



**TECHNICAL REVIEW COMMITTEE**

**A TECHNICAL REVIEW REPORT  
PREPARED FOR**

**THE RURAL MUNICIPALITY  
OF  
STE. ANNE**

**RISING HOPE DAIRY INC.  
NW 30-08-06E**

**TRC 12 – 017**

**October 13, 2015**

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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 (MMG); 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: Rising Hope Dairy Inc.

Site Location: Approximately 5 kms north west of the community of the Town of Ste. Anne (NW 30-08-06 EPM) Refer to map below.

Proposal: To expand an existing dairy operation from 560 to 1200 Animal Units.

This will involve the following:

- Construction of two new barns (each 120ft x 300ft)
- Using both earthen manure and field storage
- Consuming 16,200 imperial gallons of water per day
- Composting mortalities
- Using the truck haul routes as shown below



## C.SITE ASSESSMENT AUDIT

The Audit of: Rising Hope Dairy Inc.

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.	MMG
3.0 Nature of Project	X	The applicant has clearly defined the nature of the project.	MMG
4.0 Proposed Type and Size of Operation	X	Rising Hope Dairy Inc is requesting approval for a 1200 Animal Unit dairy operation.	MAFRD
5.0 Animal Confinement Facilities	X	<b>Climate Change &amp; Environmental Protection – Environmental Approvals:</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	Rising Hope Dairy Inc has indicated they completed an Environmental Farm Plan in 2007.	MAFRD
7.0 Water	X	<b>Climate Change &amp; Environmental Protection - Environmental Approvals:</b> The operation has submitted Source Water Monitoring analysis for 2014 and 2015.  <b>Water Stewardship – Water Science and Management:</b> 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 2002).  All unused and abandoned wells on the site and spread fields should be properly sealed. A sealed well report should be filed with the Groundwater Management Section of Conservation and Water Stewardship for all sealed wells. Information on well sealing is available from Manitoba Conservation and Water Stewardship (204-945-6959) or: <a href="http://www.gov.mb.ca/waterstewardship/water_info/misc/abandoned_wells.pdf">www.gov.mb.ca/waterstewardship/water_info/misc/abandoned_wells.pdf</a> . It is recommended that all but the most basic wells should be sealed by a well drilling professional. A list of currently licensed well drilling professionals is located at: <a href="http://www.gov.mb.ca/conservation/waterstewardship/water_quality/wells_groundwater/well_drillers.html">http://www.gov.mb.ca/conservation/waterstewardship/water_quality/wells_groundwater/well_drillers.html</a> .	CWS

**The Audit of: Rising Hope Dairy Inc.**

Site Assessment Sections	Meets Requirements for TRC Review (type "X")	Comment	Reviewing Department
		<p><i>During manure field storage and application all groundwater features, including water wells, should be given as a minimum, the amount of buffer as outlined in the regulations.</i></p> <p><b>Water Stewardship – Water Use Licensing:</b>  <i>This project already has an application for a Water Rights Licence.                      We have no concerns.</i></p>	
8.0 Manure Related	<b>X</b>	<p><b>Climate Change &amp; Environmental Protection - Environmental Approvals:</b>  <i>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.</i></p> <p><i>In accordance with the Livestock Manure and Mortalities Management Regulation, field storage of manure is acceptable provided manure cannot escape the field storage area.</i></p> <p><i>Field storage sites must be changed annually and a crop grown on the storage site to take up any excess nutrients.</i></p> <p><i>The operation has submitted a Manure Management Plan for the 2015 crop year. The proponent may need to revise this plan as a result of the proposed expansion.</i></p> <p><b>Climate Change &amp; Environmental Protection – Environmental Compliance and Enforcement:</b>  <i>Environmental Compliance and Enforcement (Eastern Region) has reviewed the above noted Proposal (Site Assessment) and has the following concerns.</i></p> <p><i>The proposal indicates that there is no intention to expand manure storage capacity for the operation, and that additional liquid manure generated by the expansion would be stored in the existing earthen manure storage facility. This would result in the operation only having 260 days of capacity for storage of liquid manure and require the operator to apply manure twice a year.</i></p> <p><i>Note that as per Section 14(1) of the Livestock Manure and Mortalities Management Regulation (MR 42/98), no person shall apply livestock manure to land between November 10 and April 10 of the following year.</i></p> <p><b>Water Stewardship – Water Science and Management:</b>  <i>It is recommended that manure be incorporated within 48 hours following broadcast application to minimize nitrogen volatilization losses and risk of phosphorus loss in runoff. The proponent plans to incorporate within 24 hours.</i></p>	<b>CWS</b>

**The Audit of: Rising Hope Dairy Inc.**

Site Assessment Sections	Meets Requirements for TRC Review (type "X")	Comment	Reviewing Department
		<p>The proponent has acknowledged that the setback areas for all water features have been observed and excluded from land base calculations for this operation. It is important that these setbacks be clearly communicated and observed by everyone involved in manure application so as to minimize the risk of nutrients entering surface waters.</p> <p>The proponent should be reminded that any reduction in the earthen manure storage capacity could increase the risk of reliance on an emergency spread request. These types of requests are not encouraged.</p>	
8.1 Land Available/Required for Manure Application	<b>X</b>	<p><b>Climate Change &amp; Environmental Protection - Environmental Approvals:</b>  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 Ste. Anne is not considered to be a "certain area".</p> <p>Manitoba Conservation and Water Stewardship requires permits for construction of manure storage facilities. As part of the review, operators must identify manure spread fields. In areas of Manitoba which are not 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 two times the crop removal rate of phosphorus. Rising Hope Inc. must demonstrate access to sufficient suitable land to satisfy either the nitrogen or phosphorus requirements, whichever is more restrictive. In this case, Rising Hope Dairy Inc. must have access to enough land to satisfy the phosphorus land base, 1206 acres. The proponent has identified sufficient land available and suitable for manure application; therefore Manitoba Conservation and Water Stewardship is sufficiently satisfied with the proposal expansion in this respect.</p> <p>The use of spread fields located at NE 30-08-06E, NE 25-08-05 and NW 25-0805E needs confirmation that only one operator will be using the fields for manure spreading going forward.</p> <p>In accordance with the Livestock Manure and Mortalities Management Regulation (M.R. 42/98), manure cannot be applied to land from November 10 of one year to April 10 of the following</p>	<b>CWS MMG MAFRD</b>

**The Audit of: Rising Hope Dairy Inc.**

Site Assessment Sections	Meets Requirements for TRC Review (type "X")	Comment	Reviewing Department
		<p>year (winter application). The Site Assessment has identified proposed spread fields located in the Red River Valley Special Management Area (RRVSMA). Application of manure to spread fields in the RRVSMA must be done in compliance with Section 14.2 of the Livestock Manure and Mortalities Management Regulation (M.R. 42/98).</p> <p><b>Water Stewardship – Water Science and Management:</b>            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. To remain environmentally sustainable over a long-term planning horizon of 25 years or more, the proponent must be able to balance phosphorus inputs from applied manure and other nutrient sources such as commercial fertilizers with crop removal rates to avoid excessive build-up in soils. Consequently, sufficient land base or economically achievable treatment technologies must be available so that manure can be applied at no more than 1 times crop removal rates. 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 very high), and that as excess phosphorus levels build up in soils, greater losses occur to surface and ground water. For long-term planning purposes, the proponent needs to have sufficient land available to ensure that manure can be applied at 1 times crop removal. Sufficient land (1548 acres) has been identified by the proponent to ensure that manure can be applied at 2 times crop removal (1206 acres needed) over the long term 2412 acres will be required to remain environmentally sustainable under current cropping practices.</p> <p><b>MAFRD</b>            A detailed description of MAFRD’s land assessment is provided in Appendix A. MAFRD’s estimate of the acreage requirements considers only the nitrogen (N) and phosphorus (P) from the livestock and does not consider nutrients from any other sources. In order to satisfy the Province’s requirement for P in the RM of Ste. Anne, it is estimated that Rising Hope Dairy Inc requires approximately 1206 acres of suitable land. This is also enough land to satisfy the Province’s requirement for N. Rising Hope Dairy Inc submitted a total of 1548 acres of suitable crop land. Rising Hope Dairy Inc has demonstrated that they have sufficient suitable land to meet the Province’s requirements for the manure N and P.</p> <p><b>MMG</b>            All spreadfields identified in the proposal are designated Rural Agricultural in the RM of Ste. Anne Development Plan By-law 13-2007, or General Agriculture in the RM of Tache Development Plan By-law 1762. All spreadfields identified are zoned Agricultural in the RM of Ste. Anne Zoning By-law 10-2010, or General Agriculture in the RM of Tache Zoning By-law 1828. The RM of St. Anne and the RM of Tache planning by-laws support the continued use of these fields as spreadfields.</p>	

**The Audit of: Rising Hope Dairy Inc.**

Site Assessment Sections	Meets Requirements for TRC Review (type "X")	Comment	Reviewing Department
9.0 Mortalities Disposal	<b>X</b>	<p><b>Climate Change &amp; Environmental Protection – Environmental Approvals:</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></p> <p><i>Composting mortalities is acceptable provided the composting site is located at least 100-meters from any surface watercourse, sinkhole, spring or well, and the operation's boundaries. Mortalities must be composted in a manner that does not cause pollution of surface water, groundwater or soil, and the composting facility and process must be acceptable to the Director of Manitoba Conservation and Water Stewardship.</i></p> <p><i>Application of composted mortalities to land is prohibited between November 10 of one year and April 10 of the following year.</i></p> <p><i>The proponent has identified that mortalities are composted at another site. It should be noted that transportation of Specified Risk Material (SRM) is regulated by Canada Food Inspection Agency (CFIA). There are transportation requirements in place for hauling SRM, including permitting. The proponent is advised to ensure they are in compliance with all CFIA requirements with respect to SRMs.</i></p> <p><i>The proponent should prepare a contingency plan in case of a catastrophic event resulting in mass mortalities.</i></p>	<b>CWS</b>
10.0 Project Site Description	<b>X</b>	<p><i>The proposed livestock expansion is on land that is designated "RA" Rural Agricultural Area in the RM of Ste. Anne Development Plan By-law 13-2007. The objective of Rural Agricultural Area is to identify areas for present and future agricultural purposes and to ensure that livestock operations are evaluated against setbacks identified by the Province of Manitoba to ensure soil and water protection with minimal land use conflicts. Another objective of this area is to allow existing livestock operations to continue operating and to provide opportunity for sustainable growth in the livestock industry. The policies in the Development Plan support the expansion of a livestock operation at the proposed size with the approval of a conditional use application.</i></p> <p><i>The proposed livestock expansion is on land that is zoned "A" Agriculture Zone in the RM of Ste. Anne Zoning By-law 10-2010. The Agriculture zone lists livestock operations over 200 animal units as a Conditional Use. A Conditional Use application has been received by the RM of Ste. Anne and will be considered for approval by Council after a public hearing has been conducted.</i></p> <p><i>The RM of Ste. Anne Zoning By-law 10-2010 requires that livestock operations of the size being proposed be a minimum of 820 feet from the nearest residence. The nearest house is 855</i></p>	<b>MMG (CRP Regional Office)</b>



**The Audit of: Rising Hope Dairy Inc.**

Site Assessment Sections	Meets Requirements for TRC Review (type "X")	Comment	Reviewing Department
		<p>feet away. Also, the livestock operation (animal housing facility or manure storage tank) must be a minimum 4364 feet from a settlement area that is designated in a development plan. The closest settlement area is Landmark, in the RM of Tache, which is approximately 9000 feet away. The proposal meets this separation distance requirement.</p> <p>The RM of Ste. Anne Zoning By-law 10-2012 requires that new animal housing structures be setback a minimum of 1000 feet from the Seine River. The proposed livestock expansion exceeds that minimum distance requirement.</p> <p>The RM of Ste. Anne Zoning By-law 10-2010 requires that livestock operations of the size being proposed be located on a lot that is a minimum of 80 acres in size. The existing legal title where the animal housing and manure storage facility exist is approximately 147 acres. The proposed livestock expansion exceeds that minimum area requirement.</p> <p>The setbacks from the front, side, and rear yards are determined by Council in the RM of Ste. Anne Zoning By-law. Variances may be required once Council determines what the setbacks are. Without defined setbacks it is impossible to determine if variances are required at this time.</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 Conservation Data Centre has no rare species concerns related to this application.</p> <p>There are no wildlife related concerns.</p> <p><b>Conservation &amp; Water Stewardship – Lands Branch:</b> Based on the information provided, Land Management &amp; Planning Section of Manitoba Conservation &amp; Water Stewardship has no comment as no Crown lands are to be impacted by the proposal.</p>	<p><b>CWS</b></p>
<p>11.0 Truck Haul Routes and Access Points</p>	<p><b>X</b></p>	<p>This site does not have frontage onto a provincial highway and therefore does not have direct access onto a provincial highway. We do not object to this proposal. PR 210 is rated for Class B1 loading. The anticipated traffic volume at four vehicles per day is not significant enough to raise any concerns.</p>	<p><b>MIT</b></p>

CWS – Conservation and Water Stewardship  
MAFRD- Manitoba Agriculture, Food and Rural Development  
MIT – Manitoba Infrastructure and Transportation  
MMG- Municipal Government

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## D. PUBLIC COMMENTS & DISPOSITIONS

All public comments received have been forwarded to the Rising Hope Dairy. Rising Hope Dairy's response has been posted on the Public Registry <http://www.gov.mb.ca/ia/livestock/trc-12-017.html> and has been appended to this report (Appendix B). The comments have also been forwarded to Provincial Departments and their responses have been noted in this report (where applicable).

In addition, provincial department representatives will be in attendance at the yet to be scheduled Conditional Use Hearing to speak to this report and provide additional comments in response to questions regarding provincial requirements.

### **Karen & Bill Antymniuk – Lorette, MB:**

The Antymniuks own a ten acre property located in the midst of the identified spread fields. Concerns raised are as follows:

- 1) Potential contamination of the aquifer; and
- 2) The impact of an expected increase in daily truck traffic on local gravel roads.

Disposition: It has been noted that the applicant has responded to both concerns. As well, the proponent is directed to adhere to provincial requirements and guidelines related to safeguarding subsurface and surface water (noted in Sections 7.0, 8.0 and 8.1 of the Audit Table of this report). Regarding road related concerns, such issues are generally addressed by the applicant and Municipal Council.

### **Bohden Burak:**

Mr. Burak resides adjacent to the operation. Concerns raised are as follows:

- 1) Sufficient land for manure spreading; and
- 2) The impact on Road #30, increased traffic and road maintenance.

Disposition: The province is satisfied that the applicant has identified sufficient suitable land for manure spreading. Secondly, while the applicant has responded to road related concerns such issues are generally addressed by the applicant and Municipal Council.

### **Audrey Penner:**

Concerns raised relate to general issues regarding factory farms, crowding, and the use of high amounts of antibiotics.

Disposition: The applicant has responded to the concerns raised.

### **Lindsay Schroeder Rd 30E:**

Concerns raised are as follows:

- 1) Past expansion attempts having been rejected by the R.M. of Tache and Ste. Anne
- 2) Issues related to poor manure management (volumes spread and risk of runoff)
- 3) Local soil suitability to receive manure
- 4) Risk of nitrates and phosphorus (from manure) leaching into the water table and polluting wells and water supplies. Especially given high water table.
- 5) Sufficient land for manure spreading
- 6) Lack of an appropriate manure management plan
- 7) Proper containment of mortalities

Disposition: The applicant has responded to the raised concerns. The province is satisfied that the applicant has identified sufficient suitable land for spreading manure. It has also been noted that the operation files an annual manure management plan. Concern related to containment of mortalities should be directed to the Department of Conservation and Water Stewardship (945-4384).

### **Rick Stoupe - Ste. Anne:**

Concerns raised are as follows:

- 1) Cleanliness of operation
- 2) Maintenance of machinery
- 3) Increased traffic flows and safety
- 4) Silage spillage during transport

Disposition: The applicant has responded to the raised concerns.

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## **E.CONCLUSIONS & RECOMMENDATIONS**

### **Overall Conclusion**

**The information contained in the Site Assessment submitted by the proponent generally meets Provincial requirements.**

**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.
- Council is welcome to contact Manitoba Conservation and Water Stewardship (CWS) to discuss regulatory annual reporting requirements with respect to the *Livestock Manure and Mortalities Management Regulation (M.R. 42/98)*. The Technical Review Officer with CWS can be contacted by council at their discretion.
- 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.
- Council should inform the applicant if a Variance is required, once the Council has determined the yard setbacks.

### **Recommended Actions to Proponent**

- 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;

- In accordance with the *Livestock Manure and Mortalities Management Regulation* (M.R. 42/98), field storage of manure is acceptable provided solid manure cannot escape the field storage area.
- Field storage sites must be changed annually and a crop grown on the storage site to take up any excess nutrients.
- During manure field storage and application all groundwater features, including water wells, should be given as a minimum, the amount of buffer as outlined in the regulations.
- Application of manure is prohibited between November 10 of one year and April 10 of the following year as per Section 14(1) 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;
- Application of manure to spread fields in the Red River Valley Special Management Area must be done in compliance with Section 14.2 of the *Livestock Manure and Mortalities Management Regulation* (M.R. 42/98).
- The proponent must observe all setbacks from water features during manure application;
- All unused and abandoned wells on the site and spread fields should be properly sealed and a sealed well report filed with the Groundwater Management Section of Conservation and Water Stewardship.
- All but the most basic wells should be sealed by a well drilling professional.
- Transportation of Specified Risk Material (SRM) is regulated by Canada Food Inspection Agency (CFIA). The proponent is advised to ensure they are in compliance with all CFIA requirements with respect to SRMs.
- 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 Approvals Branch	160-123 Main 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 A

### Rising Hope Dairy Inc June 15 2015

#### Petra Loro, Livestock Environment Specialist

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Manitoba Agriculture, Food and Rural Development (MAFRD) reviewed the site assessment for Rising Hope Dairy Ltd as provided by Gary Plohman on June 9 2015 and has the following comments.

*Proposed Type and Size of Operation:*

Rising Hope Dairy Inc currently operates a 540 animal unit dairy operation (270 mature cows plus associated livestock). They are proposing to expand their operation to 600 mature cows. Rising Hope Dairy Inc is requesting approval for a 1200 Animal Unit dairy operation.

*Environmental Farm Planning:*

Rising Hope Dairy Inc has indicated they completed an Environmental Farm Plan in 2007.

*Land Available/Required for Manure Application:*

MAFRD worked with Gary Plohman prior to submission of the site assessment to determine the land required for manure application.

In the Rural Municipality of Ste Anne, 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 the nitrogen (N) uptake or twice the phosphorus (P) that will be removed from the field in the harvested portion of the crop over the course of a rotation. Only lands with Agriculture Capability Class 1 to 5 and recent soil tests demonstrating P levels below 60 ppm Olsen P are considered suitable. Buffer strips and setbacks must be excluded.

Using the MAFRD land calculator (Aug 20, 2014 version), it is estimated that all of the livestock associated with Rising Hope Dairy Inc will generate approximately 156,772 lbs N and 86,619 lbs P<sub>2</sub>O<sub>5</sub> to be land applied. Using the crops and acreages provided by Rising Hope Dairy Inc, in conjunction with 10 year (2004-2013) MASC yield averages, it is estimated that the average annual crop N uptake to be approximately 131.3 lb/acre and the average annual crop P<sub>2</sub>O<sub>5</sub> removal to be approximately 35.9 lb/acre.

Therefore, in order to satisfy the Province's requirement for P, it is estimated that Rising Hope Dairy Inc requires *approximately* 1206 acres of suitable land. This is also enough land to satisfy the Province's requirement for N in the RM of Ste Anne. MAFRD's land estimate considers only the N and P from the livestock and does not consider nutrients from any other sources.

MAFRD assessed the land provided in the site assessment in order to provide Council with the assurance that adequate suitable land is available for all of the livestock associated with Rising Hope Dairy Inc to satisfy Provincial policies and regulations. Rising Hope Dairy Inc submitted a total of 1548 acres of crop land. According to Agri-Maps (MAFRD internal soil survey map viewer), these parcels contain Agriculture Capability Class 2 and 3. Agri-Maps indicate the land has slight to moderate limitations

due to wetness (W). Rising Hope Dairy Inc has demonstrated that they have sufficient suitable land to meet the Province's requirements for the manure N and P. In order to manage manure P over the long-term, however, 2412 acres of land may be required.

*Additional Information:*

Actual manure application rates will be determined in the annual manure management plan submitted to Manitoba Conservation and Water Stewardship. In order to minimize the risk of nitrate leaching, manure application rates should be based on annual soil tests, crop N requirements and realistic target crop yields. Because manure is rarely a "balanced" fertilizer, repeated, annual N-based manure application rates often result in the build-up of soil test P. Moderate build-up of soil test P enhances soil fertility and benefits crop production, however, excessive build-up of soil test P increases the risk of P being lost to surface water. For this reason, MAFRD recommends that Rising Hope Dairy Inc manage the fertility of the fields that receive manure to keep all soil tests below 60 ppm P over the long-term. Injection or incorporation of manure within 48 hours of application will also reduce the risk of manure being lost to surface water, particularly if the manure is applied in the fall.

MAFRD provides extension support and computer software to help producers complete manure management plans. If the operation uses professional services to prepare the plan, manure management planners must successfully complete the Manure Management Planners Course offered by the Assiniboine Community College and be a member in good standing in the Manitoba Institute of Agrologists or a Certified Crop Advisor. If the services of a Commercial Manure Applicator are obtained to apply the manure, the applicator must be trained by the Assiniboine Community College and licenced by MAFRD.

Under *The Farm Practices Protection Act*, any complaints about odour or other disturbances (such as flies, smoke, noise or dust) can be directed 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 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.



## Appendix B

August 31'2015

Technical Review Co-ordination Unit

Manitoba Municipal Government

604-800 Portage Avenue

Winnipeg, MB R3G 0N4

Re: Rising Hope Dairy Inc.

To whom it may concern:

We are sending this letter to respond to some of the concerns that were addressed in some of the letters sent to you in regards to Rising Hope Dairy's request for more manure units.

It was a surprise and disappointing to see some of the responses that were sent in to the Technical Review Unit as we have never been approached personally or by phone about any complaint, or inquiry about our plans for expansion by any of these individuals, (some of who we know very well). It was a shock to see some of the accusations voiced.

We want to seek to respectfully respond to some of the issues raised.

**1. In response to the concern about "factory" farms and the concern of quality milk and meat products raised.**

We feel that it is unfair to classify our farm as a "factory" farm because we are owned and operated by 3 families who have grown up on this farm and are hugely involved in the day to day operations. We want to endeavor to raise each of our children to love farming just as we do, and give them the same experiences that we had growing up on the farm. (Currently we have 10 children growing up on this farm)

Approximately 2 years ago, the Dairy Farmers of Manitoba, (DFM), took milk quality very seriously and linked the capability of the farm to expand, to the quality of milk it produced. The DFM has classified all farms in a Gold, Merit, Standard, or Infraction status based on their milk quality. To obtain Gold status, farms must have been free of any antibiotic residue, and have extremely low bacteria counts for 12 consecutive months. The DFM has limited expansion to any farm that has not fallen within the Gold Status. The Merit and Standard farms are only allowed to expand by small increments. Although this had a huge outcry from the Dairy Farming Community, we feel that the DFM made a critical decision in ensuring that the milk produced in Manitoba would have superior quality. We have been blessed to be operating in Gold Status at Rising Hope for a few years. Only 10% of Dairy Farmers in Manitoba are in Gold Status. **We are**

**confident that we are producing top quality milk and also confident in the DFM by the leadership it has shown by setting these parameters and allowing only top quality producers the biggest opportunity to purchase quota.**

Also exciting for us this year was our Herd Management Ranking through DHI this year, (Dairy Herd Improvement Program). This is a program which works together with milk producers to give them the tools to improve their fertility, milk production, and overall cow health. They have a few components that they look at to classify you in their Herd Management Ranking. The two farms we manage, together, got ranked at number 10 in the province. We felt so blessed and rewarded to be able to be in the top 10.

The link that references milk and its link to prostate cancer states that milk has in it “rBGH (recombinant bovine growth hormone)”.

The “rBGH”, or recombinant bovine growth hormone is **banned** in Canada due to its link to cancer. Only Dairy Farms in the US are allowed to use it. (If you are one of the ones crossing the border to purchase Dairy Products, BUYER BEWARE!)

In response to the link that refers to animals being increasingly antibiotic resistant, we feel confident in the CQM (Canadian Quality Milk Program) requirements. They monitor all antibiotic use on ALL dairy farms in Canada. For the past 5 years, in order to be proactive, we have asked them to come twice a year, instead of the required once a year. Also, it is important to note, that all tanker loads of milk are tested for any antibiotic residue before they are unloaded at the plant.

**2. In response to us not being clean operators, and not maintaining our equipment.**

Paul heads up our shop crew, and has a yearly check list through which all of our equipment is put through a servicing routine. It is puzzling to understand how one comes to the determination that equipment is not maintained when he has never been near or around any of our equipment. Like all semi-trucks, we have to undergo a yearly safety for our tractor and trailers just like any other transport operator on the road.

**3. In response to traffic issues.**

We understand people’s concerns when it comes to adherence to traffic laws. Being an avid jogger and mother of children who love to ride their bikes, I know all too well what it means when someone does not slow down, or does not stop at a stop sign. I know that we have failed in some situations, and we have tried to make improvements. Every year we meet with our shop crew, and speak of the importance of slowing down for pedestrians, stopping at stop signs, adhering to speed limits etc. They are advertising

our farm by how they drive. I believe we have made huge progress in this area, but because we are not on each and every truck, we don't always know what is happening. When we have been approached by neighbours at our other farm site, we have expressed our appreciation in them letting us know, and have sought to improve the situation. Please make us aware promptly when these things happen, so that they can be dealt with the specific driver accordingly.

**4. In regards to potential aquifer contamination.**

We trust that the Technical Review and Manitoba Conservation is qualified to make sure that soil types, manure amounts, and application, etc. meet all required specifications. This is where they specialize. We also do not want aquifer contamination. We drink the water, our neighbours drink the water, and so do all of our cows. We want clean water for all of us. It is interesting to note that our Manure Management Plan and the Canadian Milk Quality Program require yearly water testing.

**5. In response to Manure Management.**

Unlike smaller farms, we are required to file a Manure Management Plan, and have been doing so since the start of this operation. We have to adhere to all the rules and testing required and have even had an audit on this farm, and passed it with flying colors.

In response to the criticism that people are hesitant to rent our land due to manure application practices..... We do not offer up our land to rent, and want to be farming our land ourselves. This is an unfounded rumor.

**6. In response to wild life having access to our mortalities.**

Since the date of purchase at the Rising Hope Farm, if and when we have a mortality, they have been promptly transported to our composting facility at our other farm. The composting facility was a pilot project partnering with Manitoba Conservation to experiment with composting and to give farmers concise and strategic measures to be successful at composting mortalities. We cannot speak to how the previous owner handled their mortalities.

**7. In response to the suggestion that we have been turned down in Tache for expansion.**

One individual states that we have been turned down in Tache for a similar expansion. This is not true, and is in fact rumors and gossip. We have applied for two expansions in Tache, and they were passed with **NO** resistance.

**8. In response to the suggestion that the vegetation and poor drainage in the ditches are a result of our farming practices.**

It is interesting to note that when we purchased this farm, the drainage around the farm, on the farm, and farm land in the area was abhorrent. The first years farming there was a struggle to successfully get crops off the field due to the poor drainage. We have worked hard, together with the neighbouring farmers and the municipality, to improve the drainage and have already seen tremendous improvement. With all our manure confined to a manure storage facility, and our straw pack manure in a barn, it is hard to understand how the suggestion can be made that manure runoff is responsible for the bulrushes in front of the farm. I know that I can say with confidence, that yes, the ditch in front of our property needs a good cleaning by the municipality, but like any one operating on a budget, things are prioritized according to the highest need.

**9. In response to the link that milk consumption is going down in Manitoba.**

It is interesting to note that the link only includes fluid milk and butter. There is no mention of cheese, ice cream, yoghurt and numerous other dairy products that are consumed in Manitoba. People are consuming more milk than the past just in **different** ways. Contrary to the statement made, milk consumption has significantly gone up in Manitoba, and milk producers in Manitoba have received a 4 percent increase in quota in the last year, and a 3 percent increase in the year before, to meet the demand of consumers.

Finally, we would like to share some of what we have been doing.

It was a pleasure to purchase the farm from Mr. Jones, and move into a new, up-to date facility, with some unique European ideas that were foreign to us. Since the purchase, we have also endeavoured to make several improvements of our own to the farm. These improvements included: cleaning up a lot of garbage, rotting bale piles, and old fence lines on fields. We filled in a huge water hole that was created to harvest fill for the new barn they built. We built a new barn to house some of the outside cattle. We have purchased manure pumping equipment so that all liquid manure is pumped to the field with a drag line to be more neighbourhood friendly and also a lot easier on the roads. We have added 160 acres to our land base there. This spring, we planted 700 trees on the North and South sides of the farm. We built a large cement pad on the East side of the farm for silage storage. This enables Rising Hope to mix their own feed year round in hopes to reduce or eliminate the added transport of hauling feed from a different farm.

We file our manure management every year and have even passed a random audit with flying colors.

At the Rising Hope farm, it has been exciting to see some of our employees rise to the challenge, and they have achieved Gold Status for milk quality. Only 10% of milk producers in the province have achieved Gold.

We have sought to be more visible in the community, providing free chocolate milk at tournaments, allowing the free use of our equipment and fuel for installations of a few play structures in Landmark, and supporting community projects financially. We also feel that we are having a positive impact on the community with the number of people we employ. It has been exciting to see some of our employees mature, gain confidence and feel a part of a team. Over the years, we have seen many youth have their first job here, purchase their first vehicle and even their first house. It is exciting to have been able to impact the trajectory of their life.

Why are we telling you this? We want you to be aware, that we are doing our best to operate a well-run, conscientious dairy farm that is making a positive impact on our community.

Thank you,

Cheryle Warkentine and the operators of Rising Hope Dairy.

Kevin and Connie Plett

Paul and Cheryle Warkentine

Alvin and Katherine Plett