TECHNICAL REVIEW COMMITTEE

A TECHNICAL REVIEW REPORT

PREPARED FOR

THE RURAL MUNICIPALITY OF GRASSLAND

HYLIFE – PAPPY FEEDERS

SE ¼ 23-5-21 WPM

TRC 12-077

March 11, 2021

A. INTRODUCTION – THE TEAM

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

Agriculture and Resource Development (ARD)

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

Conservation and Climate (CC)

- Environmental Engineer
- Environment Officer
- Water Rights Licensing Technologist

Infrastructure (MI)

- Senior Development Review Technologist
- Senior Flood Protection Planning Officer

Municipal Relations (MR)

- Community Planners

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

THE TECHNICAL REVIEW COMMITTEE (TRC) REPORT

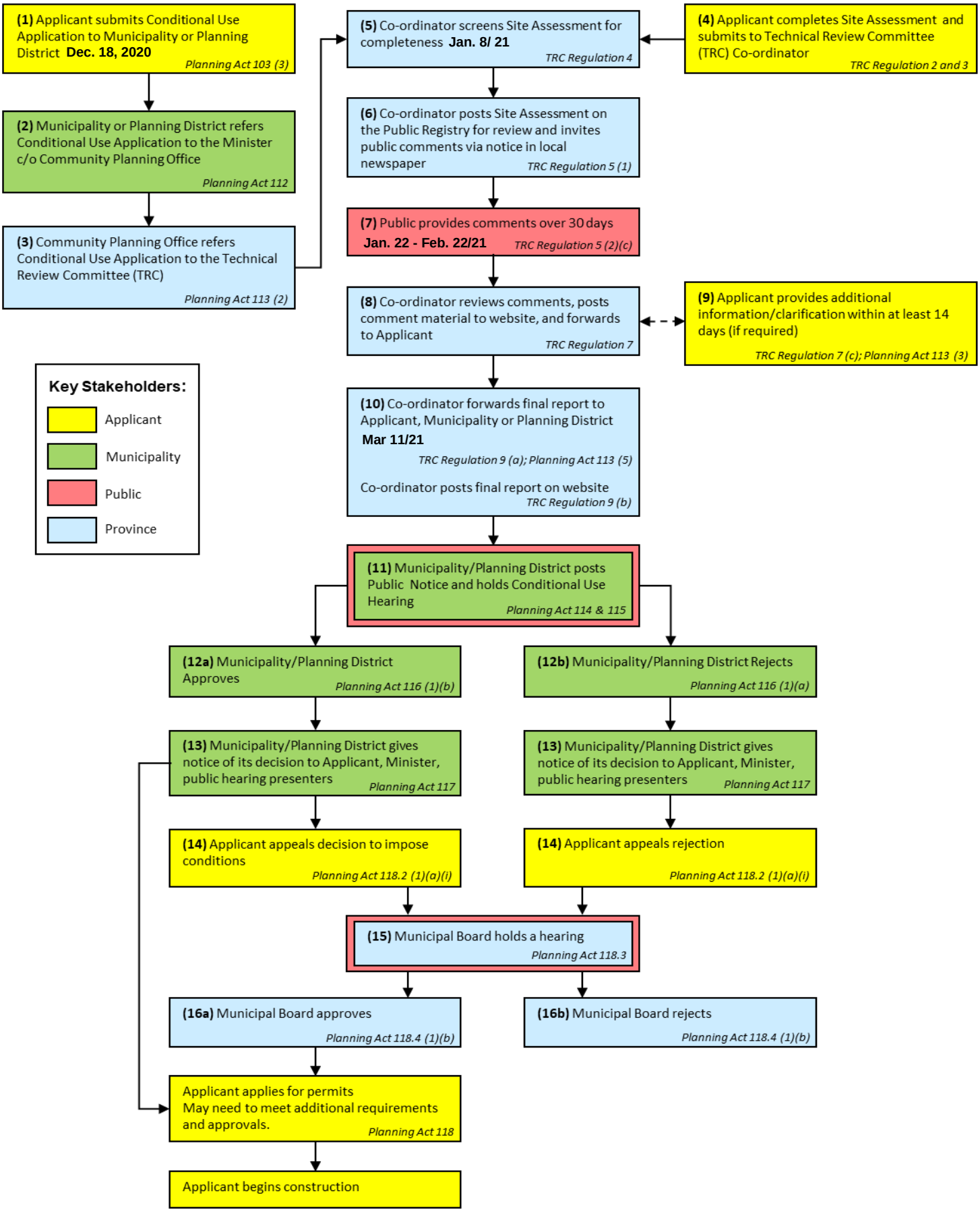
Purpose of TRC Reports

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

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

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

Livestock Technical Review Process
(November 1, 2019)



B. DESCRIPTION OF PROPOSED LIVESTOCK OPERATION

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

Applicant: Hylife Ltd.

Site Location: SE ¼ 23-5-21 WPM. Refer to map below.

Proposal: To establish a 10,000 grower/finisher operation (1,430 Animal Units).

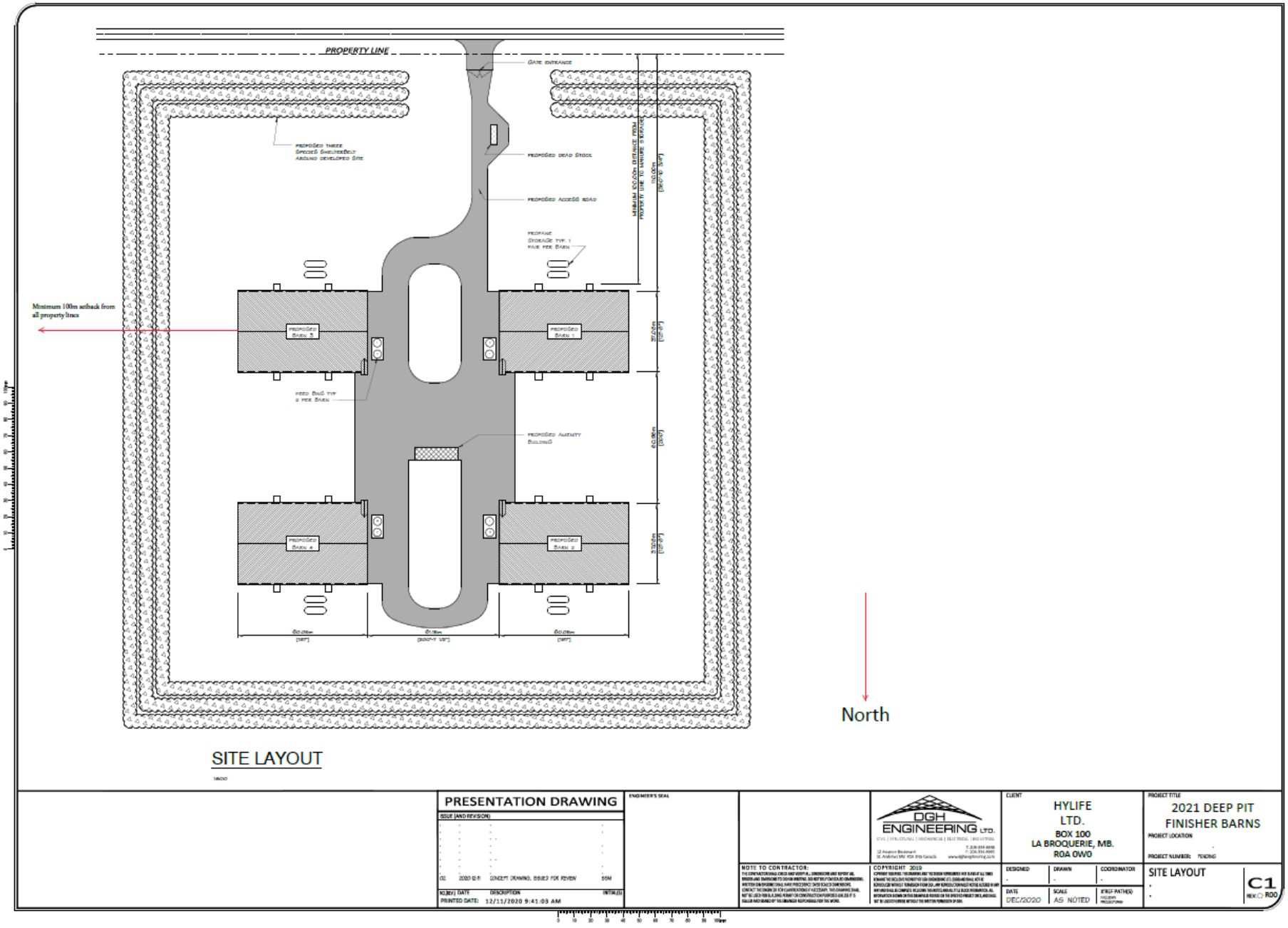
This will involve the following:

- Construction of four barns.
- Under-barn concrete manure storage facility.
- Consuming a maximum of 22,000 imperial gallons of water per day from a proposed well.
- Rendering mortalities
- Truck haul routes as shown in map below

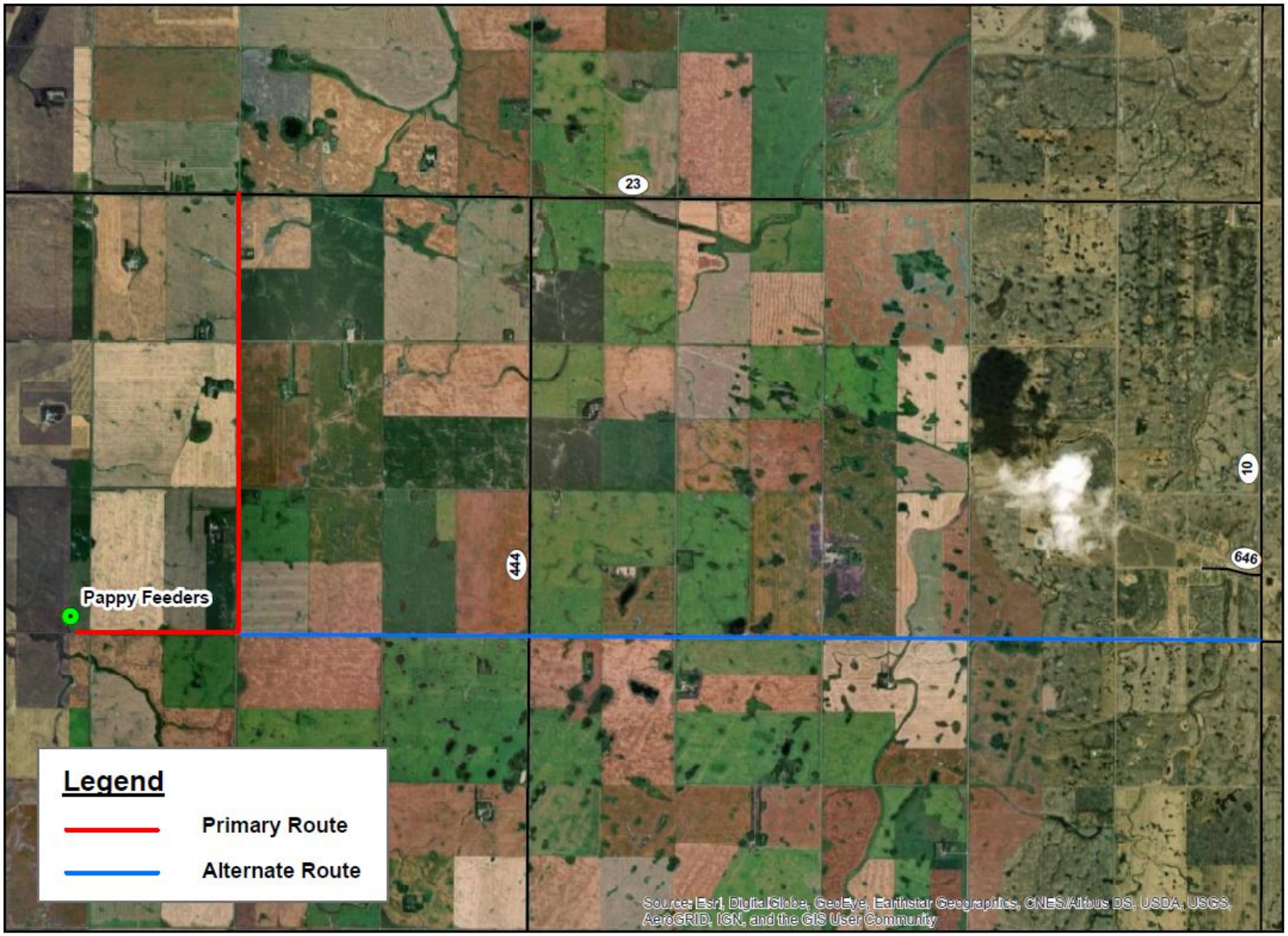
RM Grasslands - Proposed Pappy Feeders

HyLife

Prepared by:
Kieran Hamm
Nutrient Managment Coordinator
HyLife Ltd.


PROPERTY LINE
GATE ENTRANCE
PROPOSED TREE SPECIES SHELTERBELT AROUND DEVELOPED SITE
PROPOSED DEAD STOCK
PROPOSED ACCESS ROAD
PROPANE STORAGE TYP. 1 PER PEN BARN
MINIMUM 100.0m SETBACK DISTANCE FROM PROPERTY LINE TO ANYWHERE ON BARN
Minimum 100m setback from all property lines
PROPOSED BARN 3
PROPOSED BARN 1
FEED BIN TYP 2 PER BARN
PROPOSED AMENITY BUILDING
PROPOSED BARN 4
PROPOSED BARN 2
North
SITE LAYOUT
PRESENTATION DRAWING
ISSUE (AND REVISION)
02 2020-12-11 CONCEPT DRAWING, ISSUED FOR REVIEW SSM
NO.(REV.) DATE DESCRIPTION INITIAL(S)
PRINTED DATE: 12/11/2020 9:41:03 AM
ENGINEER'S SEAL
DGH ENGINEERING LTD.
NOTE TO CONTRACTOR:
COPYRIGHT 2019
CLIENT
HYLIFE LTD.
BOX 100
LA BROQUERIE, MB.
R0A 0W0
PROJECT TITLE
2021 DEEP PIT FINISHER BARNS
PROJECT LOCATION
PROJECT NUMBER: PENDING
DESIGNED
DRAWN
COORDINATOR
DATE DEC/2020
SCALE AS NOTED
SITE LAYOUT
C1
REV. 02

Proposed Pappy Feeders - Truck Haul Route



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C. SITE ASSESSMENT OVERVIEW

Provincial Technical Overview of TRC 12-077 – Hylife Pappy Feeders				
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 Pappy Feeders is currently seeking Conditional Use approval to build a 10,000 head grower-finisher pig barn. This is equivalent to 1,430 animal units (AU).	**ARD[1]**
3	Project clearly defined as: 1,430 AU animal confinement facility	X	The project is clearly defined as an animal confinement facility.	**CC**
		X	Each of the four (4) proposed barns will house 2,500 head (grower/finishers) = 357.5 AU per barn for a total of 10,000 head = 1,430 AU. The proponent intends to construct a (3) row shelterbelt around the perimeter of all four barns. Manure will be stored in deep under barn pits.	**MR**
4	Identified all existing and proposed buildings and structures and related separation distances	X	The proposed facilities meet minimum zoning by-law mutual siting and setback requirements between non-earthen manure storage facilities and animal housing facilities and the nearest unrelated single dwelling and designated area.	**MR**
5	Demonstrated project site is not located within Nutrient Management Zone N4 or any Nutrient Buffer Zone	X	The project site is not located within Nutrient Management Zone N4 or any Nutrient Buffer Zone.	**ARD[2]**
6	Identified suitable water source: and a water consumption rate of 22,000 imperial gallons per day	X	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 a Groundwater Exploration Permit has been issued for this project. They are currently in good standing with the Water Use Licensing Section.	**CC**

[1] Agri-Resource Branch
[2] Water Science and Watershed Management Branch

Provincial Technical Overview of TRC 12-077 – Hylife Pappy Feeders				
Item No.	**Provincial Requirements**	**Confirmed**	**Related Provincial Safeguards**	**Dept.**
7	Proposed project site meets development plan, zoning by-law	X	*The Planning Act* requires that development plans must include a livestock operation policy that guides zoning by-laws dealing with livestock operations. *The Planning Act* 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. **Designation** The proposed livestock operation, located in the SE ¼ 23-05-21WPM 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, 3.3.3 (Livestock Production). **Zoning** The proposed site is zoned "AG" Agricultural General Zone (Grassland Municipal 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. The proposed project complies with the Grassland Municipal Zoning By-law No. 23-2016. A validated Development Permit / Building Permit and Conditional Use Order must be obtained from the Dennis County Planning District prior to commencement of construction.	**MR**
8	Identified any unsealed abandoned wells on the project site or spread fields	Pending	The provincial water well database does not contain information for well(s) located on the proposed property. The database indicates that there are wells present within the proposed spread field locations. If any of these wells are in use then a minimum buffer as outlined in regulations must be maintained during spreading. These wells should be located and properly sealed if they are still present and not in use 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: https://gov.mb.ca/water/groundwater/wells_groundwater/index.html. A well drilling professional should seal all but the most basic wells. A list of currently licensed well drilling professionals can also be accessed from the above web page.	**ARD**[3]

[3] Water Science and Watershed Management Branch

Provincial Technical Overview of TRC 12-077 – Hylife Pappy Feeders				
Item No.	**Provincial Requirements**	**Confirmed**	**Related Provincial Safeguards**	**Dept.**
9	Identified suitable manure storage methods	X	A permit to construct the proposed manure storage facility for each operation must be obtained, prior to initiating any of the construction work, in accordance with the Livestock Manure and Mortalities Management Regulation. An application for a permit to construct each manure storage facility must be submitted to Environmental Approval Branch of Conservation and Climate (EABDirector@gov.mb.ca). Design guidelines and application forms are available at: https://www.gov.mb.ca/sd/waste_management/livestock_program/index.html.	**CC**
10	Identified acceptable manure application methods	X	The proponent must submit and adhere to a manure management plan approved for the facility per the Livestock Manure and Mortalities Management Regulation (MR 42/98).	**CC**
11	Mortalities disposal methods identified (rendering)	X	The proponent has indicated that mortalities will be dealt with by rendering. This is an acceptable method under the LMMMR (MR 42/98). More specific information is included in the Livestock Manure and Mortalities Management Regulation and at: https://www.gov.mb.ca/sd/waste_management/livestock_program/index.html.	**CC**
12	Proposed suitable setback distances from water and property lines for manure, livestock and mortalities	X	The proposal identifies that the water use for the livestock operation is from a proposed new well at SE 23-5-21W. For a proposed new well, The Well Standards Regulation under The Groundwater and Water Well Act (https://web2.gov.mb.ca/laws/statutes/ccsm/g110e.php) should be consulted. The regulation requires a minimum 100-metre separation distance between a well and confined livestock areas or manure storage facilities.	**ARD**[4]
		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 project site is not within a designed flood area. There is no information regarding flood risk at this location.	**MI**

[4] Water Science and Watershed Management Branch

Provincial Technical Overview of TRC 12-077 – Hylife Pappy Feeders				
Item No.	**Provincial Requirements**	**Confirmed**	**Related Provincial Safeguards**	**Dept.**
14	Proposed acceptable odour control measures	X	The proponent has indicated that a shelterbelt will be established. Manure will be stored in deep, under-barn pits. There is no plan for an outdoor storage. This may result in reduced odours from the manure while in storage but, due to reduced storage capacity, the manure will have to be pumped out and land applied twice a year rather than once. 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.	**ARD**[5]
		X	The proponent intends to construct a (3) row shelterbelt around the perimeter of all four barns. Manure will be stored in deep under barn pits.	**MR**
15	Proposed sufficient and suitable land for manure spreading with minimum setbacks from water sources	X	The required land base for Pappy Feeders is 2,502 acres. Pappy Feeders has exceeded the land requirement by demonstrating that they have access to over 3,400 suitable acres. Additional information is in Appendix A.	**ARD**[6]
		X	During manure spreading, setback distances to all groundwater and surface water features as prescribed under the Livestock Manure and Mortalities Management Regulation should be considered as a minimum distance.	**CC**
16	Indicated if spread fields are located in the Red River Valley Special Management Area or any other regularly inundated area	X	This project is not located in the Red River Valley Special Management Area or any other regularly inundated area.	**CC**

[5] Agri-Resource Branch
[6] Agri-Resource Branch

Provincial Technical Overview of TRC 12-077 – Hylife Pappy Feeders				
Item No.	**Provincial Requirements**	**Confirmed**	**Related Provincial Safeguards**	**Dept.**
17	Proposed spread fields that meet development plan and zoning by-law requirements	X	All lands identified for manure spreading are designated "RURAL POLICY AREA" and zoned "AG" Agricultural General Zone. Said land use designation and municipal zoning district (above) allow spreading of manure associated with newly siting and/or expanding livestock operations.	**MR**
18	Proposed acceptable manure transportation methods	X	The transport of livestock manure is subject to Section 9 of the Livestock Manure and Mortalities Management Regulation. The proponent has indicated a dragline as means of manure transportation. This is considered acceptable under the Livestock Manure and Mortalities Management Regulation.	**CC**
		X	Please be advised that any structures placed within the controlled area of PTH 10, 22, PTH 23, PR 343, PR 444 and PR 448 (125 feet from the edge of the right-of-way and 250 feet from the edge of the right-of-way for PTH 10) requires a permit from our office. The contact is Sheena del Rosario at (204) 945-3457 or Sheena.Delrosario@gov.mb.ca. The placements of temporary drag lines or any other temporary machinery/equipment for manure application within the right-of-way of PTH 10, 22, PTH 23, PR 343, PR 444 and PR 448 requires permission from our regional office in Brandon. Please contact the Regional Planning Technologist, Brian Hickman at (204) 726-6822 or Brian.Hickman@gov.mb.ca. In addition, please notify the Regional Planning Technologist for the placement of temporary draglines or other temporary equipment for manure application within the controlled area of PTH 22, PTH 23, PR 343, PR 444 and PR 448 (125 feet from the edge of the right-of-way and 250 feet from the edge of the right-of-way for PTH 10).	**MI**
19	Identified suitable trucking routes and access points	X	The primary proposed truck haul route will utilize an existing municipal road connecting onto PTH 23. The secondary proposed route will utilize an existing municipal road connecting onto PTH 10. Manitoba Infrastructure supports the primary proposed route utilizing PTH 23 rather than using the secondary route connecting onto PTH 10.	**MI**
20	Identified proposed trucking routes – local roads	X	Primary route uses municipal roads east and north of the site intersecting with PTH No. 23. An alternate route involves using a municipal road east of the site intersecting with PTH No. 10. As per Section 116(2) of *The Planning Act*, 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**

Provincial Technical Overview of TRC 12-077 – Hylife Pappy Feeders				
Item No.	**Provincial Requirements**	**Confirmed**	**Related Provincial Safeguards**	**Dept.**
21	Known rare species will not be impacted on new sites/lands	X	The information provided in the assessment suggest that there will not be any conflicts with species protected under the *Endangered Species and Ecosystems Act* and/or *Species at Risk Act*, or designated as rare or uncommon by the Manitoba Conservation Data Centre (MBCDC). This review is based on existing data known to the MBCDC of the Wildlife and Fisheries Branch at the time of the review. These data are dependent on the research and observations of our scientists and reflects our current state of knowledge. An absence of data does not confirm the absence of any rare or endangered species. Many areas of the province have never been thoroughly surveyed, however, and the absence of data in any particular geographic area does not necessarily mean that species or ecological communities of concern are not present. The information should, therefore, not be regarded as a final statement on the occurrence of any species of concern. All future observations of rare or endangered species made by the proponent should be reported to the MBCDC for further review.	**ARD**[7]

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

[7] Wildlife and Fisheries Branch

D. PUBLIC COMMENTS AND DISPOSITIONS

Public Comment Summary	
Gary & Pam Robbins Jeremy Robbins & Alex Gray Elgin, MB	**CONCERNED** Commenters' first concern is that the proposed water site for the operation is close to the water well that services the town of Elgin. The proposed water well will not only supply the Pappy Feeders operation but also other Hylife owned barns in the area and that will negatively affect the availability and quality of water for the town of Elgin. Their second concern is odour and contaminated water from the barn making its way into the Whitewater Recreation Park and Elgin Creek due to the proximity of the barn to the Whitewater Recreation Park and Elgin Creek. They feel this will negatively affecting the park's tourism potential. The commenters are also concerned that their health and well-being will be affected by the barn due to its proximity to their farms.
Clark and Shannon Combs Elgin, MB	**OPPOSED** Commenters are opposed to the operation for the following reasons: 1. Water quality and availability will be affected due to the operations annual water usage and residual runoff and leaching of contaminants from the hog manure. 2. The operation will increase truck traffic and put additional burden on municipal tax payers for road maintenance and repairs. 3. The operation will have a negative social and financial impact on Whitewater Park which is 3 miles from the operation site.
Brian Perkin	**SUPPORT** Commenter owns land beside the operation but does not live there. He is in favour of the operation and feels it will help the municipality financially and socially.
Rob and Cathy Pettinger Elgin, MB	**OPPOSED** Commenter is opposed to the establishment of Pappy Feeders.
Jim and Kim Draper Municipality of Grassland	**OPPOSED** Commenters are owners of a century farm and feel there is a heavy concentration of hog barns in close proximity to their farm and the town of Elgin. Commenters mentioned that wells have been dug in close proximity to the wells that supply water to the village of Elgin, the Souris River Colony and their own wells. There is a proposed pipeline to bring water from the wells to the Pappy Feeders and Gibson's Nursery and the commenters are concerned that these will add to the problem of Elgin's water supply which has been compromised recently.
Mike McCallum Municipality of Boissevain-Morton	**OPPOSED** Commenter is a resident of Boissevain-Morton but lives within 3 miles of a competitor barn to the south, a Hylife barn 3 miles to the east in Boissevain-Morton and another Hylife barn 7 miles west in the RM of Grassland. He feels he will be completely surrounded and his air quality would be impacted no matter which way the wind blows.

	Commenter describes Hylife as a foreign company that gets federal and provincial subsidies but whose profits leave the continent, leaving the local economic chain severely broken. Commenter is concerned about the roads inability to handle extra truck traffic from Hylife's operations and that the tax dollars generated does not offset the road repairs as a result of the added truck traffic. Commenter is concerned that the location of the barn is close to a major natural watershed in the area which supplies water for recreation at a very popular camping area and will cause discomfort to campers.
Hannah Beghin Municipality of Grassland	**CONCERNED** Commenter lives in the Municipality of Grassland and feels the municipality cannot keep up with road maintenance with the significantly increased truck traffic due to Hylife's operations. Commenter feels piping water from a mile north of Elgin to the Gibson operation and making similar arrangements for the Hylife Pappy''s site when the residents of Elgin do not have adequate drinking water is an ethical problem.
Lori and Rick Fraser Minto, MB	**CONCERNED** Commenters use HWY 23 as their main route and have to switch to road 27N from March till June when restrictions are put on the highway. Their concern is that the maintenance of road 27N has been a struggle and would become worse when Hylife Feeder barns are built. They feel Hylife's operation will make their family farm business suffer. They are also concerned about snow removal and whether Hylife will have priority over the other farm businesses.
Denise Trafford Calgary	**CONCERNED** Commenter is concerned about increasing hog barns in the province. He feels hog operations have polluted some lakes in Manitoba, has soured many relationships and is causing people to move out of the province.

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

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

E. CONCLUSIONS AND RECOMMENDATIONS

Conclusion

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

Recommended Actions to Council

1. As per Section 114(1) of *The Planning Act*, at least 14 days before the date of the hearing, Council must:
    a) send notice of the hearing to
        i. the applicant,
        ii. the Minister (c/o the Brandon Community Planning Office),
        iii. all adjacent planning districts and municipalities, and
        iv. every owner of property located within three kilometres of the site of the proposed livestock operation, even if the property is located outside the boundaries of the planning district or municipality;

        and
    b) post a copy of the notice of hearing on the affected property in accordance with Section 170 of *The Planning Act.*
2. Council should specify the type(s) of operation, legal land location, number of animals in each livestock category and total animal units in its Conditional Use Order.
3. As per Section 117 of *The Planning Act,* Council must send a copy of its Conditional Use Order to
    a) the applicant,
    b) the Minister (c/o the Brandon Community Planning Office), and
    c) every person who made representation at the hearing.
4. Councils are requested to include in their resolution and/or Conditional Use Order, notification that the applicant may appeal council's decision to reject the application or appeal a condition imposed by council related to its approval as per Section 118.2 of *The Planning Act*.

• As per Section 118.2(2)(b), an applicant may appeal the following decisions of a board or council to the Municipal Board:

for an application for approval of a conditional use made in respect of a large-scale livestock operation,

(i) a decision to reject the application,

(ii) a decision to impose conditions.

5. As per Section 118, no development or expansion of a livestock operation that is the subject of an application under this Division may take place until

    (a) the application is approved and the applicant complies, or agrees to comply, with any condition imposed on the approval under this Division; and

(b) the applicant obtains every approval, including any permit or licence, required under an Act, regulation or by-law in respect of the proposed operation or expansion, and complies with, or agrees to comply with, any condition attached to the approval.

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

Recommended Actions to Proponent

1. That any additional measures identified through subsequent provincial licencing or permitting in order to minimize any identified risks to health, safety and the environment be undertaken.

2. That as per Section 118.2(2)(b), an applicant may appeal the following decisions of a board or council to the Municipal Board:

    (i) a decision to reject the application,

    (ii) a decision to impose any condition on the approval.

F. TECHNICAL REVIEW COMMITTEE MEMBERS

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

Appendix A

Agri-Resources Branch:

Pappy Feeders has met the land requirements for 10,000 grower-finisher pigs (1,430 AU) 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 manure phosphorus with crop phosphorus removal, should it be necessary in the future.

Typical, modern feeding practices for pig production were used to estimate nutrient excretion for Pappy Feeders. 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. Semi-detailed soil survey (1:40,000) is available to determine the agriculture capability of the land. The agriculture capability of the land included in the proposal is primarily Class 2 and 3 with some areas of Class 6. The main limitations are slope (T), wetness (W), and evidence of erosion (E). Manure application is not permitted on Class 6 soils. It appears that these areas have excluded from the land available for manure application.

The required land base for Pappy Feeders is 2,502 acres. Pappy Feeders has exceeded the land requirement by demonstrating that they have access to over 3,400 suitable acres.

Water 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).

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

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 3,875 acres may be required for the long-term environmental sustainability of the operation. The proponent has identified 3,430 acres for manure application. Application to meet crop N requirements is estimated to use 2,502 acres. Application at 2 times the crop removal of P is estimated to use 1,938 acres (3,875 acres is estimated to achieve P balance (phosphorus removal equal to phosphorus application) with current crop choices and yield potential).

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

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

Appendix B – Proponent Response

February 26, 2021

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 -12-077 (Pappy Feeders)

HyLife would like to acknowledge the concerns raised by residents regarding our proposed Pappy Feeders pork production operation on SE-23-05-19-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 a virtual 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 Pappy Feeders 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 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 Conservation and Climate 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 Pappy Feeders 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 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 2.5 new staff for the proposed Pappy Feeders operation. There will also be an addition of 6-7 feed trucks and 4-6 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 110W for 1 mile. Impact on municipal road infrastructure will be limited to this municipal road for the majority of the farm 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.

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.