

December 13, 2007

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Dear Mr. Schykulski and Mr. Hernandez;

**Re: Land Use Category change within Poplar / Nanowin Rivers Park Reserve**

We are providing comments in response to the proposed land use adjustments to Poplar/Nanowin Rivers Park Reserve Land Use Category under Manitoba Parks Act regulation. Please place our comments, along with all other public comments in the Public Registry, as we assume that all sets of public comments under the Parks Act should be placed in the public registry. This review under two Acts means comments under the Environment Act will also be placed in the public registry.

We have attached maps regarding the natural region and the park reserve with respect to enduring features.

**1. Access LUC are not Protected Lands**

The Government of Manitoba states “Protected areas prohibit, through legal means, logging, mining (including aggregate extraction), and oil, petroleum, natural gas or hydro-electric development. Other activities that significantly and adversely affect habitat are also excluded in certain circumstances.” Construction of roads and bridges contradict protected area status, and do not occur inside an area designated as protected.

To change the land use category from “Backcountry” to “Winter Road Access” takes it out of protected lands designation. The area of protected lands within the park reserve alone would be reduced by over 20,000 ha due to the new Access LUC in the two locations within the park reserve. Newly protected lands would be required to maintain the protected area of Poplar/Nanowin Rivers Park Reserve of 747,334 ha, an area already reduced in October of 2007. Further, this proposal under the Parks Act contradicts existing Access LUC regulations under the Act, as no other Access corridor is protected land, and no other Access corridor is this size or width.

If the intention is to remove this winter road access corridor from all mining, logging and development of any kind that can affect habitat, the intended regulation must clearly stipulate this. Unless protected by regulation this corridor would be open to destructive activities such as resource extraction or construction of hydro corridors. We would remind Manitoba Conservation that linear disturbance cannot be ignored, as the conservation biology effect is well documented. Winter roads themselves are linear disturbances.

## **2. Enduring Features**

This change in LUC affects three enduring features unique to the natural region. Enduring features are defined by Manitoba Conservation as a specific combination of soils, geology, climate and landforms that influence biodiversity in each natural region. Representation methodology adopted by Manitoba and enunciated in its Action Plan for a Network of Protected Areas is used to assess how each protected area represents biological diversity via enduring features, in its natural region. The Conservation Minister has recently indicated that the standards, goals, and objectives in Manitoba’s Action Plan for a Network of Protected Areas continue as Manitoba policy.

The proposed LUC change would remove large areas of three enduring features (BR/Y23, DB/Y23, and OD/Y23) from protection, adversely affecting their contribution to representation of this natural region. Linear disturbance from the Access LUC would bisect enduring features not found elsewhere within the Poplar/Nanowin Rivers Park Reserve and could ultimately cancel their representation in Natural Region 4c. This in turn reduces representation for the natural region. Please see attached maps, which provide Manitoba Conservation enduring features information for the park reserve, and for the natural region.

Due to lack of information for this review, deadline December 14, 2007, it is impossible to determine the degree of impact due to linear disturbance (winter road construction). Therefore at this time it must be assumed that the two km wide corridor will be an impact zone. We would recommend that Manitoba Conservation redesignate this winter road corridor once they know where the road is located.

### **3. Two Kilometer Width**

The proposed Access LUC is over 4 times the width of the largest corridor in any other Provincial Park in Manitoba with the majority of Access Corridors measuring less than 100 meters in width. If a 2 km wide corridor is required for optimum route selection for a 30 – 60 meter wide route then the route should be selected in advance so the LUC change is only for the winter road route. If other purposes or uses are intended for this proposed Access LUC, these should be made public at the time of public review. See comments above regarding other Access LUC under the Act.

### **4. Problems with Review**

This proposed change to LUC in Poplar/Nanowin Rivers Park reserve does not provide adequate information, and appears to be dramatically different than other existing Access LUC within Manitoba's parks system. It will affect the assessment of representation for the park reserve and the natural region. It will reduce the overall area of protected areas in Manitoba because a 2 km wide access corridor is excessive for a 9-12 meter wide road, and is unprecedented in any Provincial Parks in Manitoba. A winter road will not require the 2 km width once built, therefore it is expected that unused land be returned to Backcountry LUC.

### **5. Unanswered Questions**

There are many unanswered questions that should be made public in this review process, including:

- What is the schedule for approval and construction of the winter road? We request the intended schedule for the Access LUC change under the Environmental Act and the construction schedule of the winter road be made public immediately.
- Does the Federal Government intend to maintain and fund two winter roads? Once the winter road to Norway House is in place, is it the government's intention to decommission the old winter road access or are they willing to put a long-term investment into keeping two long stretches of northern winter roads maintained and open (We note that the new route for a winter road from Norway House to Island Lake Communities has been licensed.)
- If the old winter road to Poplar River First Nation is to eventually be decommissioned will the Access LUC be returned to Back Country LUC, returning these lands to protected area designation?
- Will a regulation be put in place to protect the Access LUC from all other activities and development? The Access LUC must be protected by regulation that clearly stipulates no mining, logging, or development of any kind by Manitoba Hydro or the Government of Manitoba will be allowed within the Access LUC corridor. If no regulation is passed the Access LUC would be open for development and this public review would misleading to the public and Poplar River First Nation.

- Can a new LUC be added to the Act in this way?
- When will Manitoba Conservation reduce the width of this Access LUC?
- When will Manitoba Conservation appropriately reassess the representation status of these enduring features and the whole region?
- Why does this regulation include the east segment of the winter road in the park reserve, when this road will not be needed?
- Has the Manitoba government any intention of putting a 2 km wide winter road corridor in place for the rest of the winter road involved, north and south of the park reserve?

Yours truly,



Gaile Whelan Enns  
Director, Manitoba Wildlands

Attachments:

Map – Enduring Features in Eco Region 4c Lac Seul Uplands

Map – Enduring Features in Poplar/Nanowin Rivers Park Reserve