

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Rural Municipality of Wallace
NAME OF DEVELOPMENT: Rural Municipality of Wallace – Kola
Wastewater Treatment Lagoon
CLASS OF DEVELOPMENT: Two
TYPE OF DEVELOPMENT: Wastewater Treatment Lagoon
CLIENT FILE NO.: 5731.00

OVERVIEW:

The Proposal was received on August 14, 2014. It was dated August 13, 2014. The advertisement of the proposal was as follows:

“A Proposal has been filed by JR Cousin Consultants Ltd. on behalf of the Rural Municipality of Wallace for the construction and operation of a wastewater treatment lagoon near Kola to treat wastewater from Kola, Hargrave, Kirkella and rural residences. The facility would also treat wastewater from construction camps and from a small number of septic tanks in Virden and Elkhorn. Kola wastewater would be delivered by a proposed sewer system, and wastewater from the remaining sources would be hauled by truck. The facility would consist of a two cell facultative lagoon with a clay liner in NW 14-10-29W, approximately 2.5 km southeast of Kola and south of PR 257. It would discharge twice annually between June 15 and October 31 to a series of southeast flowing waterways that drain to Oak Lake. Construction of the facility is proposed to begin in the spring of 2015.”

The Proposal was advertised in the Virden Empire-Advance on Friday, September 5, 2014. It was placed in the Legislative Library and Millennium Public Library (Winnipeg) public registries and in the online public registry. The Proposal was distributed to TAC members on September 3, 2014. The closing date for comments from members of the public and TAC members was October 3, 2014.

COMMENTS FROM THE PUBLIC

No public comments were received.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE

Manitoba Conservation and Water Stewardship – Environmental Programs and Strategies Branch, Air Quality Section

- The proposal is not expected to have a significant impact on air quality provided that the measures cited are implemented.
- The odour clause is suggested to be included in the Licence.

Disposition

These comments can be addressed as licence conditions.

Manitoba Conservation and Water Stewardship - Lands Branch

No concerns as there are no Crown lands impacted by the proposal.

Manitoba Conservation and Water Stewardship - Lands Branch, Land Management and Planning Section

No concerns as there are no Crown lands impacted by the proposal.

Manitoba Conservation and Water Stewardship – Parks and Protected Spaces Branch

No comments or concerns to offer as it does not affect any provincial parks, park reserves, ecological reserves, areas of special interest or proposed protected areas.

Manitoba Conservation and Water Stewardship – Wildlife Branch

No further comments to add.

Manitoba Conservation and Water Stewardship – Water Science and Management Branch, Water Quality Management Section

- The following effluent standards should be in place for the RM of Wallace wastewater treatment facility as per the *Manitoba Water Quality Standards, Objectives and Guidelines Regulation* (196/2011).
 - BOD 25 mg/L,
 - TSS 25 mg/L,
 - Fecal Coliforms 200 MPN / 100mL,
 - Total phosphorus <1 mg/L or demonstrated nutrient reduction strategy.
- The *Manitoba Water Quality Standards, Objectives and Guidelines Regulation* requires new or expanding wastewater treatment facilities to meet a <1 mg/L phosphorus limit or implement a nutrient reduction strategy. The effluent standards of the RM of Wallace wastewater treatment facility should not allow discharge where the total phosphorus content of the effluent is in excess of 1 milligram per litre or demonstrate the effectiveness of trickle discharge to < 1 mg/L phosphorus limit at the outlet of where the Proponent has control of the discharge water.

- The Water Quality Management Section is concerned with any discharges that have the potential to impact the aquatic environment and/or restrict present and future uses of the water. Therefore it is recommended that the license require the proponent to actively participate in any future watershed based management study, plan/or nutrient reduction program, approved by the Director.

Disposition:

These comments can be addressed through licence conditions.

Manitoba Conservation and Water Stewardship – Water Use Licensing Section

No concerns.

Manitoba Conservation and Water Stewardship – Water Control Works and Drainage Licensing Section

Any water control works (drains, culverts, dykes, dams, etc.) associated with this project will require licensing under the *Water Rights Act* – an application is attached for the proponent’s convenience. Any inquiries in this regard may be directed to the local *Water Resource Officer*. Their contact information may be found at http://www.gov.mb.ca/conservation/waterstewardship/licensing/pdf/areas_of_focus_jan_23_12.pdf.

Disposition:

This information was provided to the consultant for information.

Manitoba Infrastructure and Transportation – Highway Planning and Design Branch, Environmental Services Section

MIT has reviewed the proposal under the Environment Act and we have the following comments:

- MIT South Western Regional Operations is not prepared to allow the discharge of effluent into the highway right-of-way as outlined in the proposal. Please note that Departmental authority to regulate and enter into agreements regarding drainage works on highway rights-of-way, on lands owned and administered by the Department and within controlled areas adjacent to Provincial Roads is established under Sections 4(1), 5(1), 6(1), 8(3), 14 and 35(a, b, & d) of the Highways and Transportation Act.
- Under the Highways and Transportation Act, any new, modified or relocated access connection onto a PR will require a permit from Manitoba Infrastructure and Transportation – Highway Planning and Design for PR’s. A permit may also be required for:

- Any construction (above or below ground level) within 38.1 m (125 ft) from the edge of the right-of-way along PR 257;
- Any plantings within 15.2 m (50 ft) from the edge of the right of way of PR 257; or
- Discharge of water or other liquid materials into the ditch on PR 257.

For any questions regarding the comments above, please contact Ashley Beck at (204) 726-7000 or at Ashley.Beck@gov.mb.ca

Disposition:

This information was provided to the consultant for information. The consultant can discuss concerns with the use of the PR right-of-way with MIT and advise of any changes that result for the project. This can also be addressed through a licence condition requiring the approval of MIT or the approval of the Director for an alternate outlet route prior to construction. The portion of the outlet route on MIT right-of-way is short and can be avoided if necessary.

Manitoba Municipal Government – Community and Regional Planning Branch

We have identified no concerns with the Proposal. We do note that sewage disposal lagoons are a conditional use in the “AG80” zone, under the R.M. of Wallace Zoning By-law No. 1866. If a conditional use has not yet been obtained from the proposed lagoon, the proponents should contact the R. M. of Wallace to make the necessary application.

Disposition:

This comment was provided to the consultant for information.

Office of the Fire Commissioner

No comments or concerns.

Canadian Environmental Assessment Agency

This is not a designated project under CEAA 2012, so the Agency will not be involved further.

ADDITIONAL INFORMATION

No additional information was required to address Technical Advisory Committee comments on the Proposal.

PUBLIC HEARING

As no requests for a public hearing were made, a public hearing is not recommended.

CROWN-ABORIGINAL CONSULTATION

The Government of Manitoba recognizes it has a duty to consult in a meaningful way with First Nations, Métis communities and other Aboriginal communities when any proposed provincial law, regulation, decision or action may infringe upon or adversely affect the exercise of a treaty or Aboriginal right of that First Nation, Métis community or other Aboriginal community.

The proposal involves the construction of a small wastewater treatment facility on privately owned agricultural land that would be purchased by the proponent as part of the project.

Since resource use is not adversely affected by the project, it is concluded that Crown-Aboriginal consultation is not required for the project.

RECOMMENDATION

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 retained by the Environmental Approvals Branch until construction of the wastewater treatment lagoon expansion is completed. Enforcement of the licence then should be assigned to the Western Region of the Environmental Compliance and Enforcement Branch.

Prepared by:

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(for Municipal and Industrial Section)
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