

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPOSER: Milner Ridge Correctional Centre
PROPOSAL NAME: Milner Ridge Correctional Centre Lagoon
Expansion
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Waste/Scrap Wastewater Treatment Lagoons
CLIENT FILE NO.: 5499.00

OVERVIEW:

On December 24, 2010, the Department received a Proposal from J. R. Cousin Consultants Ltd, on behalf of the Milner Ridge Correctional Centre (MRCC) for the expansion of the primary cell of the MRCC Lagoon to service an anticipated increase in population at the correctional centre. The proposed primary cell expansion will be located 1,150 meters west of the MRCC in the NW ¼ of 36-13-9 EPM, on the north side of the access road to the MRCC in the Rural Municipality of Lac Du Bonnet. Treated wastewater will be discharged between June 15th and October 31st of any year, via a drainage ditch that would be drained by gravity into the Selkirk Line East first order drain which flows approximately eight kilometers west to the Brokenhead River.

The Department, on January 11, 2011, placed copies of the Proposal in the Public Registries located at 123 Main St. (Union Station) Main Floor, Winnipeg; the Millennium Public Library, 4th Floor, 251 Donald St., Winnipeg; the Manitoba Eco-Network, 3rd Floor, 3030 Portage Ave., Winnipeg; Brokenhead River Regional Library, 427 Park Ave., Beausejour; and the RM of Lac du Bonnet Municipal Office, #4187 – Highway #317, Lac du Bonnet. Copies of the Proposal were also provided to the Canadian Environmental Assessment Agency and to the Technical Advisory Committee (TAC) members. The Department placed a public notification of the Proposal in the Lac du Bonnet Leader on January 13, 2011. The newspaper and TAC notifications invited responses until February 14, 2011.

COMMENTS FROM THE PUBLIC:

- No comments.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Agriculture, Food and Rural Initiatives– Land Use

- No Comments

Conservation – Sustainable Resource Management and Land Programs

- *No concerns. It should be noted that the proposal is located within the Agassiz Provincial Park. Approval from the Director of Forestry will be required.*

Disposition:

- The draft Licence includes a clause requiring the proponent to obtain all necessary federal, provincial and/or municipal licences, authorizations, permits and/or

approvals for construction of relevant components of the Development prior to commencement of construction.

Conservation – Environmental Operations

- *Manitoba Conservations (Environmental Operations Branch) has reviewed the subject Environmental Act Proposal and has no objections or concerns. However, we request further detail from the proponent regarding the water use restrictions referenced in Section 2.6.6.2 of the EAP, which have resulted in a decrease in water consumption at the facility.*

Proponent's Response (February 18, 2011)

- *The Milner Ridge Correctional Centre has installed a computerized toilet flushing system restricting the timing and number of flushes per toilet. This system has resulted in an average wastewater production rate of 450 L/person/day compared to 780L/person/day as previously estimated.*

Disposition:

- The Environmental Operations is satisfied with the proponent's response and has no further comments.

Conservation – Air Quality

- No comments.

Conservation – Pollution Prevention

- No comments.

Conservation – Wildlife

- *No concerns.*

Conservation – Parks

- *No concerns.*

Conservation – Forestry

- No comments.

Conservation – Environmental Services

- No comments.

Conservation – Aboriginal Relations

- *No concerns.*

Conservation – Climate and Green Initiatives

- No comments.

Culture, Heritage and Tourism – Heritage

- No comments.

Health – Environmental Health Unit

- No comments.

Infrastructure and Transportation – Environmental Services

- MIT raises the following comments for consideration:
 - *The proposed development is located adjacent Provincial Road (PR) No. 214, as such the proponent should be informed that any new, modified, or relocated access connecting onto PR214 may require a permit from MIT (including change of access). A permit may also be required for any construction (above or below ground level) within 38.1 m (125 ft), ~~or~~, or for any planting within 15.2 m (50ft from the edge of the right-of-way of PR214.*
 - *Permits are required from the Region for the discharge of any water into the ditch of a Provincial Road or trunk highway. Contact J.C. Boily at (204) 346-7361 for additional information.*
 - *If additional information or clarifications on these requirements are needed, the applicant can contact Mr. Kevin Nimchuk, A/Access Management Technologist at telephone number (204) 471-4511 or Mr. Murray Chornoboy, Regional Planning Technologist, at telephone number (204) 346-6287.*

Proponent's Response (February 18, 2011)

- *The lagoon access road running off of the Correctional Centre access road will not be altered as part of the lagoon expansion works and therefore a permit will not be required. None of the construction works associated with the lagoon expansion is to occur within 38.1 m of the PR 214 right-of-way.*
- *This proposed lagoon expansion will not alter the discharge route of the existing lagoon. The current discharge route is a drainage ditch running northwest to the intersection of PR 435 and PR 214. The ditch crosses PR 214 through a culvert, continues west along PR 435 and eventually drains to the Brokenhead River. The current discharge route is permitted under the Environment Act Licence No. 2768R for the existing wastewater treatment lagoon.*
- MIT follows-up the following comment:
 - *Murray Chornoboy has a concern about the lagoon expansion will increase the discharge into the existing drainage pattern. If there is, then a permit is required; but if the flow is the same, then there is no concern. Please let me know if there is any change in the discharge.*

Disposition:

- The draft Licencee includes a clause requiring the proponent to obtain all necessary federal, provincial and/or municipal licences, authorizations, permits and/or

approvals for construction of relevant components of the Development prior to commencement of construction.

Innovation Energy and Mines - Mines

- No comments.

Local Government

- No comments.

Water Stewardship

- *Manitoba Water Stewardship recommends an Environment Act Licence to include the following requirements:*
 - *The development discharge period shall include, at minimum, two weeks to maximize nutrient uptake in the drainage path.*
 - *A 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.*
- *Manitoba Water Stewardship requires clarification for the following concerns:*
 - *Has the proponent considered effluent land application?*
 - *The proposal did not include monitoring for a potential liner failure. The proponent needs to provide an assessment of the potential impact of a liner failure since the site is underlain directly by a sand aquifer. Potential impacts need to consider whether there are wells nearby which may be impacted or if there are wetlands in the vicinity. The proponent needs to develop a monitoring program that could include conducting periodic EM geophysical surveys around the lagoon.*
 - *The proposal only addresses the expansion.*
 - *What type of liner is present for the existing lagoons?*
 - *Is there a need for The Province to require an assessment of the existing lagoons in the current proposal*
- *Manitoba Water Stewardship submits the following comments:*
 - *Manitoba Water Stewardship does not object to this proposal, at this time.*

- *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 legislations, including The Water Protection Act, The Water Rights Act, and The Water Power Act.*
- *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, 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. Geoff Reimer, CET, Senior Water Resource Officer, Water Control Works and Drainage Licensing, Manitoba Water Stewardship, Box 4558, Stonewall, Manitoba R0C Z0, telephone: (204) 467-4450, email: Geoff.reimer@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.*
 - *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.*

- *Manitoba Water Stewardship encourages the installation of water saving devices to enable increased storage capacity and maintain the health of the Brokenhead River. Installing water saving devices like low-flow shower heads, and low flow toilets reduces the amount of liquid in wastewater collection systems and increases efficiency in wastewater systems.*

Proponent's Response (February 18, 2011)

- *The proposed lagoon expansion will utilize the discharge route of the existing lagoon. The current discharge route follows an already established drainage ditch which eventually drains to the Brokenhead River. The current discharge route is permitted under the Environment Act Licence 2768R for the existing wastewater treatment lagoon.*
- *The existing lagoon has monitoring wells installed around the perimeter of the site to monitor groundwater conditions. These wells were installed as per Manitoba Conservation standards. No additional monitoring wells are proposed to be installed due to primary cell expansion.*
- *The nearest potable groundwater well is located over 1 km from the existing lagoon site.*
- *The existing lagoon cells are lined with a 60 mil HDPE geomembrane liner sealed at all joints as per manufacturer specifications.*
- *There is no indication that the current lagoon requires an assessment by The Province.*

Disposition:

- The draft Licence requires the Licencee to discharge the wastewater treatment lagoon at a rate that optimizes the opportunity for nutrients in the effluent to be assimilated in the discharge route while not challenging the normal operation of the wastewater treatment lagoon
- The draft Licence includes a clause requiring the Licencee to actively participate in any current or future watershed-based management study, plan and/or nutrient reduction program, approved by the Director, for the Brokenhead River and associated waterways and watersheds.
- The draft Licence includes a clause requiring the Licencee to comply with the provisions of the Department of Fisheries and Oceans Canada/Manitoba Natural Resources publication, "Manitoba Stream Crossing Guidelines for the Protection of Fish and Fish Habitat" (May, 1996).

- The draft Licence includes a clause that requires the Licencee to not discharge effluent from the wastewater treatment lagoon where the phosphorus content is in excess of 1.0 mg/L.
- The draft Licence contains a clause that requires that the Licencee to implement effective erosion and sediment control measures during construction and until vegetation is established.
- The draft Licence includes effluent quality discharge criteria in accordance with the draft Manitoba Water Quality Standards, Objectives and Guidelines.
- The draft Licence includes a clause that requires the Licencee to conduct all ditch related work activities during no flow or dry conditions and not during the April 1 to June 15 fish spawning and incubation period.
- The draft Licence includes a clause requiring the proponent to obtain all necessary federal, provincial and/or municipal licences, authorizations, permits and/or approvals for construction of relevant components of the Development prior to commencement of construction.

Canadian Environmental Assessment Agency

- *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 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 (INAC), Health Canada (HC), Environment Canada and Infrastructure Canada as part of the federal coordination process. Several departments have indicated they possess expert knowledge related to their department's mandate, which could be provided to a Responsible Authority if requested.*

Indian and Northern Affairs Canada

- No federal interest

Department of Fisheries and Oceans

- No federal interest

Health Canada

- Health Canada has determined it can provide expert advice related to human health if a written request is submitted to HC.

Environment Canada

- Environment Canada has provided a letter of advice for the proponent. The letter outlines key points related to proper design, operation, management, and monitoring of the wastewater lagoon.

PUBLIC HEARING:

A public hearing is not recommended.

RECOMMENDATION:

All comments received on the Proposal that required follow-up have been addressed through additional information or as licence conditions. Therefore, it is recommended that the Development be licensed under The Environment Act subject to the limits, terms and conditions as described in the attached Draft Environment Act Licence. It is further recommended that the enforcement of the Licence be assigned to Environmental Assessment and Licensing Branch until construction is completed. Once the facility is commissioned, enforcement should be assigned to the Eastern Region.

Environment Act Licence No. 2768 R is rescinded.

PREPARED BY:

Edwin Yazon, EIT, M.Sc.
Environmental Engineer
Municipal, Industrial and Hazardous Waste Approvals
March 08, 2011

Telephone: (204) 945-7012
Fax: (204) 945-5229
E-mail Address: edwin.yazon@gov.mb.ca