

Parks and Protected Spaces Branch Comments  
The Environment Act consultation - Due October 10, 2014.

Parks and Protected Spaces Branch has reviewed the document: "Environment Act Consultation: The road to Enhancing environmental Protection in Manitoba" in the context of the existing Act and Regulations and offers the following comments based on the questions in the Consultation document:

**Question 1:** How can the EIS Guidelines be improved to facilitate thorough environmental assessment of proposed development?

- Provide a clear definition and expectations for cumulative effects assessment, including past, present and foreseeable future projects and how it relates to a larger region including protected areas.

**Question 2:** How should the content of the existing guidelines be enhanced in ways that provide a clear environmental protection benefit?

- Restoration, mitigation, and environmental protection plans should be circulated to the Branch(es) who manage(s) the land (e.g. Parks and Protected Spaces Branch) for review prior to final approval by Environmental Approvals Branch.
- Any proposed development associated with a new or existing environmental license, including new development/activity locations, should be reviewed across Conservation and Water Stewardship to ensure ecological values of lands managed by various Branches is maintained according to legislated requirements.
- Make sure all permits and approvals from various levels of government and regulatory bodies required under a license are obtained before construction on the project begins.

**Question 3:** What should be included in the roles and responsibilities of the TAC?

- Recommending additional developments that should qualify for environmental assessment.

**Question 6:** Should there be flexibility as to how developments are categorized to allow for the inclusion of new developments that are the result of emerging technological advancements? If yes, how can this be accomplished?

- Yes. New technological advancements should be classified as a higher class project initially to better understand potential effects. Future projects proposing the same technology can then be appropriately categorized.

**Question 7:** Which activities should be included in the licensing process?

- Recommend that all linear developments be added to the licensing process and be subject to a cumulative effects assessment. For example, new segments of road, transmission line, or pipeline shorter than the length currently requiring license review are being added to existing linear developments, and each of these segments contributes to the overall impact of the

development on the landscape. Applications for 'short' linear developments presumed to have limited negative environmental impacts impedes the ability of Branches conducting landscape level ecological planning processes to plan for long-term ecological integrity.

- Recommend all activities and associated infrastructure for a project be included in the license application, and that the project not be approved in a piecemeal approach. Any permits applied for outside of the EA licensing process (i.e. casual quarry permits and general permits) should reference the project to aid review of these permits.
- Recommend that petroleum extraction activities including all associated infrastructure for projects (pumpjack/wellhead placement, oil battery construction, pipeline construction, use of wastewater injection wells, hydraulic fracturing operations, composition of hydraulic fracturing injection materials, etc.) be added to the licensing process. The dramatic growth of this industry concentrated in southwest Manitoba should be subject to a cumulative effects assessment to ensure the potential for environmental impacts is explored. The current approach for development in this sector impedes the ability of Branches to plan for long-term ecological integrity through landscape level ecological planning processes.
- Consider update of peat harvest in the Act as it will no longer be considered a mineral under The Mines and Minerals Act with the enactment of The Peatland Stewardship Act.

**Question 8:** Under which circumstances should a license be reviewed, renewed, or altered? Should the circumstances be related to time, changing conditions or other factors?

- Licenses should be reviewed/altered to reflect the latest information in ecological sciences – i.e. if new information demonstrating the negative impacts of existing development on natural habitat, wildlife, or the necessities of life (clean drinking water or air), licenses should be revisited to improve protection of these aspects of Manitoba's ecological wealth.
- All minor amendments to projects which may affect provincial parks or other designated lands should be circulated to the Branch who manages the land (e.g. Parks and Protected Spaces Branch or Wildlife Branch) for review and approval.
- When licenses are renewed, reviewed, or altered, they should be updated with any new conditions that have been applied to similar licenses. Conversely when new conditions are made, **all** existing licences for that type of development should be updated, even if they are not up for renewal.

**Question 10:** How can Manitoba more effectively enforce the provisions of The Environment Act?

- The rules defining what is considered a minor amendment should be defined in the licensing process. Any amendments outside of those defined in the license should not be considered minor.
- Environment Officers should ensure all permits required under licensing conditions are obtained prior to authorizing start of work, and that the Branch authorizing the start of work is notified that all permits have been obtained.

**Other comments:**

- Recommend that electronic GIS shapefiles be submitted with applications for all classes of licenses.