

PROVINCIAL ROAD # 340

CLASS 2 HIGHWAY RELOCATION PROJECT

A Report on a Public Hearing

The Clean Environment Commission

September 27, 1989

TABLE OF CONTENTS

BACKGROUND	1
SUMMARY OF PRESENTATIONS	1
The Proposal	2
Mr. Amar Chadha	
Regional Interests	8
Mr. Bob Hellman	
Mr. Eldon Schmitz	
Ms. Janet Kennedy	
Mr. Wayne Neily	
Local Interests	14
Mr. Larry Plowman	
Mr. Norm Richardson	
Mrs. Denise Medwechuk	
Mr. William Moorhead	
Government Review	15
Mr. Bryan Blunt	
Mr. Ken McPhail	
CONCLUSIONS	18
RECOMMENDATIONS	21
APPENDIX - List of Exhibits	22

**PROVINCIAL ROAD #340
CLASS 2 HIGHWAY RELOCATION PROJECT**

BACKGROUND

A proposal under the Environment Act was filed by the Department of Highways and Transportation on May 4, 1989 to relocate the portion of Provincial Road 340 that passes through the Village of Douglas, in the Rural Municipality of Elton, to a new route, a short distance to the east. Relocation would allow widening of the road to current standards, would avoid four sharp corners and speed restrictions in the Village, and would reduce safety concerns within the Village. The relocated highway would pass over Douglas Marsh and through agricultural lands.

Several objections to relocation of the highway were received in response to public notification that the Environment Department was considering the proposal. Accordingly, the Honourable J. Glen Cummings, Minister of Environment, requested that the Clean Environment Commission hold a public hearing on the matter.

After giving notice, and advertising in appropriate newspapers, the Commission convened a hearing in Douglas, Manitoba at 7:00 p.m., August 10, 1989. Commissioners in attendance were: Mr. Stan Eagleton, Chairperson; Mr. J. Arnold Barr; Mr. Ed Gramiak; and Mr. Leonard G. Flett.

SUMMARY OF PRESENTATIONS

About forty people attended the hearing, including representatives from the Departments of Highways and Transportation, Environment, and Natural Resources, and the Rural Municipality of Cornwallis. Spokespersons from the Manitoba Environmental Council, the Westman Wilderness Club Inc. and the Sierra Club of Western Canada were also in attendance, as well as residents of Douglas and Shilo, Manitoba.

There were seven formal presentations to the Commission at the hearing, and additional information was received through discussion and questioning.

The Proposal

Mr. Amar Chadha, a Systems Planning Engineer representing the Department of Highways and Transportation, summarized the proposed upgrading of P.R. 340 near Douglas.

Upgrading of P.R. 340 along its entire length, from the Trans-Canada Highway at Douglas, to Highway 2 near Wawanesa, is planned and has commenced. This includes a recently constructed bridge across the Assiniboine River, and paving the gravel road between Shilo and Wawanesa. Twenty-five year old pavement from Douglas to Shilo will be replaced, and the reconstructed highway, with wider lanes and shoulders, will bypass Shilo. Standards to which the upgrade is being constructed are those for Provincial Trunk Highways (P.T.H.), and when the work is completed the highway will be designated a P.T.H.

The existing highway passes through the Village of Douglas, crossing the Douglas Marsh before joining the Trans-Canada Highway. Mr. Chadha outlined a number of concerns Highways had identified which led them to proposing a new route to bypass the Village of Douglas. The old pavement is 25 years old and needs to be upgraded. There are four sharp corners, and a railroad crossing in the Village. These factors, and safety concerns arising from traffic, require a speed restriction to 50 Km/h within the Village. Such speed restrictions are not in keeping with arterial highways designated as P.T.H.s, and the anticipated increase in traffic resulting from the overall upgrade will aggravate existing safety concerns within the Village.

Mr. Chadha discussed four alternative routes through or near the Village of Douglas which were selected by Highways for further evaluation (see Figure 1). Alternative 1 would involve building the new highway on the

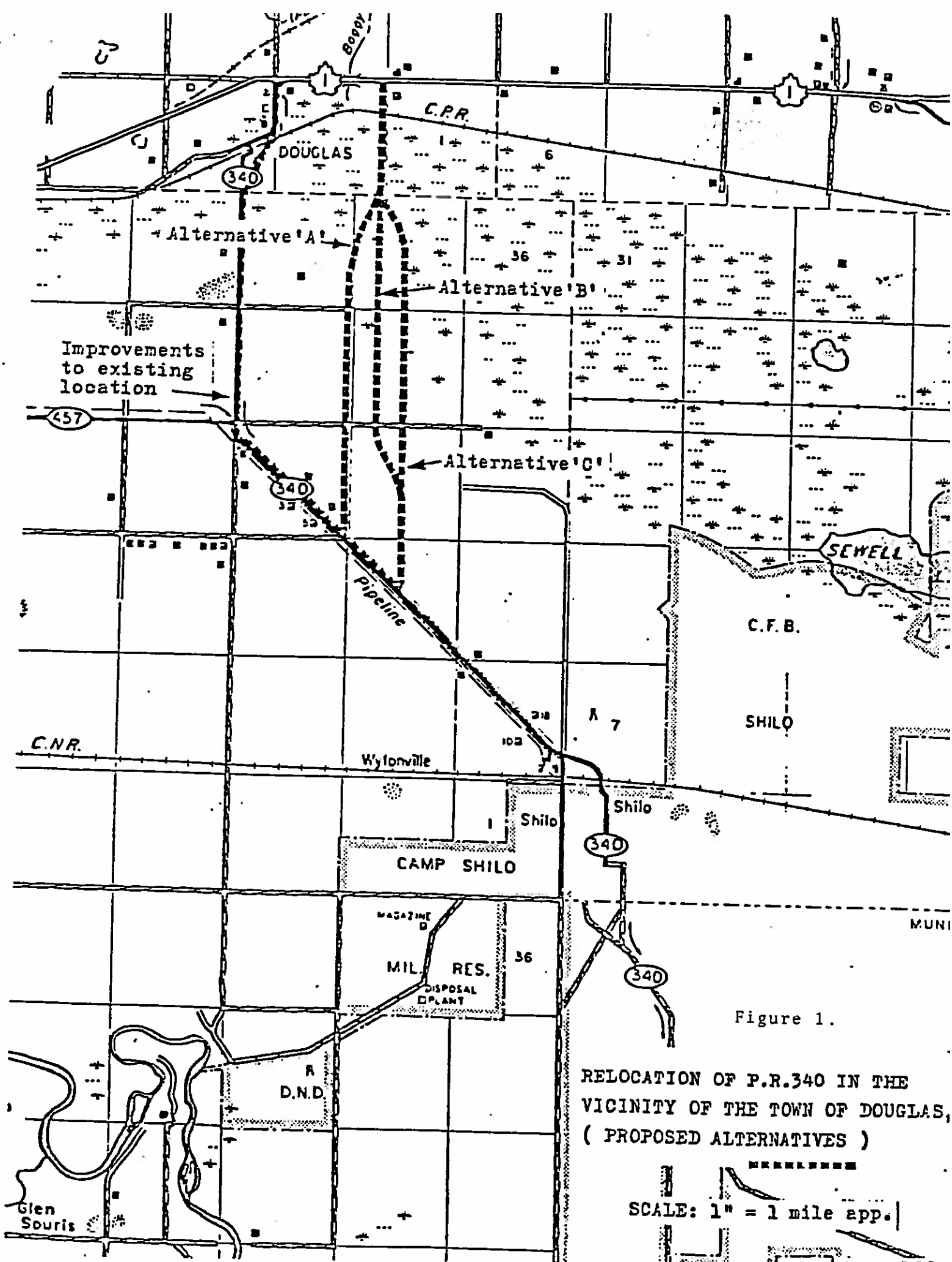


Figure 1.

RELOCATION OF P.R.340 IN THE VICINITY OF THE TOWN OF DOUGLAS, (PROPOSED ALTERNATIVES)

SCALE: 1" = 1 mile app.

The Proposal (continued)

existing route, with improvements to curves through the Village of Douglas. Alternatives A, B and C are east of the Village, and each would require construction of a new crossing over the Douglas Marsh, and would follow a new route until joining the existing highway, a few kilometers to the south.

Possible alternatives to the west of Douglas were not examined. Any route west of Douglas would also require construction of a crossing over the Marsh, and, because most traffic through Douglas to the Trans-Canada Highway is Winnipeg bound, alternative routes to the east provide a shorter connection. In terms of regional transportation needs, an eastern access is preferred by Highways.

Factors considered in an evaluation of the four alternatives were explained by Mr. Chadha. A summary of this evaluation is presented in Figure 2.

Distance from Shilo to the Trans-Canada Highway was the first factor evaluated. A shorter distance was considered better because of reduced travel time and lower construction costs. Further, construction costs at new locations should be lower because acquisition of land is more expensive in built-up areas. Alternatives B and C were considered the best options in terms of distance.

Maintenance costs were considered lowest if the highway remained at the existing location. If one of the new locations for the highway is selected, both the new highway and the old section through Douglas will need to be maintained. For this factor the existing location Alternative 1, is considered the best option because it is the cheapest.

Road safety was rated worst for Alternative 1, where the existing highway passes through the Village. Also, access from the existing location to the Trans-Canada Highway is on a curve, and a high ridge there reduces vision. Alternatives A, B and C were considered the best options for this

SUMMARY OF EVALUATION (PR 340)

	EXISTING LOCATION	ALT. * A	ALT. * B	ALT. * C
1. DISTANCE (SHILO TO PTH IW)	⊗	○	⊖	⊖
2. PROVINCE MAINTAINS	⊖	●	●	●
3. MAXIMIZES ROAD SAFETY	●	⊖	⊖	⊖
4. IMPROVES ROAD NETWORK	●	⊖	⊖	⊖
5. MINIMIZES IMPACT TO PASTURE LAND	⊖	○	●	●
6. LEAST EXPECTED ENVIRONMENTAL IMPACT	⊘	⊘	●	●
7. MEETS APPROVAL OF MUNICIPALITY	●	⊖	○	○
8. MEETS APPROVAL OF GOVT. DEPTS.	●	⊖	●	●

KEY

⊖ BEST OPTION	⊗ IN BETWEEN OPTION	● WORST OPTION
○	⊘	

MAY 12, 1989

Figure 2.

The Proposal (Continued)

factor because they do not pass through the Village, and they would enter onto a straight stretch along the Trans-Canada Highway.

Improvements to the road network and traffic efficiency were evaluated. When vehicles have to slow down, stop and brake, there is a higher maintenance cost for both motorists and the Department of Highways. There is also a probability of higher accident rates associated with slowing down and stopping. Dangerous Goods can be transported more safely if the highway does not pass through a built-up area. Alternatives A, B and C were considered the best options in terms of improving the road network.

Impact to pasture land will be lowest if the highway stays on the existing location, so Alternative 1 was rated as the best option for this factor. Alternative A follows existing road allowances more than B or C, and so was considered to have slightly less impact on pasture land.

None of the Alternatives were considered by Mr. Chadha to be good with regards to environmental impacts. The existing location would have some impact on the marsh, as well as on houses in the Village, because the Highway would have to be widened. Alternatives B and C were rated by the Highways Department to have the worst environmental impacts because they pass through pasture land.

The Rural Municipality and local residents had previously indicated to Highways that, rather than having improvements made to the existing highway, they would prefer to have a new highway located at least a mile away. Highways rated Alternative A as the best option for meeting the approval of the Municipality.

A number of government departments were contacted during the environmental review, and most indicated they would approve Alternative A, the alternative preferred by Highways. Natural Resources preferred the existing location, but indicated that if Highways must relocate, they would choose

The Proposal (Continued)

Alternative A from the other alternatives offered for consideration, providing they are consulted during the design phase to ensure impacts to the flow of water through the marsh are minimized. This request has been agreed to, and Highways would install any culverts Natural Resources required. Alternative A was rated by Highways as the best option for meeting the approval of government departments, the final factor considered in the evaluation of identified alternatives.

Mr. Chadha concluded his presentation by stating that Alternative A was the alternative preferred by Highways. This alternative has been reviewed by the R.M. of Elton and various government departments, and has generally met with their approval, other than the reservations expressed by Natural Resources.

Following this presentation by Mr. Chadha there were a number of questions. Mr. Bill Sowiak, also with the Department of Highways and Transportation assisted Mr. Chadha with this part of the presentation.

Mr. Chadha said that water flowed into the Douglas Marsh through Boggy Creek from the north, entering under a bridge on the Trans-Canada Highway. Generally there is water in the marsh all year round. Mr. Sowiak said that Alternative A was located close to a dividing line, with water flowing both east and west from this line in the marsh. The general flow at the Alternative A site is westerly, but there is some flow to the east. Culverts will be installed to allow water flow in either direction, according to guidelines established by Natural Resources.

Soil samples have not been taken in the marsh at the site of the proposed relocation, but Mr. Sowiak expected conditions to be similar to those at the existing crossing. At the existing location there is about 30 cm of peat. Before a new crossing could be constructed this layer of peat would be removed. Mr. Chadha said they would try to disturb the marsh as little as possible. Once the peat was removed, they would build the road bed up to the required cross-section with imported fill.

The Proposal (Continued)

When questioned further about why sites for the relocated Highway to the west were not proposed, Mr. Chadha pointed out that the Marsh was narrowest at Douglas, and widened out considerably both to the west and east of Douglas. Any site to the west would entail a longer crossing of the Marsh.

Mr. Sowiak explained that in addition to the above reasons for not considering a west alternative, Highways was planning to construct a new eastern access to Brandon. It would not be very serviceable, Mr. Sowiak said, to have two major roadways within a few miles of each other, so Highways does not want P.R. 340 to enter the Trans-Canada Highway west of Douglas.

Mr. Chadha elaborated on why it would be more expensive to reconstruct the existing highway through Douglas than to build a new highway. In addition to higher land acquisition costs in built-up areas, construction is more expensive. Higher construction costs arise from things like drainage system needs, connecting the highway to driveways, building around existing water lines, etc.

Mr. Chadha said a number of details about how Highway 457 will connect with 340, and about median crossovers and approaches to the Trans-Canada Highway remain to be resolved. He also said that if the highway is relocated, the Municipality will become responsible for maintaining the existing stretch to the Village. There would still be access to the Trans-Canada Highway from Douglas.

Regional Interests

Mr. Bob Hellman, from Virden, and representing himself came to the Hearing because he is an observer and lover of wildlife. He pointed out that as more and more wetlands disappear through drainage and drought conditions, there is a massive habitat loss, leading to decreases in wildlife populations dependent on wetland habitats. For this reason wetlands have become a valuable resource.

Regional Interests (Continued)

Mr. Hellman believed that the proposed relocation would seriously affect the ecological balance and natural flows in Douglas Marsh, and he stated that the least ecologically damaging route, upgrading the existing highway, should be chosen. Mr. Hellman was not very familiar with the immediate area, but felt there should be further exploration to identify other routes to bypass Douglas, such as a short jog around the Village, instead of building a whole new road.

Mr. Eldon Schmitz presented a submission on behalf of the Westman Wilderness Club Inc. His group felt that it would be folly to construct a second road through Douglas Marsh. The fact that this type of fen marsh is rare in south-western Manitoba, providing nesting grounds for many types of birds, including Yellow Rails, and is habitat for many small mammals, reptiles and amphibians, led Mr. Schmitz's group to the recommendation that Douglas Marsh be protected from road building and other forms of abuse.

In September of 1988, members of the Westman Wilderness Club conducted a survey in Douglas to determine residents' opinions about the Highway. The results of this survey contradict statements made by the Department of Highways. While 81% of the residents surveyed said the existing road needed upgrading, only 4% said they liked Alternative A. 37% of the residents surveyed said the road should not be moved. 78% said they felt the Marsh should be protected from damage due to road construction. 83% said they had not been consulted about the changes.

Mr. Schmitz said that not only would Alternative A cause further, unnecessary damage to the Marsh, but it would also kill business in the Village by reducing road traffic. If the existing road was upgraded, the increase in traffic through the Village could benefit business dependent on traffic. At the same time, damage inflicted on the Marsh by the existing roadway could be repaired, and the Marsh would remain in its natural state.

Regional Interests (Continued)

Mr. Schmitz concluded his presentation by saying that governments are now trying to rebuild lost habitats. At the same time the proponents of this project are working to destroy wetland habitat. Mr. Schmitz said it just doesn't make any sense.

Following this presentation, Mr. Schmitz responded to a question about the lack of any response from Ducks Unlimited by saying this is not a great marsh for ducks. Although there are some bodies of open water that attract waterfowl, overall conditions are not suited for ducks. Mr. Schmitz stated that his group would oppose any proposal by Ducks Unlimited to convert Douglas Marsh into duck habitat. There was no representative of Ducks Unlimited in attendance at the Hearing.

Mr. Schmitz was of the opinion that the need to upgrade the Highway at Douglas arose not from local conditions, but from the Department of Highways plan for general upgrading of P.R. 340 presently underway. He thought the overall project was not necessary, and pointed out there was nearby access to Highway 2 either from Brandon (Hwy. 10) or Carberry (Hwy. 5). Mr. Schmitz agreed that there were safety concerns within the Village but suggested there were other ways to control speeders than constructing a bypass.

Latter in the Hearing, following the presentation by Mr. Blunt from the Department of Environment, Mr. Schmitz said that he did not think the current environmental review process worked. There was too much dependence on non-governmental organizations to provide information and environmental impact assessment, and with no funding, Mr. Schmitz said that was wrong.

Ms. Janet Kennedy presented the concerns of the Manitoba Group of the Sierra Club of Western Canada. The Sierra Club is very concerned about the threat this proposal presents to Douglas Marsh. Their members want to see this rare type of wetland habitat protected as much as possible, and would prefer that the highway be reconstructed on its present location, with alterations, through the Village of Douglas.

Regional Interests (Continued)

Highways has identified the need to replace the existing 25 year old pavement. Ms. Kennedy wondered if these major repairs would still be done through the Village if the Highway was relocated? Even if straightening out curves and widening the Highway is disruptive in the short term, improvements would result in long term benefits to residents.

Speed restrictions when entering or exiting a major highway such as those now in place in Douglas were considered by Ms. Kennedy to be generally desirable. Even if the Highway is relocated, extra traffic through Douglas can still be expected, and those who choose to speed will speed, whether the road is upgraded or not.

The Sierra Club prefers Alternative 1, upgrading the existing highway. An improved, widened road, without the sharp corners that now exist, and with appropriate speed restrictions would be as safe or safer than the existing situation. Alternative 1 would have the least impact on Douglas Marsh, and would allow Highways to correct existing problems with water flow. This route would also have the least impact on pasture land.

Ms. Kennedy referred to the memorandum from Mr. M. Mattson to Mr. R. Thomasson, dated September 22, 1988. She pointed out that Mr. Mattson defined the Douglas Marsh as a large fen wetland, a wetland type which is rare in southwestern Manitoba. Another memorandum, from Mr. R. Thomasson to Mr. A. Chadha expressed concerns focusing on the environmental integrity of the marsh. Mr. Thomasson went on to say "assuming that the relocation is a 'must' then we will endorse Alternative A", providing Natural Resources is consulted during construction.

The Sierra Club does not consider relocation of the highway to be a must, and does not endorse Alternative A. Any crossing other than the existing one presents an unnecessary threat to the precious and fragile wetland habitat of Douglas Marsh.

Regional Interests (Continued)

In answering a question following this presentation, Ms. Kennedy said there were piles along the side of the Highway where it crossed the Marsh. Willows, which do not otherwise grow in Douglas Marsh, now grow on the piles. These willows have attracted beaver into the area, and the beaver have been damming culverts, creating open water, which also is not otherwise found at that site.

Mr. Wayne Neily presented a submission prepared by the Manitoba Environmental Council, a citizen's advisory group established under the Environment Act. Recognizing that much of the upgrading and relocation along the length of P.R. 340 was underway before the new Environment Act was passed, Mr. Neily found the real reason for this proposal being initiated by Highways arose not only from local needs, but because of work underway along the entire length of the project. It was not clear to the Manitoba Environmental Council that this new major high-speed transportation corridor between Wawanesa and Douglas was needed.

The Douglas Marsh or fen is widely recognized as one of the most important wetland sites in southern Manitoba, possibly said Mr. Neily, the most important unprotected one. The shallow west end of the marsh is of particular importance because it provides one of the few reliable locations between Texas and the boreal region for the occurrence of the Yellow Rail. This elusive bird, along with the threatened Baird's Sparrow found in nearby grassland areas, has made the Douglas region internationally renowned by bird watchers. Other important species, including Virginia Rails, Soras, Le Conte's and Sharp-tailed Sparrows, and Sedge Wrens are also found here.

The exact ecological requirements of each of these species are not well known, but they are clearly different from those of ducks, and most seem sensitive to even slight changes in water level. Thus, any construction in the area, including upgrading of the existing road, should be done after the necessary study to determine these species' needs, and with the supervision of a biologist sensitive to the needs of these species. It should also be done only outside the breeding season of the critical species.

Regional Interests (Continued)

Mr. Neily pointed out that many bus tours and individual bird watchers normally stop along this stretch of road and there are no pull off areas. Any improvements in the future should allow for some pull off areas along the highway.

Simply continuing the highway north, and veering slightly to the west to avoid the Village, and then upgrading the existing crossing was suggested as a route. Mr. Neily said this route would avoid the curves, and the Village of Douglas, and seemed likely to have less impact than any of the Alternatives.

Information provided in the assessment was found to be quite inadequate by the Manitoba Environmental Council. There was no comparison of the impacts of the four options, nor even any identification of their environmental impacts except in the most general terms. There was no reference to the upland impacts - whether the doubling of the road allowance would simply be taking agricultural land or whether it would be affecting Baird's Sparrow (mixed-grass prairie) habitat. In general the eleven short lines that constitute the Environmental Impact Statement were found by the Manitoba Environmental Council to be totally inadequate, and Mr. Neily said they were dismayed that the Department of Environment did not require a more detailed assessment before the project reached the hearing stage.

The Manitoba Environmental Council recommended that no licence be issued for a project in such a sensitive area until an adequate assessment had been done and evaluated through a further public hearing. Mr. Neily added that the extension of Highway 457 to meet any of the Alternatives should be considered as part of the impact.

During the question period following Mr. Neily's presentation, he said he knew there had been informal inquiries made into having the Douglas area receive protected status, but knew of no organized attempts.

Local Interests

None of the local residents who spoke at the hearing had formal presentations, but they did provide some valuable background information.

Mr. Larry Plowman, a resident of Douglas, said that a few years earlier, when a survey crew came through town for the Highways Department, he circulated a petition. About 90% of the residents, everybody that was home, signed the petition, requesting that the highway be relocated to outside of the Village of Douglas for safety reasons. The increase in traffic flow resulting from the upgrade will increase the danger. Mr. Plowman did not disagree with the results of the survey conducted by the Westman Wilderness Club, but felt that most people in the Village would be in favour of some kind of a bypass.

Mr. Plowman had concerns about the Marsh, and about its role in recharging groundwater. He said that burning practices had some impact on the area, but considered cattle to have a greater impact on habitat and nesting birds. Cows could do more damage in one day than a summer of construction, he said, but recommended that construction start before nesting takes place.

Mr. Norm Richardson, a farmer has lived close to Douglas for over 50 years and owns land that could be expropriated for the Highway. His sons and his grandsons will lose the use of that property, but Mr. Richardson heard nothing at the Hearing about losses to land owners.

Mr. Richardson said that the trees on the west side of the Highway, where it crosses the Marsh, are growing on an old rail road bed. There used to be a spur line down to a gravel pit a few kilometers to the south. As far as he knew the Marsh was never dredged out. Beaver have only been living by the willows along the Highway for the last six years.

In springs of past years when there was a lot of snow, Mr. Richardson remembered water flowing down Boggy Creek and through the Marsh being so high

Local Interests (Continued)

that the road was washed right out. Where the road now is water mostly flows west, and Mr. Richardson confirmed the proposed new crossing site was very close to the dividing line, with a lot of the flow there going west and some going east.

At night, in the spring, there are often bird watchers set up along the road, frequently with tripods. Mr. Richardson pointed out that this was a dangerous practice.

Mrs. Denise Medwechuk is a resident of Douglas and a parent. She has met other parents who bring their children to the Marsh area for educational experiences. Of the people she met, several came from the United States. They were very interested in the area and asked her if it was protected. She had assumed that with the interest in the Marsh shown by all the people in the neighbourhood, and the international interest, the area would be kept as it was. Mrs. Medwechuk pointed out that one of the new corners on the Highway near Shilo was, in her opinion, dangerous.

Mr. William Moorhead is a farmer in the area. He was surprised that more people had not come to the Hearing, but said maybe they didn't really care as long as it didn't directly affect their property. He pointed out that there were some residences that would be affected if the Highway is relocated.

Government Review

Mr. Bryan Blunt, representing the Department of Environment, presented a summary of responses received as a result of the review coordinated by his Department after they received the proposal for a licence under the Environment Act. This review included public advertisement and circulation to a number of government departments of information received in support of the licence proposal.

Government Review (Continued)

The Mines Branch and Urban Affairs responded, indicating they had no concerns with the proposal. No response was received from Agriculture.

Municipal Affairs supported Alternative A, but noted there was no impact statement on the effect the Highway will have on the rural residential areas in the R.M. of Cornwallis.

Natural Resources required that Highways construct appropriate structures to carry water under the road in the interest of maintaining the environmental integrity of the Marsh. Natural Resources should be consulted during the design stage of the relocated highway.

Environment noted the proposal does not address the alternative of utilizing the existing highway and Marsh crossing, with a short by-pass around the Village of Douglas to the east or west. Also not addressed was an extension of P.R. 457 to intersect with the proposed new route.

A resolution was received from the R.M. of Cornwallis stating that the preferred Alternative (A) was acceptable to the Municipality.

Mr. Barry Moorhead wrote to the Department of Environment expressing concern that the proposed road would pass through his farm.

Letters were received from the Westman Wilderness Club and the Sierra Club, expressing their concerns about negative impacts on Douglas Marsh from the proposed highway relocation, and expressing their desires to make representation regarding this proposal at public hearings.

Potential environmental impact from the proposed relocation of P.R. 340 was considered by the Environment Department to be greater than if it remained on the existing location. The Environment Department made two general recommendations.

Government Review (Continued)

First, if approval is given for the relocation of P.R. 340 on Alternative A, then environmental licencing should stipulate any mitigation requirements identified by the Department of Natural Resources to maintain drainage through the Marsh. The licence should also stipulate any requirements identified to protect the Marsh from any encroachment by other development.

Second, if Alternative A is rejected, the Department of Highways should be required to re-examine the feasibility of undertaking improvements to the existing location and by-passing the Village of Douglas near the P.R. 340/PTH #1 intersection.

In answer to questions Mr. Blunt said the review they conducted constitutes an initial environmental evaluation. In this instance a full Environmental Impact Assessment was not conducted because, based on inter-departmental comments received, a further and more detailed assessment had not been considered necessary. Mr. Blunt questioned how productive such an assessment would be in this instance, although he acknowledged that a number of concerns had been raised at the hearing that were not previously brought to his attention.

Mr. Blunt said that no major concerns within the Department of Environment were identified that might have required a fuller assessment. In this case it would have been largely the responsibility of the Department of Natural Resources to do so. Natural Resources had never stated that further assessment or protection of the area was required. The last piece of correspondence received from them simply stated that the Department of Natural Resources did not have any concerns with regards to the proposal.

If the Clean Environment Commission concluded, based on the information presented at the Hearing, that the preferred routing should not be licenced, then Mr. Blunt would recommend that a more detailed assessment of some of the alternatives should be required.

Government Review (Continued)

Mr. Ken McPhail, a Wildlife Technician with the Wildlife Branch of Natural Resources in Brandon spoke briefly to clarify the position his department had taken with respect to the Highway relocation. He said they had not wholeheartedly approved the relocation. In consideration of concerns of people in the Village of Douglas, they recognized that relocation may be necessary. If relocation was then a must, Alternative A would have the least impact of the identified alternatives. Otherwise, Natural Resources would prefer to have the existing route upgraded.

Mr. McPhail said the Douglas Marsh was unwooded, with short grasses growing in it. It has shallow water, with waterflows varying through the year. It does not have open water and is not really duck habitat. The Marsh itself is a rather rare place. Rare species live in the Marsh, but not necessarily endangered species.

There is no inventory of species living in the Marsh, other than what has been published by people interested in rare species. There are not many huntable species, other than a few moose, and deer that live on the edge of the Marsh. There are muskrat in the Marsh so Mr. McPhail suspected there probably is some trapping.

Part of the problem with providing the Douglas Marsh with some form of protected status is that the land is privately owned. Some of the eastern end of the Marsh is under military control, and Mr. McPhail said that rather than having a negative impact, this gave that part of the Marsh a degree of protection because access is somewhat restricted.

CONCLUSIONS

The general upgrade now underway along P.R. 340 will result in increased traffic at Douglas, with a corresponding increase in the risk of accidents. The danger this will inflict on residents of Douglas, the need to

Conclusions (Continued)

replace the existing 25 year old pavement and straighten out the tortuous path the Highway takes through the Village, along with the Department of Highways desire to widen P.R. 340 and upgrade it to P.T.H. standards, are legitimate reasons for proposing to bypass the Village of Douglas.

The Clean Environment Commission recognizes that determining where to locate a new route is a difficult task. Local transportation needs must be weighed against regional transportation needs, and the impact on, and concerns of affected landowners must be considered. Under the new Environment Act, in addition to these planning considerations, the Department of Highways is required to give greater attention to environmental considerations. Environmental impacts are, of course, the primary focus of Clean Environment Commission hearings.

Environmental impacts that any of the Alternatives might have on Douglas Marsh were not clearly identified. There was a lack of a description of the biophysical environment that might be affected in both the proposal submitted by the Department of Highways, and in their presentation at the Hearing. Without some knowledge of the local ecosystem, a meaningful analysis of probable impacts cannot be conducted, nor can the value of mitigative measures (culverts) be determined.

Presentations by environmental groups, and by Mr. McPhail, indicate that Douglas Marsh is a rare and important ecosystem, worthy of some degree of protection. Concerns about impacts on the Marsh arose not so much from the presence of a highway in a Marsh, but more from possible changes to surface water movements. Bird species present in the Marsh, and their habitat, seem to be fairly dependent on water levels, and the unusual hydrological regime seems to be complicated.

Although further studies may demonstrate that impacts from the proposed new crossing could be acceptably mitigated, a second crossing is unnecessary from an environmental viewpoint. In the absence of evidence

Conclusions (Continued)

demonstrating the Marsh ecosystem will not be adversely impacted, the Clean Environment Commission cannot recommend that a licence be issued for Alternatives A, B or C, as long as the threat to Douglas Marsh remains unknown.

The Clean Environment Commission does not take the recommendation to refuse the licence lightly, but finds that the environmental considerations arising from this proposal have not been adequately addressed. It should be noted that although the Department of Highways may be required to submit a new proposal, there does not necessarily have to be another Hearing if no significant concerns are expressed over the new proposal.

A new proposal to relocate P.R. 340 in the vicinity of Douglas should contain a more expanded discussion of all possible alternatives. Although route planning is the job of the Department of Highways, the proposal would have been more complete if it recognized the existence of other alternatives that were not further considered. From an environmental perspective the alternative of continuing the highway in a north-westerly direction to by-pass Douglas to the west merits further consideration. Similarly the alternative of a short by-pass to either the east or west of Douglas, and continuing across the Marsh at the existing highway location might be more environmentally acceptable.

Once the possible alternatives are discussed, and the feasible alternatives are identified, there needs to be a greater evaluation of potential environmental impacts. To do this there needs to be a description of upland habitat and species that might be affected, and of the hydrological regime in the Marsh, an inventory of important wetland species present, and the relationship between species present and hydrology. When this information is available the environmental impacts can be evaluated.

Included with the evaluation of potential environmental impacts should be a review of the impact the existing highway now causes where it

Conclusions (Continued)

crosses the Marsh. Do any impacts arise from the highway or from the rail road bed?

A number of presentations at the Hearing addressed the need to consider environmental impacts which might arise if further work is required on P.R. 457 as a result of relocating P.R. 340. Any impacts to upland habitat and associated species should be considered in future proposals.

An ancillary issue which arises from consideration of this proposal is the possible need for an official designation which recognizes the ecological significance of Douglas Marsh. Since most of the land which forms Douglas Marsh is privately owned, such a designation would require agreement with the landowners. The Clean Environment Commission strongly urges the Department of Natural Resources to undertake a review of the resources present in the Douglas Marsh, and their significance, and consider possible mechanisms to provide future protected status to the degree determined necessary.

RECOMMENDATIONS

The Clean Environment Commission recommends that:

1. the application by the Department of Highways and Transportation for a licence to relocate P.R. 340 in the vicinity of the Village of Douglas be refused at this time.
2. the Department of Highways and Transportation re-evaluate the alternatives, and that a more complete evaluation of the environmental impacts of any identified alternatives be included in any future proposal.

APPENDIX

L I S T O F E X H I B I T S

August 10, 1989

1. Mr. Amar Chadha, P. Eng., Planning, Design & Land Surveys, Department of Highways & Transportation, Brief, (dated August 10, 1989).
2. Mr. Bob Hellman, Brief, (dated August 10, 1989).
3. Mr. Eldon Schmitz, Westman Wilderness Club Inc., Brief, (dated August 10, 1989).
4. Ms. Janet Kennedy, The Sierra Club of Western Canada, Brief, (dated August 10, 1989).
5. Mr. Wayne Neily, Chair, Manitoba Environmental Council, Brief, (dated August 10, 1989).
6. Mr. Bryan Blunt, Department of Environment, Submission, (dated August 10, 1989).