

SUMMARY OF COMMENTS / RECOMMENDATIONS

PROPONENT: T. R. & P. Enterprises Ltd.
PROPOSAL NAME: Reimer Soils Peat Moss Operation
CLASS OF DEVELOPMENT: Class 2
TYPE OF DEVELOPMENT: Mining
CLIENT FILE NO.: 4562.0

OVERVIEW:

An Environment Act Proposal, dated June 29, 2000, respecting a peat mining proposal submitted by T. R. & P. Enterprises Ltd., was received by the Department on September 27, 2000. The project name is referenced as the "Reimer Soils Peat Moss Operation".

T. R. & P. Enterprises Ltd. proposes to develop a peat bog located on Legal Subdivisions 4, 5 and 12 of Section 19, Township 7, Range 8 EPM, within the R.M. of Ste. Anne, being Crown Land located at the southern extent of Jobert Marsh, with drainage waters to be directed towards the Seine River.

In support of the Proposal the proponent has already acquired a Conditional Use Order No. 01-00 and a Development Permit No. 04-2000 from the R. M. of Ste. Anne, as well as a Quarry Lease No. QL-465 from the Mines Branch. Still outstanding before the operation can commence is a Drainage Permit from the Water Resources Branch, a Closure Plan approved by the Mines Branch, and an Environment Act Licence.

The Proposal was advertised in the Steinbach Carillon on October 9, 2000. As well, copies of the Proposal were placed in Public Registries at: the Environment Library (Main) in Winnipeg; the Centennial Public Library in Winnipeg; Manitoba Eco-Network; and the Jake Epp Public Library. The closing date for the receipt of public comments was specified as November 6, 2000.

Copies of the Proposal were also sent to the applicable members of the interdepartmental Technical Advisory Committee for their review and comment by no later than November 6, 2000.

COMMENTS FROM THE PUBLIC:

No public comments were received in response to the public advertisement of the Proposal.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Historical Resources commented that they have no concerns with regard to this project's impact on heritage resources.

Mines Branch commented that:

- The proponent has received a valid quarry mineral lease under the authority of The Mines and minerals Act.

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- The Quarry Minerals Regulation MR 65/92 under The Mines and Minerals Act specifies operating standards for quarry mineral extraction including peat. The regulation should be referenced in the Environment Act licence.
- The proponent will need to file a closure plan in accordance with the requirements of the Mine Closure Regulation MR 67/99.

Disposition

The comments were provided to the proponent for their information.

Policy Co-ordination Branch commented that:

- the quarry site and adjacent portions of the bog occupy a large enduring feature with no representation under the Protected Areas Initiative. There is a need to include some southern portions of this feature in the Protected Areas Initiative. The development of the peat operation should be implemented in such a way as to minimize the effects of drainage alteration on adjacent Crown land areas of bog to the east pending an evaluation of the possibility of establishing a protected area here.
- The proponent's proposals for handling the wastewater released from the Development should be incorporated as conditions in the licence.
- The proposal states that discharges from the Development will be discontinued when the suspended solids are too high, but didn't indicate how high the suspended solids would be allowed to go.
- An Emergency Response Plan that includes fire suppression and control should be submitted.
- The proponent should be responsible for dust control along the road in front of the residence.
- The proponent should consider leaving strips of living and/or piled brush and vegetation around the periphery of the active peat fields to act as windbreaks to trap excessive dust.
- The flora and fauna inventories do not provide an accurate representation of species using the site because they were conducted during late summer. A spring rare-plant survey conducted by the proponent is suggested.
- Any visible rare plant listed in the Manitoba Endangered Species Act should be transplanted. Also any occurrences of Yellow Rails or LeContes Sparrows that are observed during the spring rare plant survey should be reported to the Regional Wildlife Manager.
- The proponent should submit an annual work plan to the Natural Resource Officer briefly outlining the areas planned for harvesting, ditches to be opened or closed and sites to be rehabilitated.

- Consideration should be given to monitoring groundwater levels at various distances up to 100 metres beyond the edges of the site to be drained.
- The goal of the eventual Closure Plan should be to restore the water levels to pre-mining levels and to return the lands to a functioning wetland in as short a time as possible. As part of the progressive rehabilitation, transplantation of soil plugs and higher plant species should occur.
- The establishment of a buffer zone, as referenced in the proposal, should be included as a licence condition.

Disposition

The comments were referred to the proponent for their information and comment. The proponent's responses were referred to Policy Coordination Branch for their review and comment. No concerns were identified.

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Water/Terrestrial Quality Management commented:

- The area of the proposed Development as outlined in Figure 1 of the proposal is incorrect. (a correct figure taken off an aerial photo was supplied by the writer)
- The reported logs from test holes placed in the peat bog imply that the peat deposit originated from Sphagnum, however, a site visit revealed the deposit to be more likely graminoid (sedges and grasses) in origin. Sphagnum did not appear to be present at the site.
- The Proposal calls for the construction of a new drain along the western side of Section 19, and suggests extending it northward a further 1.5 miles past the project area. This additional extension is not necessary for this proposal and would likely negatively impact areas of the wetland that are not presently licenced for peat extraction.
- Details regarding the proposed sampling and monitoring programs should be provided by the proponent or be specified in the licence.
- Drains constructed in the project area should be established at sufficient distance from the perimeter to ensure that draw down does not occur in the wetland areas adjacent to the project area.
- The proponent indicates that after peat extraction is complete, the water table will be allowed to return to natural levels which will result in restoration of the "marsh" to its natural state.. However, it will more likely result in a water-filled depression that will not be very conducive to revegetation by species presently occupying the area.
- The proponent indicates that the area under consideration is currently undeveloped. However, a site inspection revealed that much of the western half of subdivision 4 in section 19 appears to have been disturbed in the past. Also a close examination of aerial photos taken in 1997 revealed that a number of drainage ditches already transverse the area in question.
- Excluding the area presently under production by Premier Peat Moss Ltd., the entire peatland, on this particular fen complex, covers about 1385 ha of which 9.3% is proposed for development by this Proposal. The water chemistry data and the results of the vegetation assessment suggest that the marsh is a calcareous fen. These types of peatlands are of ecological/botanical interest because they are often species rich

and may support species that are rare or uncommon. In fact, the Proposal indicates that at least four provincially rare and uncommon plant species are present. Caution is advised with respect to further development of this wetland, especially the southern portion.

Disposition

The comments were referred to the proponent for consideration and response. The proponent's responses were referred to Water / Terrestrial Quality Management for their review and comment. No concerns were identified.

Eastern-Interlake Region commented that they had no concerns, and pointed out that respecting the reference to solid waste in section 5.0 #3 of the Proposal Report, the R. M. of Ste. Anne uses the Steinbach Waste Disposal Ground for the disposal of solid waste.

Canadian Environmental Assessment Agency (CEAA) commented that the application of the Canadian Environmental Assessment Act with respect to this project will likely not be required.

PUBLIC HEARING:

No public hearing was requested on this Proposal.

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RECOMMENDATION:

A draft Environment Act Licence, authorizing the construction and operation of the proposed Development is attached for the consideration of the Director of Environmental Approvals. It is recommended that the licence, if approved, be assigned to the Eastern-Interlake Region for administration, surveillance, monitoring, ongoing compliance evaluation and enforcement responsibilities.

PREPARED BY:

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