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**TO:** Manitoba Conservation and Water Stewardship  
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**FROM:** Theodore E. Snure P. Eng.  
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**SUBJECT:** Response to Environment Act Consultation Document

Enclosed find my response to the questions contained in "The Road to  
Enhancing Environmental Protection in Manitoba" document. If you wish  
clarification on any of my responses I can be reached at

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## 1.) Environmental Assessment guidelines

**Question (1):** How can EIS guidelines be improved to facilitate thorough environmental assessment of proposed developments?

**Response (1):** The first step would be to have a clear definition of “Environmental Assessment” and be two separate and distinct portions of a development proposal.

The Environment Assessment process should be the identification and discussion of the environment, societal and economic effects of a project. The Guideline document should be based on these three issues.

Out of the assessment process the opportunities for Environment societal and economic impacts would be identified thus a potentially different set of guidelines which leads to the production of an environmental societal and economic impact statement which not only identifies impacts but also lists mitigation measures which will cause the project to be acceptable to the societal majority.

**Question (2):** How should the content of the existing guidelines be enhanced in ways that provide a clear environmental protection benefit?

**Response (2):** The guidelines cannot be viewed as a document which will provide a clear environmental protection benefit.

The environmental protection benefit comes from the proponent providing a clear, concise development assessment which identifies and discusses the environmental, societal and economic effects of the project societal and economic would be identified and then a set of guidelines is established to ensure a quality impact statement is supplied by the proponents.

Through both the assessment and impact statement of the environmental evaluation process the guidelines need to be generic so the broad topics are covered assessment phase and then be project specific during the impact statement phase.

**Question (3):** What should be included in the roles and responsibilities of the TAC?

**Response (3):** The TAC roles and responsibilities need to be expanded beyond “...experts in a wide range of fields and they provide a very high level of scrutiny...ensuring environmental protection...Their input ensures that each and every component of the ecosystem is considered...They need to look at the whole proposal as a group and consider environmental societal, and economic impacts and the mitigation measures proposed when those impacts are adverse to the environmental, societal, and economic needs.

**Question (4):** Are there any other agencies that should be included as representative on TAC?

**Response (4)** It is difficult to say when the document simply describes TAC as "...provincial and federal government specialists..." If those specialists do not include expertise in societal and economic issues then TAC should be expanded to include said experts.

## 2.) Licensing Process

**Question (5):** Should we maintain the current classes of Development?

**Response (5):** The current classes of development are adequate.

**Question (6):** should there be flexibility as to how developments are categorized to allow for the inclusion of new developments that are the result of emerging technological advancements?

**Response (6):** Yes there needs to be flexibility as to how developments are categorized or there needs to be a way to categorize a project as a subset of a development in a specific class of development in a specific class of development. Through the environmental/assessment process environmental, societal, and economic effects of the development would identify the changes in technology and/or the emergence of a new industry as a subject to a specific class of development.

This somewhat exists now if you look at the licensing of a wastewater treatment facility and the licensing of the disposal of the bio solids from that treatment plant.

**Question (7):** which activities should be included in the licensing process?

**Response (7):** Only those activities which have a negative impact and require mitigation measures to protect the environment, societal, and economic states the proposed development will influence.

**Question (8):** Under which circumstances should a licence be reviewed, renewed or altered?

Should the circumstances be related to time, changing conditions or other factors?

**Question (8):** Some licenses will need to be renewed reviewed or altered and some will not. I think the way to determine this would be through periodic examination of the development through the environmental societal, and economic assessment I discuss in question (1). This assessment could be compared with the original assessment. If there are significant changes to how the development operates or there is the potential for new environmental, societal and economic impact the process continues through to a license renewal, alteration, or in the extreme case an entirely new license.

**Question (9):** How do we ensure that the appeals process remains effective for the greater benefit of society?

**Response (9):** The appeals process needs to fundamentally change. In order for the appeal process to be for “the greater benefit of society” a tribunal hearing board with representation from environmental societal, and economic sitting to hear the appeal is essential.

### 3.) Enforcement

**Question (10):** How can Manitoba more effectively enforce the provisions of the Environment Act?

**Response (10):** A fee system similar to what workers compensation has should be considered. Each license issued would be required to pay an annual fee. The fee would raise or lower based on the noncompliance record of the license. The parameters for the fee and related rise and fall could be enshrined in each license. This then gives the license some feeling of control and responsibility for the occasional excursion from a license requirement base on the severity of impact on the environmental, societal and economic states the development influences.

**Question (11):** what do you think about the expansion of penalty provisions?

**Response (11):** Rather than a monetary penalty or in conjunction with a monetary penalty why not look at requiring the delinquent development to undertake some type of community service for the environmental societal, and/or economic areas that the development influences.

### 4.) Public Engagement

**Question (12):** Are current forms of communication (e.g. local newspaper advertisements and public registry) effective at conveying information to the majority of Manitobans? Are there any other effective forms of communication?

**Response (12):** Yes the current forms of communication are effective.

**Question (13):** Are there any other ways to enhance public engagement/ please explain.

**Response (13):** Those who want to be engaged will be and those who don't will cry foul. It is impossible to know individual preferences. A good easy web access portal for today's technology is the best supplement to old school newspaper advertisement.