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October 13, 2023

Cynthia Ritchie
Manitoba Transportation and Infrastructure
1520-215 Garry Street
Winnipeg, MB R3C 3P3
Cynthia.Ritchie@gov.mb.ca

Sent via email

SUBJECT: Technical Review of Round 2 Information Request Responses for the Lake Manitoba and Lake St. Martin Outlet Channel Project – Supplemental Information Request Round 3

Dear Cynthia Ritchie,

The Impact Assessment Agency of Canada (the Agency), with input from federal authorities, Indigenous groups, and the public, conducted a technical review of the responses to the Round 2 Information Requests (IRs) submitted by Manitoba Transportation and Infrastructure (MTI) on July 24, 2023, for the Lake Manitoba and Lake St. Martin Outlet Channels Project (the Project).

Upon further review of the information, the Agency determined that there are additional areas where information is still required to assist the Agency's understanding of the potential adverse environmental effects that the Project may cause and inform the Agency's preparation of the draft Environmental Assessment (EA) Report pursuant to CEAA 2012. It will also support continued engagement and consultation with the potentially affected Indigenous groups and assist the Crown to fulfill its duty to consult. Attached is a Supplemental Round 3 IR to address the remaining information requirements.

All submissions with respect to the technical review of MTI's Round 2 IR responses are publicly available on the Canadian Impact Assessment Registry (Reference #80148). MTI is encouraged to review all the comments submitted as they include detailed information and advice to support MTI in responding to the Round 3 IRs.

When responding to the Supplemental Round 3 IR, the Agency requests that MTI:

- consider the context and rationale for the required information for every question;
- present thorough discussions of any areas of uncertainty, applying a precautionary approach, given that some studies and plans may not be complete at this time;
- where uncertainty remains, provide clearly defined, detailed follow-up program measures, including proposed further mitigation measures; and
- present complete or summarized information and discussion within the IR responses, rather than limited responses and references to applicable reports.

The Government of Canada is integrating consultation with Indigenous groups into the EA process for the Project, to the extent possible, to fulfill its duty to consult, and where appropriate, accommodate. As noted in the Environmental Impact Statement Guidelines, the Crown will rely on information collected for the purposes of the EA to fulfill its duty to consult and inform its assessment of potential impacts on the exercise of Aboriginal or Treaty rights.

In accordance with subsections 23(2) and 27(6) of the CEEA 2012, the period of time used by MTI to provide the required information is not included in the legislated time limit within which the Minister of Environment and Climate Change must make the EA decision about the Project. Issuance of this Supplemental Round 3 IR continues the timeline pause at day 243 of 365.

The Agency is available to discuss the outcome of this review with MTI and provide further advice on how best to address the information required to move forward with the assessment process. If you have any questions, please contact me at sean.carriere@iaac-aeic.gc.ca or 416-436-7357, or Vivienne Wilson, Project Manager, at vivienne.wilson@iaac-aeic.gc.ca or 403-461-2422.

Sincerely,

Sean Carriere, Regional Director
Impact Assessment Agency of Canada
Prairie and Northern Region

Attachments (1):

- Supplemental Information Request Round 3 – Lake Manitoba and Lake St. Martin Outlet Channels Project

c.c.: Ian Martin, Impact Assessment Agency of Canada
Vivienne Wilson, Impact Assessment Agency of Canada
Scott Johnstone, Manitoba Transportation and Infrastructure
Jaime Smith, Manitoba Transportation and Infrastructure
Alexandre Machado, Manitoba Transportation and Infrastructure