

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPOSER: Cypress River Potato Growers Ltd.
PROPOSAL NAME: Cypress River Potato Growers Ltd – Irrigation Project
CLASS OF DEVELOPMENT: Two
TYPE OF DEVELOPMENT: Water Development and Control
CLIENT FILE NO.: 5458.00

OVERVIEW:

The Proposal was received on January 6, 2010. It was dated July 27, 2009. The advertisement of the proposal was as follows:

“A Proposal has been filed by Acres Manitoba Limited on behalf of Cypress River Potato Growers Ltd. to irrigate up to 109.2 hectares (270 acres) annually in a 3:1 rotation on a land base of approximately 425 hectares (1050 acres). The project is located approximately 2.5 km northeast and northwest of the community of Cypress River, in the R.M. of South Cypress and in the R.M. of Victoria. A total of 333 dam³ (270 acre-feet) of water would be applied annually, using water from wells located at SE 23-7-13 W.”

The Proposal was advertised in the Baldur Glenboro Gazette on May 4, 2010. It was placed in the Main, Winnipeg Public Library (Millenium), Eco-Network, Western Manitoba Regional Library (Brandon) and Portage Library public registries. It was distributed to TAC members on April 30, 2010. The closing date for comments from members of the public and TAC members was June 4, 2010.

COMMENTS FROM THE PUBLIC:

No public comments were received.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Local Government

Our office is not objecting to this project. Our concerns are, that the dwellings in the area between 5 to 10, depending on distance of groundwater draw down effect will not be negatively affected in water supply or quality. It is our understanding that residential water use takes priority over irrigation use.

Besides this, we note that in this general area (particularly south of Neepawa) a number of shelterbelts are being removed to allow irrigation systems to have room to operate. These shelterbelts were grown, many using Government programs, to conserve soil from wind erosion and reduce wind speeds to aid plant growth and soil water conservation. Possibly irrigation projects should, wherever possible maintain these shelterbelt through a little creativity, especially where they occur on light sandy soils.

Please also note that the R.M. of South Cypress Zoning By-law requires that all irrigation projects require a Development Permit. This permit can be applied for from John McEntee, Cypress Planning District Development officer, in Carberry at phone 834-6618. This will be applicable for the project lands in the R.M. of South Cypress.

Disposition: Comments were forwarded to the proponent for information. The comments regarding erosion can be addressed through licence conditions. Concerns regarding groundwater use should be addressed by the Water Rights Licence.

Manitoba Agriculture, Food and Rural Initiatives

In Table 1 of the EAP there is reference that the amount of irrigation will be a maximum of 360 acres. In the introduction to the project there is reference that 270 acres will be irrigated. 270 acres is used elsewhere in the EAP. Since the proponent has indicated that there will be an amendment to the EAP in the near future, 270 acres should be used when the draft licence is prepared.

In section 5, page 16 of the Land-use and agronomic assessment report the report identifies that there is a land area that has complex slopes. This is a land parcel 1, on the NW 20-7-12 with an area of Stockton (SCK5xcxx-SCK5dxx). I would like to see the proponent indicate what special management practices will be used on this land parcel. This additional information could be provided with the EA amendment that the proponent has indicated will be filed shortly.

Disposition: Comments were forwarded to the proponent for information.

Manitoba Conservation – Parks and Natural Areas Branch

The irrigation project is located approximately 2 miles south of Spruce Woods Provincial Park. The Branch has no concerns with this project provided that the amount of groundwater used and the resultant drawdown does not have negative impacts on the ecology of the park.

Disposition: Comments were forwarded to the proponent for information. Concerns regarding groundwater use should be addressed by the Water Rights Licence.

Manitoba Conservation – Environmental Operations

Petroleum products used during construction will have to be stored in compliance with the *Storage and Handling of Petroleum Products & Allied Products Regulation, M.R. 188/2001*.

Wastewater management at either the worksites or at any camps established for the workers on this project will have to be in compliance with the *Onsite Wastewater Management Systems Regulation, M.R. 83/2003*.

Disposition: Comments can be addressed with licence conditions.

Manitoba Conservation - Sustainable Resource and Policy Management Branch

If in the future water usage for the project were to rise, Sustainable Resource and Policy Management Branch would need to reassess the proposal as the aquifer underlies the Spruce Woods Provincial Park and Wildlife Management Area.

Disposition: Comments were forwarded to the proponent for information.

La Salle Redboine Conservation District

We are concerned with the number of Irrigation operations that do not properly monitor water usage throughout the irrigation season, and would recommend that the Cypress River Potato Growers Ltd. be required to install flow meters at the three groundwater well points of uptake mentioned in the proposal to ensure that proper monitoring of water use takes place.

We would also be concerned with the potential for soil erosion during potato crop years, and would recommend Cypress River Potato Growers to contact the two Conservation Districts that their land falls within for assistance in minimizing soil erosion. Both Districts offer soil erosion programs such as zero-till incentives and shelter belt planting assistance.

With this understanding, and following the recommended procedures outlined in the environmental proposal submitted, LSRBCD has no objection to the proposed irrigation project.

Disposition: Comments were forwarded to the proponent for information. Water usage will be monitored using Lindsay Fieldnet software that uses flows through the pivot to determine the flow used.

Manitoba Water Stewardship

Manitoba Water Stewardship recommends an *Environment Act* Licence to include the following requirements:

- To minimize leaching risk, there shall be no post harvest (fall) application of fertilizers to fields designated as having a moderate or high potential environmental impact under irrigation (Fields 1,6,7,8 and 9) as listed in Table 3 of the Proposal. This applies to all years in the crop rotation. The bench mark and ongoing deep soil monitoring (to 10 ft or water table) as per section 5.2.1 in the Tone Ag Report (referenced in section 5.1.1 on the Proposal) is adequate to monitor nitrate leaching for the purposes of protecting surface water quality.
 - Background: The Cypress River is partially fed by base flow from the Assiniboine Delta Aquifer. Therefore any leaching of nutrients and/or pesticides into the Assiniboine Delta Aquifer poses a risk to surface water quality.
- Nutrient applications shall comply with the *Nutrient Management Regulation* under *The Water Protection Act*. 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 N1, N2, and N3.
- 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.
- Post harvest soil samples (0-6” for Nitrate-Nitrogen and Olsen Phosphorus and 6-24” for Nitrate-Nitrogen) should be taken as per Section 5.1.1 of the Proposal (details are provided in section 5.2.1 of the Tone Ag Consulting report - Ref 1) and the soil test results shall be included in an annual report to comply with the *Nutrient Management Regulation*.
- The *Nutrient Management Regulation* requires a three metre setback (Nutrient Buffer Zone) adjacent to the Cypress River. The Nutrient Buffer Zone is measured from the high water mark or the top of the outermost bank whichever is further from the water. The application of nitrogen or phosphorus is prohibited within the Nutrient Buffer Zone. Application of nitrogen and phosphorus is also prohibited in roadside ditches and any first or second order drains (also considered to be within the Nutrient Buffer Zone).

Manitoba Water Stewardship notes the following errors in the text of the Proposal:

- Section 3.3.1 (page 3-2, first paragraph):
 - Irrigation suitability, land suitability for irrigated potato production, environmental impact under irrigation rating, and dryland agriculture capability all include limitations due to both soil and landscape factors. The text is incorrect in noting that "soil factors only" contributes to the final rating. Soil and landscape factors may be listed in separate tables but both contribute to the final rating.
- Section 3.3.2 (page 3-2):
 - This refers to the rating system for “potential environmental impact under irrigation” but it does not mention irrigation, this could be misleading when reviewing the Proposal.

Manitoba Water Stewardship submits the following comments:

- The Manitoba Department of Water Stewardship is mandated to ensure the sustainable development of Manitoba’s water resources. Manitoba Water Stewardship is committed to the goals of: protecting aquatic ecosystem health; ensuring drinking water is safe and clean for human health; managing water-related risks for human security; and stewarding the societal and economic values of our waterways, lakes and wetlands; for the best water for all life and lasting prosperity. Manitoba Water Stewardship achieves these goals, in part,

through administering legislation, including *The Water Protection Act*, *The Water Rights Act*, and *The Water Power Act*.

- *The Water Rights Act* requires a person to obtain a valid licence to control water or construct, establish or maintain any “water control works.” “Water control works” are defined as any dyke, dam, surface or subsurface drain, drainage, improved natural waterway, canal, tunnel, bridge, culvert borehole or contrivance for carrying or conducting water, that temporarily or permanently alters or may alter the flow or level of water, including but not limited to water in a water body, by any means, including drainage, OR changes or may change the location or direction of flow of water, including but not limited to water in a water body, by any means, including drainage. If a proposal advocates any of the aforementioned activities, a person is required to submit an application for a Water Rights Licence to Construct Water Control Works. A person may contact the following Water Resource Officer to obtain an application and/or obtain information. A contact person is Mr. Geoff Reimer C.E.T., Senior Water Resource Officer, Water Control Works and Drainage Licensing, Manitoba Water Stewardship, Box 4558, Stonewall, Manitoba R0C 2Z0, telephone: (204) 467-4450, email: geoff.reimer@gov.mb.ca.
- The proponent needs to be informed that if the proposal in question advocates any construction activities, erosion and sediment control measures should be implemented until all of the sites have stabilized.

Disposition: Comments were forwarded to the proponent for information. The comments regarding nutrient application can be addressed through licence conditions.

Canadian Environmental Assessment Agency

I have completed a survey of federal departments with respect to determining interest in the project noted above. I can confirm that the project information that was provided has been shared with all federal departments with a potential interest. I am enclosing copies of the relevant responses for your file. Based on the responses to the survey the application of the Canadian Environmental Assessment Act (the Act) by a federal authority may be required for the project.

A list of the appropriate federal contacts is attached. Please note that the project information was reviewed by the Department of Indian and Northern Affairs, Agriculture and Agri-Food Canada and Environment Canada as part of the federal coordination process.

The Department of Fisheries and Oceans (DFO) has not yet responded to the federal survey. I will send you notice when I have confirmation from DFO of its interests in this project.

Disposition: Comments were forwarded to the proponent for information. DFO submitted their response with no interest or comment in the development.

PUBLIC HEARING:

No requests were received for a public hearing. Accordingly, a public hearing is not recommended.

RECOMMENDATION:

All comments received on the Proposal can be addressed as licence conditions or have been forwarded to the proponent for information. 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 Central Region.

PREPARED BY:

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Environmental Assessment and Licensing Branch - Land Use Section

July 5, 2010

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