

MANITOBA CLEAN ENVIRONMENT COMMISSION

HEARING

VIVIAN SILICA SAND EXTRACTION PROJECT

* * * * *

Transcript of Proceedings
Held at Anola Community Club
Anola, Manitoba

Saturday, March 11, 2023

* * * * *

CLEAN ENVIRONMENT COMMISSION

Jay Doering - Chairman
Laurie Streich - Commissioner
Ian Gillies - Commissioner
Terry Johnson - Commissioner
Peter Crocker - Secretary to the Commission
Courtney Harmer - Administrative Assistant
Bill Bowles - Legal Counsel
Bob Armstrong - Writer
Kelly (Unknown) - Legal Counsel

STANTEC

Steve Bundrock
Arash Eshraghian

AECOM

Douglas McLachlin
Ryan Mills
Miln Harvey
Cheibany Ould Elemine
Clifton Samoiloff
Marlene Gifford

LIFE CYCLE GEO, LLC

Tom Meuzelaar

SIO SILICA CORP

Feisal Somji - President and CEO
Brent Bullen - COO
Laura Weeden - Vice President Operations
Sander Duncanson - Legal Counsel
Jesse Baker - Legal Counsel

RECENS MINE WATER CONSULTING SERVICES

Mohsen Barkh

MANITOBA ENVIRONMENT, CLIMATE AND PARKS

Siobhan Burland Ross - Acting Director, Environmental
Approvals Branch

DENNIS LENEVEU

MANITOBA ECO-NETWORK

Glen Koroluk - Executive Director
Chris Klassen - Legal Counsel
Byron Williams - Legal Counsel

MUNICIPAL SILICA SAND ADVISORY COMMITTEE (MSSAC)

Krista Boryskavich - Legal Counsel
Jason Mann - KGS
Ian Gillies
Orvel Currie - Legal Counsel
Micah Zerbe - Legal Counsel
Armand Poirier - Mayor, Regional Municipality of Tache
Christine Hutlet - CAO, Regional Municipality of Tache
Doug McNeil - McNeil Consulting
Bert Smith - KGS

OUR LINE IN THE SAND

Byron Williams
Chris Clawson
Janine Gibson
Tangi Bell

PEGUIS FIRST NATION

Ian Halket

Hartmut Hollander

RURAL MUNICIPALITY OF SPRINGFIELD

Mark Prydun - Special Projects Coordinator, Water and
Waste Department

ARCADIS

Gerd Wiatzka

MATRIX SOLUTIONS INC.

Louis-Charles Boutin

Janet Nysten
Tangi Bell
Irene Mendela
Peter Deduke
Lindy Clubb
Pamela Langstaff

1 SATURDAY, MARCH 11, 2023

2 UPON COMMENCING AT 10:00 A.M.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

THE CHAIRMAN: Welcome to the second in a series of Sio Silica Manitoba Clean Environment hearings dedicated to hearing from members of the public. I'd like to acknowledge that we are meeting here today on Treaty One territory, the original lands of the Anishinaabe, Cree, Oji-Cree, Dakota and Dene people, and the homeland of the Métis Nation. We respect the Treaties that were made on these territories, we acknowledge the harms and mistakes of the past, and we dedicate ourselves to move forward in partnership with indigenous communities in a spirit of reconciliation and collaboration.

For those of you that haven't been attending our daytime hearings, my name is Jay Doering and I'm the Chair of this panel that's conducting the review of the Silica Sand Extraction Project. I'm joined at the front with my fellow Commissioners, Ian Gillies -- Commissioner Gillies, Commissioner Streich, and Commissioner Johnson. Also over at the side is our secretary, Peter Crocker -- Courtney Harmer, our administrative assistant at the back. If you haven't registered and you are hoping to speak today, you'll have

1 to check in with Courtney. Our legal counsel is over at
2 the side with Peter -- Bill -- Bill Bowles, and our writer
3 Bob Armstrong is also present. I -- we have a couple of
4 participants -- and the word participants has a specific
5 meaning in the process and guidelines of Clean Environment
6 Hearings. A participant means a person or group of
7 persons designated as such by the Commission in accordance
8 with the practice direction on party status. The
9 participants for these hearings are Dennis LeNeveu, the
10 rural Municipality of Springfield, Our Line in the Sand,
11 Municipal Silica Sand Advisory Committee, and the Manitoba
12 Eco-Net.

13

14 In terms of a little background, we're here
15 today because on November 15th of 2021, the Minister asked
16 us to hold public hearings to review the Environmental
17 Impact Statement prepared by Can White Sands, now Sio
18 Silica Corporation, for the Silica Sand Extraction
19 Project. We're guided by the amended terms of reference
20 issued to us by the Minister on January 13th of 2022, and
21 under those terms of reference, "We are to conduct a
22 technical review of the Environmental Act proposal and the
23 Hydrogeology and Geochemistry Assessment Reports, provide
24 advice and recommendations to the Minister regarding
25 potential environmental and health effects of the proposed

1 sequential installation, operation, and decommissioning of
2 silica sand extraction wells for the Silica Sand
3 Extraction Project. We are to hold public hearings to
4 hear from the public, we are here today to do that and to
5 prepare and file a report with the Minister. Our report
6 is to outline the results of the Commission's review,
7 document what we heard, and provide advice and
8 recommendation for the Minister's consideration. The
9 proceedings of all our meetings, including today, are
10 transcribed. This is a requirement of the Environment
11 Act. The oral statement is a chance for you to give those
12 present your personal knowledge, your views, as well as
13 any concerns you may have about the project."

14

15 You are welcome to ask questions of The
16 Proponent, but I would note The Proponent is not obliged
17 to be here today, nor are they obliged to answer any
18 questions. I will leave that to their discretion. At The
19 Proponent's table is Mr. Somji, President and CEO Sio
20 Silica, Mr. Bullen, Chief Operating Officer of Sio Silica
21 and Ms. Weeden, VP Operations Sio Silica. They're also
22 joined by Mr. Duncan (sic) and Mr. Baker, who are legal
23 counsel for them.

24

25 I would like to note that if there is

1 anyone in your Community or generally from the area who is
2 unable to attend one of our sessions -- and we will have
3 one more in Beausejour on Monday night -- they are more
4 than welcome to provide a statement in writing. A written
5 submission may be by way of a letter, an email, or you can
6 even go to our website and fill in the -- fill in the
7 little portal box and send it to us directly. The
8 Commission will continue to accept written statements
9 until the hearing record closes, and that will formally
10 happen on March 24th of this year. So, I'd like to hear
11 from those of you who are here to make oral submissions to
12 this panel. When you make an oral submission, you will
13 come up to the small mic at the front in front of us here,
14 you will state your name and spell it for the transcriber.
15 The transcriber happens to be in Toronto, so they cannot
16 see who's speaking. I'll encourage you and try and remind
17 you to state your name each time if for some reason
18 there's an exchange back and forth.

19

20 Each presenter will have ten minutes and
21 even with that we will -- at the number of people we have
22 wanting to talk, be hard pressed to fit it into the five
23 and a half hours -- sorry, four and a half hours that we
24 have today. So, lunch was to run from 12:00 to 1:00, and
25 that's been reduced from 12:00 to 12:30. So, we will

1 regroup at 12:30 and go to three o'clock or until the
2 storm drives us out of here, if there is one.

3
4 You will be sworn in by the Commission's
5 Secretary, Peter Crocker. I ask two things of everyone at
6 today's session -- that we respect time allotments and
7 that we respect each other, please. So, I will remind
8 each presenter that you have ten minutes and when you get
9 up there -- and I've lost my flag. You will have ten
10 minutes. When you are down to one minute, you will see me
11 raise a yellow flag. That means you have one minute left.
12 After that I will take over the microphone and we will
13 have to move on to the next presenter. So with that, the
14 first name I have on my list is a Gloria Romaniuk.
15 Gloria, can you come up please? someone.

16
17 MR. CROCKER: Secretary. Can you state your
18 name and spell it for the record, please?

19
20 MISS ROMANIUK: My name is Gloria
21 Romaniuk, G-L-O-R-I-A R-O-M-A-N-I-U-K.

22
23 THE CHAIRMAN: Chair. Please
24 proceed.

25

1 MR. CROCKER: Gloria, do you swear that the
2 evidence to be given by you shall be the truth, the whole
3 truth, and nothing but the truth, so help you God?

4
5 MISS ROMANIUK: I do. Thank you for
6 this opportunity to be here. Originally we were told we'd
7 have 15 minutes, I'll do my best to keep this under the
8 ten minutes. It's great to see so many people here today.
9 My eyes are not that good, let's see if we can get through
10 this well.

11
12 Honourable Minister Kevin Kline, Clean
13 Environment Commissioners, Participants, Proponent, people
14 of the RM of Springfield and surrounding municipalities
15 who are impacted by the Sio Silica proposal -- I have
16 shared a written submission with the Commission and today
17 with this I wish to present this shorter oral version.
18 I'm personally opposed to the proposal brought by Sio
19 Silica to the RM of Springfield. My family is impacted by
20 this proposal. We are guests on Treaty One territory in
21 fellowship with the Anishinaabe, Cree, Oji-Cree, Dakota
22 and Dene people whose traditional lands we are discussing,
23 as well as this, the homeland of the Métis Nation.

24
25 The -- the picture -- the image that you

1 see here is of Ukrainian immigrants in Mountain Road
2 Manitoba. These immigrants were welcome to Canada to open
3 the West, that -- that was how it was advertised back
4 then. Pioneers came as a village from Ukraine to Mountain
5 Road, which is near Riding Mountain Park. My father's
6 parents and grandparents are in this picture. My question
7 though today is really, whose land was it in 1898? Of the
8 94 calls to action -- which the Chair referred to this
9 morning that, The -- The Truth and Reconciliation
10 Commission, which were released in 2015, are -- are an
11 effort made by Canada to come to an understanding of
12 fairness and -- and equity in our country, and a number of
13 our laws have developed from the Treaties that were
14 originally signed way back at the time of Confederation
15 and after. And at the time that Columbus was sailing the
16 ocean blue, the -- the idea was that if you discovered
17 land that no other European had occupied, it was
18 unoccupied, regardless of who lived there. And of course
19 there were human beings there, but whatever resources
20 these people used or lived with, or whatever way they
21 lived was totally disregarded, and the wealth of the
22 Europeans were based on this No Man's Land -- in -- in
23 Latin Terra nullius -- was called the doctrine of
24 discovery.

25

1 So there are three points that emerge from
2 that idea. First, did the colonizing nations those many
3 100 years earlier, have a right to the resources upon
4 which they grew wealthy? Second, the land had been
5 occupied. No matter what controlling principles prevailed
6 at the time of settlement, the facts are no different now
7 or then -- the land had been occupied. And third, there
8 comes a time when you must take ownership of your natural
9 resources in order to protect them to safeguard your
10 future. So we are looking here today at metaphors of
11 natural resources, ownership and protection of human
12 rights. The Mines and Minerals Act in Manitoba, the --
13 the version that's in effect right now has been in effect
14 since 2022, and it's available at -- at a link online.
15 So, the -- the duties of the Minerals -- Mines and
16 Minerals Act is to protect the resources to protect the
17 people. But should mining be allowed through aquifers?
18 That's a basic question. Is water something that can be
19 mined?

20

21 So point number four -- water flows through
22 miles and miles of land, which is shared by families,
23 farms, businesses, schools, medical centres, industry,
24 etcetera. People have the right to clean and safe water
25 and air. No one owns the water and air because we all own

1 the water and air. So natural resources in the common
2 good -- climate change is real, I --- we're not going to
3 argue about that. Man-made disasters are also real.
4 Sometimes the twain meet. Here are three examples of man-
5 made disasters, One -- Fukushima tsunami and nuclear
6 disaster of 2011. Two, the Deepwater Horizon disaster of
7 2010. Three, the Walkerton disaster of 2000. The
8 Fukushima tsunami and nuclear disaster cannot be regarded
9 as a natural disaster. The panel that investigated the
10 disaster afterwards said it was a profoundly man-made
11 disaster that could and should've been foreseen and
12 prevented. Governments, regulatory authorities, the Tokyo
13 Electric Power, lacked a sense of responsibility to
14 protect people's lives and society. They effectively
15 betrayed the nation's right to be safe from nuclear
16 accidents.

17

18 The Deepwater Horizon disaster in 2010.
19 Did The Proponent see the risks as falling upon
20 themselves? This plan, project, whatever you want to call
21 it, every finger in the pie expected to make money. This
22 was an international project. Many different countries,
23 many different governments and ruling bodies were involved
24 with this. And who was assigned to bear the risk for the
25 Deepwater Horizon disaster? The pelican, certainly. The

1 pelican that you just saw, coated in oil, floating in an
2 oil slick. The pelican bore the risk, the fishermen bore
3 the risk, the towns did, the coastal biosystems did, all
4 the creatures in the Gulf of Mexico did, one way or
5 another. And is the disaster over? It'll never be over.

6
7 If we had more time, we'd look at that --
8 we'll skip it. The Walkerton water disaster of 2000 is a
9 made in Canada disaster. It may be 23 years ago, but I'll
10 bet a lot of people here remember it. It unfolded like a
11 mystery. Nobody knew why this happened, what was going
12 on, why were people dying, why were they going to the
13 hospital having kidney failure? What was the ultimate
14 explanation? It was from cattle, was E-coli bacteria that
15 got into the aquifer through water that was close to the
16 surface. This is not far removed from what we're talking
17 about here today.

18
19 So point number five, who will bear the
20 risks so that Sio Silica can attempt to gain profits? Sio
21 Silica originally touted methods that were under patent
22 and experimental. We were led to believe that this was
23 unique and -- and quite wonderful. They admitted that
24 risks did exist, they answer questions as we've been
25 hearing in two weeks in Steinbach at the hearings, but I

1 don't think in my opinion, that their answers bear
2 scrutiny. Many answers change and then they change again.
3 When we attended the hearings in October, we noticed that
4 that was one of the habits that the company was using.
5 Its refreshing the picture continually.

6
7 I am asking this question, is it mostly
8 greenwashing? We're hearing a lot about greenwashing
9 these days. So here is an example of an inadequately
10 answered question. Sand respects gravity, gravity is a
11 law of nature. We've heard in the last two weeks that
12 there have been collapses of shale and the limestone. So
13 will they collapse in just some areas, in many areas?
14 Will it collapse in all areas? We don't have assurance.

15
16 So, Dennis LeNeveu, named as one of the
17 participants, has written an extensive list of information
18 requests that have not, in my opinion, been adequately
19 answered, though there have been answers. And it's very
20 difficult for the public to listen to all this technical
21 information. In the last two weeks we're starting to get
22 some sense, at least in our house, of what's involved, but
23 it's very complex. So I reject Sio Silica is the
24 scientifically competent agent in charge. That's what
25 they are -- are saying that they are, that they have come

1 up with a good plan that we can rely on.

2

3

4 I think nature has a perfect system in
5 place. Nature is meticulous in its efficiencies.
6 Nature's system has been established over eons and must be
7 respected. Nature does what nature does, no matter what
8 people say they will do. Burden of proof is guaranteed
9 safety. Sio Silica has the burden to guarantee our
10 safety. The onus is on them to meet every contingency
11 with standards beyond risk. Not the way it happened in
12 Fukushima or the Gulf of Mexico or in Walkerton. Sio
13 insists what it is done is good enough, but it -- it
14 hasn't done the work -- it must do, the work it must
15 provide the data, must convince those whose life relies
16 upon its diligence. So far, the diligence has not been
17 demonstrated. Should there be catastrophic failure, who
18 will have to pay? It will be us and money is not going to
19 pay. Money cannot pay to replace clean air and clean
20 water. Though you may be spending plenty of money, nature
21 will follow its laws and principles, and we may have
22 knowledge and -- and in many ways knowledge is expressed,
23 but what we really need here is wisdom. The land, the air
24 and the water, that's what we must protect. And only now
25 am I understanding what it's like -- what it was like for
the First Nations people who had the land, air and water

1 taken from them. They never claimed to own it, they
2 respected it. They took what they needed from it, signed
3 Treaties that had nothing to do with their concept of
4 property ownership.

5

6

Thank you for this opportunity.

7

8

THE CHAIRMAN: Chair. Thank you, Ms.

9

Romaniuk. Thank you for respecting time. Mr. Brent

10

Belluk is next.

11

12

MR. CROCKER: Secretary. Can you state your

13

name and spell it for the record, please? You don't have

14

to.

15

16

MR. BELLUK: Brent Belluk, B-R-E-N-T B-E-L-

17

L-U-K.

18

19

MR. CROCKER: Brent, do you swear that the

20

evidence to be given by you shall be the truth, the whole

21

truth and nothing but the truth, so help you God?

22

23

MR. BELLUK: I do.

24

25

MR. CROCKER: Secretary. Thank you.

1

2

THE CHAIRMAN: Chair.

Please

3

proceed.

4

5

MR. BELLUK: Do I have to press -- okay.

6

Thank you. Hi, my name is Brent Belluk, I work for Sio

7

Silica but today I'm speaking as a husband, a father, and

8

a long-time resident of the RM of Springfield. My family

9

-- that's my wife and my two daughters, now 17 and 20 --

10

they're the people that are referred to as my own Board of

11

Directors and it didn't take me too long to realize, as

12

the man of the household, that I wasn't in charge of

13

anything and that I have to get their approval on pretty

14

much everything.

15

16

A couple of weeks ago, around our dinner

17

table as a family -- it was discussed with my own Board of

18

Directors -- we were discussing the upcoming CEC hearings

19

and some of the local controversy that's surrounding the

20

project. To my surprise, my oldest stated that she was

21

considering speaking at one of these public sessions, time

22

permitting. After I informed her that it wouldn't be easy

23

and that emotions might be running high, I asked her why.

24

'Mattia (ph), why would you ever want to do this?' Her

25

response was, Dad, we have all the silica here, and being

1 able to make solar panels with it will help with climate
2 change.

3
4 Climate change -- yeah, this is on the
5 minds of our youth. It's on mine, too, as I enter the
6 last third of my life. In 2021, because of a drought
7 which we all experienced here, Manitoba Hydro didn't know
8 if they'd have enough water to make the electricity we
9 need, both for our domestic use and for export. In 2022,
10 we had so much rain that Manitoba Hydro couldn't dump
11 water out of the Winnipeg Red River fast enough. Is the
12 climate changing because of us? Yes, this is what the
13 experts are telling us. I could go on and on about how we
14 need to burn less gas, reduce, reuse, recycle, eat local,
15 etcetera, but we're all too familiar with all those
16 statements. So what does this have to do with the events
17 of the last couple of weeks and the CEC?

18
19 High purity silica is a key ingredient in
20 the movement towards greener energy sources. We have high
21 purity silica here in Vivian. We can produce it with less
22 environmental -- environmental impact than most other
23 places in the world. We also have a man who wants to make
24 solar panels here in Manitoba because of the silica.
25 Solar powered energy can help reduce our dependence on

1 oil. I am listening to my daughter and I'm thinking of
2 her future.

3

4 CEC, your job is to make sure we extract
5 this silica responsibly. So let's get that done. My job
6 is to prepare my daughters for tomorrow and I'll get that
7 done. Thank you.

8

9 THE CHAIRMAN: Chair, thank you very
10 much. Ms. Mustard, Kirara (ph). Kirara Mustard, are you
11 here? Little OK, but she. Super. Thank you very much.
12 Please.

13

14 MRS. G. MUSTARD: She had her wisdom
15 teeth pulled out --

16

17 THE CHAIRMAN: Oh, dear.

18

19 MRS. G. MUSTARD: -- so, I was hoping
20 that I could -- it's just a short little ---

21

22 THE CHAIRMAN: 'Kay.

23

24 MRS. G. MUSTARD: But she came. It's
25 just a short little blurb.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

THE CHAIRMAN: Super, thank you very much. Please.

MR. CROCKER: Secretary. Can you state and spell your name for the record, please?

MRS. G. MUSTARD: Hi, my name is Georgina Mustard, G-E-O-R-G-I-N-A M-U-S-T-A-R-D.

MR. CROCKER: Georgina, do you solemnly affirm that the evidence to be given by you shall be the truth, the whole truth, and nothing but the truth?

MRS. G. MUSTARD: I do.

MR. CROCKER: Thank you.

MRS. G. MUSTARD: So, I'm here today to read for my daughter. As you can see, she had her wisdom teeth pulled out, but she felt that it was really important to write a letter and to be here for the short time. So it says, "Hi, my name is Kira (ph) Mustard, I am 18 years old and continue to live at home. I am taking this opportunity today to say a few words because I

1 understand how important it is to be heard. I came from a
2 -- or I come from a family of ten and I'm sure like many
3 of the parents here, they have tried to shelter their kids
4 from the everyday stresses that life brings. One day down
5 the road I would like to raise my future kids here knowing
6 that there is a possibility the land, air and the water
7 our house is surrounded by could become unsafe. I am
8 worried. Not only for my safe, but for my family's health
9 and all of the lives of the community members here. I
10 want my siblings to know they're safe and the effort our
11 parents put into our home and our lives won't go to waste.
12 Thank you for listening.

13

14 THE CHAIRMAN: Chair. Thank you very
15 much. Georgina. I believe you are up next, is that
16 correct?

17

18 MRS. G. MUSTARD: Yeah. Yeah, yeah.

19

20 THE CHAIRMAN: Thank you, thank you.
21 Chair, as you have already been sworn in, please proceed.

22

23 MRS. G. MUSTARD: Hi, my name is
24 Georgina Mustard. I'm a wife and a proud mom of eight. I
25 live at 59049 PR 302, our property backs Sio Silica. I

1 would first like to say that I am thankful to be given
2 this opportunity to voice my opinion and to be heard. I
3 have lived in my house for 25 years now. Two and a half
4 years ago my mother-in-law was nice enough to allow us --
5 my husband and I -- to purchase the family farm. And I
6 mean that in the most sincere way. We bought our place to
7 secure our future and the future of our eight kids.

8
9 First of all, I'd like to say that we had
10 no idea that the piece of property directly behind us was
11 up for sale. Where was this posted? I always thought it
12 was Crown land and zoned agricultural. We were never
13 contacted by any members of Sio Silica about what was
14 literally happening in our backyard. Why was I only
15 contacted by Sio after I made a public speech in front of
16 the Manitoba board, Springfield Municipality, and Sio
17 Silica at the Enola Community Club?

18
19 I fear the immediate and long lasting
20 impact that this will have. Who will be there to
21 compensate for our loss? I believe if there's any risk to
22 be had, whether big or small, when it comes to our most
23 precious commodity being water, it is no risk that that
24 should ever be taken. We live in a secluded, quiet area
25 with an abundance of wildlife and a beautiful forest. Now

1 the -- now the forest behind us is gone.

2

3 Safety of my family and others in the area
4 are a big concern. There is already so many things that
5 parents and or caregivers have to worry about when it
6 comes to raising kids. No matter how much of a watchful
7 eye you have on your children, accidents do happen. Kids
8 at any age are curious and may venture off to explore,
9 that's just in their nature. With a processing facility
10 said to be built directly behind our property, it is no
11 neighbour anybody wants. In addition to -- to new train
12 tracks to be laid and an excess of train traffic, the
13 noise and possibility of vibration is also not wanted.
14 Why is this processing facility being built in such a
15 populated area? Why isn't it in the middle of nowhere?
16 What about the proximity of all the homes and the worry
17 about an airborne risk? From what I understand, silica
18 dust is basically little shards of glass that do not break
19 down and a carcinogen.

20

21 I would like to know how this project has
22 been going on for so long and it feels like it is -- it --
23 it feels like most of it has been behind closed doors.
24 We, as in the people of the community, elect these
25 officials to protect our best interests and safety.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

This in the end is only going to benefit Sio Silica, and when things go sideways, they will pack up and move back to their province and continue with their lives and family as if nothing ever happened. Who will be there to pick up the pieces? Is the province of Manitoba going to be there when our properties are left worthless? What accountability is left to our Municipality of Springfield? All of this leads us to be fearful of the water and the air that we breathe.

I don't want to see a gigantic structure towering over the trees, I don't want to hear the excess noise of all -- excess noise of all hours of the day. I don't want to see security lights when I'm trying to enjoy a bonfire and spend quality time with my family. This is extremely precious to me. I don't want to have to worry about every time my kids go out to play if the air will be safe for them to breathe. If I wanted any of this, I would have chosen to live in an industrial park, but I didn't. We chose to live in a safe place. We didn't ask for this project. Thank you again for your time, I am very concerned.

THE CHAIRMAN: Chair, thank you very

1 much. Wesley mustard.

2

3 MR. CROCKER: Secretary, can you state and
4 spell your name for the record, please?

5

6 MR. W. MUSTARD: Wesley Mustard, W-E-S-
7 L-E-Y, M-U-S-T-A-R-D.

8

9 MR. CROCKER: Wesley, do you swear that the
10 evidence to be given by you shall be the truth, the whole
11 truth, and nothing but the truth, so help you God?

12

13 MR. W. MUSTARD: I do.

14

15 MR. CROCKER: Thank you.

16

17 MR. W. MUSTARD: Hello, my name is
18 Wesley Mustard, I'm 23 -- 23 years old. I'm a citizen of
19 the (inaudible) of Springfield. I have a couple of
20 concerns about your operation. The sandstone aquifer --
21 aquifer is a lifeline of Manitoba for people that rely on
22 water from the wells. With Sio Silica tapping into both
23 aquifers (inaudible) silica sand, there is a chance of the
24 water getting contaminated and being unsafe to drink no
25 matter how the small the -- no matter how small the chance

1 is. I believe that's not in the best interest of any
2 matter when to take the risk of effect in the water. Sio
3 -- silica sand isn't something you should breathe in or
4 digest. Silica sand dust particles, if inhaled, could
5 become trapped in the lung tissue, causing inflammation
6 and scarring. The particles also reduce the lung's
7 ability to take in oxygen. This condition is called
8 Silicosis. Silicosis results in permanent lung damage and
9 it is a progressive, debilitating, sometimes fatal
10 disease. And that's just from breathing in the dust
11 particles from the air. I wouldn't want to know the
12 damage it would cause if it was in your water too.

13

14 There was an unforeseeable danger of
15 tapping into the underground water. Did you know that in
16 China from the groundwater drilling coupled with the
17 breakneck industrialization, has proven that it's
18 particularly toxic? Across China, an estimated 80 to 90
19 percent of groundwater is unfit for drinking or half of
20 its aquifers are too polluted to tap for industry and
21 farming. This information was found a study done by the
22 Chinese Ministry of Water Resources in September 2022.
23 For see Sio -- for Sio Silica to find the sand into
24 something usable, how many tons of smoke produced from the
25 processing plants? They can enter government talks about

1 making us -- making a smaller carbon footprints in the
2 world and being greener, but setting up a processing plant
3 that produce more smog in the air is going backwards in
4 that direction.

5
6 So with that being said, no amount of money
7 is worth sabotaging your freshwater supply and your air
8 quality over. I lived on my property for 23 years and I'm
9 the fourth generation that has lived on the lands. I plan
10 on building a house in the future, and what kind of future
11 will of my family have if I can't use the water that is
12 under my land? Thank you for your time.

13
14 THE CHAIRMAN: Chair. Thank you very
15 much, sir. The next name on my list is Ryder or Rucker
16 Mustard. It's Ryder, thank you very much.

17
18 MR. CROCKER: Can you state and spell your
19 name for the record please?

20
21 MR. R. MUSTARD: My name is Ryder
22 Mustard, R-Y-D-E-R M-U-S-T-A-R-D.

23
24 MR. CROCKER: Secretary. Ryder, do you
25 solemnly affirm that the evidence to be given by you shall

1 be the truth, the whole truth, and nothing but the truth?

2

3 MR. R. MUSTARD: I do.

4

5 MR. CROCKER: Thank you.

6

7 MR. R. MUSTARD: Hi, my name is Ryder
8 Mustard, and I am 12 years old. I live on 59049 PR 302.
9 My dad told me that this place where we live is special
10 and hard to come by. I don't think this will be special
11 once this is -- this is an industrial site. We all learn
12 about protecting the environment in school and see it all
13 over the TV. We are supposed to protect our land and
14 water. We have taken steps at home to improve our
15 recycling and conserving water.

16

17 I love going to the bush and to explore
18 with my older brothers. We build forts and enjoy the
19 sounds of nature. We love sitting out in our yard at
20 night and stare up at the stars. Everything is so
21 peaceful. I have listened to the pros and cons about this
22 project. I don't think -- I don't feel this is safe for
23 my family.

24

25 THE CHAIRMAN: Chair. Thank you very

1 much, Ryder. Rochelle (sic) Mustard?

2

3 MR. CROCKER: Secretary. Can you state and
4 spell your name for the record, please?

5

6 MRS. R. MUSTARD-LEONARD: My
7 name is Rachel Mustard Leonard, R-A-C-H-E-L M-U-S-T-A-R-D,
8 hyphen, L-E-O-N-A-R-D.

9

10 MR. CROCKER: Rachel, do you swear that the
11 evidence to be given by you shall be the truth, the whole
12 truth, and nothing but the truth, so help you God?

13

14 MRS. R. MUSTARD-LEONARD:
15 Yes, I do.

16

17 MR. CROCKER: Thank you.

18

19 MRS. R. MUSTARD-LEONARD:
20 Hi, I am Rachel Mustard-
21 Leonard. I'm here to speak against the Silica -- Sio
22 Silica Vivian Project. My family farm is 116 acres and is
23 on the west side of the project, it borders up against
24 their property. So literally in my backyard. This
25 property has raised four generations on it. I have raised

1 13 kids on this property and now grandchildren are also
2 being raised on it. The home property is -- was safe and
3 quiet and secluded. I had no neighbours near me but the
4 town of Vivian, which is a mile away. That is about to
5 change and there will be no bringing it back.

6
7 There will be bright lights all night long,
8 noise from the workers, the machinery and the work that
9 are -- will be working 24/7 so they can meet their million
10 and a half quote of silica sand. There were also be noise
11 from the train cars moving behind the property as it
12 already travels on the north side -- it is a major CN
13 rail. This will destroy the privacy, privacy,
14 peacefulness of it, the wildlife that lives on my farm and
15 in the surrounding land around it. I have also concerns
16 for the farm animals, should they break a fence and get
17 loose.

18
19 The town of Vivian will also have to bear
20 the extra noise. The people of Vivian did not buy out
21 here in swampland to have to deal with noise and a major
22 plant working behind the town.

23
24 Sio Silica does not care -- they have paid
25 the past municipal counsel to start this project. Yes,

1 there was some consultations and I attended too. They
2 were quite interesting, but they did not state what they
3 were looking for -- only they wanted to test the soil.
4 Now we all know the process involves our water. Sio
5 Silica has said they have a way of extracting the sand
6 through pumping air and the water in the pipe and
7 extracting the sand. They did not do this on Centerline
8 Road, they stockpiled it on the -- excuse me, on the land
9 close to where they were drilling, leaving it uncovered
10 for over a year. Then it was hauled away when the
11 residents in the -- living in the area were told the
12 hazards of uncovered sand.

13

14 I am concerned about my water and the
15 people's water in surrounding areas as there are no -- as
16 they are in the same water system that runs across
17 southern and western Manitoba all the way to the United
18 States. If Sio Silica breaches the shale floor, which is
19 not stable, and it ruptures the next water system below,
20 then mixes the water and the air and the surface water,
21 then what? We have contaminated water that no -- no one
22 can drink.

23

24 How many wells does affect? How many dairy
25 farms? How many cattle operations, hog farms, poultry

1 producers as well as horse ranches? This will also affect
2 them. Water is life to all. Sio Silica has said they
3 have never tried but might work to -- but it might work to
4 extract the materials. But what happens when it fails?

5
6 Who compensates the land owners across
7 Manitoba who's water is now unable to -- becomes unable to
8 drink? What failsafe plans does Sio Silica have? Should
9 this happen, Manitoba already has areas that you cannot
10 drink the water. One example is Headingley Manitoba, they
11 have to pay for water to drink and put it in cisterns --
12 that people who have fresh clean water should not have to
13 fear losing it for some company to melt millions. Do you
14 realize that should this all fail, there will be no
15 compensation because their money will not be in Canada but
16 in offshore accounts, safe and secure? Does anyone care
17 that this will affect our precious commodity of water?
18 There are many countries around the world who do not have
19 water supply that we have and it will only take one
20 misstep and it will be gone.

21
22 Vivian and surrounding area is the aquifer
23 for our water systems. If you look at a land map you will
24 see all the way to the Ontario, the land is swamp and
25 marshland. The land feeds the water system is --

1 underground supply -- is our underground supply. At a
2 meeting in Steinbach, a man said, No problem, the water
3 will fix itself in a couple years. I do not think he knew
4 that Sio Silica plans a 25 year plan. It has taken how
5 many thousands of years to get it the way it is now? This
6 company has been turned down in other provinces in Western
7 Canada. So why are we allowing them to come here, destroy
8 our water? Does people -- does these people live in
9 Manitoba? No, they come from other provinces and other
10 countries. Our government should wake up.

11

12 There are more valuable things than the
13 money they can offer, like the right to drink clean water
14 that is under our ground. I have to also ask, once our
15 water supply is destroyed, where do we get our drinking
16 water? Does our municipality have backup plan? Does any
17 of them have a clue how many it will affect? Does the
18 government mean to supply Manitoba's southern population
19 with water lines and water treatment plants so we can
20 drink sewer recycled water like Winnipeg does? Because
21 Shoal Lake cannot supply all of us.

22

23 The Sio Silica has been advertising like it
24 is done -- that it -- excuse me, that it is a done deal
25 that is a great opportunity for jobs. They inform the

1 public -- public that inhaling -- have they informed the
2 public that inhaling the sand is unsafe? It requires
3 safety gear.

4
5 I also notice that most people think this
6 is only a Vivian area problem and it only affects the
7 people of Vivian. Wrong, it is a Manitoba problem. Our
8 media is quite quiet about this otherwise and every
9 meeting it would be by standing -- if the rest of Manitoba
10 knew, there would be only standing room in here, we'd be
11 like sardines. If you live in the towns that have water
12 treatment plants and you pay for your water use, it's no
13 problem. You do not have to worry like everybody else
14 does.

15 I would like to -- sorry, I would like to
16 close with a -- the -- the -- with this -- the total
17 negligence of the municipal and provincial and federal
18 governments not to protect our water as a crime. They
19 preach clean environment practices yet here again is
20 another example. Do as I say, not as I do. Thank you.

21

22 THE CHAIRMAN: Chair. Thank you,
23 Rachel.

24

25 MRS. R. MUSTARD-LEONARD:

1 Thank you.

2

3 THE CHAIRMAN: Al Mackling.

4

5 MR. CROCKER: Secretary, can you state and
6 spell your name for the record, please?

7

8 MR. MACKLING: It's Alvin Henry
9 Mackling, M-A-C-K-L-I-N-G.

10

11 MR. CROCKER: Mr. Mackling, do you swear
12 that the evidence to be given by you shall be the truth,
13 the whole truth and nothing but the truth, so help you
14 God?

15

16 MR. MACKLING: I do.

17

18 MR. CROCKER: Secretary. Thank you.

19

20 MR. MACKLING: First of all, I --
21 I've -- I've been titled by submission as some gritty
22 questions and some possible answers. My name is Al
23 Mackling, a retired lawyer with limited scientific
24 knowledge. But as a past Minister of Natural Resources, a
25 deeply concerned environmentalist.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Why am I here? I am here opposed to what I consider to be a terrible threat to a storehouse of our most important resource -- water. Water fit for human consumption. We all know that clean air and clean water are vital to life on planet Earth. Accordingly, we all must be very careful about any proposal that is not proven to be environmentally safe. I underline that, proven to be environmentally safe.

Now I have some questions and some probable answers about the Sio Silica Sand Extraction Proposal. Sio Silica is a corporation. This is -- if this application were approved -- heaven forbid -- and the aquifer was damaged, how great are Sio Silica's financial resources? Have we seen a balanced statement that shows they got multi-millions of dollars in reserves? Does the corporation have major financial companies backing or multimillion dollar insurance protection? Haven't heard about it. It would be so easy for Sio Silica to file into bankruptcy, wouldn't it? Why does there appear to be an urgency in processing with this environmental gamble? My guess is that there's a hot market right now for silica sand for use in cracking -- the process used to extract oil and natural gas.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

What evidence is there that Sio Silica has an alternative market for silica sand? Well, according to Sio's full page advertisement in our Winnipeg Free Press, some -- sometime in the future there may be big solar glass manufacturing plant in Manitoba. And their first ad was, This critical resource is attached -- attracted the attention of RCT Solutions GmbH. They want to invest three billion dollars and build a solar glass manufacturing plant here in Manitoba. It would be the largest in North America and create up to 8000 jobs. Well, that's been revised. Today's Free Press, they've said they've got a contract now. I -- I trust they've filed a copy of the contract with the -- with the Commission. According to -- to Google, RCH -- RCT Solutions (inaudible), GmbH, is a very successful consulting corporation in Germany. There was no mention of manufacturing, but I guess maybe they've changed, you know? Google could be wrong.

What did Sio Silica's earlier page -- full page ad promise? And I quote -- here's and it's here. Here's what it will do -- this is Sio Silica, We take silica sand out of the ground process that locally -- talk emphasis on process -- here at a faculty in Vivian and

1 then get it to the world -- to the world on rail. Should
2 we question the truthfulness about Sio Silica's promise of
3 huge investment and thousands of jobs as a result of their
4 proposal to exploit the silica sand at the bottom of our
5 huge Winnipeg Aquifer?

6
7 I will not endeavor to evaluate the
8 scientific or geophysical dangers that rise from the
9 proposed operation. However, the following are just a few
10 questions and observations that come to my mind and a
11 report -- I repeat, I'm not a scientist, I'm just a
12 retired lawyer. Will the compressed air which is to be
13 used be filtered and cleaned? If so, how? I haven't
14 heard anything about that. We know that gases, bacteria,
15 and all manner of things can be airborne for long
16 distances. It's my understanding that electrically
17 operated pumping equipment may be used where possible.
18 Just where possible. So fossil fuel burning equipment
19 will be the primary source of power for the operation.
20 What about the noxious emissions? Nothing. My guess is
21 it's a very economical method to mine silica sand. We
22 haven't heard anywhere where this same process has been
23 used.

24

25 According to Sio Silica, they're not able

1 to buy the very expensive water sand separation equipment
2 that they prefer to use. So, they'll just rent it.

3
4 The private land that's -- that's going to
5 be used? Well, it'll just be rented, I suppose. And well
6 -- well -- conventional mining of silica sand throughout
7 the world is done by extraction -- excavation, I should
8 say, because it is considered to be less damaging to the
9 environment. Sio Silica would not have to own machines to
10 excavate. They hire -- hire drillers, that's no big
11 investment there. They just -- the drillers provide all
12 the equipment. So there's no big investment that -- that
13 I can see here. Sure, they're going to have to buy pipe
14 and that sort of thing. So the proposed extraction
15 process would utilize water pressure to transport the
16 water and sand mixture through pipes to a drainage
17 facility. No big investment there either. I think I get
18 the picture -- an amazingly economical mining process, it
19 has to be very profitable. But are they gambling on the
20 safety of the whole process? They claim they will monitor
21 the process through an independent third party. Whose
22 name is what? Who is this party? What documentation have
23 we got?

24

25 In brief, no one -- no corporation or even

1 government, should risk the loss of a source of potable
2 water. If this Commission even reluctantly heeds the
3 wishes of those who support Silica Sand's Proposal,
4 they'll be gambling on a possible environmental disaster.
5 Excuse me.

6
7 My closing advice, although this is my --
8 not -- my closing remarks, is that you should acknowledge
9 that water is life and is indispensable to all. It must
10 be protected from all of those who think otherwise. You
11 know, I'm quite overwhelmed by the -- the nature of this
12 company's efforts to convince his all that it's a
13 wonderful thing. Full page advertisements in the press
14 promises all these jobs. Well, quite frankly nowhere
15 would any other country except the gamble that's involved
16 here. And it is a gamble, and we should refuse to play
17 along in their game. Thank you.

18
19 THE CHAIRMAN: Chair. Thank you, Mr.
20 Mackling. Darryl Speer.

21
22 MR. CROCKER: Secretary, can you state and
23 spell your name for the record, please?

24
25 MR. SPEER: Name is Darryl Speer, D-A-R-R-

1 Y-L, last name Spear, S-P-E-E-R.

2

3 MR. CROCKER: Secretary. Darrell, do you
4 swear that the evidence to be given by you shall be the
5 truth, the whole truth, and nothing but the truth, so help
6 you God?

7

8 MR. SPEER: Yes, I do.

9

10 MR. CROCKER: Thank you.

11

12 MR. SPEER: I don't know if I should give
13 a bit of history of myself or not, is it relevant? I
14 could say this -- that our family's been a member of
15 Springfield community since the 1870s. We still own the
16 family farm from the original date and our home has been
17 designated as an historic site. And so, it's a -- we
18 consider the land and its attributes special. And I would
19 say that that means that we take more interest, more
20 concern.

21

22 I've been active in issues related to
23 property ownership and with regard to water in particular,
24 has been an interest of mine. And I have as a way of
25 background worked with the Department of Mines and the

1 area that is being under consideration now. I actually
2 worked for a number of years drilling these formations and
3 I was in charge of crews that did that. I actually
4 reported to a gentleman whose named in the files here, a
5 Dr. Hugh McCabe, and I've worked all the way from
6 Headingley all the way up to the Paw and -- and -- and
7 been involved even on the new play on the Minago River
8 flying nickel plant -- I shouldn't say plant yet -- it's
9 coming on stream. They're actively putting that into play
10 and it's a huge nickel deposit. I was involved in the
11 sedimentary rock area and -- and actually was doing work
12 in prep for this project if you can believe it.

13

14 At any rate -- so, that brings us to today
15 and I -- I want to say thanks to the CEC Commission for
16 your attention to the matters that are being considered
17 over I would think three long weeks. I've been attending
18 the sessions and I think I just missed a -- a brief part
19 and I can tell you that it's in times is painful and not
20 only for the people that are at the Commission side, but
21 for those that are -- are benchwarmers. So, thanks for
22 your -- your attention and I -- I would say that there is
23 significant issues here that are being presented by Sio
24 Silica for consideration.

25

1 And as Al Mackling mentioned, there's been
2 very heavy advertising that has gone by way of the
3 Winnipeg Free Press over the radio into the mailbox. As
4 matter of fact, the stuff just came in yesterday that some
5 of you maybe wanted to have. I've got a copy and it
6 basically is persuading us as residents of the of the
7 community that the facts matter. And yes, facts do matter
8 but we've got to be clear about this. These facts aren't
9 necessarily facts that you can depend on or take to the
10 bank and they are in need of -- of review and to be
11 challenged.

12

13 And one such challenge was posed to Sio
14 Silica on the first night of the hearing -- the first day
15 of the hearing, I should say -- just as it began. A
16 fellow by the name of Ian Halket, he is an environmental
17 consultant that works north, him and I had some
18 conversation about common areas. And just minutes into
19 our first session, Dr. Halket called out Sio on their
20 claim of the room and pillar mining of silica sand. And
21 they were claiming that this is the norm for the mining
22 industry. That's not true. He said it quite flat, it's
23 not true. It applies to hard rock and mining and potash,
24 but it doesn't apply to sand. And that's what was
25 mentioned earlier, it's not a proven mining method.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Another fact that Sio asserts that there's no available experts to challenge their claim that their project is safe -- safe for the water, safe for the environment. And actually I brought with me the -- the copy of the -- the ad, which you probably would've seen in the Winnipeg Free Press where Mr. Somji is cuddling his daughter -- and very appealing. But that to me, doesn't advance the case. And the fact is that I, as has the Commission, have sat through what we call dueling experts. And -- and it's quite clear, it is not established that this is totally safe for the water or for the environment. The environment has a number of aspects, it's not just water. It's the soil, it's the trees, it's the birds -- they call it flora and fauna, stuff you don't know about. These are all important aspects of it.

And my observation as mentioned earlier about Centerline Road -- I'm very concerned about what happened there, it was exploratory drilling and well, sites left open, the piling of silica sand open, and where people could -- there was no marking, no warning, no restriction. It was just come one, come all. And this also applied to exploratory site where the Vivian plant is to be placed, and similar situation there. You know,

1 uncovered sand, open wells -- I worked in -- in mining in
2 terms of expiration and I could not believe what I saw
3 there. I mean live trees bushed -- pushed into -- into --
4 dead dying trees pushed into the live trees, that's just
5 not right. And generally, a very unkempt site -- sites, I
6 should say.

7
8 And so, the other thing that is not
9 factual, in my view, is their claim of no subsidence. And
10 it's associated with their boreholes. Now, these
11 boreholes are going to be replaced by casing 16 inches in
12 diameter. And they're going to have five of these casings
13 per cluster and clusters 200 feet apart. And so, to drive
14 the sand out of the formation, it's going to leave large
15 sand caverns and will result in a massive sand caverns
16 below ground 200 feet down. And so, what we've got
17 happening there is they've basically going to do this for
18 four years and then look forward to getting an adjustment
19 and a predicted timeline is 24 years. It's even been put
20 forward that it could be 100 years. We've even had it
21 said it's going to be -- oh, what happened. You're
22 cutting me off. Could be 200 years, so that's well past
23 my lifetime. And yours, all you sitting here. And so, to
24 me this is a -- this convenes the Water Act because what
25 happens when you have those kind of caverns, the shale

1 layer that -- that separates the carbonate from the
2 sandstone is not strong enough to hold up when the cavity
3 is created, and then you have a mixing of the water -- the
4 two aquifers, which is not -- is against regulations. And
5 so we're -- got an issue here. I've listened and what
6 we've got is a lack of data showing how these multi-
7 cluster wells are supposed to function and they're
8 monitoring and cumulative impact studies are deficient
9 assumptions and speculations and diversions and media
10 propaganda all don't add up to facts. And ground zero in
11 Vivian -- that's where this is going to start -- is
12 classified as a high aquifer vulnerability area, top and
13 bottom.

14
15 So all this to compromise a pristine
16 freshwater source for profit taking by investors. These
17 deeper aquifers are our freshwater bank to tide us through
18 the challenges of climate change, weather events. We need
19 to guard them. Without water -- without water, we are
20 nothing. I stand -- and this is a fact -- with those who
21 would oppose Sio Silica's plan to exploit our -- exploit
22 our water source. Thank you.

23

24 THE CHAIRMAN: Chair. Thank you very
25 much. The honorable Jon Gerrard, please.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

MR. CROCKER: Secretary. Can you state your name and spell it for the record, please?

MR. GERRARD: Jon Gerrard, J-O-N G-E-R-R-A-R-D.

MR. CROCKER: Dr. Gerrard, you got your hand in the Bible. Do you swear that the evidence to be given by you shall be the truth, the whole truth and nothing but the truth, so help you God?

DR. GERRARD: Yeah, I do.

MR. CROCKER: Thank you.

DR. GERRARD: Thank you for the opportunity to present this morning. I'm the member of the legislature for River Heights. I have a background in science and as a physician and I'm raising some concerns, some issues which need to be looked at.

The first one that I want to talk about is the importance of keeping groundwater free from contamination or pollution. And I want to emphasize that

1 the current government in recent documents has also made
2 this important point. And of course that's important for
3 the Commissioners to be following what the government is
4 saying. The government's thrown speech says, "Water is
5 our most valuable resource and every drop counts." The
6 government's recently released November 2022 Water
7 Management Strategy says its vision is, "Healthy waters
8 that support resilient, thriving ecosystems, communities,
9 and economies for generations of Manitobans." Its mission
10 is, "The stewardship and protection of Manitoba's waters
11 to meet environmental, social, and economic needs today
12 and tomorrow." One of the major focuses of the water
13 strategy is, "Protect the quality and quantity of
14 groundwater." Within this focus, the strategy emphasizes
15 the importance of "Value groundwater and sustainably
16 manage and protect the resource." And again, "Identify
17 and communicate and mitigate groundwater quality and
18 quantity issues." So the government is saying to all of
19 us, including the Commission, that groundwater is
20 extremely important.

21

22 Now, the strategy itself mentions the
23 Assiniboine Delta Aquifer and the Oak Lake Aquifer, but
24 sadly fails to mention the incredibly important aquifers
25 in southeastern Manitoba which are the subject of this

1 review. The strategy also mentions the importance of
2 having defined sustainable withdrawal limits and local
3 aquifer management plans. Sadly for southeastern
4 Manitoba, there are neither defined sustainable withdrawal
5 limits nor local aquifer management plans. Now both
6 sustainable withdrawal limits and local management plans
7 should be in place before the Silica Sand Proposal should
8 be considered. A previous CEC Clean Environment
9 Commission report a number of years ago, made as one of
10 its major recommendations that there should be a
11 sustainable withdrawal limit defined for the southeast
12 Manitoba aquifers. It's disgraceful that successive
13 governments have not followed that recommendation of the
14 previous Clean Environment Commission -- it should've been
15 done.

16
17 Now, it is important to note that we're not
18 talking about any aquifer. We're talking about an aquifer
19 with some of the best water quality in the world. We
20 have, as an example, a company, Canadian Gold, which
21 markets water to Manitobans and -- and outside of
22 Manitobans, and -- and they comment on the incredibly high
23 quality of the water. It's incredibly fresh and pure and
24 it's quality is such that it received a number of years
25 ago, a gold medal award internationally for the quality of

1 the water in this southeast Manitoba aquifers.

2

3

4 The second point I want to comment on is
5 the proposed use of a room and pillar approach to sand
6 extraction. Now, I listened to the presentation by Sio
7 Silica Sand to the Springfield Chamber of Commerce on
8 November 17, 2021. The company talked about its use of a
9 room and pillar approach to the extraction of sand. This
10 was an integral aspect of their extraction effort, it's an
11 approach which is applied to hard rock mining. The rock
12 is extracted from a room or a cavity and leaving pillars
13 on each side which will hold up basically the ground above
14 it. In hard rock mining, the pillars are rock pillars and
15 function like the walls of a house to hold up the layers
16 above the area where the rock containing the mineral is
17 extracted.

18

19 To use a room and pillar approach to a sand
20 mine where the sand itself is in an aquifer is an
21 altogether different situation. In this case, the sand
22 does not form a conventional pillar. And see, indeed, the
23 sand will naturally slope down. And as calculated, water
24 filled sand will naturally form an angle of repose --
25 that's the angle of the sand going down -- of about 15 to

1 30 degrees. That means that it forms a relatively shallow
2 hill, as one might imagine, underground. If the
3 extraction sites are a long distance apart, it is possible
4 that the slope sand can still form some sort of a pillar.
5 However, the proposal is for extraction sites which are
6 eight metres apart -- 18 metres apart. Under this
7 conditions, the sand is unlikely to be able to form an
8 adequate pillar. In fact, we show some diagrams in the
9 material that I have given to the Commission. And
10 basically, with an 18-metre separation, the sand inside
11 won't even reach the top of the cavity. And when you have
12 a 60-metre separation as you would between clusters, that
13 sand is perhaps going to reach just the top of this -- the
14 -- of the underlying or of the top of the shale layer or
15 the -- which would be above. So it is highly unlikely
16 that you would get a satisfactory room and pillar approach
17 used under these conditions. I suggest that the Clean
18 Environment Commission needs to review with care the
19 proposed use of a room and pillar approach to mining sand
20 as it is very likely that there will be significant
21 problems -- subsidence has been one that's been mentioned,
22 mixing of the aquifer layers, contamination and breakdown
23 of the shale layer in the middle of the two aquifers.

24

25

The third issue I want to talk about is the

1 issue of contamination from the proposed sand mine. This
2 has been pointed out by a number of the previous
3 presentation that there is a potential for contamination.
4 The injection of the air into the aquifer, which is part
5 of the planned proposal, can cause oxidation of the
6 sulfides in that shale layer and could make the water not
7 usable for human consumption. Given the size of the
8 aquifer and the large number of extraction sites proposed
9 -- seven wells per extraction site, maybe now down to
10 nine, and at least 56 well clusters annually --
11 contamination of one or both aquifers could have serious
12 ramifications.

13

14 Groundwater contamination is difficult to
15 reverse and the impact could be very long lasting. Now in
16 Manitoba law, the Contaminated Sites Remediation Acts put
17 the responsibility for cleaning up contamination on the
18 company which is involved with the resource development.
19 It would therefore be important that the Clean Environment
20 Commission, in its review, looks at the situation that
21 would happen if significant contamination did occur and
22 the water became unusual -- unusable. Several questions
23 arise -- what would be the extent of the contamination?
24 What would be the cost or even the possibility of cleaning
25 up the contamination? If the contamination of the

1 groundwater can't be cleaned up, what are the long term
2 costs of replacing the high quality water for people
3 who've relied on it? What are the long run costs to the
4 community and the municipality should there be
5 contamination of the groundwater in terms of lost
6 opportunity for long run development in the area due to
7 potential irreversible contamination? What should be the
8 size of the security put up by the company in case there
9 is contamination? Does the company itself have the long
10 run stability to be able to look after the potential
11 liabilities?

12 And lastly, I will mention very briefly the
13 monitoring. I believe it's going to be very important
14 that there be independent monitoring and it's also
15 important that Clean Environment Commission look at what
16 should be monitored when the water samples are taken,
17 because we need to make sure that the monitoring is done
18 in a very important way should this project ever be
19 proceeding. Thank you very much for this opportunity.

20

21 THE CHAIRMAN: Chair. Thank you, Dr.
22 Gerrard. Marcel Benjamin.

23

24 MR. CROCKER: Secretary. Can you state and
25 spell your name for the record, please?

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

MR. BENJAMIN: Marcel Benjamin, and spelling, M-A-R-C-E-L B-E-N-J-A-M-I-N.

MR. CROCKER: Marcel, you've got your hand on the Bible. Do you swear that the evidence to be given by you shall be the truth, the whole truth, and nothing but the truth, so help you God?

MR. BENJAMIN: Yes, I do.

MR. CROCKER: Thank you.

MR. BENJAMIN: Okay, yeah, yeah. Hi, I'm Marcel from Saint Anne's. I'm the owner of Benjamin Mechanical Incorporated. We manufacture solar racking at our facility there. We're very happy and excited to see the green energy sector coming into Manitoba. For example, the Canadian Premier Sands in Selkirk. Looks like they will be turning turf shortly, and they'll be doing the -- the topping glass for solar panels in the future there. They will also bring in the up to 400 million dollars into that community of Selkirk. Another point that I'd like to bring up is Sio Silica could potentially bring many jobs and also attract solar panel

1 manufacturing in the area.

2

3

4 We all know that we need to work towards
5 the decarbonising of our planet. Being able to buy solar
6 locally -- solar panels locally instead of bringing them
7 in from China would be a huge key factor for us here in
8 Canada. Vivian Silica is the purest type of silica in the
9 world. If Sio silica could be allowed to responsibly
10 remove one percent of the silica deposits in our
11 neighbourhoods, it could mean -- even for myself, I have
12 grandkids that are kilometres from -- from Vivian -- would
13 mean they could have jobs locally and possibly not have to
14 move into the big cities. And again, I -- I stress that
15 it has to be mined responsibly in order to be viable for
16 everybody. We all live here and -- yeah, at the same
17 time, it would help us to move away from oil and gas,
18 which is a huge topic these days. Thank you very much.

18

19

20

THE CHAIRMAN: Chair. Thank you very
much, sir. Richard Symbol.

21

22

23

MR. CROCKER: Secretary. Can you state and
spell your name for the record, please?

24

25

MR. SYMBOL: My name is Richard Symbol, R-

1 I-C-H-A-R-D, S-Y-M-B-O-L.

2

3 MR. CROCKER: Secretary. Richard, could you
4 put your hand in the Bible, please? Richard, do you swear
5 that the evidence to be given by you shall be the truth,
6 the whole truth, and nothing but the truth, so help you
7 God?

8

9 MR. SYMBOL: Yes, I do.

10

11 MR. CROCKER: Thank you.

12

13 MR. SYMBOL: First of all, I want to thank
14 the Manitoba Clean Environment Commission for the
15 privilege to present and speak about the Sio Silica Vivian
16 Sand Extraction Project proposal. My name is Richard
17 Symbol, I live four and one half mile south from Highway
18 15 on PR 302. I am 75 years old and have lived on our
19 property all my life.

20

21 In 1962, my father had a well drilled by
22 Mr. Mondor (ph) of Lorette. Our well is 198 feet deep, we
23 have a very good well -- good, clean drinking water. At
24 one time, we raised and had over 1200 hogs in our barns.
25 We were told the well went below bedrock and has always

1 had a good flow.

2

3 About six or seven years ago we did some
4 plumbing changes in our house. It was recommended at the
5 time to put in a reverse osmosis system. That was done
6 and I've changed the -- the four filters once in that
7 time. I broke them open and there was next to no sediment
8 in them.

9

10 Sio Silica Sands Corporation has proposed
11 the (inaudible) installation, operation, and
12 decommissioning silica sand extraction wells to remove
13 water and silica sand from groundwater at various
14 locations on private land within the RM Springfield. The
15 water from the silica sand slurry brought to the surface
16 from the wells would be separated from the sand on site,
17 undergo UV treatment, and returned down the wells. The
18 separated silica sand would be transported to a -- a
19 licensed sand processing facility using a slurry transport
20 line operation operating in -- in a loop system.

21

22 My question is, how will they get the
23 finished product to their prospective buyers? By truck or
24 by rail? Who are these buyers and what will it be used
25 for? As we are told they have spent over 55 million -- as

1 -- as we are told, they will spend over 55 million
2 annually and create over 800 new jobs. They say they will
3 do a lot of wonderful things for -- for the RM of
4 Springfield in the province of Manitoba. At this time it
5 is just a lot of talk. According to them, it is very
6 simple, safe, and foolproof system.

7
8 There are so many questions, there's so few
9 answers. What is -- what is going to replace all that
10 empty space down there after they extract the sand for
11 upwards of 20 years or more? What will our well water be
12 like? What will happen after the shale and above ground
13 start to settle, crack, and cause massive sinkholes? What
14 will happen to all vegetation, trees, plants, animals and
15 farmer's livestock, the water and the Brokenhead River,
16 eventually -- and eventually the waters of Lake Winnipeg?
17 What will happen to our good, clean drinking water after
18 they contaminate it? They have no answers and if things
19 get really bad they will leave -- go bankrupt and leave us
20 with a problem. Our properties will be worth nothing.

21
22 I have -- I've been to a number of meetings
23 over the last few years and there is always different
24 people speaking and attending for them to the ones who are
25 no longer there, starting to sink and -- and start asking

1 questions to the higher ups in the company. Do they just
2 leave or are they fired?

3

4 I hope and pray that after these hearings
5 are over that the Manitoba Clean Environment Commission
6 will come to good and clear -- come to a good and clear
7 decision and prevent the project to go ahead and put an
8 end to it. Once again, thank you very much for your time.

9

10 THE CHAIRMAN: Chair. Thank you very
11 much, sir. Pauly -- Pauly Klein Sesser.

12

13 MR. CROCKER: Secretary, can you state and
14 spell your name for the record, please?

15

16 MR. KLEIN-SESSER: My name is Pauly Klein
17 Sesser, P-A-U-L-Y, K-L-E-I-N, S-E-S-S-E-R. Basically all
18 the alphabets.

19

20 MR. CROCKER: Mr. Klein-Sesser, do you
21 solemnly affirm that the evidence to be given by you shall
22 be the truth, the whole truth, and nothing but the truth?

23

24 MR. SKLEIN-SESSER: I do.

25

1 MR. CROCKER: Thank you.

2

3 MR. SKLEIN-SESSER: Again, my name is
4 Pauly Klein-Sesser and I live -- we live on a Hutterite
5 colony and as the crow flies, it's about five, six miles
6 from where the site is. And do we have concerns?
7 Absolutely we have concerns. But we have a lot of trust
8 and faith in our creator, which is God.

9

10 Water and wisdom starts with W. God asked
11 Solomon, He can have richness or anything in the world,
12 and you chose wisdom. So let -- dear God, let there be
13 wisdom in this room and in this company and in this
14 government and in this Clean Environment Commission.

15

16 This morning I read in the Bible and I
17 actually wrote that down. I -- I thought it -- it would
18 be fitting to read this here -- Trust in God, all the
19 treasures of wisdom and knowledge are hidden in him. God
20 created this world and he is in control. He puts wisdom
21 in mankind if we ask for it. But then there's common
22 sense, we have to use our common sense. So with the --
23 with the -- with the Commission and the and the government
24 and the owners and the private land owners, we all have to
25 use our God-given common sense.

1
2 I didn't write anything up, so I'm just --
3 I just made notes, so bear with me a bit. Are we
4 concerned about the risks? Yes, there are always risks.
5 Life is a risk. Do we have concerns? Yes, but we also
6 have wisdom people involved. The Clean Environment, the
7 government -- hopefully they all make the right decisions
8 and that are involved, and we trust they will -- they --
9 they -- they will help and make this -- make everything
10 safe. Water is very important as we also have a livestock
11 farm and -- but again we put where we put our trust in.
12 Hopefully this will be done all respectfully, if this goes
13 through, I'm in favour. If it's all -- we are in favour
14 if it's all carefully done and responsible and respect the
15 lane and the locals. Even with farmers we break our lane
16 and we always have neighbourhood concern that we're
17 destroying trees, we're mixed clean air and all this kind
18 of stuff. But we got to make a living, we got to make a
19 farm. RM of Springfield has been blessed with gravel pits
20 and now the resource of silica sand. It was preserved for
21 the century. Other countries -- we are in the eastern --
22 what do you call that? The West has the oil, we have the
23 sand. And then for today's date, to build modern
24 technology like solar panels and such, we have seen towns
25 die -- no jobs, people just leave town. Towns die,

1 business closed down, and I -- I can only see positive
2 come through this if it's done right. I'm a local
3 businessman myself and to my gut feeling, I think this
4 would be good in eastern Manitoba. There will be growth,
5 (inaudible). And if you agree with me or not, we all
6 agree to disagree and hopefully there will be wisdom put
7 into this and the right decision will be made. We all
8 need to make a living and hopefully it'll be a good
9 outcome. That's it, have a good day.

10

11 THE CHAIRMAN: Chair. Thank you,
12 sir. John Skillen, please. John Skillen.

13

14 MR. SKILLEN: My name's John Skillen, J-O-H-
15 N S-K-I-L-L-E-N.

16

17 MR. CROCKER: And do you choose to swear or
18 affirm?

19

20 MR. SKILLEN: Doesn't matter.

21

22 MR. CROCKER: Okay. Well, do you want to
23 use the bible?

24

25 MR. SKILLEN: Sure.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

MR. CROCKER: Secretary. John, you got hand on the Bible. Do you swear that the evidence to be given by you shall be the truth, the whole truth, and nothing but the truth, so help you God?

MR. SKILLEN: Absolutely.

MR. CROCKER: Thank you.

MR. SKILLEN: Hi, my name's John Skillen. I'll be the unpopular one. We've been out here for my whole life, we've been screwed over continuously. We've been flooded. Last year we had six inches of water on our property. So, you can come on my property and drill anytime you want, because I will not be flooded anymore.

Everybody in this room keep in mind that shitty water that comes on our property will go in your drinking water. We have a reservoir across the road. We had 600 plus metres of water running over the road flooding us. Where were you all then? Nowhere. You guys are bitching about taverns under the ground. Has Blumenort fallen in? Well, nobody knows. How big's a tavern under Blumenort, Manitoba? 50 years they've been

1 pumping sand out of there. What about the oil -- oil
2 wells over by the water line tracks over by my place? No,
3 crickets. What about the open aquifer over -- over up by
4 the gravel pits up north of Oak Bank? I could go dump
5 sewage in there.

6
7 Everybody's crying about the water coming
8 into Springfield, what about the water leaving? Go up on
9 Springfield Road where those car shredders are, my company
10 drilled the well for a new shop there. You can't stand
11 the -- nobody -- I could've brought gallons for everybody
12 to enjoy -- how good the water is leaving Springfield.
13 You guys don't get it. They're under the microscope for
14 the rest of their business life. Okay? All you people
15 that hate them so much -- great. Get more of you. Great.
16 Bring more of you. They are welcome to drill on my land
17 anytime they want, I'll sign the paperwork. Because I --
18 I get -- I get my property looked after. I know a guy
19 that died of silicosis in the liver, worked for Winnipeg
20 sandblasting his whole life, he was a biker. Dropped
21 dead. Somebody else took his place.

22
23 What about the contamination coming up from
24 The States, all these trains that are derailing?
25 Everybody know it's -- it's already leaching into Ontario.

1 These guys don't have to kill us, we're stupid enough
2 we're killing ourself. So, I'll become popular one,
3 everybody knows where I live, so be it. Don't forget out
4 in Quebec where they do the fire retardant crap --
5 asbestos or whatever the hell it is -- everybody out there
6 has water filled -- well filters, asbestos is easy to get
7 out of water. I'm not a chemist, I have my own lab, but I
8 ain't a chemist. Don't need a degree, don't need -- I'm
9 not double -- up here double talking.

10

11 I've been pissed off for 50 years. My dad
12 went to the grave being pissed off. And for any of you
13 think I'm joking? Dad told me where the tipping point for
14 the water is that floods us every year. We got the RM of
15 Springfield in the province of Manitoba, Oh, we're going
16 to look into it. It's a bunch of bullshit. So you guys
17 can all be pissed off, you can hate me -- I don't give a
18 rat's ass. That's all I have to say.

19

20 THE CHAIRMAN: Thank you, sir.
21 Chair. We're going to pause for about three minutes, and
22 that is a very short three minutes.

23 (OFF RECORD)

24 (ON RECORD)

25

1 UNIDENTIFIED SPEAKER: Carolyn White. Could

2 I talk to you for a second, please, Carolyn White?

3

4 THE CHAIRMAN: Chair. Can we quite

5 the room, please? And just by way of context -- so,

6 Carolyn will give her -- her statement and following

7 Carolyn, we have one other person and then we will take a

8 30-minute break for lunch.

9

10 MR. CROCKER: Secretary, can you state and

11 spell your name for the record, please?

12

13 MRS. WHYTE: Carolyn White, C-A-R-O-L-Y-N,

14 W-H-Y-T-E.

15

16 MR. CROCKER: Carolyn, you have your hand on

17 the Bible. Do you swear that the evidence to be given by

18 you shall be the truth, the whole truth, and nothing but

19 the truth, so help you God?

20

21 MRS. WHYTE: I do.

22

23 MR. CROCKER: Thank you.

24

25 MRS. WHYTE: My name is Carolyn Whyte.

1 Thank you to the Clean Environment Commission for the
2 opportunity to speak today. I've lived in the RM of
3 Springfield for 39 years. I've raised my children here,
4 ran my own small business in Oakbank, and currently work
5 for Statistics Canada. Today I respectfully ask you to
6 recommend the ceasing of any further operations of the
7 proposed Sio Silica plan in the Vivian area.

8
9 The RM of Springfield is fortunate to have
10 a unique and enviable supply of pristine, quality water.
11 One of the greatest concerns with this proposal is the
12 risk -- indeed expectation, that the shale barrier between
13 the Red River Carbonate and the Winnipeg Sandstone
14 Aquifers will be further compromised and mixing will be
15 inevitable. The enormous number of Sio Silica wells --
16 over 9000 proposed wells -- will unavoidably contribute to
17 these mixing of the aquifers and increase contamination
18 possibilities.

19
20 While I cannot pretend to begin to
21 understand all of the complexity of this process, it's
22 highly complex. I don't think a lot of us truly
23 understand what's going on. It is obvious, given the
24 immense and intense public discussion, debate,
25 comprehensive studies, reports, public hearings, and loud

1 public outcry, that the CEC needs to stop this operation.

2

3 Respected University of Winnipeg professor
4 and water quality expert, Dr. Eva Pip (ph), who has spent
5 her entire career studying and researching water quality,
6 sounded the alarm bells years and years before anyone else
7 about the health of Lake Winnipeg, long before people and
8 governments took notice. Dr. Pip is sounding the alarm
9 bells once again, loud and clear, on a potential disaster
10 that could await these two aquifers. Are we going to
11 listen this time?

12

13 It's obvious there are many concerns
14 regarding this company already. As admitted by Sio Silica
15 themselves, the procedures and technology to be used are
16 undocumented elsewhere. Why should we risk the quality of
17 our drinking water on untried and undocumented procedures?
18 The company is proposing to extract silica sand
19 approximately 200 feet below ground. Some test wells have
20 already drilled have been in excess of 300 feet. Why are
21 they're drilling deeper than they said they would?
22 Despite all of their extensive procedures, the company is
23 already not living up to its promise to test -- to fill
24 test boreholes.

25

1 Sio Silica has broken these procedures, and
2 this is only the beginning of the project. We are so
3 concerned and worried. Their commissioning procedures are
4 very vague. How can the CEC promise that after 24 years,
5 this company will not just pull out of the RM of
6 Springfield, move back to wherever they come from, and
7 leave behind whatever mess they have made, which could be
8 in perpetuity? How will potential tainting of our aquifer
9 be addressed? Who will be responsible for homeowners'
10 tainted wells and drinking water? Is it the ratepayers of
11 the RM Springfield? Is it the province of Manitoba?

12

13 If this company cannot even live up to
14 basic responsibility of properly capping their test
15 boreholes, what assurance can the CEC give the residents
16 of Springfield that this company which is solely driven on
17 making millions and millions of dollars of profit, adhere
18 to proper procedures? The tactics that this company uses
19 already makes many people distrust them.

20

21 Our rural development is increasing. Our
22 demands for water grows. Manitoba and the RM of
23 Springfield has an enormous potential for resource
24 development, but it has to be done with real integrity and
25 respect for the RM citizens and our environment. We are

1 open to economic change and development, but in a managed
2 and environmentally responsible manner. Of course we want
3 more jobs, of course we want more industry. But our water
4 resources are finite and irreplaceable. We need to
5 conserve and protect them. This is drinking water in our
6 backyard.

7
8 I respectfully ask the Manitoba Clean
9 Environment Commission to recommend the ceasing of any
10 further operation of the proposed Sio Silica plan. Thank
11 you.

12
13 THE CHAIRMAN: Chair. Thank you very
14 much. Susan -- and I don't have a last name, but I guess
15 we'll get it when you're sworn in.

16
17 MR. CROCKER: Secretary, can you state and
18 spell your name for the record, please?

19
20 MRS. EAGLEWOMAN: My name is Madison
21 Eaglewoman, I'm from the Bear Clan.

22
23 MR. CROCKER: Susan, do you swear that the
24 evidence that -- no, I apologize. Do you affirm -- or do
25 you solemnly affirm that the evidence to be given by you

1 so be the truth, the whole truth, and nothing but the
2 truth?

3

4 MS. EAGLEWOMAN: Yes.

5

6 MR. CROCKER: Thank you.

7

8 MS. EAGLEWOMAN: *Bonjour*, (speaking
9 unidentified language). The name that I carry is Medicine
10 Eaglewoman. I'm from the Bear Clan. I'm here today as an
11 indigenous woman to hold you to obligation -- to do your
12 legal obligation that is upheld by the Constitution for
13 you to do your due diligence in consulting with the
14 indigenous communities that surround the area in which you
15 are planning your extraction of resources.

16

17 The toxic -- the toxic pollution that will
18 be created and pushed into the Brokenhead River will then
19 leach into Lake Winnipeg, whose -- whose balance is
20 already in a delicate state. I not only come here to
21 speak for -- for us as humans, but I'm -- I'm also
22 advocating for the land and all of the -- the life that is
23 being sustained and will be at risk by your plans and --
24 and your promises of millions of dollars, and economic
25 security for people who may already be experiencing the

1 fallout of COVID.

2

3 May I remind you that in other communities
4 that have had major drilling done to their lands, such as
5 for Chipewyan, downstream from the -- the tar sands. The
6 level of cancers and rare cancers affecting children and
7 90 percent of the residents downstream. I'm asking, you
8 know, what kind of research have you done that will be
9 affecting the people over the next 100 years? You say
10 that you'll be here for 24 years and creating enough job
11 for people to get by. But when we're looking at the long
12 term effects of extracting, you know, we have to take into
13 account the health and wellbeing of not only the people in
14 the land -- sorry, I'm -- I'm feeling all eyes on me at
15 the moment, so I'm feeling a little bit nervous. But I
16 don't want that to be a factor in which you're distracted
17 from your obligation to be making sure, you know, that
18 it's you as human beings, that you have families as well,
19 and I speak for the spirit of the land and all that is
20 that walks upon it.

21

22 There are at least five indigenous
23 communities that I can think of. Have -- have you done
24 your due diligence and asking and consulting with them?
25 And that may I remind you that part of the process of due

1 diligence is not just to be holding community forums like
2 this, but to be directly going to various communities.
3 And may I also remind you that your -- your budgets do
4 allow for that community consultation to be happening. I
5 think that's -- that's all that I have to say for now.
6 Miigwetch.

7

8 THE CHAIRMAN: Chair. Miigwetch.
9 Thank you. It is 12:01, we will reconvene at 12:31.

10

11 (OFF RECORD)

12 (ON RECORD)

13

14 THE CHAIRMAN: Okay, so we will
15 proceed to swear in our next person. Mr. Cole, will you
16 take a seat, please? After Mr. Cole will be Hugh Arklie,
17 so I'll start giving advance notice to those that follow
18 those that are currently at the front. So, Ted followed
19 by Hugh Arklie.

20

21 MR. CROCKER: Secretary. Could you state
22 your name and spell it for the record, please?

23

24 MR. COLE: My name is Ted Cole, T-E-D, C-
25 O-L-E.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

MR. CROCKER: Secretary. Mr. Cole, you have your hand on the Bible. Do you swear that the evidence to be given by you shall be the truth, the whole truth, and nothing but the truth, so help you God?

MR. COLE: I swear to tell the truth, the whole truth, and nothing but the truth, so help me God.

MR. CROCKER: Thank you.

MR. COLE: My name is Ted Cole and I'm coming for your guts. I waited five long days to be here and I'm trying to keep myself together long enough to get your guts. And I'm going to do it straight -- a lot of camouflage out there. But you are hiding something, something you didn't want the people to hear. But I'm going to spill your guts. And whatever -- I'm going to try to stay focused.

It's that mining plan and the power that comes with it. Without that, you are dead. And you put so many beautiful things out there to try to take attention away from it. You were excellent at hiding your nuclear arsenal. I came close, but I was suckered in like

1 so many other people. I came close, but here we go.

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

With that claim you can go from point A to point B. But how do you get there? People have a choice, there's that land access deal. Where did you ever put information -- complete information about that land access deal? You didn't. Tidbits, little sucker things. And like I said, I was -- I was conned by you guys big time. I looked everywhere but there was something missing. Something missing. And I know what it is now.

Two evenings ago I got out of bed because the light finally shone on what was going on here. Two evenings ago it came to me that yeah, people have a choice. They can say yes, they can say no to the Land Access Agreement. Yes is beautiful for you guys. Beautiful. But what happens with no, when people say no, you can't come on my land? And when I asked that question in Steinbeck -- oh, there was a quieter voice. A lot quieter. But I didn't pick up on it, I didn't pick up on the truth, the whole truth and nothing but the truth, so help me God. When a person says no, what happens? The way I see it, the way I believe it is there's a little committee that then looks into your decision of no. What happens? Is there a committee for the yes? It's only for

1 the no?

2

3 You people have an ulterior motive. That -
4 - that claim gives you power that you do not deserve. You
5 should never have been given that power. When you take
6 peoples voices away, their choices are away, that is
7 wrong. And that little committee that follows the no
8 answer, they're going to decide, Was that a good access
9 agreement? Why isn't there a committee on the yes side?
10 Oh, was that a good decision? Should I maybe retract my
11 yes? No. It's only on the no side. And how do you get
12 from this end to that end? You have to get the Land
13 Access Agreement. The Land Access Agreement. When you
14 take a person's say out of the Land Access Agreement, they
15 don't have a say. Just like the same damn thing that
16 happened on October the 19th of last year when people came
17 here because you took their voice away from them and you
18 put it in the hands of the Manitoba Municipal Board, to
19 decide the people's choice.

20

21 You could string me up from one end of this
22 world to the next, I couldn't give a rats ass either. But
23 you cannot take people's voices away, their choices away.
24 You hid this so well, there were -- I couldn't believe all
25 these beautiful spots that we could pick. But there's a

1 reason for those beautiful spots, so easy to see because
2 we looked that way, but not this way. And you hid it so
3 well, you hid it just -- oh, I was impressed when that
4 light came on. But without those Land Access Agreements,
5 you are dead. You cannot function. But you did it by
6 taking people's voices away.

7
8 Now, there's a lot to be found out about
9 this Land Access Agreement, seeing as how you haven't put
10 any real information out, the truth, the whole truth and
11 nothing but the truth. Is there a Non-disclosure
12 Agreement in that Land Access Agreement, just like you
13 have in your proposal? You'd never notice, it's common.
14 If it's in that proposal, why would people notice that
15 it's in a Land Access Agreement? I'm not saying it is,
16 but I wouldn't be surprised, because you're going to shut
17 their mouths. And they will not be able to complain or do
18 anything because they have to sign the Land Access
19 Agreement. Thank you. I appreciate that. This is the
20 truth, the whole truth, and nothing but the truth. I lied
21 to my wife whom I love and I lied to my family so I would
22 be here to get you guys. You guys make me sick, taking
23 peoples voices away. Where do you come from? I know
24 where I come from. We are at war and we've been invaded.

25

1 THE CHAIRMAN: Chair. Mr. Cole, your
2 -- your -- your time is up, sir. Chair. Hugh Arklie,
3 please, and Hugh you will be followed by an Anessa Maize.

4

5 MR. CROCKER: Secretary. Can you state and
6 spell your name for the record, please?

7

8 MR. ARKLIE: My name is C. Hugh Arklie.
9 Spelled Capital C, period, capital H-U-G-H, Capital A-R-K-
10 L-I-E.

11

12 MR. CROCKER: Mr. Arklie, do you swear that
13 the evidence to be given by you shall be the truth, the
14 whole truth and nothing but the truth, so help you God?

15

16 MR. ARKLIE: Yes, I do.

17

18 MR. CROCKER: Thank you.

19

20 MR. ARKLIE: I am here to speak on what the
21 CEC has referred to as the Vivian Sand Extraction Project.
22 Thomas Sowell (ph) was raised in poverty in the segregated
23 south. He graduated from Harvard and became a university
24 professor. He has written 45 books. A conservative, he
25 said this, "It is hard to imagine a more dangerous way of

1 making decisions and by putting those decisions in the
2 hands of people who pay no price for being wrong."

3
4 During the past four years, I've spent an
5 inordinate amount of time on File 6119.00 of Sio Silica,
6 formerly CanWhite Sands of Calgary, Alberta. The
7 Environmental Approvals Branch titles of this File quote,
8 Silica Sand Extraction Project. File 6119.00 is not to be
9 confused with the already licenced Vivian Sand processing
10 facility or File 6057.00. This conflation of three
11 titles, including quote -- including quote, Sand -- sorry,
12 Including Vivian's Sand Extraction Project, is dangerous
13 to the public's perception of the enormous risks. You see
14 whatever one calls these Sand Extraction Project, it will,
15 if licensed, eventually cover thousands of hectares. The
16 only sand processing facility currently identified as for
17 the tiny bucolic hamlet of Vivian. Vivian is not the site
18 of a large scale sand extraction as implied by the Clean
19 Environment Commission and its advertising.

20
21 In half a century of environmental
22 volunteerism, I have never seen such a train wreck by a
23 Proponent and it's co-proponents at the Mines Branch and
24 the Environmental Approvals Branch. The Mines Branch knew
25 full well what H.D. Minerals -- the originator of this

1 endeavor -- was pursuing. It shows to protect the
2 proprietary interests of an out of Province corporation
3 above prioritizing the security of Manitobans. The
4 environmental analysis of this tragedy should have started
5 with a prudent Mines Branch, alerting the Environmental
6 Approvals Branch with a request to initiate environmental
7 scoping six years ago. However, the veil of secrecy
8 perfected by the Mines Branch has led us to today. The
9 vigilant Environmental Approvals Branch, in the absence of
10 wisdom from the Mines Branch, could have read the enticing
11 media reports, as most of us did, and been proactive in
12 scoping long ago. The Environmental Approvals Branch's
13 status as a co-proponent in the abomination, hereinafter
14 referred to as the Silica Sand Extraction Project, was
15 confirmed when the Minister refused participant
16 assistance, also known as intervener funding. She could
17 have assigned Class 3 status and collected an applicant
18 fee of \$120,000.00, instead of the paltry \$7,500.00
19 assessed under Class 2. Funds so collected could have
20 been used to advance democracy by funding participants.
21 This opportunity, unsurprisingly, was missed. There are
22 legislated means by which environmental funding could be
23 provided, but they were also withheld.

24

25 Sadly, the Environmental Approvals Branch

1 is governed by an ancient Environment Act that is heavily
2 dependent on ministerial discretion and captive to a
3 senior public service that lacks the academic credentials
4 and the courage to represent the public. Its revision was
5 championed by the Manitoba Law Reform Commission in 2015,
6 but the government of the day kiboshed it.

7

8 So here we are. Not just because Sio
9 Silica wants to make money, but also because the
10 government and its minions have a limited understanding of
11 prudence and due process. Other presenters who object to
12 this Silica Sand Extraction Project will provide lucid
13 arguments for its rejection. Some will have credentials
14 as scientists, others will be citizen scientists who are
15 not to be discounted. My comments are not science based,
16 they focus on evidence that questions the legitimacy of
17 the project. Here they are.

18

19 First, in 2019, the CEO of Sio Silica
20 appeared before Noble Capital in Florida. There, he
21 pitched the silica sand in our aquifers to potential
22 investors. The commercial use, he said, was to sell
23 fracking sand to the oil industry in North Dakota and
24 Alberta. Secondarily upon the establishment of a viable
25 business, to sell the company.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Despite significant public opposition and contrary to due environmental process, the Environmental Approvals Branch licensed Sio Silicas Vivian Sand Processing facility prior to the Silica Sand Extraction Project. Appendix I to File 6057.00 being the processing facility Sio Silica declared that at least "60 percent of the sand will be going to various uses outside of the oil and gas industry." Of course that means that up to 40 percent will be going to frack oil wells and all the environmental degradation that such entails. Nevertheless, Sio Silica has lately been vocal in its claims that the sand mined from our aquifers will be used only for solar panels, medical glass, batteries, and other non tracking purposes. Sio Silica has yet to disavow Appendix I of File 6057.00.

Next, as declared in Clause 2.2 of the Proponent's Environment Act Proposal, the Silica Sand Extraction Project, Sio Silica intends to drill between 392 and 467 wells per year for 24 years. This is between 9,408 and 10,274 wells in total. In recent Manitoba Municipal Board hearings, the principals of the corporation alluded to fewer wells, but this has not been formalised by an amendment to the Environment Act

1 Proposal. In any case, the fewer wells are still
2 significant in number. Each well will be only used for a
3 few days, then each well be severed below grade, capped,
4 and backfilled forever. Only the Mines Branch, Sio
5 Silica, and private land owners will know the location of
6 10,000 abandoned wells. It is inevitable that Mother
7 Nature will -- will unleash her irresistible forces and
8 cause seals to fail and the entombed pipes to
9 disintegrate. Catastrophic damage to the aquifers will be
10 permanent.

11

12 Our family, regrettably, has experienced
13 nature's power over unseen well casings. During a
14 particularly cold spell in the winter of 2015, the deeper
15 than normal frost damaged our casing. The spring thaw
16 introduced slurried sand into our plumbing, and only an
17 iron filter prevented widespread damage to our house
18 plumbing. We had the benefit of daily surveillance. This
19 ill conceived project will not have surveillance,
20 regardless of unenforceable promises.

21

22 Next, abandoned oil wells on private land
23 in Alberta have discouraged banks from approving mortgages
24 upon the proposed sales of those lands. This also reduces
25 market values and impairs the municipality's source of

1 property tax. Will Sio Silica compensate landowners over
2 its wide domain, and will it cover the loss of property
3 taxes for the concerned municipalities? The Alberta
4 experience is that the offending companies walk away. In
5 its 2022 budget, the province of Manitoba identified 50.7
6 million taxpayer dollars to remediate orphaned and
7 abandoned mines left behind by companies that walked.
8 Manitoba is, regrettably, home to one of the largest
9 factory pig industries in North America. The slurry waste
10 from these pitiful creatures is regularly and without
11 supervision injected in and spread on fields. Cattle
12 range in significant numbers on the fields and of course
13 defecate. This will also go on forever in unpredictable
14 locations, but always in the catchment area mined by Sio
15 Silica. In 2000, a single well -- a single well
16 contaminated by cattle manure killed seven people and
17 sickened over 2,300 people in Walkerton Ontario when the
18 city's drinking water was contaminated. Clause 2.2 says
19 10,000 wells.

20

21 On April 11th, 2019, the Winnipeg Free
22 Press quoted Trevor Martins (ph) of Evolve Surface
23 Strategies as declaring that he was not aware of
24 underground sand mines anywhere in the world. Mr. Morton
25 said, "This has never been done before. Sio Silica

1 disputed this, claiming that its testing procedures were -
2 - were successful. Such testing, however, is not
3 commercial scale production. Prudence dictates that our
4 aquifers must not be subjected to an experimental
5 process."

6
7 Next, in 1988, another out of Province
8 corporation sought to mine for gold near Shoal Lake, the
9 source of drinking water for Winnipeggers. This caused a
10 near apoplectic response from civic and provincial
11 politicians. In short order and on June 30th, 1989, a 23
12 page Memorandum of Understanding was signed by the Shoal
13 Lake Band Number 40, Her Majesty in right of the province
14 of Manitoba, and the City of Winnipeg. The mine was
15 cancelled. So what are rural residents who draw
16 groundwater for drinking, chopped liver? The newspapers
17 and mail drops -- Sio Silica has made two boasts, it has
18 claimed, "Where environmental, social, and governance
19 compliant." And "Nearly 70 percent of those decided are
20 in support of the Vivian Sand Project." I wrote to the
21 company's head office two weeks ago to request documented
22 proof of these claims. One would think when a corporation
23 publishes such claims, it must have proof in hand and
24 would reply with that proof promptly. Not so with Sio
25 Silica, but if Calgary ever gets back to me, I'll let you

1 know.

2

3 THE CHAIRMAN: Mr. Arklie, your time
4 is up, sir, and I've given you an extra minute. It will
5 not be on the transcripts, sir. Your time is up.

6

7 Thank you, Mr. Arklie. Because you
8 provided a written submission, your full written
9 submission becomes part of the record, but your oral
10 presentation is of course truncated. I am disappointed
11 that you chose not to agree by the ten minute rule that
12 all the other presenters did. And sir, you and I spoke
13 before and I indicated that you would have to condense.
14 Anessa Maize, please.

15

16 Mr. Secretary, while you're doing that,
17 after Anessa I have Nancy Janelle and Chandra Reddy. Are
18 they here? Super, thank you very much.

19

20 MR. CROCKER: Secretary. Can you state and
21 spell your name for the record, please?

22

23 MRS. MAIZE: Anessa Maize, A-N-E-S-S-A, M-
24 A-I-Z-E.

25

1 MR. CROCKER: Anessa, do you solemnly affirm
2 that the evidence to be given by you shall be the truth,
3 the whole truth, and nothing but the truth?
4

5 MRS. MAIZE: It is my truth.
6

7 MR. CROCKER: Thank you.
8

9 MRS. MAIZE: I can't help it, but the
10 midwife in me says everybody take a big, deep, long
11 breath. Okay, good. I speak to you today firstly as a
12 citizen of the Earth, and most importantly, on behalf of
13 my grandchildren and indeed all children, including those
14 yet to be born who will inherit the kind of Earth we leave
15 them. Thus far, it's not looking great for them, but I
16 still remain hopeful because world scientists tell us we
17 have a small window of opportunity at this critical point
18 to, at the very least, mitigate the damage. At this
19 critical, time sensitive point in our timeline on Earth in
20 our evolution as a species, we each are required to make
21 drastic changes, choices, and decisions. Complete U-turns
22 to how we live on this Earth. It's not easy. I certainly
23 don't have all the answers and I fail daily at my
24 attempts, but it is necessary. Our ability to do so was
25 demonstrated globally during the height of the COVID

1 pandemic. When the whole world stopped nonessential
2 travel and positive environmental changes began to occur.
3 We can do it. Each one of us must make serious, and yes,
4 uncomfortable changes to our lifestyles. We must learn to
5 live in a new relationship with this Earth.

6
7 I have heard people say we should keep
8 emotion out of this discussion. Having had a 30 year
9 career as a medical professional, I am in favor of
10 objective and accurate peer reviewed scientific research
11 as well as keeping communications peaceful and respectful.
12 I am also a fellow human being who loves this Earth, and I
13 mean, I really love this Earth. The soil, the trees, the
14 animals, the plants, and I recognize this Earth as a
15 living being. That, like any human relation of mine, must
16 be treated as such and with love and respect. And at the
17 risk of being dismissed as emotional and with the strength
18 of the lineage of women I now stand at the head of, I say
19 we must also include our love for our Earth in these
20 discussions and decisions.

21
22 I am fully aware and deeply afraid of the
23 impacts of generations upon generations of human
24 development causing destruction of the very environment we
25 require to sustain all life on this planet. Climate

1 change is no longer an idea, it is our reality. We are in
2 a climate crisis. The entire human race is being called
3 upon by Earth herself to listen up and take heed, make
4 change now. It is a serious error to think we can
5 maintain our existing lifestyles, most especially in the
6 so-called developed Western nations and save life on Earth
7 by merely adopting green energy as an example to replace
8 all our fossil fuel cars with EV is short sighted and
9 dangerous.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Think cobalt mining in the Congo, lithium mining in Northwest Ontario, flooding northern Manitoba indigenous -- indigenous homelands. And Sio Silica's proclamations that their silica sand will be used for green energy, computer chips, batteries, etcetera doesn't cut it for me, even if their process and facility were deemed 100 percent safe. And I have to say, meeting industry standards does not give me much confidence. And beyond the mechanics and details of this particular project, this is the most important point for me. Everything is interconnected. The very fact of removing this amount of sand, yes, I've heard Sio Silica saying there's so much sand there -- and there is, and that they're only going to remove a small amount. Though actually, to me, 1.3 million tons of sand per year for 24

1 years is no small amount, however large the entire deposit
2 is. Well, to me that's like being told by my physician,
3 Well, you have a lot of lymph nodes, so we'll just take
4 some. But what impact does this cut and enter practice
5 have on me as a whole being? This is the same question we
6 must ask about the proposed extraction of this amazing
7 phenomena of -- of silica sand deposit. What impact does
8 removing any amount of this sand and leaving these large
9 holes in the earth really have on both the people and the
10 Earth herself? I'm not a geologist nor hydrologist, but I
11 do know that there exists a complex water cycle
12 underground, and I do understand the way water moves. And
13 with my medical background and because I recognize the
14 Earth as a living being, I can confidently ask, who is to
15 say these silica sand deposits are not like -- are not
16 unlike lymph nodes of the Earth, adding some level of
17 protection to the waters that flow toward the lakes? How
18 can we unequivocally know that these sand deposits are not
19 providing some yet unknown function or service that when
20 disturbed, will create a cascade effect of disturbances
21 and damage yet unknown to us? Our human track record is
22 not great on this front and often shows that we act and
23 then say, Oops, sorry, we didn't know about that.

24

25

I live 13 kilometres South of the proposed

1 Sio Silica Vivian site on the border of the Tashé and
2 Springfield municipalities. I moved to this particular
3 spot three years ago because of its forests, little to no
4 industrial agriculture, and the undeveloped quiet of the
5 area. We are indeed a quiet neighborhood who enjoy the
6 beauty and bounty of the natural world around us. To the
7 east of us lies a large area of marshland and important
8 wetlands that provide filtration for the waters flowing
9 toward and into our large provincial lakes. And both the
10 Sandilands and Agassiz provincial forests as well are to
11 our east.

12 I'm a gardener with a permaculture design
13 certificate, currently studying soil science and creating
14 a homestead on 40 acres, providing my family with a
15 resilient, healthy food secure future based on
16 regenerative agriculture principles while safeguarding the
17 forest as a conservation area. My hope is that it remains
18 intact for my grandchildren to take over stewardship once
19 I leave this fine Earth.

20

21 I stand opposed to the Sio Silica Vivian
22 Sands -- Vivian Sands Project. To have a mining,
23 extraction and processing facility that will be running
24 24/7 for 24 years is unacceptable to me. I don't want Sio
25 Silica as my neighbour. Sound travels here with the wind.

1 We often hear the trains that run along the 15. Light
2 travels as well, and on low ceiling cloudy nights the glow
3 of Winnipeg City obscures the darkness of the night. And
4 just the knowing of this mining operation up the road is
5 not -- is enough to disturb the peace and beauty of this
6 area. On Sio Silica's website and in numerous reports,
7 they state this area is not home to fish habitat, rare
8 vegetation, or uncommon wildlife habitat. But what about
9 the flora and fauna that do live there, that migrate
10 through there? What about those 17 acres of trees that
11 are the Earth's lungs, providing us with both oxygenated
12 air and carbon sequestration? Sure, it's such a small
13 amount of forest, but any amount now, in our climate
14 crisis more than ever, is crucial to preserve and
15 conserve.

16
17 Sio Silica states that the land area to be
18 deforested is much smaller than lands that have been
19 cleared for industrial agriculture. But this only points
20 out to me how industrial agriculture too must be changed
21 and large scale clear cutting of forests stopped. It also
22 behooves the question of why do we only take into account
23 the rare and not the common? The large and not the
24 seemingly small and insignificant? This attitude of not
25 caring because it's common or not as large as is one we

1 need to change and demand industry to change. Here I
2 quote Charles Eisenstein, who in his book, Climate: A New
3 Story, states that, "Our focus needs to be to restore
4 ecosystems, not reduce carbon emissions, and that we do
5 this by, in order of importance -- one, protect and
6 preserve wild places. Two, regenerate the land and water.
7 Three, stop dumping chemicals and polluting. And by doing
8 these first three we will inevitably four, reduce CO2
9 emissions."

10

11 I don't trust Sio Silica because they say
12 they want to be my good neighbour, and yet the way in
13 which they conducted the online public forums I attended
14 was obviously self biased. They took questions, written
15 submissions, and some live participation, and answered
16 them without any pursuant discussion or further
17 questioning based on their answers. At the end of each
18 person's question, the participant was muted and cut off
19 from any further discussion or questioning. To me, this
20 isn't the action of a good neighbour. I don't trust Sio
21 Silica in the way I don't trust any large profit driven
22 industry, that by its very nature does not have the
23 Earth's interest at heart, rather growth and profit.
24 Their insistent paid advertising promoting their greener
25 than green motives to me, so obviously full of greenwash,

1 and they're discrediting of those who speak against them,
2 only convinced me that they are driven by economic greed
3 and profit.

4
5 They have never clearly answered my
6 questions to them about the sand being used in the
7 fracking industry. It's clear they want this sand, and
8 like any other industrial corporation, it appears will go
9 to great lengths to get it in the name of doing green and
10 good with the sand they extract. And yes, I am well aware
11 I am complicit in the extraction of silica sand -- how
12 much time do I have? Oh, shit -- for all my consumed
13 products that require it. I didn't say making the change
14 was easy, but we have to start. Each of us individually
15 as well as government and industries alike, need to start
16 putting money and action into preservation of our natural
17 world, large and small -- period. Though we all need to
18 be guardians of our environment, you, as the Clean
19 Environment Commission Commissioners for this
20 environmental assessment, are entrusted to act as the
21 guardians of this particular environment. It's a much
22 bigger picture than these ten minutes and hearings allow.
23 Yes, take the data, the charts, the science from all
24 sides. But I implore you, please think so much bigger
25 than even outside the box. Include your love for this

1 Earth and for the children who are inheriting it. You
2 must. Stopping these kinds of extraction practices full
3 of risk and unknown implications, along with each human
4 individual effort and changing habits, are required for us
5 to change the trajectory of our species is currently on.
6 We need courageous leadership that is willing to act
7 against the big wave of the status quo and lead the change
8 required at this time. Thank you for your time and kind
9 attention.

10

11 THE CHAIRMAN: Thank you very much
12 Anessa, who -- our exchange there was Anessa will provide
13 her entire transcript to the Commission for our -- for our
14 use. So, appreciate that. Nancy and Shandra, are you a
15 team or how we doing this? 'Kay. Thank you very much.

16

17 Chair. So, because these are multiple
18 individuals, we will I -- think six -- we will give them a
19 15 to 20 minute window.

20

21 Chair. And while the secretary is swearing
22 in, this group is followed by Janet Nylin. So, Janet,
23 this is your 15 minute warning.

24

25 MR. CROCKER: Secretary. Can you state and

1 spell your name for the record, please?

2

3 MR. MALUZYNSKY: Julian, J-U-L-I-A-N,
4 and my last name? Maluzynsky, M-A-L-U-Z-Y-N-S-K-Y.

5

6 MR. NOVAK: Maximillian Novak. Yeah, M-A-
7 X-I-M-I-L-L-I-A-N, Novak, N-O-V-A-K.

8

9 MISS BERNAT: Madeline Burnett, M-A-D-I-L-Y-
10 N-E, B-E-R-N-A-T.

11

12 MISS KLOS: Lily Klos, L-I-L-Y, K-L-O-S.

13

14 MISS FARS: Emily Fars, E-M-I-L-Y, Fars,
15 F-A-R-S.

16

17 MISS PANCHOO: Katelyn Panchoo, K-A-
18 T-E-L-Y-N, P-A-N-C-H-O-O.

19

20 MR. CROCKER: Do you all solemnly affirm
21 that the evidence to be given by you shall be the truth,
22 the whole truth, and nothing but the truth? Thank you.

23

24 MR. MALUZYNSKY: Hello and thank you
25 for accepting our application present. My name is Julian,

1 I'm in Grade 9. I'm here with other Grade 9 to 11 high
2 school students from the Seven Oaks Met School in
3 Winnipeg, Manitoba. We live and learn on Treaty One
4 Territory, the homeland of the Anishinaabe, Cree, Dene,
5 and Métis people.

6
7 We're part of a social justice group that
8 meets because we're concerned about social and
9 environmental issues. When we learned about this proposed
10 mine, we were concerned and wanted to know about what was
11 happening. As we learn more about the proposed mine and
12 we found out that someone in our group lives in
13 Springfield, we became concerned about it and about the
14 direct and immediate environmental impacts to the land and
15 the people and animals living on it, the environmental
16 impact on the connected aquifer, and the future impacts
17 related to climate change.

18
19 The initial study by Vivian Sands
20 Corporation did not include the potential impacts on the
21 geochemistry of the area, on the wildlife, biology, or
22 ecosystems and in addition, the project puts a very
23 important aquifer system at high risk. I'd like to invite
24 Grade 10 student Maddie to speak about potential impacts
25 on the people who live in the area of the proposed mine.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

MS. BERNAT: Hello everyone, my name is Maddie Bernat. When I was five years old my parents decided to move from our house in Winnipeg. Finding a new home was much harder than they thought it would be. Raising three kids is no easy task, so finding the perfect place for us to call home was difficult. But after looking at over 15 houses in six months, they found the perfect place to call home. This house was in Oakbank, a small town located only 15 minutes away from Winnipeg.

There were many factors in deciding on their dream home -- location was something that they were picky about. My dad grew up on a farm and really enjoyed having the space and quiet that came with that life. Luckily, Oakbank offered that same lifestyle. Since moving there in 2013, I have enjoyed living in Oakbank for almost ten years now. I've enjoyed growing up in this town, attending elementary to middle school, and taking my first dance classes at the space. Many of my best memories are here. From playing at the parks with my friends to going on walks and getting ice cream, this town has offered me a safe space. I can honestly say that I am so grateful that my parents picked such an amazing place for me and my sisters to grow up.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Oakbank is surrounded by large parcels of farmland. While driving around the outskirts of the town, crops will fill your vision. The mining of silica sand can affect many of these farmers and their livelihoods. This project gives Sio Silica the right to mine these farmers properties, not only affecting their crops but also the animals that inhabit this land. Some landowners will have mining occurring on their land for months on end and left with destruction. This project will also leave behind thousands of abandoned wells, affecting farmers and their fields.

With this proposed project, so many things could change in these small towns. This can make the water that kids carry in their water bottles unsafe to drink. This can make the air while going on walks with friends harmful to breathe. This could endanger many of the plants and animals that thrive in these areas. And this could affect the people like me who call these places home, a home -- a place that someone -- a place that should offer us the feeling of safety. How can you push a project that will affect so many people in such negative ways? How can you take away our safety just to make money?

1
2 When I was younger, I always wondered where
3 I would live in the future. My mind always floats back to
4 the town that my parents fell in love with, Oakbank. But
5 what will life in Oakbank look like in the future? Would
6 I want to raise a family where I'm not sure if the water
7 is safe to drink, or the industry takes priority over the
8 safety of its citizens? I am not sure what will happen in
9 the future, but will this town one day be the place that I
10 call home? These are -- these are concerns I shouldn't
11 have as a 15 year old. Thank you.

12
13 MR. MALUZYNSKY: Julian speaking now.
14 I'd like to invite Max from Grade 11 to speak about the
15 potential impacts on the aquifer.

16
17 MR. NOVAK: Hello, I'm Max. I want to
18 mention our concerns over the possible contamination of
19 the aquifer below the location of the proposed silica
20 mine. We have noticed that Sio Silica has not provided
21 any information about this and the impacts of the people
22 affected. We question why a project of this magnitude,
23 with so little information and data on the environmental
24 impact that is still in the conceptual stages, is able to
25 go through an environmental assessment.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

There is mention that you will monitor the groundwater, but that will not affect if it's polluted or not. You also propose injecting air -- aerated processed water into the aquifer -- back into the aquifer, but that could lead to the contamination of microbes even if UV light is used to cleanse the water. The rising of dissolved oxygen levels in an aerobic aquifer will change the aquifer, it becomes oxidized as chemical reactions can occur. There's also the fact that Geotechnical report by ARCADIS had noticed concerns about the possibility of destabilization of the shale between aquifers, and this has potentially significant -- significant implications. Specifically given that the anticipated diameter of the void of each boring cluster -- significant branch -- breaches in the shale aquitard will occur when the shale collapses on -- into the underlying void. Conceptually, this will create a connection between the Red River Carbonate Aquifer and the Winnipeg Sandstone Aquifer.

Now, what about all the affected users, the public and the private users? The 1,612 wells which lie in the regional project area and the six hundred -- 406 wells within the local project area that was concluded by Sio Silicas own groundwater monitoring impact -- and

1 impact mitigation plan for Vivian Mining Project. What
2 will the community do if their groundwater is contaminated
3 temporarily or permanently to a point where they cannot
4 use the water to clean their clothes, wash their hands, or
5 even water their garden? What will the community do?
6 Thank you. Thank you.

7
8 MR. MALUZYNSKY: Julian speaking. Now,
9 I'd like to invite -- or now I'd like to bring on Lily
10 from Grade 9 to speak of the public -- to speak about the
11 potential impact on the ecosystem.

12
13 MISS KLOS: Hello, I'm Lily from Grade 9.
14 This pollution doesn't just affect the people and water,
15 it affects an entire ecosystem. Land, plants, water,
16 wildlife, all slowly dying because the emissions and
17 pollution this project is producing. The amount of
18 emissions that will be emitted during this project is
19 highly underestimated. Did you happen to know that 80
20 percent of North Americans can already no longer see the
21 Milky Way due to light pollution? It will take heavy
22 machinery, trucks, deforestation, and more 24/7 to
23 complete this project, causing unmistakable pollution.
24 Light pollution not only affects our view, but -- but
25 affects the animals that live in these areas, interrupting

1 their normal behaviors and affecting their safety.

2

3

4

5

6

7

8

9

10

Biodiversity losses in an alarming rate in Canada, up to 1,000,000 species are currently at risk of extinction, including plants, animals and fungi, which all impact parts of a healthy ecosystem. To adapt to climate change, it is fundamental to conserve and restore nature. But how can we mitigate the harms we are causing our land if we -- if we continue to change and threaten it through proposed projects such as this silica mine?

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

This project is said to have safety mechanisms such as seals and casings. However, seals and casings degrade over time and this project will leave behind thousands of wells which are permanent sources of ground -- for groundwater pollution from surface sources when, if left, would be under that threat. Silica mining causes habitat loss, fragmentation, and affects the water and air quality of this ecosystem. It is well known that living organisms need clean water and oxygen in order to survive. The effects of this project are strongly overlooked. This pollution can cause species in the area to die or become endangered affecting the complex food web and ecosystem for the worse. Climate change and pollution are already at an all time high, we shouldn't be as

1 supporting and allowing it to go on. We're causing bigger
2 and more harmful damage than expected. This will affect
3 an entire ecosystem and natural environment -- this needs
4 to stop here. As someone who has seen first-hand the
5 disturbance this project is causing across communities and
6 the -- and the environment and learned first-hand how it
7 is affected the ecosystem that has already taken place
8 there, I think the silica mine is shameful and should
9 never have become this big of a project in the first
10 place. This land is the people's, the animal's, and
11 nature's. Thank you.

12

13 MR. MALUZYNSKY: Julian speaking. Now
14 I'd like to invite Emily from Grade 11 to speak about the
15 future impacts related to climate change.

16

17 MISS FARS: Emily speaking. The Proponent
18 has been greenwashing their project, saying that the sand
19 will be used for green technology, yet the method is not
20 green and the high risk they are putting on the aquifer
21 system under for using the sand for the necessary
22 decarbonization is not worth it. They want to sacrifice
23 the aquifer to get sand out to use, some -- to use for
24 some of the solar panels. How can we guarantee that the
25 sand is going to be used for solar panels? Is there no

1 safer way to make solar panels? What about recycling?
2 We're using silica sand glass that already exists, is
3 there no safer and -- and environmentally friendly energy
4 production process? ARCADIS surveyed and found that
5 emissions are likely to be three times as much as what was
6 in the original report. You will notice a fair amount of
7 pumps, water, sorely cyclones, etcetera, are excluded from
8 the original report and this would result in the
9 underestimation of emissions.

10

11 As of 2021, many big areas of operation
12 have been missing in the emissions calculations, bringing
13 in equipment, bringing out production, bringing out waste
14 products -- products from the mine site, clearing out old
15 growth forests and much more, all of which haven't been
16 discussed in the EAP. Emissions must be addressed in the
17 cumulative or collaborative nature in the missing
18 operations and the process facility needs a full
19 calculation. There were -- the current report does not do
20 so.

21 With the aquifers, such as the sandstone,
22 are required for combating climate change. They help deal
23 with effects of climate change, such as effects of too
24 much greenhouse gas emissions. With all of that being
25 said, what will my future look like if we continue like

1 this?

2

3 MR. MALUZYNSKY: Julian speaking. Last
4 but not least, I'm going to invite Katelyn from Grade 10
5 to wrap up our presentation.

6

7 MISS PANCHOO: Hello, my name is
8 Katelyn Panchoo and we, the youth of Seven Oaks Met
9 School, are concerned about the direct and immediate
10 impacts of this project and the long-term consequences.
11 We do not feel that the original report done by Vivian
12 Sands Corporation took into account the true and harmful
13 impacts this project will have. We feel, based on our
14 research, that this project will be impacting the safety
15 of the drinking water for the plants, animals, and humans
16 living in this area. This project will put a large and
17 important aquifer at risk of change, contamination and
18 harm. This project will continue to reduce the
19 biodiversity of an important ecosystem and this project
20 will continue to produce emissions that result in climate
21 change, causing irreversible change the entire community,
22 country, and world.

23

24 This should not have been -- this should
25 have been prevented. Research and reports, some from as

1 early as 2015, had recommendations to improve the EA
2 process and licensing. These recommendations were ignored
3 by all levels of government to date. This project is what
4 the report warned us about. The secrecy of the Sio Sands
5 Corporation's project in Springfield, Manitoba is
6 undeniable and concerning. This is putting the best
7 drinking water on the planet at risk. It is risking the
8 health and well-being of our entire ecosystem.

9

10 Given the many harmful impacts we've just
11 brought up, how can we justify this just for profit?
12 You're risking our future and the future of many just for
13 money. This project could potentially be seen as a top
14 ten emitter in Manitoba and we, the youth, do not agree.
15 Thank you.

16

17 THE CHAIRMAN: Chair. Thank you,
18 Seven Oaks Met School, to Julian and Maddie, Max, Lily,
19 Emily, and Katelyn for your presentation. Janet Nylen,
20 who will be followed by P. Langstaff. I don't have a
21 first name. I assume they're here.

22

23 UNIDENTIFIED SPEAKER: I --

24

25 THE CHAIRMAN: Just tell ---

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

UNIDENTIFIED SPEAKER: -- want to edit my notes because of the time change, but I did have copies for you.

THE CHAIRMAN: That's perfect. So, the whole thing goes on the record.

UNIDENTIFIED SPEAKER: Yes, thank you.

THE CHAIRMAN: Thank you.

SECRETARY: Secretary. Can you state and read your name for the record, please?

MS. NYLEN: My name is Janet Nylén. Oh.

SECRETARY: Spell it.

MS. NYLEN: J-A-N-E-T N-Y-L-E-N.

SECRETARY: Janet, can you place hand on the Bible, please? Do you swear that the evidence to be given by you shall be the truth, the whole truth, and nothing but the truth, so help you God?

1

2

MS. NYLEN: Yes, I do.

3

4

SECRETARY: Thank you.

5

6

MS. NYLEN: My compliments and

7

appreciation for the previous presenters and this is a

8

hard act to follow. Thank you for this opportunity to

9

present to the Clean Environment Commission on a matter

10

that is very crucial to my community, Springfield. For

11

the benefit of others in the room, it's my understanding

12

that the Clean Environment Commission was established

13

under the *Environment Act* to provide an avenue through

14

which the public can participate in the decision making

15

process regarding environment in Manitoba. The function

16

of the Commission is to review all evidence and

17

information presented, and also provide advice and

18

recommendations to the Minister of Conservation and

19

Climate who is responsible for the *Environmental Act* -- or

20

Environment Act with respect to issues and licensing. I

21

hope you would agree that the public hearings are an

22

important part of the process, as they allow the

23

Commission to hear representations from all stakeholders,

24

the project proponent, various government departments

25

responsible for reviewing the process, and the general

1 public, both supporters and opponents. I fall into the
2 latter category as I am opposed to the project. I'm also
3 a retired municipal administrator who has lived in
4 Springfield for over 30 years, and although I live in Oak
5 Bank, I am not on the municipal water system. I get my
6 water, as do two-thirds of the homes in Oak Bank, from a
7 well. In fact, over the -- over 16,000 people in
8 Springfield -- I think it would be fair to say 80 percent
9 of the population, relies on well water for domestic and
10 commercial purposes. I have been able to attend a number
11 of the days of the public hearings and I've listened with
12 interest, if not with full comprehension, to a number of
13 highly qualified authorities and scientific-based
14 presentations. As expected, those presenters were not
15 always in agreement regarding the suitability of modeling
16 that was presented for the sand extraction project, in
17 particular with the potential impact to the shale layer,
18 the potential for subsidence due to the voids that will be
19 created by sand extraction, cross-contamination of the
20 aquifers, sealing wells, et cetera.

21

22 One thing that I would like to draw
23 attention to is that Sio management specifically defended
24 making two separate applications to the EAB, the first for
25 the processing plant and the second for the extraction

1 process. He clearly stated that each application could be
2 seen as independent of the other -- that the processing
3 plant was not wholly dependent on receiving materials from
4 the extraction process. It could get materials from
5 elsewhere. Alternately, the materials from the extraction
6 process could be taken elsewhere. This is important to
7 remember because the processing plant has received
8 approvals from the EAB.

9

10 Many experts you have heard from have
11 stated that, in their opinions, there are still
12 outstanding questions and concerns with this project.
13 More than two suggested that additional plans must be
14 prepared by the proponent and approved by the government,
15 either before approval or as part of the conditions. For
16 example, groundwater monitoring and impact mitigation
17 plan, aquifer management plan, and well abandonment plan.
18 Many experts also recommend that either before a licence
19 was granted or as a condition to a licensing, further
20 modelling, further testing studies, and even further
21 changes to legislation should be enacted. Not to dismiss
22 those issues, I would like to comment on what concerns me
23 most, which is the potential impact to our groundwater --
24 our groundwater resources. We, the people from the area
25 that depend on well water, feel that there is no room for

1 error because once contamination happens to our water, it
2 is irreversible, and this should be paramount. The public
3 hearings to date primarily have revolved around specific
4 operational and scientific arguments, both for and against
5 the silica sand extraction proposal, so I'll try and offer
6 a different approach. The proposed method of removing
7 silica sand, in my opinion, is neither mining in the
8 normal sense, or -- of open pit mining is from a quarry.
9 Sio is probably -- is proposing to use a unique and
10 untested process, that has a layperson, I would describe
11 as more like flushing than drilling. Having looked
12 through the *Mines and Minerals Act and Drilling*
13 *Regulations 1992*, I concluded that this process has not
14 been contemplated and falls outside the protective
15 measures that legislation should have in place. The use
16 of water to extract the sand adds another different
17 dimension to the issue because actual quantity of water
18 being handled is not clear. The proponent suggests only -
19 - or suggests that 80 percent, I think that's what I
20 heard, will be replaced back into the aquifer. Taking
21 water from an aquifer has to follow guidelines and obtain
22 approvals, et cetera, but this project continues to add
23 that other dimension of concern by suggesting that much of
24 the water being removed will be replaced. I'm not
25 convinced that it's just as simple as taking the sand out

1 of the Winnipeg sandstone aquifer by using volumes of
2 water, dewatering the sand, and then passing the resulting
3 water through an ultraviolet process, then in --
4 reinjecting it back into the aquifer. That this practice
5 may -- or will not adversely change the canonical makeup
6 of the water. And ultimately, this will be the -- the
7 water that thousands of people depend on for drinking.
8 The purpose of the *Water Protection Act*, Section 2 for
9 it's -- "for the protection of and stewardship of Manitoba
10 water resources and ecosystems", recognizes that water
11 resources and aquatic ecosystems require protection to
12 ensure high quality of drinking water sources. D, It says
13 that the importance of applying scientific information and
14 decision making processes about water, including the
15 establishment of standards, objectives and guidelines.
16 Again, I don't believe that the proposed process has been
17 contemplated under current legislation at -- or that there
18 are any relevant standards, objectives, or guidelines in
19 place to -- to address this untried process. It's my
20 understanding that for water use that exceeds the
21 threshold of 25,000 litres per day, the user must obtain a
22 water use licence under the *Water Rights Act*. I could not
23 find any reference in the guidelines regarding reinjection
24 of water, and I question how and who would be monitoring
25 the multiple wells, the dewatering, the treatment, et

1 cetera, to determine actual volumes of water that are
2 being handled and ultimately being used. The *Groundwater*
3 *and Well Act* Section 4 cites its purpose is to "provide
4 for the protection and stewardship of Manitoba aquifers
5 and groundwater and to assure -- ensure that the
6 construction, maintenance and sealing of wells, and test
7 holes, meet standards that protect the environment quality
8 of Manitoba's aquifers and groundwater and human health
9 and safety." I did note that this Act excludes from its
10 application a well or a test hole to which the *Mines and*
11 *Minerals Act* applies. So if this process is being
12 considered as falling under *Mines and Minerals Act*, then
13 it's even more concerning that the environmental
14 protections for other wells under the *Groundwater and Well*
15 *Water Act* are absent and should be addressed as a
16 condition to any licence. The large number of wells,
17 after all, are -- that are proposed to be drilled over a
18 relatively small area, are unprecedented.

19

20 In November of 2022, Manitoba Government
21 launched its new water management strategy, stating that
22 "the strategy will balance environmental, social, and
23 economic needs and ensure water security for future
24 generations." Dr. Gerrard spoke about this so, I won't
25 waste my time repeating what he had said. I asked the

1 Commission to keep this environmental protection action in
2 mind.

3
4 In my opinion, this project seems to be
5 more focused, and perhaps swayed, by -- more focused on,
6 and perhaps swayed by economic development and potential
7 revenues than about protecting the environment. I am
8 counting on the Commission, who is the body appointed
9 under the *Environment Act*, on focusing on assessing the
10 environmental impacts that this project may cause -- or
11 project will create. I trust this will be your primary
12 concern.

13
14 I would like to jump ahead here and make
15 five requests or recommendations before I conclude. The
16 province -- if the Clean Environment Commission would so
17 consider that the province be asked to designate, as a
18 groundwater sensitive area, the area in Springfield,
19 including the southeast area where Sio is -- project is
20 proposed. And this area has been identified as being
21 groundwater sensitive, pollution hazard area, or
22 vulnerable areas in the report done by Friesen Drillers,
23 titled "Aquifer Capability and Groundwater Vulnerability
24 in the RM of Springfield", dated July 25th, 2019. Those
25 are on figures 31, 32 and -- and on pages 38 and 39. The

1 report has been referenced a number of times through this
2 hearing, through earlier presentations, but this could be
3 the first step for Springfield to establish a
4 comprehensive water conservation and protection program
5 for the municipality. Two, that the province be asked to
6 prepare an aquifer management plan for the region -- for
7 the region, perhaps, but for Springfield in particular,
8 for the purposes of protecting water, aquatic ecosystems
9 and drinking water sources. Three, that all legislation
10 related to the use of groundwater for this type of mining
11 be updated and that regulatory framework be put in place
12 before a licence is granted. Four, that the current
13 application is only for four years and it's the project is
14 expected to continue for approximately 24 years. Should a
15 licence be granted for this project, that it be limited
16 for a time of four years and that the project be required
17 to reapply for a new licence and undergo a further full
18 review, including all relevant modelling, studies,
19 testing, sealing of wells, et cetera, including, in
20 particular, impacts to the groundwater. And five, that
21 are comprehensive and progressive well abandonment plan,
22 including prompt timelines, monitoring, and enforcement be
23 a condition for granting the licence.

24

25

So, if I have time left -- no, I'm done.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

THE CHAIRMAN: You are technically out -- Chair. You are technically out of time. I've been giving you a little bit of latitude.

MS. NYLEN: Thank you. (inaudible).

THE CHAIRMAN: Chair. Thank you very much. Langstaff.

UNIDENTIFIED SPEAKER: Hi.

THE CHAIRMAN: Hi. Nice to have you. Chair. Ms. Langstaff will be followed by Tangi Bell. Tangi Bell, you will be up next.

(LONG PAUSE)

THE CHAIRMAN: Chair. So, to the risk of repeating myself here, due to the overwhelming response we had primarily to this session and not to the session in either Steinbach or Beausejour, I was forced to use the discretion as Chair to limit the presentations, and I understand that has not been a popular decision, but it was the reality of dealing with everyone that wanted to

1 speak today. So, Tangi is up next. And the -- these
2 people will have 10 minutes, so Tangi, Irene Mendela,
3 Peter Deduke, Trevor Schultz and Lindy Clubb will all
4 speak. It will then be followed by Ms. Langstaff, who
5 will be given a little bit more than 10 minutes and will
6 give the rest of her presentation, I understand, in
7 Beausejour on Monday evening. As I have noted to Ms.
8 Langstaff, if she gives us the PowerPoint, the entire
9 thing is on the record for the benefit of the CEC. So,
10 Tangi, you are up next, please.

11

12 (LONG PAUSE)

13

14 SECRETARY: Secretary, can you state and
15 spell your name for the record, please?

16

17 MS. BELL: Tangi Bell -- T-A-N-G-I B-E-L-
18 L.

19

20 SECRETARY: Tangi, if you can place your
21 hand on the Bible. Do you swear that the evidence to be
22 given by you shall be the truth, the whole truth, and
23 nothing but the truth, so help you God?

24

25 MS. BELL: Yes.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SECRETARY: Thank you.

MS. BELL: I'm affiliated with Our Line in the Sand Manitoba, but today I am speaking to you as a concerned area resident and thank you for this opportunity. I was first alerted to the mining project in 2016. Landowners in southeast Manitoba had applied to subdivide their lands, were approved by their council, then a few weeks later received a letter from the Mines Branch stating mineral claims were on their lands and to stop. No reasons were provided other than proprietary. It is alarming and disrespectful that landowners are not notified when claims are placed on their property. This proposed project is unprecedented in that private property is, and will be, under claim. Mining development will impact landowners' property rights, values, land use, future development, insurance, and liabilities. This needs to be considered and it hasn't been. Twenty-seventeen, the public was informed core sampling would take place and findings made public in September. This was revised into November 2018 and still no information. April 2019th (sic), we were told that silica sand rests 200 feet below the surface in the sandstone aquifer. "A new extraction methodology that has never been done before

1 would need to be developed." May 26th, 2020, Sio Silica
2 held a virtual meeting prior to release of the facility
3 EAP July 2nd, 2020. It's difficult to ask questions on a
4 facility if the proposal is not provided in advance and
5 the focus leading up to it had been on mining. I
6 understand that this hearing is on the mining, but I bring
7 this to your attention because from the very beginning,
8 there has been limited transparency and sharing of
9 information on both proposals. Furthermore, I believe our
10 regulator allowing the project to be split apart for, and
11 in the particular order of assessment, shows a grave
12 weakness in the processing -- in the licensing process.
13 The proposed project is seeking approval to mine directly
14 in our water source. They stated as a multi-generational
15 project -- we have heard both 100 years and most recently
16 200 years. Mineral claims also range 120,328 hectares in
17 2019, 168,000 hectares from the hearing, and 85,000
18 hectares from the corporation, only a minute 633 hectares
19 and the first four years of operation is being assessed
20 for a 24-year licence.

21

22 Slide one, please. Ah. On left, shows
23 mineral claims in yellow squares. Right as the company's
24 website depiction of four properties. Just to clarify,
25 the upper left-hand corner, there is another claim holder,

1 Silex. Now it happens to be another name for silica, but
2 to my knowledge is not affiliated with Sio Silica. And
3 the bottom right of that map, there's a grouping and it's
4 a lithium claim, and that lithium claim, of course,
5 extends much further east, so it's -- it's quite large,
6 and that's just to give you an -- an idea of what's going
7 on in the area.

8
9 Now slide two, the sand is located in the
10 Winnipeg Formation and that's a map for it. The formation
11 covers much of central and southern Manitoba. The
12 potential to capitalize on further extraction operations
13 using this mine method must be considered. The side panel
14 lists some known developments at various points along the
15 licensing process. Gossan Resources, one of the original
16 owners of the Canadian Premium Sands Mine near Wanipigow,
17 have mineral claims near Narcisse, so in between the lakes
18 we have that. Victory Silica near Grand Rapids, and the
19 Wanipigow project, they're licenced, and adjoining glass
20 plant in Selkirk is under review for the CPS project. A
21 similar prospect has been mentioned for the pros -- for
22 the proposed project. It is unknown if the Vivian
23 processing facility will service all four properties or if
24 more plants are required. There's also potential for all
25 four properties to operate simultaneously. With our

1 government's push for mining and the extent of the
2 formation, it is imperative that we consider further
3 expansion of this industry and its cumulative impacts.

4
5 Slide three please. The proposed project
6 has been split for assessment from its intended
7 operations, mining, processing, and transportation. The
8 mining portion has been split further by assessing only a
9 small four-year block. Project splitting prevents a full
10 comprehensive investigation into all environmental,
11 social, and economic risks and impacts. The Commission's
12 consultants refer to it as a material deficiency and
13 inappropriate.

14
15 Slide 4 please. Project splitting has the
16 potential to underestimate the significance of project
17 impacts. The assessment should take in the big picture, a
18 full assessment of the entire Sio Silica development and
19 all cumulative impacts from known and future activities.
20 We deserve to know the truth and to protect our
21 environment -- our life support system. The proposal
22 states activities and components will be located on
23 previously disturbed land to the extent feasible. Mining
24 has occurred in the project area and in the LSL pit.
25 Another pit north of Vivian and outside of the mineral

1 claim area was drilled and mined in 2020.

2

3 Slide five shows groundwater sensitive
4 areas throughout the RM of Springfield. Both pits in the
5 facility are situated in the high aquifer vulnerability
6 zone. Mining is high risk and subject to accidents and
7 malfunction. Sio Silica's 2020 Sustainability report
8 states, "The levels of flocculent will be virtually
9 undetectable" and responses to public comments states,
10 "The slurry line connecting the extraction sites with the
11 processing facility will contain a residual amount of a
12 non-toxic biodegradable flocculent." Now, the
13 polyacrylamide levels in the slurry and return lines have
14 not been provided. The slurry and return lines will be
15 located throughout this zone leading to the facility.
16 Spills or leaks from the lines and project operations
17 would likely contaminate groundwater. Project operations
18 in the pits will compound contamination risk because the
19 overburden's been removed. It is alarming that this
20 location is being considered. Further alarming is -- the
21 facility location was approved.

22

23 Slide six please. Manitoba Habitat
24 Heritage undertook a wetland inventory of wetlands greater
25 than one hectare. The area within the development outline

1 shows open water in the pit and adjacent wetlands.
2 Wetlands are also present at the facility and the railway
3 location.

4
5 Slide seven, please, is a larger view of
6 the wetland inventory. Hazel Creek and Brokenhead River
7 are not shown, and the inventory is incomplete further
8 west of the boundary line. But the southeast portion
9 shows a relatively intact and diverse wetland ecosystem.
10 Wetlands are critically important, I'm not going to get
11 into that, but the ecological diversity in the project
12 area has not been assessed. Splitting the project up
13 prevents acknowledgement and underestimates the true
14 impacts and risks resulting from the project. The
15 proposed project will abandon thousands of wells that
16 interconnect both aquifers. Sealing the wells is
17 compromised through failure of the shale aquitard and
18 limestone rock. Even if the material remains intact, the
19 casings and sealing compounds degrade overtime. The wells
20 will be perpetual pathways for groundwater contamination
21 by agricultural operations, industry, land use, and
22 flooding. We have no certainty that our water source will
23 be protected and remain safe.

24

25 Slide eight, please. The processed water

1 will be returned to the aquifer. Chitosan is proposed for
2 use in the filtration process. We are told that "Any
3 residual chitosan would be extremely limited,
4 biodegradable," and in order to degrade, the presence of
5 an enzyme would be required, of which there is none.
6 Sterilization of this water is a major component, and it
7 is frightening that it remains in an untested conceptual
8 stage. The company states, "Detailed design and final
9 plans are still being finalized and those details are not
10 required to understand and assess the potential
11 environmental effects from the proposal." I take offence
12 to that statement. It is obvious this company does not
13 care about us and if our *Environment Act* and licensing
14 regime is this shoddy, that it will allow this project to
15 come this far in the process, then more than this project
16 needs to be looked at. Safety data sheet for chitosan
17 states, "Prevent from entering into soil, ditches, sewers,
18 waterways, and or groundwater." I do not want to drink
19 chitosan, and since the aquitard and a portion of the
20 carbonate aquifer collapses, the carbonate, where my well
21 is located, is no longer isolated from mining operations
22 proposed for the sandstone aquifer. The entire freshwater
23 system is subject to mining. I don't want to drink mined
24 water. I don't want to gamble with my health. Sio Silica
25 claims that material filed in their EAP meet provincial

1 guidelines and when licensed, would provide the requested
2 information. Both CEC consultants view the material
3 provided by Sio Silica as deficient. All active
4 participants agreed and filed motions to have Sio provide
5 the -- the omissions for the CEC review. Now, the
6 facility EAP was filed July 2nd, 2020. EAP for mining was
7 filed July 23rd, 2021. There was a request for federal
8 jurisdiction August 18th, 2020. According to Manitoba EAB
9 guidelines, the proponent is to file information on
10 funding, including the name and address of any government
11 agency or --or programs.

12

13 Slide nine is from the 2020-2021 Industrial
14 Research Assistance Program, as per the public accounts of
15 Canada. CanWhite Sands Corp. received over \$119,000.
16 Water is priceless. She is life itself. To even consider
17 mining and drinking water is not in our best interest. It
18 is unethical and utter madness. There are parts of
19 Manitoba that suffer from the lack of potable water. Here
20 we are, blessed with fresh, raw, safe and dependable water
21 and some are considering to put it at risk for mining of a
22 non-renewable resource. This aquifer system needs
23 protection -- reverence, not exploitation by industry. I
24 have attended the hearings every day, listened to all
25 experts from all sides. There are far too many

1 uncertainties, irreversible and permanent effects,
2 undeveloped and untested components, emissions of plans
3 and programs, data gaps, no noise, vibration, and lighting
4 studies, limited sampling and the lack of chemistry,
5 ecology, and cumulative impact assessment, leave far too
6 many unknowns. Handing the company and *Environment Act*
7 licence to fill in these deficits is disrespectful and
8 untenable on so many levels. I urge the Commission to
9 strongly recommend denying the licensing of the project.
10 Thank you.

11

12 THE CHAIRMAN: Thank you. You're
13 really good on time.

14

15 MS. BELL: Oh.

16

17 THE CHAIRMAN: Chair. I was
18 congratulating Ms. Bell for staying on time. Irene
19 Mendela. And as a reminder, Irene will be followed by
20 Peter Deduke.

21

22 SECRETARY: Secretary, can you state your
23 name and spell it for the record, please?

24

25 MS. MENDELA Irene Mendela -- I-R-E-N-E- M-

1 E-N-D-E-L-A.

2

3 SECRETARY: Irene, do you swear that the
4 evidence to be given by you shall be the truth, the whole
5 truth, and nothing but the truth, so help you God?

6

7 MS. MENDELA I do.

8

9 SECRETARY: Thank you.

10

11 MS. MENDELA Thank you, Tangi. You've made
12 us all aware of how big this really is. It's unfortunate
13 that those who are presenting this proposal to Manitobans
14 have split it all up. Thank you for the opportunity to
15 speak at this hearing. My name is Irene Mendela. I was
16 born and raised in the north end of Winnipeg. I am a
17 retired pediatric critical care nurse. My husband and I
18 raised our children in East St. Paul, and our daughter and
19 son went to both the University of Manitoba and the
20 University of Winnipeg, respectively. My husband and I
21 purchased 10 acres in Vivian one month before the pandemic
22 was declared. We spent the next two years cleaning the
23 property of buildings and fallen trees and planted a large
24 garden that produced 600 head of hard neck garlic. The
25 proceeds of the sale of the garden went to Oseredok, the

1 Ukrainian Cultural and Educational Centre in Winnipeg.
2 Our grandchildren spent countless hours on the trails of
3 our property which offered sanctuary during the pandemic.
4 The air is clean. The water is clean and there is but one
5 railroad with a train that whistles through Vivian every
6 so often throughout the day. We had plans to build our
7 retirement home on the land and had professional drawings
8 done the year we purchased, however, we soon learned that
9 CanWhite sands, which subsequently is now Sio Silica, has
10 made designs on the hamlet of Vivian with a huge
11 industrial operation to mine silica sand from the ground
12 in Vivian. The silica plant facility will consist of a
13 wet plant -- I hope you all have visuals of this, these
14 are huge buildings -- a dry plant, and a rail loadout.
15 The facility will be a maximum height of 24 metres tall
16 with four dry silos, the tallest structure standing at a
17 height of 42 metres. We have also learned that the
18 operation is to mine approximately 1.3 million tonnes of
19 sand per year, for 24 years, and that it's a small
20 fraction of the total deposit underground. Means they can
21 keep going. No information is given by Sio Silica as to
22 the yearly discharge of the 6.5 million cubic metres of
23 water brought to the surface in the extraction process,
24 and what the quality of the extracted water will be post-
25 extraction, other than stating, "The quality of the water

1 returned to the aquifer following the sand extraction
2 process will be similar to, or better than, the water
3 removed from the aquifer during the extraction process."
4 Sio Silica also states that the water, a slurry of water
5 and silica sand, will be treated with ultraviolet
6 disinfection to kill any bacteria that may have
7 contaminated the water during that extraction process.
8 However, ultraviolet disinfection is not effective in
9 water that is turbid, as in a slurry, according to a
10 report by the United States Environmental Protection
11 Agency. I hope everybody understands this. The water
12 must be clear and colourless for ultraviolet --
13 disinfection to be practical and effective. My concern is
14 that this project is going to affect Manitobans not only
15 in the immediate area, but across the communities of
16 Anola, Dugald, Steinbach, and Winnipeg. There is a
17 potential that silica dust from the site may be dispersed
18 into the air, putting Manitobans at risk. The method of
19 proposed extraction has not been proven and the risks have
20 not fairly been addressed. The communication from the
21 company is that all concerns have been addressed,
22 insinuating that the project is perfect and without risk.
23 The key that the process -- sorry, the key is that the
24 process is not a proven process and is, at best, an
25 experimental proposition. There is potential for

1 pollution at any stage of the extraction of silica sand of
2 the aquifer, and the air, as well as noise and light
3 pollution from machinery being used in the collection of
4 the silica sand. The processing plant, the drilling and
5 land clearing, the construction of roadways to the sites
6 will occur during the winter months as a -- Sio silica has
7 proposed itself, and the disturbance will be 24/7, 365
8 days of the year. The setback for this plant is only 100
9 metres from our homes, so all of this can happen out our
10 windows 24 hours a day and seven days a week. There are
11 boreholes that we have heard about that have been made,
12 which remained uncapped until they were discovered by
13 residents, and a complaint was made by the citizens of
14 Vivian to the Rural Municipality of Springfield. Only
15 then were they capped by Sio Silica. And I make this
16 point. Why should the citizens of Manitoba trust what Sio
17 Silica company experts, the CEO, or anyone associated with
18 it has to say? Sio Silica has not been responsible
19 proactively, so, it's quite simple that the company's
20 proposition should fall on very skeptical ears.
21 Butterfingers. Okay, in conclusion, my husband and I have
22 spent more than \$100,000 with the hope of retiring in the
23 hamlet of Vivian, among the wildlife, which is abundant,
24 with our wonderful garden, in the quiet and peaceful
25 countryside in Manitoba. A hamlet is a residential area

1 that is generally smaller than a village. Does the fact
2 that Vivian is so small mean that we, as a community, are
3 disposable? If Sio Silica is allowed to develop its
4 mining operation into an industrial monolith on the
5 Manitoba prairie, there is always risk for pollution of
6 the air and water. The impact of light pollution, which
7 will turn the night sky into day, is known to have
8 negative health impacts to humans, to domestic animals, to
9 our pets, and to wildlife. Nocturnal species are
10 especially at risk and will also suffer. Think about
11 those bats that chew up those mosquitoes. What we do not
12 know is what the long-term cumulative impact of the
13 project will be on the people of Manitoba. This project
14 will most definitely change the peaceful community of
15 Vivian and will potentially affect many Manitobans living
16 in communities outside of Vivian. I thank you all for
17 listening to my concerns.

18

19 THE CHAIRMAN: Chair. Thank you very
20 much. Peter Deduke, who will be followed by Trevor
21 Schultz?

22

23 SECRETARY: Secretary. Can you state and
24 spell your name for the record, please?

25

1 MR. DEDUKE: My name is Peter Duke -- P-E-
2 T-E-R D-E-D-U-K-E.

3
4 SECRETARY: Peter, do you solemnly affirm
5 that the evidence to be given by you shall be the truth,
6 the whole truth, and nothing but the truth?

7
8 MR. DEDUKE: I do.

9
10 SECRETARY: Thank you.

11
12 MR. DEDUKE: Thank everybody for bearing
13 with me, and I'm not a big speaker, but there was -- when
14 I heard about the company coming into Vivian and wanting
15 to start up, I did have some concerns. I grew up in a
16 small mining town in Snow Lake, Manitoba, and worked
17 underground in the mine and saw -- saw a lot of things.
18 And one of my biggest concerns about the pros and cons --
19 like the for or against this project, is having -- having
20 clarity on both sides. And I was talking to a couple of
21 friends in the city there a few days ago and -- and there
22 was a -- they told me a lot of things and I did some
23 research on my own and found out a lot of -- sometimes
24 people are talking out of fear. I just want to say that
25 growing up in Snow Lake, there is -- there are risks. I

1 remember sitting around the supper table -- and at the end
2 of the shifts we we'd be eating supper, and when they're -
3 - after they finish mining out an area, they set the
4 explosives and all of a sudden, you'd feel this rumbling.
5 And there was a lot of concern. Like, I -- I wasn't born
6 with the mine started in Snow Lake. I -- I was born in
7 what, like 1966, so, the mines were there in 1955, and
8 they're still there -- they're still operating. I know
9 they have a big find up there. I'm going to get to a
10 point here, but -- they found a big lithium find up in
11 Snow Lake area. And the one -- I think it was the CEO who
12 mentioned that in a number of years, the -- Manitoba is
13 going to be the next Detroit of Canada when it comes to
14 lithium. Now, I am all for saving the environment.
15 Personally, if I could go back 200 years and the horse and
16 buggy, I'd prefer that. But we also have a lot of
17 benefits from things that are -- as we grow. I know --
18 like, I live on 302 South, just on Ostenfeld Road, and
19 this -- this summer my roommate said -- we're -- we were
20 having some problems and I went to go look and found out
21 that our septic field was -- the pipes were all clogged.
22 So, I went and rented an excavator and at the -- it was
23 something I had never done. And so, when it comes -- when
24 it comes to pollution, and dangers, and risks, I -- I'll
25 be the first to say that there is -- no one can say

1 there's never going to be a risk, there's never going to
2 be a threat, but growing up in Snow Lake, and my brother
3 still lives up there, seeing what -- everything -- all
4 that's transpired, it has had a benefit -- a positive
5 effect on the town. I guess the challenge that they faced
6 now -- because when something first starts, like a mine
7 like that, in Snow Lake -- when it first starts, you don't
8 really see the effects of it, the negative effects, until
9 years down the road. So, but -- but now they've -- the
10 challenge that they faced was to upgrade certain things
11 like the -- the pumphouse because we -- in Snow Lake, we
12 live like, I don't know, from here the road away from the
13 lake and the mine is -- is within walking distance of our
14 house. And there's all different mines associated --
15 Stall Lake Mine -- all different mines around in the area
16 that are close to lakes, because water is essential for
17 mining. One of the -- one of the things I heard against
18 this project, and I just wanted to bring out is when --
19 when you have the silica in this -- down in -- under the
20 ground, and once it's extracted, now you've got this great
21 big cavity in there. And then what happens -- like, I
22 know people have mentioned, you know, there's -- there's
23 collapse, some of the pipes may fail. I'm no expert or
24 scientist, but I just know from experience of working in
25 the mines, after they mine out an area -- like, there was

1 this one mine, Osborne Lake Mine, where my dad had worked,
2 they had mined -- mined it all out, and once he was
3 finished, one of my jobs was -- I was on the field crew
4 and I don't recommend that job, but they would -- all the
5 leftovers I was from the mill, it was -- it was kind of
6 like a clay, sort of sandy -- almost like silica, and what
7 they would do is they'd mix that with water and then they
8 --they pumped that down into the ground, fill in these
9 great big cavities where it has been mined out, and over
10 time, the water seeps away, and what's left is this --
11 this sort of clay substance, and it gets hard like rock.
12 Point being is that those mines, there is -- I've heard
13 talks before about when it comes to mining, there --
14 absolutely is there a risk to environment? Yes, but
15 there's also a risk to -- like, if we don't want to have
16 cars, if we don't want to have any of these advancements
17 in our society, we have to be prepared to sacrifice either
18 one way or the other. And I think the most important
19 thing that we can do when it comes to this project -- is
20 there going to be risks? Absolutely. But it's about -- I
21 think it's more about managing those risks because we also
22 have to be fair and look at -- I wasn't here when Anola
23 first started up, but we put in gas stations, septic
24 fields, and those -- those all have a major threat to our
25 water tables -- environment, too. Now I -- on the

1 positive side of things, I think yes, it'll be a great
2 economical boost for the -- for the municipality,
3 especially for Vivian. Are there sacrifices -- noise,
4 things like that? Probably, but -- I guess what we have
5 to weigh out then is do we want -- do we want the -- the
6 benefits and -- do we weigh out the benefits to the
7 sacrifices? And I think so, that was my biggest concern
8 about the project is if -- what they're going to do -- if
9 it's all going to be monitored and by -- I'm not, like I
10 said, I -- I'm not that great on speaking but you -- you
11 had you had a good speak there, I like that -- but it's --
12 it was about if the governments and all the agencies
13 involved are going to be monitoring, and if that is done
14 properly, and -- and there's accountability, then I think
15 the risk would be minimal. The -- it would outweigh the
16 benefits to the community. I think what everybody needs
17 to be concerned about is if there's no accountability and
18 it's -- nothing's going to be watched, and people are
19 going to make mistakes, yes there can be definitely bad
20 results. But like I said -- oh, there's my -- that was
21 fast, 15 minutes -- so, in conclusion, I just want to say
22 I think we need to be fair when we're looking at this
23 project and weigh out the benefits of the project versus
24 the -- the accountability. That's been my major concern.
25 Thank you.

1

2

THE CHAIRMAN: Chair, thank you.

3

Trevor Schultz, please. And Trevor, you'll be followed by

4

Lindy.

5

6

THE CHAIRMAN: Chair, is Trevor

7

Schultz still here? Trevor. Is Lindy ready? I thank you

8

for being -- being accommodating. Lindy, we'll proceed

9

with you then and if Trevor is around, we'll put Trevor in

10

after you. There you go.

11

12

UNIDENTIFIED SPEAKER: Sure. Women come

13

first anyway.

14

15

THE CHAIRMAN: There you go.

16

17

MS. CLUBB: Hi.

18

19

SECRETARY: Secretary -- oh.

20

21

MS. CLUBB: My name is Lindy Clubb. It's

22

spelled L-I-N-D-Y C-L-U-B-B -- Scottish ancestry.

23

24

SECRETARY: Secretary. Lindy, do you

25

solemnly affirm that the evidence to be given by you shall

1 be the truth, the whole truth, and nothing but the truth?

2

3 MS. CLUBB: Yes, although it's coming to
4 you in the way of an opinion more than evidence.

5

6 SECRETARY: Thank you.

7

8 MS. CLUBB: These presentations were
9 amazing today. I'm so glad I came. And the turnout is
10 spectacular. I've been to CEC presentations and
11 commissions -- I think this is my fifth one, and it's very
12 scary to get up and talk in front of all of you,
13 especially the ones that are doing the formal
14 presentations with lots of information and lots of dates.
15 And I loved the recommendations.

16

17 My questions are for the company. I didn't
18 see erosion control plans within the information that was
19 provided to the public. It's my understanding that sand
20 was already stockpiled in piles that weren't covered. And
21 to the best of my knowledge, even when we have wood or
22 earth on our farm, we cover it up. So, it's a very basic
23 principle that the company hasn't followed, which makes me
24 a little worried about all the promises that have been
25 given and the lack of proof to convince me that what you

1 see is what you're going to do. I know that our
2 environmental, let's say, policies are there on paper. I
3 see very little of it practiced on the ground, otherwise
4 we wouldn't have polluted water, or polluted land, or be
5 losing our wetlands, or to be worried about the future of
6 our children, or even the air that we breathe. Because I
7 don't need silica sand. I don't manufacture anything.
8 Just grow a garden. Live in a very clean place on our ten
9 acres and try not to bring harm to the environment. I
10 fasted at Vivian almost 30 years ago, it was my first
11 fast, and I remember breaking it with water and being very
12 grateful for the water that came my way. So, I don't need
13 your sand, but I do need water because I have friends that
14 live here. There are people that live here that have
15 invested in it. I've heard about some of the magnificent
16 gardens and things that are being done with the land.
17 Some of the not so good, you know, gas stations, but yeah,
18 we all need transport to live. But I don't need your
19 sand. So I'm against your project. I don't believe that
20 you're going to provide the amount of jobs that you say
21 that you're going to, because in my 30 years of
22 experience, those promises are very seldom kept. I don't
23 see a lot of housing in the area to -- to draw from an
24 employment base. You'll probably be bringing people in
25 with special qualifications, whatever -- you'll find ways

1 to bring in people and not use the people from the area.
2 I know that bylaws have changed here, that zoning has
3 changed here to foster commercial development. I don't
4 think commercial development is appropriate for this area.
5 I think we can all make a good living in a sustainable
6 way. We don't need more silica sand. We don't need our
7 province giving away a multitude of resources that have
8 taken thousands of years to build, to an Alberta company
9 or even a Manitoba company. Sorry, I'm not, you know --
10 I'm not in it for the profit. I'm retired now, so I can
11 afford to say that, and I live at home within my means.
12 So, I don't need those profits. And I appreciate all the
13 conscience that's been shown today during the
14 presentations for both the land, the water, the air, the
15 wildlife, including migratory birds, which will be
16 affected by light pollution, noise, and all the rest of it
17 -- the traffic, school buses on the road with the kids.
18 You've got a community here. And I've heard over, and
19 over, and over again about how you want to protect that
20 community. Thank you for that. That means a lot.

21

22 I hope that the Clean Environment
23 Commission, whose responsibility it is to make
24 recommendations, that they turn this project down, even
25 though it's had money put into it, it's built momentum.

1 We are not going to be monitoring what happens afterwards.
2 It doesn't happen in the province. It's there on the
3 page, it doesn't happen on the ground. And I mean it. We
4 should be protecting, and preserving, and conserving, and
5 not going on, and on, and on with development. It gets a
6 little tiresome to come before people whose
7 responsibility, whose conscience should be coming forward
8 to say no to more of this? Because we're not doing a very
9 good job. We say that we are, but we're not. So, let's
10 do a better job and you can help with that. That's your
11 responsibility. It's your conscience. It's your
12 obligation to us as community members and people of
13 Manitoba. Commerce should not come before community.

14

15 THE CHAIRMAN: Chair, thank you very
16 much. Have we located Trevor? Okay, I'm going to --
17 looks like Trevor has decided that -- not at this time.
18 So we will wrap back to Ms. Langstaff who can have the
19 last slot from 2:40 to three o'clock.

20

21 (INDISTINCT CHATTER)

22

23 THE CHAIRMAN: Chair. So, Ms.
24 Langstaff, we will adjourn at three o'clock as planned.

25

1 SECRETARY: Secretary. Can you state your
2 name and spell for the record, please?

3

4 MS. LANGSTAFF: Yes, Pamela Langstaff
5 P-A-M-E-L-A L-A-N-G-S-T-A-F-F.

6

7 SECRETARY: Pamela, do you solemnly affirm
8 that the evidence to be given by you shall be the truth,
9 the whole truth, and nothing but the truth

10

11 MS. LANGSTAFF: As this is based on a
12 lot of research, to my knowledge, yes.

13

14 SECRETARY: Thank you.

15

16 MS. LANGSTAFF: I was expecting to
17 have more time, so if I don't get through this then I'm
18 going to be at Beausejour on Monday. So, I want to
19 apologize in advance. I've got to move the mic around
20 here. I'll probably be emotional. This is very, very,
21 very important.

22

23 UNIDENTIFIED SPEAKER: Don't apologize.

24

25 MS. LANGSTAFF: Sorry?

1

2

UNIDENTIFIED SPEAKER: Don't apologize

3

(inaudible).

4

5

MS. LANGSTAFF: Thank you. Also, I

6

recently had surgery, so this is not as polished as I

7

would like, and I'm probably going to throw in a few

8

comedic moments, so feel free to laugh, but you might not.

9

Okay so. I've made every mistake possible with the

10

PowerPoint, so just listen to me and catch that when you

11

can. It might not be appropriate for here, as much as

12

Steinbach and the other locations, but do you know why

13

there aren't more people here? Because Sio public

14

engagements could only share an incomplete story because

15

they did not have all of the expert feedback when they

16

presented to the public. By design or accident, people

17

are lured into a false sense of security by hearing only

18

the initial, incomplete, one-sided, limited story. Only

19

the Sio side. Is that fair? Thus much of the public, and

20

if anyone is for this project, I can only assume they

21

don't understand, are unaware of the full story that

22

includes risks and critical analysis from many experts

23

like Arcadis -- hope I said your name right, which is the

24

third-party technical review company, Porous Tech (ph),

25

Dr. Eva Pip PhD, 40 years at the University of Winnipeg,

1 and others -- I know there's many, I'm not going to get
2 all of them -- who are looking at critical project
3 deficiencies from an objective third-party position.
4 Listen to this without being motivated by personal
5 financial interests. This is not a volunteer company.
6 It's for profit. To be fair and create an informed
7 public, the CEC should do the equivalent of all the SIO
8 engagements again, sharing all sides of the story that are
9 now coming out, including the analysis and the critiques,
10 and then see what the public opinion is. The more I have
11 read, and researched, and understood the magnitude of this
12 project, the deficiencies and the risks, the more I wanted
13 to cry.

14
15 So, back to the engagements. The people,
16 the already informed and the uninformed, everyone is
17 leading busy lives. They also are assuming that the
18 government has their back and is going to do the right
19 thing and protect the only source of water for
20 southeastern Manitoba. This is not yet what is happening,
21 but it might be when the CEC recommends to the Minister to
22 deny this licence. Although, comedic moment coming up --
23 I'm going to just take a little sip of water here for this
24 -- free. A slogan. It's catchy. No compensation
25 required. Sio Silica Wrecking Manitoba one well at a

1 time. Thank you. I don't really know where I am at time,
2 but -- so terms of reference, everyone's aware of this.
3 CEC is conducting a technical review of the *Environment*
4 *Act* proposal regarding potential environmental and health
5 effects of the proposed installation and project. And
6 doing that, the CEC will have public hearings.

7
8 So, if you're assigned to look at the
9 environmental effect, would the impact of destroying a
10 limited and only source of water -- only source of water,
11 versus destroying one of multiple sources, which is still
12 bad, be something you need to take into consideration? Of
13 course, it has to be. So, this project should be looked
14 at from both macro, high-level perspective and a micro or
15 detailed perspective. And it needs to be a comprehensive
16 search for the truth based on evidence and principles,
17 going where the trail leads. And it would be wonderful if
18 this project was coming up, and all the experts reviewed
19 the information and said it's perfect, there's no
20 problems, but it is time to face facts. That is not where
21 we are. Decisions should be made on facts, so before we
22 start, I just wanted to get some consensus on basically, I
23 hope, accepted facts that will provide essential context,
24 without which, you cannot make appropriate decisions or
25 provide advice to the Minister.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

So, -- sorry, I'm going to sip here. My reality says we're on the planet Earth, the year is 2023. The planet is experiencing a climate crisis driven by human activities. Did you know that Alberta home -- home of Sio Silica and it's employees, directors -- Alberta is the most polluted and polluting province in Canada? Alberta ranks 25th and scores D minus -- that's bad, on most of the environmental performance indicators. It does poorly on all indicators of air pollution, scoring D minus grades on nitrogen oxides, VOC's, particulate matter emissions, and a C on sulfur oxide. Alberta's performance on the climate change indicators is dismal with D minus grades on GHG emissions, low emitting electricity production, and energy intensity. The province's second C grade is on water withdrawals, where it ranks, get this, second to last. That's also bad. Currently Manitoba has its own problems, but we get an A on water withdrawals. Do you want their attitude and respect for the environment, which is -- seems to be basically nonexistent, to be exported to Manitoba with a project like this? Does anyone want that?

Mining is knowing -- known for known for its negative impact on the environment. Silica sand

1 mining in particular, is causing a global environmental
2 crisis. This new, untested process is only going to
3 punish the environment in a new and different way, and it
4 will leave Manitoba with a disastrous mess that we're not
5 going to be able to fix. Part of the reason that silica
6 sand mining is so bad for the environment is also, we're
7 running out. If you really cared, you would stop your
8 propaganda on your website and you would figure out a way
9 to recycle. Do something with the garbage, you know.
10 There's a lot of available options, and it would actually
11 be a benefit to the planet, not another stab in the back.

12

13 Now, our water. Water is essential to
14 life. I've educated myself on so much in the last few
15 weeks I can't even tell you. Did you know, and I'm sure
16 you do, because I've listened to some of this already,
17 Manitoba already has a policy on water called "Manitoba's
18 Water Management Strategy". So, what I'm about to share
19 isn't community groups being dramatic or hysterical, and
20 by the way, they are not -- this is the Manitoba
21 government's policy. Strategy recognizes the value of
22 water. It says, the provincial government says, water is
23 life. It is necessary for the survival of all living
24 organisms on Earth. Despite how valuable water is to
25 humans, the environment and our economy, we often take it

1 for granted. And I would say that Sio Silica has taken
2 that to a new level. Although Manitoba is often thought
3 of as having an abundance of water, the province is facing
4 scarce -- water scarcity in some regions, where water
5 supply no longer meets the demand. That can happen. The
6 strategy goes on -- three strategic objectives. Protect
7 drinking water sources. That's the government policy.
8 Value groundwater and sustainably manage and protect the
9 resource. Identify, communicate, and mitigate groundwater
10 quality and quantity issues. They are predicting
11 Manitoba's population is expected to increase by
12 approximately 26 percent, about 360,000 residents -- were
13 already started from 2020 to the early 2040s. Manitoba's
14 water supplies are not unlimited. The province knows
15 this. Without -- without a concerted effort, there is an
16 increasing risk that available water supplies will not
17 meet this growing demand. In addition, during times of
18 severe drought, the amount of water available for human
19 use decreases and water users are forced to get by with
20 less. Manitoba's water strip -- management strategy also
21 observes the impact of climate change. Climate change is
22 expected to make extreme heat and drought-driven water
23 shortages more frequent and severe. To address these
24 challenges, a shift in our mindset about how we use water
25 is needed. Not more propaganda, not more words, different

1 way of thinking, appreciating the gifts that we have. To
2 address these challenges, a shift in our mindset about how
3 we use water is needed, and this is to ensure sufficient
4 water supplies will meet the needs of current and future
5 generations. Water must be treated as the precious, and
6 at times, scarce resource that it is. We must respect the
7 value of water. The water management strategy also talks
8 about drought. Climate change will exacerbate the
9 frequency and severity of extreme events such as floods
10 and drought, posing real and potentially significant risks
11 to the province. Manitoba doesn't get away free from
12 this. We're expected to experience warmer overall
13 temperatures, changes in precipitation, and more
14 unpredictable weather with greater frequency of extreme
15 events. Changes in climate are also expected to shift the
16 timing and availability of water, with an increased risk
17 of water supply, shortages in the summer, when Sio will be
18 taking the water out, and excess moisture in the spring,
19 hopefully. Something else I've learned is that with the
20 fact that in this area of the province, but the prairies
21 in general, have -- were settled in 19th and 20th
22 centuries, that was actually a really moist period of
23 time. What is normal for this area is long periods of
24 drought, like The Dirty Thirties. They're going to be
25 taking your water and we'll have drought. Who do you

1 think's going to lose out then? We are already -- the
2 province is already preparing for a limited water supply,
3 without this project and the risk it creates. Add that
4 and see where we are in ten years.

5
6 Did you know -- something else I didn't
7 know till recently, Manitoba already has a policy on
8 drought called the "Drought Management Strategy". To
9 emphasize what I've already said about the water
10 management strategy, the "Drought Management Strategy"
11 notices it's the importance, too. In the 20th century,
12 billions of dollars of damages have occurred as a result
13 of droughts across the Canadian prairies. The economic
14 losses caused by severe drought make drought one of
15 Canada's most costly hazards. The most severe and
16 widespread droughts occur where? Here, on the prairies!
17 As reliable and adequate water supplies are required to
18 maintain healthy environments for people and ecosystems,
19 the presence of any kind of drought or water shortage may
20 cause a serious threat in Manitoba. Water shortages
21 stress water supplies, deplete soil moisture reserves,
22 reduce stream flows, lower lake and reservoir levels, and
23 diminish groundwater supplies. Drought here is not an
24 unpredictable event. Drought here is certain. Where are
25 the climate experts -- and I'm asking the CEC this, to

1 discuss drought on the prairies and southeastern Manitoba
2 and how that -- this project would -- would impact us in
3 times of drought that is coming. Not a question -- it is
4 coming. I haven't lived here that long. 2021, I would
5 look at the sky and pray for rain every day and the clouds
6 would come and they'd go by and there was water.

7
8 So, something else I didn't know. The
9 aquifers supply most of southeastern Manitoba with usable,
10 drinkable, relatively safe water. Who is southeastern
11 Manitoba? Who gets their only supply of water from these
12 aquifers? RM of Brokenhead, Brokenhead 4 Indian Reserve -
13 - or sorry, Native -- sorry, Indigenous Reserve, RM of
14 Hanover, Broquerie, Reynolds, Ste. Anne, St. Clements,
15 Tache, City of Steinbach. Total population, almost
16 100,000 people -- 93,950. Private dwellings, 35,708. So,
17 just imagine the value of all these existing residential
18 assets -- I'm not talking about the businesses, I'm not
19 talking about the city of Steinbach, or Anola, or Oak
20 Bank, just the residential. I figured there's lots of
21 properties that are 1,000,000 -- there's obviously
22 properties that are less land is very expensive. So take
23 an average value of \$500,000 for developed property, and
24 especially with the price of land going up, just the
25 residential value of all these properties is \$17 billion.

1 Money talks. Who's here first? We have a lot invested in
2 this community and this area. The government owes
3 something to the economic development and existing
4 developments that are here already.

5
6 And I don't know who's aware of what, so
7 I'm just going to say this, but the Municipal Silica Sand
8 Advisory Committee has included, as you can see on the
9 list, the municipalities I just described except for
10 Springfield. And on that note, and as a resident of
11 Springfield, I would like to apologize to all the other
12 municipalities and Steinbach for not participating in
13 their group. It's an embarrassment. Thank you. It is an
14 embarrassment and that is why that Council is out and a
15 new Council is in.

16
17 So, I'm going to cut back to the beginning
18 and do the macro analysis. So, you're going to allow a
19 for profit company from an industry already known for its
20 disastrous environmental impacts and from a province who
21 apparently doesn't care -- they're going to get to use our
22 only source of water. All of the areas I just talked
23 about, that's the only source of water. It's not one of
24 many, it's it. It's the only one! You're going to use --
25 let them use our only source of limited, priceless water -

1 - priceless, not my idea, the province said it --
2 necessary for life and required by already existing
3 residents, businesses, and industries? There's already
4 business here. There is already industry here. What
5 about all the agriculture? It's incredible how much
6 economic activity is already occurring without you. Thank
7 you. So, you're going to let this business extract -- use
8 something priceless to extract something less valuable --
9 sand -- for their own profiteering processes. They're not
10 coming here for our benefit, they are coming here for
11 their own.

12

13 UNIDENTIFIED SPEAKER: Not for us. Not one
14 fucking bit.

15

16 MS. LANGSTAFF: So, I was trying to
17 think of a good examples of where you're using something
18 priceless to get something less valuable, and I was
19 thinking, do you want to trade me, your kids for a new
20 vehicle? Maybe you don't -- maybe you do if you have
21 adolescents, but if you don't, you probably don't want to.
22 And then I wanted to come up with some more good examples
23 of total riff-offs, but I hadn't done that yet.

24

25 So, based on the stage one macro analysis

1 for this project, the CEC's recommendation to the Minister
2 should be ---

3

4 THE CHAIRMAN: Chair. I think that
5 might be a good place to leave it for today. I thank you
6 for your presentation.

7

8 MS. LANGSTAFF: (inaudible). So, I'm
9 going to be doing the rest this on -- what you said Monday
10 in Beausejour. So, I would really appreciate your support
11 and coming out there because I have more things to say,
12 and more things to say directly to Sio.

13

14 THE CHAIRMAN: Chair, thank you very
15 much. I want to thank all the residents for coming out
16 and sharing their thoughts, and views, and how you're
17 feeling, with us today. It is important to the process.
18 I appreciate you being here. We are adjourned and will
19 reconvene at 1:30 in Beausejour.

20

21

22

23

24

25

AFFIDAVIT OF COURT TRANSCRIBER UNDER SECTION 31 OF THE
EVIDENCE ACT

I, Valentina Bianco, Court Transcriber, HEREBY MAKE OATH AND SAY, that the foregoing typewritten pages contain a true and correct transcription of the recorded proceedings provided herein to the best of my knowledge, skill and ability.



Court Transcriber
March 11, 2023