

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Rural Municipality of East St. Paul
PROPOSAL NAME: Bray Well Water Supply System Expansion
CLASS OF DEVELOPMENT: Two
TYPE OF DEVELOPMENT: Water Development and Control
CLIENT FILE NO.: 5378.10

OVERVIEW

The Proposal was received on September 30, 2013. It was dated September 30, 2013. The advertisement of the Proposal was as follows:

“A proposal has been filed by the Rural Municipality of East St. Paul for the expansion of the municipality’s water supply capability. The project involves the conversion of a test well near the intersection of Provincial Road 202 and Bray Road West to a production well, and the construction of a pipeline from the well to the existing water treatment plant on Wenzel Street. The pipeline would follow the west edge of the Red River Floodway right-of-way to PTH 59, and then PTH 59 to Wenzel Street. The expansion would supply up to 700 cubic decameters of water annually, sufficient to meet projected water supply needs for 20 years. Construction is anticipated to occur in 2015.”

The Proposal was advertised in the Winnipeg Free Press on Saturday, November 2, 2013. It was placed in the online, Legislative Library, and Millennium Public Library (Winnipeg) public registries. It was distributed to TAC members on October 31, 2013. The closing date for comments from members of the public and TAC members was December 2, 2013.

COMMENTS FROM THE PUBLIC

No public comments received.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE

Manitoba Conservation and Water Stewardship – Environmental Compliance and Enforcement Branch

No concerns.

Manitoba Conservation and Water Stewardship – Watershed and Protected Areas Branch and Lands Branch

No concerns. No Crown lands are impacted by this proposal.

Manitoba Conservation and Water Stewardship – Parks and Natural Areas Branch

No comments or concerns to offer as this does not impact any parks or ecological reserves.

Manitoba Conservation and Water Stewardship – Wildlife Branch

No concerns.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

This alteration to a public water system will require review and approval from Office of Drinking Water before it can be put into service. A submission, including well log, water quality analysis and engineering drawings of the completed well, supply pipeline and details of connection to the existing water treatment plant should be forwarded to the Approvals Unit of Office of Drinking Water as soon as they are completed.

Beyond this point, ODW has no other concerns with this EAP or the proposed development.

Disposition:

This comment can be addressed through a licence condition, and the information was also provided to the consultant for the project.

Manitoba Conservation and Water Stewardship – Water Use Licensing Section

In Stantec's Environment Act Proposal Final Report under Section 5.3.2 (Aquifer Quantity) the consultant included the following comment:

“As the aquifer is susceptible to seasonal and climatic variations, under extreme conditions there is the potential for the aquifer to run low (*sic*). Water levels, dependent upon conditions, can decline and recharge very quickly.”

The Water Use Licensing Section (WULS) observed this phenomenon during the summer of 2003 when several residents who rely on domestic wells in the Village of Bird's Hill reported to the Department that their wells had failed. As a result of this experience with a prolonged low rainfall event, which had begun in 2002, the WULS recommended

through the Planning Act process that all future residential subdivisions not be allowed to proceed with individual domestic wells.

The municipality accepted this recommendation and since that point on all new subdivisions have been required to connect to the municipal water system. The EAP Final Report outlines the history of various investigations that the municipality has commissioned, entirely at their own expense, on their groundwater supply beginning in 2004. The municipality has commissioned a total of seven reports, as enumerated by Stantec, by outside consultants since 2003 regarding the sustainability of their water supply which includes both the Carbonate Aquifer and the Moosenose Aquifer which forms part of the Bird's Hill Kame-Esker Complex.

The WULS remains concerned about the susceptibility of the Carbonate Aquifer to both seasonal and climatic variations under extreme conditions. Our records indicate that conditions of this nature reoccur about once a decade but such events remain largely unpredictable and could occur more frequently in the future. As a result of our concerns, the Water Rights Licence issued for the Bray Road municipal well will contain a clause requiring the municipality to prepare an annual report on aquifer conditions in the vicinity of their three well fields.

On the subject of the municipal by-laws enacted to promote water conservation, it is our (WULS) understanding that the provisions under these by-laws do not pertain to the residences in the municipality that are self-supplied with water through the use of individual domestic wells. Most of these residences are located within the historic Village of Bird's Hill. The EAP Final Report would have benefited from the inclusion of an accounting of what percentage of the resident population is served by domestic wells and, therefore, beyond the reach of the municipality to effect real conservation of water during times of drought.

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

No concerns.

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

Manitoba Infrastructure and Transportation (MIT) has reviewed the Environment Act Proposal for the above subject and has the following comments:

- Section 2.1 of the Report states that “The supply well is located within a MIT right-of-way...Site access is provided under the legal agreement that exists between the RM and MIT (see Attachment A — Appendix B)”. Please note that this agreement was **temporary** and for a **temporary monitoring well** only. The temporary agreement is

only valid for 5 years, expiring on June 15, 2016. MIT was under the impression that this monitoring well location within the right-of-way was temporary and for monitoring purposes only. **The permanent well location will need to be reviewed and approved by MIT.**

- Any utility/structure within or crossing MIT's right-of-way will have to be reviewed and approved prior to tendering.

Disposition:

This information was provided to the proponent for information and can also be addressed as a licence condition.

Manitoba Municipal Government – Community and Regional Planning Branch

No concerns.

Manitoba Innovation, Energy and Mines – Energy Division

No comments.

ADDITIONAL INFORMATION

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

PUBLIC HEARING

No requests were received for a public hearing. Accordingly, 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.

This project involves the expansion of the water supply capacity for the RM of East St. Paul. The expansion will involve the construction of a new raw water supply pipeline from an existing test well that would be converted to a production well to the RM's existing water treatment plant. Since the project is not anticipated to significantly affect groundwater levels in the well vicinity, no impact is anticipated on Aboriginal or

treaty rights and it is concluded that Crown-Aboriginal consultation is not required for the project.

RECOMMENDATION

All comments received have been addressed through the provision of information to the proponent's consultant, or through licence conditions. 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 assigned to the Central Region of the Environmental Compliance and Enforcement Branch.

PREPARED BY:

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