall participate in monitoring and research activities relating to woodland caribou in proximity to the Development within Grass River Provincial Park in cooperation with Manitoba Conservation. Participation by the Licencee may include data collection, the provision of technical expertise and the provision of funding.



**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 the Licencee fails to maintain a valid Forest Management Licence for forest harvest activities supported by this Licence, the Director may, temporarily or permanently, revoke this Licence after initiating decommissioning activities pursuant to Clause 37 of this Licence.
- D. 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.

  
\_\_\_\_\_  
**Tracey Braun, M. Sc.**  
**Director**  
**Environment Act**

File: 3094.70