

## **SUMMARY OF COMMENTS/RECOMMENDATIONS**

**PROPOSER:** 3718426 MANITOBA LTD.  
**PROPOSAL NAME:** Cherry Hill Estate Recreational Vehicle Site  
Expansion – Onsite Wastewater Management  
System  
**CLASS OF DEVELOPMENT:** 2  
**TYPE OF DEVELOPMENT:** Waste Treatment–Sewage Treatment Plant  
**CLIENT FILE NO.:** 5650.00

### **OVERVIEW:**

On March 27, 2013 the Department received a Proposal from GENIVAR on behalf of the 3718426 MANITOBA LTD. pursuant to *The Environment Act* for the expansion and operation of an existing onsite wastewater treatment and disposal system located on the NE 5-7-7 EPM in the Rural Municipality of Ste. Anne, to service the Cherry Hill Seasonal Campground and Recreational Vehicle Park. The proposed development will consist of primary settling tanks and construction of six 10,000 litre/day pressurized sand treatment mound wastewater management systems. The wastewater will be collected and pre-treated by sedimentation in the settling tanks. The effluent from the settling tanks will be discharged into pumping stations which will pump to the adjacent pressurized sand treatment mound system disposal fields for uniform distribution and infiltration.

On June 17, 2013, Manitoba Conservation and Water Stewardship placed copies of the Proposal in the Public Registries located at Legislative Library, 200 Vaughan St., Winnipeg; Millennium Public Library, 4<sup>th</sup> Floor, 251 Donald St., Winnipeg; Manitoba Eco-Network, 3rd Floor, 303 Portage Ave., Winnipeg; R.M. of Ste. Anne, 141 Central Avenue, Ste. Anne; Online Registry, <http://www.gov.mb.ca/conservation/eal/registries/index.html>. Copies of the Proposal were also provided to the Technical Advisory Committee (TAC) members. The Department placed public notification of the Proposal in the Steinbach Carillon News on Thursday, June 13, 2013. The newspaper and TAC notifications invited responses until July 12, 2013.

On August 6, 2013, Manitoba Conservation and Water Stewardship forwarded requests for additional information from the TAC to the proponent's consultant. On August 20, 2013, the consultant submitted responses to the comments and requests from the TAC. On September 13, 2013, consultant's responses were distributed to the participating TAC for review and comment.

On September 20 and 24, 2013, Manitoba Conservation and Water Stewardship received further questions/comments from the TAC. On September 24, 2013, Manitoba Conservation and Water Stewardship forwarded requests (via phone) for additional information from the TAC to the proponent's consultant. On September 25, 2013, the consultant submitted responses to the comments and requests from the TAC. On September 25, 2013, consultant's responses were forwarded to the participating TAC for review and comment.

On October 18, 2013 Manitoba Conservation and Water Stewardship forwarded requests for additional information from the TAC to the proponent's consultant. On October 22, 2013, the consultant submitted responses to the comments and requests from the TAC. On October 23, 2013, consultant's responses were forwarded to the participating TAC for review and comment.

All additional information necessary for the review was placed in the Public Registries

**COMMENTS FROM THE PUBLIC:**

No comments were received from the public.

**COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE (TAC):**

**Manitoba Infrastructure and Transportation– Highway Planning and Design  
Branch, Environmental Services Section (June 20, 2013)**

- *No concerns*

**Manitoba Family Services and Labour - Office of the Fire Commissioner  
(June 24, 2013)**

- *No concerns*

**Manitoba Local Government - Community & Regional Planning (July 9, 2013)**

- *No concerns*

**Manitoba Conservation and Water Stewardship - Parks and Natural Areas Branch  
(July 2, 2013)**

- *No concerns*

**Manitoba Health - Office of the Chief Provincial Public Health Officer (July 15,  
2013)**

- *The only health concerns would be around nuisance odours and any impact on the ground water for drinking water purposes. From what I can read in the EIA neither are expected to be an issue with this proposal.*

**Proponent Response (August 20, 2013)**

- The above comments have been noted by the proponent.

Disposition:

- After receiving the additional information from the proponent, no further comments were received from Manitoba Health.

**Manitoba Conservation and Water Stewardship, Regulatory Services Branch,  
Water Use Licensing Section (June 17, 2013)**

- *They have a water rights licence 2005-064 for 100 dam<sup>3</sup>. It is a 20 year licence for recreational purposes.*
- *They have so far only used half of their allocation for the 136 campsites (2011 – 48.33 dam<sup>3</sup> and 2012 - 52.60 dam<sup>3</sup>).*
- *We understand that they are planning to have up to 500 sites as a result of this proposed expansion.*
- *They may need to apply for an amendment to their water rights licence if their operation actually triples in size.*

Proponent Response (August 20, 2013)

- The proponent will apply for an amendment to their Water Rights Licence as needed.

Disposition:

- After receiving the additional information from the proponent, no further comments were received from Regulatory Services Branch.

**Manitoba Conservation and Water Stewardship - Watersheds and Protected Areas  
Branch (July 12, 2013)**

- *No concerns*

**Manitoba Conservation and Water Stewardship – Office of Drinking Water (July 5,  
2013)**

- *I reviewed the above noted EAP for expansion of the on-site wastewater disposal system at the campground. The EAP notes the on-site wastewater systems will be designed in accordance with the relevant Manitoba regulations and that the domestic water supply wells are cased and drilled into a deep limestone aquifer. Based upon this, Office of Drinking Water does not have any concern for safety of the domestic water system from the proposed wastewater system expansion.*
- *However, the EAP notes the campground is planned to construct a significant number of additional campsites and shower/laundry facilities. Depending upon the scope of the expansion, a Permit to Construct or Alter a Public Water System may be required for the domestic water system components of the project. It should be noted to the Proponent that he should review the permitting requirements on the Office of*

*Drinking Water website or contact the Approvals Section of ODW if he has any questions about Permit requirements.*

Proponent Response (August 20, 2013)

- The above comments have been noted by the proponent.

Disposition:

- After receiving the additional information from the proponent, no further comments were received from Office of Drinking Water.

**Manitoba Conservation and Water Stewardship – Environmental Programs and Strategies Branch- Air Quality Section (June 19, 2013)**

- *No concerns*

**Manitoba Conservation and Water Stewardship – Environmental Compliance and Enforcement Branch (July 10, 2013)**

- *The EAP indicates the distances from the proposed wastewater disposal fields to all of the wells located on Cherry Hill Estate to the property boundary. Environmental Compliance and Enforcement Branch requests confirmation that all other applicable set back distances are consistent with the requirements of the Onsite Wastewater Management Systems Regulation, Schedule A.*

Proponent Response (August 20, 2013)

- Please see attached design drawing indicating all required set back distances.

Further Comments (September 24, 2013)

- *Our Regional Lands Manager has requested confirmation that we have no further concerns re: setback distances so he can close his file.*

Proponent Response (September 25, 2013)

- The setback distances for the Cherry Hill Disposal Fields are as follows:
  - Schedule A 1(1) (e)
    - (i) Building - 55 metres from nearest building
    - (ii) Property boundary - 15 metres from nearest property boundary
    - (iii) Well - 51 metres from nearest well
    - (iv) Water course, excluding ditch - 30 metres to nearest water course
    - (v) Cut or embankment - not applicable
    - (vi) Swimming pool - not applicable

- (vii) Cistern - not applicable
- o Schedule A 2(2) (c)
  - (i) Building without basement or cellar - 55 metres from nearest building
  - (ii) Building with basement or cellar - not applicable
  - (iii) Water course, excluding ditch - 30 metres to nearest water course
  - (iv) Cut or embankment - not applicable
  - (v) Swimming pool - not applicable
  - (vi) Water service pipe – 19 metres to nearest water pipe
  - (vii) Well (drilled and cased to a minimum of 6 m (20 feet) below ground level)  
- 51 metres from nearest well

Disposition:

- After receiving the additional information from the proponent, no further comments were received from Environmental Compliance and Enforcement Branch.

**Manitoba Conservation and Water Stewardship - Lands Branch (July 12, 2013)**

- *The Watersheds and Protected Areas Branch has no concerns. The Lands Branch notes that the Proposal indicates the distances from the proposed wastewater disposal fields to all of the wells located on Cherry Hill Estate to the property boundary. The Lands Branch requests confirmation that all other applicable set back distances are consistent with the requirements of the Onsite Wastewater Management Systems Regulation, Schedule A.*

Proponent Response (August 20, 2013)

- A drawing was provided indicating all required setback distance.

Disposition:

- After receiving the additional information from the proponent about setback distance, no further comments were received from Lands Branch.

**Manitoba Conservation and Water Stewardship, Fisheries Science and Fish Culture Section, Fisheries Branch (July 12, 2013)**

- *Fisheries Branch has reviewed this request to expand and operate an existing onsite wastewater treatment and disposal system located on the NE 5-7-7 EPM in the Rural Municipality of Ste. Anne, to service the Cherry Hill Seasonal Campground and Recreational Vehicle Park. The proposed development will consist of primary settling tanks and construction of six 10,000 litre/day pressurized sand treatment mound wastewater management systems. The wastewater will be collected and pre-treated by sedimentation in the settling tanks. The effluent from the settling tanks will be*

*discharged into pumping stations which will pump to the adjacent pressurized sand treatment mound system disposal fields for uniform distribution and infiltration (Advertisement Project Description).*

- *Manning Canal runs through the development and proposed sites for the sand treatment mound wastewater management systems. This canal does support fish and flows into the Red River which supports a number of large and small bodied fish species. Ultimately as long as the effluent is contained and treated within the sand mounds and does not enter the canal prior to treatment then any potential fisheries concerns should be addressed. It would seem reasonable to require monitoring of the canal and manmade lake just to ensure that untreated effluent is not entering into these waterbodies but we defer to the recommendations of our colleagues in Water Science Management on water quality specific issues.*
- *There is no distance indicated between proposed Site 3 and the canal. We would recommend that the sand treatment mound not be constructed within 30 m of the high water mark of the canal.*

Proponent Response (August 20, 2013)

- The above comments have been noted by the proponent. The 30 metre buffer zone recommended will be adhered to.

Disposition:

- After receiving the additional information from the proponent, no further comments were received from Fisheries Branch.

**Manitoba Conservation and Water Stewardship, Water Quality Management Section, Water Science and Management Branch (July 10, 2013)**

- *The Nutrient Management Regulation (62/2008) prohibits the location of sewage treatment plants or onsite wastewater management systems on Nutrient Management Zones N4. Section NE 05-07-07e contains a Nutrient Management Zones N4. Can the proponent please provide a map detailing the footprint of system and position of each system on the section?*
- *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.*

Proponent Response (August 20, 2013)

- Please see attached map.
- The proponent will actively participate in any future watershed based management study, plan/or nutrient reduction program, approved by the Director.

Further Comments (September 20, 2013)

- Given the density of onsite waste management systems on this section, a potential for spring runoff, and the location near the Manning Canal it is recommended that the proponent monitor for *E coli* and total phosphorous in the Manning Canal upstream and downstream of the Cherry Hill Estates. The Water Quality Management Section recommends as a condition of the license, monitoring for the first three (3) years of operation to ensure systems performance.
- 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.

Proponent Response (October 22, 2013)

- The upper Manning Canal drains a land area with a high concentration of large livestock operators with the resultant land application of manure. Together with the effect of high populations of waterfowl and other wildlife, it is doubtful that tests on the Manning Canal will provide a meaningful indication of the onsite wastewater management system impact on the E coli and total phosphorus in the water. As an alternative, we propose that when the southernmost fields, which are nearest the Manning Canal, are installed, that monitoring wells be installed between the fields and the Manning Canal, and that samples from these wells be monitored for E coli and total phosphorus for the first three years of operation to ensure system performance. Note also that the setback of the fields from the Manning Canal is greater than the Manitoba Regulatory mandated setback from drinking water wells.
- The proponent will actively participate in any future watershed based management study, plan/or nutrient reduction program approved by the Director.

Disposition:

- After receiving the additional information from the proponent, no further comments were received from Water Science and Management Branch.
- The draft Licence includes a clause that requires the Licencee to submit a groundwater monitoring plan that includes the installation and maintenance of piezometers between the fields and the Manning canal to monitor *E coli* and total phosphorous for the first three (3) years of operation.
- The draft Licence includes a clause that requires the Licencee to actively participate in any current or future watershed-based management study, plan and/or nutrient reduction program, approved by the Director, for the Manning Canal and/or associated waterways and watersheds.

**COMMENTS FROM FEDERAL REPRESENTATION:**

- The application of the *Canadian Environmental Assessment Act (the Act)* will not be required for this project.

**PUBLIC HEARING:**

- A public hearing is not recommended because no comments were received from the public.

**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.

There is no aboriginal community nearby the wastewater management system and would be no infringement of aboriginal or treaty rights under Section 35 of the Constitution Act, 1982. Therefore, it is concluded that Crown-Aboriginal consultation is not required for the project.

**RECOMMENDATION:**

The Proponent should be issued a Licence for the expansion and operation of the existing Onsite Wastewater Management System in accordance with the specifications, limits, terms and conditions of the attached draft Licence. Enforcement of the Licence should be assigned to the Environmental Approvals Branch until all inspections have been completed and the facility is fully commissioned in accordance with the licence.

**PREPARED BY:**

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