



**TECHNICAL REVIEW COMMITTEE**

**A TECHNICAL REVIEW REPORT  
PREPARED FOR**

**THE RURAL MUNICIPALITY  
OF  
HANOVER**

**Friendly Family Farms  
Ltd.**

**SE 18-07-06E**

**TRC 12-007**

**January 17, 2014**

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## A. INTRODUCTION

The Technical Review Committee (TRC) consists of representatives from the following provincial departments:

- Agriculture, Food and Rural Development (MAFRD);
- Conservation & Water Stewardship (CWS);
- Infrastructure & Transportation (MIT);
- Municipal Government (MG); and
- Any other department that may have an interest, which may be consulted during the process.

The Technical Review Coordinator, Manitoba Municipal Government, chairs the committee.

The Technical Review Committee Report includes the following:

- An assessment of completeness and nature of the information contained in the Site Assessment provided by the project proponent that enables the TRC to conduct its review.
- A summary of public comments along with proponent and departmental responses, if any.
- Recommendations to the Municipal Council and the proponent based upon a review of the information provided by the proponent.

Should the Municipal Council provide conditional approval of the proposal, the project proponent will be required to obtain various permits and licenses from the Province to address in greater detail environmental aspects of the proposal.

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## B. DESCRIPTION OF PROPOSED LIVESTOCK OPERATION

To view a detailed description go to

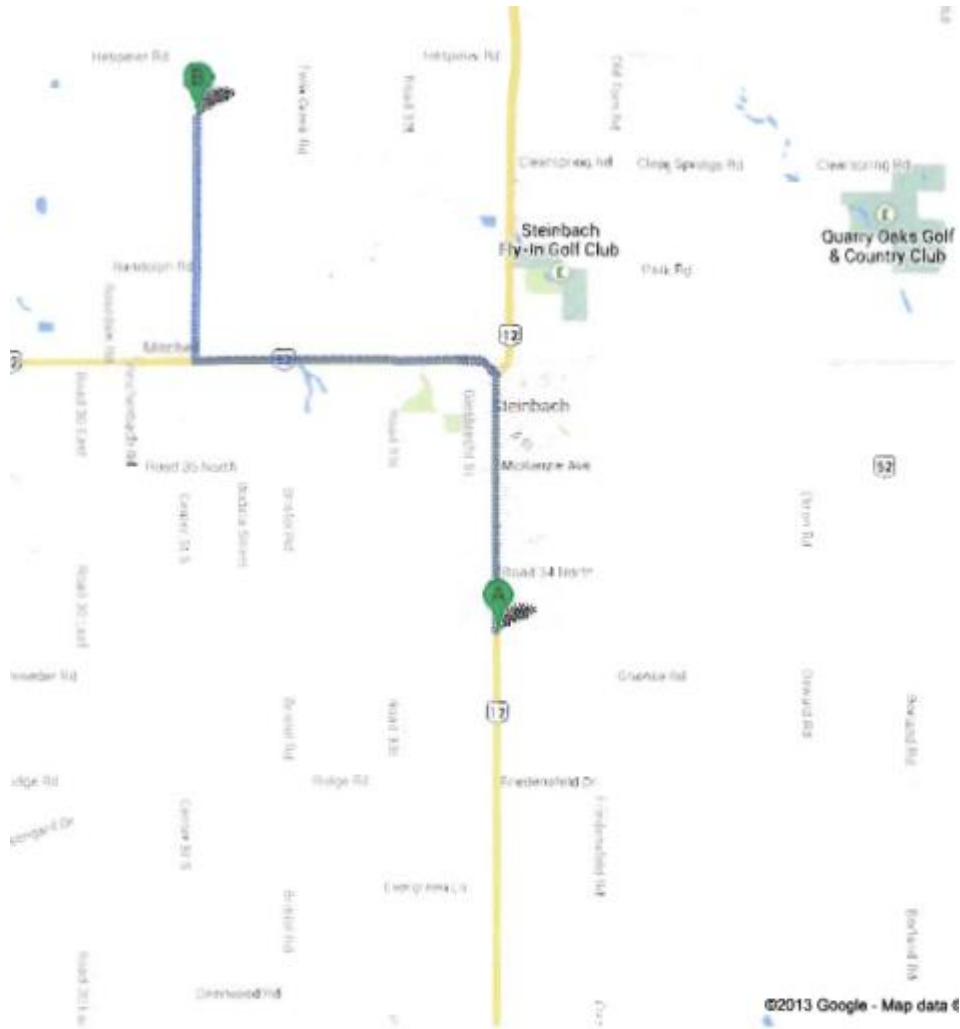
[www.gov.mb.ca/ia/programs/livestock/public\\_registries.html](http://www.gov.mb.ca/ia/programs/livestock/public_registries.html)

Applicant: Friendly Family Farms Ltd

Site Location: Approximately 2 miles north of Mitchell, in the R.M. of Hanover (SE 18-07-06EPM) Refer to map below.

Proposal: To expand an existing broiler operation with the addition of 60,000 broilers for a total of 570 Animal Units. This will involve the following:

- Constructing a new replacement barn
- Manure is to be field stored and then transported off site
- Consuming 3,990 imperial gallons of water per day
- Composting dead animals will not take place on site
- Using the truck haul routes as shown below



FEED DELIVER HAUL ROUTE

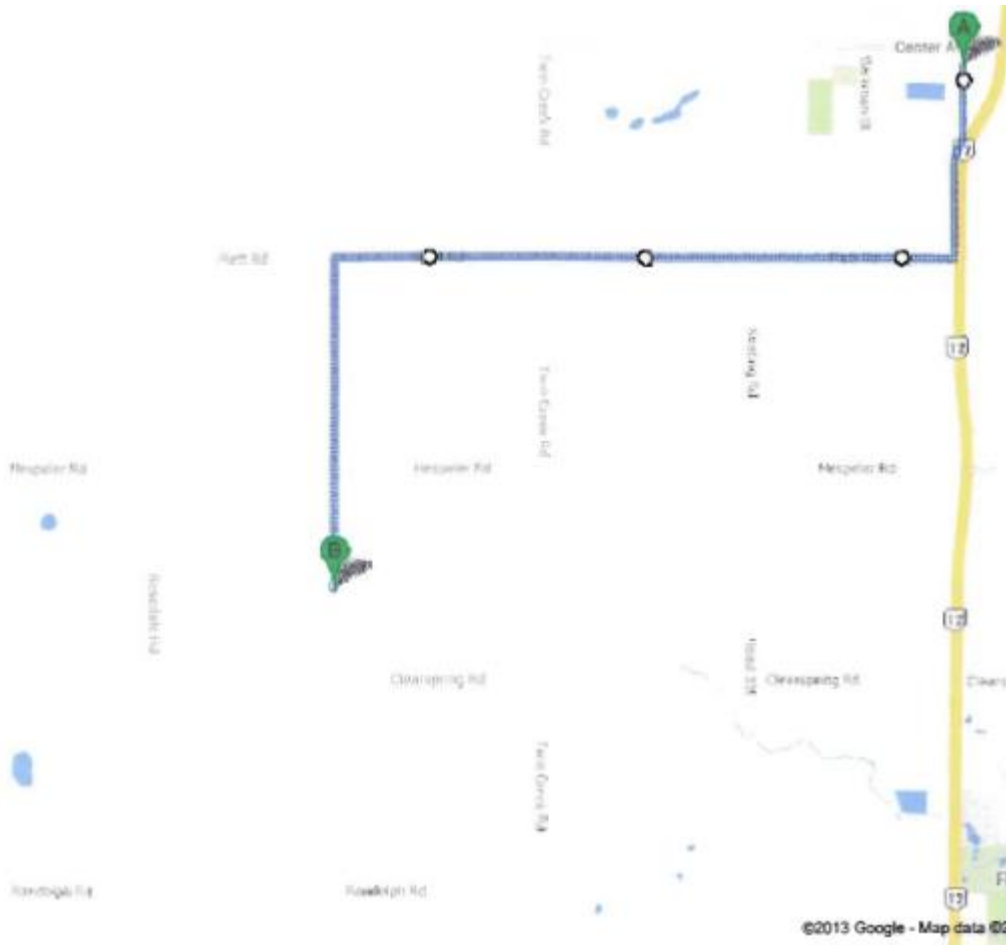
- (A) - HANOVER FARMS IMC.
- (B) - PROPOSED SITE



MANURE HAUL ROUTE

(B) - PROPOSED SITE

(A) - LOVE DAY MUSHROOM FARM



LIVE CHICKEN HAUL ROUTE

(A) - GRANNYS POULTRY

(B) - PROPOSED SITE

## C.SITE ASSESSMENT AUDIT

The Audit of: Friendly Family Farms Ltd.

Site Assessment Sections	Meets Requirements for TRC Review (type "X")	Comment	Reviewing Department
2.0 Description of Operation	X	The applicant has provided a detailed description of the current operation.	MG
3.0 Nature of Project	X	The applicant has clearly defined the nature of the project.	MG
4.0 Proposed Type and Size of Operation	X	Expansion of an existing broiler chicken operation to 570 AU.	MAFRD
5.0 Animal Confinement Facilities	X	<b>Climate Change &amp; Environmental Protection - Environmental Programs and Strategies:</b> Manitoba Conservation and Water Stewardship requires permits for construction and expansion of confined livestock areas for operations with 300 AU or more. Barns are not included in the definition of confined livestock areas.	CWS
6.0 Environmental Farm Planning	X	The operation does not have a current Environmental Farm Plan.	MAFRD
7.0 Water	X	<b>Climate Change &amp; Environmental Protection - Environmental Programs and Strategies:</b> The operation has historically been below the 300 animal unit threshold; therefore the producer has not submitted Source Water Monitoring analysis.  <b>Water Stewardship - Water Use Licensing:</b> The water use for this project falls below the domestic exemption. Therefore, a water rights application is not required.	CWS

<p>8.0 Manure Related</p>	<p>X</p>	<p><b>Climate Change &amp; Environmental Protection - Environmental Programs and Strategies:</b>  Manitoba Conservation and Water Stewardship regulates the construction of manure storage facilities (MSF) by requiring the proponent to submit an “Application for Permit to Construct, Modify or Expand a Manure Storage Facility”. The definition of MSF does not include gutter or pit (including under barn storage) used to contain liquid or semi-solid manure for less than 30 days for the purpose of moving the manure to a storage facility.  The proponent has identified they intend to field store solid manure. Field storage must be done in accordance with Section 7 of the Livestock Manure and Mortalities Management Regulation (M.R. 42/98). The Livestock Manure and Mortalities Management Regulation requires the producer move the location of the field storage site on an annual basis and crop site to draw residual nutrients.  The operation has historically been below the 300 AU animal unit threshold; therefore the producer has not submitted a Manure Management Plan for the 2013 crop year.</p> <p><b>Climate Change &amp; Environmental Protection - Environmental Approvals:</b>  The Technical Review Report does not include a proposal to construct a manure storage facility. Instead under the heading “Manure Storage Type and Capacity (Page 7 of Site Assessment), field storage has been identified as the type of manure storage system to be used by the operation. Based on this there is no storage capacity to comment on. In the site plan drawing by Penfor Construction included in the report “Existing Earthen Manure Storage” and “Proposed Earthen Manure Storage” have been identified. This contradicts the indication that field storage is the type of storage to be used. The said existing earthen storage needs to be verified. A permit shall be obtained for the proposed earthen storage facility prior to construction, should the intent be to proceed with construction of a new earthen manure storage facility.</p> <p><b>Climate Change &amp; Environmental Protection - Environmental Compliance and Enforcement:</b>  The Steinbach Office has no record an existing manure storage facility operated by Friendly Family Farms at SE-18-7-6E. Also, the applicant states in the proposal that the proposed expansion is a replacement for existing barns at NW-30-6-6-E. The Steinbach Office has no record of an existing manure storage facility operated by Friendly Family Farms at NW-30-6-6-E.</p>	<p>CWS</p>
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<p>8.1 Land Available/Required for Manure Application</p>	<p>X</p>	<p><b>Manitoba Agriculture, Food and Rural Development</b>  <i>Friendly Family Farms has indicated that all of the manure associated with the operation will be exported to Loveday Mushroom Farms Ltd. As such, there was no land to assess in the expansion proposal. Manitoba Agriculture, Food and Rural Development (MAFRD) calculated the land base for manure application to provide Council with an estimate of the land that will be required for the sustainable management of the manure should Friendly Family Farms' contract with Loveday Mushroom Farms Ltd expire. Family Friendly Farms would require 1721 acres of land to ensure the long-term environmental sustainability of the operation. Details of the calculation are provided in the Appendix at the back of this document.</i></p> <p><b>Department of Municipal Government</b>  <i>The identified spread fields are compliant with the Development Plan and Zoning By-law. They are designated "General Agriculture Area" in the R.M. of Hanover Development Plan and are located within the "AG" Agriculture Zone in the R.M. of Hanover Zoning By-Law.</i></p> <p><b>Climate Change &amp; Environmental Protection - Environmental Programs and Strategies:</b>  <i>Manitoba Conservation and Water Stewardship has obtained information on average phosphorus output from livestock and expected crop removal rates of phosphorus as well as Census data in order to estimate the phosphorus budget in each Rural Municipality within agro-Manitoba. "Certain Areas", are defined by the Livestock Manure and Mortalities Management Regulation (M.R. 42/98) as areas where the amount of phosphorus in the manure produced annually by livestock in an area of not less than 93.24 km<sup>2</sup> is greater than two times the annual crop removal rate of P<sub>2</sub>O<sub>5</sub> in that area. The Rural Municipality of Hanover is considered to be a "certain area". Manitoba Conservation and Water Stewardship requires</i></p> <p><i>permits for construction of manure storage facilities. As part of the review operators must identify manure spread fields. In areas of Manitoba which are considered to be "certain areas" as defined above, Manitoba Conservation and Water Stewardship's current policy for the construction permit is to require an operation to demonstrate access to sufficient land to apply manure at a rate equivalent to 1 times the crop removal rate of phosphorus. The proponent has not identified sufficient land available for manure application. The Department considers the application deficient in that the proponent has not demonstrated the ability to operate in compliance with Section 12.2(1) of the Livestock Manure and Mortalities Management Regulation (M.R. 42/98). Therefore, Conservation and Water Stewardship has strong concerns regarding the proposed expansion.</i></p>	<p>CWS  MG  MAFRD</p>
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<p>9.0 Mortalities Disposal</p>	<p><b>X</b></p>	<p><b>Climate Change &amp; Environmental Protection - Environmental Programs and Strategies:</b>  <i>In accordance with the Livestock Manure and Mortalities Management Regulation (M.R. 42/98), mortalities must be kept in a secure storage room, covered container or secure location; and continuously frozen or refrigerated, if not disposed of within 48 hours after death.</i>  <i>Rendering mortalities is acceptable method of mortalities management.</i>  <i>The proponent is required under section 15(6) of the Livestock Manure and Mortalities Management Regulation to report a mass mortality event to Conservation and Water Stewardship; mortalities must be disposed in accordance with the Environment Officer's instructions.</i></p>	<p><b>CWS</b></p>
<p>10.0 Project Site Description</p>	<p><b>X</b></p>	<p><i>The proposed expanded operation is entirely located in The RM of Hanover. According to the Rural Municipality of Hanover Development Plan, the area is designated "GENERAL AGRICULTURE AREA". Policies associated with the "GENERAL AGRICULTURE AREA" accommodate a full range of agricultural uses, including livestock production operations and manure application. The proposed livestock operation expansion generally complies with the applicable policies of the RM of Hanover Development Plan.</i></p> <p><i>The property is zoned "AG" Agriculture Zone within the RM of Hanover Zoning By-law. The RM of Hanover Zoning By-law allows the expansion of Livestock operations on 160 acres. The By-law also contains provisions that allow for expansion of existing operations on less than 160 acres provided they comply with all environmental regulations and separation distances. The existing operation does not meet the 160 acre requirement but does comply with the environmental regulations and therefore satisfies the minimum site area requirement. The proposed operation does not meet site width requirements of 1000 feet. <b>Therefore the appropriate variation order should be obtained.</b></i></p> <p><i>The nearest single residence not associated with the operation is located 1476 feet from the barn, which meets the current minimum separation distance of 820 feet. The nearest designated residential area is approximately 7,920 feet which satisfies the minimum separation distance of 4,364 feet.</i></p>	<p><b>MG (CRP Regional Office)</b></p>

<p>10.0 Project Site Description (Native Prairie, Wildlife Mgt Areas, Crown Land)</p>	<p><b>X</b></p>	<p><b>Conservation Programs - Wildlife &amp; Ecosystem Protection:</b> The Manitoba Conservation Data Centre has no concerns.</p> <p><b>Lands Management &amp; Planning Section:</b> Based on review of the information provided Land Management &amp; Planning Section of Manitoba Conservation has no concerns to forward as no Crown lands are affected by this proposal.</p>	<p><b>CWS</b></p>
<p>11.0 Truck Haul Routes and Access Points</p>	<p><b>X</b></p>	<p><i>This proposed site does not have frontage on nor direct access to a provincial highway. Therefore we have no concerns with this proposal.</i></p>	<p><b>MIT</b></p>

CWS – Conservation and Water Stewardship

MAFRD- Manitoba Agriculture, Food and Rural Development

MIT – Manitoba Infrastructure and Transportation

MG- Municipal Government

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## D. PUBLIC COMMENTS & DISPOSITIONS

N/A

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## E. CONCLUSIONS & RECOMMENDATIONS

### Overall Conclusion

**Based on the Site Assessment submitted by the producer and available information, the TRC recommends the following appropriate practices, measures and safeguards be taken;**

### Recommended Actions to Council

- As per Section 114(1) of The Planning Act, Council must set a date for a Conditional Use hearing which must be at least 30 days after it receives this report

- As per Section 114(2) of The Planning Act, at least 14 days before the date of the hearing, Council must:
  - a) send notice of the hearing to
    - (1) the applicant,
    - (2) the minister, (c/o the Steinbach Community & Regional Planning Office)
    - (3) all adjacent planning districts and municipalities, and
    - (4) every owner of property located within three kilometres of the site of the proposed livestock operation, even if the property is located outside the boundaries of the planning district or municipality;
  - b) publish the notice of hearing in one issue of a newspaper with a general circulation in the planning district or municipality; and
  - c) post a copy of the notice of hearing on the affected property in accordance with Section 170 of The Planning Act.
- Council should specify the type(s) of operation, legal land location, number of animals in each livestock category and total animals units in its Conditional Use Order.
- As per Section 117 of The Planning Act, Council must send a copy of its (Conditional Use Order) to
  - a) the applicant;
  - b) the minister (c/o the Steinbach Community & Regional Planning Office); and
  - c) every person who made representation at the hearing.
- As the proposed operation does not meet site width requirements of 1000 feet, the appropriate variation order should be obtained.
- Should Friendly Family Farms' contract with Loveday Mushroom Farms Ltd expire, 1721 acres of land will be required to ensure the long-term environmental sustainability of the operation.
- The proponent has not identified sufficient land available for manure application. The Department considers the application deficient in that the proponent has not demonstrated the ability to operate in compliance with Section 12.2(1) of the *Livestock Manure and Mortalities Management Regulation* (M.R. 42/98). Therefore, Conservation and Water Stewardship has strong concerns regarding the proposed expansion.

### **Recommended Actions to Proponent**

- In the event municipal approval is granted for the proposed expansion, the following actions are required:
  - The proponent is required to submit an ``*Application for Permit to Construct, Modify, or Expand a Manure Storage Facility*'' to Manitoba Conservation and

Water Stewardship for each Manure Storage Facility (MSF) to be constructed, modified or expanded;

- Construction of a MSF shall not commence until a permit is granted by the Director, and adequate notification is given to Manitoba Conservation and Water Stewardship;
- The proponent shall ensure the MSF, alone or in combination with other MSFs located on the property of the agricultural operation, is/are of sufficient capacity to store all livestock manure produced and used by the agricultural operation;
- The proponent should prepare a plan outlining the long-term environmental sustainability of the operation, which should include securing sufficient, suitable land for manure application;
- Field storage must be done in accordance with Section 7 of the Livestock Manure and Mortalities Management Regulation (M.R. 42/98);
- Livestock manure shall be stored until such a time that it can be applied as fertilizer.
- The proponent must submit a Manure Management Plan (MMP) annually to Manitoba Conservation and Water Stewardship in accordance with the *Livestock Manure and Mortalities Management Regulation* (MR 42/98).
- The proponent is required to submit the annual livestock source water monitoring analysis report to Manitoba Conservation and Water Stewardship no later than December 31 of each year.
- The proponent should prepare a contingency plan in the event of a catastrophic event resulting in mass mortalities.

**\* and any additional measures identified through subsequent Provincial and Federal licensing or permitting in order to minimize any identified risks to health, safety and the environment.**

**The overall conclusion represents the consensus of the TRC Members.**

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## F. TECHNICAL REVIEW COMMITTEE MEMBERS

<b>Name</b>	<b>Department</b>	<b>Title</b>	<b>Address</b>	<b>Telephone</b>
Don Malinowski Chair	Municipal Government	Senior Planner, TRC Community & Regional Planning Branch	604-800 Portage Avenue Winnipeg	945-8353
Petra Loro	Agriculture Food and Rural Development	Livestock Environment Specialist	545 University Crescent Winnipeg	945-3869
Andrea Bergman	Conservation and Water Stewardship	Technical Review Officer Environmental Programs & Strategies Branch	1007 Century Street Winnipeg	945-4384
Heinz Lausmann	Infrastructure and Transportation	Senior Highway Planning Engineer Highway Planning and Design Branch	1420-215 Garry Street Winnipeg	945-2664

## APPENDIX

### **Land Base Assessment for the Friendly Family Farms TRC Report November 26, 2013 Petra Loro, Livestock Environment Specialist**

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There was no land to assess in the expansion proposal for Friendly Family Farms. Manitoba Agriculture, Food and Rural Development (MAFRD) calculated the land base for manure application to provide Council with an estimate of the land that will be required for the sustainable management of the manure should Friendly Family Farms' contract with Loveday Mushroom Farms Ltd expire.

In the Rural Municipality of Hanover, it is currently the Government of Manitoba's policy to require enough suitable land to allow manure application at a rate that does not exceed 1 times the phosphorus that will be removed from the field in the harvested portion of the crop. Only lands with Agriculture Capability Class 1 to 5 with soil tests demonstrating phosphorus (P) levels below 180 ppm Olsen P can receive manure. Buffer strips and setbacks must be excluded.

114000 broiler chickens (both male and female) are estimated to excrete about 58524 lb P<sub>2</sub>O<sub>5</sub> per year. Assuming a default crop P<sub>2</sub>O<sub>5</sub> removal value of 34 lb/acre, Family Friendly Farms would require 1721 acres of land to ensure the long-term environmental sustainability of the operation.