



November 4, 2021

ELECTRONIC MAIL

Clinton Molde
Executive Director, Irrigation Development
The Saskatchewan Water Security Agency
<email address removed>

Subject: Minister's Response to the Designation Request for the Lake Diefenbaker Irrigation Expansion Projects under the *Impact Assessment Act*

Dear Clinton Molde:

On June 16, 2021, the Minister of Environment and Climate Change received a request to designate the Lake Diefenbaker Irrigation Expansion Projects under subsection 9(1) of the *Impact Assessment Act* (IAA).

In its analysis to inform the Minister, the Impact Assessment Agency of Canada (the Agency) carefully considered the information provided by the Water Security Agency, input from federal authorities, provincial ministries, potentially affected Indigenous groups, and public concerns that are known to the Agency.

On November 4, 2021, the Minister decided that, at this time, the Rehabilitation and Expansion Projects do not warrant designation pursuant to subsection 9(1) of the *Impact Assessment Act*. The following reasons were noted in the Minister's response:

- the Rehabilitation Project and the Expansion Project are in the conceptual and early planning stages; and
- there is insufficient information at this time to determine:
 - the applicability of the *Physical Activities Regulations*;
 - the potential adverse effects in areas of federal jurisdiction and the extent to which the study and design of the physical activities could inform and address these effects;
 - the extent to which regulatory mechanisms, such as the provincial environmental assessment, could address these effects; and
 - the extent to which potential engagement and consultation processes could address adverse impacts to section 35 rights.



The Qu'Appelle South Water Conveyance Project was not considered for designation under subsection 9(1) of the IAA since it appears to include physical activities prescribed by the *Physical Activities Regulations*.

The Minister's response, with reasons, to the request, and the Agency's Analysis Report, are available on the Canadian Impact Assessment Registry Internet site (Reference number 82781): <https://www.ceaa-acee.gc.ca/050/evaluations>.

The Agency appreciates the information that you provided in response to our requests during the process. Recognizing that the Water Security Agency is in the conceptual and early planning stages related to the Rehabilitation and Expansion Projects, the information available at this time is insufficient for the Agency to determine the potential for effects within federal jurisdiction and adverse direct or incidental effects, as related to the Rehabilitation and Expansion Projects.

The Agency requires that the Water Security Agency provide information related to the Rehabilitation and Expansion Projects, specifically, the design of their respective physical activities and potential effects as it becomes available. This shall include the results of any ongoing and planned Indigenous engagement. The Agency also requests that the Water Security Agency provide its application pursuant to *The Environmental Assessment Act* for the Rehabilitation and Expansion Projects, upon submission to the Environmental Assessment and Stewardship Branch of the Saskatchewan Ministry of Environment.

Upon receipt, the Agency will review the information with a view to determining if it warrants that the Minister reconsider designating the Rehabilitation and Expansion Projects. Should the information suggest that the Rehabilitation and Expansion Projects may lead to effects within federal jurisdiction or adverse direct or incidental effects that may warrant designation, the Agency will advise the Minister.

Further questions regarding this determination can be directed to Cheryl Benjamin at 902-237-8061 or by email at cheryl.benjamin@iaac-aeic.gc.ca.

Sincerely,

<Original signed by>

Mike Atkinson
Regional Director, Atlantic