

Dear Chair and CEC Commission:

We would like to share an array of concerns regarding the issue of the Extraction project but would like to make an initial concern regarding the process of the hearings and provide this initial concern with the utmost respect for the commission's role and function.

Process Concern: The items in box below\* copied and pasted from the rules of procedure for the Hearings.

- Having been in the audience at three hearings, the one in Anola stood out when Dr. Arklie had his mic turned off by the Chair. Dr. Arklie then proceeded to finish his presentation in his "pre approved" final 5 minutes of his 15 minutes allotted. (With the mic off, his presentation was silenced). Prior to his presentation, some of the other presenters did not use their 15 minutes or even their 10 minutes.

We believe that Dr. Arklie should have been allowed to complete his presentation with the mic on and that the rules of procedure fully allow for this.

We particularly refer to 3.10 in the procedure document "will be as informal as possible" (3.10- highlights are ours).

- If the reason to decrease presentations time was made because more people were presenting than expected, then there should be an alternate plan to increase the hearing schedule and NOT reduce the 15 minute timeline. In consideration of the private unpaid citizen who has taken hours to prepare their presentation and in consideration of the citizens who have come to hear those presentations, we recommend leaning toward increasing public voice not limiting it. The procedure document is quite clear about being able to have 15 minutes to present and in addition refers to notice periods if one needs more than 15 minutes...(3.16...)
- The final statement noted below is that "hearings remain fair and open..... and ... remain as informal as possible"- these words are repeated throughout the document.

\*3.10 Conduct of Hearings/Procedure at Hearing All public hearings of the Commission, while structured in nature, **will be as informal as possible.**

3.16 Time Limits for Presentations Parties making a submission to the hearing **will have fifteen minutes** to make their presentation. Any party needing more than fifteen minutes for the presentation of a submission is required to give notice to the Commission Secretary not later than seven business days prior to the opening of the hearing. This notice will include an estimate of the time required for the completion of the presentation.

This Practice Direction is intended to help to ensure that hearings remain fair and open forums, while ensuring that they remain as informal as possible.

Extraction Project Concerns:

- IMPACT UNKNOWN-** From AECOM Appendix B page 8- In this document in response to Reviewer comments, AECOM responds with- “ to be provided during licensing” – yet this is the heart of the concerns, what is the impact on water quality, water levels, water assurances for water sustainability into the future.... The Reviewer comment below is copied to re highlight - “Throughout the report, the treatment of private water wells/private water well resident concerns throughout the course of the project is inadequate”.

Report Subject	From	Comment Number	Reviewer Comment	AECOM's Response
Existing Groundwater Use + Impact Assessment	Friesen Drillers Limited*	FRIESEN-10	<p>This comment also holds true for the impacts to domestic water wells. The report uses the term windshield survey for an assessment of private well wells in the inventory. This approach has not been found to be successful in Manitoba, and often puts the project at risk for an unsubstantiated complaints/well replacements. The pumping systems/hook up in private wells in the area must be assessed prior to any development. A condition of the well will need to be assigned and agreed to. Lowering of pumps is not a practical solution in this area when most pumps are traditionally set at the base of the casing. Throughout the report, the treatment of private water wells/private water well resident concerns throughout the course of the project is inadequate.</p> <p>Projects that could develop a widespread area of impact typically also include a groundwater interference plan, or some means in which a resident can have a private well complaint assessed. Groundwater interference plans are mandatory on projects such as this one. The province will also request additional details on the well monitoring program after the construction of the project, as there are few details contained in the AECOM report.</p>	<p>Section 5.3 uses the term “windshield survey” to highlight the need to conduct field surveys to ensure the database of well users in the area is kept up to date, and support analysis of impacts to specific wells. It is helpful to understand that the majority of pumps are installed at the base of the casing (assumed to be at the overburden/bedrock contact around 240 m ASL) and that lowering of pumps further may not be warranted because static water levels are much higher and would allow for significant drawdown (&gt;10 m) in the carbonate aquifer before wells experienced diminished yield. Regardless, as part of due diligence, it is recommended that wells within the zone of influence surrounding sand extraction activities be identified and their wells be surveyed to ensure impacts to well users are avoided.</p> <p>The details of the Groundwater Monitoring and Impact Mitigation Plan will be provided during licensing as described in Section 7.5.</p> <p>As noted in the report, the plan will establish a framework for survey of existing domestic wells in advance of operations, monitoring of groundwater quantity and quality during and following project operations, and responding to well owner complaints. It will establish the parameters that will be monitored, the frequency of monitoring, monitoring locations and reporting requirements. Mitigation measures will be developed to avoid and/or mitigate any well interference issues as required by the Manitoba Water Rights Act. Mitigations may include lowering of pumps, provision of alternate water supply or adjustment of operations. Findings will be reported to the community on a regular basis.</p>

- COMPETING INTERESTS: Government and corporate interests for mineral exploration and financial investments, taxpayer funded long term debts, land ownership- above and below ground, environmental protection and fear of permanent damage to loss of habitat, quality of all life, family and community values, property loss or diminished value to property, short-term vs long term vision re energy production , viability of innovation/business plans vs protecting Manitoba resources, reduce, reuse and recycle vs dig, dump and destroy .
- WATER: our most precious resource and becoming more precious every day in our lives-the main theme of every opponent of the project. Council meetings in the Southern, South east and Interlake regions over years provides clear evidence that water is a regular and ongoing issue of concern. Nothing in the Extraction proposal lessens this concern. Dr. Pip’s expert 539 page report provides solid analysis of the project and challenges details of the proposed project. Important Questions and responses to “mitigation plans”, “monitoring plans”, missing reports and lack of details is repeatedly highlighted in her report.

We join in the numerous concerns of the many opponents who presented at the hearings – along with those opposed who did not present but provided submissions. There is ample justification from the issues provided to this Commission, along with the absolute risk to drinking water , to confirm our strong position opposing the licensing of this Project.

We urge the Commission to adamantly recommend denying the licensing of this project.

Sincerely

Diane and Allen Duma

