

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Rick Backer
NAME OF DEVELOPMENT: Relax Ridge Seasonal Park
CLASS OF DEVELOPMENT: Two
TYPE OF DEVELOPMENT: Multi Purpose Resort
CLIENT FILE NO.: 4904.00

OVERVIEW:

The Proposal was received on February 06, 2003. It was dated February 05, 2003. The advertisement of the proposal was as follows:

"A Proposal has been filed by Rick Backer for the construction and operation of a campground and golf facility near Pinawa. The development would consist of approximately 40 seasonal trailer sites, 14 overnight camp sites, and a 18 hole pitch and putt par three golf course. The development would be located north of PR 211 between Alice Chambers Trail and the existing Pinawa golf course. It would be constructed in stages starting in the summer of 2003, and would operate from the first week in May to the Thanksgiving weekend each year."

The Proposal was advertised in the Beausejour Clipper on Monday, February 17, 2003, and the Pinawa Paper and the Lac du Bonnet Leader on Tuesday, February 18, 2003. It was placed in the Main, Centennial, Eco-Network and Brokenhead River Regional Library (Beausejour) public registries, and in the office of the L. G. D. of Pinawa. The Proposal was distributed to TAC members on February 10, 2003. The closing date for comments from members of the public and TAC members was March 17, 2003.

COMMENTS FROM THE PUBLIC:

Pinawa Land Development Group - (Summary) Interested in the protection of the vista from the Pinawa Channel Heritage Walk, Suspension Bridge and Pavilion, and the protection of some of the specific forms of eco-tourism on the Pinawa Channel. Also have concerns about drainage, the supply of irrigation water, the water intake from the channel, and public safety and liability from flooding. It is important that the Development that is proposed for the south bank of the Pinawa Channel does not destroy the wilderness view from the bridge and pavilion. (Photos attached indicating potentially affected view.) It is important that a buffer from the waters edge of the channel to a few metres above the crest of the south bank be left as wilderness. To keep this view, no vehicles, trailers of seasonal campers or out buildings should be visible from the bridge, pavilion or the water.

The other concern specific to eco-tourism is how the Pinawa Channel from the diversion dam at the end of Upper Pinawa Channel and the start of Goldeneye Pass to the Pinawa Dam at the Pinawa Dam Provincial Heritage Park will be used. The channel is a historic canoe route and hiking trail, and is renowned for birding and wildlife watching. It is this

type of eco-tourism the Pinawa Land Development Group has been working toward, because it best suits the use of the channel and its eco-system.

Concerning drainage, there are three drainage catchment areas within the project area. (Map provided.) The Pinawa Channel Direct Catchment is the land draining directly into

the channel from the development property. At present it drains boreal forest and would drain most of the seasonal lots in the future as proposed. The Yo-yo Hill Catchment drains boreal forest and residential lots in Pinawa. It carries storm drainage and the capacity of the storm drain will require upgrading for future development of the townsite. The Industrial Area Catchment drains most of the project site.

Is there an adequate supply of water for both the Pinawa Club Golf Course and Relax Ridge Seasonal Park if Manitoba Hydro is forced to adhere to their licence agreement for Seven Sisters Falls Generation Station regarding the diversion dam? Does the quality of water taken from the channel meet the Canadian Potable Water Standards without elaborate treatment? About 60% of the runoff from the presently developed town enters the channel above the proposed intake location. The quality of the water should be determined from samples taken about 30 minutes after a 25 mm downpour of rain before a licence for taking potable water is approved. The water may contain environmental pollutants. As for the Industrial Area Catchment, the effect on this will be minor if the intake is well east of the outfall into the channel. With regard to irrigation water, there should not be a problem regarding water quality.

Public safety and liability from flooding is the next issue. In 1997 Manitoba Hydro published a document which discussed a breach of the diversion dam. Data from this document has been used to produce a map indicating potential flooding near the project site. (Map attached.) The elevation of the maximum stage is 274 m above sea level. It would be useful to determine where the 275 m contour was along the project area, as the maximum level of the water on the other side of the diversion dam is 275.234 m.

From all these negative comments it may appear that the Pinawa Land Development Group is totally against the development, which is not true. The town definitely needs a campground for overnight campers. The campground is needed for users of the Trans Canada Trail. The Pinawa Trails Association has been asked by potential users of the trail where they can camp. At the moment the town has no place for them to camp. This is also the case for other campers, and recreational vehicle owners. The Pioneer Bay Wilderness Campground originally met this need but has evolved almost entirely into a seasonal campground. The developer should make an effort to meet the present overnight campers needs and not turn it away as has been done at Pioneer Bay. Residents of Pinawa who have friends visiting who wish to camp or stay in their RVs have to break by-laws because there is not enough overnight camping facilities available in town.

The Pinawa Land Development Group wishes a wilderness buffer be maintained between the south waters edge of the Pinawa Channel and five metres south of the defined 275 m contour line of the south bank to preserve the wilderness vista. This means no cutting of trees or shrubs should be permitted in that buffer zone. This should also include the

replacement and planting of trees and shrubbery (native, if possible) to ensure this wilderness view is preserved. Any visible signs of vehicles, trailers, etc. will not be tolerated. This should be stated in the agreement between the developer and the LGD of Pinawa. However, there is one exception. When the intake for water is put in place, it would be a good idea to make the excavation for it into a walkway where the park patrons could come down and launch their canoes. It should be the only access to the waters edge available to them. It would also allow repair to the water system in the future should it be needed and not require additional damage to the bank. It should be the only thing visible from the bridge and the Pavilion. A canoe rack to hold the canoes would also be nice. The pumphouse should be hidden from view.

The Pinawa Land Development Group asks Manitoba Conservation and the LGD of Pinawa to consider our request and provide a buffer to protect the vista. The people of town will expect it, after all their efforts to build the bridge and the Pavilion. It is also in the people of the town's interest that you do not burden them with liability from allowing construction on a possible flood plain. It would be appropriate to avoid the problems arising from the 1996 Saguenay River Flood, the 1997 Red River Flood at Grande Pointe, or recently at Badger, Newfoundland. Please look into the other related concerns regarding drainage, location of facilities for sewage, grey water and the handling of gasoline, environmental pollutants and potable water.

Disposition:

Additional information was requested to address several of these comments. Other comments can be addressed through licence conditions.

Chris Greenfield - I read Mr. Backer's proposal for a new camping area with some interest and with a little wariness as well, mostly due to the fact that for me the Pinawa Channel has always been one of the secret, unchanging gems of the town. Until just a few years ago the channel had remained the way that I remember it when I was a child. I have spent countless hours exploring the waterway and it's remote feel was always a large part of the attraction.

Over the years I have shared the channel experience with a network of people: friends stopping by in town on their way across the country, relatives from out of province, and acquaintances from overseas. Taking a float down the Pinawa Channel has become a long-awaited for summer ritual for a number of my friends from the city, as exciting as taking a trip to a lakeside cottage.

I am not opposed to the campsite proposal altogether, but due to the unique nature and appeal of the channel I am concerned about certain details of the plan.

These details are specifically:

1. The number of seasonal campsites and their location. Does the campground really need 40 seasonal sites? Could the seasonal sites possibly be switched with the overnight sites so that there is less build-up right next to the channel? I realize this means that fewer campers would be beside the river, but it seems to me that the entire point of a peaceful section of water is to keep it peaceful.

2. The amount of buffer to be left between the channel and the campsites. I double checked the proposal and couldn't find any mention of what amount of green space is to be left by the river, or indeed if there is to be any at all. I certainly hope that the campsites will be well back from the river's edge. Again, the experience of the channel will definitely suffer if obvious signs of development are apparent from the water, not to mention the damage to the shoreline if there are high volumes of traffic on it.
3. The pitch and putt. Does Pinawa really need a pitch and putt course directly beside an existing 18 hole golf course? Hasn't the sport of golf already taken up quite enough of Pinawa's woodlands? It seems likely that those campers interested in golfing will skip the pitch and putt and head to the real golf course, leaving the pitch and putt course a wasteful, pesticide filled eyesore. In which case wouldn't the land allocated to the course be better used to move the campsites further from the water and to spread them out into less of a trailer-park layout?

I do agree that this proposed campground could bring economic benefit to Pinawa, and I do appreciate Mr. Backer's efforts at responsible development. I do feel, however that in this particular case and in this specific area the rule of thumb must always be less equals more. It would only take a little carelessness to completely and forever ruin the special beauty of the channel.

Disposition:

Additional information was requested to address several of these comments. Other comments can be addressed through licence conditions.

Elaine and Oliver Greenfield - We wish to make a representation against the above mentioned proposal for a seasonal campground along the Pinawa Channel. The Pinawa Channel is a historic waterway used by the natives of this area for centuries. Later it was the fur brigades and Winnipeg Hydro who found it useful. Presently it is a delightful body of water used by paddlers in summer and cross country skiers in winter. On that stretch from the dam to the marsh, it is easy to imagine oneself in a past century. Aside from our objection based on the desire to preserve this waterway the way it is, we would object specifically to the following points to the development of Relax Ridge:

1. Scenic value – Objective 3.3.2 of the Pinawa Development Plan is "To maintain and enhance the scenic value of the Winnipeg River and the Pinawa Channel." Surely no one would claim that a trailer park conspicuous from the Pinawa Suspension Bridge would maintain or enhance the scenic value of the Channel. Quite the contrary, it would detract from that scenic value.
2. Public Access – The Pinawa Development Plan under Policy 4.2.3 states "Development adjacent to water bodies must be designed so that public access to and along the water body is not restricted." That to us means that the shoreline along the Pinawa Channel must be maintained as public reserve land and not become private property.

3. Traffic – Mr. Backer's proposal states that "concerns of traffic are not really an issue, as the traffic would be used to support our small business community" and "As far as noise implications, the facility is far enough from town." I think this is the real issue. The suggestion is made that any project which supports business and is out of town can't be an issue. I think the implication is, that Pinawa is surrounded by "waste land" and any development of that is good. I believe Pinawa is surrounded by "wilderness" which we should protect. The extra traffic, the noise and the sewage would be no problem within the built up area of Pinawa. They are a problem along the Pinawa Channel, especially at the suspension bridge which is one of the entrances to the hiking and skiing trails.

My understanding is that the LGD wanted to provide some overnight RV/camping sites. This project does provide 14 but there are also 42 seasonal sites. Could they or the pitch and putt golf course be reduced so that the project was further from the channel? The residents of Relax Ridge would still have great access to the channel, the suspension bridge and the trails but that area would retain far more of its wilderness quality for all of us.

Disposition:

Additional information was requested to address these comments.

Jeff Long - This submission regarding the Relax Ridge Seasonal Park proposal is neither in support or against the proposal in principle. Nevertheless, there are four areas of concern which I suggest must be expanded to protect more fully the natural landscape as it currently occurs. I list one additional concern, unrelated to the natural environment, but its use of it. "Grandfather clauses" and precedent-setting cases in other jurisdictions are no longer a recognisable method of approving new environmental impacts. Consequently, I submit that this application, like all new applications, must stand on its own merit, irrespective of other previous or ongoing activity in the area.

I list each concern in reference to the appropriate number paragraph within the application:

1. Section 1 (regarding the impact to wildlife of clearing land) - the proponent claims that the absence of dead animals in a nearby site constitute sufficient proof that impact to small animals is minimal and that the impact to large mammals is offset by migration. Neither of these assessments are viable. Cumulative habitat loss (often as a result of large clear cuts admittedly, but also likely under numerous small projects) threaten all, but the most adaptive species. These species (whitetail deer and beaver among others) all have developed a reputation as nuisance species.
2. Section 2 (with respect to impact on fisheries) the proponent makes the understandable mistake of confusing fish habitat issues (DFO jurisdiction) and fisheries (Manitoba Conservation) jurisdiction. Impact to fisheries is essentially limited to the water intake apparatus. However, unless the proponent demonstrates understanding of the fish sizes and species within the channel, effective intake screens size cannot be addressed. Moreover, intake screens are susceptible to clogging and a cleansing regime should be provided. Currently, no maintenance

schedule is stated, except for daily inspections of human waste facilities. Additionally, to date, there is no evidence that the ameliorative actions (rip rap on the shoreline) suggested by the proponent will protect fish habitat. This work is currently being addressed. Irrespective of the size of the impact, current DFO policy will assuredly consider the impact to be a HADD (harmful alteration, disruption or destruction) of fish habitat and request compensation or mitigation of the project. Therefore, MB Conservation might be well advised to prepare for a revised application after DFO scrutiny.

3. Section 4 (regarding keeping "as much vegetation as possible"). "As much as possible" is a vague statement, and the proximity of seasonal campers to the water course suggests that over time, vegetation will come under increased cutting pressure to open up views and access of the water. Once this vegetation has been destroyed, apologies and "*mea culpas*" do not restore it. I believe, that the ratio of seasonal to overnight campers is not a good one. As a rule, seasonal campers take greater "ownership" of their space, and it is this group which I believe will be responsible for cutting brush and clearing land, rendering the proponent's intentions to preserve green space somewhat fanciful – especially given the outlined schedule of supervision. This raises the issue of supervision. After all, the proponent will be in attendance at Pioneer Bay campground, and summer students will carry little moral authority with well-established seasonal campers. I am concerned that the seasonal campers will, over time, expand and alter the natural environment beyond the parameters established in the licence application.
4. Lastly, although the proponent has not raised this subject, recently, the LGD of Pinawa rescinded its No Hunting By-law of 1991, despite contrary advice from within MB Conservation. This bylaw protected the local cross country ski trails in the area as well as the Pinawa section of the TransCanada trail. The area in which the proposed development occurs appears to exist within the newly established hunting permitted zone. Therefore, I suggest that until the LGD of Pinawa has developed an appropriate, consistent no hunting by-law, future "development" of any project should be suspended.

Given these concerns, I request that no environmental licence be provided for development until the proponent has provided better documentation to support his assertions.

Disposition:

Additional information was requested to address a number of these comments. Some items may be addressed as licence conditions.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Conservation – Sustainable Resource Management - The proponent should indicate on a sketch the proposed locations of all sewage holding tanks and the two grey water pits. A minimum 10 metre wide buffer strip of native vegetation should be retained along the Pinawa Channel. Trees should not be cleared from this area except for the

waterline installation. The water line from the Pinawa Channel should be installed after June 15 to protect spawning fish. Disturbance to the stream bank should be minimized and repaired as quickly as possible. This area should be seeded down to native species to speed up revegetation. Excavation for the waterline should be kept to a minimum and completed as quickly as possible. Excavated material must either be replaced in the trench or moved permanently away from the bank so it will not result in siltation of the channel. If desired, the excavation within the stream may be refilled with clean rock rather than excavated material. The intake of the waterline must be screened according to the "Freshwater Intake End of Pipe Fish Screen Guidelines". The proponent should consult with the Biodiversity Conservation Section of Manitoba Conservation regarding the possibilities of any rare and endangered plants being at this location. This should then be followed up with a ground survey by a qualified botanist.

Disposition:

Additional information was requested to address a number of these comments. Other comments can be addressed through licence conditions.

Historic Resources Branch - The Historic Resources Branch has no concerns with regard to this project's potential to impact heritage resources. No heritage resources have been recorded at this specific location; however, archaeological site distribution in the area indicates a potential for intact heritage objects on this property. The Branch's Impact Assessment Archaeologist will examine the area when scheduling permits to determine the location and significance of any heritage resources. In the event that significant heritage resources are present, the proponent will be contacted and a mutually acceptable heritage resource management strategy can be implemented. In the interim, it is recommended that the application be allowed to proceed subject to Branch findings.

Disposition:

These comments can be addressed through a licence condition. The comments were forwarded to the proponent for information.

Mines Branch - No concerns.

Highway Planning and Design Branch - A copy of comments from the Department respecting the subdivision for the Development was provided: We have no objection to the general intent of this subdivision proposal. However, we recommend that any approval of this proposal be conditional on the applicant being required to line up the proposed "public road" and the road to the south of PR 211 (Willis Drive) to create a safer intersection. To accomplish lining up these roads, it appears that one of the existing crossings (either the driveway for the proposed road or Willis Drive) will require relocation. As outlined below, a permit from the Department will be required for any access relocation or modification on this highway. To obtain an access application form or further information, the applicant may wish to contact the Department's Access Management Section in Winnipeg or regional staff in Steinbach. Statutory Regulations: Any new, modified or relocated access onto PR 211 requires a permit from Manitoba Transportation and Government Services. A permit is also required for any construction

above, on or below ground level within 38.1 m (125 feet) or to place any planting within 15.2 m (50 feet) from the edge of the PR 211 right-of-way.

Disposition:

This information was forwarded to the proponent for followup with Manitoba Transportation and Government Services.

Provincial Planning Services/Community Planning Services - The subject lands are within an area designated as "Private Open Space" by the "development plan" portion of the Pinawa Planning Scheme and "Park and Recreation District" by the "zoning" section of the same Planning Scheme. The campground and golf course are permitted uses in this area.

Soils and Crops Branch - No concerns.

Medical Officer of Health – North Eastman Region - The proposed development could have a positive impact for the area. Further clarification is wanted with regard to water quality and sewage disposal. In particular, does the proposal meet Manitoba Conservation regulations?

Disposition:

The Development must meet all department requirements. This can be addressed through licence conditions.

Canadian Environmental Assessment Agency - It appears as though the application of the Canadian Environmental Assessment Act will not be required. Environment Canada has an interest in the project and is willing to provide specialist advice. Environment Canada will provide comments directly. In addition, the Canadian Coast Guard will also be able to provide specialist advice with respect to navigation on the Winnipeg River.

Environment Canada - EC has an interest in the project related to possible impacts to migratory birds and wildlife, and would like to participate in the provincial review pursuant to Clause 59 of the Canada-Manitoba Agreement on Environmental Assessment Co-operation. Specialist comments:

1. The potential impacts of the proposed development to migratory birds (and other wildlife) have not been adequately assessed, in our opinion. The size of the proposed development has not been provided, but appears to involve the clearing of a sizeable portion of mixed forest including areas of dense underbrush. These areas may be important habitat for various migratory birds, such as songbirds, neotropical migrants, etc., as well as other wildlife. The assumption that the existing wildlife can be accommodated in nearby habitat is not accurate. We recommend that a more thorough assessment of potential impacts to migratory birds, in particular, be done. This should include a site survey during the spring nesting season by a professional ornithologist to determine the species present and their utilization of the area, an assessment of the impacts of clearing the land from both a local and regional perspective, and any required mitigative measures to minimize potential impacts to

migratory birds and other wildlife. Mitigation can include measures such as scheduling of any clearing outside of the nesting and breeding season, which generally occurs between the beginning of May and the end of July. It is an offence under the Migratory Birds Regulations to destroy or disturb migratory bird nests.

2. The proposal is lacking information on site drainage, elevation contours for the property and possible soil erosion or sedimentation of Pinawa Channel as a result of construction activities, such as site clearing, infrastructure installation, etc. The proposal should also include information on proposed mitigation to minimize such impacts, such as erosion control measures, early revegetation of cleared areas, measures to protect riparian vegetation, etc. These are important aspects to consider, since deposit of deleterious substances, such as suspended solids, silt, oil and grease, pesticides, etc. into fish bearing waters is prohibited under the Fisheries Act.
3. The adequacy or appropriateness of using grey water pits for handling shower water, etc. should be thoroughly assessed and should be based on the potential for groundwater and surface water contamination in this area. The potential would be dictated, in part, by the soil type and depth in the area and direction of groundwater flow. Cottage developments often result in a deterioration of surface water quality where wastewater is improperly handled, usually as a result of increased nutrient loadings.
4. Any in-water works, such as installation of a water intake, may require an authorization from the Department of Fisheries and Oceans. We assume DFO will provide any appropriate information on its departmental requirements. Installation of a silt curtain may be required to minimize downstream sedimentation during construction.

Disposition:

With respect to bird habitat, the amount of clearing required for the development is relatively small, and mitigation can be included as licence conditions. The proponent was asked to verify the absence of rare or endangered species of wildlife and has done so. Erosion and sedimentation can be addressed through licence conditions, and all wastewater collection components will require approval through the Public Health Act. The water intake can be addressed through licence conditions, and will not interfere with navigation in the Pinawa Channel.

ADDITIONAL INFORMATION:

Additional information addressing public and TAC comments was requested from the Proponent on May 1, 2003. The attached response was received on May 12, 2003. Further information was requested to clarify earlier information on May 21, 2003, and the attached response was received the same day.

PUBLIC HEARING:

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

RECOMMENDATION:

All comments received on the Proposal have been addressed in the additional information or 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 Eastern Region.

PREPARED BY:

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May 26, 2003

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