

Summary & Recommendations

We have raised some significant issues related to the lack of consistency in PVWC's rationale for its proposed project. We have also examined the project thoroughly with respect to water policy in Manitoba, noting Manitoba's commitments through its laws for watershed planning, water conservation and sub-basin transfers of water.

We have noted and echoed the concerns of others who are not convinced that this project will not compromise the sustainability of the groundwater source the PVWC wishes to exploit. We have reviewed PVWC's conservation plan and feel that it requires to be revisited. We have pointed to other experiences with groundwater extraction in the PVWC supply region and the need for watershed and aquifer plans prior to further development.

Significant information gaps in the PVWC's proposal, in combination with a strong set of Manitoba government public policies that do not support a project of this nature, lead us to question the suitability of the Pembina Valley Water Cooperative's proposed project.

Therefore, we feel that before any decision can be made on the sustainability of this project a number of tasks must be performed over the short to medium term.

On planning and water demand

- A watershed authority and/or Conservation District must be established in the Morris River and Plum River watershed to develop a watershed plan. As part of this plan, the authority must compile a state of the watershed report, assemble a comprehensive water budget and develop a source protection plan.
- Community development planning and intensive livestock operation policies required under the *Planning Act* must be integrated into the watershed planning process.
- Water conservation plans and schemes must be embedded within the various levels of planning exercises (ie, at the community level, watershed level and regional level); these must set bench-marks and assign responsibilities for implementation, evaluation and follow-up.

Legal clarifications

- The formal designation of water sub basin boundaries under the *Water Resources Conservation Act* must become a high priority.

- An independent determination is required as to whether the transfer of water from the lower sand unit aquifer in the Sandilands Glaciofluvial complex constitutes a sub basin water transfer, as defined under the *Water Resources Conservation Act*.
- The Clean Environment Commission must seek an independent legal opinion of the RM of Piney's by-law prohibiting the bulk export of water, and, in order for the project to proceed, a favourable Court of Queens Bench ruling must be made on the standing of the by-law.

On protecting a vital resource

- Given the ecological significance and the importance of the Sandilands Glaciofluvial complex, opportunities exist for Manitoba to protect lands above this aquatic ecosystem. This can include action on area already under consideration as part of the *Protected Areas Initiative*.
- Manitoba must reinvest resources to fully study and understand the capacity of this aquifer, its interactions with other ecological services, its recharge and impacts deriving from climate warming.

On process and environmental assessment

- We support the CEC's recommendation of June 2005 calling for the practice of environmental assessment to be enhanced by requiring higher standards of performance.
- We urge the CEC to take steps to ensure that, as per Terms of Reference for hearings, all legitimate public comments submitted are responded to by the proponent and that adequate time is given to participants who qualify for participant assistance.

In the duration

- As our preferred option, the Pembina Valley Water Coop and their member municipalities, must heed the advice of Dr. Brooks and aggressively implement a demand side management program within an overall sustainable water management strategy.