

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Transportation and Government Services
PROPOSAL NAME: Cross Lake, Oxford House, God's Lake
and God's River Winter Road System
("Hayes River Winter Road")
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Transportation
CLIENT FILE NO.: 4868.00

OVERVIEW:

The Environment Act Proposal was dated November 20, 2002 and received on November 21, 2002. The advertisement of the Proposal read as follows:

"A Proposal has been filed by the Manitoba Department of Transportation and Government Services to relocate the two sections of the existing winter road system connecting the communities of Cross Lake, Oxford House, Gods Lake and Gods River. The purpose of this project is improve safety and reliability of the existing winter road system. The sections of winter road to be relocated will follow overland routes which avoid unsafe sections across lakes and minimize stream crossings. The Department of Transportation and Government Services will proceed with construction of the relocated sections once all government agencies requirements have been met."

The Proposal was advertised in the Winnipeg Free Press on November 30, 2002. Copies of the Proposal were filed in the following Public Registries: Main 123 Main Street in Winnipeg, Manitoba Eco-Network, the Centennial Public Library and with the Cross Lake Community Council and the Bunibonibee Cree Nation. It was also distributed to the "Transportation" Technical Advisory Committee (TAC) for comment. All comments were requested by December 31, 2002.

PUBLIC RESPONSE

Gaile Whelan Enns
Manitoba Director
Wildlands Campaign
Canadian Nature Federation
412-63 Albert Street
Winnipeg MB R3B 1G4

- letter dated December 31, 2003.
- state that CNF recognize the need for the project and are not opposed to it, but indicate that in their opinion the Environment Act process did not provide sufficient time for a thorough review of the information. In addition, CNF feels that the Proposal is deficient with regard to plans, mapping and several public policy obligations.

Disposition:

In response to CNF comments, Transportation provided additional information to Approvals Branch on January 21, 2003. Approvals responded to in writing to CNF on January 22, 2003, with the additional information.

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PUBLIC COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Conservation (Sustainable Resource Management Branch):

Recommend the following conditions be included:

- The same “General Terms and Conditions” as stated in Environment Act Licence #2585 pertaining to the construction of the relocated winter road from Island Lake to Red Sucker Lake with the exception of the requirement on mapping.
- The proponent flag the centreline of the road a minimum of 500 metres in advance of clearing operations and inspect Lawford River crossing and any other ice based stream crossings, prior to clearing the right-of-way to river crossings.
- Prior to the issuance of a General Work Permit a written agreement between Manitoba Hydro and Transportation should be reached which describes the relationship between the road right-of-way and transmission line rights-of-way.
- A separate Work Permit is required for the bridge construction across the Echimamish River.
- A 500 meter buffer zone at the crossing locations of the Echimamish and Hayes Rivers.
- Agreement with Parks and Natural Areas Branch on the final routing of the road in the Echimamish and upper Hayes River and Hawkins Lake areas prior to construction plans being developed.
- A caribou management plan should be developed by Transportation in conjunction with Conservation and local First Nations.
- Recommend that wherever possible large bird nests encountered during surveying and construction should be avoided.
- Prior to construction, discussions between the Transportation and the Protected Areas Program staff to select specific routings within the proposed corridor so as to minimize effects on specific enduring features.

Disposition:

Comments can be accommodated as conditions of licencing.

Agriculture - No concerns identified with the Proposal.

Intergovernmental Affairs - No land use or development concerns with the proposal.

Historic Resources - Concerns with regard to the project's potential to impact heritage resources are adequately addressed in the Proposal.

Mines Branch - No concerns. Provide a sketch of several mining claims held by DeBeers Canada Exploration which may be affected by the proposed road.

Disposition:

The location of the mineral claims will be brought to the proponent's attention as an attachment to the Licence letter of transmittal.

Petroleum Branch - No comments or concerns.

Health - No negative direct or indirect health impacts have been identified.

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Canadian Environmental Assessment Agency - On the basis of funding part of the project the Department of Indian and Northern Affairs (DIANA) has declared itself a Responsible Authority (RA) under The Canadian Environmental Assessment Act for the project. Authorizations are also required under The Fisheries Act. DIANA and Fisheries and Oceans advise that an Environmental assessment under *The Canadian Environmental Assessment Act* is required for locations of the project. In addition, DIANA, Health Canada, Environment Canada, Parks Canada and Natural Resources Canada have indicated that they are willing to provide specialist advice with respect to the project.

Disposition:

The Canada-Manitoba Agreement on Environmental Assessment Co-operation requires that the environmental assessment requirements of Canada and Manitoba must be met through a harmonized process before funds are issued and construction is allowed to proceed. On February 14, 2003, DIANA completed an Environmental Screening Report and determined that the project is not likely to cause significant adverse environmental effects and therefore can proceed with application of the mitigation measures specified in the Screening Report.

RECOMMENDATION:

A public hearing is not recommended. It is recommended that the Manitoba Environment Act Licence for the project not be issued until the EA requirements under the Canadian Environmental Assessment Act are met. The Manitoba TAC comments can be accommodated as conditions of licencing for the project. It is further recommended that enforcement of the Licence be assigned to the Manitoba Conservation Northeast Region.

PREPARED BY:

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Environmental Approvals

Environmental Land Use Approvals
February 14, 2003

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