

## **TERMS OF REFERENCE**

### **SaskWater**

Buffalo Pound Non-Potable  
Water Supply System – East (BPNPWSS-East):  
Regional Expansion Project

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# TERMS OF REFERENCE

## I. INTRODUCTION

SaskWater, the provincial Crown water utility, is proposing to provide the equipment and infrastructure to develop a regional and expandable non-potable water supply system. This regional water supply system would service multiple industrial customers and meet the growing water demands of the Belle Plaine region and a proposed potash development located near Kronau, SK, in a responsible and sustainable way. The proposed configuration promotes economic development, while minimizing in-water works and environmental impacts during future expansion. The proposed project, entitled “SaskWater Buffalo Pound Non-Potable Water Supply System – East (BPNPWSS-East): Regional Expansion Project” (the Project) will provide the necessary infrastructure for the transmission of non-potable water with a planned initial pumping capacity of up to 100 megalitres per day (ML/d). As customer commitment is received, future increases in water withdrawal from this facility are not expected to exceed 168 ML/d and are conditional to approval by the Regulator, Water Security Agency (WSA).

The proposed Project consists of an intake and pump station located at Buffalo Pound Lake; a 95 kilometre (km) raw water pipeline from Buffalo Pound Lake heading south through the Belle Plaine Industrial Corridor and then east, terminating at a proposed industrial potash development located north of Kronau, SK; and, a booster pump station located along the pipeline route approximately 20 km south of the lake. The Project has been divided into two components: Intake and Pump Station; and Pipeline and Booster Station to facilitate regulatory review.

## II. REQUIREMENT FOR ENVIRONMENTAL IMPACT ASSESSMENT

The complete Project is described in the following documents, which were collectively submitted to the Saskatchewan Ministry of Environment (MOE), Environmental Assessment Branch (EAB) on February 26, 2013 for Ministerial Determination in accordance with *The Environmental Assessment Act*:

- Buffalo Pound Non-Potable Water Supply System – East: Regional System Concept Study (Associated Engineering Ltd., 2012);
- Intake and Pump Station: Technical Proposal for the SaskWater Buffalo Pound Non-Potable Water System Expansion Project (Golder Associates Ltd., 2013a);
- Pipeline and Booster Station: Technical Proposal for the SaskWater Buffalo Pound Non-Potable Water System Expansion Project (Golder Associates Ltd., 2013b);
- SaskWater Buffalo Pound Non-Potable Water Supply System – East: Expansion Project Technical Proposal Clarification Technical Memo No. TM-1 (Associated Engineering Ltd., 2013a); and,
- SaskWater Buffalo Pound Non-Potable Water Supply System – East: Expansion Project Technical Proposal Clarification Technical Memo No. TM-2 (Associated Engineering Ltd., 2013b).

Upon review of the Application for Ministerial Determination and the information presented by SaskWater to date, the MOE has determined that the Project meets the criteria of Section 2(d) of *The Environmental Assessment Act*, and therefore is considered to be a “development” (as per the MOE’s Reasons for Determination letter received by SaskWater on June 13, 2013). As a result, SaskWater is required to complete an Environmental Impact Assessment (EIA) for the proposed Project and prepare and submit to

the MOE an Environmental Impact Statement (EIS) for approval. The proposed Project is not included as a “designated project” according to the Regulations Designating Physical Activities Regulation under the federal *Canadian Environmental Assessment Act (CEAA)*, 2012. As confirmed during the July 17th, 2012 telephone discussion between Associated Engineering Ltd. and Peter Boothroyd (Canadian Environmental Assessment Agency), a federal Environmental Assessment and formal review of this proposed project is not required.

### **III. TERMS OF REFERENCE FOR THE ENVIRONMENTAL IMPACT ASSESSMENT**

SaskWater has prepared the following Terms of Reference (TOR) to outline the specific studies that will be undertaken, the information that will be obtained as part of the EIA, and how this information will be presented and evaluated in the EIS. These TOR should not be considered as either exhaustive or restrictive, as concerns other than those already identified could arise during the completion of the EIA.

### **IV. EIS CONTENT**

The EIA investigates the risks and benefits of the Project in the context of the existing socio-economic and biophysical conditions. In addition to identifying potential risks and specifying appropriate mitigation designs and policies, the EIA will also incorporate conceptual plans for decommissioning and reclamation of the site. The EIA considers a number of components, including issue scoping (e.g., purpose of the project, project needs, project alternatives, project concerns, etc.) baseline studies, effects predictions, and recommended monitoring and follow-up programs. Although the EIS will evaluate all potential Project-environment interactions, the intent is to focus the effects assessment on those interactions with the greatest potential to result in significant effects to the biophysical and socio-economic environments.

The EIS is reviewed by a wide audience, including technical specialists, non-technical subject-matter experts, the general public, First Nations, and Métis Communities. As such, the EIS will be written to satisfy a wide array of technical knowledge, be clear and concise, consistent and accurate, and transparent in describing methods, assumptions, and drawing conclusions. The following sections of the TOR describe the information that will be presented within each EIS chapter. Sufficient information will be provided for each so that informed conclusions can be reached regarding the potential for effects on the biophysical and socio-economic environments.

### EXECUTIVE SUMMARY

The Executive Summary will describe the key Project elements and key findings of the EIS, with particular reference to the overall conclusions of the assessment, and a clear rationale relating those conclusions to the predicted effects and the environmental design features proposed to mitigate them. Specifically, the Executive Summary will describe the Project, the Project location and environmental setting, the Project alternatives, and the conceptual decommissioning, reclamation, and monitoring plan. The Executive Summary will focus on items of known or expected public concern, results of the residual effects assessment, and monitoring and follow-up programs proposed to address them. A summary of commitments made by SaskWater throughout the EIS will also be included. The Executive Summary will be written in non-technical language, and avoid the use of jargon.



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# TERMS OF REFERENCE



## 1 Introduction

### 1.1 PROPONENT

This section will provide a general description of SaskWater as the provincial Crown water utility, and a portfolio of successfully completed projects similar in scope, nature, and geographical location as the proposed project. This section will also clarify the difference in SaskWater's role in the provision of water from the role of other agencies that are responsible for the water rights and licenses. The legal name and address of SaskWater along with the details (i.e., address, telephone, and email) for the Project contact person will be presented. Contact and general corporate information, for the consultants and sub-consultants that were hired to aid SaskWater during the preparation of EIS will also be provided.

### 1.2 PROJECT LOCATION AND ENVIRONMENTAL SETTING

The location of the proposed Project will be briefly described. A map showing the location of nearby communities, Rural Municipalities (RMs), industrial water users and development, sensitive land uses, road, highways, and railway crossings, and pertinent physical and biophysical considerations will be summarized. This section will also provide a discussion of the land tenure (e.g., privately owned, leased from the provincial or federal government), and any existing or anticipated agreements in support of the proposed development.

A high-level description of the landscape (e.g., ecoregion, ecozone, general description of topography) will be presented. The purpose of the environmental setting will be to provide context so that the reader can understand where the Project is situated with respect to the main existing environmental features. Detailed information collected during the baseline programs will be provided in the discipline sections.

### 1.3 PROJECT OVERVIEW

A brief overview of the Project will be provided to familiarize the reader and present a framework or structure for the organization of the information that will follow. The overview will describe the intended scope of work and summarize the specific components and/or activities involved with completing the Project.

### 1.4 PROJECT SCHEDULE

The anticipated schedule/timing will be described for each phase of the Project, including construction, operations, and decommissioning, reclamation and monitoring programs. The sequencing of activities undertaken in each phase, and the anticipated schedule for submitting regulatory applications will also be described. The discussion will be supplemented with a simplified Gantt chart.

## **1.5 PROJECT NEEDS AND BENEFITS**

The "need for" the project is defined as the problem or opportunity that the proposed project is intending to solve or satisfy; that is, "need for" establishes the fundamental justification or rationale for the project (The Agency, 2007). The "benefit of" the project outlines what is to be achieved by carrying out the project.

A rationale for the need for the Project will be provided. The need for the Project will be validated on the basis of immediate and future water demands for industrial use in relation to SaskWater's role as the utility provider. A discussion of the anticipated industrial growth in the region and the potential economic and environmental benefits of developing an expandable regional system will be included.

## **1.6 REGULATORY REQUIREMENTS**

An overview of the regulatory requirements for both the Intake and Pump Station, and the Pipeline and Booster Station will be provided. The overview will contain a summary of the potential permits/approvals/licenses/authorizations that are required prior to the construction and operation phase of the Project. A list of applicable federal, provincial, and municipal Acts and Regulations will also be described. Approvals, authorizations, permits, licenses, and agency letters, already received, including those that have been submitted and are currently under review, will be included.

## **1.7 REPORT ORGANIZATION**

This section provides an outline of how the EIS will be organized. Because the potential audiences reviewing the EIS include a wide variety of regulators and the general public, the document will be clearly organized, and written using plain language, with no assumptions of previous knowledge of the Project and/or Project location.

# **2 Project Description**

## **2.1 INTRODUCTION**

The section presents details of the Project to support the assessment of the potential Project effects on the environment.

## **2.2 PROJECT ALTERNATIVES**

This section will describe the various technically and economically feasible ways the Project can be implemented or carried out. Specifically, rationale for the selection of Buffalo Pound Lake as the most viable and sustainable source of non-potable water, as opposed to other nearby water bodies will be summarized. Supporting documentation from the WSA, including the water availability assessment of multiple lakes, and the detailed water availability modelling of Buffalo Pound Lake will be included in an Appendix.

Alternative components, activities, management systems, environmental design features, or mitigation considered during the Project planning will be described in enough detail to clearly illustrate the differences, advantages and disadvantages of each option.

Economic, social, and/or environmental considerations that were relevant to the selection of the preferred alternative will be described. The alternative analysis will also include a discussion on how engagement with public, First Nations, and Métis Groups completed by SaskWater were considered in determining the preferred Project alternative.

## **2.3 THE PROJECT**

This section defines the scope of the EIA. This section will provide the details of the Project for each of the two components: Intake and Pump Station; and Pipeline and Booster Station. Detailed descriptions of the Project components and activities completed throughout the construction and operation phases of the Project will be provided. Environmental design features and mitigation that will be implemented to reduce or eliminate the effects of the Project on the environment will also be discussed. A conceptual decommissioning and reclamation plan, and health safety and environmental management programs will be described. Information and technical data will be provided in sufficient detail to enable an accurate assessment of the potential environmental effects of the proposed Project.

### **2.3.1 Construction and Operations Activities**

This section will discuss the temporary facilities and infrastructure that may be required during construction of the Intake and Pump Station and Pipeline and Booster Station, as well as the permanent facilities required for operation of the Intake and Pump Station.

Elements that will be described with respect to the Intake and Pump Station include:

- the intake;
- the pump station; and,
- site access.

Elements that will be described with respect to the Pipeline and Booster Station include:

- the pipeline;
- the booster station;
- water, road, and foreign crossings, and,
- right-of-way clean-up and reclamation.

Maps, figures, and illustrations will be used as necessary to provide a visual representation of the Project and its activities.

### **2.3.2 Supporting Infrastructure**

Any supporting infrastructure required for the Project, including potable water, power, natural gas, telecommunications, fiber optics, and other utilities, will be described. Each utility provider will be

responsible for their own screening assessments. Available information will be summarized in the EIS and any original documentation will be presented in an appendix.

### **2.3.3 Domestic and Industrial Waste Management**

The sources, types, and quantities of domestic, non-hazardous industrial, and hazardous industrial wastes predicted to be generated by the Project will be provided in the EIS. The process for the collection, handling, and disposing of these wastes to be generated will be described. Industry standards, best management practices, environmental design features, and/or mitigation that will be implemented to reduce or eliminate potential effects to the environment from domestic and industrial wastes will be discussed.

### **2.3.4 Decommissioning and Reclamation**

The intake and pipeline structures are expected to be in place permanently. However, in case future decommissioning is required, the plan and schedule to prepare an intake and pump station-specific conceptual decommissioning and reclamation plan will be described in this section. The emphasis of the decommissioning and reclamation plan will be on land and water surface disturbance and on land and aquatic habitat reclamation such that the post-operational landforms, aquatic habitat, and hydrology are physically and environmentally stable. The strategy will also include a discussion of the decommissioning alternatives, environmental mitigation measures, regulatory requirements, and necessary financial assurances.

### **2.3.5 Human Resources**

This section will also identify the peak construction workforce required for the Intake and Pump Station; and Pipeline and Booster Station, and the number of permanent employees that will be required for operation of the Intake and Pump Station.

### **2.3.6 Health, Safety, and Environmental Management System**

SaskWater will develop key programs that will provide information on how the Project will be managed to maintain the safety of humans and the natural environment throughout the life of the Project. A brief description of the purpose and key elements of programs will be provided, including:

- Occupational Health and Safety Plan;
- Environmental Protection Plan;
- Emergency Response Plan;
- Land Acquisition and Control Plan; and
- Pressure Testing and Flushing Plan.

### **2.3.7 Accidents, Malfunctions, and Unplanned Events**

A hazard assessment will list potential accidents and malfunctions for the Project (e.g., intake and pump station and pipeline and booster station). The likelihood and severity of each risk identified will be assessed and applicable environment design features, mitigation practices, and emergency response plans identified.

### **2.3.8 Effects of the Environment on the Project**

This section will also describe the potential effects that the natural environment may have on the Project (e.g., long-term climatic events, and short-term weather events such as extended drought, and flooding), and the environmental design features that will be implemented to limit effects to the environment.

## **3 Stakeholder Engagement**

A description of all engagement activities (names of individuals/groups, locations, dates, and formats) that have been conducted in support of the project to date will be provided and summarized in tables for the following broad categories of stakeholders:

- public (local communities, and other concerned members of the public);
- landowners;
- government and regulatory agencies; and,
- First Nations and Metis communities.

A discussion of the results and feedback received will be provided. Future communication and engagement activities, including schedules and linkages to Project milestones and EIA process will be described in a Stakeholder Communication and Engagement Plan. This plan will be included as an appendix in the EIS.

The EAB has determined that the Project will not adversely impact First Nations or Metis communities exercise of Treaty or Aboriginal rights or the pursuit of traditional uses. As such, Duty to Consult is not required for the Project. However, SaskWater is committed to engaging First Nations and Metis communities with potential interest in the Project, and thus will include a description of the proposed First Nations and Metis engagement activities as a part of the overall Stakeholder Communication and Engagement Plan.

## **4 Environmental Assessment Approach**

The assessment approach is based on ecological, cultural, and socio-economic principles, and environmental assessment best practices. The approach considers how each key element of the Project may interact with the existing environment and result in a potential environmental effect on one or more of the biophysical and socio-economic components. Although all potential Project-environment interactions

will be evaluated, the intent is to focus the assessment on those interactions with the greatest potential to result in significant residual environmental effects to the biophysical and socio-economic components. The approach will be applied to the analysis and assessment of the environmental effects from the Project using information from the Project Description, baseline studies, and engagement activities.

Key elements of the environmental assessment include:

- identify valued components (VCs);
- determine spatial and temporal boundaries;
- identify all potential interactions and environmental effects the Project may have on biophysical and socio-economic VCs;
- describe SaskWater's plans to mitigate potential environmental effects from the Project due to construction and operation activities;
- classify and determine the significance of residual environmental effects (i.e., anticipated environmental effects remaining after consideration of appropriate mitigation); and
- outline monitoring and follow-up programs that may be required.

### 4.1 SELECTION OF VALUED COMPONENTS

A VC is a component that is considered to be ecologically, culturally, socially, or economically important (e.g., because of their conservation status and importance to biodiversity). The selection of VCs is based on what people (community members, regulators and other interested parties) value, as identified in the issue scoping and engagement process.

It is important to note that not all biophysical and socio-economic components are considered VCs. Environmental components such as air quality and noise quality do not have independent assessment endpoints. Instead they represent linkages and are considered as measurement endpoints for effects to other VCs. For example, changes in air quality may result in effects to the maintenance of self-sustaining plant communities and populations. Consequently, not every biophysical and socio-economic component is carried through the residual effects classification and determination of significance; rather the results of residual effects analyses are provided to other VCs as supporting information.

The VCs selected for this assessment will be drawn from the following categories:

- atmospheric and acoustic environment;
- hydrology;
- fish and fish habitat, including surface water quality;
- soils;
- vegetation, including listed plant species;
- wildlife, including listed wildlife species;
- cultural and heritage resources; and
- socio-economics (i.e., employment and economy, community services and infrastructure, and land use).

## 4.2 ENVIRONMENTAL ASSESSMENT BOUNDARIES

Individuals, populations, and communities function within the environment at different spatial (and temporal) scales. As such, the spatial boundaries will be specific to each VC. For the EIS, the spatial boundaries defined for each VC include a local study area (LSA) and regional study area (RSA).

The LSAs are designed to measure baseline environmental conditions and then predict direct effects from the Project footprint and activities on the VCs. The LSAs will be defined to assess small-scale indirect effects from Project activities on VCs, such as changes to soil and vegetation from dust emissions. The boundaries for the RSAs will be designed to quantify baseline conditions at a scale that is large enough to assess the maximum predicted geographic extent (i.e., maximum zone of influence) of direct and indirect effects from the Project on VCs. Cumulative effects are typically assessed at a regional spatial scale and, where relevant, may consider influences that extend beyond the RSA (e.g., economic effects are typically assessed at the provincial scale, whereas the hydrological effects are limited to Buffalo Pound Lake).

Spatial and temporal boundaries are tightly correlated because processes that operate on large spatial scales typically occur at slower rates and have longer time lags than processes that operate on smaller spatial scales. The approach used to determine the temporal boundaries of effects from natural and human-related disturbances on VCs will be similar to the approach used to define spatial boundaries. In the EIS, temporal boundaries will be linked to two concepts. The first is linked to the development phases of the Project and the second is the predicted duration of effects from the Project on a VC, which may extend beyond closure. Thus, the temporal boundary for a VC is defined as the amount of time between the start and end of a relevant Project activity or stressor, plus the duration required for the effect to be reversed.

## 4.3 EXISTING ENVIRONMENT

This section will provide a summary of the biophysical and socio-economic components that may be affected by the Project. Baseline studies that have already been, or will be completed to support the Project, will be described at a level of detail that allows for the evaluation and prediction of potential environmental effects from the proposed Project.

The biophysical and socio-economic components that will be included in the EIS are as follows:

- atmospheric and acoustic environment;
- surface water environment (including hydrology, surface water quality, and fish and fish habitat);
- terrestrial environment (including soils and terrain, vegetation and wildlife);
- cultural environment (including heritage resources); and
- socio-economic environment (including employment and economy, community services and infrastructure, and land use).

#### 4.4 SCREENING OF PROJECT INTERACTIONS AND MITIGATIONS

This section identifies and evaluates the interactions between Project components or activities, and the corresponding potential environmental effects to VCs. The process begins with the identification of all potential interactions for the Project. To provide a robust assessment of potential environmental effects, each interaction is initially considered to have a linkage to change in the environment and associated potential environmental effects on VCs. Each potential interaction is evaluated to determine if mitigation can be developed and incorporated to remove the interaction or limit the potential environmental effect to VCs.

Mitigation includes Project design elements, environmental best practices, management policies and procedures, and social programs. Mitigation practices are developed through an iterative process between the Project's engineering and environmental teams to avoid or limit environmental effects.

Knowledge of the biophysical or socio-economic components and associated mitigation measures are applied to each interaction to determine the expected Project-related change to the environment and if there is potential for a residual effect on a VC. Interactions that are removed through engineered design are not analyzed further because the mitigation eliminates the potential for a residual effect on a VC to occur. Some interactions could result in a minor environmental change, but may not have a measureable or detectable residual effect on a VC. Such interactions are also not evaluated further. Interactions determined to have no linkage to VCs or those that are considered to be minor are not predicted to result in environmentally significant effects on VCs. Interactions that are anticipated to result in a residual effect to a VC require further analysis to determine the significance of the residual effect.

#### 4.5 RESIDUAL EFFECTS ANALYSIS

In the EIS, the residual effects analysis considers all primary interactions that are likely to result in measurable environmental changes and residual effects to VCs (i.e., after implementing environmental design features). This section will provide the general approach to analyzing Project-specific effects for biophysical and socio-economic components.

Cumulative effects represent the sum of all natural and human-induced influences on the physical, biological, cultural, and socio-economic components of the environment through time and across space. In addition, natural disturbances such as fire, floods, insects, disease, and climate change can contribute to cumulative environmental effects. The goal of the cumulative effects assessment will be to estimate the contribution of these types of effects, in addition to Project effects, to the amount of change on the VCs.

Results for predicted Project-specific (incremental) and cumulative effects will be concisely and clearly presented with appropriate tables and figures. Supporting data from the existing conditions, scientific literature, and monitoring programs, where applicable, will be used.



#### **4.6 MANAGEMENT OF UNCERTAINTY**

Most assessments of effects embody some degree of uncertainty. The uncertainty section of the EIS will identify the key sources of uncertainty and discuss how uncertainty will be addressed to increase the level of confidence that effects will not be worse than predicted. Where possible, a strong attempt will be made to reduce uncertainty in the EIS to increase the level of confidence in effects predictions. Where appropriate, uncertainty may also be addressed by additional mitigation, which would be implemented as required. Each discipline section will include a discussion of how uncertainty has been addressed and provide a qualitative evaluation of the resulting level of confidence in the effects analyses and determination of significance.

#### **4.7 DETERMINATION OF SIGNIFICANCE**

Generic definitions for residual effects criteria will be provided, as well as an overview of the approach and method used to classify effects and predict environmental significance. Residual effects criteria used in the determination of significance include direction, magnitude, geographic extent, duration, reversibility, frequency, and likelihood. Environmental significance is used to identify predicted effects that have sufficient magnitude, duration, and geographic extent to cause fundamental changes to a VC (i.e., after implementing environmental design features). It is difficult to provide definitions for residual effects criteria and environmental significance that are universally applicable to each VC assessment endpoint. Consequently, specific definitions will be provided within each VC section of the EIS.

#### **4.8 MONITORING AND FOLLOW-UP**

Monitoring programs will be proposed to deal with the uncertainties associated with the effects predictions and environmental design features. In general, monitoring is used to test (verify) effects predictions and determine the effectiveness of environmental design features (mitigation). Monitoring will be completed by qualified individuals and is used to identify unanticipated effects and implement adaptive management. This section presents the concepts of adaptive management and different types of monitoring. It explains how monitoring and follow-up programs will be used to test effects predictions to reduce uncertainty and unexpected effects, and determine the effectiveness of mitigation.

## **5 Corporate Commitments**

This section will provide a discussion of SaskWater's corporate commitments through the development of a commitments register table, and the proposed structure for on-going reporting to the Environmental Assessment Branch and other government and regulatory agencies.



# TERMS OF REFERENCE



## References

Associated Engineering Ltd. 2012. Buffalo Pound Non-Potable Water Supply System – East: Regional System Concept Study. Report December 2012. Prepared for SaskWater, Moose Jaw, Saskatchewan.

Associated Engineering Ltd. 2013a. SaskWater Buffalo Pound Non-Potable Water Supply System – East: Expansion Project Technical Proposal Clarification. Technical Memo No. TM-1. February 2013. Prepared for SaskWater, Moose Jaw, Saskatchewan.

Associated Engineering Ltd. 2013b. SaskWater Buffalo Pound Non-Potable Water Supply System – East: Expansion Project Technical Proposal Clarification. Technical Memo No. TM-2. May 2013. Prepared for SaskWater, Moose Jaw, Saskatchewan.

Golder Associates Ltd. 2013a. Intake and Pump Station: Technical Proposal for the SaskWater Buffalo Pound Non-Potable Water System Expansion Project. Report January 2013. Prepared for SaskWater, Moose Jaw, Saskatchewan.

Golder Associates Ltd. 2013b. Pipeline and Booster Station: Technical Proposal for the SaskWater Buffalo Pound Non-Potable Water System Expansion Project. Report January 2013. Prepared for SaskWater, Moose Jae, Saskatchewan.

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## **TERMS OF REFERENCE**



### **Appendix A -**