

From: Janusz, Laureen R (MWS)

Sent: January-07-13 11:23 AM

To: Ouimet, Darrell (CON)

Subject: EAP 5550.00 Keeyask Generation Project - TAC review of supplemental information and additional EIS comments due December 14 2012

Hi Darrell,

Specific to the EIS

In the scoping document the proponents were asked to consider aquatic invasive species, particularly those if present and/or those species with the potential to become present and established (e.g. spiny waterflea and zebra mussels). Rainbow smelt were mentioned and it was indicated that fish communities are likely still evolving due to previous hydroelectric development, CRD/LWR and the introduction of smelt. We were anticipating further discussion on what the observed effects of rainbow smelt have been in other waterbodies where they have established and correlate this information to the present environment. There was no mention of spiny waterflea or zebra mussels. With spiny waterflea now found in the Lake Winnipeg north basin and at the outlet to the Nelson River and zebra mussels in the Red River watershed south of the border; the impacts these species have caused in other waterbodies, potential implications to the Nelson River environment, particularly the reservoirs (back back areas) and best management practices to reduce spread, should be discussed. Certainly for both species dams provide more optimal areas for them to establish than in free flowing systems. Certainly the EIS should have considered the impact the current (given effects are still evolving) and new AIS may have on the ability to discriminate changes in the aquatic environment arising from the project and changes arising from or complicated by the arrival of an AIS.

Given adaptive management will be key in this project, how a new AIS factors into the decision making may significantly complicate things.

The Regional Fisheries Manager has responded to the supplemental information through the regional process. Regarding MCWS 0011, the review of the proposed ongoing monitoring and the process for making decisions, we would like to re-iterate that for the Aquatics Effect Monitoring Plan there is tremendous emphasis on implementing an adaptive management process through post project monitoring. While the proponents have indicated the intent to validate predicted project effects and models utilized, much of the details are yet to be finalized in the Aquatics Effect Monitoring Plan. Given the life span of this project and in particular the decades that may be required to determine project effects on some species (i.e. Lake Sturgeon), this document needs to be clear and concise, identifying measurable triggers to which adaptive actions will be required. We strongly recommend that the process for including MCWS – Fisheries Branch in the aquatic monitoring program must be a licence condition and it must be clear that the process includes input into the design and objectives, not just the review of results.

Overall there are licence conditions that could address outstanding concerns as well as specific areas within key documents. From previous experience on larger projects staff have found that it is more effective to identify as licence conditions important components within the key documents. To this end, the Branch will submit some draft licence conditions for consideration at a later date in the process.

Thank you.

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Manitoba Health Comments on the Keeyask Generation Project

Comment Number	Volume/ Document	Page/Figure/Table	Topic /Context/Rationale	Specific Comment/Recommendations
1	Socio-Economic HHRA	HC-002 comments	Optimal recommendations for fish consumption - the goal would be to select the best recommendations for the health of the people in a transparent way.	Support the recommendations for The province, Health Canada and the proponent to meet to discuss the optimal mercury consumption subsistence guidelines with input from appropriate experts. A baseline and periodic diet survey of residents would be useful to see if there are any changes in diet over time.
2		HC-002 comments	"unrestricted fish consumption"	Manitoba Health supports HC's concern over the term "unrestricted". Perhaps "normal" fish consumption could be used
3		HC-003 comments	Manitoba Health appreciates the efforts to effectively communicate information about mercury and fish to communities.	Manitoba Health will review communication documents and provide recommendations.

	<p>Manitoba Health supports the need for consistent messaging on mercury risk in the province.</p>	<p>Fish from the Offset lakes</p>		<p>Manitoba Health recommends that the "offset lake fishing program be evaluated periodically to assure that it is working as intended (e.g. people are receiving the right fish, they are getting enough, etc.)</p>	
4	<p>HC-0006</p>	<p>biomonitoring study in the North. A recent study was done in Manitoba http://www.infres.ca/fo/manitoba/</p> <p>In that study, mercury levels were largely within recommended guideline levels among northern community members.</p> <p>5-109 - Due to perceived risk/fears and lack of information from trusted sources, many KCNs Members indicated that they had either stopped, or decreased, the level of eating fish and other traditional foods. Because fish is the right quantity are very healthy components of diet, it was important to address the</p>			
5	<p>HC-009 / section 5-109</p>				

			community concerns and encourage community Members to eat appropriate amounts and types of fish.	provided at any time and get tested.		
			Flooding due to extreme weather has been a concern in Manitoba and has caused damage to homes in some locations.	Are there any risks of ice jams or extreme flooding as a result of unusual weather patterns?		

Additional Info: EA Proposal - Keeyask Generation Project - File No. 5550 -
Comments From NE REGION IRMT

The Northeast Region IRMT has reviewed the additional information and provides the following comments:

Comments from Don MacDonald (NE Region Fisheries Manager):

These are the responses that I am providing for the responses to the NE Region's comments. I think that it probably makes sense for Fisheries Branch to reference the responses by their labels and endorse or embellish as appropriate.

MCWS-LB-0001: The response clarifies the EIS adequately.

MCWS-LB-0002: See MCWS-LB-0009 follow up.

MCWS-LB-0006: Although this was not specifically mentioned in the question about decommissioning of PR 280 following the completion of the GS and new access roads, it is expected that an important component of that decommissioning would be the removal and rehabilitation of all crossings of fish bearing waters. It is also assumed that this will be the responsibility of MIT as the owner of the road.

MCWS-LB-0007: The response clarifies the EIS adequately.

MCWS-LB-0008: Manitoba is fully aware of the Treaty and Aboriginal rights held by TCN members. However the question specifically related to the displacement of these activities from traditional areas to new areas to "replace fish that may no longer be safe to consume as a result of increased methyl-mercury levels caused by the Keeyask Project". This displacement is a project effect and should be more adequately addressed in the EIS and the Response. Note that the possible concerns of this business may extend beyond a reduction in "trophy fish".

The Response indicates that "in the past, resolution of concerns has been mutually resolved by the parties involved and responsible, and it's anticipated this can continue in the future". While this is true, this was not committed to in the EIS and the Response is not specific about who the "parties involved" are. It is concluded that the responder means that the parties involved are the lodge owner and TCN. It is the Partnership which is proposing a project that will displace rights based resource harvest to new areas. It should be recognized that the Partnership retains responsibility for new or additional socio-economic impacts arising from this.

The consultation with the local lodge owners and outfitters described in Part B of the Response is taken as meaning that there has not been consultation with the local lodge owner specifically addressing possible future activities occurring under the Healthy Food Fish Program. Considering that this business may experience a significant change in local resource use, and that under certain potential scenarios these activities could impact their business, this EIS section and the Response are inadequate. It would have been simple to contact the owner, describe the program and include their concerns, if any, and the means that they could be addressed, if any.

It is recognized that it may be quite easy to manage the Healthy Food Fish Program in a manner that results in little or no impact, however the EIS and any Licence should consider and address all possibilities.

MCWS-LB-0009: The Response states "Should the Board chose, the Fish Harvest Sustainability Plans could be developed into Resource Plans." The Question was pointing out that the process so far does not appear to adequately recognize the mandate of the Resource Management Board for both land and resource planning. The RMB should be offered the opportunity to lead the development of the Sustainability Plans; not just offered the opportunity to review them. If the Board determines that the preferred means of developing the plans is to refer it to the CNP, that is acceptable, however it should be their choice.

MCWS-LB-0010: Response is adequate.

MCWS-LB-0011: Response is adequate.

Comments from Vicki Trim (NE Region Wildlife Biologist):

WCVWS-WB-0001: It was unfortunate to read that any moose harvest information collected within the communities would not be shared with government to assist in the management of moose in that area. Hopefully some day we will be able to share information like this, without reservation, between user groups, for the best management of the species.

WCVWS-LB-0004: The NE Wildlife Branch was not aware that a caribou access program was going to be implemented with TCN. If this is happening, will the branch have any input or say on this? Initially it doesn't make sense as the Caribou aren't always in the area of the Keeyask access road or GS. How is there enough of a disturbance that would require an annual fly out hunting program? Locals aren't guaranteed caribou every year if they haven't migrated through the area, why would guaranteed hunting via an access program be allowed?

Comments from Pierce Roberts (NE Regional Director):

MCVWS-LB-0002, 0008 and 0009: I agree with Regional Fisheries Manager Don Macdonald's follow-up comments.

MCVWS-LB-0003: The Northeast Region will consult with the Forestry Branch to determine how forest damage appraisal and evaluation will be applied.

MCVWS-LB-0004: Lines 55-60. This paragraph seems to refer to an offsetting program specifically for caribou domestic harvest. Is this what it means or is it referencing offsetting programs in general?

Responses to the other MCVWS-LB comments are adequate.

Ouimet, Darrell (CON)

From: Stibbard, James (MWS)
Sent: December-12-12 2:31 PM
To: Ouimet, Darrell (CON)
Subject: Re: 5550.00 Keeyask Generating Station Supplementary Information

Mr. Ouimet,

I reviewed the additional information sent on November 23 respecting the above noted proposed development. There were no questions raised in the materials relating to safety or quality of public or semi-public drinking water systems. As such, Office of Drinking Water does not see any cause for concern from any of the materials in this supplementary information package.

I trust this is satisfactory, but if you have any questions, please call.

Regards,

James Stibbard P. Eng.
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December 28, 2012

CEAA File No.: 004554
MCWS File No.: 5550.00

Mr. Darrell Ouimet
Environmental Approvals Branch
Manitoba Conservation and Water Stewardship
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Winnipeg, MB R3C 1A5

**SUBJECT: Keeyask Generation Project
Review of Responses to Requests for Additional Information**

Dear Mr. Ouimet:

Federal Disposition on the Additional Environmental Impact Statement Information

The Canadian Environmental Assessment Agency (the Agency) has concluded the federal review of the "Responses to Requests for Additional Information" Keeyask Generation Project Environmental Impact Statement submitted by the Keeyask Hydro Power Limited Partnership (the Partnership). The Agency received comments from Fisheries and Oceans Canada, Transport Canada, Environment Canada, Health Canada and Natural Resources Canada. The federal comments provide feedback to the Partnership regarding the status of the initial federal Supplementary Information Requests (SIRs) and whether the Partnership's responses address the initial comments. The Agency has consolidated the federal comments received into the Excel spreadsheet developed during the initial EIS review. The status of each federal comment is noted in the "disposition" column.

The Agency understands that Manitoba Conservation and Water Stewardship will continue to provide direction to the Partnership with respect to preparing and communicating its response to the cooperative EIS review. In the interim, the Agency will forward a copy of the spreadsheet to directly to the Partnership for its consideration. The Agency requests that Manitoba Conservation and Water Stewardship direct the Partnership to respond to the second round of federal SIRs within the attached spreadsheet. If required, additional detailed information could be provided in a separate attachment. A response from the Partnership is required to facilitate the ongoing federal review and development of the comprehensive study report.

Federal Review Comments on the Keeyask Transmission Project Environmental Assessment Report submitted by Manitoba Hydro

As you are aware, the Environmental Assessment Report (EAR) for the Keeyask Transmission Project was submitted to the Agency in November, 2012. The federal review team was asked to provide technical review comments on the Keeyask Transmission Project EAR. The Agency has compiled those comments into a separate Excel spreadsheet for your consideration within the provincial review process. The Agency will also forward a copy of the federal comments directly to Manitoba Hydro for its consideration.

The Agency recognizes that Manitoba Conservation and Water Stewardship will also provide guidance to Manitoba Hydro with regard to organizing and communicating its response. The Agency requests that Manitoba Hydro responses to the federal comments be integrated into this spreadsheet to facilitate issues management. If required, any additional detailed information could be provided in a separate attachment or EAR addendum.

As environmental effects of the Keeyask Transmission Project are being considered within the federal environmental assessment of the Keeyask Generation Project, Manitoba Hydro's response is required to facilitate the ongoing federal review and development of the comprehensive study report.

Comments from Aboriginal Groups and the Public

On November 21, 2012, the Agency invited the public and Aboriginal groups to comment on the potential environmental effects of the Keeyask Generation Project and the proposed measures to prevent or mitigate those effects as described in an Environmental Effects Summary document. The Environmental Effects Summary document is based on the EIS for the Keeyask Generation Project submitted by the Partnership in July 2012 and the Environmental Assessment Report for the Keeyask Transmission Project submitted by Manitoba Hydro in November 2012.

The Agency received comments from Pimicikamak Okimawin and Peguis First Nation, which have been enclosed for your consideration. The Agency is reviewing the comments received in the context of the federal comprehensive study and considering whether additional information will be required. The Agency will provide the Partnership with additional direction related to these comments in early January.

If you have any questions concerning the federal review of the Keeyask Generation Project, please contact me at 204-983-7997 or by email at jim.morrell@ceaa-acee.gc.ca.

Sincerely,



Jim P. Morrell
Project Manager

Encl,

c.c.: Darryl Chudobiak, DFO
Krista Flood, EC
Rick Grabowecky, HC
Regent Dickey, NPMO

Jo-Anne Foy, TC
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