

## **Terms of Reference**

### **Clean Environment Commission Public Hearing on the Pembina Valley Water Cooperative Supplemental Groundwater Supply System Proposal**

#### **BACKGROUND**

On December 14, 2005, Manitoba Conservation received an Environment Act Proposal from the Pembina Valley Water Cooperative Inc. respecting a proposed supplemental groundwater supply system for municipal use. The Proposal included reports on the pipeline and well components of the project, as well as an environmental setting report and a hydrogeologic assessment report. Following a preliminary public review of the Proposal, many requests for a public hearing were made. Based on the number of public concerns and the potential environmental impacts, it was decided that the review would include a public hearing of the Clean Environment Commission (the Commission).

#### **MANDATE OF THE HEARINGS**

The Commission shall conduct a public hearing, in a location as determined by the Commission considering the locations of concerned parties, to consider the potential environmental effects of the construction and operation of the Pembina Valley Water Cooperative Supplemental Groundwater Supply System project.

The Commission shall conduct the hearing in general accordance with its *Process Guidelines Respecting Public Hearings* which include procedures for Pre-Hearing Meetings or Conferences and Proprietary Information.

Following the public hearing the Commission shall provide a report to the Minister of Conservation pursuant to Section 7(3) of *The Environment Act*.

The Commission may, at any time, request that the Minister of Conservation review or clarify these Terms of Reference.

#### **SCOPE OF THE REVIEW**

For the potential environmental effects of the Proposal, the Commission shall consider the four reports associated with the Proposal, and public concerns, and provide a recommendation on whether an Environment Act Licence should be issued to the Pembina Valley Water Cooperative Inc. for the project.

Should the Commission recommend the issuance of an Environment Act Licence for the Proposal, then appropriate recommendations should be provided respecting:

- the potential environmental effects of the proposed water withdrawals from the Agassiz Sandilands Upland area aquifer complex and its movement by pipeline to the proposed service area;
- measures proposed to mitigate any adverse environmental effects resulting from the project and where appropriate, to manage any residual adverse effects; and
- future monitoring and research that may be recommended in relation to the project.

The Commission is requested to make non-licensing recommendations on other matters as appropriate. In particular, recommendations on matters that are regulated by other Manitoba statutes should be addressed as non-licensing recommendations pursuant to the Environment Act.

The Clean Environment Commission's recommendations shall incorporate, consider and directly reflect, where appropriate, the Principles of Sustainable Development and Guidelines for Sustainable Development as contained in the *Sustainable Development Act*.

May, 2006