

## **SUMMARY OF COMMENTS/RECOMMENDATIONS**

**PROPONENT:** Rural Municipality of Reynolds  
**PROPOSAL NAME:** Rural Municipality of Reynolds Wastewater Treatment Lagoon  
**CLASS OF DEVELOPMENT:** 2  
**TYPE OF DEVELOPMENT:** Wastewater treatment lagoons  
**CLIENT FILE NO.:** 6100.00

### **OVERVIEW**

The Proposal was dated March 10, 2021 and received on March 18, 2021. It was advertised as follows:

An Environment Act Proposal has been filed on behalf of the Rural Municipality of Reynolds for the construction and operation of a wastewater treatment lagoon in SE 6-9-12 E, approximately 5 km northwest of Hadashville. The facility would consist of two primary and two secondary cells, all constructed with a high density polyethylene liner. All incoming wastewater would be hauled by truck, and treated effluent would be discharged between June 15 and October 31 of each year to a drain flowing to Hazel Creek, which is a tributary of the Brokenhead River. Construction of the facility is planned for the summer/fall of 2021.

The Proposal was placed in public registries at the following locations:

- Online: <https://www.gov.mb.ca/sd/eal/registries/6100/index.html>.

The Proposal was advertised in the Steinbach Carillon and Clipper Weekly on April 08, 2021. It was distributed to the Technical Advisory Committee (TAC) members on April 16, 2021.

The closing date for comments from the public and TAC members was May 8, 2021.

### **COMMENTS FROM THE PUBLIC**

Comments were received from members of the public who are listed in Table 1 below. A summary of the concerns follows the table. The public comments received during the commenting period are provided in full in the public registries.

Table 1. Rural Municipality of Reynolds - Wastewater Treatment Lagoon - Public Comments.

No.	Name of public member	Comments
1.	Alyssa Beckman	Objects to location
2.	Ethan Lampert	Objects to location
3.	Jason Van Damme	Objects to location
4.	Debbie and Creston Yakiwchuk	Concerns regarding water quality in Hazel Creek, impacts to drinking water
5.	Gail Gross	Concerns regarding water quality in Hazel Creek
6.	Ronald Gross	Concerns regarding water quality in Hazel Creek
7.	Heather Pearase	Concerns regarding water quality in Hazel Creek
8.	Kathie Boznianin	<p>1. Why does the proposed design not include a wetland?</p> <p>2. Will refuse/plastics or chemicals be drained into Hazel Creek?</p> <p>3. What consideration is given to the fish and wildlife in Hazel Creek?</p> <p>4. Has the lagoon been designed for flood years?</p>
9.	Tracie Blair	<p>1. Why does the proposed design not include a wetland?</p> <p>2. What consideration is given to the fish and wildlife in Hazel Creek, Brokenhead River and Lake Winnipeg?</p> <p>3. Were other drainage routes considered?</p> <p>4. Can we ensure that the water table is low at all times? Concerns with groundwater and impacts to drinking water.</p> <p>5. Was expansion of the Pine Grove lagoon explored?</p>
10.	Tom Renic	1. Concerns with impacts to Hazel Creek

		2. Consideration of phosphorous reduction without chemicals (i.e., wetland)
		3. Involvement of residents in the review of the proposal.
11.	Wayne Lovenuk	1. Why can't existing Pine Grove lagoon continue to be used?  2. Concerns with discharge of treated effluent.
The following comments were received after the comment period:		
12.	Elizabeth Worden	Concerns regarding water quality in Hazel Creek and the Brokenhead River including cumulative effects, Crown-Indigenous consultations, use of engineered wetlands, flood/drought conditions, and potential impacts to endangered fish species.
13.	Smith Neufeld Jodoin on behalf of Polar Enterprises Limited	Concerns regarding groundwater and well contamination, changes to drainage, impacts to waterways, and odour.

Disposition of public concerns by area of concern are summarized below:

**Water Quality in Hazel Creek and the Brokenhead River / Fish and Wildlife**

The Manitoba Water Quality Standards, Objectives and Guidelines set out regulated standards for municipal wastewater effluent to be discharged to surface water. These standards were developed with consideration to the various uses of the water body including recreational use and protection of fish and other aquatic life. Clause 29 of the draft licence includes the standards that the effluent must meet prior to being discharged from the lagoon; Clause 40 sets out the monitoring requirements; and Clause 41 sets out the reporting requirements. Clause 6 requires the participation in any future watershed-based management study on Hazel Creek and/or the Brokenhead River.

In addition to wastewater effluent limits, in order to protect fish and aquatic life the licence limits when certain construction activities may take place (Clause 8) and when treated effluent may be discharged from the lagoon (Clause 29).

**Use of an Engineered Wetland**

Engineered wetlands provide an alternative means of removing nutrients from wastewater. Their use is a design consideration taking into account the higher construction costs of an engineered wetland versus the higher operating costs of conventional nutrient removal. For this project, the applicant has chosen to remove phosphorus by chemical precipitation as needed.

## **Flood Considerations**

Wastewater treatment lagoons are designed to avoid overtopping by external floodwater.

## **Discharge Route Considerations**

Drainage routes for treated effluent vary across Manitoba from very small intermittent drains to large natural waterways. Drainage route effects are addressed through licence conditions regulating discharge periods and effluent quality.

## **Groundwater Protection and Drinking Water Impacts**

Groundwater protection and drinking water protection for nearby residences using wells is provided by lining wastewater treatment lagoons to prevent seepage. Where natural soil at a lagoon site is inadequate to limit seepage, as with this site, a synthetic liner may be used. Surface and groundwater quality is also protected by regulating the quality of effluent discharged from a lagoon to a surface water body.

## **Expansion of Pine Grove lagoon**

The Pine Grove lagoon is in very poor condition and requires decommissioning. It is not owned by the municipality and it was not designed for municipal use.

## **Involvement of residents in proposal review**

Municipalities planning capital works projects such as lagoons may or may not involve residents at different stages of the planning process.

## **Drainage**

Wastewater treatment lagoons are designed to not interfere with off-site drainage. As well, licence conditions prevent the discharge of effluent when it may aggravate flooding conditions downstream.

## **Odour**

A properly designed and operating facultative wastewater treatment lagoon should not result in off-site odours. Standard licence conditions require that the lagoon be operated such that it does not create an odour nuisance, as defined by the number of odour complaints received that are related to the operation of the development, and limit the organic loading on the lagoon to a level that does not generate objectionable odours under most operating conditions. The organic loading limit is based on decades of operating experience in Manitoba with several hundred facilities.

## ADDITIONAL INFORMATION

Additional information was provided by the proponent on May 19, 2021 to address the public comments and concerns. The additional information is posted in the public registry.

## COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE

A summary of the Technical Advisory Committee (TAC) responses is provided in Table 2 below. All the TAC comments are posted in the public registry as received.

Table 2. Rural Municipality of Reynolds - Wastewater Treatment Lagoon - Technical Advisory Committee Comments.

No	Technical Advisory Committee Member	Response Provided
1	Manitoba Conservation and Climate	
	Environmental Approvals:	
	Water Power Licensing	No concerns
	Air Quality Management	No response
	Onsite Wastewater Management Program	Not applicable
	Environmental Compliance and Enforcement Branch	No concerns
	Office of Drinking Water	No concerns
	Environmental Programs and Remediation Branch	No response
	Drainage and Water Use Licensing Branch:	
	Water Use Licensing Section	No response
	Water Control Works and Drainage Licensing Section	No response
	Climate Change and Clean Technology	No response
	Parks and Protected Spaces Branch	No response
2	Manitoba Agriculture and Resource Development	
	Agri-Resource Branch	Not applicable
	Wildlife and Fisheries Branch (wildlife)	No wildlife concerns
	Wildlife and Fisheries Branch (fisheries)	No response
	Forestry and Peatlands Branch	May 7, 2021
	Lands Branch	No response
	Regional Land Manager / Integrated Resource Management Team	No response
	Water Branch:	
	Water Quality Management Section	May 4, 2021
	Groundwater Management Section	No response
	Mines	No response
	Petroleum	No concerns
3	Manitoba Sport, Culture, and Heritage – Historic Resources Branch	April 26, 2021
4	Manitoba Municipal Relations:	
	Community Planning Branch	May 7, 2021

	Inspection and Technical Services Branch	No response
5	Manitoba Infrastructure – Highway Planning and Design Branch, Environmental Services	No concern
6	Manitoba Health, Seniors and Active Living – Environmental Health Unit	No response
7	Impact Assessment Agency of Canada	Not applicable

### **Manitoba Agriculture and Resource Development – Forestry and Peatlands Branch**

Forestry and Peatlands Branch comment for this proposal: ensure there is no impact to access to Crown lands forest west of project site.

Disposition:

This comment was forwarded to the project consultant for information.

### **Manitoba Agriculture and Resource Development – Water Branch, Water Quality Management Section**

- The following effluent standards must be applied to the RM of Reynolds wastewater treatment lagoon as per the Manitoba Water Quality Standards, Objectives and Guidelines Regulation (196/2011).
  - BOD<sub>5</sub> 25 mg/L,
  - TSS 25 mg/L,
  - Fecal Coliforms or *Escherichia coli* 200 organisms / 100mL,
  - <1 mg/L Total Phosphorous.
- 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 licence require the proponent to actively participate in any future watershed based management study, plan/or nutrient reduction program, approved by the Director.

Disposition:

These comments can be addressed as licence conditions (Clause 6 and 29 of the draft licence) and were forwarded to the project consultant for information.

### **Manitoba Sport, Culture and Heritage – Historic Resources Branch**

The Archaeological Assessment Services Unit (AASU) has finished its review of the proposed lagoon near Hadashville for heritage resources.

**Conditionally approve – Please implement an HRPP if heritage resources are accidentally encountered.**

The potential to impact significant heritage resources is believed to be low and, therefore, the Historic Resources Branch has no immediate concerns with the proposed project at this time.

If at any time, however, heritage resources are encountered in association with these lands during testing and development, the Historic Resources Branch may require that an acceptable heritage resource management strategy be implemented by the developer to mitigate the effects of development on the heritage resources.

We recommend a heritage resource protection plan (HRPP) be included in planning and construction in the event heritage resources (including human remains and palaeontological resources) are accidentally encountered. The HRPP consists of operational procedures to limit damage or destruction of heritage resources accidentally found during site work. This document assists informing managers, employees, contractors on what to do and whom to call should heritage resources accidentally be encountered when testing and development is underway on site.

Disposition:

These comments and attached material were provided to the project consultant for information. Requirements of the Heritage Resources Act are addressed as Clause 10 of the draft licence.

### **Manitoba Municipal Relations - Community Planning Branch**

On behalf of Municipal Relations, I have reviewed this Environment Act Proposal for a proposed Wastewater Treatment Lagoon in the R.M. of Reynolds. The subject lands are designated "Agricultural Area" pursuant to the Whitemouth Reynolds Development Plan By-law 43/18 and shown as Crown Land in R.M. of Reynolds Zoning By-law 7/13.

Section 3.11 of the Zoning By-law requires a separation distance of 1000 feet between a sewage lagoon and an individual residence. As per Section 13.2.5 of the Pre-Design Report, the closest residence to the proposed lagoon site is approximately 475 m (1558 ft) to the southwest.

Community Planning has no concerns with the Environment Act Proposal (File 6100.00).

### **PUBLIC HEARING**

Public concerns about the project have been clearly expressed. Potential environmental effects and potential mitigation strategies are well understood; a hearing would be unlikely to add any new information. Accordingly, a public hearing is not recommended.

In accordance with Section 11(10) of The Environment Act and Section 4 of the Licensing Procedures Regulation, the director decided on May 28, 2021, to not

recommend to the Minister of Conservation and Climate that a Clean Environment Commission hearing be held. This decision was communicated to those who submitted comments and concerns respecting the proposed development.

## **CROWN-INDIGENOUS CONSULTATION**

The Government of Manitoba recognizes that it has a duty to consult in a meaningful way with Indigenous communities when any proposed provincial law, regulation, decision or action may infringe upon or adversely affect the exercise of the Indigenous rights of that community.

The proposal involves the construction and operation of a new wastewater treatment lagoon located on a land owned by the municipality. Discharge from the wastewater treatment lagoon would be in accordance with the Manitoba Water Quality Standards, Objectives and Guidelines designed to protect all uses of the receiving waterway including recreational use and to protect aquatic life. As there would be no infringement of Indigenous rights under Section 35 of the Constitution Act, 1982, it is concluded that Crown-Indigenous consultation is not required for the project.

## **RECOMMENDATION**

Public and Technical Advisory Committee comments received have been addressed through additional information, the provision of information to the applicant, and licence conditions. It is recommended that a Licence for the construction and operation of the wastewater treatment lagoon be issued in accordance with the specifications, terms and conditions of the attached draft Licence.

It is further recommended that responsibility for clauses 21 - 24 of the Licence be retained by the Environmental Approvals Branch until construction of the wastewater treatment lagoon is completed. Administration of all other clauses of the Licence should be assigned to the Environmental Compliance and Enforcement Branch of Manitoba Conservation and Climate.

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