

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Manitoba Infrastructure and Transportation
PROPOSAL NAME: Proposed Upgrading of
Provincial Trunk Highway 39
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Two lane road at new location
CLIENT FILE NO.: 5682.00

OVERVIEW:

On October 23, 2013, Manitoba Conservation and Water Stewardship received a proposal dated October 23, 2013 from Manitoba Infrastructure and Transportation (MIT) for the proposed upgrading of Provincial Trunk Highway (PTH) 39 near Snow Lake, Manitoba. The project involves relocation of an 8.6 km section of PTH 39 from 6 km west of Provincial Road (PR) 596 to 10 km east of the same PR. Sections of the abandoned portion of PTH 39 will be either used as roadways or decommissioned. Construction was proposed to begin in the winter of 2013.

The proposal was distributed to the "Transmission" Technical Advisory Committee (TAC) for review. It was also placed in the public registries and advertised in the Thompson Nickel Belt News on Friday, November 15, 2013; the The Pas Opasquia Times on Friday, November 15, 2013; the Flin Flon Reminder on Friday, November 15, 2013; and the Snow Lake Underground on Thursday, November 21, 2013.

COMMENTS FROM THE PUBLIC:

No comments were received from the public regarding the proposal.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

The following is a summary of TAC comments received pertaining to the Proposal. Copies of the original comments from TAC are available in the Public Registries.

Manitoba Conservation and Water Stewardship - Parks and Natural Areas Branch

The Branch has no comments to offer as it does not affect any parks or ecological reserves.

Disposition:

No action needed.

Manitoba Conservation and Water Stewardship - Sustainable Resource & Policy Management Branch and Lands Branch

Lands Branch has no concerns with option three (3) to realign and straighten PTH 39 across the top of the "W" configuration through the construction of new road, which conforms to the

proposed location and design. The road relocation is noted to be an important change is to meet current PTH standards and elimination of potential safety issues for road users and increasing the efficiency of PTH 39. Approval is conditional upon the following:

- A Crown Land Reservation is required to be approved in advance of road construction activities.
- The existing PTH “W” is to be managed and maintained by MIT.
- As stated: “A decommissioning plan for the existing PTH 39 “W” alignment is under development” This plan is to be submitted for comment to CWS when completed. The 3.3 km of road surface at the bottom of the page will not revert back to Crown Land until the decommissioning plan has been submitted, commented on, approved and work completed. Decommissioning of the old portion of highway should include; removal and disposal of asphalt, removal and disposal of all culverts, leveling of road embankment, slope and contour to ensure proper drainage, re-vegetation of disturbed areas and signage at both ends as required.
- A timber permit is required for all merchantable timber cut.
- There is information stating that Registered Trap Line 29 is in close proximity to the proposed work and is “Vacant” so no contact has been made with the trapper. This is not accurate as the Lineholder is a resident of The Pas and the line is active. Contact Snow Lake District for the name of the trapper. Snow Lake District: 204-358-2521.
- In the early 1990’s a Fibre Optic Line has been buried by MTS on the centre line of this proposed highway, may require further investigation.

Disposition:

The comments were sent to the proponent for their information. Comments regarding the decommissioning of the existing portion of PTH 39 can be accommodated with licence conditions. Regarding concerns about traplines, MIT indicated in their proposal that the trappers in the area were advised of the project and that there were no concerns. Environmental Approvals Branch requested the proponent to follow up with comments made by TAC and in an email, dated January 10, 2014, MIT reported that the trapper in question had been identified and contact with that individual has been attempted. MIT also stated that this particular trapline terminates in the vicinity of the Herb Lake Landing access where the proposed development limit begins.

Manitoba Conservation and Water Stewardship - Wildlife and Ecosystem Protection Branch

The proposed realignment will cause some direct loss of wildlife habitat. Given the proximity of the relocation to the existing road, and the quantity of adjacent undisturbed habitat, it is anticipated that affects to wildlife will be minimal. We also note the road relocation is required to meet current PTH standards, eliminate potential safety issues for road users and increase the efficiency of PTH 39.

As stated “A decommissioning plan for the existing PTH 39 “W” alignment is under development”. This plan is to be submitted for comment to CWS when completed. Decommissioning of the old portion of highway should include, re-vegetating of disturbed areas with native vegetation to promote restoration to naturally occurring wildlife habitat.

As this report states, woodland caribou of both the Wabowden and Reed Lake ranges occur in the project area. This report also states the project area is outside both Reed Lake and Wabowden Ranges, at the time this report was written, this statement was correct. Recently, Manitoba Conservation and Water Stewardship (MCWS) have updated caribou range boundaries. Using these updated boundaries, the project area is now located within both the Naosap-Reed (formerly Reed Lake) Range and the Wabowden Range. Recommend MIT contact Northwest Region Wildlife Staff for an updated shapefile of these range boundaries.

The report shows data provided by MCWS up to May 2012. MCWS Northwest Region, in conjunction with industrial partners, have telemetry collars on both Naosap-Reed and Wabowden Ranges. Recommend MIT contact Northwest Region Wildlife Staff for updated telemetry data.

A review of the recent telemetry data (May 2012-January 2014) shows slightly more use of the project area by caribou. The proposed realignment will however not occur in any core area of caribou use. In addition, caribou use on the south side of the proposed realignment appears to be during late summer, a time period when caribou are not as particular in habitat selection. Given the type of use in the project area we anticipate minimal impacts to caribou.

Given woodland caribou appear to be crossing the proposed realignment section we recommend, through discussions with Northwest Region Wildlife Staff, erecting caribou crossing signs in appropriate locations to minimize potential human-wildlife collisions. If a collision is to occur, MCWS should be contacted to take samples of the roadkill.

Given the additional use by caribou of the project area, further mitigation measures may be necessary. MIT should contact Northwest Region Wildlife Staff to discuss additional potential mitigation measures prior to the start of the project.

Disposition:

The comments were sent to the proponent for their information. Comments regarding the decommissioning of the existing portion of PTH 39 can be accommodated with licence conditions. Comments about additional mitigation measures for the protection of caribou were forwarded to the proponent for follow up with Northwest Region Wildlife Staff.

Manitoba Conservation and Water Stewardship - Fisheries Branch

The proponent indicates that based on an aerial review of the area there does not appear to be any defined watercourses or waterbodies. Unless regional staff have concerns otherwise, as long as there are a sufficient number of culverts installed and they are installed properly to maintain drainage patterns and sediment and erosion control measures are implemented any potential fisheries concerns should be addressed. Similarly with any decommissioning as long as the areas are returned to pre-project conditions, there should be no concerns.

Disposition:

The comments were sent to the proponent for their information. Comments regarding erosion control can be accommodated with licence conditions.

Manitoba Conservation and Water Stewardship – Water Control Works and Drainage Licensing Section

As indicated in the proposal:

- All culverts should be sized according to anticipated flows, and installed in locations that will not upset the natural flow of surface waters in the area.
- All drains should be constructed to a minimum 3:1 side-slope ratio.
- Construction activities should be limited to periods of low or no-flow.
- Adherence to DFO guidelines/operational statements with respect to culvert sizing/installation, crossings, and post construction site stabilization to minimize erosion/sedimentation.

Disposition:

The comments were sent to the proponent for their information.

Manitoba Conservation and Water Stewardship – Water Quality Management Section

Based on the information provided by the proponent, we have no concerns with regard to the surface water quality that could not be satisfied by standard licensing conditions.

The following recommendations are provided for information purposes:

- We recommend all disturbed areas be stabilized with biodegradable erosion control materials and then re-vegetated using a seed mix native to the area.
- Standard procedures are in place regarding fueling equipment a minimum of 100 metres distance from water, and prevention of uncured concrete, washwater, or bituminous paving products from entering water courses.
- Should blast rock or quarry rock be required, the proponent should ensure that any rock utilized for the proposed road is of a quality such that it is not acid or alkali generating.

Disposition:

The comments were sent to the proponent for their information. Comments concerning erosion control and fueling setbacks and deleterious substances can be accommodated as licence conditions.

Manitoba Conservation and Water Stewardship – Water Use Licensing Section

No concerns.

Disposition:

No action needed.

Canadian Environmental Assessment Agency (CEAA)

This is not a designated project under CEAA 2012, so we will have no further comments.

PUBLIC HEARING:

There were no comments received from the public. A public hearing is not recommended.

CROWN-ABORIGINAL CONSULTATION

MIT conducted a Crown-Aboriginal Consultation Initial Assessment for the project and determined that Crown-Aboriginal Consultation is not required based on the following:

- There are no First Nation boundaries, Resource Management Areas, or Community Interest Zones within the project limits.
- The project scope has been advertised and discussed in the local media over the past year. An open house took place without any concerns being brought forward.
- The trappers in the area have been advised of the project and do not have any concerns.

RECOMMENDATION:

It is recommended that an Environment Act Licence be issued for the project subject to the limits, terms and conditions as described in the attached draft licence. Administration of the licence should be assigned to the Northwest Region, with technical assistance to be provided by Environmental Approvals Branch upon request.

PREPARED BY:

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