

## **SUMMARY OF COMMENTS/RECOMMENDATIONS**

**PROPONENT:** Municipality of Russell-Binscarth  
**PROPOSAL NAME:** Municipality of Russell-Binscarth Water Supply Pipelines

**CLASS OF DEVELOPMENT:** Two  
**TYPE OF DEVELOPMENT:** Water Development and Control – water withdrawal between 200 dam<sup>3</sup> and 10,000 dam<sup>3</sup>/year

**CLIENT FILE NO.:** 5832.10

### **OVERVIEW**

The Proposal was received on August 18, 2016. It was dated August 16, 2016. The advertisement of the Proposal was as follows:

“A proposal has been received from the Manitoba Water Services Board on behalf of the Municipality of Russell-Binscarth for the construction and operation of treated water pipelines from the Russell water treatment plant to Rossburn and Inglis. The pipelines would be constructed in highway and road right-of-way. The Russell water treatment plant would have a treated water capacity of 32.6 litres per second, and would reject approximately 9.5 litres per second of the raw water entering the plant. Construction of the project is proposed to begin in late 2016 and be completed by March, 2018.”

The Proposal was advertised in the Shoal Lake Crossroads This Week on Friday, September 2, 2016, and in the Russell Banner on Tuesday, September 6, 2016. It was placed in the following public registries:

- Legislative Library (Winnipeg)
- Millennium Public Library (Winnipeg)
- Online:  
<http://www.gov.mb.ca/conservation/eal/registries/5832.1russellbinscarth/index.html>

The Proposal was distributed to Technical Advisory Committee (TAC) members on August 30, 2016.

The closing date for comments from members of the public and TAC members was October 6, 2016.

## **COMMENTS FROM THE PUBLIC**

No public comments were received.

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

Technical Advisory Committee (TAC) responses are summarized in Table 1 below. Substantive comments and their dispositions follow the table. TAC comments are provided in full in the public registries.

Table 1 Municipality of Russell-Binscarth Water Supply Pipelines  
Technical Advisory Committee Comments

<b>No</b>	<b>Technical Advisory Committee Member</b>	<b>Response Provided</b>
1	Canadian Environmental Assessment Agency	No further involvement
2	Manitoba Agriculture – Land Use Branch	No response
	Manitoba Sustainable Development –	
	Environmental Compliance and Enforcement Branch	No response
	Climate Change and Air Quality Branch	No response
	Wildlife and Fisheries Branch	No wildlife concerns
	Parks and Protected Spaces Branch	No comments or concerns
	Forestry Branch	No response
	Indigenous Relations Branch	No response
	Lands Branch – Land Management and Planning	No response
	Lands Branch	October 11, 2016
	Water Science and Management Branch:	
	Water Quality Management Section	No response
	Groundwater Management Section	No response
	Office of Drinking Water	No concerns
	Water Use Licensing Section	No response
	Water Control Works and Drainage Licensing Section	No response
	Western Region Integrated Resource Management Team	No response
4	Manitoba Sport, Culture, and Heritage – Heritage Branch	No response
5	Manitoba Growth, Enterprise and Trade –	
	Energy Development Branch	No response
	Petroleum Branch	No response
	Office of the Fire Commissioner	No comments or concerns
	Workplace Safety and Health	No response
6	Manitoba Infrastructure – Highway Planning and Design Branch, Environmental Services Section	September 16, 2016
7	Manitoba Indigenous and Municipal Relations	No response
8	Manitoba Health, Seniors and Active Living – Environmental Health Unit	No further comments

### **Manitoba Sustainable Development – Lands Branch**

Be advised that there is known occurrences of rare and endangered species located throughout the study area region. These include occurrences for Smooth Blue Beard-tongue near Russell, Chestnut-collared longspur near Rossburn, and rare grassland birds in the area (Wood pewee, bobolink, and barn swallow) as well. The establishment of the water line locations will have impact on nesting locations

Proponent to contact the conservation Data Center Chris Friesen (204 945-7747) to determine actual occurrences in the study area of rare, endangered, or threatened species in the study area and also possible mitigation plan that could be implemented.

For further information on the comment please contact the Regional Land Manager Myles Kopytko at 204 761-7538.

Disposition:

This information was provided to the proponent's consultant and can be addressed in a licence condition.

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

Manitoba Infrastructure (MI) has reviewed the proposal under The Environment Act noted above and has the following concerns/comments associated with the proposed development:

1. The proponent should be informed that, under the Highways Protection Act, any new, modified or relocated access connection onto a PTH will require a permit from Highway Traffic Board for PTH's (including change in use). A permit may also be required for
  - Any construction (above or below ground level) within 38.1 m (125 ft) of the right of way of PTH 16, 45 and 83.
  
2. The proponent should be informed that, under the Highways and Transportation Act, any new, modified or relocated access connection onto a PR will require a permit from Manitoba Infrastructure. A permit may also be required for:
  - Any construction (above or below ground level) within 38.1 m (125 ft) of the right of way of PR 264, PR 366, PR 476, PR 478 and PA 668 (03668010HU); or
  - Any plantings within 15.2 m (50 ft) from the edge of the right of way of PTH 16, PTH 45, PTH 83, PR 264, PR 366, PR 476, PR 478 and PA 668 (03668010HU); or
  - Discharge of water or other liquid materials into the ditch on PTH 16, PTH 45, PTH 83, PR 264, PR 366, PR 476, PR 478 and PA 668 (03668010HU).

3. Where the proposed water lines will be within highway right-of-way along and across PTH 16, PTH 45, PTH 83, PR 264, PR 366, PR 476, PR 478 and PA 668 (03668010HU) an underground utility agreement will be required.

The project largely occurs in MI Region 3 however, a portion appears to take place in Region 4 (PR 366 and PTH 83 from Jct. of PR 264 north.) Contact information for permitting and agreements for MI Regions 3 and 4 are as follows:

Ashley Beck (MI region 3) at the Brandon office (204) 726-7000 or by email [Ashley.Beck@gov.mb.ca](mailto:Ashley.Beck@gov.mb.ca)

Cheri Percival (MI region 4) at the Dauphin Office (204) 622-2377 or by email [Cheri.Percival@gov.mb.ca](mailto:Cheri.Percival@gov.mb.ca).

Disposition:

This information was provided to the proponent's consultant and can be addressed in a licence condition.

### **ADDITIONAL INFORMATION**

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

### **PUBLIC HEARING**

As no requests were received for a public hearing, a public hearing is not recommended.

### **CROWN-INDIGENOUS CONSULTATION**

The Government of Manitoba recognizes 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 expansion of an existing water treatment system with the construction of additional water distribution pipeline, mostly located in existing road rights-of-way. Since resource use is not affected by the project, it is concluded that Crown-Indigenous consultation is not required for the project.

### **RECOMMENDATION**

All comments received have been addressed through licence conditions. 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 Region of the Environmental Compliance and Enforcement Branch.

PREPARED BY:

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