

Federal Authority Advice Record

Response due by: November 16, 2015

Amisk Hydroelectric Project – AHP Development Corporation
Agency File No.: 005521
CEAR No.: 80112

DFO file number: 15-HCAA-01323

Department/Agency:	Fisheries and Oceans, Canada (DFO)		
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1. (a) Indicate whether the description of potential environmental effects presented in the Project Description is sufficient in characterizing project effects to the components of the environment, as defined under section 5 of CEAA 2012, that relate to your mandate, including whether these effects may be adverse.

Yes, the Project Description is sufficient. It includes information that the project is likely to result in adverse effects including the Permanent Alteration and Destruction of fish habitat, and the death of fish which are prohibited under Paragraph 35(1) of the Fisheries Act. As well, DFO will have to consider effects on fish passage and associated requirements under S. 20 of the Fisheries Act. The environmental effects under CEAA 2012 that are to be taken into account in relation to the project are, as per, s. 5a)(i) a change to fish and fish habitat.

(b) Identify any additional potential adverse environmental effects of the Project that are not described in the Project Description and their linkage to components of the environment under federal jurisdiction (as defined under section 5 of CEAA 2012).

We expect the Environmental Impact Statement from the Proponent to have considerably more detail on impacts to fish and fish habitat, including mitigation and offsetting measures and monitoring plans required for DFO to complete its determination of the significance of likely adverse effects after mitigation is taken into account.

c) List any species at risk as defined by the *Species at Risk Act* (SARA) or species of conservation concern that have been assessed by COSEWIC that may be affected by the Project and are not identified in the Project Description. This information will inform the Agency's Section 79(1) notification obligations under SARA.

There are no additional aquatic species at risk known from the project location at this time.

2. (a) List the potential powers, duties, or functions that your department may issue to enable the Project to proceed, why they might be issued, and which project components and activities are related to the powers, duties, or functions.

DFO will likely require a Fisheries Act Paragraph 35(2)(b) Authorization for serious harm to fish that are part of a commercial, recreational or Aboriginal fishery, or to fish that support such a fishery. DFO will also consider the advisability of making a S.20 fish passage request.

These approvals will likely be necessary due to the works, undertakings, and activities required to construct and operate the Project.

(b) Identify the potential environmental effects, associated with that power, duty or function identified above, as described in subsection 5(2) of CEAA 2012. Please include in your response a description of the scope or extent (i.e., project activities addressed and components of the environment included) under this power, duty or function.

Act and associated power, duty or function	Project components or activities associated with the power, duty or function	Changes to the environment resulting from the project components or activities
<p><i>Fisheries Act</i> Paragraph 35(2)(b) Authorization for Serious Harm to fish and fish habitat</p> <p>Subsection 20 Fishways</p>	<p>-Footprint of dam and associated works. - Footprint of headpond and changes in flows upstream of the dam and footprint of altered flows downstream -Death of fish from dewatering of cofferdams, from blasting and from operation of turbines, and spillways</p> <p>-Fish Passage</p>	<p>-Destruction of fish habitat under the dam superstructure -Permanent alteration of fish habitat, river to reservoir, and alteration of habitats from changes in flows upstream and downstream</p> <p>- Direct mortality and reductions in fish populations.</p> <p>-Obstruction of fish from accessing feeding/spawning habitats upstream. Adverse effects on safe downstream fish passage.</p>

(c) Has your department or agency already exercised the above-noted power or performed a duty or function to enable the proposed Project to proceed in whole or in part? If yes, please describe

Yes No

3. (a) Under the former Act, did your department or agency determine that an EA of this Project was likely? Yes No

If yes, provide additional details regarding the timing, reason for determination, and the proponent notification of the decision.

If no, provide additional details regarding the timing, reason for determination, and the proponent notification of the decision.

The Amisk Project has not previously been reviewed by DFO.

(b) Has your department or agency taken an EA course of action decision under paragraph 20(1)(a) or (b) or subsection 37(1) of the former Act in relation to the Project? Yes No

If yes, please describe. This information is requested in order to determine application of section 128(1) of CEAA 2012.

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4. Identify and describe the specialist or expert information or knowledge within your department that would be relevant to the conduct of the environmental assessment of the Project, should an environmental assessment be required. Provide the contact information for individual that will provide the specialist or expert advice.

DFO would provide specialist advice and knowledge about the effects of the Project on fish and fish habitat, the mitigation (as defined by CEAA) of effects, the significance of likely adverse effects after taking mitigation into account, and monitoring of predictions and mitigation required as part of the follow-up program for the Project.

Todd Schwartz

Print Name of Project Contact

Fisheries Protection Biologist

Title of responder

<original signed by>

Signature

Nov 16, 2015

Date

Please respond to the above questions by November 16, 2015 via email at CEAA.Amisk.ACEE@ceaa-acee.gc.ca. Thank you.