

October 3, 2000

Technical Review Committee Process for Livestock Operations Terms of Reference

Purpose

- 1) To provide support to local government by providing preliminary technical assessments and reports on proposals for livestock operations.
- 2) To assist with the exchange of information between the proponent, municipal and provincial government, and general public.

It is important to emphasize that while the review and approval of a new or expanding livestock operation by a Municipal Council is a critical first step, local land use decisions regarding the siting and development of livestock operations are subject to provincial environmental approval.

Background

- The Technical Review Committee consists of regional representation from the provincial departments of Agriculture and Food, Conservation and Intergovernmental Affairs. The Regional Director of Manitoba Agriculture and Food chairs this committee. Additional staff from other departments may be consulted for their expertise.
- The Technical Review Committee assesses a proposal based on
 - 1) information provided by the project proponent including:
 - a) completed Livestock Production Operation Information Review Forms.
 - b) application for Local Planning Approvals where applicable
 - c) soil test results on nitrogen and phosphate levels in the proposed spread fields; measured as nitrate nitrogen and sodium bicarbonate extractable phosphorus.
The sampling and preparation of the report is to be done by a professional Agrologist.
 - 2) information available to members of the Technical Review Committee such as published information on soils, geology, hydrogeology, water well logs and other information.
 - 3) local and provincial land use policies and zoning.
 - 4) the Farm Practices Guidelines for various livestock commodities in Manitoba.

- 5) environmental regulations (in particular the Manitoba Livestock Manure and Mortalities Management Regulation 42/98)
- 6) other provincial regulations

Specific Concerns

a) Cumulative Impact

The Technical Review Committee will describe the potential effect of a proposed livestock operation on a specified surrounding area, in terms of the assimilative capacity of the land base of the proposed facility, and neighbouring livestock operations (within a two-kilometer radius) to utilize livestock manure on a sustainable basis as a crop nutrient. The Technical Review Committee will review the soil test information provided by the proponent to determine a baseline of soil fertility levels of the proposed spread fields for the manure produced by the operation. If there is cause for concern on the level of nutrients in the specified fields, the proponent may be asked to identify additional spread fields.

b) Nuisance Odours

The Technical Review Committee will comment on the potential for nuisance odours, and the methods the proponent will use to reduce such potential (e.g. manure storage cover, manure application methods, tree planting, separation distances, etc.).

Recommendations

The Report will clearly state whether the proposal meets local and provincial policies, zoning and provincial regulations. The Technical Review Committee will be specific on those aspects of the proposal about which there are reservations about its suitability for the proposed site. Advice will be provided to councils on conditions they may want to include in a Conditional Use Order or Rezoning if one is required.

Process:

- The municipal council will send a written request for a Technical Review of a proposal to the Chair of the appropriate regional Technical Review Committee (as indicated on the attached map and list of T.R. Committees), together with the following supporting documents:
 - 1) a completed Livestock Production Operation Review Form
 - 2) application for local planning approvals where applicable
 - 3) the soils report prepared by a professional Agrologist, including the soil test analyses for all spread fields

- Where Technical Reviews are compulsory under The Planning Amendment Act, the municipal council will send a request for a Technical Review (with all supporting documents) directly to the Chair of the appropriate Technical Review Committee, with a copy to the Minister of Intergovernmental Affairs, c/o Regional Office of the Community Planning Services Branch of Intergovernmental Affairs.
- Reviews are required for all livestock operations 400 Animal Units or larger, listed as a Conditional Use in a municipal zoning by-law. Reviews for Conditional Use applications for operations less than 400 Animal Units are at the discretion of the Municipal Council.
- The Review will not start until all the required information is received. The Committee may contact the proponent for additional information if required.
- The Chair will inform both the proponent and the Municipal Council in writing upon receipt of a request for a technical review.
- The Chair will forward a copy of the request from Council and all documents to other provincial department representatives for review and response within 15 working days.
- A preliminary written report will be prepared based on the responses submitted by the members of the Technical Review Committee and returned to them for their comments. A final report will then be written within 30 days of the request or notice from Council. This process is to allow time for site inspections and for each department to review its areas of responsibility and forward any concerns or recommendations for the final report.
- The Chair may request in writing to Council an extension to the 30 days if it is felt that more time is required to collect necessary information for a proper review.
- Proponents and Council to confirm receipt of final report to the Chair.
- Copies of the final report will be available to the public upon written request to the Chair, following the formal tabling at a council meeting of the final report by the Municipal Council. Upon receipt of the Report where it is mandatory Council will set a hearing not less than 30 days from date of receipt, and notice of the public hearing must indicate that the Report is available for inspection and copying at the Municipal Office.
- A copy of the report will be filed at the same time with the Public Registry of Manitoba Conservation to facilitate public access to the report. (Public Registry, Manitoba Conservation, 123 Main Street, Winnipeg MB R3C 1A5, Phone: 204-945-7125)