



TECHNICAL REVIEW COMMITTEE

**A TECHNICAL REVIEW REPORT
PREPARED FOR THE**

RM of Taché

UNGER POULTRY LTD.

NW 13-8-5 EPM

TRC 12-107

December 19, 2024

A. INTRODUCTION – THE TEAM

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

Agriculture (AGR)

- Agricultural Engineer
- Business Development Specialist
- Veterinarians
- Livestock Environment Specialist
- Nutrient Management Specialist

Natural Resources and Indigenous Futures (NRIF)

- Crown Lands Manager
- Fish Habitat Specialist
- Habitat Mitigation Biologist

Environment and Climate Change (ECC)

- Environmental Engineer
- Environment Officer
- Water Rights Licensing Technologist
- Land-Water Specialist
- Groundwater Specialist

Manitoba Transportation and Infrastructure (MTI)

- Senior Development Review Technologist
- Senior Flood Protection Planning Officer

Municipal and Northern Relations (MNR)

- Community Planners

And any other specialist or department that may have an interest or is consulted during the TRC process.

THE TECHNICAL REVIEW COMMITTEE (TRC) REPORT

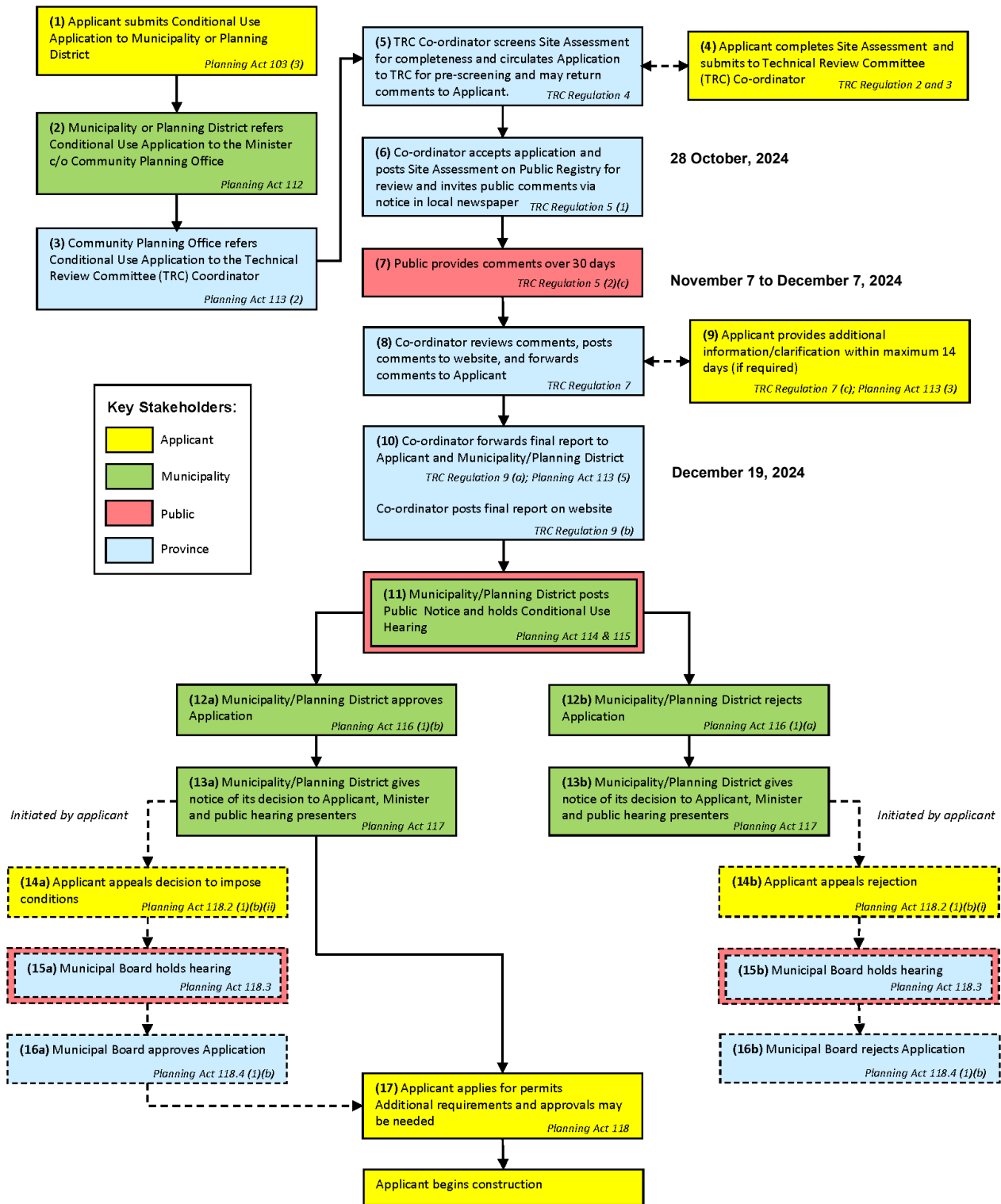
Purpose of TRC Reports

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

- a) Enable municipal councils or planning district boards to make informed decisions regarding Conditional Use applications;
- b) Create common stakeholder understanding regarding livestock proposals, their 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 councils/boards and proponents; and
- e) Represent 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 a municipal council or planning district board provide conditional approval of a 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 council/board's rejection of their application or appeal a condition imposed on the approval of a council/board to the Municipal Board.

Livestock Technical Review Process (June 19, 2024)



B. DESCRIPTION OF PROPOSED LIVESTOCK OPERATION

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

Applicant: Unger Poultry Ltd.

Site Location: NW 13-8-5 EPM. Refer to map below.

Proposal: The applicant seeks to expand an existing livestock operation. The proposal involves adding 14,000 layers (chickens) to the existing 40,000 layers and 50,000 pullets (chickens), representing an increase from 497 to 613 animal units.

This will also involve the following:

- Construction of new layer barn and use of existing pullet barn,
- Construction of new permanent solid manure storage facility,
- Estimated daily water use of 5,467 imperial gallons from an existing well,
- Composting of mortalities, and
- Truck haul routes as shown in map below.

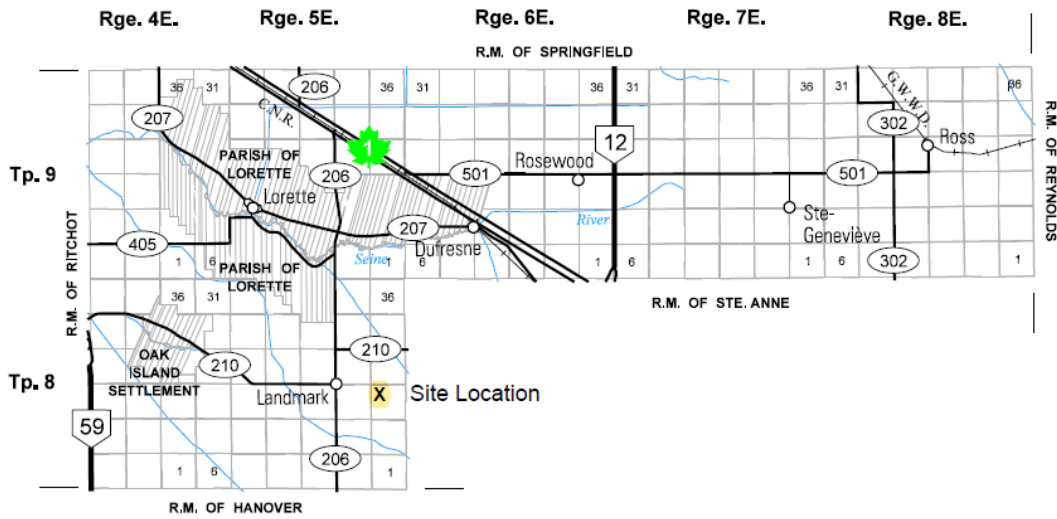


R.M. OF TACHÉ

PROVINCE OF MANITOBA
INFRASTRUCTURE
HIGHWAY PLANNING AND DESIGN BRANCH
GEOGRAPHIC & RECORDS MANAGEMENT SECTION
WINNIPEG
JANUARY, 2015

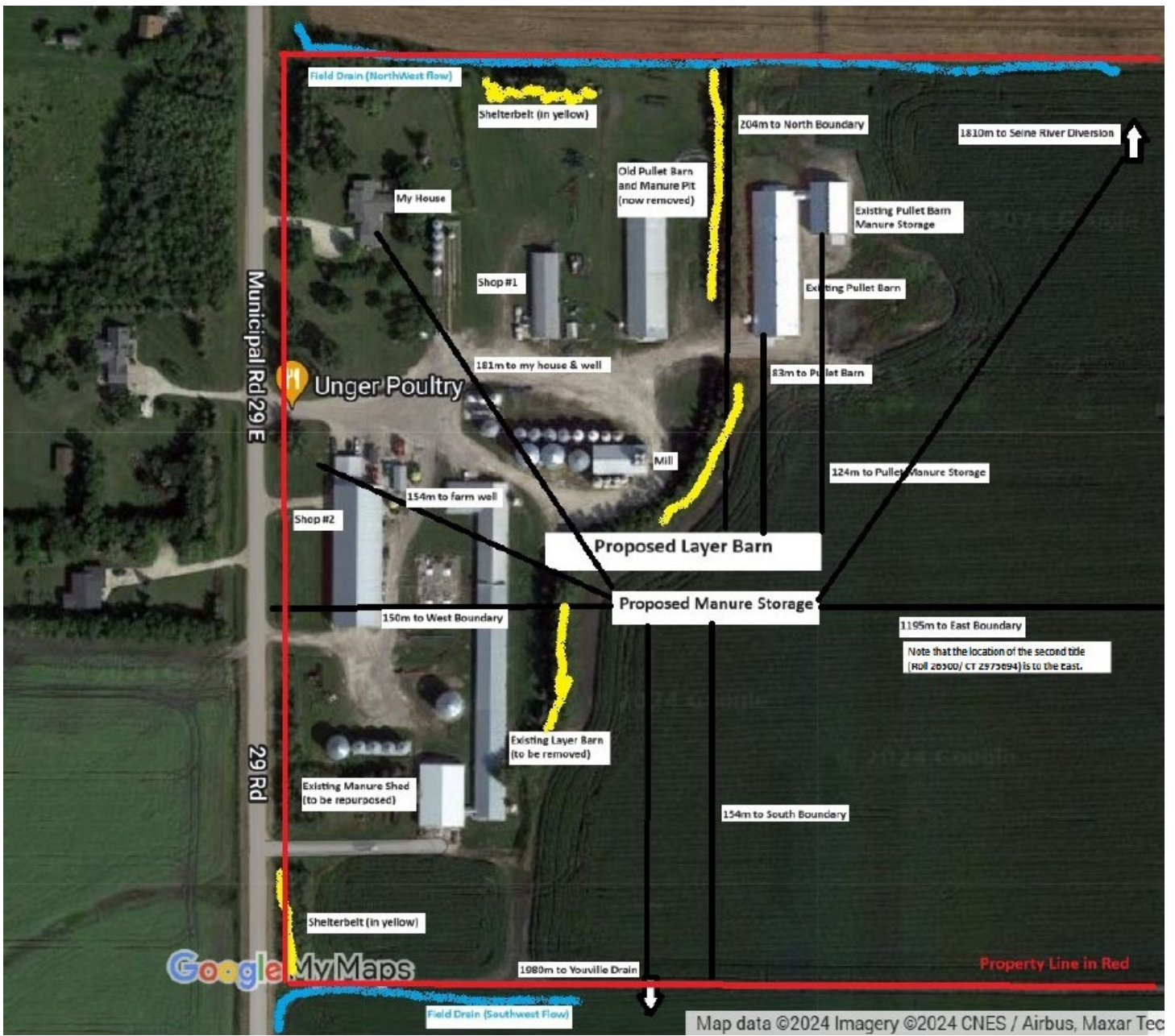
LEGEND

TRANS-CANADA HIGHWAY		ACCESS ROADS	
PROVINCIAL TRUNK HIGHWAYS		RAILWAYS	
PROVINCIAL ROADS			

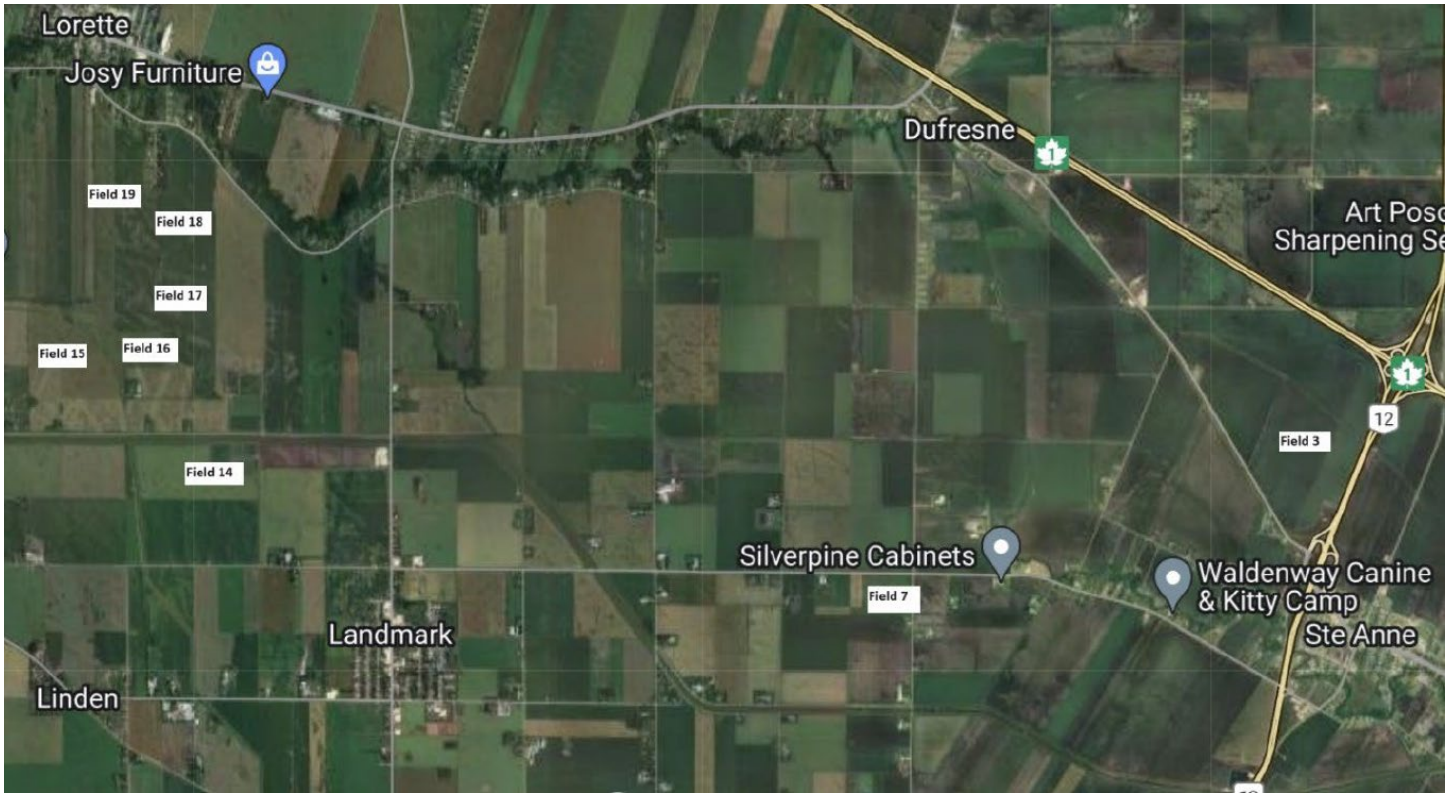


SHEET 1 of 1

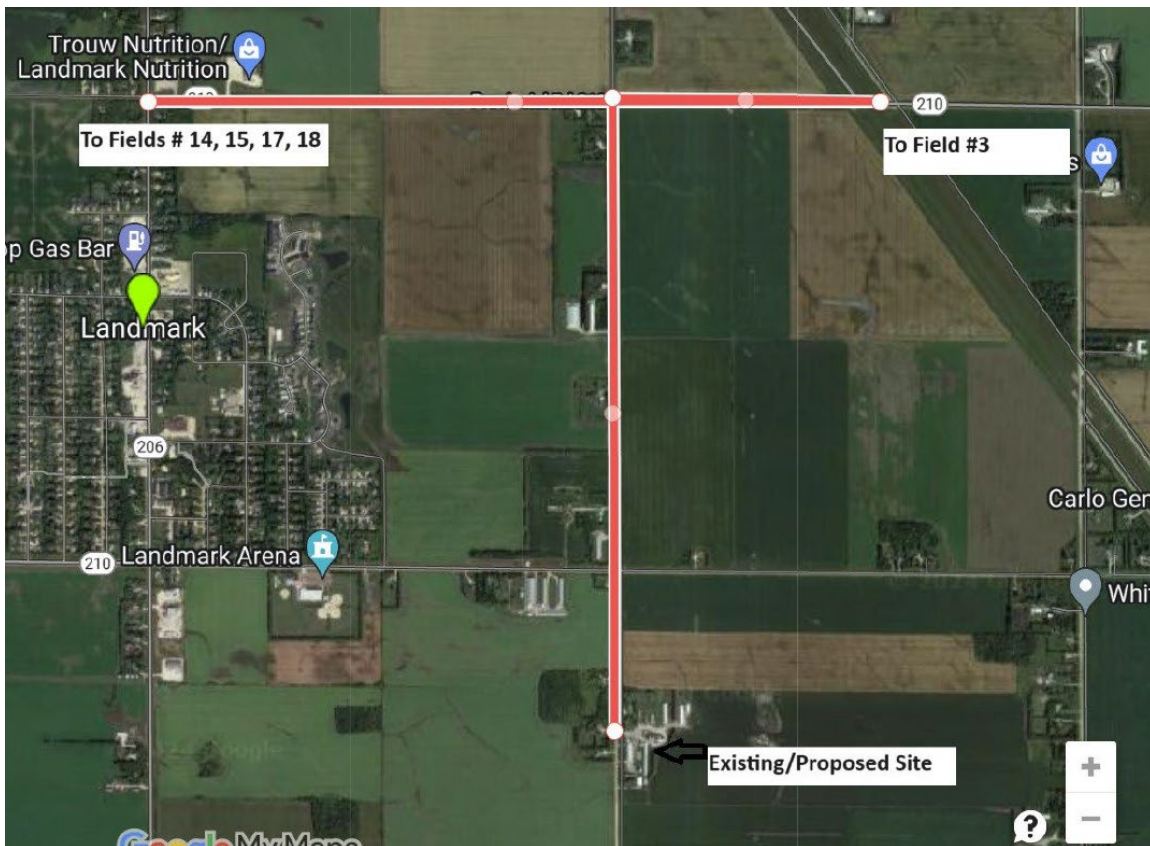
Location Map



Project Site Plan



Spread Fields Map



Truck Haul Routes Map

C. SITE ASSESSMENT OVERVIEW

Provincial Technical Overview of TRC 12-107 – Unger Poultry Ltd.				
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.	MNR
2	Clearly identified the current and proposed type and number of animals and animal units	X	Unger Poultry Ltd. is currently seeking Conditional Use approval to expand their layer operation to 54000 hens and 50000 pullets or 613 Animal Units (AU).	AGR
3	Project clearly defined as: <u>animal confinement facility / confined livestock area</u>	X	The proposed animal confinement facility is not regulated under the Livestock Manure and Mortalities Management Regulation.	ECC
		X	The 18,000 ft ² replacement of a barn (animal confinement facility) and the repurposing of an existing 12,600 ft ² barn are proposed to accommodate the increased number of animals. Building permits must first be issued by the RM of Hanover as required by the Inspection and Technical Services Branch, Department of Labour and Immigration, under Manitoba Building Code Regulation M.R. 78/2023. For more information, see the Inspection and Technical Services Branch website: https://www.gov.mb.ca/labour/its/bldg_codes/permits_and_inspections.html	MNR
4	Identified all existing and proposed buildings and structures and related separation distances	X	The proposed expansion (497 AU to 613 AU) does not increase the required separation distances. As per the RM of Taché Zoning By-Law No. 08-2023, the proposed new animal confinement facility and manure storage facility do not meet the required minimum separation distance from: <ul style="list-style-type: none"> • nearest residences, at 738 ft and ~785 ft. (820 ft. required). • two designated areas – Landmark at 3292 ft and Rural Living Area to the east at ~3815 ft. (4364 ft. required). It is recommended that Council require the applicant to obtain variances to vary the minimum separation distances as a condition of approval to bring the operation into compliance with the zoning by-law.	MNR
5	Demonstrated project site is not located within Nutrient Management Zone N4 or any Nutrient Buffer Zone		The project site is not located within Nutrient Management Zone N4 or any Nutrient Buffer Zone	ECC

Provincial Technical Overview of TRC 12-107 – Unger Poultry Ltd.

Item No.	Provincial Requirements	Confirmed	Related Provincial Safeguards	Dept.
6	Identified suitable water source: Existing well and a water consumption rate of 5647 imp. gal. per day	X	Unger Poultry Ltd. currently holds a valid Water Rights Licence with the Water Use Licensing Section. No action is required.	ECC
7	Proposed project site meets development plan, zoning by-law	X	<p>The Planning Act requires that development plans must include a livestock operation policy that guides zoning by-laws dealing with livestock operations.</p> <p>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.</p> <p>Designation</p> <p>The proposed livestock operation, located in the NW ¼ 13-8-5 EPM in the RM of Taché, is designated Agriculture Area in Development Plan By-law No. 05-2016, and the proposal complies with Development Policies 4.4 – Agriculture Area policies and 3.3.12 – Livestock Policies.</p> <p>Zoning</p> <p>The proposed site is zoned “AG” Agriculture General (Zoning By-law No. 08-2023) and has a minimum site area requirement of 80 acres with a minimum site width requirement of 600 feet.</p> <p>The proposed operation may require a variance to vary the minimum site area from 80 acres to 77.87 acres, if no prior variance was issued from the Municipality. If required, the variance would qualify as a minor variance.</p> <p>The proposed new buildings meet all required setbacks from property lines.</p>	MNR
8	Identified any unsealed abandoned wells on the project site or spread fields	X	<p>The proposal identifies that the water use for the proposed livestock operation is from the existing well located at NW-13-8-5E.</p> <p>The provincial water well database contains information for a well associated with the proposed livestock operation. The proposal indicates no abandoned wells present on the site or spread fields.</p> <p>The provincial database shows wells are present on the manure spread fields ID: 7, 15, 17, 18 and 19. The accuracy of the well location and its status in the database is not known. Most of these wells are plotted within a section.</p> <p>It is expected that the proponent will attempt to identify wells and, if any wells are in use, maintain the required minimum buffer as outlined in regulations during spreading.</p> <p>Wells should be properly sealed if not in use and a sealed well report must be filed with the Groundwater Management Section of MB Environment and Climate Change. Information on well sealing and well</p>	ECC

Provincial Technical Overview of TRC 12-107 – Unger Poultry Ltd.

Item No.	Provincial Requirements	Confirmed	Related Provincial Safeguards	Dept.
			<p>sealing reports are available from MB Environment and Climate Change (204-945-6959) or: https://www.gov.mb.ca/water/groundwater/wells_groundwater/index.html.</p> <p>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. If the proponent confirms that a reasonable effort has been made and no well(s) is located on land that has been identified for spreading, then no further actions are required.</p> <p>During manure spreading, the setback distances to all groundwater features as prescribed under the Environment Act Livestock Manure and Mortalities Management Regulation should be considered as a minimum distance.</p>	
9	Identified suitable manure storage methods: Constructing new manure storage facility & decommission an old manure storage facility	X	<p>The applicant will build a new manure storage. Under the Livestock Manure and Mortalities Management Regulation, the applicant must obtain a permit from Environment and Climate Change prior to building the storage. Once in operation the applicant must:</p> <ul style="list-style-type: none"> • Ensure there is sufficient capacity to store all manure through the winter. • Maintain the structural integrity of the storage. • Operate the storage so that it does not pollute surface water, ground water or soil. <p>The applicant will decommission an old manure storage facility. Under the Livestock Manure and Mortalities Management Regulation, the applicant must submit a decommissioning plan to Environment and Climate Change for approval, prior to starting the decommissioning works. The plan must follow the specifications and procedures described in the Technical Reference Documents for Decommissioning Manure Storage Facilities.</p>	ECC
10	Identified acceptable manure application methods	X	<p>Under the Livestock Manure and Mortalities Management Regulation, the applicant must:</p> <ul style="list-style-type: none"> • Operate with an annual manure management plan which includes: • Manure type, volume, and nutrient values • Spread field location and soil class • Soil tests showing nitrogen and phosphorus levels • Crops to be grown • Manure application rate • Ensure manure does not pollute groundwater, soil or escape the operation's boundaries. <p>Follow requirements for the land application of manure, including nitrogen limits and phosphorus thresholds.</p>	ECC

Provincial Technical Overview of TRC 12-107 – Unger Poultry Ltd.

Item No.	Provincial Requirements	Confirmed	Related Provincial Safeguards	Dept.
11	Mortalities disposal methods identified composting	X	<p>The applicant will compost mortalities. Under the Livestock Manure and Mortalities Management Regulation, the applicant must:</p> <ul style="list-style-type: none"> • Ensure the composting does not pollute surface water, groundwater, or soil. • Locate the composting site at least 100 m from any surface watercourse, well, or the operation's boundaries. • Ensure the composting facilities and process are acceptable to the director. <p>Under the Livestock Manure and Mortalities Management Regulation, the disposal of mortalities exceeding the operation's routine capacity, including End of Lay cull events must:</p> <ul style="list-style-type: none"> • Report to an Environment Officer without delay, and • Submit a plan for disposal for approval and receive authorization to dispose of end-of-lay hens 	ECC
12	Proposed suitable setback distances from water and property lines for manure, livestock and mortalities	X	The applicant has indicated that all setback distances meet minimum requirements set out in the Livestock Manure and Mortalities Management Regulation.	ECC
13	Indicated if proposed project site is within designated flood area or is otherwise at risk of flooding	X	The proposed project site is not within the Designated Flood Area.	MTI
14	Proposed acceptable odour control measures	X	<p>Unger Poultry Ltd. has indicated that there is an existing shelterbelt and that the manure will be stored in a building.</p> <p>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.</p> <p>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.</p>	AGR

Provincial Technical Overview of TRC 12-107 – Unger Poultry Ltd.

Item No.	Provincial Requirements	Confirmed	Related Provincial Safeguards	Dept.
		X	As per section 116(2) of The Planning Act, Council may impose any relevant and reasonable conditions of approval necessary to reduce odours from the operation, including requiring covers on manure storage facilities or that shelter belts be established. There is already an established shelter belt and the manure will be stored within a building. The maintenance of the existing shelterbelt and establishment of new shelterbelts may be included as part of a development agreement.	MNR
15	Proposed sufficient and suitable land for manure spreading with minimum setbacks from water sources	X	The estimated land requirement for Unger Poultry Ltd. is 732 acres for the phosphorus excreted by the livestock or 463 acres for the nitrogen, whichever is higher. Unger Poultry Ltd. has exceeded the land requirement by demonstrating that they have access to 1200 suitable acres. Additional details can be found in Appendix A.	AGR
		X	Under the Livestock Manure and Mortalities Management Regulation, manure spreading must meet setback distances to all surface watercourse and groundwater features.	ECC
16	Indicated if spread fields are located in the Red River Valley Special Management Area or any other regularly inundated area	X	The applicant has indicated that some spread fields are located within a regularly inundated area. Under the Livestock Manure and Mortalities Management Regulation, manure applied there between September 10 and November 10 must be injected or incorporated within 48 hours. This does not apply where perennial forages are established, or the soil is not disturbed except for seed planting or commercial fertilizer application and has adequate crop residue to control erosion.	ECC
17	Proposed spread fields that meet development plan and zoning by-law requirements	X	All proposed spread fields in the RM of Taché and the RM of Ste. Anne are appropriately designated and zoned for agricultural activities.	MNR
18	Proposed acceptable manure transportation methods	X	No comment from Environment and Climate Change	ECC
	solid spreader		Please be advised that any structures placed within the controlled area of PR 207, or PR 210 (125 feet from the edge of the right-of-way) requires a permit from our office. For permit information, please contact Juanita Mowbray at 204-583-2433 or by email at Juanita.Mowbray@gov.mb.ca . Permit information can also be found at https://forms.gov.mb.ca/highway-permits-application/index.html . The placements of temporary drag lines or any other temporary machinery/equipment for manure application within the right-of-way of	MTI

Provincial Technical Overview of TRC 12-107 – Unger Poultry Ltd.

Item No.	Provincial Requirements	Confirmed	Related Provincial Safeguards	Dept.
			any Provincial Trunk Highway (PTH) or Provincial Road (PR) requires permission from Manitoba Transportation and Infrastructure's Steinbach Office. Please contact the Regional Planning Technologist, Robert Fender, at (204) 346-6266 or Robert.Fender@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 any Provincial Trunk Highway (PTH) or Provincial Road (PR) (125 feet from the edge of the right-of-way).	
19	Identified suitable trucking routes and access points		The subject operation utilizes existing Government Road Allowances which connect onto PR 210. We don't anticipate any significant increases in use.	MTI
20	Identified proposed trucking routes – local roads	X	The proposed site is accessed by Municipal Road 29E. 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.	MNR
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 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.	NRIF

Provincial Departments: Agriculture (AGR); Environment and Climate Change (ECC); Transportation and Infrastructure (MTI); Municipal and Northern Relations (MNR); Natural Resources and Indigenous Futures (NRIF)

D. PUBLIC COMMENTS AND DISPOSITIONS

Public Comment Summary	
Les Lodowski Landmark	Opposes because: <ul style="list-style-type: none"> • Odour • Air quality • Air and water pollution • Proximity to Landmark
Raymond Hiebert Farms land adjacent to Project Site	Supports because: <ul style="list-style-type: none"> • Well-run operation • Concern and care shown for livestock and community • Provides employment to community
Leslie McLaren Landmark	Opposes because: <ul style="list-style-type: none"> • Odour • Proximity to established communities
John and Karen Martens Within 3 km of Project Site	Opposes because: <ul style="list-style-type: none"> • Proximity to Landmark
Melissa Lovejoy Landmark	Opposes because: <ul style="list-style-type: none"> • Odour • Flies • Environmental impacts

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(2) of The Planning Act, at least 14 days before the date of the hearing, Council must:
 - send notice of the hearing to
 - the applicant,
 - the Minister (c/o the Steinbach Community Planning Office),
 - all adjacent planning districts and municipalities, and
 - 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
 - publish the notice of hearing in one issue of a newspaper with a general circulation in the planning district or municipality or, when there is no newspaper with a general circulation in the area, post the notice in the office of the planning district or municipality and at least two other public places in the district or municipality; and
 - post a copy of the notice of hearing on the affected property in accordance with the posting requirements outlined in 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, total animal units, and expiration date (as per Planning Act section 110(1)) 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
 - the applicant,
 - the Minister (c/o the Steinbach Community Planning Office), and
 - every person who made representation at the hearing.
4. According to the RM of Taché Zoning By-Law No. 08-2023:
 - The required minimum separation distance between an animal confinement facility or a non-earthen manure storage facility (401 – 800 AU operation) and:
 - a residence is 820 ft.
 - a designated area is 4364 ft.

The proposed new animal confinement facility and manure storage facility on the project site are:

- 738 ft. from the nearest residence
- ~785 ft. from another residence
- 3292 ft. from a designated area (Landmark)
- ~3815 ft. from a designated area (Rural Living Area to the east of project site)

Council should require the proponent to apply for variances to vary the minimum separation distances, as a condition of approval of the conditional use application.

- The required minimum site area for a livestock operation is 80 acres in the “AG” Agriculture General zone, while the project site area of the proposed operation is 77.87 acres. If no variance order already exists, Council should require the proponent to apply for a minor variance to vary the minimum site area from 80 acres to 77.87 acres prior to the hearing.
5. As per Section 169(4)(b) of The Planning Act, a copy of the notice of hearing to vary the separation distance involving a livestock operation must be sent to every owner of property located within the separation distance that is proposed to be varied.
 6. As per Section 174(1) of The Planning Act, Council can hold all required hearings together in a single combined hearing. It is recommended that during the course of this public hearing, Council first deal with the conditional use order followed by the variance order.
 7. As per Section 174(2) of The Planning Act the notice of hearing for each matter to be considered at a combined hearing may be combined into a single notice of hearing.
 8. Councils are requested to include in their resolution and/or conditional use order notification that, as per Section 118.2(1) of The Planning Act, 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,
 - a decision to reject the application,
 - a decision to impose conditions.
 9. As per Section 118, no development or expansion of a livestock operation that is the subject of an application under Part 7, Division 2 of The Planning Act may take place until
 - the application is approved and the applicant complies, or agrees to comply, with any condition imposed on the approval under this Division; and
 - 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.
 10. Council is welcome to contact Manitoba Environment and Climate Change, 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 variances be applied for prior to the conditional use hearing to vary the minimum separation distance between the proposed new animal confinement facility and manure storage facility and:
 - nearby residences from 820 ft. to 738 ft.
 - a designated area (Landmark) from 4364 ft. to 3292 ft.
 - a designated area (Rural Living Area to the east of project site) from 4364 ft. to ~3815 ft.

This will provide Council with the option of holding a combined conditional use and variance hearing.
2. That the proponent request the municipality hold a combined hearing.
3. That if no variance order already exists, a minor variance be applied for prior to the hearing to vary the minimum site area from 80 acres to 77.87 acres.
4. 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.

5. That, as per Section 118.2(1)(b) of The Planning Act, 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,
 - a decision to reject the application,
 - a decision to impose conditions.

F. TECHNICAL REVIEW COMMITTEE MEMBERS

Name	Department	Title Branch	Contact
Inonge Aliaga	Municipal and Northern Relations	Senior Planner <i>Community Planning Branch</i>	431-276-9741 inonge.aliaga@gov.mb.ca
Petra Loro	Agriculture	Livestock Environment Specialist <i>Sustainable Agriculture Branch</i>	204-918-0325 petra.loro@gov.mb.ca
Julie Froese	Environment and Climate Change	Environmental Livestock Coordinator <i>Environmental Approvals Branch</i>	204-945-7104 julie.froese@gov.mb.ca
Colin Murray	Natural Resources and Indigenous Futures	Information Manager- Manitoba Conservation Data Centre <i>Fish and Wildlife Branch</i>	204-945-7760 colin.murray@gov.mb.ca
Jeff DiNella	Transportation and Infrastructure	Senior Development Review Technologist <i>Highway Planning and Design Branch</i>	204-430-7176

Appendix A

Manitoba Natural Resources and Indigenous Futures – Lands Branch

A review of the information provided suggests there is no impact to Crown land administered under The Crown Lands Act. This review is based on information known to the Lands and Planning Branch as documented in the Crown Lands Registry System.

The Crown Lands Act is not bound by The Planning Act although the Lands and Planning Branch will give consideration to livestock planning priorities when undertaking planning activities and making land-use decisions on Crown lands.

The administration of Crown land is legislated under various acts including The Crown Lands Act, The Wildlife Act, The Provincial Parks Act, The Forest Act, The Transportation Infrastructure Act, and The Water Resources Administration Act. Should the proposed project expand beyond what is presented and impact Crown land, approval for Crown land tenure must be obtained through the responsible branch or department.

Manitoba Agriculture – Sustainable Agriculture Branch

In areas of lower livestock intensity, such as the RM of Taché, 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 areas of lower livestock intensity to balance manure phosphorus with crop phosphorus removal, should it be necessary in the future.

Typical, modern feeding practices for layers were used to estimate nutrient excretion for Unger Poultry Ltd. Realistic, long-term 10-year crop yields from the Manitoba Agricultural Services Corporation (MASC) for the RM of Taché 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. Soils must be below 60 ppm Olsen P to be considered suitable. Soil survey in the area indicates that the land is prime agricultural land (Classes 2 and 3). The most significant limitation in the area is wetness (W).

The estimated land requirement for Unger Poultry Ltd. is 732 acres for the phosphorus excreted by the livestock or 463 acres for the nitrogen, whichever is higher. Unger Poultry Ltd. has exceeded the land requirement by demonstrating that it has access to 1200 suitable acres.

Manitoba Environment and Climate Change – Water Science and Watershed Management 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 2001).

The proponent is planning to apply manure in fall, broadcast and incorporated within 48 hours. Broadcast with incorporation will reduce the risk to surface water when compared to broadcast only application methods.

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. Incorporation is a practice which reduces N loss when compared to broadcast only application method.

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 (P) as a nutrient by which fertilizer application through manure, synthetic fertilizer, and municipal waste sludge to agricultural lands may be limited. Many agricultural soils in Manitoba, especially areas with low livestock intensity, are considered P-deficient and, therefore, manure is an ideal fertilizer to support crop production. However, manure application can increase soil P over time and other spread fields may need to be added to prevent excessive soil P build up. As excess P levels build up in soils, greater losses occur to surface and ground water. It should be noted that Olsen soil-test P levels of 60 ppm are well above P needs for most crops (over 20 ppm is usually considered agronomically very high). In areas of lower livestock intensity, such as the RM of Taché, it is currently the Province of Manitoba's policy to require sufficient suitable land for all of the nitrogen (N) and half of the P generated by the livestock. This policy assumes that more land is available in the region to balance manure P with crop P removal, should it be necessary in the future for long-term sustainability. To remain environmentally sustainable over a long-term planning horizon of 25 years or more, the proponent acknowledges that 1464 acres may be required for the operation. The proponent has identified 1200 acres with suitable soil test results for manure application at this time. Application to meet crop N requirements is estimated to use 463 acres. Application at 2 times the crop removal of P is estimated to use 732 acres (1464 acres is estimated to achieve P balance [P removal equal to P application] with current crop choices and yield potential).

As P levels build up in soils, the concentration of P 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

Manitoba Livestock Technical Review Committee
Department of Municipal and Northern Relations
604-800 Portage Ave, Winnipeg MB, R3G 0N4

Re: Public Response – Unger Poultry Ltd, Layer Barn Expansion TRC 12-107, December 2024

We want to express our gratitude to the Committee for management of this process, and to the local public for the comments made regarding TRC-12-107. The input is paramount to us in our goal of continued participation as valued members of our community. We appreciate both the support and concerns of local residents.

Regarding the concerns brought forward, we want to emphasize that as we also live in this community, and strive for continued improvement in the quality of our environment (i.e. concerns regarding air quality and nuisance flies). The facility we are proposing has state-of-the-art ventilation and manure handling facilities (sealed building with concrete floor), improving on the existing facility. In addition, we have been engaged in fly-larva control measures (e.g. Kunafin “goodbugs”, fly pupa control) for the past 2 years. We and our neighbors are very pleased with the result.

Our intention is to continue to work with these and other concerns, as they are identified.

Sincerely,

Ric Kehler

Unger Poultry Ltd.