

## **SUMMARY OF COMMENTS/RECOMMENDATIONS**

**PROPONENT:** Manitoba Aboriginal and Northern Affairs  
**PROPOSAL NAME:** Mallard Sewage Treatment Plant  
**CLASS OF DEVELOPMENT:** Two  
**TYPE OF DEVELOPMENT:** Waste Treatment and Storage – Sewage Treatment Plants  
**CLIENT FILE NO.:** 3348.10

### **OVERVIEW:**

The Proposal was received on January 4, 2011. It was dated December 31, 2010. The advertisement of the proposal was as follows:

“A proposal has been filed by Dalco Wastewater Specialists Inc. on behalf of Manitoba Aboriginal and Northern Affairs for the replacement of the sewage treatment plant in the community of Mallard. The existing sequencing batch reactor plant would be replaced with a new extended aeration sewage treatment plant. The new plant would be located adjacent to the existing plant, which would be decommissioned once the new plant was in operation. Treated effluent from the new plant would continue to be discharged to a ditch leading to a hayfield west of the plant. In wet years, effluent may drain from the hayfield to Waterhen Lake. Sludge from the new plant would be hauled approximately monthly to the Waterhen wastewater treatment lagoon. The new plant is proposed for construction beginning in the summer of 2011, with operation commencing in the spring of 2012.”

The Proposal was advertised in the Dauphin Herald on Tuesday, February 8, 2011. It was placed in the Main, Eco-Network and Millennium Public Library (Winnipeg) public registries as well as in the Mallard Community Office as a public registry location. The Proposal was distributed to TAC members on February 3, 2011. The closing date for comments from members of the public and TAC members was March 11, 2011.

### **COMMENTS FROM THE PUBLIC:**

No public comments were received.

### **COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:**

**Manitoba Conservation – Sustainable Resource and Policy Management Branch, Land Programs Branch** No concerns. Be advised that the current Operational Land Use code for the West ½ 29-034-15W is A/C/T/6a, the NE quarter is A/C/6a and the SE

quarter is coded A/C/8a. Once/if the proposed land use is approved the operational land use code for the respective quarter section(s) should include an “XM” code as part of the land use code string.

**Manitoba Conservation – Parks and Natural Areas Branch**

No comments.

**Manitoba Conservation – Wildlife and Ecosystem Protection Branch**

The Biodiversity, Endangered Species and Habitat Section has reviewed the proposal. We have two main concerns;

1. The report states on page 20 that "There are no endangered species that have been identified within or near the development area". I can find no documentation supporting this statement anywhere in the document. If a survey was conducted this should be included in the report to corroborate this statement. We would like clarification.
2. I can find no record of a request having been submitted to the CDC to search for this site. If one was submitted this information should be included in the document.

I have completed a search for this area in Biotics our rare species database and there are no occurrences for the area. The information provided in this letter is based on existing data known to the Manitoba CDC of the Wildlife and Ecosystem Protection Branch at the time of the request. These data are dependent on the research and observations of our scientists and reflects our current state of knowledge. An absence of data does not confirm the absence of any rare or endangered species. Many areas of the province have never been thoroughly surveyed, therefore the absence of data in any particular geographic area does not necessarily mean that species or ecological communities of concern are not present. The information should not be regarded as a final statement on the occurrence of any species of concern, nor should it substitute for on-site surveys for species or environmental assessments. Also, because the Biotics database is continually updated and because information requests are evaluated by type of action, any given response is only appropriate for its respective request.

Please contact the Manitoba CDC for an update on this natural heritage information if more than six months passes before it is utilised.

Thank you for the opportunity for our section to review this document. I hope these comments are helpful to the process. If you require further information please do not hesitate to contact me directly.

**Disposition:**

Additional information was requested to address the potential presence of endangered species. The rare species information was provided to the consultant.

**Manitoba Conservation – Air Quality Section** No comments or concerns.

**Manitoba Water Stewardship – Planning and Coordination Branch**

- Manitoba Water Stewardship recommends an *Environment Act* Licence to include the following requirements:
  - The Licencee shall not apply nutrients to lands designated as Nutrient Management Zone N4. A sewage treatment plant or a wastewater treatment lagoon shall not be constructed, installed, sited, located, replaced, expanded, or modified on land designated as Nutrient Management Zone N4, pursuant to the *Nutrient Management Regulation* under *The Water Protection Act*.
  - Note: The proposed sewage treatment plant appears to be located on land designated as Nutrient Management Zone N4 (Class 6W Canadian Land Inventory Agricultural Capability on the attached map).
  - The Licencee shall develop and implement an Emergency Response Plan, including the following:
    - At an event of a spill of untreated or partially treated wastewater discharge into the Waterhen River, the water treatment plant operator at the Community of Waterhen shall be immediately informed.
  - The Licencee shall install backflow/backsiphonage prevention measures or devices, pursuant to the current Canadian Plumbing Code.
    - Note: The Proposal does not specifically note that backflow prevention devices will be installed on the domestic water service in the proposed development. Being a wastewater treatment plant, the proposed development would be considered a “high hazard” for cross-connection of water supplies.
  - The Licencee shall develop and implement an operations and maintenance manual for the proposed development, including the following:
    - testing and maintenance schedules for the backflow/backsiphonage prevention devices.
  - The Licencee shall 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.
    - Note: 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 submits the following comments:
  - Manitoba Water Stewardship does not object to this proposal, at this time.
  - The community of Mallard is located approximately 14 kilometres upstream on the Waterhen River from the Community of Waterhen. The Waterhen River is the raw water source for the public water system of the Community of Waterhen. Manitoba Water Stewardship has determined that it is unlikely that effluent from the proposed development would cause any risk to public health for the public water system of the Community of Waterhen under normal operation of the facilities.
  - The Manitoba Department of Water Stewardship is mandated to ensure the sustainable development of Manitoba's water resources. Manitoba Water Stewardship is committed to the goals of: protecting aquatic ecosystem health; ensuring drinking water is safe and clean for human health; managing water-related risks for human security; and stewarding the societal and economic values of our waterways, lakes and wetlands; for the best water for all life and lasting prosperity. Manitoba Water Stewardship achieves these goals, in part, through administering legislation, including *The Water Protection Act*, *The Water Rights Act*, and *The Water Power Act*.
  - The proponent needs to be informed of the following for information purposes:
    - Erosion and sediment control measures should be implemented until all of the sites have stabilized.
    - *The Water Rights Act* requires a person to obtain a valid licence to control water or construct, establish or maintain any "water control works." "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, a person is required to submit an application for a Water Rights Licence to Construct Water Control Works. A person may contact the following Water Resource Officer to obtain an application and/or obtain information.
      - A contact person is Mr. Geoff Reimer C.E.T., Senior Water Resource Officer, Water Control Works and Drainage

Licensing, Manitoba Water Stewardship, Box 4558,  
Stonewall, Manitoba R0C 2Z0, telephone: (204) 467-4450,  
email: [geoff.reimer@gov.mb.ca](mailto:geoff.reimer@gov.mb.ca).

Disposition:

Several comments can be addressed as licence conditions. With respect to the location of the plant, the consultant was informed that the plant could not be located in an N4 zone. This will require a small change in the location of the plant.

**Manitoba Innovation, Energy and Mines, Mines Branch**

No concerns.

**Manitoba Infrastructure and Transportation - Highway Planning and Design Branch**

No concerns.

**Canadian Environmental Assessment Agency** I have conducted a survey of federal departments with respect to determining interest in the project noted above. I can confirm that the project information provided was shared with all federal departments with a potential interest. Based on the responses to the survey the application of the *Canadian Environmental Assessment Act* (the Act) by a federal authority may be required for this project. I have enclosed copies of the received responses for your file.

I can confirm that the project information was shared with the Department of Fisheries and Oceans Canada (DFO), the Department of Indian and Northern Affairs, Health Canada (HC) and Environment Canada (EC) as part of the federal coordination process.

HC has determined it can provide expert advice related to human health if a written request is submitted to HC.

EC has reviewed the project information and indicated it can contribute its expertise to a responsible authority if a formal request for information is made. EC has also provide a letter of advice for the proponent related to proper design, maintenance and operations of the sewage treatment plant. Lorna Hendrickson is the EC contact for this project. She can be reached by phone at (204) 983-1781 or by e-mail at [Lorna.Hendrickson@ec.gc.ca](mailto:Lorna.Hendrickson@ec.gc.ca).

DFO has not provided a response to the federal survey. The proponent will be referred to the DFO website for further information on proponent responsibilities and ways to avoid impacts to fish habitat, see [www.dfo-mpo.gc.ca/habitat/habitat-eng.htm](http://www.dfo-mpo.gc.ca/habitat/habitat-eng.htm).

No other federal interest was identified for this project. Copies of all responses are attached for your review.

**ADDITIONAL INFORMATION:**

Additional information was requested on March 14, 2011 to address the potential presence of endangered species and the location of the facility. The attached response was received on April 7, 2011. This information satisfactorily addresses the requested items.

**PUBLIC HEARING:**

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

**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 Assessment and Licensing Branch until construction is completed and the plant is operational. The Licence may then be transferred to the Dauphin office of the Environmental Operations Branch.

**PREPARED BY:**

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