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August 25, 2022

Amna Mackin
Manitoba Transportation and Infrastructure
1520-215 Garry Street
Winnipeg, MB R3C 3P3

Sent via email: Amna.Mackin@gov.mb.ca

SUBJECT: Technical Review of Round 1 Information Request Responses for the Lake Manitoba and Lake St. Martin Outlet Channel Project – Round 2 Information Requests

Dear Amna Mackin:

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 1 Information Requests (IRs) submitted by Manitoba Transportation and Infrastructure (MTI) on May 31 and June 30, 2022 for the Lake Manitoba and Lake St. Martin Outlet Channels Project (the Project).

Upon review of the information, the Agency determined that there are 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 Environmental Assessment (EA) Report prepared pursuant to CEEA 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 the Round 2 IRs to address the remaining information requirements.

All submissions with respect to the technical review of MTI's Round 1 IR responses will be made publicly available on the Canadian Impact Assessment Registry (Reference #80148). MTI is encouraged to review all of the comments submitted as they include detailed information and advice to support MTI in responding to the Round 2 IRs.

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When responding to Round 2 IRs, 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 Peoples 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 (EIS) 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 CEAA 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 IR package will pause the timeline at day 206 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 Greg Bosse, Project Manager, at greg.bosse@iaac-aeic.gc.ca or 587-334-2941.

Sincerely,

<original signed by>

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

Enclosures (1):

- Information Request Round 2 – Technical Review – Lake Manitoba and Lake St. Martin Outlet Channels Project

c.c.: Ian Martin, Impact Assessment Agency of Canada
Greg Bosse, Impact Assessment Agency of Canada
Scott Johnstone, Manitoba Transportation and Infrastructure
Jaime Smith, Manitoba Transportation and Infrastructure