

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Collins Farms Ltd.

PROPOSAL NAME: Collins Farms Irrigation Development Project

CLASS OF DEVELOPMENT: Two

TYPE OF DEVELOPMENT: Water Development and Control

CLIENT FILE NO.: 5783.00

OVERVIEW

The Proposal was received on July 3, 2015. It was dated June 26, 2015. The advertisement of the Proposal was as follows:

“A proposal has been filed by Stantec Consulting Ltd. on behalf of Collins Farms Ltd. for the construction and operation of an irrigation project in 19-3-12W in the Rural Municipality of Argyle. This location is about 12 km northwest of Pilot Mound and 4.5 km southeast of Glenora. The project involves the construction of four wells in the Glenora Aquifer and four centre pivot irrigation systems. Approximately 228 ha (570 acres) of land would be irrigated within the section, with irrigation occurring every year and an average annual water use of up to 494 cubic decameters (400 acre-feet). Construction is proposed in stages between the fall of 2015 and the fall of 2017, with operation occurring following the construction of each pivot.”

The Proposal was advertised in the Pilot Mound Sentinel Courier on Tuesday, July 21, 2015 and in the Baldur Gazette on Friday, July 24, 2015. It was placed in the online, Legislative Library and Millennium Public Library (Winnipeg) public registries. It was distributed to TAC members on July 21, 2015. The closing date for comments from members of the public and TAC members was August 21, 2015.

COMMENTS FROM THE PUBLIC

Evelyn Odell

I am writing in regards to Collins Farms Irrigation Development Project – File 5783.00 in Argyle Municipality. I do not feel that this should be allowed to go ahead. First it has gone to Pilot Mound now on to Manitou and there has not been proper testing done. The aquifer is replenished by runoff and runoff only. I have seen years when there wasn't enough runoff and the springs quit running into Rock Lake. The question isn't “if” that will happen again but “when”. Please put this project at least on hold until you see what is going to happen.

Disposition:

The basis for this concern is that insufficient information is available to make a water allocation decision for the project, and therefore that the project could adversely affect other aquifer users. Water

allocation and interference with other groundwater users is addressed in the Water Rights licensing process. This process relies on pump test information such as the information provided in Appendix C of the Proposal. In this appendix, the pumping wells for the project are predicted to have no effect on aquifer water levels at distances beyond 75 metres from each well. As the project involves four wells with a minimum distance of 75 m between adjacent wells, the first wells affected by greater drawdown would be the project wells. The next well potentially affected by the project would be the nearby new well supplying the Municipality of Louise / Municipality of Pembina water supply system (Pilot Mound and Manitou, also known as the South Central District Water Co-op). As this is a more senior applicant under the Water Rights Act, interference with the municipal well would not be permitted. Domestic well users are located at a greater distance from the proposed wellfield, and would be similarly protected.

Under the Water Rights Act, the remedy for interference with more senior wells or with domestic wells is readily available – the irrigation project would have to reduce or terminate pumping if interference with other wells occurred.

Avril Mochoruk

Thank you for posting the Collins Farm Irrigation Development Project-File 5783.00

Although, in general, I do not object to farmers using the water under their soil to irrigate their crops (what is not needed goes back into the ground), I have some concerns about this proposed project:

My concern, in short, is that the Manitoba Government enters into agreements involving water from the Glenora Aquifer without consulting the people who would be most affected by this project- that is to say, the people currently accessing this ground water for domestic and farm purposes.

I believe the pipeline to Pilot Mound and now the drawdown from our aquifer for this new project does not take into account the possible economic and social consequences for our community in Glenora. I think more studies should be conducted before any license is granted. The Manitoba Conservation and Water Stewardship Board knows very little about the current users of the aquifer

- a. how many active wells
- b. how many people currently get their drinking water from it
- c. how many livestock and poultry depend on it
- d. how many fire stations and pumper trucks depend on it
- e. how this project may interfere, disrupt or compromise the quality of life for these residents

After reading the report in this file, I feel that Glenora's inhabitants are not even on your radar. There is no mention of the town and its heritage site. Could you please conduct more studies and host a public meeting to assure us that our drinking water will not be adversely affected by this project?

Thank you for reading about my concerns.
Please acknowledge that you received this e-mail.

Disposition:

The disposition for the earlier public comment is also applicable to this comment. This information will be communicated to the writers, in conjunction with Water Use Licensing staff.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE

Manitoba Conservation and Water Stewardship – Lands Branch

Lands Branch – MCWS has no comments to offer for the Collins Irrigation Project – File: 5783.00. Proposed project is under private land tenure.

Manitoba Conservation and Water Stewardship – Parks and Protected Spaces Branch

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

Manitoba Conservation and Water Stewardship – Wildlife and Fisheries Branch

No wildlife related concerns.

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

Thank you for the opportunity to review the Collins Irrigation Project proposal.

Pipeline Construction

- all construction activities need to be performed in a manner that prevents sediment and other contaminants from entering surface water courses. Activities that impact roadside ditches should be given special attention.

Management of New Irrigated Land

Nutrient applications are to be in accordance to the Nutrient Management Regulation. Effective January 1, 2011, a Nutrient Management Plan must be registered with Manitoba Water Stewardship if:

-Nutrients will be applied to any field that exceeds the residual soil nitrate-nitrogen limits listed in the Nutrient Management Regulation for Nutrient Management Zones (NMZ) N1, N2, and N3. The regions of Dorset soils (NMZ N3 rainfed, NMZ N2 when irrigated) will need special attention as NMZ N3 soils have a post harvest residual Nitrate-Nitrogen limit of only 33.6 kg/ha (this will apply in years when the field is not irrigated).

-Nutrients will be applied to any field resulting in soil test phosphorus measuring 60 ppm or more within Nutrient Management Zones N1, N2, and N3 and the phosphorus application rates listed in the Nutrient Management Regulation are not achievable.

To demonstrate compliance with the Nutrient Management Regulation, representative post harvest soil samples from each nutrient management zone in each field (0-6" Olsen Phosphorus and 0-24" for Nitrate-Nitrogen) should be taken and the soil test results included in the annual report. These samples need to be taken in fall for spring seeded annual crops because significant leaching can occur during the spring snowmelt period. For agronomic purposes a spring soil test would also be recommended due to the risk of nutrient losses to the subsoil during spring snowmelt.

To maximize fertilizer use efficiency and minimize risk of leaching and runoff losses, fertilizer should be applied as close as possible to periods of crop uptake (at seeding and split applications and fertigation when possible). Slow release nitrogen fertilizers are also recommended. Fall application of fertilizers is not acceptable on most of the soils on this section as the coarse textured materials are very close to the surface (less than one metre) in many places. Also even well drained soils can support significant runoff when frozen so the spring runoff period is especially important for transporting nutrients into surface water bodies.

The Nutrient Management Regulation prohibits the application of nitrogen and phosphorus in the Nutrient Buffer Zones (NBZ) which include roadside ditches and any first or second order drains (also considered to be within NBZ). This needs to be taken special note of when fertigation through irrigation systems is practiced so as to prevent irrigation water from entering the ditch via endguns, runoff, or any other means.

The fraction of surface soil which is most susceptible to wind erosion also tends to be highest in nutrient content. Wind eroded soil can be deposited directly into surface waters or blown into ditches where runoff can carry nutrients into surface water bodies. Even well drained soil materials can support significant runoff when frozen so the spring runoff period is especially important for transporting nutrients and other contaminants via the ditch network. Since these soils are susceptible to wind erosion, all possible measures should be taken to minimize wind erosion. To reduce the nutrient content at the soil surface, fertilizer should not be surface applied without immediate incorporation (banding is much better than broadcast followed by incorporation both for nutrient placement and reduction of erosion risk).

Disposition:

These comments can be addressed through licence conditions. As an aid in maintaining compliance with the Nutrient Management Regulation, this information will also be provided to the proponent's consultant so that specific requirements can be incorporated in annual operations and monitoring.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

I reviewed the above noted EAP. The EAP does not mention that the new (2014) wells for the Central Water Cooperative (CWC) are located in the NE ¼, 19-3-12 WPM. These wells provide the raw water to the Town of Pilot Mound Municipal Water System and, as part of the CWC, will provide municipal water to the Town of Manitou in the near future. The Proponent should be asked to confirm by hydrogeological analysis that there will not be any interference between their proposed new wells and the existing CWC wells.

Apart from this point, ODW has no other concerns with the EAP or proposed development.

Disposition:

Information on pump testing for the proposal is presented in Appendix C of the Proposal. The information indicates that each project well would not affect aquifer water levels at a distance beyond 75 m. This information will be reviewed in detail by Water Use Licensing in connection with Water Rights licensing for the project.

Manitoba Conservation and Water Stewardship – Water Use Licensing Section

Collins Farms has submitted an application for a Water Rights Licence for the project.

Manitoba Conservation and Water Stewardship – Water Control Works and Drainage Licensing Section

As indicated in the report, the client is aware of the necessity to obtain a Licence to Construct Water Control Works for redirecting water – I've attached an application for their convenience.

Disposition:

This information was provided to the proponent's consultant for information.

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

MIT has reviewed the proposal under the Environment Act noted above and we offer the following comments:

- If the proposed lines will cross under Provincial Road (PR) 253 or along PR 253 highway right-of-way, an underground utility agreement will be required.
- The proposed project may require access to PR 253. As such, the proponent should be aware that, under the Highways and Transportation Act, any new, modified or relocated access connection onto a PR will require a permit from Manitoba Infrastructure and Transportation. A permit may also be required for any construction (Above or below ground level) within 38.1 m (125 ft) or for any plantings with 15.2 m (50 ft) from the edge of the right of way of PR 253.

For agreements and permit applications, please contact Ashley Beck at (204) 726-7000 or at Ashley.Beck@gov.mb.ca.

Disposition:

This information was provided to the proponent's consultant for information.

Manitoba Municipal Government – Community Planning Services Branch

I have reviewed the above referenced proposal and note the following information for your review and consideration concerning the proposed environmental impact assessment. The location of the proposed irrigation project, which is a member of the 23 West Planning District, dictates that all development is therefore subject to the policies of the district development plan in effect and may be further regulated in the 23 West District Wide Zoning By-law.

23 WEST PLANNING DISTRICT DEVELOPMENT PLAN BY-LAW

According to the 23 West Planning District Development Plan, the lands on which the irrigation pivots will reside are designated as “**Rural Area.**”

23 WEST DISTRICT WIDE, ZONING BY-LAW NO. 19

According to the 23 West District Wide Zoning By-law, lands on which the irrigation pivots are to reside are zoned “**AG**” – “**Agricultural General Zone.**”

CONCLUDING REMARKS:

I have no concerns with the proposed application as the current land use is generally consistent with the policies of the 23 West Planning District Development Plan and the 23 West District Wide Zoning By-law No. 19.

Manitoba Agriculture, Food and Rural Development – Crops Branch

No concerns.

Canadian Environmental Assessment Agency

The proposed development is not a designated project under CEAA 2012, therefore the Agency will not be commenting on the EAP nor will we be involved further in the project.

ADDITIONAL INFORMATION

No additional information is needed to address public and Technical Advisory Committee comments on the project.

PUBLIC HEARING

No requests were received for a public hearing. Accordingly, 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 development of an irrigation system using groundwater on privately owned land in an agricultural area. 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 have been addressed. 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 Central Region of the Environmental Compliance and Enforcement Branch.

PREPARED BY:

Bruce Webb
Environmental Approvals Branch – Land Use and Energy Section
September 14, 2015
Telephone: (204) 945-7021
Fax: (204) 945-5229
E-mail: bruce.webb@gov.mb.ca