Annex 1: Conformity Information Requirements Directed to the Proponent

Please use the table below to provide your department's comments and suggestions for information that should be required from the proponent to ensure the EIS conforms to the EIS Guidelines. Please keep in mind the focused questions provided in the cover letter. Reviewers are also encouraged to refer to the table of concordance between the EIS Guidelines and EIS (Volume 4, Appendix A) which indicates where each information requirement from the EIS Guidelines is located in the EIS.

ID	Reference to EIS	Reference to EIS	Context and Rationale	Specific Conformity	Revised EIS or
	Guidelines			Information Requirement	Supplementary Info
Create	Identify which	Identify which section(s)	Identify what information is not included in the EIS	Ask a specific question stating	In your view, could the
an ID #	section(s) of the	and appendices of the	that is required by the EIS Guidelines.	what information the	missing information
for	EIS Guidelines are	EIS are related to the		proponent should provide to	have implications for
each	related to the	comment (chapter or	Does the missing information prevent your	conform to the EIS Guidelines.	multiple sections of the
item	comment.	technical supporting	department from undertaking a detailed technical		EIS and therefore
		document, section, page	review? What are the implications for technical		warrant resubmission
		number, other identifier	review?		of a revised EIS, or can
		as appropriate).			it be adequately
					addressed through the
		e.g. page XX, section			provision of
	e.g. Part 2,	6.7.1 Accidents and	e.g. The EIS does not include an assessment of	e.g. Provide an assessment	supplementary
	section 6.7.1	malfunctions	effects to water quality in the receiving waters as	of effects to receiving	information? This can
e.g.	Effects of	-	a result of discharges from the primary settling	water quality as a result of	be responded to on an
DFO-1	potential		pond. Without this information, this department	discharges from the	gap by gap basis or
	accidents or		cannot advise on the significance of residual	primary settling pond.	with regards to your
	malfunctions		effects	, , , ,	findings overall.
	manjunctions				
					e.g. This information
					request can be
					adequately
					addressed through
					the provision of
					supplementary
					information.
					J
DFO-1	7.2. Predicted	7.2.7 Prediction	The information available in the EIS is insufficient and	The proponent should	Hydraulic models
	changes to the	Confidence	professional judgement inadequate for DFO to make a	develop and provide include	should be developed to
	physical		determination of significance of impacts to fish and	hydraulic modeling results to	provide more accurate
	environment;			evaluate changes to the	estimates of potential

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	Guidelines			Information Requirement	Supplementary Info
	7.2.2. Changes to groundwater, surface water, and		fish habitat and assess habitat suitability under different flow scenarios	physical environment for the different watercourses that may be impacted by the	impacts related to changes in flow in the outlet channels.
	fluvial morphology		CEAA requirement (section 7.2.2): "the proponent will carry out modelling as required to present and substantiate anticipated changes to groundwater and surface water quality and quantity in all project phases and in all operational scenarios". Section 7.2.7 of the EIS: "Hydraulic modeling to predict the potential change in hydraulic conditions in Fairford River, the FRWCS Denil fish-way, and the Dauphin River have not been conducted. Hydraulic conditions in the LMOC and LSMOC under different discharges also have not been modeled nor have hydraulic conditions at, and downstream of, the water control structures and drop structures. Therefore, assessment of the potential effects of changes to the hydraulic conditions in the rivers and in the channels on fish habitat, fish passage, and fish and fish egg stranding are qualitative, based on professional judgment using the information available."	project. This information is an important part of the assessment of potential impacts to fish and fish habitat. Hydraulic models can be used to assess habitat suitability under different flow scenarios.	Fairford River, Dauphin River, Lake St. Martin, and potentially affected waterbodies. Other modeling that should be included in the EIS is sediment transport models.
DFO-2	7.5. Significance of residual effects	7.2.1.7 Significance Definition, 7.2.5 Determination of Significance; 7.2.5.1 Significance of Residual Environmental Effects from the Project Table 16.2-1 Summary of Environmental Effects; Fish and Fish Habitat; Permanent alteration or destruction of fish habitat	The EIS does not explain the criteria or methods used to assess significance and therefore DFO is unable to advise on the significance conclusions. CEAA requires that "the EIS provide a detailed analysis of the significance of the residual environmental effects that are considered adverse following the implementation of mitigation measures, using guidance described in Section 4 of the Agency's Operational Policy Statement, Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under CEAA 2012."	It was unclear in the EIS how the significance of residual effects were characterized. Table 16.2-1 provided only a single residual effects characterization and significance determination for all fish and fish habitat residual effects.	A more detailed assessment of significance should be provided including the criteria that was used to assess the significance of the residual effects characterizations (direction, duration, magnitude, timing, frequency, and reversibility) for each residual effect (pathway) rather using a broad group.

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DFO-3	7.4. Mitigation measures		The offset habitat proposed in the EIS does not meet the <i>Fisheries Act</i> and DFO policy requirements and therefore the proponent must propose other fish habitat offset plans to counterbalance the residual impacts of the projects before DFO can advise on significance of effects of the project. Under CEAA 2012, mitigation measures includes 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.	There is a requirement to submit an offsetting plan in the application for <i>Fisheries</i> <i>Act</i> authorization to counterbalance the residual impacts to fish and fish habitat. Offsetting must be undertaken to restore, enhance, rehabilitate or create fish habitat.	Design of the outlet channels are optimized for flood control and not as fish habitat. The EIS should include other offsetting options to address residual effects and identify that this offsetting will counterbalance effects of the project.