

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: City of Winnipeg
PROPOSAL NAME: Ness Avenue Bridge Construction at Sturgeon Creek
CLASS OF DEVELOPMENT: Two
TYPE OF DEVELOPMENT: Water Development and Control
CLIENT FILE NO.: 5790.00

OVERVIEW

The Proposal was received on July 24, 2015. It was dated July 24, 2015. The advertisement of the Proposal was as follows:

“A proposal has been filed by Tetra Tech WEI Inc. on behalf of the City of Winnipeg for the replacement of the existing box culvert crossing on Sturgeon Creek at Ness Avenue. The project involves the demolition of the existing structure, the construction of a three span bridge and associated bank reshaping and stabilization. Construction would commence in the late fall of 2015 and be completed in 2016, with the in-channel work being completed in the winter of 2015-2016.”

The Proposal was advertised in the Winnipeg Free Press on Saturday, August 15, 2015. It was placed in the online, Legislative Library, and Millennium Public Library (Winnipeg) public registries. It was distributed to TAC members on August 13, 2015. The closing date for comments from members of the public and TAC members was September 14, 2015.

COMMENTS FROM THE PUBLIC

Helios Hernandez and Marilyn J. Hernandez

Comments provided as Attachment A (16 pages, 1666 KB pdf document)

Disposition:

Several of the comments detail areas of information in the Proposal that have not included all potentially available information. As noted by the writers, “... we have several concerns with the accuracy and adequacy of some of the information provided in the report and its comprehensiveness, especially the extent to which the natural environment and cumulative impacts are addressed.” In instances where information has been summarized or generalized, the accuracy and clarity of the description is sufficient to provide a clear understanding of the project and its effects. The project footprint is small relative to the Sturgeon Creek corridor in the City of Winnipeg, and most project effects are confined to the construction period. As a result, information gaps identified by the writers are small enough that additional information is not needed to understand the project effects or to prescribe mitigation measures through licence conditions.

With respect to traffic concerns and linkages between the project and other street construction projects in the vicinity, *The Environment Act* does not provide jurisdiction to address temporary transit re-routes during construction periods.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE

Manitoba Conservation and Water Stewardship – Environmental Compliance and Enforcement Branch

Spills of fuel, oil during construction must be reported immediately to the Environmental Emergency line: 204-944-4888.

Disposition:

This comment can be addressed as a licence condition.

Manitoba Conservation and Water Stewardship – Climate Change and Air Quality Branch

- Based on the provided information, it is expected that there will be no significant impact on air quality due to this project.
- Air Quality Section suggests that the EA Clause regarding noise nuisance be included.

Disposition:

The comment concerning noise nuisance can be addressed as a licence condition.

Manitoba Conservation and Water Stewardship – Lands Branch

Please find below comments from the Central Region – IRMT:

- The environmental assessment for this project identifies the existence of numerous invasive plant species (leafy spurge, purple loosestrife, tansy) within the study area and perhaps within the construction zone. The proponent should be required to remove these infestations and dispose of plants and soil in a manner that does not cause re-introduction either on the construction site or elsewhere.

Disposition:

This comment can be addressed as a licence condition.

Manitoba Conservation and Water Stewardship – Lands Branch (Land Management and Planning Section)

Land Management and Planning Section has no comments as the proposal does not involve Crown Lands (within City of Winnipeg).

Manitoba Conservation and Water Stewardship – Wildlife and Fisheries Branch

The Wildlife and Fisheries Branch supports the following comment submitted by Central Region Wildlife staff:

“The environmental assessment for this project identifies the existence of numerous invasive plant species (leafy spurge, purple loosestrife, tansy) within the study area and perhaps within the construction zone. The proponent should be required to remove these infestations and dispose of plants and soil in a manner that does not cause re-introduction either on the construction site or elsewhere.”

Disposition:

As noted above, this comment can be addressed as a licence condition.

Manitoba Conservation and Water Stewardship – Parks and Protected Spaces Branch

No comments or concerns to offer as it does not affect any provincial parks, ecological reserves, areas of special interest, or proposed protected areas.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

I have reviewed the above noted EAP and found no cause for concern in it respecting drinking water quality or safety.

Manitoba Conservation and Water Stewardship – Water Use Licensing Section

No concerns.

**Manitoba Infrastructure and Transportation – Highway Planning and Design Branch,
Environmental Services Section**

No concern.

Manitoba Agriculture, Food and Rural Development – Crops Branch

No concerns.

Canadian Environmental Assessment Agency

The proposed project is not a physical activity under the Regulations Designating Physical Activities of CEAA 2012. Therefore the Agency will [not] be involved further in the review of the project.

ADDITIONAL INFORMATION

Additional information is not required to address the public and Technical Advisory Committee comments received on the project.

PUBLIC HEARING

No requests were received for a public hearing. Accordingly, 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.

This project involves the replacement of a box culvert within the City of Winnipeg with a bridge, and associated bank re-shaping and stabilization. No impact is anticipated on Aboriginal or treaty rights and it is concluded that Crown-Aboriginal consultation is not required for the project.

RECOMMENDATION

All comments received that require follow-up can be addressed through licence conditions. 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 Central Region of the Environmental Compliance and Enforcement Branch.

PREPARED BY:

Bruce Webb
Environmental Approvals Branch – Land Use and Energy Section
October 16, 2015
Telephone: (204) 945-7021
Fax: (204) 945-5229
E-mail: bruce.webb@gov.mb.ca

Attachment A

Comments on Environment Act Proposal from Helios Hernandez and Marilyn J. Hernandez