

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Agassiz Irrigation Association Inc.
PROPOSAL NAME: Hespler Kroeker Irrigation Project
CLASS OF DEVELOPMENT: Two
TYPE OF DEVELOPMENT: Water Development and Control
CLIENT FILE NO.: 5720.00

OVERVIEW

The Proposal was received on May 26, 2014. It was dated March 28, 2014. The advertisement of the Proposal was as follows:

“A proposal has been received from PBS Water Engineering Ltd. on behalf of Hespler Farms Ltd. and Kroeker Farms Ltd. for the development of an irrigation operation between Morden and Rosebank in the rural municipalities of Thompson, Roland and Stanley. Up to three reservoirs would be developed to capture spring runoff in Shannon Creek and Thornhill Coulee. The total project landbase would be approximately 1480 hectares on 26 land parcels, with irrigation taking place on up to 485 hectares each year on nine land parcels. Land would be irrigated in a one year in three or four rotation when potatoes were grown. Construction of the first reservoir is planned for the fall of 2014, with the entire project being developed by the end of 2015.”

The Proposal was advertised in the Carman Valley Leader and in the Morden Times on Thursday, July 10, 2014. It was placed in the online, Legislative Library, Millennium Public Library (Winnipeg), and Eco-Network public registries. It was distributed to TAC members on July 21, 2014. The closing date for comments from members of the public and TAC members was August 8, 2014.

COMMENTS FROM THE PUBLIC

No public comments were received.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE

Manitoba Conservation and Water Stewardship – Environmental Programs and Strategies Branch, Air Quality Section

The proposal is not expected to have any significant impact on air quality.

Manitoba Conservation and Water Stewardship – Lands Branch

No concerns, as no Crown lands are impacted by this proposal.

Manitoba Conservation and Water Stewardship – Lands Branch, Land Management and Planning Section

No comment to forward as no Crown lands are impacted by the proposal.

Manitoba Conservation and Water Stewardship – Parks and Protected Spaces Branch

No comments or concerns to offer as it does not affect any provincial parks, park reserves, ecological reserves, areas of special interest, or proposed protected area.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

No concerns with this EAP or the proposed development respecting drinking water safety or quality.

Manitoba Conservation and Water Stewardship – Water Use Licensing Section

Upon a detailed review of the EAP we note that the proponent stated on page 10 of the document that the “total water requirement (for the project) is 740 cubic decameters (i.e. 600 acre feet).” However, our analysis of the amount of water available to allocate to this project is only 506 cubic decameters (410 acre-feet) at the 80% risk level (i.e. 8 out of 10 years).

Disposition:

This comment can be addressed through a standard licence condition requiring compliance with a Water Rights Licence.

Manitoba Conservation and Water Stewardship – Water Control Works and Drainage Licensing Section

No concerns.

Please remind the proponent that all water control works (drains, culverts, dykes, dams, etc.) require licensing under the *Water Rights Act* - an application is attached for their convenience. Any inquiries in this regard may be directed to the local *Water Resource Officer*. Their contact information may be found at:

http://www.gov.mb.ca/conservation/waterstewardship/licensing/pdf/areas_of_focus_jan_23_12.pdf

The drainage and/or alteration of permanent and semi-permanent wetlands is not permissible under the *Water Rights Act*.

Disposition:

This information was provided to the proponent's consultant for information.

Manitoba Infrastructure and Transportation – Highway Planning and Design Branch, Environmental Services Section

MIT has reviewed the proposal under the Environment Act noted above and we have the following comments:

- A permit from MIT may be required for the following:
 - Any new or modified access to or from a Provincial Road (PR) or Provincial Trunk Highway (PTH)
 - Any installations, including but not limited to waterlines, on, across or under MIT's right of way (ROW)
- The Proponent will not abandon any portion of their decommissioned infrastructure, if any, within MIT's ROW.
- Discharge of surplus water or overland flow from the facility will not be permitted within MIT's ROW.
- Any work undertaken within MIT's ROW will be done in accordance with MIT standards, including traffic control where required.

For any clarification on the above comments, please contact Wes Turk, Regional Planning Technologist, at (204) 871-2239 or at Wes.Turk@gov.mb.ca.

Disposition:

This information was provided to the proponent for information.

Manitoba Agriculture, Food and Rural Development – Crops Branch

I have reviewed the Environment Act Proposal Act proposal for the Hespler-Kroeker Irrigation Project File 5720.

I note that in the Land Assessments Reports prepared by Stantec, that the signature box entitled "Producer Review" has neither a name nor a signature of the proponent. Is there any additional correspondence that the producers have accepted the recommendations and the management plans prepared by the consultant?

I note that Field 4 – the NW 34 03-05 has the recommendation that sub surface drainage should be improved, however, on the Map Figure 1 this field is not indicated that is "planned for tiling". Can the applicant or consultant clarify the tiling plans, if any, for

this field, based on the recommendation that the field should have subsurface drainage improvements.

I note that Field 8 – the E 27 03-05 has the recommendation that sub surface drainage should be improved, however, on the Map Figure 1 this field is not indicated that is “planned for tiling”. Can the applicant or consultant clarify the tiling plans, if any, for this field, based on the recommendation that the field should have subsurface drainage improvements.

I note that Field 15 – the NW 33 03-05 has the recommendation that sub surface drainage should be improved, however, on the Map Figure 1 this field is not indicated that is “planned for tiling”. Can the applicant or consultant clarify the tiling plans, if any, for this field, based on the recommendation that the field should have subsurface drainage improvements.

I note that Field 16 – the NW 32 03-05 has the recommendation that sub surface drainage should be improved, however, on the Map Figure 1 this field is not indicated that is “planned for tiling”. Can the applicant or consultant clarify the tiling plans, if any, for this field, based on the recommendation that the field should have subsurface drainage improvements.

I note that Field 17 – the SW 04 04-05 has the recommendation that sub surface drainage should be improved, however, on the Map Figure 1 this field is not indicated that is “planned for tiling”. Can the applicant or consultant clarify the tiling plans, if any, for this field, based on the recommendation that the field should have subsurface drainage improvements.

I note that Field 18 – the SE 05 04-05 has the recommendation that sub surface drainage should be improved, however, on the Map Figure 1 this field is not indicated that is “planned for tiling”. Can the applicant or consultant clarify the tiling plans, if any, for this field, based on the recommendation that the field should have subsurface drainage improvements.

I note that Field 19 – the SW 05 -04-05 has the recommendation that sub surface drainage should be improved, however, on the Map Figure 1 this field is not indicated that is “planned for tiling”. Can the applicant or consultant clarify the tiling plans, if any, for this field, based on the recommendation that the field should have subsurface drainage improvements.

I note that Field 20 – the SE 6 04-05 has the recommendation that sub surface drainage should be improved, however, on the Map Figure 1 this field is not indicated that is “planned for tiling”. Can the applicant or consultant clarify the tiling plans, if any, for this field, based on the recommendation that the field should have subsurface drainage improvements. The salinity assessment should be completed as outlined before development occurs.

I note that Field 21 – the SW 6 04-05 has the recommendation that sub surface drainage should be improved, however, on the Map Figure 1 this field is not indicated that is “planned for tiling”. Can the applicant or consultant clarify the tiling plans, if any, for this field, based on the recommendation that the field should have subsurface drainage improvements. There is an indication that there is a potential of weakly saline soils in the Northern portion of the field, and a salinity monitoring program is recommended but there is no assessment indicated. Can the applicant or proponent clarify why there is no assessment required?

I note that Field 22 – the N 8- 04-05 has the recommendation that sub surface drainage should be improved and the Map Figure 1 indicates that part of this field is already tiled and part of this field is “planned for tiling”. The text does not indicated that a portion of the field had been tiled and does not indicated the time lines of the plan for tiling. Can the applicant or consultant clarify?

I note that Field 23 – the SW 17 -04-05 has the recommendation that sub surface drainage should be improved, however, on the Map Figure 1 this field is not indicated that is “planned for tiling”. Can the applicant or consultant clarify the tiling plans, if any, for this field, based on the recommendation that the field should have subsurface drainage improvements.

I note that Field 24 – the SE 18 -04-05 has the recommendation that sub surface drainage should be improved, however, on the Map Figure 1 this field is not indicated that is “planned for tiling”. Can the applicant or consultant clarify the tiling plans, if any, for this field, based on the recommendation that the field should have subsurface drainage improvements.

I note that Field 25 – the NW 17 -04-05 has the recommendation that sub surface drainage should be improved, however, on the Map Figure 1 this field is not indicated that is “planned for tiling”. Can the applicant or consultant clarify the tiling plans, if any, for this field, based on the recommendation that the field should have subsurface drainage improvements.

I note that Field 26 – the NE 18 -04-05 has the recommendation that sub surface drainage should be improved, however, on the Map Figure 1 this field is not indicated that is “planned for tiling”. Can the applicant or consultant clarify the tiling plans, if any, for this field, based on the recommendation that the field should have subsurface drainage improvements.

Disposition:

Additional information was requested to address these comments. Adherence to proposed management plans can be required as a licence condition.

Manitoba Health – Medical Officer of Health, Southern Health

No additional concerns to those identified in the report (primarily safety/injury reduction).

Canadian Environmental Assessment Agency

Not a designated project under CEAA 2012.

ADDITIONAL INFORMATION

Additional information was requested on August 11, 2014 to address TAC comments respecting tile drainage.

The attached information was received in response on August 13, 2014. This information satisfactorily addresses the Technical Advisory Committee comments, and allows for follow-up through licence conditions.

PUBLIC HEARING

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

CROWN-ABORIGINAL CONSULTATION

The Government of Manitoba recognizes it has a duty to consult in a meaningful way with First Nations, Métis communities and other Aboriginal communities when any proposed provincial law, regulation, decision or action may infringe upon or adversely affect the exercise of a treaty or Aboriginal right of that First Nation, Métis community or other Aboriginal community.

The proposal involves the development of an irrigation system on privately owned land in an agricultural area. Adverse effects on surface water or habitat for wildlife or fisheries are not anticipated.

Since resource use is not affected by the project, it is concluded that Crown-Aboriginal consultation is not required for the project.

RECOMMENDATION

All comments received have been addressed through additional information or can be addressed through licence conditions. 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 of the Environmental Compliance and Enforcement Branch.

PREPARED BY:

Bruce Webb

Environmental Approvals Branch – Land Use and Energy Section

August 13, 2014 Updated August 22, 2014

Telephone: (204) 945-7021

Fax: (204) 945-5229

E-mail: bruce.webb@gov.mb.ca

Webb, Bruce (CWS)

From: Bruce Shewfelt [shewfelt@mymts.net]
Sent: August-13-14 8:46 AM
To: Webb, Bruce (CWS)
Cc: dwhetter@stantec.com; Harwin Bouwman; Wayne Derksen; Wilson, Brian (MAFRD)
Subject: Re: Hespler- Kroeker Irrigation Project File: 5720.00

Bruce, Brian:

The proponents have reviewed the Stantec Land Assessment reports and are in agreement with the reports and with the summary provided in the EAP which designates the soil and nutrient BMPs to be adopted and utilized. If a signed copy is required it can be provided. I will have the proponents confirm this email directly. The land owners have not necessarily seen the Stantec reports at this point in time.

The fields mentioned below have various reasons that they are not "currently" proposed for tiling. Significantly none of the project fields "require" tiling to be considered for irrigation other than for Field 21 which is a special consideration to be mentioned below. The point of identification of the tile was for purposes of consideration for soil and nutrient management (BMPs).

The reasons for not identifying certain fields for tiling are not generally related to whether they would benefit from drainage. The majority of land in the project area are Imperfectly drained and by definition would benefit from tile. Their are pockets of more well drained soils (e.g. Hochfelds). The main benefit from tile is to reduce saturation in spring and fall, not to prevent water table increase due to leaching from supplemental irrigation.

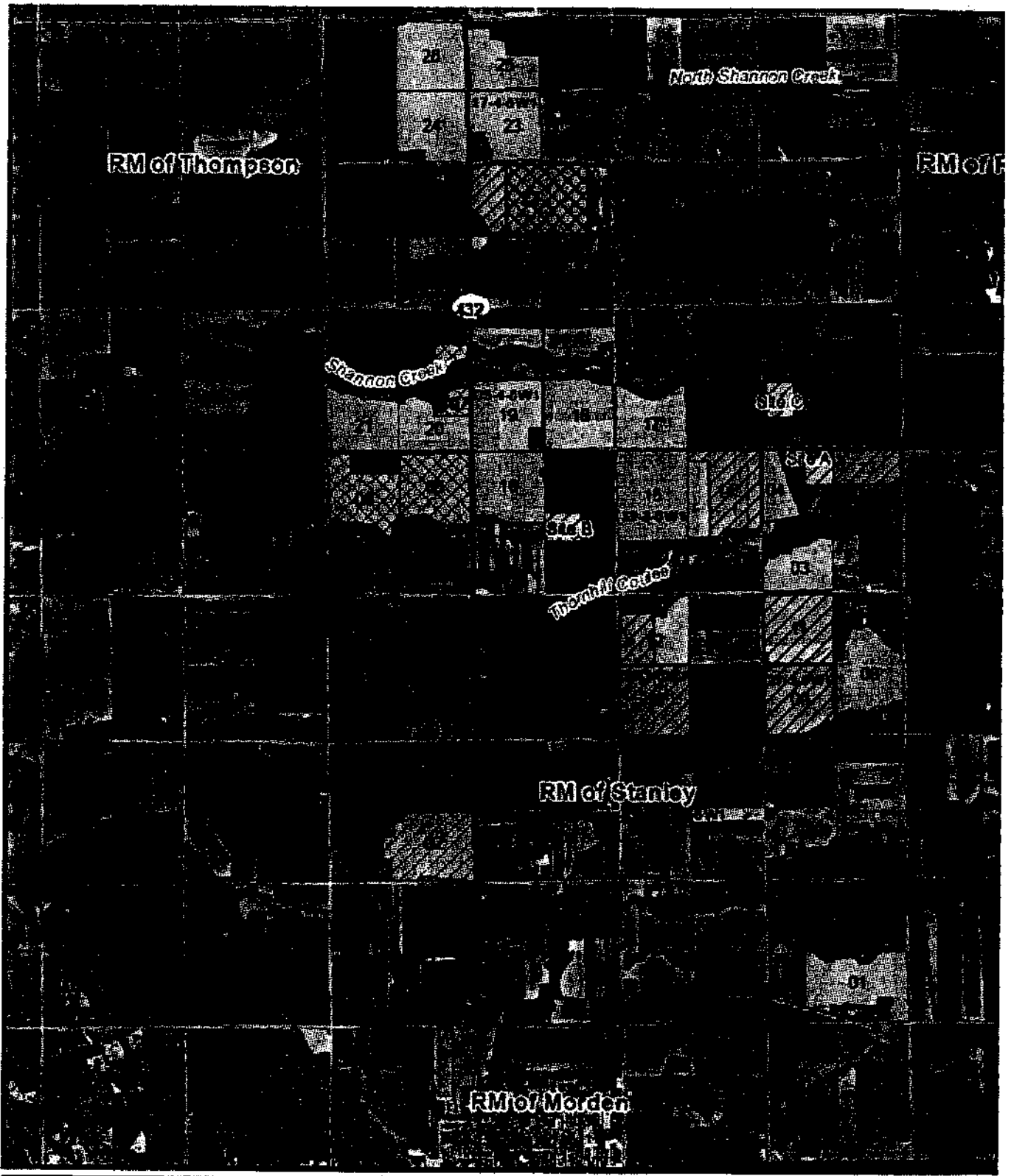
The reasons for not currently planning tile on the lands noted during the TAC review include the following:

1. Land ownership; much of land identified by Kroekers is leased or rented land including fields 8, 15, 16, 17, 18, 20, 21, 23, 24 and 26. Tile is a more permanent improvement than irrigation which can be rotated from field to field. Hence the development of irrigation will usually precede plans to tile drain on leased land. Relationships and long term arrangements are required to ensure access. Capital to install tile and subsequent land improvements are tied to these lease arrangements.
2. In some cases relationships have been established and long term arrangements made, which have afforded tile to proceed, including fields 22, 14, 12, 10. In the case of field 22, tiling is occurring on an as needed (crop rotation) basis, with plans to tile the complete field as shown in Figure 2.
3. In some cases the proponents own the land, fields 9, 11, 13, 19, 25, 01, 02, 03, 04, 05, 06, 07. On these fields the decision to tile is based on drainage rather than irrigation suitability questions. Fields 3 and 4 for example are somewhat naturally drained by the beach ridge and the Thornhil Coulee. Producers may have prioritized those fields they felt needed tile drainage the most.
4. For Field 21, some slight salinity is noted. Given that this field is a recent addition to the project, Veris mapping has and will be recommended to be completed PRIOR to accepting it for irrigation suitability. This could be done as early as this fall, depending on priority and funds.
5. Capital availability and time horizons. It is quite possible that all fields will be tiled but that is not a guarantee nor a current (e.g. 5 year) intention. As such it did not seem reasonable to identify a timeline for tiling.

In summary, tilling is NOT a prerequisite to irrigation of these lands, it is more a consideration for soil and nutrient management BMPs that may be possible. Having said this Field 21 is a special consideration depending on the severity and extent of salinity existing which would be the subject of a Phase 2 investigation.

It is recommended that Field 21 be considered conditional for approval pending further studies by the proponents and approval from Manitoba Conservation.

I will pole the producers on the accuracy of my statements. I will also seek confirmation from D Whetter of Stantec on the relationship of tile drainage to irrigation, and to the Phase 2 studies for Field 21.



Legend

- | | | | | |
|---|--|---|--|---|
|  Heeper Fields |  Rural Municipality |  Tied Fields |  Planned for Tiling |  |
|  Kroker Fields |  Fields Assessed |  Proposed Reservoirs |  Withdrawal Points |  |

2014/05/20 10:00 AM 2014/05/20 10:00 AM 2014/05/20 10:00 AM 2014/05/20 10:00 AM 2014/05/20 10:00 AM

Regards Bruce Shewfelt
PBS Water Engineering Ltd.

From: Webb, Bruce (CWS)
Sent: August-11-14 1:34 PM
To: 'Bruce Shewfelt'
Subject: Hespler- Kroeker Irrigation Project File: 5720.00

The preliminary review for the above project has been completed. No public comments were received, and only one Technical Advisory Committee comment requires additional information:

Manitoba Agriculture, Food and Rural Development

1. In the Land Assessments Reports prepared by Stantec, the signature box entitled "Producer Review" has neither a name nor a signature of the proponent. Have the producers have accepted the recommendations and the management plans prepared by the consultant?
2. For numerous fields in the proposal, there are recommendations that subsurface drainage should be improved, but the fields do not appear as "planned for tiling" on the Figure 1 map in the Stantec Land Assessment Report. This applies to the fields listed below. What are the tiling plans for these fields?

Field 4, NW 34-03-05

Field 8, E 27-03-05

Field 15, NW 33-03-05

Field 16, NW 32-03-05

Field 17, SW 04-04-05

Field 18, SE 05-04-05

Field 19, SW 05-04-05

Field 20, SE 06-04-05

Field 21, SW 06-04-05 also, there is an indication that there is a potential of weakly saline soils in the Northern portion of the field, and a salinity monitoring program is recommended but there is no assessment indicated. Can the applicant or proponent clarify why there is no assessment required?

Field 22, N 8-04-05 part of this field is already tilled and part of this field is "planned for tiling". The text does not indicate that a portion of the field had been tilled and does not indicate the time lines of the plan for tiling.

Field 23, SW 17-04-05

Field 24, SE 18-04-05

Field 25, NW 17-04-05

Field 26, NE 18-04-05

The following comments are provided for information: (No response is needed on these items.)

Water Control Works and Drainage Licensing Section of Manitoba Conservation and Water Stewardship

All water control works (drains, culverts, dykes, dams, etc.) require licensing under the *Water Rights Act* - an application is attached for their convenience. Any inquiries in this regard may be directed to the local *Water Resource Officer*. Their contact information may be found at:

http://www.gov.mb.ca/conservation/waterstewardship/licensing/pdf/areas_of_focus_jan_23_12.pdf

The drainage and/or alteration of permanent and semi-permanent wetlands is not permissible under the *Water Rights Act*.

Environmental Services Section, Highway Planning and Design Branch, Manitoba Infrastructure and Transportation

- A permit from MIT may be required for the following:
 - o Any new or modified access to or from a Provincial Road (PR) or Provincial Trunk Highway (PTH)
 - o Any installations, including but not limited to waterlines, on, across or under MIT's right of way (ROW)
- The Proponent will not abandon any portion of their decommissioned infrastructure, if any, within MIT's ROW.
- Discharge of surplus water or overland flow from the facility will not be permitted within MIT's ROW.
- Any work undertaken within MIT's ROW will be done in accordance with MIT standards, including traffic control where required.

For any clarification on the above comments, please contact Wes Turk, Regional Planning Technologist, at (204) 871-2239 or at Wes.Turk@gov.mb.ca.

Bruce.