

ATTACHMENT: November 22, 2019

Federal Authority Advice Record

Response due by December 12, 2019

Prairie Lights Power Project – Prairie Lights Power GP Inc.

Agency File: 005719

Department/Agency	Fisheries and Oceans Canada
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1. Is it probable that your department or agency may be required to exercise a power or perform a duty or function related to the Project to enable it to proceed?

If yes, specify the Act of Parliament and that power, duty or function.

A Fisheries Act paragraph 35(2)(b) Authorization will be required if the project is likely to cause the harmful alteration, disruption, or destruction to fish habitat and/or a Fisheries Act paragraph 34.4(2)(b) Authorization if the project is likely to result in the death of fish. The proponent should submit a Request for Review for DFO which outlines the specific impacts of the project on fish and fish habitat for review under the Fisheries Act.

Fisheries and Oceans Canada also review projects for effects to listed aquatic species at risk, any part of their critical habitat or the residences of their individuals in a manner which is prohibited under sections 32, 33 and subsection 58(1) of the Species at Risk Act.

2. Is your department or agency in possession of specialist or expert information or knowledge that may be relevant to the conduct of an impact assessment of the Project?

Specify as appropriate.

DFO will be able to evaluate the potential implications to our mandate as more details on the proposed project activities become available, and are submitted to DFO as part of the review process. DFO will review the fish and fish habitat aspects of this project.

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3. Has your department or agency considered the Project; exercised a power or performed a duty or function under any Act of Parliament in relation to the Project; or taken any course of action that would allow the Project to proceed in whole or in part?

Specify as appropriate.

No

4. Has your department or agency had previous contact or involvement with the proponent or other party in relation to the Project? (for example, enquiry about methodology, guidance, or data; introduction to the project)

Provide an overview of the information or advice exchanged.

No

5. Does your department or agency have additional information or knowledge not specified, above?

Specify as appropriate.

No

6. From the perspective of the mandate and area(s) of expertise of your department or agency, what are the issues that should be addressed in the impact assessment of the Project, should the Agency determine that an impact assessment is required?

For each issue discussed, provide a concise, plain-language summary that is appropriate for inclusion in the Summary of Issues.

Fisheries and Oceans Canada, Fish and Fish Habitat Protection Program, has reviewed the available project information. Based on this information, as proposed, the Project may result in the harmful alteration, disruption or destruction of fish habitat and/or the death of fish and may require authorization under the *Fisheries Act*.

The report provided does not provide sufficient information to assess impacts to Smoky River from the water withdrawal. Clarification is needed on the following:

- Description of fish and fish habitat in the watercourses and how the habitat will be impacted by changes in flows.
- Impacts to fish due to waterbody and wetland crossings during transmission line installation.
- Impacts to Species at Risk and sensitive species, namely Bull Trout and Arctic Grayling, in the Smoky River.
- Will additional water be withdrawn, and/or will the new/amended license permit additional/increased withdrawals? Proponent should provide further clarification on the daily water withdrawal from the existing source location (i.e., Is 32.8 m³/day the total or in addition to the existing licence?).
- Is there potential for impingement and/or entrainment into the existing facility, and potential increase to impingement and entrainment as a result of increased water withdrawals?
- How does the existing and additional withdrawal volumes compare to DFO's Framework for Assessing the Ecological Flow Requirements to Support Fisheries in Canada (2013)? Proponent should provide additional information regarding other users on the Smoky River and cumulative impacts of flow withdrawals on fish and fish habitat.
- Information on the return and run-off water outlet and potential impacts on fish and fish habitat (e.g. potential to introduce warm water to a cool/cold water system).

It is DFO's opinion that without mitigation measures, this project may result in adverse effects to fish and fish habitat.

Rick Kiriluk

Name of Departmental / Agency Responder

Acting Team Leader, Triage and Planning

Title of Responder

December 12, 2019

Date