



**TECHNICAL REVIEW COMMITTEE**

**A TECHNICAL REVIEW REPORT**

**PREPARED FOR**

**THE MUNICIPALITY  
OF GRASSLAND**

**HYLIFE GIBSON'S NURSERY  
(RESUBMISSION)**

**NW ¼ 13-05-22 WPM**

**TRC 12-073**

**October 1, 2020**

## **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**

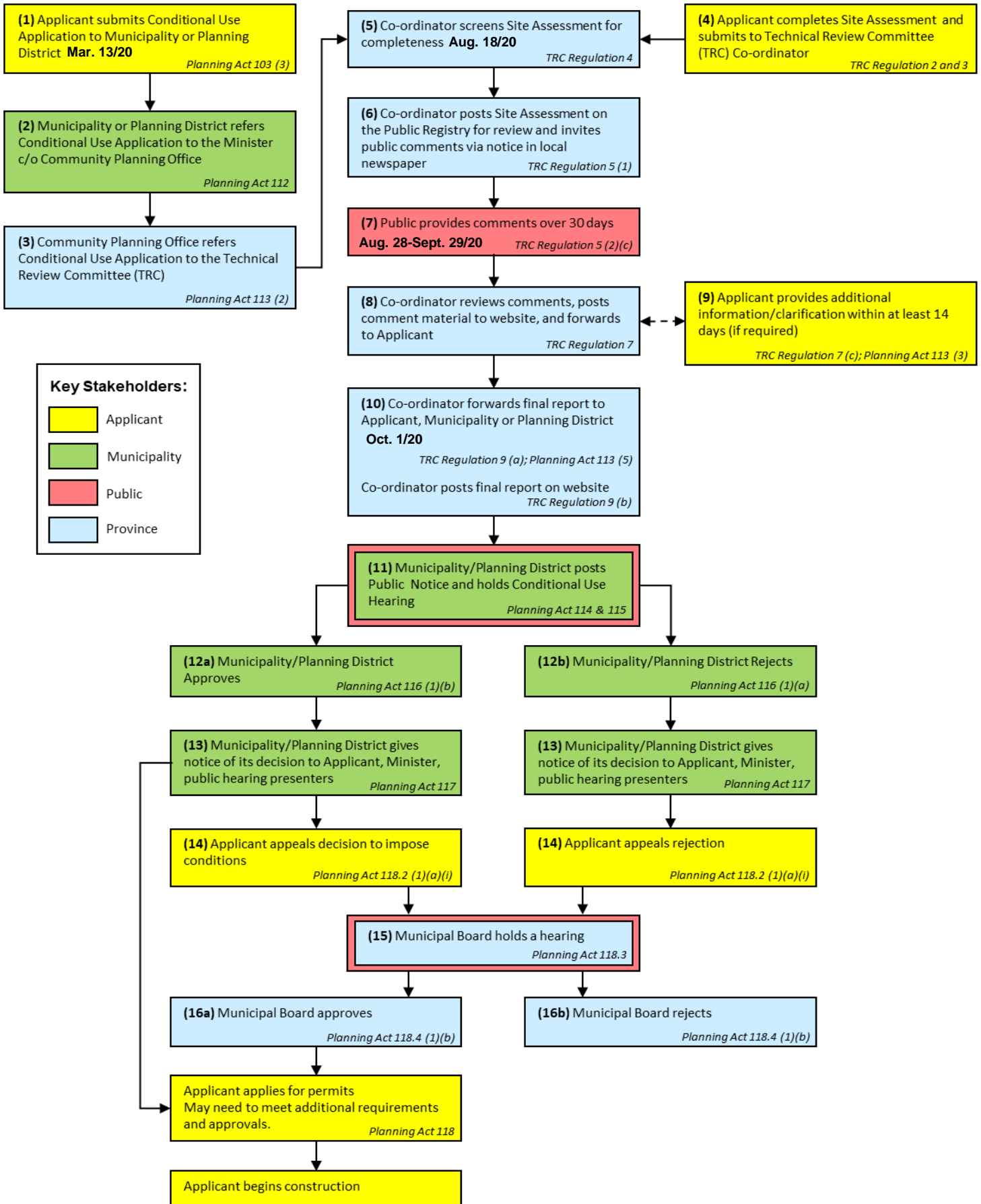
### Purpose of TRC Reports

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](https://www.gov.mb.ca/mr/livestock/public_registries.html)

**Applicant:** Hylife Gibson's Nursery

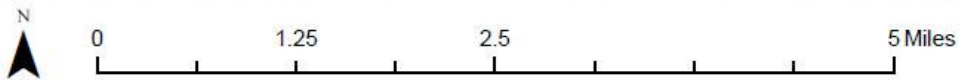
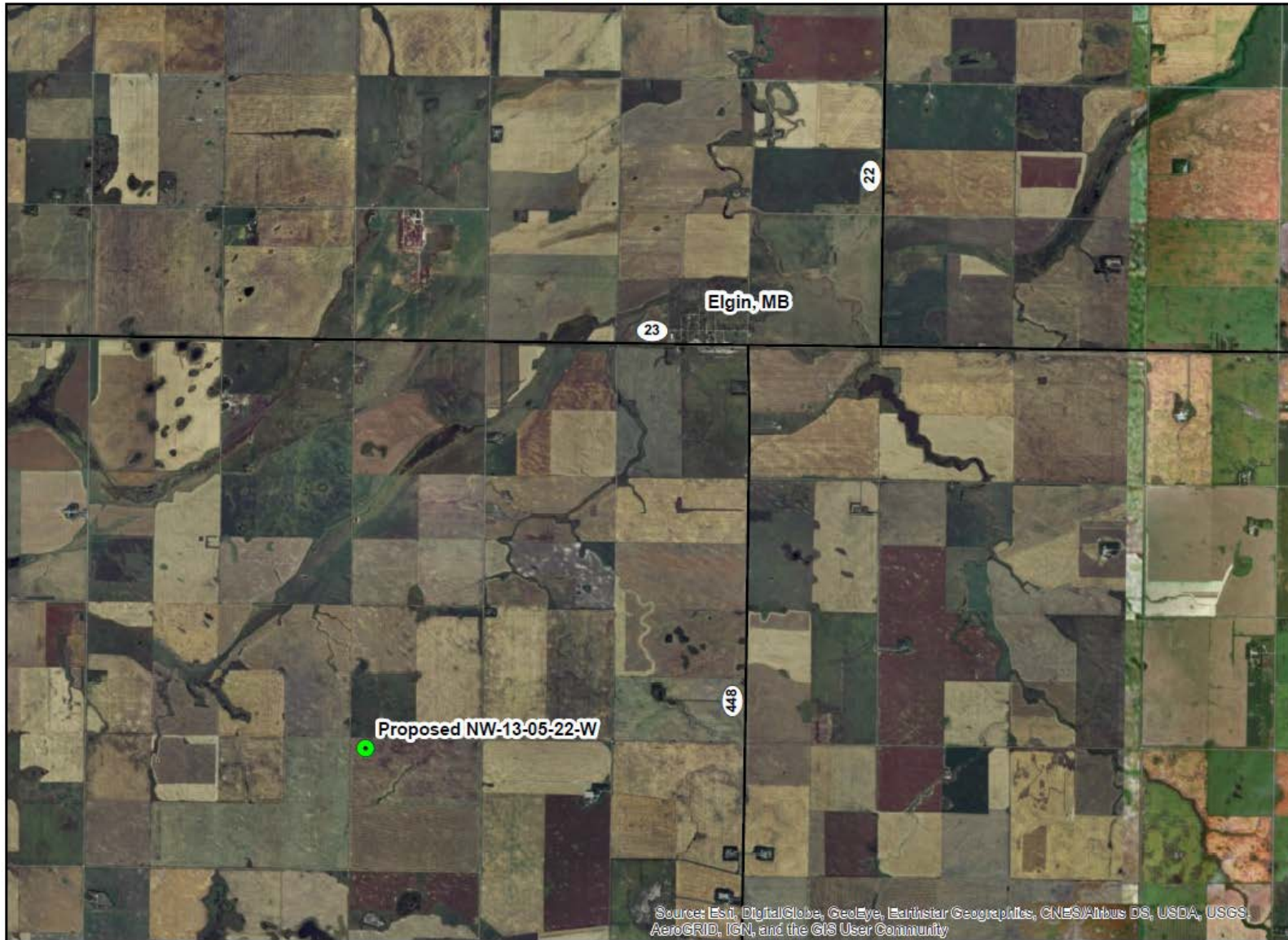
**Site Location:** NW ¼ 13-05-22 WPM. Refer to map below.

**Proposal:** To establish a 24,000 head hog nursery operation (792 Animal Units)

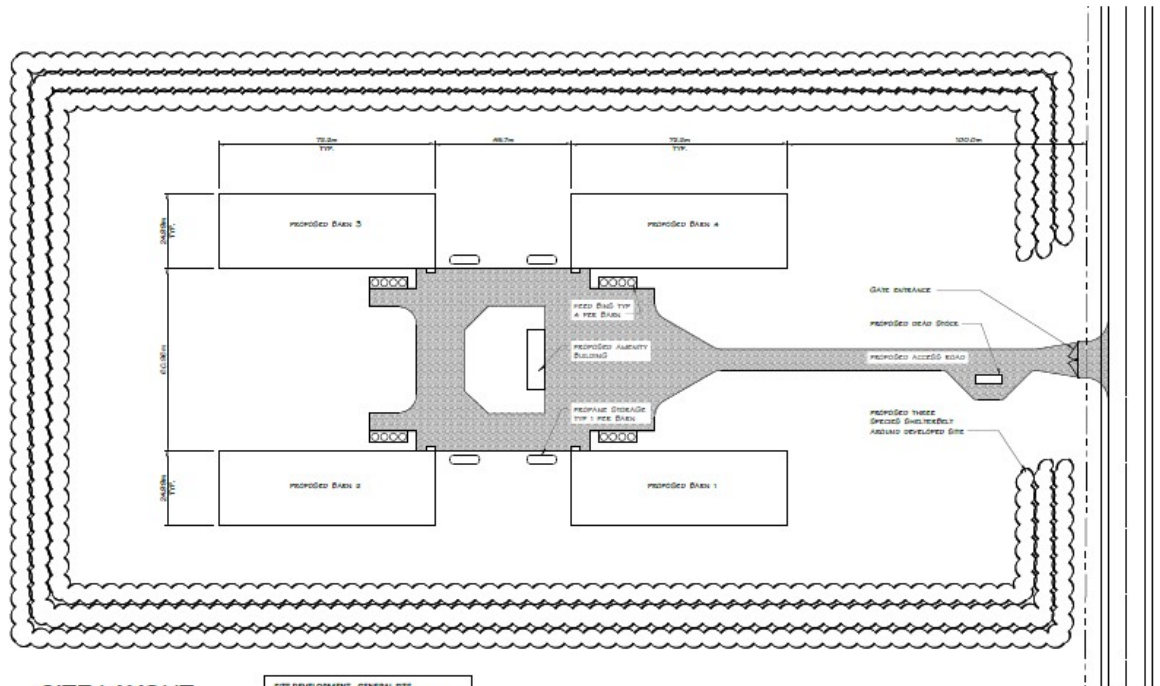
This will involve the following:

- Building four nursery barns (each 19,421 sq. ft) and an amenity building (1,335 sq. ft)
- Constructing an under-barn concrete manure storage facility (30-day capacity or greater)
- Consuming a maximum of 26,400 imperial gallons of water per day from a proposed well.
- Rendering mortalities
- Using truck haul routes as shown in map below

## RM of Grassland - Proposed Site



Prepared by:  
Kieran Hamm  
Nutrient Management Coordinator  
HyLife Ltd.



**SITE LAYOUT**

1/800

SITE DEVELOPMENT - GENERAL SITE	
ITEM	SYMBOL
PROPERTY LINE	---

**PRESENTATION DRAWING**

DATE	DESCRIPTION	BY
03/20/2018	CONCEPT DRAWING, ISSUED FOR REVIEW	DMW
02/26/2020	CONCEPT DRAWING, ISSUED FOR REVIEW	DMW

ISSUED DATE: 2/26/2020 4:03:57 PM

ENGINEER'S SEAL

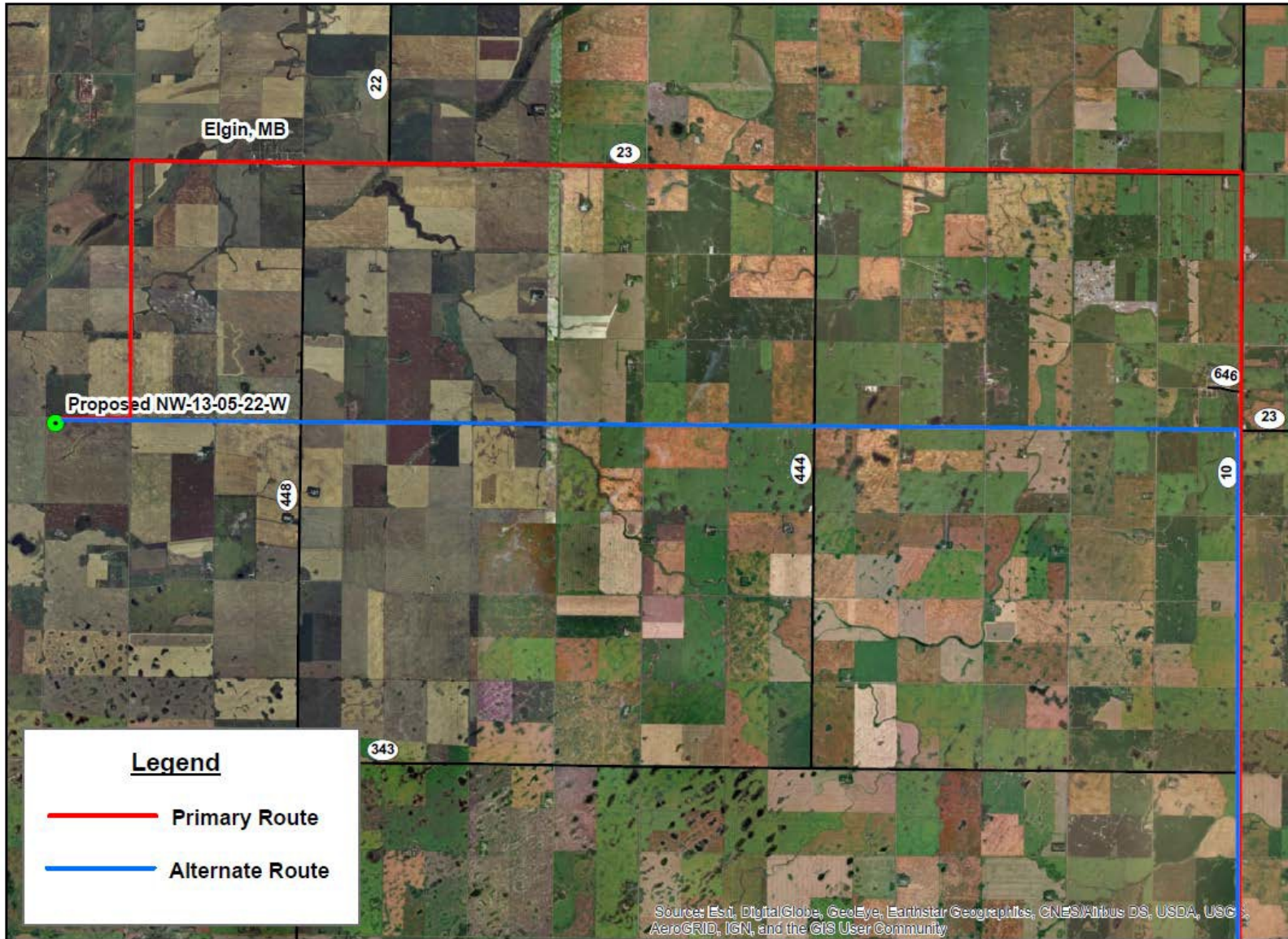
**NOTE TO CONTRACTOR:**  
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

**DGH ENGINEERING LTD.**  
 22 Andrew Road  
 4. Andromeda Way, 370 St. Catharines, ON L2R 9K9  
 TEL: 905.304.8800  
 WWW.DGHEngineering.com

CLIENT		
HYLIFE LTD. BOX 100 LA BROQUERIE, MB. ROA 0V0		
DESIGNED	DRAWN	COORDINATOR
DATE: FEB/2020	SCALE: AS NOTED	PROJECT PATH: [unclear]

PROJECT TITLE	
2020 DEEP PIT NURSERY BARNs	
PROJECT LOCATION	
PROJECT NUMBER: 1900001	
SITE LAYOUT	
C1 REV. 000	

# Proposed Site Truck Haul Route



## C. SITE ASSESSMENT OVERVIEW

Provincial Technical Overview of TRC 12-071 HyLife Gibson's Nursery				
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 Proposed NW-13-5-22-W (Gibson's Nursery) is seeking Conditional Use approval to build a 24,000 nursery pig operation, which is equivalent to 792 animal units (AU).	ARD <sup>1</sup>
3	Project clearly defined as an animal confinement facility	X	The site assessment indicates that the proposed operation will establish four new barns. Each of the proposed barns is in excess of 6,458 sq. ft. (600 sq.m) and will therefore require a building permit from the Office of the Fire Commissioner under <i>The Building and Mobile Home Act</i> and the Manitoba Building Code.	MR
4	Identified all existing and proposed buildings and structures and related separation distances	X	All existing and proposed buildings and structures, are in compliance with the minimum separation distances of Provincial Planning Regulation 81/2011.	MR
5	Demonstrated project site is not located within Nutrient Management Zone N4 or any Nutrient Buffer Zone	X	According to semi-detailed soil survey, HyLife Proposed NW-13-5-22-W is located on Class 3, prime agricultural land.  The project site is not located within Nutrient Management Zone N4 or any Nutrient Buffer Zone	ARD <sup>2</sup>
6	Identified suitable water source: <u>proposed well</u>  and a water consumption rate of <u>26,400</u> imperial gallons per day	X	All operations using more than 25,000 litres (5,499 imp gal) per day must maintain a Water Rights Licence under The Water Rights Act, Water Rights Regulation (M.R. 126/87). This project proposal has noted an estimated water usage that will exceed 25,000 litres per day, therefore a Water Rights Licence will be required. The proponent has submitted an Application to Construct a Well and Divert Groundwater, and Groundwater Exploration Permit has been issued for this project. They are currently in good standing with the Water Use Licensing Section.	CC

<sup>1</sup> Agri-Resource Branch

<sup>2</sup> Agri-Resource Branch, Water Science and Watershed Management Branch



## Provincial Technical Overview of TRC 12-071 HyLife Gibson's Nursery

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><b><u>Development Plan Designation</u></b> The proposed livestock operation, located in the NW ¼ 13-05-22WPM in Grassland Municipality, is designated RURAL POLICY AREA (Dennis County Planning District Development Plan By-law No. 12) and the proposal complies with Development Policies PART 3, Section 3.3.3(Livestock Policies).</p> <p><b><u>Zoning District</u></b> The proposed site is zoned "AG" Agricultural General Zone (Grassland Municipality Zoning By-law No.23-2016) 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 RM of Grassland Zoning By-law No. 23-2016.</p>	MR
8	Identified any unsealed abandoned wells on the project site or spread fields	X	<p>The provincial water well database does not contain information for well(s) located on the proposed property at NW13-5-22W. The assessment report indicates that there are no unused wells on the spread fields. If unused water wells on the site or spread fields are later located these shall be properly sealed and a sealed well report must be 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: <a href="https://www.gov.mb.ca/sd/water/groundwater/wells_groundwater/index.html">https://www.gov.mb.ca/sd/water/groundwater/wells_groundwater/index.html</a>. All but the most basic wells should be sealed by a well drilling professional. A list of currently licensed well drilling professionals can also be accessed from the above web page.</p>	ARD <sup>3</sup>

<sup>3</sup>Water Science and Watershed Management Branch

## Provincial Technical Overview of TRC 12-071 HyLife Gibson's Nursery

Item No.	Provincial Requirements	Confirmed	Related Provincial Safeguards	Dept.
9	Identified suitable manure storage methods	X	Permits to construct the proposed manure storage facilities must be obtained, prior to initiating any of the construction works, in accordance with the Livestock Manure and Mortalities Management Regulation. The applications for permits to construct the manure storage facilities must be submitted to Environmental Approval Branch of Conservation and Climate ( <a href="mailto:EABDirector@gov.mb.ca">EABDirector@gov.mb.ca</a> ). Design guidelines and application forms are available at: <a href="https://www.gov.mb.ca/sd/waste_management/livestock_program/index.html">https://www.gov.mb.ca/sd/waste_management/livestock_program/index.html</a> .	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	X	The proponent has indicated that mortalities will be dealt with by rendering. This is an acceptable disposal method under the LMMMR (MR 42/98). More specific information is included in the Livestock Manure and Mortalities Management Regulation and at: <a href="https://www.gov.mb.ca/sd/waste_management/livestock_program/index.html">https://www.gov.mb.ca/sd/waste_management/livestock_program/index.html</a> .	CC
12	Proposed suitable setback distances from water and property lines for manure, livestock and mortalities	X	The Site Assessment Report identifies that the water use for the livestock operation is from a proposed new well. The report indicates that the location of the new well is yet to be determined. For the proposed new well, the Well Standards Regulation under The Groundwater and Water Well Act ( <a href="https://web2.gov.mb.ca/laws/statutes/ccsm/g110e.php">https://web2.gov.mb.ca/laws/statutes/ccsm/g110e.php</a> ) should be consulted. The regulation requires a minimum 100 metre separation distance between a well and confined livestock areas or manure storage facilities.	ARD <sup>4</sup>
		X	The proponent indicates that 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	This site is not within a Designated Flood Area. There is no known risk of major flooding at this location.	MI

<sup>4</sup>Water Science and Watershed Management Branch

## Provincial Technical Overview of TRC 12-071 HyLife Gibson's Nursery

Item No.	Provincial Requirements	Confirmed	Related Provincial Safeguards	Dept.
<b>14</b>	Proposed acceptable odour control measures	X	HyLife has indicated that shelterbelts will be planted. 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.	<b>ARD<sup>5</sup></b>
		X	From their site plan, Hylife is proposing to plant a three row shelterbelt around the perimeter of all four barns and manure will be stored in pits beneath each barn.	<b>MR</b>
<b>15</b>	Proposed sufficient and suitable land for manure spreading with minimum setbacks from water sources	X	The required land base for HyLife Proposal NW-13-5-22-W is 1,263 acres. HyLife Proposal NW-13-5-22-W has satisfied the land requirement by demonstrating that they have access to 1,636 suitable acres.	<b>ARD<sup>6</sup></b>
		X	During manure spreading, setback distances to all surface and groundwater features as prescribed under the Livestock Manure and Mortalities Management Regulation should be considered as a minimum distance	<b>CC</b>
<b>16</b>	Indicated if spread fields are located in the Red River Valley Special Management Area or any other regularly inundated area	X	This project is not located in the Red River Valley Special Management Area or any other regularly inundated area.	<b>CC</b>
<b>17</b>	Proposed spread fields that meet development plan and zoning by-law requirements	X	The spread fields for the proposed site are designated RURAL POLICY AREA. The proposed spread fields comply with Dennis County Planning District Development Plan By-law No. 12 policies.  The spread fields for the proposed site are zoned "AG" – Agricultural General Zone. The proposed spread fields meet the minimum setback requirements in the "AG" zone.	<b>MR</b>

<sup>5</sup> Agri-Resource Branch

<sup>6</sup> Agri-Resource Branch

## Provincial Technical Overview of TRC 12-071 HyLife Gibson's Nursery

Item No.	Provincial Requirements	Confirmed	Related Provincial Safeguards	Dept.
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 as means of manure transportation. This is considered acceptable under the Livestock Manure and Mortalities Management Regulation.	CC
			There are no designated Provincial Waterways within the immediate vicinity of the proposed site.  Please be advised that any structures placed within the controlled area of PR 448, and PTH 23 or any PR and PTH highway (125 feet from the edge of the right-of-way) requires a permit from our office. The contact is Sheena del Rosario at (204) 945-3457 or <a href="mailto:Sheena.Delrosario@gov.mb.ca">Sheena.Delrosario@gov.mb.ca</a> . The placements of temporary drag lines or any other temporary machinery/equipment for manure application within the right-of-way of PR 448, and PTH 23 or any PR and PTH requires permission from our regional office in Brandon. Please contact the Regional Planning Technologist, Brian Hickman at (204) 726-6822 or <a href="mailto:Brian.Hickman@gov.mb.ca">Brian.Hickman@gov.mb.ca</a> . 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 PR 448, and PTH 23 or any PR and PTH (125 feet from the edge of the right-of-way).	MI
19	Identified suitable trucking routes and access points	X	The subject land has frontage along a municipal road. The proposed truck haul will utilize an existing municipal road connecting to PTH 23. We don't anticipate a substantial increase in use for the existing access.	MI
20	Identified proposed trucking routes – local roads	X	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	Confirmed that no rare species are impacted on new sites/lands	X	The Conservation Data Centre Report indicates that no species listed under the provincial Endangered Species and Ecosystems Act, the federal Species at Risk Act, or classed as at-risk according to internationally recognized standards, have been documented in the project area.	ARD <sup>7</sup>

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

<sup>7</sup>Wildlife and Fisheries Branch

## D. PUBLIC COMMENTS AND DISPOSITIONS

<b>Public Comment Summary</b>	
<p>Steve Tufts Box 49 Elgin, MB. R0K 0T0</p>	<p><b>OPPOSED</b> Commenter is a farmer whose operation is located on the same road as the proposed project. The commenter feels the RM can not afford this development and that the taxes that will be charged will not be adequate. Commenter would like to see proponent charged more taxes to cover the cost of road improvements that will be necessary and ongoing maintenance. Alternatively, the commenter would be in favour of the proposed development being relocated near the LUD of Minto along PTH 10.</p>
<p>Martin More and Nancy Holden  NE 28-5-22 RM of Grassland</p>	<p><b>CONCERNED</b> Commenter is concerned that:</p> <ol style="list-style-type: none"> <li>1. The cost of construction and future maintenance of roads will place a financial burden on ratepayers with little economic benefit to the municipality.</li> <li>2. Amounts of water required from unknown resources could negatively impact residents and existing livestock operations in the area.</li> </ol>
<p>Glenn Strom Bismarck, ND 58503</p>	<p><b>CONCERNED</b> After the 2011 flood, alkaline has been steadily increasing on adjacent land due to water seepage resulting from a blocked underground water tunnel (imagery included in comment to demonstrate issue and impact). Commenter is concerned proposed operation may create additional seepage problems.</p>
<p>Colleen Withoos SW ¼ 10-5-22</p>	<p><b>CONCERNED</b> Commenter has three concerns: 1. Who will bear the cost of the access road, and cost of road maintenance; 2. Potable water; 3. Nuisance to residences who live down wind from proposed operation due to odour.</p>
<p>Clark and Shannon Combs NW ¼ 36-05-22 W1 Elgin, MB. R0K 0T0</p>	<p><b>OPPOSED</b> Commenters live and own land nearby and have concerns related to water, roads, property value, export of hay and straw to the US, and community building.</p>
<p>Jim and Kim Draper SW ¼ 31-5-21 W</p>	<p><b>OPPOSED</b> Commenters live on neighbouring property and have concerns related to ground water supply, roads and proposed spread fields. As well, commenters doubt that the operation will generate revenue for the RM.</p>
<p>Mandy Tufts RM of Grassland</p>	<p><b>SUPPORTS</b> Commenter cited importance of opportunity for rural communities to be successful. New opportunities provide jobs and population growth. Commenter lives roughly 3 miles from a Hylife operation and has had no issues.</p>

Anthony Bond and Tracy Forsyth	<p><b>OPPOSED</b></p> <p>Commenters referred to letter written for previous Gibson's submission. Commenters also stated that there had been mention of 5-10 barns being added and would like further detail. Commenters are not again hog barns in general but do not think the benefits outweigh the costs for the proposed development.</p>
Leslie and Dave Larson	<p><b>CONCERNED</b></p> <p>Commenters are concerned about whether there is an adequate supply of water for the proposed operation that will not compromise existing users. As well, commenters are concerned that the proposed development will decrease their farm's value.</p>

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](https://www.gov.mb.ca/mr/livestock/public_registries.html)

See Appendix 2 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.
  - d) Councils are requested to include in the 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*.
4. 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.
5. 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.

*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

<b>Name</b>	<b>Department</b>	<b>Title Branch</b>	<b>Contact</b>
Don Malinowski	Municipal Relations	Senior Planner <i>Community Planning Branch</i>	204-945-8353
Petra Loro	Agriculture and Resource Development	Livestock Environment Specialist <i>Agri-Resource Branch</i>	204-918-0325
Shannon Beattie	Conservation and Climate	Policy Analyst <i>Legislation, Policy and Coordination Branch</i>	204-792-6269
Jeff DiNella	Infrastructure	Senior Development Review Technologist <i>Highway Planning and Design Branch</i>	204-945-2664

# Appendix 1 – Manitoba Agriculture and Resource Development

## **Agri-Resource Branch:**

HyLife Proposal NW-13-5-22-W has met the land requirements for 24,000 nursery pigs as follows:

In areas of lower livestock intensity such as the RM of Grassland, 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 phosphorus with crop removal, should it be necessary in the future.

Typical, modern feeding practices for pig production were used to estimate nutrient excretion for HyLife Proposal NW-13-5-22-W. 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. All of the lands with soil tests were below 60 ppm Olsen P, as required to be considered suitable. Detailed soil survey is available to determine the agriculture capability of the land. The agriculture capability of the land included in the proposal is predominantly Class 2 and 3 (prime agricultural land). Limitations include wetness (W), stoniness (P), topography (T), erosion (E), bedrock (R) or a combination of these factors (X).

The required land base for HyLife Proposed NW-13-5-22-W 1263 acres. HyLife Proposal NW-13-5-22-W has satisfied the land requirement by demonstrating that they have access to 1636 suitable acres.

## **Water Science and Watershed Management Branch:**

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).

The proponent plans to inject all liquid manure. Injection of manure at appropriate rates poses lower environmental risk than other manure application methods and conserves nitrogen increasing the fertilizer value of the manure.

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 use a covered manure storage which has lower N losses than an uncovered storage and also apply the liquid manure with partial injection which will reduce N losses compared to broadcast methods.

A portion of the manure will be applied in spring which will reduce the risk of nutrient losses to surface waters during spring snowmelt runoff compared to fall applications.

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. 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 further build-up in soils. Consequently, sufficient land base must be available such that manure can be applied at no more than 1 times crop P removal rates (P balance). For long-term planning purposes, the proponent needs to have sufficient land available to ensure that manure can be applied at 1 times crop P removal. The proponent acknowledges that 2,526 acres may be required for the long-term environmental sustainability of the operation. The proponent has identified 1,636 acres for manure application. Application to meet crop N requirements is estimated to use 1,230 acres. Application at 2 times the crop removal of P is estimated to use 1,263 acres (2,526 acres is estimated to achieve P balance 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).

The soil test reports indicate elevated soil salinity on sections 13 and 14-5-21W. Saline areas may have reduced yields and are therefore prone to nutrient buildup when manure (or fertilizer) is applied at the same rate as more productive parts of the field. Saline areas that are less productive should be monitored for nutrient buildup.

## Appendix 2 – Proponent’s Response to Public Comments



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

September 30, 2020

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

Attn: Don Malinowski, TRC Coordinator

**Re: File Nos. TRC -12-073 (Gibson’s Nursery)**

HyLife would like to acknowledge the concerns raised by residents regarding our proposed Gibson’s Nursery pork production operation on NW-13-05-22-WPM in the Municipality of Grassland. We respect their views and thank them for their time to comment in the Technical Review Committee’s (TRC) public review process. In acknowledgement of the potential for public concerns related to this and other proposed developments in the municipality of Grassland, HyLife hosted an open house to inform the public of our proposed growth in the area. We felt it important to reach out to the general public prior to making any formal application to the Province to better understand the concerns of local residents.

### **HyLife - Our Company and our Proposed Gibson’s Nursery Project**

Our company’s Manitoba roots date back to some 25 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 proposed 80-acre site is located in an area that is designated as "RURAL POLICY AREA" in The Dennis County Planning District Zoning By-Law No. 20 adopted in 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 Grasslands Community.

***The "Rural Policy Area" is established in the development plan with the overall objectives:***

- 1. To protect the dominant role of agriculture and resource-related activities within the economy of the Planning District.*
- 2. To encourage economic development, growth and diversification in rural areas in an orderly, efficient manner that will maintain and protect the dominant role of agriculture and resource-related activities in the rural area.*
- 3. To encourage development and growth which is sustainable, and which efficiently uses land and existing road networks.*
- 4. To promote development which is compatible with adjacent land uses, both existing and anticipated.*
- 5. To maintain the character and quality of life presently enjoyed in rural areas.*
- 6. To encourage growth and development in rural areas in a manner which is compatible with the objectives and policies for urban areas.*

HyLife has carefully chosen the proposed site as it is located in the "Rural Policy Area" and is characterized by open agricultural land and is in line with the intent set out in the Zoning By-Law. This farmland would receive manure nutrient fertilizer from the proposed operation to sustainably grow crops. Our pork production operation bio-security requirements coupled with the practical requirement for a sustainable



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land base to spread manure nutrients ensures the appropriate distribution of livestock operations within agricultural areas.

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 proposal meets every zoning requirement and in many circumstances, exceeds the minimum separation distance requirements of both the barn and 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.

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. The barn design employed at this facility will be a deep pit design that eliminates the use of an earthen manure storage at the site and utilizes concrete storages beneath the animals for storing manure. These design considerations help to keep the in-barn production of odor to a minimum, creates a positive living and working environment for our livestock and staff, and as mentioned, eliminates the requirement of having an earthen manure storage facility on-site.

Outside, we will utilize a 3 row multi-species vegetated shelterbelt around the production facility. This will not only improve the aesthetic appearance of the site, it will also create greater lift to better dissipate and diffuse odours.

With respect to manure nutrient application, our plan is to apply manure in the spring pre-seeding and fall post harvest as a twice per year event. Manure nutrient application will be done on an anticipated 3-year rotational basis. Manure nutrients will be applied in accordance with all applicable environmental regulations and utilize industry leading technologies. Application will also employ 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 Conservation and Climate.

Collectively, these in-barn and outside environmental measures and manure management practices will reduce odour from our proposed 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 communities in which we operate.



### **Water Quality - Protection of Surface Water and Groundwater**

The proposed development is located within the Souris River/Whitewater Lake sub-watershed of the Assiniboine River Watershed. It is located outside of the provincially designated Red River Special Management Area that requires special flood risk mitigation measures to protect from flooding and ground and surface water pollution.

As in all cases, provincial regulations regulate all activities that have the potential to contaminate both surface and groundwater supply. Besides livestock operations, this includes urban development of cities, municipal (earthen) sewage lagoons and other treatment systems, gas stations, refuse disposal sites, many types of heavy industry, rural residential subdivisions and individual residential septic fields.

Surface and groundwater protection is provided by means of multi-layered regulations and monitoring and enforcement system. This includes location, design and construction of Professionally Engineered manure storage facilities, certification of manure applicators, strict annual soil testing, and regulating the methods and rate of fertilizer application. Provincial regulation strictly prohibits the application of manure near wells, surface watercourses or over potential aquifer recharge areas (gravel deposits, bedrock outcrops, sinkholes, etc.) The proposed development meets or exceeds all required setbacks from surface watercourses.

### **Manure Storage Safety**

A deep pit manure storage facility has been proposed to contain manure from this operation. Such storage is a common and accepted method for storing liquid manure throughout the livestock industry.

Deep pit manure storages have been regulated by the Province of Manitoba since 1995. A permit to construct a concrete manure storage requires a detailed geotechnical assessment of soils; a design prepared by a professional engineer; review of the design and all relevant information by Manitoba Conservation and Climate prior to issuing the permit; site supervision of the construction by the responsible engineer and finally certification of the storage by the engineer when the work is completed. This process is required for all manure storages constructed in Manitoba.

Since the legislation was enacted in 1995 numerous hog, poultry and dairy storages have been constructed in the Province of Manitoba. This program is among the strongest legislation in North America and has an excellent record of providing safe containment of livestock manure.

As previously mentioned, setbacks are required from surface watercourses and the proposed concrete manure storage meets all setback requirements.

The design and construction standards enforced by the Province of Manitoba ensure that manure storages are designed, constructed and maintained to protect surface and groundwater resources. The Province

conducts inspections and audits of manure storages during and after construction to ensure the structural integrity is being maintained. Any storages found to have experienced damage or deterioration are required to implement repairs, managed by professional engineers, to ensure the repairs and changes are done utilizing accepted engineering principles and practices.

### **Land Base Required to Recycle Crop Nutrients**

Nutrients contained in the manure will be utilized as organic fertilizer for crop production. The organic material contained in the manure acts as a soil amendment by improving soil tilth, fertility, and water retention. Over time, increased soil organic matter content also builds a better and more stable soil structure less prone to erosion.

The manure will be applied as a fertilizer at agronomically accepted rates that will meet crop nutrient requirements. An annual manure management plan must be filed with Manitoba Sustainable Development prior to application of manure to fields. HyLife conducts soil testing to determine crop nutrient requirements and monitor soil nutrient residual values to ensure they are maintained within regulatory limits. The manure application rate is calculated using reasonable target yields, crop nutrient uptake, residual soil nutrient values and manure nutrient levels. Soil and manure nutrient contents are analysed annually.

As the manure management plans are filed with the Province annually, should a build-up of nutrients begin to occur, the Province would be alerted and require changes in the operation's manure management practices.

The land base required to sustainably support this proposed hog operation has been identified in the assessment filed with the Provincial Technical Review Committee (TRC). In fact, the manure agreements that have been signed with area producers exceed the required spread acres.

Area farmers have long realized that the manure nutrients are a valuable resource and provides a long term, sustainable crop fertilizer product. Demand for manure nutrients has increased exponentially over the past number of years as it is considered a valuable and sometimes preferred alternative for crop fertilization.

### **Water Consumption & Sustainable Water Supply**

A new well will be developed for the Gibson's Nursery operation.

Prior to the development of a water supply that exceeds 5,500 gallons per day, a Water Rights License must be obtained through Manitoba Conservation and Climate. The license process includes the assessment of the proposed use on the aquifer and other uses. Manitoba Conservation and Climate





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establishes withdrawal rates that ensure existing users water supply will not be impacted by the new development. The local aquifer is expected to sustain all current uses as well as the proposed development without any concern.

All developments requiring a Water Rights License must comply with the annual groundwater withdrawal limit set by Manitoba Conservation and Climate's Water Licensing Branch.

### **Traffic**

There will be additional traffic daily to the proposed development with the addition of 4 new staff for the proposed Gibson's Nursery operation. There will also be an addition of 3-4 feed trucks and 6-8 livestock trucks per week. Truck schedules are sequenced to ensure efficient traffic movement to avoid congestion within and outside of our operations.

Traffic will use PR 23 which is provincial highway maintained and under the jurisdiction of Manitoba Infrastructure as well as municipal road 126W for 3 miles. Impact on municipal road infrastructure will be limited to this municipal road for the majority of the farm traffic.

### **Road Construction and Maintenance**

The proposed site is located on municipal road 27N and will require some upgrades to accommodate the site development. Costing to upgrade this portion of road 27N has been established through local contractors and HyLife will contribute to the entire cost of upgrading this portion of road as per the quote and workplan received.

As previously described, there will be additional road traffic on local municipal roads as a result of the development. HyLife will contribute to the municipality an annual road maintenance fee to offset the additional road maintenance costs incurred by the additional traffic.

### **Quality of Life and Property Values**

We respect that existing rural-non-farm residents have chosen to reside in a designated Agricultural General area where Agriculture and livestock developments are existing or could be expected to develop in the future. As such, farm activity including crop and livestock production, fertilizer application, farm traffic, noise and farm related odours are to be expected in an agricultural area.

We believe that with mutual understanding and respect, we can both co-exist within the area and be good neighbours.

HyLife has and will continue to be a community partner in rural Manitoba and a contributor to growth and prosperity in a sustainable manner. HyLife is confident that this development is representative of these attributes and our commitment to the sustainable, positive growth within the community.





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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.

