



TECHNICAL REVIEW COMMITTEE

A TECHNICAL REVIEW REPORT

PREPARED FOR

THE MUNICIPALITY

OF KILLARNEY-TURTLE MOUNTAIN

Pinot Farms

SW 1/4 15-2-16 WPM

TRC 12-087

January 13, 2022

A. INTRODUCTION – THE TEAM

The Technical Review Committee (TRC) is supported by the following department personnel:

Agriculture and Resource Development (ARD)

- Aggregate Resource Planner
- Agricultural Engineer
- Business Development Specialist
- Crown Lands Manager
- Fish Habitat Specialist
- Groundwater Specialist
- Habitat Mitigation and Wildlife Land Specialist
- Land-Water Specialist
- Livestock Environment Specialist
- Nutrient Management Specialist
- Veterinarians

Conservation and Climate (CC)

- Environmental Engineer
- Environment Officer
- Water Rights Licensing Technologist

Infrastructure (MI)

- Senior Development Review Technologist
- Senior Flood Protection Planning Officer

Municipal Relations (MR)

- Community Planners

And any other specialist or department that may have an interest, which may be consulted during the process.

THE TECHNICAL REVIEW COMMITTEE (TRC) REPORT

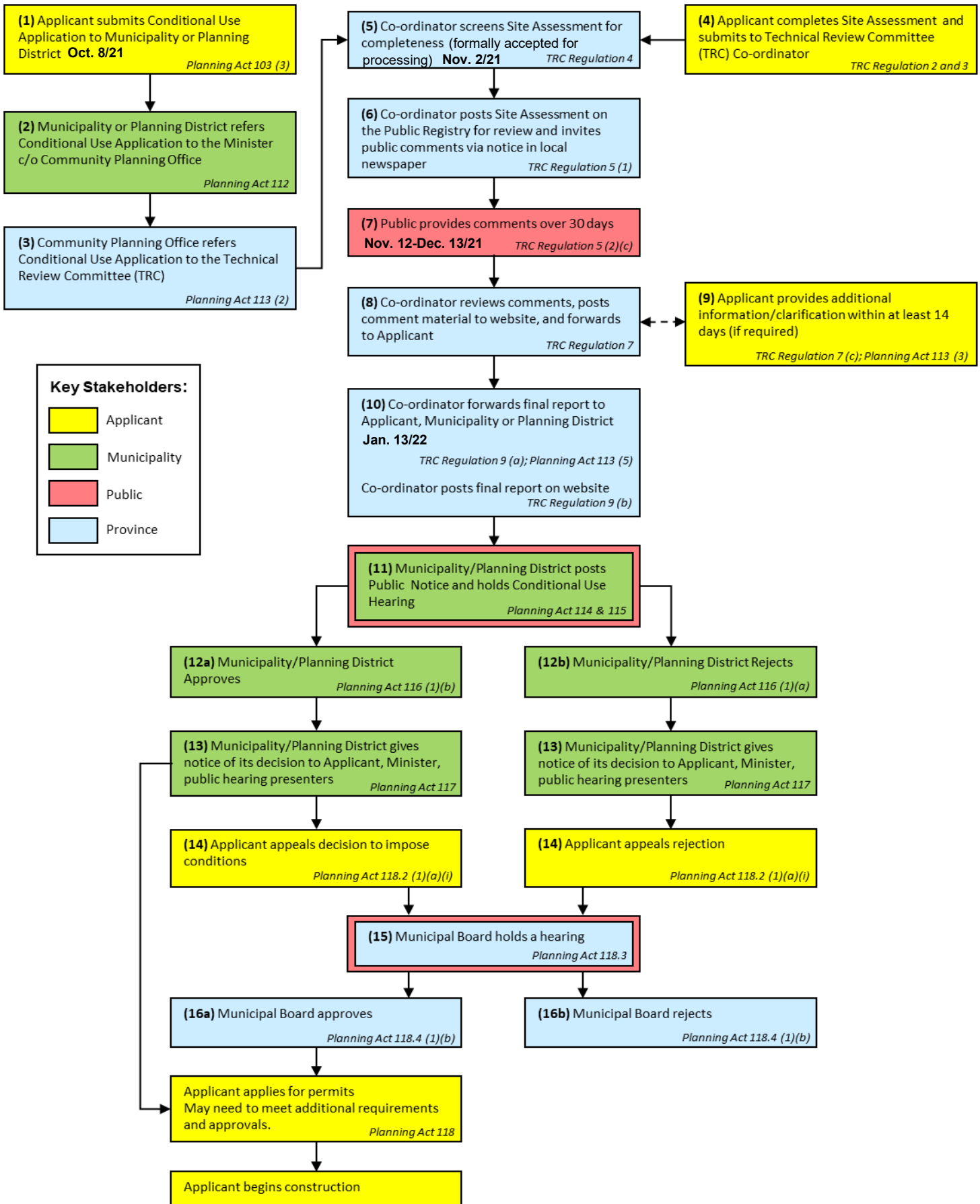
Purpose of TRC Reports

To provide objective, credible, technically-based assessments that:

- a) Enable municipal councils or planning districts to make informed Conditional Use Permit decisions;
- b) Create a common stakeholder understanding of a livestock proposal, potential impacts and related regulatory requirements and safeguards;
- c) Provide a vehicle/forum that enables the sharing of public concerns and proponent responses;
- d) Offer recommendations to both municipal councils, planning districts and proponents; and
- e) Represents the fulfillment of the TRC's role as per 116(1)(b)(i) of *The Planning Act* – to determine, based on available information, that the proposed operation will not create a risk to health, safety or the environment, or that any risk can be minimized through the use of appropriate practices, measure and safeguards.

Should the municipal council provide conditional approval of the proposal, the project proponent may be required to obtain various permits and licenses from the province to address in greater detail environmental aspects of the proposal. As of November 1, 2019, a proponent may appeal a municipal council's rejection of their application or appeal a condition imposed related to municipal council's approval. Appeals are made to the Municipal Board.

Livestock Technical Review Process (November 1, 2019)



B. DESCRIPTION OF PROPOSED LIVESTOCK OPERATION

Further information can be found at https://www.gov.mb.ca/mr/livestock/public_registries.html

Applicant: Hylife Ltd.

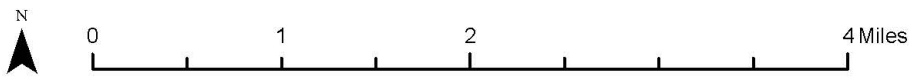
Site Location: SW ¼ 15-2-16 WPM

Proposal: To amend Conditional Use Order RCU-03-06 with regards to the requirement for a synthetic cover.

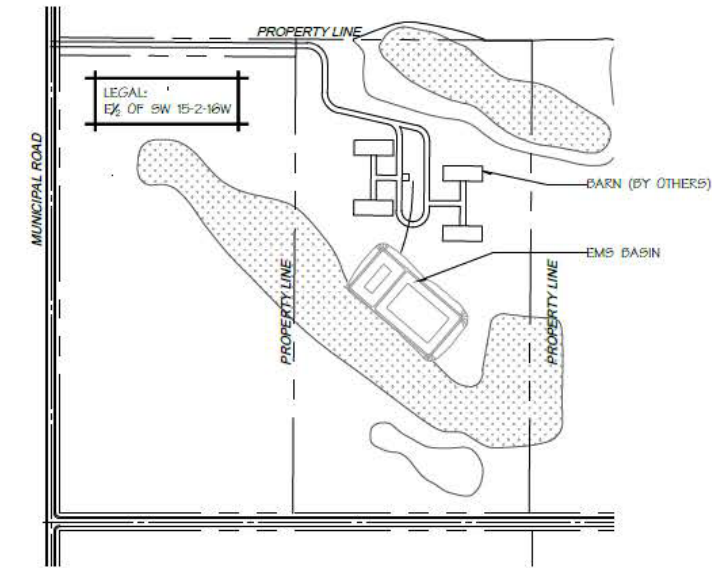
This will involve the following:

- Using existing buildings.
- Modify earthen manure storage facility.
- Consuming a maximum of 22,880 imperial gallons of water per day from an existing well.
- Rendering mortalities
- Truck haul routes as shown in map below


Pinot Site Location

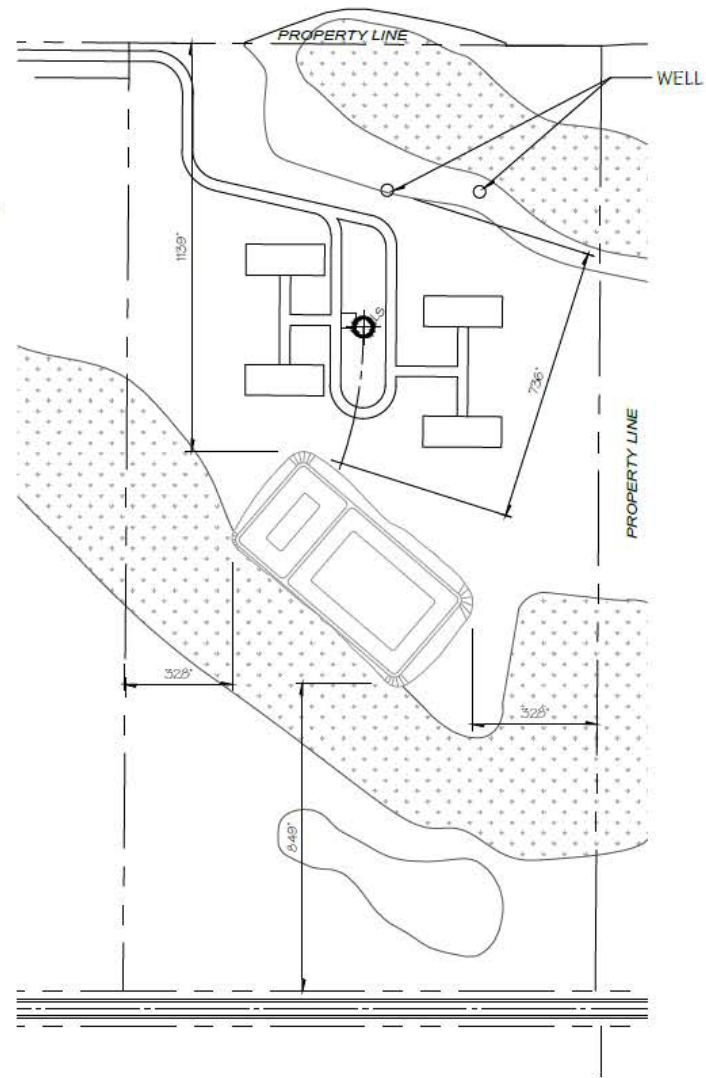


Prepared by:
Kieran Hamm
Nutrient Management Coordinator
HyLife Ltd.



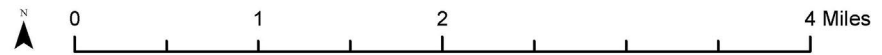
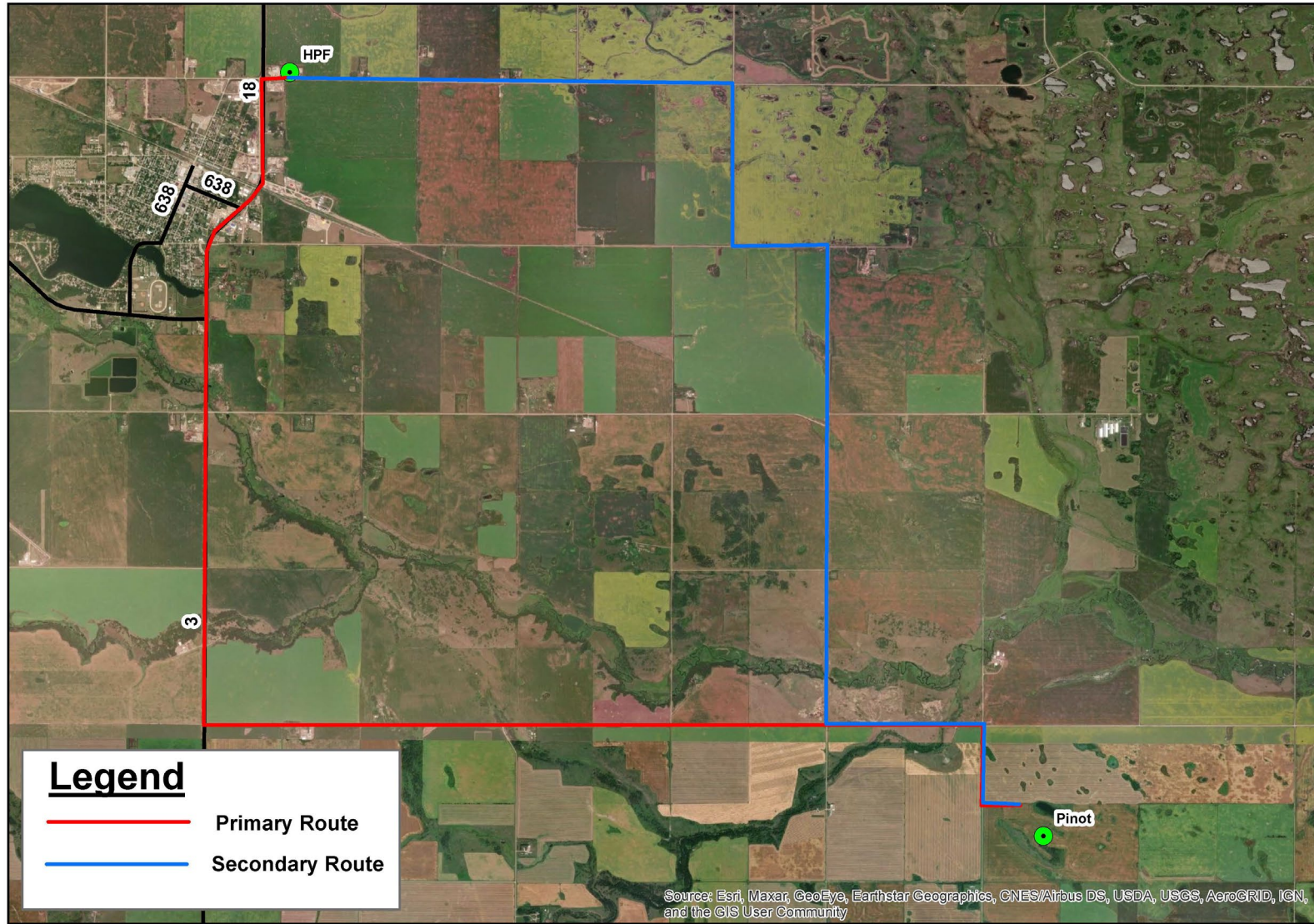
SITE PLAN - OVERALL

LEGEND	
	INDICATES MANURE LIFT STATION LOCATION



SITE PLAN - DETAIL

Pinot Truck Haul Route



HYLIFE
Prepared by:
Kieran Hamm
Manager of Agronomic Services
Hylife Ltd.

C. SITE ASSESSMENT OVERVIEW

Provincial Technical Overview of TRC 12-087 – Pinot Farms				
Item No.	Provincial Requirements	Confirmed	Related Provincial Safeguards	Dept.
1	Submitted complete site assessment	X	Technical Review Committee Regulation 119/2011 requires an applicant to submit a completed site assessment.	MR
2	Clearly identified the current and proposed type and number of animals and animal units	X	HyLife - Pinot is seeking to amend the condition for a synthetic cover on the earthen manure storage facilities of their existing 4 barn, 10,400 head (1,487 animal unit) grower / finisher operation located at SW 15-2-16W.	ARD¹
3	Project clearly defined as:	X	Existing 1,487 AU.	CC
	<u>animal confinement facility</u>	X	Four existing conditionally approved grower / finisher hog barns (each 22,470 sq/ft in size) holding a combined 1,487 animal units. No increase in size of confinement facilities or increase in number of animal units is being proposed. Proponent is seeking conditional use approval to be relieved of requirement for synthetic cover on existing earthen manure storage facilities.	MR
4	Identified all existing and proposed buildings and structures and related separation distances	X	Existing livestock confinement and earthen manure storage facilities meet Municipality of Killarney-Turtle Mountain Zoning By-law No. 2-2016 minimum required separation requirements between unrelated residences and designated areas and the facilities of this existing livestock operation.	MR
5	Demonstrated project site is not located within Nutrient Management Zone N4 or any Nutrient Buffer Zone	X	The project site is not located within Nutrient Management Zone N4 or any Nutrient Buffer Zone.	ARD²
6	Identified suitable water source: <u>Existing Well</u> and a water consumption rate of <u>22880</u> imperial gallons per day	X	The project is considered in good standing with the Water Use Licensing Section.	CC

¹ Agri-Resource Branch

² Water Science and Watershed Management Branch

Provincial Technical Overview of TRC 12-087 – Pinot Farms

Item No.	Provincial Requirements	Confirmed	Related Provincial Safeguards	Dept.
7	Proposed project site meets development plan, zoning by-law	X	<p><i>The Planning Act</i> requires that development plans must include a livestock operation policy that guides zoning by-laws dealing with livestock operations.</p> <p><i>The Planning Act</i> requires municipalities to issue development permits for any development on a site. All development must comply with the Zoning By-law and Development Plan. Any proposed development that does not meet the separation distances or setbacks requires Council approval and a public process to vary those requirements.</p> <p>Designation This livestock operation, located in the SW ¼ 15-2-16WPM in Municipality of Killarney-Turtle Mountain, is designated RURAL AREA (Killarney-Turtle-Mountain Development Plan Bylaw No. 3-2016) and the proposal complies with Development Policies PART 3, Policy 3.3.3 (Livestock Policies).</p> <p>Zoning The site of this livestock operation is zoned "AG" Agricultural General Zone (Municipality of Killarney-Turtle Mountain Zoning By-law No. 2-2016) and has a minimum site area requirement of 80 acres with a minimum site width requirement of 1,000 feet.</p> <p>The proposed project complies with the Municipality of Killarney-Turtle Mountain Zoning By-law.</p>	MR
8	Identified any unsealed abandoned wells on the project site or spread fields	X	<p>The proposal identifies that the water use for the proposed livestock operation is from the existing well located on the SW 15-2-16W. The provincial water well database contains information for a well associated with the proposed livestock operation. The proposal indicates no abandoned wells present on the site or spread fields, however if abandoned wells are later located these shall be properly sealed and a sealed well report filed with the Groundwater Management Section of Agriculture and Resource Development for each well sealed. Information on well sealing and well sealing reports are available from Agriculture and Resource Development (204-945-6959) or: https://www.gov.mb.ca/water/groundwater/wells_groundwater/index.html A well drilling professional should seal all but the most basic wells. A list of currently licensed well drilling professionals can also be accessed from the above web page.</p> <p>During manure spreading, the set back distances to all groundwater features as prescribed under the Environment Act Livestock Manure and Mortalities Management Regulation should be considered as a minimum distance.</p>	ARD ³

³ Water Science and Watershed Management Branch

Provincial Technical Overview of TRC 12-087 – Pinot Farms

Item No.	Provincial Requirements	Confirmed	Related Provincial Safeguards	Dept.
9	Identified suitable manure storage methods	X	A permit to construct the proposed manure storage facility must be obtained, prior to initiating any of the construction work, in accordance with the Livestock Manure and Mortalities Management Regulation. An application for a permit to construct the manure storage facility must be submitted to Environmental Approval Branch of Conservation and Climate (EABDirector@gov.mb.ca). Design guidelines and application forms are available at: https://www.gov.mb.ca/sd/waste_management/livestock_program/index.html .	CC
10	Identified acceptable manure application methods	X	The proponent must submit and adhere to a manure management plan approved for the facility per the Livestock Manure and Mortalities Management Regulation (MR 42/98).	CC
11	Mortalities disposal methods identified (rendering)	X	The proponent has indicated that mortalities will be rendered. This is considered acceptable under the Livestock Manure and Mortalities Management Regulation. More specific information is included in the Livestock Manure and Mortalities Management Regulation and at: https://www.gov.mb.ca/sd/waste_management/livestock_program/index.html .	CC
12	Proposed suitable setback distances from water and property lines for manure, livestock and mortalities	X	The proponent indicated all setback distances meet minimum requirements set out in the Livestock Manure and Mortalities Management Regulation MR 42/98.	CC
13	Indicated if proposed project site is within designated flood area or is otherwise at risk of flooding	X	The proposed site is not within a designed flood area. Manitoba Infrastructure has no flood risk information on which we can assess the potential risk of flooding on the project site.	MI
14	Proposed acceptable odour control measures	X	See Item No 14 in Appendix A for details on the use of covers on earthen manure storage facilities and the complaints resolution process.	ARD ⁴
		X	The purpose of this conditional use application by Hylife is to seek conditional use approval to remove the existing <u>requirement to place a synthetic cover over the existing earthen manure storage facilities</u> of their existing and otherwise unchanged livestock operation.	MR

⁴ Agri-Resource Branch

Provincial Technical Overview of TRC 12-087 – Pinot Farms

Item No.	Provincial Requirements	Confirmed	Related Provincial Safeguards	Dept.
15	Proposed sufficient and suitable land for manure spreading with minimum setbacks from water sources	X	The required land base for HyLife Pinot is 1901 acres. HyLife Pinot has exceeded the land requirement by demonstrating that they have access to 2475 suitable acres. Additional details can be found in Appendix A under Item No 15.	ARD⁵
		X	During manure spreading, setback distances to all groundwater and surface water features as prescribed under the Livestock Manure and Mortalities Management Regulation should be considered as a minimum distance.	CC
16	Indicated if spread fields are located in the Red River Valley Special Management Area or any other regularly inundated area	X	The proponent has indicated that no spread fields are located within the Red River Valley Special Management Area or any other regularly inundated area.	CC
17	Proposed spread fields that meet development plan and zoning by-law requirements	X	All lands identified for manure spreading are designated “RURAL AREA” and zoned “AG” Agricultural General Zone. Said land use designation and municipal zoning district (above) allow spreading of manure associated with newly siting and/or expanding livestock operations.	MR
18	Proposed acceptable manure transportation methods	X	The transport of livestock manure is subject to Section 9 of the Livestock Manure and Mortalities Management Regulation. The proponent has indicated a dragline will be used as means of manure transportation. This is considered acceptable under the Livestock Manure and Mortalities Management Regulation.	CC
			Please be advised that any structures placed within the controlled area of PTH 3 or any Provincial Truck Highway (PTH) and Provincial Road (PR) (125 feet from the edge of the highway right-of-way) requires a permit from our office. The contact is Sheena del Rosario at (204) 583-2433 or Sheena.Delrosario@gov.mb.ca. The placements of temporary drag lines or any other temporary machinery/equipment for manure application within the right-of-way of PTH 3 or any PTH or PR requires permission from our regional office in Brandon. Please contact the Regional Planning Technologist, Brian Hickman at (204) 726-6822 or Brian.Hickman@gov.mb.ca. In addition, please notify the Regional Planning Technologist for the placement of temporary draglines or other temporary equipment for manure application within the controlled area of PTH 3 or any PTH and PR (125 feet from the edge of the right-of-way). There are no designated Provincial Waterways between the project site and the proposed spread fields.	MI

⁵ Agri-Resource Branch

Provincial Technical Overview of TRC 12-087 – Pinot Farms

Item No.	Provincial Requirements	Confirmed	Related Provincial Safeguards	Dept.
19	Identified suitable trucking routes and access points		The primary proposed truck haul route will utilize an existing municipal road connecting onto PTH 3. We don't anticipate a significant increase in use.	MI
20	Identified proposed trucking routes – local roads	X	The proposed site is accessed primarily by PTH No. 3 with secondary access using local municipal roads. As per Section 116(2) of <i>The Planning Act</i> , municipalities as a condition of approval may require proponent to enter into a development agreement regarding the condition and upkeep of local roads used as truck haul routes.	MR
21	Known rare species will not be impacted on new sites/lands	X	The information provided in the assessment suggest that there will not be any conflicts with species protected under the Endangered Species and Ecosystems Act and/or Species at Risk Act, or designated as rare or uncommon by the Manitoba Conservation Data Centre (MBCDC). This review is based on existing data known to the MBCDC of the Wildlife and Fisheries Branch at the time of the review. These data are dependent on the research and observations of our scientists and reflects our current state of knowledge. An absence of data does not confirm the absence of any rare or endangered species. Many areas of the province have never been thoroughly surveyed, however, and the absence of data in any particular geographic area does not necessarily mean that species or ecological communities of concern are not present. The information should, therefore, not be regarded as a final statement on the occurrence of any species of concern. All future observations of rare or endangered species made by the proponent should be reported to the MBCDC for further review.	ARD ⁶

Provincial Departments: Agriculture and Resource Development (ARD), Conservation and Climate (CC), Infrastructure (MI), Municipal Relations (MR)

⁶ Wildlife and Fisheries Branch

D. PUBLIC COMMENTS AND DISPOSITIONS

Public Comment Summary	
Barbara Dickson Killarney, MB	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Concerned that the removal of covers would release pathogens, methane gas, and other emissions • Odour concerns for farm 1 mile away and other surrounding dwellings • Concerned that elected representatives are not making decisions in the best interest of the RM • Concern with pollution of air, waterways, lakes, and ground water • Concern with decreasing emissions, especially with the combined emissions from all hog farms in the RM
Katherine Bruce Holmfield, Manitoba	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Odour concerns for dwellings within 2km of operations • General opposition to quality of life for animals in hog operations • Concerned for decrease quality of life and financial stability of neighbours • Concerns of impact on ground water quality
David Hopper Holmfield, Manitoba	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Concerned with decrease in quality of life • Concerns of impact on well water contamination • Odour concerns • Commenter feels hog barns are inhumane treatment of livestock
Elaine Sartin Holmfield, Manitoba	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Odour concerns for dwelling within 3 miles of operation • Concerned that removing synthetic cover will increase odours above levels they are presently
George Mitchell Holmfield, Manitoba	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Concerns with decreased water quality and environmental degradation • Commenter concerned that Hylife does not pay taxes to Killarney-Turtle Mountain Municipality therefore leaving the burden on the taxpayer
Glenn and Lenore Knight Holmfield, Manitoba	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Odour concerns which causes commenter to stay indoors • Commenter feels the operation is concerned more with financial benefit than with the livelihood of surrounding community
Grant Rhaps Boden Holmfield, Manitoba	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Concerned with decrease in quality of life • Concerned with decrease in financial stability of surrounding neighbours
Jackie Urbanek Holmfield, Manitoba	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Odour and air quality concerns
Jean Harrison Holmfield, Manitoba	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Commenter claims HyLife has shirked responsibilities in the past regarding improper manure application and lagoon coverage • As a result of the previous claim, the commenter does not trust the consistent reapplication of straw every 3-4 months because of their previous neglect of responsibility • Commenter states synthetic covers are impermeable, in comparison to a permeable straw cover, and will be the only effective solution

Jim and Colleen Nichol	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Commenter states that straw cover can blow off and sink • Commenter states HyLife agreed to conditions upon purchase and they should abide by the conditions in place upon purchase • Odour and air quality concerns, particularly methane and other toxic gases • Commenter is requesting additional biofilters be added to the barn fans for odour reduction • Commenter claims HyLife has trouble maintaining the synthetic cover because it is not thick enough and they do not pump the rain water off the top of the cover
Laurie Carpenter Holmfield, Manitoba	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Odour concern • Commenter is concerned the straw cover will make the smell worse
Maureen McPhail	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Concerned with a decrease in quality of life • Concerned with a decrease in air quality • Concerned the odour will discourage visitors
Richard Urbanek Holmfield, Manitoba	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Concerned with a decrease in quality of life
Ron and Carolyn Simpson Holmfield, Manitoba	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Concerns with air pollution, soil pollution, and aquifer pollution • Concerned with companies in the RM spreading manure rather than injecting it below the surface • Concerned that used straw might not be disposed of appropriately • Odour concerns
Stephanie Giesbrecht Holmfield, Manitoba	<p>Commenter has the following reasons for their opposition:</p> <ul style="list-style-type: none"> • Concerned with decrease value in homes • Concerned about odour and health concerns such as sore throat • Commenter does not want to go outside because of odour and air equality • Concerned with ineffectiveness of straw or other inexpensive odour reduction methods

A full copy of the public comments as well as the proponent's response may be viewed on the public registry at: https://www.gov.mb.ca/mr/livestock/public_registries.html

See Appendix B for the proponent's response to the public comments.

E. CONCLUSIONS AND RECOMMENDATIONS

Conclusion

The information contained in the Site Assessment submitted by the proponent generally meets provincial requirements. In addition, based on available information it has been determined that the proposed operation will not create a risk to health, safety or the environment, or that any risk can be minimized through the use of appropriate practices, measures and safeguards.

Recommended Actions to Council

1. As per Section 114(1) of *The Planning Act*, at least 14 days before the date of the hearing, Council must:
 - a) send notice of the hearing to
 - i. the applicant,
 - ii. the Minister (c/o the Brandon Community Planning Office),
 - iii. all adjacent planning districts and municipalities, and
 - iv. 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; and
 - b) post a copy of the notice of hearing on the affected property in accordance with Section 170 of *The Planning Act*.
2. Council should specify the type(s) of operation, legal land location, number of animals in each livestock category and total animal units in its Conditional Use Order.
3. 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 Brandon Community Planning Office), and
 - c) every person who made representation at the hearing.
4. Councils are requested to include in their resolution and/or Conditional Use Order, notification that the applicant may appeal council's decision to reject the application or appeal a condition imposed by council related to its approval as per Section 118.2 of *The Planning Act*.
 - As per Section 118.2(2)(b), an applicant may appeal the following decisions of a board or council to the Municipal Board for an application for approval of a conditional use made in respect of a large-scale livestock operation,
 - (i) a decision to reject the application,
 - (ii) a decision to impose conditions.
5. As per Section 118, no development or expansion of a livestock operation that is the subject of an application under this Division may take place until
 - (a) the application is approved and the applicant complies, or agrees to comply, with any condition imposed on the approval under this Division; and
 - (b) the applicant obtains every approval, including any permit or licence, required under an Act, regulation or by-law in respect of the proposed operation or expansion, and complies with, or agrees to comply with, any condition attached to the approval.

6. Council is welcome to contact Manitoba Conservation and Climate, Environmental Approvals Branch or Regional Environmental Compliance and Enforcement staff with respect to the Livestock Manure and Mortalities Management Regulation (M.R. 42/98) including compliance and enforcement issues.

Recommended Actions to Proponent

1. That any additional measures identified through subsequent provincial licencing or permitting in order to minimize any identified risks to health, safety and the environment be undertaken.
2. That as per Section 118.2(2)(b), an applicant may appeal the following decisions of a board or council to the Municipal Board:
 - (i) a decision to reject the application,
 - (ii) a decision to impose any condition on the approval.

F. TECHNICAL REVIEW COMMITTEE MEMBERS

Name	Department	Title <i>Branch</i>	Contact
Erin McCleery	Municipal Relations	Manager, Winnipeg Office <i>Community Planning and Development Branch</i>	204-945-1143
Petra Loro	Agriculture and Resource Development	Livestock Environment Specialist <i>Agri-Resource Branch</i>	204-918-0325
Barsha Sagan	Conservation and Climate	Environmental Engineer <i>Environmental Approvals</i>	204-795-7175
Jeff DiNella	Infrastructure	Senior Development Review Technologist <i>Highway Planning and Design Branch</i>	204-945-2664

Appendix A

Lands Branch, ARD

Item No. 14: Proposed acceptable odour control measures

Manitoba Agriculture and Resource Development has published an Odour Factsheet under the Farm Practices Guidelines for Livestock Producers. It recognizes straw and synthetic manure storage covers as effective in reducing odour from manure storage facilities. The use of these covers requires a higher level of management, especially during manure agitation and pump out. Synthetic covers are very difficult to remove without causing costly damage. For these reasons, the odour guideline recognizes that the use of synthetic covers should be limited to situations where they will not be disturbed. Due to the high capital cost of synthetic covers and their limited lifespan, it may be more appropriate to apply and maintain a straw cover where increased odour control is warranted. Care must be taken to properly remove the straw at pump out to ensure the capacity of the storage is maintained over the long-term. The use of a straw cover may be appropriate in instances where separation distances cannot be met or there are a large number of neighbours in close proximity to the operation. However, the use of a cover will not eliminate all of the odour associated with a pig operation. Odour will also emanate from the barn and will be created during land application.

Should odour become a problem for neighbouring residents, there is a complaints process under The Farm Practices Protection Act. A person who is disturbed by any odour, noise, dust, smoke or other disturbance resulting from an agricultural operation may make a complaint, in writing, to the Manitoba Farm Industry Board. The Act is intended to provide for a quicker, less expensive and more effective way than lawsuits to resolve nuisance complaints about farm practices. It may create an understanding of the nature and circumstances of an agricultural operation, as well as bring about changes to the mutual benefit of all concerned, without the confrontation and the expense of the courts.

Item No. 15: Proposed sufficient and suitable land for manure spreading

HyLife Pinot has met the land requirements for 10,400 grower-finisher pigs (1487 AU) as follows:

In areas of lower livestock intensity such as the RM of Killarney Turtle Mountain, it is currently the Province of Manitoba's policy to require sufficient suitable land for all of the nitrogen and half of the phosphorus generated by the livestock. This policy assumes that more land is available in the region to balance manure phosphorus with crop phosphorus removal, should it be necessary in the future.

Typical, modern feeding practices for pig production were used to estimate nutrient excretion for HyLife Pinot. Realistic, long-term 10-year crop yields from the Manitoba Agricultural Services Corporation (MASC) for Risk Area 2 were used to estimate crop nitrogen uptake and phosphorus removal rates for the crop rotation specified in the proposal.

Land suitability is determined using soil testing for phosphorus and soil survey to establish the agriculture capability. Soils must be below 60 ppm Olsen P to be considered suitable. 110 acres on W-22-02-16-W was excluded from the suitable land base because the soil test was above 60 ppm Olsen P. Semi-detailed soil survey is available to determine the agriculture capability of the land. The agriculture capability of the land included in the proposal is primarily Class 2 and 3. The main limitations are lack of moisture (M), slope (T), wetness (W) and or a combination of these limitations (X).

The required land base for HyLife Pinot is 1901 acres. HyLife Pinot has exceeded the land requirement by demonstrating that they have access to 2475 suitable acres.

Water Branch – Agriculture and Resource Development

Proper nutrient management applications that avoid excess loss of nutrients to surface waters are needed on lands receiving manure in southern Manitoba because long-term trend analysis of total phosphorus and total nitrogen has shown significant increases in these nutrients in the Assiniboine and Red rivers (Jones and Armstrong 2001).

The proponent is planning to apply manure in fall. Liquid manure will be applied using partial injection which reduces the risk to surface water when compared to surface broadcast alone.

For most crops, manure contains an excess of phosphorus (P) compared to nitrogen (N) and as a result, application at N-based rates causes a buildup of soil P. Practices which reduce N losses from the manure improve the N:P ratio in the manure and help slow P buildup when manure is applied at N-based rates. The proponent is planning to apply liquid manure with partial injection which will reduce N losses compared to broadcast application.

The proponent has acknowledged the setback areas for all water features have been observed and excluded from land base calculations. Setbacks should be clearly communicated to and observed by those involved in manure application to minimize the risk of nutrients entering surface and groundwater.

Manitoba has included phosphorus as a nutrient by which fertilizer application through manure, synthetic fertilizer, and municipal waste sludge to agricultural lands may be limited. Many agricultural soils in Manitoba, especially areas with low livestock intensity (such as the RM of Killarney-Turtle Mountain), are considered phosphorus deficient and therefore, manure is an ideal fertilizer to support crop production. However, manure application can increase soil phosphorus over time and other spread fields may need to be added to prevent excessive soil phosphorus build up. As excess phosphorus levels build up in soils, greater losses occur to surface and ground water. It should be noted that Olsen soil-test phosphorus levels of 60 ppm are well above phosphorus needs for most crops (over 20 ppm is usually considered agronomically very high). In areas of lower livestock intensity such as the RM of Killarney-Turtle Mountain, it is currently the Province of Manitoba's policy to require sufficient suitable land for all of the nitrogen and half of the phosphorus generated by the livestock. This policy assumes that more land is available in the region to balance manure phosphorus with crop phosphorus removal, should it be necessary in the future for long-term sustainability. To remain environmentally sustainable over a long-term planning horizon of 25 years or more the proponent acknowledges that 3,741 acres may be required for the operation. The proponent has identified 2,475 acres for manure application at this time. Application to meet crop N requirements is estimated to use 1,901 acres. Application at 2 times the crop removal of P is estimated to use 1,870 acres (3,741 acres is estimated to achieve P balance [phosphorus removal equal to phosphorus application] with current crop choices and yield potential).

As phosphorus levels build up in soils, the concentration of phosphorus in runoff to surface waters increases. It is important to rotate manure application across all spread fields and whenever possible focus manure applications on fields with low Olsen-P soil test levels so as to prevent excessive P buildup when applying manure at rates above P balance (P removal by harvested crops).

During manure spreading, setback distances to all groundwater features as prescribed under the Livestock Manure and Mortalities Management Regulation should be considered as a minimum distance.

Environmental Compliance and Enforcement- Conservation and Climate

From: Fagan, Paul (CC)
Sent: October 27, 2021 8:59 AM
To: Sagan, Barsha (CC) <Barsha.Sagan@gov.mb.ca>; Buczko, Crystal (CC) <Crystal.Buczko@gov.mb.ca>
Subject: Correction - Pre-screening Request - Pinot Farms

Good Morning

Sorry for the delay on this one

Manitoba Conservation and Climate – Environmental Compliance and Enforcement has reviewed the TRC submission for Hylife Pinot Farms and has no concerns at this time

Feel free to contact me if you have any questions or concerns.

Regards

Paul Fagan B.Sc.
Environment Officer - Western
Manitoba Conservation & Climate
Environmental Compliance and Enforcement
1129 Queens Ave.
Brandon, MB. R7A 1L9
(204) 761-7964
<mailto:Paul.Fagan@gov.mb.ca>

Appendix B – Proponent Response



5 Fabas Street, Box 100, La Broquerie, Manitoba R0A 0W0
p: 1.204.424.5359 f: 1.204.424.5177 www.hylife.com

January 3, 2022

Technical Review Co-ordination Unit
Municipal Relations,
Room 604 - 800 Portage Avenue,
Winnipeg, MB, R3G 0N4

Attn: Holly Ervick-Knote, Community Planner

Re: File Nos. TRC -12-087 (Pinot Farms)

HyLife would like to acknowledge the concerns raised by residents regarding our proposed Pinot Finisher pork production operation on SW-15-02-16-W in the Municipality of Killarney-Turtle Mountain. We respect their views and thank them for their time to comment in the Technical Review Committee's (TRC) public review process.

HyLife - Our Company and our Proposed Pinot Farms Project

Our company's Manitoba roots date back to some 23 years when two farm families, Janzen and Vielfaure joined together to form what is now HyLife. Today, we are a vertically integrated pork producer that is headquartered in La Broquerie, Manitoba. The majority of our farm and associated operations are located in rural Manitoba.

We manage our integrated operations from "Farms to Foods" within 2 divisions. Our HyLife Farms operations oversee the raising of hogs, including genetics and production, manufacturing and supply of feed, transportation, manure nutrient management and support services. Our HyLife Foods operation oversees the manufacturing, marketing and distribution of quality pork products to both domestic and international markets.

Government Regulations, Monitoring & Enforcement

In Manitoba, a livestock producer must meet stringent development requirements and undergo a rigorous and complex development review and approval process. This process includes a mandatory provincial government technical review, public reviews, a formal public hearing and various provincial and local council approvals.

In particular, the livestock operation proposal must meet the requirements of The Planning Act, The Groundwater Protection Act, The Environment Act, (Livestock Manure and Mortalities Management





Regulation) and The Water Protection Act (Nutrient Management Regulation) as well as other Provincial Acts and regulatory requirements depending on the nature and location of the proposed project.

Strict government requirements based on good science, good land use planning, professional engineering design and construction, and on-going government monitoring and enforcement protects our natural resources, the environment and the public interest.

Rural Area and Agricultural Zoning

The existing 80-acre site is located in an area that is designated as "AG – Agricultural General Zone" in The Killarney-Turtle Mountain Planning District By-Law No. 2-2016. This By-law received extensive community review and was approved by local Municipal Council and the Province of Manitoba as the overall land use planning and development guiding document for the Killarney-Turtle Mountain Community.

Plan Objective 4.2 states as an objective "Support and strengthen the agricultural industry in the Municipality of Killarney-Turtle Mountain and to provide flexibility and opportunity for farm operators to engage in a wide variety of agricultural uses and farming practices including livestock operations;"

HyLife has carefully chose this site as it is located in an agricultural area that is characterized by open agricultural land and conforms to local land uses and local zoning by-laws.

Local zoning and provincial regulations require minimum separation distances for the facility from property boundaries, single residences, designated land uses, wells and watercourses and designated crown lands. The existing site meets every zoning requirement and, in many circumstances, exceeds the minimum separation distance requirements of both the barn and earthen manure storage facility. This proposal exceeds the minimum setback distance from residences.

Odour Control

At HyLife, we utilize a multi pronged approach to assist in minimizing odour and potential impacts on area neighbours. This initial step is carefully selecting appropriate sites in the agricultural area that will meet or exceed all local and Provincial setback distance requirements which this site has met and exceeded in many circumstances.

HyLife employs considerable focus on the in-barn environment to maintain cleanliness and hygiene with efficient barn design and current technology to maintain a comfortable barn temperature and airflow. This helps to keep the in-barn production of odor to a minimum and creates a positive living and working environment for our livestock and staff.





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Outside, we have installed a 3 row multi-species vegetated shelterbelt around the production facility. This not only has improved the aesthetic appearance of the site, but also creates greater lift to better dissipate and diffuse odours.

With respect to manure nutrient application, our manure is applied in the fall post harvest as a one-time event. Manure nutrient application is done on a 3-year rotational basis. Manure nutrients are applied in accordance with all applicable environmental regulations and utilize industry leading technologies. Application also employs equipment designed to incorporate manure during the application process increasing liquid absorption and reducing odour.

Our manure management plans are prepared by certified manure management planners and licensed manure applicators. Application equipment is equipped with GPS technology and manure nutrients are applied at agronomic rates in accordance with all regulations. Manure management activities are governed and enforced by Manitoba Sustainable Development.

In addition, HyLife is proposing the installation of a straw cover on the manure storage facility to further assist in odor mitigation at this facility. Straw covers are considered the only reasonable cover technology that can be employed for agricultural operations of this type where annual manure application activity is required. The use of a straw cover allows for the initial installation and further supplementation of the straw cover throughout the season to enable the facility to remain covered throughout the spring and summer months. This approach, as opposed to other non-recommended cover technologies, is considered the only viable method for covering manure storages should a cover be required.

Collectively, these in-barn and outside environmental measures and manure management practices will reduce odour from the existing operation. Neighbours can be assured that HyLife will make best efforts to address all reasonable concerns brought to its attention. We value our reputation as a good corporate citizen in the community.

HyLife, once again would like to thank all individuals who provided comments and appreciate the opportunity to provide a response. We respect the views and opinions of all individuals and hope we have sufficiently addressed the questions and concerns that were brought forward.

Regards,

Sheldon Stott, Senior Director of Corporate Sustainability
HyLife Ltd.

