

**ATTACHMENT:** June 30, 2021

**Provincial Advice Record: Designation Request under IAA**

**Response requested by July 20, 2021**

Lake Diefenbaker Irrigation Expansion Projects

Department/Agency	Natural Resources Canada
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1. Has your department or agency considered whether it has an interest in 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 (including provision of financial assistance) that would allow the Project to proceed in whole or in part?

NRCan has not taken any course of action, exercised a power, or performed a duty or function that would allow the Project to proceed.

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2. 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?

At this time, it is uncertain whether the Proponent will require the manufacture or storage of explosives. Should the Proponent require the manufacture or storage of explosives for the project, NRCan will review the information and determine whether a license under the *Explosives Act* be required.

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3. If your department or agency will exercise a power or perform a duty or function under any Act of Parliament in relation to the Project, will it involve public and Indigenous consultation?

No

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4. Is your department or agency in possession of specialist or expert information or knowledge that may be relevant to any potential adverse effects within federal jurisdiction caused by the Project or adverse direct or incidental effects stemming from the Project?

NRCan's hydrogeology / groundwater expertise is provided by the Geological Survey of Canada (GSC). An initial review of the Designation Request has resulted in the GSC indicating that their expertise is unlikely to be relevant to this Project. There is a possibility of interactions with groundwater resulting in adverse effects within federal jurisdiction, but NRCan defers to ECCC and DFO as the departments with this jurisdiction to indicate whether NRCan's hydrogeology expertise is of relevance.

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5. Has your department or agency had previous contact or involvement with the proponent or other parties in relation to the Project?

NRCan has not had previous contact or involvement with the proponent regarding this project.

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6. From the perspective of the mandate and area(s) of expertise of your department or agency, does the Project have the potential to cause adverse effects within federal jurisdiction or adverse direct or incidental effects as described in section 2 of IAA? Could any of those effects be managed through legislative or regulatory mechanisms administered by your department or agency? If a licence, permit, authorization or approval may be issued, could it include conditions in relation to those effects?

Within the scope of its departmental mandate, NRCan does not anticipate direct or incidental effects as defined in Section 2 of the Impact Assessment Act, as NRCan is unlikely to exercise any powers or perform any duties to enable this Project to proceed. Furthermore, NRCan does not have expertise directly related to adverse effects within federal jurisdiction as defined in Section 2 of IAA. NRCan is in possession of expert knowledge in quantitative hydrogeology, which could interact with components of the environment defined in section 2 of IAA. NRCan defers to ECCC and DFO as the departments with jurisdiction over these components to indicate whether NRCan's hydrogeology expertise is of relevance.

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7. Does your department or agency have a program or additional authority that may be relevant and could be considered as a potential solution to concerns expressed about the Project? In particular, the following issues have been raised by the requestor:
- a. Potential effects on Inherent and Treaty Rights in Saskatchewan
  - b. Potential impacts to sacred sites and other cultural and heritage-sensitive areas
  - c. Potential effects to food and water security including climate change impacts
  - d. Potential long-term cumulative impacts of water withdrawals and agrochemical inputs to the Saskatchewan River and the Saskatchewan River Delta that flow into Manitoba
  - e. Effects to the following:
    - i. fish and fish habitat
    - ii. migratory birds
    - iii. wildlife and wildlife habitat including federally listed species at risk
    - iv. contaminants from agricultural inputs

NRCan does not have a program or additional authority that may be relevant and could be considered as a potential solution to concerns expressed about the Project.

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8. If your department has guidance material that would be helpful to the proponent or the Agency, please include these as attachments or hyperlinks in your response.

Maximilien Genest

Name of departmental / agency responder

Impact Assessment Officer

Title of responder

July 20<sup>th</sup> 2021

Date