David M. Sanders, M.A., LL.B.

April 22, 2015

Mayor Brian Bowman
And Members of the Executive Policy Committee
The City of Winnipeg
510 Main Street
Winnipeg MB

Re: Executive Policy Committee – 9:00 a.m. Wednesday, April 22, 2015

Reports: Standing Policy Committee on Infrastructure Renewal and Public Works - April 14, 2015

3. Single Source Negotiations and Award of Contract for Manitoba Hydro Works Associated with the Cockburn – Calrossie Combined Sewer Area – Land Drainage Improvements Projects – Parker Pond Bid Solicitation 190-2015

I wish to make a presentation to EPC in opposition to the City making this commitment now, and to continuing to make other multimillion dollar commitments to proceed with the $1.1 billion scheme to divert Stage 2 of the Southwest Transitway west of Pembina along the Parker Lands dogleg route.

The heavily redacted study documents which I finally obtained from the civic administration in March do not serve to justify the cost of the project as proposed. In fact the few figures which were not censored indicate that the costs far outweigh the benefits. I sent copies of the censored reports to all of the Councillors for their own review.

The complete lack of understanding of the proper use of cost-benefit analysis to justify major City decisions, as laid bare in the March 24, 2015 “Building Canada Fund Application Council Seminar” presentation, is more frightening than the transgressions revealed in the multiple special audits conducted at City Hall in recent years.

I am unable to attend the meeting of EPC on Wednesday morning, and so I am requesting that this written presentation be taken as read at the meeting.

For the information of EPC, I am attaching a copy of the presentation which I made to the SPC on Infrastructure Renewal and Public Works on April 14, 2015.

When the matter was discussed at SPC-IRPW, including my comments on the lack of environmental approval for the project, staff first suggested that Environmental Licence No. 3042 for the Combined Sewers and Overflow Structures covered the Parker Pond project. But that Licence makes no mention of the Pond. Then staff suggested that an environmental licence was not required for the Pond. That is not true.

I had earlier asked SPC-Finance on April 9, to note that the City may not start any construction on the Transitway project until it receives an unqualified environmental licence to proceed. There has been no mention in any report at City Hall of the fact that the City has been ordered to do a proper field survey late this spring, and that the City must receive further environmental approval prior to any construction:

Conditional Licence No. 3121

Species at Risk

9. The Licencee shall conduct a pre-construction survey in late spring within the Parker Lands for Species at Risk. A report on the survey shall be submitted to the Director for approval prior to construction, which includes recommendations for conservation of Species at Risk found in this area.

And furthermore, the Minister has still not issued a decision on the appeals filed with respect to the City's application for an environmental licence for the Southwest Transitway, requesting that the whole matter be referred to the Clean Environment Commission for a public hearing.

Since the new Council has so far been reluctant to conduct a thorough review of the Southwest Transitway boondoggle, perhaps EPC might now ask the new Director of the Office of Policy and Strategic Initiatives to do it.

Thank you.

David M. Sanders MA LLB
River Heights-Fort Garry

DMS/bm

David M. Sanders, M.A., LL.B.

April 14, 2015

Chair and Members
Standing Policy Committee on Infrastructure Renewal and Public Works
The City of Winnipeg
510 Main Street
Winnipeg, MB

Re: SPC Infrastructure Renewal and Public Works Committee
1:00 p.m., Tuesday, April 14, 2015

I am appearing as a private citizen to make a brief submission in opposition to Report #5:

Reports:
5. Single Source Negotiations and Award of Contract for Manitoba Hydro Works Associated with the Cockburn – Calrossie Combined Sewer Area – Land Drainage Improvements Projects – Parker Pond Bid Solicitation 190-2015.

It is very hard to follow the money for this scheme, which is sometimes an integral part of the Southwest Transitway boondoggle, and sometimes not.

The proposed $4,050,000 budget for relocating the Manitoba Hydro lines and towers in the vicinity of the proposed Parker Retention Pond is not part of the Transitway budget, and so far we have no estimate of the cost of undertaking the Cockburn-Calrossie Combined Sewer Area Land Drainage Improvements Project. We are told this project is a separate project from the Southwest Transitway (Stage 2), so it is not part of the Transitway land drainage works estimated to cost $39.9 million out of the $590 million project total. Instead, the Cockburn-Calrossie project will consume some unknown amount of the $27.2 million remaining in the entire Combined Sewer Overflow and Basement Flood Management Strategy Project.

It does appear to me that there should be a Major Project Steering Committee and Quarterly Financial Status Report for this $70.1 million project.

In any event, the Environmental Review and Assessment Report submitted by the City's consultants to the Province last year stated clearly that the Parker Retention Pond is "not part of Stage 2 of the Southwest Transitway project." In my opinion the City does not have an environmental licence to construct the proposed retention pond, nor to relocate the Hydro towers and lines.

Furthermore, the conditional licence issued for the Southwest Transitway has been appealed to the Minister, and he has not yet rendered a decision on the request for referral of the matter to the Clean Environment Commission for a public hearing.

Actually, it appears that the rush to construct the Parker Retention Pond reflects the fact that the City may have violated Condition #8 of its Environmental Licence No. 3042, for Combined Sewers and Overflow, by permitting the new development to take place on the Taylor Lands, without any onsite storm drainage.

Today's report admits that the "deep" retention pond option now recommended takes into consideration the proposed development of unserviced lands on Taylor Avenue and the Parker Lands.

This is just one more financial commitment which the City should hold off until the route and the justification for the Transitway scheme are properly reviewed.

Thank you.

(signed)

David M. Sanders MA LLB
River Heights/Fort Garry

DMS/bm