

SUMMARY OF COMMENTS / RECOMMENDATIONS

PROPOSAL NAME: Rural Municipality of Elton Wastewater Treatment Lagoon Expansion
PROPOSAL NAME: Rural Municipality of Elton
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Wastewater Treatment Lagoons
CLIENT FILE NO.: 4738.10

As part of the [environmental assessment and licensing process](#), the purpose of this document is to summarize comments received from the public and government's Technical Advisory Committee (TAC), and how they are addressed. It includes a recommendation to inform the director's licensing decision.

INTRODUCTION

The Rural Municipality of Elton submitted a proposal dated December 8, 2022 to expand and continue operating the existing Forrest wastewater treatment lagoon located at SW 31-11-18 WPM in the community of Forrest. The expansion includes the construction of a new secondary cell to the east of the existing lagoon cells. The accumulated sludge will be removed and injected into the surrounding agricultural fields. The treated effluent will be discharged into a drainage channel, then into a third-order drain that flows into Willow Creek, which joins the Assiniboine River. If approved, the proponent is planning to proceed to construction in 2024/2025.

The Proposal was advertised in the Rivers Banner Gazette Reporter on Friday, January 13, 2023. It was placed in the Online Public Registry as follows:
<https://www.gov.mb.ca/sd/eal/registries/4738.1/index.html>

The Proposal was distributed to Technical Advisory Committee (TAC) members on January 12, 2023.

The closing date for comments from members of the public and TAC members was February 13, 2023.

On March 17, 2023, the proponent communicated that the land they were proposing to use for the land application of biosolids was not available and they were looking for other landowners to accept the biosolids. On April 12, 2024, they confirmed the location of the lands for biosolids application.

COMMENTS FROM THE PUBLIC

The department did not receive any public comments on the proposal during the comment period.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE

Technical Advisory Committee (TAC) responses are listed in Table 1 below. Substantive comments and their dispositions follow the table. TAC comments are provided in full in the public registries at <https://www.gov.mb.ca/sd/eal/registries/4738.1/index.html>

Table 1. Forrest Wastewater Treatment Lagoon

Technical Advisory Committee Comments

No	Technical Advisory Committee Member	Response Provided
1	Environment and Climate	
	Environmental Approvals Branch	
	<ul style="list-style-type: none"> • Land Use, Waste Management and Energy 	March 2, 2023
	<ul style="list-style-type: none"> • Air Quality Management 	No response
	Environmental Compliance and Enforcement Branch	No response
	Office of Drinking Water	January 13, 2023
	Environmental Programs and Remediation Branch	No response
	Drainage and Water Rights Licensing Branch	
	<ul style="list-style-type: none"> • Water Use Licensing Section 	No response
	<ul style="list-style-type: none"> • Drainage and Water Rights Licensing Section 	January 16, 2023
	Water Science and Watershed Management Branch	
	<ul style="list-style-type: none"> • Water Quality Management Section 	February 6, 2023
	<ul style="list-style-type: none"> • Groundwater Management Section 	No response
	Climate Change and Clean Technology	No response
2	Natural Resource and Northern Development	
	Parks Branch	January 30, 2023
	Wildlife and Fisheries Branch (wildlife)	No response
	Wildlife and Fisheries Branch (fisheries)	No response
	Forestry and Peatlands Branch	January 20, 2023
	Lands and Planning	No response
	Crown Land Specialist	No response
	Mines Program	January 19, 2023
	Petroleum Program	January 26, 2023
3	Manitoba Sport, Culture, and Heritage – Historic Resources Branch	January 30, 2023
4	Manitoba Municipal Relations	
	Community Planning Branch	February 24, 2023
5	Manitoba Labour, Consumer Protection and Government Services	
	Inspection and Technical Services	January 17, 2023

6	Manitoba Transportation and Infrastructure – Environmental Services and Consultation Branch	No response
7	Manitoba Health – Prairie Mountain Regional Health Authority	January 16, 2023

Drainage and Water Rights Licensing Section

With the proposed alterations to the drainage channel as well as dikes the details would need to be incorporated into the EAL license.

Disposition:

The above comments have been shared with the proponent and addressed through licence conditions.

Water Quality Management Section

- The following effluent standards should be in place for RM of Elton - Forrest wastewater treatment lagoon as per the *Manitoba Water Quality Standards, Objectives and Guidelines Regulation* (196/2011) for any discharge events, not including irrigation:
 - BOD5 25 mg/L,
 - TSS 25 mg/L,
 - Total Phosphorus <1 mg/L,
 - Fecal Coliforms or *Escherichia coli* 200 organisms / 100mL
- In a given year, the *Nutrient Management Regulation* (62/2008) requires that no person shall apply any substance with containing nitrogen or phosphorus between November 10 of one year and April 10 of the following year.
- Application of sludge must be calculated to meet the *Nutrient Management Regulation* (62/2008) requirements that in nutrient management zone N1, N2, and N3 where Olsen soil test P, within the top 15 cm, is from 60 to <120 ppm the maximum allowable nutrient application is at 2 times the crop removal rate of P₂O₅. If Olsen soil test P is 120 to <180 ppm the maximum allowable nutrient application is 1 times the crop removal rate of P₂O₅. No phosphorus application if soil test Olsen-P is 180 ppm or greater. Residual nitrate-N limits must be met as specified for the various nutrient management zones.
- The *Nutrient Management Regulation* (62/2008) requires setbacks as Nutrient Buffer Zones when applying nutrients.
 - A groundwater feature 15m,
 - a wetland, bog, marsh or swamp other than a major wetland bog, marsh or swam setback distance between the water's edge and the high water mark.
 - A lake or reservoir designated as vulnerable setback distance 30m
 - A lake or reservoir, not designated as vulnerable setback distance 15m
 - A river, creek or stream designated as vulnerable setback distance 15m
 - A river, creek or stream not designated as vulnerable, a 3rd order drain or higher, a major wetland, bog, marsh or swamp, a constructed retention pond setback distance 3m.
- The total area of the setbacks, due to the Nutrient Buffer Zones mentioned above, should be excluded from the land base calculations when determining the area of land necessary for

land application. Class 6 and 7 and unimproved organic soils are Nutrient Management Zone N4 and no nutrients should be applied to this soil as per the *Nutrient Management Regulation* (62/2008). The total area of Class 6 soils Zone N4 must be excluded from the land base calculations used to determine the area of land necessary.

- 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:

The above comments have been shared with the proponent and addressed through licence conditions. As recommended, the proponent will be required through the licence to actively participate in any future watershed-based management study, plan, or nutrient reduction program.

Community Planning Branch

Based on our review of the RM of Elton Zoning Bylaw, our office has no concerns with the proposed expansion of the wastewater treatment facility in the RM of Elton in the community of Forest. The additional cell is being constructed east of the existing wastewater cells and built up area of the community of Forest. We recommend however that the applicant contact the municipality and make arrangements to obtain the required conditional use order required for the expanded/intensified municipal wastewater treatment facility and determine the need to obtain a development permit from the Keystone Planning District (Shawna Paulson – 204-725-2001 or via e-mail at info@keystonepd.ca).

Disposition:

The proponent was informed of these comments so they may take action as necessary.

ADDITIONAL INFORMATION

Additional information was not requested.

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.

The Initial Assessment conducted for this project has concluded that the licensing decision does not have the potential to adversely affect the exercise of an Aboriginal or Treaty right. Therefore, Crown-Indigenous consultation will not be undertaken before making a licensing decision related to the Forrest wastewater treatment lagoon project. The expansion of the new secondary cell would occur on agricultural land currently owned by the Rural Municipality of Elton.

RECOMMENDATION

Comments received have been addressed through the licence conditions. I recommend that the development be licensed under The Environment Act subject to the specifications, limits, terms, and conditions as described on the attached draft Environment Act Licence. I also recommend assigning the administration of the licence to the Western Region of the Environmental Compliance and Enforcement Branch.

Prepared by:

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Industrial and Wastewater Section

Environmental Approvals Branch

May 7, 2024

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