**Notice of Determination**

**Erosion Control on Hales Creek within the Lake Winnipeg Basin with Sioux Valley Dakota Nation**

**Sioux Valley Dakota Nation, Manitoba – June 2, 2021 –** Environment and Climate Change Canada has determined that the project “Erosion Control on Hales Creek within the Lake Winnipeg Basin with Sioux Valley Dakota Nation” is not likely to cause significant adverse environmental effects.

This determination was based on a consideration of the following factors:

* Impacts on rights of Indigenous peoples;
* Indigenous knowledge;
* Community knowledge;
* Comments received from the public; and
* Technically and economically feasible mitigation measures

Mitigation measures taken into account for this determination are:

* Construction activities will take place in late August at the earliest and/or nest sweeps will be conducted to ensure there are no occupied nests.
* The proponent will confirm the absence of Bank Swallow nesting activity prior to commencing construction on the near vertical banks of exposed soil on Hales Creek;
  + if an active or indicated nest is found/suspected, a species-appropriate buffer will be used to protect the nest.
  + after the breeding season, if a nest must be removed, an appropriate approach, based on the scientific information for the particular species will be considered.
* Construction activities will take place when the stream bank is dry to avoid negative impacts on water quality, fish and aquatic habitat.
* The proponent will install gabion cages and establish willow species along the new streambank to prevent further erosion of the streambed.

Environment and Climate Change Canada is satisfied that the carrying out of the project is not likely to cause significant adverse environmental effects.

Therefore, Environment and Climate Change Canada may carry out the project, exercise any power, perform any duty or function, or provide financial assistance to enable the project to be carried out in whole or in part.