

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: 6843191 Manitoba Ltd. (aka Meadowbrook Village)
PROPOSAL NAME: Meadowbrook Village Wastewater Treatment Lagoon
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Wastewater Treatment Lagoon
FILE NO.: 5890.00

OVERVIEW:

Manitoba Conservation and Climate received an Environment Act Proposal on March 29, 2017 for construction of a 3-cell wastewater treatment lagoon on NE 33-10-18 WPM for treatment of wastewater generated from the existing and proposed expansion of Meadowbrook Village. The treated effluent will be discharged into the Glen Lea Golf Course reservoirs for irrigation purposes and any excess treated effluent will be discharged into Willow Creek through a natural drainage ditch and a roadside ditch, and eventually into the Assiniboine River. The existing lagoon servicing Meadowbrook Village will be decommissioned.

The Department, on May 10, 2017, placed the Proposal online at <https://www.gov.mb.ca/sd/eal/registries/5890meadowbrook/index.html>.

Copies of the Proposal were also provided to the Technical Advisory Committee (TAC) members, Millennium Public Library, and Legislative Library. A notice of the Environment Act proposal was also placed in Brandon Sun on Saturday, May 20, 2017. The newspaper and TAC notifications invited responses until June 20, 2017.

In 2018, the project consultant requested the review of the project to be put on hold as the proponent was considering alternate options for treating the wastewater generated from the mobile park. The project consultant submitted a Notice of Alteration request in February 2020 and, subsequently, the review recommenced in 2020.

COMMENTS FROM THE PUBLIC:

No comments were received during the public comment period.

SUMMARY OF COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

No.	Technical Advisory Committee Member	Response Provided	Date Received
1	Manitoba Conservation and Climate (formerly, Sustainable Development)		
	<ul style="list-style-type: none"> • Compliance and Enforcement Branch • Climate Change and Air Quality Branch • Wildlife and Fisheries Branch • Parks and Protected Spaces Branch • Forestry and Peatlands Branch • Indigenous Relations Branch • Lands Branch • Groundwater Management Section • Office of Drinking Water • Water Use Licensing Section • Water Control Works Licensing Section • Regional Services Branch • Water Power Licensing 	No response No response No concerns No concerns No response No response No concerns Yes No concerns No response Yes No response No response	May 29, 2017 May 26, 2017 June 19, 2017 June 9, 2017 June 14, 2017 May 23, 2017
2	Manitoba Agriculture and Resource		
	<ul style="list-style-type: none"> • Water Quality Management Section 	No response	
3	Manitoba Sport, Culture, and Heritage – Historic Resources Branch	Yes	June 16, 2017
4	Manitoba Growth, Enterprise and Trade –		
	<ul style="list-style-type: none"> • Energy Development Branch • Petroleum Branch • Office of Fire Commissioner • Work Place Safety & Health 	No response No response No concerns No response	June 6, 2017
5	Manitoba Infrastructure –		
	<ul style="list-style-type: none"> • Highway Planning and Design Branch 	No concerns	June 14, 2017
6	Manitoba Indigenous and Municipal Relations	Yes	June 20, 2017
7	Manitoba Health, Seniors and Active Living – Environmental Health Unit	No comments	May 29, 2017

A copy of the responses and the additional information provided could be viewed at the following link:

<https://www.gov.mb.ca/sd/eal/registries/5890meadowbrook/index.html>

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Conservation and Climate (Sustainable Development)– Groundwater Management

1. The proposal does not contain information on the hydrogeology of the proposed site such as description of the aquifer system (i.e., aquifer type and expected depth, and type/thickness of soils separating the proposed lagoon and any underlying aquifer) or information on nearby groundwater users (such as the Meadowbrook Village public water supply well or private water wells). This type of information is necessary to assess the potential environmental risk of the proposed lagoon on the local aquifer system and neighbouring groundwater users.
2. Manitoba's GWDrill database contains well information reports in the vicinity of the proposed lagoon that may provide valuable soil, aquifer and water well information. A synopsis report titled "Groundwater Resources in the Brandon Area Planning District", March 1981; Manitoba Department of Natural Resources, Water Resources Branch is also available.
3. A properly designed and functioning lagoon (as a remoulded clay-lined lagoon with a minimum hydraulic conductivity of 1×10^{-7} cm/s or less) will minimize the infiltration of wastewater into the surrounding environment. However, in the event of a leakage of wastewater from the lagoon, consideration should be given to whether there may be any potential impact on the local groundwater taking into account the type of soils/distance separating the lagoon and local aquifer.
4. In regards to the release of any pollutants into the local groundwater, consideration should be given to the potential impact the proposed lagoon may have on human health and safety (e.g., any potential impact on neighbouring groundwater users).

Disposition: On March 20, 2020, the above comments were provided to the project consultant for information purposes. Based on the review of the Provincial database, it appears that there are lenses of sand and gravel aquifers present in the proposed developments area. The mobile park is now connected to the Chater water treatment plant. Moreover, the proposed lagoon will, upon construction, be inspected for its liner integrity. Therefore, it is less likely that the groundwater will be impacted when the lagoon is constructed in accordance with the draft Environment Act Licence.

Manitoba Conservation and Climate (Sustainable Development)– Water Control Works Licensing Section

- Any water control works (drains, culverts, dykes, dams, etc.) associated with this project will require licensing under the Water Rights Act - an application is attached for the proponent's convenience. Any inquiries in this regard may be directed to the local Water Resource Officer.

Disposition: On March 20, 2020, the above comment were provided to the project consultant for information purposes.

Manitoba Sport, Culture, and Heritage – Historic Resources Branch

- The potential to impact significant heritage resources has been deemed high in this area, therefore, the Historic Resources Branch has concerns with the project.

- In accordance with Section 12(2) of the Heritage Resources Act, owner/developer is required to conduct at his/her own expense, a Heritage Resource Impact Assessment (HRIA) and mitigation, if necessary, prior to the project's start.
- The developer must contract a qualified archaeological consultant to conduct a Heritage Resources Impact Assessment (HRIA) of the proposed development location, in order to identify and assess any heritage resources that may be negatively impacted by development. If desired, the Branch will work with the developer/land owners and its consultant to draw up terms of reference for this project.

Disposition: The above comments were provided to the project consultant for information purposes on March 20, 2020. The draft Environment Act Licence contains a clause that requires the Licencee to comply with the requirements of the Heritage Resources Act, and suspend construction and immediately notify the Historic Resources Branch if heritage resources are encountered during the construction of the Development.

Municipal Relations

1. It is required to contact the Brandon and Area Planning District regarding any necessary permits that may be required prior to construction.
2. We note that the proposed lagoon expansion is located closer to nearby dwelling units than the 457.2m setback required under the Rural Municipality of Cornwallis Zoning By-law No. 1664/03/2016. A Variation Order will be required from the Rural Municipality of Cornwallis prior to any development of the site related to the establishment of the new lagoon.

Disposition: The above comments were provided to the project consultant for information purposes on March 20, 2020.

Alteration to the Environment Act Proposal

During early 2018, the project consultant made a request to hold off the review of the project as the owner of the mobile park was interested to connect to the Brandon Wastewater treatment plant. During a telephone conversation with the project consultant later in 2018, the project consultant informed the Department that the project would not be connected to the Brandon wastewater treatment plant. Subsequently, by a letter dated September 26, 2018, the project consultant submitted a preliminary alteration proposal to convert the existing facultative lagoon to a mechanical wastewater treatment plant. On October 3, 2018, the project consultant was requested by the Department to submit a notice of alteration proposal for consideration of this change; the proposal was never submitted to the Department. During a meeting on November 14, 2019, the project consultant and the owner's representative informed the Department representatives that they would like to proceed with the original Environment Act proposal with some potential alterations to the layout of the proposed facility. On February 14, 2020, the Department received an updated Environment Act proposal. The revised layout of the facility will be located in the same quarter (i.e., NE-33-10-18 WPM) where the original facility was proposed to be constructed.

PUBLIC HEARING:

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 proposal is for construction of a 3-cell wastewater treatment lagoon on portions of NE 33-10-18 WPM for treatment of wastewater generated from the existing and proposed expansion of Meadowbrook Village. The treated effluent will be discharged into the Glen Lea Golf Course reservoirs for irrigation purposes and any excess treated effluent will be discharged into Willow Creek through a natural drainage ditch and a roadside ditch, and eventually into the Assiniboine River. The existing wastewater lagoon servicing Meadowbrook Village will be decommissioned.

Adverse effects on surface water or habitat for wildlife or fisheries are not anticipated. Since resource use is not affected by the project, 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:

The Proponent should be issued a Licence for the construction and operation of a wastewater treatment lagoon in accordance with the specifications, limits, terms and conditions of the attached draft Licence. It is further recommended that administration of the Licence be assigned to the Western region of the Environmental Compliance and Enforcement Branch. Responsibility for liner inspection and record drawings should be retained by the Environmental Approvals Branch until construction of the Development is completed.

Prepared by:

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Date: May 7, 2020

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