

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Crop Production Services Canada Inc.
PROPOSAL NAME: Crop Production Services Canada Inc.
(Dunrea)
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Bulk Materials Handling Facility
CLIENT FILE NO.: 5802.00

OVERVIEW:

The proposal was filed by Crop Production Services (Canada) Inc. for the continued operation of an anhydrous ammonia storage and distribution facility located NW ¼ of 16-5-18 WPM in the Rural Municipality of Prairie Lakes. The development consists of one, 60 metric tonne anhydrous ammonia storage vessel. The site is presently fenced to discourage access.

The Proposal was advertised in the Killarney Guide on Friday November 20, 2015. Copies of the proposal were placed in the Public Registries at the Legislative Library, 200 Vaughan St., Winnipeg; Millennium Public Library, 4th Floor, 251 Donald St., Winnipeg; and the Online Registry. The proposal was distributed to the Technical Advisory Committee (TAC) on November 20, 2015. The closing date for TAC and public comments was December 18, 2015.

COMMENTS FROM THE PUBLIC:

No public responses were received.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Following is a summary of TAC comments received pertaining to the Proposal. Copies of the original comments from TAC are available in the Public Registries.

Manitoba Conservation and Water Stewardship – Air Quality Section

It is expected that the facility has no significant impact on air quality.

Manitoba Conservation and Water Stewardship – Crown Lands Branch

Lands Branch – MCWS has no comment as regards EAP for CPS - Dunrea (File: 5802.00). No Crown lands is effected by the proposal.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

Office of Drinking Water reviewed the EAP and found no cause for concern respecting drinking water safety or quality.

Manitoba Conservation and Water Stewardship – Parks and Protected Spaces Branch

Parks and Protected Space Branch has reviewed the proposal submitted pursuant to *The Environment Act* for Request for review/comment - CPS - Dunrea - File: 5802.00. The Branch has 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 – Water Control Works and Drainage Licensing Section

Any water control works (drains, culverts, dykes, dams, etc.) associated with this project will require licensing under the *Water Rights Act* – an application is attached for the proponent's convenience. Any inquiries in this regard may be directed to the local *Water Resource Officer*. Their contact information may be found at:

http://www.gov.mb.ca/conservation/waterstewardship/licensing/pdf/officer_areas_of_focus_30mar2015.pdf

Disposition: Information forwarded to proponent.

Manitoba Conservation and Water Stewardship – Water Use Licensing

No concerns.

Manitoba Conservation and Water Stewardship – Wildlife Branch

No wildlife related concerns.

Manitoba Health

No comments.

Manitoba Infrastructure and Transportation

Reviewed the proposal under the Environment Act noted above and we have the following comments:

If there are any changes to the existing access along PTH 23, under the Highways Protection Act, a permit will be required from Highway Traffic Board.

- A permit may also be required for:
 - Any modifications, relocations or a change in use to an existing access;
 - Any construction (above or below ground level) within 38.1 m (125 ft);
 - Any plantings within 15.2 m (50 ft) from the edge of the right of way of PTH 23; or
 - Discharge of water or other liquid materials into the ditch on PTH 23.
- Permit applications can be obtained by contacting Ashley Beck at (204) 726-7000 or by email at Ashley.Beck@gov.mb.ca.

Disposition: Information forwarded to proponent.

Manitoba Municipal Government

Reviewed the proposal and note the following information for review and consideration concerning the application.

The location of the proposed application in the Municipality of Prairie Lakes, 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 district wide 23 West Zoning By-law.

23 WEST PLANNING DISTRICT DEVELOPMENT PLAN BY-LAW NO. 5

According to the 23 West Planning District Development Plan, the lands on which the anhydrous ammonia storage and distribution facility resides 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 anhydrous ammonia storage and distribution facility resides are zoned “**AG**” – “**Agriculture General Zone.**”

Establishments for the Sales, Storage or Distribution of Agricultural Supplies, Equipment or Structures is a conditional use in this zone with the below special bulk requirements related to anhydrous ammonia.

Anhydrous ammonia storage facilities shall be set back 100 metres from any public roadway, and shall be separated by a distance of 805 metres from any individual residence and shall be separated by a distance of 805 metres from the boundaries of any designated or zoned residential area such as a village or town.

CONCLUDING REMARKS:

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.

Disposition: Information forwarded to proponent.

Office of the Fire Commissioner

No concerns or comments.

PUBLIC HEARING:

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 continued operation of anhydrous ammonia storage, handling and distribution facility 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 through additional information, or can be 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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