

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Delmar Commodities Limited
PROPOSAL NAME: Delmar Commodities Limited – Town of Beausejour
Crop Protection Warehouse
Seed Treatment Facility
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Bulk Materials Handling Facility
CLIENT FILE NO.: 5591.00

OVERVIEW:

A Proposal was filed on June 4, 2012 by Delmar Commodities for the construction and operation of a Crop Protection Products Warehouse and the continued operation of a Seed Treatment Facility located at 1094 Selch Street in The Town of Beausejour. The site will consist of a 12.8 meter by 14.0 meter (42' x 46') steel crop protection products warehouse and the existing four 4000 bushel bin and 300 bushel outdoor seed treater.

The Proposal was advertised in the Beausejour Clipper on Monday July 9, 2012. Copies of the proposal were placed in the Public Registries at the Millennium Public Library, the Brokenhead Regional Library, the Manitoba Eco-Network, and the Conservation and Environment Library. The proposal was distributed to the Technical Advisory Committee (TAC) on July 3, 2012. The closing date for TAC and public comments was on August 7, 2012.

COMMENTS FROM THE PUBLIC:

No public responses were received.

COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE:

Following is a summary of TAC comments received pertaining to the Proposal. Copies of the original comments from TAC are available in the Public Registries.

Manitoba Conservation and Water Stewardship– Air Quality Branch

No concerns.

Disposition:

No action needed.

Manitoba Conservation and Water Stewardship– Land Programs Branch and Sustainable Resource Policy Management Branch

The legal description in Description of Existing Environment in the Project Area references the E1/2 1-13-7W it is assumed this is in error and should read 7E.

Disposition:

The proponent has corrected that the legal land description for this property E1/2 1-13-7 E.

Manitoba Conservation and Water Stewardship - Parks and Natural Areas Branch

No concerns.

Disposition:

No action needed.

Manitoba Conservation and Water Stewardship - Wildlife and Ecosystem Protection Branch

No concerns.

Disposition:

No action needed.

Manitoba Conservation and Water Stewardship – Water Quality Management Branch

The following comment was provided:

“There will not be any water or sewer requirements in the building” – does this type of facility not require emergency eyewash and shower stations? If required they should have something in the proposal about a holding tank and how its contents will be handled.

Disposition:

Proponent has indicated that the eyewash station will be included but it is not required to be plumbed in.

No further action is required.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

No concerns.

Disposition:

No action needed.

Manitoba Innovation, Energy and Mines – Mines Branch

No concerns.

Disposition:

No action needed.

Manitoba Infrastructure and Transportation

MIT has reviewed The Environment Act Proposal noted above and while we do not have any concern with the development as proposed, the Proponent should be made aware that PTH 12 & PTH 44 are Limited Access Highways under the jurisdiction of the Highway Traffic Board. Under The Highways Protection Act, a permit is required to change the use of the land or

buildings, or/to place/construct any structures (including alteration of existing buildings) within the 1500 ft (457.2m) control circle.

Disposition:

Comments forwarded to proponent for information. No action needed.

Manitoba Local Government – Community and Regional Planning

In review of the proposed Environmental Act License request regarding Lots 3 and 4, Block 3, Plan 32730 WLTO we have no objections at this time.

The subject properties are designated Industrial Area in the Brokenhead River Planning District Development Plan. The proposed development of a seed treatment facility is in compliance with Policy 4.6.1.; in particular that "development is encouraged on an infill basis".

The subject properties are zoned "M" Industrial in the Town of Beausejour Zoning By-law, which allows the proposed seed treatment facility as a conditional use. The minimum site area for a seed cleaning facility is 10,00 square feet, with a site width of 75 feet. It appears that the subject properties comply with these requirements. However, we note that a conditional use order will be required from the Town of Beausejour to permit the seed cleaning facility on the subject properties.

Disposition:

Comments forwarded to proponent for information. No action needed.

Canadian Environmental Assessment Agency

The following comments were received from the Canadian Environmental Assessment Agency:

On April 26 2012, the Government of Canada tabled the Jobs, Growth and Long-term Prosperity Act. This legislation provides the legal foundation for the Government's plan to modernize the regulatory system for project reviews. As part of this plan, the Canadian Environmental Assessment Act, 1992 was repealed and a new Canadian Environmental Assessment Act, 2012 (CEAA 2012) was enacted together with three supporting regulations namely: the Cost Recovery Regulations, the Prescribed Information for a Description of a Designated Project Regulations, and the Regulations Designating Physical Activities (the Project List Regulations).

CEAA 2012 focuses federal reviews on those project proposals that have a greater potential for significant adverse environmental effects in areas of federal jurisdiction. The Regulations Designating Physical Activities identify the physical activities which, if carried out individually or in combination, constitute a designated project that is subject to the requirements of CEAA 2012.

The project referred to above does not meet the definition of a designated project under CEAA 2012. As the Agency will only be involved in the review of designated projects, no formal federal coordination exercise will be undertaken for this file. Based on our review of the project information and our experience with these types of projects, the Agency has not forwarded the project information to any other federal authorities. Please note that the proponent would be responsible for confirming its regulatory responsibilities in developing the project.

Disposition:

No action needed.

PUBLIC HEARING:

A public hearing is not recommended.

CROWN ABORIGINAL CONSULTATION:

The project will be located on industrial land in an established industrial zoned area in Town of Beausejour. All surrounding land potentially affected is also privately owned land. The project will not affect resource use on land or water. There are no adjacent or nearby First Nations.

RECOMMENDATION:

The Proponent should be issued a Licence for the construction and operation of a Crop Protection Products Warehouse and Seed Treatment Facility in accordance with the specifications, terms and conditions of the attached draft Licence. Enforcement of the Licence should be assigned to the Environmental Compliance and Enforcement Branch of Manitoba Conservation and Water Stewardship.

A draft environment act licence is attached for the Director's consideration.

PREPARED BY:

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