

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Jackson Seeds Ltd.
PROPOSAL NAME: Jackson Seeds Ltd.
Crop Protection Products Warehouse
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Bulk Materials Handling Facility
CLIENT FILE NO.: 5630.00

OVERVIEW:

The Proposal was filed by Kelsen Agritech Inc on behalf of Jackson Seeds Ltd. for the construction and operation of a crop protection products warehouse Development to be located at NW 35-22-28 WPM in the Rural Municipality of Shellmouth-Boulton. The development will consist of a 15.2 meters by 24.4 meters (50' x 80') crop protection products warehouse.

The Proposal was advertised in the Russell Banner Tuesday February 26, 2013. Copies of the proposal were placed in the Public Registries at 123 Main St. (Union Station) Main Floor, Winnipeg; Millennium Public Library, 4th floor, 251 Donald St., the Manitoba Eco-Network, 3rd Floor, 303 Portage Ave; and the Online Registry, <http://www.gov.mb.ca/conservation/eal/registries/index.html>. The proposal was distributed to the Technical Advisory Committee (TAC) on February 22, 2013. The closing date for TAC and public comments was on March 26, 2013.

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 Agriculture, Food and Rural Initiatives – Land Use

No comments submitted.

Manitoba Conservation and Water Stewardship – Aboriginal Relations Branch

No comments submitted.

Manitoba Conservation and Water Stewardship – Air Quality

Air Quality has reviewed the above proposal and have no comment. The proposal has no significant impact on air quality.

Manitoba Conservation and Water Stewardship – Climate and Green Initiatives

No comments submitted.

Manitoba Conservation and Water Stewardship – Environmental Enforcement and Compliance

No concerns.

Manitoba Conservation and Water Stewardship – Environmental Programs and Strategies

No comments submitted.

Manitoba Conservation and Water Stewardship – Fisheries

Fisheries Branch has reviewed this proposal to construct a crop protection warehouse in NW 35-22-28 W (west of Inglis). The proponent indicates adhering to the Agrichemical Warehousing Standards Association which requires features such as: building being built on compacted clay and the need for primary and secondary containment with both sized to contain water used in the event of an emergency. From the aerial photo Bear Creek is to the north of the proposed location. Bear Creek flows to Lake of the Prairies, a recreationally important waterbody, so it is important that the facility have the ability to contain liquid and that there be the standard clause requiring them to test any accumulation that is the result of a spill and notify appropriate regional staff prior to release.

Disposition: Standard licence conditions will address the above noted concerns.

Manitoba Conservation and Water Stewardship – Forestry Branch

No comments submitted.

Manitoba Conservation and Water Stewardship – Groundwater Management

No comments submitted.

Manitoba Conservation and Water Stewardship – Lands Branch

No comments submitted.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

The EAP notes that potable water for the warehouse will be brought in and the warehouse will not be connected to any public or semi-public water system. Based upon this, Office of Drinking Water does not see any cause for concern with the EAP or proposed development.

Manitoba Conservation and Water Stewardship – Parks and Natural Areas Branch

Reviewed the proposal filed pursuant to the Environment Act for the Jackson Seeds Ltd. - Crop Protection Products Warehouse (File: 5630.00). The Branch has no comments to offer.

Manitoba Conservation and Water Stewardship – Pollution Prevention

No comments submitted.

Manitoba Conservation and Water Stewardship – Regional Services

No comments submitted.

Manitoba Conservation and Water Stewardship – Sustainable Resource Management

No concerns.

Disposition: No action needed.

Manitoba Conservation and Water Stewardship – Water Quality Management

Reviewed the Environment Act Proposal for Jackson Seeds Ltd. R.M. Shellmouth Boulton.

The proponent must follow the Canadian crop protection warehouse guidelines for minimum construction details, particularly for interior curbing for spills containment and other spills containment as set by the Agrochemical Warehousing Standards Association, a branch of Crop Life Canada.

All potentially contaminated water, including water/foam that might be generated from fire-fighting water or from product spillage, must be contained on the proponent's property and not be directed towards the creek. Secondary containment may incorporate a gated culvert which must remain in the closed position unless authorised by Manitoba Conservation.

Potentially contaminated water cannot be released until such time as Manitoba Conservation receives and reviews water sample results from a laboratory accredited by the Canadian Association for Laboratory Accreditation Inc. (<http://www.cala.ca>). Water samples shall be retrieved from any source on the Proponent's property, or adjacent properties that might have been contaminated by fire fighting efforts or spillage.

Disposition: Standard licence conditions will address the above noted concerns.

Manitoba Conservation and Water Stewardship – Water Use Licensing

No comments submitted.

Manitoba Conservation and Water Stewardship – Water Control Works Licensing

No comments submitted.

Manitoba Conservation and Water Stewardship – Wildlife Branch

Wildlife Branch has no wildlife related concerns with Client File 5630.0

Manitoba Culture, Heritage and Tourism – Heritage

No comments submitted.

Manitoba Health – Environmental Health Unit

Reviewed the proposal and have the following general comments:

1. Water – ensure measures in place to minimize any potential risk to surface or ground water contamination by fuel or chemical.

2. Wastes/Chemicals – a) ensure that any discharge of wastes or removal of wastes is in compliance with Manitoba Environment’s guidelines, b) ensure reporting and appropriate disposal of all hazardous wastes, and c) maintain current chemical inventory lists in designated areas.
3. Emergency Response Plan – ensure availability for review of the emergency response plan.

Disposition: Standard licence conditions will address the above noted concerns.

Manitoba Infrastructure and Transportation – Planning and Design

Reviewed The Environment Act Proposal and do not have any concerns with the development as proposed provided that:

- The proponent be made aware that any new, modified or relocated access connection onto Provincial Road (PR) 366 may require a permit from MIT. A permit may also be required for any construction, above or below ground, within 38.1 m (125 ft) or for any plantings within 15.2 m (50 ft) from the edge of the PR’s right of way; and
- All drainage into the PR’s ditches is controlled within a bermed area around the facilities equipped with a control valve so that any contaminated runoff could be contained within the premises. Drainage of such runoff is not to be allowed into surrounding highway ditches.

Disposition: Information provided to proponent for review on April 11, 2013.

Manitoba Intergovernmental Affairs

No comments submitted.

City of Winnipeg – Fire Commissioner

No comments submitted.

Canadian Environmental Assessment Agency

No comments submitted.

PUBLIC HEARING:

A public hearing is not recommended.

CROWN ABORIGINAL CONSULTATION:

The Project will be located on land owned by the proponent. All surrounding land potentially affected is also privately owned agricultural zoned land. The project would not affect resource use on land or water. There are no adjacent or nearby First Nations.

RECOMMENDATION:

The Proponent should be issued a Licence for the construction and operation of a Bulk Materials Handling Facility – Crop Protection Products Warehouse in accordance with the specifications, terms and conditions of the attached draft Licence. Enforcement of the Licence should be assigned to the Environmental Compliance and Enforcement Branch of Manitoba Conservation and Water Stewardship.

A draft environment act licence is attached for the Director's consideration.

PREPARED BY:

Krystal Penner
Environmental Approvals Branch
April 11, 2013
Telephone: (204) 945-2819 / Fax: (204) 945-5229
E-mail Address: krystal.penner@gov.mb.ca