

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPOSER: Rural Municipality of Hamiota
PROPOSAL NAME: Rural Municipality of Hamiota Municipal
Rural Water Supply System
CLASS OF DEVELOPMENT: Two
TYPE OF DEVELOPMENT: Transportation/Transmission - Pipelines
CLIENT FILE NO.: 5325.00

OVERVIEW:

The Proposal was received on February 21, 2008. It was dated February 19, 2008. The advertisement of the proposal was as follows:

“A Proposal has been filed by the Manitoba Water Services Board on behalf of the Rural Municipality of Hamiota to construct a water supply system to provide potable water throughout the municipality and to Decker Colony in the R.M. of Miniota. Water for the system would be supplied from the Town of Hamiota’s water treatment plant. The Hamiota water treatment plant could potentially be expanded in the future if necessary. The system would provide for community, rural and livestock use in the R.M. of Hamiota and Decker Colony. The R.M. of Hamiota system would be capable of delivering 527,000 litres/day of treated water on average, with peak day use of 696,500 litres. Treated water would be distributed throughout the R.M. of Hamiota and Decker Colony through distribution pipelines located in road allowances. Pipelines would be installed over a period of a few years depending on demand and funding availability.”

The Proposal was advertised in the Crossroads on Saturday, March 8, 2008. It was placed in the Main, Millenium Public Library, Eco-Network and Border Regional Library (Virden) public registries, and in the R. M. of Hamiota office as a public registry location. The Proposal was distributed to TAC members on February 29, 2008. The closing date for comments from members of the public and TAC members was April 4, 2008.

COMMENTS FROM THE PUBLIC:

No public comments were received.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Sustainable Resource Management Branch

No concerns.

Western Regional Operations Office in Brandon Proposal will increase reject water loading on the Hamiota lagoon. This lagoon is only licensed for a fall discharge (no spring discharge). In December of 2000, the RM asked for permission to perform spring discharges as “new water treatment system... results in our lagoon being overly full with an annual discharge.”. Licensing and Assessment Branch set them a letter requesting more information in January of 2001 regarding additional discharges which to my knowledge was never replied to. The EAP states there is sufficient capacity for additional reject water. Based in this conflicting information, it would be appropriate to ask for clarification with regards to the lagoon capacity in Hamiota. If the additional reject water will result in non-compliance with the lagoon, this should be addressed in either the license or changes to the water treatment plant, or the requirement for an alteration or upgrades at the Hamiota lagoon.

Disposition:

Additional information was requested to address lagoon capacity.

Water Stewardship

- A specific requirement of any *Environment Act* Licence should direct the proponent to comply with the following:
 - The requirements pursuant to *The Drinking Water Safety Act*:
 - Application for a Permit to Construct/Alter a Public Water System;
 - Submission of a detailed engineering package; and,
 - Approval of the project prior to any work commencing.
- The following technical issues should be reviewed with the Approvals Section of the Office of Drinking Water, as soon as possible, to avoid conflicts with tendering, budgeting, scheduling, and to expedite the approval process pursuant to *The Drinking Water Safety Act*:
 - The proposal makes generic reference to water plant design considerations, pipeline construction, pipeline installation, and system operation and maintenance. There will be a requirement to provide more detail to allow a review and permitting pursuant to *The Drinking Water Safety Act*, such as: detailed drawings, specifications, design brief, and summary of key design parameters.
 - A submission pursuant to the *Drinking Water Safety Act* would be expected to include:
 - The Hamiota water treatment plant expansion;

- Connection details for all users: residential, livestock producers including Decker Colony; and,
 - Pipeline network details, including installation, operation and maintenance.
- Since there will be two (2) owners, the R. M. of Hamiota and the Town of Hamiota, a detailed description will be required of which system components will be the legal responsibility of each of the respective owners.
- Section 2.6.2 notes that the Hamiota water treatment plant rated capacity is 8.8 litres per second. In comparison, the required capacity is 9.7 litres per second. It is stated that “an expansion of the water treatment plant capacity may be required.” This issue should be settled prior to any detailed work being conducted with respect to the approval process pursuant to *The Drinking Water Safety Act*.
- The proponent’s proposed horizontal directional drilling activities below any water crossings should comply with the Operational Statements of the Department of Fisheries and Oceans Canada or be reviewed by the Department of Fisheries and Oceans Canada.
- The Department requests clarification on the proponent’s statement regarding directional drilling “any creeks containing water”. Based on regional experience, it is the Department’s preference that, at minimum, those crossings with a defined channel and potential to carry water during spring runoff be directional drilled. This is due to the difficulty in stabilizing the sites when open cut trenching is used and the ongoing erosion and sedimentation which results.
- The distribution path appears to cross or be adjacent to some small waterbodies (for example: a lake located south of Alfretta), directional drilling will also be applied to these areas.
- There is no indication of when the stream crossing work will be conducted. Generally, if directional drilling is utilized the Department should have minimal concern. However, if trenching is conducted then the Department would recommend this be done outside of the spring spawning timing window and/or under dry conditions.
- The Department would request the proponent to consult with Manitoba Water Stewardship’s Regional Fisheries Biologist and the Department of Fisheries and Oceans Canada should the following change:
 - Stream crossing method,
 - Water body, or

- Steam crossing work occurs in the spring spawning window:
 - April 1st to June 15th
- The proponent(s) must contact Manitoba Water Stewardship's Water Use Licensing Section to apply for an increase to their existing Water Rights Licence No. 2007-084, as a result of the proposed expansion.

Disposition:

Most of these comments can be addressed through licence conditions. The need to apply for an increase to an existing Water Rights Licence will be noted to the proponent.

Historic Resources Branch The Historic Resources Branch has concerns with regard to this project's potential to impact heritage resources.

Section 2.8.7 of the document identifies the potential impacts to Heritage Resources, and Section 2.9.7 indicates the proposed management practice. The proposed employment of an archaeological consultant to conduct a heritage resource impact assessment satisfies the Branch concern. The Heritage Permit report provided to the Branch by the consultant will then be reviewed according to professional archaeological standards to identify any possible mitigation requirements.

Disposition:

These comments can be addressed through licence conditions and will be forwarded to the proponent for information.

Mines Branch No concerns.

Petroleum Branch No concerns.

Highway Planning and Design Branch

- The Manitoba Water Services Board and the RM of Hamiota must submit additional information before the Department will enter into a utility agreement for placing pipelines within Departmental right-of-way. Impacts on the provincial highway system cannot be determined until detailed profiles and cross-sections for highway ditch burials and crossings are submitted.
- Erosion control measures that are to be employed would also be of interest, where trenching in creek valleys in the highway ditch. The utility agreement would require that Departmental right-of-way be restored to an acceptable condition.

- Since deep burial will be required (i.e. 2.4 m plus), there is concern about potential groundwater blowout in the highway ditch in some locations.
- One area of concern would be the proposed waterline on PTH 21 north of Hamiota. The highway right-of-way has all utilities already in present including a Manitoba Hydro Gas Line. Of particular concern is the area adjacent to PTH 21 and the north junction of PR 355. There is a large wetland area here (Van Norma Slough/6 mile Slough) with water along the road slopes. MIT has had to address erosion to the road slopes from wave action in the past. Erosion potential would be high here for any waterline installation.
- The proponent is advised to contact regional staff in these regards:

The proposed project is located adjacent to and crossing PTH 21 and Provincial Roads 264, 355 and 469.

For information, we attach the regulations affecting these land.

Statutory Regulations

PTH 21 is a Limited Access Highway under the jurisdiction of the Highway Traffic Board. Under The Highways Protection Act any new, modified or relocated access to this highway, or its service road (including the change in use of an existing driveway) requires a permit from the Highway Traffic Board. A permit is also required from the Highway Traffic Board for any change in the use of the land or the buildings, or to place, construct or alter any structures within 76.2 m (250 ft) from the edge of the PTH 21 right-of-way.

Any new, modified or relocated access connection onto PR 264, 355 and PR 469 requires a permit from Manitoba Infrastructure and Transportation. A permit is also required from our department for any construction above or below ground level within 38.1 m (125 ft) of these PR's, or to place any planting within 15.2 m (50 ft) from the edge of the right-of-way of this highway. In addition, a permit is required from the Department of Manitoba Infrastructure and Transportation for any planting placed within 15.2 m (50 ft) from the edge of the right-of-ways of these highways.

- Contacts in these regards are as follows:

(Contacts were provided)

Disposition:

Comments were forwarded to the proponent for information and can be addressed through licence conditions.

Community Planning Services Branch
this proposal.

I have no concerns or objections with

I note that the proposed rural water distribution system, which is approximately 58.4 km's in length, will be providing potable water to three (3) existing livestock operations and approximately 20 rural residents, will be located within rural road allowances which are under the jurisdiction of the R.M. of Hamiota or Manitoba Infrastructure and Transportation. I encourage the proponent to co-ordinate the installation of the proposed rural water pipeline with all affected utilities in order to minimize impacts and/or service interruptions to roadways and other infrastructure (Hydro, MTS, etc).

Disposition:

Comments were forwarded to the proponent for information.

Medical Officer of Health – Assiniboine and Brandon RHAs

1. Environment License clauses and engineering design should address the following:
 - i. adherence to the Guidelines for Canadian Drinking Water Quality 6th edition
 - ii. adherence to The Drinking Water Safety Act
 - iii. proper storage and containment of the diesel storage tank
2. Will the current water treatment plan system in Alexander address viruses and parasite elimination as well as trihalomethanes, bromodichloromethanes and turbidity?

Disposition:

The contents of the first comment can be addressed through licence conditions. The second comment should be addressed by the Office of Drinking Water if the water treatment system in Alexander is expanded in the future.

Canadian Environmental Assessment Agency

I have undertaken a survey of federal departments with respect to determining interest in the project noted above. I can confirm that the project information provided has been distributed to all federal departments with a potential interest. I am enclosing copies of the relevant responses with this letter.

Based on the responses to the federal survey, I have not yet been able to determine whether the application of the Canadian Environmental Assessment Act (CEAA) will be required for this project. Agriculture and Agri-Food Canada – Prairie Farm Rehabilitation Administration (PFRA) is still in the process of determining whether an environmental assessment under the CEAA will be required.

PFRA wishes to participate in the provincial review, at least until funding availability is confirmed. Fisheries and Oceans Canada (DFO) also wishes to participate, and forwarded relevant Operational Statements to the proponent, indicating that electronic versions are available online at DFO's website. The Canadian Transport Agency provided advice, which was forwarded to the proponent. Health Canada is willing to provide specialist advice if requested. Environment Canada indicated that implementation of the proposed mitigation measures will address its concerns. Transport Canada (TC) provided guidance with respect to pipeline creek crossings, which the Canadian Environmental Assessment Agency forwarded to the proponent.

Disposition:

PFRA, DFO and CEAA will be included on the TAC for the project.

ADDITIONAL INFORMATION:

Additional information addressing TAC comments was requested from the proponent on April 15, 2008:

“The EAP indicates that the existing Hamiota lagoon has an approximate 25% spare capacity based on 2003 observations (p. 7). However, in December 2000, the Town requested permission to discharge the lagoon in the spring as well as the fall (against licence conditions), due to the amount of waste bypass water from the new water treatment system. EAL requested more information the following month, which was never submitted.

Can you address this discrepancy in lagoon capacity?”

The response was received on August 20, 2008:

“It appears that the Town had to request a discharge from the lagoon in 2000 due to an excess of water created when they were operating the new water treatment plant that opened the previous fall. Since that time there has never been an issue with the lagoon discharge prior to October in any year since.”

PUBLIC HEARING:

As no public concerns were identified, a public hearing is not recommended.

RECOMMENDATION:

All provincial comments received on the Proposal can be addressed as licence conditions, or have been forwarded to the Applicant's representative for information. Information needed to complete the federal assessment process has been requested and will be provided directly to the interested department. Therefore, it is recommended that the

Development be licensed under The Environment Act subject to the limits, terms and conditions as described on the attached Draft Environment Act Licence. It is further recommended that enforcement of the Licence be assigned to the Western Region.

PREPARED BY:

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August 21, 2008

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