

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Rural Municipality of Ritchot
PROPOSAL NAME: Rural Municipality of Ritchot Water
Supply Pipeline Upgrade
CLASS OF DEVELOPMENT: Two
TYPE OF DEVELOPMENT: Water Development and Control
CLIENT FILE NO.: 4229.00

OVERVIEW:

The Proposal was received on January 28, 1997. It was dated January 24, 1997. The advertisement of the proposal was as follows:

“A Proposal has been filed by J. R. Cousin Consultants Ltd. on behalf of the Rural Municipality of Ritchot for the construction of a water pipeline crossing of the Red River at Ste. Agathe. The line would consist of two 300 mm polyethylene pipes which would connect existing pumphouses east and west of the river. The pipelines would be buried on the south side of the PR 305 right-of-way. The river crossing would be made immediately south of the PR 305 bridge at Ste. Agathe, and would involve trenching the pipelines one metre below the river bottom and backfilling. Construction of the river crossing would occur in March, 1997.”

The Proposal was advertised in the Steinbach Carillon on Monday, February 10, 1997. It was placed in the Main, Centennial, Eco-Network and Steinbach Public Library public registries. It was also distributed to TAC members on February 4, 1997. The closing date for comments from members of the public and TAC members was February 21, 1997.

COMMENTS FROM THE PUBLIC:

No comments were received from members of the public.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Environment - Winnipeg Region No concerns.

Manitoba Environment - Environmental Quality No comments.

Historic Resources Branch The pipeline will be placed in an area previously impacted when the PR 305 bridge was constructed. The application states that in the event that a “heritage artifact” is discovered, construction will be temporarily postponed and the Branch will be contacted. The Branch recommends that a modified version of this statement be included in the Environment Act Licence stating that in the event heritage objects or heritage

.../2

- 2 -

resources, or specimens thought to be heritage objects or resources, are discovered, construction will cease and the Branch will be notified. The Historic Resources Branch has no further concerns with the Proposal.

Disposition:

The Branch’s recommendation can be included as a licence condition.

Mines Branch No concerns.

Highway Planning and Design No objections - the proponent is aware of MHT requirements and their consultant has been in contact with the regional office in Steinbach. A water line agreement is needed with the Department prior to placing any water supply lines within our right-of-way. The proponent is expected to meet or exceed certain standards when working adjacent to a provincial road or highway. Project specific details have to be reviewed in due course as part of the normal highway crossing approval process. The proponent should ensure all necessary precautions are taken to avoid any potential erosion which could impact the bridge immediately downstream of the crossing.

Disposition:

This information was forwarded to the Proponent’s consultant for information.

Urban Affairs No comment.

Natural Resources The proponent has proposed to construct this pipeline crossing prior to the end of March. It is questionable whether this can be accomplished by that time. Should the work extend beyond the end of March instream work should be timed to avoid the critical fish spawning period of April 1 to June 15. Construction in riparian areas should not take place during the wildlife breeding and rearing season of May to August. The construction zones should be as narrow as possible near aquatic areas and through riparian zones. Disturbed areas that are to be re-seeded should be done so with native species or with locally grown cultivars appropriate for the site. The proponent has proposed a number of measures to mitigate impacts to fish habitat. In some cases mitigation measures are seasonal and site specific. Prior to proceeding with this project

the proponent should contact DNR Fisheries Branch for the best methods suited to this particular situation. The proponent should follow the Manitoba Stream Crossing Guidelines. To reduce the possibility of leaks which could require further disturbances of the river regime the proponent should consider using jointless polyethylene pipe for the river crossing.

Disposition:

These comments can be addressed as licence conditions.

Canadian Environmental Assessment Agency Application of the Canadian Environmental Assessment Act with respect to this project will not be required. The Department of Fisheries and Oceans were unable to determine whether they have a trigger with respect to the project.

.../3

- 3 -

Fisheries and Oceans The proposed pipeline route crosses the Red River which has significant fish habitat and is an important fish bearing water. The proposal is lacking in detail in a number of respects. There is no information regarding the fish habitat that may be impacted at the proposed crossing location. If detailed information is unknown, a fisheries and fish habitat investigation to further evaluate the sensitivity of the crossing should be undertaken. There are also inadequate details regarding the specific crossing technique that will be employed such as trenching methods, instream spoil handling or backfill material. The water surface profile is from August, 1969, and is therefore a very poor indication of water depths likely to be encountered this winter. With no information regarding the proposed crossing technique, it is difficult to determine the likelihood that the crossing can be completed prior to spring breakup. DFO is concerned that the proponent could encounter difficulties with the open cut crossing and be unable to complete the work in a satisfactory manner during the proposed schedule. Instream activity is generally prohibited during the spring spawning and incubation period of April 1 to June 15. In the Red River, summer spawning species such as channel catfish may necessitate a further extension to that period. Until the foregoing information deficiencies are addressed, DFO is unable to determine whether authorization pursuant to Section 35(2) of the Fisheries Act is required for the proposal, and hence whether DFO has a CEEA trigger with respect to the project.

Disposition:

Additional information is required to address these concerns. The Proposal contained no details with respect to anticipated construction techniques, and no estimate was provided for the amount of time needed to complete the instream portion of the project.

PUBLIC HEARING:

As no public concerns were identified, a public hearing is not recommended.

ADDITIONAL INFORMATION:

Due to the urgency of the project, a preliminary indication of additional information requirements was forwarded to the Proponent's consultant on February 14, 1997. The concerns discussed in the preliminary request were confirmed by telephone on February 25, 1997. Two responses were received, dated February 18, 1997 and February 26, 1997. These responses are attached. The responses provide some information on construction techniques, but no additional detail on fish and fish habitat. The responses were reviewed by Natural Resources and Fisheries and Oceans staff on March 4, 1997.

DISCUSSION:

Although the additional information does not address all of the concerns identified during the preliminary review of the project, the proponent remains anxious to attempt to complete the crossing before the breakup of ice in the spring of 1997. The consultant estimates that up to 14 days will be required to increase ice depths at the site, and that an additional 10 days will be required for site preparation and construction. All instream work must be completed by April 1 to avoid fish spawning impacts, and it is possible that ice conditions may deteriorate prior to April 1 due to expected spring flooding. It appears

.../4

- 4 -

somewhat unlikely that sufficient ice can be made so late in the spring to allow the project to proceed. However, as ice formation does not create significant environmental impacts, it appears reasonable to allow ice formation to proceed and to decide on the feasibility of excavation based on the weather which occurs towards the end of the ice formation period.

RECOMMENDATION:

Most of the comments received on the Proposal can be addressed as licence conditions. For the remaining concerns, judgements can be made on site just prior to the start of construction. Therefore, it is recommended that the Development be licensed under The Environment Act subject to the limits, terms and conditions as described on the attached Draft Environment Act Licence. It is further recommended that enforcement of the Licence be retained by Environmental Approvals.

PREPARED BY:

Bruce Webb

Environmental Approvals - Environmental Land Use Approvals
March 5, 1997

Telephone: (204) 945-7021

Fax: (204) 945-5229

E-mail Address: bruce_webb@environment.gov.mb.ca