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February 27, 2024

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

Dear Cynthia Ritchie:

RE: Lake Manitoba and Lake St. Martin Outlet Channels Project - Completion of the Technical Review and Commencement of the Environmental Assessment Report Phase

The Impact Assessment Agency of Canada (the Agency), with input from federal authorities, Indigenous groups, and the public, conducted a technical review of all the information provided by Manitoba Transportation and Infrastructure (MTI) for the Lake Manitoba and Lake St. Martin Outlet Channels Project (the Project).

The Agency requested that MTI provide information and studies necessary for the purpose of conducting the environmental assessment and preparing the draft Environmental Assessment (EA) Report under the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). MTI has provided responses to these requests before February 27, 2024, including:

- The Environmental Impact Statement submitted to the Agency by MTI in August 2019 and revised and re-submitted in March 2020;
- Responses to three rounds of information requests to MTI, sent by the Agency in April and July 2020, August 2022, and September 2023;
- An updated Project Description requested by the Agency in January 2023; and
- Responses to two sets of clarification questions to MTI, sent by the Agency in December 2023 and January 2024.

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The Agency has also received comments and reviews provided by Indigenous groups, the Technical Advisory Group, federal authorities, and members of the public, on the information noted above. The Agency has considered the concerns about the sufficiency of MTI's information. There was also an opportunity to review and comment on draft Round 2 and Round 3 Information Requests and clarification question responses from the MTI, including review by Technical Advisory Group members and meetings with requested federal authorities to revise and redirect responses where necessary.

All submissions from federal authorities, Indigenous groups, and the public with respect to the technical review of the above-noted information are publicly available on the Project's Canadian Impact Assessment Registry (the Registry) page (Reference #80148) as they are received. MTI is encouraged to review all of the comments submitted. An update will also be posted to the Registry regarding the completion of the technical review.

The Agency does not typically formally advise that it is of the opinion that there is sufficient information available to it for the purposes of conducting the impact assessment or preparing the report as provided by subsection 27(2) of the CEEA 2012. However, there are numerous questions and concerns being raised by participants in the EA about the scope and quality of information submitted by MTI and requests for the environmental assessment to be terminated as provided by subsection 181(3) of the *Impact Assessment Act*.

Given these concerns, the Agency is writing to provide its opinion that MTI has, within the required timeline, submitted the information and studies requested by the Agency that are necessary in order to conduct the EA of the Project, and to prepare the draft EA Report and potential conditions under CEEA 2012. Participants in the EA have also shared concerns about challenges in participation due to changes in project design and updated information provided by MTI. The Agency notes that participants have had opportunities through the EA process to provide their perspectives on the quality of MTI's information, and this will be reflected in the draft EA Report. In addition, participants will have the opportunity to comment on the content of the draft EA Report.

The Agency will now prepare the draft EA Report and potential conditions using the information provided by MTI, the perspectives of federal authorities, the public, and Indigenous groups, and the Agency's draft conclusions on whether the Project is likely to cause significant adverse effects within areas of federal jurisdiction. The draft EA Report and potential conditions will be made available on the Registry for a public comment period. Participants in the EA will have an opportunity to provide further comment on the information provided by MTI and on the Agency's analysis and conclusions at that time. The Agency will consider any comments received in finalizing the EA Report and potential conditions before providing them to the Minister of Environment and Climate Change to inform his decision-making under CEEA 2012.

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Should MTI have any questions regarding the technical review of the responses to Round 3 IRs and subsequent clarification questions, please contact me at *Sean.Carriere@iaac-aeic.gc.ca* or 416-436-7357.

Sincerely,

Sean Carriere
Regional Director, Prairie and Northern Region

c.c. : Amna Mackin, Manitoba Transportation and Infrastructure
Jaime Smith, Manitoba Transportation and Infrastructure
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Eric Landry, Vice President, Operations, Impact Assessment Agency of Canada
Vivienne Wilson, Impact Assessment Agency of Canada
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