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August 31, 2018

Mark Svenson
Provincial Transportation Environmental Coordinator
Alberta Transportation
3rd Floor Twin Atria Building
4999 98 Avenue
Edmonton, Alberta T6B 2X3

SUBJECT: Technical Review of the Environmental Impact Statement for the Springbank Off-Stream Reservoir Project – Information Request Package 3

Dear Mr. Svenson:

The Canadian Environmental Assessment Agency (the Agency) conducted a technical review of the March 29, 2018 Alberta Transportation Environmental Impact Statement (EIS) for the Springbank Off-Stream Reservoir Project. Federal departments, Indigenous groups, the technical advisory group, and members of the public also reviewed the EIS and contributed technical expertise and knowledge. The federal authorities participating in the review are Environment and Climate Change Canada, Fisheries and Oceans Canada, Health Canada, Natural Resources Canada, Infrastructure Canada, and Transport Canada.

The EIS Guidelines issued on August 10, 2016 describe the information required to support the assessment of effects described in the *Canadian Environmental Assessment Act, 2012* (CEAA 2012), section 79 of the *Species at Risk Act*, and for Canada to fulfil its Crown consultation obligations to the extent possible during the environmental assessment (EA).

While the EIS Guidelines subject areas are addressed in the EIS, the Agency and federal authorities have identified gaps in the information provided. This information is necessary to determine whether the Project is likely to cause significant adverse environmental effects and to inform the Agency's preparation of the EA Report under CEAA 2012.

Attached is Information Request Package 3. Written comments received by the Agency regarding the technical review of the EIS are available on the Canadian Environmental Assessment Registry ([Reference #80123](#)). Alberta Transportation is encouraged to review all of the comments submitted as they include detailed information and advice not presented in the Information Request package.

The Government of Canada is integrating consultation with Indigenous peoples into the EA process for the Springbank Off-Stream Reservoir Project, to the extent possible, to fulfill its duty to consult, and where appropriate, accommodate. As noted in the EIS Guidelines, the Crown will rely on information collected for the purposes of the EA to fulfill its duty to consult and inform its assessment of potential impacts on the exercise of Aboriginal or treaty rights. The Agency requests that Alberta Transportation engage with each Indigenous group identified in the EIS Guidelines to gather the required information and discuss outstanding concerns. The Agency encourages Alberta Transportation to support and facilitate the participation of Indigenous groups in this review process.

For responses to all information request items relating to effects of changes to the environment on Indigenous peoples (CEAA 2012 section 5(1)(c)) and potential impacts to Aboriginal and treaty rights, the Agency requests that Alberta Transportation present the input obtained from Indigenous groups, including a description of how that input was integrated into the responses. Points of disagreement between the views of Alberta Transportation and Indigenous groups should be presented, along with a description of efforts undertaken to reconcile these differences and a rationale for conclusions.

The Agency requests that Alberta Transportation provide an updated log documenting all engagement with Indigenous groups undertaken since the completion of the EIS and a list of all traditional land and resource use studies that have been submitted, commenced, and/or completed since the completion of the March 29, 2018 EIS. Please include the anticipated completion date of traditional land and resource use studies currently underway.

In accordance with CEAA 2012, time taken by Alberta Transportation to provide the required information is not included in the legal timeframe within which the Minister of Environment and Climate Change must make her EA decision. On June 29, 2018, the timeline paused at day 110 of 365, when the Agency issued the first package of information requirements. Package 3 completes the Agency's initial round of information requests on the EIS for the Springbank Off-Stream Reservoir Project.

The Agency and federal authorities will continue to work on the Project EA to understand the environmental effects of the Project. The Agency recognizes the importance of timely decision making based in science and Indigenous knowledge.

The Agency is able to meet and discuss the information requirements, as needed. If you have any questions regarding this letter, please contact me.

Sincerely,

original signed by Anna Kessler on behalf of Jennifer Howe

Jennifer Howe
Project Manager, Prairie and Northern Region

Enclosures:

1. Information Request Package 3 – Springbank Off-Stream Reservoir Project 31-08-2018

cc:

Seamas Skelly, Alberta Transportation
Syed Abbas, Alberta Transportation
Meghan Jurijew, Alberta Environment and Parks
Graham Irvine, Health Canada
Gayle Hatchard, Environment and Climate Change Canada
Veronica Mossop, Natural Resources Canada
Kyle Antonchuk, Fisheries and Oceans Canada
Jackie Barker, Transport Canada
Eli Arkin, Infrastructure Canada