PETITION TO STOP THE REMOVAL OF WATER FROM THE SANDILANDS AQUIFER by the PEMBINA VALLEY WATER COOPERATIVE

TO: Tracy Braun, Director, Environmental Assessment and Licensing Branch

Stan Struthers, Minister of Conservation

We, the undersigned, live in the area of the proposed water taking and the groundwater source is extremely important to us. We are very concerned about water being moved from our area to another part of the province without adequate proof that our private wells, and the aquifer will not be affected by this removal, now and in the future. We are therefore requesting that this project be stopped until such time as it is proven that the removal of water from the Sandilands aquifer will not negatively affect all of us who make this area our home.

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Stan Structhers, Minister of Comervalies

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Printed Last Name	Printed First Name & Initial	Address	Signature	Date Signed
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TO: Tracy Bresse, Division, Eartreaments Assessed and Licensing Breach

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Webb, Bruce (CON)

From: Dennis [denlor@wiband.ca]

Sent: Monday, February 06, 2006 2:04 PM

To: Webb, Bruce (CON)

Subject: Pembina Valley Sandilands Water Supply

Mr. Bruce Webb:

I would like to express **my objection** to this proposal proceeding without further studies on potential long term effects on our aquifer. There should also be some form of sufficient reimbursement to the Municipalities in our area should a future decision be made to go ahead with the project.

Yours sincerely

Dennis Konchak

Holmgren Homes Inc. Highway 12 P.O. Box 50 Saragua, Manitoha

Sprague, Manitoba R0A 1Z0

Tel: 204-437-2023 Fax: 204-437-2561

E-Mail: ehslk@mts.net

Website: www.holmgrenhomes.com

Webb, Bruce (CON)

From: Dennis [denlor@wiband.ca]

Sent: Monday, February 06, 2006 2:12 PM

To: Webb, Bruce (CON)

Mr. Bruce Webb: 6

Re:Pembina Valley Water Supply From Sandilands

We feel that without further in depth engineering studies on the impact of such a project on the aquifer which serves our area, that this project should definitely not be allowed to proceed. Moreover, should such studies prove the feasibility of the project, the municipalities of our area should be appropriately reimbursed.

Yours sincerely

Dennis & Lorelei Konchak P.O. Box 50 Sprague, Manitoba R0A 1Z0 204-437-2023

E-Mail: hhi@wiband.ca



CITY OF STEINBACH

225 Reimer Ave., Steinbach, Manitoba R5G 2J1 Phone 1-204-326-9877 Fax 1-204-346-6235

Mayor Les Magnusson

Councillors:
David Banman

Anne Friesen Chris Goertzen Dwight Reimer

Art Rempel
Elbert A. Toews

City Manager Jack Kehler

City Secretary Wendi Friesen

City Treasurer
Troy Warkentin

February 2, 2006

Honourable Stan Struthers Minister of Conservation 330 – Legislative Building Winnipeg, Manitoba R3C OV8

Tracey Braun, Director

Environmental Assessment & Licensing Branch

Manitoba Conservation 123 Main Street – Suite 160 Winnipeg, Manitoba R3C 1A5

Dear Mr. Struthers and Ms. Braun,

Re: Pembina Valley Water Cooperative Inc.

Supplemental Groundwater Supply System (File 5156.00)

The City of Steinbach herewith registers several concerns on the proposal of the Pembina Valley Water Cooperative Inc. While voicing these concerns, the City of Steinbach recognizes that the residents of Pembina Valley should have a stable and secure water supply. The issue is whether, at some time in the future, this security of water supply to Pembina Valley will come at the expense of residents of south eastern Manitoba, who may have the sustainability of their water aquifer diminished.

The City of Steinbach feels that the preliminary research was well done based on the permit request of drawing 50 liters per second from the aquifer, and based on the intended use during drought conditions. Based purely on those two criteria, the City has no issues.

Due to the short notice of responding by February 6th, the City has not had adequate time to thoroughly investigate the technical aspects of this proposal. The City is therefore seeking information that might address its concerns.

TEB 0 6 2006 DIRECTOR

BW



CITY OF STEINBACH

225 Reimer Ave., Steinbach, Manitoba R5G 2J1 Phone 1-204-326-9877 Fax 1-204-346-6235

Page two

Mayor Les Magnusson

Councillors:
David Banman
Anne Friesen
Chris Goertzen
Dwight Reimer
Art Rempel
Elbert A. Toews

City Manager Jack Kehler

City Secretary
Wendi Friesen

City Treasurer Troy Warkentin The City of Steinbach's concerns deal with the lack of definition and limits on the term "drought condition". Steinbach feels that a time limit should be considered as part of the approval process, say limiting access to the wells for no more than four months per year at the 50 litres per second and that water be drawn only in case of emergency. Also, Steinbach has a concern with the 50 litres per second being exceeded in the future, and possibly becoming a prime source of water, as it is common sense that a well source is much less costly to treat than water from the Red River. The study also makes no mention of restrictions on using the aquifer for irrigation and livestock purposes.

This combination of not restricting the use, disallowing irrigation or other farm use, recharge of the aquifer being dependent on climate, and no limit on the maximum potential amount of withdrawal, could all impact the rate of recharge, which in turn could have an impact on the City of Steinbach. The worse case scenario is not identified, and there are no guarantees of supply. The sustainability of the ground water supply cannot be related accurately to the recharge rates. There appear to be many variables that have not been addressed.

The City of Steinbach requests additional information on the following questions and whether conditions are being attached to the license:

- (1) Is there consideration that the operation should not be allowed to evolve into a prime supply source in the future?
- (2) Is the operation going to be limited to a certain number of months per year?
- Is the operation going to be limited to a maximum amount of water that can be drawn on an annual basis?
- (4) Will the license allow for agricultural uses and irrigation?

Thank you.

Yours truly,

Jack Kehler City/Manager

CITY OF STEINBACH

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Thank you for your

Our concerns have to be addressed

directly.

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Dear Mr. Bruce Webb: &

Monday 6, 2006

Tracey Braun
Director, Environmental Assessment & Licensing Branch
Manitoba Conservation
160-123 Main Street
Winnipeg, Manitoba
R3C 1A5

BW

February 2,2006

Dear Ms. Braun,

Re: File #5156, Pembina Valley Water Co-operative (PVWC) Water Supply Proposal. I urge the province to hold Clean Environment Commission Hearings on the above proposal, to address deficiencies and discuss alternatives.

In 1993, the Pembina Valley Co-op wanted to take a potable water supply from the Assiniboine River for the region's needs. Although this proposal specified supplies for per capita use, the figures on irrigation expansion told a different story - that water was brought in for one purpose ostensibly (domestic,) but was in reality to be used to support industry (development.) Federal and provincial regulators and the public were not fooled. This same Co-op wants to tap into groundwater for an ostensible drought, now, but this supply may be diverted to attract local industrial development that is unsustainable, and environmentally harmful. That's a large concern.

It's easy to get the Pembina Valley Development Corporation mixed up with the Co-op. The PVWC isn't well defined in this proposal's supporting material and is interchangeable with its development arm on the web page. The word drought can also be substituted with the word development as a motive in this proposal. That's not confidence inspiring and it may benefit some communities but harm others. That's not for the common good.

By using their own funds, the PVWC has avoided federal scrutiny (with the exception of needing DFO approval for construction around fish bearing waters.) In the last go-round, the proponent was scolded. Projections were viewed as 'unlikely' by the federal Inland water department. Projections aren't established in this proposal. Given the lack of documentation and/or science for the projected drought or unidentified possible contamination in the current proposal, I would say it's unlikely the PVWC can push through a pipeline to a new communal source of water beneath Sandilands without strong opposition. I'm not convinced of the need for a new source of water.

It's interesting that PVWC offers so little in the way of concrete information in the files that go with the proposal. I needed help to interpret the multitude of maps, but, as a citizen expert on water, I found substance was lacking, in particular with erosion control plans. Standards were minimum. I still have questions about what a drawdown of this nature will do to the aquifer, where the recharge areas are located and how these will be protected, and estimates about how flows will survive being siphoned off to provide for per capita use during droughts.

In 1993, the PVWC states "The Pembina Valley Water Cooperative is committed to the promotion and implementation of water conservation measures within the project area to ensure that water is conserved and used in an efficient and cost effective manner." How was this carried out? Where are the water savings measures? Keeping a bottle of water in the icebox instead of running water until it gets cold is on the

list of suggestions this proposal offers. Since we live in a climate with cold weather six months of the year, one has to wonder how meaningful water conservation measures are in this region if this is used as an example. Low flow toilets save 8 gallons per flush. Are by-laws and building codes asking for these to be installed? Are rainwater saving and storing devices being used? Is urban and rural runoff in the spring being diverted and contained for supplemental supplies? Are swamps, sloughs, lakes and other wetlands being restored and preserved, or drained?

When there was a drought, or the cistern supplies of rainwater got low, my family made sure water was treated as precious on the farm. It was reused, recycled, conserved and preserved within the house, in the dugout, in the garden and on the farmyard. My grandfather had a large farm west of Morris and it's still in the family. And we still conserve water. How meaningful is a reprinted page of suggestions on conservation when so few examples exist in the PVWC community?

When existing (or perceived) supplies are low, PVWC looks beyond its borders for a clean new supply of water, reassuring us that no harm will come to existing users, the wildlife, the habitat, or the water the pipelines cross. But the proposal doesn't prove it. It just makes the claim. Groundwater nourishes a vast system of organisms. It's naïve to think we can use this water and not have other things go without, living things that we take for granted, like bacteria in the soil, the basic building blocks for what we eventually assign value to. I assign more value to the living things in on around and beneath the beautiful Sandilands forest area than I do to people washing their cars and watering their lawns in the cities, or fostering more harmful intensive livestock operations.

This proposal doesn't benefit me as a citizen of Manitoba. It's another proposal for water supply to a community that needs to learn to live within its means, conserve supplies, and prepare for drought using ten million dollars invested in conservation, surface retention and investing in non water consuming regional growth.

Indeed, the province of Manitoba is concerned with a proposal to supply water for a possible drought to the Fargo/Moorehead area in North Dakota. This is an interbasin transfer of water with severe repercussions to the health of the water in our province and our existing international agreements. One has to wonder why we would license a proposal to access new supplies for a possible drought here when we object to that proposal elsewhere. In both cases, the rationale for the project is suspect, and in both cases, the conservation or demand side management is missing, and in both cases, the proposals look to water that is already used by other communities and people and natural systems, making the claim no harm will be done when the proof is lacking.

If we do hold Hearings into this project, may I suggest limiting the time of presentations to fifteen minutes. The Hearings are a wonderful way for people to express themselves, but for everyone to be heard (and listened to) it's good to set limits.

Sincerely,
Original signed by
Lindy Clubb
Mixedwood Forest Society's Coordinator
North American Stormwater and Erosion Control Association's Resource Person

Webb, Bruce (CON)

From:

John Kuryliw [jkuryliw@shaw.ca]

Sent:

Tuesday, February 07, 2006 11:38 AM

To: Cc: Webb, Bruce (CON)

grawbs@mts.net; bplusl@mts.net; alana@mts.net; Piney, R.M.

Subject: Response to the Pembina Valley Water Co-operative Proposal

Response to the Pembina Valley Water Co-operative Proposal

October 23, 1998 PEMBINA VALLEY WATER CO-OP TREATMENT PLANTS OPENED MORRIS, Man.--The Pembina Valley Water Co-operative, together with the federal and provincial governments, today officially opened the Morris Regional Water Treatment Plant and the expanded Red River Regional Water Treatment Plant at Letellier.

"These plants will support the growing level of diversification in the agricultural industry in the rural municipalities which Pembina Valley Water Co-operative serves," said Hoffman. "This investment will lead to a growing number of new full-time jobs. The plants themselves have created three additional full-time jobs in this region." Both water treatment plants will provide a reliable supply of high quality water to surrounding areas. The Morris plant handles 32 litres of water per second while the Letellier plant is capable of producing 100 litres per second. As a result, the plants, along with a newly installed network of pipelines, will support not only existing demands but also facilitate ongoing expansion of the region's agri-food industry. - 30 -

"Water plan draws opposition from conservation groups", Mon Feb 6 2006. By Aldo Santin (WFP)

"Sam Schellenberg, CEO of the Pembina Valley Water Co-operative, said his agency wants access to the aquifer in the event of a drought situation. Schellenberg dismissed criticisms of the agency's proposal, adding that it's very detailed and contains all the relevant information. "The proposal is very detailed and specific." He said the agency needs a supplemental supply of water in the event flows through the Red River reach drought proportions.

Schellenberg said dramatically low levels in the Red River in 1988 threatened the area. He also noted that the area serviced by the agency has seen a lot of development in the intervening years and it couldn't sustain a similar event.

Schellenberg said construction on the \$10-million pipeline could be completed within 12 to 24 months of the Conservation department approving the plan. "

By Don Radford Friday June 17, 2005

Winkler Times - Winkler city council has agreed to accept new limits on the amount of water it can draw from the Winkler aguifer but wants a comprehensive study of the water source.

Dear Mr. Bruce Webb.

Further to our telephone conversation, Feb, 06 2006, I would like to thank you for providing an oral synopsis of the proposal submitted by Pembina Valley Water Co-operative, to drain the Sandilands aquifer during "drought" conditions.

The study carried out by the Pembina Valley Water Co-operative, though comprehensive, is lacking.

My family and I have been landowners and residents of Badger and Woodridge since 1950, we have witnessed the drought cycles under much less duress placed upon the environment by development of agriculture and industry. The upper aquifer was dry as evidenced by the drying of dugouts, sloughs and local creeks. Wells into the lower aquifer with depths of greater than 100 feet also were dry, during these periods. The Pembina Valley Water Co-operative study appears to cover a significantly shorter time period, also during a time interval of record precipitation levels.

With reference to the above articles (excerpts) from various sources, there appears to be a state of "drought" which exists at present within the Pembina Valley Water Co-operative water network, and it also happens to be within the years of record setting precipitation. The City of Winnipeg is expanding the Floodway with that purpose in mind.

It is regrettable that development has overwhelmed the natural resources within the Pembina Valley Water Co-operative area, which is undergoing such rapid growth of agriculture and industry, however due to the lack of adequate management within the RM the resources from another would only perpetuate the problem.

Surface water that is available but not fully utilized due to contamination by agricultural and industrial waste, in the Pembina Valley Water Co-operative water area, would best benefit from the 10 million dollar purse by the construction of another water treatment facility and the implementation of responsible management for present and future development within the affected RMs. During this period of reflection and restructuring within the affected RM, residents and governing councils, would allow the Sandilands Aquifer (Whitemouth Lake Basin) to replenish itself within its' own natural cycle, thus also providing for a more comprehensive study with educational benefits to the affected residents and their councils.

To continue with the proposal raises a few questions,

1) during times of drought in the Sandilands Forrest Reserve who will pay for the digging of deeper wells and the appropriate pumping assemblies?

2) since the Pembina Valley Water Co-operative area surface water is contaminated for animal and human use, and the supplied water waste is also not treated, will the problem just be compounded further downstream?

Since these questions have not been addressed sufficiently within the Pembina Valley Water Co-operative proposal the element of doubt has been introduced:

- a) unforthcoming statistical evidence of purpose
- b) financial impact upon the residents of source RM
- c) lacking statistical data during drought condition on the aquifer.

In my opinion, another study done over a time period of at least a decade would provide a more concise understanding of the aquifer and various implications resulting during differing periods, also the purpose of a long term "guaranteable foresight in management" should be attained and practiced within the RMs involved.

Yours truly

John J. Kuryliw M.T. Volohatuke



February 6, 2006

Honourable Stan Struthers Minister of Conservation Room 330 Legislative Building 450 Broadway Avenue Winnipeg, Manitoba R3C 0V8

fax: 204.945.3586

Ms. Tracey Braun
Director, Environmental Assessment & Licensing Branch
Manitoba Conservation
Suite 160 – 123 Main Street
Winnipeg, Manitoba R3C 1A5
fax: 204.945.5229

Dear Ms. Braun and Minister Struthers;

Re: Public Registry File #5156.00 – Pembina Valley Water Cooperative Inc. Supplemental Groundwater Supply System

Manitoba Wildlands has reviewed the small amount of material filed by the Pembina Valley Water Cooperative (PVWC) regarding their proposed project to divert 50 L/s of water from the Sandilands area to Morris and eventually into the PVWC water distribution network. From a local perspective, this proposal has some very serious information deficiencies. From a provincial and international perspective, this proposal does not acknowledge, consider or address the potential to set precedents in Manitoba regarding water use and management, and water transfers and withdrawals. It also ignores larger public policy issues that have been emphasized as a priority by this government. Please accept this letter as a formal indication of our objection to this proposal and place it in the public registry file for this project.

Provincial / International Public Policy and Water Issues

Water Transfer – A Manitoba Precedent

One of our primary objections to this proposal is that the removal and diversion of water from one subbasin to another sets a precedent that is in open contradiction to Manitoba's legislation and public policy. Is PVWC filing this environmental proposal now because it would not be approved in the near future? If this is so then Manitoba Conservation and Manitoba Water Stewardship have a responsibility to uphold existing policy and the intent of those Acts triggered by this proposal.

Sh)



There is no precedent for this project, or any proposal that involves an inter-basin or sub-basin transfer of water, in Manitoba. The Agassiz Sandilands Uplands area is an extensive aquifer complex that extends from the Trans Canada Highway to the US border and from the Bedford Ridge to near Lake of the Woods. Setting a precedent that allows removal or diversion of water from this region into the Red River sub-basin would open the door for other large users to extract water from this aquatic ecosystem of ecological significance. A precedent could also have implications for groundwater resources all over the province.

The proponents also state that this project is the first phase; PVWC's "ultimate annual water requirement" (not under consideration in this application, but mentioned in the proposal) is 300 liters/sec (or about 7300 acre-ft annually). The proponents also refer to the potential for future construction of a water treatment plant along PTH#12, "as there is a potential to sell water to communities and rural municipalities along the way". Clearly, this proposal is the first step for a set of incremental projects with much larger environmental impacts potential. As such, both because of the potential for increased resource requirements by existing and potential future PVWC customers, and because this project could open the door for other/large water-users, this project warrants a process of careful consideration, where the Department of Water Stewardship is a full participant as the lead department responsible for water issues in Manitoba. This would augment the involvement of the Department of Conservation and the fulfillment of its important role and assessment obligations under the *Manitoba Environment Act*.

It is not clear from the materials filed whether a review by federal departments through CEAA has been undertaken. Clearly their determination is needed.

Full involvement of the Water Stewardship Ministry is also particularly important in light of the new Water Protection Act and because Manitoba Water Stewardship has placed heavy emphasis on watershed planning. The proposal does not address the issue of watershed planning at all, nor does it take into account the water needs of the towns, businesses and municipalities using the water supply which PVWC assumes is there for the 'taking'. Our recommendation would be that no further action be taken on this proposal until watershed plans are in place, and Manitoba's much touted Water Protection Act is fully operational.

There seems to be a pattern emerging that contradicts practice under Manitoba's *Environment Act*. Complete review comments from Manitoba government departments need to be available during the review of proposals by the public. Short memos are insufficient, particularly when provincial government responsibility involves more than one or two departments.

Staged Licensing

The fact that PVWC has indicated that its "ultimate annual water requirement" is 300 liters/sec (or about 7300 acre-ft annually), with the possibility of an expanded customer base and a new water



treatment plant, is a further complication to this proposal, which already demands careful scrutiny because of its precedent-setting nature.

As noted above, this proposed project is by the proponent's own admission part of a larger project to meet a greater long term need (from the proponent's perspective). In other words, if this proposal is assessed as it is currently being submitted, it will be the first stage of a licensing process of at least two stages (possibly more). Given the government of Manitoba's clear and unequivocal commitment to end staged licensing¹, the PVWC proposal can not be assessed in its current form. Full disclosure of the nature of the full project must be described and the full project must be assessed in a licensing process. Public notification under the Environment Act would be required.

We note that Manitoba does not have EIS standards for water pipelines, and such would need to be arrived based on the usual public review process.

International Implications

Given the uncertainty regarding pipelines to access water in the south east corner of Manitoba from North Dakota, a watershed and water management plan must be in place prior to any decisions on a project such as the one proposed by PVWC. The proposal by PVWC must also be considered in the context of Devil's Lake, the Garrison Diversion project, and the North Dakota Water Supply Project. The proposal does not acknowledge or discuss the possible broader implications of the Sandilands Diversion in relation to these other projects where the stakes are high in terms of jurisdiction, fundamental water rights and decision-making power.

Opportunity

Manitoba has an opportunity with this proposal to take a leadership role and establish standards of excellence regarding water sustainability and management. We also have a responsibility to protect our water resources and manage them responsibly; the enactment of the *Water Protection Act* and the provisions of the *Water Resources Conservation Act* are a testament to that commitment. Manitobans expect our government to fulfill the intent of these *Acts*.

Pembina Valley Water Cooperative (PVWC) Proposal Deficiencies

The proposal filed by PVWC is deficient in several ways and barely meets the informational requirements of Regulation 163/88 (The Licensing Procedures Regulation). We also note that the proposal does not in any way constitute a full Environmental Impact Statement (EIS). We are frankly surprised that it was allowed to go forward for review.

[&]quot;We are also committed to an environmental licensing process that follows the recommendations of the Sustainable Development Implementation Committee. This commitment includes . . . [a]n end to licensing developments in stages" (Please see '1999 Manitoba Election Promises' Page 2, September 4, 1999 located at: http://manitobawildlands.org/govern_elections.htm#mbelection)

Manitoba Wildlands continues the work of WWF Canada and Nature Canada for establishment of Manitoba Protected Areas.



Need for Water?

The PVWC proposal is lacking information to adequately explain or justify the need for the increased water supply. Information regarding current water use (or water budget) for the PVWC supply region is not provided in the proposal, nor are predictions for future use. This very basic information is an absolute minimum requirement and yet was not included by the proponent.

According to Sam Schellenburg (CEO, PVWC), the agricultural sector consumes over 50% of the water in the distribution network. Yet alternative water supply options, such as water soft paths, water retention ponds, and demand side management are not provided or considered in the proposal. This information is essential to the justification for the project. EIS guidelines for water pipeline proposals would include wate conservation standards.

Justification for the project aside, the project's objective of increasing the water supply to PVWC customers is supposedly to "alleviate water shortages during periods of drought or contamination due to accidental spills". First, we would like to know what sort of spills the proponent is referring to and why such risks are a concern. Second, no drought analysis has been performed and a sustainable annual yield has therefore not been calculated. The proponents assert that the Sandilands area is not susceptible to drought, but provide no information to justify this position (which would be discussed in a drought analysis). Further, interactions between the upper sand unit and the sandstone unit (two other identified aquifers above and below the lower sand unit) are dismissed, leading the proponent to conclude that no impacts will occur to the surface environment from the continuous withdrawal. We suggest that this conclusion is not substantiated by the information provided.

Lack of Data

The proponent admits in the proposal itself that little is known about the groundwater resource in this area. It states that, "Given that the aquifer (the lower sand unit which is under consideration) system is essentially undeveloped and very little information is available on the response of the aquifer to pumping, the estimation of a safe or sustainable yield is considered unwarranted and imprudent at the time." This is a serious information gap, given that the Sandilands region is an area of ecological importance and is the source of freshwater for five major watersheds in the province (Brokenhead River/Whitemouth River/Rat River/Seine River/Cooks Creek). There is also some evidence that the Sandstone and Carbonate Aquifers (two major bedrock aquifers in south central Manitoba) receive most of their recharge from the Sandilands upland area. In the absence of an admitted lack of data, the precautionary principle must be applied with respect to this project. Attempting to use lack of data as a basis to go ahead with a project is fairly odd – and certainly unacceptable.

In fact, words such as 'likely' and 'potentially' characterize the proponent's description of the three aquifers in the system, essentially rendering the little information that is provided meaningless. The proponents also state that the Lower Sand Unit aquifer system was selected because "it has a limited hydraulic connection with the surface environment within the area of influence of the well and there



fore the environmental effects of groundwater withdrawal would be minimized." However, a few paragraphs earlier, the especially unconfident sentence regarding the recharge of the Lower Sand Unit states: "Recharge of the aquifer is *likely* the result of the cumulative effects of small amounts of infiltration through the Upper Silt Unit over a very large area, and *potentially* the infiltration of water from the surface to the east in the St. Labre Bog area where the lower permeability Upper Silt Unit is absent." (emphasis added) This seriously doubtful information is an inadequate basis for filing a proposal for a project such as this. We would also point out here that if the area is affected by drought (which we don't know, since no drought analysis has been conducted), the recharge of this aquifer through the combined amounts of surface infiltration would be directly impacted, rendering it unsuitable to address the stated reasons for the additional water supply.

There is also no data in the materials filed about the current use of the Sandilands water resource. As this information is available, we have to ask why it was left out.

Figures and Maps

Natural Region context is missing from the maps and figures provided, as are municipal boundaries, watershed boundaries etc. Manitoba Conservation needs to immediately put in place standards for maps and figures in environmental proposal materials filed under the *Environment Act*. Hand drawn figures, with no source, date etc. are just one example in these materials of what should never been seen in materials for a public review. Maps included that show only the pipeline corridor are insufficient, and show a lack of understanding of EIS standards.

Protected Areas

The Pocock Lake Ecological Reserve is approximately 1.5 kilometers north of the proposed well site. The proponent states that "the studies conducted at this site have shown that the proposed groundwater withdrawal will not affect the water balance within the Pocock Lake Ecological Reserve, the Watson P. Davidson Wildlife Management Area, nor the Sandilands Provincial Forest". Further to our comments above regarding the inadequacy of information about the aquifers, we have no confidence in the proponent's assertion. We request that more information be provided to substantiate this claim.

Notwithstanding the uncertainty regarding impacts on protected areas, the PVWC proposal well is also located in a Manitoba Natural Region where there are many Areas of Special Interest (ASIs) under consideration for protected status, as well as many Mining Sector Consultation Rank One areas approved by mining sector and waiting for protection. In addition, most of these ASIs have been approved by Tembec for protected status. The status of all of these areas has remained unchanged for some time and no further consultation work has been done to move towards designation, despite the fact that the government's own data on ecological representation for this Natural Region indicates clearly that the region's enduring features are far from adequately represented within the current protected areas network. There is no reason that protected areas decisions can't or shouldn't happen prior to development decisions. Manitoba needs to move rapidly in the direction of both the



precautionary principle and 'Conservation First' in making decisions regarding our natural resources. The proponents are ignoring the sub water basin, natural region, and public policy context for their proposal. Stating there will be no impacts on three designations shows their lack of understanding of the protected area context for the project region.

Manitoba needs to complete the network of protected areas, achieving representation for this natural region.

First Nations

There is no acknowledgement of potential interest or concern by the First Nations affected by this proposal. Nor is there any indication of notification regarding this proposal going to these First Nations. We suggest that the Aboriginal Relations branch of Manitoba Conservation make sure that notification and access to information under the *Environment Act* occurs for potentially affected First Nations. This will be essential in future stages of review for the PVWC proposal.

Public Notification and Involvement

The proponent's public involvement has been deficient; participation was limited to municipal officials, and even so, municipalities such as Steinbach that currently use Sandilands water as their primary source were not necessarily notified or consulted when this proposal was being developed.

Public notice was also inadequate. All stakeholders must be notified of PVWC's proposal and public opportunities for comment and participation should occur in a timely way through the use of multiple outreach techniques to contact various publics (newspaper, internet, direct contact, radio announcements, local papers). Information must be available in a variety of formats (electronic, paper) and at appropriate local and regional locations. It is unacceptable in this current technological environment for proposal documents to be unavailable in electronic format. It is also poor from an environmental perspective; a commitment to less paper also reflects well on all parties involved.

Recommendations and Requests

In summary, the proponent has filed information that is seriously deficient and completely inadequate as a basis for moving forward with environmental review. The project is by the proponent's own admission a first step in a larger project, which is in conflict with the government's commitment with respect to staged licensing. The proposed project ignores larger public policy environment and priorities in terms of water and is completely inconsistent with existing and new water legislation. Public involvement has been cursory at best, and has been unquestionably insufficient. The assumption that a range of licenses and permits for future developments will be issued based on the pipeline being in place has no place in a province where land use planning and watershed plans are the new standard.

As a starting point, we recommend the active involvement of all provincial and federal departments with an interest and jurisdiction regarding water resource use. This includes the Manitoba Departments



of Conservation, Water Stewardship, Culture, Heritage and Tourism, and Aboriginal and Northern Affairs, and the federal Departments of Environment, Fisheries and Oceans, and Indian and Northern Affairs. The approximately 96 kilometers of pipeline will cross numerous rivers, streams and creeks and will invariably impact fish habitat areas – it seems likely the Canadian Environmental Assessment Act will be triggered and federal departments involved in this environmental assessment.

A thorough Environmental Impact Statement (EIS) is absolutely required for the project proposed by PVWC – and as per our comments above, the EIS must assess the full extent of activities planned both in the short and long-term, not just this incremental first step. We also request that the public be involved in the development of guidelines for the EIS, given the precedent-setting nature of this proposed project.

We also recommend that the Minister of Conservation be requested to direct the Clean Environment Commission to conduct a public hearing to review the project, based on the steps outlined above. Thank you for the opportunity to comment on this proposed project – we look forward to further opportunities for comment and participation.

Yours truly,

Gaile Whelan Enns

Director, Manitoba Wildlands

cc.

Honourable Steve Ashton, Minister of Water Stewardship
Dan McNaughton, Director, Prairie Office – Canadian Environmental Assessment Agency
Chief Tina Leveque, Brokenhead First Nation
Chief John Thunder, Buffalo Point First Nation
Chief Terrance Nelson, Roseau River Anishinabe First Nation
Chief Linda Twoheart, Sagkeeng First Nation

Webb, Bruce (CON)

From: Wendy Kozmak [rmwhite@mts.net]

Sent: Tuesday, February 07, 2006 11:38 AM

To: Webb, Bruce (CON)

Subject: Water diversion from Sandilands Region

Good morning:

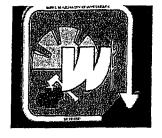
I am writing on behalf of the R.M. of Whitemouth. The Whitemouth River, which originates in the Sandilands, runs through the center of our municipality, and is a major draw for tourism in our area.

The proposed diversion of water from the Sandilands may have a serious impact on our municipality, yet we received no notification from Manitoba Conservation, and to the best of my knowledge no notices were placed in any of the papers normally distributed in our R.M.

A ratepayer brought this matter to my attention today, and I hope you will consider our objections, even though they are past the deadline.

Our council feels that there isn't enough information available on the effects of such a diversion on the watersheds originating in the Sandilands, and that the process should not be allowed to go ahead without convening a Clean Environment Commission Hearing.

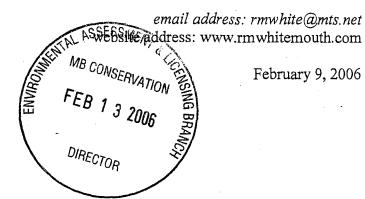
Wendy Kozmak Chief Administrative Officer R.M. of Whitemouth (204)348-2221 COPY for: DRUCK WEBB. BW



Telephone: (204) 348 2221 (204) 348 2576 Fax:

Honourable Stan Struthers Minister of Conservation Legislative Building 450 Broadway Avenue Winnipeg, MB R3C 0V8

The Rural Municipality of Whitemouth Box 248 Whitemouth, Manitoba **R0E 2G0**



February 9, 2006

Re: Pembina Valley Water Cooperative Inc. – Supplemental Groundwater Supply System (Public Registry File 5156.00)

Dear Mr. Struthers:

The proposal by the Pembina Valley Water Cooperative (PVWC) to divert water from the Sandilands area to Morris was brought to Council's attention on Tuesday, February 7th, the day following the deadline for objections and/or concerns to be put forth to Manitoba Conservation. The notices for the proposal were advertised in a paper that is not widely read in our municipality, and even though this proposal could potentially impact flows in the Whitemouth River, our municipality was not notified directly. For these reasons, we respectfully request that the following resolution passed by council be considered before approving the license.

Moved by Councillor Allan Besel and seconded by Councillor Harold Malkoske

61/06 WHEREAS the Pembina Valley Water cooperative Inc. has applied for a license to remove water from the Sandilands aguifer, and

WHEREAS the Sandilands aquifer is the source of water for the Whitemouth River, and WHEREAS Council of the R.M. of Whitemouth feels that there is inadequate information available about the groundwater reserves of the Sandilands Aquifer;

THEREFORE BE IT RESOLVED THAT Council requests Manitoba Conservation, at a minimum, holds a Clean Environment Commission Hearing Regarding this license application. CARRIED

Signed 'Don Nichol' Chairman

Yours truly,

Wendy Kozmak, C.G.A., C.M.M.A.

Lendy Kozmak

Chief Administrative Officer

cc. Tracey Braun, Director, Environmental Assessment & Licensing Branch

NED 00:43 FK 204 346 6313

ZU4 346 ZDIS IU DUN SIE-LUK-DWIG F.03/04

January 24, 2006

Via Facsimile

Tracey Braun, Director
Environmental Assessment & Licensing Branch
Manitoba Conservation
Suite 160–123 Main Street
Winnipeg, Manitoba R3C 1A5
945-5229 (f)

Honourable Stan Struthers
Minister of Conservation
Legislative Building
450 Broadway Avenue
Winnipeg, Manitoba R3C 0V8
945-3586 (f)



RE: PEMBINA VALLEY WATER COOPERATIVE INC. - SUPPLEMENTAL GROUNDWATER SUPPLY SYSTEM (Public Registry File 5156.00)

Dear Ms Braun and Mr. Struthers:

We have briefly reviewed the proposal to divert 50 L/s of water from the Sandilands area to Morris and eventually into the Pembina Valley Water Cooperative (PVWC) water distribution network. The proposal appears to be deficient as it barely meets the informational requirements as set out by Manitoba Regulation (63/85. We are very concerned with PVWCs intent and request you to direct the Clean Environment Commission to conduct a public hearing for this project. Briefly, some of our reasons are as follows:

- 1) The Agissiz Sandilands Uplands is an ecological gem and is the source of five major watersheds in the province (Brokenhead River/Whitemouth River/Rat River/Seine River/Cooks Crock). Kennedy and Woodbury (2005) also suggess that the Sandstone and Carbonate Aquifers (two major and very important aquifers in south central Manitoba) obtains most of its recharge from the Sandilands Uplands area.
- 2) The proposal admits, "Given that the aquifer system is essentially undeveloped and very little information is available on the response of the aquifer to pumping, the estimation of a safe or sustainable yield is considered unwarranted and imprudent at the time." These information gaps include:
 - Areal extent of the lower sand unit (the proposed aquifer to be tapped into).
 - Discharge rates to surface water systems are not factored into the estimated annual recharge rate.
 - Dismissal of interactions between the upper sand unit aquifer and lower sand unit aquifer, which may have an impact on the surface environment. This is of

Kennedy, P and Woodbury, A., Sustainability of the Bedrock Aquifor Systems in South-Central Manitoba: Implications for Large-Scale Modeling Canadian Water Resources Journal, Vol 30(6) 281-296 (2005).

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particular concern as the Pocock Lake Ecological Reserve is approximately 1.5 kilometers north of the well site.

- A drought analysis has not been performed.
- The approximately 96 kilometers of pipeline will cross numerous rivers, streams and creeks and will invariably impact fish habitat areas.
- 3) The proposal fails to provide an accurate reason why PVWC needs more water. Current water use figures (or water budget) for the PVWC supply region are not provided nor are predictions for future use. Alternative water supply options, including soft paths and demand side management are not provided in this proposal.
- 4) The public involvement program invoked by PVWC was deficient, as it limited participation to municipal officials.
- 5) Larger public policy issues have not been addressed. These include:
 - Setting precedence for allowing other large users to extract water from this significant equatic ecosystem.
 - Removing and diverting water from one sub-basin to another as certain
 portions of the aquifer may be situated in the Winnipeg River and/or Lake
 Winnipeg sub-basins. This would be a direct violation of the Water Resources
 Conservation Act.
 - Source protection measures as proposed through the Water Protection Act, have not been enabled, which could positively affect the availability of clean water in the PVWS distribution area.
 - Manitoba Water Stewardship has placed heavy emphasis on watershed
 planning. The proposal does not take into account what plans are in place and
 what plans are to be developed.
 - The requirement to set a minimum instream flow on the Red River at the US/Canada border.

As well as calling for a Clean Environment Commission hearing, we request the proponent to develop a full Environmental Impact Statement (EIS) and request participation in the development of guidelines for the preparation of the EIS.

Sincerely

G.R. Koroluk 775-7848
Friends of the Pocock Lake Ecological Reserve
609 Main Street
Winnipeg, Manitoba RJB 1E1

CC.

Honourable Steve Ashton, Minister of Water Stewardship

Dan McNaughton, Director, Prairie Office-Canadian Environmental Assessment Agency

Chief Tina Leveque, Brokenhead First Nation

Chief John Thunder, Buffalo Point First Nation

Webb, Bruce (CON)

From:

vrmyskiw@mts.net

Sent:

Thursday, February 09, 2006 5:03 PM

To: Subject: Webb, Bruce (CON) water diversion from Sandilands

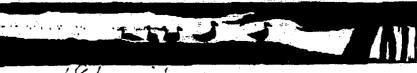
BA

Dear Mr. Webb:

I'm a couple days late of the deadline set for concerns to this project, but not everyone is aware of postings in a little postoffice, if they're not aware of what's going on. In regards to this water diversion to Morris why is this happening? First when this community had the tornado in July of 2005, the government did not help us out one bit. They held meetings only to suggest possible help, and when we filled out all forms necessary, then the answer was "NO". Now all the pulpwood is being hauled away, and this community still is being used. The government set up a pit without town approval and every summer they haul the gravel out, ruin the roads, the driver's don't slow down meeting cars and leave big sink holes and loose shoulders when you have to move over to meet an oncoming vechile. Maintainence is not maintained on a regular basis. Now this new problem your water diversion to Morris. What are you leaving for the residents here that pay taxes? This community is always losing , we ge!

t nothing out of all these goverment projects, why's that? What are you leaving for our children here a barren area, with no trees and now maybe a drought area as well. When you drain our precious water and we run out what happens to us? Where are we to get water from or don't you care? I'm sure there are areas closer to Morris that water can be diverted from, not here. We signed a petition against this proposal, and hopefully it helps to stop this unfair act. Why wasn't there a public meeting to inform residents here of your future plans and maybe voice our options first, but once again "nothing", just push through what the goverment wants and the heck with the "hicks" from Sandilands, I guess we're all stupid that our options and concerns mean nothing as long as you guys get what you want. Well residents here want their water now and always for themselves and their childrens future, will they get it? If you do the right thing of human humility and not profit gain the residents should!

SAVE OUR SEINE RIVER ENVIRONMENT INC.



FEB -6 2000

January 25, 2006

Via Facsimile

Honourable Stan Struthers
Minister of Conservation
Legislative Building
450 Broadway Avenue
Winnipeg, Manitoba R3C 0V8
945-3586 (f)

Traces Braun, Director
Environmental Assessment & Licensing
Manitoba Conservation
Suite 160 – 123 Main Street
Winnipeg, Manitoba R3C 1A5
945-5229 (f)

RE: PEMBINA VALLEY WATER COOPERATIVE INC. - SUPPLEMENTAL GROUNDWATER SUPPLY SYSTEM (Public Registry File 5156.00)

Dear Mr. Struthers and Ms. Braun:

SOS has briefly reviewed the proposal to divert 50 L/s of water from the Sandilands area to Morris and eventually into the Pembina Valley Water Cooperative (PVWC) water distribution network. The proposal appears to be deficient as it barely mosts the informational requirements as set out by Manitoba Regulation 163/88. We are very concerned with PVWC's intent and request you to direct the Clean Environment Commission to conduct a public hearing for this project. Briefly, some of our reasons are as follows:

- 1) The Agissiz Sandilands Uplands is an ocological gem and is the source of five major watersheds in the province, namely the Seine River, along with the Brokenhead River, Whitemouth River, Rat River and Cooks Creek. Kennedy and Woodbury (2005) suggest that the Sandstone and Carbonate Aquifers (two major and very important aquifers in south central Manitoba) obtains most of its recharge from the Sandilands Uplands area. (Kennedy, P and Woodbury, A. 2005, Sustainability of the Bedrock Aquifer Systems in South-Central Manitoba: Implications for Large-Scale Modeling Canadian Water Resources Journal, Vol 30(4) 281-296).
- 2) The proposal admits, "Given that the aquifer system is essentially undeveloped and very little information is available on the response of the aquifer to pumping, the estimation of a safe or sustainable yield is considered unwarranted and imprudent at the time." SOS believes that this statement goes against the precautionary principle. We would immediately refuse the proposal because of the following information gaps:
 - Discharge rates to surface water systems are not factored into the estimated annual recharge rate;
 - Dismissal of interactions between the upper sand unit aquifer and lower sand unit aquifer, which may have an impact on the surface environment;
 - A drought analysis has not been performed;
 - The approximately 96 kilometers of pipeline will cross numerous rivers, streams and creeks and will invariably impact fish habitat areas.



- 3) The proposal fails to provide an accurate reason why PVWC needs more water. Current water use figures (or water budget) for the PVWC supply region are not provided nor are predictions for future use. Alternative water supply options, including soft paths and demand side management are not provided in this proposal.
- 4) The public involvement program invoked by PVWC was deficient, as it limited participation to municipal officials.
- 5) Larger public policy issues have not been addressed. These include:
 - Setting precedence for allowing other large users to extract water from this significant aquatic ecosystem;
 - Removing and diverting water from one sub-basin to another as certain portions of the aquifer may be situated in the Winnipeg River and/or Lake Winnipeg sub-basins. This would be a direct violation of the Water Resources Protection Act:
 - Source protection measures as proposed through the Water Protection Act, have not been enabled, which could positively affect the availability of clean water in the PVWS distribution area;
 - Manitoba Water Stewardship has placed heavy emphasis on watershed planning. The proposal does not take into account what plans are in place and what plans are to be developed;
 - The requirement to set a minimum instream flow on the Red River at the US/Canada border.

SOS is calling for a Clean Environment Commission hearing. We request that the proponent develop a full Environmental Impact Statement (EIS), and ask that we participate in the development of guidelines for the preparation of the EIS.

We urge you to respond favourably to our requests and that you continue to protect Manitoba's valuable water resources.

Sincerely.

Serge LaRochelle

Member of the Board of Directors, Save our Seine

cc. Honourable Steve Ashton, Minister of Water Stewardship

Webb, Bruce (CON)

From: Ena [francena@mts.net]

Sent: Tuesday, February 14, 2006 9:52 AM

LATE COMMENT

To: Webb, Bruce (CON)

Subject: Water pipeline.

Dear Mr. Webb.

This issue really scares the old timers as well as the new residents in the Piney area, if you are not aware of it, when someone drills a well other wells in the area loose the strength of their flows, what if this plan goes through and the pipeline is turned on using all that water, the wells could suddenly all stop flowing in our area, what would you say then. The population has dwindled in this area but those of us who are here need our water supply. I remember as a child having such clean clear water but a half century later the water is not as good and if this pipeline is allowed in we may not have any water here at all.

Maybe consideration to an alternative gigantic water treatment plant that would ensure good water to the Pembina Valley Water Co-operative should be tabled. Our area being so scattered would be very costly to run a water line to each and every tax payer in the R M of Piney and who would have to bare the cost? Thank you.

Ena D Monteith Piney Manitoba.

1500.27

THE RURAL MUNICIPALITY OF REYNOLDS

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January 27, 2006

Honourable Stan Struthers Minister of Conscruation 330 Legislative Building 450 Broadway Avenue Winnipeg, Manitoba R3C OV8

Dear Mr. Struthers:

Re: Pembina Valley Coopertive Inc.

Supplemental Groundwater Supply System

(Public Registry File 5156.00)

The Council of the Rural Municipality of Reynolds have been informed that the Pembina Valley Water Cooperative Inc. is proposing to divert 50 L/s of water from the Sandilands area to Morris and eventually into the Pembina Valley Water Cooperative water distribution system.

The Rural Municipality of Reynolds is very concerned with the proposed project and we enclose herewith a certified copy of resolution No. 35/06 requesting Manitoba Conservation to direct the Clean Environment Commission to conduct a public hearing for this project and to further request the proponent to develop a full Environmental Impact Statement.



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Once the public hearing date has been scheduled, please advise us of the date so that the municipality can attend.

Thanking you in advance for your co-operation.

Sincerely,

Janne Kozak

(Mrs.) Jeanne Kozak, C.M.M.A. Chief Administrative Officer

/jk Encl.

cc Honourable Steve Ashton, Minister of Water Stewardship (Fax # 204-948-2684)
Traccy Braun, Director, Environmental Assessment & Licensing Branch

Manitoba Conservation (Fax # 204-945-5229)

Dan McNaughton, Director, Prairie Office

Canadian Environmental Assessment Agency (Fax # 204-983-1878)

Chief Tina Leveque, Brokenhead First Nation (Fax # 204-766-2306) Chief John Thunder, Buffalo Point First Nation (Fax #204-473-2368)

RESOLUTION FORM

No. 35/06

THE RURAL MUNICIPALITY OF REYNOLDS

January 24, 2006

Moved by Councillor Kelly

Seconded by Councillor Yaremchuk

Whereas the Pembina Valley Water Cooperative Inc. is proposing to divert 50 L/s of water from the Sandilands area to Morris and eventually into the Pembina Valley Water Cooperative water distribution network and

Whereas the RM of Reynolds is deeply concerned with PVWC's intent
Therefore Be It Resolved that Manitoba Conservation be requested to direct the Clean
Environment Commission to conduct a public hearing for this project and to further request the
proponent to develop a full Environmental Impact Statement.

Carried.

Chairman <u>Eugene Emery</u>

Certified to be a true and correct copy of Resolution No. 35/06
of The Rural Municipality of Reynolds

Total Administrative Officer