

## **SUMMARY OF COMMENTS/RECOMMENDATIONS**

**PROPONENT:** Precision Redi-Mix Inc.  
**PROPOSAL NAME:** Precision Redi-Mix Concrete Batch Plant  
**CLASS OF DEVELOPMENT:** 1  
**TYPE OF DEVELOPMENT:** Manufacturing – Concrete Batch Plants  
**CLIENT FILE NO.:** 6189.00

As part of the [environmental assessment and licensing process](#), the purpose of this document is to summarize comments received from the public and government's Technical Advisory Committee (TAC), and how they are addressed. It includes a recommendation to inform the director's licensing decision.

### **INTRODUCTION**

Precision Redi-Mix Inc. submitted a proposal dated May 4, 2023, and additional information on September 10, 2023 and October 2, 2023 for an installation and operation of a Bohringer B-120 concrete batch plant at 17007 27E near the town of Rosa in the Municipality of Emerson-Franklin. If approved, they will produce a maximum of 100 m<sup>3</sup> of concrete per hour and supply construction projects in the area.

The proposal was advertised in the Emerson Southeast Journal on July 6, 2023. It was placed in the online Public Registry as follows: <https://www.gov.mb.ca/sd/eal/registries/6189/index.html>.

The proposal was distributed to Technical Advisory Committee (TAC) members on July 4, 2023.

The closing date for comments from members of the public and TAC members was June 5, 2023.

### **COMMENTS FROM THE PUBLIC**

The department did receive three public comments. The following summarizes the comments:

The proposed site is not zoned for concrete operation, traffic flow and connection to Highway 59, noise generation, dust emission, wastewater discharge, surface and groundwater contamination, and public health due to the potential contamination of the area with anthrax spores.

#### **Disposition:**

The proponent provided additional information addressing most of the resident's concerns. The Health department reviewed the proposal and has no concern. At the same time the department's database was searched for any contaminated site due to anthrax in the area and no result was found. The potential dust and noise related issues are addressed through clauses 9, 11 and 12 of the draft Environment Act licence while issues related to wastewater, groundwater, and surface water are addressed through clauses 23 to 26 of the draft licence.

## **COMMENTS FROM THE TECHNICAL ADVISORY COMMITTEE**

Technical Advisory Committee (TAC) responses are listed in Table 1 below. Substantive comments and their dispositions follow the table. TAC comments are provided in full in the public registries at <https://www.gov.mb.ca/sd/eal/registries/6189/index.html>.

Table 1 Precision Redi-Mix Inc. – Concrete Batch Plant  
Technical Advisory Committee Comments

<b>No</b>	<b>Technical Advisory Committee Member</b>	<b>Response Provided</b>
<b>1</b>	<b>Environment and Climate</b>	
	Environmental Approvals Branch	
	<ul style="list-style-type: none"> <li>• Energy Program</li> </ul>	No response
	<ul style="list-style-type: none"> <li>• Air Quality Management</li> </ul>	August 8, 2023
	Environmental Compliance and Enforcement Branch	August 8, 2023
	Office of Drinking Water	July 4, 2023
	Environmental Programs and Remediation Branch	No response
	Drainage and Water Rights Licensing Branch	
	<ul style="list-style-type: none"> <li>• Water Use Licensing Section</li> </ul>	July 12, 2023
	<ul style="list-style-type: none"> <li>• Drainage and Water Rights Licensing Section</li> </ul>	No response
	Water Science and Watershed Management Branch	
	<ul style="list-style-type: none"> <li>• Water Quality Management Section</li> </ul>	No response
	<ul style="list-style-type: none"> <li>• Groundwater Management Section</li> </ul>	No response
	Climate Change and Clean Technology	No response
<b>2</b>	<b>Natural Resource and Northern Development</b>	
	Parks Branch	No response
	Wildlife and Fisheries Branch (wildlife)	No response
	Wildlife and Fisheries Branch (fisheries)	No response
	Forestry and Peatlands Branch	July 4, 2023
	Lands and Planning	No response
	Crown Land Specialist	No response
	Mines Program	No response
	Petroleum Program	July 20, 2023
<b>3</b>	<b>Manitoba Sport, Culture, and Heritage – Historic</b>	No response
<b>4</b>	<b>Manitoba Municipal Relations</b>	
	Community Planning Branch	August 4, 2023
<b>5</b>	<b>Manitoba Labour, Consumer Protection and</b>	
	Inspection and Technical Services	July 14, 2023
<b>6</b>	<b>Manitoba Transportation Infrastructure –</b>	August 3, 2023
<b>7</b>	<b>Manitoba Health – Southern Health</b>	October 11, 2023

### **Environmental Compliance and Enforcement Branch**

Environmental Compliance and Enforcement Branch provided the following comments.

- Any hazardous waste generated during the operation and maintenance of the diesel generator shall be handled and disposed in accordance with relevant regulations.
- Provide secondary containment around fuel and other chemicals storage to prevent any surface and groundwater contamination in the event of a spill.
- Any waste generated from the spill cleanup will be treated as hazardous waste and shall be handled and disposed in accordance with relevant regulations.
- Provide more information on the type of wash water and concrete washout holding pit to be proposed onsite (e.g. lined pits, washout containers etc.)
- Provide clarification if the water from the secondary cell of the pit will be tested for contaminants other than pH and treated to meet applicable discharge criteria before recycling or releasing into the vegetation.
- Is washroom facility available at the plant location? If so, how do you manage the wastewater (sewage and grey water) generated onsite?

Disposition:

These comments were shared with the proponent and additional information was provided to address the comments. The Environmental Compliance and Enforcement branch reviewed the additional information and have no further comments. In addition, clauses 19 to 23 of the draft licence address issues related to hazardous waste storage, handling, disposal, and containment while clauses 24 to 27 of the draft licence address issues related to wastewater.

### **Air Quality Section – Environmental Approvals Branch**

Air Quality Section provided the following comments:

- There will be no significant impact on air quality provided that the plant is equipped with dust filtration/control system to prevent the release of dust into the atmosphere.
- It is suggested the licence include requirement regarding noise nuisance.

Disposition:

Clauses 9 and 12 of the draft licence address issues related air emissions while clause 11 addresses noise concerns.

### **Drainage and Water Rights Licensing Branch – Water Use Licensing Section**

Based on the water use information provided, the proponent is required to apply for a Water Rights Licence under The Water Rights Act. An application can be submitted via our online portal – [www.manitoba.ca/waterlicensingportal](http://www.manitoba.ca/waterlicensingportal).

Disposition:

The information is forwarded to the proponent to obtain the requested water use licence.

### **Natural Resource and Northern Development – Forestry and Peatlands Branch**

The following comment from Forestry and Peatlands branch was forwarded to the proponent.

- Trees removed during the construction of access road of Hwy 59 to site, must be disposed of properly to prevent the spread of insects and disease.

### **Municipal Relations - Community Planning Branch**

The Community Planning Branch provided the following comments.

The proposed operation is generally consistent with the intent of the Development Plan. The Limited Agricultural Policy Area Designation allows for some industrial uses, provided that they

would not be practical in a settlement area, and that they will not have a significant impact on the provincial highway system (Policy 4.1.10). Specifically, this proposal meets the intent of Policy 4.2.7(a) as it is located adjacent to the operation's source of gravel, and Policy 4.2.7(b) in that it directs an industrial use that may cause a nuisance during operation away from a settlement area. As indicated the proposed operation will create dust and noise that may be disruptive in a setting with more residential dwellings. Currently, there is a dwelling located on the subject site, with the next closest residence outside the property line located approximately 240m south of the proposed site.

The proposal to connect a private road to PTH 59 is in conflict with Development Plan Policy 10.3.4, which states that access to PTH 59 will be limited and that local traffic will be consolidated at major points of entry. Any access to PTH 59 must obtain a permit from the Manitoba Transportation and Infrastructure Department (Highway Planning and Design), and comply with provincial regulations under *The Transportation Infrastructure Act*. Given that the proposed site is located adjacent to MUN 27E, this road may be more suitable for site access.

The subject land is not zoned for the proposed use. The municipality has indicated that they have granted the operation a development permit as a temporary use, and that the property owners have applied to rezone the property. Once rezoned, the proposed operation will require a conditional use order granted by council. Provided that these steps are implemented, Community Planning has no concerns with this Environment Act proposal from a land-use planning perspective.

Community planning notes that there is an existing residence on the subject property. If the applicant intends for the residence to remain in use, rezoning will create a lawfully existing non-conforming use, subject to sections 86 to 93 of *The Planning Act*.

#### Disposition:

These comments were shared with the proponent and additional information was requested to address these comments. The proponent contacted Manitoba Transportation and Infrastructure regarding traffic and access to PTH 59. At the same time the proponent provided a temporary conditional use from the Municipality with potential extension until a rezoning takes place. In addition, clause 7 of the draft licence require the licence to provide an update once the initial temporary permit expires.

#### **Manitoba Transportation and Infrastructure**

Transportation and Infrastructure - Capital Region and Roadside Development provided the following comments:

- We note the subject property has frontage along PTH 59 and a municipal road with an existing access onto PTH 59. We understand that the existing access onto PTH 59 will be used for the new batch plant.
  - There is currently a significant amount of truck entering and exiting this site, as well as a significant amount of water being pumped from this site into the highway right of way;
  - We have no record of a permit for the existing access nor a permit for an increase in use of the existing access;
  - We have concerns regarding the increase in truck traffic and the potential impact to traffic safety along PTH 59.
- Therefore, please have the proponent provide the following:
  - The developer provides written confirmation that sufficient information has been provided to our regional Technical Services Engineer, Archie Miller at 1-204-346-6266

or [Archie.Miller@gov.mb.ca](mailto:Archie.Miller@gov.mb.ca) to allow him to determine if drainage from this site may adversely affect the provincial highway drainage system. If necessary, our regional office may request the applicant to submit a detailed drainage plan prepared by qualified experts. Please note that the cost of this study, and any revisions to the highway drainage system directly associated with this proposed development, will be the responsibility of the developer;

- The developer provides written confirmation from our department that we have received and approved a Traffic Impact study for this development. The Traffic Impact Study will have to be prepared by a qualified transportation engineer. It will identify the amount and type of traffic that will be generated by the development and its potential impact on the adjacent road network. The study will identify the type of on-highway improvements that will be required to safely accommodate the traffic generated by this development. The cost of the Traffic Impact Study and any required on-highway improvements would be the responsibility of the developer (the applicant will have to enter into an agreement with the department for the construction of the on-highway improvements). The contact person with MTI concerning the Traffic Impact Study is Karen Toews at 204-794-2733 or [Karen.Toews@gov.mb.ca](mailto:Karen.Toews@gov.mb.ca);
- The proponent obtain a permit from Manitoba Transportation and Infrastructure for the increase in use of the existing access onto PTH 59. For permit information, please contact Erica Paulo at 431-338-9897 or by email at [Erica.Paulo@gov.mb.ca](mailto:Erica.Paulo@gov.mb.ca). Permit information can also be found at <https://forms.gov.mb.ca/highway-permits-application/index.html>;
- Confirmation from the proponent that no additional water is to be directed to the highway PTH 59 right-of way.
- Please note the following statutory requirements for PTH 59.
  - 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.

#### **Disposition:**

These comments were provided to the proponent to address the concerns. The proponent provided additional information such as traffic study and drainage plan. The department reviewed the additional information and provided no further comment.

#### **ADDITIONAL INFORMATION**

The branch requested additional information and received a response on September 10, 2023, October 2, 2023, October 11, 2023 and December 14, 2023. The responses were satisfactory.

#### **PUBLIC HEARING**

As the public concerns are addressed through the additional information and terms and conditions of the draft licence, a public hearing is not recommended.

## **CROWN-INDIGENOUS CONSULTATION**

The Government of Manitoba recognizes that it has a duty to consult in a meaningful way with Indigenous communities when any proposed provincial law, regulation, decision, or action may infringe upon or adversely affect the exercise of the Indigenous rights of that community.

The Initial Assessment conducted for this project has concluded that the licensing decision does not have the potential to adversely affect the exercise of an Aboriginal or Treaty right. Crown-Indigenous consultation will not be undertaken for the Precision Redi-Mix licensing decision. The project would occur on privately owned land that is currently disturbed and used for agricultural operations.

## **RECOMMENDATION**

Comments received have been addressed through the provision of information and licence conditions. I recommend that the development be licensed under The Environment Act subject to the specifications, limits, terms, and conditions as described on the attached draft Environment Act Licence. I also recommend assigning the administration of the licence to the Eastern Region of the Environmental Compliance and Enforcement Branch.

Prepared by:

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