

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Koch Fertilizer Canada
PROPOSAL NAME: Koch Liquid Fertilizer Terminal – R. M. of Macdonald
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Bulk Materials Handling Facility
CLIENT FILE NO.: 5505.00

OVERVIEW:

A Proposal was filed on January 28, 2011 by Koch Fertilizer Canada for the continued operation of a liquid fertilizer terminal located in the NE ¼ of Section 36, Township 9, Range 1 East in the Rural Municipality of Macdonald. The site consists of a small office building, an off-loading station, loading and unloading pumps, and one urea ammonium nitrate (UAN) storage tank.

The Proposal was advertised in the Winnipeg Free Press on Saturday, February 26, 2011. Copies of the proposal were placed in the Public Registries at the Millennium Public Library, the Manitoba Eco-Network, and the Conservation and Environment Library. The proposal was distributed to the Technical Advisory Committee (TAC) on February 24, 2011. The closing date for TAC and public comments was on March 28, 2011.

COMMENTS FROM THE PUBLIC:

No public responses were received.

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 Registries.

Manitoba Conservation - Parks and Natural Areas Branch

No comments.

Disposition:

No action needed.

Manitoba Conservation - Wildlife and Ecosystem Protection Branch

No concerns.

Disposition:

No action needed.

Manitoba Conservation - Central Region

No concerns.

Disposition:

No action needed.

Local Government - Community and Regional Planning Branch

No comments or concerns. The proposed site is located at the northern edge of the industrial area north of the residential development in Oak Bluff. This provides an adequate buffer between the proposed site and the existing residential development in the community.

Disposition:

No action needed.

Manitoba Infrastructure and Transportation

No concerns.

Disposition:

No action needed.

Manitoba Water Stewardship

- Manitoba Water Stewardship does not object to this proposal, at this time.
- 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.
 - 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.

Disposition:

No action needed.

Canadian Environmental Assessment Agency

Based on a survey of federal departments, application of the Canadian Environmental Assessment Act will not be required for this project. DFO provided a Letter of Advice and Environment Canada (EC) provided a letter with comments regarding the project.

Disposition:

The Canadian Environmental Assessment Agency forwarded the letters from DFO and EC to the proponent for their consideration in a letter dated March 17, 2011.

PUBLIC HEARING:

A public hearing is not recommended.

RECOMMENDATION:

The provincial TAC expressed no concerns about to 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:

Elise Dagdick
Environmental Assessment and Licensing Branch
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Telephone: (204) 945-8173 / Fax: (204) 945-5229
E-mail Address: Elise.Dagdick@gov.mb.ca