



TECHNICAL REVIEW COMMITTEE

**A TECHNICAL REVIEW REPORT
PREPARED FOR THE**

Municipality of WestLake-Gladstone

**Delta Colony
(West Plains Holding Company Ltd.)**

4-13-12 W

TRC 12-125

August 26, 2026

A. INTRODUCTION – THE TEAM

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

Agriculture (AGR)

- Agri-Resource Engineer
- Business Development Specialists
- Veterinarians
- Agri-Ecosystem Specialists

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
- Water Resource Officer
- 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

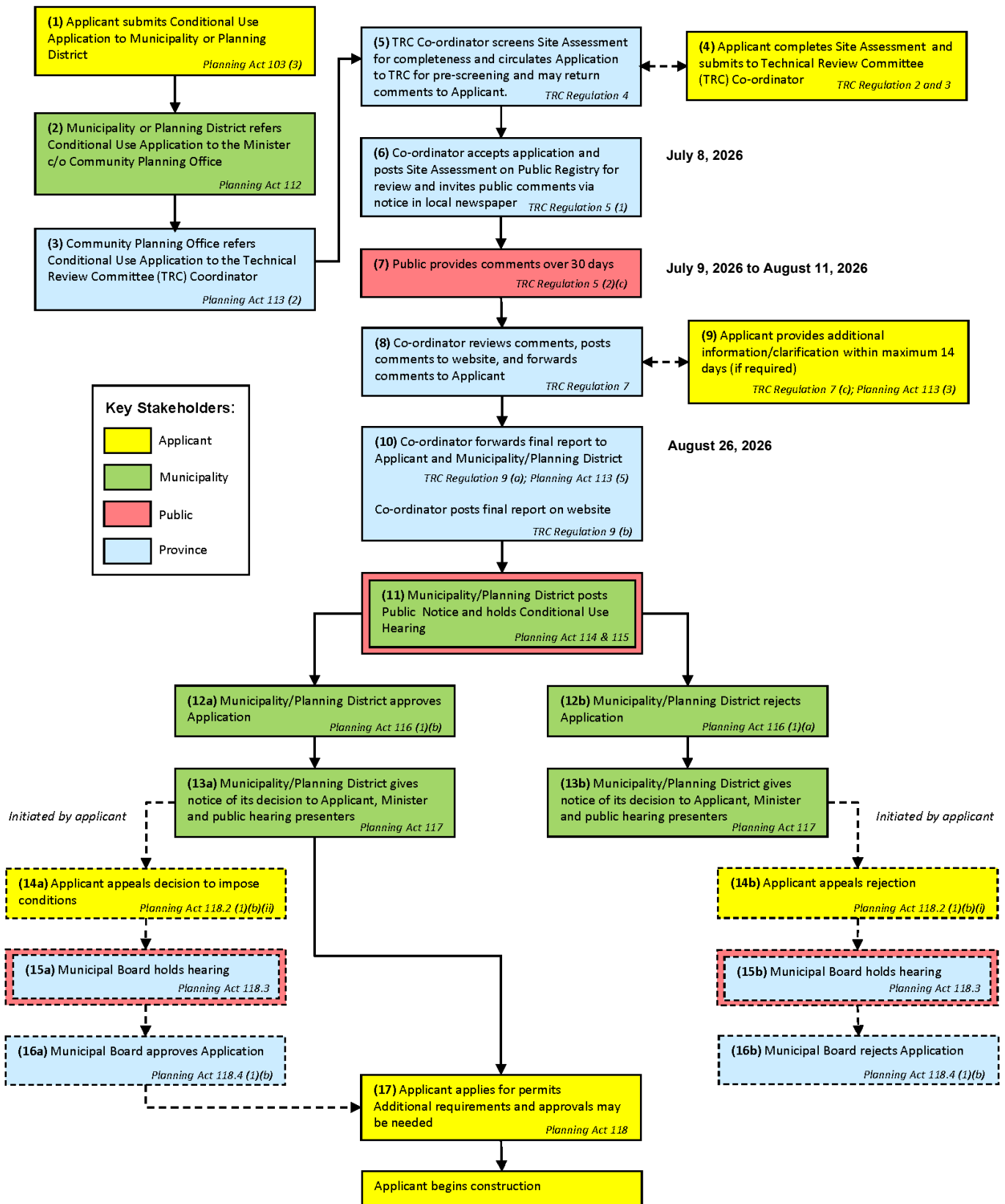
To provide objective, credible, technically-based assessments that:

- 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, measures 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 may be found at https://www.gov.mb.ca/mr/livestock/public_registries.html

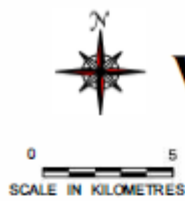
Applicant: Delta Colony (West Plains Holding Company Ltd.)

Site Location: 4-13-12 W (Refer to map below)

Proposal: The proponent seeks to expand an existing mixed livestock operation. The proposal involves increasing the number of sows – farrow to finish from 790 to 2,150 animals and the number of broilers from 35,000 to 95,000. This represents an increase from 1,269 to 3,269 animal units.

This will involve the following:

- Construction of four new barns and use of existing barns;
- Use of a new Earthen manure storage facility;
- Estimated daily water use of 64,742.5 imperial gallons from Pine Creek, Surface Water Rights License #2011-001;
- Rendering of mortalities and temporary refrigerated storage until pickup by Darling Rendering Company; and
- Truck haul routes as shown in map below.

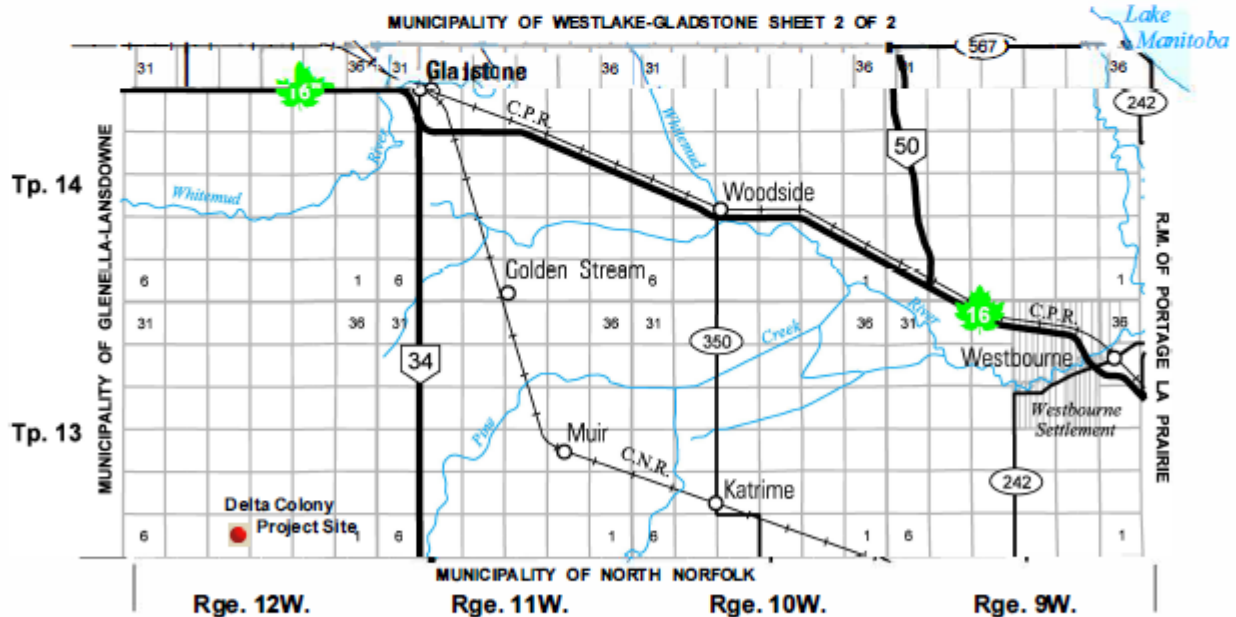
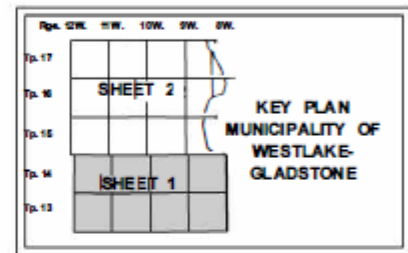


MUNICIPALITY OF WESTLAKE-GLADSTONE

PROVINCE OF MANITOBA
INFRASTRUCTURE
HIGHWAY PLANNING AND DESIGN BRANCH
GEOGRAPHIC & RECORDS MANAGEMENT SECTION
WINNIPEG
JANUARY 1, 2015

LEGEND

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



Formerly RMs of Westbourne and Lakeview

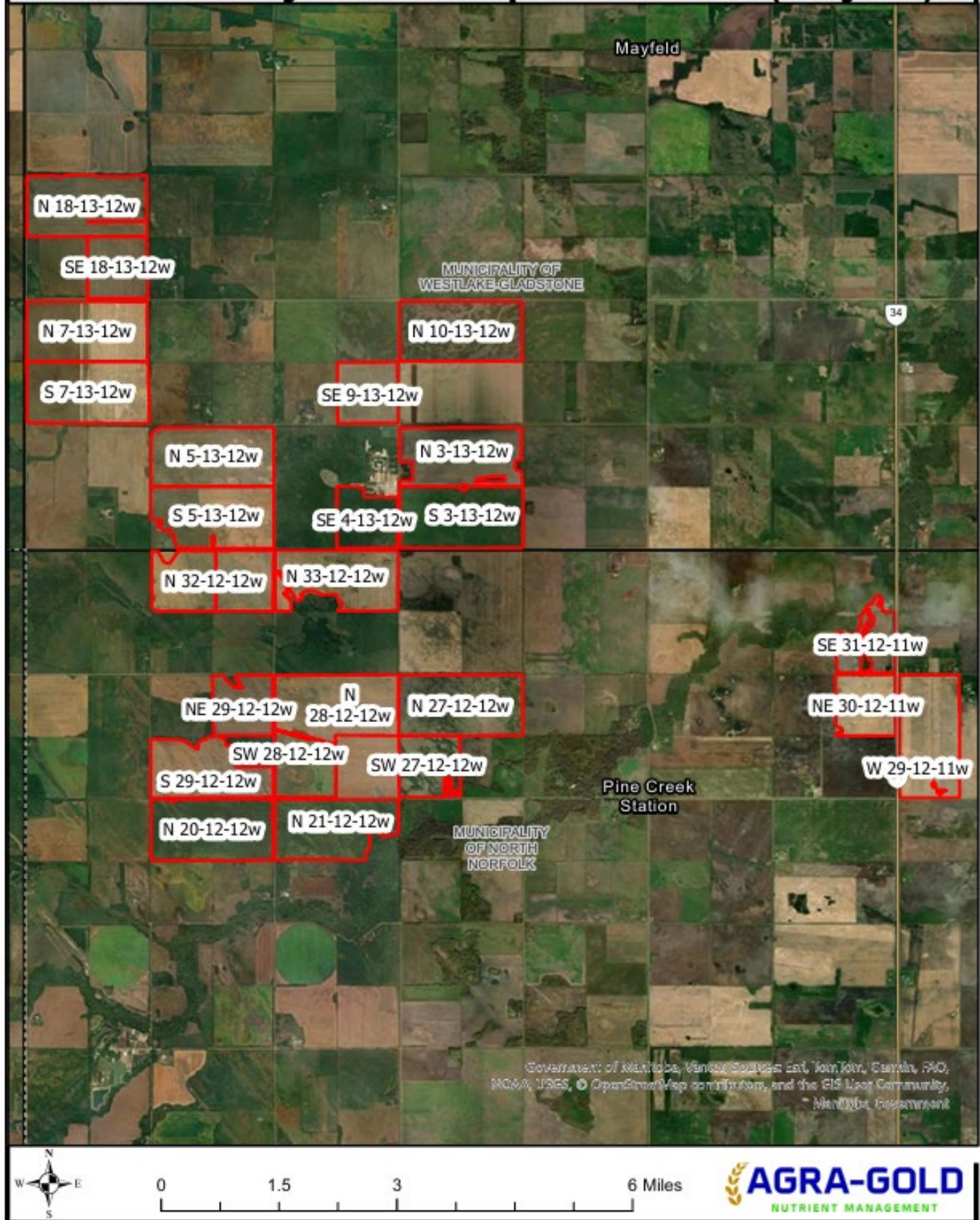
SHEET 1 OF 2

Location Map

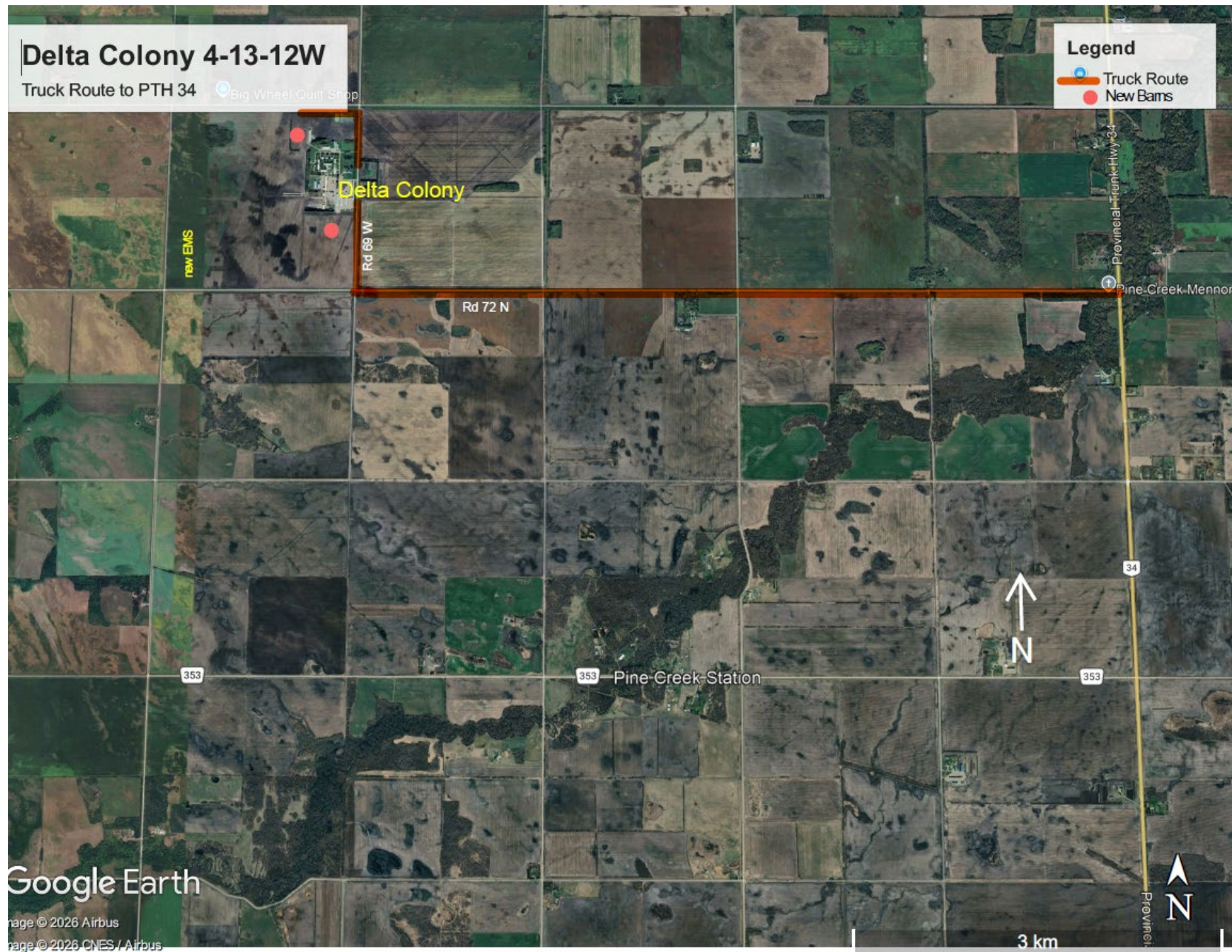


Site Map

Delta Colony Manure Spread Fields (May/26)

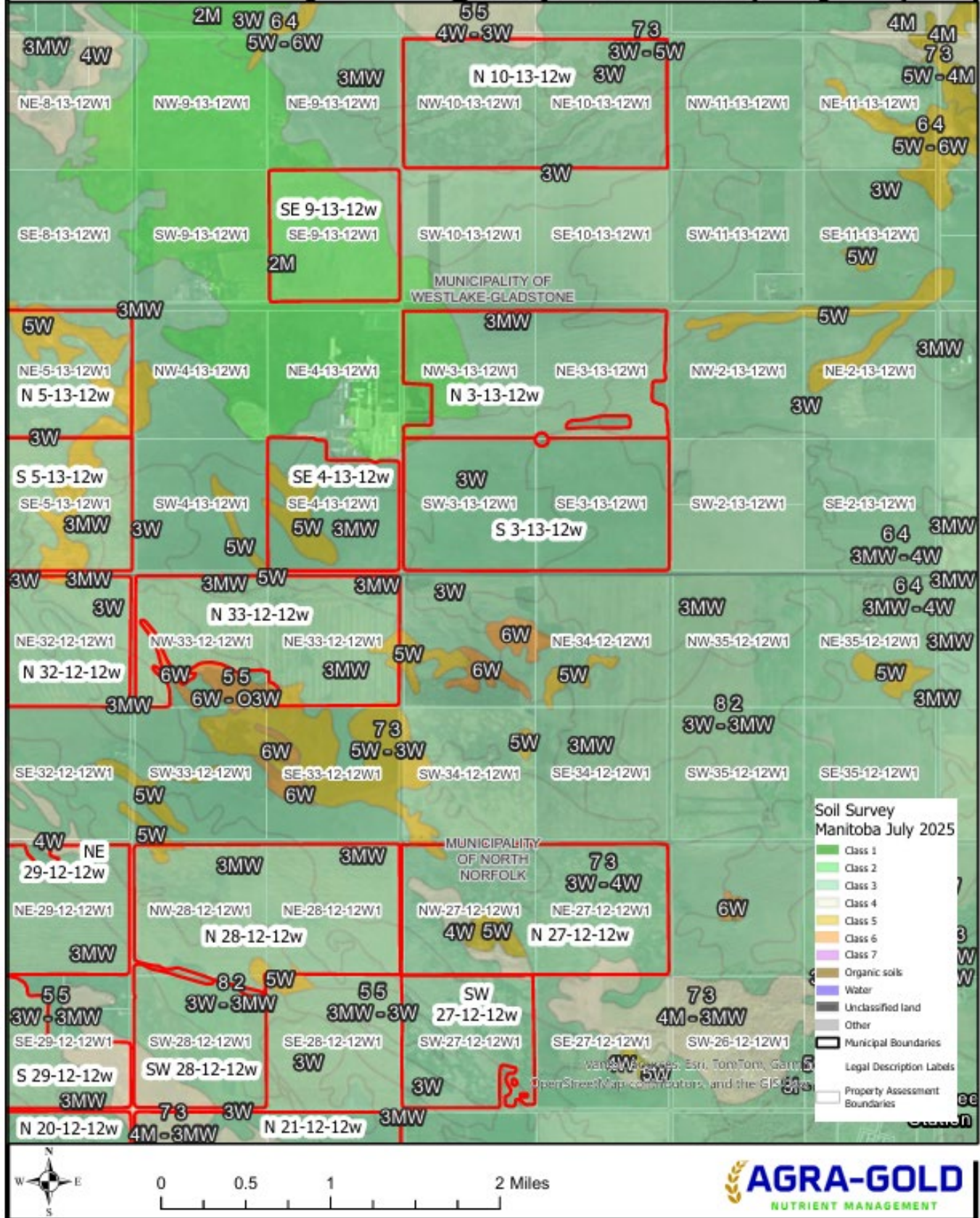


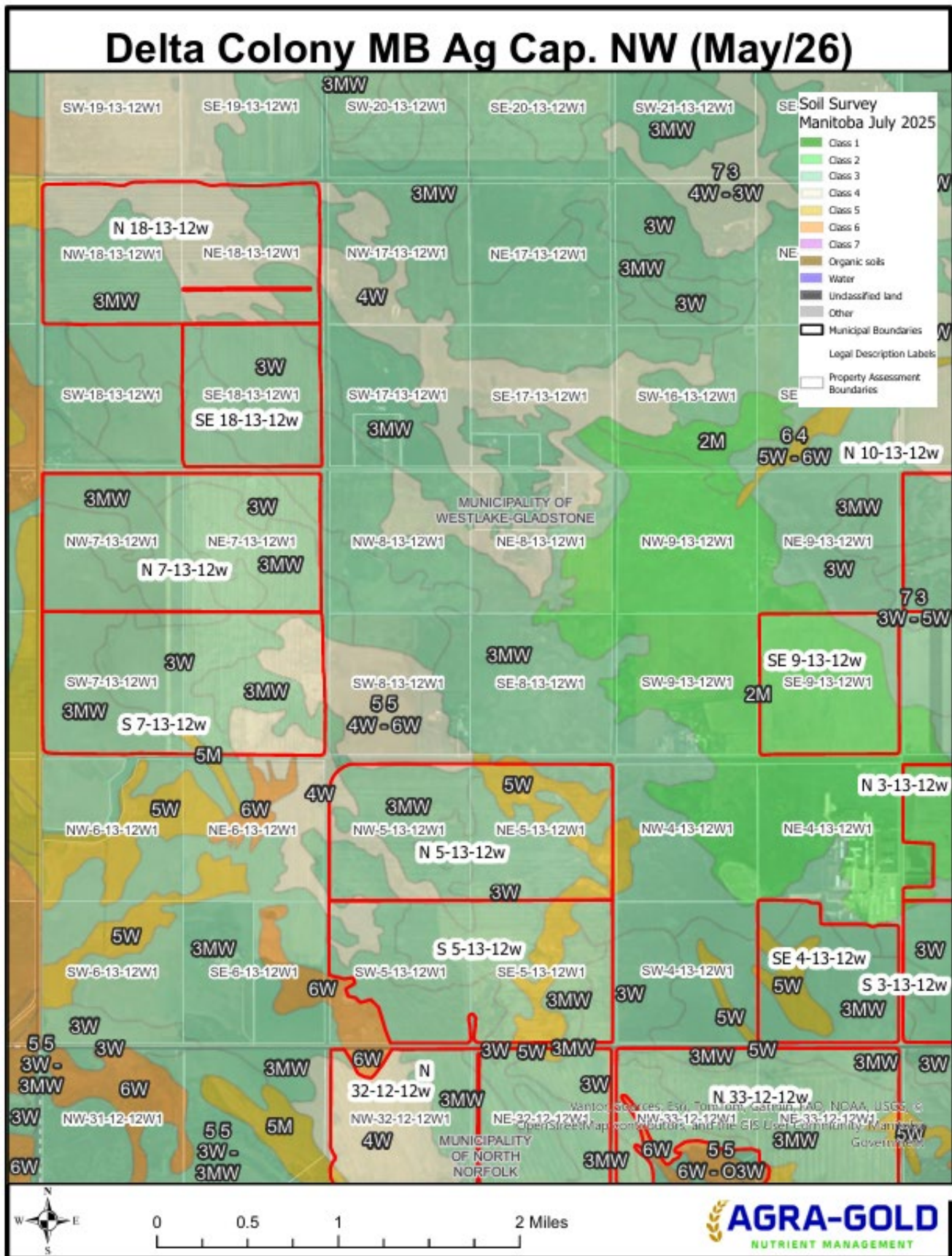
Spread Field Map



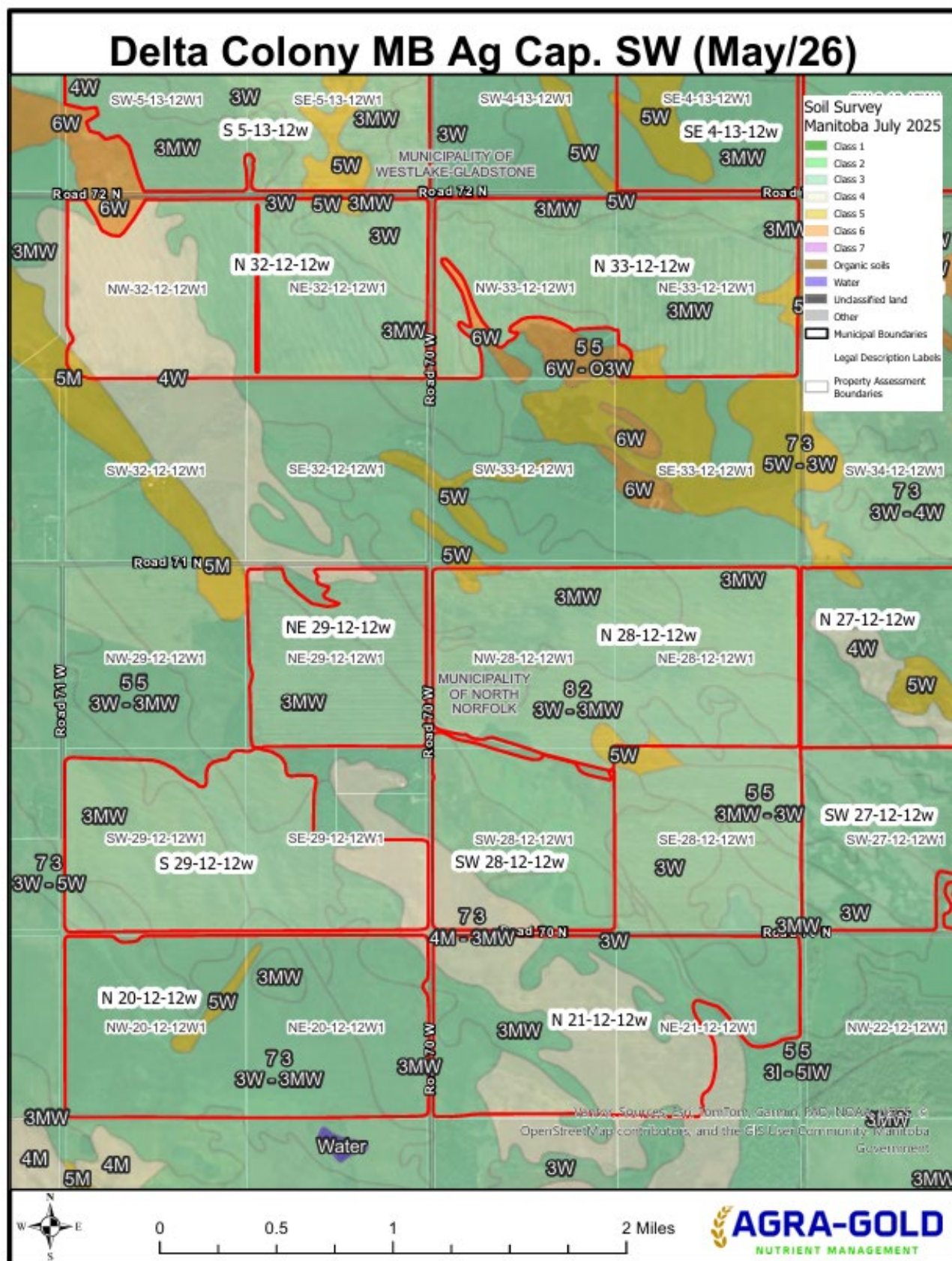
Truck Haul Route Map

Delta Colony MB Ag Cap. Central (May/26)

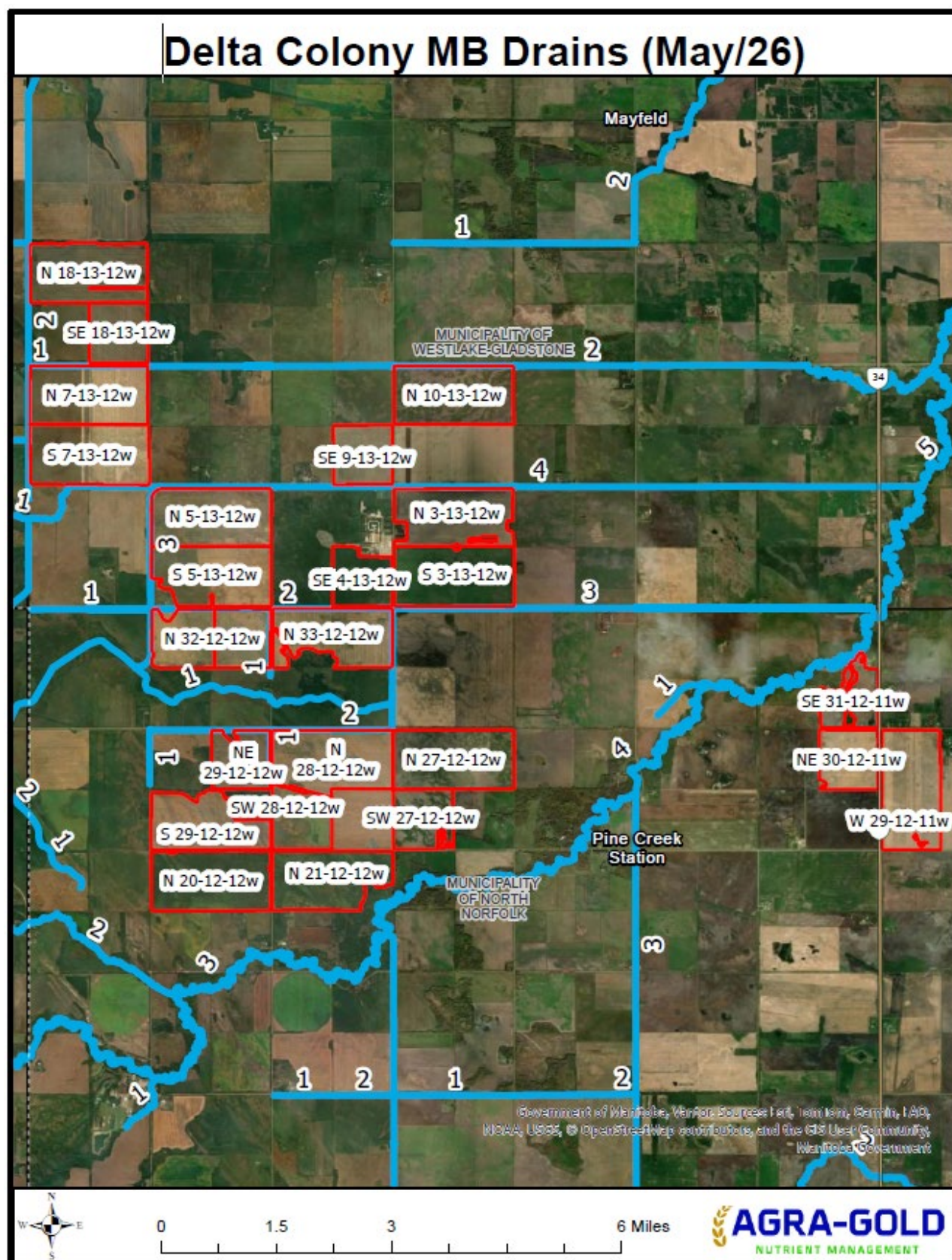




Manitoba Agriculture Capability Map (3)

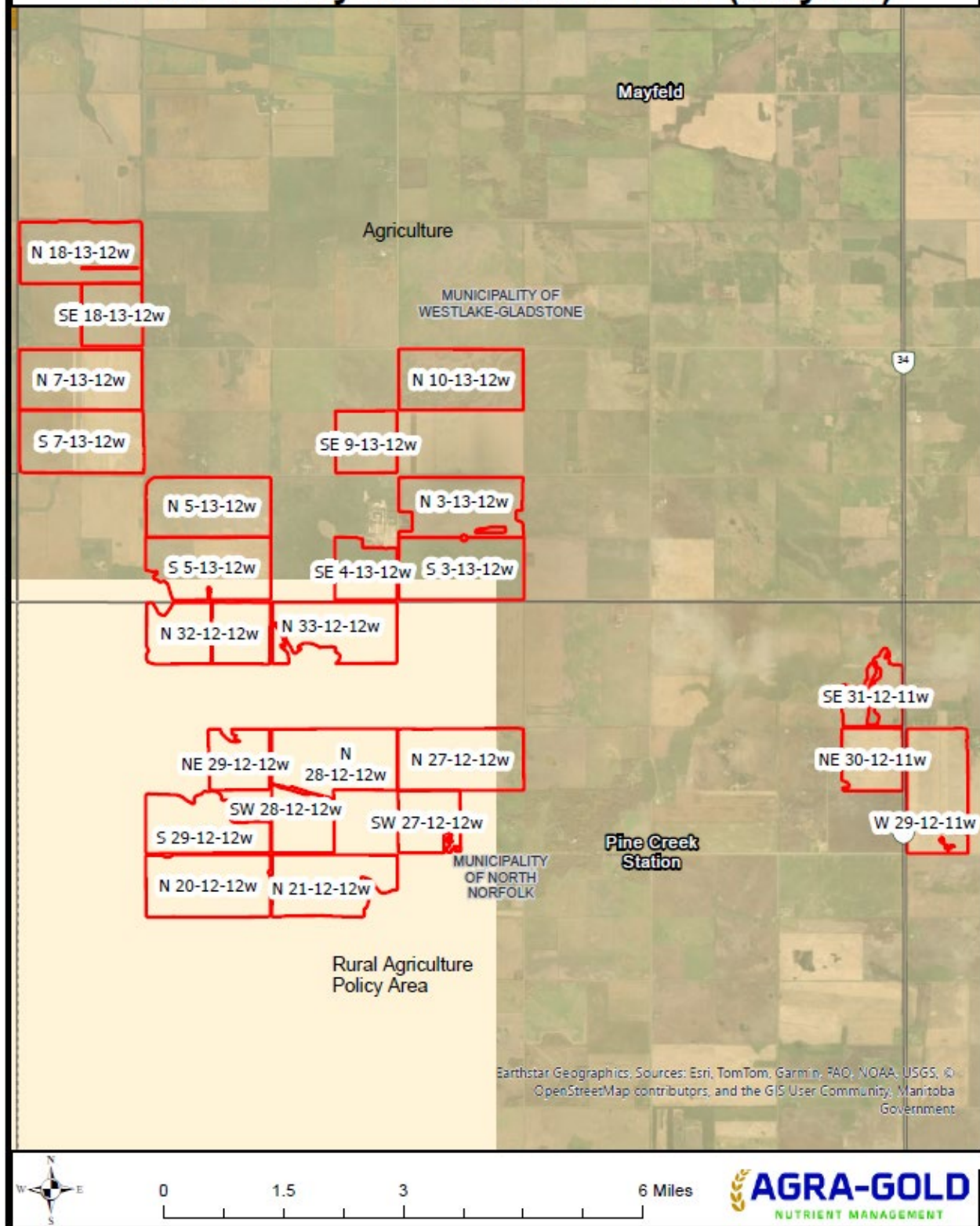


Manitoba Agriculture Capability Map (4)



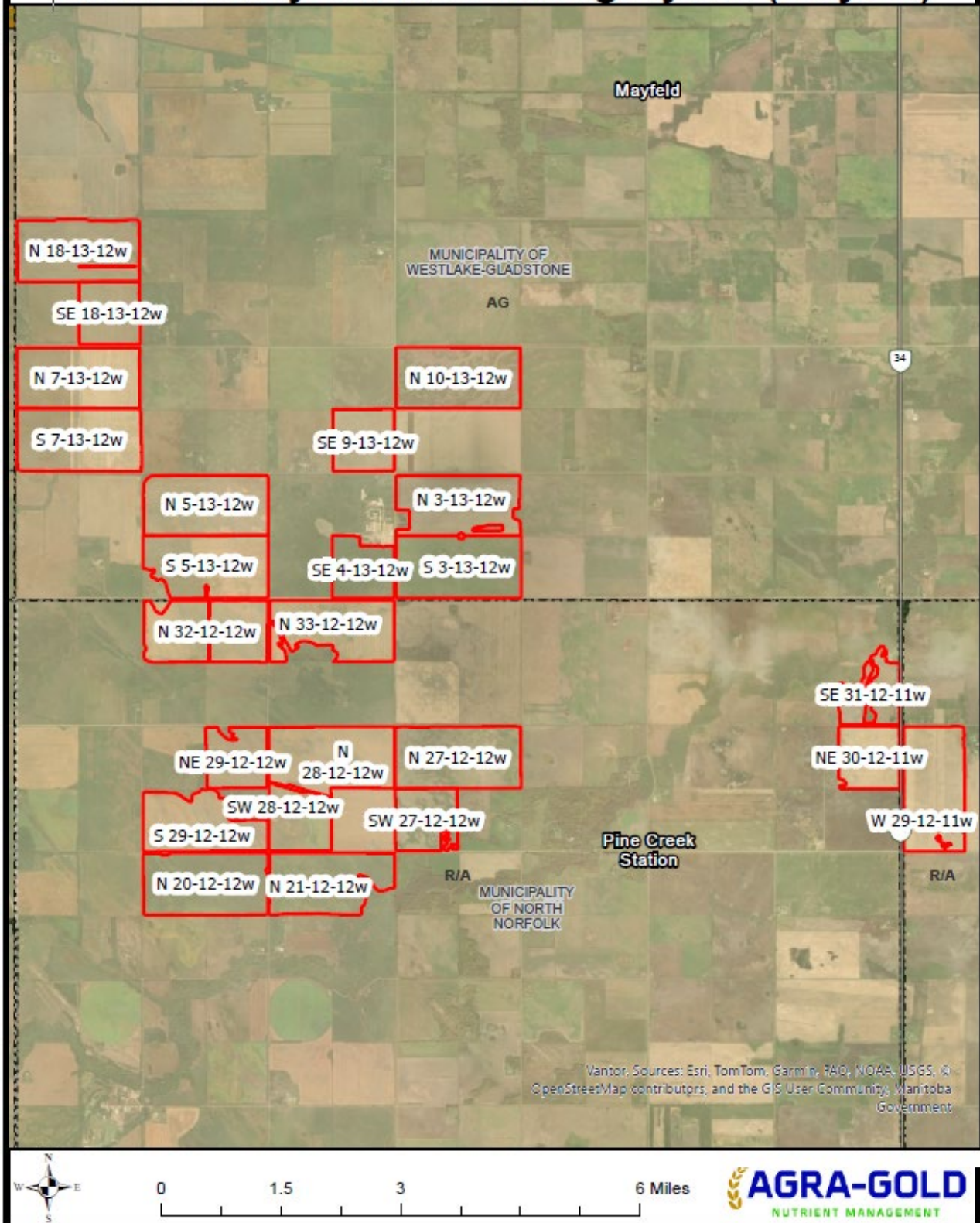
Manitoba Drains Map

Delta Colony MB RM Dev. Plan (May/26)



RM Development Plan Map

Delta Colony MB RM Zoning Bylaw (May/26)



RM Zoning Bylaw Map

C. SITE ASSESSMENT OVERVIEW

Related Section in the Site Assessment		Related Provincial Requirements and Safeguards	Dept.
1	Description of Operation and Nature of Project	<i>The Planning Act</i> requires that an application to approve a conditional use for a livestock operation involving 300 or more animal units must be referred to the Livestock Technical Review Committee (TRC) for review. The Municipality of WestLake-Gladstone Development Plan By-law 2019-04 states that Council must refer all applications involving 300 or more animal units to the Minister and request that a Technical Review Committee be approved to review the proposed application. The Delta Colony (West Plains Holdings Company Ltd.) application is for an expansion of an existing mixed livestock operation. The proposal involves increasing the number of sows-farrow to finish and increasing the number of broilers of more than 300 animal units. The Technical Review Committee Regulation 119/2011 requires an applicant to submit a completed site assessment. The TRC has received and accepted for review a complete site assessment from Delta Colony (West Plains Holdings Company Ltd.), including all information necessary to review the application.	MNR
2	Type and Size of Operation	Delta Colony is seeking Conditional Use approval from the Municipality of WestLake-Gladstone to expand its livestock operation by adding 1,360 sows, farrow to finish and 60,000 broiler chickens. Combined with the existing livestock at the Colony, the total animal units would be 3,269 AU.	AGR
3	Animal Confinement Facilities	The proposed expansion involves the construction of three (3) new swine barns (Barn 1 = 109,200 ft², Barn 2= 47,600 ft² and Barn 3 = 180,200 ft²) and new broiler barn (Barn 4 = 44,100 ft²) with the use of the existing barns (Broiler and Layer Barns and Sow Farrow-Finish Barn). As the proposed buildings for construction are more than 6,458 ft², building permits must first be issued by the Municipality of WestLake-Gladstone, as required by the Inspection and Technical Services Branch, Department of Labour and Immigration, under the Manitoba Building Code Regulation 78/2023. Please contact the Municipality of WestLake-Gladstone at 204-385-2332 or at info@westlake-gladstone.ca. For more information, see the Inspection and Technical Services Branch website: Province of Manitoba Labour Labour and Immigration Permits and Inspections.	MNR
4	Confined Livestock Areas	No – The proposed facility is not considered a Confined Livestock Area and is not regulated under the Livestock Manure and Mortalities Management Regulation.	ECC
5	Project Sites Unsuitable for Development	The proposed manure storage facility is not located within Nutrient Management Zone N4 nor any Nutrient Buffer Zone.	ECC

Related Section in the Site Assessment		Related Provincial Requirements and Safeguards	Dept.
6	Water Source: Pine Creek Water Requirements of 64,742 imperial gallons per day	The proponent currently holds a valid Water Rights Licence under <i>The Water Rights Act</i> and has applied to amend their licence for the increase. There is sufficient allocation for the project, but the proponents are encouraged to construct water storage for water security.	ECC
7	Development Plan	<i>The Planning Act</i> requires that development plans include a livestock operation policy that guides zoning by-laws dealing with livestock operations. <i>The Planning Act</i> requires that municipalities issue a development permit before any development takes place on a site. All development must comply with the Zoning By-law and Development Plan. Any proposed development that does not comply with required separation distances or setbacks must obtain Council approval following public hearing to vary those requirements. Designation The site of the proposed livestock operation, located in the Section 4-13-12 WPM in the Municipality of WestLake-Gladstone, is designated Agriculture (Municipality of WestLake-Gladstone Development Plan By-law No. 2019-04). The proposal complies with Development Policies 5.2. A.2 and A.3 (Livestock Policies). Note: Development Plan By-law No. 2019-04 was approved on February 21, 2020 to allow existing operations to expand beyond 300 AU within the Agriculture Policy Area as a Conditional Use.	MNR
8	Zoning By-Law	Zoning The site of the proposed operation is zoned “AG” Agriculture General Zone (Municipality of WestLake-Gladstone Zoning By-law No. 2020-02) with a minimum site area requirement of 80 acres and a minimum site width requirement of 660 feet. The proposed operation complies with the Zoning By-law site area and site width requirements of the “AG” Zone. Note: Zoning By-law No. 2020-02 was approved on May 18, 2022 to allow existing operations to expand beyond 300 AU within the “AG” Zone as a Conditional Use.	MNR
9	Separation Distances	The proposed livestock operation meets all minimum required separation distances for an animal confinement facility and earthen manure storage facility to the nearest single residence and the nearest designated area. The proposal is consistent with Table 6: Minimum Separation Distances for Siting Livestock Operations in the Municipality of WestLake-Gladstone Zoning by-law 2020-02.	MNR

Related Section in the Site Assessment		Related Provincial Requirements and Safeguards	Dept.
10	Wells	The proposal indicates that water for the proposed livestock operation will be sourced from surface water source (Pine Creek). The proponent has indicated that they are not aware of any unsealed abandoned wells on the site. However, if any abandoned wells are encountered during operations, they must be properly sealed in accordance with <i>The Groundwater and Water Well Act</i> and its associated regulations, and a <i>Sealed Well Report</i> must be filed with Manitoba Environment and Climate Change, Groundwater Management Section. For guidance on well sealing and submission of reports, contact Manitoba Environment and Climate Change at (204) 945-6959 or consult: https://www.gov.mb.ca/water/groundwater/wells_groundwater/index.html. A licensed well drilling professional should carry out well sealing for all but the most basic wells. A list of currently licensed well drilling professionals is available at the link above. As a reminder, under the Livestock Manure and Mortalities Management Regulation, a minimum setback of 20 metres must be maintained from any well, spring, or sinkhole during manure spreading, or 15 metres where a permanent vegetative buffer is in place.	ECC
11	Water Control Works	As no water control works are proposed, there are no concerns with the proposed project.	ECC
12	Manure Type and Storage: Liquid and solid/earthen manure storage	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: • 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.	ECC
13	Mortalities disposal methods identified: Rendering	The applicant will render mortalities, which is an acceptable method of disposal. The applicant must keep the carcasses secure from scavengers, and ensure they are delivered to a rendering plant within four days after death unless refrigerated or frozen.	ECC
14	Setback Distances from Manure, Livestock, and Mortalities to Water and Operation Boundaries	The applicant has indicated that all setback distances meet minimum requirements set out in the Livestock Manure and Mortalities Management Regulation.	ECC
15	Building in Designated Flood Areas	Site is <u>not</u> within a Designated Flood Area. We have no concerns with this application.	MTI

Related Section in the Site Assessment		Related Provincial Requirements and Safeguards	Dept.
16	Odour control measures (project site)	The proponent has indicated that shelterbelts will be planted around the new earthen manure storage facility. Should odour become a problem for neighbouring residents, there is a complaints process under <i>The Farm Practices Protection Act</i> . 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. 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.	AGR
		There is no manure storage cover. Shelterbelts are to be planted around the new earthen manure storage facility. The proponent has also noted that the siting of the proposed EMS was undertaken to ensure that all minimum separation distances from residences and all designated areas are exceedingly met. The site selection was also in consideration of the prevailing North-West (and West-Southwesterly summer winds) to minimize odour. Section 116(2) of <i>The Planning Act</i> allows municipal councils to require a manure storage cover and the establishment of shelterbelts as conditions of conditional use approval.	MNR
17	Land Available for Manure Application	The estimated land requirement for Delta Colony is 5,178 acres for the phosphorus or 4,938 acres for the nitrogen, whichever is higher. Delta Colony has satisfied the land requirement by demonstrating that they have access to 6,057 suitable acres. Additional details can be found in the appendix.	AGR
		The spread fields are located within the Municipality of WestLake-Gladstone and the Municipality of North Norfolk. The spread fields located in the Municipality of WestLake-Gladstone are designated Agriculture and comply with Policies 5.2. A.2 and A.3 (Livestock Policies) of the Municipality of WestLake-Gladstone Development Plan By-law 2019-04. The spread fields located in the Municipality of North Norfolk are designated Rural/Agriculture Policy Area and comply with Section 3.3.3 Livestock Policies of the Municipality of North Norfolk Development Plan By-law 121/2025. The proposed spread fields are zoned "AG" Agriculture General in the Municipality of WestLake-Gladstone (Municipality of WestLake-Gladstone Zoning By-law 2020-02) and are zoned "R/A" Rural/Agriculture in the Municipality of North Norfolk (Municipality of North Norfolk Zoning By-law 132-2026). The zoning in both Municipalities support agricultural activity.	MNR
18	Setbacks for Manure Application	Under the Livestock Manure and Mortalities Management Regulation, manure spreading must meet setback distances to all surface watercourse and groundwater features.	ECC

Related Section in the Site Assessment		Related Provincial Requirements and Safeguards	Dept.
19	Manure Transportation and Application	Please be advised that any structures placed within the controlled area of PTH 34 (125 ft from the edge of the right-of way) requires a permit from our office. For permit information, please email accessmgmt@gov.mb.ca or call 204-583-2433. Permit information can also be found at https://forms.gov.mb.ca/highway-permits-application/index.html. The placement of temporary drag lines or any other temporary machinery/ equipment for manure application within the right-of-way of any PTH 34 requires permission from Manitoba Transportation and Infrastructure's Brandon Office. Please contact Brian Hickman, Regional Planning Technologist, at (204) 726-6822 or (204) 573-7009 or Brian.Hickman@gov.mb.ca. Please also notify the Regional Planning Technologist for the placement of temporary draglines or other temporary equipment for manure application within the controlled area of PTH 34 (125 ft from the edge of the right-of-way).	MTI
		Under the Livestock Manure and Mortalities Management Regulation, the applicant must: - 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. - Follow requirements for the land application of manure, including nitrogen limits and phosphorus thresholds.	ECC
20	Manure Application on Lands Subject to Frequent Flooding or Inundation	The applicant has indicated that no spread fields are located within the Red River Valley Special Management Area or any other regularly inundated area.	ECC
21	Projected Truck Haul Routes and Access Points	The proposed truck haul route utilizes an existing Government Road Allowance connecting onto PTH 34. We don't anticipate a significant increase in use and have no concerns.	MTI
		The proposed site is accessed from municipal road 69W. The proposed truck haul routes use municipal road 72N and PTH 34. As per Section 116(2) of <i>The Planning Act</i>, 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

Related Section in the Site Assessment		Related Provincial Requirements and Safeguards	Dept.
22	Conservation Data Centre Report	<u>Provincial Requirements</u> Known rare species will not be impacted on new site/lands. <u>Related Provincial Safeguards</u> 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 <i>Species at Risk Act</i> 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. However, many areas of the province have never been thoroughly surveyed and the absence of data in any particular geographic area does not necessarily mean that rare or endangered 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

The TRC received no public comments for this application.

E. CONCLUSIONS AND RECOMMENDATIONS

Conclusion

The information contained in the Site Assessment submitted by the proponent generally meets provincial requirements. 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

Hearing Notice

1. As per Section 114(2) of *The Planning Act*, at least 14 days before the date of the hearing, the Council must:
 - a) Send notice of the hearing to
 - i. the applicant,
 - ii. the Minister (c/o the Portage la Prairie Community Planning Office),
 - iii. all adjacent planning districts and municipalities, and
 - iv. 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;
 - b) Publish the notice of hearing in one issue of a newspaper with a general circulation in the municipality or, when there is no newspaper with a general circulation in the area, post the notice in the office of the municipality and at least two other public places in the municipality;
 - c) 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*;

Instructions for the Resolution and/or Conditional Use Order

1. Include the following basic information:
 - a) Legal land location,
 - b) The current and proposed number of animals and Animal Units in each livestock category,
 - c) The current and proposed total Animal Units for the operation,
2. After holding the public hearing, Council may approve the application if the criteria listed in Section 116(1) of *The Planning Act* have been met. As such, the following should be included in the Board/Council's Resolution and/or Conditional Use Order:

"The Technical Review Committee has determined, based on the 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, measures and safeguards.

The proposed operation:

- i. Will be compatible with the general nature of the surrounding area,
- ii. Will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area, and
- iii. Is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law.”

3. Conditions:

- a) The Council may impose conditions to ensure conformity with the development plan and any secondary plan.
- b) The Council may require the owner of the affected property to enter into a development agreement dealing with the affected property and any contiguous landowner or leased by the owner, on one or more of the following matters:
 - i. The timing and construction of any proposed building,
 - ii. The control of traffic
 - iii. The construction or maintenance—at the owner’s expense or partly at the owner’s expense—of works required to service the livestock operation, including roads, traffic control devices, water servicing, site drainage, fencing, landscaping or shelter belts,
 - iv. The payment of a sum of money to the municipality to be used to construct anything mentioned in subclause iii. above.
- c) The Council may impose one or both of the following conditions intended to reduce odours from the livestock operation:
 - i. Requiring covers on manure storage facilities,
 - ii. Requiring shelter belts to be established;

Note: No conditions may be imposed respecting the storage, application, transport or use of manure from a livestock operation other than the condition listed in 3.c) i. and ii. above.

4. Additional information to be included in the Council’s Resolution and/or Conditional Use Order:

- a) “As per Section 118 of *The Planning Act*, no development or expansion of a livestock operation that is the subject of an application under Part 7, Division 2 may take place until
 - i. The application is approved and the applicant complies, or agrees to comply, with any condition imposed on the approval under this Division; and
 - ii. 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.”
- b) If the Council imposes conditions or rejects the proposal, please include the following notice in the Resolution and/or Conditional Use Order:

“Under Section 118.2(1) of *The Planning Act*, the applicant may appeal a decision of the Council to reject or impose conditions on the application to the Municipal Board. An appeal must be made within fourteen days of the date of this [RESOLUTION/ORDER] by mailing a notice of appeal to: **The Secretary of the Municipal Board**, at 1144-363 Broadway, Winnipeg, Manitoba, R3C 2N9.

The appeal must include your name, address, a copy of this [REJECTION/APPROVAL WITH CONDITIONS INCLUDING AN INDICATION OF THE CONDITION(S) YOU ARE APPEALING], and a filing fee of \$200.00, payable to the Municipal Board.”

5. As per Section 117 of *The Planning Act*, the Council must send a copy of its Conditional Use Order to the applicant, the Minister (c/o the Portage la Prairie Community Planning Office), and every person who made representation at the hearing.

Further Information for the Council

1. The 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 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.
2. That as per Section 118.2(2)(b), an applicant may appeal the following decisions of a board or council to the Municipal Board respecting an application for approval of a conditional use:
 - i. a decision to reject the application,
 - a decision to impose conditions.

F. TECHNICAL REVIEW COMMITTEE MEMBERS

Name	Department	Title <i>Branch</i>	Contact
Holly Ervick-Knote	Municipal and Northern Relations	Senior Planner <i>Community Planning Services Branch</i>	204-945-1312 holly.ervick-knote@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
Karin Newman	Natural Resources and Indigenous Futures	Habitat Mitigation Specialist <i>Wildlife Branch</i>	431-844-1625 karin.newman@gov.mb.ca
Jeff DiNella	Transportation and Infrastructure	Senior Development Review Technologist <i>Highway Planning and Design Branch</i>	204-430-7176

Appendices

Manitoba Agriculture – Sustainable Agriculture Branch

In areas of lower livestock intensity, such as the RM of WestLake-Gladstone and North Norfolk, 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 livestock were used to estimate nutrient excretion by the livestock at Delta Colony. Ten-year crop yield averages from the Manitoba Agricultural Services Corporation (MASC) for soils G and H in the RMs of WestLake-Gladstone and North Norfolk 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. Detailed soil survey is available in the area to determine the agriculture capability of the land. The soil survey indicates the land is Classes 2 to 5. Wetness (W) and lack of moisture (M) are the primary limitations in the area.

The estimated land requirement for Delta Colony is 5178 acres for the phosphorus or 4938 acres for the nitrogen, whichever is higher. Delta Colony has satisfied the land requirement by demonstrating that they have access to 6057 suitable acres.

Natural Resources and Indigenous Futures - Lands Branch

The Lands Branch has reviewed the Delta Colony (West Plains Holding Company Ltd.) TRC pre-screening request. Based on the information provided and the records available in the Crown Lands Registry System, the review indicates that there are no impacts to Crown land administered under The Crown Lands Act.

Natural Resources and Indigenous Futures – Fisheries Branch

Fisheries Branch staff have reviewed the proposal and advise that if the proponent adheres to all mitigative measures prescribed by ECC to protect surface waters and riparian habitats, we have no additional concerns with the proposal as described.