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August 27, 2018

Agency File No.: 005622
CEAR File: 80138

Kimber Osiowy
Manitoba Infrastructure
1420-215 Garry Street
Winnipeg, MB R3C 3P3
Kimber.Osiowy@gov.mb.ca

Dear Mr. Osiowy:

SUBJECT: Outcome of the Conformity Review of the Environmental Impact Statement for Project 6 – All-season Road Linking Manto Sipi Cree Nation, Bunibonibee Cree Nation, and God's Lake First Nation

On July 26, 2018, the Canadian Environmental Assessment Agency (the Agency) received the Environmental Impact Statement (EIS) and EIS Summary for the Project 6 – All-season Road Linking Manto Sipi Cree Nation, Bunibonibee Cree Nation, and God's Lake First Nation Project from Manitoba Infrastructure (the proponent).

The Agency conducted a conformity review of the EIS to determine whether it contains the necessary information, as outlined in the federal EIS Guidelines, to proceed to technical review. The Agency has determined that additional information must be provided before proceeding to technical review of the EIS.

Annex 1 (attached) includes comments on sections of the EIS where additional information is required before the Agency can proceed to the technical review of the EIS. Annex 1 includes, but is not limited to, comments relating to the following topics:

- standalone summary of the EIS;
- assessment of alternative means;
- description of engagement with Indigenous groups;
- baseline characterization of atmospheric environment and fish and fish habitat;
- assessment of effects to fish and fish habitat and migratory birds;
- assessment of effects to current use of lands and resources for traditional purposes;
- assessment of effects to human health;
- assessment of cumulative effects; and
- assessment of accidents and malfunctions
- integration of technical supporting documents;

Manitoba Infrastructure must address the EIS deficiencies identified in Annex 1 to the satisfaction of the Agency by submitting a revised EIS. A cover letter explaining how each item listed in Annex 1 has been addressed should be provided. Upon the resubmission of the EIS, the Agency will conduct a focused review of the revisions to the EIS to verify that the changes are adequate.

Should the Agency determine that Manitoba Infrastructure has adequately addressed all comments in Annex 1, the EIS will be subject to a technical review which includes a detailed review by the Agency, Indigenous groups, and federal expert departments. The technical review will also include a public comment period on the EIS Summary. The Agency will consider comments received, and request additional information, as required, until it has sufficient information to prepare the Environmental Assessment Report to inform the Minister of Environment and Climate Change's decisions under the Canadian Environmental Assessment Act, 2012 (CEAA 2012).

Annex 2 (attached) includes comments intended to provide you with advance notification of early technical issues identified by the Agency and the federal review team. Please note that while the Agency encourages you to address these comments, a response is not required in order to begin technical review. However, these issues will be raised during the technical review and may become part of a formal Information Requirement at that time.

The Agency is also aware that Manitoba Sustainable Development's Environmental Approvals Branch is conducting a provincial review of the EIS under Manitoba's *The Environment Act*. To ensure that both governments have the same information moving into a coordinated technical review phase, the Agency requests that Manitoba Infrastructure submit a revised EIS to the Agency and Manitoba Sustainable Development.

Please be aware that the 365-day federal timeline for conducting the environmental assessment remains paused at day 54 of 365. The federal timeline will resume when the Agency determines that Manitoba Infrastructure has adequately addressed all comments in Annex 1.

The Agency is available to discuss the conformity review outcome and the information requirements. If you have any questions, please contact me at 780-495-2237 or via email at ceaa.project6allseasonroad-projet6routetoutessaison.acee@canada.ca.

Sincerely,

<Original signed by>

Janet Scott
Project Manager
Prairie and Northern Region

Cc: Elise Dagdick, Manitoba Sustainable Development
Orlagh O'Sullivan and Laura James, Environment and Climate Change Canada
Matt Gale, Health Canada
Chris Aguirre, Transport Canada
Max Genest, Natural Resources Canada
Brandi Mogge and Christine Little, Fisheries and Oceans Canada
Dan Benoit, Indigenous Services Canada

Annex 1 – Information Required in the EIS for Technical Review

Reference No.	Section of EIS Guidelines	Requirement of the EIS Guidelines	EIS Section	Information Required
1	Part 1, 4.5 EIS Summary	The summary is to be provided as a **separate document** and should be structured as follows:… The title page of the EIS and its related documents will contain the following information: Project name and location	Section 00	Provide the EIS as a standalone document. The following things should be done to make the EIS Summary a standalone document: • Re-title Executive Summary to "EIS Summary"; • Include a cover page; • Provide project name and location on the title page of the EIS Summary; • Update headings within the EIS Summary document to add "Summary of the" to "Environmental Impact Statement" • Replace references to "Chapter 6" with full and complete references naming the EIS as a separate document; • Where content in the EIS document is required to support the reader of the EIS Summary, include and append this content to the EIS Summary.
2	Part 1, 4.5 EIS Summary	The summary is to be provided as a **separate document** and should be structured as follows:… The proponent will prepare a summary of the EIS in both of Canada's official languages (French and English) to be provided to the Agency at the same time as the EIS that will include the following:… A summary of the consultation conducted with Aboriginal groups, the public, and government agencies, including a summary of the issues raised and the proponent's responses	Section 00	Provide in the EIS Summary a summary of the engagement activities with the Indigenous groups identified in Part 2 Section 5.1 of the EIS Guidelines, the public, and government agencies, including a summary of issues raised and proponent responses. It is not sufficient to refer readers to the EIS, given that the public comment period is on the EIS Summary. Issues raised to date are to be included for groups in addition to Manto Sipi Cree Nation, Bunibonibee Cree Nation, and God's Lake First Nation.
3	Part 1, 4.5 EIS Summary	The summary is to be provided as a **separate document** and should be structured as follows:… The summary will have sufficient details for the reader to understand the project, any potential environmental effects, proposed mitigation measures, and the significance of the residual effects. The summary will include key maps illustrating the project location and key project components and will include locations of communities, traditional territories and Treaty areas (including interprovincial boundaries).	Section 00	Provide a summary description of assessment criteria and levels of potential environmental effects, magnitude criteria and VC specific levels of Potential Environmental Effects. Information is contained in Tables 4.4. and 4.5 of the EIS but absent from the EIS Summary. Provide a description of how assessment criteria were used to determine proponent conclusions on significance of residual effects for each VC. Summary tables characterizing effects levels for residual effects are included in the EIS but absent from the EIS summary.

Annex 1 – Information Required in the EIS for Technical Review

Reference No.	Section of EIS Guidelines	Requirement of the EIS Guidelines	EIS Section	Information Required
4	Part 1, 4.5 EIS Summary	The summary is to be provided as a **separate document** and should be structured as follows:… The summary will have sufficient details for the reader to understand the project, any potential environmental effects, proposed mitigation measures, and the significance of the residual effects. The summary will include key maps illustrating the project location and key project components and will include locations of communities, traditional territories and Treaty areas (including interprovincial boundaries).	Section 00	Provide summary descriptions of the spatial area of the assessment (Local Assessment Area, Regional Assessment Area) for each VC, including area contained in each.
5	Part 1, 4.5 EIS Summary	The summary is to be provided as a **separate document** and should be structured as follows:… The summary will have sufficient details for the reader to understand the project, any potential environmental effects, proposed mitigation measures, and the significance of the residual effects. The summary will include key maps illustrating the project location and key project components and will include locations of communities, traditional territories and Treaty areas (including interprovincial boundaries).	Section 00	Provide a summary of the Treaty information for all First Nations listed in Part 2 Section 5.1 of the EIS Guidelines. The EIS Summary only describes which treaty Manto Sipi Cree Nation, Bunibonibee Cree Nation, and God's Lake First Nation are signatories to. Provide a figure showing the location of the Project relative to the communities, traditional territories (including areas of use identified by groups) and reserve lands associated with all of the groups named in the EIS Guidelines. Include Treaty area boundaries and any traditional territory boundaries provided to Manitoba Infrastructure by Indigenous groups.
6	Part 1, 4.3 Study Strategy and Methodology and 4.4 Presentation and Organization of the EIS	The assessment of the effects of each of the project components and physical activities, in all phases, will be based on a comparison of the biophysical and human environments between the predicted future conditions with the project and the predicted future conditions without the project. In undertaking the environmental effects assessment, the proponent will use best available information and methods. All conclusions will be substantiated. Predictions will be based on clearly stated assumptions. The proponent will describe how each assumption has been tested. With respect to quantitative models and predictions, the EIS will document the assumptions that underlie		Include, as appendixes for the EIS, the baseline and technical effects assessment reports, which are listed as reference documents in the EIS. These contain information relied upon within the EIS– including maps of adjacent land uses and important environmental features - to support understanding of the project baseline conditions, potential environmental effects, proposed mitigation measures, and the significance of the residual effects. Extract and include or integrate information from the technical supporting documents/reports to support conclusions present in the EIS, allowing the reader to evaluate the conclusions.

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		the model, the quality of the data and the degree of certainty of the predictions obtained. Detailed studies (including all relevant and supporting data and methodologies) will be provided in separate appendices and will be referenced by appendix, section and page in the text of the main document.		
7	Part 1, 4.3. Study strategy and methodology Part 2, 6.3.4 Indigenous peoples Part 2, 6.5 Significance of residual effects Part 1, 4.2.2 Community knowledge and Aboriginal traditional knowledge	The assessment of environmental effects on Aboriginal peoples, pursuant to paragraph 5(1)(c) of CEAA 2012, will undergo the same rigour and type of assessment as any other VC (including setting of spatial and temporal boundaries, identification and analysis of effects, identification of mitigation measures, determination of residual effects, identification and a clear explanation of the methodology used for assessing the significance of residual effects and assessment of cumulative effects). With respect to Indigenous peoples, a description and analysis of how changes to the environment caused by the project will affect the following activities exercised by each Indigenous group:… The EIS will identify the criteria used to assign significance ratings to any predicted adverse effects. It will contain clear and sufficient information to enable the Agency or review panel, technical and regulatory agencies, Indigenous groups, and the public to review the proponent's analysis of the significance of effects. The EIS will document the terms used to describe the level of significance. The proponent will integrate Aboriginal traditional knowledge into all aspects of its assessment including both methodology (e.g. establishing spatial and temporal boundaries, **defining significance criteria**) and analysis (e.g. baseline characterization, effects prediction, development of mitigation measures).	4.5 Assessment Approach	No definition is provided to outline what would be considered a significant effect to the human use 'factors' or VCs that are evaluated in the EIS such as human health, socio-economic conditions, travel routes, economy, lands and resource uses. The definition of a significant effect from Chapter 4.5 focuses on protected/designated species under ESEA, SARA, and species listed by COSEWIC and by the MBCDC. With this partial definition, significance cannot be determined for any project effect to Indigenous peoples and effects to Indigenous peoples are not adequately evaluated using the assessment approach outlined in the EIS, as required in the EIS Guidelines Part 2, 6.3.4 Indigenous peoples. Provide revised definitions of significance for each VC and describe how Indigenous knowledge has been integrated into each the definition of significance. Review and update significance determinations within the EIS and EIS summary, as required. Re-evaluate potential effects to Indigenous peoples given updated definitions of significance and significance determinations.

Annex 1 – Information Required in the EIS for Technical Review

Reference No.	Section of EIS Guidelines	Requirement of the EIS Guidelines	EIS Section	Information Required
8	Part 2, 1.4 Regulatory framework and the role of government	The EIS will identify: -any treaty, self-government or other agreements between federal or provincial governments and Indigenous groups that are pertinent to the project and/or EA	1.4.3	Provide Treaty information for all First Nations listed in Part 2 Section 5.1 of the EIS Guidelines. The EIS only describes which treaty Manto Sipi Cree Nation, Bunibonibee Cree Nation, and God's Lake First Nation are signatories to.
9	Part 2, 1.4 Regulatory framework and the role of government	The EIS will identify: -any federal power, duty or function that may be exercised that would permit the carrying out (in whole or in part) of the project or associated activities -regional, provincial and/or national objectives, standards or guidelines that have been used by the proponent to assist in the evaluation of any predicted environmental effects	1.4.1.3, 1.5; 4.2, 4.5.1, 4.5.5, 4.5.6.3, and 4.5.7	Include the *Canadian Environmental Protection Act 1999* (CEPA 1999) in this section of the EIS (1.4.1.2 Other Federal Legislation) and consider CEPA 1999 and other associated regulations. Identify national water quality guidelines or objectives used in the evaluation of surface water quality effects and national air quality guidelines or objectives used in the evaluation of project effects to air quality.
10	Part 2, 2. Project justification and alternatives considered; 2.2 Alternative means of carrying out the project	In its alternative means analysis, the proponent will address, at a minimum, the following project components: … - location and type of bridges and culverts (permanent and temporary). - location of borrow areas, rock quarries, and gravel pits; …	2.2.3; 2.2.5; 8.2	Provide rationale for the choice of crossing types at the 51 crossing locations. Alternative means analysis for the locations of borrow areas, rock quarries, gravel pits, and watercourse crossing types, were not presented. Provide rationale and describe how environmental effects will be considered in the selection of component potential locations and the selection of final locations.
11	Part 2, 3. Project description; 3.2. Project Activities	The EIS will include descriptions of the construction and operation associated with the proposed project. This will include descriptions of the activities to be carried out during each phase, the location of each activity, expected outputs and an indication of the activity's magnitude and scale. The EIS will include a schedule including time of year, frequency, and duration for all project activities. The information will include a description of: 3.2.1 Site preparation and construction… - blasting (frequency and methods); - bridge and culvert installation	3.4; Appendix 8-2: Environmental Protection Procedures	Provide information regarding anticipated frequency of blasting and define specific locations in association with quarries, watercourse crossings, road and bridge construction where blasting may occur. The EIS states, "the timing of blasting activities will consider area-specific environmental sensitivities as identified by Traditional Knowledge information, Indigenous and Public Engagement Program and Sustainable Development". Describe how "area-specific environmental sensitivities" will be identified including how Indigenous group and communities will inform the selection process. Describe what "area-specific environmental sensitivities" are included and when they are expected to be defined for the Project. Provide detailed information on the Project's use of chemical dust suppressants, including what chemicals would be used and where and when they may be permitted by

Reference No.	Section of EIS Guidelines	Requirement of the EIS Guidelines	EIS Section	Information Required
		- water management, including water diversions, dewatering or deposition activities required (location, methods, timing);… 3.2.2 Operation … - general road maintenance such as grader work, sign maintenance, weed mowing, dust controls, snow clearing and winter traction material application; - explosives storage and use (storage location and management); - drilling and blasting, aggregate crushing and sorting (frequency and methods);…		Manitoba. Describe potential effects to soils, surface water, vegetation and wildlife health, including pathways to human health.
12	Part 2, 5, Engagement with Indigenous Groups and Concerns Raised	For the purposes of developing the EIS, the proponent will engage with Indigenous groups that may be affected by the project, to obtain their views on: on potential or established section 35 rights, including title and related interests, in respect of the Crown's duty to consult, and where appropriate, accommodate aboriginal peoples.	5.1 to 5.3; Appendices 5-1 to 5-3;	Provide information regarding the planned and anticipated meetings described in the EIS. Provide detail regarding planned engagement activities with groups named in the EIS Guidelines, Part 2 Section 5.1, including Manitoba Metis Federation, Norway House Cree Nation, Pimicikamak Okimawin, Red Sucker Lake First Nation, Garden Hill First Nation, St. Theresa Point First Nation, Wasagamack First Nation.
13	Part 2, 5.1 Indigenous Groups and Engagement Activities	The guidelines state that "[t]he proponent will ensure that views of groups are recorded and that groups are provided with opportunities to validate the interpretation of their views."	5.2 to 5.6; Appendices 5-1 to 5-4;	Provide documentation of follow-up with and responses by Indigenous groups to proponent information and correspondence sent to Indigenous groups on February 13, 2018. Describe if comments were received that validate proponent conclusions on Project effects to the exercise of rights from Manitoba Metis Federation, Red Sucker Lake First Nation, St. Theresa Point First Nation, Wasagamack First Nation, Norway House Cree Nation and Pimicikamak Okimawin, and provide documentation of the process.
14	Part 2, 6.1 Project setting and baseline conditions; 6.1.1 Atmospheric environment	A baseline survey of ambient air quality in the project areas and in the airshed likely to be affected by the project by identifying and quantifying emission sources for, but not limited to, the following contaminants in concentration units comparable to guidelines (i.e. µg/m3): total suspended particulates, fine particulates smaller than 2.5 microns (PM2.5), respirable particulates of less than 10	6.1.1.2	Air quality information is important for the assessment of project effects to health of Indigenous peoples and federal lands adjacent to the project. Provide concentrations for identified emission sources in concentration units comparable to guidelines (i.e. µg/m3): total suspended particulates, fine particulates smaller than 2.5 microns (PM2.5), respirable particulates of less than 10 microns (PM10),

Reference No.	Section of EIS Guidelines	Requirement of the EIS Guidelines	EIS Section	Information Required
		microns (PM10), diesel particulate matter, carbon monoxide (CO), sulphur oxides (SOx), nitrogen oxides (NOx), and volatile organic compounds (VOCs);		diesel particulate matter, carbon monoxide (CO), sulphur oxides (SOx), nitrogen oxides (NOx), and volatile organic compounds (VOCs). Clarifying the estimated values and limits of project emissions will help the proponent support their conclusion that these effects are not significant.
15	Part 2, 6.1 Project setting and baseline conditions; 6.1.2. Geology and geochemistry	Based on the scope of the project described in Section 3 (Part 1), the EIS will present baseline information in sufficient detail to enable the identification of how the project could affect the VCs and an analysis of those effects. Should other VCs be identified during the conduct of the EA, the baseline condition for these components will also be described in the EIS. To determine the appropriate spatial boundaries to describe the baseline information, refer to Section 3.2.3 (Part 1) of these guidelines. As a minimum, the EIS will include a description of the following environmental components… - geomorphology, topography and geotechnical characteristics of areas proposed for construction of major project components	6.1.2.1, 6.1.3.1, 6.1.2.3.3, 3.2.2 and 3.3.2.	Provide topographic maps of the Project footprint and in relation to important Project components such as crossings, quarries and waterbodies/ watercourses.[1]
16	Part 2, 6.1 Project setting and baseline conditions; 6.1.5 Groundwater & Surface Water	As a minimum, the EIS will include a description of the following environmental components…. - seasonal surface water quality, including analytical results (e.g. water temperature, turbidity, pH, dissolved oxygen profiles) and interpretation for representative tributaries and water bodies including all sites to receive project runoff;	6.1.5.1.4	The proponent presents a rationale for excluding baseline information in the EIS, stating, "seasonal water quality sampling was not conducted as seasonal variability does not influence project effects and that seasonal variability is known without conducting seasonal and inter-annual assessments". If seasonal variability in water quality is known for waterbodies in the Project Footprint, describe and provide supporting data in the EIS. If seasonal variability in water quality is not known for waterbodies in the Project Footprint, correct this statement in the EIS, describe assumptions, provide references, and identify relevant standards used to characterize seasonal surface water quality before any disturbance to the environment due to the project. Describe how measured surface water parameters compare to national water quality standards, objectives, or guidelines, including Canadian Water Quality Guidelines for the Protection of Aquatic Life.

[1] *Note: Consider providing the types of maps that were provided for previous assessments of all-season roads proposed by Manitoba Infrastructure*.

Reference No.	Section of EIS Guidelines	Requirement of the EIS Guidelines	EIS Section	Information Required
17	Part 2, 6.1 Project setting and baseline conditions; 6.1.6 Fish and fish habitat	For potentially affected surface waters: - a characterization of fish populations (e.g abundance, distribution, and movements) on the basis of species and life stage including information on the surveys carried out and the source of data available (e.g. location of sampling stations, catch methods, date of catches, species, catch-per-unit effort);	6.1.6; 6.1.6.1.2; 6.1.2.1.3; Table 6.15	Provide the criteria and rationale supporting the determination that no fish habitat is present in some watercourses within the Project Footprint. Clear criteria and rationale for this determination were not included in the referenced technical document (North/South Consultations Inc. 2017a).
18	Part 2, 6.2 Predicted changes to the physical environment; 6.2.1 Changes to the atmospheric environment	- changes in air quality (including sulfur oxides (SOx), nitrous oxides (NOx), total suspended particulates, fine particulates smaller than 2.5 microns (PM2.5), respirable particulates of less than 10 microns (PM10) and diesel particulates presented in concentration values comparable to guidelines (i.e. µg/m3));	6.2.1.1	Provide a description of the chemical contaminants associated with dust during construction and operation and project air emissions. Include quantification of potential air contaminants during construction and operation expressed in concentration for comparison with guidelines. Describe and evaluate the potential for decreased quality of country foods (roadside berries) and medicinal plants due to dust deposition within the right of way and on federal lands at the road termini.
19	Part 2, 6.3 Predicted effects on valued components; 6.3.1 Fish and Fish Habitat	6.3.1. Fish and fish habitat - the identification of any potential adverse effects to fish and fish habitat as defined in subsection 2(1) of the *Fisheries Act*, including the calculations of any potential habitat loss (temporary or permanent) in terms of surface areas (e.g. spawning grounds, juvenile-rearing areas, feeding), and in relation to watershed availability and significance.	6.3.1	Recalculate including the area of inlet and outlet armouring for each crossing
20	Part 2, 6.3 Predicted effects on valued components; 6.3.1 Fish and Fish Habitat	any modifications in migration or local movements (upstream and downstream migration, and lateral movements) following construction and operation of works (physical and hydraulic barriers);	6.3.1	Provide the duration of in-water works (e.g. isolation) for each crossing that limits the ability of fish to use the area during works, undertakings or activities.
21	Part 2, 6.3 Predicted effects on valued components; 6.3.1 Fish and Fish Habitat	riparian areas that could affect aquatic biological resources and productivity taking into account any anticipated modifications to fish habitat;	6.3.1	Provide recalculated riparian habitat loss taking into consideration site-specific conditions at each crossing location to provide a more accurate estimate of anticipated fish habitat alteration and loss. Include consideration of riparian areas.

Reference No.	Section of EIS Guidelines	Requirement of the EIS Guidelines	EIS Section	Information Required
22	Part 2, 6.3 Predicted effects on valued components; 6.3.1 Fish and Fish Habitat	geomorphological changes and their effects on hydrodynamic conditions and fish habitats (e.g. modification of substrates, dynamic imbalance, silting of spawning beds);	6.3.1	Provide an assessment of the effects of geomorphological change as a result of the Project, specifically the road crossings including locations where culvert structures will be used.
23	Part 2, 6.3 Predicted effects on valued components; 6.3.2 Migratory Birds	Direct and indirect adverse effects on migratory birds, including population level effects that could be caused by all project activities, including, but not limited to: site preparation; deposit of harmful substances in waters that are frequented by migratory birds (e.g. surface water drainage ponds);	6.3.2 6.2.4.1.3 6.2.5.1.4	Provide detail on effects assessed for individual species of migratory birds listed in the EIS. The EIS includes general descriptions of the nature of the effect. The EIS is missing quantitative information and information on habitat changes associated with the project and necessary to describe species-specific ecological context.
24	Part 2, 6.3 Predicted effects on valued components; 6.3.4 Indigenous Peoples	With respect to Indigenous peoples, a description and analysis of how changes to the environment caused by the project will affect the following activities exercised by each Indigenous group:… - human health, focusing on effects on health outcomes or risks in consideration of, but not limited to, potential changes in air quality, noise exposure and effects of vibration from blasting, availability of country foods, and water quality (drinking, recreational and cultural uses). When risks to human health due to changes in one or more of these components are predicted, a complete Human Health Risk Assessment (HHRA) examining all exposure pathways for pollutants of concern may be necessary to adequately characterize potential risks to human health. Where adverse health effects are predicted, any incidental effects such as effects on current use of lands and resources for traditional purposes will also be assessed. The proponent must provide a justification if it determines that an assessment of the potential for contamination of country foods is not required or if some contaminants are excluded from the assessment;	6.3.4.1 to 6.3.4.3	The EIS identifies residual effects to human health through multiple pathways, including air and water pathways, as well as residual effects to the use of lands and resources by Indigenous peoples. Provide additional assessment information of the Project on human health, to adequately characterize potential risks including: • A description of where and when Indigenous people may experience increased risk; • An assessment of the Project predicted effects to air and water against health-based guideline values; • A description of how human health risk will be included in the Project follow-up and monitoring plans.

Reference No.	Section of EIS Guidelines	Requirement of the EIS Guidelines	EIS Section	Information Required
25	Part 2, 6.6.1. Effects of potential accidents or malfunctions	This assessment will include an identification of the magnitude of an accident and/or malfunction, including the quantity, mechanism, rate, form and characteristics of the contaminants and other materials likely to be released into the environment during the accident and malfunction events and would potentially result in an adverse environmental effect as defined in section 5 of CEAA 2012. The EIS will describe the preventative measures and design safeguards that have been established to protect against such occurrences and the contingency and emergency response procedures that would be put in place if such events do occur.	6.6.1	Provide an assessment of the effects to migratory birds and habitats as a result of accidental spills. While accidents and malfunctions may be considered unlikely, consequences should be described to identify required preventative measures and emergency response procedures.
26	Part 2, 6.6.3 Cumulative Effects Assessment	In its EIS, the proponent will: - identify the sources of potential cumulative effects. Specify other projects or activities that have been or that are likely to be carried out that could cause effects on each selected VC within the boundaries defined, and whose effects would act in combination with the residual effects of the project. This assessment may consider the results of any relevant study conducted by a committee established under section 73 or 74 of CEAA 2012;		Include other projects or activities that have been or that are likely to be carried out that could cause effects on each selected VC within the boundaries defined. Include the on-reserve community access roads noted for Manto Sipi Cree Nation and God's Lake First Nation.
26	Part 1, 3.2.3 Spatial and temporal boundaries	The EIS will describe the spatial boundaries, including local and regional study areas, of each VC to be used in assessing the potential adverse environmental effects of the project and provide a rationale for each boundary.	4.3.3. Spatial and Temporal Boundaries	Figures provided show outlines of assessment areas used for the project assessment of effects. Descriptions of the land areas (km2, hectares) are included in the assessment area boundaries are not provided. Areas of the LAAs and RAAs relied upon by the proponent are not included in the EIS, with the exception of for wildlife. Provide a text description, including total area contained within, for each local and regional study area identified in the EIS.

Annex 2 – Issues for Clarification and Early Notification of Technical Review Issues

Section of EIS Guidelines	Requirement of the EIS Guidelines	EIS Section	Comment
Part 1, 4.1 Guidance	The proponent is encouraged to consult relevant Agency policy and guidance on topics to be addressed in the EIS, and to liaise with the Agency during the planning and development of the EIS. The proponent is also encouraged to consult relevant guidance from other federal departments.	Summary Chapter 5.3.9 EIS Chapters 6.1.9 and 6.1.11; 6.3.4.5	The EIS states: "Guidance was sought from the Agency's "Technical Guidance for Assessing the Current Use of Lands and Resources for Traditional Purposes under the *Canadian Environmental Assessment Act*, 2012" (Canadian Environmental Assessment Agency 2015b) and "Useful Information for Environmental Assessments" (Health Canada 2010)." Health Canada notes that 2018 guidance documents on evaluating human health impacts in Environmental Assessment are available and should be reviewed by Manitoba Infrastructure.
Part 2, 2.1 Purpose of the project	The EIS will also describe the predicted environmental, economic and social benefits of the project. This information will be considered in assessing the justifiability[2] of any significant adverse residual environmental effects as defined in section 5 of CEAA 2012, if such effects are identified.	1.2.3; 2.1.3	Provide additional detail to describe the predicted environmental, economic and social benefits of the project. The EIS does not quantify these benefits or include discussion of equity in benefits distribution across communities, within communities across community members. For instance, it does not include detail required to understand those benefits assumed to be accommodation measures for impacts to rights that may result from the residual effects to section 5 (1) (c) (CEAA, 2012) factors that are described in the EIS. The EIS includes general statements regarding assumed benefits but no quantification of benefits or discussion of equity in benefits distribution across communities, and within communities across community members. Additional information is needed regarding benefits, particularly those assumed by the proponent to be acceptable to groups as accommodation measures for impacts to rights that would result from the EIS described residual effects 5 (1) (c) factors (e.g., health and socio-economic conditions of Indigenous peoples as a result of direct Project effects to lands and resources, foods, trapping income).

[2] See subsection 52(2) of CEAA 2012.

Annex 2 – Issues for Clarification and Early Notification of Technical Review Issues

Section of EIS Guidelines	Requirement of the EIS Guidelines	EIS Section	Comment
Part 2, 6.1. Project setting and baseline conditions; 6.1.1 Atmospheric environment; 6.2. Predicted changes to the physical environment; 6.2.1 Changes to the atmospheric environment	The EA will include a consideration of the predicted changes to the environment as a result of the project being carried out or as a result of any powers, duties or functions that are to be exercised by the federal government in relation to the project…. compare and assess the level of estimated emissions of greenhouse gases to the regional, provincial and federal emission targets;	6.1.1.3 6.2.1.2	Provide current provincial limits for greenhouse gas emissions. The EIS includes reference to federal limits for greenhouse gas emission targets, and no information is provided for Manitoba provincial limits. Provide a description of the project's greenhouse gas emissions in a regional, provincial and national context.
Part 2, 6.1. Project setting and baseline conditions; 6.1.8 Species at Risk	Any published studies that describe the regional importance, abundance, and distribution of species at risk including recovery strategies or plans. The existing data must be supplemented by surveys, as appropriate, to provide current field data; and Information on residences, seasonal movements, movement corridors, habitat requirements, key habitat areas, identified critical habitat and/or recovery habitat (where applicable) and general life history of species at risk that may occur in the project area, or be affected by the project.		Provide supporting documents and reference the documents in text in the description of regional importance, abundance, and distribution of species at risk/COSEWIC species. Lack of field observations does not indicate low or no occurrence in the Regional Assessment Area. Provide rationale for assessment of low/moderate/high descriptors used for potential occurrence of bird species in the wildlife local or regional assessment area. Clearly detail key habitat areas, critical habitat, and movement corridors for all species at risk that may occur in the project area, or be affected by the project, to enable understanding of the Project Footprint's effect and to distinguish between project effects to federal and provincial Species at Risk.

Section of EIS Guidelines	Requirement of the EIS Guidelines	EIS Section	Comment
Part 2, 6.2. Predicted changes to the physical environment; 6.2.2. Changes to groundwater and surface water	changes to water quality attributed to acid rock drainage and metal leaching associated with the storage of overburden and potential construction material	6.1.5.1.4	Geochemical leachate generated by the blasting, excavation and storage of specific bedrock types potentially found along the all-season road alignment and at quarry sites can generate acidic runoff that leaches metals (EIS 6.3.4.5.3). While mitigation measures for avoidance of quarry development in rock with acid generation potential are presented in the EIS, there is potential for acid generation and metal leaching in areas of blasting or rock cutting other than quarries. Provide baseline water quality information for metals in sites that are to receive project runoff from areas of blasting or rock cutting, to support monitoring for effectiveness of mitigation measures to avoid acid rock drainage – metal leaching.
Part 2, 6.3 Predicted effects on valued components; 6.3.3 Species at Risk	The potential adverse effects of the project on *Species at Risk Act* listed species at risk and, where appropriate, critical habitat, i.e. direct and indirect effects on the survival or recovery of *Species at Risk Act* listed species (e.g. northern myotis, listed as Schedule 1, Endangered); The potential adverse effects of the project on species assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) as extirpated, endangered, threatened, or of special concern (e.g. barren ground caribou [COSEWIC assessed as threatened] and the interprovincial range for Pen Island eastern migratory woodland caribou [COSEWIC assessed as endangered]).	6.3.3	Provide detail regarding the predicted effects to federal Species at Risk/COSEWIC species to enable evaluation of the magnitude, geographic extent, duration and frequency of the potential project effect to each identified species noted in the EIS. Provide quantitative measures to support comparison of the Project changes for each phase of the project (construction, operation) (e.g. spatial area of key habitat altered and relative availability in the LAA and RAA; predicted changes in mortality rate; measures of predicted habitat fragmentation) for federally listed or assessed species at risk, including bird species. Predicted effects to species at risk statements in the EIS are general and not quantitative, such as there will be an "increase in caribou mortality". Of how much? Address this uncertainty in effect characterization.

Section of EIS Guidelines	Requirement of the EIS Guidelines	EIS Section	Comment
Part 2, 6.3 Predicted effects on valued components; 6.3.4 Indigenous Peoples	With respect to Indigenous peoples, a description and analysis of how changes to the environment caused by the project will affect the following activities exercised by each Indigenous group:… - human health, focusing on effects on health outcomes or risks in consideration of, but not limited to, potential changes in air quality, noise exposure and effects of vibration from blasting, availability of country foods, and water quality (drinking, recreational and cultural uses).When risks to human health due to changes in one or more of these components are predicted, a complete Human Health Risk Assessment (HHRA) examining all exposure pathways for pollutants of concern may be necessary to adequately characterize potential risks to human health.	6.4.9.5	The EIS identifies residual direct effects of the Project to air quality, water quality, country foods and risks to human health, while stating "A Human Health Risk Assessment is not required as the effects are not significant given the mitigation measures to be implemented (Section 6.4.9.5) and that the residual effects of the proposed Project would not directly affect Reserve lands, northern affairs, lodges or outfitting areas and are limited to the Project Footprint, as described in the following sub-sections." Health Canada, upon review of the EIS and the proponent rationale within, advised the Agency to require the proponent to conduct a HHRA.
Part 2, 6.6.1. Effects of potential accidents or malfunctions	The failure of certain works caused by human error or exceptional natural events (e.g. flooding, earthquake, forest fire) could cause major effects. The proponent will therefore conduct an analysis of the risks of accidents and malfunctions across all phases of the project, determine their effects, and present preliminary emergency response measures. Taking into account the lifespan of different project components, the proponent will identify the probability of potential accidents and malfunctions related to the project, including an explanation of how those events were identified, potential consequences (including the environmental effects as defined in section 5 of CEAA 2012), the plausible worst case scenarios and the effects of these scenarios. Potential spills of hydrocarbons and ammonium nitrate to fish-bearing waterways will be considered in all seasons.	6.6.1 Table 6.43	Provide worst-case scenarios for each potential accident and malfunction described in the EIS (accidental release of hazardous material, fires and explosions, accidental collusions, accidental encroachments). The description should include the quantity and rate of release of any contaminants and characterize what those scenarios would be in terms of locations, how events could interact or occur simultaneously, and resulting effects to VCs, including but not limited to fish and fish habitat, migratory birds, federal lands, use of lands and resources by Indigenous peoples, human health. Provide a methodology to justify probability of occurrence.

Section of EIS Guidelines	Requirement of the EIS Guidelines	EIS Section	Comment
Part 2, 7. Summary of Environmental Effects Assessment	In a second table, the EIS will summarize all key mitigation measures and commitments made by the proponent which will more specifically mitigate any significant adverse effects of the project on VCs (i.e. those measures that are essential to ensure that the project will not result in significant adverse environmental effects).	NA	Provide a table summarizing all key mitigation measures and commitments made by the proponent in the EIS. Key mitigation statements are noted throughout the EIS and should be consolidated.
Part 8, 8.1 Follow-up program; 8.2 Monitoring	The EIS shall present a preliminary follow-up program and shall include: … The proponent will prepare an environmental monitoring program for all phases of the project. …	5.1 and 5.7; Appendix 8-1 (subsections 1.3, 1.5 and 1.6; 2.5.4; 2.6; 2.6.2; 2.6.3; 2.7; 2.7.1.2; and 2.8); 9.1; 9.3.1 to 9.3.4; and 9.4	A consolidated table of proponent commitments to follow-up and monitoring would improve reader access to proponent commitments currently described in multiple places throughout the EIS. Monitoring requirements associated with federal regulatory requirements should be included. For example, with respect to fish and fish habitat, include potential DFO authorization monitoring requirements including: • monitoring of revegetation, • as-built surveys and • confirmation that fish passage requirements have been met at appropriate crossings. In addition, potential contingencies should be outlined, in cases where effectiveness of mitigation measures for fish and fish habitat is poor or sub-optimal. General reporting scheduling should also be outlined.