

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Federated Cooperative Limited
PROPOSAL NAME: Brandon Bulk Fertilizer Facility
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Bulk Materials Handling Facility
CLIENT FILE NO.: 5736.00

OVERVIEW:

The proposal was filed on November 4, 2015 by Federated Cooperative Limited for the construction, operation and maintenance of a new bulk granular fertilizer storage and distribution facility to be located at SW ¼'s 15-10-18, in the City of Brandon. The development will consist of a 27, 500 tonne concrete (4.9 m in height) storage facility with a fabric top. The facility will include an inload conveyor with a capacity to transfer 800 tonnes per hour of granular fertilizer. The site will also include a blender and a rail track that may accommodate up to 50 rail cars.

The Proposal was advertised in the Brandon Sun on Saturday December 12, 2015. A copy of the proposal was placed on the Millennium and Legislative Libraries and the online public registry. The proposal was distributed to the Technical Advisory Committee (TAC) on December 11, 2015. The closing date for TAC and public comments was on January 14, 2016.

COMMENTS FROM THE PUBLIC:

No comments submitted.

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 Registry.

Manitoba Conservation and Water Stewardship – Air Quality Section

“Air Quality Section has reviewed the above proposal and provides the following comments:

- It is expected that the proposal has no significant impact on air quality provided that potential dust and particulate emissions during construction period and fertilizer handling will be managed as mentioned in the proposal.
- Air Quality Section suggests that the EA Clause regarding noise nuisance be included.”

Disposition:

Licence condition will be included to address concerns with respect to noise.

Manitoba Conservation and Water Stewardship – Crown Lands Branch

“Lands Branch – MCWS has no comments/concerns as regards the Federated Coop - CPW - File: 5805.00”.

Disposition:

No action needed.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

“No mention of potential risks to drinking water systems. It should be noted this facility will be located approximately several hundred yards west of the Assiniboine River and, while they do not note it, land drainage in that area is toward the river to the east. The Assiniboine River is the raw water supply for the City of Portage la Prairie and other public water systems east of Portage la Prairie. While the risk may be small due to distance and dilution, the potential still exists for a spill of chemicals from the proposed facility adversely affecting the water supply for public water systems downstream. As such, ODW recommends that a provision be included in the Emergency Procedures Manual for the proposed facility with contact information for the Portage la Prairie water treatment plant and that, in the event of a major spill of chemicals from the facility into the Assiniboine River, the water plant operators for the Portage la Prairie water treatment plant be notified. Apart from this point, ODW has no further concerns with this EAP or the proposed development respecting drinking water quality or safety.”

Disposition:

Concerns can be addressed via licence conditions.

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:

No action needed.

Manitoba Conservation and Water Stewardship – Water Use Licensing Section

“No concerns.”

Disposition:

No action needed.

Manitoba Health, Healthy Living and Seniors

“No further comments.”

Disposition:

No action needed.

Manitoba Infrastructure and Transportation

“MIT has reviewed the proposal under the Environment Act noted above and we do not have any concern with the proposed development.”

Disposition:

No action needed.

Manitoba Municipal Government – Community and Regional Planning

“Reviewed the proposal and note the following information for your review and consideration concerning this proposed Environment Act license. The location of the proposed fertilizer storage and distribution facility in the City of Brandon, which is a member of the Brandon and Area 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 City of Brandon Zoning By-law.

BRANDON AND AREA PLANNING DISTRICT DEVELOPMENT PLAN BY-LAW NO. 95/01/12

According to the Brandon and Area Planning District Development Plan, the lands on which the fertilizer storage and distribution facility will reside are designated as “**Industrial.**”

CITY OF BRANDON, ZONING BY-LAW NO. 6642

According to the City of Brandon Zoning By-law, lands on which the fertilizer storage and distribution facility proposes to locate are zoned “**DR**” – “**Developmental Reserve Zone.**” And would need to be reclassified an industrial zone to accommodate such a use. We are aware that there is presently an zoning amending by-law (No. 7134) in process to change the classification from “DR” to “MH” Industrial Heavy Zone in which “Industrial and/or agricultural chemical storage/distribution” is a conditional use.

CONCLUDING REMARKS:

The proposed land use is generally consistent with the policies of the Brandon and Area Planning District Development Plan. To make this proposed use conform with Brandon

Zoning By-law No. 6642, the land in question will need to be reclassified MH and a conditional use approval will need to be obtained from the City of Brandon.”

Disposition:

No action needed.

PUBLIC HEARING:

A public hearing is not recommended.

CROWN ABORIGINAL CONSULTATION:

The project will be located in an established Developed Reserve Zone area in Brandon and Area Planning District and is owned by the proponent, all adjacent properties are classified as Industrial Heavy Zone. All surrounding land potentially affected is also privately owned land. The project will not affect resource use on land or water. There are no adjacent or nearby First Nations.

RECOMMENDATION:

The provincial TAC expressed no concerns, or concerns are addressed in the draft licence, regarding the proposal. 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 Western Region.

PREPARED BY:

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