

**Webb, Bruce (CON)**

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**From:** Stephens, Jonathan (CON)  
**Sent:** February-22-11 2:55 PM  
**To:** Webb, Bruce (CON)  
**Cc:** Barto, William (CON)  
**Subject:** EA Proposal - RM of Shell River Water Treatment Lagoon (File 5500.00)

The Sustainable Resource and Policy Management Branch and the Land Programs Branch have no concerns.

**Webb, Bruce (CON)**

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**From:** Elliott, Jessica (CON)  
**Sent:** February-22-11 3:46 PM *BL*  
**To:** Webb, Bruce (CON)  
**Subject:** Rural Municipality of Shell River Waterwater Treatment Lagoon (client file 5500.00)

Parks and Natural Areas Branch has reviewed the proposal filed pursuant to the Environment Act for the Rural Municipality of Shell River Waterwater Treatment Lagoon (client file 5500.00).

**Jessica Elliott, M.E.Des.**  
Ecological Reserves and Protected Areas Specialist  
Parks and Natural Areas Branch  
Manitoba Conservation  
Box 53, 200 Saulteaux Cres., Winnipeg, MB, R3J 3W3  
phone: 204-945-4148  
fax: 204-945-0012  
email: [jessica.elliott@gov.mb.ca](mailto:jessica.elliott@gov.mb.ca)



**Before printing, think about the environment**

**Avant d'imprimer, pensez à l'environnement**



**Conservation**

Climate Change and Environmental Protection Division  
Environmental Assessment and Licensing Branch  
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5  
T 204 945-7100 F 204 945-5229  
www.gov.mb.ca/conservation/eal

*Wildlife has  
No concerns  
J. Stephens*

**CLIENT FILE NO.: 5500.00**

January 20, 2011

**TO: APPROPRIATE TAC MEMBERS – Waste/Scrap**

D. Schindler/ J. Stephens/ D. Labossiere/ L. Streich/ D. Bezak/  
J. Dubois/ J. Elliott/ J. Dojack / M. Gilbertson / R. Missyabit/  
G. Hill/ N. Cunningham/S. Roberecki/ K. Osiowy/  
E. Armitt/K. LeBaron/ W. Weaver/ L. Peloquin/ L. Misanchuk

**RE: Rural Municipality of Shell River Wastewater Treatment Lagoon**

Enclosed is a Proposal filed pursuant to the Environment Act.

The contact person for co-ordination of the assessment of the proposal is:

**Bruce Webb (bruce.webb@gov.mb.ca) at 945-7021.**

Any comments or concerns you may have on the Proposal should be forwarded to the above mentioned contact by **February 25, 2011**. Please ensure the documents are circulated to the appropriate technical reviewers in your department as you have been designated your department's coordinator for distribution.

**A non reply will be considered as indicating your department has reviewed the proposal and has no concerns.**

Yours truly,

Tracey Braun, M.Sc.  
Director  
Environment Act

Enc.  
cc: CEAA

**NOTE: Public Registry locations:  
Main/ Millennium Public Library/ Manitoba Eco-Network  
R.M. of Shell River**

**Webb, Bruce (CON)**

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**From:** Bezak, Dave (CON)  
**Sent:** February-28-11 10:53 AM *DB*  
**To:** Webb, Bruce (CON)  
**Cc:** Molod, Rommel (CON)  
**Subject:** FW: RM of Shell River- Wastewater Treatment Lagoon (5500.00)

Bruce, the Air Quality Section has reviewed the above Environment Act proposal. We do not have any air-related comments or concerns on this matter. Thanks. DB.

**From:** Molod, Rommel (CON)  
**Sent:** February-25-11 2:57 PM  
**To:** Bezak, Dave (CON)  
**Subject:** RM of Shell River- Wastewater Treatment Lagoon (5500.00)

Dave,

I have no comment on the above proposed wastewater treatment lagoon. The proposal has no significant impact on air quality.

Contact Person: Bruce Webb

Rommel

**Rommel Molod**  
Air Quality Specialist  
Pollution Prevention Branch  
Manitoba Conservation  
Suite 160 123 Main Street  
Winnipeg MB R3C 1A5  
T (204) 945-7047  
F (204) 945-1211

**Memorandum**

**DATE:** February 25, 2011

**TO:** Bruce Webb *BW*  
Water Development and Control  
Assessment Officer  
Environmental Assessment and  
Licensing Branch  
Manitoba Conservation  
123 Main Street, Suite 160  
Winnipeg, Manitoba R3C 1A5

**FROM:** William Weaver, M.Sc.  
Environmental Review Officer  
Manitoba Water Stewardship  
200 Saulteaux Crescent, Box 14  
Winnipeg, Manitoba R3J 3W3

**TELEPHONE:** 945-6395

**FACSIMILE:** 945-7419

**CC:** Joy Kennedy  
Laureen Janusz

**SUBJECT: ENVIRONMENT ACT PROPOSAL FILE: 5500.00  
RURAL MUNICIPALITY OF SHELL RIVER  
WASTEWATER TREATMENT LAGOON**

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Manitoba Water Stewardship has reviewed the referenced file, forwarded for comment on January 18, 2011.

- **Manitoba Water Stewardship recommends an Environment Act Licence to include the following requirements:**
  - **The Licencee shall actively participate in any future watershed based management study, plan/or nutrient reduction program, approved by the Director, Water Science and Management Branch, Manitoba Water Stewardship.**
    - **Note: Manitoba Water Stewardship is concerned with any discharges that have the potential to impact the aquatic environment and/or restrict present and future uses of the water.**
  - **The discharge period shall be, at minimum, four (4) weeks to maximize nutrient uptake in the drainage path that is shared with the Town of Roblin.**

**Date:** February 25, 2011  
**Subject:** *Environment Act* Proposal File 5500.00  
Rural Municipality of Shell River Wastewater Treatment Lagoon

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- **The discharge limit for Phosphorous is 1 mg/L.**
  
  - **The discharge channel shall be implemented with rip-rap to minimize any future erosion potential. All measures are monitored on an annual basis or after heavy precipitation events and until the sites have stabilized.**
- **Manitoba Water Stewardship requests clarification for the following concerns:**
    - **The proposal states that the RM of Shell River's waste is being treated at the Town of Roblin's facility. Why is the RM of Shell River discontinuing cooperation in a regional system? Could the Town of Roblin's facility be expanded to ensure that all of the waste can continue to be treated in a single facility?**
  
    - **While the proposal has indicated an anticipated volume of effluent from the new wastewater treatment lagoon, the proposal does not discuss the total volume of effluent when combined with the effluent from the existing Town of Roblin lagoon. The proponent is requested to provide more information on the current discharge volume, rate and duration and the cumulative effect with this proposed project.**
  
  - **Manitoba Water Stewardship submits the following comments:**
    - **Manitoba Water Stewardship does not object to this proposal, at this time.**

**Date:** February 25, 2011

**Subject:** *Environment Act* Proposal File 5500.00

Rural Municipality of Shell River Wastewater Treatment Lagoon

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- **The Manitoba Department of Water Stewardship is mandated to ensure the sustainable development of Manitoba's water resources. Manitoba Water Stewardship is committed to the goals of: protecting aquatic ecosystem health; ensuring drinking water is safe and clean for human health; managing water-related risks for human security; and stewarding the societal and economic values of our waterways, lakes and wetlands; for the best water for all life and lasting prosperity. Manitoba Water Stewardship achieves these goals, in part, through administering legislation, including The Water Protection Act, The Water Rights Act, and The Water Power Act.**
  
- **The Lake Winnipeg Stewardship Board has recommended that all small wastewater treatment facilities, should meet a phosphorus limit of 1.0 mg/L. The proposed phosphorus limit of 1.0 mg/L is consistent with efforts underway across Manitoba and in upstream jurisdictions to reduce nutrient loads to Lake Winnipeg and its watershed. In the Lake Winnipeg Stewardship Board's December 2006 report to the Minister of Water Stewardship, the Board provides several strategies on how nutrient reduction could be achieved for small wastewater treatment facilities (see recommendations 14-20) including trickle discharge and effluent irrigation.**
  
- **The proponent needs to be informed of the following for information purposes:**
  - **The Water Rights Act requires a person to obtain a valid licence to control water or construct, establish or maintain any "water control works." "Water control works" are defined as any dyke, dam, surface or subsurface drain, drainage, improved natural waterway, canal, tunnel, bridge, culvert borehole or contrivance for carrying or conducting water, that temporarily or permanently alters or may alter the flow or level of water, including but not limited to water in a water body, by any means, including drainage, OR changes or may change the location or direction of flow of water, including but not limited**

**Date:** February 25, 2011  
**Subject:** Environment Act Proposal File 5500.00  
Rural Municipality of Shell River Wastewater Treatment Lagoon

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to water in a water body, by any means, including drainage. If a proposal advocates any of the aforementioned activities, a person is required to submit an application for a Water Rights Licence to Construct Water Control Works. A person may contact the following Water Resource Officer to obtain an application and/or obtain information.

- A contact person is Mr. Ed MacKay, C.E.T., Senior Water Resource Officer, Water Control Works and Drainage Licensing, Manitoba Water Stewardship, 1129 Queens Avenue, Brandon, Manitoba R7A 1L9, telephone: (204) 726-6226, email: ed.mackay@gov.mb.ca.
  
- The proponent needs to be informed that erosion and sediment control measures should be implemented until all of the sites have stabilized.

**William Weaver, M.Sc.**

**Webb, Bruce (CON)**

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**From:** Jones, Chuck (IEM)  
**Sent:** January-26-11 10:46 AM  
**To:** Webb, Bruce (CON) *BC*  
**Cc:** Miskimmin, Barb (IEM)  
**Subject:** Environment Act Proposal-Rural Municipality of Shell River Wastewater Treatment Lagoon

Mines Branch has reviewed the above and has no concerns.



**Infrastructure and Transportation**

Highway Planning and Design Branch

Environment Section

14<sup>th</sup> Floor – 215 Garry St., Winnipeg, Manitoba R3C 3P3

T (204) 945-2369 F (204) 945-0593

BLW

March 9, 2011

Tracey Braun, M.Sc.

Director, Environmental Assessment & Licensing Branch

Manitoba Conservation

123 Main St., Suite 160

Winnipeg, MB R3C 1A5

RE: Environment Act Proposal  
Rural Municipality of Shell River Wastewater Treatment Plant

Dear Director Braun:

We have reviewed the application for an Environment Act License for a new two cell wastewater treatment lagoon in the R.M. of Shell River.

We have no objections to the construction of a new wastewater treatment lagoon at the proposed location. However, the R.M. of Shell River is required to submit a permit application including construction plans for Manitoba Infrastructure and Transportation (MIT) for approval of the drainage works/ culvert installations under PTH 83, drainage discharge into the PTH 83 and PR 583 ditches and for the new accesses from PTH 83, if any.

MIT also requires a copy of the drainage license issued by Manitoba Water Stewardship for the proposed drainage works for their approval process.

The Department will provide a permit for this work once the R.M. of Shell River has provided all necessary information required for approval and signed off the permit confirming acceptance of MIT's construction conditions.

We appreciate your assistance and guidance on this project and look forward to your response. Should you require further information to facilitate the assessment, please do not hesitate to call us.

Yours truly,

  
Kimber Osiowy, M.Sc., P.Eng.  
Manager of Environmental Services

**Manitoba**  
spirited energy



Canadian Environmental  
Assessment Agency

101 - 167 Lombard Avenue  
Winnipeg, Manitoba R3B 0T8

Agence canadienne  
d'évaluation environnementale

167, avenue Lombard, bureau 101  
Winnipeg (Manitoba) R3B 0T8

March 1, 2011

CEAA File No.: 4600 / MP2011-005

MC File No.: 5500.00

Mr. Bruce Webb <sup>BW</sup>  
Manitoba Conservation  
Environmental Stewardship Division  
123 Main Street, Suite 160  
Winnipeg, MB R3C 1A5

Dear Mr. Webb:

**Subject: R.M. of Shell River Wastewater Treatment Lagoon - Roblin, MB  
R.M. of Shell River**

I am responding to the letter of January 20, 2011 from Tracey Braun, Director, Environmental Assessment and Licensing Branch, Manitoba Conservation to Dan McNaughton, Director, Canadian Environmental Assessment Agency (the Agency) regarding the project identified above.

I have undertaken a survey of federal departments with respect to determining interest in the project noted above. I can confirm that the project information provided has been distributed to all federal departments with a potential interest. Based on the responses to the survey the application of the *Canadian Environmental Assessment Act* (the Act) by a federal authority will not be required for this project. I have enclosed copies of the received responses for your file.

I can confirm that the project information was shared with the Department of Fisheries and Oceans Canada (DFO), the Department of Indian and Northern Affairs, Health Canada (HC) and Environment Canada (EC) as part of the federal coordination process.

EC has reviewed the project and prepared a letter that outlines four areas of concern:

- 1) Migratory birds,
- 2) Lagoon considerations,
- 3) Wastewater system effluent regulations, and
- 4) Water quality

EC would like to participate in the provincial review process. The EC contact for this project is Reg Ejeckam. He can be reached at (204) 983-0960 or by email at: [Reg.Ejeckam@ec.gc.ca](mailto:Reg.Ejeckam@ec.gc.ca). A copy of the letter from EC is attached for your review.

HC has determined it can provide expert advice related to human health if a written request is submitted to HC. There is no other federal interest identified for this project.

Thank you for your effort to ensure coordination and close communication between provincial and federal levels of government. If I can be of further assistance, please feel free to contact me at (204) 984-3233 or by e-mail at: [Heather.Flynn@ceaa-acee.gc.ca](mailto:Heather.Flynn@ceaa-acee.gc.ca).

Sincerely,



**Heather Flynn  
Environmental Assessment Officer**

Encl.

**c.c.: Mr. Tim Stratton - Stantec  
Mr. Reg Ejeckam - EC  
Mr. Rick Grabowecy - HC**

**Mr. Jeff Moyer - DFO  
Mr. Dan Benoit - INAC**



Canadian Environmental  
Assessment Agency

Agence canadienne  
d'évaluation environnementale

101 - 167 Lombard Avenue  
Winnipeg, MB R3B 0T6

101 - 167 avenue Lombard  
Winnipeg, MB R3B 0T6

January 21, 2011

CEAA File No.: 4600 / MP2011-005  
MC File No.: 5500.00

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> MPMO                             | <input checked="" type="checkbox"/> HC- Rick Grabowecy | <input type="checkbox"/> PARKS - Wendy Bolkin         |
| <input type="checkbox"/> CTA - John Woodward              | <input type="checkbox"/> HR Dev - N/A                  | <input type="checkbox"/> AAFC - environmental service |
| <input checked="" type="checkbox"/> DFO - Jeff Moyer      | <input type="checkbox"/> CNSC - ceaainfo               | <input type="checkbox"/> AAFC - Bret Ward             |
| <input checked="" type="checkbox"/> INAC - Danielle Black | <input type="checkbox"/> NEB - N/A                     | <input type="checkbox"/> TC - PNR EA Team             |
| <input checked="" type="checkbox"/> EC - EA South PNR     | <input type="checkbox"/> NRCan - EA-SP/VE-ISP          | <input type="checkbox"/> WD - Matt Deutscher          |

SUBJECT: R.M. of Shell River Wastewater Treatment Lagoon - Roblin, MB  
R.M. of Shell River

FCR RESPONSE DUE: February 23, 2011

In accordance with information-sharing requirements of the *Canada-Manitoba Agreement on Environmental Assessment Cooperation* (the Agreement), the Environmental Assessment and Licensing Branch, Manitoba Conservation (MC) has provided a copy of the above-referenced project proposal for review. The proposal is currently being considered by MC, pursuant to The Environment Act.

Please indicate (by checking the appropriate box) whether or not your department/agency:

- has, or anticipates, a responsibility under Section 5(1) of CEAA to assess the environmental effects of the project (i.e. are an RA). Yes \_\_\_\_\_ No   
If yes, indicate trigger: \_\_\_\_\_
- to determine whether, within your departmental mandate, you would be able to offer specialist advice to a Responsible Authority if requested (subsection 12(3) of the Act); and Yes  No \_\_\_\_\_  
Specify as appropriate: \_\_\_\_\_
- requires additional information to make a determination referred to in a) or b) above. Yes \_\_\_\_\_ No   
If yes, please describe additional information requirements or forward a request within 10 days after making the determination:  
Please See FCR Response Letter
- in the absence of a federal trigger, has an interest in the project related to its departmental mandate, and would like to participate in the provincial review (Clause 38(1) of the Agreement). Yes 1 No \_\_\_\_\_  
If yes, please describe requested involvement i.e. comments for the provincial Guidelines, review of EIS, etc.  
N/A

Please respond to the above questions by February 23, 2011. If your response to any of the above determinations is positive, please provide the name and means of contact for a departmental representative for the review.

Name: Rick Grabowecy Telephone: (204) 784-8318  
Address: 510 Lacmodiere Blvd Fax: (204) 983-5692  
Winnipeg, MB R2S 3Y2  
E-mail: rick.grabowecy@hc-sc.gc.ca  
Signature: R. Grabowecy Date: JAN 31, 2011

Responses and questions can be forwarded to the following:

Name: Heather Flynn Email: [Heather.Flynn@ceaa-acee.gc.ca](mailto:Heather.Flynn@ceaa-acee.gc.ca)  
Tel: 204-984-3233 Fax: 204-983-7174

Environmental Health Program  
Healthy Environments and Consumer Safety Branch  
510 Lagimodiere Blvd  
Winnipeg, MB R2J 3Y1

January 28, 2011

Our file MB/SK-2010/11-087  
Your file MP2011-005

Heather Flynn, MSc.  
Environmental Assessment Officer, Prairie Region  
Canadian Environmental Assessment Agency  
Suite 101, 167 Lombard Avenue.  
Winnipeg, MB R3B 0T6

**Subject: Health Canada's FCR response regarding the R.M. of Shell River Wastewater Treatment Lagoon Project**

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Dear Ms. Flynn;

Thank you for your notification letter received on January 24, 2011 inquiring about Health Canada's role in the environmental assessment of the aforementioned project under the Federal Coordination Regulations.

Based on the information provided, Health Canada has determined that it is not a Responsible Authority (RA) under Section 5 of the *Canadian Environmental Assessment Act* (the Act) with regards to the present scope of the project.

In the context of subsection 12(3) of the Act, Health Canada currently has expertise in the following biophysical areas related to human health that may apply to the project:

- Air quality health effects
- Contamination of country foods (e.g. fish, wild game, garden produce, berries, etc)
- Drinking and recreational water quality
- Radiological effects
- Electric and magnetic fields effects
- Noise impacts
- Human health risk assessment (HHRA) and risk management
- Federal air, water, and soil quality guidelines/standards used in HHRAs

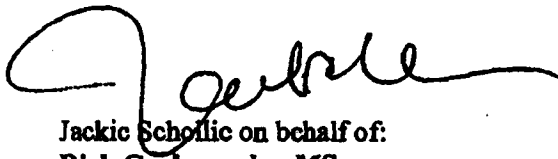
- Toxicology (multimedia - air, water, soil), and
- First Nations and Inuit Health

Should an RA, or a territorial / provincial authority, identify any specific human health concerns with respect to the aforementioned project, Health Canada would be pleased to provide expertise upon request as a Federal Authority, pursuant to subsection 12(3) of the Act, or under a territorial / provincial EA process.

Note that Health Canada now requires a written request prior to providing any expertise in its possession. The request should be specific on the nature of the expertise requested, preferably outlining targeted questions or concerns, and should include the deadline for Health Canada's response. In order to assist us and avoid unnecessary delays, it is suggested that project information such as the scope of project, the scope of the assessment and the subject areas and/or portions of documents to be reviewed be provided at the time of the request for advice, if you have not already done so.

Your written request for expertise should be forwarded to the attention of the undersigned.

Sincerely,



Jackie Schollic on behalf of:  
Rick Grabowecky, MSc.  
Regional Environmental Assessment Coordinator  
Manitoba - Saskatchewan Region  
Health Canada  
510 Lagimodiere Blvd.  
Winnipeg, MB R2J 3Y1

cc: Stan Hnatiuk, (Health Canada)



Canadian Environmental  
Assessment Agency

Agence canadienne  
d'évaluation environnementale

101 - 167 Lombard Avenue  
Winnipeg, MB R3B 0T6

101 - 167 avenue Lombard  
Winnipeg, MB R3B 0T6

January 21, 2011

CEAA File No.: 4000 / MP2011-006  
MC File No.: 5800.00

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> MPMO                             | <input checked="" type="checkbox"/> HC- Rick Grabowesky | <input type="checkbox"/> PARKS - Wendy Bottin         |
| <input type="checkbox"/> CTA - John Woodward              | <input type="checkbox"/> HR Dev - N/A                   | <input type="checkbox"/> AAFC - environmental service |
| <input checked="" type="checkbox"/> DFO - Jeff Moyer      | <input type="checkbox"/> CNSC - ceasinfo                | <input type="checkbox"/> AAFC - Bret Ward             |
| <input checked="" type="checkbox"/> INAC - Danielle Black | <input type="checkbox"/> NEB - N/A                      | <input type="checkbox"/> TC - PNR EA Team             |
| <input checked="" type="checkbox"/> EC - EA South PNR     | <input type="checkbox"/> NRCan - EA-SP/VEE-ISP          | <input type="checkbox"/> WD - Matt Deutscher          |

SUBJECT: R.M. of Shell River Wastewater Treatment Lagoon - Roblin, MB  
R.M. of Shell River

FCR RESPONSE DUE: February 23, 2011

In accordance with information-sharing requirements of the Canada-Manitoba Agreement on Environmental Assessment Cooperation (the Agreement), the Environmental Assessment and Licensing Branch, Manitoba Conservation (MC) has provided a copy of the above-referenced project proposal for review. The proposal is currently being considered by MC, pursuant to The Environment Act.

Please indicate (by checking the appropriate box) whether or not your department/agency:

1. has, or anticipates, a responsibility under Section 5(1) of CEAA to assess the environmental effects of the project (i.e. are an RA). \_\_\_\_\_ Yes

No  
If yes, indicate trigger: \_\_\_\_\_

2. to determine whether, within your departmental mandate, you would be able to offer specialist advice to a Responsible Authority if requested (subsection 12(3) of the Act); and \_\_\_\_\_ Yes

No  
Specify as appropriate: \_\_\_\_\_

3. requires additional information to make a determination referred to in a) or b) above. \_\_\_\_\_ Yes

No  
If yes, please describe additional information requirements or forward a request within 10 days after making the determination: \_\_\_\_\_

4. in the absence of a federal trigger, has an interest in the project related to its departmental mandate, and would like to participate in the provincial review (Clause 30(1) of the Agreement). \_\_\_\_\_ Yes  No

If yes, please describe requested involvement i.e. comments for the provincial Guidelines, review of EIS, etc. \_\_\_\_\_

Please respond to the above questions by February 23, 2011. If your response to any of the above determinations is positive, please provide the name and means of contact for a departmental representative for the review.

Name: Jeff Moyer Telephone: 622-4072  
Address: 101-1st Ave NW Fax: 622-4066  
Roblin, MB  
E-mail: Jeff.Moyer@dfo-mpo.gc.ca  
Signature: Jeff Moyer Date: Feb 18/2011

Responses and questions can be forwarded to the following:

Name: Heather Flynn Email: Heather.Flynn@ceaa-acas.gc.ca  
Tel: 204-984-3233 Fax: 204-983-7174



Environment Environment  
Canada Canada

ENVIRONMENTAL PROTECTION  
PRAIRIE & NORTHERN REGION  
Room 200, 4999-98 Ave NW  
Edmonton, Alberta  
T6B 2X3

Our File No.: 4194-10-5/3170

Your File No.: 4600/MP2011-005

February 23, 2011

Heather Flynn  
Canadian Environmental Assessment Agency  
Suite 101 – 187 Lombard Avenue  
Winnipeg, Manitoba  
R3B 0T6

Dear Ms. Flynn,

**RE: R.M. OF SHELL RIVER WASTEWATER TREATMENT LAGOON – ROBLIN, MB**

Environment Canada (EC) has reviewed the Application for an Environment Act Licence for a New Two Cell Wastewater Treatment Lagoon In The RM of Shell River (Application) prepared by Stantec (December 2010) for the above proposed project. EC is not a Responsible Authority (RA) under the *Canadian Environmental Assessment Act (CEAA)* because:

- a) EC is not a proponent of the project and is not conducting any act or thing that commits the department to carrying out the project in whole or in part;
- b) EC is not making or authorizing any form of payment or other financial assistance to the proponent for the purpose of enabling the project to be carried out in whole or in part;
- c) EC does not administer any lands involved in enabling the project to be carried out in whole or in part; and
- d) EC does not issue a permit, license, grant an approval or take any action for the purpose of enabling the project to be carried out in whole or in part.

EC has an interest in the environmental assessment of this project and would like to participate in the provincial environmental assessment process in accordance with the *Canada-Manitoba Agreement on Environmental Assessment Cooperation*.

EC has identified the following four areas of concern/comment:

**(1) Migratory Birds**

EC's mandate includes the protection of migratory birds and their habitat. Regulations pursuant to the *Migratory Birds Convention Act (MBCA)* provide for the conservation of migratory birds and the protection of their nests and eggs. Section 6 of the regulations prohibits the disturbance, destruction, or taking of a nest, egg or nest shelter of a migratory bird. Possession of a migratory bird, nest or egg without lawful excuse is also prohibited. Section 5(1) of the MBCA prohibits the deposition of substances harmful to migratory birds in waters or areas frequented by migratory birds, or in a place from which the substance may enter such waters or such an area.

Section 3.1, *Environmental Impacts* page four of the Application acknowledges the presence of waterfowl within the project area. To minimize impacts to nesting migratory birds, EC recommends that any required vegetation clearing take place at minimum before April 15 or after July 31.

Mowing for weed management or otherwise must be sensitive to nesting migratory birds (avoid April 15 to July 31). If mowing must occur during the breeding season EC recommends that an

Canada

experienced avian biologist or naturalist walk the area, within seven days of mowing, to ensure no nests will be destroyed.

### (2) Lagoon Considerations

EC requests that the proponent respond to the following additional information needs:

- **Berm Erosion:** Section 1.0, *Development Information* page one of the Application states that "The proposed new lagoon will be a truck dump facility only." EC would like to ensure that the construction is adequate such that continual truck dumping will not result in premature berm erosion. To this end, EC requests that the proponent provide EC with a list of mitigation measures that will reduce such wear on the lagoon.

- **Topographic and Hydrogeological Data:** Section 3.1, *Environmental Impact* page four of the Application, outlines that "the proposed lagoon site is currently used as an irrigation field for treated effluent from the Town of Roblin lagoon. The irrigation will continue on the remaining part of the quarter section".

Also, as irrigation is proposed to continue on the remaining part of the quarter section, EC requests that the proponent identify any mitigation measures that will be put in place to prevent excess flooding, resulting in the lagoon contents being flushed out. Please provide additional information regarding this topic.

- **Sludge Disposal Plan:** Section 3.5, *Sludge Disposal Plan* page seven states that "At removal time, the sludge would be dewatered on site, removed from site, and then applied to agricultural land in accordance with disposal methods approved by Manitoba Conservation." EC recommends that sludge be tested for leachable metals, nutrients, and total coliforms prior to land application.

The proponent may refer to the following guidelines for leachable metals: *Health Canada, Guidelines for Canadian Drinking Water Quality – May 2008* and *Canadian Water Quality Guidelines for the Protection of Aquatic Life*. Please note that these guidelines do not cover maximum acceptable limits for nutrients.

In addition, the proponent may refer to the following guidelines for nutrients (nitrogen and phosphorous): *Manitoba Nutrient Management Regulations* and *Manitoba Livestock Manure and Mortalities Management Regulations*.

### (3) Wastewater Systems Effluent Regulations

Appendix 2, *The R.M. of Shell River Wastewater Lagoon Study Pre-Design Study*, Section 8.0, *Treated Effluent Quality and Discharge Dates* page nine outlines that the treatment effluent parameters that will be met such as BOD-5, TSS, FC, TCU, and SAR. Please be aware that EC is in the process of finalizing the proposed *Wastewater Systems Effluent Regulations* (the proposed Regulations). This regulation has been developed under the *Fisheries Act* and would fulfill a commitment under the Canadian Council of Ministers of the Environment (CCME) Strategy for the establishment of national effluent quality standards. These standards represent a secondary level of wastewater treatment or equivalent. The proposed Regulations specify the conditions to be met in order to deposit effluent containing deleterious substances, such as requirements concerning toxicity, effluent monitoring, monitoring of the receiving environment and record-keeping and reporting. The deleterious substances specified under the proposed Regulations include biochemical oxygen demanding (BOD) matter, suspended solids (SS), total residual chlorine and un-ionized ammonia.

For more details regarding the proposed *Wastewater Systems Effluent Regulations*, please visit the following website <http://www.gazette.gc.ca/rp-pr/p1/2010/2010-03-20/html/reg1-eng.html>

**(4) Water Quality:**

With respect to Project activities and sedimentation, the proponent is reminded of subsection 36(3) of the *Fisheries Act* that states:

"Subject to subsection (4), no person shall deposit or permit the deposit of a deleterious substance of any type in water frequented by fish or in place under conditions where the deleterious substance or any other deleterious substance that results from the deposit of the deleterious substance may enter such water."

EC looks forward to continued dialogue and co-operation with respect to this Project. If you have any questions, please call Andrew Phelps at (780) 951 8742 or myself at (204) 984 3522.

(original signed by)

**Reg Ejeckam**  
Senior Environmental Assessment Coordinator  
Environment Canada  
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