

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Rural Municipality of Macdonald
NAME OF DEVELOPMENT: Community of Oak Bluff Wastewater Stabilization Pond
CLASS OF DEVELOPMENT: Two
TYPE OF DEVELOPMENT: Wastewater Treatment Lagoon
CLIENT FILE NO.: 3138.10

OVERVIEW:

The Proposal was received on February 4, 2009. It was dated February 4, 2009. The advertisement of the proposal was as follows:

“A Proposal has been filed by GENIVAR on behalf of the Rural Municipality of Macdonald for the construction and operation of a new wastewater treatment lagoon in W 17-9-2E for the community of Oak Bluff. The community’s existing wastewater treatment lagoon in NE 18-9-2E would continue to operate. The new facility would accommodate future growth in the community, allow the servicing of an additional area along McGillivray Boulevard, and provide capacity for the treatment of septage from municipal residences with onsite wastewater systems. Treated effluent from the facility would be discharged to the Atchison Drain, a tributary of the La Salle River, with discharges during the period June 15 to October 31.”

The Proposal was advertised in the Headingley Headliner on Friday, February 20, 2009 and the Winnipeg Free Press on Saturday, February 21, 2009. It was placed in the Main, Millennium Public Library (Winnipeg) and Eco-Network public registries. The Proposal was distributed to TAC members on February 13, 2009. The closing date for comments from members of the public and TAC members was March 23, 2009.

COMMENTS FROM THE PUBLIC:

Bev and Doug Anseuw, Carmen and Jason Anseuw Our main concern with the proposed lagoon is the smell. What will be done to control the odour? Sewer smell is not pleasant nor healthy. We live less than 1 mile from the proposed site. What will this do to our property value? Is there another option for a location?

Disposition:

Odour in a standard wastewater treatment lagoon is controlled by limiting the organic loading on the facility. This prevents undesirable odours under most conditions, with the exception of a short period in the spring. The consultant for the project was asked to provide commentary on alternative locations and treatment options.

Gary and Lynn Farkas We are opposed to this plan as this will create an undesirable smell and environmental impact to the area. We believe that this new subdivision should

make provisions to connect to the wastewater system that currently exists at Wilkes and the Perimeter Highway.

Disposition:

Same as previous comments.

Michael Thiessen As a concerned member of the Macdonald municipality, I feel that the current Oak Bluff lagoon is too small and has some environmental concerns, such as the overflow pipe into the ditch.

I believe that having a larger second lagoon is in our favour due to the fact that we have way more space to disgaurd our waste, as well as allowing our community to grow in the future! I am greatly in favour of the new sewer lagoon!

Dan Hofer I live in Oak Bluff, and am quite in favor of the new lagoon that is going to be dug in the near future. I feel that the current one is quite small, and am concerned about the amount of waste that enters our water system from overflow. I don't have all the particulars, but having two lagoons seems to be a better alternative than dumping the waste into the ditch!!! I feel that it also allows our community to expand in the future with new developments!

David and Kimberly Horn We are very excited for the new sewer lagoon outside of Oak Bluff! We currently live just outside the community, and are stuck with the antiquated sewer system. We are looking forward to being able to hook up to the new lagoon! I am ABSOLUTLY in favour of the proposed sewer lagoon!!

Ben Neufeld I would just like to say that I have serious concerns about the following statement the proposal that "effluent from the facility would be discharged to the Atchison Drain, a tributary of the La Salle River". Since when was pumping human excrement into a body of water ever a good idea? How about doing what every other species on the face of the earth has been doing for millions of years, and compost our excrement so that it enriches our soils instead of polluting our waters? This can be done on a municipal wide scale as well. I would highly HIGHLY recommend the book "The Humanure Handbook" as a must have resourse to learn more about this eco-friendly option (<http://www.jenkinspublishing.com/humanure.html>)

Disposition:

Additional information on alternatives considered was requested from the consultant.

Petition – 63 names.

We the undersigned, hereby submit this petition **AGAINST** the proposal filed by Genivar on behalf of the Rural Municipality of Macdonald for the construction and operation of a new wastewater treatment lagoon in/on W 17-9-2E and **AGAINST** any future expansion of the existing lagoon.

Disposition:

The petition did not indicate what concerns existed with the Proposal, and whether any alternatives were of interest. An expansion on these matters was solicited from the contact person for the petition as described below.

Joe Dusik We the people, that have signed the petition against the proposal filed by Genivar, on behalf of the R. M. of Macdonald for the construction and operation of a new wastewater treatment lagoon in W17-9-2E for the communities future development. And we are against any future expansion of the existing lagoon.

We are very concerns about the smell that will be coming from this lagoon. It will be very difficult to live a normal life “and to breath”.

We cannot believe that this is even being considered in this area! All the people on this petition live very close to this location, some very close. We just cannot believe that such a huge lagoon is being considered for this location.

We believe any future development in the Oak Bluff area should be hooked up to the sewage treatment plant north of Oak Bluff, and if this is impossible then another option should be to construct a new lagoon west north west of the town, or said development, there’s only a few people, and we never get west winds. Plus the people selling land to developers, own land in the area.

Disposition:

Odour control was discussed above. Additional information on treatment options was requested from the consultant.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE (TAC)

Manitoba Conservation – Sustainable Resource and Policy Management No concerns.

Manitoba Conservation – Environmental Services

1. We recommend confirming settlement of land ownership before any construction license is provided.
2. The consideration of the new CCME guideline for BOD₅ concentration of <25 mg/L in the effluent is recommended.
3. The EAP does not indicate any anticipated effluent concentration for TSS.
4. The site plan (Drawing C01) does not clearly indicate that the area with silty sand (TH#14) is excluded from the lagoon construction.
5. Are there any plans for nutrient reduction to be incorporated into the design at this stage?

6. The design does not show any interconnection between the existing and the proposed lagoons. It is recommended that there be an interconnection between the two lagoons to increase future operational choices.
7. The drawing does not show the one meter compacted clay liner on the floor and the berm sides as indicated in the project description (page 21) to the required compaction standard. There is only the proposed core clay along the berm shown on the plan.
8. We also recommend all interior berms have a lower elevation at the top compared to the exterior berms. This is to contain wastewater in the lagoon in case of an overflow.

Disposition:

Several of these comments can be addressed through licence conditions. Additional information was requested to address other comments.

Manitoba Conservation – Parks and Natural Areas Branch

No comments.

Manitoba Water Stewardship

- The Water Rights Act indicates that no person shall control water or construct, establish or maintain any “water control works” unless he or she holds a valid licence to do so. “Water control works” are defined as any dyke, dam, surface or subsurface drain, drainage, improved natural waterway, canal, tunnel, bridge, culvert borehole or contrivance for carrying or conducting water, that temporarily or permanently alters or may alter the flow or level of water, including but not limited to water in a water body, by any means, including drainage, OR changes or may change the location or direction of flow of water, including but not limited to water in a water body, by any means, including drainage. If a proposal advocates any of the aforementioned activities, an application for a Water Rights Licence to Construct Water Control Works is required. Application forms are available from any office of Manitoba Water Stewardship.
- The proponent needs ensure that the new discharge outlet is constructed and maintained with appropriate erosion and sediment control measures.
- The Lake Winnipeg Stewardship Board has recommended that all small wastewater treatment facilities, including municipal lagoons, should meet a phosphorus limit of 1.0 mg/L. The proposed phosphorus limit of 1.0 mg/L is consistent with efforts underway across Manitoba and in upstream jurisdictions to reduce nutrient loads to Lake Winnipeg and its watershed. It is desirable to recycle these nutrients on land, rather than releasing them to waterways. In the Lake Winnipeg Stewardship Board’s December 2006 report to the Minister of Water Stewardship, the Board provides several strategies on how nutrient reduction could be achieved for small wastewater treatment facilities (see recommendations 14-20) including effluent irrigation.
- The proponent plans to discharge into Atchison drain and ultimately to the La Salle River. Trickle discharge allows time for the nutrients in the effluent to be assimilated

in the drainage path, prior to reaching the La Salle River. The current Environment Act Proposal does not appear to indicate the length of time of discharge. The discharge period should be at least two (2) weeks or more.

- For the further advancement of effluent quality, Manitoba Water Stewardship recommends increasing the residence time of the lagoon to one year.
- Manitoba Water Stewardship is concerned with any discharges that have the potential to impact the aquatic environment and/or restrict present and future uses of the water.
 - Manitoba Water Stewardship recommends that an Environment Act Licence requires the proponent to actively participate in any future watershed based management study, plan/or nutrient reduction program, approved by the Director, Water Science and Management Branch, Manitoba Water Stewardship.

Disposition:

Additional information was requested to address several of the above comments. Several of the comments can be addressed as licence conditions.

Historic Resources Branch No concerns. If at any time however, significant heritage resources are recorded in association with these lands during development, the Historic Resources Branch may require that an acceptable heritage resource management strategy be implemented by the developer to mitigate the affects of development on the heritage resources.

Disposition:

This information was provided to the consultant.

Mines Branch No concerns.

Manitoba Infrastructure and Transportation – Highway Planning Branch

No concern.

Canadian Environmental Assessment Agency I have completed 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 reviewed by all federal departments with a potential interest. I am enclosing copies of all the responses for your file.

Based on the responses of the survey, Transport Canada (TC) has notified us that an environmental assessment under the Canadian Environmental Assessment Act (the Act) may be required with respect to the project. TC requires additional information pursuant to the Navigable Waters Protection Act before it can make a determination on its

environmental responsibilities under the Act. Specifically, TC requires additional information regarding the location of any proposed works in, on, over, under, through or across any navigable waterways, characteristics of those waterways and details of all proposed works affecting any navigable waterway (including temporary works). I have attached the TC information request, as well as the appropriate departmental contact information.

Fisheries and Oceans Canada (DFO) have offered to provide specialist advice to a Responsible Authority should one be identified through this environmental assessment process. DFO would also like to participate in the provincial review by way of providing a Letter of Advice (enclosed).

If specifically requested, Health Canada has indicated that they could provide expertise that may be relevant to the project.

Disposition:

CEAA provided the TC information request directly to the consultant. The consultant was requested to respond directly to TC. DFO information was also provided directly to the consultant, and the consultant was advised to comply with the requirements of the Letter of Advice.

ADDITIONAL INFORMATION:

Additional information was requested on April 3, 2009 to address public and TAC comments. A response was received on May 14, 2009. The request and response are attached to this summary. The response satisfactorily addresses the public and TAC concerns identified with respect to siting alternatives and the interconnection of the existing and proposed facilities. TAC suggestions respecting an effluent phosphorus limitation can be addressed through licence conditions.

PUBLIC HEARING:

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

RECOMMENDATION:

All comments received on the Proposal have been addressed through additional information or as licence requirements. 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. A phosphorus limit of 1 mg/L for the facility's effluent is included as a licence condition.

As the proposed facility will preserve some unused hydraulic capacity at the existing facility, it is possible to rescind the licence for the existing facility and

incorporate requirements for that facility in the attached licence. This allows for a change in the existing facility's discharge period from May 15 – October 31 to the period June 15 – October 31. This has also been included in the attached draft licence.

It is further recommended that enforcement of the Licence be assigned to Environmental Assessment and Licensing until construction of the wastewater treatment lagoon is completed. Enforcement of the licence then should be assigned to the Central Region.

Prepared by:

Bruce Webb, P. Eng.
Environmental Assessment and Licensing - Land Use Section
(for Municipal, Industrial and Hazardous Waste Section)

April 1, 2009 updated August 17, 2009

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Additional Information

From: Jason Bunn [Jason.Bunn@genivar.com]
Sent: Thursday, May 14, 2009 2:26 PM
To: Webb, Bruce (CON)
Cc: Ross Webster; Tom Raine (traine@rmofmacdonald.com); Winnipeg Reception
Subject: RE: RM of Macdonald - Oak Bluff WWTL File: 3138.10 [G# 08-127]
Bruce,

Please see our comments below in **blue bold font**:

Kind regards

Jason Bunn, P.Eng. | Environmental Engineer
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From: Webb, Bruce (CON) [mailto:Bruce.Webb@gov.mb.ca]
Sent: Friday, April 03, 2009 9:49 AM
To: Jason Bunn
Cc: Macdonald, R.M.
Subject: RM of Macdonald - Oak Bluff WWTL File: 3138.10

A preliminary review of the above Environment Act Proposal has been completed. We received several public and TAC comments. Public comments both supported and opposed the project. Additional comments would be appreciated to address the following matters:

1. Alternatives – several members of the public suggested that other locations be considered for the facility (specifically northwest of the community), or that wastewater from the Oak Bluff area be directed to the City of Winnipeg West End Water Pollution Control Centre. Some discussion of alternatives considered for the project would be helpful.

Other locations were considered, however, the preference was to locate as close as possible to the existing facility for the following reasons:

- a) **The selected site meets or exceeds the minimum separation distances from existing single family dwellings in the immediate vicinity;**
- b) **The selected site is in close proximity to the existing wastewater facility which will centralize the facilities in one location for operating efficiencies;**
- c) **The selected site is in close proximity to the existing wastewater facility which will allow the use of the existing discharge route;**

- d) Located south and east of the community of Oak Bluff locates the facility to take advantage of the prevailing north and north west winds in the area;
- e) A location north west of the community Oak Bluff would be in an area upwind of the prevailing north and north west winds;
- f) A location north west of the community of Oak Bluff is in an area that has a higher density of rural residential sites;
- g) A location north west of the community of Oak Bluff would require a new discharge route and the drainage patterns in the area are to the south east which is an alignment that would take the discharge route towards and past the community of Oak Bluff;
- h) The Macdonald-Ritchot Planning District Development Plan that outlines the long-term land use objectives for the community of Oak Bluff has designated the area north and west of the community for future residential development which in the long-term could encroach on a wastewater facility in that general area.

2. Interconnection between new and existing facilities – has consideration been given to interconnecting the two facilities to allow additional flexibility in operation?

During the selection process of the proposed new wastewater facility, interconnection was considered. Because the existing facility has the capacity to continue meeting the needs of the existing community and a separate wastewater collection main will be required for new development proposed in the area it was determined that extending the new main directly to a new facility would be the preferred approach. The location of the proposed wastewater facility will allow the interconnection of the two facilities in the future to consider operating flexibility and efficiencies.

3. We are considering a TAC recommendation of an effluent phosphorus limitation of 1 mg/L. We are also considering a suggestion that the effluent BOD limitation follow the new guideline of the Canadian Council of Ministers of the Environment of 25 mg/L rather than our standard limitation of 30 mg/L. Do you have any comments on these limits with respect to this facility?

We are still waiting for the public consultation stage of the proposal to implement the phosphorus limitation of 1 mg/L. Implementation of this limitation prior its full adaptation is premature. As far as BOD is concerned, we would expect that the effluent from the new Oak Bluff lagoon would meet 25 mg-BOD5/L, however we question why this lagoon would be singled out from all others.

4. We have received a TAC suggestion that effluent discharge occur slowly to better allow nutrients to be assimilated along the discharge route. A minimum two week discharge time period has been suggested. Do you have any comments on the operational feasibility of this recommendation?

Implementing trickle discharge may cause the primary cell to temporarily exceed a depth of 1.5 metres while waiting for the completion of the lengthened discharge

process. If trickle discharge is mandated, this temporary condition will preferably be permitted by the Licence or, as an alternative, an accelerated discharge should be permitted under these circumstances. If other unforeseen operational inconveniences or obstacles arise as a result of trickle discharge limitation, we may have to revisit this clause for revision (in future).

The Historic Resources Branch advises that if significant heritage resources are recorded in association with these lands during development, the Historic Resources Branch may require that an acceptable heritage resource management strategy be implemented by the developer to mitigate the affects of development on the heritage resources.

Comments noted.

Copies of comments from Transport Canada and the Department of Fisheries and Oceans have been provided to you directly from the Canadian Environmental Assessment Agency. Requested information from Transport Canada should be provided directly. Compliance with the items in the Department of Fisheries and Oceans letter of advice is required to satisfy federal Fisheries Act requirements.

Follow-up has occurred with Transport Canada regarding their requested information.

Bruce.

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