

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Manitoba Aboriginal and Northern Affairs
PROPOSAL NAME: Community of Wabowden Wastewater Treatment Lagoon Expansion
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Wastewater Treatment Lagoon–Waste/Scrap
CLIENT FILE NO.: 16.20

OVERVIEW:

On May 6, 2014 the Department received a Proposal from JR Cousin Consultants Ltd, on behalf of Manitoba Aboriginal and Northern Affairs pursuant to *The Environment Act* for the expansion and operation of the existing Wabowden Wastewater Treatment Lagoon located on Plan 5712 Lot A in Section 20-68-8 WPM, at Wabowden, Manitoba to service the community of Wabowden, the CaNickel mining camp, the Setting Lake Wayside Park Campground, and the Ponton Motel. The proposed expansion will consist of construction of a new secondary cell, a perimeter ditch around the secondary cell and a perimeter fence around the entire lagoon. Treated wastewater from the wastewater treatment lagoon will be discharged between June 15th and October 31st of any year to existing 522 metres road ditch and 2.8 kilometers creek which flows to Rock Island Lake.

On May 29, 2014, 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, 4th Floor, 251 Donald St., Winnipeg; 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 Thompson Nickel Belt on Friday, May 30, 2014. The newspaper and TAC notifications invited responses until June 20, 2014.

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 Conservation and Water Stewardship, Regulatory Services Branch, Water Use Licensing Section (May 29, 2014)

- *No concerns*

Manitoba Labour and Immigration - Office of the Fire Commissioner (June 18, 2014)

- *No concerns*

Manitoba Conservation and Water Stewardship – Parks and Protected Spaces Branch (June 12, 2014)

- The Branch has no comments or concerns to offer as it does not affect any provincial parks, park reserves, ecological reserves, areas of special interest, or proposed protected areas.

Manitoba Conservation and Water Stewardship – Office of Drinking Water (June 19, 2014)

- *No concerns*

Manitoba Infrastructure and Transportation– Highway Planning and Design Branch, Environmental Services Section (June 2, 2014)

- *No concerns*

Manitoba Conservation and Water Stewardship - Water Control Works and Drainage Licensing Section (June 2, 2014)

- *No concerns*

Manitoba Conservation and Water Stewardship – Wildlife Branch (June 20, 2014)

- *No concerns*

Manitoba Conservation and Water Stewardship - Lands Branch (June 19, 2014)

- *No concerns, but notes the following:*
- *Without limiting other necessary regulatory approvals the proponent shall, prior to development on Crown land, apply for and obtain the appropriate land tenure allocations in accordance with The Crown Lands Act, from the Crown Land and Property Agency.*

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 for public hearing.

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.

The land for the proposed lagoon expansion is currently owned by the Crown (Province of Manitoba). This is an existing facility 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 wastewater treatment lagoon 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 the liner testing has been completed and the Development is commissioned.

PREPARED BY:

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