

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Siculus Canada Ltd.
NAME OF DEVELOPMENT: Headingley Substation
CLASS OF DEVELOPMENT: Two
TYPE OF DEVELOPMENT: Transportation and Transmission – Transformer Stations <= 230 kV
CLIENT FILE NO.: 5613.00

OVERVIEW:

The Proposal was received on November 5, 2012. It was dated November 5, 2012. The advertisement of the proposal was as follows:

“Siculus Canada Ltd. has filed an Environment Act Proposal for the construction and operation of a transformer substation within the RM of Headingley to provide electrical power to a proposed commercial facility. The facilities would be located at 5975 Portage Avenue, which is currently agricultural land north of the Headingley Correctional Institution on the north side of Portage Avenue and south of Saskatchewan Avenue. The transformer substation would occupy an area of 1.4 hectares on the east side of the larger 117 hectare property, adjacent to Manitoba Hydro’s existing 230 kV transmission line. The substation would transform power from this line to 12.47 kV for use in the commercial facility. Ancillary components of the project would include a 600 m construction access road to the site from the north service road of Portage Avenue, a permanent 900 m access road, and 12.47 kV sub-transmission line connections from the substation to the commercial facility. Construction of the substation is proposed to begin in April, 2013, with a planned inservice date of February, 2014.”

The Proposal was advertised in the Winnipeg Free Press on Saturday, November 17, 2012. It was placed in the Main, Millennium Public Library (Winnipeg) and Eco-Network public registries. The Proposal was distributed to TAC members on November 16, 2012. The closing date for comments from members of the public and TAC members was December 3, 2012.

COMMENTS FROM THE PUBLIC:

No public comments received.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Conservation and Water Stewardship – Environmental Programs and Strategies, Air Quality Management

No comment – potential air quality concerns associated with the project are adequately addressed in the submission.

Manitoba Conservation and Water Stewardship – Sustainable Resource and Policy Management Branch and Lands Branch

No concerns.

Manitoba Conservation and Water Stewardship – Parks and Natural Areas Branch

No comments.

Manitoba Conservation and Water Stewardship – Wildlife Branch

No wildlife related concerns.

Manitoba Conservation and Water Stewardship – Water Science and Management Branch, Water Quality Management Section

Ensure standard provisions for emergency response plans and secondary oil containment are in place.

Disposition:

This comment can be addressed through licence conditions.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

I reviewed the above noted EAP for any potential issues with quality and safety of public water supplies from the proposed development. The EAP notes the development is an electrical substation to serve a proposed industrial facility located at 5975 Portage Avenue in the RM of Headingley. The Headingley community and surrounding area get their domestic water by underground pipelines from the Cartier Regional Water Coop.

While the EAP did not specifically discuss public water systems, information at ODW indicates there are no public water systems anywhere near or downstream from the proposed development using surface or ground water as raw water sources.

Based upon this, Office of Drinking Water does not see any cause for concern with the EAP or the proposed development.

Manitoba Industry, Energy and Mines – Mines Branch

No concerns.

Manitoba Local Government – Community and Regional Planning Branch

No concerns.

Manitoba Infrastructure and Transportation – Highway Planning and Design Branch

- PTH 1 is a Limited Access Highway under the jurisdiction of the Highway Traffic Board. Under the Highways Protection Act any new, modified or relocated access to this highway (including change in use of a driveway on the service road) requires a permit from the Highway Traffic Board. A permit is also required from the Traffic Board to change the use of the land or buildings, or to place/ construct any structures within 76.2m (250ft) from the edge of the highway right-of-way. In addition, a permit is required from our department for any planting placed within 15.2m (50ft) from the edge of the highway right-of-way.
- A Traffic Impact Study may be required for the proposed development (and commercial facility) from MIT by a qualified transportation engineer who would identify the impact of the traffic generated from this development would have on PTH 1. There may be a need for on-highway improvements to safely accommodate the traffic generated by the new development. The cost of the Traffic Impact Study and any required on-highway improvements would be the responsibility of the developer. The contact person for the Traffic Impact Study is: Heinz Lausmann, P. Eng., Senior Highway Planning Engineer (204-945-2664)

Disposition:

This information was provided to the proponent's consultants for information.

Canadian Environmental Assessment Agency

As you may be aware, in July 2012, the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) came into force. CEAA 2012 focuses federal reviews on those project proposals that have a greater potential for significant adverse environmental effects in areas of federal jurisdiction. The *Regulations Designating Physical Activities* identify the physical activities which, if carried out individually or in combination, constitute a “designated project” that is subject to the requirements of CEAA 2012.

Based on the information provided by Manitoba Conservation and Water Stewardship, the project referred to above does not appear to meet the definition of a “designated project” under CEAA 2012.

Please note that the proponent is responsible for confirming its federal regulatory responsibilities in developing its project, including confirming whether its proposal is described on the *Regulations Designating Physical Activities* under CEAA 2012. Please advise the proponent to review the regulations (<http://laws-lois.justice.gc.ca/eng/regulations/SOR-2012-147/index.html>) and contact the Canadian Environmental Assessment Agency if its proposal meets the definition of a designated project.

As the Agency will only be involved in the review of designated projects, no formal federal coordination exercise has been undertaken for this file. However, the Agency has copied the Department of Fisheries and Oceans on this correspondence for information purposes. Any federal authorities that would like to see the project proposal should contact Bruce Webb directly (204-984-7021), bruce.webb@gov.mb.ca.

ADDITIONAL INFORMATION:

No additional information was required to address TAC comments.

PUBLIC HEARING:

As no requests for a public hearing were made, a public hearing is not recommended.

CROWN-ABORIGINAL CONSULTATION:

The Government of Manitoba recognizes it has a duty to consult in a meaningful way with First Nations, Métis communities and other Aboriginal communities when any proposed provincial law, regulation, decision or action may infringe upon or adversely affect the exercise of a treaty or Aboriginal right of that First Nation, Métis community or other Aboriginal community.

The project involves the construction and operation of a transformer substation on agricultural land near the TransCanada Highway and an established community. Adverse effects on resources are not anticipated. Consequently, it is concluded that Crown-Aboriginal consultation is not required for the project.

RECOMMENDATION:

All comments received on the Proposal that require follow-up can be addressed as licence conditions. 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

assigned to the Environmental Compliance and Enforcement Branch.

PREPARED BY:

Bruce Webb, P. Eng.
Environmental Approvals Branch – Energy, Land and Air Section
December 7, 2012
Telephone: (204) 945-7021
Fax: (204) 945-5229
E-mail: bruce.webb@gov.mb.ca