

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Rural Municipality of Stanley
NAME OF DEVELOPMENT: Rural Municipality of Stanley Wastewater Treatment Lagoon – Sludge Removal
CLASS OF DEVELOPMENT: Two
TYPE OF DEVELOPMENT: Wastewater Treatment Lagoon
CLIENT FILE NO.: 4940.10

OVERVIEW:

The Proposal was received on July 31, 2012. It was dated July 31, 2012. The advertisement of the proposal was as follows:

“A proposal has been received from Steckley Consulting Engineers Inc. on behalf of the Rural Municipality of Stanley for the removal of sludge from the Rural Municipality’s wastewater treatment lagoon in NW 11-2-5W, and the land application of the sludge on portions of NE 11-2-5W and SW 14-2-5W. The sludge would be applied by subsurface injection in the spring of 2013 before seeding, or in the fall of 2013 after harvesting, in accordance with crop nutrient requirements and in accordance with the *Nutrient Management Regulation* (Manitoba Regulation 62/2008).”

Following the collection of additional information to complete the Proposal, the Proposal was advertised in the Morden Times and the Winkler Times, both on Thursday, March 21, 2013. It was placed in the Legislative Library, Millennium Public Library (Winnipeg), Eco-Network and South Central Regional Library (Morden) public registries and on the Environmental Approvals Branch online public registry. The Proposal was distributed to TAC members on March 11, 2013. The closing date for comments from members of the public and TAC members was April 22, 2013.

COMMENTS FROM THE PUBLIC:

No public comments were received.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Conservation and Water Stewardship – Sustainable Resource and Policy Management Branch

No concerns.

Manitoba Conservation and Water Stewardship – Lands Branch

There are no details provided regarding application of sludge in regards to application rates, vegetation (crop) nutrient requirements, soil types, required acres, set back distances from watercourses (there are a couple of creeks in the vicinity of the lagoon in 11-2-5W) sludge quality etc. It is expected that the proponent provide these details in advance of receiving an environment licence for the injection of sludge onto surrounding lands.

Disposition:

Much of this information has been obtained for the sludge and for the land parcels proposed for spreading, and re-testing for crop nutrient requirements will be necessary if the sludge is applied after the 2013 crop is planted and harvested. Remaining items can be addressed through licence requirements.

Manitoba Conservation and Water Stewardship – Parks and Natural Areas Branch

No comments to offer as this does not impact any parks or ecological reserves.

Manitoba Conservation and Water Stewardship – Wildlife Branch

No wildlife related concerns.

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

- Can the RM of Stanley please provide the locations of the receiving lands? Under the *Nutrient Management Regulation* (62/2008), no nutrients are to be applied to Zone N4 soils.
- Can the RM of Stanley please provide soil tests for the receiving lands? The *Nutrient Management Regulation* (62/2008) requires that in nutrient management zone N1, N2, and N3 where Olsen soil test P, within the top 15 cm, is from 60 to <120 ppm the allowable nutrient application is at 2 times the crop removal rate of P₂O₅. If Olsen soil test P is 120 to <180 ppm the application is 1 times the crop removal rate of P₂O₅.
- In a given year, the *Nutrient Management Regulation* (62/2008) requires that no person shall apply sludge between November 10 and April 10.
- 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 license require the proponent to actively participate in any future watershed based management study, plan/or nutrient reduction program, approved by the Director.

Disposition:

The locations of receiving lands are known and have been tested for soil nutrient levels. All of these comments can be addressed in licence conditions.

Manitoba Conservation and Water Stewardship - Fisheries Branch

Regarding this proposal to remove sludge from the Stanley Wastewater Treatment Lagoon and inject into suitable parcels of land (adjacent to the lagoon), as long as there is a clause that requires a setback from watercourses (ideally 15 m on 1st and 2nd order creeks and 30 m on 3rd order and higher) then any fisheries concerns should be addressed.

Disposition:

This comment can be addressed through licence conditions.

Manitoba Conservation and Water Stewardship - Office of Drinking Water

If subsurface injection of sludge is done to proper procedures it should not present a threat to ground or surface water resources. However, this EAP provides no information on where the injection will take place, proximity to water courses and water intakes, the injection loading rate, route of the sludge hauling vehicles etc. As such, based solely upon the information given in the EAP, I cannot comment on whether the proposed project would pose any threat to safety of drinking water supplies.

Disposition:

This comment can be addressed through additional information that has already been obtained and licence conditions.

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

No concerns.

Manitoba Health – Medical Officer of Health, Southern Health

No particular health concerns for this proposal as any odor issues/location of where sludge is deposited would be part of the licence.

Manitoba Family Services and Labour - Office of the Fire Commissioner

No comments.

ADDITIONAL INFORMATION:

No additional information was required to address public and TAC comments.

PUBLIC HEARING:

As no requests for a public hearing were made, 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 application of sludge from an existing wastewater treatment lagoon on adjacent privately owned farmland. This application will improve operation of the wastewater treatment lagoon and recycle beneficial nutrients for crop production. Adverse effects on surface water or habitat for wildlife or fisheries are not anticipated.

Since resource use is not affected by the project, it is concluded that Crown-Aboriginal consultation is not required for the project.

RECOMMENDATION:

All comments received on the Proposal that require follow-up can be addressed 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 on the attached Draft Environment Act Licence. It is further recommended that enforcement of the Licence be assigned to the Environmental Compliance and Enforcement Branch.

PREPARED BY:

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April 22, 2013

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