

## **SUMMARY OF COMMENTS/RECOMMENDATIONS**

**PROPOSER: Rural Municipality of Franklin  
PROPOSAL NAME: Water Supply Expansion**

**CLASS OF DEVELOPMENT: 2**

**TYPE OF DEVELOPMENT: Transportation and Transmission - Pipelines  
CLIENT FILE NO.: 5690.00**

### **OVERVIEW:**

On December 6, 2013, Manitoba Conservation and Water Stewardship received a proposal dated December 3, 2013 the Manitoba Water Services Board on behalf of the Rural Municipality of Franklin for the construction and operation of a rural water supply system expansion serving approximately 51 service connections in the Rural Municipalities of Franklin, Montcalm and De Salaberry. The project would involve the installation of approximately 75 km of distribution pipeline installed in municipal and provincial road rights-of-way and the construction of a booster station near the Hamlet of St. Jean Baptiste. Water for the system would be provided by the Morris Regional Water Treatment Plant. Construction of the water supply system expansion would take place in 2014-2015 subject to the availability of funding.

The proposal was distributed to the "Transmission" Technical Advisory Committee (TAC) for review. It was also placed in the public registries and advertised in the Altona Red River Valley Echo on Thursday, January 23, 2014 and the Emerson Southeast Journal on Saturday, January 18, 2014.

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

No comments were received from the public regarding the proposal.

### **COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:**

The following is a summary of TAC comments received pertaining to the Proposal. Copies of the original comments from TAC are available in the Public Registries.

### **Manitoba Infrastructure and Transportation – Highway Planning And Design Branch**

- Under *The Highways and Transportation Act* permits are required from MIT for:

- any new, modified or relocated access to a Provincial Road or Access Road;
  - any structures (including advertising signs, wells, septic fields, etc.) on, under or above the ground within the 38.1 meter (125 ft) Controlled Area adjacent to Provincial Roads;
  - discharging of water or other liquid materials into a ditch of a Limited Access Highway, Provincial Road or Access Road; or
  - placing any trees or plantings within 15.2 metres (50 feet) of the edge of right-of-way of a Limited Access Highway, Provincial Road or Access Road.
- Under *The Highways Protection Act* permits are required from the Highway Traffic Board for:
    - any new, modified or relocated access (including any change in use of an existing driveway) to a Limited Access Highway;
    - any change in land use within the Controlled Areas of a Limited Access Highway; or
    - any structures (including advertising signs, wells, septic fields, etc.) on, under or above the ground within Controlled Areas of a Limited Access Highway.

Controlled Areas adjacent to a Limited Access Highway vary from 38.1 meters to 76.2 meters (125 to 250 ft) and include control circles at major intersections.

***Disposition:***

The comments were sent to the proponent for their information

**Manitoba Infrastructure and Transportation – Hydrologic Forecasting**

The proposed potential booster station site, as identified in the EAP Detailed Drawing, is located within the Red River Valley Designated Flood Area (RRVDFA). Aerial photographs (attached) taken during the 1997 and 2009 Red River Floods indicate that the property was completely inundated during both flood events.

Natural ground elevations at the site, obtained by LiDAR, range from approximately 236.5 to 237.1 metres (776 feet to 778 feet), G.S. of C. Datum. The 1997 flood level, the equivalent of a 100 year flood event, reached an elevation of approximately 239.0 metres (784.2 feet), G.S. of C. Datum at this location. The corresponding Flood Protection Level at this location is approximately 239.6 metres (786.2 feet) G.S. of C. Datum.

Hydrologic Forecasting has no objections to the EAP for the purposes indicated. However, in accordance with Manitoba Regulation 59/2002 and Section 17 of the Water Resources Administration Act, a RRVDFA Permit for the structure must be obtained from this office and flood protection must be provided for the booster station.

***Disposition:***

The comments were sent to the proponent for their information.

**Manitoba Conservation and Water Stewardship – Environmental Compliance and Enforcement**

The Branch has no comments.

***Disposition:***

No action needed.

**Manitoba Conservation and Water Stewardship – Lands Branch and Protected Areas Initiative**

The Lands Branch and the Protected Areas Initiative have no concerns with the proposal and note that no Crown lands will be impacted by activity.

***Disposition:***

No action needed.

**Manitoba Conservation and Water Stewardship – Parks and Protected Spaces Branch**

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

***Disposition:***

No action needed.

**Manitoba Conservation and Water Stewardship – Community and Regional Planning Branch**

The subject lands are located in the RM of Franklin encompassing the northern and central portions of the Municipality as well as the southernmost portion of the RM of De Salaberry. The intent of the proposal is to expand PVWC distribution system that involves the installation of approximately 75km of pipeline, construction of a booster station near St. Jean Baptiste and 51 service connections. This expansion is proposed to address a need for treated water for residences and towns in the PVWC Area.

The proposed pipes will be built on municipally owned road right of ways throughout the proposed service area. The area in question within the RM of Franklin are primarily designated “Rural Policy Area 1, Rural Policy Area 2 and Rural Settlement Centre” in the RM of Franklin Development Plan. Policy 10.1 in the public service and utilities section of the RM of Franklin *Development Plan* states that, the municipality should “provide necessary public utilities and services in accordance with needs of existing and future

development conforming to the Municipality's priorities and subject to economic, safety and environmental considerations".

The area in question within the RM of De Salaberry is designated Agriculture 2 in the RM of De Salaberry *Development Plan*. Policy 10.1 in the public service and utilities section of the RM of De Salaberry, *Development Plan* states that, the municipality should "provide necessary public utilities and services in accordance with needs of existing and future development conforming to the Municipality's priorities and subject to economic, safety and environmental considerations".

The subject lands are Zoned "Rural 1, Rural 2, Rural Residential, Limited Rural, and General Development" in the RM of Franklin. Utility infrastructure is a permitted use in all zones and the minimum site requirements are determined by Council.

The subject lands are Zoned "Agriculture 2" in the RM of De Salaberry. Public utilities are a conditional use in the "Agriculture 2" zone and minimum site requirements are determined by Council.

The proposed increase in municipal water service is in keeping with the intent and policies identified in the RM of Franklin and the RM of De Salaberry Development Plan and Zoning By-law. Our office has no concerns with respect to the proposal.

***Disposition:***

No action needed.

**Manitoba Conservation and Water Stewardship - Wildlife and Ecosystem Protection Branch**

No concerns.

***Disposition:***

No action needed.

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

No concerns.

***Disposition:***

No action needed.

**Manitoba Conservation and Water Stewardship – Office Of Drinking Water**

The proponent of this development will have to apply for and obtain a Permit to Construct or Alter a Public Water System from Office of drinking Water before beginning construction of the work. Apart from this point, I found no cause for concern with the EAP or proposed project.

***Disposition:***

The comments were sent to the proponent for their information.

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

No concerns.

***Disposition:***

No action needed.

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

The pipeline will cross the Marsh River and the Roseau River as well as what they have identified as intermittent streams (ditches) that enter the Marsh and Red Rivers.

For the most part the mitigation measures the proponents have identified (implementation of erosion and sediment control measures, ensuring soil is placed outside the high water mark, working in the dry, refueling 100 m away from the water, no release of chlorinated water to surface water, etc.) should address any fisheries concerns. They indicate in one section that they will horizontal directional drill *at the drain and river outlets* and in another section they indicate drilling will *occur under all watercourses containing water and drilling equipment will be maintained outside watercourse riparian zones*.

Depending on the timing we would prefer all watercourses be directionally drilled unless there is no connectivity to a downstream watercourse. If they experience issues at the two river crossings and there is any consideration of trenching we would want them to consult with regional fisheries staff. They do not identify the riparian zone width. Please include in the licence the requirement to maintain 15 m on 1<sup>st</sup> and 2<sup>nd</sup> order streams and 30 m on 3<sup>rd</sup> order and higher watercourses. In their Watercourse Crossing document they do not indicate the need to report to Conservation and Water Stewardship in the event of a frac-out event. It would be beneficial to have a reporting requirement in the event of an emergency.

***Disposition:***

Concerns related to reporting frac-out events, consultation on trenching and riparian setbacks can be accommodated as licence conditions.

### **Canadian Environmental Assessment Agency (CEAA)**

This is not a designated project under CEAA 2012, so we will have no further comments.

***Disposition:***

No action needed.

### **PUBLIC HEARING:**

There were no comments received from the public. 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 proposed Development involves the installation of approximately 75 km of buried water supply pipelines in municipal and provincial road rights-of-way. The project is located entirely in areas where adjacent land use is agricultural.

## **RECOMMENDATION:**

It is recommended that an Environment Act Licence be issued for the project subject to the limits, terms and conditions as described in the attached draft licence. Administration of the licence should be assigned to the Central Region, with technical assistance to be provided by Environmental Approvals Branch upon request.

## **PREPARED BY:**

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