

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Manitoba Hydro
PROPOSAL NAME: Slave Falls Tramway Conversion Project
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Transportation
CLIENT FILE NO.: 5282.00

OVERVIEW:

An Environment Act Proposal Form and Environment Act Notification Document was dated July 25, 2007 and received on July 27, 2007. The advertisement of the Proposal read as follows:

“The Slave Falls Tramway Conversion Project involves the conversion of the existing 11 km private tramway line between Pointe du Bois and Slave Falls Generating Station to a private, all-weather road. The road is required to enhance access and safety for operating and maintenance personnel and equipment to Slave Falls Station.

A separate notice will be published following receipt of an Environmental Impact Statement (EIS) in support of project, targeted for November 2007. The EIS will also be made available for public review and comment following the November 2007 filing date.”

The Environment Act Proposal Form and Environment Act Notification Document were advertised in the Winnipeg Free Press, the Beausejour Clipper, the Lac du Bonnet Leader, and the Winnipeg River Echo on August 11, 13, 10 and 14th, 2007, respectively. Copies of the Proposal were placed in the Main Registry, the Manitoba Eco-Network, the Millennium Public Library, the Brokenhead River Regional Library in Beausejour, the R.M. of Lac du Bonnet Office in Lac du Bonnet and the L.G.D. of Pinawa Office in Pinawa. It was also distributed to the “Transportation” Technical Advisory Committee (TAC) for comment. All comments were requested by September 18, 2007.

Further to Manitoba Hydro’s previous Slave Falls Tramway Conversion Project Environment Act Proposal Form and Environment Act Notification Document dated July 25, 2007, Manitoba Hydro filed an Environmental Impact Statement (EIS) and Appendices on March 31, 2008. The advertisement of the EIS read as follows:

“The Slave Falls Tramway Conversion Project involves the conversion of the existing 11 km private tramway line between Pointe du Bois and Slave Falls Generating Station

to a private, all-weather road. The road is required to enhance access and safety for operating and maintenance personnel and equipment to Slave Falls Station.

An Environment Act Proposal and Environment Act Notification Document for the Slave Falls Tramway Conversion Project were filed by Manitoba Hydro pursuant to *The Manitoba Environment Act* in July 2007. Previous notices were published during August 2007 inviting public review and comments on these documents.

All comments received in response to this notice will become part of the public registry files for the projects and will be considered publicly available.”

The Environmental Impact Statement and Appendices were advertised in the Winnipeg Free Press, the Beausejour Clipper, the Lac du Bonnet Leader, and the Winnipeg River Echo on April 12, 14, 18 and 15th, 2008, respectively. Copies of the EIS and Appendices were placed in the Main Registry, the Manitoba Eco-Network, the Millennium Public Library, the Brokenhead River Regional Library in Beausejour, the R.M. of Lac du Bonnet Office in Lac du Bonnet and the L.G.D. of Pinawa Office in Pinawa. It was also distributed to the “Transportation” Technical Advisory Committee (TAC) for comment. All comments were requested by September 18, 2007.

PUBLIC RESPONSE

No public comments were received in response to the Proposal Form and Environment Act Notification document filed in July 2007 or the EIS filed in March 2008.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Conservation

(Sustainable Resource Management Branch) No concerns were noted.

(Parks Branch) Report that Parks has worked with MB Hydro and consultants throughout the development of the proposal, the examination of options and the evaluation of possible impacts on the area’s natural and recreational values. The EIS accurately reflects Parks understanding of the discussions and conclusions reached on how best to proceed.

Disposition: Accommodation of comments in the licence not required.

(Forestry Branch) Report that the region has confirmed that they have adequate alternative winter road access in the area to accommodate regional forestry operations.

Disposition: Accommodation of comments in the licence not required

(Wildlife & Ecosystem Protection Branch) Report that Manitoba Hydro and their consultants have made a commendable effort to identify the locations of provincially rare plants in the vicinity of the tramway and to minimize impacts on these species as construction proceeds. None of the rare species identified are listed as being at risk and therefore Hydro had no legislative obligation to protect these species. The W& EP Branch is confident that any loss of a population will not lead to the local extirpation of the species.

Disposition: Accommodation of comments in the licence not required

(Environmental Services Section) Recommend that removal and disposal of the track and associated infrastructure be undertaken in accordance with the Department's procedure for railway line abandonment.

Disposition: Recommended rail line abandonment procedure can be accommodated as a licensing condition.

(Aboriginal Relations Branch) Recommend that the proposal be forwarded to the department's crown consultation group for discussion.

Disposition: Following discussion it was concluded that converting the tramway to a road will not involve the allocation of resources and therefore will not trigger a need to initiate consultation.

Agriculture and Food and Rural Initiatives No concerns

Mines Branch No concerns.

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

Disposition: Accommodation of comments in the licence not required.

Water Stewardship

- *The Water Rights Act* indicates that no person shall control water or construct, establish or maintain any "water control works" unless he or she holds a valid license to do so. "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 the proposal

in question advocates any of these activities, application for a Water Rights License to Construct Water Control Works is required.

- Although Section 3.2.11 notes that a construction camp will not be needed, some form of portable or temporary washroom facility will probably be needed. These facilities should be all contained (i.e., porta-potty) that allows pump-out and disposal of septage at a licensed sewage treatment facility.
- The Department recommends that if fertilization is used when re-establishing vegetation on exposed and excavated areas due to construction, only the basic recommended amount of nitrogen and phosphorus needed to establish a healthy growth should be used to reduce the opportunity for leaching of excess nutrients to surface waters. The application of fertilizer is limited to an amount required for a single season in a given year. The use of slow release formulations are also alternatives that should be considered.
- During construction of the development, erosion and sediment control measures should be implemented until all of the sites have stabilized.

Disposition: Comments can be accommodated as conditions of licensing.

Infrastructure and Transportation

- Any new, modified or relocated access connection onto PR 313 may be required.
- A permit may also be required for any construction, above or below ground level within 38.1m (125 ft) or for any plantings within 15.2m (50 ft) from the edge of the right-of-way of P 313.
- An agreement between the proponent and MIT may be required for on-highway improvement.
- The proponent should contact MIT with regard to these requirements.

Disposition: This information will be forwarded to the proponent for direct follow up with MIT.

Fisheries and Oceans Canada

- DFO concluded that the proposal is not likely to result in impacts to fish and fish habitat provided the DFO mitigation measures are applied.

Disposition: Federal comments have been forwarded to the project proponent for follow-up, as appropriate, and in accordance with the requirements of the Canada – Manitoba Agreement on Environmental Assessment Cooperation.

RECOMMENDATION:

A public hearing is not recommended. The TAC comments can be accommodated as conditions of licencing for the project as noted above. It is recommended that the Development be licenced under The Environment Act subject to the limits terms and conditions as described in the attached Draft Environment Act Licence. It is further recommended that the Environmental Assessment and Licensing Branch maintain enforcement responsibility of the licence during construction.

PREPARED BY:

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