

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Rural Municipality of Miniota
PROPOSAL NAME: Miniota Wastewater Treatment Lagoon
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Waste/Scrap Wastewater Treatment Lagoons
CLIENT FILE NO.: 4884.00

OVERVIEW:

On December 10, 2002, a proposal was filed on behalf of the Rural Municipality of Miniota for the construction and operation of a new wastewater treatment lagoon to replace the existing Rural Municipality of Miniota wastewater treatment lagoon. The new lagoon facility will be located on the northeast quarter of Section 25-13-27 WPM. The treated wastewater will be discharged to the south using a temporary pump and a discharge pipe to an existing natural drain, which drains west into the Assiniboine River. The existing wastewater treatment lagoon will be decommissioned.

The Department, on December 17, 2002, placed copies of the Proposal in the Public Registries located at 123 Main St. (Union Station), the Centennial Public Library, the Manitoba Eco-Network and the Border Regional Library in Virden. As well, copies of the Proposal were provided to the Interdepartmental Planning Board and TAC members. The Department placed a public notification of the Proposal in the Crossroads This Week on Saturday, December 21, 2002. The newspaper and TAC notification invited responses until January 21, 2003.

COMMENTS FROM THE PUBLIC:

One response was received to the public notification. The following are comments and/or concerns related to the proposal:

Judy Rowan Kidd, Landowner - Miniota

- *Expressed a concern regarding the sizing of the lagoon and the assumed predicted wastewater flow.*

Disposition:

- The proponent indicated that wastewater flows were based on typical flow rates from similar Manitoba communities and from the literature which takes into account modern conveniences such as showers and washing machines.

The response was forwarded to the concerned individual; no additional concerns regarding the lagoon sizing were received. The following additional concerns related to the proposal were received:

Judy Rowan Kidd, Miniota

- *Regarding cleanup of the existing lagoon site:*
 - *a complete outline of the plume of contamination from the existing lagoon;*
 - *completion of items outlined in Hayles GeoScience Surveys Ltd. November, 2001 report; and*
 - *restoration measures to restore land to past productivity and to ensure no further contamination of wells; and*
- *monitoring wells should be placed along the west side of the new lagoon to identify any possible seepage of leachate.*

Disposition:

- The draft Licence includes a requirement to file, carry out and report on a detailed field investigation plan to determine the environmental impacts on soil and groundwater in the area of the existing wastewater treatment lagoon and to carry out remedial works as necessary.
- The draft Licence includes clauses which require that a groundwater monitoring program and contingency plan be submitted to the Director for approval and carried out as approved by the Director.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Agriculture and Food

- *No concerns.*

Conservation - Sustainable Resource Management

- *Effluent discharge should not be permitted prior to June 15.*
- *There are four small communities in the Rural Municipality of Miniota (Arrow River, Beulah, Crandall and Isabella) with no approved liquid waste facility for disposal of sewage or septage. The proponent should consider making provision for this additional liquid waste by constructing a dump station and ensuring the size of the lagoon will accommodate the waste.*
- *The proponent should actively participate in any future watershed based management study, plan or nutrient reduction program, approved by the Director, for the Assiniboine River and associated waterways and watersheds.*

Disposition:

- The attached draft Licence prohibits effluent discharge between November 1 of each year and June 15 of the following year.
- The design of the lagoon was altered to allow for the disposal of holding tanks and septage from the communities of Arrow River, Beulah, Crandall and Isabella. The attached draft Licence includes provisions requiring the construction and maintenance of a truck dump structure.

- The attached draft Licence requires the proponent to actively participate in any future watershed or drainage basin management plan or nutrient reduction program, approved by the Director, for the Assiniboine River and associated waterways and watersheds.

Culture, Heritage and Tourism - Historic Resources

- *The Historic Resources Branch has concerns with regard to this project's potential to impact heritage resources. The Proponent indicates that the Historic Resources Branch will be contacted prior to construction to arrange for an inspection of the location. In the event that significant heritage resources are present, the proponent will be contacted and a mutually acceptable heritage resource management strategy can be implemented.*

Disposition:

- The attached draft Licence includes a requirement to contact the Historic Resources Branch prior to initiating construction to make arrangements for inspection of the proposed lagoon site and, if requested by Historic Resources Branch, to implement and comply with an approved heritage resource management strategy.

Health

- *The need for fencing, gates and warning signs should be included in the licence to ensure public safety, in case of unsupervised public access to the development.*
- *The inclusion of the odour nuisance clause should be considered.*
- *Ensure that any discharge of effluent is in accordance with Manitoba Environment's guidelines.*
- *Ensure containment design provides the best possible groundwater protection for the area.*
- *Leachate monitoring should be considered.*
- *Is any soil testing required as part of the decommissioning of the old lagoon?*

Disposition:

- The attached draft Licence includes clauses requiring the installation and maintenance of fencing, gates and warning signs.
- The odour nuisance clause is not included in the attached draft Licence.
- The draft Licence includes effluent quality discharge criteria in accordance with the draft Manitoba Water Quality Standards, Objectives and Guidelines November 2002.
- The draft Licence includes specifications for the construction and maintenance of the clay liner.
- The draft Licence includes clauses which require that a groundwater monitoring program and contingency plan be submitted to the Director for approval and carried out as approved by the Director.
- The draft Licence includes a requirement to file, carry out and report on a detailed field investigation plan to determine the environmental impacts on soil and

groundwater in the area of the existing wastewater treatment lagoon and to carry out remedial works as necessary.

Transportation and Government Services

- *No concerns.*

Intergovernmental Affairs

- *The Rural Municipality of Miniota is subject to the policies of the Mid West Planning District Development Plant and the R. M. of Miniota Zoning By-law.*
- *The Proposal incorrectly identifies the proposed site of the lagoon as 25-13-7WPM when it should be 25-13-27WPM and incorrectly identifies the land as "Agricultural" when it is "Rural Policy Area".*
- *A hearing must be held in accordance with the requirements of the Planning Act prior to proceeding with construction.*
- *The zoning by-law specifies minimum distances from developments and the minimum site size and yard requirements.*

Disposition:

- The proponent submitted amendments to revise the land description to "A80 Rural Agricultural Zone" and to revise the site description which was incorrectly stated in Section 1.2 of the proposal.
- The proponent indicated that a public hearing will be held in accordance with the requirements of the Planning Act prior to proceeding with construction, in order to obtain a Variation Order for the proposed lagoon yard distances which do not satisfy the minimum requirements.

Canadian Environmental Assessment Agency

- *Environment Canada provided the following comments:*
 - *The report does not provide a very thorough project description, particularly an identification of the project need. It can be inferred that the new lagoon is being proposed due to exfiltration problems from the existing lagoon.*
 - *The report indicates the lagoon will discharge through a natural drain to the Assiniboine River. It would be helpful if the term "natural drain" was clarified to better identify what type of drain this is. Is it utilized by fish and other aquatic species, seasonally or otherwise? If so, what are the potential impacts?*
 - *Environment Canada recommends that the proponent provide further information and analysis regarding cumulative effects. The Assiniboine River receives agricultural, industrial and municipal discharges; the potential impacts of the lagoon discharge on the river should be discussed more thoroughly.*
- *The application of the Canadian Environmental Assessment Act with respect to this project cannot be determined at this time. The Department of Fisheries and Oceans would need more information prior to making that determination:*
 - *Are there fish in the natural drains proximate to the construction site?*

Disposition:

- The proponent provided additional information on project need, the discharge drainage ditch and expected cumulative effects of nitrogen and phosphorous discharges to the Assiniboine River. Environment Canada indicated that the additional information addressed their concerns.
- The Department of Fisheries and Oceans will request directly from the proponent the information necessary to determine if the application of the *Canadian Environmental Assessment Act* will be required. The attached draft Licence includes a requirement to consult with the Department of Fisheries and Oceans prior to construction.

PUBLIC HEARING:

A public hearing is not recommended.

RECOMMENDATION:

The Proponent should be issued a Licence for the construction and operation of the wastewater treatment lagoon and the decommissioning of the existing wastewater treatment lagoon in accordance with the specifications, terms and conditions of the attached draft Licence. Enforcement of the Licence should be assigned to the Approvals Branch until the soil testing has been completed and the groundwater monitoring plan is approved.

PREPARED BY:

Siobhan Burland, EIT, M. Eng.
Municipal, Industrial and Hazardous Waste Approvals
April 1, 2003

Telephone: (204) 945-7012
Fax: (204) 945-5229
E-mail Address: sburland@gov.mb.ca