

## **SUMMARY OF COMMENTS/RECOMMENDATIONS**

**PROPONENT:** Manitoba Natural Resources  
**PROPOSAL NAME:** Flood Protection Dykes – Niverville, Ste. Agathe and Area South of the Floodway

**CLASS OF DEVELOPMENT:** Two  
**TYPE OF DEVELOPMENT:** Water Development and Control – Flood Control Projects  
**CLIENT FILE NO.:** 4350.00

### **OVERVIEW:**

The Proposal was received on June 26, 1998. It was dated June 18, 1998. The advertisement of the proposal was as follows:

“A Proposal has been filed by Manitoba Natural Resources for the construction of ring dykes and associated works for the communities of Niverville and Ste. Agathe, as well as two areas south of the Red River Floodway. These areas are Grande Pointe and an area along St. Mary’s Road south of the Floodway inlet. The dyke locations are as presented by Manitoba Natural Resources in public open houses held between the fall of 1997 and the spring of 1998. The level of flood protection provided would be equal to the level of the 1997 flood at each location plus two feet for freeboard. Engineering feasibility study reports for each location are included with the Proposal. Construction at each location is proposed for 1998.”

The Proposal was advertised in the Winnipeg Free Press on Saturday, July 11, 1998, and in the Steinbach Carillon on Monday, July 13, 1998. It was placed in the Main, Centennial, Eco-Network and Jake Epp Public Library (Steinbach) public registries. It was distributed to TAC members on July 7, 1998. The closing date for comments was August 7, 1998.

### **COMMENTS FROM THE PUBLIC: (brief summary only)**

*No public comments concerning the Ste. Agathe or Niverville locations.*

*Letters of support for the Grande Pointe dyke from:*

Reno and Lisa Tomasi  
Aurele and Emilie Bissonnette  
Allan and Gisele Labossiere  
Wayne G. Hadfield  
Ron and Pat Chaput

*Concerns about the Grande Pointe dyke from:*

Myron Knodel - Concerned about the location of the proposed Seine River diversion east of the project – will separate farmland, making farming operation difficult. Proposes alternative diversion route further east along road allowance.

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Gerald and Karen Toplins – Proposed Seine River diversion should be relocated 1 ½ miles further east.

Fred and Julie Blais and others – Concerned about the proposed location of the dyke parallel to Hallama Road – will require expensive land purchase, separate farmland, and create flooding between the dyke and the nearby CPR rail line. Relocating the dyke to the road allowance west of the CPR line will avoid these problems and provide better flood protection.

**Disposition:**

Natural Resources has advised that studies of the proposed alterations are being made at the final design stage for the project. Since the final design studies will not be available for some time, this component of the project could be licensed subject to the approval of final plans. The final plans could be reviewed to ensure that the public concerns had been addressed. (Natural Resources has requested that the Grande Pointe and St. Mary's Road components of the project be considered together. Accordingly, the Grande Pointe works would be licensed separately only at the request of Natural Resources.)

**Note:** Numerous public concerns about the St. Mary's Road dyke have not yet been summarized. These comments will be added to the Project Summary when additional information on this dyke is provided by Manitoba Natural Resources. The initial recommendation in this Project Summary applies to the Ste. Agathe and Niverville locations only.

*Concerns about the St. Mary's Road dyke from:*

Nicki and Darrell Dewar – Want the residence at 400 Greenview Road included in the proposed dyke. Its exclusion is more expensive, has less net benefit, protects less property and has a similar hydraulic impact.

Lori Allen – an inadequate assessment has been done on the impact of the proposed St. Mary's Road dyke. The Manitoba Water Commission recommended that a full risk assessment be conducted for future flood protection. Until this has been done and the risks properly assessed, this project should not proceed. The proposed dyke protects 31 houses, but there has been no assessment of the impact of the project on 300+ homes in

Ward 4 in the R.M. of Ritchot. Many residents outside the proposed dyke have floodproofed to 1997 plus two feet, acting in good faith on government recommendations.

William Kocay – the engineering study on the proposed dyke does not take into account the effect of the dyke on residents of the Red River Drive area in any meaningful way. The estimated increase in water levels at St. Adolphe of three to four inches translates to 16 or 20 inches or more at Marchand Road. This is a great injustice to residents of the Red River Drive area. The cost-benefit estimate for the various dyking schemes is also seriously flawed – the harmful consequences of the dyke on residents west of the river has not been taken into account.

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### **COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:**

**Manitoba Environment – Eastern-Interlake Region** It appears that the lagoon servicing Niverville will be within the dyke and the lagoon would be protected in the event of a flood. A flood may coincide with the need to discharge the lagoon in the spring. Consideration should be given to ensure that the community has a plan in place to discharge their lagoon by a method other than through gravity flow.

#### **Disposition:**

Additional information was requested to address this comment. Natural Resources reported that discussions with the Town of Niverville indicated that the lagoon is discharged after June 1, and therefore after flood flows have peaked. In the event that a discharge was necessary when gravity outflow was not possible, treated effluent from the lagoon could be pumped from the lagoon.

**Manitoba Environment – Winnipeg Region** The proposal consisted of four different flood protection projects. Each project should be reviewed and licensed separately. Remedial measures or rehabilitation of the borrow areas should be addressed in the environmental assessment. Borrow areas should not be left as plain excavations, the proposal should include plans to bring these areas back to productive and useful purposes.

#### **Disposition:**

The projects were combined in a single proposal to provide the most complete package of information for components of the larger project which required environmental assessment and licensing. With respect to the borrow areas, rehabilitation and stabilization can be addressed as licence conditions.

**Manitoba Environment - Water Quality Management** The Niverville and Ste. Agathe dykes should not affect surface drainage significantly and the retaining wall along the Red River at Ste. Agathe should help to prevent slumping and erosion. Surface drainage patterns will be altered in the Grande Pointe/Vermette dyke particularly with respect to the Seine River. Disruption to the Seine River will include construction of a short diversion channel. However, as indicated by the plan this is mitigated to some extent since the Seine River will not be diverted under lower flow conditions and diversion will occur only for flows exceeding 135 cfs. The proposal also indicates that erosion will be controlled during construction and disturbed ground will be planted with cover after construction.

**Historic Resources Branch** Information on heritage resources was provided previously to Water Resources staff. Water Resources was advised that there may be concerns with borrow locations for the Ste. Agathe and Ste. Mary's Road dykes. In addition, there may be a potential for heritage objects to be impacted during excavation of the Ste. Mary's Road dyke. The Branch has no concerns with the Niverville dyke.

The Branch will be advised of borrow areas in advance so that these locations can be examined for heritage resources. If such resources are found, Water Resources will be

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contacted so that a mutually acceptable heritage resource management strategy can be implemented. In addition, the Branch will be advised of construction scheduling so that staff can monitor dyke excavations. In the event that heritage resources are encountered, all excavations in that location will be suspended until the nature and significance of the resources is determined. Therefore, concerns regarding impacts to heritage resources have been addressed by the Proposal.

**Highway Planning** South of the Red River Floodway – The Department's regional and Bridges and Structures offices have been and continue to be involved with this project. This consultation should continue during the development of plans which affect PR 200, PR 300 and PTH 59. Our concerns can be addressed as plans develop. The Proponent should be informed that permits are required from the Highway Traffic Board for any structures proposed within a 250 foot control area of PTH 75. Permits are required for any structures proposed within a 125 foot area adjacent to PR 305 and the St. Adolphe access road.

Community of Niverville – No objections. Permits are required for any structures (dyke) within 125 feet of the right-of-way of PR 311. The Department should be consulted with any proposed changes to drainage that would affect PR 311. Costs for drainage improvements would be the responsibility of the proponent.

Village of Ste. Agathe – No objection. The proponent's consultant has been in contact with the Department regarding the proposed dyke. Continued consultation is required to

ensure that department concerns are adequately addressed. Permits are required from the Highway Traffic Board for any structures proposed within a 250 foot control area of PTH 75. Permits are required for any structures proposed within a 125 foot area adjacent to PR 305 and the Ste. Agathe access road. With respect to the location where the proposed dyke crosses PR 305 west of PTH 75, regional staff wish to know whether the crossing will be closed during a flood or whether the road will require reconstruction to raise it. Drainage adjacent to this location is also a concern.

Disposition:

These comments will be forwarded to the proponent for information. Additional information concerning the Ste. Agathe dyke can be discussed directly between the departments.

**Mines Branch** No concerns.

**Community Economic Development Branch** The proposed dyke construction programs are in keeping with the objectives of the Macdonald-Ritchot Development Plan, and the Ritchot Town Planning Schemes. Under these circumstances, the Branch has no concerns with the proposed developments.

**Urban Affairs** No objections.

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**Natural Resources** These proposals were pre-screened prior to their submission for Environment Act licensing. Any concerns identified in the prescreening have been addressed.

**Canadian Environmental Assessment Agency** Western Economic Diversification Canada and PFRA have provided notification that an environmental assessment under the Canadian Environmental Assessment Act will be conducted by federal officials, and additional information is being requested. Environment Canada, Natural Resources Canada and the Canadian Coast Guard have offered to provide specialist advice in accordance with Section 12(3) of the Act. The Department of Fisheries and Oceans and the Canadian Coast Guard are unable to make a determination at this time and are requesting additional information.

**Western Economic Diversification** Requires a federal environmental assessment with respect to the project and wishes to participate in the provincial review.

Disposition:

All additional information received respecting the project will be provided to WED for review.

**Department of Fisheries and Oceans** DFO has an interest in the project pursuant to the fish habitat protection provisions of the Fisheries Act. Based on the information provided, DFO notes that the Niverville dyke is not near any waterbody, and the Ste. Agathe dykes will be set back from the river to avoid impacting long term riverbank stability. DFO has no specific concerns with respect to these components of the project, provided that dyke construction is undertaken with adequate erosion control measures to prevent the direct or indirect entry of sediment into watercourses either during or following construction.

DFO has a number of concerns regarding the dyke project for St. Mary's Road and Grande Pointe. The project description is lacking in detail with respect to the proposed diversion of the Seine River. The Seine River provides habitat for various fish species and in recent years received interest from local interested in its rehabilitation both upstream and downstream of the floodway. It appears that the diversion will not alter spring flow rates through the siphon under the floodway, and therefore the flows in the downstream reaches of the Seine River in Winnipeg. However, no information has been provided to confirm that the minimum flow of 135 cfs is adequate for the reach immediately upstream of the floodway. Further information regarding the channel capacity, general habitat conditions and fish and fish habitat of the reach of the Seine River between PTH 59 and the floodway should be provided. Furthermore, insufficient information has been provided regarding the intended operation plan for the diversion and its impacts on flows in the natural channel downstream of PTH 59 under different flow conditions. Additional information should be provided regarding how the control structure will apportion flow between the natural channel and the new diversion channel during both flood and non flood conditions. Under most spring flow conditions, it would be preferable not to operate the diversion structure at all, so that as much flow as possible is allowed to flow down the natural channel, as it does under present conditions. This will help to maintain fish and fish habitat values in this reach of the river.

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DFO is also concerned with the "concurrent investigation into diverting approximately one third of the Seine River tributaries downstream of the Ste. Anne Seine River Diversion and upstream of the proposed PTH 59" diversion point. It is not clear from the Feasibility Study document whether this project is in fact being proposed or going to be proposed. If this is likely, it should be included in the current proposal in order that the cumulative impacts of both diversion projects on the Seine River can be properly evaluated. DFO is concerned that these projects could result in adverse impacts to fish and fish habitat by reducing the flows that support spring spawning and incubation and ensure channel maintenance in the Seine River between Ste. Anne and the floodway. As noted above, further information should be provided with respect to the frequency,

magnitude and timing of flows that would be diverted from the Seine River by this upstream diversion project.

Until the foregoing information deficiencies are addressed, DFO is unable to determine whether Authorization pursuant to Section 35(2) of the Fisheries Act is required, and hence whether DFO has a CEAA trigger with respect to the project.

Disposition:

Additional information was requested to address these concerns.

**Environment Canada** While the studies included in the Proposal do not present final design detail, and do not purport to be environmental impact assessments, it is anticipated that the impacts of the physical works within a limited construction area would be minimal, or mitigable with appropriate engineering design. Our major concern, however, is that the studies do not consider the combined effect of the many community dykes and flood proof mounds contemplated for the basin, together with proposed bridge and road upgrades, land use effects, etc. as recommended by both the IJC Task Force on Flooding in the Red River Basin and the recent Manitoba Water Commission final report. Therefore, the feasibility studies cannot be considered as having sufficiently addressed environmental impacts.

Disposition:

The identification of cumulative impacts was a consideration in Manitoba Environment's identification of the components of the overall flood protection program which should be subject to environmental assessment and licensing. Manitoba Environment reviewed flood protection feasibility studies for all community dyking projects, and requested that Manitoba Natural Resources prepare one or more Proposals for projects which protected significant areas from flooding (such as Ste. Agathe and Niverville) and which involved potentially significant impacts (such as the area south of the floodway.) Manitoba Natural Resources was encouraged to combine as many locations as possible in a single Proposal to facilitate consideration of combined impacts. It is recognized by Manitoba Environment that other projects not included in the present Proposal may also contribute to the cumulative impact of the overall flood protection program. The combined impacts of all environmentally significant flood protection works are expected to be identified in later Proposals. In particular, an anticipated Environment Act Proposal for the West Dyke Extension will be expected to consider impacts in combination with the proposed St. Mary's Road dyke if the St. Mary's Road dyke remains under consideration as a potential project when the later Proposal is prepared.

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## **DISCUSSION:**

No public concerns and only one minor technical concern were identified for the Ste. Agathe and Niverville components of the project. The Niverville location is located several kilometres from the Red River, and most of the proposed Ste. Agathe dyke is also located some distance from the river. Neither of these dykes is anticipated to have a significant hydraulic impact on flood levels, as both protect areas which are relatively high and would not store significant volumes of water during a flood. Niverville is on the extreme edge of the flood plain under design conditions (1997), and the loss of storage and flood plain area at Ste. Agathe is not anticipated to increase flood elevations at any location.

A number of public and technical concerns require additional information for the Grande Pointe location, and a large number of public concerns remain unresolved for the St. Mary's Road location. In view of Manitoba Natural Resources' interest in proceeding quickly with dyke construction for Ste. Agathe and to a lesser extent for Niverville, Manitoba Environment has considered the possibility of licensing only the Ste. Agathe and Niverville locations pending the receipt of satisfactory information for the other locations. This approach has been discussed with both Manitoba Natural Resources and some interested members of the public, and is acceptable to all interests.

#### **PUBLIC HEARING:**

As no public concerns regarding the Ste. Agathe and Niverville locations were identified, a public hearing is not recommended at this time. A recommendation on a hearing for the Grande Pointe and St. Mary's Road locations will be deferred until additional information is received and reviewed.

#### **RECOMMENDATION:**

All comments received on the Ste. Agathe and Niverville components of the Proposal have been addressed in additional information. It is recommended that these components of 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 Winnipeg Region.

The environmental assessment and licensing process should continue for the Grande Pointe and St. Mary's Road components of the project.

#### **PREPARED BY:**

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