

To: Warden and Members of County Council

From: Director of Public Works

Encroachment Agreement - Liquid Manure Transmission Line, Oxford Road 10

RECOMMENDATION

- 1. That By-law No. 6513-2023, being a by-law to authorize staff to enter into an encroachment agreement with Compass Dairy Farms for the installation of a liquid manure transmission line under Oxford Road 10 (Culloden Line) north of Daniel Road, be presented to Council for enactment.**

REPORT HIGHLIGHTS

- The purpose of this report is to seek County Council authorization, through the adoption of By-law No. 6513-2023, to enter into an encroachment agreement with Compass Dairy Farms for the installation of a liquid manure transmission line under Oxford Road 10 (Culloden Line) north of Daniel Road.
- In order to protect the County's Right-of-Way infrastructure and sufficiently manage any liability risk, installation of the liquid manure pipeline by Compass Dairy Farms will be subject to specific standards as outlined in Schedule A of the proposed by-law.
- The proposed transmission line will eliminate the use of agricultural equipment to transport livestock waste (liquid manure) between farming operations via Township and County roads, thus preventing traffic conflicts and reducing greenhouse gas emissions (GHG).

Implementation Points

Upon County Council adoption of the proposed by-law, staff will execute an encroachment agreement with Compass Dairy Farms and ensure that all standards and requirements are satisfied for the installation of the liquid manure transmission line under Oxford Road 10 (Culloden Line).

Financial Impact







Other than staff time, there are no financial impacts associated with entering into the encroachment agreement. All engineering, construction and legal costs will be the responsibility of Compass Dairy Farms.

Communications

Oxford County Water and Wastewater Services staff were consulted and advised of the request to install a liquid manure pipe crossing under Oxford Road 10 (Culloden Line). Because this pipe crossing location is not within any municipal source water protection areas or proximal to open watercourses, it does not pose any apparent risk to groundwater supply sources. Accordingly, Compass Dairy Farms is not required to obtain any necessary environmental approvals for this crossing other than what is stipulated under the proposed Oxford County By-law standards.

County staff will provide this report to the Township of South-West Oxford given the location of the proposed undertaking and associated elimination of liquid manure hauling by Dairy Farms on both County and Township road networks.

Strategic Plan (2020-2022)

					
<i>WORKS WELL TOGETHER</i>	<i>WELL CONNECTED</i>	<i>SHAPES THE FUTURE</i>	<i>INFORMS & ENGAGES</i>	<i>PERFORMS & DELIVERS</i>	<i>POSITIVE IMPACT</i>
1.i.		3.iii.			

DISCUSSION

Background

Oxford County staff was contacted by Compass Dairy Farms requesting permission to install a liquid manure transmission line under Oxford Road 10 (Culloden Line), north of Daniel Road to transfer livestock waste between farming operations on either side of Oxford Road 10 (refer to map included as Attachment 1). The transmission line would be used to transfer liquid manure generated from the dairy operations to the opposite side of the road for field application and would eliminate the need for hauling liquid manure tanks with large farm equipment via the Township and County roads.

Comments

There are a number of benefits in allowing the installation of a liquid manure transmission line under Oxford Road 10 (Culloden Line) compared to the current method of utilizing large agricultural equipment to transport liquid manure via Township and County roads.

The anticipated benefits include the following:

- Eliminates the risk of a spill onto Township and County roads as a result of the Owner's negligence or potential traffic collision;
- Eliminates any potential traffic conflicts/safety risks;
- Reduces impacts on the road network from large agricultural equipment use;
- Reduces greenhouse gas (GHG) emissions from farm equipment; and
- Supports sustainable farming practices (nutrient management).

There are some potential risks to the County's road infrastructure associated with the installation of a liquid manure pipe crossing under Oxford Road 10 (Culloden Line), which include the possibility of a pipe failure or content leak within the road allowance. Consideration must also be given to the future removal of the pipe crossing or decommissioning within the road allowance at the end of its useful life, when it is no longer required or upon the request of Compass Dairy Farms or the County.

In order to protect the County's infrastructure and liability risk, staff have developed standards to be adhered to for the encroachment of the proposed transmission line under the County road (Attachment 2). The standards outline the design, installation, maintenance and operational requirements of Compass Dairy Farms for the liquid manure pipe located in the County road allowance, and are also included as Schedule A in the proposed County By-law.

Of note, installation of the liquid manure pipe will conform to the standards which includes design by a Professional Engineer, installation requirements (i.e. trenchless jack and bore construction of manure pipe within a steel casing pipe), environmental considerations, automated system shutdown requirements in the event of pipe failure (i.e. automatic pipe system shutdown within 1 minute of spill/leak detection) and semi-annual hydrostatic testing.

Compass Dairy Farms would be required to enter into an encroachment agreement (Attachment 3) with the County that identifies terms and conditions including termination by either party. The Owner would also be responsible for registering the agreement on title so that it is transferable with any future change in property ownership.

Conclusions

Staff supports the Owner's request for installation of a liquid manure transmission line across Oxford Road 10, subject to the terms and conditions of an encroachment agreement and specified standards. There are clear benefits to permitting the installation of the transmission line including road safety, elimination of adverse environmental impacts from a potential spill, and reduced GHG emissions.

Pipe installation conformance to the proposed County Standards for Liquid Manure Pipelines on County Roads and an encroachment agreement registered on title will sufficiently mitigate the County's liability and risk while supporting vital agricultural activities and sustainable farming practices.

SIGNATURES

Report Author:

Original signed by:

Shawn G. Vanacker, C.Tech. CRS-S, CMM III
Supervisor of Transportation

Departmental Approval:

Original signed by:

David Simpson, P.Eng., PMP
Director of Public Works

Approved for submission:

Original signed by:

Benjamin R. Addley
Interim Chief Administrative Officer

ATTACHMENTS

Attachment 1: Map of Proposed Location of Liquid Manure Pipe Crossing, February 10, 2023
Attachment 2: Standards for Liquid Manure Pipelines on County Roads, February 10, 2023
Attachment 3: Encroachment Agreement for a Liquid Manure Pipeline, February 10, 2023