

Pennwood Dairies Response to Comments posted during Public Review

Pennwood Dairy would like to take the time to address the concerns raised by the eleven area residents addressing the proposed dairy farm expansion. We appreciate the time our neighbours have taken to voice their concerns and we respect all opinions. The comments submitted share common themes and the following is a response to the major concerns expressed during the public review.

1. MANURE APPLICATION AND STORAGE

Pennwood Dairy currently utilizes an earthen manure storage (EMS) to store the liquid manure produced on our farm until used as fertilizer on our agricultural land. We are working with DGH Engineering on a plan to expand/modify our current EMS in order to handle the increase in manure from our proposed expansion. EMS systems are regulated and routinely audited by the Province of Manitoba in order to ensure that manure stays within the lagoon and does not contaminate ground and surface water. Construction / modification will require that our engineering firm submit detailed drawings for approval by the Province.

Pennwood Dairy uses a licensed custom manure applicator to inject our liquid manure in the spring and fall. This process normally takes around 5 days to complete. For solids, the manure that is produced on our farm is hauled out and stored on the field designated for spreading that year. Since 2001, all fields utilized for manure spreading have been filed in a Manure Management Plan and approved by Manitoba Sustainable Development prior to manure application. Pennwood Dairy conducts annual manure analysis and soil testing to determine crop nutrient requirements and monitor soil residual nitrates and phosphates to ensure these are well below the regulatory limits.

The comment that manure spread is a “waste disposal” operation is misleading and totally incorrect. Manure is a valuable natural fertilizer for crops grown on affected lands. It should be noted it replaces commercial chemical fertilizer that is used on fields not utilizing manure.

In a reference to a spill that happened in 2017, we cleaned up the spill as soon as conditions allowed to the satisfaction of the RM of Ste Anne. Also, we made the decision to no longer work with that custom manure applicator as they were not adhering to spreading setbacks and proper guidelines for spreading manure. We have always encouraged our neighbours to notify us about any manure spills, so we can work to ensure manure stays on our fields and does not enter any waterways. Manure is a valuable resource and helps our farm be sustainable by cycling nutrients and not having to import conventional phosphorus fertilizer. We do not want to see any of these nutrients applied for crop production leave our fields.

As well, Pennwood Dairies has undertaken to coordinate spreading operations with other neighbouring farmers so that, as much as possible, pipelines minimize the use of and crossing of government road allowances.

According to the land calculator provided by MB Agriculture for our site assessment, Pennwood Dairy has enough land base to inject / spread all liquid and solid manure for the proposed expansion.

Lastly, and most importantly, we encourage our neighbours to contact Sustainable Development of the Province of Manitoba or contact the farm directly to address any concerns they may have.

2. WATER USAGE AND QUALITY

Surface and groundwater protection are provided through environmental regulations and monitoring done by the Province of Manitoba through, for example, monitoring wells adjacent to the earthen manure storage structure. Provincial regulation also strictly prohibits the application of manure near drinking wells, drains and aquifer recharge areas. In terms of water usage, Pennwood Dairy currently has a Water Rights License that is regulated by MB Sustainable Development. Working with the province, we want to ensure that water supplies will not be impacted by the proposed expansion. Clean, abundant and safe drinking water is not only important for our community but essential to the health of our herd.

3. COMMENT ON THE NUMBER OF LIVESTOCK IN THE EXISTING OPERATION

There were two comments made on the number of cows currently being milked at Pennwood Dairy. Our facility currently has two 400-head milking barns, allowing us to milk 800 cows per day. The average dairy farm in Manitoba currently gets 1.2 kg of milkfat / day. Effective management and the use of advanced technology and efficiencies allows our dairy operation to produce an average of 1.45 kg / day which is in line with the noted quota from the Milk Board.

4. ROADS AND TRUCK TRAFFIC

There are two components to issues relating to roads: safety and damage. With respect to the safety aspect, truck drivers for Pennwood Dairies are older and licensed, and have been advised to maintain a maximum speed of 60 kph, stop at all stop signs and exercise caution at uncontrolled intersections. To further address this issue as part of the proposed expansion, additional coordination with drivers is needed which will be met by numerous modes, including additional seminars for drivers and firm instruction as to routes to use that would avoid, as much as possible, conflict with other traffic and land uses in the area. Additionally, and most importantly, we encourage that Pennwood Dairies be contacted directly and promptly should issues arise so that specific situations can be addressed with affected drivers.

Traffic on roads comprise basically three components: commercial trucks and service vehicles supplying the daily needs of the operation, including feed; truck hauling operations by the dairy for daily requirements, including solid manure and silage

transport, etc.; and vehicles used by employees. In the case of the commercial, service truck and employee traffic, drivers are encouraged to use the most direct route to the operation from the main paved road, being P.R. 311 wherever possible.

The operation is aware of some visibility issues at intersections. We are working with the municipality to address these.

5. RESIDENTIAL DEVELOPMENT

Residential development in the Rural Municipality is addressed through the Ste. Anne Development Plan, which designates the various land uses throughout the municipality. The two designations that currently allow rural residential development are the Rural Residential Area and, to a lesser extent, the Rural Mixed Area. In the Rural Residential Area, development is allowed on lots as small as two acres. In the Rural Mixed Area, limited hobby farm development is allowed, on lots at least 5 acres in size.

The site of the Pennwood Dairy operation, as well as most identified manure spread fields, is found within the Rural Agriculture Area, which is appropriate for the operation as proposed. It is acknowledged that substantial areas located to the south and southeast are in the Mixed Agriculture Area and would be affected by increased separation distance requirements for individual residences. A large portion of this designation is already subject to these requirements and as such, we are not aware of any issues in this regard.

If construction activities involving residences do not meet minimum distances, then variances are required in the same way that Pennwood would be required to get a variance from the nearest designated residential area, for example as these are reciprocal requirements. Pennwood Dairies would not be opposed nor register any objection should variances be applied for by residents in this regard. Outbuildings, including garages would not, in our opinion, require any such variances to establish.

The establishment of any new Rural Residential Areas is subject to an amendment process as per Planning Act requirements. Our consultant's experiences in this regard, most recently in the Rural Municipality of Hanover, suggest that the creation of vast new rural residential areas is not viewed favourably by the Province, and only limited infill has been allowed. It should be noted that Pennwood Dairies would not be interested in objecting to an amendment / review process that would establish well planned residential areas in the R.M. of Ste. Anne.

6. TAXES

Experience in the planning field by our consultant with respect to the impact of livestock development on adjacent residential property in terms has not been reflected by the devaluation of property values.

The statement by one of the comments, suggesting that residential development contributes positively to the development of a municipality has not, in our opinion, been shown to be the case. In all instances, municipalities with large residential components of development experience financial issues, leading to increasing property taxes (municipal and school) for residences. We are not aware of any situations where large scale rural residential development in a municipality has resulted in reductions in taxes.

7. CORRECTION TO SEPARATION DISTANCES

The following table corrects separation distances as they apply to the proposed expansion:

To the following land use features	Minimum separation distance required in the R.M. of Ste. Anne Zoning Bylaw or Provincial Planning Regulation (if applicable) for		If land use feature is less than the minimum separation distance required in the Zoning Bylaw or Provincial Planning Regulation	
	Earthen Manure Storage	Animal Confinement Facility	Provide Actual Distance	Provide location or name of feature
Residence / dwelling	2625 ft.	1312 ft.	804 ft. – EMS 444 ft.- existing ACF	dwelling in pt. SW 17-7-7E
Designated area (non-agricultural)	10499 ft.	6988 ft.	9100 ft. - EMS 8129 ft. - ACF	Rural Residential Area in SW 5-7-7E
Livestock operation	N / A	N / A	N / A	N / A
Other significant features / land uses	N / A	N / A	N / A	N / A

“EMS” – stands for earthen manure storage

“ACF” – stands for animal confinement facility

Pennwood Dairies will undertake to apply for variance orders to address any shortcomings related to Zoning Bylaw requirements.