

EXHIBIT NUMBER CAC-001
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Certitude or Dilemma:
Inevitability, Dissonance and Cumulative Effects

CAC Manitoba
October 21, 2013

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Goals

- to make accurate, verifiable consumer information accessible to as many Manitobans as possible;
- to empower consumers in Manitoba with the skills and knowledge necessary to make sound, sustainable choices;
- to empower Manitobans to exercise their rights and responsibilities as consumers; and,
- to represent the consumer interest in Manitoba.

Consumer Rights

- the right to be informed;
- the right to consumer education
- the right to be heard;
- the right to participate in marketplace decision making
- the right to satisfaction of basic needs; and,
- the right to a healthy environment.

Questions

What are the true environmental, social and economic costs and benefits of development?

Is any community or geographic region bearing an unreasonable share of the adverse effects, risks or costs of the proposed project?

Do consumers have the information to make an informed choice on the products they are consuming? (electricity, wild fish)

Certitude or Dilemma

Principles of Sustainable Development

Shared Responsibility and Understanding

3(1) Manitobans should acknowledge responsibility for sustaining the economy, the environment, human health and social well-being, with each being accountable for decisions and actions in a spirit of partnership and open cooperation.

3(2) Manitobans **share** a common economic, physical and social environment.

3(3) Manitobans should understand and respect differing economic and social views, values, traditions and aspirations.

3(4) Manitobans should consider the **aspirations, needs and views** of the people of the various geographical regions and ethnic groups in Manitoba, including **aboriginal peoples**, to facilitate equitable management of Manitoba's common resources.

Prevention

4 Manitobans should anticipate, and prevent or mitigate, significant adverse economic, environmental, human health and social effects of decisions and actions, having particular careful regard to decisions whose impacts are not entirely certain but which, on reasonable and well-informed grounds, appear to pose serious threats to the economy, the environment, human health and social well-being.

Conservation and Enhancement

5 Manitobans should

(a) **maintain** the ecological processes, biological diversity and life-support systems of the environment;

(b) harvest renewable resources on a sustainable yield basis;

(c) make wise and efficient use of renewable and non-renewable resources; and

(d) **enhance** the long-term productive capability, quality and capacity of natural ecosystems.

Rehabilitation and Reclamation

6 Manitobans should

(a) endeavour to **repair** damage to or degradation of the environment; and

(b) consider the need for rehabilitation and reclamation in future decisions and actions.¹

¹The Sustainable Development Act, C.C.S.M. CS270, Appendix A, Principles of Sustainable Development

Certitude (for or against)

The Project has been designed to provide long term electricity benefits to Manitoba and export customers and to enhance quality of life through the provision of **clean affordable** energy. . . The Project is being designed and will be constructed using methods to **minimize effects** on the environment and the local KCNs communities, and to maximize economic and social benefits for the communities, northern Manitoba, and the whole province.² (emphasis added)

²Response to EIS Guidelines, 9-6.

Dilemmas (How does one decide? What does one decide?)

we also know that the benefits will not come without, you know, a lot of consequences...³ (Chief Constant)

This project has always been a struggle emotionally for a lot of people here.⁴ (Ted Bland)

- the EIS Response does not invite a coherent, integrated analysis (too many pages and too little big picture)

“ignores the interrelatedness of people, animals, water, landscape and plants”⁵

typically ill defined, not well equipped to address cumulative and synergistic effects

“...continuing the kinds and qualities of CEA currently undertaken may be doing more harm than good.”⁶

- how does one weigh potential economic benefits and efforts at partnership against the superimposition of a major project upon a profoundly disturbed environment?

³York Factory First Nation Public Hearing, p. 10.

⁴York Factory First Nation Public Hearing, p. 55.

⁵FLCN 2012:18

⁶Duinker and Greig (2006: 153)

Inevitability

"We were put in a situation where we felt that we were either a part of it, or we were out of the deal. A lot of people didn't understand that this thing was going to happen whether we liked it or not. You either watch it happen, or become a part of it. With us being partners, we have a limited voice. Our only real benefit is for our children, and their children after that. We did this for our children and future generations" (Ted Bland, YFFN 2012: 24).

Dissonance

- clean energy versus the Nelson River reality

- so many substantials and so few significant

Cumulative Effects

The EIS concludes that there will be no significant adverse cumulative effects due to the Keeyask Project.⁷

versus

“the cumulative physical, and cultural effects of past development continue to reverberate along the Nelson River system”.⁸

“The changes that we describe below – that have taken place in the water and land – have also occurred in us. As individuals, families, and as a community, all of us have found ourselves shaken, and gradually changing along with the land”.⁹

“further destabilize our increasingly compromised environment”.¹⁰

⁷Exec Sum p. 36, Ch 7 p. 7-21.

⁸YFFN 2012:71.

⁹YFFN 2012:72.

¹⁰ YFFN 2012:72

Where is the cumulative effects panel?

The CAC MB Intervention

- A good practice look at cumulative effects (Gunn and Noble)
- A tool to assist in addressing the dilemma – sustainability analysis (Gibson/Gaudreau)

Goal

Build human-ecological relations to establish and maintain the long-term integrity of socio- biophysical systems and protect the irreplaceable life support functions upon which human as well as ecological wellbeing depends.

Criteria

Maintenance of ecological services and regulation

- Will the project effects allow for the maintenance of necessary ecotypes and their functions?
- Will the project effects promote or improve water quality in local and regional areas (both short-term and long-term)?

Improvement of habitats and habitat intactness

- Will the project effects allow for the maintenance of keystone and/or endangered species and culturally important species and ecotypes?
- Will the project effects allow for the maintenance of the necessary context for species to thrive and prosper?
- Will the project effects allow for sufficient intactness to maintain and promote sensitive or endangered species?

The ecological basis of traditional livelihoods

- Will the project effects allow for the maintenance of traditional livelihoods that depend on habitats and ecological services?
- Are the offsetting programs for hunting, fishing and trapping designed in a way to ensure success (e.g. ensuring food security and sovereignty, ensuring the new areas are not unduly impacted by increased resource extraction), and are sufficient measures in place to address any failed offsetting program?

Additional CAC Manitoba Witnesses **Schaffer – Woodland Caribou**

- What is the likelihood that boreal woodland caribou occupy the Project area?
- Is it possible that the Partnership's projections of habitat loss due to the Project may be underestimated due in part to an inexact definition of habitat?
- Does a more robust analysis of human and natural disturbances suggest that the Project may occur in the midst of a more disturbed landscape than depicted in the EIS, with negative repercussions for caribou.?

Peake – Lake Sturgeon

- Are Manitoba Hydro's conclusions regarding likely survival rates for fall fingerlings employed as part of the stocking program reasonably reliable?
- Is Hydro's proposed monitoring plan likely to reliably and non-invasively provide long-term detailed information and critical population parameters such as hatchery versus wild origins, age/size at the time of stocking, and growth/survival between recapture events?
- Given that Young of the Year habitat is exponentially more complex and fragile than habitat for adult and sub-adult lake sturgeon, what can be said about the prospects for success of this habitat remediation and the long term prospects of Young of the Year proliferation.

Additional CAC Manitoba Witnesses

Brown et al – Methyl Mercury and Human Health

Recognizing that the risk perception of a health problem inherent in eating a traditional diet must be considered in parallel with predicted risks to the population:

- is additional assessment needed to properly inform subsistence consumers about the health benefits and costs related to fish consumption?
- Is the predicted existing health risks reasonably reliable or is it overly conservative?
- Based on predicted concentrations of mercury in Gull and Stephens Lake, what should be the recommended limits for northern pike and walleye for the general population as well as for women of childbearing age and children.

Buckland and O'Gormann – Community Development

Taking into account, good practice principles flowing from research into sustainable development and community development and what appear to be asymmetries in the power dynamic between Manitoba Hydro and the KCN partners:

- What are the achievements of the Keeyask model?
- What are its existing challenges?
- Given the scarcity of economic opportunities in many of the communities surrounding the proposed Keeyask Generating station, what conclusions can be drawn about the short-term and long term impacts of the project

Additional CAC Manitoba Witnesses

Orenstein and Lee Community Health Issues

- Is there a thorough examination of issues flowing from the risk of infectious diseases?
- Are important baseline indicators relating to conditions flowing from changing water quality and over crowding provided?
- Is there appropriate consideration of how benefits of the project will be distributed among higher and lower income populations?
- Has vulnerability within the communities to food insecurity been examined?
- Has there been an examination of the effects on KCN members' mental health flowing from alterations in the physical environment?

Diduck and Fitzpatrick – Adaptive Management

- Is the approach set out in the Keeyask EIS consistent with good adaptive management practice?
- Is there sufficient information within the current EIS to draw a conclusion regarding the appropriateness of the adaptive management approach?
- Have the studies and assessments of the Keeyask Cree Nations been appropriate integrated with with technical scientific understanding in the Adaptive Management strategy?
- Does the Monitoring Advisory Committee have sufficient resources, capacity and authority?

Conclusion

A hydroelectric generating station may operate almost in perpetuity.¹¹

¹¹EIS, 9-9.