

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Manitoba Infrastructure and Transportation
PROPOSAL NAME: Centreport Canada Way Expressway
CLASS OF DEVELOPMENT: 3
TYPE OF DEVELOPMENT: Transportation
CLIENT FILE NO.: 5515.00

OVERVIEW:

On March 22, 2011, Manitoba Conservation received a Proposal dated March 22, 2011, from Manitoba Infrastructure and Transportation for the construction and operation of the Centreport Canada Way (CCW) Expressway connecting Inkster Boulevard with PTH 101 located within northwest Winnipeg and the RM of Rosser. The proposal includes the construction of approximately 7 km of four lane divided expressway, the installation of a drainage system and the realignment of Sturgeon Road and Inkster Boulevard.

Public comments were received in response to the advertisement of this proposal in the Stonewall Argus & Teulon Times published on Friday, April 8, 2011 and Winnipeg Free Press published on Saturday, April 9, 2011. The proposal was placed in the Public Registries at the Millennium Public Library, the Manitoba Eco-Network, RM of Rosser and the Conservation Library (Main). The proposal was distributed to TAC on April 8, 2011, with the closing date for TAC and Public comments on May 9, 2011.

COMMENTS FROM THE PUBLIC:

Winnipeg Airports Authority Inc.

- The following documentation was not referenced in the Environment Act Proposal and should be acknowledged (in relation to environmental matters):
 - Airport Vicinity Protection Area Development Overlay (PDO-1)
 - Airport Vicinity Protection Area Secondary Plan By-law 6378/94
 - Airport Area West Secondary Plan By-law 8097/2002
 - Transport Canada - TP 1247- Land Use in the Vicinity of Airports
- The proposal references this document in relation to direct environmental matters (retention ponds and wildlife attractants). However, it does not identify indirect airport environmental concerns such as protection of telecommunication and electronic systems and bird hazards as a result of changes to land drainage (see “drainage” comments below), aircraft visibility concerns (smoke, dust, steam and lighting).

- Winnipeg International Airport Zoning Regulations (SOR/81-708) should be acknowledged as it pertains to Land Development (protection of airspace and height restrictions).
- Drainage - Ensure peak-flow in Truro Creek is restricted to pre-development capacity (ref: By-law 8097/2002). The Winnipeg Airport Authority is concerned that an increase in drainage to Truro Creek may result in water overtopping a berm at west airport boundary, causing erosion of soil that supports airport security fencing and potential disruption to NavCanada radar and radio communication system cables (ref: TP 1247). Additional drainage to Truro Creek may also increase presence of wildlife on airport property, which poses a risk to aviation safety (ref: TP 1247).
- This section does not include all pertinent legislation and guidelines which could include, but is not limited to:
 - The pertinent documents listed above under “Other documentation”;
 - Canadian Environmental Protection Act;
 - Migratory Birds Convention Act;
 - Heritage Resources Act;
 - The Dangerous Goods Handling and Transportation Act;
 - Neighborhood Livability By-law 1/2008 (in relation to noise during construction activities);
 - Canadian Council of Ministers of the Environment (CCME) Guidelines;
 - CCME Canada Wide Standards;
 - MB Water Quality Standards, Objectives and Guidelines;
 - Manitoba Transportation and Government Services Manual of Erosion and Sediment Control During Highway Construction; and,
 - Various guidelines are listed throughout the report, but not identified in the Framework.

Disposition: These comments were forwarded to the proponent. Concerns regarding Truro Creek were forwarded to the proponent for further information (see ‘Request for Additional Information’ section of this summary).

Cynthia Cohlmeier

- The realignment and enlargement of Inkster Boulevard and Sturgeon Road will undoubtedly eliminate an existing remnant of Tall Grass Prairie.
- Much of our remaining Tall Grass Prairie persists in unlikely locations, like this highway right-of way. Through gradual and repeated small losses, similar valuable remnants of the past have disappeared. I would therefore suggest that the Centreport project compensate in some way for the loss of this native grassland.
- I would like to see the proponents of the new roadwork be asked to transplant the prairie to another location or to provide for some compensatory work related to

grassland habitat protection. I am sure there are many who would offer their time to provide ideas and suggestions for constructive compensation to support the survival of Tall Grass Prairie in Manitoba.

Disposition: Comments were forwarded to the proponent for further information (see 'Request for Additional Information' section of this summary). Comments can be accommodated as licence conditions.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Canadian Environmental Assessment Agency

- Transport Canada (TC) and Department of Fisheries and Oceans (DFO) have concluded that the primary project components of the CentrePort Canada Expressway were previously considered in the CentrePort Canada Way Project EA completed in May of 2010. Based on the responses from TC and DFO, the application of the Act will not be required for this project.

Disposition: These comments were forwarded to the proponent. Manitoba Conservation will continue to work cooperatively with federal agencies on this project.

Manitoba Conservation, Pollution Prevention Branch

- The proposal adequately addressed the potential emissions to be generated during construction which are: dust, gaseous and particulate emissions from heavy equipment and vehicles.
- Noise from construction activities will have minimal impact because residences are far from the project area.

Disposition: Comments regarding noise can be accommodated as licence conditions.

Manitoba Conservation, Sustainable Resource and Policy Management Branch,

- Through a Memorandum of Understanding signed in June of 2007, Manitoba and the City of Winnipeg are evaluating the City of Winnipeg's natural lands for addition to the protected areas network. The proposed route crosses through one of the parcels of land under consideration at the Sturgeon Creek crossing. Recommend the proponent contact the City of Winnipeg regarding this natural area.

Disposition: These comments were forwarded to the proponent for information.

Manitoba Water Stewardship

Manitoba Water Stewardship recommends an *Environment Act* Licence to include the following requirements:

- Prior to any injection of saline water into an aquifer, the Licencee is required to prepare a report, subject to the approval of Manitoba Water Stewardship.
 - The report shall include the following:
 - the formation/aquifer proposed for dewatering;
 - the receiving formation/aquifer;
 - reasons to believe that the two formations/aquifers are hydraulically separated;
 - water quality of the injection water and of the receiving formation/aquifer including bacterial quality;
 - any users of the aquifers within the zone of possible water quality impact; and,
 - expected duration of injection.
 - Note: Section 6.2 of the proposal states that an injection of saline water is currently occurring into a “deep” aquifer and additional injection may occur. The proposal also indicates that this injection should have “null” effects.
- The Licencee shall develop and implement an Emergency Response Plan, including the following provisions:
 - Equipment shall be washed at least 400 metres away from surface waters;
 - Spill kits shall be present in all structures and vehicles, at all times; and,
 - Appropriate training for contractors and operators shall occur before each individual enters a construction area.
- Where there is a potential for erosion, road construction shall occur only during dry weather.
- Biodegradable silt curtains, fencing, erosion mats, or other barriers shall be installed prior to the commencement of construction and shall remain in place until vegetation is stabilized.
- In-stream work, such as upgrading culverts, shall not occur during the fish spawning period and shall be conducted in consultation with the Department of Fisheries and Oceans Canada and Manitoba Water Stewardship.
- Revegetation work shall implement a seed mix of native plants.
- De-icing compounds shall be applied only when required and away from surface waters.

- All practicable measures to eliminate siltation, nutrient, and organic loading to prevent further degradation of surface waters shall be implemented.
- Manitoba Water Stewardship submits the following concerns:
 - The proposal identifies several areas of forest are proposed for highway development. Research show that conversion of forested land to other land uses can be a significant source of nutrients to watersheds. Forested areas in uplands play an important role in the interception of sediment, nutrients, wildlife habitat, and ecological diversity. Efforts should be made to maintain the integrity of forested lands as much as possible.
 - The proposed development will have direct impacts on Omand's Creek, Truro Creek and Colony Creek. Omand's Creek and Truro Creek have received a substantial amount of fisheries rehabilitation work, within the City of Winnipeg's limits. Omand's Creek and Truro Creek provide seasonal habitat for large and small bodied fish species. Although some of the crossings are located at the known upstream reach of pike and white sucker distribution, these upper reaches have not been evaluated frequently, all crossings should be embedded and designed to meet fish passage guidelines.
- Manitoba Water Stewardship recommends the implementation of clear span structures on as many crossings as possible to minimize accumulative land management effects.
- Manitoba Water Stewardship requests to review the proposed crossing locations and structures before they are finalized.
- Manitoba Water Stewardship submits the following comments:
 - Manitoba Water Stewardship does not object to this proposal, at this time.
 - The Manitoba Department of Water Stewardship is mandated to ensure the sustainable development of Manitoba's water resources. Manitoba Water Stewardship is committed to the goals of: protecting aquatic ecosystem health; ensuring drinking water is safe and clean for human health; managing water-related risks for human security; and stewarding the societal and economic values of our waterways, lakes and wetlands; for the best water for all life and lasting prosperity. Manitoba Water Stewardship achieves these goals, in part, through administering legislation, including *The Water Protection Act*, *The Water Rights Act*, and *The Water Power Act*.

- The proponent needs to be informed of the following for information purposes:
 - Erosion and sediment control measures should be implemented until all of the sites have stabilized.
 - *The Water Rights Act* requires a person to obtain a valid licence to control water or construct, establish or maintain any “water control works.” “Water control works” are defined as any dyke, dam, surface or subsurface drain, drainage, improved natural waterway, canal, tunnel, bridge, culvert borehole or contrivance for carrying or conducting water, that temporarily or permanently alters or may alter the flow or level of water, including but not limited to water in a water body, by any means, including drainage, OR changes or may change the location or direction of flow of water, including but not limited to water in a water body, by any means, including drainage. If a proposal advocates any of the aforementioned activities, a person is required to submit an application for a Water Rights Licence to Construct Water Control Works. A person may contact the following Water Resource Officer to obtain an application and/or obtain information.
 - A contact person is Mr. Geoff Reimer C.E.T., Senior Water Resource Officer, Water Control Works and Drainage Licensing, Manitoba Water Stewardship, Box 4558, Stonewall, Manitoba R0C 2Z0, telephone: (204) 467-4450, email: geoff.reimer@gov.mb.ca.

Disposition: Comments were provided to the proponent. Several comments can be accommodated as licence conditions.

ADDITIONAL INFORMATION REQUEST:

EAL Branch contacted the proponent with questions from TAC members and the public concerning the project on May 17, 2011. A submittal in response to comments was dated and received on June 1, 2011:

What is the status of the expropriation of private lands required for this development?

The property acquisition process has been divided into two separate expropriation processes:

- For the first portion of lands (the main corridor between Summit Road and Inkster) the expropriation order was approved and MIT will take possession of the land on July 15, 2011.

- For the second portion of lands (which includes land from the CP overpass to its connection back with Inkster near Route 90 as well as the connecting roads from Sturgeon Rd/ Saskatchewan Ave to PTH 190 at the south end as well as some additional parcels) the expropriation order will be submitted for approval this month with possession of the land expected by mid fall.

Please provide additional information on the increased drainage to Truro Creek and its impact on the Winnipeg International Airport.

Additional flows are not expected for Truro Creek and based on the current drainage design, a small decrease in flow to Truro is anticipated. Some ditch drainage will be directed to Truro Creek however this represents local flows which naturally feed into Truro. We will lose some permeable surface with the new pavement surface, but we will gain some storage capacity from the new ditches. At this point, the plan is to install four 900mm culverts through CCW at Truro Creek, to match those installed through Sturgeon Road.

Please provide additional information on the impacts of this development, and associated mitigation measures, to Tall Grass Prairie at the corner of Inkster and Sturgeon.

The two locations of remnant tall grass prairie appear to be comprised of portions of land identified as Public Road Plan 9347 W.L.T.O. and Parcel A Plan No. 50401 W.L.T.O. and we confirm that they are presently under MIT's jurisdiction.

There are no planned construction activities on the parcels of land in question and Sturgeon Road southwards at that location will be closed and decommissioned. MIT is prepared to take appropriate steps to protect these fragments from damage during the construction of the CCW and decommissioning of Sturgeon Road and as a result the Department does not anticipate impacting the parcels in question.

If it is decided that it is in the Province's interest to afford these tall grass prairie fragments long term protection MIT would be prepared to divest itself of the land to another government department or other organization to ensure that land can be managed by an agency that is in that business and has the appropriate mandate.

DISCUSSION AND ANALYSIS:

This information is sufficient to allow several public and TAC concerns to be addressed through licence conditions. There are no overriding technical issues associated with this project that would preclude the issuance of an Environment Act Licence with appropriate conditions.

PUBLIC HEARING:

No requests were received for a public hearing on the project. Technical issues surrounding the project are sufficiently understood. A public hearing is not recommended for the project.

RECOMMENDATION:

All comments received on the Proposal can be addressed as licence conditions or have been forwarded to the proponent for information. It is recommended that an Environment Act Licence be issued for the project subject to the limits, terms and conditions as described on the attached draft licence. Administration of the licence should be assigned to the Central Region, with technical assistance to be provided by Environmental Assessment and Licensing Branch upon request.

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June 7, 2011
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