

## **SUMMARY OF COMMENTS/RECOMMENDATIONS**

**PROPONENT:** Rural Municipality of Swan River  
**PROPOSAL NAME:** Rural Municipality of Swan River Rural Water Supply System Expansion

**CLASS OF DEVELOPMENT:** Two  
**TYPE OF DEVELOPMENT:** Transportation and Transmission - Pipelines

**CLIENT FILE NO.:** 5660.00

### **OVERVIEW:**

The Proposal was received on July 11, 2013. It was dated July 2, 2013. The advertisement of the proposal was as follows:

“The Manitoba Water Services Board has filed an Environment Act Proposal on behalf of the Rural Municipality of Swan River for the construction and operation of a rural water supply system serving approximately 383 households in the Rural Municipality. The project would involve the installation of approximately 353 km of distribution pipeline varying in size from 150 mm to 50 mm. The pipeline would be installed in municipal and provincial road rights-of-way. Water for the system would be provided by the Town of Swan River’s water treatment plant. The plant would not require expansion to accommodate the project. Construction would take place in 2014-2015 subject to the availability of funding.”

The Proposal was advertised in the Swan River Star and Times on Tuesday, August 13, 2013. It was placed in the online public registry, the Legislative Library and the Millennium Public Library (Winnipeg) public registries. The Proposal was distributed to TAC members on August 13, 2013. The closing date for comments from members of the public and TAC members was September 13, 2013.

### **COMMENTS FROM THE PUBLIC:**

**Brian Cotton** My wife and I live on a farm at NW 24-35-29W in the RM of Swan River. We are in favor of a water line coming to our farm home. We have made this known a number of times. I could not find the file #5660.00 on the web site but we do look forward to having potable water piped to our home.

**Merv Beasley** I'm e-mailing to let you know that I am very much in favour of having rural water supply. This has been an issue in the RM for many years and it is time to make it happen.

**COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:****Manitoba Conservation and Water Stewardship – Environmental Compliance and Enforcement Branch**

No concerns.

**Manitoba Conservation and Water Stewardship – Watersheds and Protected Areas Branch**

No concerns.

**Manitoba Conservation and Water Stewardship – Lands Branch**

The Lands Branch requests that due to the absence of digital data to verify which Crown lands (if any) will be impacted by the proposed activity, the proponent is advised to contact the Regional Lands Manager for potential mitigation requirements where Crown lands are impacted,

It is also noted that 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.

Disposition:

This information was provided to the Proponent's consultant and can be addressed through licence conditions.

**Manitoba Conservation and Water Stewardship – Parks and Natural Areas Branch**

No comments.

**Manitoba Conservation and Water Stewardship – Water Science and Management Branch, Water Quality Management Section**

On behalf of the Water Quality Management Section of Manitoba Conservation and Water Stewardship I reviewed the proposal pursuant to the Environment Act for rural water supply in the R.M of Swan River – Your file 5660.00. Based upon review of the proposal I did not identify any outstanding concerns with respect to surface water quality that could not be resolved using appropriate best management practices and mitigation measures in construction and operation of the water supply development. The raw water chemistry results presented in Table 1.5 were informative. It should be noted that the chemistry results for uranium were more than an order of magnitude higher in the treated

water sample than the raw water sample. Possible reasons for this anomaly are not presented in the report. Also not described in the report is the method proposed for residual disinfection for the water supply. It is assumed it is chlorination and chloramination is not used.

The following recommendations could be considered as part of a potential Environment Act License for this project.

- Should any chlorinated water have the potential to enter surface waterbodies it should be de-chlorinated prior to release and in compliance with the Manitoba Water Quality Objective for total residual chlorine.
- A procedure be developed and implemented to identify leakage and respond to potential leaks particularly as they relate to surface water bodies
- A procedure be implemented to respond to accidents/ malfunctions during construction including potential frackouts when directional drilling, erosion, and spills of fluids from machinery. Appropriate materials to respond to emergency events should be on site at all times.
- Clearing of vegetation adjacent to water bodies be minimized and when necessary restored using native species
- Any areas of soil or vegetation that are disturbed during construction are stabilized and replanted using a seed mix appropriate for the area
- Any water crossings be directionally bored as opposed to open cut.
- All reasonable measures be implemented to prevent erosion and sediment from entering water bodies.

Disposition:

These comments can be addressed through licence conditions.

### **Manitoba Conservation and Water Stewardship – Fisheries Branch**

Fisheries Branch has reviewed this proposal to install ~353 km of distribution pipeline to extend from the Town of Swan River water treatment plant (WTP) to service the rural municipality. The WTP receives raw water from three groundwater wells and is capable of meeting the peak day demands created from this expansion but will require an amendment to their Water Rights Act Licence to increase the total allowable annual quantity from 690.13 cubic decameters to 811 cubic decameters. In the proposal the applicants indicate that there will be three river crossings and fourteen creek crossings. Some of the rivers and creeks crossed include Keiller Creek, Ruby Creek, Tamarack Creek, Roaring River and Swan River.

Fisheries Branch is concerned with the information provided regarding stream crossings. There appears to be a discrepancy between the number of crossings that the applicants have indicated will be crossed with what the Figure provided in Appendix A shows. This discrepancy might be explained by what the applicants are determining as a watercourse. While they have indicated under Section 4.3 that horizontal drilling will be conducted to

install the pipeline at the *drain and river outlets* under 5.6 they indicate this technique will be implemented under *all watercourses containing water*. There is no discussion on how they intend to cross those watercourse crossings which, at the time, may not have water.

All watercourses should be identified and the crossing technique noted. Assuming they will cross watercourses that have no water in them by trenching we could have concerns depending on the timing and connectivity to downstream reaches as well as our experience that trenching these smaller water features results in ongoing erosion issues. It would be preferable that the proponent horizontal drill any surface water feature that has a defined channel. For horizontal and/or trenching we would request that clauses be included in the licence that they adhere to DFO's Operation Statements for each of these activities. While no site specific crossing data was included it is likely that the rivers will be greater than 5 meters in width and therefore the proponent should determine what, if any review, is required by DFO.

Further with respect to directional drilling, the proponent has indicated that a minimum of 15 m of riparian area will be retained. We would request a clause that requires work, to the extent possible, be conducted 30 m from the high water mark of 3<sup>rd</sup> order and higher rivers and 15 m on any watercourses that are 1<sup>st</sup> and 2<sup>nd</sup> order. The applicant has provided a loss of fluid and frac out response plan. The plan does not identify the need to contact MCWS in the event that a frac out occurs and can't be contained or even a reporting process. Will there be a licence clause that requests notification when a failure occurs and also requires a report of occurrences?

Other standard clauses that would address any potential fisheries concerns include:

- chlorinated water must not be released directly to surface water
- implementation of erosion and sediment control measures
- requirement to clean equipment to prevent the spread of aquatic and terrestrial invasive species: *The Licencee shall, during construction and maintenance of the Development, prevent the introduction and spread of foreign aquatic and terrestrial biota by ensuring all equipment, including transport equipment, is clean before use at each location.*

Disposition:

These comments can be addressed through licence conditions.

### **Manitoba Conservation and Water Stewardship – Water Use Licensing**

The EA Proposal indicates that the Town will have to apply for an increase to the annual allocation under their Water Rights Licence. We agree with this statement but before we will adjust the annual allocation on their current licence the Town will have to submit historic water use records as there are none on file with the Water Use Licensing Section even though this is a requirement of their Water Rights Licence.

In addition, in order to demonstrate the long term sustainability of the aquifer, it is recommended that the Town install one or more observation wells in the aquifer and have them instrumented for the recording of water levels on at least an hourly basis. The granting of future applications for an increase to the annual licensed allocation will depend on the trends observed in the water level data observed in the monitoring well(s) over an extended period of time.

Disposition:

This information was provided to the Proponent's consultant for information. Water Rights licensing is required for the Town of Swan River as the water supplier, but not for the Proponent's treated water supply system.

### **Manitoba Conservation and Water Stewardship – Water Control Works and Drainage Licensing**

No concerns.

### **Manitoba Conservation and Water Stewardship – Office of Drinking Water**

I reviewed the above noted EAP and have no direct concerns with the EAP respecting drinking water safety. However, it must be noted that the Owner must obtain a Permit to Construct or Alter a Public Water System from our Office before construction on the work begins.

Disposition:

This comment will be provided to the proponent for information, and can be addressed as a licence condition.

### **Manitoba Infrastructure and Transportation - Highway Planning and Design Branch, Environmental Services Section**

No concerns. However, we would like to remind the proponent that detailed plans of water lines within, adjacent or crossing any provincial road or highway right-of-way will have to be submitted to MIT for review and approval prior to installation.

Disposition:

This comment was provided to the Proponent's consultant for information.

### **Manitoba Health – Medical Officer of Health, Prairie Mountain Health**

I have reviewed the proposal and have the following comments:

1. Environmental License clauses should ensure the following are addressed:

- i. adherence to the Guidelines for Canadian Drinking Water Quality
- ii. adherence to The Public Health Act Manitoba Regulations 330/88R and to applicable regulations in The Drinking Water Safety Act

2. Issues related to construction:

- i. Please ensure appropriate waste disposal and attention to dust, noise, gaseous and particulate emissions during construction as per existing environment regulations.
- ii. Please minimize the risk of surface or ground water contamination by chemical or fuel spills during construction.

Disposition:

These comments can be addressed as licence conditions.

**Manitoba Family Services and Labour - Office of the Fire Commissioner**

No comments.

**ADDITIONAL INFORMATION:**

No additional information was required to address public or Technical Advisory Committee comments.

**PUBLIC HEARING:**

As no public comments requesting a hearing were filed, a public hearing is not recommended.

**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 proposal involves the installation of approximately 353 km of buried pipeline on road allowances in an agricultural area. Water for the system will be supplied from the Town of Swan River's existing water treatment plant with no expansion. Since resource use is not affected by the project, it is concluded that Crown-Aboriginal consultation is not required for the project.

**RECOMMENDATION:**

It is recommended that the Development be licensed under *The Environment Act* subject to the limits, terms and conditions as described on the attached draft Environment Act Licence. It is further recommended that enforcement of the Licence be assigned to the Western Regional office of the Environmental Compliance and Enforcement Branch.

**PREPARED BY:**

Bruce Webb, P. Eng.

Environmental Approvals Branch – Energy, Land and Air Section

October 3, 2013

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