

ATTACHMENT: January 31, 2022
Provincial Advice Record: Designation Request under IAA
Response requested by February 18, 2022
Lambert La Ronge Peat Harvest Project

Ministry	Water Security Agency
Lead Contact	Jeff Hovdebo, Executive Director, Water Programs and Services
Full Address	Water Security Agency 300 – 2365 Albert Street Regina, SK S4P 4K1
Email	<Email address removed>
Telephone	<Personal information removed>
Alternate Ministry Contact	Aaron Schweitzer, Manager, Water Rights, Approvals and Compliance 101-111 Fairford Street East Moose Jaw, SK S6H 7X9 306-530-8321 / aaron.schweitzer@wsask.ca

Please fill out the form in relation to Environment Assessment Project 2018-020, or any other information relevant to the proposed Lambert La Ronge Peat Harvest Project.

1. In general terms, please confirm and describe your ministry's role (if applicable) in the review of the Project.

The Water Security Agency (WSA) is a provincial Agency that has been established to manage, administer, develop, control, and protect the water, watersheds and related land resources of Saskatchewan. Included in this mandate, the WSA has the responsibility for administering the following regulatory programs:

Water Rights, Allocation and Approval of Water Diversion Works

To ensure the sustainable and environmentally sound development and use of the province's surface and groundwater resources.

Aquatic Habitat Protection

The protection of aquatic ecosystems and human health in a way that balances social and economic development interests. The primary goal of the Aquatic Habitat Protection Program is to ensure aquatic habitat is preserved and maintained at the productive level which existed prior to the development activity proposed.

Environmental and Municipal Management Services

To ensure the construction of new, expanded, or upgraded drinking water and wastewater facilities meets all provincial regulations to protect public health and the environment.

To ensure all waterworks and sewage works governed by our empowering legislation provide consumers with access to safe drinking water and produce wastewater effluent that has minimal impacts to the receiving environment.

To ensure appropriate usage of chemicals and application methods for aquatic nuisance control activities thereby protecting the aquatic environment.

Agriculture Water Management

To ensure that impacts from local and cumulative scale agricultural drainage works, can be addressed through obtaining land control and implementing mitigative controls.

2. Please provide the contact information of the person or persons responsible for managing your ministry's oversight of the Project (if different from lead contact above).
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Water Rights, Allocation and Approval of Water Diversion Works

Aaron Schweitzer, Manager Water Rights, Approvals and Compliance

Aquatic Habitat Protection

Jeff Hovdebo, Executive Director, Water Programs and Services

Environmental and Municipal Management Services

Jeff Paterson, Executive Director, Environmental and Municipal Management Services

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Agriculture Water Management

Bryan Osborne, Director, Agriculture Water Management
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(306) 848-2347
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3. Describe the provincial legislative or regulatory process or approvals administered by your ministry that may assess or manage the potential adverse effects of the Project. For each mechanism or approval, please provide information regarding the following:
- Name of the process or authorization (e.g. certificate, licence, permit or approval) and the associated legislative framework;
 - Whether (for each) the authorization would set conditions and if yes, what issues would those conditions address;
 - Whether (for each) the authorization would require public and/or Indigenous consultation and if yes, provide information on the approach to be taken; and
 - Whether (for each) your ministry has guidance material that would be helpful to the proponent or the Agency (please provide these as attachments or hyperlinks in your response).
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Water Rights, Allocation and Approval of Water Diversion Works

Permits/Approvals Issued:

- Water Rights Licence (WRL)
- Approval to Construct (ATC) – surface or ground water works
- Approval to Operate (ATO) – surface or ground water works
- Permit to Conduct Ground Water Investigation

Pursuant to *The Water Security Agency Act* and regulations under that Act, any use of water, with the exception of domestic uses, requires a Water Rights Licence. In addition, Approvals to Construct and Operate are required for any works where water is to be used or diverted.

More information is available at:

<https://www.wsask.ca/Permits-and-Approvals/Water-Allocation/>

<https://www.wsask.ca/Permits-and-Approvals/Regulatory-Info/Surface-Water-Approval-Process/>

<https://www.wsask.ca/Permits-and-Approvals/Regulatory-Info/Ground-Water-Approval-Process/>

Aquatic Habitat Protection

Permits/Approvals Issued:

- Aquatic Habitat Protection Permit (AHPP)

Section 38(4)(5)(6) of The Environmental Management and Protection Act (EMPA) and Sections 4, 5, 6 and 7(a) of The Environmental Management and Protection (General) Regulations define WSA's provincial authority for aquatic ecosystem protection and the broader aquatic habitat protection objectives that stem from it, such as protection of the bed, bank and boundary of Crown surface waters and the values entailed such as aquatic habitat, aquatic organisms, the water cycle, and shoreline stability.

The Aquatic Habitat Protection Program is responsible for regulating, permitting and inspecting any activity that directly or indirectly alter or cause to be altered the configuration of the bed, bank or boundary; removes, displaces or adds any sand, gravel or other material from, in or to the bed, bank or boundary; or removes vegetation from the bed bank and boundary of any river, stream, lake, creek, marsh or other watercourse or waterbody.

The Aquatic Habitat Protection Program is in place to minimize development impacts during every phase of the construction project resulting in the protection of aquatic habitat. These mitigation measures can include: using appropriate building materials, project designs and timing, and preventing increased soil erosion and sedimentation.

More information is available at:

<https://www.wsask.ca/Water-Programs/Aquatic-Habitat-Protection/>

Environmental and Municipal Management Services

Permits/Approvals Issued:

- Permit for Construction of Waterworks and/or Sewage Works
- Permit to Operate Waterworks
- Permit to Operate Sewage Works
- Permit for the Chemical Control of Aquatic Nuisances in and/or Near Surface Water

The Water Security Agency EMMS is the main regulator of drinking water and wastewater systems in Saskatchewan.

The Environmental Management and Protection Act (EMPA) and the Waterworks and Sewage Works Regulations (WSWR) define WSA's provincial authority to regulate the construction and operation of drinking water and wastewater facilities in the province.

Some systems may fall under the regulation of other authorities. For example, industrial facilities are regulated by the Ministry of Environment, and small private systems are regulated by the local Health Region. However, due to capacity issues at the MoE, WSA has been issuing permits for industrial facilities.

EMMS is responsible for regulating, permitting, inspecting and monitoring of all municipal waterworks, most rural water pipelines and all municipal sewage works within the Province. WSA shares responsibility with the Ministry of Environment for regulating private waterworks and sewage works within the province that have a design capacity of greater than 18m³/day. Typically MoE will regulate "private" industrial facilities where they have other regulatory interests (e.g. potash, and uranium mines), while WSA will

regulate entities such as provincial and regional parks, colonies, subdivision developments. etc.

EMMS is in place to mitigate risks to drinking water and surface water, and thereby protect the health of Saskatchewan citizens served by public water supplies. Quality water is not only essential for public health but is vital to our economic well-being and sustainability of the environment. Environmental Services Section also govern wastewater management as a means to protect surface and groundwater uses such as livestock watering, crop irrigation, recreation and aquatic biodiversity, as well as drinking water raw water sources.

EMMS is also the provincial regulator in the province for the chemical control of Aquatic Nuisances in and/or Near Surface Water. Under Section 7(1)(a) of The Environmental Management and Protection (General) Regulations a permit is required if a chemical or substance is applied in and/or near any surface watercourse in Saskatchewan. Further, under Section 7(1)(b) of The Environmental Management and Protection (General) Regulations, a permit is required if a substance is to be applied to any surface water or along the banks or shore of surface waters in Saskatchewan. This includes intermittent waterways and drainage ditches, even when dry.

More information is available at:

<https://www.wsask.ca/Water-Info/Drinking-Water/>

<http://www.saskh20.ca/about.asp>

<https://www.wsask.ca/Permits-and-Approvals/Regulatory-Info/Chemical-Control-of-Aquatic-Nuisances-in-andor-Near-Surface-Water/>

Agriculture Water Management

Permits/Approvals Issued:

- Drainage Approval

The program is responsible for approving drainage works and also administers a complaint process for unapproved works.

The Water Security Agency Act defines WSA's ability to require approvals for works (including both drainage works and surface water works). This includes obtaining land control where the works are located as well as lands significantly affected by the works. The Water Security Agency Regulations require that prior to issuing an approval for works that the WSA consider the impact of the works as it relates to water quantity, quality, and habitat. Proponents may be required (as part of the Approval Process or through conditions on the Approval) to undertake mitigative measures to lessen the impact of their projects.

The Water Security Agency Act also identifies the process used to administer Requests for Assistance in Resolving a Complaint (RFA). Provisions for enforcement are also included in the Act.

More information is available at:

<https://www.wsask.ca/Water-Programs/Agricultural-Drainage-/Agricultural-Water-Management-Strategy/>

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4. Confirm whether any authorization listed above would contemplate the following matters and if yes, discuss, in general, the benchmarks or standards to which projects of this nature may be held (be specific in relation to each point below that may be applicable to your ministry's mandate):
- Assessment of mining (e.g., pipelines) and processing components over the full life of Project
Yes – water supply, drainage (if required),
 - Impacts on water quality through expected or accidental release (e.g., hot brine spills/leaks)

- c. Impacts on water quantity due to withdrawal from aquifer
Yes – water allocation/supply
 - d. Effects to fish and fish habitat
Yes – aquatic habitat
 - e. Potential impacts on Aboriginal and Treaty Rights
Yes
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5. Have you received public comments/concerns in relation to the Project? If yes, provide an overview of the key issues and the way in which (in general terms) your ministry intends to address (or would normally manage) these matters.

No

6. Have you received Indigenous community comments/concerns in relation to the Project? If yes, provide an overview of the key issues and the way in which (in general terms) your ministry intends to address (or would normally manage) these matters.

No

7. Do you have any other information about the Project in relation to potential adverse effects or impacts to the public, or Indigenous peoples and their rights as protected under section 35 of the *Constitution Act, 1982*?

No

Jeff Hovdebo

Name of responder

Executive Director, Water Programs and
Services

Title of responder

February 15, 2022

Date