

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Gilbert Plains Municipality
PROPOSAL NAME: Gilbert Plains Lagoon Sludge Removal
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Biosolids Application
CLIENT FILE NO.: 91.20

OVERVIEW:

Manitoba Sustainable Development received a Proposal on January 17, 2017 for removal and land application of biosolids material from the existing wastewater treatment lagoon located in the NW 10-25-22 W and SW 15-25-22 W quarter Sections in Gilbert Plains Municipality, Manitoba. The proposed activity includes removal of the sludge from the primary cells (Cell 1 and Cell 2) of the lagoon and application on to agricultural lands located within the NE, NW and SW quarters of Section 02-25-22 W. The lands identified for the biosolids application are currently being used for crop production and owned by individuals who have agreed to the land application program.

The Department, on February 14, 2017, placed copies of the Proposal in the Public Registries located at the Legislative Library (200 Vaughan Street), the Winnipeg Millennium Public Library and online at <http://www.gov.mb.ca/sd/eal/registries/132.4oakville/index.html>. Copies of the Proposal were also provided to the Technical Advisory Committee (TAC) members. A notice of the Environment Act Proposal was also placed in the Dauphin Herald newspaper on February 14, 2017. The newspaper and TAC notifications invited responses until March 14, 2017.

COMMENTS FROM THE PUBLIC:

No Comments

SUMMARY OF COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

No	Technical Advisory Committee Member	Response Provided
1	Canadian Environmental Assessment Agency	Not applicable
2	Manitoba Agriculture – Land Use Branch	No response
3	Manitoba 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 Branch • Indigenous Relations Branch • Lands Branch • Land Management and Planning • Water Quality Management Section • Groundwater Management Section • Office of Drinking • Water Use Licensing Section • Water Control Works Licensing Section • Regional Services Branch 	<p>No concerns</p> <p>No response</p> <p>No concerns</p> <p>No comments or concerns</p> <p>No response</p> <p>Not applicable</p> <p>No comments or concerns</p> <p>No response</p> <p>No response</p> <p>No comments</p> <p>No concerns</p> <p>No concerns</p> <p>No response</p> <p>Comment received</p>
4	Manitoba Sport, Culture, and Heritage – Heritage Branch	No response
5	Manitoba Growth, Enterprise and Trade –	
	<ul style="list-style-type: none"> • Energy Development Branch • Petroleum Branch • Office of Fire Commissioner • Work Place Safety & Health 	<p>No response</p> <p>No response</p> <p>No comments or concerns</p> <p>No response</p>
6	Manitoba Infrastructure –	
	<ul style="list-style-type: none"> • Flood Forecasting Branch • Highway Planning and Design Branch 	<p>No response</p> <p>Comment received</p>
7	Manitoba Indigenous and Municipal Relations	No response
8	Manitoba Health, Seniors and Active Living – Environmental Health Unit	No response

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

<http://www.gov.mb.ca/sd/eal/registries/91.2gilbertplains/index.html>

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Infrastructure – Highway Planning and Design Branch

- The proponent should be informed that, under the Highways and Transportation Act a permit is required from MI in order to place a temporary pipeline within the PTH 5 right-of-way (ROW).

Proponent's Consultant Response:

- *The Municipality will contact Manitoba Infrastructure (MI) to obtain a permit for the placement of a temporary pipeline within the PTH 5 right-of-way, as per the Highways and Transportation Act.*
- *All requirements conditional to the permit received will be met during construction. Project specifications will indicate specific measures and safe practices for the contractor to follow in regards to the MI permit.*

Disposition: No further action required.

Manitoba Sustainable Development – Regional Services Branch

- Western IRMT reviewed proposal and only comment that was received is that environmental setbacks to Wilson River should be recognized before establishment and also for operation.

Proponent's Consultant Response:

- *A 30-metre setback to the Wilson River will be established prior to commencement of construction activities, in accordance with the Environmental Regulation for Treatment and Disposal of Biosolids in Manitoba by Mike Van Den Bosch, P. Eng. This setback is more stringent than that specified by the Nutrient Management Regulation (M.R. 106/2008) under the Water Protection Act.*

Disposition: No further action required.

PUBLIC HEARING:

There has been no public comment or request for hearing, therefore, 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 involves removal of biosolids from the wastewater treatment lagoon located in the NW 10-25-22 W and SW 15-25-22 W quarter Sections and land application on to agricultural lands located within the NE, NW and SW quarters of Section 02-25-22 W in Gilbert Plains Municipality, Manitoba. The proposed biosolids removal will enable to meet the hydraulic loading needs of the population being serviced by the lagoon. Land application of the biosolids will enable beneficial recycling of nutrients as a source of fertilizer for growing crops. 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 removal and land application of the biosolids from the wastewater treatment lagoon in accordance with the specifications, terms and conditions of the attached draft Licence. It is recommended that enforcement of the Licence be assigned to the Western Region of Environmental Compliance and Enforcement Branch of Manitoba Sustainable Development.

Prepared by:

Bereket Assefa, Ph.D., P. Eng.
Senior Environmental Engineer
Municipal and Industrial Section

June 8, 2017

Telephone: (204) 945-5081
Fax: (204) 945-5229
E-mail Address: Bereket.Assefa@gov.mb.ca