

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Evan Bertram
PROPOSAL NAME: Paradise Valley Golf Course
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Recreation
CLIENT FILE NO.: 4228.00

OVERVIEW:

The Proposal was dated and received on January 22, 1997. The advertisement of the Proposal read as follows:

"A Proposal filed by Evan Bertram to construct a thirty-six hole golf course located 6.75 miles west and 1 mile north of Brandon on parts of sections 2,3,10 and 11-11-20 WPM in the Rural Municipality of Daly. A Master Plan for the development has been prepared by David Wagner Associates Inc. on behalf of Evan Bertram. Construction of the south and east nines is scheduled to begin in the Spring of 1997 with completion targeted for the Fall of 1998. Construction of the North and West nines is anticipated to begin during the Spring of 1999 with completion anticipated during the Spring of 2001."

The Proposal was advertised in the Brandon Sun on Saturday, February 1, 1997. It was placed in the Main Registry, the Manitoba Eco-Network, the Centennial Public Library, and the Western Manitoba Regional Library in Brandon. It was also distributed to the "Recreation" TAC members for comment. Comments were requested by February 24, 1997.

COMMENTS FROM THE PUBLIC:

David Barnes
Chair, Assiniboine Group, Prairie Chapter
Sierra Club of Canada
Site 325, Box 4, RR3
Brandon, MB R7A 5Y3

- letter dated February 23, 1997
- mention that in many portions of the Proposal, scientific research supporting environmentally contentious positions is lacking.
- suggest that the condominium development associated with the project be assessed as part of the Environment Act Proposal.
- questions claims made in the Proposal with respect to the impact from chemicals used on the golf

course, the benefits to wildlife created by the artificial fragmentation of riverbottom forest, the impact from the use of fertilizers and chemicals on fish habitat, the impact due to erosion on surface and ground water, the amount of natural oak and

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aspen trees lost due clearing operations, the impact on heritage resources, the need for an additional golf course facility in the Brandon area, the utility of placing birdhouses on the site to control mosquito populations, the removal of dead, damaged, dying and infected trees to promote good forest health, the design and technical projections of the sewage treatment system.

- recommend that the Proposal be rejected or that at a minimum a public hearing be held.

Brandon Naturalists Society
Environment Committee
Attention: Al Rogosin
76 Whitehead Crescent
Brandon, MB. R7B 0W4

- letter dated February 21, 1997
- concerned about the environmental implications of the project and the claims made in the Proposal.
- suggest that the whole project be reviewed prior to any approvals being granted.
- questions claims made in the Proposal regarding vegetation and forest communities, animal and bird life, heritage resources.
- request that a public hearing be held.

Al Rogosin
Curator of Herbarium
Botany Department
Brandon University
Brandon, MB R7A 6A9

- letter dated February 22, 1997
- recommend that more information be provided in order to inventory and assess the impact from the development on plant and animal resources, heritage resources and archaeological resources.

- request that a public hearing be held.

John Giesbrecht
41 Christie Bay
Brandon, MB R7B 2J7

- letter dated February 24, 1997
- mention that he canoes and hikes through the stretch of the Little Saskatchewan River which flows through the proposed golf course property and describes its unique eco-system and corridor for wildlife. Suggest that the area be preserved as an ecological preserve or a wildlife refuge.

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- elaborates on concerns regarding the number and height of bridges, golf ball trajectories, wildlife movement barriers, river bed and bank modification and slumping hillsides.

Janet Smith
Common Ground Consulting
Box 59, R.R. #3
Brandon, MB. R7A 5Y3

- letter dated February 23, 1997
- mention that the overall development with the condominium component would significantly alter the social fabric and rural way of life of the area. Concerned that, as neighbours, their rural lifestyle will be altered.
- concerned about an increase in the crime rate, soil erosion, from bush clearing and soil and water contamination from the use of chemicals.
- question the viability of the project.

Brian Hydesmith
265 Lanark Street
Winnipeg, MB. R3N 1L3

-letter dated February 23, 1997
- raises numerous specific questions and concerns about the information provided in the Proposal, including effects of the development on traffic, wildlife, fish, clearing of riverbottom forest,

riverbank profile, heritage resources and financial viability of the project.

- suggest that before the project goes ahead, it becomes subject to extensive studies which would address the questions and concerns mentioned above.

Joy and Keith Smith
Box 59, R.R. #3
Brandon, MB R7A 5Y3

- letter dated February 17, 1997
- operate a bed and breakfast facility out of a heritage home designated by the R. M. of Daly located adjacent to the proponent's property.
- mention that there may be several positive benefits which arise from the development such as natural gas service, water service, and increased business.
- main concern relates to project abandonment in the event of a failure. Questions how the project would be decommissioned to ensure that on-going damage to trees and topsoil will not occur.

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James and David Guild
Box 45, R.R. #3
Brandon, MB R7A 5Y3

- letter dated February 17, 1997
- respondents are livestock producers located upstream of the proposed development.
- express concern about any limitations that the development may have on their future operations.
- request written assurance that any effluent from the development will not have a negative effect on the quality and quantity of water. Copies of the letter sent to the R. M. of Daly, and the proponent.

Barbara G. Robinson
1441 - 8 Street
Brandon, MB R7A 3Z6

- letter dated February 19, 1997
- concerned that the development will have a negative overall effect on the environment, specifically water quality from pesticides, wildlife,

and vegetation. Question the need for another golf course.

John B. MacLellan
Chief Administration Officer
R. M. of Daly
Rivers, MB R0K 1X0

- letter dated February 18, 1997
- enclosed copy of R.M. of Daly Resolution dated February 11, 1997 in support of the Proposal.

Donald S. Fjeldsted
Fjeldsted Law Office
305 C 18th Street North
Brandon, MB R7A 6Z2

- letter dated February 20, 1997, with accompanying 60 page petition representing 600 signatures in support of the development.

Harold Gilleshammer
MLA for Minnedosa
Room 156
Legislative Building
Winnipeg, MB R3C 0V8

- letter dated February 17, 1997
- supports the project on the basis of economic benefits, provided there is compliance with all government regulations and requirements.

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Disposition of Public Comments: On March 12, 1997 the Director of Approvals wrote to the respondents advising them that the proponent has been requested to file additional information to address a number of the concerns which had been identified during the preliminary review of the Proposal. Respondents were also advised that a decision on recommending a public hearing to the Minister of Environment and licencing the Proposal pursuant to the Environment Act would not be made until the additional information had been filed and evaluated.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Natural Resources Recommend that prior to proceeding with the proposal the proponent should consult with DNR regional fisheries staff regarding the design and

placement of any riffle structures, the type of screening required at the water intake, the amount of woody debris to left in the river as cover and additional habitat for fish. The proponent should also contact the DNR Water Resources Branch to determine if any licencing or authorization is necessary for water intake structures. The intake structures must also comply with the Federal Department of Fisheries and Oceans guidelines.

The water requirements for irrigation and the clubhouse facilities will require licencing under the Water Rights Act. Therefore, the proponent should contact the DNR Water Resources Branch and the DNR regional fisheries staff to provide information on aspects of the water system including withdrawal rates, volumes required or timing of pumping and to establish minimum instream flows and to determine if any detrimental effects pumping may have on the fishery.

DNR supports the intent to maintain natural buffers along the river and recommends that the distance vary depending on the topography with 20 meters being a minimum width of natural buffer. Woody vegetation should be allowed to establish in these corridors. It is suggested that DNR regional wildlife staff and staff from the Manitoba Woodlot program be consulted to provide information on the types and location of shrub and tree plantings so that the benefit to the site and local ecology will be maximized. Recommend that some standing dead and downed trees be left for wildlife habitat. DNR anticipates that increased depredation may occur from deer causing damage to planted ornamental and native trees. Advise that the proponent be advised that DNR will not compensate for deer damage and suggest that the proponent provide funds for this purpose as part of the development costs.

Request that further information be provided on the sewage treatment system such as anticipated volumes, method of treatment, and discharge point. Recommend that precautions may have to taken to protect the fishery if the sewage is to be discharged into the Little Saskatchewan River.

In view of the erosion potential, bank stability and the extent of development ultimately planned for the site, suggests that the proponent consult with a geotechnical engineer regarding the layout and design of the entire development.

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Disposition: The comments provided by DNR can be accommodated as conditions of Licencing the golf course. However, in order address those issues raised where insufficient information has been provided in the Proposal it is recommended that prior to licencing, the Director of Approvals request that proponent provide additional information on water withdrawal requirements for the entire development, the potable water and sewage treatment system for the entire development and a drainage plan for the

layout and design of the entire development which includes the location and design of the retention ponds, and demonstrates how run-off is contained on the property to prevent chemicals from entering the Little Saskatchewan River.

Rural Development Note that there two road allowances which pass through portions of the proposed golf course. The R.M. of Daly would proceed with a by-law to close the road allowances, however, the applicant will not have title to all the land in the development area until this process is complete.

The "A" Rural District zoning provides for golf courses as a permitted use.

Note that in areas where fairways run across contours slopes may be excessive for use by golfers and motorized golf carts. Question if there are standards or guidelines for separation distances between fairways and residential development to reduce risks of injury and property damage from stray golf balls.

Raise concerns with respect to leaching of fertilizers and chemicals into the river, particularly in areas where fairways cross the river. Recommend that pedestrian bridges be designed to ensure that they are structurally adequate and to ensure that they can be removed each fall to prevent obstructions for snowmobiles and spring floods.

Recommend that the extent of flooding on the property be evaluated by Water Resources Branch.

Recommend that any chemical application on the golf course be effectively managed to minimize any risks to the City of Brandon water supply.

Recommend that proper erosion control be undertaken during construction of the golf course. Suggest that some restoration measures be provided in the event that the project is abandoned prior to completion.

The following general comments on the residential component of the development were provided as information in connection with the Environment Act review process:

Suggest that to the gradients of slopes (12 to 18%) may be excessive for residential and roadway development. MR 364/87 recommends 7% for roadways. Suggest that the slopes of the valley and valley bottom be considered generally inaccessible for vehicular traffic.

Recommend that the developer provide a geotechnical analysis of slope conditions in order to fully evaluate their suitability for residential development.

Recommend that a detailed engineering proposal for the water supply and sewage management systems be provided.

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Disposition: The comments relating to the management of chemical applications, protection of the river water quality, erosion control and the design of the foot bridges can be addressed as licence conditions. The items related to the residential component, specifically the requirement for a geotechnical analysis of slope gradients and conditions and the requirement for a detailed engineering analysis for the water supply and sewage management systems will be requested in follow-up to the comments from DNR and the Environment Park-West Region, as detailed below.

Environment (Water Quality) Note that most of the greens which receive greater amounts of chemical applications are located in proximity to the river. Recommend that the proposed 20 meter buffer along the Little Saskatchewan River be brought back to a natural state as quickly as possible with tall grasses, shrubs and trees so that direct run-off carrying pesticides and fertilizers is minimized. Recommend that both retention ponds and depressed out-of-play areas be clay lined to protect against run-off leakage.

Disposition: Comments can be accommodated as licencing conditions.

Environment (Park-West Region) Request additional information in the following areas: type of storage and location of chemical storage facility, locations and volumes of above ground storage tanks, measures proposed to ensure that run-off containing chemicals do not enter the Little Saskatchewan River, specifications for retention ponds, engineered plans for treatment for a potable water supply and sewage for the entire development.

Disposition: The majority of items cited by the Park-West Region for additional information will be requested in follow-up to the comments from DNR. In regard to on-site chemical storage, a condition will be included in the Licence which requires that the proponent locate a pesticide storage facility in a dry, well ventilated separate building in an area that shall not flood and shall contain runoff from the complete pesticide storage area. The pesticide storage facility shall be enclosed with a security fence.

Historic Resources The Historic Branch will examine the property in the spring of 1997 to determine the location of significant heritage resources. If significant heritage resources are present, the proponent may be required to conduct a heritage resource impact assessment of the golf course and the condominium development. Note that the Historic Resources recommended that Approval for the Subdivision submitted to the Community Economic Development Services by the applicants be withheld subject to Branch findings.

Disposition: Historic Resources Branch completed a field reconnaissance of the site during June 1997. Heritage objects were found at two locations on the site and will need to be re-examined should the development proceed. This requirement can be accommodated as a condition of licencing.

Highways The distance between the Development and any provincial roads or highways precludes any direct impact on provincial roadways. Should the Development be altered in the future which results in substantial traffic volumes the Highways Regional Technical Services Engineer in Brandon should be contacted.

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Fisheries and Oceans DFO concludes that the project is not likely to cause adverse effects on fish and fish habitat. Recommend the following mitigation measures:

- 1) The proposed 20 meter riparian buffer zone along the Little Saskatchewan River be measured from the high water mark rather than the river edge. Limits of clearing and survey should be surveyed and marked prior to construction.
- 2) Support the intent to develop pool and riffle structures. Recommend that DFO and MB Fisheries be consulted on the location, number and size of riffles. No instream work should occur between April 1 and June 15 in any year.
- 3) Recommend that MNR Fisheries Branch and DFO be contacted before any construction of bridges.
- 4) No application of herbicides should be allowed within 5m of the watercourse and only hand spot spraying should be permitted within the riparian area. Regulatory approvals for pesticide use must be obtained. Fuels should be stored and machinery maintained in areas where spills cannot reach fish habitat. Appropriate precautions should be taken to ensure that deleterious substances do not enter any fish bearing watercourse as prohibited under the *Fisheries Act*.
- 5) Recommend that the proponent contact the MB Fisheries Branch for site specific advice regarding the location, design and screening of the water intake.

Disposition: All comments provided by DFO can be accommodated as conditions of licencing.

Follow-up

On March 11, 1997 the Director of Approvals wrote to the proponent requesting that the following additional information for review for review prior to making a decision on recommending a public hearing and licencing the Development:

- 1) a geotechnical analysis and drainage plan for the layout and design of the entire development including the residential portion which indicates the areas subject to erosion and instability. The drainage plan should show where the depressed areas and retention ponds are located and should demonstrate how drainage will be managed on the property to minimize erosion and slumping on the site in order to minimize run-off to the Little Saskatchewan River.
- 2) water withdrawal requirements for the entire development.

3) a detailed proposal on the water supply and sewage treatment system for the entire development including anticipated volumes, method of treatment, and discharge point(s).

On March 29, 1997 the proponent filed additional information on the water withdrawal requirements for the development and the proposed method of wastewater treatment. As detailed design work had not been completed, the additional information provided addressed the water withdrawal requirements and the wastewater treatment on a conceptual basis. The proponent advised that due to significant amounts of snow accumulations on the site, a geotechnical analysis of soil conditions could not be carried out until after snow melt.

On April 4, 1997 the additional information was provided by FAX to the appropriate TAC members for review. Comments were requested by April 22, 1997.

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DNR Comments on the Additional Information

Based on the information provided the proposed withdrawal rate of water from the Little Saskatchewan River may exceed the river flows on a sufficiently frequent basis to impact fish habitat. DNR recommends that prior to licencing the project the proponent consult with their Fisheries and Water Resources Branches to establish minimum instream flows.

DNR recommends that further information be provided on when the storage of water will be required. Consideration should be given to directing surface drainage into retention ponds, if possible. The retention ponds should be "over-designed" to reduce drainage. Prior to discharge the effluent should be tested to ensure that it meets water quality standards.

More information is needed on the type of pumping installation that would be used to pump river water during low flow periods.

Note that no detail is provided on the width of the vegetated buffer zones along the Little Saskatchewan River. Recommend that all bush clearing be kept to a minimum.

Note that the proponent has acknowledged that a detailed geotechnical analysis, particularly with regard to the retention ponds is needed.

Recommend that areas that have been disturbed, including those using matting material, should be replanted with native species. Standing snags and downed debris should be left in place for erosion control and nesting and rearing areas for wildlife.

Disposition: During June 1997 Water Resources Branch initiated a study of the Little Saskatchewan River hydrology to describe the flow regime and determine water availability. This expected to be completed during the Fall of 1997. Once the hydrology /regime is established, Water Resources will determine minimum in-stream flow requirements which in turn will determine what can be licenced under the Water Rights Act. It is the opinion of the Environmental Approvals Branch that the remaining comments from DNR can be addressed as conditions of an Environment Act Licence for the golf course.

Notice of Alteration of the Proposal

On July 11, 1997 the proponent advised Approvals Branch in writing that they have requested that Rural Development place their residential subdivision applications in abeyance and requested that Approvals Branch proceed with the Environment Act application for the golf course component as was originally filed.

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Recommendation

Public hearings on the Proposal are not recommended. The decision to not recommend that public hearings be held are made on the following basis:

- 1) the proponent has decided not to proceed at this time with the residential component of the Development,
- 2) a heritage resource assessment of the site has been initiated, and
- 3) the bio-physical impacts which stem from the golf course are manageable under the terms and conditions of licencing.

It is recommended that the golf course be licenced under the Environment Act in accordance with terms and conditions described in the attached draft Environment Act Licence. It is further recommended the Director of Environmental Approvals notify the respondents to the Environment Act advertisement of the Proposal that a licencing decision for the golf course has been reached and that the decision to licence the golf course is appealable to the Minister of Environment within 30 days of the date of the Licence.