

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: SJ Agronomy Inc.

PROPOSAL NAME: Agrichemical Warehouse and Seed Treatment Plant

CLASS OF DEVELOPMENT: 1

TYPE OF DEVELOPMENT: Bulk Materials Handling Facility

CLIENT FILE NO.: 5857.00

OVERVIEW:

Manitoba Sustainable Development received a proposal on November 8, 2016 for the construction and operation of a Development being a being crop protection products storage warehouse and seed treatment, handling, storage, and distribution facility to be located at SW ¼ 8-5-6 WPM in the Rural Municipality of Thompson. The Development will consist of six seed bins set up on a 6.1 by 36.6 meter concrete pad and a 15.9 by 34.2 meter existing warehouse that will be used for seed and agrichemical storage.

The Department, on December 8, 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/sd/eal/registries/5857sjagro/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 Carman Valley Leader on Thursday December 8, 2016. The newspaper and TAC notifications invited responses until January 9, 2017.

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 response.
2	Manitoba Agriculture – Land Use Branch	No response.
3	Manitoba Sustainable Development –	No response.
	<ul style="list-style-type: none"> • Compliance and Enforcement Branch 	December 13, 2016
	<ul style="list-style-type: none"> • Climate Change and Air Quality Branch 	No response.
	<ul style="list-style-type: none"> • Wildlife and Fisheries Branch 	No concerns.
	<ul style="list-style-type: none"> • Parks and Protected Spaces Branch 	No comments/concerns.
	<ul style="list-style-type: none"> • Forestry Branch 	No response.
	<ul style="list-style-type: none"> • Indigenous Relations Branch 	No response.
	<ul style="list-style-type: none"> • Lands Branch 	No concerns/comments.
	<ul style="list-style-type: none"> • Water Quality Management Section 	No response.
	<ul style="list-style-type: none"> • Groundwater Management Section 	No response.
	<ul style="list-style-type: none"> • Office of Drinking Water 	No concerns.
	<ul style="list-style-type: none"> • Water Use Licensing Section 	No concerns.
	<ul style="list-style-type: none"> • Water Control Works Licensing Section 	No concerns.
	<ul style="list-style-type: none"> • Regional Services Branch 	No response.
4	Manitoba Sport, Culture, and Heritage – Heritage Branch	No response.
5	Manitoba Growth, Enterprise and Trade –	
	<ul style="list-style-type: none"> • Energy Development Branch 	No response.
	<ul style="list-style-type: none"> • Petroleum Branch 	No response.
	<ul style="list-style-type: none"> • Office of Fire Commissioner 	No response.
	<ul style="list-style-type: none"> • Work Place Safety & Health 	No response.
6	Manitoba Infrastructure –	
	<ul style="list-style-type: none"> • Flood Forecasting Branch 	No response.
	<ul style="list-style-type: none"> • Highway Planning and Design Branch 	No response.
7	Manitoba Indigenous and Municipal Relations	No response.
8	Manitoba Health, Seniors and Active Living – Environmental Health Unit	No response.

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

<http://www.gov.mb.ca/sd/eal/registries/5857sjagro/index.html>

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Manitoba Sustainable Development – Environmental Compliance and Enforcement Branch

Environmental Compliance and Enforcement has reviewed the Environment Act Licence Proposal: File 5857.00 . SJ Agronomy Inc. Agrichemical Warehouse and Seed Treatment Facility; and submits the following comments regarding the proposal:

- The proponent indicates they will provide a copy of the Certificate of Title for the land when subdivision is complete and the title is issued in their name. The licence should identify the legal land location.
- The proponent states that the nearest residence is 117 m from the seed storage building. A map should be submitted indicating the distances to the nearest residence and residential zonings from facilities proposed to store and/or handle hazardous chemicals.
- An emergency response plan should include procedures for controlling runoff of water that may be used for firefighting at facilities proposed to store and/or handle hazardous chemicals.

Disposition:

- Proponent to provide copy of Certificate of Title prior to issuance, the parcel/lot number will be reflected in the finalized licence.
- Proponent corrected that the nearest residence is at 95 meters and has provided a letter of consent from the affected property owner.
- Emergency Response Plans are required as per condition 31 of the Draft Licence. The proponent has been advised to include the required information concerning run-off water.

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 proposed facility will be located on a private agricultural land. 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 construction and operation of a bulk material handling 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 Sustainable Development.

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