

## **SUMMARY OF COMMENTS/RECOMMENDATIONS**

**PROPOSER:** Parrish and Heimbecker Limited  
**PROPOSAL NAME:** Parrish and Heimbecker Limited. – Crop Protection Products Warehouse  
**CLASS OF DEVELOPMENT:** 1  
**TYPE OF DEVELOPMENT:** Bulk Materials Handling Facility  
**CLIENT FILE NO.:** 5736.00

### **OVERVIEW:**

An updated Proposal was received December 14, 2015 further to the initially submitted proposal received on August 12, 2014. The update proposal was submitted to reflect additional aspects of the development that were not included in the initial submission and address flood protection levels incorporated in the design of the initial submission.

The initial advertisement of the proposal was as follows:

“An Environment Act Proposal has been filed by Parrish and Heimbecker Limited for the development of a bulk materials handling facility consisting of a 7800 square foot (724.64 square metre) crop protection products warehouse located at NE 20-14-11 WPM and SE 20-14-11 WPM in the Rural Municipality of Westbourne. The development will be used for the storage of various crop protection products including: fungicides, herbicides and insecticides.”

The Proposal was advertised in Neepawa Press on Wednesday, September 24, 2014, the re-submission was not re-advertised. A copy of the proposal was placed on the Millennium Library/Econetwork/Main/Western public registries. The updated proposal was distributed to the Technical Advisory Committee (TAC) on January 7, 2016. The closing date for TAC and public comments was on February 5, 2016.

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

No comments submitted.

### **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 Registry.

#### **Manitoba Conservation and Water Stewardship – Crown Lands Branch**

“Reviewed the parcel and it is private lands, therefore no concerns from a crown land perspective”.

#### ***Disposition:***

No action needed.

#### **Manitoba Conservation and Water Stewardship – Environmental Compliance and Enforcement**

“Manitoba Conservation and Water Stewardship, Environmental Compliance and Enforcement has reviewed this Environment Act Proposal and has the following comment:

-the proposal indicates that a holding tank will be used to collect wastewater at the facility. The *Onsite Wastewater Management Systems Regulation* MR 83/2003 requires that this system be registered with Manitoba Conservation prior to installation. For further information regarding this, the proponent may contact Tyler Kneeshaw, Regional Supervisor at (204) 239-3608.”

***Disposition:***

Information forwarded to the proponent.

**Manitoba Conservation and Water Stewardship – Office of Drinking Water**

“ODW has no concerns with the amended EAP noted above respecting drinking water quality.”

***Disposition:***

No action needed.

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

“Any water control works (drains, culverts, dykes, dams, etc.) associated with this project will require licensing under the *Water Rights Act* – an application is attached for the proponent’s 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/officer\\_areas\\_of\\_focus\\_30mar2015.pdf.](http://www.gov.mb.ca/conservation/waterstewardship/licensing/pdf/officer_areas_of_focus_30mar2015.pdf)”

***Disposition:***

Information forwarded to proponent. Proponent indicated application process is underway.

**Manitoba Conservation and Water Stewardship – Parks and Protected Spaces Branch**

“Parks and Protected Spaces Branch has reviewed the proposal submitted pursuant to *The Environment Act* for Request for review/comment - UPDATED - EAP -Parrish & Heimbecker - Crop Protection File: 5736.00. The Branch has 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 areas.”

***Disposition:***

No action needed.

**Manitoba Conservation and Water Stewardship – Water Use Licensing Section**

Based on the statement copied below from the report WULS has no concerns:

“The Facility obtains its water from the RM and is piped into the site. The water is only used for office use (employees and customers) and is not used in any processes at the Project Site.”

***Disposition:***

No action needed.

**Manitoba Conservation and Water Stewardship – Wildlife Branch**

“No wildlife related concerns.”

***Disposition:***

No action needed.

**Manitoba Municipal Government – Community and Regional Planning**

“A Conditional Use permit is required from the Municipality of Westlake-Gladstone for the Crop Protection Warehouse since it is located in the “AR-1” Agricultural Restricted Zone – Urban Fringe. Approval of the Municipal road closing by-law is required on behalf of the Minister of Municipal Government to close that portion of the Government Road Allowance where the CNR crossing is located at the south end of this development (see attached survey plan). Approval from the Minister of Conservation and Water Stewardship is also required to transfer the closed road allowance to the Municipality of Westlake-Gladstone. The subdivision (our file no. 4200-13-7114) was approved by our office on July 15, 2014. Our office has no concerns with this Environment Act Proposal.”

***Disposition:***

No action needed.

**Manitoba Infrastructure and Transportation – Water Management, Planning and Standards**

This updated proposal is for a Grain Elevator and Crop Inputs Site, rather than for just a Crops Protection Products Warehouse as originally submitted. As indicated in our correspondence of November 19, 2014 the E 20-14-11 WPM was almost totally inundated in May 1979, due to overland flooding from the Whitemeud River. The triangular parcel land upon which this development is situated was totally inundated in 1979. Flooding also occurred in this area in 1970, but neither the 1970 flood nor the 1979 flood were the equivalent of a 100 year flood.

As indicated in our correspondence of March 12, 2015 we estimate the 100 year flood level at this location to be 270.053 metres (886 feet) G.S. of C. Datum. The corresponding flood protection level is 270.662 metres (888 feet) G.S. of C. Datum.

Section 5.14.1 Flood Protection Procedures of the P&H Gladstone Environment Act Proposal as prepared by AECOM addresses permanent flood protection for the Crop Protection Products Warehouse, and emergency flood protection measures for the additional structures which have been

constructed upon this site. As the entire parcel of land in the NE 20-14-11 WPM east of the railroad tracks was totally inundated during the 1979 flood of the Whitemud River and would be similarly affected during a 100 year flood, we recommend that all structures on the site are provided with permanent flood protection.

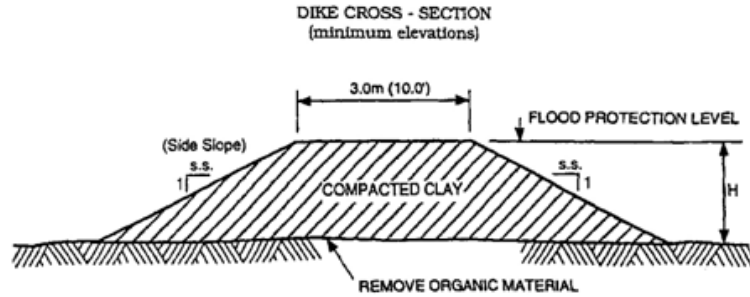
Therefore, Water Management recommends that flood protection is provided for all of the new structures constructed at this location in accordance with the following:

1. Constructing an earthen ring dike, crest elevation at elevation 270.662 metres (888 feet) G.S. of C. Datum in accordance with the attached dike construction criteria or
2. Constructing the structures upon a raised earth pad of clean, compacted impervious material to a minimum finished grade elevation of 270.053 metres (886 feet) G.S. of C. Datum and constructing the floor to a minimum finished grade elevation of 270.358 metres (887 feet) G.S. of C. Datum. The fill material should extend a minimum of 4.572 metres (15 feet) in all directions from the structure foundation or
3. Constructing hopper bin storage such that the minimum elevation of the bottom of the cones is 270.358 metres (887 feet) G.S. of C. Datum.

### Dike Construction

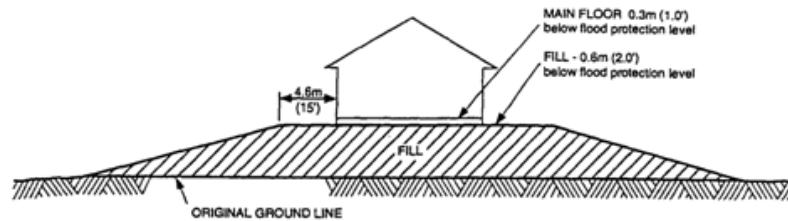
The following side slopes are recommended:

<u>Dike Height (H)</u>	<u>Minimum Side Slopes (S.S.)</u>
1 ft to 5 ft (0.3m to 1.5m)	3:1
5 ft to 10 ft (1.5m to 3.0m)	4:1
10 ft (3.0m) or greater	5:1



### Pad Construction

**MACHINE SHED, WORK SHOP, GRANARY, STORAGE BUILDING**  
(minimum elevations)



### **Disposition:**

The following areas are addressed as follows:

- Proponent has indicated intent to achieve the recommended Flood Protection Level (FPL) and a Licence condition is in place specific to the crop protection products warehouse in the proposal.
- The grain elevator and associated facilities are approximately 540 m from the nearest residence located to the southeast and therefore falls outside of the *Classes of Development Regulation*.
- The rail siding falls outside of the *Classes of Development Regulation*.
- The bottom of the hoppers on the fertilizer storage bins are approximately 14.0 feet above the concrete slab. This would mean that the bottom of the hoppers on the fertilizer storage bins is approximately at geodetic elevation 897.59 feet and have achieved the recommendations concerning FPL.
- The seed treatment facility as proposed indicates little inventory remains on site for any extended period of time, any change in practice specifically maintaining any significant quantity of treated

seed and treatment solutions, may result in FPL being considered during the Notice of Alteration process.

- All facilities that are included in the scope of the proposal requiring flood protection have been addressed in licence conditions.

### **Office of the Fire Commissioner**

“The OFC recommend that

- (1) the license requirement stipulate that the applicant obtain the required building and occupancy permits from the AHJ for this project (OFC at 1601 Vanhorne Ave. E. Brandon MB), and
- (2) an Emergency Plan be filed and approved by the local Fire Department prior to Occupancy in accordance with Section 2.8 of the Manitoba Fire Code.”

### ***Disposition:***

P and H has indicated the following which satisfies requirements within the scope of this review process:

- P&H has all required building permits. P&H is in the process of getting all involved consulting engineers to send in their assurance letters to obtain occupancy permit.
- The Emergency Response Plan has been filed and approved by local fire department.

### **PUBLIC HEARING:**

A public hearing is not recommended.

### **CROWN ABORIGINAL CONSULTATION:**

The project will be located on agricultural land in an established agricultural zoned area in The Rural Municipality of Westlake-Gladstone owned by the proponent. All surrounding land potentially affected is also privately owned land. The project will not affect resource use on land or water. There are no adjacent or nearby First Nations.

### **RECOMMENDATION:**

The provincial TAC expressed no concerns, or concerns are addressed in the draft licence, regarding the proposal. Therefore, 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.

PREPARED BY:

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Updated: March 30, 2016

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