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June 30, 2021

**ELECTRONIC MAIL**

Clinton Molde  
Executive Director Irrigation Development  
Saskatchewan Water Security Agency  
Clinton.Molde@wsask.ca

Dear Clinton Molde:

On June 18, 2021, the Minister of Environment and Climate Change (the Minister) received request to designate the proposed Lake Diefenbaker Irrigation Expansion Projects (the Project) under subsection 9(1) of the *Impact Assessment Act* (IAA). The letter requesting designation and a description of the Project will be posted to the Canadian Impact Assessment Registry internet site, publicly available at <https://iaac-aeic.gc.ca/050/evaluations>.

Under subsection 9(1) of IAA the Minister may, by order, designate a physical activity that is not prescribed in the *Physical Activities Regulations*. The Minister may do this if, in the Minister's opinion, the physical activity may cause adverse effects within federal jurisdiction or adverse direct or incidental effects (resulting from federal decisions), or public concerns related to those effects warrant the designation. In accordance with subsection 9(4) of IAA, it is expected that the Minister will respond, with reasons, to the request by September 16, 2021.

Based on the information available to the Agency, Phases 1 and 2 as proposed do not appear to be described in the *Physical Activities Regulations*. As such, and unless limitations of the authority are found to have been met, the physical activities of both Phases 1 and 2 will be considered for designation at this time.

Phase 3 is in its conceptual phase. Based on preliminary information available to the Agency, it is likely a designated Project as described in the *Physical Activities Regulations*. The Agency will review further information as it is available and make a determination on the applicability of the IAA. The impact assessment process under IAA only applies to designated projects.

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The Impact Assessment Agency of Canada (the Agency) will review information about the Project; any concerns expressed from the public and Indigenous groups; expert advice from federal authorities; and input from provincial ministries in order to inform the Minister on whether to designate the Project. If designated, to proceed with the Project, the Saskatchewan Water Security Agency would be required to submit an Initial Project Description to the Agency, thereby commencing the planning phase of IAA. In that case, the planning phase would include the Agency determining whether a federal impact assessment is required.

Additional information regarding the process for designation requests can be found at the following link: <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/designating-project-impact-assessment-act.html>.

In accordance with subsection 9(3) of IAA, and to inform its advice to the Minister, the Agency is requesting that you provide information you have about the Project, along with relevant documents. By **July 20, 2021**, please provide available information regarding potential adverse effects

- to fish and fish habitat, migratory birds and species at risk;
- adverse changes to the environment that would occur on federal lands and lands outside Saskatchewan or Canada; and
- adverse impacts, resulting from any change to the environment, on Indigenous peoples (e.g., changes to the environment impacting physical and cultural heritage, current use of lands and resources for traditional purposes, and structures, sites or things of historical, archaeological, paleontological or architectural significance) or changes to their health, social or economic conditions.

Please also include available information regarding adverse effects (changes to the environment or to health, social or economic conditions) that are directly linked or necessarily incidental to a federal authority's exercise of a power, performance of a duty or function, or provision of financial assistance, that would enable the carrying out of the Project, in whole or in part. In particular, for each Project Phase, the Agency requests available information regarding:

1. Information about key project activities, maps and layouts of the location of project components, land tenure, zoning, and estimated timelines for planning, construction, operation, decommissioning and abandonment as well as the following:
  - i. The construction status of Phase 1 and a description of the works required for rehabilitation.

- ii. Breakdown of the amounts of private and crown land within the project areas for each phase shown on the project map available on the Water Security Agency website here:  
<https://www.wsask.ca/Global/About%20WSA/News%20Releases/Lake%20Diefenbaker%20Irrigation%20Project%20Map.pdf>.
- iii. The conceptual flow rate and volumes for Phase 3, including the capacity of the outfall structure at Buffalo Pound Lake.

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2. A list of all regulatory approvals (federal, provincial, municipal, other) and any federal financial assistance that would be required for the Project and the associated project components or activities.

3.

- a) For each regulatory approval that would be required, please provide the following information:
  - i. Name of the licence, permit, authorization or approval, the associated legislative framework, and the responsible jurisdiction.
  - ii. Whether it would involve an assessment of any of the effects outlined in the paragraphs above, and if so, a general description of the assessment that you intend to undertake. Would conditions be set and if yes, what effects would those conditions address?
  - iii. Whether public and/or Indigenous consultation would be required and if yes, provide information on the approach you intend to take (if any steps have been taken, please provide a summary, including issues raised as well as your responses).
- b) Identify whether any licence, permit, authorization or approval listed above would address any of the following matters:
  - i. food security;
  - ii. loss of lands with native habitats and associated wildlife;
  - iii. impacts to soils, waters, and fish habitat;
  - iv. loss of habitat for migratory birds;
  - v. localized climactic changes due to increased irrigation;
  - vi. impacts to sacred sites and other cultural and heritage-sensitive areas; and
  - vii. long-term cumulative impacts of water withdrawals and agrochemical inputs.
  - viii. If yes, discuss, in general, the benchmarks or standards that you intend to meet (or would be expected to meet).
  - ix. If the Project is anticipated to result in permanent changes or cumulative effects, how you intend to manage those impacts.

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4. For all federal licences, permits, authorizations, approvals, and/or financial assistance that may be provided for the Project, describe any anticipated adverse direct or incidental effects (including changes to health, social and economic conditions) that may occur as a result.
5. What steps have you taken to consult with the public? What steps do you plan to undertake during all phases of the Project? Are you aware of any public concerns in relation to this project? If yes, provide an overview of the key issues and the way in which (in general terms) you intend to address these matters?
6. What steps have you taken to consult with Indigenous communities? What steps do you plan to undertake during all phases of the Project? Are you aware of any Indigenous community concerns in relation to this project? If yes, provide an overview of the key issues and the way in which (in general terms) you plan to address these matters?
7. Do you have any other comments in relation to environmental effects or impacts to the public or Indigenous peoples and how you intend to address and manage those?
8. Explain your views on whether the Project should be designated under IAA.

Thank you for contacting the Agency to discuss the information required and ensure that it can be provided within the timeline.

In the coming days, a Registry page for the Project will be available on the Canadian Impact Assessment Registry Internet site. Please provide information regarding this file to the Agency's Prairie and Northern Regional Office at [iaac.pnr-rpn.aeic@canada.ca](mailto:iaac.pnr-rpn.aeic@canada.ca) or directly to Greg Bosse, Project Manager at [greg.bosse@canada.ca](mailto:greg.bosse@canada.ca).

**Important Note:** All records produced, collected or received in relation to the designation request process – unless prohibited under the *Access to Information Act* or *Privacy Act* – will be considered public and may be released. Should you wish to provide any comments or documents that contain confidential or sensitive

information that you believe should be protected from release to the public, please contact the Agency before submitting the information. Information marked as confidential will not be accepted without prior contact made with the Agency.

Further questions regarding this request can be directed to Greg Bosse by telephone or email at 587-334-2941 or [greg.bosse@canada.ca](mailto:greg.bosse@canada.ca).

Sincerely,

<Original signed by>

Ian Martin  
Team Lead, Prairie and Northern Regional Office, IAAC

Enclosures:

- 1) Letter requesting designation – Federation of Sovereign Indigenous Nations