SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: **Highways and Transportation**
PROPOSAL NAME: **PR #340 near Douglas, Mb.**
CLASS OF DEVELOPMENT: **2**
TYPE OF DEVELOPMENT: **Transportation**
CLIENT FILE NO.: **3037.10**

OVERVIEW:

The Environment Act Proposal was dated and received on March 17,1998. The advertisement of the Proposal read as follows:

A Proposal filed by Manitoba Department of Highways and Transportation to upgrade PR 340 between PR 457 and Douglas, Manitoba. The existing route will be upgraded to meet current standards by widening the road from PR 457 to the Douglas Marsh. A new alignment will be constructed from the northern portion of the Douglas Marsh to realign PR 340 to the west of Douglas, and to intersect at grade with PTH 1. The existing PR 340/PTH 1 intersection will be retained for local access to the community of Douglas and the abandoned portion of PR 340 immediately south of Douglas will be rehabilitated and returned to the marsh habitat. Approximately 8.5 kilometers of the 11 kilometers length of the project will be constructed on the existing alignment. The remaining 2.5 kilometers will be constructed on new alignment, approximately 700 meters of which will constructed within the Douglas Marsh. Manitoba Highways and Transportation in have filed an Environmental Impact Assessment (EIA) in support of their Application. Once all government agencies' requirements have been met Manitoba Highways will prepare an Environmental Protection Plan to be applied during construction in order to prevent or mitigate potential impacts which have been identified in the EIA.

The Proposal was advertised in the Brandon Sun on April 11, 1998 and in the Carberry News Express on April 14, 1998. In addition, the Director of Approvals provided written notice to individuals and organizations on the Department's distribution list for the project that the Proposal had been filed and was available for public review at registries located at the Manitoba Eco-Network, the Centennial Public Library, the Western Regional Library in Brandon. Copies were sent to the R.M offices of Cornwallis, North Cypress, and Elton. It was also distributed to the "Transportation" TAC members for comment. Comments were requested by May 15, 1998. The review time was extended to June 1, 1998 at the request of several reviewers.

BACKGROUND

Manitoba Highways and Transportation had previously submitted an Environment Act Proposal to upgrade PR 340 during May, 1989. At that time Highways preferred option

involved relocating PR 340 through the Douglas Marsh approximately a mile to a mile and a half to the east of the existing location. In response to public concern with the proposed relocation, the Clean Environment Commission held a public hearing in Douglas in

…/2

August 10, 1989. Following the public hearing, the Director of Environmental Approvals adopted the CEC recommendations to refuse licencing the Development (pursuant to Section
11(11)(b) of the Manitoba Environment Act) pending a more detailed assessment and evaluation of the alternatives.

Subsequently, the Department of Highways retained Cochrane Environmental Consultants Inc.(formerly known as MacPlan Environmental Services Ltd.) to conduct an independent Environmental Assessment (EIA) of the proposed development. During January 1991 Manitoba Environment issued Environmental Impact Assessment guidelines the Department of Highways to conduct the assessment.

PUBLIC RESPONSE

Mr. Eldon Schmitz
Box 919
Carberry, MB.

- request that the Clean Environment Commission hold public meetings in Douglas concerning the application. No reason(s) for requesting a hearing were provided.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE

Natural Resources

Note that Highways' intent to incorporate an Environmental Protection Plan (EPP) into the construction specifications is an excellent initiative. Recommend that the EPP be sufficiently detailed to address the water regime issue. Request that further details on how water will be held back to maintain levels or methods to prevent excessive water level drops when the old roadbed is breached are needed. DNR recognizes that late summer construction would minimize some of these impacts.

Recommend that the Highways retain an on-site naturalist to ensure that impacts on wildlife habitat and species are

avoided. DNR staff would be able to provide consultation and advice, however the day to day monitoring is the responsibility of the proponent.
Recommend that beaver control structures should be built and maintained by the proponent. The baseline flow should be measured in the first year of operation and fluctuations of flow should be documented on a systematic basis. Measurements should be standardized and taken at similar time periods to ensure that culverts and control structures do not impede flow.

…/3

Suggest that permanent photo stations be set up to document the re-vegetation of the abandoned part of PR 340 to determine if an approximate "no net loss"of marsh habitat is achieved. Suggest that if vegetation reclamation does not occur by two years post construction some remedial measures should be undertaken to achieve an acceptable "no net loss".
DNR commends the proponent for their suggestion that a small road at the north end be left for visitors to access the marsh.

Disposition: Recommendations can be accommodated as conditions in the Licence.

Rural Development

No planning concerns. Question whether the existing safety devices at the PR 340/CPR crossing will remain when the PR is relocated.
Question whether the existing municipal road extending west of Douglas and intersecting with the new alignment of PR 340 will be paved. Note that the proposed service roads to be constructed in the CottonWoods area will have a negative effect on residents in terms of dust and the proximity to the residential buildings.

Disposition: In follow-up the questions raised by Rural Development the Department of Highways provided the following information:
Safety devices for the PR 340 crossing the CPR

- Highways region will be requesting a new signalized crossing at the new PR 340/CPR crossing. The old crossing is

planned to be closed. Highways will be discussing their plans with the RM.

Gravel municipal road extending west from Douglas.

- It will continue to be a graveled municipal road.

Service roads through Cottonwoods subdivision.

- However, due to the proximity of future service roads to the residents, an amount of compensation can be negotiated with the landowners during the land acquisition process to allow the individual landowners to have dust control applied by others in front of their buildings.

The matters raised by Rural Development are outside of the scope of the Environment Act process and can be managed through Highways negotiations with affected parties as part of Highways normal planning activity.

Mines Branch No concerns.

…/4

Environment (Water Quality) Provided that the conditions specified in Section 8.0 Mitigation and Monitoring and Section 10.0 Abandonment 1.9 of the EIA are adhered to water quality should be adequately protected.

(Park West Region) Provided that all environmental impacts are mitigated in accordance with the mitigation described in the EIA and the Environmental Protection plan is followed by the contractors, the Park-West Region has no concerns with the Proposal.

Disposition: Recommendations can be accommodated as conditions in the Licence.

Historic Resources No concerns with regard to the project's potential to impact heritage resources.

Health Inclusion in the Environment Act Licence of the proposed environmental management practices identified in the

	Proposal regarding health hazards from air, groundwater and surface water contamination should prevent or mitigate potential health related impacts. Disposition: Comments can be accommodated in the Licence by requiring that the Development be constructed in accordance with the Proposal.
Fisheries and Oceans	Recommend that the proposed culvert structures that will allow flow through the new roadgrade in the Douglas Marsh be designed and constructed with the implementation of sediment and erosion control measures as described in the Manitoba Stream Crossings for the Protection of Fish and Fish Habitat (1996). Disposition: Comment can be accommodated by including a clause in the Licence which requires that the Manitoba Stream Crossings for the Protection of Fish and Fish Habitat be followed during construction.

…/5

Recommendation

Public hearings on the Proposal are not recommended. The decision to not recommend that public hearings be held is made on the following basis:

1) A Clean Environment Commission hearing was held on the project during 1989 which resulted in the Highways carrying out a thorough environmental assessment of the project in response to public concerns;
2) The public has been effectively involved by Highways during the route selection planning process and the preparation of the EIA of the project;
3) Only one request for a public hearing was received in response to the advertisement notifying the public of the receipt of the Environmental Impact Assessment of the Proposal; and

4) The technical review of the EIA has concluded that the impacts from the project as planned are mitigable.

It is recommended that the development be licenced under the Environment Act in accordance with terms and conditions described in the attached draft Environment Act Licence. It is further recommended the Director of Environmental Approvals notify the respondent to the Environment Act advertisement of the Proposal that a licencing decision for the highway has been reached and that the decision to licence the highway is appealable to the Minister of Environment within 30 days of the date of the Licence.