

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Indigenous & Municipal Relations
PROPOSAL NAME: Thicket Portage Sewage Lagoon
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Wastewater Treatment Lagoon
CLIENT FILE NO.: 5836.00

OVERVIEW:

Manitoba Sustainable Development received a Proposal on May 9, 2016 filed by SNC-Lavalin Inc. on behalf of Manitoba Indigenous and Municipal Relations for a new wastewater treatment lagoon that would service the community of Thicket Portage and surrounding area and be located on NW10-73-02-W1 directly south of the community. The new wastewater lagoon was proposed to consist of a three-cell lagoon supplemented with alum treatment for phosphorus removal as well as UV treatment processes. The Department, on June 3, 2016, placed copies of the Proposal in the Public Registries located at Legislative Library (200 Vaughan Street, Winnipeg), the Winnipeg Millennium Public Library (4th Floor, 251 Donald St., Winnipeg) and online at <http://www.gov.mb.ca/conservation/eal/registries/5836thicketportage/index.html>. Copies of the Proposal were also provided to the Technical Advisory Committee (TAC) members. A notice of the Environment Act proposal was also placed in the Thompson Nickel Belt on June 3, 2016. The newspaper and TAC notifications invited responses until June 27, 2016.

On July 6, 2016, Manitoba Sustainable Development forwarded TAC correspondence to the proponent's consultant for response. There were no comments or requests for additional information presented by the public. The proponent's consultant provided response to the TAC correspondences on the same day. The letter was forwarded to the participating TAC members. There were no additional requests for information.

The consultant submitted the decommissioning plan of the existing sequencing batch reactor (SBR) plant on August 18, 2016. A Notice of Alteration to the proposal was submitted on October 9, 2016 and a revised Notice of Alteration for the proposal with revised drawings and a revised Wastewater Treatment Classification Form were submitted to the Department on November 24, 2016 that proposed changes to the facility design such that it is to be a conventional two-cell facultative lagoon.

COMMENTS FROM THE PUBLIC:

No Comments.

SUMMARY OF COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

No	Technical Advisory Committee Member	Response Provided
1	Canadian Environmental Assessment Agency	No response
2	Manitoba Agriculture – Land Use Branch	No response
3	Manitoba Sustainable Development –	
	<ul style="list-style-type: none"> • Compliance and Enforcement Branch 	Response provided below
	<ul style="list-style-type: none"> • Climate Change and Air Quality Branch 	No comments
	<ul style="list-style-type: none"> • Wildlife and Fisheries Branch 	Response provided below
	<ul style="list-style-type: none"> • Parks and Protected Spaces Branch 	No concerns/ No comments
	<ul style="list-style-type: none"> • Forestry Branch 	No response
	<ul style="list-style-type: none"> • Indigenous Relations Branch 	No response
	<ul style="list-style-type: none"> • Lands Branch 	No concerns/No comments
	<ul style="list-style-type: none"> • Water Science and Management Branch 	No concerns
	<ul style="list-style-type: none"> • Groundwater Management Section 	No response
	<ul style="list-style-type: none"> • Office of Drinking Water Branch 	No concerns
	<ul style="list-style-type: none"> • Water Use Licensing Section 	No response
	<ul style="list-style-type: none"> • Drainage and Water Control Licensing Branch 	Response provided below
	<ul style="list-style-type: none"> • Parks and Regional Services Branch 	No comments
4	Manitoba Sport, Culture, and Heritage – Heritage Branch	No response
5	Manitoba Growth, Enterprise and Trade	No response
6	Manitoba Infrastructure	No response
7	Manitoba Indigenous and Municipal Relations	No concerns
8	Manitoba Health, Seniors and Active Living – Environmental Health Unit	No response

A copy of the responses and the additional information provided can be viewed at the following link:
<http://www.gov.mb.ca/conservation/eal/registries/5836thicketportage/index.html>

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Sustainable Development–Compliance and Enforcement Branch

Inquired about the availability of equipment in the community to dredge solids from the lagoon's primary and secondary cells as well as to remove and replace the proposed sand filter in the tertiary cell. In addition, recommended that a detailed operations and maintenance manual be provided for the operators of the facility.

Proponent's Response:

The heavy equipment required to dredge solids from the primary and secondary cell or to remove and replace the proposed sand filter in the tertiary cells is unlikely to be available in the community. Indigenous and Municipal Relations of Manitoba will bring the equipment to site by rail when required. Since it will only be required every five to 20 years, it would not be feasible to have equipment on site. Indigenous and Municipal Relations of Manitoba will prepare an Operations and Maintenance (O&M) manual for operation of the facility prior to commencing operation.

Disposition:

No further concern.

Manitoba Sustainable Development– Wildlife and Fisheries Branch

Suggests that a requirement for proper nest searches be conducted prior to any construction activities during the breeding bird period be added as a condition in the licence. All species of conservation concern observed during surveys should be reported to the Manitoba Conservation Data Centre.

Proponent's Response:

The Proponent will adhere to all licence requirements and will report any species of conservation concern observed during surveys to Manitoba Sustainable Development Data Center.

Disposition:

Addressed in the Clause 16 of the licence.

Manitoba Sustainable Development– Water Control Works and Drainage Licensing Section

Any water control works associated with this project will require licensing under *The Water Rights Act*; proponent should contact a local Water Resource Officer. Any works located on Crown Land require a decommissioning plan, which should also be included with the application. Licensing of yard and field approaches (access points) are the responsibility of either the municipality, or Manitoba Infrastructure, whichever is applicable. The drainage and/or alteration of permanent and semi-permanent wetlands is not permissible under the Water Rights Act.

Proponent's Response:

Indigenous and Municipal Relations of Manitoba will apply for a Licence to Construct Water Control Works and decommissioning plan for the project. The access road was included as part of Thicket Portage Sewage Lagoon Project's Environment Act Proposal. The access road will connect to Government Avenue. The Thicket Portage Community Council is responsible for maintenance of Government Avenue, and Indigenous and Municipal Relations of Manitoba has engaged the Council for selection of the access point as well as the overall project.

Disposition:

Information was provided to the proponent.

PUBLIC HEARING:

As no public comments were received, a public hearing is not recommended.

CROWN-INDIGENOUS CONSULTATION:

The Government of Manitoba recognizes that it has a duty to consult in a meaningful way with Indigenous communities when any proposed provincial law, regulation, decision or action may infringe upon or adversely affect the exercise of the Indigenous rights of that community.

This proposed facility will be located on vacant land which was previously cleared for use as part of the landfill. There would be no infringement of Indigenous rights under Section 35 of the Constitution Act, 1982. Therefore, it is concluded that Crown-Indigenous 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 and associated components are completed. Enforcement of the licence then should be assigned to the northeastern region of the Environmental Compliance and Enforcement Branch.

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January 26, 2017

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