Chapter 1:
Introduction and Overview

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1.0 INTRODUCTION AND OVERVIEW

This document is the Environmental Assessment (EA) for Project 6 – All-Season Road Linking Manto Sipi Cree Nation, Bunibonibee Cree Nation and God's Lake First Nation (the Project) to be located on the east side of Lake Winnipeg, Manitoba. The EA is being submitted to the Canadian Environmental Assessment Agency (Agency) as an Environmental Impact Statement (EIS) pursuant to the *Canadian Environmental Assessment Act*, 2012 and to Manitoba Sustainable Development (MSD; formerly Manitoba Conservation and Water Stewardship) as an Environment Act Proposal pursuant to requirements of *The Environment Act* of Manitoba.

1.1 The Proponent – Manitoba Infrastructure

The East Side Road Authority (ESRA) was established as a provincial Crown Agency to manage the East Side Transportation Initiative (ESTI) to increase transportation opportunities for communities on the east side of Lake Winnipeg. ESRA, however, has been absorbed into Manitoba Infrastructure (MI), which is a provincial government department. MI is the proponent and will continue to manage the proposed Project.

The proponent of the Project is Manitoba Infrastructure which will develop, construct and maintain the proposed Project.

1.1.1 Contact Information

For matters pertaining to the information contained within this EIS, the principal MI contact is as follows:

Name/Title/Address	Contact information
Mr. Kimber Osiowy Manager, Environmental Services Manitoba Infrastructure 1420-215 Garry Street Winnipeg, Manitoba, R3C 3P3	Direct Phone: (204) 771-4941 Fax: (204) 945-0593 Email: kimber.osiowy@gov.mb.ca

1.1.2 Legal Entity

As noted above, MI is the proponent for the proposed Project and subject to the receipt of the required regulatory approvals, will develop, manage and operate the Project. The Province of Manitoba will fund the proposed Project. There is no proposed or anticipated federal financial support for the Project at this time.

1.1.3 Corporate and Management Structures

MI's vision, mission, values and priorities are as follows.

Vision

- Connect and protect Manitoba.

Mission

- To ensure safe, reliable and sustainable infrastructure and services for Manitoba and its communities.

Values

- Trustworthy, accountable, innovative, committed and caring.

Priorities

- Strategic Infrastructure Investment – Sustain cost effective and efficient program delivery. Ensure MI's infrastructure investment plan is strategic and meets long-term goals.
- Safety and Protection – Ensure the safety and protection of MI employees while at work. Increase the resilience of Manitoba by focusing on the ability of Manitobans to prepare for and respond to the hazards and risks they face. Ensure the safety of the travelling public while moving throughout Manitoba.
- Fostering Relationships – Build sustainable relationships through trust, communication and common understanding.
- Building Capacity – Develop a knowledgeable workforce that is flexible, dynamic and capable of meeting the challenges we face today and tomorrow. Be efficient in the delivery of our services, products and programs.

1.1.4 Corporate Policy Implementation

Chapter 8 outlines environmental protection measures derived from MI's corporate, environmental and safety policies, as well as how they will be implemented throughout the design, construction planning, construction and operations and maintenance phases of the proposed Project. MI's policies are implemented through inclusion of policies into contract clauses and inspections to ensure adherence.

1.1.5 Document Preparation

This EIS was prepared by KGS Group on behalf of MI. Supporting technical studies were completed by the following MI contractors.

Indigenous and Public Engagement	KGS Group
Aquatic Environment	North/South Consultants Inc.
Heritage Resources	AMEC Foster Wheeler
Traditional Knowledge	HTFC Planning & Design
Vegetation	Szwaluk Environmental Consulting Ltd.
Wildlife	Joro Consultants Inc.

Technical information used in the preparation of this EIS was reviewed by the MI contractors responsible for the technical studies. Technical information was also provided by MI staff directly involved in the planning, design and construction of other segments of the all-season road network on the east side of Lake Winnipeg. MI staff also provided review of technical study reports and this EIS.

Inquiries regarding this EIS should be directed to Mr. Kimber Osiowy, Manager of Environmental Services, MI at the contact information provided in **Section 1.1.1**.

1.2 Project Overview

An overview of the proposed Project is provided in the following paragraphs with additional information provided in **Chapter 3, Project Description**. MI is proposing to construct an all-season road linking Manto Sipi Cree Nation, Bunibonibee Cree Nation and God's Lake First Nation. Linking the communities will provide economic and social benefits. The proposed alignment for the Project consists of a total 141 kilometres (km) of all-season road on a new right-of-way (ROW) on provincial Crown land (**Figure 1-1**). There are three road sections that will begin at the Reserve boundaries and generally head west and southwest 71.9 km from Manto Sipi Cree Nation, southeast 39.5 km from Bunibonibee Cree Nation and northwest 29.6 km from God's Lake First Nation where the three sections intersect. The east terminus of the all-season road alignment near Manto Sipi Cree Nation is shown in **Figure 1-2**, while the northwest terminus near Bunibonibee Cree Nation and the south terminus near God's Lake First Nation are shown in **Figures 1-3 and 1-4**, respectively. The intersection of the all-season road alignment sections from Manto Sipi Cree Nation, Bunibonibee Cree Nation and God's Lake First Nation is shown in **Figure 1-5**. MI is in discussions with Manto Sipi Cree Nation regarding an approximately 8 km section of the alignment near the community. The community has chosen the alignment in this area to parallel the winter road through a large bog/fen (Option 1 in **Figure 1-6**). Sourcing the necessary rock to construct the segment along the winter road would require additional access roads and quarries. MI has proposed three more alternative options (**Figure 1-6**) to reduce project footprint, cost and construction timelines.

An existing on-Reserve access road will connect to the proposed all-season road at the Bunibonibee Cree Nation Reserve boundary, whereas on-Reserve access roads will need to be constructed separately at Manto Sipi Cree Nation and God's Lake First Nation to connect to the all-season road that will terminate at the Reserve boundaries. The approval for these on-Reserve access roads will be subject to separate approvals by Indigenous Services Canada (ISC).

The all-season road linking the communities will be a gravel-surface public highway, with a design width of 10 metres (m), a design speed of 90 kilometres/hour (km/h) and a posted speed of 70 km/h. The proposed road will generally follow the current winter road alignment and may require replacement of the existing bridge at God's River. The road may also require construction of a new bridge crossing Magill Creek **(Figure 1-7)**. In addition, culverts will be required at smaller watercourse crossings and to manage local drainage.

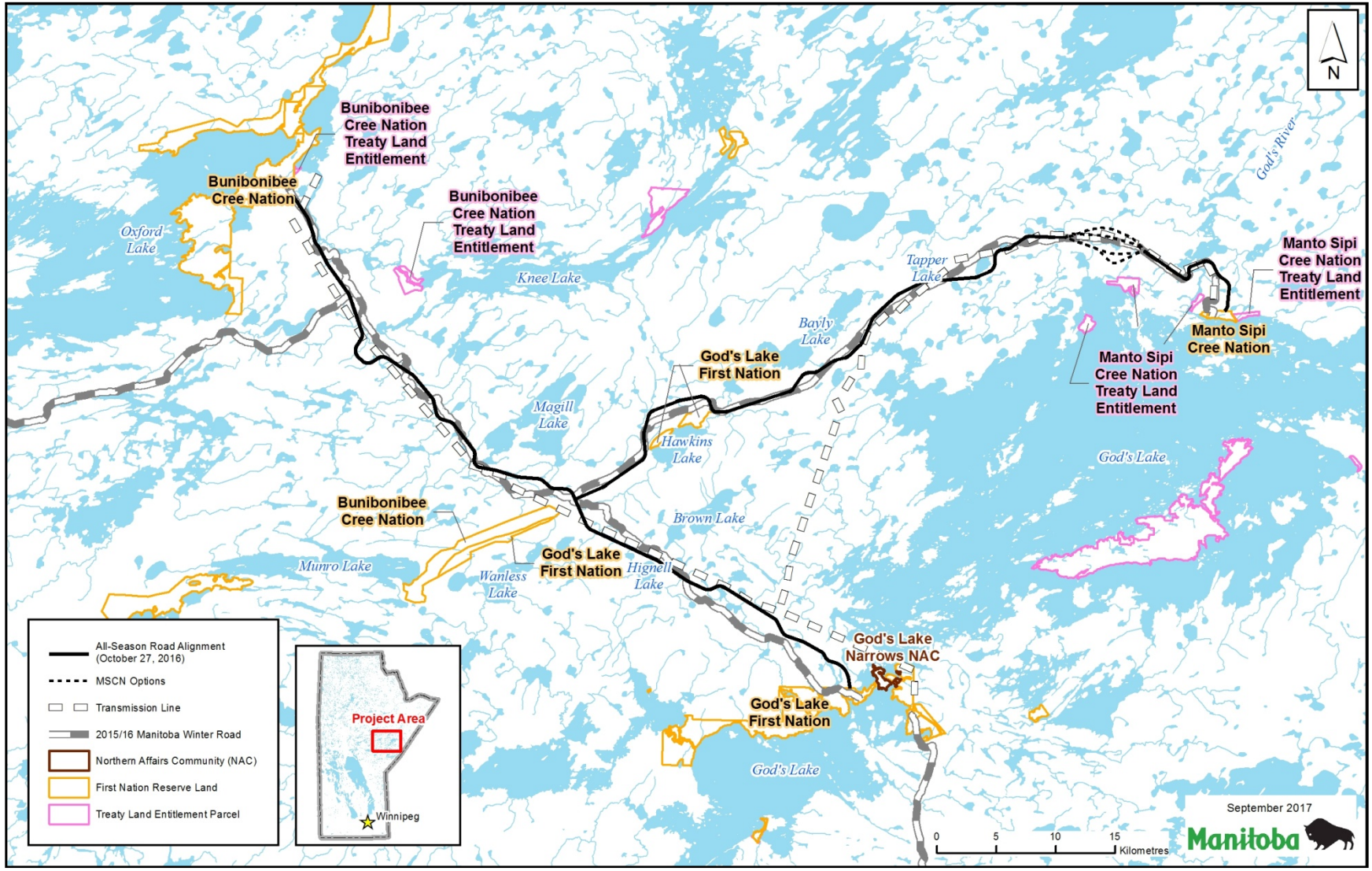

Figure 1-1: Proposed Project all-season road alignment

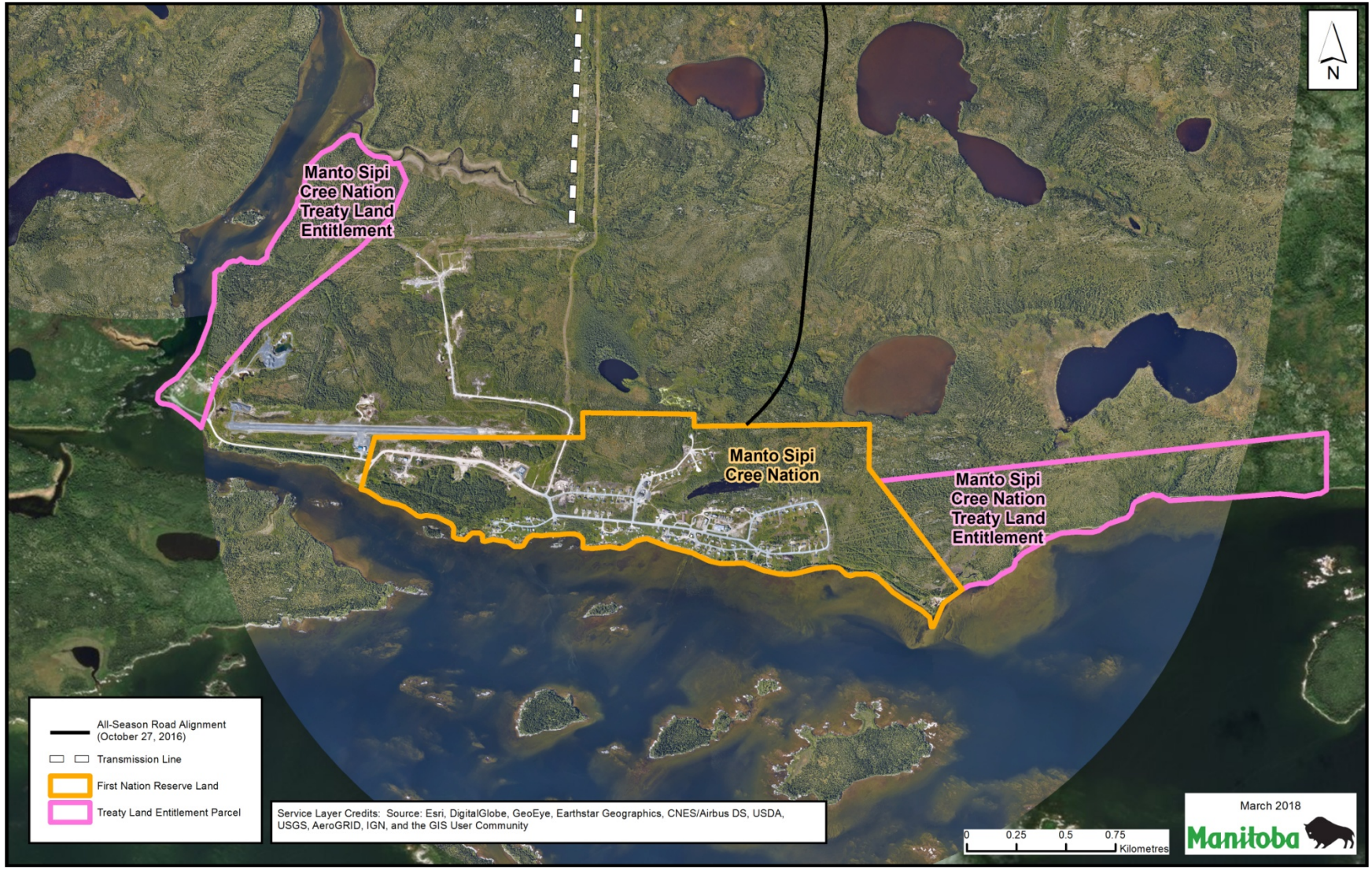

Figure 1-2: East terminus of the proposed Project alignment near Manto Sipi Cree Nation

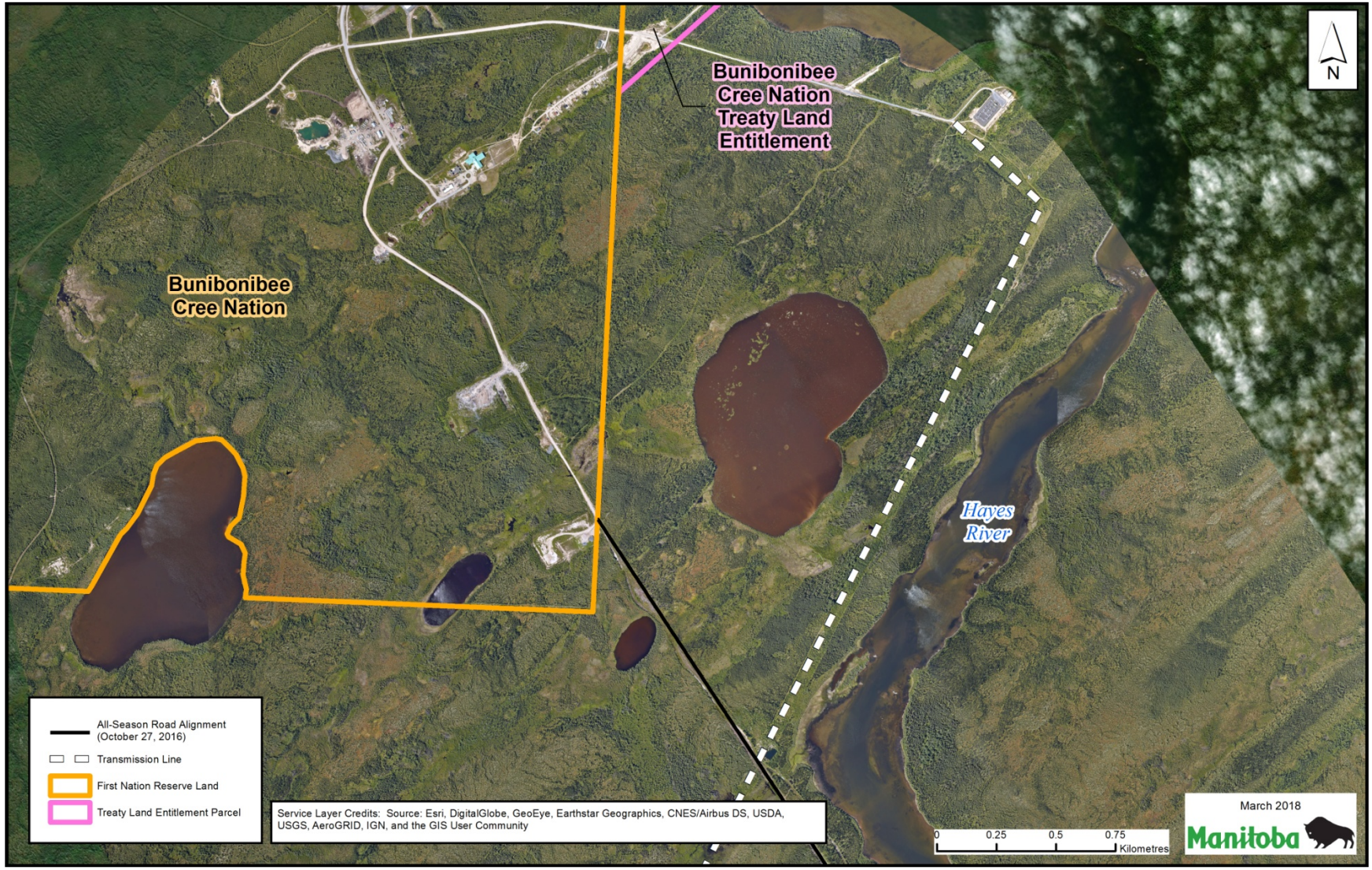

Figure 1-3: Northwest terminus of the proposed Project alignment near Bunibonibee Cree Nation

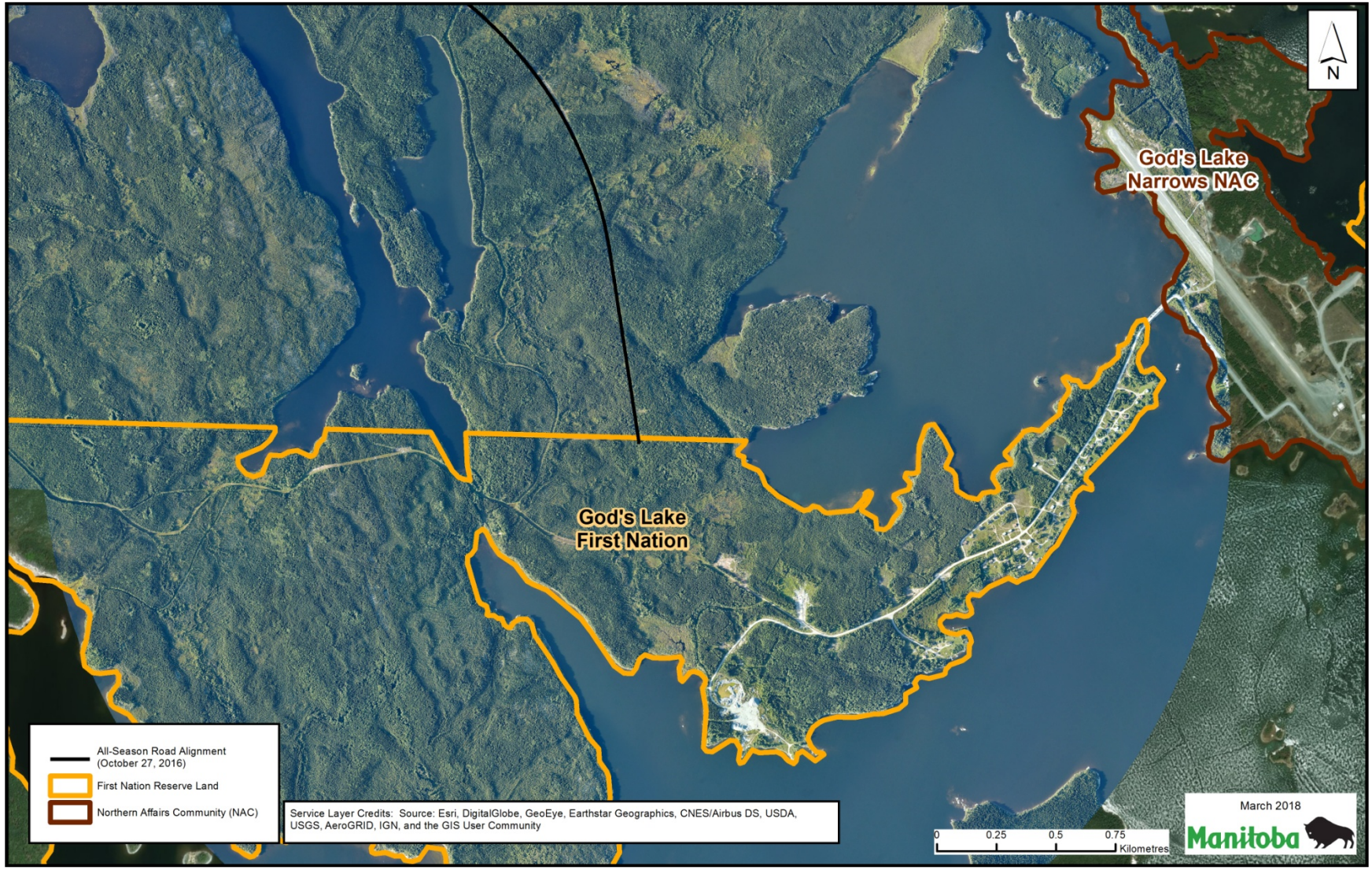

Figure 1-4: South terminus of the proposed Project alignment near God's Lake First Nation

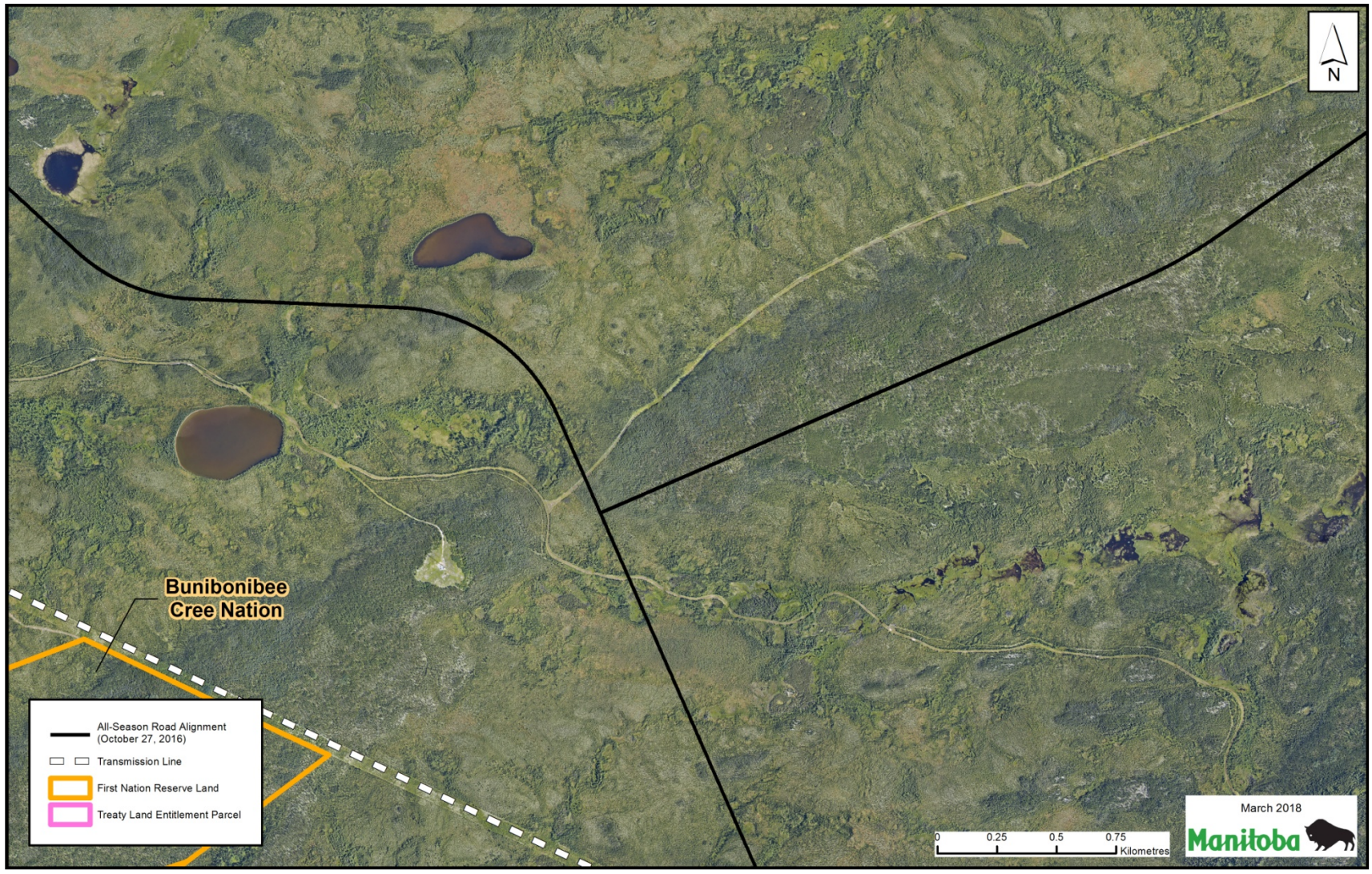

Figure 1-5: Intersection of the proposed Project alignment between Manto Sipi Cree Nation, Bunibonibee Cree Nation and God's Lake First Nation

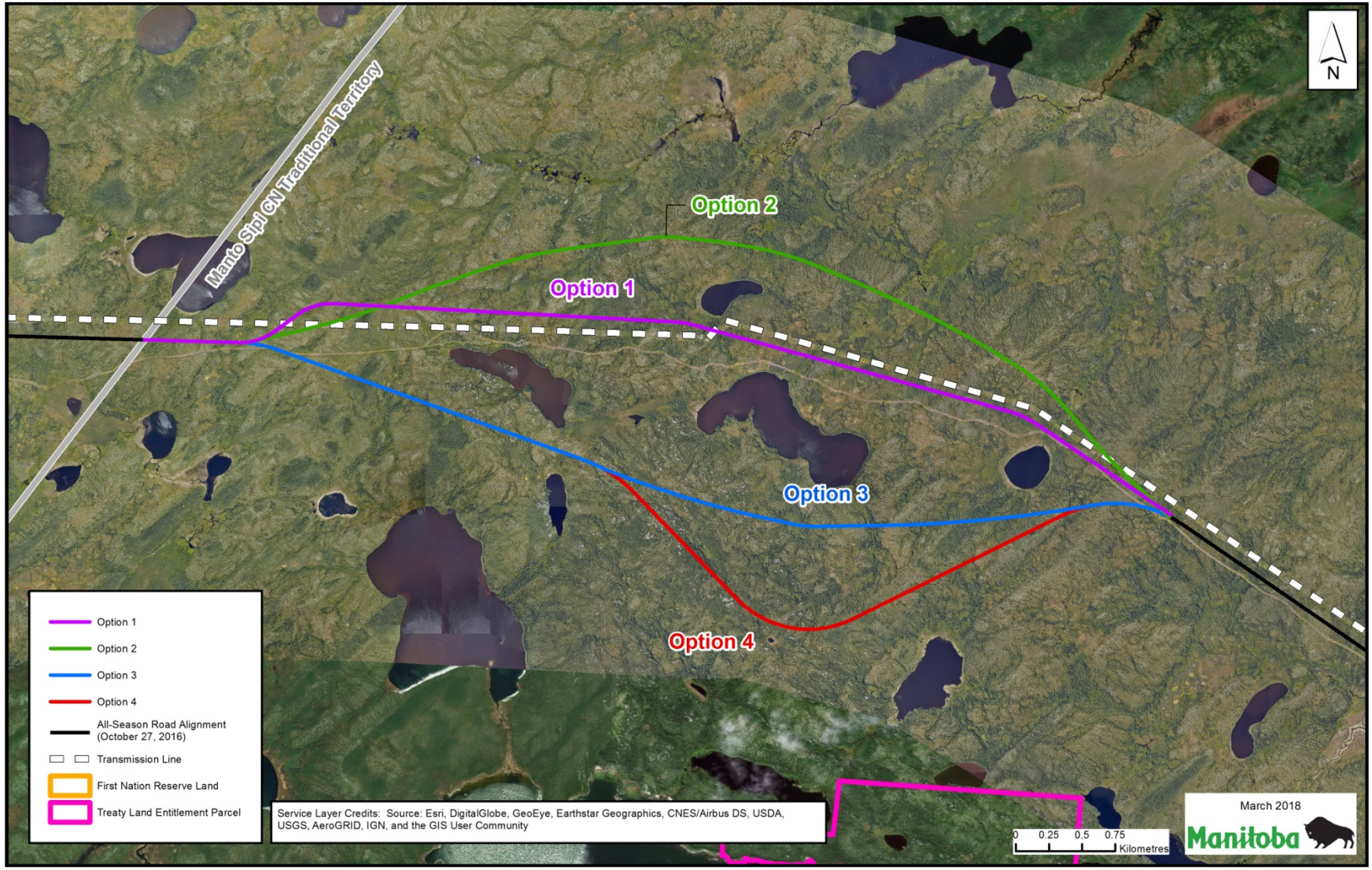

Figure 1-6: Alignment options for proposed all-season road segment near Manto Sipi Cree Nation

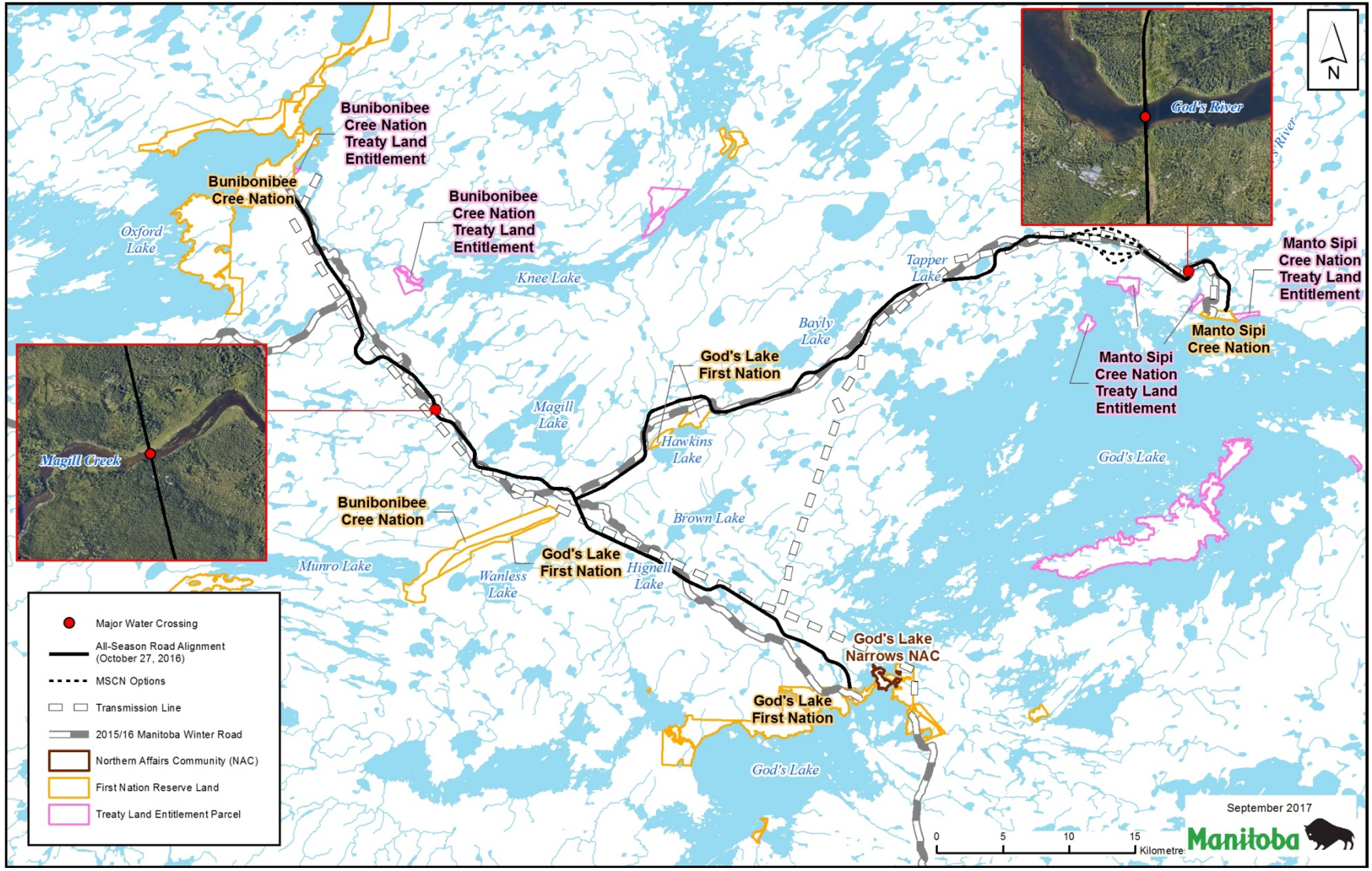

Figure 1-7: Proposed major water crossings (bridges) along the Project alignment

For the purpose of assessing the geographic extent of potential Project-related effects that are expected to occur, the following spatial boundaries have been defined.

- **Project Footprint** – The physical space or directly affected area within which Project components and activities are located and the immediately adjacent area, which is the defined limits of the all-season road ROW (ex: 100 m). Permanent and temporary facilities (ex: temporary access routes, as well as construction camps, borrow pits and quarries, where possible) within which effects are likely to be measurable are also included.
- **Local Assessment Area (LAA)** – Area within which Project effects are measurable and extending beyond the Project Footprint (either a 2 km or 10 km corridor centred on the all-season road alignment depending on the Valued Component (VC) (**Figure 1-8**).
- **Regional Assessment Area (RAA)** – Area beyond the LAA within which most potential indirect and cumulative environmental effects are expected to occur (**Figure 1-9**).

1.2.1 Project Components

The proposed Project will be built on provincial Crown land and has eight main components including:

- all-season road (141 km) on new ROW
- up to two steel girder or concrete bridges at two major water crossings
- culverts for stream crossings or drainage equalization
- temporary construction bridges
- temporary construction access trails
- rock quarries and granular borrow areas
- temporary construction laydown areas
- temporary construction camps

The existing winter road network will support the proposed Project by providing access for some of the construction equipment and materials that will be required for construction.

1.2.2 Project Phases and Scheduling

The proposed Project will be carried out in four main stages including:

- planning and design
- pre-construction
- construction
- operation and maintenance

The alignment will be divided into segments and undertaken sequentially so that completion of the construction phase at one segment will initiate the pre-construction of the adjacent segment. Pre-construction (detailed design) is anticipated to begin in 2020 and construction will follow commencing from Bunibonibee Cree Nation and extending eastward. The Project will provide all-season access among the communities approximately eight years after construction begins.

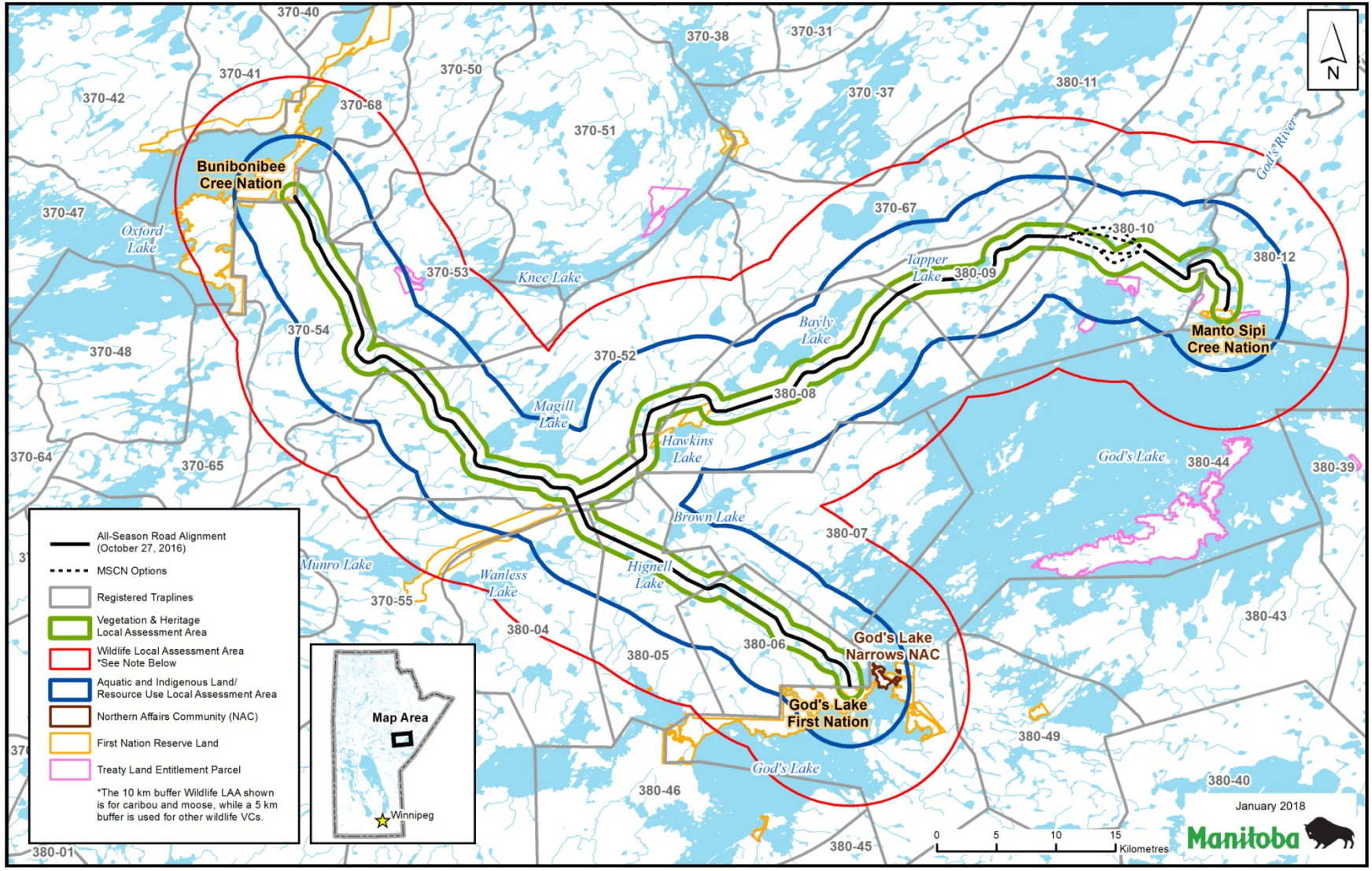

Figure 1-8: Local Assessment Areas for the proposed Project showing Registered Traplines

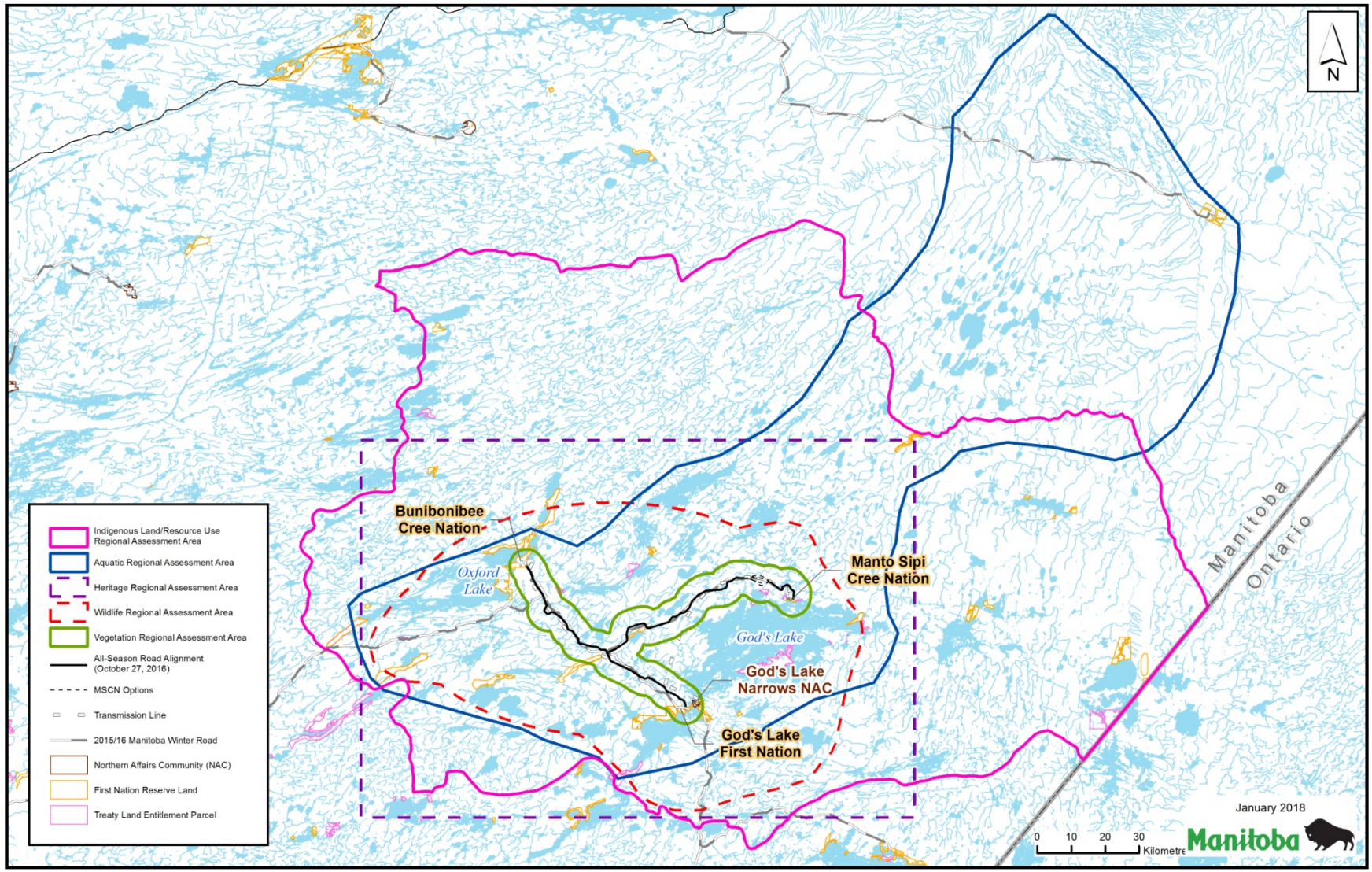

Figure 1-9: Regional Assessment Areas for the proposed Project

In general, road building construction is not seasonally constrained, but may be scheduled around conditions that provide for better access. Timing constraints will be placed on select aspects of the Project to protect environmental or infrastructure components. These will be identified as mitigation measures in the EIS and/or stipulated in associated authorizations or approvals.

There are no plans to decommission or abandon the proposed Project, as it will provide all-season access among Manto Sipi Cree Nation, Bunibonibee Cree Nation and God's Lake First Nation for the foreseeable future.

1.2.3 The East Side Transportation Initiative

The ESTI is a provincial initiative with a mandate to provide improved, safe and more reliable year-round transportation service for the remote and isolated communities on the east side of Lake Winnipeg. Currently, transportation within the region is severely limited and community members are dependent on air and winter road service. These forms of transportation have high operational costs or are available on a very limited basis, thereby resulting in increased costs for goods and services.

The ESTI evolved from the Government of Manitoba's commitment to support sustainable development through the creation of broad area plans for large areas of the province (Government of Manitoba 1999). In August 2000, broad area planning was initiated on the east side of Lake Winnipeg with supporting studies including an assessment of the scope, justification and planning of an all-season road network (Dillon Consulting Limited and H.N. Westdal & Associates 2000; Dillon Consulting Limited and N.D. Lea 2001). The rationale for moving forward with the all-season road projects on the east side of Lake Winnipeg was provided in the 2011 East Side Lake Winnipeg Large Area Transportation Network Study and is discussed below (SNC-Lavalin *et al*. 2011a) **(Figure 1-10)**.

The intent of Manitoba's East Side Transportation Initiative is to increase transportation opportunities for communities on the east side of Lake Winnipeg.

A key focus of the ESTI is to provide opportunities for east side residents to participate in and receive economic benefits from the construction and operation of the all-season road network. Construction of the proposed Project is expected to generate beneficial economic effects for Manto Sipi Cree Nation, Bunibonibee Cree Nation and God's Lake First Nation. Anticipated benefits of the proposed Project include reduction of transportation costs for goods and services, enhanced access to emergency, health and social services, improved linkages among the communities, construction employment and enhanced economic opportunities for the three communities.

Commercial airline and air charter companies, regional hauling companies and local and regional suppliers of construction materials and supplies, goods and services and other provisions are expected to benefit from construction of the proposed Project. During operation of the proposed road, the local economy will benefit from road maintenance facilities and activities for the foreseeable future.

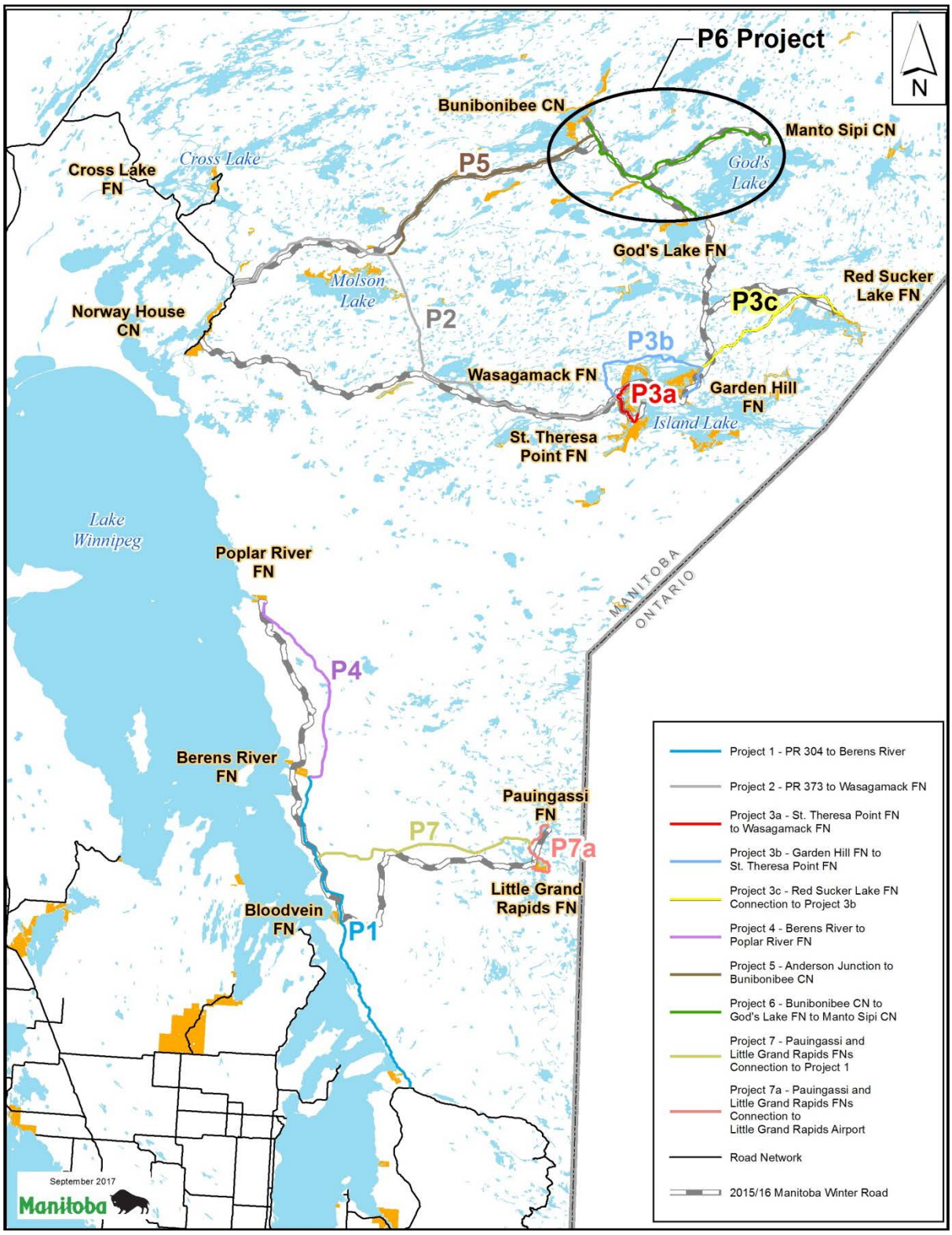

Figure 1-10: Regional transportation network of planned all-season roads on the east side of Lake Winnipeg in the Large Area Transportation Network Study.

Goods and services costs are expected to decrease with the reduction in transportation costs. Other local businesses expected to benefit directly or indirectly from the proposed road include vehicle sales and services, overnight accommodations, restaurants, recreational equipment suppliers and guiding services.

1.3 Project Location

The proposed Project will link Manto Sipi Cree Nation, Bunibonibee Cree Nation and God's Lake First Nation, which are located in northeast Manitoba. The three communities are located between 550 and 590 km north of the City of Winnipeg by air. The Project alignment, at the closest point, is approximately 100 km northwest of the border between Manitoba and Ontario and approximately 575 km north of the border between Canada and the United States.

As indicated in **Section 1.2**, the proposed Project alignment consists of a total 141 km of all-season road on a new ROW on provincial Crown land **(Figure 1-1)**. There are three road sections that will begin at the Reserve boundaries and generally head west and southwest 71.9 km from Manto Sipi Cree Nation, southeast 36.5 km from Bunibonibee Cree Nation and northwest 29.9 km from God's Lake First Nation where the three sections intersect. The proposed all-season road will connect to existing (Bunibonibee Cree nation) or future (Manto Sipi Cree Nation, 210 m; God's Lake First Nation, 685 m) on-Reserve access roads at the reserve boundaries.

The geographic setting in which the proposed Project will take place is described in the following sub-sections, which focus on those aspects of the proposed Project and setting that are important to understand the potential environmental effects.

1.3.1 Coordinates

The coordinates for the proposed Project are as follows:

- Manto Sipi Cree Nation:

  East terminus (from Manto Sipi Cree Nation Reserve boundary):
  Latitude: 54° 50' 24.7" N
  Longitude: 94° 02' 53.1" W

- Bunibonibee Cree Nation:

  Northwest terminus (from Bunibonibee Cree Nation Reserve boundary):
  Latitude: 54° 54' 36.6" N
  Longitude: 95° 16' 14.6" W

- God's Lake First Nation:

  South terminus (from God's Lake First Nation Reserve boundary):

Latitude: 54° 33' 03.5" N
Longitude: 94° 31' 38.5" W

- Intersection of Project alignment sections from Manto Sipi Cree Nation, Bunibonibee Cree Nation and God's Lake First Nation:

  Latitude: 54° 41' 17.2" N
  Longitude: 94° 53' 27.2" W

1.3.2 Current Land Use

The township and ranges partially traversed by the proposed Project alignment are located east of the first principal meridian and are as follows:

- Manto Sipi Cree Nation all-season road section; 66-17, 66-18, 66-19, 67-18, 67-19, 67-20, 67-23, 68-20, 68-21, 68-22 and 68-23
- Bunibonibee Cree Nation all-season road section; 66-16, 66-17, 67-15, 67-16 and 68-15
- God's Lake First Nation all-season road section; 64-19, 64-20, 65-18, 65-19, 66-17 and 66-18

The proposed Project is located predominately within the God's Lake Ecodistrict (#365), within the Hayes River Upland Ecoregion of the Boreal Shield Ecozone, although a portion of the alignment to Manto Sipi Cree Nation, east of Tapper Lake, falls within the Knee Lake Ecodistrict (#360; Smith *et al*. 1998) **(Figure 1-11)**.

The God's Lake Ecodistrict has well to imperfectly drained, mineral soils comprising eluviated eutric brunisols and grey luvisols, which can be found on upland clayey glaciolacustrine deposits **(Figure 1-12)**. Peat-filled depressions form poorly drained bogs and fens. Soils within bogs consist of deep slightly decomposed sphagnum and feather moss peat (fibrosols), moderately decomposed moss and forest peat (mesisols) and areas of permafrost (organic cryosols). Deeper layers of peat are generally more decomposed than those closer to the surface. Clayey subsoils are found beneath most organic soils (Smith *et al*. 1998).

Land use in the area of the proposed Project consists mainly of traditional activities (ex: hunting, trapping, fishing, camping, recreation activities, sacred/ceremonial use, food and medicine gathering) by Manto Sipi Cree Nation, Bunibonibee Cree Nation, God's Lake First Nation and God's Lake Narrows Northern Affairs Community.

There are few important industrial or commercial uses of the land along the proposed all-season road alignment or in the traditional land use areas in the vicinity of the alignment. While there are no mineral leases, patent mining claims, potash withdrawals, private quarry permits or quarry and surface leases, there are various mines, mining claims, quarry withdrawals and casual quarry permits (annually-issued) within the RAA. There are 12 mine sites within the RAA with the closest approximately 18.3 km from the

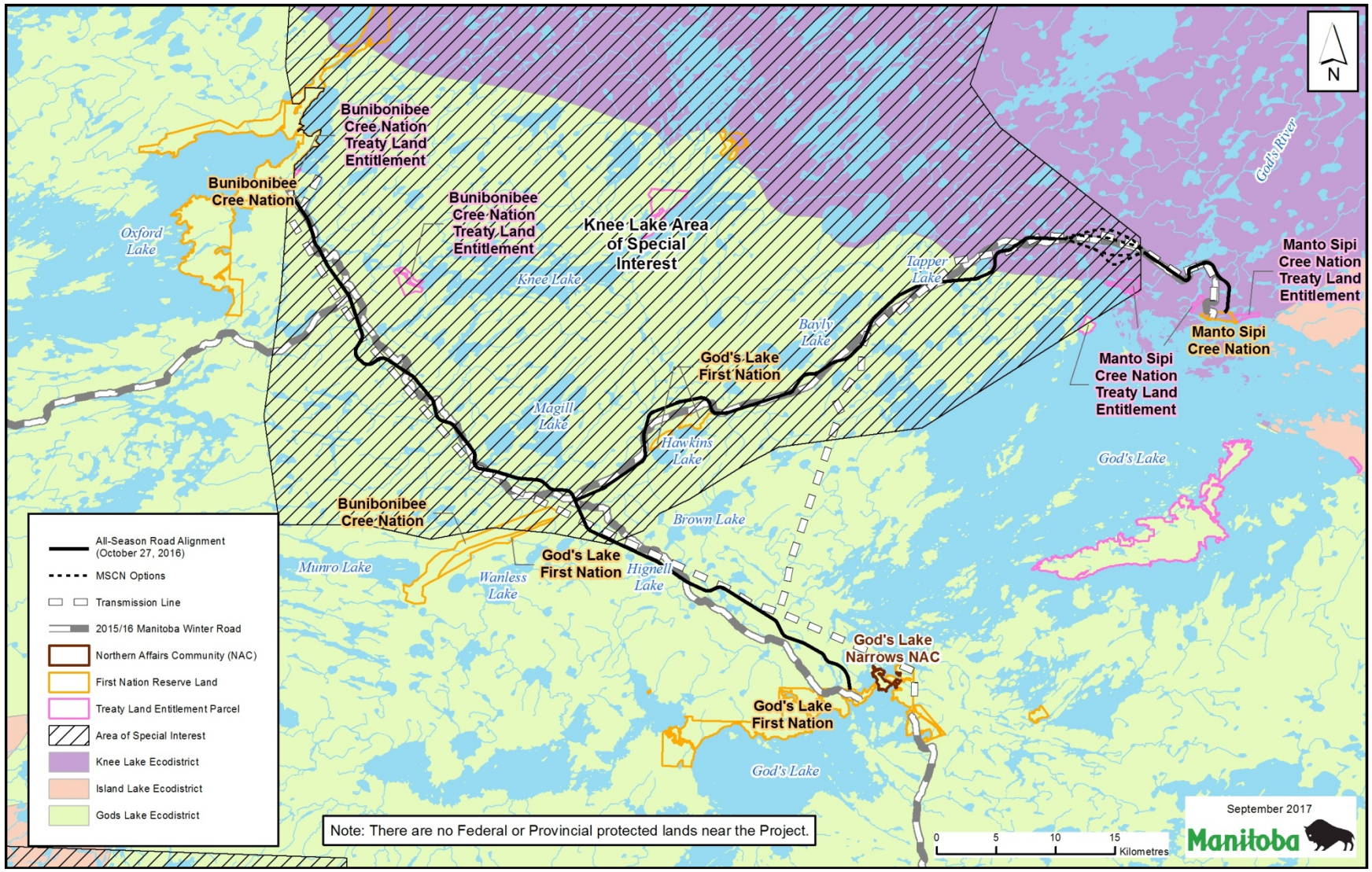

Figure 1-11: Ecodistricts and Areas of Special Interest in the vicinity of the proposed Project

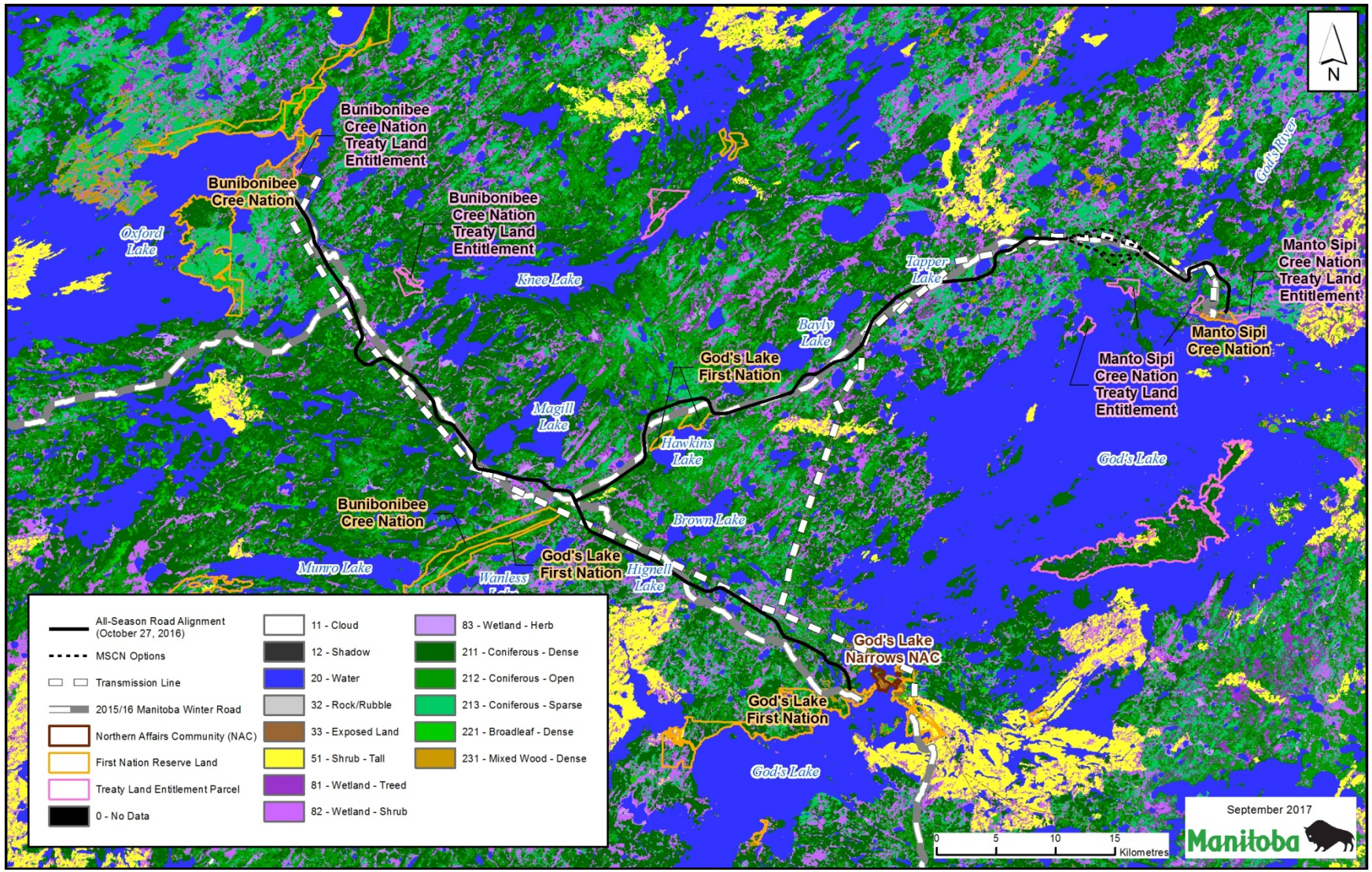

Figure 1-12: Land cover in the vicinity of the proposed Project

all-season road alignment (outside of the LAA). There are also four and 270 mining claims within the LAA and RAA, respectively, with the closest approximately 1 km from the alignment. There are eight quarry withdrawals and eight active casual quarry permits within the LAA with a total of 12 of each within the RAA. Four of the quarry withdrawals (two held by MI and two held by Northern Affairs) and five expired casual quarry permits overlap the all-season road alignment. Economic activity includes fishing, trapping and licensed hunting, the latter including caribou, moose, black bear and game birds. Trapping of furbearers is administered by MSD through the Registered Trapline (RTL) system. There are two RTL Sections (Oxford House and Gods Lake) in the LAA and 10 RTLs intersect the proposed all-season road alignment (**Figure 1-8**).

Access to the area is presently restricted to local travel on foot, by boat and snow machine or by air. The communities are currently serviced by winter roads extending from Provincial Trunk Highway 6 and Provincial Road 373, the former which provides all-weather access to the cities of Thompson and Winnipeg. The three First Nation communities each have regional airports. Power to the communities is provided by a 138-kilovolt transmission line. Once completed, the proposed Project will replace the existing winter road segment linking the communities. The winter road will be decommissioned once the proposed Project is completed. Apart from the winter roads and transmission lines, land in the LAA is mostly undeveloped. The God's Lake Gold Mine, which is located on the north shore of Elk Island, operated from 1935 to 1943.

There are no known residences or cabins in immediate proximity to the Project. There are no privately owned lands in proximity to the proposed Project. The nearest residences to the alignment are approximately 250 metres (m) in Manto Sipi Cree Nation, 1.5 km in Bunibonibee Cree Nation and God's Lake First Nation and 3 km in God's Lake Narrows Northern Affairs Community. Based on a mapping exercise done as part of the Traditional Knowledge (TK) studies, the nearest cabin is approximately 400 m from the proposed all-season road alignment (HTFC Planning & Design 2017a). All land is owned by the provincial Crown. **Section 1.4.4** outlines relevant land use and community plans in the region.

1.3.3 Proximity to Federal Lands

No federal land will be used for the purpose of carrying out the designated Project, including no granting of interest in federal land through easement, ROW or transfer of ownership. Other than the Reserve lands for the three First Nations to which the project will abut, there are no federal lands in the Project area **(Figure 1-1)**.

1.3.4 Environmental Significance of the Area

There are no National Historic Sites, National Parks or other federally protected lands in the vicinity of the proposed Project **(Figure 1-11)**. The Hayes River, which crosses through the area, was designated as a Heritage River under the Canadian Heritage Rivers System in 2006. The proposed Project does not cross the Hayes River. There are no designated protected areas or other lands protected under the Manitoba

Protected Areas Initiative (PAI) in the region. The Knee Lake Area of Special Interest (ASI), which is not yet protected under the PAI, is in the LAA and surrounding region.

1.3.5 Proximity to Environmentally Sensitive Areas

As indicated in **Section 1.3.4**, there are no National Historic Sites, National Parks or other federally protected areas in the vicinity of the proposed Project. There are no designated areas of lands protected under the Manitoba PAI in the region. The Knee Lake ASI contains the entire all-season road segment from Bunibonibee Cree Nation, most of the segment from Manto Sipi Cree Nation and a small portion of the segment from God's Lake First Nation (**Figure 1-11**).

Twelve heritage sites were found in the LAA during the Heritage Resource Impact Assessment for the Project. Eight sites are not likely to be affected by the proposed Project. The four remaining sites are within the Project Footprint (the 100 m ROW for the all-season road). Of the four sites, two are crossing historic portages – one connecting God's Lake to Bayly Lake and one a historic portage/trail connecting two segments of God's River in order to bypass God's River Rapids. Two additional sites were identified – one a pre-contact quartz quarry site and the other a pre-contact lithic scatter.

In addition, sensitive sites (ex: spawning areas, medicinal plant harvesting areas, cultural sites) were identified by the communities through TK studies. Selection of the all-season road alignment took into account the presence of identified sensitive sites, where possible. Mitigation measures will be used where sensitive sites identified by the communities cannot be avoided (**Chapter 6, Section 6.4.9**).

The proposed Project will cross 25 streams that were identified as having habitat to support fish. Seven of these were designated as 'important' fish habitat supporting a range of life requisites for both large (ex: northern pike, walleye, sucker and trout) and small-bodied fish species (ex: forage fish). The remaining eighteen sites were assessed as 'marginal' fish habitat consisting of typically small boreal streams with limited flow and depth with soft substrates, habitat suited to small-bodied fish adapted to low oxygen environments (ex: brook stickleback and northern pearl dace) (**Chapter 6, Section 6.1.6**). The Southern Hudson Bay-James Bay population of lake sturgeon is designated as Special Concern by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) (COSEWIC 2006a) and is currently under consideration for protection under the *Species at Risk Act* (SARA). Lake sturgeon has been documented in God's River, God's Lake and Hayes River (North/South Consultants Inc. 2017a) (**Chapter 6, Section 6.1.8.2**).

The proposed Project will also traverse vegetation communities and wildlife habitats (ex: moose). Within these areas, five birds and two mammals federally protected under SARA are known to occur (**Chapter 6, Section 6.1.8**). The bank swallow (*Riparia riparia*), barn swallow (*Hirundo rustica*), Canada warbler (*Cardellina canadensis*), common nighthawk (*Chordeiles minor*) and olive-sided flycatcher (*Contopus cooperi*) may be found within the LAA and are all listed as Threatened under SARA, with the last three also listed as Threatened under *The Endangered Species and Ecosystem Act* (ESEA) of Manitoba. Boreal

woodland caribou are listed as Threatened and wolverine are listed as a Species of Special Concern under SARA. Caribou groups inhabit the LAA; however, MSD has collected data indicating that caribou found in the vicinity of the Project are part of the migratory Penn Island caribou and not the protected woodland caribou (**Chapter 6, Section 6.1.8**).

Protected vascular plant species listed by SARA and ESEA are not expected to occur as the LAA is beyond the geographic range of the listed species. Flooded jellyskin (*Leptogium rivulare*) lichen, listed by SARA and COSEWIC, does not occur in the ecoregion and was not found during the 2016 field studies (**Chapter 6, Section 6.1.4.1**). The local communities use a number of plants in the area. The proposed Project will result in removal of approximately 9.24 km^2 of vegetation (**Chapter 6, Section 6.2.5.1**).

1.3.6 Description of Local Communities

The communities of Manto Sipi Cree Nation, Bunibonibee Cree Nation, God's Lake First Nation and God's Lake Narrows Northern Affairs Community are situated at the east, north and south terminus of the proposed road alignment, respectively. A description of these communities if provided in **Chapter 6, Section 6.1.9**. The all-season road alignment begins at the Reserve boundaries of each of the three First Nations. No other Indigenous communities are located on or near the proposed alignment. There are no known residences or cabins in immediate proximity to the proposed all-season road. The nearest known residences are approximately 250 m from the all-season road in Manto Sipi Cree Nation and 1.5 km from the all-season road in both Bunibonibee Cree Nation and God's Lake First Nation.

1.3.7 Proximity to Indigenous Territories, Treaty Lands and Reserves

The proposed alignment for the all-season road passes through lands used for traditional purposes by Manto Sipi Cree Nation, Bunibonibee Cree Nation and God's Lake First Nation, all of which are Cree communities. The three First Nations were signatories to the Adhesion of Treaty 5 in 1909 which established rights to hunt and trap throughout the surrendered tract. These communities are located adjacent the LAA and exercise their treaty and Indigenous rights in the region. Indigenous residents of the God's Lake Narrows Northern Affairs Community also use the area for traditional purposes. The area in which the proposed Project is located is not anticipated to be used by other First Nations.

Reserve lands of the Manto Sipi Cree Nation, Bunibonibee Cree Nation and God's Lake First Nation are situated at the east, north and south terminus of the proposed road alignment, respectively. The three First Nations all have outstanding Treaty Land Entitlement (TLE)[1] and both Manto Sipi Cree Nation and Bunibonibee Cree Nation have TLE selections within the LAA. The closest of these selections, however, is

[1] Treaty Land Entitlement refers to land owed to certain First Nations under the Numbered Treaties in Manitoba signed by the First Nations and the British Crown between 1871 and 1910. Treaties 1 to 10 provided that the Crown would set aside a certain amount of land as reserve land based on the populations of the "Indian bands" at the time of the original surveys for reserve lands. Not all Indian bands received their land entitlement as promised in the Numbered Treaties and this is what is referred to as "Treaty Land Entitlement" (Treaty Land Entitlement Committee of Manitoba Inc. 2017).

approximately 660 m from the all-season road near the terminus at the Manto Sipi Cree Nation, while the rest are all over 1 km from the all-season road alignment (**Figure 1-1**).

Throughout the planning stages of the proposed Project, MI has been proactive in engaging and involving elders, students, elected officials and community members of Manto Sipi Cree Nation, Bunibonibee Cree Nation, God's Lake First Nation and God's Lake Narrows Northern Affairs Community. Support for the proposed Project by the First Nations has been demonstrated by signed community agreements. MI has also engaged with the Manitoba Metis Federation (MMF) during the Project planning and EA stages.

1.4 Regulatory Framework and the Role of Government

It is expected that this EIS will be jointly reviewed by both the federal and provincial governments.

1.4.1 Federal Regulatory Requirements

1.4.1.1 Canadian Environmental Assessment Act

The construction and operation of an all-season public highway that requires a total of 50 km or more of new ROW is considered a Designated Project pursuant to the *Regulation Designating Physical Activities* SOR/2012-147 under the *Canadian Environmental Assessment Act* (CEAA), 2012 (S.C. 2012, c. 19, s. 52). This Project, which includes the construction and operation of a 141 km long public all-season road along a new ROW is, therefore, considered a Designated Project under the Act.

Pursuant to Section 15(d) of the CEAA, 2012, the Agency is the authority responsible for federal review of this proposed Project. The Agency issued the Guidelines for the Preparation of an EIS for the proposed Project to MI on September 18, 2017.

An existing on-Reserve access road will connect to the proposed all-season road at the Bunibonibee Cree Nation boundary, whereas on-Reserve access roads will need to be constructed separately on Manto Sipi Cree Nation and God's Lake First Nation to connect to the all-season road that will terminate at the Reserve boundaries. The approval for these on-Reserve access roads will be subject to separate approvals by ISC under Section 67 of the CEAA, 2012. MI will also apply for any required construction permits under Section 28(2) of the *Indian Act* (R.S.C., 1985, c. I-5).

1.4.1.2 Other Federal Legislation

In addition to Project approval required under CEAA, 2012, other federal legislation potentially relevant to this proposed Project includes:

Federal Legislation	Rationale/Relevance
Canadian Environmental Protection Act, 1999 (S.C. 1999, c. 33)	▪ Emissions from Transportation will generated during construction of the project. ▪ Hazardous Waste will be generated during the construction of the project.

Federal Legislation	Rationale/Relevance
	▪ There is potential for an environmental Emergency to occur during the construction of the project.
Explosives Act (R.S.C., 1985, c. E-17)	▪ Project requires the use and storage of explosives. ▪ Manufacture and storage of explosives are regulated under the *Act* which is administered by Natural Resources Canada (NRCan). ▪ Magazine Storage Licence is required from the Explosives Regulatory Division of NRCan.
Fisheries Act (R.S.C., 1985, c. F-14)	▪ Project crosses waterways which support fish and fish habitat that are a part of a commercial, recreational, or Indigenous fishery. ▪ Crossings will be installed in accordance with the Fisheries and Oceans Canada's 'Measures to Avoid Serious Harm to Fish and Fish Habitat'.
Migratory Birds Convention Act, 1994 (S.C. 1994, c. 22)	▪ Migratory birds frequent the LAA and are protected.
Navigation Protection Act (R.S.C., 1985, c. N-22)	▪ Waterbodies to be crossed (God's Lake and Magill Creek) are "non-scheduled" watercourses. ▪ Under the 'opt-in' provision in Section 4 of the Act, MI may apply for the assessment and potential approval of proposed works.
Species at Risk Act (R.S.C., 1985, c. F-14)	▪ Species at Risk inhabit the LAA and are protected.
Transportation of Dangerous Goods Act (R.S.C., 1992, c 34)	▪ Project requires the transportation of dangerous goods (ex: explosives). ▪ Transportation of dangerous goods are regulated under the *Act*

1.4.1.3 Federal Guidance and Reference Documents Used in the Environmental Assessment

The Agency's Operational Policy Statements, technical guidance and reference documents under CEAA, 2012 also guided the EA for the proposed Project as did procedural guides (ex: Cumulative Effects Practitioners Guide, Determining Whether a Project is Likely to Cause Significant Adverse Effects) and *Species at Risk Act* Policies and Guidelines under the former CEAA. A complete listing is found in **Chapter 4, Section 4.2**.

1.4.2 Provincial Regulatory Requirements

1.4.2.1 The Environment Act

The proposed Project is a 'Class 2' development (ex: a two lane road at a new location with associated facilities and borrow pits) under the *Classes of Development Regulation* (164/88) of Manitoba's *The Environment Act* and therefore requires an *Environment Act* Licence. Under *The Environment Act*, the following regulations may be applicable to the Project:

- *Classes of Development Regulation* (164/88)
- *Licensing Procedures Regulation* (163/88)
- *Litter Regulation* (92/88 R)

- *Pesticides Regulation* (94/88 R)
- *Waste Disposal Grounds Regulation* (150/91)

1.4.2.2 Other Provincial Legislation

The construction and operation and maintenance of the proposed Project including its project components is subject to applicable provincial legislation, guidelines, codes and standards potentially including:

Provincial Legislation	Associated Regulations, Standards
The Contaminated Sites Remediation Act (C.C.S.M. c. C205)	*Contaminated Sites Remediation Regulation* (105/97)
The Crown Lands Act (C.C.S.M. c. C205)	*Crown Lands Fees Regulation* (130/91) *Vehicle Use on Crown Lands Resource Roads Regulation* (145/91)
The Dangerous Goods Handling and Transportation Act (C.C.S.M. c. D12)	*Dangerous Goods Handling and Transportation Regulation* (55/2003) *Environmental Accident Reporting Regulation* (439/87) *Generator Registration and Carrier Licencing Regulation* (175/87) *Storage and Handling of Petroleum Products and Allied Products Regulation* (188/2001)
The Drinking Water Safety Act (C.C.S. M c. D101)	*Drinking Water Quality Standards Regulation (41/07)* *Drinking Water Safety Regulation (40/07)*
The Endangered Species and Ecosystems Act (C.C.S.M. c. E111)	*Threatened, Endangered and Extirpated Species Regulation* (25/98)
The Forest Act (C.C.S.M. c. F150)	*Forest Use and Management Regulation* (227/88 R)
The Heritage Resources Act (C.C.S.M. c. H39.1)	*Heritage Objects Designation Regulation* (160/89) *Heritage Resources Forms Regulation* (99/86) *Heritage Sites Designation Regulation* (122/88 R)
The Highways and Transportation Act (C.C.S.M. c. H40)	*Construction and Surface Maintenance of Access Crossings to Departmental Roads Regulation* (412/88 R) *Declaration of Provincial Roads Regulation* (413/88 R)
The Mines and Minerals Act (C.C.S.M. c. M162)	*Drilling Regulation*, 1992 (63/92) *Quarry Minerals Regulation*, 1992 (65/92)
The Noxious Weeds Act (C.C.S.M. c. N110)	*Noxious Weeds Regulation* (35/96)
The Public Health Act (C.C.S.M. c. P210)	*Collection and Disposal of Wastes Regulation* (321/88 R) *Protection of Water Sources Regulation* (326/88 R) *Water Supplies Regulation* (330/88 R) *Water Works, Sewerage and Sewage Disposal Regulation* (331/88 R)
The Sustainable Development Act (C.C.S.M. c. S270)	*Sustainability Guidelines for Local Governments, School Divisions, Universities, Colleges and Regional Health Authorities Regulation* (35/96)

Provincial Legislation	Associated Regulations, Standards
The Water Protection Act (C.C.S.M. c. W65)	*Manitoba Water Quality Standards, Objectives and Guidelines Regulation* (196/2011) *Aquatic Invasive Species Regulation* (173/2015)
The Water Rights Act (C.C.S.M. c. W80)	*Water Rights Regulation* (126/87)
The Wildfires Act (C.C.S.M. c. W128)	*Burning Permit Areas Regulation* (242/97)
The Wildlife Act (C.C.S.M. c. W130)	*General Hunting Regulation* (351/87) *Hunting Areas and Zones Regulation* (220/86) *Trapping Areas and Zones Regulation* (149/2001) *Wildlife Protection Regulation* (85/2003)
The Workplace Safety and Health Act (C.C.S.M. c. W210)	*Workplace Safety and Health Regulation* (217/2006) *Operation of Mines Reg*ulation (212/2011)

Provincial work permits required under *The Crown Lands Act* for road construction and quarry and camp development on provincial Crown lands will be secured, where required, prior to construction of the proposed Project. Casual quarry permits required under Sub-section 133(1) of *The Mines and Minerals Act* will be acquired prior to quarry development. Burning Permits required under Section 19(1) of *The Wildfires Act* will be secured as needed. Permits for petroleum storage tanks over 5,000 litres (L) on Crown land are required under *The Dangerous Goods Handling and Transportation Act* (*Storage and Handling of Petroleum Products and Allied Products Regulation*) and will also be secured as needed. A water use license under *The Water Rights Act* is not expected to be required as water use (ex: dust control, use at concrete batch plants for bridge construction) is not expected to exceed the 25,000 L per day threshold. Water for use during construction activities will be sourced from appropriate surface water sources adjacent to the ROW and will be withdrawn in accordance with applicable regulatory guidelines and requirements.

The EA also considers the principles and guidelines of sustainable development related to the environment as outlined in Schedules A and B of *The Sustainable Development Act* (Manitoba).

1.4.3 Indigenous Governance

Manto Sipi Cree Nation elects its Chief and Council under the Custom Electoral System which can be either under the *Indian Act* election system, the *First Nations Elections Act*, a custom system or under the provision of a self-governing agreement. Bunibonibee Cree Nation and God's Lake First Nation elects their Chiefs and Council under the *Indian Act* election system[2]. All three communities are members of the Keewatin Tribal Council Inc. and are signatories to the Adhesion to Treaty 5 in 1909.

Wasagamack First Nation, Garden Hill First Nation, St Theresa Point First Nation, and Red Sucker Lake First Nation all elect their Chief and Council under the Custom Electoral System. The four communities are members of the Island Lake Tribal Council Inc. and are signatories to the Adhesion to Treaty 5 in 1909.

[2] ISC website, www.aandc-aandc.gc.ca. Accessed January 19, 2017.

Norway House Cree Nation, and the Cross lake Band of Indians (Pimicikamak Okimanwin) elect their Chief and Council under the Custom Electoral System[3]. They are not affiliated with a tribal council and are signatories to the Adhesion to Treaty 5 in 1908. Norway House Cree Nation and the Cross lake Band of Indians (Pimicikamak Okimanwin) are also signatories on the Northern Flood Agreement (1977) with the Governments of Manitoba and Canada, and Manitoba Hydro, as members of the Northern Flood Committee.

The Manitoba Metis Federation (MMF) is not a signatory of any treaty but has been representing the Metis people of Manitoba since its formation in 1967. The MMF elects it representatives through its own process as per the MMF constitution[4]. The land rights of the Métis people are recognised by section 31 of the Manitoba Act (1870) and in 2012 signed the Métis Harvesting Agreement with the Province of Manitoba.

1.4.4 Land Use and Community Plans and Zoning

The proposed Project will not be taking place in a region that has been subject to an environmental study under s. 74 of CEAA, 2012. The area has been subject to a number of regional planning initiatives that have included environmental considerations. These planning initiatives and their relation to the proposed Project are summarized below. Land use plans have not been developed by any of the three local First Nations. In 2000, Manitoba launched the East Side Planning Initiative (ESPI) to bring together local communities, First Nations, industry and environmental organizations to develop a vision for land and resource use on the east side of Lake Winnipeg. It was expected that this process would result in an overall blueprint for the area to address the boreal forest, protected areas, traditional activities, transportation needs and economic development.

In 2004, a status report entitled “Promises to Keep” was submitted to government and included recommendations for boreal protection and community development (East Side Planning Initiative 2004). In 2005, the name of ESPI was changed to Wabanong Nakaygum Okimawin (WNO) to reflect First Nations people, who make up about 96% of the population in the area.

In 2007, Manitoba signed an accord with WNO First Nations, reinforcing a foundation for comprehensive traditional area land use planning and ultimately, a broad area plan for the east side of Lake Winnipeg. Under the WNO Accord, individual First Nations are to develop traditional land use plans.

The East Side Large Area Transportation Network Study, which followed in 2009, identified potential transportation infrastructure improvements that would provide year-round access to the communities on the east side of Lake Winnipeg (SNC-Lavalin *et al.* 2011a). The final report of that study was completed in 2011 and recommended an all-season road network for the region. Various route options for an all-season road linking Manto Sipi Cree Nation, Bunibonibee Cree Nation and God’s Lake First Nation were

[3] 3 ISC website, www.aandc-aandc.gc.ca. Accessed October 2. 2018.
[4] MMF website, www.mmf.mb.ca. Accessed October 2. 2018.

considered. The alignment that generally follows the existing winter road alignment was selected as the preferred routing corridor, taking into consideration technical and environmental constraints, community preferences such as avoiding sensitive areas and locating the all-season road on terrain suitable for all-season roads.

1.5 Environmental Assessment Overview

As described above in **Section 1.4**, the proposed Project requires approval under the federal CEAA, 2012 and *The Environment Act* of Manitoba. An illustration of the general approach used to complete the EA for the proposed Project is shown in **Figure 1-13**. The approach follows the general principles and specific guidance of EA, as well as federal and provincial regulators, respectively. The EA was conducted according to the guiding principles of the Agency's Guidelines for the Preparation of an Environmental Impact Statement (September 18, 2017) for the proposed Project. The guiding principles for the Project and the EA are EA is a planning tool, opportunities for meaningful public participation must be provided and communication and cooperation with Indigenous peoples be promoted. In addition, the guiding principles require application of the precautionary approach to avoid significant adverse effects.

The purpose of the EIS is to facilitate the required regulatory approvals to construct and maintain the proposed Project. To satisfy regulatory requirements, the EIS identifies the justification for the proposed Project and alternatives considered, a description of the proposed Project and approach to the EA for the Project. In addition, it summarizes the Indigenous and Public Engagement Program (IPEP) implemented, the project setting (physical, biophysical [including Species at Risk], Indigenous Peoples, human environment). The EIS also identifies, assesses and mitigates potential adverse environmental effects and evaluates the significance of any residual environmental effects. Effects of accidents and malfunctions, effects of the environment on the Project and cumulative environmental effects are provided. The EIS also outlines measures for environmental protection and MI's commitment to Sustainable Development, as well as follow-up programs (including monitoring) which will be implemented for the proposed Project.

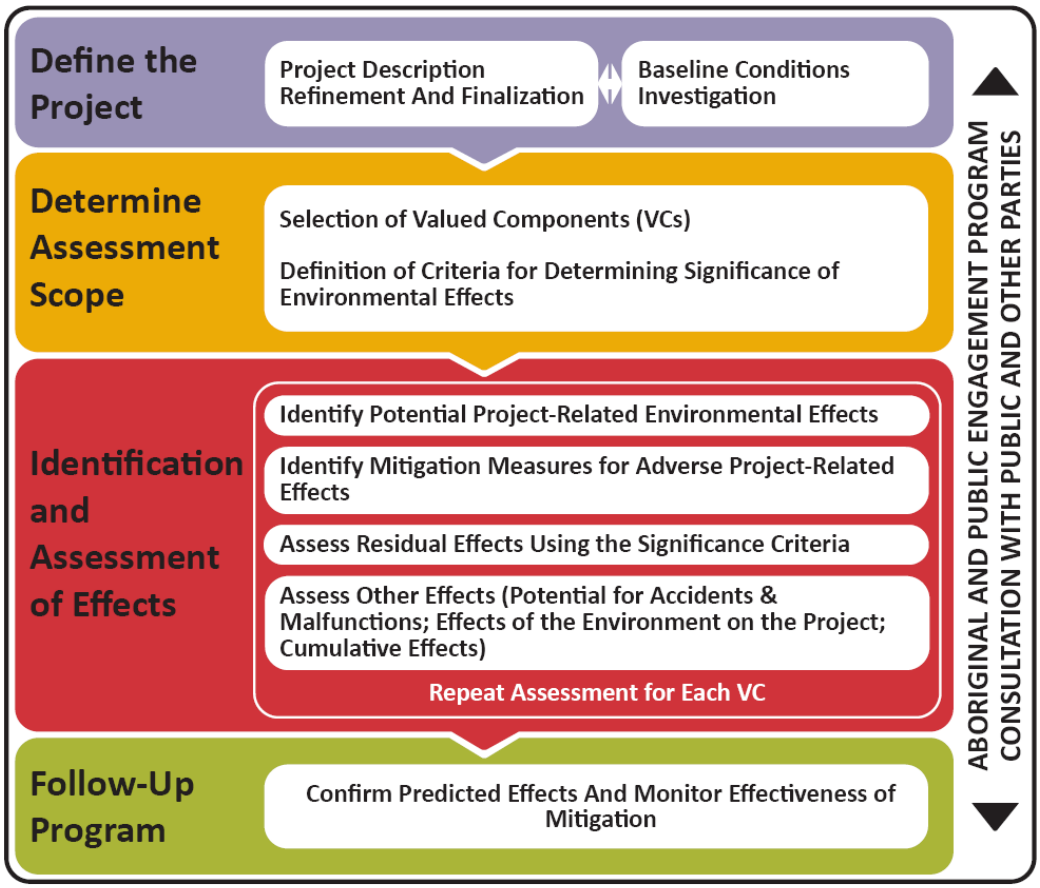

Figure 1-13: Summary of Environmental Assessment Approach

1.6 Report Organization

This document is the EIS for the proposed Project 6 – All-Season Road Linking Manto Sipi Cree Nation, Bunibonibee Cree Nation and God's Lake First Nation. The EIS was submitted to federal and provincial authorities in both paper copy and digital formats. The report is organized into sections described as follows.

- **Table of Contents** with a complete listing of chapters, sections of chapters and lists of Figures, Tables, Photographs, Maps and Appendices.
- **Glossary** of terms used in the EIS including lists of acronyms, units and abbreviations.
- **Chapter 1: Introduction and Overview** provides background information about the proponent, an overview of the proposed Project and its location, a description of the regulatory framework under which the Project will be reviewed, an overview of the EIA and the organization of the EIS.
- **Chapter 2: Project Justification and Alternatives Considered** describes the need for and purpose of the proposed Project, as well as alternative means of carrying out the proposed Project.
- **Chapter 3: Project Description** describes the scope of the proposed Project, phases of the Project, Project components and activities, as well as the Project schedule and funding.

- **Chapter 4: Environmental Assessment Approach** presents an overview of the approach, the scope of the EA, sources of information used to identify potential changes to the environment and on identified VCs, applying/identifying mitigation measures to offset adverse environmental effects and determining any residual environmental effects and their significance.
- **Chapter 5: Indigenous and Public Engagement** details community meetings, workshops, open houses and discussions with regulators and other stakeholders. A supplemental document, **Annex A**, is provided in the EIS which presents information distributed as part of the IPEP for the Project.
- **Chapter 6: Effects Assessment** provides a description of the Project setting and baseline conditions of the physical, terrestrial, aquatic, Species at Risk, Indigenous Peoples and human environment. The Chapter describes predicted changes resulting from each phase of the proposed Project, in terms of geographic extent, duration and frequency and reversibility, mitigation measures proposed/to be applied and anticipated potential adverse effects remaining, if any, as well as their significance. Other effects such as the effects of potential accidents and malfunctions, effects of the environment on the Project and the Cumulative Effects Assessment are also provided.
- **Chapter 7: Summary of Environmental Effects Assessment** provides a summary of the EIS and a statement of key conclusions.
- **Chapter 8: Environmental Protection and Sustainable Development** summarizes MI's corporate policies and programs, applicable environmental best practices and appropriate mitigation measures to be implemented during construction, operation and maintenance of the proposed Project, as well as MI's commitment to Sustainable Development.
- **Chapter 9: Follow-up and Monitoring Program** describes the program designed to verify the accuracy of the effects assessment and to determine the effectiveness of recommended measures to mitigate potential adverse effects of the Project.
- **Chapter 10: References** presents literature sources and personal communications cited and contacts made during the development of the EIS.