

The following material can be posted on the public registry for the above project:

Public comments on Environment Act Proposal

- William and Melanie Mallette – See below - May 15, 2023

Technical Advisory Committee comments on Environment Act Proposal:

No	Technical Advisory Committee Member	Response Provided	Response Date
1	Manitoba Environment and Climate		
	Environmental Approvals: Energy Program Air Quality Management Environmental Compliance and Enforcement Branch Office of Drinking Water Drainage and Water Rights Licensing Branch Water Science and Watershed Management Branch: Water Quality Management Section Groundwater Management Section Climate Change and Clean Technology	No concerns No response See below No concerns No concerns No response No response No response	May 19, 2023 June 7 & 22, 2023 May 4, 2023 June 28, 2023
2	Manitoba Agriculture – Land Use and Ecosystem Resilience	No response	
3	Manitoba Natural Resources and Northern Development		
	Parks Branch	No concerns	June 7, 2023
	Wildlife Branch	See below	June 8, 2023
	Fisheries Branch	No response	
	Forestry and Peatlands Branch	No concerns	May 10, 2023
	Lands Branch	No response	
	Mines Branch	No response	
	Petroleum Branch	See below	June 2, 2023
4	Manitoba Sport, Culture, and Heritage – Historic Resources Branch	See below	May 30, 2023
5	Manitoba Municipal Relations - Community Planning Branch	See below	May 10, 2023
6	Regional Health Authority	No concerns	May 3, 2023
7	Manitoba Transportation and Infrastructure – Environmental Services Branch	See below	June 6, 2023
8	Impact Assessment Agency of Canada	No response	



Mon 2023-05-15 9:44 PM

file 6172.00

To  Mak, Jay

This email is written in opposition to the proposal Treesbank Colony Farms-Irrigation Project File 6172.00.

We are farm land owner/resident and taxpayer in the RM of Oakland-Wawanesa, and we object to this irrigation project. Firstly- if everyone who has land on the river, is allowed to draw surface water from the Assiniboine River for irrigation, it will be an environmental disaster.

Secondly- one mandate of the Government of Manitoba is to protect our fresh water and waterways for future generations. We are not sure how this irrigation project would be included in that philosophy. As a branch of the Government-Manitoba Environment and Climate, we can not believe this irrigation project is even under consideration.

Thirdly- our river system is never to be used and abused for personal use. The river system is to be protected for all and by all.

Also, this is totally inappropriate that only a few people will even be aware of this project, as it is a small notice in a very small local paper that even all of the RM residents do not subscribe to.

William and Melanie Mallette



DATE: May 17, 2023

TO: Jay Mak, M.Sc., P.Eng.
Senior Environmental Engineer
Land Use, Waste Management & Energy
Environmental Approvals Branch
Environment and Climate
14 Fultz Boulevard
Winnipeg MB R3Y 0L6
Jay.Mak@gov.mb.ca
Tel: 204-619-0709

FROM: Asit Dey, P.Eng.
Acting Engineering Manager
Land Use, Waste Management & Energy
Environmental Approvals Branch
Environment and Climate
14 Fultz Boulevard
Winnipeg MB R3Y 0L6

PHONE NO.: 204-794-3389
FAX NO.: 204-945-5229
E-MAIL: Asit.Dey@gov.mb.ca
FILE NO.: 6172.00

SUBJECT: TREEBANK COLONY FARMS – IRRIGATION PROJECT
FILE: 6173.00

Thank you for your email dated May 3, 2023, seeking comments on the subject Environment Act Proposal.

The proposed project is not in an area of water power interest. I do not have any further comments on the proposal.

ORIGINAL SIGNED BY

Asit Dey

From: Bingham, Abbey <Abbey.Bingham@gov.mb.ca>
Sent: June 7, 2023 2:19 PM
To: Mak, Jay <Jay.Mak@gov.mb.ca>
Subject: RE: Request for review by June 10, 2023: Treesbank Colony Farms 6172.00

Good afternoon Jay,

On page 5.12 (or 63/106) the proponent has indicated that the source of fuel will be from existing fuel storage. What exactly is the existing fuel storage?

Thanks,

Abbey Bingham B.Env.Sc.

Environment Officer
Environmental Compliance and Enforcement
Environment and Climate
1129 Queens Avenue
Brandon, MB R7A 1L9
Phone: 431-541-7477
Email: Abbey.Bingham@gov.mb.ca

Thu 2023-06-22 3:55 PM

Bingham, Abbey

RE: Request for review by June 10, 2023: Treesbank Colony Farms 6172.00

Hello Jay,

Thank you for providing the additional information from the proponent.

After reviewing the additional information regarding the fuel storage, ECE has no concerns with the Environment Act Proposal.

Regards,

Abbey Bingham B.Env.Sc.

Environment Officer
Environmental Compliance and Enforcement
Environment and Climate
1129 Queens Avenue
Brandon, MB R7A 1L9
Phone: 431-541-7477
Email: Abbey.Bingham@gov.mb.ca

To report an Environmental Emergency please call the 24 hour Environmental Emergency Response Line at 204-944-4888, or toll free in Manitoba at 1-855-944-4888.

From: +WPG569 - Drinking Water - Approvals <drinkingwater.approvals@gov.mb.ca>
Sent: May 4, 2023 3:09 PM
To: Mak, Jay <Jay.Mak@gov.mb.ca>
Subject: RE: Request for review by June 10, 2023: Treesbank Colony Farms 6172.00

No concerns.
Office of Drinking Water (ODW)

Cory Vitt, P.Eng. M.Eng. CPPA CMMA
(pronouns: they/them; please don't use "Mr. Vitt")
Acting Senior Approvals Engineer
Office of Drinking Water
Cell: 204-806-1363
Email: Cory.Vitt@gov.mb.ca

NEW ADDRESS:
Box 19
14 Fultz Blvd
Winnipeg, MB R3Y 0L6

From: Butterfield, Tamara <Tamara.Butterfield@gov.mb.ca>

Sent: June 28, 2023 9:48 AM

To: Mak, Jay <Jay.Mak@gov.mb.ca>

Subject: RE: Request for review by June 10, 2023: Treesbank Colony Farms 6172.00

Hi Jay,

I have reviewed the EA proposal, and from the Water Use Licensing Section within the Drainage and Water Rights Licensing Branch, I have no comments regarding project. The proponents have a Development Authorization Permit issued from the branch and is in good standing with what is outlined within the proposal.

Thanks,

Tamara

From: +WPG137 - Parks Circulars <ParksCirculars@gov.mb.ca>

Sent: June 7, 2023 1:42 PM

To: Mak, Jay <Jay.Mak@gov.mb.ca>

Subject: RE: Request for review by June 10, 2023: Treesbank Colony Farms 6172.00

Good afternoon,

Parks Branch has reviewed Treesbank Colony Farms Environment Act Proposal 6172.00 and has no comments to offer.



Matt Loewen

Technician

Manitoba Parks

From: Armstrong, Collin <Collin.Armstrong@gov.mb.ca>
Sent: June 8, 2023 3:04 PM
To: Mak, Jay <Jay.Mak@gov.mb.ca>
Subject: Treesbank Colony Farms 6172.00 - Circular Response

Response from **Wildlife**:

Please avoid development during the Sharp-tailed Grouse Lekking period from March 15th – May 15th, as well as the Migratory Bird period from April 15th – August 31st

Thank you,

Collin Armstrong

Regional Wildlife Biologist

Manitoba Natural Resources & Northern Development

Wildlife Branch

1129 Queens Avenue. Brandon, Manitoba

Cell: (431) 541-6764

Collin.Armstrong@gov.mb.ca

From: +WPG569 - Forestry and Peatlands Circulars <FPB.circulars@gov.mb.ca>

Sent: May 10, 2023 10:25 AM

To: Mak, Jay <Jay.Mak@gov.mb.ca>

Subject: RE: Request for review by June 10, 2023: Treesbank Colony Farms 6172.00

Hi Jay,

No concerns from the Forestry and Peatlands Branch.

We would like to flag that the labels on Figure 4.3 are incorrect. Duck Mountain and Porcupine Hills should be swapped.

Thanks,
Marianne


From: Leonen, Leonardo <Leonardo.Leonen@gov.mb.ca> **On Behalf Of** +WPG1195 - Petroleum

Sent: June 2, 2023 2:44 PM

To: Mak, Jay <Jay.Mak@gov.mb.ca>

Subject: RE: Request for review by June 10, 2023: Treesbank Colony Farms 6172.00

Good afternoon Jay,

The project area has lots of abandoned wells (symbol: ) in it. I narrowed down the abandoned wells which are affected (approximate locations circled in red) by the project. I attached the surface locations and coordinates of these affected wells. Attached is Informational Notice 23-02 which prescribes the setback distances (for abandoned and non-abandoned well).

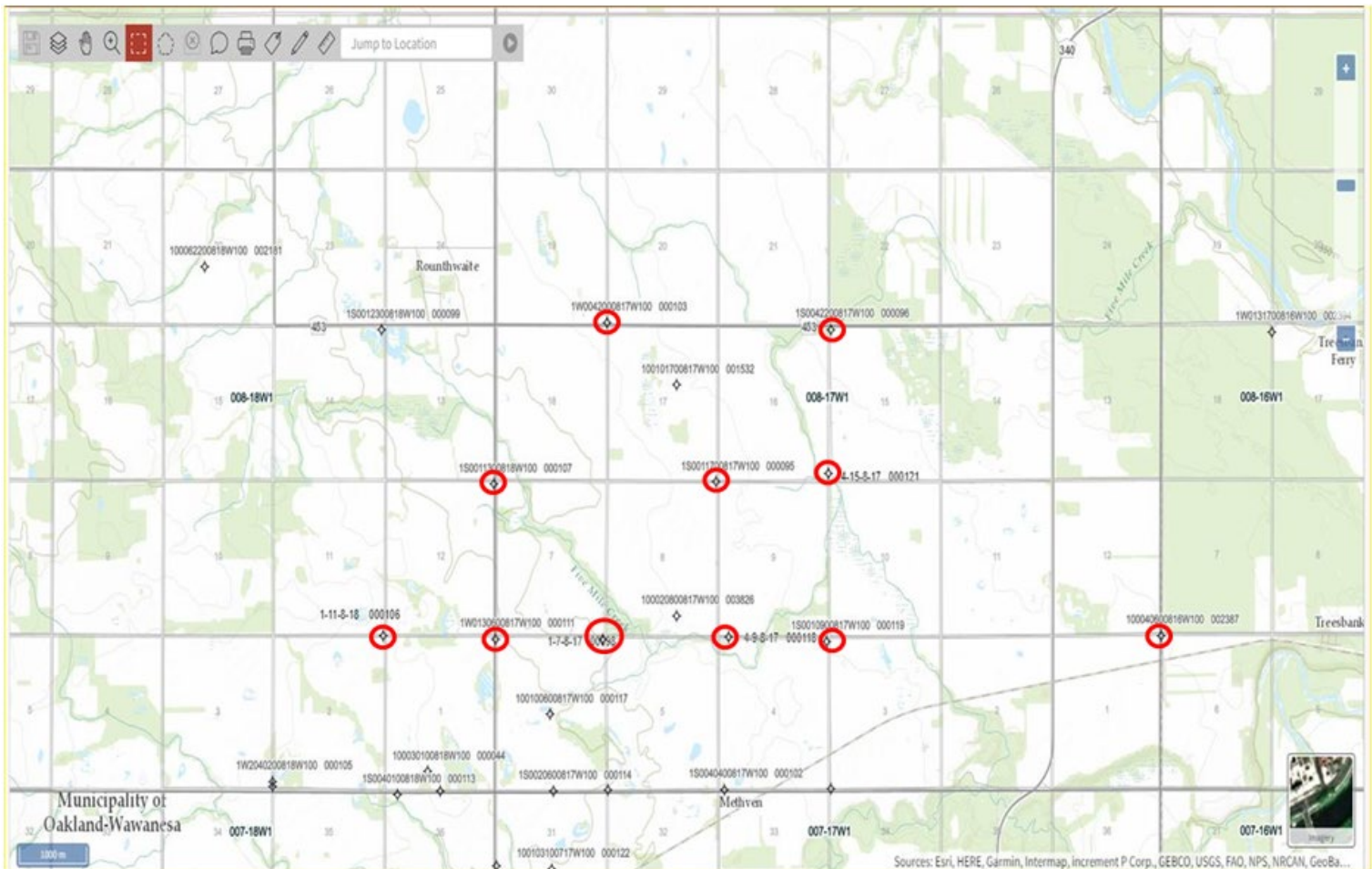
Setback requirements:

A. For Abandoned well

A 50 meter setback due to reduced potential risks which can be attributed to the permanent mechanical or physical isolation of oil and gas zones; or

The minimum setback or space that can be achieved by providing only the essential number of crew and equipment by either rotation, reposition or any other method or combination that could provide sufficient space around the well.

Please ensure that any permanent Surface Improvements in the proposed project do not encroach on this 50 m setback.



Thanks.

Leo

Manitoba

Economic Development, Investment and Trade
Mining, Oil and Gas Branch
360-1395 Ellice Avenue, Winnipeg, MB Canada R3G 3P2
T204-945-1119 F 204-945-0586
www.manitoba.ca

Informational Notice 23 - 02

February 13, 2023

WELL SETBACK DISTANCES

In rare situations, remedial work is necessary on an oil and gas well to eliminate or minimize the potential hazards in and around the well. Sufficient space is required by the crew and equipment for mobility and storage in order to perform the necessary tasks in a safe and optimal manner. Any permanent surface improvement or structure on or near the well that may impede remedial work are prohibited as per Schedule C ("Schedule C") of the Drilling and Production Regulation ("Regulation").

Definitions:

- *Abandoned well:* a well that is currently on Abandoned status, approved by the Mining, Oil and Gas/ Petroleum Branch, in compliance with the abandonment requirements of the applicable version of the Regulation at the time of abandonment. Current Regulation requirements can be found in Sections 55 - 57, as well as Informational Notice 04-02.
- *Non-Abandoned Well:* a well that is not currently on Abandoned status.

Setback requirements:

A. *For Abandoned well*


A 50 meter setback due to reduced potential risks which can be attributed to the permanent mechanical or physical isolation of oil and gas zones; *or*

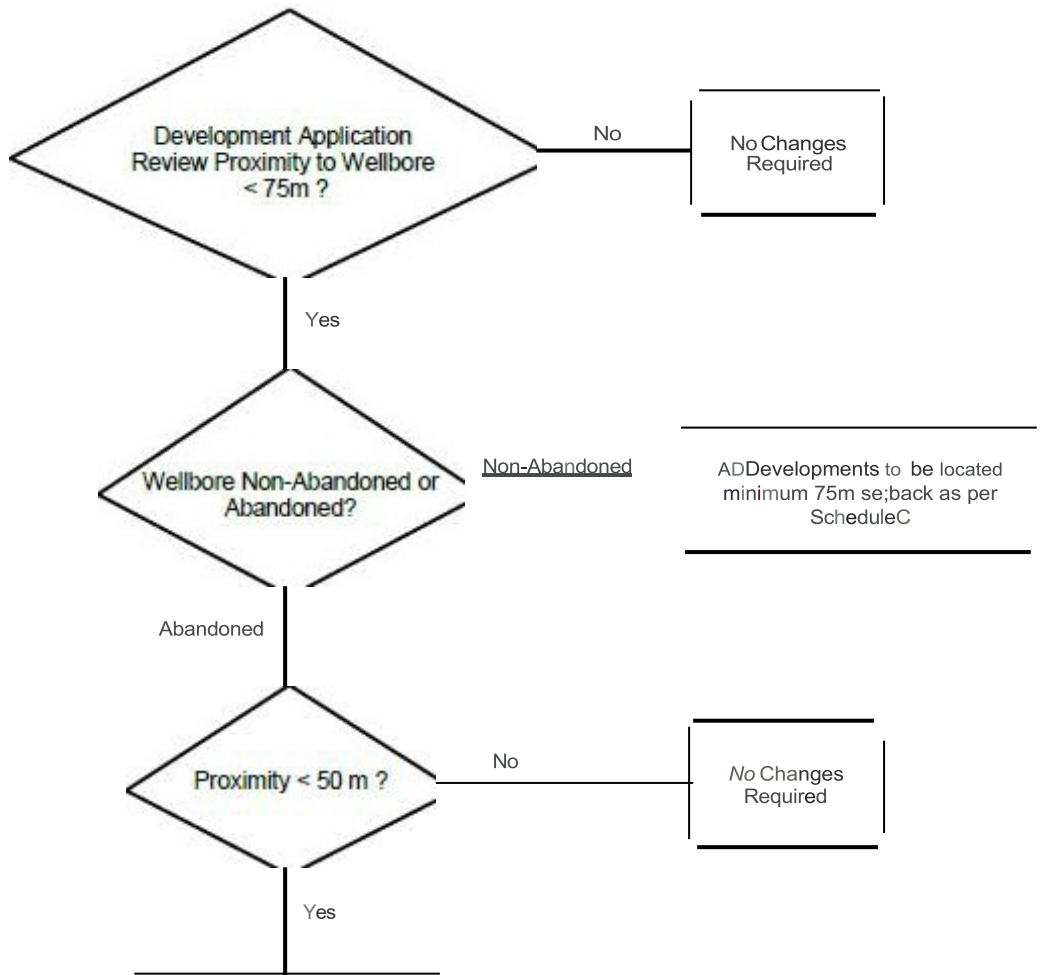
The minimum setback or space that can be achieved by providing only the essential number of crew and equipment by either rotation, reposition or any other method or combination that could provide sufficient space around the well.

8. *For a Non-Abandoned Well;*

A 75 meters setback as per Schedule C.

If you have any questions, please call 204-945-1119 or email petroleum@gov.mb.ca.


Lori Stevenson
Director of Petroleum



Full Review of Wellbore History
 Including:
 Age of Well
 Depth
 Production
 Wellbore Abandonment
 Associated Facilities
 Local Improvements
 Surface Access
 Utilities

Development may be approved or / and alterations may be recommended after full review and consultation, as per Section 9(2) of the Oil and Gas Act.

DATE: 2023-05-30

TO: **Environment and Heritage Approvals Branch**
Environment and ClimateFROM: Archaeological Assessment Services Unit
Historic Resources Branch
Main Floor- 213 Notre Dame Avenue
Winnipeg, MB R3B 1N3

For: Treesbank Colony Farms

T: (204) 945-2118 F: (204) 948-2384
e: HRB.archaeology@gov.mb.caSUBJECT: Treesbank Colony Farms Environment Act Proposal 6172.00
AASFile AAS-23-20375

Concerns

Further to your e-mail regarding the above noted application, the Manitoba Historic Resources Branch (HRB) has examined the locations in conjunction with Branch records for areas of potential concern. Notably, the portions of the development footprint are located along the valley margin of the Souris River and Black Creek, near known archaeological sites that are located along the margins of these topographic features. Additionally, portions of the development footprint are situated along the historic Yellowquill Trail and a relic beach ridge. Both of these features commonly have Heritage Resources associated with them. These factors, although not exclusive to the analysis, indicate a reason to believe that any future planned ground disturbance, activity, and/or development within the area has the potential to impact heritage resources, therefore, the Historic Resources Branch has concerns.

Legislation

Under Section 12(2) of [The Heritage Resources Act](#) (the Act), if there is reason to believe that heritage resources or human remains upon or within or beneath lands are likely to be damaged or destroyed by any work, activity, development or project, then the Minister may require a proponent to apply for a heritage permit and conduct at his/her own expense a heritage resource impact assessment (HRIA) and mitigation, prior to the project's start. As per sections 46 and 51 of the Act, there is an obligation to report any heritage resources and a prohibition on destruction, damage or alteration of said resources.

A Heritage Resource Impact Assessment (HRIA) is an assessment showing the impact that proposed work is likely to have upon heritage resources or human remains. HRIAs must be conducted by a qualified archaeological consultant under a heritage permit. Please find attached a flow chart outlining the general process of an HRIA.

HRIA Expectations

The Branch has previously reviewed and identified concerns with this project under AAS Intake Number AAS-22-18995. As a result, the proponent has commenced with the HRIA, with the work for Phase 1 completed under Heritage Permit A88-22. The following outlines the HRIA expectations from the initial Heritage Screening.

1. Systematic pedestrian survey and judgemental shovel testing of the water pipeline route based on in-field observations and assessment of footprint, to identify the presence and extent of heritage resources along these routes and to determine if further mitigation is required, within the following quarter-sections:
 - a. SE-29-8-17-W1 (Completed under ASS-22)
 - b. SW-26-8-17-W1 (Completed under ASS-22)
 - c. S-1-8-17-W1

- d. SW-6-8-16-W1
 - e. N-31-7-16-W1
 - f. SW-5-8-16-W1
2. If the identified irrigation fields require ground disturbance (i.e. native vegetation clearing, slope modification and landscape leveling, etc.) in order to facilitate the installation and operation of the centre pivot irrigation systems, then an HRIA will be required for the areas in which this ground disturbing activities will occur. Subsurface testing and pedestrian survey will be expected for these areas in following quarter-sections if this is to occur:
- a. SE-29-8-17-W1
 - b. SW-1-8-17-W1
 - c. SE-1-8-17-W1
 - d. SW-5-8-16-W1
 - e. N-31-7-16-W1
 - f. SW-6-8-16-W1

The Branch will continue to work with the proponent/land owners and its consultant to draw up terms of reference for this project. Please allow for HRIA timelines in your planning as HRIAs are conducted in snow and frost-free conditions. Any exceptions require planning and consultation with the HRS. Please find attached an archaeological consultants' list for reference. Due diligence should be conducted in order to assess quotes, services, and timelines.

Other Recommendations

Please Implement an HRPP.

We recommend a heritage resource protection plan (HRPP) be included in planning and construction in the event heritage resources (including human remains and palaeontological resources) are accidentally encountered. The HRPP consists of operational procedures to limit damage or destruction of heritage resources accidentally found during site work. This document assists in informing managers, employees, contractors on what to do and whom to call should heritage resources accidentally be encountered when testing and development is underway on site.

Please find attached a Heritage Resources Protection Plan (HRPP) template that proponents/contractors/operators can use as a guide, as well as a fact sheet outlining the legal provisions involving found human remains.

If you have any questions, please contact as above for proper assignment and queuing.

Historic Resources Branch
Archaeological Assessment Services Unit

Enclosures:

Factsheet regarding found Human Remains
HRPP template
HRIA flowchart
List of heritage consultants

From: Andersen, Peter <Peter.Andersen@gov.mb.ca>

Sent: May 10, 2023 1:24 PM

To: Mak, Jay <Jay.Mak@gov.mb.ca>

Subject: RE: CORRECTED - Request for Comments - Treesbank Colony Farms Irrigation Project - FILE: 6172.00

Good Afternoon Jay:

Please be advised that the Brandon Community Planning Office has reviewed the above d referenced Environment Act Application – File No. 6172 (being an irrigation project by Treesbank Colony Farms based in Oakland-Wawanesa at **SE6-8-16W**). Our comments are as follows:

Municipal Approvals:

1. The proponent should obtain the approval of Oakland-Wawanesa Municipality and Glenboro-South Cypress Municipality for the installation of those portions of the pipeline which are to be located within the rights-of-way of municipal roads and any crossings thereof, as they represent a structure located in the right-of-way which is under municipal jurisdiction.
2. The proponent should contact the Development Officer of the Council of Oakland-Wawanesa Municipality and determine the need to apply for a Development Permit from the municipality for the construction of the pipeline (including the construction of the pumping stations proposed in Pt. SE35-8-17W).
3. The proponent should contact the Cypress Planning District Development Officer and determine the need to apply for a Development Permit from the planning district for the construction of that part of the pipeline being proposed for development in Glenboro-South Cypress Municipality.

As information, the Planning Act defines the term “development” as follows:

“development means

- (a) the construction of a building on, over or under land;*
- (b) a change in the use or intensity of use of a building or land;*
- (c) the removal of soil or vegetation from land; and*
- (d) the deposit or stockpiling of soil or material on land and the excavation of land.”*

Other Approvals

As the proposed route of the pipeline will involve portions of the pipeline being placed within and crossing portions of the provincial highway system, the proponent is advised to contact Manitoba Transportation and Infrastructure to obtain any permits or approvals the authority having jurisdiction may require for the those portions of the pipeline proposed to be located within or crossing the provincial highway system.

The proponent is encouraged to contact and work with Manitoba Hydro., Bell/MTS and any other known utilities in the vicinity of the proposed pipeline to determine the location of existing and/or proposed facilities of these utilities and the proposed pipeline.

A portion of the proposed pipeline crosses privately held lands. It shall be the responsibility of the applicant to obtain permission from all affected private land owners whose lands will be traversed by the proposed pipeline and enter into easement agreements for placement of the pipeline across said privately held lands.

Concluding Remarks

it is our office's recommendation that that if possible, any above ground permanently installed stationary infrastructure facilities being developed as part of the pipeline (e.g. pumping station, booster stations, etc) be located above the flood of record for the Assiniboine River.

If the appropriate authorities are satisfied that this proposal will be sustainable over the long term, and will not have a significant detrimental effect on regional water quality and water quantity, then the Brandon Community Planning Office has no concerns with the issuance of an Environment Act License for the proposed irrigation pipeline.

Peter Andersen
Community Planner
Manitoba Municipal Relations
Unit 1B – 2010 Currie Blvd.
Brandon, Manitoba R7B-4E7

Phone: (204) 726-7414
Peter.Andersen@gov.mb.ca

From: Frykoda, Amy <Amy.Frykoda@gov.mb.ca>

Sent: May 3, 2023 7:00 PM

To: Mak, Jay <Jay.Mak@gov.mb.ca>

Subject: FW: Request for review by June 10, 2023: Treesbank Colony Farms 6172.00

Hello Jay

I have reviewed the Treesbank Colony Proposal, as noted below; and, I do not have any concerns related to this request.

Sincerely,

Dr. Amy Frykoda, MD, CCFP, FCFP, MSc

Medical Officer of Health

Manitoba Health

P.O. Box 960

Minnedosa, Manitoba R0J 1E0

ph: (204) 867-8730

fax: (204) 867-2239

email: amy.frykoda@gov.mb.ca

Pronouns: She, Her

Please consider the environment before printing this email

From: +WPG969 - MIT Environmental Services Section <MITEnviServices@gov.mb.ca>

Sent: June 6, 2023 8:26 AM

To: Mak, Jay <Jay.Mak@gov.mb.ca>

Subject: RE: Request for review by June 10, 2023: Treesbank Colony Farms 6172.00

Good morning,

Please see comments below from the following MTI Branches:

Roadside Development

There are two quarter sections identified that have frontage and existing access on PR 453. These are SE $\frac{1}{4}$ 19-8-17W and SW $\frac{1}{4}$ 21-8-17W. We have no concerns with this properties.

NW $\frac{1}{4}$ 1-8-17W has frontage and exiting access on both PR 340 and a municipal road. This property is split by the railway.

SW $\frac{1}{4}$ 1-8-17W has frontage and exiting access on both PR 340 and a municipal road.

Based on the available information, we do not object to the approval of this application..

In order to maintain or improve traffic safety and efficiency, our policy is to limit or reduce the number of locations at which turning movements occur onto the highway and maximize the spacing between driveways. Wherever possible, we look for the opportunity to remove access connections as they become redundant. Therefore, please include the following condition of approval.

- The owner is required to obtain a permit from Manitoba Transportation and Infrastructure for the removal of the existing access to PR 340 from SW $\frac{1}{4}$ 1-8-17W and for the relocation of the existing access to PR 340 from NW $\frac{1}{4}$ 1-8-17W to a location across from the south access on NW $\frac{1}{4}$ 2-8-17W. For permit information, please contact Karina Takashima at 204-583-2433 or by email at Access.Management@gov.mb.ca. Permit information and permit application forms can also be found at <https://forms.gov.mb.ca/highway-permits-application/index.html>.
-

Please note the following statutory requirements for PR 340 and PR 453.

Statutory Requirements:

Under the *Transportation Infrastructure Act*, a permit is required from Manitoba Transportation and Infrastructure to construct, modify, relocate, remove or intensify the use of an access. A permit is also required from Manitoba Transportation and Infrastructure to construct, modify or relocate a structure or sign, or to change or intensify the use of an existing structure (including the alteration of existing buildings) within the **38.1** (125ft) controlled area from the edge of the highway right-of-way.

In addition, a permit is required from the Manitoba Transportation and Infrastructure for any planting placed within **15 m** (50 ft) from the edge of the right-of-way of this highway.

Western Region:

It appears the proposed works have multiple crossings of MTI's network. That said, MTI has the following comments for the applicant's consideration:

1. MTI would like to advise that, when the irrigation pivots are installed along PR 340, 453, and 530. That they are placed/set in a manner that the spray from the irrigation system does not reach the road surface of Provincial Road (PR) 340, 453, and 530.
2. If construction activities require the need to construct a new access, modify an existing, intensify its use or relocate an existing access connection onto PR 340, 453, and 530, the proponent should be informed that, under the Transportation Infrastructure Act, a permit will be required from Manitoba Transportation and Infrastructure (MTI). A permit may also be required for:
 - a. Any construction (above or below ground level) within 38.1 m (125 ft) from the edge of right-of-way of PR 340, 453, and 530;
 - b. Any plantings within 15.2 m (50 ft) from the edge of right-of-way of PR 340, 453, and 530;
 - c. Discharge of water or other liquid materials into the ditch of PR 340, 453, and 530.

Permit applications and information can be obtained at the following link: <https://www.gov.mb.ca/mit/hpd/permits.html>.

3. For any Utility Installations within the right-of-way of PR 340, 453, and 530, the proponent should be informed that, under the Transportation Infrastructure Act, a permission/agreement will be required from MTI before works may commence.

Permission/agreement applications and information can be obtained at the following link: <https://www.gov.mb.ca/mit/hpd/utilities.html>.

Thank you very much for the opportunity to review and comment.

Grace Ruth S. Quintana, M.Sc.

Environmental Review Coordinator

Environmental Services | Engineering and Technical Services

Manitoba Transportation and Infrastructure

15th Flr 215 Garry Street | Winnipeg, MB | R3C 3P3