

**LAKE MANITOBA AND LAKE ST. MARTIN OUTLET CHANNELS PROJECT
RESPONSE TO IAAC TECHNICAL INFORMATION REQUESTS**

Question IAAC-37

Table of Contents

ABBREVIATIONS AND ACRONYMSII

QUESTION IAAC-37 1

LAKE MANITOBA AND LAKE ST. MARTIN OUTLET CHANNELS PROJECT RESPONSE TO IAAC TECHNICAL INFORMATION REQUESTS

Question IAAC-37

Abbreviations and Acronyms

DFO	Department of Fisheries and Oceans
EA	environmental assessment
EIS	environmental impact statement
LAA	local assessment area
LMOC	Lake Manitoba outlet channel
LSMOC	Lake St. Martin outlet channel

LAKE MANITOBA AND LAKE ST. MARTIN OUTLET CHANNELS PROJECT RESPONSE TO IAAC TECHNICAL INFORMATION REQUESTS

Question IAAC-37

QUESTION IAAC-37

EIS Guideline Reference: 7.4. Mitigation measures; 7.3.1 Fish and fish habitat

EIS Reference: 7.2.1.2 Influence of Engagement on the Identification of Issues and the Assessment Process; 7.2.4.2 Permanent Alteration or Destruction of Fish Habitat

Context and Rationale

As stated in Section 7.4 of the EIS Guidelines, the EA must include mitigation measures to eliminate, reduce or control the adverse environmental effects of a designated project, as well as restitution for damage to the environment through replacement, restoration, compensation or other means.

The EIS states that “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.”

The EIS also states that the potential need for measures to offset residual Project effects will be addressed in the Fisheries Act Authorization for the Project, and that requirements for future Authorizations will be addressed separately from the environmental assessment process.

DFO has indicated that the design of the outlet channels have been optimized for flood control and not as fish habitat. Creating a trapezoidal wetted channel will not meet the regulatory and policy required to be accepted as a habitat offset plan, and may not be effective mitigation for the potential effects of the Project on fish and fish habitat.

Information regarding the proposed mitigation is required to understand the potential effects of the Project on fish and fish habitat, to understand how the proposed use of channels as offsetting will mitigate the effects of the Project to specific habitat type and fish species, and to understand how the proposed offsetting would counterbalance residual effects.

Information Requests

- a) Provide details pertaining to mitigation of effects to fish and fish habitat, including offsetting.
 - i. Discuss the proposed offsetting relative to the habitat types affected by the project and update the assessment of residual effects to fish and fish habitat;
- b) Discuss the degree to which the proposed offsetting would counterbalance the residual impacts to fish and fish habitat. While not required for the environmental assessment, the proponent may choose to present this in the form of offsetting measures for the Fisheries Act Authorization Offsetting Plan. Under the Fisheries Act, offsetting must be undertaken to restore, enhance, rehabilitate or create fish habitat.

LAKE MANITOBA AND LAKE ST. MARTIN OUTLET CHANNELS PROJECT RESPONSE TO IAAC TECHNICAL INFORMATION REQUESTS

Question IAAC-37

Response IAAC-37

- a) i. Measures to mitigate effects to fish and fish habitat have been and will continue to be incorporated into all stages of the Project including design, construction and operation. Many of these measures have been detailed in the environmental impact statement (EIS), particularly in the design and operation of both channels. Mitigation measures will also be incorporated into associated monitoring and management plans, including, but not limited to the Aquatic Effects Monitoring Plan, the Erosion and Sediment Control Plan, Access Management Plan, Environmental Protection Plans, Water Management Plans, Revegetation Plan, Waste Management Plan and the Hazardous Materials Management Plan. Details pertaining to mitigation of effects to fish and fish habitat, including offsetting, will be addressed in the Application for a *Fisheries Act* Authorization.
- b) An Offsetting Plan will be submitted along with an application for a *Fisheries Act* Authorization for the Project. That plan will account for the potential death of fish and any harmful alteration, disruption or destruction of fish habitat that may occur as a result of the Project. A process is being established with Department of Fisheries and Oceans (DFO) to establish what is to be offset and the appropriate offsetting measures. It is expected that this process will account for the uncertainties that are inherent to most cases where aquatic habitats are altered. The plan will be developed in collaboration with DFO with the expectation that it will be completed prior to regulatory approval decisions.