

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: CanWhite Sands Corp.
PROPOSAL NAME: CanWhite Sands - Sand Processing Facility
CLASS OF DEVELOPMENT: 2
TYPE OF DEVELOPMENT: Industrial
CLIENT FILE NO.: 6057.00

OVERVIEW:

The July 2, 2020 Proposal was advertised as follows:

An Environment Act Proposal (EAP) has been filed by CanWhite Sands Corp. for the construction and operation of a 1,360,000 tonnes per year silica sand processing facility located on private land within sections NE-32-10-8E1, SE-32-10-8E1, SW-32-10-8E1, NW-29-10-8E1, and NE-29-10-8E1 in the R.M. of Springfield, approximately 35 km east of the City of Winnipeg. An Environment Act Proposal for silica sand extraction will be submitted by CanWhite Sands Corp. at a later date.

On July 16, 2020, the EAP was placed on the online Public Registry at:
<https://www.gov.mb.ca/sd/eal/registries/6057canwhite/index.html>.

On July 20, 2020, the EAP was distributed to the Technical Advisory Committee (TAC) and a notice of the EAP was advertised in the Winnipeg Free Press on July 25, 2020 and the Beausejour Clipper on July 30, 2020.

The closing date for comments from the public and TAC members was August 25, 2020.

A public meeting was held by CanWhite Sands on December 15, 2020 as part of the environmental assessment process.

COMMENTS FROM THE PUBLIC:

For the purposes of this document, the public concerns have been summarized in general terms. Please review the information on the public registry for complete details of all individual public comments received during the environmental assessment and licensing process. A copy of all individual public comments can be reviewed at the following link:

<https://www.gov.mb.ca/sd/eal/registries/6057canwhite/index.html>.

General Public Concern Raised	Mitigation Options	Disposition and Draft Licence Condition
<p>Concerns regarding the aquifer, drinking water, surface water and groundwater effects due to silica sand extraction.</p>	<p>The proposed silica sand extraction project will undergo a separate environmental assessment and licensing process in accordance with The Environment Act. As part of the review process, a public review will take place, the proponent will hold a public meeting and these concerns will be addressed through that review process.</p>	<p>There is no wastewater discharged to surface water from this development.</p> <p>Clause 18 of the draft Licence requires silt fences during construction activities to mitigate surface runoff.</p> <p>Clause 24 of the draft Licence requires the licensee to not direct pollutants into any surface drainage route leading off the property of the Development or into the local groundwater.</p> <p>Clause 50 of the draft Licence requires the licensee to direct all surface water collected by the drain system beneath the sand stockpiles to the process wastewater stream to be recycled within the Development.</p>
<p>Crown Indigenous Section 35 Consultation</p>	<p>The sand processing facility is located on privately owned land with no access to the public and no discharge to surface water.</p>	<p>Crown Indigenous Consultation is not required for this project. (See Crown Indigenous Consultation section below in this document for details).</p>
<p>Air quality concerns due to silica sand processing.</p>	<p>Sand stockpiles will be kept at a specific moisture content to avoid sand migration from the stockpiles. Conveyors and transfer points of silica sand are covered. Reject sand piles will be enclosed. The processing of silica sand occurs indoors with industry standard air pollution control equipment.</p>	<p>Clause 25 of the draft Licence requires that sand stockpiles are maintained at a moisture content to avoid sand migration on and off site, and regular visual inspections of the stockpiles are required.</p> <p>Clauses 29 to 33 of the draft Licence require the use and maintenance of air pollution control devices.</p> <p>Clauses 34 to 42 of the draft Licence set up specific air</p>

General Public Concern Raised	Mitigation Options	Disposition and Draft Licence Condition
		emission limits, monitoring and reporting. Clause 43 of the draft Licence requires the submission, approval and implementation of a dust management plan and ambient particulate matter monitoring program.

SUMMARY OF COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

No.	Technical Advisory Committee Member	Response Provided
1	Impact Assessment Agency of Canada	Comments
2	Manitoba Agriculture and Resource Development	
	<ul style="list-style-type: none"> • Lands Branch 	Comments
3	Manitoba Conservation and Climate	
	<ul style="list-style-type: none"> • Compliance and Enforcement Branch • Air Quality Section • Wildlife and Fisheries Branch • Parks and Protected Spaces Branch • Forestry and Peatlands Branch • Indigenous Relations Branch • Eastern Region Integrated Resource Management • Office of Drinking Water • Drainage and Water Rights Licensing • Regional Services Branch 	Comments Comments Comments No Concerns Comments No Response Comments No Concerns Comments No Response
	<ul style="list-style-type: none"> • Manitoba Sport, Culture, and Heritage – Heritage 	No Concerns
4	Manitoba Infrastructure, Highway Planning and Design	Comments
5	Manitoba Municipal Relations, Inspection and Technical Services	Comments
6	Manitoba Health, Seniors and Active Living – Environmental Health Unit	Comments

A copy of the detailed responses from the Technical Advisory Committee and all additional information provided can be reviewed at the following link:

<https://www.gov.mb.ca/sd/eal/registries/6057canwhite/index.html>.

For the purposes of this document, the responses have been summarized in general terms. Please review the information on the public registry for complete details.

SUMMARY OF COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Impact Assessment Agency of Canada

On November 16, 2020, the Minister of Environment and Climate Change decided that the Facility Project does not warrant designation pursuant to subsection 9(1) of the Impact Assessment Act.

Manitoba Agriculture and Resource Development – Lands Branch

- Comments regarding the potential for temporary access to Crown Lands during construction to access the site.

Disposition:

Clause 17 of the draft Licence requires the licensee to obtain all necessary federal, provincial and/or municipal Licences, authorizations, permits and/or approvals for construction of relevant components of the Development prior to commencement of construction.

Manitoba Conservation and Climate – Environmental Compliance and Enforcement Branch

- Comments provided regarding particulate matter; hazardous waste; a complaint management plan; onsite wastewater requirements; and use of the emergency response line.

Disposition:

Clauses 29 to 33 of the draft Licence requires the implementation of air pollution control devices.

Clauses 34 to 42 of the draft Licence require monitoring, source sampling, analysis and reporting of air emissions.

Clauses 47 to 29 of the draft Licence include requirements regarding dangerous goods or hazardous waste.

Clause 15 of the draft Licence requires the approval and implementation of a complaint management plan.

Clause 6 of the draft Licence requires reporting to the emergency response line.

Clause 49 of the draft Licence addresses onsite wastewater requirements.

Manitoba Conservation and Climate – Air Quality Section

Comments provided regarding ambient air quality modelling and monitoring and particulate matter modelling and monitoring.

Disposition:

As a mitigation measure due to the comments received, the proponent will enclose the sand reject pile. Clause 25 of the draft Licence requires that the moisture content of the sand stockpiles be maintained to prevent sand migration on and off site.

Clauses 29 to 33 of the draft Licence requires the implementation of air pollution control devices. Clauses 34 to 42 of the draft Licence require monitoring, source sampling, analysis, and reporting of air emissions and Clause 43 of the draft Licence requires the submission, approval and implementation of a dust management plan and ambient particulate matter monitoring program.

Manitoba Conservation and Climate – Forestry and Peatlands Branch

- Comments regarding the requirement for a Timber Damage Appraisal should tree clearing take place on Crown Lands.

Disposition:

Clause 17 of the draft Licence requires the licensee to obtain all necessary federal, provincial and/or municipal Licences, authorizations, permits and/or approvals for construction of relevant components of the Development prior to commencement of construction.

Manitoba Conservation and Climate – Wildlife and Fisheries Branch and Eastern Region Integrated Resource Management Team

- Comments were provided regarding a limited amount of potentially suitable habitat for the Goldenwinged Warbler.

Disposition:

The proponent will continue to collaborate with the Wildlife and Fisheries Branch to reduce the potential loss of nesting habitat during construction activities. The proposed project site is on private land, not Crown Land.

Clause 17 of the draft Licence requires the licensee to obtain all necessary federal, provincial and/or municipal Licences, authorizations, permits and/or approvals for construction of relevant components of the Development prior to commencement of construction.

Manitoba Conservation and Climate – Drainage and Water Licensing

- An application for a Water Rights Licence is required for the use of groundwater for fire suppression.

Disposition:

Clause 17 of the draft Licence requires the licensee to obtain all necessary federal, provincial and/or municipal Licences, authorizations, permits and/or approvals for construction of relevant components of the Development prior to commencement of construction.

Manitoba Infrastructure, Highway Planning and Design

- Comments provided that the proponent is required to obtain a permit for the location and intensification of use of the proposed access onto PR 203; discuss potential drainage impacts and the possible need for a drainage study; and further discussion on preliminary traffic projections.

Disposition:

- Clause 17 of the draft Licence requires the licensee to obtain all necessary federal, provincial and/or municipal Licences, authorizations, permits and/or approvals for construction of relevant components of the Development prior to commencement of construction.

Manitoba Municipal Relations, Inspection, and Technical Services

- Comments regarding the requirement for building and occupancy permits and an emergency plan in accordance with the Manitoba Fire Code be filed and approved by the local fire department prior to occupancy.

Disposition:

Clause 17 of the draft Licence requires the licensee to obtain all necessary federal, provincial and/or municipal Licences, authorizations, permits and/or approvals for construction of relevant components of the Development prior to commencement of construction.

Clause 27 requires the licensee to comply with all the applicable requirements of the Office of the Fire Commissioner – Province of Manitoba.

Manitoba Health, Seniors, and Active Living – Environmental Health Unit

- Comments provided regarding the particulate matter from the sand reject pile, air monitoring information and the need for an air quality monitoring program.

Disposition:

As a mitigation measure due to the comments received, the proponent will enclose the sand reject pile. Clause 25 of the draft Licence requires that the moisture content of the sand stockpiles be maintained to prevent sand migration on and off site.

Clauses 29 to 33 of the draft Licence requires the implementation of air pollution control devices. Clauses 34 to 42 of the draft Licence require monitoring, source sampling, analysis, and reporting of air emissions and Clause 43 of the draft Licence requires the submission, approval and implementation of a dust management plan and ambient particulate matter monitoring program.

PUBLIC HEARING:

A public meeting was held as part of the environmental assessment and licensing process and numerous requests for a Clean Environment Commission hearing were received from members of public.

The Director made the decision to not recommend to the Minister of Conservation and Climate that a public hearing be held and that decision was communicated to the members of the public who made the initial requests.

CROWN-INDIGENOUS CONSULTATION:

The Government of Manitoba recognizes that it has a duty to consult in a meaningful way with Indigenous communities when any proposed provincial law, regulation, decision or action may infringe upon or adversely affect the exercise of the Indigenous rights of that community.

The Crown-Indigenous Consultation Initial Assessment, prepared by Agriculture and Resource Development, was completed for this project and sent to the Environmental Approvals Branch.

The initial assessment concluded that the proposed development does not warrant consultation as it would be located on private lands with lack of access that does not affect Treaty or Aboriginal rights.

RECOMMENDATION:

The attached draft Environment Act Licence contains specifications, terms and conditions for the Director of The Environment Act's consideration for licensing of the construction and operation of the CanWhite Sands sand processing facility.

Should an Environment Act Licence be issued for the proposed Development, enforcement of the Environment Act Licence should be assigned to the Environmental Compliance and Enforcement Branch of Manitoba Conservation and Climate.

Jennifer Winsor, P.Eng.

Manitoba Conservation and Climate

December 1, 2021