

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Manitoba Hydro
PROPOSAL NAME: Tyndall Transmission Project
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Transmission Line 155-230 kV
CLIENT FILE NO.: 5698.00

OVERVIEW:

An Environment Act Proposal (EAP) for the project was received on January 29, 2014. The advertisement of the Proposal read as follows:

“A Proposal has been filed by Manitoba Hydro for the construction and operation of the Tyndall Transmission Line and Distribution Supply Centre which includes approximately 10km of a new 115 kV transmission line from SE ¼ 14-13-5 EPM to SE ¼ 10-13-6 EPM, immediately north of PTH 44, a new distribution supply centre located at SE ¼ 10-13-6 EPM between Tyndall and Garson and decommissioning of the existing Garson Station. The projected in-service date is October 31, 2014, pending regulatory approval.”

The Proposal was distributed to the Technical Advisory Committee (TAC) for review and was advertised in the Selkirk Record and the Beausejour Clipper on Thursday, March 6 2014. It was placed in the following public registries: Legislative Library and Millennium Library and the electronic registry at <http://www.gov.mb.ca/conservation/eal/index.html>. Comments were requested by April 4, 2014.

COMMENTS FROM THE PUBLIC:

The following is a summary of comments received from the public pertaining to the environmental assessment of the project and only includes comments within the scope of this review pursuant to The Environment Act. Copies of the original public comments are available in the Public Registries.

Brenda and Francis Kinnaird

We have reviewed the Environmental Assessment including the final preferred route outlined in the letter dated February 21, 2014 from Shannon Johnson Manager of Licensing & Environmental Assessment Department for Manitoba Hydro.

We had concerns as one of the routes went through our livestock yard and very close to our house, our son's house and a rental house we own. An alternate route also was very close to these three dwellings.

We would like to say that we find the final preferred route very satisfactory. This route has addressed all of our issues.

Disposition: No further action is required.

Carey Hamel

Western Silvery Aster (*Symphotrichum sericeum*) and Rough Agalinis (*Agalinis aspera*) are endangered species, legally protected under Manitoba's Endangered Species Act.

Both species occur in the vicinity of Tyndall/Garson, in gravelly soils - both are associated with areas where erosion or past disturbance has created suitable conditions. Areas that may appear, to the lay person, to represent 'poor habitat' are in fact, suitable places for both species (e.g. ditches, edges of gravel pits).

Both species are cryptic, and easily overlooked or assumed to be other more common species by biologists conducting surveys.

Prior to disturbing soil, the proponents should conduct a survey for both Western Silvery Aster and Rough Agalinis, employing a qualified Botanist with experience identifying both species, with the surveys timed to co-incide with the flowering period of both species (the time period when detectability is greatest).

Disposition: These comments were forwarded to Manitoba Conservation and Water Stewardship, Wildlife Branch for follow up and their review. Wildlife Branch concluded that Manitoba Conservation and Water Stewardship does not have records of plant species-at-risk along the preferred route. The list of rare species the Proponent provided in the appendices is for a much larger area and because the work will occur primarily in existing right-of-ways, it is unlikely that any of the rare plant species listed in the appendix will be disturbed by the project.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

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.

Canadian Environmental Assessment Agency (CEAA)

After reviewing the Proposal, it has been determined that this project is not subject to CEAA, 2012 and the Agency will have no further involvement.

Disposition: No further action is required.

Manitoba Conservation and Water Stewardship – Parks and Protected Spaces Branch

The Branch has no comments or concerns to offer as it does not affect any provincial parks, park reserves, ecological reserves, areas of special interest, or proposed protected areas.

Disposition: No further action required.

Manitoba Conservation and Water Stewardship - Water Use Licensing Branch

No concerns.

Disposition: No further action required.

Manitoba Conservation and Water Stewardship –Wildlife Branch

Wildlife Branch has reviewed the proposal and has no concerns or comments to add.

Disposition: No further action required.

Manitoba Conservation and Water Stewardship - Environmental Compliance and Enforcement

Environmental Compliance and Enforcement Branch has reviewed this proposal and has no concerns.

Disposition: No further action required.

Manitoba Conservation and Water Stewardship – Air Quality

It is expected that the proposal has no significant impact on air quality provided that control measures such as water/dust suppressant/curtain will be implemented and adequately maintained.

There was no mention on the proposal about potential noise associated with the project. Typical sources of noise in this type of development are blasting during ROW clearing and splicing of transmission wires. Will these noise sources be absent in this proposal?

Disposition: Comments were forwarded to the proponent for information. Noise was identified in the proposal as having a potential socio-economic and wildlife impact. The proposal identified

several important mitigation and monitoring measures to address impacts related to the displacement of birds and decreased well-being of individuals in the immediate area.

Manitoba Conservation and Water Stewardship – Lands Branch

The Lands Branch has no concerns with the proposal as the land tenure is privately held.

Disposition: No further action required.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

We have reviewed the above noted proposal for any possible concerns respecting drinking water quality or safety. There are no public or semi-public water systems in the development area which use surface waters as raw water sources and the only public water system to use groundwater is the Garson-Tyndall-Henryville public water system, which uses water from a deep well. The proposal notes precautions and mitigation measures to be put in place to protect groundwater quality during and after construction of the work. The proposal notes that risk to groundwater is considered “low”. As such, Office of Drinking Water has no concerns with this EAP or the proposed development.

Disposition: No further action required.

Manitoba Municipal Government – Community And Regional Planning

Community and Regional Planning has no concerns.

Disposition: No further action required.

Manitoba Infrastructure and Transportation – Environmental Services

MIT has reviewed The Environment Act Proposal noted above and we do not have concerns with the development provided that:

- Agreements will be undertaken for any proposed installation within or crossing any departmental roads (PTH 44 and PR 212). Proposals should be submitted to MIT for review and approval prior to start of construction; and
- Necessary permits will be acquired from the Highway Traffic Board for any structures placed within the control area of PTH 44.

Disposition: These comments were forwarded to the proponent for information.

REQUEST FOR ADDITIONAL INFORMATION:

No requests for additional information were necessary.

PUBLIC HEARING:

There were no requests for a public hearing. 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.

Two First Nations are located in the study area Brokenhead Ojibway FN (26 km away) and Peguis First Nation (greater than 26 km away). Proponent consultation with both communities did not identify any concerns. Also, the majority of the land required for the proposed development is either privately owned and is adjacent to agricultural land use or along side decommissioned rail line. As a result, it is concluded that Crown-Aboriginal consultation is not required for this project.

RECOMMENDATION:

The comments received on the Proposal can be addressed as conditions of licensing for the project, or have been forwarded to the Proponent for their information. Therefore, it is recommended that the Development be licensed under The Environment Act subject to the limits, terms, and conditions as described in the attached Environment Act Licence. It is further recommended that enforcement of the Licence be assigned to the Eastern Region prior to construction.

PREPARED BY:

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