



October 22, 2019

Christine Baljko
Project Director – Environment and Consultation
Manitoba Infrastructure
1520-215 Garry Street
Winnipeg, MB R3C 3P3

SUBJECT: Conformity review outcome for the Lake Manitoba and Lake St. Martin Outlet Channels Project Environmental Impact Statement

Dear Christine Baljko:

The Impact Assessment Agency of Canada (the Agency) reviewed the Environmental Impact Statement (EIS) submitted by Manitoba Infrastructure on August 30, 2019 for the Lake Manitoba and Lake St. Martin Outlet Channels Project (the Project).

The Agency has determined that this EIS does not conform to the requirements of the May 15, 2018 *Guidelines for the Preparation of an Environmental Impact Statement pursuant to the Canadian Environmental Assessment Act, 2012 for the Lake Manitoba and Lake St. Martin Outlet Channels Project* (the EIS Guidelines). The Agency received advice on the conformity of the EIS from federal authorities and Indigenous groups.

Annex 1 (attached) identifies the areas where information and/or clarity are required in order for the EIS to meet the requirements of the EIS Guidelines. For ease of reference, the Agency has included a reference to the corresponding section of the EIS Guidelines for each area of required information or clarity.

The outcome of this conformity review, including this letter and annexes, as well as submissions from federal authorities and Indigenous groups that informed this review, will be posted on the Canadian Impact Assessment Registry Internet Site, found at: <https://iaac-aeic.gc.ca/050/evaluations/proj/80148>.

Manitoba Infrastructure is required to provide a revised EIS that meets the requirements of the EIS Guidelines, as detailed in Annex 1. The timeline for the federal environmental assessment process will be paused while Manitoba Infrastructure completes this work.

Upon receipt of a revised EIS, the Agency will conduct a conformity review in accordance with its “*Operational Policy Statement: Information Requests and*



Timelines, February 2016” (<https://www.canada.ca/en/impact-assessment-agency/news/media-room/media-room-2016/information-requests-timelines.html>).

Once the Agency determines the EIS conforms with the EIS Guidelines, the federal environmental assessment can proceed to the technical review and public comment period.

Annex 2 (attached) is advice to Manitoba Infrastructure from federal authorities and Indigenous groups based on their reviews of the EIS. This advice applies more broadly than to information requirements associated with the conformity of the EIS and should be considered throughout the preparation of the revised EIS, the remainder of the environmental assessment process, and the regulatory processes that follow, as applicable.

The Agency welcomes the opportunity to discuss the outcome of this review with you and to provide further advice on how to best address the outstanding information required to move forward with the assessment process. To this end, the Agency proposes technical workshops with federal experts and your team to facilitate a better understanding of the expectations of the Agency and federal authorities, and to ensure complete responses to information requests. Please contact the Agency to confirm availability during the week of November 4 – 8, 2019 for a discussion or to suggest an alternative date.

If you have any questions about the content of this letter or conformity review table please contact the undersigned at 587-710-0133 or via email at matthew.dairon@canada.ca.

Sincerely,

[Original signed by]

Matthew Dairon
Project Manager

Annex 1 – Detailed Conformity Gaps

Requirement of the EIS Guideline (Please refer to the May 15, 2018 EIS Guidelines for the complete text. Text in this column is for reference only.)	Section of the EIS	Information Requirement
General Comments		
Section and Table Numbering	Table 1 (CEAA 2012 Concordance Table) Appendix 5A	Ensure correct numbering in the concordance table and in the EIS. Ensure tables outlining concerns/comments expressed by the public and Indigenous groups in Appendix 5A are correctly labelled in the table of contents. Ensure that the links included in the EIS to references and other sources of information are updated and working.
Definitions	1.5.4	Define “Project region” in text and in a figure.
Missing Information	1.5 Appendix 1A	Ensure tables in Appendix 1A, referred to in section 1.5 exist. Provide all technical reports and studies conducted for the environmental assessment of the Project, including all relevant baseline data and studies.
PART 1		
<i>2.2 Public Engagement</i>		The EIS requires more detail on the ongoing and future public engagement. Additional clarity is required on the extent to which public engagement information was considered in the design of the Project and in the EIS and how any outstanding issues were and may be addressed. Further engagement may be required to fulfill the information requirements related to public views on the project and the assessment of environmental effects.
<i>2.3 Engagement with Indigenous groups</i>		The EIS requires more detail on the ongoing and future Indigenous engagement. Information and/or clarity is required to fully understand: - the potential effects of changes to the environment on Indigenous peoples, and potential impacts to Aboriginal and Treaty rights for each of the Indigenous groups identified by the Agency;

		<ul style="list-style-type: none"> - how information from Indigenous groups, including, but not limited to Indigenous knowledge, was considered and incorporated into Project Design and the EIS; - how areas of discrepancy between the views of Indigenous groups and the proponent were addressed; and - the efforts taken to validate with affected Indigenous groups regarding the integration of Indigenous knowledge. <p>Further engagement may be required to fulfill the information requirements related to Indigenous groups' views on the project, the assessment of environmental effects, the assessment of impacts to rights, and the use of Indigenous knowledge.</p>
<i>3.2.3 Spatial and temporal boundaries</i>		For valued components (VCs), such as groundwater and surface water, describe how community knowledge and Indigenous knowledge, current or traditional land and resource use by Indigenous groups, and social and cultural considerations were taken into consideration when defining the spatial and temporal boundaries.
<i>4.3 Study strategy and methodology</i>		Clearly document efforts undertaken by the Manitoba Infrastructure to provide Indigenous groups the opportunity to review and provide comments on the information used for describing and assessing effects on Aboriginal peoples, including impacts to Aboriginal or Treaty rights.
4. Preparation and Presentation of the Environmental Impact Statement		
<i>4.2.2. Community knowledge and Indigenous knowledge</i>	EIS Summary 6.13.2.2	Describe traditional land use needs to allow for adequate analysis of impacts including analysis of residual impacts. Integrate this information into the analysis presented in the EIS for each VC.
<i>4.3. Study strategy and methodology</i>	EIS Summary 6.13.2.2 6.13.3.2	<p>Describe the methodologies used for the collection of information (e.g. field studies, desktop reviews, etc.) for the EIS, including but not limited the number of studies/field visits, data collection techniques, information on how sampling sites were chosen, and how studies or references were chosen.</p> <p>Clarify if mitigation measures were shared with all Indigenous groups. Describe and integrate the outcomes of the discussions with Indigenous groups in the EIS, including whether the mitigation would address the identified Indigenous issues and the proponent-Indigenous groups validation process.</p>

		<p>Describe how community knowledge and Indigenous knowledge were used to reach conclusions regarding the selection of VCs.</p> <p>Clarify if follow-up and monitoring requirements specific to traditional land and resource use, Indigenous health and socio-economic conditions, and Aboriginal and Treaty rights were discussed with Indigenous groups.</p>
<p><i>4.5 Summary of the environmental impact statement</i></p>	<p>EIS Summary 2.3.10 2.4.3 Figure 1-1 6 6.13.4</p>	<p>The EIS Summary requires more information to clearly communicate findings on several topics including, but not limited to:</p> <ul style="list-style-type: none"> - summarization of engagement activities and the integration of information obtained; - how cumulative effects and potential Project accidents or malfunctions were considered; - the overview of mitigation and accommodation measures associated with potential impacts to Aboriginal or Treaty rights; - conclusions on the residual environmental effects after mitigation. ; and - project description details such as how surface and ground water will be managed and location of key project components. <p>Ensure the appropriate factors (timing, magnitude, geographic extent, duration, and frequency) are properly described for significance analyses for all residual environmental effects</p> <p>Ensure the Water Management Plan provides sufficient information to understand how surface and ground water will be managed. Provide a general description of practices that may be included in the Water Management Plan.</p> <p>Update Figure 1-1 or provide maps to ensure that the locations of all key Project components are identified.</p>
<p>PART 2</p>		
<p>1. INTRODUCTION & OVERVIEW</p>		
<p><i>1.3 Project Location</i></p>	<p>1.4</p>	<p>Provide the distance of Project facilities and components to federal lands, including all federal reserve lands.</p> <p>Clarify if the communities of Moosehorn and Pinaymootang First Nation are the nearest federal lands to the Project.</p>

		<p>Describe and discuss the environmental significance and value of the geographical setting in which the Project will take place and the surrounding area.</p> <p>Provide information on habitats of federally or provincially listed species at risk. If none are present, this should be stated.</p>
<i>1.4 Regulatory framework and the role of government</i>	1.5.1 4.3	<p>Provide a list of federal and provincial legislation relevant to the proposed Project.</p> <p>Describe the implications of government policies mentioned in the EIS, such as the sustainable development guidelines, as related to the Project.</p> <p>Identify whether planning or study initiatives related to the Project exist and describe their implications.</p> <p>Clarify if there are any regional or provincial standards/objectives/guidelines for sustainable development that are relevant to the Project, in addition to the national guidelines described, and if so provide information on the guidelines and how they will be applied to the Project.</p>
2. PROJECT JUSTIFICATION & ALTERNATIVES CONSIDERED		
<i>2.1. Purpose of the Project</i>	2.2 2.3	<p>Provide rationale for how flooding will be prevented in Lake Winnipeg if water from Lake Manitoba and Lake St. Martin are both diverted there. Discuss possible flooding effects on Lake Winnipeg as a result of operation of the Lake Manitoba and Lake St. Martin Outlet Channels.</p> <p>Provide information on predicted environmental and social costs and benefits of the Project among potentially affected communities.</p> <p>Discuss the environmental and social costs and benefits of the Project for potentially affected communities.</p>
<i>2.2. Alternative means of carrying out the Project</i>	2.4.1 2.4.2	<p>Ensure references to figures are accurate.</p> <p>Identify and provide potential effects of each feasible alternative mean of carrying out the Project that was considered.</p> <p>Provide information on the assessment of environmental effects of the preferred alternative.</p>

		<p>Provide information on construction methods for Project components.</p> <p>Describe mitigation measures for environmental effects including, but not limited to, sediment control, fish movement, and water quality monitoring.</p> <p>Provide information on fill types and borrow sites for Project components.</p> <p>Provide information on the analysis of alternative means of carrying out the Project. Consider Project operation and the parameters for the regulation of flow rates.</p> <p>Describe the proponent’s engagement with Indigenous groups regarding Project design and in the analysis and identification of preferred means of carrying out the Project from the alternative means. If engagement has not occurred, provide a rationale.</p>
3. PROJECT DESCRIPTION		
<i>3.1 Project components</i>	Appendix 3B; Figure 3B-1; Figure 3B-2; Figure 3B-3	<p>Provide maps for boundaries of the proposed Project site, major existing infrastructure, adjacent land uses, and important environmental features.</p> <p>Provide an estimate of the area that will be disturbed by temporary and permanent Project components and activities, separately. Describe the number and size (e.g. length) of each Project component.</p>
<i>3.2. Project activities</i> <i>3.2.1. Site preparation and construction</i>	3.5.2.3 3.4.2.6 3.4.5.5 3.5.2.11 3.5.2.9 3.4.2.3	<p>List the frequency, methods, type of explosive to be used, and storage of explosives, and whether or not any manufacturing/preparation of explosives is planned to occur on site.</p> <p>Define sources and quantity of borrow materials required.</p> <p>Include a description of the location and timing for water management activities (including but not limited to dewatering or deposition).</p> <p>Provide information on the quantity of each type of equipment required during Project construction. Clearly define the quantity of each equipment type needed and what peak equipment use refers to.</p>

		<p>Indicate if there are plans for administrative buildings, garages, or other ancillary facilities besides the one mentioned in the EIS.</p> <p>Describe the anticipated location and spatial extent of construction camps and associated facilities.</p>
<i>3.2.2. Operation</i>	<p>3.5.3.2</p> <p>3.5.3.1</p> <p>3.5.3.4</p> <p>3.5.3.5</p> <p>6.2.4.2</p> <p>3.5.3.6</p> <p>3.5.3.7</p> <p>3.5.3.8</p>	<p>Describe the expected equipment requirements during Project operation for each type of equipment, quantitatively.</p> <p>Provide a surface water management plan for each Project component, including a detailed water management plan that includes specifics of how water will be managed and the methods involved.</p> <p>Provide a detailed ice management plan that includes a description of the conditions under which the water control structure gates will be open/closed, how solid ice cover in the channel will be verified, and mitigation measures for potential effects of ice in the channel.</p> <p>Provide a detailed waste management and recycling plan that addresses transport and disposal, types, sources, and expected amounts of waste and recyclable materials through all Project stages.</p> <p>Provide a work schedule and details regarding transportation and lodging for the workforce associated with Project maintenance activities.</p> <p>Describe maintenance requirements, ongoing and related to the start and stop of operations.</p>
<i>3.2.3. Decommissioning and abandonment</i>	<p>3.5.4.1</p> <p>3.5.4.2</p> <p>3.5.4.1</p>	<p>Provide a preliminary outline of a decommissioning and reclamation plan for temporary work areas, including an overview of the steps and processes involved.</p> <p>Provide, for permanent facilities, a conceptual discussion on how decommissioning and abandonment could occur.</p>
4. PUBLIC PARTICIPATION AND CONCERNS		
<i>4. Public Participation and Concerns</i>	<p>5.2.5</p> <p>5.2.2</p> <p>5.2.4</p>	<p>Describe future public engagement that will take place for the Project including the type of engagement (e.g. open houses, questionnaires, letters, etc.), who the proponent plans to engage with, and the approximate timing of these activities.</p>

	<p>Table 5.2-2 Appendix 5A</p>	<p>Describe the methods used, where the engagement took place, the persons and organizations involved, the concerns voiced, and the extent to which this information was incorporated into the design of the Project as well as in the EIS.</p> <p>Provide the studies conducted by the KGS Group and the Manitoba 2011 Flood Review Task Force containing information related to public and Indigenous engagement activities that are referenced in this section.</p> <p>Describe the extent to which the concerns voiced during engagement activities were incorporated in the design of the Project and the EIS.</p> <p>Describe how concerns expressed during public engagement activities have been or will be addressed.</p>
<p>5. INDIGENOUS ENGAGEMENT AND CONCERNS</p>		
<p><i>5. Indigenous Engagement and Concerns</i></p>	<p>3.4.2.5 5.3.1.3 5.3.3.3 5.3.4 5.3.4.2 Table 5-4 Appendix 5A Table 10.2-1</p>	<p>Describe how concerns expressed by Indigenous groups¹ have been or will be addressed.</p> <p>Describe which communities were provided funding for traditional knowledge (TK) studies. If this did not include all Indigenous groups, provide a rationale for why this opportunity was not offered to all groups or indicate when these communities will be provided the opportunity to conduct and submit TK studies.</p> <p>Indicate which Indigenous groups were sent notification packages between July 22, 2016 and August 6, 2016.</p> <p>Describe the concerns expressed during engagement activities for:</p> <ul style="list-style-type: none"> - Berens River First Nation - Bloodvein First Nation - Brokenhead Ojibway Nation

¹ “Indigenous group(s)” includes all groups listed in Part 2, Section 5.1 of the EIS Guidelines and groups identified in subsequent letters from the Impact Assessment Agency of Canada (formerly the Canadian Environmental Assessment Agency) on August 16, 2018 and December 21, 2018.

		<ul style="list-style-type: none"> - Misipawistik Cree Nation - Pimicikamak Okimawin (Cross Lake Band of Indians) - Poplar River First Nation - Sagkeeng First Nation - Sandy Bay First Nation - Tataskweyak Cree Nation - York Factory First Nation - Anishinaabe Agowidiwinan (First Nations of Treaty 2) <p>Provide details regarding the engagement activities that took place with each Indigenous group, including but not limited to a description/summary of the discussions that occurred during meetings/conference calls between Indigenous groups and the proponent and what information was requested from each group (e.g. concerns, traditional use information, etc.).</p> <p>Ensure engagement activities are correctly attributed to each Indigenous group (e.g. section 5.3.4.2, under the Fisher River Cree Nation heading, engagement activities with Fox Lake Cree Nation are described). Describe any engagement activities that occurred with Fisher River Cree Nation and Fox Lake Cree Nation that are not presented in the EIS.</p> <p>Describe future engagement activities with Indigenous groups that will take place for the Project including the type of engagement (e.g. open houses, meetings, letters, etc.), which groups the proponent plans to engage with, and the approximate timing of these activities.</p> <p>Describe how Indigenous groups will be involved in ongoing discussions regarding optimization planning, financial considerations, and environmental considerations regarding provincial and municipal road realignments required for the Project.</p> <p>Describe the discussions that have taken place between the Manitoba Metis Federation and the proponent regarding Metis current traditional use the in the study areas for the Project. Include any discussions and agreements/conclusions reached with respect to Metis use of the area.</p>
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6. IMPACTS TO POTENTIAL OR ESTABLISHED ABORIGINAL OR TREATY RIGHTS		
<p><i>6. Impacts to Potential or Established Aboriginal or Treaty Rights</i></p>	<p>Chapter 10, Section 10.4.2 10.4.3 Chapter 11, 11.20</p>	<p>Describe/provide for each Indigenous group the:</p> <ul style="list-style-type: none"> - location(s) in which rights are being practiced or exercised; - context in which the right is practiced or exercised (including information about which groups of an Indigenous group practice the right (women, elders, youth etc.), how the right was practiced historically); - how the Indigenous group’s cultural traditions, laws and governance systems inform the manner in which they exercise their rights (the who, what, when, how, where, and why); - the Indigenous group’s perspectives on the importance of the land on which the Project is located and how it intersects with any land management uses and/or plans they may have; - how often the right is practiced or exercised and timing or seasonality of the practice or exercise of the right; and - maps and data sets (e.g. fish catch numbers). <p>Describe potential adverse impacts to Aboriginal or Treaty rights for each Indigenous group.</p>

		<p>Provide a rationale for conclusions presented in the EIS with respect to potential residual effects to Aboriginal or Treaty rights. Describe whether conclusions presented with respect to potential effects to Aboriginal or Treaty rights were validated with Indigenous groups.</p> <p>Describe measures to mitigate/accommodate potential adverse impacts of the Project on potential or established Aboriginal or Treaty rights for each Indigenous group, including but not limited to how the proponent intends to implement mitigation/accommodation measures.</p> <p>Clarify whether the measures identified by Indigenous groups that may mitigate or accommodate changes to the quantity of Crown lands available to practice their Aboriginal or Treaty rights will be implemented and, if so, how the proponent intends to implement them.</p> <p>Describe potential adverse impacts on Aboriginal or Treaty rights that have not been fully mitigated or accommodated as part of the assessment process and associated engagement with Indigenous groups. Include the perspectives of potentially impacted Indigenous groups on this topic.</p> <p>Describe and assess potential cumulative impacts to Aboriginal or Treaty rights.</p>
7. EFFECTS ASSESSMENT		
<i>7. Effects Assessment</i>	Throughout section	<p>Detailed baseline information for all valued components is required for identification and analysis of the potential Project effects on each valued component.</p> <p>Provision of full access to studies and reports referenced in the EIS is required. Information drawn from these references must also be integrated into the EIS and/or annexed to support full understanding of potential environmental effects.</p> <p>Clear, project-specific mitigation measures and associated proponent commitments are required to allow for a full understanding of proposed mitigation measures and their applicability, likely effectiveness, and potential monitoring and follow-up requirements.</p>
<i>7.1.1 Atmospheric Environment</i>	6.2	Provide a baseline survey of ambient air quality in the Project area and in the airshed likely to be affected by the Project.

		<p>Provide baseline information for sulphur oxide and VOCs.</p> <p>Identify and quantify direct and indirect emissions sources in the local and regional ambient air quality study areas.</p> <p>Identify and quantify existing greenhouse gas emissions by individual pollutant measured as kilotonne of CO₂ equivalent per year in all study areas, including regional study areas.</p> <p>Identify current ambient noise levels at receptor points, not limited to residences or communities. Present the results of an ambient noise survey, including but not limited to information on typical noise sources, geographic extent, and temporal variation, or provide sufficient justification for assumptions made.</p>
<i>7.1.2 Geology and Geochemistry</i>	6.4 6.4.2 6.4.5 6.3	<p>Provide baseline concentrations of contaminants of concern for Lake Winnipeg and surface water quality parameters including potential contaminants (e.g. E. Coli, pesticides, petroleum hydrocarbons, etc.).</p> <p>Present sampling and assessment information for the downstream receiving environment of Lake Winnipeg and any other receiving waterways/waterbodies not discussed in the EIS.</p>
<i>7.1.3 Topography and Soil</i>	Fig 6.3B-6 to 8 (Terrain Units) Table 6.3-9 Soil series in the LAA and PDA	<p>Provide soil maps of both the PDA and LAA of the LMOC and LSMOC depicting the following information:</p> <ul style="list-style-type: none"> - the soil series maps at a reasonable scale (1:100,000) as summarized on Table 6.3-9 - soils with pH ranges as per classification of soil series - soils depicting organic matter ranges as per classification of soil series; and - soils depicting average topsoil depths
<i>7.1.4 Groundwater and Surface Water</i>	6.4.4 6.4.5 Appendix 6B Appendix 6D	<p>Provide a figure describing existing drainage patterns for the Lake St. Martin Outlet Channel.</p> <p>Provide a figure describing location of possible aquifer daylighting for the Lake Manitoba Outlet Channel.</p> <p>Provide a figure describing location of water wells within the buffer zone for the Lake St. Martin Outlet Channel. Provide further information on local and regional groundwater resource use (potable water), and describe current and future potential use.</p>

		<p>Provide a description of the temperature changes in surface water as a result of groundwater-surface water interactions.</p> <p>Provide any monitoring protocols in place for the collection of existing groundwater data.</p> <p>Provide the lab analytical results (i.e. lab analyses reports) underlying Table 6.4-7 Historical Groundwater Quality Data from October 2016 to May 2018 of the LMOC PDA (KGS 2018).</p> <p>Provide raw water quality data and the lab analytical results (i.e. lab analyses reports) underlying the surface water quality summary tables in Appendix 6D.</p> <p>Provide data to address missing water quality elements (e.g. seasonal data; missing parameters (e.g., metals, methyl mercury, dissolved/total organic carbon, biochemical oxygen demand (BOD)/carbonaceous biochemical oxygen demand (CBOD), pesticides, aquatic indicators, sediment quality)).</p> <p>Discuss whether/how any missing elements would be obtained prior to Project initiation.</p> <p>Provide a comprehensive summary of sediment quality and quantity.</p> <p>With respect to surface water quality and sediment quality, provide the required comparison of baseline datasets against applicable guidelines and standards, including the identification of exceedances and trends.</p> <p>Provide information of any local and regional potable surface water resources.</p>
<p><i>7.1.5 Fish and fish habitat</i></p>	<p>7.2.2.2 Appendix 7B</p>	<p>Provide a characterization of fish populations on the basis of species and life stage, including information on the surveys carried out and the sources of data available (e.g. location of sampling stations, catch methods, date of catches, species, catch-per-unit effort).</p> <p>Provide a description of fish habitat for Lake St. Martin. Currently descriptions of fish habitat are only provided for Lake Manitoba and Lake Winnipeg.</p>

		<p>Provide a description of aquatic and riparian vegetation for potentially affected surface waters.</p> <p>Ensure the maps identified in the guides are provided for all relevant waterbodies.</p>
<i>7.1.7 Riparian, Wetland and Terrestrial Environment</i>	8.2.2.2	Provide information regarding plant and animal species of cultural significance (abundance, distribution, and diversity) and their habitats.
<i>7.1.8. Migratory birds and their habitat</i>	8.3.3 Appendix 8D	<p>Appendix D, Chapter 8 of the EIS (Volume 3) (page 8D.1) indicates that the following surveys were conducted to describe existing conditions and support the assessment of potential Project effects to wildlife: Aerial Stick Nest Survey, Breeding Bird Point Count Survey, Yellow Rail Survey, and a Piping Plover Survey. Provide copies of the results of these surveys.</p> <p>Provide the baseline studies referenced in the EIS.</p>
<i>7.1.9. Species at Risk</i>	8.3.2.1 8.3.4 Appendix 8D	Provide the baseline studies referenced in the EIS Chapter 8, Appendix D which describe the surveys conducted of existing conditions and support the assessment of potential Project effects to wildlife: Aerial Stick Nest Survey, Breeding Bird Point Count Survey, Aerial Hibernacula Survey, Yellow Rail Survey and a Piping Plover Survey.
<i>7.1.10 Aboriginal Peoples</i>	Chapter 10, 10.2.2.3 10.3.2	<p>Demonstrate how the differences of experiences by sub-populations within an Indigenous group (for example: women, youth, elders, families) was considered in the description of baseline information for Indigenous peoples.</p> <p>Provide baseline information, including but not limited to the current use of lands and resources for traditional purposes by Indigenous peoples and sites/areas of importance, for all Indigenous groups.</p> <p>Describe efforts undertaken by the proponent to engage with Indigenous groups to confirm the proponent's understanding of TK information provided by the respective community.</p>
<i>7.1.10 Aboriginal Peoples Current Use of Lands for Traditional Purposes</i>	Chapter 10, 10.2.1.2 10.2.2.4 Table 10.2-2	<p>Provide traditional territory maps for each Indigenous group or provide a rationale for why maps are not provided.</p> <p>Provide actual or approximate distances of the Project from hunting, trapping, and fishing camps, cabins and traditional gathering or teaching grounds identified by all Indigenous groups. If this information is not provided for each Indigenous group, provide a clear rationale for why this information was excluded.</p>

	<p>Ensure that the following effects pathways with respect to potential Project effects to Indigenous peoples are considered:</p> <ul style="list-style-type: none"> - direct mortality of fish as a result of project construction and operation (e.g. fish death due to mechanical infrastructure, blasting, etc.); - direct mortality of wildlife (e.g. vehicle collisions); - effects of sensory disturbance to wildlife other than effects to habitat availability (e.g. effects to fitness/stress levels due to increased noise, vibrations, or human presence). <p>Describe the natural resources of importance for traditional use for all Indigenous groups.</p> <p>Describe places where fish wildlife, birds, plants, or other natural resources are harvested for all Indigenous groups, including actual or approximate locations of these areas. Ensure permission has been obtained from the respective Indigenous community prior to public release of this information.</p> <p>Describe access and travel routes for conducting traditional practices for all Indigenous groups, including actual or approximate locations of these areas. Ensure permission has been obtained from the respective Indigenous community prior to public release of this information.</p> <p>Describe the frequency, duration, and timing of traditional practices for all Indigenous groups. Ensure permission has been obtained from the respective Indigenous community prior to public release of this information.</p> <p>Describe the location of areas of concentration of migratory animals, such as breeding, denning and/or wintering areas, including but not limited to areas that may be preferred by Indigenous groups. Demonstrate how Indigenous traditional knowledge was considered in this description.</p> <p>Describe the location of ungulates, furbearers, amphibians, small mammals, and their habitat, including but not limited to areas that may be preferred by Indigenous groups. Demonstrate how Indigenous traditional knowledge was considered in this description.</p>
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<i>7.1.10 Aboriginal Peoples Health and Socio-economic Conditions</i>	Chapter 10, 10.2.2.4 Appendix 10A, Table 10A.2-1	<p>Describe the actual or approximate location of sites or areas that are used by Indigenous peoples either for permanent residences or on a seasonal/temporary basis, and the number of people that use each site or area.</p> <p>Provide baseline information on Indigenous health and socioeconomic conditions for each Indigenous group.</p> <p>Describe the location of drinking water sources for all Indigenous groups, including potential groundwater and surface water sources.</p> <p>Provide details regarding the consumption of country foods for all Indigenous groups individually, including food that is trapped, fished, hunted, harvested, or grown for subsistence or medicinal purposes, outside of the commercial food chain</p> <p>Describe which country foods are consumed by each Indigenous group, how frequently, and where these country foods are harvested, for all Indigenous groups.</p> <p>Describe the location of burial sites for all Indigenous groups.</p> <p>Describe each Indigenous groups' views of the land and their cultural/spiritual relationship with the land and resources.</p> <p>Describe the location of sacred, ceremonial, or culturally important places, objects, or things for all Indigenous groups.</p>
<i>7.1.10 Aboriginal Peoples Physical and Cultural Heritage</i>	Chapter 10, 10.2.2	<p>Provide information on language use and transmission for each Indigenous group.</p> <p>Provide information on intergenerational knowledge transmission for each Indigenous group.</p>

		Provide information on aspects of culture identified through cultural impact assessment for each Indigenous group.
<i>7.1.10 Aboriginal Peoples Baseline Data and Indigenous Knowledge</i>	Chapter 10, 10.2.2 and 10.3.2 Chapter 9, 9.5.2 and 9.6.2	Describe how information provided by Indigenous groups, including TK studies, or obtained from a third party source about groups was used (e.g. what information was provided by Indigenous groups and how it was used to inform the information presented in the EIS). If a third party source was used, describe efforts undertaken to verify the validity and accuracy of this information with the respective Indigenous group.
<i>7.1.11 Other changes to the environment</i>		<p>Include a discussion of federal authorizations that may be required and the associated changes to the environment.</p> <p>Provide baseline data that supports the assessment of effects to other valued components that may be affected as a result of a federal decision or due to effects on federal lands, another province, or outside of Canada.</p>
<i>7.1.12 Human Environment</i>	9.5	<p>Describe distances to federal lands from the Project and describe potential Project effect to these lands.</p> <p>Describe the location and proximity of permanent, seasonal, or temporary residences, or camps, including the distances of these features from the Project and indicate the type of residences or camps.</p> <p>Describe health and socio-economic baseline conditions for communities in the study area, not limited to Indigenous communities.</p>
<i>7.2.1 Changes to the atmospheric environment</i>	6.2.4	<p>Beyond relative contribution of the Project to emissions in the RAA, provide information on changes to air quality in the study areas and at receptor points, taking into account estimates of direct air pollution emissions. Include information regarding the location of the Project and distance to all potential human receptors for different uses (e.g. residential, recreational, traditional land use, etc.) within the areas affected by the Project.</p> <p>Provide information on changes to night-time light levels in the study areas and at receptor points. Include information regarding the location of the Project and distance to all potential human receptors for different uses (e.g. residential, recreational, traditional land use, etc.) within the areas affected by the Project.</p>

<p>7.2.2 <i>Changes to groundwater, surface water, and fluvial morphology</i></p>	<p>6.4.7 7.2.7</p>	<p>Quantitatively describe potential changes in regional and local surface water quality resulting from the Project, as opposed to a qualitative discussion.</p> <p>Provide a quantitative assessment of the EIS content requirements (i.e. changes) described in the section 7.2.2 or the EIS Guidelines.</p> <p>Provide information on temperature changes in surface water as a result of water diversion and retention.</p> <p>Provide information regarding potential Project effects to fish and fish habitat and potential changes to habitat suitability under different flow scenarios. The information available in the EIS is insufficient and professional judgement inadequate for DFO to make a determination of significance of impacts to fish and fish habitat and assess habitat suitability under different flow scenarios.</p> <p>Provide the required information regarding modelling. The proponent should develop and include hydraulic modeling results to evaluate changes to the physical environment for the different watercourses that may be impacted by the Project.</p> <p>Ensure the EIS addresses changes to the quality of drinking water sources, or changes to water quality as a result of groundwater seepage.</p> <p>Describe potential Project effects to drinking water sources.</p> <p>Provide a discussion of how changes in the presence, abundance, and distribution of aquatic invasive species may affect water quality.</p>
<p>7.2.4 <i>Aquatic Invasive Species</i></p>	<p>7.2.4.2 7.2.2.2 7.2.4.2 Appendix 7A 6.4.7</p>	<p>Identify changes to infrastructure, including Project components, from aquatic invasive species.</p> <p>Provide mitigation measures for the operation phase of the Project to limit or prevent the spread/introduction of invasive species.</p>

		Clearly identify information pertaining to changes to the presence, abundance, and distribution of listed Species at Risk from aquatic invasive species; and changes to water quality due to aquatic invasive species.
7.3.1 Fish & Fish Habitat	6.4.7	Provide an assessment of sediment quality changes as a result of storing water in and releasing water from one lake to another and from the channels.
7.3.3 Indigenous Peoples Current Use of Lands for Traditional Purposes	Chapter 10, Section 10.2.3 and 10.2.4 and 10.3.3	<p>Describe the timing of traditional use activities for each Indigenous group, how the timing of Project activities could interact with the timing of traditional practices, and any potential effects resulting from overlapping periods.</p> <p>Describe and assess the potential to return affected areas to pre-2011 flood conditions to support traditional practices.</p> <p>Current Use of Lands and Resources for Traditional Purposes Describe potential Project effects to the current use of lands and resources for traditional purposes by Indigenous peoples for each Indigenous groups, as opposed to a general assessment applicable to all groups.</p> <p>Ensure potential Project effects to the quality of resources used for traditional purposes by Indigenous peoples are described (e.g. health of wildlife may affect the quality of the resource; dust deposition may reduce photosynthetic rates).</p> <p>Describe potential effects to the quantity of resources available for traditional purposes by Indigenous peoples, including but not limited effects related to spills of hazardous materials and dust deposition.</p> <p>Provide quantitative information regarding potential Project effects to resources used for traditional purposes and ensure that the description of potential effects is species specific.</p> <p>Describe how the Project may affect the sufficiency of resources required to conduct an activity or practice by Indigenous peoples, including the perception of effects, avoidance, and consideration of the seasonal round of any changes to resources.</p>

		<p>Describe potential Project effects to water quality as a result of increased sediment inputs and any associated potential effects to the current use of resources for traditional purposes by Indigenous peoples.</p> <p>Access to Resources Used for Traditional Purposes Describe potential Project effects to access to resources for traditional purposes by Indigenous peoples for each Indigenous group individually, including specific information on the location of trails/access routes that may be affected for each group.</p> <p>Describe potential Project effects to navigation on waterways and any associated effects this may impose on access to resources and lands used for traditional purposes by Indigenous peoples.</p> <p>Cultural/Spiritual Sites and Experience on the Landscape Describe potential Project effects to the experience by Indigenous peoples on the landscape, including changes that may affect the spiritual and cultural experience of the activity or practice, sense of place and wellbeing, and the applicability and transmission of Indigenous knowledge, laws, customs, and traditions.</p>
<p>7.3.3 Indigenous Peoples Health and Socioeconomic Conditions</p>	<p>Chapter 9, Section 9.5.4</p> <p>Chapter 10, Section 10.3.1.3, Tables 10.3-2 and 10.3-3</p>	<p>Ensure that the following effects pathways with respect to potential Project effects to Indigenous peoples are considered:</p> <ul style="list-style-type: none"> - potential effects associated with Project operation and maintenance to Indigenous health; - changes to surface water quality and/or drinking water quality, specific to Indigenous peoples (i.e. this was assessed in the human health assessment but Indigenous peoples may be differentially exposed versus other land users); and - potential effects to navigation (e.g. by boat or trails), which could affect access to other communities, infrastructure, social resources, traditional resources, etc. <p>Describe potential Project effects to Indigenous health as a result of increased sediment inputs to surface water and describe potential mitigation measures to limit or prevent any effects.</p>

		<p>Describe potential Project effects to Indigenous health that may result from vibrations from blasting activities and describe mitigation measures proposed to limit or prevent any effects.</p> <p>Demonstrate how potential effects to mental well-being were considered in the assessment of potential Project effects to Indigenous health and socioeconomic conditions.</p> <p>Describe how effects of changes to the environment on Indigenous peoples could be different for particular sub-populations within an Indigenous group (for example, women, youth, elders, specific families).</p>
7.3.3 Indigenous Peoples Health and Socioeconomic Conditions	Chapter 10, Section 10.3.3	Describe and assess potential Project effects to the use of navigable waters by Indigenous peoples.
7.3.3 Indigenous Peoples Physical and Cultural Heritage	Chapter 10, Section 10.2.4 Chapter 9, Section 9.6.4.1	Describe potential Project effects to physical and cultural heritage resources present on islands within Lake Winnipeg considered sacred to Indigenous groups. Provide baseline information on the heritage resources present on these islands and the importance of these islands to Indigenous groups.
7.3.4 Other valued components that may be affected as a result of a federal decision or due to effects on federal lands, another province or outside of Canada	Throughout	Describe potential changes to the environment occurring on federal lands; associated with federal decisions under the <i>Navigation Protection Act</i> and the <i>Fisheries Act</i> ; and associated with federal funding for the design and construction of the Project, and a discussion of VC selection associated with these changes to the environment. For VCs identified, present the information required for an assessment of effects to these VCs, including baseline data, project effects, mitigation measures, and the significance of residual effects. Present a rationale as to the applicability of the VCs assessed and a discussion of the connection between these VCs and changes to the environment occurring on federal lands and/or associated with a federal decision or funding. Include a discussion of how public and Indigenous engagement informed the selection of VCs and assessment of effects.
7.4 Mitigation measures	6.5.3 6.5.3.1 10.2.3 10.2.4	The offset habitat proposed in the EIS does not meet the <i>Fisheries Act</i> and DFO policy requirements and therefore the proponent must propose other fish habitat offset plans to counterbalance the residual impacts of the Projects before DFO can advise on significance of effects of the Project.

	10.3.3	<p><i>Current Use of Lands and Resources for Traditional Purposes, Access to Resources Used for Traditional Purposes, Cultural/Spiritual Sites and Experience on the Landscape, Indigenous Health and Socioeconomic Conditions, and Physical and Cultural Heritage</i></p> <p>Revise the mitigation measures described to limit or prevent potential Project effects to Indigenous peoples to ensure that they are specific, achievable, measurable, verifiable, and described in a manner that avoids ambiguity in intent, interpretation, and implementation.</p> <p>Describe whether, and if so how, mitigation measures and other recommendations proposed by Indigenous groups for the Project will be implemented.</p> <p>Describe whether the Historical Resources Impact Assessment (HRIA) for the Project will include surveys for sites or objects of importance/cultural significance to Indigenous peoples. Describe whether Indigenous monitors will be present during the HRIA and construction to survey for sites/objects of importance to Indigenous peoples, including undocumented historical resources, and whether, and if so how, Indigenous groups will be notified in the event that historical resources are discovered that may be of interest or value to their community.</p> <p>Summarize or provide Environmental Protection Plans for historical resources.</p>
7.5 Significance of residual effects	7.2.1.7 7.2.5.1 10.2.3 10.2.4 10.3.3	<p>Provide a detailed assessment of significance including the criteria or methods that were used to assess the significance of the residual effects characterizations (direction, duration, magnitude, timing, frequency, and reversibility) for each residual effect (pathway).</p> <p><i>Current Use of Lands and Resources for Traditional Purposes</i></p> <p>Revise the description of potential residual Project effects to the current use of lands and resources for traditional purposes by Indigenous peoples to ensure that it is species specific and includes sufficient detail to understand the nature of residual effects and the anticipated severity/magnitude of effects. Ensure that the conclusions presented regarding the anticipated significance of potential residual Project effects are supported by clear rationale.</p> <p><i>Access to Resources Used for Traditional Purposes</i></p>

		The residual effects assessment for access to resources used for traditional purposes by Indigenous peoples identified potential effects that were not outlined in the description of potential Project effects prior to mitigation measures. Describe mitigation measures proposed to address these effects.
<i>7.6.1. Effects of potential accidents or malfunctions</i>	14.2 to 14.6	<p>Describe the probability of the accidents and/or malfunctions assessed occurring and clearly identify whether events described represent the plausible worst case scenarios.</p> <p>Identify and detail a plausible worst-case accident and malfunction scenario for each identified accident and malfunction category (i.e. for outlet channel breach/control structure failure, spills of hazardous materials, fire, and collisions). Determine the potential consequences (including the environmental effects to fish and fish habitat, aquatic species, and migratory birds as defined in Section 5 of CEEA 2012). Identify and detail the potential impacts to Aboriginal or Treaty rights. Present preliminary response measures.</p> <p>Provide details regarding potential failure of erosion protection and sediment measures and associated accidents, malfunctions, and unplanned events, including a description of the event including the worst case scenario, the probability of the event, potential effects to VCs, predicted magnitude of the event, safeguards to protect against the event occurring or to mitigate any adverse effects of the event, etc.).</p> <p><i>Accidental Spills of Hazardous Materials</i> Describe how potential effects may be different depending on the season in which the spill occurs.</p>
<i>Section 7.6.1 Effects of potential accidents or malfunctions</i>	14.2 to 14.6	<p>Include a characterization of the magnitude of an accident and/or malfunction, including the quantity, mechanism, rate, form and characteristics of the contaminants and other materials that may be released into the environment during an accident or malfunction event.</p> <p>For each worst-case accident or malfunction event, identify and detail the magnitude, including the quantity, mechanism, rate, form and characteristics of the contaminants and other materials likely to be released into the environment.</p>
<i>7.6.1 Effects of potential accidents or malfunctions</i>	14.2.2	Describe incident prevention measures related to a potential outlet channel breach/control structure failure, including information on the anticipated effectiveness of proposed measures.

7.6.2 <i>Effects of the environment on the Project</i>	Chapter 15	Describe how potential effects of the environment on the Project could result in effects to VCs, including information on the effects pathways and the nature of potential effects on the environment/VCs or a clear rationale if no effects are anticipated.
7.6.2 <i>Effects of the environment on the Project</i>	15.3.2	<p>Describe mitigation measures related to the potential environmental effects of the environment on the Project, including details regarding the anticipated effectiveness of mitigation measures</p> <p>Include a description and/or explanation of measures proposed and required by the Manitoba Emergency Plan that are applicable to the Project and potential Project effects.</p> <p>Describe and provide environmental management plans related to surface water, ice jamming, and re-vegetation.</p>
7.6.3 <i>Cumulative effects assessment</i>	Chapter 11 11.7.2.1 11.14.5.1 11.17 11.17.3.2, 11.18.2.2	<p>Information is required to allow assessment of potential significance of cumulative effects to each valued component and to interacting valued components.</p> <p>Further detail is required on the valued components likely to be affected by the Project, the spatial and temporal boundaries for the cumulative effects assessment, sources of potential cumulative effects, future scenarios with and without the project, mitigation measures, significance of cumulative effects, and potential follow-up and monitoring plans.</p> <p>Assess potential cumulative effects to physical and cultural heritage or any structures, sites, or things of historical, archaeological, palaeontological, or architectural significance to Indigenous peoples.</p> <p>Identify and justify the spatial and temporal boundaries for the cumulative effects assessment for each VC selected.</p> <p>Include potential future flood mitigation and water management projects as a potential source of cumulative effects, including hydroelectric projects.</p> <p>Present a discussion of considerations regarding the effects of water levels of Lake Winnipeg in relation to potential effects to health and socioeconomic conditions of Indigenous peoples.</p>

	<p>Describe and assess cumulative effects associated with adverse effects from the 2011 flood that have yet to be addressed, including, but not limited to, effects on lake levels and to Indigenous commercial and subsistence fisheries.</p> <p>Describe potential cumulative effects to surface and groundwater quality.</p> <p>Consider potential effects to human health, including Indigenous health, from vibrations (e.g. blasting) in the cumulative effects assessment.</p> <p>Include an assessment of a future scenario without the Project.</p> <p>Provide rationale for all conclusions drawn and assumptions made, including with regard to cumulative impacts on the health and socio-economic conditions for Indigenous peoples.</p> <p>Describe completed, ongoing, and planned engagement with Indigenous peoples regarding whether using the general assessment of potential cumulative effects to human health and the socioeconomic environment is sufficient for characterizing potential cumulative effects to Indigenous peoples, and the results of this engagement.</p> <p>Provide information to support the assessment of potential significance of effects and anticipated effectiveness of mitigation measures proposed in limiting or preventing cumulative adverse effects.</p> <p>Provide rationale and supporting information for the conclusions presented for each significance criteria.</p> <p>Describe mitigation measures that are technically and economically feasible to address cumulative effects or assess the anticipated effectiveness of the measures applied to mitigate cumulative effects.</p> <p>Describe whether or not measures exist that are beyond the scope of the proponent's responsibility that could be effectively applied to mitigate effects, what the effects are that</p>
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		<p>could be mitigated, the parties that have the authority to act, and any discussions that have occurred or will occur with these parties regarding potential mitigation measures.</p> <p>Describe the follow-up program to verify the accuracy of the cumulative effects assessment and to dispel the uncertainty concerning the effectiveness of mitigation measures for certain cumulative effects.</p>
9. FOLLOW-UP AND MONITORING		
	<p>Chapter 9, Section 9.5.4 Chapter 12</p>	<p>Taking into account revisions to the effects assessments and mitigation measures proposed throughout the EIS, ensure appropriate revisions are made to the follow-up and monitor programs outlined. Ensure considerations for developing follow-up and monitoring programs include all items listed in the EIS Guidelines for all VCs.</p> <p>Describe follow-up and monitoring programs for potential effects of changes to the environment on Indigenous peoples and potential impacts to Aboriginal or Treaty rights. Describe efforts undertaken and/or planned to engage with Indigenous groups to verify the applicability of proposed follow-up and monitoring programs with respect to potential effects to Indigenous peoples and impacts to Aboriginal or Treaty rights. Describe completed, ongoing, and planned engagement with Indigenous groups related to the preparation and execution of follow-up and monitoring programs.</p> <p>Describe whether there was limited scientific knowledge about the effects in the EA and how this is considered for developing a follow-up program.</p> <p>Describe how Indigenous groups were engaged regarding the design or proposed implementation of the follow-up and monitoring program(s).</p>
<i>9.1 Follow-up Program</i>	<p>Chapter 12, Section 12.11 to 12.15</p>	<p>Describe the results of completed, ongoing, and future engagement activities with Indigenous groups to determine whether this is an acceptable method for monitoring for potential effects to Indigenous peoples.</p> <p>Describe the elements of each VC that will require follow-up, including with respect to potential Project effects to Indigenous peoples and related VCs.</p>

		<p>Discuss how MI will determine whether monitoring related to Indigenous health and socio-economic conditions will be required.</p> <p>Describe efforts undertaken and/or planned to engage with Indigenous groups to determine whether proposed monitoring and follow-up programs include acceptable methods for monitoring for potential effects to Indigenous peoples. Present the results of this engagement.</p> <p>Describe the number of follow-up studies planned as well as their main characteristics, including VCs related to Indigenous peoples.</p> <p>Describe intervention mechanisms that will be used in the event that an unexpected deterioration in the environment is observed, including with respect to potential Project effects to Indigenous peoples and related VCs.</p> <p>Describe how, when, and with whom information will be shared. Describe how Indigenous groups will be involved in the follow-up and monitoring program(s) and whether groups have expressed interest in involvement in this program (e.g. community based monitoring).</p>
<p><i>9.2 Monitoring</i></p>	<p>Chapter 12</p>	<p>Information is required for all items listed for the outline of the preliminary environmental monitoring project. Include information regarding the involvement of Indigenous peoples, implications for effects of the environment on Indigenous peoples, and potential impacts to rights. Provide a rationale for the selection of applicable regulatory instruments.</p> <p>Describe applicable regulatory instruments that include a monitoring program requirement for valued components.</p> <p>Provide a description of the characteristics of the monitoring program with respect to Indigenous groups and factors related to section 5(1)(c) of CEAA 2012 and impacts to Aboriginal or Treaty rights.</p> <p>Provide a description of the proponent’s intervention mechanisms in the event of the observation of non-compliance with the legal and environmental requirements or with the</p>

	<p>obligations imposed on contractors by the environmental provisions of their contracts with respect to Indigenous groups and factors related to section 5(1)(c) of CEAA 2012 and impacts to Aboriginal or Treaty rights.</p> <p>Describe guidelines for preparing monitoring reports (number, content, frequency, format) that will be sent to the authorities concerned with respect to Indigenous groups and factors related to section 5(1)(c) of CEAA 2012 and impacts to Aboriginal or Treaty rights.</p> <p>Describe plans to prepare maps to identify and compare substrate, vegetation and fish habitat availability before and after the construction of the channels with respect to Indigenous groups and factors related to section 5(1)(c) of CEAA 2012 and impacts to Aboriginal or Treaty rights .</p> <p>Describe plans to engage Indigenous groups in monitoring, and include information on how Indigenous groups may be involved in monitoring and whether any requests for involvement were received by the proponent.</p>
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ANNEX 2: Advice to the proponent

Department or Indigenous Group	Reference to EIS	Context and Rationale	Advice to the Proponent
Federal Expert Departments			
Infrastructure Canada	8.2.1.2 Consideration of Indigenous Information and Traditional Knowledge	There seem to be only a few groups that have provided information that was used in consideration of project planning and mitigation.	These sections of the EIS, where Indigenous Information and Traditional Knowledge have been incorporated should be expanded, to include information from as many of the Indigenous groups as possible. Considering there were many Indigenous groups to be engaged for the project there does not seem to be very much information included from them.
Infrastructure Canada	EIS Chapter 10	The assessment of residual environmental effects on Traditional Resource and Lands Use is based on TK assessments completed by the MMF, Interlake Reserves Tribal Council, Fisher River Cree Nation and Dauphin River First Nation. (pg 329 volume 4). However, these references are not included in the text on page 329.	Please confirm the reference titles for these assessments if that is possible.
Health Canada	Volume 2, Section 6.4.2.2 Groundwater Quality (page 158)	Reference to Health Canada Canadian Drinking Water Quality Guidelines – version may be incorrect. version from 2017 is cited, but latest version of guidance is from 2016	Refer to the below line for most up to date guidelines. https://www.canada.ca/en/health-canada/services/publications/healthy-living/guidance-evaluating-human-health-impacts-water-quality.html
Health Canada	Volume 4, Section 9.5.4.2 page 206	Reference to HC guidance on air quality – version may be incorrect. Version from 2016 is cited, but latest version of guidance is 2017	Refer to the below link for most up to date guidelines. https://www.canada.ca/en/health-canada/services/publications/healthy-living/guidance-evaluating-human-health-impacts-water-quality.html

			living/guidance-evaluating-human-health-impacts-air-quality.html
Health Canada			Please note the upcoming CAAQS for 1-hr NO ₂ (113 µg/m ³ in 2020 and 79 µg/m ³ in 2025). See link for additional information: https://www.ccme.ca/en/current_priorities/air/caaqs.html
Health Canada			Please note the new CAAQS for Ozone http://airquality-qualitedelair.ccme.ca/en/
Fisheries and Oceans Canada	6.5.3 Mitigation Measures; 6.5.3.1 Permanent Alteration or Destruction of Fish Habitat	<i>Fisheries Act</i> requirements The following comment was noted in the EIS. “ <i>The Project will mitigate any permanent alteration or destruction of fish habitat caused by building the channels through creating new fish habitat in the LMOC and LSMOC. When completed, the LMOC and LSMOC will provide at least 172 ha of new fish habitat; 72 ha in the LMOC and 100 ha in the LSMOC.</i> ”	It important to note that Offsetting needs to meet DFO’s Offsetting Policy. Creating a trapezoidal wetted channel will not meet the regulatory and policy requires to be accepted as a habitat offset plan. The proponent should be aware that regulatory requirements under the <i>Fisheries Act</i> are independent of the CEEA process and reflect different criteria.
Fisheries and Oceans Canada	Volume 3, Section 7.2.1.1, page 7.3	Modernized <i>Fisheries Act</i> came into force on August 28, 2019	Provisions of the new <i>Fisheries Act</i> came into force including new protections for fish and fish habitat in the form of standards, codes of practice, and guidelines for projects near water. Protections, like the prohibitions against the harmful alteration, disruption, and destruction of fish habitat and death of fish by means other than fishing have been restored. In future communications, please refer to the current version of the <i>Fisheries Act</i> and associated regulations.
Fisheries and Oceans Canada	Volume 3, Section 7.2.1.7, page 7.17	Non-standard definition	The EIS includes terminology such as ‘permanent alteration’ that is associated with

			the <i>Fisheries Act</i> and DFO Policy Statement prior to the recent update. It is important to note that any project related regulatory requirements under the <i>Fisheries Act</i> will be based on the recent version of the Act and policies.
Fisheries and Oceans Canada	Volume 3, Section 7.2.4.2, bottom of page 7.51	Clarity	The EIS says jetties may temporarily disturb habitat. It is unclear if these jetties are permanent structures or will be removed with the coffer dam. If the jetties remain, they would likely be considered destruction of fish habitat.
Natural Resources Canada	Volume 1 – Sections 3.4.2.11 and 3.4.3.10	NRCan administers <i>The Explosives Act</i> and, in most situations, issues licenses for the storage and/or manufacture of explosives	Should the project require the storage and/or manufacture of explosives, please provide details about the nature, quantity of explosives to be stored and/or manufactured, as well as the specific locations of explosives magazines and/or manufacturing plants.
Transport Canada	Section 4.2 Regulatory Requirements, 4.2.3 Other Regulatory Requirements – references the former federal <i>Navigation Protection Act</i> (NPA). The NPA is referenced in various sections throughout the EIS report.	The <i>Canadian Navigable Waters Act</i> (CNWA), came into force on August 28, 2019 and replaces the former <i>Navigation Protection Act</i> (NPA). The CNWA restores and better protects the right to travel on all navigable waters in Canada, advances reconciliation and establishes new opportunities for Indigenous peoples to partner with Canada. The CNWA also creates more accessible and transparent processes and improves the efficiency and effectiveness of the navigation protection system. The key changes, relevant to the Project, pertain to the protection of all navigable waters, including those that are not listed	Transport Canada advises the Proponent to please refer to Transport Canada’s website at https://www.tc.gc.ca/eng/programs-623.html#item_5 By answering some questions in regards to the project, the Project Review Tool will allow you to determine if you require an application to the Navigation Protection Program under the <i>Canadian Navigable Waters Act</i> (CNWA).

		<p>in the Schedule of the Act. The CNWA designates six categories of works as “major works” that are likely to substantially interfere with navigation: water control structures (such as dams, for example), bridges, temporary works related to bridges, ferry cables, causeways, and aquaculture facilities. Under the CNWA, owners of works (except minor works) that may interfere with navigation on navigable waters must apply for a CNWA approval, while those navigable waters not listed in the Schedule of the Act must either: a) apply to TC for approval; or b) go through a public resolution process involving notice to the public, depositing information in the public registry for a minimum time period, and working to resolve any navigation related concerns raised with the comment period.</p>	
Indigenous Groups			
	<p>General</p>	<p>Several Indigenous communities, including Poplar River First Nation, Manitoba Metis Federation, Peguis First Nation, Pinaymootang First Nation, Sagkeeng First Nation, Sandy Bay Ojibway First Nation, Lake Manitoba First Nation, Lake Saskatchewan First Nation, Dauphine River First Nation, Norway House Cree Nation and Kinonjeoshtegon First Nation, indicated that the engagement activities</p>	

		<p>conducted to date for the Project have been insufficient to fully understand the concerns of each community with regard to the Project, the current use of the area of the Project (e.g. PDA, LAA, and RAA) for traditional purposes, and areas of significance for communities, and for communities to have meaningful input into the Project design and the content of the EIS, including baseline information, selection of spatial and temporal boundaries, the selection of VCs, and predictions with respect to potential Project effects. Indigenous groups are concerned that this may limit MI’s understanding of the baseline environment and potential Project effects to Indigenous peoples.</p>	
<p>Poplar River First Nation</p>	<p>General</p>		<p>Lake Winnipeg is a reservoir and is a water system with infrastructure and channels built for hydro generation. The lake as a reservoir affects Aboriginal or Treaty rights, the ability to exercise Aboriginal or Treaty rights, and both economic and subsistence fisheries. Effects related to the 2011 flood in relation to the regulation of Lake Winnipeg are still being felt in the north basin of the Lake.</p>
<p>Poplar River First Nation</p>	<p>Chapter 3, Section 3.5.2.1</p>		<p>The EIS states that “ROW clearing will consist of the removal and disposal of trees, shrubs, fallen timber and surface litter from the ROW and temporary access roads, prior to grading”. Poplar River First Nation requests that timber be offered to First Nations communities prior to disposal or burning of this resource.</p>

Poplar River First Nation	Chapter 3, Appendix 3F		Poplar River First Nation noted the need for Transport Canada and Fisheries and Oceans Canada authorizations and MI work plans to take into account potential effects to Indigenous peoples' rights to navigation, travel, fishing, and recreation on ice.
Poplar River First Nation	Chapter 3, Appendix 3F		Poplar River First Nation emphasized the importance of selecting culvert type and design specifically for fish species that may be present or are likely to be present in the waterbody or tributaries to the waterbody.
Poplar River First Nation	Chapter 9, Section 9.6.4.1		Poplar River First Nation noted that their community is interested in having an Indigenous elder onsite during any vegetation clearing or excavation activities during Project construction to monitor for heritage resources and sites and objects of importance to their community. Concerns were expressed that a non-Indigenous person may not have the knowledge to identify sites or resources of cultural/historical importance to Indigenous peoples.
Poplar River First Nation	Chapter 10		Poplar River First Nation expressed concerns regarding the disclosure of traditional knowledge provided to during information gathering for the Project. Suggestions were made to arrange for meetings to discuss how Indigenous groups may be able to share information with MI without the risk of this information being shared publically.