

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Herd North America Inc.
PROPOSAL NAME: Herd North America
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Manufacturing -
CLIENT FILE NO.: 5817.00

OVERVIEW:

Manitoba Sustainable Development received a Proposal on December 16, 2015 for the continued operation of an aluminum bumpers and grill guards manufacturing facility at 2168 Springfield Road in the RM of Springfield, Manitoba. The facility manufactures bumpers and grill guards for trucks.

The Department, on February 27, 2016, placed copies of the Proposal in the Public Registries located at Legislative Library (200 Vaughan Street), the Winnipeg Millennium Public Library and online at <http://www.gov.mb.ca/conservation/eal/registries/5817herd/index.html>. Copies of the Proposal were also provided to the Technical Advisory Committee (TAC) members. A notice of the Environment Act proposal was also placed in Winnipeg Free Press on February 27, 2016. The newspaper and TAC notifications invited responses until March 28, 2016.

COMMENTS FROM THE PUBLIC:

No Comments

SUMMARY of COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

No	Technical Advisory Committee Member	Response Provided
1	Canadian Environmental Assessment Agency	No Comments
2	Manitoba Agriculture – Land Use Branch	No Response
3	Manitoba Conservation and Water Stewardship – <ul style="list-style-type: none"> • Compliance and Enforcement Branch • Climate Change and Air Quality Branch • Wildlife and Fisheries Branch • Parks and Protected Spaces Branch • Forestry Branch • Aboriginal Relations Branch • Lands Branch • Water Quality Management Section • Groundwater Management Section • Office of Drinking • Water Use Licensing Section • Water Control Works Licensing Section • Regional Services Branch 	See comments below See comments below No Concerns No Comments/Concerns No Response No Response No Concerns No Response No Response No Concerns See comments below See comments below No Response
4	Manitoba Culture, Heritage and Tourism – Heritage Branch	No Response
5	Manitoba Innovation Energy and Mines – <ul style="list-style-type: none"> • Energy Development Branch • Petroleum Branch 	No Response No Response
6	Manitoba Infrastructure and Transportation – <ul style="list-style-type: none"> • Flood Forecasting Branch • Highway Planning and Design Branch 	No Response No Concerns
7	Manitoba Municipal Government	No Response
8	Manitoba Health – Environmental Health Unit	No Response
9	Manitoba Labour – <ul style="list-style-type: none"> • Office of Fire Commissioner • Work Place Safety & Health 	No Response No Response

A copy of the responses and the additional information provided can be viewed at the following link:

<http://www.gov.mb.ca/conservation/eal/registries/5817herd/index.html>

Manitoba Conservation and Water Stewardship –Compliance and Enforcement Branch

Comments have been forwarded with respect to inadequate detail for process description, illegible floor plan, chemical storage, emission control devices, paint application, emergency response and any previous air quality study.

Disposition

The proponent provided additional information and addressed the issue about paint application. The comments that have not been addressed in the proposal have been addressed through the draft Environment Act Licence.

Manitoba Conservation and Water Stewardship – Climate Change and Air Quality Branch

Air Quality Section expects no significant air quality impact. However, a licence clause regarding noise nuisance is recommended.

Disposition

The draft Environment Act Licence addresses issue related to noise nuisance.

Manitoba Conservation and Water Stewardship– Water Use Licensing Section

The proponent has been informed that a licence is required to use water for Industrial Purposes.

Manitoba Conservation and Water Stewardship – Water Control Works Licensing Section

The proponent has been informed that any water control works (drains, culverts, dykes, dams, etc.) associated to the project require licensing under *The Water Rights Act*.

PUBLIC HEARING:

A public hearing is not recommended.

CROWN-INDIGENOUS CONSULTATION:

The Government of Manitoba recognizes that it has a duty to consult in a meaningful way with Indigenous communities when any proposed provincial law, regulation, decision or action may infringe upon or adversely affect the exercise of the Indigenous rights of that community.

This facility is an existing operation located on a privately owned land in the Rural Municipality of Springfield. There would be no infringement of Indigenous rights under Section 35 of the Constitution Act, 1982. Therefore, it is concluded that Crown-Indigenous consultation is not required for the project.

RECOMMENDATION:

The Proponent should be issued a Licence for the continued operation of an aluminum bumpers and grill guards manufacturing facility 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.

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