

SUMMARY OF COMMENTS/RECOMMENDATIONS

PROPONENT: Kelsen Agritech Inc.
PROPOSAL NAME: Crop Production Services Canada Inc.
Crop Protection Products Warehouse
CLASS OF DEVELOPMENT: 1
TYPE OF DEVELOPMENT: Bulk Materials Handling Facility
CLIENT FILE NO.: 5615.00

OVERVIEW:

The Proposal was filed by Kelsen Agritech Inc. on behalf of Crop Production Services Canada Inc. for the construction and operation of a Crop Protection Products Warehouse Development to be located at 520-3rd Avenue South in the Town of Swan River. The development will consist of a 12.9 meters by 18.2 meters (40' x 60') crop protection products warehouse.

The Proposal was advertised in the Swan River Star and Times on Tuesday December 11, 2012. Copies of the proposal were placed in the Public Registries at 123 Main St. (Union Station) Main Floor, Winnipeg; Millennium Public Library, 4th floor, 251 Donald St., the Manitoba Eco-Network, 3rd Floor, 303 Portage Ave.; and the North-west Regional Library, 610-1st St. Swan River. The proposal was distributed to the Technical Advisory Committee (TAC) on December 4, 2012. The closing date for TAC and public comments was on January 15, 2013.

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 – Wildlife Branch

No concerns.

Disposition: No action needed.

Manitoba Conservation and Water Stewardship – Water Use Licensing

No comments.

Disposition: No action needed.

Canadian Environmental Assessment Agency

In July 2012, the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) came into force. 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.

Based on the information provided by Manitoba Conservation and Water Stewardship, the project referred to above does not appear to meet the definition of a “designated project” under CEAA 2012.

Please note that the proponent is responsible for confirming its federal regulatory responsibilities in developing its project, including confirming whether its proposal is described on the *Regulations Designating Physical Activities* under CEAA 2012. Please advise the proponent to review the regulations (<http://laws-lois.justice.gc.ca/eng/regulations/SOR-2012-147/index.html>) and contact the Canadian Environmental Assessment Agency if its proposal meets the definition of a designated project.

As the Agency will only be involved in the review of designated projects, no formal federal coordination exercise has been undertaken for this file. Thank you for your effort to ensure coordination and close communication between provincial and federal levels of government. If you require any further clarification on the requirements of CEAA 2012, please feel free to contact me.

Disposition: No action needed.

Manitoba Infrastructure and Transportation

No concerns.

Disposition: No action needed.

Manitoba Conservation and Water Stewardship – Office of Drinking Water

Reviewed the above noted EAP for any possible concerns respecting drinking water safety. The EAP notes the proposed warehouse will be served with domestic water service from the Town of Swan River public water system. However, it does not describe whether the water service will only be for domestic use in the building i.e. a washroom, lunch room etc. or whether water will also be used in the warehouse area for make-up, wash down or other industrial purposes. If water is used for industrial purposes, the water system should be equipped with approved backflow prevention devices in accordance with *The Manitoba Plumbing Code* to protect the Swan River public water system from possible cross contamination. Apart from this point, Office of Drinking Water has no other concerns with this EAP or proposed development.

Disposition: Comments will be provided to proponent as information.

Manitoba Conservation and Water Stewardship – Parks and Natural Areas Branch

No comments.

Disposition: No action needed.

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

No concerns.

Disposition: No action needed.

Manitoba Conservation and Water Stewardship – Air Quality Section

No comments. Facility has no significant impact on air quality.

Disposition: No action needed.

Manitoba Conservation and Water Stewardship – Air Quality Section

Fisheries Branch has reviewed this proposal to construct a new 40 x 60 x 16' building in 16-36-27 W to store and sell herbicides, fungicides and insecticides. They indicate the new building will have a 6" curb around the perimeter to contain potential spills within warehouse. A 45 cm compacted clay containment will surround the warehouse that slopes towards NE corner where any clean accumulations will be pumped out. The building will conform to Agrichemical Warehousing Standards Association certification standards.

Swan River is to the northwest of the proposed development. Given the proposed location of the warehouse, as long as it is built adhering to the Agrichemical Warehousing Standards with primary and secondary containment and there is the standard clause requiring the proponent, in the event of an emergency, to test the accumulated water prior to discharge, fisheries concerns should be addressed.

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 Swan River. 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 Bulk Materials Handling Facility – Crop Protection Products Warehouse 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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