

## **SUMMARY OF COMMENTS/RECOMMENDATIONS**

**PROPOSER:** Winkler Consumers Cooperative Ltd.  
**PROPOSAL NAME:** Granular Fertilizer and Crop Protection Products Warehouse  
**CLASS OF DEVELOPMENT:** 1  
**TYPE OF DEVELOPMENT:** Bulk Materials Handling Facility  
**CLIENT FILE NO.:** 5527.00

### **OVERVIEW:**

On May 11, 2011, Manitoba Conservation received a Proposal dated May 9, 2011 for the construction and operation of a granular fertilizer and crop protection products warehouse at NW 13-1-3 WPM and S 24-1-3 WPM in the Rural Municipality of Rhineland. The facility will blend, package, store, and distribute granular fertilizer products and will store and distribute crop protection products.

The Department, on June 7, 2011, placed copies of the Proposal in the Public Registries located at 123 Main St. (Union Station), the Winnipeg Public Library, the Manitoba Eco-Network, the Millennium Public Library, and the South Central Regional Library. 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 the Winkler Times on June 3, 2011. The newspaper and TAC notifications invited responses until July 4, 2011.

### **COMMENTS FROM THE PUBLIC:**

There were no comments received from the public.

#### **Disposition:**

No action needed.

### **COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:**

#### **Canadian Environmental Assessment Agency**

No concerns.

#### **Disposition:**

No action needed.

## **Environment Canada**

The following comments were provided:

Environment Canada is of the opinion that implementation of proposed mitigation will address any outstanding concerns. The proponent should be encouraged to implement all mitigation measures as identified. In addition, the proponent should be reminded that compliance with the Federal *Fisheries Act* is mandatory. Section 36(3) of the *Fisheries Act*, states that:

*“Unless authorized by federal regulation, no person shall deposit or permit the deposit of deleterious substances of any type in water frequented by fish, or in any place under any conditions where the deleterious substance, or any other deleterious substance that results from the deposit of the deleterious substance, may enter any such water”.*

### **Disposition**

The draft Environment Act Licence requires the proposed mitigation measures. The remaining comment submitted for information purposes has been provided to the proponent by way of this summary report.

## **Canadian Food Inspection Agency**

The following comments were provided:

In order to ensure that the fertilizer products sold at these facilities meet all of the standards of the Fertilizers Act and Regulations, the CFIA encourages companies to approach the Crop Inputs Division of the CFIA for a product pre-market assessment. The CFIA’s pre-market assessment consists of a detailed, science-based evaluation of product safety information, efficacy, and labelling. To assess a product, the Agency requires that supporting information, which varies in scope depending on the nature of the product, is submitted. The basic supporting information includes the product label, the manufacturing method, and a complete list of ingredients and source materials. For certain products, additional information such as a detailed description of the physical and chemical properties of each ingredient, results of analytical tests that show freedom from biological and chemical contaminants, a toxicological data package derived from either laboratory studies or scientific publications, or data supporting product efficacy may be required. Requests for pre-market assessments must be sent to the Fertilizer Section to the attention of Client Services Administrator, either by e-mail to [fertilizer@inspection.gc.ca](mailto:fertilizer@inspection.gc.ca), or by mail to: 59 Camelot Drive, Ottawa, Ontario, K1A 0Y9.

### **Disposition**

The comments were forwarded to the proponent for information. No further action required.

**Manitoba Infrastructure and Transportation (MIT) – Highway Planning and Design Branch**

No concerns.

Disposition

No action needed.

**Manitoba Conservation – Air Quality Management**

No concerns.

Disposition

No action needed.

**Manitoba Conservation – Sustainable Resource and Policy Management**

No concerns.

Disposition:

No action needed.

**Manitoba Conservation – Climate Change and Green Strategy Initiatives**

No concerns.

Disposition

No action needed.

**Manitoba Conservation – Parks and Natural Areas Branch**

No concerns.

Disposition

No action needed.

**Manitoba Conservation – Wildlife & Ecosystem Protection Branch**

No concerns.

## Disposition

No action needed.

## **Manitoba Water Stewardship**

The following comments were provided:

- Manitoba Water Stewardship requires an *Environment Act* Licence to include the following:
  - The Licencee must install backflow protection devices when a public water system is directly connected to the proposed development, in compliance with The Manitoba Plumbing Code.
  - The Licencee shall develop and implement an Emergency Response Plan, including the following:
    - All potentially contaminated water from the site must be contained on the Licencee's property. Therefore, secondary containment must incorporate a gated culvert which must remain in the closed position unless authorized by Manitoba Conservation. Where there is a concern that accumulated water is contaminated, the liquid must be sampled prior to release.
    - Potentially contaminated water must not be directed to surface waters, including wetlands. Potentially contaminated water must not be released until approval is obtained from Manitoba Conservation, after a review—by Manitoba Water Stewardship—of water sample test results submitted from a laboratory accredited by the Canadian Association for Laboratory Accreditation Inc. Water samples shall be retrieved from any source on the Licencee's property, or adjacent properties that might have been contaminated.
- The Licencee must meet the guidelines of the Agrichemical Warehousing Standards Association (AWSA) for the proposed development.
- The Licencee must direct all sewage and greywater generated by the proposed development to a licensed facility.
- The Licencee shall actively participate in any future watershed based management study, plan/or nutrient reduction program, approved by the Director, Water Science and Management Branch, Manitoba Water Stewardship.
  - Note: Manitoba Water Stewardship is concerned with any discharges that have the potential to impact the aquatic environment and/or restrict present and future uses of the water.

- Manitoba Water Stewardship submits the following comments:
  - Manitoba Water Stewardship does not object to this proposal, at this time.
  - The proponent needs to be informed of the following for information purposes:
    - Erosion and sediment control measures should be implemented until all of the sites have stabilized.
    - *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 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*.

Disposition:

Existing legislation requires the Licencee to comply with the Manitoba *Plumbing Code*. Clause 28 of the draft Environment Act Licence requires an emergency response plan. Clauses 17 – 20 of the draft Environment Act Licence address secondary containment and wastewater. Clause 4 of the draft Environment Act Licence requires compliance with the AWSA guidelines. The licensee will not discharge wastewater and therefore participating in watershed management programs is not required. The remaining comments submitted for information purposes have been provided to the proponent by way of this summary report.

**PUBLIC HEARING:**

A public hearing is not recommended.

**RECOMMENDATION:**

The Proponent should be issued a Licence for the construction and operation of a granular fertilizer and 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 Portage la Prairie office of Manitoba Conservation.

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

Prepared by:

Ryan Coulter, M.Sc., P.Eng.  
Environmental Engineer  
Municipal, Industrial, and Hazardous Waste Section  
July 18, 2011

Telephone: (204) 945-7023  
Fax: (204) 945-5229  
E-mail Address: ryan.coulter@gov.mb.ca