

## **SUMMARY OF COMMENTS/RECOMMENDATIONS**

**PROPONENT:** DAUPHIN CONSUMERS CO-OPERATIVE LIMITED  
**PROPOSAL NAME:** BULK MATERIAL HANDLING FACILITY  
**CLASS OF DEVELOPMENT:** 1  
**TYPE OF DEVELOPMENT:** Bulk Material Handling Facility  
**CLIENT FILE NO.:** 6213.00

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**

Dauphin Consumers Co-operative Limited submitted a proposal dated December 13, 2023, on December 15, 2023, for the construction and continued operation of an anhydrous ammonia tank farm in the Rural Municipality of Dauphin. The proposed development will consist of the construction and operation of three new anhydrous ammonia tanks, expanded gravel yard, storage area, and an office building.

The proposal was advertised in the Dauphin Herald on January 23, 2024. It was placed in the online Public Registry as follows: <https://www.gov.mb.ca/sd/eal/registries/6213/ad.pdf>

The proposal was distributed to Technical Advisory Committee (TAC) members on January 22, 2024.

The closing date for comments from members of the public and TAC members was February 22, 2024.

### **COMMENTS FROM THE PUBLIC**

As no public comments were received, a public hearing is not recommended.

## **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/6213/index.html>

Table 1 Dauphin Consumers Co-operative Limited – bulk material handling facility  
Technical Advisory Committee Comments

<b>No</b>	<b>Technical Advisory Committee Member</b>	<b>Response Provided</b>
1	<b>Environment and Climate Change</b>	
	Environmental Approvals Branch	
	• Air Quality Management	No response
	Environmental Compliance and Enforcement Branch	February 22, 2024
	Drainage and Water Rights Licensing Branch	January 29, 2024
	Water Science and Watershed Management Branch	January 22, 2024
	• Water Quality Management Section	No comment
	• Groundwater Management Section	No response
	Climate Change and Clean Technology	February 12, 2024
	Parks Branch	No response
2	<b>Economic Development, Investment, Trade and Natural Resources</b>	
	Wildlife and Fisheries Branch (wildlife)	January 23, 2024
	Wildlife and Fisheries Branch (fisheries)	No response
	Forestry and Peatlands Branch	January 22, 2024
	Lands and Planning	No response
	Crown Land Specialist	No response
	Mines Program (Branch)	January 30, 2024
	Petroleum Program (Petroleum)	February 9, 2024
	Lands Branch	No response
3	<b>Sport, Culture, Heritage and Tourism - Historic Resources Branch</b>	January 23, 2024
4	<b>Municipal and Northern Relations</b>	
	Community Planning Branch	No response
	Office of the Fire Commissioner	No response
5	<b>Labour and Immigration - Inspection and Technical Services</b>	February 20, 2024
6	<b>Transportation and Infrastructure - Environmental Services and Consultation Branch, Highway Design</b>	February 5, 2024, February 26, 2024
7	<b>Health, Seniors and Long-Term Care – Prairie Mountain Health</b>	February 14, 2024

### **Drainage and Water Rights Licensing Branch**

It is determined that the depiction of Dryland Agricultural Capability Class 6T on MB Agrimaps is in error and should follow the meanders of Salt Creek. As such, this does not restrict the expansion and development of the Dauphin Anhydrous Tank Farm and therefore there are no concerns from Drainage and Water Rights Licensing.

#### **Disposition:**

The comment was forwarded to the proponent for information.

### **Wildlife and Fisheries Branch**

- The following are species that have been previously identified near the project location:
  - Red-headed Woodpecker (Threatened)
  - Sprague's Pipit (Threatened)
  - Bobolink (Threatened)
- As mentioned in the EAP, prior to development there should be a survey conducted in the project area for any presence of nest sites to ensure there is no unnecessary destruction of nests. These surveys would need to be conducted during the breeding season from April 15<sup>th</sup> – August 15<sup>th</sup> in order to encompass the entire breeding seasons of each of these species mentioned above. If nests are found, proper set-back distances should be placed as recommended by the Manitoba Conservation Data Centre for the given species.
- Additionally, if development is to occur between March 15<sup>th</sup> – May 15<sup>th</sup>, A sharp-tailed Grouse survey should be conducted on the project location for the presence of Leks to avoid unnecessary disturbances to breeding grounds. Lek surveys would need to be conducted between half-an-hour before sunrise to 2 hours after sunrise. If Leks are found, proper set-back distances should be placed as recommended by the Manitoba Conservation Data Centre.
- If temporary fencing is to be used for the perimeter of this project location, it is highly recommended to use fencing that is **8 feet in height from ground to top** to avoid ungulates such as Deer and Elk from jumping over and becoming trapped within the project site.

#### **Disposition:**

- The project is in an existing site; thus, the survey is not necessary. Clause 27 of the draft environment act licence requires the licensee to comply with the requirements of the Fertilizer Canada Anhydrous Ammonia Code of Practice which includes code fencing requirements.

### **Sport, Culture, Heritage, and Tourism - Historic Resources Branch**

If at any time heritage resources are encountered in association with these lands during testing and development, the Historic Resources Branch may require that an acceptable heritage resource management strategy be implemented by the developer to mitigate the effects of development on the heritage resources.

#### **Disposition:**

- The comment was forwarded to the proponent for information and their action as necessary.

- Clause 14 of the draft environment act licence requires the licensee to comply with the requirements of The Heritage Resources Act.

### **Labour and Immigration - Inspection and Technical Services**

The following recommendations from Inspection and Technical Services are forwarded to the proponent:

- Obtain all required building, plumbing, and occupancy permits from the authority having jurisdiction for the construction of the office building.
- Comply with The Steam and Pressure Plants Act and Regulation for any pressure and refrigeration equipment.

### **Disposition:**

The recommendations were forwarded to the proponent.

### **Health, Seniors and Long-Term Care**

The following comments from Health, Seniors and Long-Term Care – Manitoba Health/Prairie Mountain Health are forwarded to the proponent.

- No concerns provided that the licence will include the usual measures to prevent negative impacts on human health through activities/events that affect potential exposure pathways (e.g., air, soil, water (surface & ground), etc.).

### **Disposition:**

Standard licence conditions are included in the draft licence.

### **PUBLIC HEARING**

As no public comments were received, 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 Dauphin Consumers Cooperative Ltd. Bulk Material Handling Facility licensing decision. The project would occur on privately owned land that is currently disturbed and used for agricultural crop production.

## **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 Western Region of the Environmental Compliance and Enforcement Branch.

Prepared by:

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March 21, 2024

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