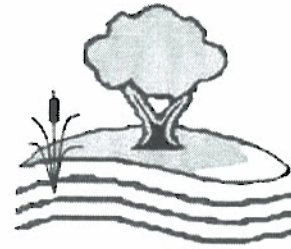


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EBCC
Eastern Beaches Conservation Coalition
Box 95 Beaconsia, MB R0E 0B0
Email ebcc@live.ca
Website <http://www.EBconservation.ca>



Environmental Assessment & Licensing Branch
Manitoba Conservation
123 Main Street, Suite 160
Winnipeg, MB R3C 1A5
Fax: (204) 945-5229
Email: Bruce.Webb@gov.mb.ca

BW

RE: FILE 5486.00- RETTIE BOAT ACCESS

Please be advised that this letter constitutes a formal objection to the above referenced Environmental Assessment Proposal Report (EAP). We are asking the licensing be denied for the Rettie Boat Access Proposal 5486, and that Beaconsia marsh be restored as close as possible to its original condition. We do not see any way for the proposal to be allowed that will not have severe and long-term effects to Beaconsia Marsh and the surrounding area, including direct negative impacts affecting residents in the area, negative impact on the eco-system, risk to drinking water and the health of Lake Winnipeg.

The Eastern Beaches Conservation Coalition (EBCC) was formed in the spring of 2010 by concerned citizens to address the various issues our community has with the development of Beaconsia Marsh. The development was approved with no consultation or input from the residents and frequent users of the area, despite due processes in place that state otherwise.

The coalition currently has 49 individual members (and growing) and over a dozen provincial and federal organizations representing thousands of members while it continues to grow. EBCC's mandate is to protect the environment on the east side of Lake Winnipeg; respecting its beauty and natural environment and to ensure appropriate legislation protecting our environment is followed.

The stop work order issued by Manitoba Water Stewardship in March was the result of EBCC and other resident complaints. It was during the Water Stewardship preliminary investigation that the canal was stated as being excavated in the marsh. This invalidates any claims by Rettie that it was excavated on his land. It is our opinion that this changes the entire application of laws and regulations, and means that this is development on Crown Property. Unless the Province is going to take responsibility for this canal development, the methods of construction, and the effects on the environment, and most important the impact on residents, it would appear that a return to its original state is the only possible outcome for Beaconsia Marsh.

Rettie has claimed he has grand fathered rights. This cannot not be true. It is not stated on his land title. It is not inherited, and the land has changed hands several times since the only registered survey back in 1913. That survey was done by the Winnipeg & Northern Railway Company. They did not even survey the property, they stated where the property exists. Most financial institutions will not accept a survey almost one hundred years old. Surveys that old are simply not accurate to what presently exists. The shoreline and marsh have definitely changed over that time period. There is no ability to claim settler rights when Rettie purchased the property just 5 years ago. You cannot reclaim what you have lost to the lake. That has been enforced by Manitoba Water Stewardship in many instances.

Furthermore, the EBCC objects to this proposal for the following reasons:

Flawed Approval Process – The initial “Request for Project Review” submitted to the Department of Fisheries and Oceans (DFO) by Mr. Rettie dated January 16, 2008 did not adhere to the requirement of detailed information required by DFO, including, but not limited to:

- (a) A map or chart with the location of project clearly marked;
- (b) A sketch/drawing of the project, including the side and top view and showing dimensions of work;
- (c) Survey plan or sketch with dimensions indicating location of existing buildings, shoreline structure, property lines, high and low water marks and adjacent properties as well as who owns the property, This should include dates on all maps, sketches and documents including the names of the qualifying reference sources. There are no reference sources cited in the Rettie submission;
- (d) Current photographs of the proposed site, displaying shoreline, shoreline vegetation and bottom sub state (if possible) with date;
- (e) Information regarding fish habitat and or fish species present at proposed site.

Without the above information and with limited information provided by Mr. Rettie, the letter of advice issued by DFO dated April 23, 2008 was done so inappropriately and with no adherence to any procedures as it pertains to the responsibility of the Federal Government regarding the protection of fish habitat and protecting aquatic species at risk and their critical habitat.

Under the Manitoba Environment Act, Section 11(1)(a) “no person shall construct, alter, operate or set into operation any class 2 development unless the person first files a proposal in writing with the department and obtains a valid and subsisting licence from the director for the development”. In the letter of advice dated April 23, 2008 sent by DFO (Ashley Presenger) all government departments including Manitoba Conservation and Water Stewardship were copied. It would appear that someone responsible for implementing the Environment Act took no steps to ensure that Mr. Rettie complied with this Act. In an email from Manitoba Conservation to EBCC dated September 1, 2010, it was claimed Manitoba Conservation had no knowledge of the project until construction was basically complete. Additionally, in a letter from Manitoba Water Stewardship

dated March 12, 2010, they claimed no prior knowledge or involvement in approval of this project. Would it not be the responsibility of these departments to follow up on the status of a project that was given a go ahead by DFO in April 2008?

The Selkirk and District Planning Board (SDPB) was not transparent and accountable when they issued a permit dated January 18, 2010 based on the DFO's letter of advice. By that date the project was basically complete. SDPB never assessed the project relative to the specs in Letter of Advice. Had the Board acted responsibly, they would have seen that the work Mr. Rettie had actually done was in violation of DFO's letter of advice and no permit should have been issued at this time. As per the Manager of SDPB, the permit was issued within 24 hours because the applicant was very cooperative. Also in a letter from Mayor Strang dated February 22, 2010, he denies knowing Mr. Rettie or having any contact with him. Due to the Coalition's lack of information regarding this proposal, the name was miss-spelled as REDDIE. We are sure the Mayor would be knowledgeable enough to connect the name to the issues we were pursuing. To issue a permit of this nature within 24 hours would mean that it was done without the proper procedures of the Municipal Act and Municipal Bylaws of the Rural Municipality of St. Clements. Because both Manitoba Conservation and Water Stewardship clearly stated that they had no prior knowledge, so it was clear that proper procedures were not followed.

As well when residents met with the Manager of SDPB regarding the digging in the marsh, the Manager confirmed that a permit was issued but when asked to see the permit the residents were told that it was confidential and fell under the privacy act. Again viewing of the permit was denied. The EBCC feel that this was a way of circumventing the public awareness through a public notice as well as the requirement to re-zone the property.

The initial proposal by Mr. Rettie to DFO avoided any public participation in developing this proposal as per the requirement by the Manitoba Community Land Use Planning Guide and Public Land Usage Policies.

As the Coalition reviews the procedures that Mr. Rettie followed to obtain approval to construct a canal and destroy Beaconia Marsh, it is evident that the majority of the Provincial, Federal and Municipal acts, bylaws, policies, and procedures were violated.

Rural Municipality of St. Clements Backs Down- Previously, the Rural Municipality of St. Clements had made a lot of public statements supporting Rettie. At the November 9 2010 meeting, they discussed a request by the EBCC for a support letter to restore Beaconia Marsh. It was decided in a motion at that meeting that they would neither support the project, nor would they send a letter of support for the EBCC. This clearly shows how they have at least considered the facts, and admitted they do not have the authority to make decisions over the future of the marsh. At the Town Hall meeting in East Selkirk during the election, Mayor Strang admitted in his election speech there he made a lot of mistakes in how he handled the Beaconia Marsh development. Clearly, this makes a statement that they have backed down, and no longer want to influence the decision of Conservation during the licensing process. We expect they followed through and that Council did not send a letter to promote the developing of the marsh.

Underlying Message in Rettie Submission- If you read the submission report in its entirety, it is clear that there is a very large population of life in the marsh. The person who wrote the submission had to avoid comments about any long-term effects, and has not backed anything with studies or publications. The tone of the submission almost points out in a subtle way how this is not really an appropriate project in our opinion. It points out just how much wildlife will be impacted. How can you disrupt the home of so many life-forms and not have a negative effect? It is simply not realistic to expect all these different species to adapt to such a major disruption to their habitat. Anyone who understands how long it takes for species to adapt knows that there is usually a large number of fatalities and vacancies before any species will learn to adapt to major changes like this canal imposes on their existence. Anyone in conservation will certainly appreciate the importance of this fact. We should not kill and affect all these species for the sake of 2 boats, or more likely several boats as the property reaches its marina stage of development and the plug is removed for use.

Lack of Consistent Specifications – The boat access canal far superseded what was initially the intent identified in the DFO's letter of advice dated April 23, 2008. The dimensions stated in the proposal were 700 feet long, 15 feet wide and 5 feet deep. The actual size is 2200 feet long, 40 feet wide and more than 6 feet deep. The excavation was to be along the tree line above the Ordinary High Water Mark. The digging was done in the Beaconia Marsh along the South Basin of Lake Winnipeg. The earth removed was to be placed, levelled and reseeded on the tree side of the access. It was not specified that it would be used to create a four-foot high berm to protect the flooding of Mr. Rettie's inland property. The boat canal was to provide access to his cabin (which is the former owner's residential home) which is situated inland. The canal was not dug towards the cabin but directly into Lake Winnipeg.

Now the September 16, 2010 EAP identifies further disturbance to the surrounding environment by proposing a boat launch and dock. The initial proposal for boat access to the cabin was to avoid vandalism and theft of his boat. Why would Mr. Rettie now want a boat launch and dock in the middle of Beaconia Marsh where his boat could be susceptible to vandalism and theft? The canal leaves the boats out of sight behind shoreline vegetation and hundreds of feet away from any building. It is also very close to a public roadway, which gives many more people access to his watercraft just a few feet away. The new elements such as the boat launch and dock should not be allowed in this proposal, when it was only a turnaround in the original proposal. The issue under review is the damage done to Beaconia Marsh, not to be licensing for additional development projects.

In reviewing the EAP we have found similar discrepancies with what Mr. Rettie proposes and what actually transpires. In accordance with the intent and purpose of the Environment Act, we are requesting that Manitoba ensure that the environment is protected and maintained in such a manner as to sustain a high quality of life, including social and economic development, recreation and leisure for this and future generations.

Effects on local water flow and aquifer – The new Rettie canal is creating havoc with water flow in the marsh and along the shoreline. The wide opening of the marsh now can accept a much larger volume of water influx during lake level increases from wind effect. The vegetation in the marsh normally restricts these changes naturally, but the large canal has no vegetation in the water, which means there is no resistance to water surging through the marsh. It has resulted in large quantities of debris flowing at high speed through the canal and up over the berm and out the south end of the canal right across the road. In the last storm a large 30 foot deck and two boats from elsewhere on Lake Winnipeg managed to get sucked into the canal and made it all the way to the end of the canal where they were lodged. This action spilled gas and oil, and means that every storm will cause further damage to the marsh environment in various ways. With a prevailing Northwest wind, the Southeast corner of the lake, where the canal is located, is literally a pressure point for water.

The storm damage has consistently brought debris over the end of the canal, and has already filled in the ditch which has drained along Road 98N (Beaconia Beach Road), causing a backup of water, and is now flooding the fields in behind the tree line, hundreds of feet behind the canal and associated berm. This action has caused major environmental changes, and severely impacts the pollution that this area never used to be exposed to. The water draining from miles around into the marsh has been dramatically altered. Retention of this water, which dramatically increases during inclement weather, is now directly affecting the watershed that is feeding the shallow aquifer. Many residents within the Rettie property and in the surrounding area utilize this shallow artesian aquifer for drinking water. The MAFRI maps on the Provincial Government Website clearly illustrate this shallow gravel aquifer. The effects from development of this canal and any future development on the Rettie property have not been addressed in the submission. This aquifer is supporting human life. There are many permanent and seasonal residents of Beaconia, Island Beach, and other nearby residents directly impacted by the risk to this drinking water. There is no other source of water nearby. This omission is perhaps one of the most important aspects that have been overlooked entirely.

This proposal also does not deal with the effects of drainage in general. It does not address the effects to water levels in the low-lying areas of Island Beach. It does not deal with the restriction that the berm has created by cutting off access to the marsh that the ditch had before. Now the debris and the berm combine to cause the ditch to flow directly into the lake. It is more apparent than ever that we must maintain the natural filters like the Beaconia marsh wetlands to filter the unwanted pollutants coming from inland. These wetlands are largely responsible for stopping pollution from entering Lake Winnipeg.

Every rain and windstorm has caused flooding behind the tree line, a long way from the canal development. There is no mention of the changes or what was normal before. It is known to us that flooding happened without the berm. Now that the artificial dike has been constructed, it is even more evident that flooding takes place, as it lasts much longer. There is no solution mentioned and the effects on sustained water presence are going to cause major changes to the habitat over time. With a dike in the way there is nowhere for the water to go. When you consider that this affects over 2000 feet of

shoreline, this is a severe impact on the environment. It is not understood how the scope of the Rettie project will affect wildlife in the long run, which would take more than a few weeks of observing birds and animals and other mentioned life to truly understand all of the real impact.

A majority of the long-term effects on the environment in the marsh and on land remain to be understood. We cannot accept the Rettie submission as a source of fact as to what will really occur. There are too many water and landform changes to understand the impact. None of this was addressed in the submission to evaluate.

Ongoing Maintenance Issues – There will be maintenance to keeping this canal it will never end. There is damage every time there is a storm, and planting grass will not suffice. Grass is not strong enough to battle the water flows and wave action that occurs during storms. The exposed East side of the canal is eroding further in every storm and the sediment barriers are blown over every time the winds get up. The silt will eventually fill in the canal. The entire West side of the canal is submerged all summer, and provides no protection because the canal is built in the marsh. If the canal was excavated where land was above the Ordinary High Water Mark (OWHM), it would actually have two sides and would have limited protection from water action. Still this would still not properly protect it from surges during lake level increases due to wind action.

Dredging is not allowed so this is not sustainable. It is our understanding that sedimentation is a huge concern, and since the entire berm is made up of marsh bottom, there is nothing but muck there. It is highly vulnerable and subject to rapid deterioration from erosion. Water from the ditch on Road 98 is then pushing through the canal into the marsh and the lake. Where does all the sedimentation go once the plug is removed? This is not addressed in the Rettie Proposal.

It is called a boat canal. The water is not deep enough except during storms to get a boat to Lake Winnipeg. Only canoes and kayaks can actually do that, but even they are bottoming out, and paddles hit the bottom. Powered watercraft are much heavier and need much more depth to be able to operate. If we allow this canal for boat use, we have to expect Mr. Rettie to request work to restore access to the lake in future. We are seeing this condition during a slightly higher than normal water level on the lake, so it will get worse when the wet conditions subside, leaving the marsh inaccessible from the canal. Lake Winnipeg access will be out of the question. Therefore the entire project is unsustainable, as it will not serve its purpose even if it were allowed to remain. We cannot change the laws of nature. We should not alter the marsh just for one person's desire to use a boat or two.

A harbour is nearby, just two kilometres up the lake. Most cottagers cannot find a boat launch within 10 kilometres. It would be wise to utilize a location pre-existing and properly designed for the purpose. Not destroy a marsh for personal convenience or financial gain. That does not follow conservation best practises. We also cannot afford to see Rettie's boats dumping fuel and oil in the marsh when a storm blows up. It takes only minutes, usually less than 20 minutes to take protective measures for watercraft. The lake is unbelievably quick at rising and blowing into a storm. The last storm, all the

fishermen lost their boats that were parked in the Balsam Bay Harbour. Rettie would not have had a chance in the marsh. It offers none of the protection the harbour does at Balsam Bay. He would certainly have had his boat damaged by the structure and other boats and debris that blew into his canal. There is no protection from this action. If one drop of gasoline destroys 10,000 gallons of water, what does a 5 or ten-gallon fuel tank do to a marsh? We are supposed to be restoring wetlands, not destroying them. This is mandate that the Provincial Government has been addressing with its wetland education program they rolled out this summer. They are even advertising it on television. This project defies any of the points made in those programs. No powered craft should be allowed in any marsh.

For a marsh to flourish, you cannot be maintaining it. You have to allow it to operate naturally. That is the action that makes it work so well as a natural filter. That is what maintains the habitat for aquatic birds and reptiles and breeding grounds. Any maintenance by humans is intervention, and will be counter-active to many of the natural processes that would otherwise take place. Even mowing the grass on the berm will be scaring off birds.

Effects on Flora & Fauna – Overall the Environment Assessment Proposal Report, in particular the Green Spaces Environment Report portion, shows the substantial amount and diversity of life present and at risk due to this development, and also whose habitat has already been destroyed, such as the Gray Tree Frog. In fact, the width of the canal (40') plus the width of the berm (60') created a loss of at least 100' of marsh of various depths along the entire eastern shoreline of the marsh, which is valuable hibernating habitat for a variety of reptiles and amphibians due to its mud bottom. The excavation of this canal has already disturbed a substantial number of these types of wildlife as the excavation occurred during their hibernation period and would have been dug up. This 100' wide area also directly affects what the report describes as "one of the real highlights" of the area, being the carex zone, whose plants are described as "large genus of plants found in damp woodlands and bogs and ditches or at water margins", which very clearly describes the area that has been excavated.

It is also important to note the presence of 2 species listed in Schedule 1 of the federal Species at Risk Act (SARA):

- Common Nighthawk – Threatened Status
- Northern Leopard Frog (West Boreal/Prairie population) – Special Concern Species

Manitoba Conservation has also brought attention to a rare species, known to reside in this marsh in the past, called the Lake Winnipeg Physa Snail. It is losing its habitat due to loss of marsh areas filtering nutrients entering Lake Winnipeg in recent studies found on the Manitoba Government Website.

The report also states that there is a significant amount of waterfowl frequenting the area, yet there are no comparisons to the amount of waterfowl that were present prior to the canal being dug. Many locals have indicated that there has been a decrease in numbers of birds visiting the area since the excavation. The absence of Bald Eagles who previously nested in this area of the marsh is evidence that the bird habitat has

been affected. The report states that several duck broods were observed swimming in the canal (trench); however, once boats start to use the canal the ducks will be impacted as well. The sheltered waters of the marsh that birds enjoy is no longer present along the affected area since water from the lake gets blown directly into the canal, funnelling the force of the water up and over the banks of the canal and over the berm, as evidenced by several storms that have occurred since the canal was excavated. As a result of this effect of the water, most of this marsh no longer has sheltered waters suitable for bird nesting, and this flow of water will have consequences spreading well beyond the area that has been excavated.

The Rettie Submission states that the canal will create new fish habitat, however, it also states that fish have become trapped in the canal and have died as a result. Additionally, boats and personal watercraft are known to destroy eggs and small fish that further provide evidence of a negative impact on the fishery due to this canal. The overall impact on the fishery cannot be determined due to the lack of a complete scope of this project, as potentially there may be multiple users of this canal rather than just Mr. Rettie. The use of power craft will cause a lot of disturbance to the bottom. This will cause further degradation of water quality, and make it impossible to support plant life. It will also stir up and destroy any eggs from fish and reptiles. It will damage where amphibians burrow into the mud. Propellers will also directly cause damage to life. It seems contradictory to be declaring additional habitat when you take a power craft into the picture. That argument only works if it stays the perfect canal with no activity in it. The bottom of the canal is too deep to support life, except for wandering fish and amphibians. This will not last if there are power craft navigating the water.

The re-vegetation of the berm area using conifers as is currently being done is not sustainable, as these shallow-rooted species are prone to being uprooted by strong winds and soil erosion from the lake. The berm itself creates issues with re-vegetation as the elevation along the marsh has been significantly raised. Plants normally growing along the edge of the marsh such as willows and sedges will no longer grow there due to this increase in elevation, thereby creating a dilemma since the un-natural landscape created by the berm leaves no natural plants that are ideally suited to the growing conditions artificially created there.

ECO-Tourism – The Beaconia Marsh has been enjoyed for its eco-tourism even before the term was invented. For decades people have gone to Beaconia Marsh and enjoyed the interaction with nature. They can sit on the beach or on the road and watch the birds and wildlife. Sometimes they will even come to you or go right by you. They are used to an unthreatened existence in the marsh. Beaconia Beach is advertised in provincial and international publications for its rare beauty and ability to enjoy for this reason. It is a unique experience, and should remain so. The Rettie Proposal does not address this issue. If we allow the power craft and the effects of people using the canal to take over the marsh, we lose an international attraction that is free to thousands of people who come here to enjoy a few hours or many days of different times of the year. It is not just the surrounding residents that lose something; it is all the people who have visited the marsh that lose a gem. Beaconia Marsh must remain the unique and irreplaceable place of solace and enjoyment that nature has provided.

In conclusion EBCC encourages you to protect our water resources and the marsh by denying licensing of the Rettie Proposal. We also ask that no further development take place and mandate the restoration of Beaconia Marsh to its original state (or as close as possible) prior to December, 2009 before the excavation of the boat access.

Yours truly,

EBCC Executive

Dave Crabb
PO Box 95
Beaconia, MB
R0E 0B0

November 21, 2010

Environmental Assessment & Licensing Branch
Manitoba Conservation
123 Main Street, Suite 160
Winnipeg, MB R3C 1A5
Fax: (204) 945-5229
Email: Bruce.Webb@gov.mb.ca BW

Re: File 5486.00 - Rettie Boat Access

Dear Bruce Webb:

I am writing to voice my concerns regarding the above Environment Assessment Proposal Report and to tell you I am against the proposal. Because marshes perform a vital role in the health of our environment and are to be a protected resource, the development of Beaconia Marsh affects me. I wish to see the marsh restored to its original state, or as close as possible.

My specific concerns are as follows:

The project proceeded without due diligence, and that is inexcusable since Mr. Rettie is a professional land developer. He is from out of province, and that is no excuse. To think that a single letter from an Ottawa office is enough to destroy over 2200 feet of marsh, is incomprehensible.

The fact he told numerous neighbours that this was going to be a marina was a laugh. We never thought it would happen with permission from any of our Government departments, especially with Water Stewardship recently formed to prevent these kinds of things and protect our waterways. When we found out he started digging up the marsh, we were horrified, and soon found out that there is no proper means in place to report such a circumstance. There seems to be no policy to deal with someone not following the rules.

It is a farce to see this project going for licensing, when it does not qualify, and has not met the bylaws at a Municipal level, and has not met any of the prerequisites at the Provincial level for any department. These kinds of prematurely executed projects are expected to be dealt with in a penal manner, and reverted to their original state in the mind of the average person. There is no excuse for the failure of policy and foresight to allow a project that would never have been approved in the first place. I certainly hope that this will mean some new policy and procedure that will specifically deal with projects that begin in advance of proper processes being followed.

There are clearly a lot of risks caused by the canal in the Beaconia Marsh. There are concerns about the drinking water supply that have not been even mentioned in the submission or attended to by Conservation or Water Stewardship. This should have been enough to stop the project in its tracks. To think that it continued after complaints finally brought officers of Manitoba out and still nothing stopped Rettie is disturbing. The safety and health of residents, seasonal or full-time

should be the number one concern. Clearly they are not the way this has been handled. This is another failure of a key issue to cause a halt to a project. When do people become less important than a developer and his desire to park a boat? That defies logic.

The only positive thing that comes from the submission by Rettie is the inventory of wildlife and vegetation. Clearly the Rettie submission shows the massive number of living things, besides humans, affected by the excavation. There are pictures that many of us have showing the equipment submerged in the canal while excavating. They dug up marsh to create the canal. There is no possible way to suggest that there has not been habitat destroyed. All the reptiles, amphibians and other species were buried in that shoreline that was bulldozed and excavated and buried. How many were impacted? I guess we accept that destruction as the result of the damage to date. There was no submission section dealing with how much damage was caused. There was no inventory and numbers of creatures prior to the excavation. What kind of a submission is this? All we get is bragging rights to the life in the marsh. Not before canal, and not after canal. Just some added habitat for fish that is tantamount to a lie when the canal is too deep to support habitat for fish. Ok, they have a new place to swim, but likely to a fishing line that never would have been there before the canal.

The rest of the submission is hypocritical and some of it completely untrue. The entire DFO letter of advice is now useless, as it was violated on almost every single point. When Rettie proceeded, knowing it exceeded the original limitations was the start of the offence. We know he surveyed, but he removed most of the pegs and marks. He left a few in Island Beach. He knew darn well that he was off base, and in fact, the stop work order by Conservation clearly stated their investigation showed the excavation was in the marsh. Rettie has no right to that marsh. Law prevents it. Any more than I have a right to beach in front of my home. Rettie knows it; we know it and Conservation know it. Lying about the OWHM is another offence, because that intentionally deceives anyone looking at the ridiculous diagram that a grade schooler could have done a neater job of.

The proposal did not provide any study, any database, any reference book or other source to back his claims this canal is OK. If he hired a professional to produce this submission, then either he chose poorly, or there was nothing available to the writer to actually back Rettie's claims. I believe the latter. I do not believe there is any type of study to suggest that this kind of development does not cause major long-term damage, and negative effects on the environment. The additional risks posed by humans utilizing the canal are another matter once the infrastructure is allowed to remain. They will spill gas, oil, and cause additional pollution from waste and other debris that humans invariably leave behind. Is there a washroom for this area? It is about 900 feet from the nearest building, but that is private.

If this canal is allowed to remain, you just created a public boat launch and dock. Nobody is allowed to have a private boat launch and dock. If you build them, they become public. If not, then please show us the law that says so, because every other province this is the case. How can you have something private on public land? Is there a special agreement in place with the Province that we do not know about? That would really make things worse. Yes, another place for people to urinate and defecate and sit and fish all day with no facilities. Balsam Harbour already provides this kind of facility. We do not need another. You should see the vanloads of people that come and spend the whole day doing this. It is disgusting. None of the buildings on Rettie's property are public. They are private. There is no public facility anywhere in the region. It is clear that the shoreline is public. You cannot obstruct someone from accessing it or passing through. That is the law.

Tell me how this canal is private. It would have to be constructed about 600 feet back to exceed the OWHM and become a private canal. According to RM of St. Clements Bylaws, until you place it above the 722ft mark, it is in flood-prone and hazardous region if it is adjacent to Lake Winnipeg or the Red River. Then it would be on private land. It would not be on the shoreline. Then it would only flood his land, and bring storm debris into his land every time the lake levels rose and flooded. It would not be causing storm surges and flooding the marsh the way it does now that he has completely changed the landscape and the nature of water action in Beaconia Marsh.

Having no licenses, digging up marsh, using equipment in the marsh below water level, digging up Island Beach shoreline, ripping off an oil pan on a bulldozer, and continuing to work after stop work orders all constitute major violations of the environment. I am appalled that none of them have been acted upon. Many failures of the proponent, and many failures of our system to protect the marsh have occurred here. It is only right to reflect and see how badly we were failed by the very systems we expect to take care of our environment. It is time to determine how we go about restoring the marsh despite the size of the project. At no time does size matter anyway. It is about what is right. The size is not the problem of Conservation or any government department. The size is the problem of the proponent Mr. Rettie. Rettie made it and he fixes it.

There is certainly no need for anyone to bow down to Rettie. He needs to understand that the law is the law, and if we change it for him, then we change it for everyone. This is a precedent, and it is public. It is being documented in magazines all over Canada during the summer. If you want copies, then let me know and I will supply them. Conservation is not the only one watching, but they are being watched. This will receive much more coverage yet, as it is one of the most destructive and obvious projects. The aerial pictures including the one in the Winnipeg Free Press have made their way all over Canada. Comments are not nice. Nobody can believe that this was allowed. Maybe it has not, but it is there. Until Conservation does their due diligence, and has it mitigated to the original form that was once gracing our beautiful Beaconia Marsh. You only have to go there, and look at the South side of Road 98N at the tree line, to see the way the shoreline looked before Rettie destroyed it. A haven for nature and nature watchers.

Beaconia Marsh and beach are also in travel guides. This area is known for the ability to sit on the beach or walk the road and have wild birds and animals wander around you. It is a naïve area where the wildlife knows no threat. It is beauty at its finest. Until Rettie, nobody did a thing to hurt their environment. Now the tree with the Eagle nest is gone. The Eagles are gone. They only visit occasionally. They used to be on the beach regularly eating unwanted fish that recreational fishermen used to leave for them. The Osprey is rarely seen there now. It has moved up the shoreline, but will it stay? What about the other birds like the Great Blue Herons? Used to see small flocks going past my place every night. Now only see the odd one. Is this part of the Rettie problem? Where have they gone? Every year for as long as I remember, and the year he digs up the marsh so many changes? What else has changed? Will we ever know?

We should all feel guilty for allowing it go this far. All the officials ignored the pleas for help. Somehow they did not believe themselves that such a large project was going on. Why was it not stopped dead in its tracks? I expect that the process will reveal the insufficient evidence to allow any part of this canal to remain. It must go. It is a scar that needs to be repaired. It looks ugly from the ground, it looks even worse in the aerial photos. If you need the photos, just ask. I have hundreds.

Nature did not create this, and it will fight the existence of this canal. 4 storms crossed over the top of the man-made berm. All left their scars. They mowed over the trees. They left debris all over it. They blew water right out of the boat launch area and across the road to the South. This is

a pressure point. It is the worst possible place for a project like this. Low and level land below the high water mark. Huge pressure along the shoreline from the NW winds that every storm carries. It is natural that the lake will be hitting the SE corner so hard. The marsh dampened the effects. The canal is a hole in the marsh. Nothing restricts the water. It goes like hell through there in a storm. No way that boats can be allowed to remain in there. They will get destroyed, as almost every boat that has been moored in this area has been in past. My own father tried boat hoists, boatlifts, boat ramps and docks. They were all destroyed including the boats in short order. He finally gave up. The ramps are even gone now, and the lake has taken so much land that you cannot find where it was. The bank is over 16 feet high at that property and you cannot find the cut? I live on the lakefront and used to be able to walk to the beach with minimal climbing in 1995 when we bought the land. It is a straight drop of About 12 feet now. How do you expect a low-lying mud berm to stand up where thousand-year-old packed ground from a glacier will not stand up? That is loose muck from the bottom of the marsh. It would not really matter, because the wrath of Lake Winnipeg in a storm has wrecked anything that people thought would withstand it. None of the lakefront erosion protection structures survived the last storm untouched. All took minor to major damage, and they were all constructed in the last 3 years. Rettie's berm will be gone in a few years. Anything built in it will get destroyed. What the wind and water do not wreck, the ice will.

The water is not deep enough. I can walk all over the place in the marsh opening and way into the lake at less than waist deep. This is high water this year. During the summer and kayaks and canoes have ventured into the marsh, and they are bottoming all over, and hit their paddles on the bottom and on fish while trying to paddle. No way this works for power craft. When the lake goes down, as it always does at the end of the wet cycles, it will be impossible to navigate. Allowing this is a lie to anyone that buys a property from Rettie in his marina development. They cannot bring their boats in there. If they do, they will damage more than their boats. There will be damage to the marsh bottom, to habitat, to all sorts of wildlife.

Bottom line is this is a ridiculous and unsustainable development. You cannot keep it in one piece, it is too shallow, and it is not worth licensing this for two boats vs the pages of wildlife and species identified in Rettie's submission. To use things like Siglavic as a reason to allow this is indignant. Siglavic should not have happened. Neither should have Hillside Marina. During the last two storms, these developments were completely flooded with thousands of dollars damage to the resident's homes, never mind their destroyed docks etc. How do we account for this? Who cleans it up? What about the dredging they do regularly. Certainly in Hillside Marina. Locals inform me this is regular, and almost seasonal. That is wrong. Clearly it was not meant to be. Marinas in Lake of the Woods are not dredged. If you want that, go there. Do not try and make Lake Winnipeg a Marina development. If we can do it Beaconia Marsh, nowhere on Lake Winnipeg is sacred. To hell with the lake. Did anyone concern themselves with that? Allowing pollution to bypass the marsh is directly adding to the health woes of the lake. This summer was the worst yet for Blue-Green algae. How does it get better if we do not stop these kinds of projects?

All year we have been listening to ads, to funding, to fundraising, and are hearing from government and independent bodies how sick the lake is. Beaconia Marsh is a major output of drainage. We need that marsh functioning, and it is not with the canal. The canal is a shortcut for drainage every storm. I have gone to observe and taken pictures. Do you have any idea how ugly a collection of pictures from the project looks? Allow me to show you if you do not believe. I can do so on a moments notice.

Finally, the project is going under scrutiny. I still think it is not fair that Rettie had many months to assemble his disappointing lack of information. As defenders of our neighbourhood and its residents, we have only a short month to figure it out, contact all the people, and try to inform them they can do something now. After all these months it seemed nobody cared, we get a few days to respond. That seems very unfair. Even at that, Conservation is at least doing something about it. To me, it is like a funeral for a friend. We are hearing the Eulogy. I am hoping that the review will see through the "muck" of Rettie's, and see fit to restore the marsh. Realize that Lake Winnipeg is bent on destroying this canal, and it will never be the idyllic functional place that Rettie dreams of. If it was worth it, then someone would have done this many decades ago. It took an Alberta man to try and make something where it cannot exist. It is clear he has no knowledge of Lake Winnipeg. No knowledge of the history and the recreational value of the area to residents and to thousands of visitors. He has no appreciation of the importance of all the different species to the ecosystem.

I hope that Beaconia Marsh is completely restored so it can heal, and once again become a beautiful part of our community with no noise, except the wildlife. With no pollution, except the surprises those storms bring. With nobody violating the marsh, but instead enjoying it for its beauty as it is. Not some unnatural human mess.

Sincerely,

Dave Crabb