

MANITOBA CLEAN ENVIRONMENT COMMISSION

MANITOBA-MINNESOTA TRANSMISSION PROJECT

VOLUME 9

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Transcript of Proceedings
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TUESDAY, MAY 23, 2017

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1 TUESDAY, MAY 23, 2017

2 UPON COMMENCING AT 9:30 A.M.

3

4 THE CHAIRMAN: Good morning,
5 everybody. Welcome back. Hope you all had a good
6 long weekend, even if it was a rainy one.

7 So we're going to continue with
8 Hydro's presentation and the questioning of that
9 presentation. We will meet as long as we need to
10 during the course of the day to conclude that.

11 And then this evening, beginning at 7:00 o'clock,
12 we'll be gathered for another presentation which
13 I'll get to a little later, not from Hydro.

14 So if Hydro is ready to go, we'll
15 start, or continue the presentation now. Thanks.

16 MR. MATTHEWSON: Good morning,
17 commissioners, good morning participants.

18 Just before I continue on with my
19 presentation, I just wanted to go back to this one
20 slide, the environmental protection implementation
21 team, and describe for you the back row during my
22 presentation. There are a variety of disciplines
23 involved in the Environmental Monitoring Plan and
24 part of the environmental protection
25 implementation team. I'd like to introduce you to

1 some of these specialists, as they've been
2 involved in extensive developments in Manitoba,
3 including mining, transmission generating stations
4 and major roads.

5 So Ms. Lisa Bobbie on my left is the
6 project archaeologist. She's from InterGroup
7 Consultants. She has her masters degree in
8 Anthropology from the University of Manitoba and
9 has been a professional archeologist for over 14
10 years.

11 Mr. Robert Berger is with the Wildlife
12 Resource Consulting Services, he is the avian
13 specialist on this project, and he has his Masters
14 degree in Natural Resource Management and 30 plus
15 years of experience in the wildlife field.

16 Beside him is Mr. Kurt Mazur from
17 North/South Consultants. He's an aquatics and
18 amphibians specialist on this project, and he has
19 over 20 years of experience with a Bachelor of
20 Science in Zoology and a Masters of Science in
21 Biology.

22 Mr. Szwaluk is with Szwaluk
23 Environmental Consulting. He is the vegetation
24 specialist on this project, and he has a Bachelor
25 of Science from the University of Manitoba and a

1 Masters of Science. And he specializes in
2 vegetation ecology and has over 15 years of
3 experience in that.

4 And then lastly, but not least, is
5 Ms. Leanne Weinberg. She's with Stantec
6 Consultants, she is our mammal specialist on this
7 project and she has over 18 years of experience
8 with her Masters in Zoology.

9 So the reason I wanted to introduce
10 you to these folks is that you've heard from
11 myself, you've heard from Mr. Wiens about the
12 monitoring plan. It's these folks behind us that
13 are going to provide the highly detailed level of
14 experience and knowledge to support what Manitoba
15 Hydro is putting forward as its monitoring plan
16 for this project.

17 As you heard from Mr. Wiens on
18 Thursday with the monitoring plan, the next kind
19 of group of plans in our Environmental Protection
20 Program are what we call management plans and
21 there's a wide variety of them. I'm going to
22 briefly go over all the ones on the list here, and
23 then I'll go into a little detail on a couple of
24 the key ones. And I'll describe what each one of
25 these are.

1 So there's an Access Management Plan
2 and that plan, it was filed with the EIS. It was
3 to outline where Manitoba Hydro proposes to use
4 existing trails and infrastructure to access, to
5 build, construct the transmission project for
6 MMTP.

7 I'll go into some more detail on this
8 plan in a few slides.

9 So we have a blasting plan. So the
10 blasting plan is prepared by the contractor. It's
11 a requirement of blasting licence, and it's going
12 to manage, describe the management of the storage
13 and use of explosives on the projects. And as you
14 have heard from -- I believe it was Mr. Penner a
15 few weeks ago talked about implodes. So those are
16 the explosives that we'll be using on this
17 project, they're called implsives on this project
18 as opposed to explosives. We have an emergency
19 preparedness and response plan.

20 So these plans are developed by each
21 contractor and they're specific to emergency
22 situations at the construction sites for the
23 project. So, as you can appreciate, an emergency
24 response plan at a station like Dorsey Convertor
25 station is dramatically different than an

1 emergency response plan when you're building the
2 transmission line in the RM of Piney. There are
3 wide differences in the equipment, in the manpower
4 that's on site, the hazardous materials, the
5 emergency response times, the emergency response
6 equipment. So all of those types of things are --
7 that's why we make it, rather than having one big
8 generic one for all the contractors to follow, we
9 ask the contractor to develop a specific one to
10 the types of work that they're conducting.

11 And the scope of those plans includes
12 the management of spills or releases of hazardous
13 substances, including petroleum products, any
14 accidents or medical emergencies, explosions and
15 fire are all topics that need to be addressed in
16 the contractor's plan.

17 The next one is erosion and sediment
18 control. Again, this is one that Manitoba Hydro
19 has put the responsibility onto the contractor to
20 develop that plan, because they're in the best
21 position, for the type of work they are doing with
22 the type of equipment they have, to prescribe
23 erosion and sediment control measures for that
24 particular work. As you can appreciate, work in a
25 station is different than on a transmission line.

1 Putting in a foundation is different than clearing
2 a transmission line. So there's a wide variety of
3 different works that require different approaches
4 to erosion protection and sediment control, and
5 different pathways to effect.

6 What Manitoba Hydro has done, in the
7 chapter 22 appendix, Construction Environmental
8 Protection Plan appendices, we provided a
9 framework by which these plans are to be drafted.
10 And that framework is informed by Canadian
11 Professional Erosion and Sediment Control
12 Standards. So these plans that are developed by
13 the contractor, they have to develop that plan
14 following the framework. They submit it to
15 Manitoba Hydro for review and approval.

16 The next one is rehabilitation of
17 invasive species. This was a draft plan that we
18 submitted recently as a response to an IR from the
19 National Energy Board. And it's prepared by
20 Manitoba Hydro and it's managed, it's developed,
21 built in order to address a couple of topics. Of
22 course, the rehabilitation of the site and the
23 wide variety of information with respect to seed
24 mixes available, and tree planting cover and shrub
25 cover, a variety of different information that

1 people developing rehabilitation prescriptions in
2 the field, for again the different types of work,
3 that's kind of a manual by which they follow a
4 plan.

5 It also addresses evasive species and
6 measures by which we put into place to mitigate
7 and control evasive species if they do become
8 established on the right-of-way.

9 We talked a little bit about
10 bio-security with Mr. Alec Stuart in the previous
11 weeks. And I talked a little bit about evasive
12 species and how we manage evasive species in a
13 similar way to the agricultural bio-security
14 policy, but a little bit different because it is a
15 wild environment in which we operate, so we have
16 different procedures in place. But it boils down
17 to cleaning equipment, and mapping out where all
18 evasive species patches are ahead of the
19 construction project, so we know and understand
20 where these are, so we don't intentionally drive
21 through them and spread them across the
22 right-of-way.

23 Waste and recycling management plan.
24 Again, Manitoba Hydro developed a framework for
25 contractors to make sure that they covered off all

1 the topics that they needed to cover off when the
2 contractor develops his or her waste and recycling
3 plan as, again, each contractor has different
4 types of waste and different types of recycling
5 processes. As you can understand, hazardous waste
6 that may be contained in a station such as
7 transformer oil, or hazardous waste on a
8 transmission line such as hydraulic oil, are
9 things that need to be managed and recycled
10 appropriately. So again, it's one of those plans
11 that the contractor develops and Manitoba Hydro
12 approves prior to construction.

13 The integrated vegetation management
14 plan, that was previously presented to you by
15 myself. So I'll just go straight to the
16 golden-winged warbler habitat management plan. So
17 that one I'll talk about a little bit further on
18 in my presentation.

19 And the next one is the clearing
20 management plan, which again is another topic that
21 I'll discuss in fuller detail in the upcoming
22 slides.

23 Golden-winged warbler habitat
24 management plan. So this plan had a goal of, in
25 sensitive areas, critical golden-winged warbler

1 habitat, so that was those areas that Jonathan
2 showed on the slides there delineated by the
3 Federal Government. The right-of-way vegetation
4 will be selectively cleared and maintained using
5 an integrated vegetation management approach, with
6 the goal to enhance long-term suitability for
7 golden-winged warbler.

8 There's four primary objectives by
9 what we're trying to achieve with this habitat
10 management plan. And this habitat management plan
11 is a response to some questions. The initial
12 routing of MMTP, we of course knew we were
13 potentially routing within the critical habitat.
14 So we started thinking at that point what measures
15 could we put into place during construction, and
16 of course there's a variety of research on this,
17 on using integrated vegetative management to
18 manage a right-of-way for golden-winged warbler.
19 In the United States, it's done extensively. But
20 what we haven't done a lot of research on is to
21 manage the clearing of a right-of-way prior to the
22 whole vegetation management process taking place
23 over decades worth of time. So we put some
24 thought into that and developed what we think is a
25 very good plan by which we can, of course, address

1 the safe operation and maintenance and
2 construction of the transmission project itself.
3 Because there are different requirements during
4 construction than there are during operations, and
5 certainly areas that need to be cleared around the
6 towers and managed for the safe construction of
7 it. So we put together the four objectives that
8 kind of guided us in the development of the plan,
9 which were to improve the understanding of the
10 golden-winged warbler habitat distribution along
11 the right-of-way. So we had some raw physical
12 habitat polygons. We wanted to dig in deeper and
13 figure out what kind of habitat actually existed
14 on the habitat itself, to apply construction
15 clearing prescriptions suitable for maintenance
16 and the development of potential golden-winged
17 warbler habitat. So we wanted to develop a
18 prescription by which we could, it may not have
19 immediate habitat but it could evolve into
20 golden-winged warbler habitat. Of course allowing
21 for that safety considerations and design
22 considerations of the construction of the project.

23 Number three was the operational
24 vegetation maintenance prescriptions suitable for
25 the enhancement of the right-of-ways. And we

1 talked a little bit about NERC guidelines with
2 respect to vegetation clearings. So there are
3 some guidelines by which we have to manage the
4 trees and vegetation. So we have those guidelines
5 for reliability purposes, and we have what we're
6 trying to achieve with creating golden-winged
7 warbler habitat, and trying to balance all of
8 those things in this plan.

9 As well as the fourth objective was to
10 monitor the response of the golden-winged warbler
11 to the project right-of-way itself, and what is
12 it's -- are we creating the habitat that we're
13 trying to achieve with this plan? And are the
14 golden-winged warbler populations changing as a
15 result of the project? And Mr. Wiens talked about
16 that in his monitoring plan. We have an extensive
17 monitoring plan to measure that.

18 So access management plan. So in this
19 plan we have a variety of communication protocols
20 to address safety of the construction workers, the
21 general public, the respect for Indigenous rights
22 and resource users, and protection of natural,
23 cultural and heritage resources as part of the
24 management plan, because there's the resources
25 along the right-of-way and then there's resources

1 along the access roads or trails that get to the
2 right-of-way that we have to be considerate of.

3 So the management plan, as we have
4 talked about previously, it utilizes existing
5 access as much as possible. Currently in the
6 draft plan we have, I believe, less than a
7 kilometre of new access that we need to construct,
8 access for right-of-way. So we're utilizing a lot
9 of existing roads and trails that are along the
10 project right-of-way.

11 There are restrictions in place, as we
12 heard through the socio-economic panel, with
13 respect to the project workers and their ability
14 to hunt on the right-of-way during construction,
15 of course, and as well as restrictions on people
16 utilizing firearms in direct proximity to the
17 construction, obviously, for the safety of the
18 workers involved. And there are a variety of
19 protection measures described in there with
20 respect to the timing of the project.

21 Vehicle cleaning and servicing address
22 some of those bio-security concerns. The gate
23 protocols, any load restrictions that are required
24 on certain roads, warning signage, speed limits,
25 access rehabilitation. Some examples of access

1 rehabilitation could be -- I showed a picture a
2 few slides back there of a berm that's put into
3 place that will deactivate the road from
4 four-wheel-drive traffic, but allow snowmobilers,
5 ATV'ers to still utilize the right-of-way. So
6 access rehabilitation is done in conjunction with
7 the landowner. So if there is a -- on private
8 land we work with the landowner -- there was a
9 question about whether we put up gates to restrict
10 access. So if the landowner requests gates to
11 restrict access down the right-of-way on his or
12 her property, then those are things that Manitoba
13 Hydro will work with the landowner to develop and
14 put into place.

15 On the Crown land side of things,
16 Manitoba Hydro works with Sustainable Development
17 to implement any type of mitigation measures that
18 they would like to see put in place. As Manitoba
19 Hydro has no rights to restrict any type of access
20 on Crown land, we work with Sustainable
21 Development, if they feel there's a need to
22 restrict some type of access to the right-of-way
23 because of resource extraction or other concerns
24 they may have, that we work with them to implement
25 those measures.

1 So the clearing plan. So there's a
2 clearing management plan. It's a little bit
3 different than the integrative vegetation
4 management plan. The integrative vegetation
5 management plan deals with operational phase of
6 managing vegetation. The clearing management
7 plan, as I mentioned previously, is new. This is
8 something we hadn't done of this type on this
9 project, or any project on transmission line.
10 Previously we had a project on Bipole III, we had
11 an annual harvest plan which dealt with the
12 salvage of timber and the various clearing
13 methods. The clearing management plan goes into a
14 few more detailed steps to address a few items.
15 One is the golden-winged warbler. And so the
16 clearing management plan is going to prescribe the
17 different clearing methods in the golden warbler
18 habitat.

19 What we're doing right now in the
20 development of the clearing plan, we're using a
21 technology called Lidar, which is a light emitting
22 doppler radar. We fly the right-of-way, and they
23 produce a surface. The surface is designed for
24 engineering, so they knew the exact ground level
25 locations. When they're doing tower spotting they

1 know how tall the ground is here versus tower spot
2 here, and then how tall the vegetation is on
3 either side. So we've taken that technology which
4 had to be done for the purpose of designing this
5 transmission line, and we take it now and we're
6 analyzing that data, because it maps the ground
7 surface and it maps the shrub layer, and it maps
8 the top of the canopy of the trees. So for the
9 golden-winged warbler habitat, we're trying to
10 find habitats on a right-of-way that have that
11 layer of shrub underneath an overstory canopy.
12 Because it's that lawyer of shrub that's going to
13 form that potentially golden-winged warbler
14 habitat. So what we want to do is map that out,
15 of course we ground truth it after, but we map it
16 out, get an understanding of where in those
17 critical habitat squares can we do a very specific
18 clearing prescription, where we remove the trees
19 in such a way that we retain that understory as
20 much as we can, with the goal of having habitat
21 from the initial clearing of the MMTP right-of-way
22 for golden-winged warbler.

23 So looking at the Lidar allows us to
24 plan and map that out in place by looking at these
25 Lidar datasets. Of course, the top return of

1 Lidar gives us the height of the canopy. So that
2 tells us a variety of things about the
3 merchantability of the wood, the density of the
4 wood, so we can start to put together a plan about
5 secondary use of wood products.

6 So where we have a very clear
7 understanding of where merchantable wood is and
8 where shrub land and wetlands are, we can start to
9 develop inputs into this clearing plan that are
10 very prescriptive to the contractor with respect
11 to what piece of equipment they need, what they
12 can expect on the right-of-way. They don't come
13 to the right-of-way and say, oh, I brought a shear
14 blade -- well, we need fell bunchers. So the idea
15 is put this clearing plan together ahead of time,
16 it's part of the tender package, contractors are
17 very clear on what equipment they need to have on
18 site for the start of the project.

19 So as we have done all this field
20 validation of what kind of wood we have on the
21 right-of-way, through aerial photography and the
22 Lidar data, we of course need to validate that in
23 the field. So in the coming months we'll be going
24 to landowners, to the private landowners, and
25 talking with those landowners about what type of

1 wood they have on their right-of-way, what type of
2 debris disposal that they would like to utilize on
3 their parcel of land. Some of them want firewood.
4 And they say, well, I want it all as firewood.
5 And then we go out there with professional
6 foresters, we go and talk with them and say, well,
7 this is going to result in 500 cords of firewood.
8 You sure you want it all? Well, maybe not, maybe
9 I just need 20 cords. So it's getting the
10 expectations with the landowner up front on
11 exactly what Manitoba Hydro is going to do to
12 remove the vegetation on the right-of-way.

13 So we're also investigating secondary
14 uses of wood products. And this is something
15 that's not new in Manitoba Hydro, we've been doing
16 this on all of our projects where we look at
17 secondary use of the biomass or wood products for
18 shipping it to mills in Kenora as round wood, such
19 as this, or as chips. We look at the biomass
20 energy users. Some of our projects have taken
21 some of this material and shipped it to a place
22 called Pineland tree nursery. That was one of our
23 distribution projects, because they have a biomass
24 burner there. We stocked them up with four or
25 five years worth of wood supply on just one little

1 distribution project.

2 We also have a lot of interest from
3 firewood suppliers and quota holders want the wood
4 for timber and to make secondary wood products.

5 So as I discussed in the previous
6 presentations, Hydro's fully committed to
7 demonstrating that in previous projects, the
8 utilization of timber on the right-of-way, we do
9 it when it's feasible. And so everybody says,
10 well, that's a cop-out word, like what's feasible?
11 So we work with the foresters, the regional
12 foresters and determine -- so feasibility is
13 determined by a bunch of different criteria, so an
14 example is access. So we have access to get to
15 wood like this that's stacked on the right-of-way.
16 Sometimes the wood is isolated in an area where
17 you have wetland on both sides and you have this
18 pocket of wood. And it's like, okay, well, we can
19 cut it and pile it, but then we've got to have a
20 whole bunch of trucks go in there and haul it out,
21 and what kind of damage is that going to do to the
22 wetlands? What kind of environmental or other
23 risks are we going to put into place by trying to
24 recover that wood for hauling it to take it to a
25 mill someplace? So access is a concern. Those

1 environmental constraints, like I mentioned, we
2 have of course golden-winged warbler habitat, we
3 have wetlands, we have riparian areas. If we have
4 to put five trucks across a riparian area a day to
5 get the wood out, what's the effect on that
6 riparian area? What's the potential risk to it?

7 We look at mulching, we look at the
8 hauling costs, of course, whenever we try to
9 utilize wood. To haul it long distances is very
10 expensive so we have to be considerate of that.
11 And the local markets, where are the markets? In
12 the southeast part of the province, we are
13 fortunate that there are markets for wood
14 products. There's a whole wood industry in
15 Southeastern Manitoba that supplies wood products
16 to the City of Winnipeg for construction purposes.

17 But we also look at alternate methods
18 of disposal of debris. We looked at the mulching.
19 So Mr. Penner showed some pictures of some
20 mulchers. We didn't show you any pictures of
21 chippers. A few of the projects we have used,
22 they are a big drum chipper or a rotary blade
23 chipper. And they feed the logs or debris into
24 it, and it chips it out. And you can either spray
25 the chips into a truck and haul it to say

1 Kenora -- there's a market Kenora for the wood
2 chips -- or they just spray it on the right-of-way
3 behind them, and it just redistributes the chipped
4 wood on the right-of-way behind them, providing a
5 bit of a map for which construction traffic and
6 vehicles are (inaudible) the potential for rutting
7 and erosion.

8 We look at firewood, of course, lots
9 and lots of interest in firewood. Everybody,
10 we've had firewood companies calling us and say,
11 hey, we'll take it all. And it's like, well,
12 there's a variety of other people that are
13 interested. We've certainly had a lot of interest
14 from indigenous communities such as Roseau River
15 First Nation about firewood availability for their
16 communities. And of course the private landowners
17 want firewood as well. So we have to kind of put
18 it all together into a plan, and that's the basis
19 of this clearing plan.

20 We of course have burning and
21 biofuels. It is an option and there are places
22 where burning is a method of debris disposal that
23 is the most feasible option in a particular spot.
24 But as we talked about previously with Mr. Mills,
25 the disposal of that debris and the burning of it,

1 we have to take into account landowner permission.
2 So if it's on private land, we talk with the
3 landowner, are they okay with us burning the
4 vegetation? Because some of it can't be turned
5 into chips, some of it can't be turned into
6 firewood, some of it can't be disposed of in
7 another method. So burning is sometimes one of
8 the only resorts.

9 We look at the type of debris that's
10 available, the proximity to residences and
11 highways, considering all those things. So we
12 don't put burning piles next to people's homes and
13 people ingesting smoke, of course, that's not
14 something Manitoba Hydro is at all interested in
15 doing, and we're very considerate about where
16 these type of burning activities were to happen,
17 if they happen.

18 So since the filing of the EIS,
19 Manitoba Hydro has continued to engage and share
20 information with communities and organizations.
21 So through that we have been holding Environmental
22 Protection Program meetings with communities to
23 confirm what we've heard to date about their
24 concerns, share our proposed plan with the
25 leadership, resource users and elders, and

1 determine if concerns brought forward by the
2 community have been addressed by the mitigation
3 measures that we are proposing, and provide an
4 opportunity for outstanding concerns to be raised.

5 So Hydro has invited all the First
6 Nations and Metis engagement process communities
7 and organizations to participate in these
8 meetings. We share information -- so this is an
9 example of one of the meetings on one of our other
10 projects where we had similar materials, we had in
11 one of our other rooms, where we talk about bird
12 wire collisions and bird diverters, and the
13 conductors and the construction process, and all
14 the different things we'll be incorporating into
15 monitoring, and getting feedback on that and any
16 other knowledge that they may have of the area, or
17 any new mitigation measures that they think
18 Manitoba Hydro should be considering. Certainly,
19 we put together 400 mitigation measures, but there
20 is more out there. There's more people that have
21 different knowledges and unique information that
22 we'll always make our environmental protection
23 programs and plans better.

24 So one of the concepts that we put
25 together on this project, as I talked about with

1 our previous projects on Bipole and Lake Winnipeg
2 East, where we have done different types of
3 community involvement.

4 On this project we're proposing in the
5 EIS, and I have had some meetings with Indigenous
6 communities and the MMF to develop an approach for
7 this project. So we didn't come out and say,
8 well, this is the way we're going to do it, and
9 wrote it in the EIS, because we didn't know how to
10 do it. We wanted to get tonnes of feedback from
11 the communities about how they wanted to
12 participate, what they were interested in
13 measuring and monitoring, and involvement in the
14 construction process with inspection. But what we
15 developed was some objectives which were based on
16 our previous experiences on Bipole and Lake
17 Winnipeg East and Keeyask. So we wanted to make
18 sure that everybody has a really good awareness of
19 the project and the environmental protection
20 program itself. So we wanted to make sure we had
21 an educational component about these stacks of
22 plans and things, and boil it down to something
23 meaningful people can interact with and
24 understand.

25 We wanted to make sure that Manitoba

1 Hydro has awareness of communication concerns and
2 communication back on how they're being addressed.
3 So when a concern comes to Hydro, we wanted to
4 make sure we have the mechanism by which we can
5 tell the community about how we're reacting to
6 that. So having a working group is one mechanism
7 by which we can facilitate the flow of information
8 back and forth between communities and Manitoba
9 Hydro and vice versa.

10 We wanted to have what I referred to
11 as "boots on the ground" field experiences. We
12 know going to a community and showing powerpoint
13 presentations, and if I could I'd take you all out
14 and we'd go on a monitoring walk on MMTP instead
15 of us showing you these presentations, because
16 it's a lot more fun on a day like today. But
17 "boots on the ground," we wanted to make sure that
18 we got the communities out there onto the project
19 site during construction. And, of course, in a
20 safe manner, these are construction sites, we have
21 to do this in an organized manner -- to see what's
22 going on with our own eyes, be involved in our
23 monitoring programs, and see how the wildlife is
24 reacting to the clearing of the right-of-way and
25 the construction process. And so we wanted to, we

1 started this a couple of months ago, we did a
2 field tour with the communities. We invited all
3 the communities that were involved in the First
4 Nation-Metis engagement process to come on the
5 field tour, where we went out to a couple of spots
6 along the transmission project, talked about some
7 of the mitigation measures and the monitoring
8 plans, monitoring plans that we had in place. We
9 shared a whole bunch of the data that we had
10 collected to date with respect to our camera trap
11 surveys and what we're seeing. For the wildlife,
12 we went out and retrieved the camera trap from one
13 of the sites, and then we ended up in the R.M. of
14 Stuartburn in a meeting room and had a
15 presentation about some of our monitoring results
16 to date.

17 I think everybody had a lot of fun up
18 until the meeting room part. We probably should
19 have spent more time in the field, but there was a
20 whole bunch of stuff that we wanted to share with
21 respect to maps and presentation material that we
22 wanted to show. But I think we could have spent,
23 and plotted out a lot more paper maps and put that
24 out on the dashes of the trucks and the tailgates,
25 and had a better discussion about it in that

1 format -- saw some of the changes that we're
2 adapting to as we develop the working group.

3 Of course, we wanted to have multiple
4 First Nations, the Manitoba Metis Federation and
5 Indigenous organizations working together,
6 everybody working together. We have done it on
7 Bipole, where we had environmental monitors and
8 community liaisons from each community, but we
9 didn't have that cross community pollination.
10 That was something we tried with, and I described
11 to you on the Lake Winnipeg East project, and it
12 worked really, really well. Everybody got to see
13 the different perspectives and different views on
14 the environment. So we wanted to make sure that
15 that was one of our guiding principles on this
16 working group.

17 And of course, a youth and elder
18 component. We have seen a lot of programming that
19 we've put into place on our projects with respect
20 to community trapping programs, medicine gathering
21 programs, the youth camps that we put on where we
22 brought elders from Roseau River First Nation to
23 come and talk to the youth about the environment
24 and their views. And as Mr. Wiens talked about
25 with that deer pallet collection that we worked

1 with Oscar Lathlin School and University College
2 of the North, brought those two different
3 organizations together to help implement Manitoba
4 Hydro's monitoring plan.

5 Bringing the youth and the elders, we
6 have heard it many times from the community
7 members that they want to maintain that connection
8 to the land. So we want to make sure that
9 whatever we're doing here, we're doing it in such
10 a manner that we can help facilitate that
11 connection with the land through this type of
12 working group. That's not to say that this is the
13 only way to do it, or Hydro needs to be here to
14 make it happen, but if we're going to do
15 something, we want to make sure we include youth
16 and elders in that.

17 And then the environmental monitor.
18 We talked a little bit about that previously, on
19 my work chart of different environmental
20 inspectors and environmental officers and
21 environmental monitor.

22 So this potentially is a position that
23 could report back to the working group directly.
24 So they would be on site during construction
25 process and be involved in the monitoring

1 activities on a daily basis, and then report back
2 to the community working group on some of the
3 activities that they've seen and concerns they may
4 have had. And then, of course, the working group
5 will have an understanding of how Manitoba Hydro
6 is going to address those concerns. And there
7 will be more follow-up and feedback mechanism on
8 making sure that concerns are addressed.

9 The community working group, we also
10 had envisioned that as a mechanism by which we
11 could get other groups together and go to the
12 field during regular visits to the construction of
13 project, and being involved in monitoring
14 activities. But we felt the monitor was a way to
15 get that kind of daily on-site knowledge and
16 sharing of information with the working group.

17 So we have, I mentioned in our big
18 chart there at the beginning, this thing called an
19 environmental protection information management
20 system. And it's a big fancy computer database
21 with hundreds and hundreds of layers of GIS data,
22 and hundreds and hundreds of datasets that these
23 folks have created on these projects. Monitoring
24 information, we've got all our daily inspections,
25 we've got the environmental monitor who would do

1 daily reports, it would be all stored in the
2 system. It keeps all the reporting information
3 stored within it as far as the creation of annual
4 reports, and it's a communication tool by which we
5 can communicate information between the
6 environmental team and the construction team and
7 vice versa.

8 All of these reports, inspections and
9 monitoring reports that are done on a daily basis,
10 these folks behind me, and the monitoring
11 specialists, they review those and they see on a
12 daily basis what kind of construction activity was
13 happening and if there was any type of mitigation
14 that needed to be implemented or follow-up that
15 needed to be conducted by themselves in the
16 follow-up season.

17 So it's a big system, it's a
18 combination of document management. So keeping
19 all of these environmental protection plan
20 documents, as there are a number of them, keeping
21 them all versioned, and amendments to all of them
22 issued and distributed to the contractors. It has
23 reporting, and it has a web map component which
24 contains all the environmentally sensitive sites
25 on it, allows anybody in the protection team to

1 kind of see where an environmentally sensitive
2 site is digitally. They can have it on their
3 iPhones, it's accessible that way, as well as
4 those communication tools.

5 So as part of any environmental
6 protection program, communication is a pretty big
7 topic that needs to be covered. So we have
8 internally many environmental protection team
9 meetings, both between the management team and the
10 implementation team, between the implementation
11 team and the contractors, the contractors
12 themselves. There's a whole variety of different
13 mechanisms by which we're sharing the
14 environmental information that needs to be shared
15 during the construction process and the monitoring
16 results that we see.

17 We have an ongoing liaison with local
18 communities, landowners, First Nations and Metis.
19 So we had talked about, in previous presentations,
20 about the landowner liaison program. We, of
21 course, have the ongoing First Nations and Metis
22 engagement program. We have the project website
23 updates. So Manitoba Hydro utilizes, you know,
24 our project website to keep updates with respect
25 to construction schedules, and all the latest

1 environmental protection plans are all posted up
2 on the website as they're updated. We have annual
3 and seasonal meetings and reports. So we have pre
4 and post construction meetings. So after
5 construction season with a particular contractor,
6 the environmental team and -- it's the
7 environmental management team, so myself and
8 Ms. Johnson and Mr. Keil and Ms. Scurrah and a
9 variety of other folks get together and talk about
10 the construction process and how it played out in
11 the past season. We talk about any types of
12 mitigation measures we need to change in our
13 environmental protection program documents, or any
14 different training mechanisms which we need to
15 implement on the follow-up construction meeting on
16 next construction contractor.

17 Of course, all those pre things with
18 respect to we're about to start the clearing
19 contract, there's a whole different mitigation
20 discussion you have with the clearing contractor
21 than you do with the contractor that's installing
22 foundations.

23 We, of course, have reviews of the
24 construction environmental protection plan. We
25 review it on an annual basis. We update it with

1 new environmentally sensitive sites as they come,
2 as we become aware of them, or new mitigation
3 measures are developed to address, or simple
4 things as clarifying language in the EPP, because
5 a construction contractor may be confused about a
6 particular wording that we're using. And so we'll
7 update those types of things.

8 And of course, those annual reports,
9 as Jonathan mentioned on the monitoring plan, we
10 publish an annual report, so the Bipole ones are
11 on our website, you can see a summary of all the
12 technical information that is provided by our
13 monitoring discipline specialist, as well as
14 results of the construction process itself, how
15 far we have achieved in the construction, any
16 information with respect to spills and releases
17 are all posted in those annual reports.

18 Manitoba Hydro is open to giving
19 presentations, because we know not everybody wants
20 to download and read a 50-page report,
21 presentations of those reports as well is a way,
22 is an alternate way of communicating the results
23 of our processes.

24 So adaptive management. We've done a
25 lot of work on adaptive management over the last

1 few years. Certainly it was a topic on the Bipole
2 III project. We had the Consumers Association of
3 Canada provide a very good document about adaptive
4 management from their experts. We met with their
5 experts. We did a lot of thinking about how we
6 can incorporate adaptive management in a more
7 fundamental way of how Manitoba Hydro conducts its
8 Environmental Protection Program.

9 So many of the steps identified would
10 seem intuitive. But what adaptive management
11 does, it provides that structured framework to
12 help facilitate learning, from management
13 decisions and experience, with the goal of
14 reducing uncertainty and increasing the
15 effectiveness through monitoring and review of our
16 measures.

17 Incorrectly, adaptive management is
18 often considered, it's the ability to be flexible,
19 oh, I'll adaptively manage that, it's the ability
20 to react to a problem. That's not what adaptive
21 management is to us. Part of adaptive management
22 is thinking through several different possible
23 scenarios about what could happen narrowly to the
24 most likely one, and that's the mitigation measure
25 you put into place. But also devising solutions

1 where you have contingencies in mind. So the
2 golden-winged warbler is a prime example where
3 we're moving forward with a particular approach to
4 clearing and managing and creating that habitat,
5 but we also have other options that we've been
6 contemplating all the way along about, okay, if
7 this doesn't work out, what can we do to adapt?
8 What is our plan B, plan C, plan D, with respect
9 to mitigating an effect?

10 Affected parties can be diverse
11 through the groups of folks. So we have first
12 Nations and Metis engagement process, we have a
13 public engagement process, but their inclusion
14 strengthens the whole process of decision-making,
15 as it allows those multiple perspectives to be
16 shared and understood.

17 So as you've heard throughout the
18 project, we have had extensive public engagement,
19 First Nation and Metis Engagement through the
20 development of the whole project, as a whole from
21 the start all the way to today.

22 We're going to continue that through
23 construction, through the ongoing First
24 Nation-Metis engagement process, hopefully at this
25 community monitoring working group, the cultural

1 and heritage resource protection plan, those
2 protocols that are in place there to communicate
3 with folks if there's a heritage resource; that
4 landowner liaison process that we have with
5 directly affected landowners, chat with them about
6 concerns they may have; direct one-on-one
7 communication with Hydro staff, not just calling a
8 switchboard, you know, a landowner has a direct
9 communication with a Hydro staff member.

10 We're trying to a foster transparent
11 decision-making process. So, you know, building
12 on the open and transparent routing process that
13 we had, Hydro continued to make those key
14 decisions in a transparent and well-documented
15 manner by having all the alterations to the
16 project. So if we had to change something about
17 the project, putting in an alteration, documenting
18 it through and placing it on public registry or
19 the Hydro website, so we had to make this change
20 to the project and here is why. And of course we
21 submit those to the regulator for approval and
22 keep all that out into the public registry and on
23 our website.

24 As described, the environmental
25 monitoring plan that Jonathan presented there,

1 we're using a lot of different experiments to
2 evaluate how effective our management decisions
3 were at accomplishing those original goals of
4 environmental protection. These efforts are
5 geared towards evolving and approving and ensuring
6 that we're using what's called the current best
7 practice. And I certainly hope that Manitoba
8 Hydro has been in a position or is in a position
9 of being and creating best practice.

10 Often figures are used as an effective
11 way to communicate the cyclical process of
12 adaptive management. So adaptive management can
13 range in a multiple different steps. It can be as
14 simple as two steps, or it can be seven or eight
15 different steps to explain the different levels of
16 granularity. But this model here, which is the
17 adaptive management cycle from the Tasmanian
18 Wilderness World Heritage Area, this one I think
19 best illustrates the adaptive management on
20 transmission construction and the environmental
21 protection program. So I'll just walk you through
22 the different steps here.

23 So, of course, planning. So at the
24 planning stage we have engaged stakeholders in
25 this context. It could be the public, it could be

1 the landowners, could be Indigenous communities,
2 government departments, or anyone else that might
3 be affected by the decisions we make.

4 Objectives at this stage is
5 collaboration and identification of valued
6 components, concerns identified and potential
7 mitigation measures, management strategies
8 developed, and performance indicators. So an
9 example, a buffer zone around an environmentally
10 sensitive site may be a performance indicator,
11 being whether the protection of that site has
12 occurred, and we measure it by the presence of the
13 buffer and how big it is and its effectiveness.

14 The doing stage. So we plan, we do,
15 so we're in construction now. We have that
16 environmental protection implementation team that
17 are implementing mitigation strategies and
18 processes of environmental protection. The daily
19 inspections would be the same team that would take
20 place, looking for compliance with the
21 Environmental Protection Plan. And of course, we
22 have the regulators, both the National Energy
23 Board and Sustainable Development, monitoring and
24 measuring our performance against the plans that
25 we have submitted to be compliant with.

1 We have the evaluation and learn
2 stage. So this stage, you know, it's based on
3 those daily inspections, it's based on those
4 annual specialist monitoring reports. So as
5 Jonathan had presented, the entire monitoring plan
6 is developed to evaluate and learn from the
7 decisions that were made from the construction
8 environmental protection plan, and the EIS, with
9 respect to mitigation measures.

10 And at any point in the process here
11 that we need to adjust something, so it loops back
12 to the do. So some of these adjustments with
13 mitigation measures happen on a daily basis. They
14 are happening right during the construction where
15 an environmental inspector is making a decision
16 about how we have to adapt here because of this
17 changing environmental condition that's occurring.
18 And some of them are occurring after a field
19 season, where we get our vegetation information
20 back from that following summer after a season of
21 winter construction, and they measured some of the
22 effectiveness of our mitigation measures with
23 respect to rare plants and traditional plant
24 mitigation measures that we have there.

25 So regardless of the level of success

1 of mitigation measures that we achieve here, we're
2 always managing, on a regular basis reviewing
3 those plans. They can always be better. There's
4 always a way to make an Environmental Protection
5 Plan, whether it be an access management plan, or
6 a blasting plan, there's always ways to make it
7 better. So we're always on a regular basis trying
8 to approve the program as a whole.

9 So on MMTP we've kind of done, I'll
10 call them adaptive management enhancements, but
11 they are measures that we took on the MMTP project
12 that we haven't done before on previous projects.
13 So we've continuously improved the use of adaptive
14 management in incorporation into our materials,
15 and documents explaining its application and its
16 use in context, because not everybody has the same
17 understanding of what adaptive management is. So
18 in our Environmental Monitoring Plan we have
19 identified what we consider passive adaptive
20 management and active adaptive management
21 experiments that we are conducting.

22 Through the evolution of the First
23 Nation-Metis engagement process in Bipole III and
24 different projects, in addition to adding that
25 landowner liaison process position that we are

1 liaising with landowners, works one-on-one with
2 landowners during all stages of the project, from
3 the easement agreements, through construction,
4 through incorporating participation and feedback
5 from that landowner into those decisions.

6 And through the indigenous community
7 monitoring working group, we'd want to use that as
8 a mechanism by which we can honour that feedback
9 from the Indigenous communities and bring it back
10 into our adaptive process. So enhancement of
11 monitoring programs towards that active form. So
12 on the Bipole III project, we did an active
13 adaptive management process with bird wire
14 diverters. So we're looking at different types of
15 bird wire diverters, different placement
16 strategies, and we're learning -- Bipole III isn't
17 strung, or with conductors in the air yet, so
18 hopefully in the next season prior to this one
19 we'll have some initial feedback on the results of
20 that mitigation strategy with the different types
21 of bird diverters we're using, and that will
22 inform what we do on the MMTP project.

23 Introspective approach to
24 Environmental Protection Program improvements. We
25 are spending a lot more time in meetings and in

1 planning about how our Environmental Protection
2 Program is rolling out to contractors, how we can
3 develop and target our documents to the
4 contractor. Because as you can appreciate, some
5 of our documents are fairly thick. Not everybody
6 wants to read those, contractors, whether they are
7 told by Hydro to read them or not. So we're
8 looking at different mechanisms by which we can
9 get the key information into the general
10 contractor staff, and getting more, much more
11 detailed into those environment officers that are
12 part of the contractor training, and the
13 construction supervisors, so that they have the
14 very detailed knowledge, but that everybody has
15 some basic understanding of things like the
16 Cultural and Heritage Resource Protection Plan,
17 and an understanding of what a heritage potential
18 resource is, and how to identify one, and what
19 they should do when they find one.

20 So there's a variety of things that
21 we're looking to try and improve our communication
22 with those variety of different audiences. So my
23 group, we develop all these plans, we present them
24 in EIS, we present them to the Clean Environment
25 Commission, and now we have to develop ways by

1 which we communicate and share that information
2 with construction department, the construction
3 contractors. And it's not as simple as just
4 taking the plans and handing them over and saying,
5 here, go implement them please, you have to follow
6 all of this. We are cognizant of all the
7 different challenges with trying to implement
8 these plans and developing a wide variety of ways
9 to do that.

10 So this is my final slide. We reached
11 that journey that Ms. Johnson talked about at the
12 start of, the opening I guess two weeks ago.
13 Manitoba Hydro has conducted a balanced and
14 comprehensive study of route alternatives. It
15 confidently proposes a final preferred route for
16 the project which balances the concerns of
17 multiple perspectives and limits the effects on
18 people and the environment.

19 Our staff interacted directly with
20 potentially affected individuals and communities
21 and have worked over the last five years to
22 carefully plan, assess and engage with the aim of
23 limiting the effects of the transmission line on
24 people and the environment, while building working
25 relationships with individuals and communities

1 potentially affected by the project.

2 We have presented over the past few
3 weeks a comprehensive assessment that was
4 conducted taking an ecosystem-based approach and
5 conservative approach focusing on a variety of
6 valued components, with the consideration of
7 mitigation that we are planning as described in
8 all of the environmental protection programs, that
9 there would be no significant effects anticipated
10 for the project.

11 We have sought to understand the
12 perspectives and concerns, and mitigate or limit
13 effects, and committed through ongoing adaptive
14 management through the public engagement process,
15 the First Nation and Metis engagement process, and
16 environmental protection to carry out, carry
17 forward these commitments that Manitoba Hydro has
18 proposed over the last few weeks.

19 Just to clarify, one of the concerns
20 that one our intervenors had about monitoring,
21 because Jonathan didn't touch on it on the
22 monitoring presentation, was the Minnesota Power's
23 Presidential Permit, article 8, and I'll read it
24 for you here, what it talks about.

25 "Minnesota Power shall investigate any

1 complaints from nearby residents of
2 radio or television interference
3 identifiably caused by the operation
4 of the facilities covered by this
5 Permit. Minnesota Power shall take
6 appropriate action as necessary to
7 mitigate such situations. Complaints
8 from individuals residing within
9 one-half mile of the centerline of the
10 transmission line must be resolved.
11 Minnesota Power shall maintain written
12 records of all complaints received and
13 of the corrective actions taken."

14 So the article is about radio and
15 television interference. And as Mr. Bailey talked
16 about with respect to monitoring, there's no
17 effective way to do a pre and post level
18 monitoring. But Manitoba Hydro, as directed, as
19 the Presidential Permit directs to Minnesota
20 Power, we conduct the same type of assessment. So
21 when a landowner comes and has a complaint or a
22 concern with radio interference or television
23 interference -- and these can be caused by a
24 variety of different effects and electromagnetic
25 fields is one, but the actual tower itself, the

1 steel of the tower has the potential to cause
2 radio interference and/or television interference.
3 So we have had discussions with landowners about
4 addressing those concerns. And a lot of times it
5 can come down to just some poor grounding within
6 the home, or some other type of nearby
7 distribution system grounding issues that can
8 cause that interference. So I just wanted to make
9 sure that we are clear on what that article is,
10 and that is, in fact, something that Manitoba
11 Hydro does do currently.

12 And I think that's all I have. Thank
13 you.

14 THE CHAIRMAN: So I'm assuming that
15 concludes Manitoba Hydro's presentation?

16 MR. MATTHEWSON: Yes.

17 THE CHAIRMAN: Okay. Thank you very
18 much. All right. We'll turn to the questioning.
19 And my understanding is we have made one change to
20 the order. So we will start with the Consumers'
21 Association of Canada and Ms. Pastora Sala.

22 MS. PASTORA SALA: Good morning. I'm
23 wondering, Mr. Chair, if it will be possible to
24 break now before I begin my questioning? I
25 anticipate being approximately an hour and a half.

1 And given it's 10:30, it might be best if we break
2 now and then I can just go continuously, if
3 possible?

4 THE CHAIRMAN: Anyone else have any
5 concerns with that suggestion?

6 MS. PASTORA SALA: It may also give
7 Manitoba Hydro additional time to gather the
8 documents that I provided them.

9 THE CHAIRMAN: Okay. Good. We'll do
10 that. So we'll be back here at 20 minutes to
11 11:00, and look forward to your questions.

12 MS. PASTORA SALA: Thank you,
13 Mr. Chair.

14 THE CHAIRMAN: Thank you.

15 (Proceedings recessed at 10:26 a.m.
16 and reconvened at 10:40 a.m.)

17 THE CHAIRMAN: Okay. We're ready to
18 go, and so our first questioner will be the
19 Consumers' Association of Canada and
20 Mrs. Pastora Sala. It's all yours.

21 MS. PASTORA SALA: Good morning and
22 thank you, Mr. Chair, good morning members of the
23 panel, and good morning members of the EPP panel
24 as well.

25 Again, I have taken the liberty this

1 morning to provide a list of my references to
2 counsel for Manitoba Hydro, as well as
3 Mr. Matthewson, for the purposes of ensuring my
4 questioning can be as efficient as possible. My
5 questions today will be entirely for
6 Mr. Matthewson.

7 Mr. Matthewson, I promised you last
8 week that we would have the opportunity to engage
9 in questioning, so here we are today. I
10 anticipate I'll be approximately an hour and a
11 half, as I indicated before the break.

12 So Mr. Matthewson, just as you began
13 by clarifying your role at Manitoba Hydro during
14 your presentation, I would also like to begin this
15 morning by clarifying your role, and specifically
16 your role and experience relating to environmental
17 protection plans.

18 So as you indicated during your
19 presentation last Thursday, you are currently a
20 senior environmental assessment officer for
21 Manitoba Hydro; correct?

22 MR. MATTHEWSON: Correct.

23 MS. PASTORA SALA: And in terms of
24 your educational background, you graduated with an
25 Honours Bachelor of Science in Forestry from

1 Lakehead University; correct?

2 MR. MATTHEWSON: Correct.

3 MS. PASTORA SALA: And would I also be
4 correct in indicating that you did not pursue any
5 post-graduate education following your Honours
6 degree?

7 MR. MATTHEWSON: That's correct.

8 MS. PASTORA SALA: So you do not hold
9 a Masters degree?

10 MR. MATTHEWSON: No, I do not.

11 MS. PASTORA SALA: A Ph.D?

12 MR. MATTHEWSON: No.

13 MS. PASTORA SALA: And would I also be
14 correct in stating that you do not have any
15 peer-reviewed publications in the area of
16 monitoring and follow-up and/or adaptive
17 management?

18 MR. MATTHEWSON: Correct.

19 MS. PASTORA SALA: And you have not
20 studied any environmental monitoring plans from
21 other jurisdictions for the purposes of preparing
22 a peer-reviewed publication?

23 MR. MATTHEWSON: I have not studied
24 materials from other jurisdictions for the
25 purposes of developing a peer-reviewed

1 publication, however, I have studied them for the
2 purposes of development of an environmental
3 protection program for Manitoba Hydro.

4 MS. PASTORA SALA: Right, but not for
5 peer reviewed; correct?

6 MR. MATTHEWSON: Correct.

7 MS. PASTORA SALA: And you do not have
8 any peer-reviewed publications?

9 MR. MATTHEWSON: No, I do not.

10 MS. PASTORA SALA: In terms of your
11 professional experience, you began work at
12 Manitoba Hydro in 2007; correct?

13 MR. MATTHEWSON: Correct.

14 MS. PASTORA SALA: And you have
15 characterized your professional expertise as
16 having 19 years of experience in the forest
17 industry; correct?

18 MR. MATTHEWSON: Nineteen years of
19 experience in the forest industry, Manitoba
20 Conservation and Manitoba Hydro, total.

21 MS. PASTORA SALA: Okay, thank you.

22 So I'd like to begin my questions
23 relating to Manitoba Hydro's Environmental
24 Protection Plan for the MMTP, with some general
25 questions for you, Mr. Matthewson, relating to

1 environmental assessment monitoring and follow-up.

2 Would you agree, Mr. Matthewson, that
3 with experience, our expectations and
4 understandings of what environmental assessment
5 should achieve evolves over time?

6 MR. MATTHEWSON: Yes, I would agree.

7 MS. PASTORA SALA: And you would agree
8 that the following four principles are important
9 elements of environmental assessment. So first,
10 transparency?

11 MR. MATTHEWSON: Yes.

12 MS. PASTORA SALA: Inclusivity?

13 MR. MATTHEWSON: Yes.

14 MS. PASTORA SALA: Informed
15 deliberations?

16 MR. MATTHEWSON: Yes.

17 MS. PASTORA SALA: Meaningful
18 participation?

19 MR. MATTHEWSON: Yes.

20 MS. PASTORA SALA: And you would
21 agree, Mr. Matthewson, that uncertainty is a
22 reality when it comes to building major projects.
23 So by major, for example, class 3 developments
24 such as hydro generation projects and transmission
25 lines?

1 MR. MATTHEWSON: Yes, there's some
2 level of uncertainty for some potential effects.

3 MS. PASTORA SALA: You would agree
4 that uncertainty is a reality when building
5 construction projects?

6 MR. MATTHEWSON: Uncertainty of what?

7 MS. PASTORA SALA: You will recall,
8 Mr. Matthewson, the definition of uncertainty
9 referred to in past presentations. I believe you
10 were here when I read the quote by Mr. Rumsfeld.
11 I can refresh your memory if you'd like?

12 MR. MATTHEWSON: You'll have to
13 refresh my memory.

14 MS. PASTORA SALA: Give me one moment.

15 MR. MATTHEWSON: I think I'm recalling
16 the quote now. We're good.

17 MS. PASTORA SALA: Are you sure?

18 MR. MATTHEWSON: Yes, I would agree
19 with that quote.

20 MS. PASTORA SALA: Okay. And there
21 are methods in environmental assessments for
22 dealing with these uncertainties?

23 MR. MATTHEWSON: Yes, there are.

24 MS. PASTORA SALA: And one of these
25 methods is monitoring and follow-up?

1 MR. MATTHEWSON: Yes.

2 MS. PASTORA SALA: Would you agree,
3 Mr. Matthewson, that as the level of uncertainty
4 increases, monitoring becomes more essential in
5 design?

6 MR. MATTHEWSON: Yes.

7 MS. PASTORA SALA: And therefore,
8 follow-up and monitoring activities are critical
9 components of environmental assessments; correct?

10 MR. MATTHEWSON: Yes, they are.
11 That's why Manitoba Hydro had developed an
12 extensive environmental protection program.

13 MS. PASTORA SALA: And another way of
14 saying this would be that this hearing does not
15 represent the end of the journey, and it is
16 important to pay attention to projects after
17 projects are approved; correct?

18 MR. MATTHEWSON: Absolutely.

19 MS. PASTORA SALA: Broadly speaking,
20 follow-up and monitoring programs can include
21 compliance, which I am defining as ensuring that
22 the proponent is meeting its regulatory
23 requirements?

24 MR. MATTHEWSON: Yes, that's one
25 component.

1 MS. PASTORA SALA: Monitoring, which I
2 am defining as activities designed to identify the
3 nature and cause of change?

4 MR. MATTHEWSON: Yes.

5 MS. PASTORA SALA: Auditing, which
6 involves an objective examination or comparison of
7 observations with those predetermined?

8 MR. MATTHEWSON: Yes.

9 MS. PASTORA SALA: And ex post or post
10 hoc evaluations, which I'm defining as a detailed
11 comparison of the information provided in the EIS
12 as compared to what happens in reality?

13 MR. MATTHEWSON: Yes.

14 MS. PASTORA SALA: And so through
15 these approaches, monitoring can reveal whether
16 assumptions about uncertainties hold true;
17 correct?

18 MR. MATTHEWSON: Yes.

19 MS. PASTORA SALA: Mr. Matthewson,
20 would you agree that adaptive environmental
21 management, or AM, is considered to be best
22 practice for dealing with uncertainties and
23 minimizing environmental and social risk of
24 development?

25 MR. MATTHEWSON: I would agree.

1 MS. PASTORA SALA: And for the
2 purposes of defining adaptive management, would it
3 be consistent with your understanding to say that
4 adaptive management is a systematic process for
5 improving strategies and practices by learning
6 from and acting on outcomes of management
7 experiences. If you're looking for a reference to
8 the EIS, you can look at page 61 of the EMP, which
9 in which Manitoba Hydro defines adaptive
10 management.

11 MR. MATTHEWSON: Can you repeat the
12 question, please?

13 MS. PASTORA SALA: Would it be
14 consistent with your understanding to say that
15 adaptive management is a systematic process for
16 improving strategies and practices by learning
17 from and acting on outcomes of management
18 experiences?

19 MR. MATTHEWSON: Yes.

20 MS. PASTORA SALA: And similarly, as I
21 just indicated, at page 61 of the updated draft
22 Environmental Monitoring Plan, Manitoba Hydro
23 cites the Canadian Environmental Assessment Act or
24 CEAA definition of adaptive management, which is
25 the implementation of new or modified processes,

1 procedures and/or mitigation measures over the
2 construction and operation phases of a project to
3 address unanticipated environmental effects.

4 Correct?

5 MR. MATTHEWSON: That's correct.

6 MS. PASTORA SALA: And at page 22-2 of
7 the EIS, Manitoba Hydro states that adaptive
8 management is an iterative process that involves
9 planning, implementation, evaluation and learning,
10 with adjustments made at any stage of the process,
11 where needed?

12 MR. MATTHEWSON: Yes.

13 MS. PASTORA SALA: At page 61 of the
14 updated Environmental Management Plan, Manitoba
15 Hydro says that although there are many
16 definitions of AM, there are some fundamental
17 common elements, and these include learning and
18 reducing key uncertainties?

19 MR. MATTHEWSON: Yes.

20 MS. PASTORA SALA: Using what is
21 learned to change policy and practice?

22 MR. MATTHEWSON: Yes.

23 MS. PASTORA SALA: Focus is on
24 improvement management?

25 MR. MATTHEWSON: Yes.

1 MS. PASTORA SALA: And adaptive
2 management is formal, structured and systematic?

3 MR. MATTHEWSON: Yes.

4 MS. PASTORA SALA: And similar to what
5 you indicated at slide 24, you would agree that in
6 addition to these elements, another core feature
7 of adaptive management is its purposefulness. So
8 in other words, rather than just simply learning
9 from mistakes, adaptive management involves
10 careful contingency planning. Would you agree?

11 MR. MATTHEWSON: Yes, I would agree.

12 MS. PASTORA SALA: And in the EIS,
13 Manitoba Hydro states that its Environmental
14 Protection Program has been designed to be active
15 and responsive throughout the project life cycle;
16 correct?

17 MR. MATTHEWSON: Close. The
18 Environmental Protection Program is designed to be
19 adaptive and responsive throughout the project
20 life cycle. I think you said active.

21 MS. PASTORA SALA: I believe I was
22 quoting directly from the EIS, but I unfortunately
23 did not put a reference number here. So I can
24 move on.

25 MR. MATTHEWSON: Okay.

1 MS. PASTORA SALA: On several
2 occasions over the last few weeks, as well as in
3 the EIS, Manitoba Hydro states that it has learned
4 from past projects; correct?

5 MR. MATTHEWSON: Yes, it has.

6 MS. PASTORA SALA: And according to
7 page 22-3, Manitoba Hydro has extensive experience
8 in the development of environmental protection
9 monitoring and follow-up plans, and it has learned
10 from past projects, including the Wuskwatim
11 transmission project, Bipole III, and the Keeyask
12 transmission project; correct?

13 MR. MATTHEWSON: That is correct. And
14 also I'd like to point out that I have been
15 involved in all of those projects as well.

16 MS. PASTORA SALA: Would it be fair to
17 assume then that you are familiar, given your
18 involvement, with the evidence prepared by
19 Drs. Patricia Fitzpatrick, Alan Diduck and James
20 Robson, relating to monitoring and follow-up for
21 the Bipole III and Keeyask hearings?

22 MR. MATTHEWSON: Yes, I am familiar
23 with it.

24 MS. PASTORA SALA: And you would also
25 be familiar with the distinctions made in the

1 literature between active and passive adaptive
2 management?

3 MR. MATTHEWSON: Yes, I'm familiar.

4 MS. PASTORA SALA: And in fact, the
5 distinction between active and passive adaptive
6 management is made in the EIS, for example, at
7 page 61, and as well as at page 26 of your
8 powerpoint?

9 MR. MATTHEWSON: Yes.

10 MS. PASTORA SALA: Would it be
11 consistent with your understanding to define
12 passive adaptive management as using historical or
13 existing data to propose an approach which is
14 assumed to be correct, and then monitoring is done
15 to see if the proposed approach was right, and
16 adjustments are made if desired objectives are not
17 met?

18 Would you like me to repeat that,
19 Mr. Chair? I saw a confused look on your face.

20 THE CHAIRMAN: You shouldn't assume
21 too much from that. Why don't you repeat it and
22 we'll go on.

23 MS. PASTORA SALA: Okay. I'll repeat
24 it for the benefit of both Mr. Chair and
25 Mr. Matthewson.

1 So passive adaptive management, you
2 use historical or existing data to propose an
3 approach, and you assume that that data is
4 correct, and then you monitor to see if that
5 proposed approach is right, and then adjustments
6 are made to that approach if the desired
7 objectives are not met?

8 MR. MATTHEWSON: Yes, that's my
9 understanding.

10 MS. PASTORA SALA: And this is in
11 contrast with active adaptive management, in which
12 you explicitly design -- pardon me, explicitly
13 designed to provide data and feedback on the
14 relative efficacy of alternative management or
15 policy options, and faced with uncertainty there
16 is more than one strategy which is implemented as
17 concurrent experiments to see which will meet
18 management objectives?

19 MR. MATTHEWSON: Yes, I agree with
20 that.

21 MS. PASTORA SALA: Pardon my language
22 barriers.

23 Based on your understanding of these
24 concepts, Mr. Matthewson, would you agree with
25 there can be challenges with passive adaptive

1 management? And I'll name a few and you can tell
2 me whether you agree. So the first is being
3 unclear whether observed changes are due to the
4 way in which the environment was treated, or
5 whether they are due to other variables affecting
6 the system?

7 MR. MATTHEWSON: Yes, that is one of
8 the challenges with passive adaptive management
9 that Manitoba Hydro utilizes a variety of
10 different mechanisms to address that challenge.

11 MS. PASTORA SALA: And another
12 challenge would be that, given this uncertainty
13 relating to the potential causes of variability,
14 there may be a failure to detect all the
15 opportunities for improving adaptive management
16 performance. Would that be correct?

17 MR. MATTHEWSON: Yes, that's correct.

18 MS. PASTORA SALA: But you would agree
19 that both passive and active adaptive management
20 are useful?

21 MR. MATTHEWSON: Yes, they are both
22 useful and required as active adaptive management
23 is not always possible for every scenario.

24 MS. PASTORA SALA: And in order to
25 determine which approach should be used, one needs

1 to consider the optimal approach on what we know
2 of the valued components; correct?

3 MR. MATTHEWSON: Yes, we have to
4 understand the extent of our knowledge of the
5 valued components, our historical research and
6 findings as part of the EIS, as an example for
7 golden-winged warbler, there is numerous amounts
8 of research and information out there and there
9 are several experts that we rely on to provide us
10 guidance on that.

11 MS. PASTORA SALA: And uncertainty can
12 be one indicator which can assist in deciding
13 whether to use active or passive adaptive
14 management, therefore, that would mean that the
15 more uncertainty there is with respect to a VC,
16 the more important it would be to have active
17 adaptive management; correct?

18 MR. MATTHEWSON: I would agree.

19 MS. PASTORA SALA: At page 25 of your
20 powerpoint, you refer to and explained the four
21 stages of adaptive management which are currently
22 used in adaptive management; correct?

23 MR. MATTHEWSON: Yeah, I explained the
24 four stages that Manitoba Hydro is utilizing for
25 adaptive management incorporation of its

1 Environmental Protection Program.

2 MS. PASTORA SALA: And those would
3 also be the four stages that are generally used in
4 the literature?

5 MR. MATTHEWSON: I can't speak to
6 whether or not they are.

7 MS. PASTORA SALA: For the benefit of
8 the Commission and participants, I have also
9 provided a copy of what is referred to as the
10 adaptive management cycle, which has the four
11 stages of evaluation. And my recommendation,
12 members of the Commission panel, would be that you
13 keep that page close by as I move forward in my
14 questions.

15 And so as you indicated and described,
16 Mr. Matthewson, there are four stages, and the
17 first would be you plan and hypothesize; correct?

18 MR. MATTHEWSON: Correct.

19 MS. PASTORA SALA: And then you do and
20 monitor?

21 MR. MATTHEWSON: Correct.

22 MS. PASTORA SALA: And then you
23 evaluate and learn?

24 MR. MATTHEWSON: Correct.

25 MS. PASTORA SALA: And then you would

1 adjust as needed, would that be correct?

2 MR. MATTHEWSON: Yes.

3 MS. PASTORA SALA: And you are also
4 aware that Drs. Diduck and Fitzpatrick used this
5 cycle of adaptive management in the Bipole III and
6 Keeyask to frame their analysis of monitoring and
7 follow-up plans proposed by Manitoba Hydro?

8 MR. MATTHEWSON: Yes, I am.

9 MS. PASTORA SALA: And you would be
10 familiar with the specific questions identified by
11 Drs. Diduck and Fitzpatrick in the Keeyask
12 hearing, which were prepared to evaluate whether
13 the proponents have fully implemented the four
14 stages of adaptive management?

15 MR. MATTHEWSON: I am not familiar
16 with the specific questions, no.

17 MS. PASTORA SALA: In order to assist
18 you, as well as to assist the Commission, I have
19 provided a copy of the list of questions which you
20 should have before you, Mr. Matthewson.

21 MR. MATTHEWSON: I have an excerpt
22 from The Foundation for the Future.

23 MS. PASTORA SALA: And so you see the
24 questions there, Mr. Matthewson?

25 MR. MATTHEWSON: Yes, I see the table.

1 MS. PASTORA SALA: And as you see in
2 the table, the questions that are identified in
3 the table are separated under each of the four
4 stages in the cycle; correct?

5 MR. MATTHEWSON: Yes.

6 MS. PASTORA SALA: So Mr. Chair and
7 members of the Commission, for the purposes of the
8 remainder of my questions, I will be following the
9 specific questions which are identified by
10 Dr. Fitzpatrick in this list, if you would like to
11 follow along.

12 And in the interest of efficiency,
13 Mr. Chair, I will be skipping over some of the
14 questions which will be fully canvassed by
15 Dr. Fitzpatrick in her report.

16 So starting off with question A-1, in
17 terms of the first question, which relates to
18 Manitoba Hydro's acceptance of uncertainty, would
19 you agree, Mr. Matthewson, that uncertainty is
20 recognized at different places throughout the EIS
21 for the MMTP?

22 MR. MATTHEWSON: Yes.

23 MS. PASTORA SALA: And on May 16th,
24 2017, during my questioning of Manitoba Hydro,
25 specifically Ms. Coughlin confirmed that

1 uncertainty was not explicitly listed as a
2 rationale for including VCs in the EIS; correct?

3 MR. MATTHEWSON: I believe that is
4 correct, yes.

5 MS. PASTORA SALA: Can you confirm
6 that uncertainty was not used as an explicit
7 rationale for the selection of VCs in monitoring?
8 And if you would like a reference, I would refer
9 you to page 11, which lists the consideration for
10 VC selection. Sorry, that's page 11 of the EMP.

11 MR. MATTHEWSON: The selection of
12 valued components for monitoring followed the same
13 criteria and principles as the selection of VCs
14 for the Environmental Impact Statement.

15 MS. PASTORA SALA: So you would agree
16 that uncertainty was not used as an explicit
17 rationale for the selection of VCs in monitoring?

18 MR. MATTHEWSON: Correct.

19 MS. PASTORA SALA: Moving now to
20 question A-2. Would it be fair to say that
21 different components of the follow-up and
22 monitoring program adopt different time frames?
23 And if you would like a reference, Mr. Matthewson,
24 I'm looking at figure 4-1 at page 15 of the
25 monitoring plan.

1 MR. MATTHEWSON: Yes.

2 MS. PASTORA SALA: And in looking at
3 figure 4-1, would it be fair to say that the
4 majority of the monitoring programs end within two
5 years of construction -- other than the
6 sharp-tailed grouse, which may have up to 10 years
7 post construction monitoring?

8 MR. MATTHEWSON: The plan, the
9 proposed plan as outlined in the schedule of
10 activities does have items ending approximately
11 two years after construction. But it's important
12 to note that at any point in time, any of these
13 activities may be extended, based on the results
14 of monitoring programs that provide us new
15 information, or with respect to the effectiveness
16 of the mitigation measures and the expected
17 results of the predictions of the EIS.

18 MS. PASTORA SALA: But at this point
19 in time, the expected monitoring timeline for the
20 majority of the VCs is two years post
21 construction; correct?

22 MR. MATTHEWSON: Yes, at this point in
23 time of the proposed draft environmental
24 monitoring plan, it is two years post
25 construction.

1 MS. PASTORA SALA: And at page 22-4 of
2 the EIS, it identifies the list of draft and final
3 ATK land use studies which were "incorporated into
4 the EIS"; correct?

5 MR. MATTHEWSON: That's correct. I
6 believe a variety of panels before me have
7 described how it has been incorporated.

8 MS. PASTORA SALA: And would it be
9 correct, Mr. Matthewson, or accurate to say that
10 some of the ATK and land use studies have
11 identified the need for monitoring lasting more
12 than two years? If you would like a reference,
13 Mr. Matthewson, I would point you to, for example,
14 the Peguis First Nation land use and occupancy
15 report at page 29, which specifically indicates
16 that monitoring for wildlife should be done for a
17 period of at least five years. Correct?

18 MR. MATTHEWSON: Yes, I believe that
19 quote is correct. It's important to note that the
20 Indigenous community monitoring working group and
21 the activities by which that working group would
22 want to monitor, which may be in addition to this
23 proposed monitoring plan by Manitoba Hydro, may be
24 of longer duration.

25 MS. PASTORA SALA: And we'll come back

1 to that monitoring group, Mr. Matthewson. But
2 just for now, can you confirm for me whether or
3 not that monitoring program has been confirmed at
4 this point?

5 MR. MATTHEWSON: Sorry, you'll have to
6 rephrase.

7 MS. PASTORA SALA: You indicated that
8 additional monitoring will be done through the
9 Indigenous monitoring group; correct.

10 MR. MATTHEWSON: I indicated that the
11 indigenous community monitoring working group may
12 endeavour to do additional monitoring activities
13 that are above and beyond the Environmental
14 Monitoring Plan that Manitoba Hydro has drafted
15 currently.

16 MS. PASTORA SALA: And at this point
17 in time, that group or the creation of that group
18 has not been confirmed; correct?

19 MR. MATTHEWSON: Correct. The terms
20 of reference for that group have not been
21 developed. Manitoba Hydro has extended the
22 invitation to all First Nations, Metis and
23 Indigenous organizations to be involved in that
24 working group, and we are in development of the
25 group currently.

1 MS. PASTORA SALA: Okay. And we'll
2 come back to that group.

3 For now, Mr. Matthewson, I'd like to
4 thank you for providing us with the information
5 relating to the roles and responsibilities of some
6 of the individuals involved in monitoring, in your
7 presentation last Thursday. I appreciated seeing
8 the lovely pictures and hearing the information
9 you described in slides 6 to 9 of your powerpoint.

10 With respect to the information
11 provided, would it be fair to say that there are
12 three main features in the EIS -- pardon me, three
13 main figures in the EIS which explain the
14 organizational structure affecting people involved
15 in monitoring? So I'm referring to figure 22-1,
16 figure 22-2 and figure 22-3. Would that be
17 correct?

18 MR. MATTHEWSON: Sorry, can you ask
19 the question again, please?

20 MS. PASTORA SALA: Would it be fair to
21 say that the three figures I mentioned are the
22 three figures in the EIS which explain the
23 organizational structure affecting people involved
24 in monitoring for MMTP?

25 MR. MATTHEWSON: Figure 22-1 is the

1 Environmental Protection Program component, so it
2 just outlines the whole components of the program.
3 22-2 is the organizational structure of the
4 Environmental Protection Program. And 22-3 is the
5 organizational lines of reporting and
6 communication. So they don't all apply to
7 structure I guess is what I was --

8 MS. PASTORA SALA: But they apply to
9 the organization of the people involved in
10 monitoring. Would that be fair?

11 MR. MATTHEWSON: I would say figure
12 22-2 and 22-3 are more to describe the
13 organization of people.

14 MS. PASTORA SALA: Okay. And we'll
15 actually go to these specific figures, and based
16 on your presentation last Thursday as well as
17 these figures, I do have some questions of
18 clarification. And so if it's okay, I'd like to
19 just focus first on figure 22-1 of the EIS, which
20 is also replicated at page 5 of your powerpoint,
21 if you want to pull that up.

22 Under communication, it indicates that
23 Manitoba Hydro will employ community liaisons. Do
24 you see that?

25 MR. MATTHEWSON: It just refers to

1 community engagement.

2 MS. PASTORA SALA: Can you look at
3 figure 22-1 in the EIS?

4 MR. MATTHEWSON: Yes, in that figure
5 it does refer to community liaisons, yeah.

6 MS. PASTORA SALA: So has that been
7 removed from the components under communication?

8 MR. MATTHEWSON: Yes. That specific
9 component has been removed and we're looking to
10 use the indigenous community as a mechanism of
11 communication. So that's why it's been removed
12 from my slide, it is in the EIS. We're constantly
13 evolving our communication strategies for the
14 Environmental Protection Program.

15 MS. PASTORA SALA: Will there be
16 dedicated community liaisons in different
17 communities, not just First Nation, but other
18 communities in general?

19 MR. MATTHEWSON: No, that is not part
20 of Manitoba Hydro's plan at this time.

21 MS. PASTORA SALA: And can you explain
22 to me or clarify the difference between the words
23 community liaison and what you referred to as the
24 landowner liaisons?

25 MR. MATTHEWSON: The term community

1 liaison was a term used on the Bipole III
2 Transmission Project, and it is where Manitoba
3 Hydro funded members of Indigenous communities and
4 Northern Affairs communities to participate in the
5 construction process one to two days a week, to
6 come out to site, see what's happening on the
7 construction process, communicate any information
8 with respect to resource use allocations, or
9 hunting or resource, any concerns the community
10 may have about the project or timing of the
11 project or construction schedule. So it was a
12 mechanism by which we can have two way
13 communication with a large, very large number of
14 communities along the Bipole III project.

15 The landowner liaison project are a
16 component, as we've described in the
17 Manitoba-Minnesota Transmission Project, is a
18 mechanism by which Hydro staff are allocated
19 particular landowners for one-on-one
20 communication, addressing any concerns with
21 respect to the easement process, the construction
22 process, any questions they may have, they have a
23 dedicated Manitoba Hydro landowner liaison which
24 they can call and communicate with.

25 And the First Nations and Metis

1 engagement process is our mechanism by which we
2 have ongoing communications with, and the
3 Indigenous community working group is one
4 mechanism by which we can formalize those
5 communication processes.

6 MS. PASTORA SALA: Okay. So the
7 difference then would be that -- well, what you're
8 no longer calling community liaison and what
9 you're hoping to replace with the Indigenous
10 monitoring group, which has not been confirmed
11 yet, that would be for Indigenous nations, so
12 First Nations and Metis Nations. And what you're
13 calling the landowner liaisons, that would be for
14 non-First Nation and Metis Nations; correct?

15 MR. MATTHEWSON: That would be for
16 landowners directly affected by the project.

17 MS. PASTORA SALA: Which include First
18 Nations and Metis individuals?

19 MR. MATTHEWSON: Perhaps they may be
20 landowners directly affected by the project as
21 they own land that the project is crossing.

22 MS. PASTORA SALA: And how would
23 individuals know who their landowner liaisons are?

24 MR. MATTHEWSON: There has been formal
25 communication through letter and follow-up phone

1 calls to landowners.

2 MS. PASTORA SALA: Which identifies
3 specific individuals, or general information?

4 MR. MATTHEWSON: Individuals, it's an
5 individual basis.

6 MS. PASTORA SALA: Okay. That's
7 helpful, thank you.

8 I'd now like to go to table 22-2 of
9 the EIS. And I'm going to ask you to pull that
10 one up on the screen, please. Thank you.

11 All right. So we see in this figure
12 that the executive division managers are at the
13 top. And if I compare this information to what
14 you presented last Thursday, would it be fair to
15 assume that the executive division managers in
16 this figure are the same people you referred to in
17 your presentation as Manitoba Hydro senior
18 management? So Mr. Penner, Mailey and Neufeld?

19 MR. MATTHEWSON: Yes, that's correct,
20 those are the same people.

21 MS. PASTORA SALA: Okay. And
22 according to figure 22-2, as well as your
23 description, the next step under the executive
24 division managers is the environmental protection
25 management team; correct?

1 MR. MATTHEWSON: That's correct.

2 MS. PASTORA SALA: And that's where
3 you are; right?

4 MR. MATTHEWSON: Yes, that is correct,
5 as represented on slide 7.

6 MS. PASTORA SALA: And so these
7 managers include yourself, as well as other
8 department managers and section heads; correct?

9 MR. MATTHEWSON: Yes, that's correct.

10 MS. PASTORA SALA: And recalling what
11 you indicated last week, Mr. Matthewson, part of
12 the responsibilities of this team is to meet on a
13 regular basis to discuss projects, mitigation
14 issues that are coming up during construction,
15 scheduling about when the new construction is
16 starting and stopping, and discussing the risk
17 time windows; correct?

18 MR. MATTHEWSON: Yes, that's correct.

19 MS. PASTORA SALA: Okay. So if we
20 focus on this figure, would it be accurate to say
21 that at the same level of the environmental
22 protection management team, we see regulators,
23 stakeholders and Aboriginal communities?

24 MR. MATTHEWSON: I don't think we
25 intended them to be at the -- as far as a level.

1 It was a mechanism by which those, that group
2 communicates with the management team generally on
3 Manitoba Hydro projects. So that's why there's a
4 two way communication arrow between those. That
5 does not negate that Aboriginal communities and
6 stakeholders also don't talk to our senior
7 executive, but primarily on a project for the
8 purposes of implementing the Environmental
9 Protection Program, that is the mechanism by which
10 most communication occurs, is at that management
11 team level with those stakeholders.

12 MS. PASTORA SALA: So then it would be
13 false to assume that Indigenous communities and,
14 for example, the Indigenous community monitoring
15 group that Manitoba Hydro hopes to create would be
16 at the same level as the environmental protection
17 management team. Would that be false?

18 MR. MATTHEWSON: I guess without the
19 terms of reference being determined for that
20 project, we don't know how the communities would
21 like to see that working group structured and
22 where it would fit into the organizational chart.

23 MS. PASTORA SALA: Just to be clear,
24 the regulators, stakeholders and Aboriginal
25 communities, as described in this picture with the

1 two way arrows, those groups are not meeting
2 regularly every two weeks to discuss any ongoing
3 issues and develop new mitigation strategies;
4 correct?

5 MR. MATTHEWSON: No, we do not meet
6 regularly with the regulators, stakeholders and
7 Aboriginal communities every two weeks. It's just
8 the environmental protection management team does
9 that on a regular basis, and we meet regularly
10 through the First Nations and Metis engagement
11 process, we meet with our regulators on a variety
12 of topics, as well as the stakeholders, being the
13 landowners, through our landowner liaison program
14 are engaged on a continuous basis.

15 MS. PASTORA SALA: Do you see,
16 Mr. Matthewson, where confusion may arise, based
17 on this figure, that the regulators, stakeholders
18 and Aboriginal communities are on the same level
19 of the environmental protection management team?
20 Do you understand the confusion?

21 MR. MATTHEWSON: I understand how it
22 could be understood that way. But however, as an
23 example, the First Nations and Metis engagement
24 process, when we had some meetings with respect to
25 the community, indigenous community working group,

1 there was a request from those members to meet
2 with our executive, by which those meetings are
3 trying to be organized. So there could be
4 multiple different levels of engagement. The
5 environmental monitor that would be reporting to
6 that, that may be reporting to that Indigenous
7 community monitoring work group may be a member of
8 the environmental protection implementation team.
9 So there's a wide variety of mechanisms by which
10 we can incorporate that working group into
11 different levels of the organizational structure.
12 But we still are developing our terms of reference
13 that will outline that.

14 MS. PASTORA SALA: And once you
15 develop those terms of references, will Manitoba
16 Hydro be updating this figure to reflect the true
17 placement of these individuals and communities in
18 your organizational chart?

19 MR. MATTHEWSON: Yes.

20 MS. PASTORA SALA: So now I'm going to
21 go to one level down, which is the environmental
22 protection implementation team. In describing
23 some of the individuals who are members of your
24 team, you describe both environmental inspectors
25 and environmental monitors; correct?

1 MR. MATTHEWSON: That's correct.

2 MS. PASTORA SALA: And you will recall
3 in CAC IR 004, when CAC requested an explanation
4 of the difference between environmental monitors
5 and inspectors, Manitoba Hydro indicated that it
6 had not been determined whether environmental
7 monitors would be employed for the MMTP. Do you
8 see that in CAC IR 004? I am going to CAC IR 002
9 next.

10 MR. MATTHEWSON: In our response to
11 CAC IR 004, Manitoba Hydro has since the start of
12 the Bipole III project developed different
13 approaches to its ongoing First Nations and Metis
14 engagement process, as described in 22-3.1. As
15 such, the position of environmental monitor as
16 described in the Bipole III project is something
17 that, while under consideration of MMTP, has not
18 been determined so it is excluded from the
19 organizational chart.

20 MS. PASTORA SALA: Right. And so
21 later in CAC IR 021, Manitoba Hydro confirmed that
22 environmental monitors would be employed, but it
23 had not determined who would fill these positions.
24 Correct?

25 MR. MATTHEWSON: Yes. Since the

1 development of the EIS in September of 2015,
2 Manitoba Hydro has developed its environmental
3 monitoring plan which has a role for an
4 environmental monitor, and who will fulfill that
5 role is yet to be determined.

6 MS. PASTORA SALA: So is Manitoba
7 Hydro in the position to confirm whether
8 Indigenous community members will be hired as
9 environmental monitors?

10 MR. MATTHEWSON: Not currently.
11 Manitoba Hydro has a multitude of options that
12 it's considering to fulfill the position of
13 environmental monitor. Certainly its preference
14 is to include the environmental monitoring role as
15 part of the Indigenous community monitor working
16 group. However, it is also looking at other
17 options such as a Manitoba Hydro staff member, a
18 Manitoba Hydro retained consultant, or an
19 Indigenous community member.

20 MS. PASTORA SALA: If Manitoba Hydro
21 does not create the Indigenous monitoring group,
22 will Manitoba Hydro hire Indigenous community
23 members as environmental monitors? Is Manitoba
24 Hydro prepared to commit to that?

25 MR. MATTHEWSON: I think Manitoba

1 Hydro would, if the Indigenous community
2 monitoring work group were not to materialize, it
3 would look to investigate a variety of different
4 mechanisms as it has employed either on Bipole III
5 or Lake Winnipeg East project. And some of those
6 roles are environmental monitors, some of those
7 are community representatives, some of those roles
8 are community liaison environmental monitor
9 hybrids. There's a variety of different solutions
10 to incorporate Indigenous involvement and feedback
11 into its Environmental Protection Program. So
12 there will definitely be some mechanism by which
13 we include Indigenous feedback into our
14 Environmental Protection Program. Will it be an
15 environmental monitoring role specifically, I
16 can't say at this time.

17 MS. PASTORA SALA: During your
18 presentation last Thursday, you indicated that
19 another key component to Manitoba Hydro's
20 organizational structure is the First Nation and
21 Metis ongoing input. Correct?

22 MR. MATTHEWSON: Correct.

23 MS. PASTORA SALA: I'd like to take
24 you to pages 22-17 and 22-18 of the EIS, please.

25 MR. MATTHEWSON: Yes.

1 MS. PASTORA SALA: And in those pages
2 Manitoba Hydro describes its ongoing approach for
3 First Nation and Metis engagement; correct?

4 MR. MATTHEWSON: It discusses a
5 proposed approach.

6 MS. PASTORA SALA: Right. And on page
7 22-17 it states that the ongoing First Nation and
8 Metis engagement process will include inviting
9 individual First Nations and MMF representatives
10 to attend regular field trips to the construction
11 areas. Do you see that?

12 MR. MATTHEWSON: Yes.

13 MS. PASTORA SALA: And then on page
14 22-18 the objectives of the field trips are
15 described. So you're going to create awareness
16 about the project, you're going to develop
17 Manitoba Hydro's awareness, but community
18 concerns, provide Boots on the Ground, Field
19 Experience, involve First Nations and Metis, and
20 include youth and elder components. Do you see
21 that too?

22 MR. MATTHEWSON: Yes, I described that
23 specific details about the field trips are yet to
24 be determined, and Hydro is looking forward to
25 First Nations and Metis to develop the approach

1 for this project, which will be guided by the
2 following objectives.

3 MS. PASTORA SALA: And in your
4 presentation last Thursday, Mr. Matthewson, you
5 stated that there were a variety of different
6 mechanisms by which Manitoba Hydro gathers input
7 from First Nations and the Metis Nation; correct?

8 MR. MATTHEWSON: Yes.

9 MS. PASTORA SALA: And at page 8 of
10 the updated EMT --

11 MR. MATTHEWSON: Yes.

12 MS. PASTORA SALA: -- Manitoba Hydro
13 states that it is committed to an ongoing
14 engagement process to incorporate traditional
15 knowledge within its EPP.

16 MR. MATTHEWSON: Yes, it is.

17 MS. PASTORA SALA: Has Manitoba Hydro
18 developed a process or protocol for incorporating
19 traditional knowledge within its EPP?

20 MR. MATTHEWSON: I think it's the
21 development of the Terms of Reference for that
22 Indigenous community monitoring working group that
23 will outline the process of incorporating
24 traditional knowledge throughout the Environmental
25 Protection Program, as they would like it

1 incorporated. Certainly Manitoba Hydro has
2 incorporated traditional knowledge in its
3 Environmental Impact Statement, as well as the
4 Environmental Monitoring Plan, from what we
5 receive from the reports to date and what we've
6 heard in our ongoing communication.

7 MS. PASTORA SALA: I'm going to come
8 back to that Indigenous community monitoring
9 group, but first I'd like you to confirm whether
10 there are other follow-up and monitoring
11 activities planned with First Nations and the
12 Metis Nation which are not identified in the EIS,
13 other than -- so other than field trips, at this
14 time?

15 MR. MATTHEWSON: Manitoba Hydro is
16 continuing to have ongoing meetings with First
17 Nations and the Manitoba Metis Federation about
18 ongoing involvement in monitoring programs and
19 mitigation measures.

20 MS. PASTORA SALA: So can you confirm
21 whether at this time the only post construction
22 monitoring and follow-up with Indigenous
23 communities will be through field trips?

24 MR. MATTHEWSON: The field trips was
25 just one mechanism by which we want to work with

1 the Indigenous communities. I think it's through
2 those environmental protection plan meetings that
3 we've been having with communities, to garner more
4 input and more options and opportunities for
5 involvement. We've heard a variety of different
6 mechanisms -- we had, as an example, the camp that
7 we had as part of the Bipole III project, we heard
8 from communities that they wanted to have
9 something similar to that on the MMTP project.
10 And during our field trips where we did discuss
11 other monitoring activities, that was brought up
12 again. So it's still an ongoing and evolving
13 discussion about the incorporation of Indigenous
14 knowledge, traditional knowledge into the
15 Environmental Protection Program from the planning
16 through construction of the project.

17 MS. PASTORA SALA: So you have heard
18 about a variety of mechanisms from the First
19 Nations and Metis Nations, but at this time the
20 only monitoring and follow-up activities with the
21 First Nation and Metis Nation are the field trips;
22 correct?

23 MR. MATTHEWSON: I wouldn't even say
24 at this time those are, because we don't have
25 commitment from all the communities to be involved

1 in those field trips at this time. It was simply
2 one idea that was proposed as a proposed approach
3 in the EIS. So there is a variety of different
4 mechanisms, as was discussed through the First
5 Nations and Metis engagement panel there about
6 ongoing engagement and opportunities for
7 discussion, just like we did in the environmental
8 assessment with the direction of self-directed ATK
9 studies. And there may be a variety of different
10 mechanisms by which we engage with Indigenous
11 communities. However, we believe that the
12 Indigenous community monitoring working group is a
13 very good mechanism by which to garner the
14 collective knowledge of all those communities into
15 an entity by which we can have truly meaningful
16 sharing of knowledge and information.

17 MS. PASTORA SALA: So I'm going to
18 rephrase my question a little bit then. So at
19 this time the field trips are the only proposed
20 approach which are identified in the EIS; correct?

21 MR. MATTHEWSON: That is correct.

22 MS. PASTORA SALA: Okay. Thank you.
23 So now going to the Indigenous community
24 monitoring working group. Last Thursday,
25 Ms. Coughlin confirmed that while Manitoba Hydro

1 hopes to create the Indigenous community
2 monitoring working group, it is not a guarantee;
3 correct?

4 MR. MATTHEWSON: That is correct.
5 Some communities may choose not to participate.
6 Certainly we have had lots of feedback from some
7 of the communities that are very interested in
8 pursuing this.

9 MS. PASTORA SALA: In fact, she did
10 indicate that Manitoba Hydro was:

11 "...still not sure whether or not
12 communities want to participate in
13 such an endeavour."

14 MR. MATTHEWSON: Yes. I think she was
15 referring that certain communities are unsure, but
16 some have expressed an interest to participate.

17 MS. PASTORA SALA: So is it Manitoba
18 Hydro's position that if First Nations and the
19 Metis Nation do identify a desire to be involved
20 in monitoring, that it will do, or it will create
21 the Indigenous community monitoring working group?

22 MR. MATTHEWSON: Yes, that is Manitoba
23 Hydro's intention.

24 MS. PASTORA SALA: Intention, or it
25 will do so?

1 MR. MATTHEWSON: We will do it.

2 MS. PASTORA SALA: And so would it be
3 accurate to say that financial resources have not
4 yet been allocated for the Indigenous community
5 monitoring working group?

6 MR. MATTHEWSON: Correct. Specific
7 financial resources have not been allocated to the
8 working group from overall project budget. There
9 are resources to allocate, it's just we are
10 working, once we determine the terms of reference
11 and the scope of the Indigenous community
12 monitoring working group, then we can better
13 allocate resources.

14 MS. PASTORA SALA: And so we're going
15 to talk a little bit about those resources. And
16 for the purposes of the panel, I am now at
17 question, I have somehow magically made it to
18 question A-7.

19 And so first, Mr. Matthewson, I would
20 like to take you to page 5 of the updated EMP,
21 where it states that Manitoba Hydro commits to
22 making resources available early in the planning
23 cycle to ensure EA mitigation and monitoring, and
24 then it goes on. Do you see that?

25 MR. MATTHEWSON: Yes, I see it.

1 MS. PASTORA SALA: I would now like to
2 take you to CAC IR 02 2(b)?

3 MR. MATTHEWSON: Yes, go ahead.

4 MS. PASTORA SALA: Can you confirm,
5 Mr. Matthewson, whether it is still the case that
6 decisions have not yet been made on the level of
7 funding associated with each phase of the
8 monitoring plan?

9 MR. MATTHEWSON: That is correct.
10 Decisions have not been made about the level of
11 funding with each, associated with each phase of
12 the plan. As one can predict, the operational
13 phase of the monitoring plan program is subject to
14 what the construction environmental monitoring
15 phase generates as far as information with respect
16 to monitoring. There may be requirements for more
17 ongoing monitoring. And so the allocations, we
18 can't predict for those yet. However, Manitoba
19 Hydro is committed to providing the level of
20 funding required to fulfill its commitments in
21 this EIS.

22 MS. PASTORA SALA: So it would be
23 Manitoba Hydro's view that the conditions flowing
24 from approval may have a direct influence on the
25 funds needed for the monitoring plan?

1 MR. MATTHEWSON: Yes, absolutely. The
2 licensing recommendations from the Clean
3 Environment Commission, both licensing and
4 non-licensing, as well as ultimately the licence
5 conditions have a direct impact on the amount of
6 budgets required, amount of funds required for
7 implementation of the Environmental Protection
8 Program.

9 MS. PASTORA SALA: During my
10 colleague, Byron Williams' questioning of
11 Ms. Bratland last week, it was confirmed that
12 within the period of September 2015 and
13 April 2017, the estimated cost of the
14 Manitoba-Minnesota Transmission Project has risen
15 by approximately \$100 million; correct?

16 MR. MATTHEWSON: Correct.

17 MS. PASTORA SALA: So in September it
18 was 350 million, and now it's 453.2 million;
19 correct?

20 MR. MATTHEWSON: Correct.

21 MS. PASTORA SALA: And it was also
22 confirmed that up to 900 employees of Manitoba
23 Hydro will be losing their jobs. Correct?

24 MS. MAYOR: First of all, we have also
25 gone through this already, so it's been asked and

1 answered. In terms of losing jobs, there is a
2 voluntary departure program which we have all
3 heard about. So whether they are losing their
4 jobs or voluntarily choosing to leave the
5 corporation is also an issue. But this is about
6 the monitoring plan, so perhaps we can move on.
7 This area has already been covered at least a few
8 times, and we should move on.

9 MS. PASTORA SALA: I can move on,
10 Mr. Chair.

11 So within this context,
12 Mr. Matthewson, the only reason I was asking those
13 questions was to provide context. So within that
14 context, would you agree that it is legitimate to
15 ask whether environmental monitoring plans will be
16 the next casualty of Manitoba Hydro's financial
17 challenges?

18 MR. MATTHEWSON: I think it could be a
19 legitimate question about any programming going on
20 at Manitoba Hydro. However, I think Manitoba
21 Hydro's track record with respect to environmental
22 monitoring plans and the implementation and
23 commitment to following licence conditions and CEC
24 recommendations, both licensing and non-licensing,
25 go to show Manitoba Hydro's commitment to not

1 cutting this -- cut funds that would hamper its
2 abilities to implement the commitments it's making
3 in its Environmental Impact Statement and at this
4 hearing.

5 MS. PASTORA SALA: I'm going to move
6 on to question B-4, which relates to transparency.
7 And I'd like to take you to page 5 of your
8 powerpoint.

9 MR. MATTHEWSON: Okay, go ahead.

10 MS. PASTORA SALA: Would it be
11 accurate to say that not all of the plans
12 identified in this diagram are publicly available?

13 MR. MATTHEWSON: Yes, that is correct,
14 because they have not been developed.

15 MS. PASTORA SALA: Okay. So
16 specifically, it would be accurate to say that the
17 following plans are referenced in the EIS, but are
18 not publicly available. So we have the operations
19 and maintenance environmental protection plan?

20 MR. MATTHEWSON: Correct. That has
21 not been developed yet. It will be developed
22 prior to in-service of the project.

23 MS. PASTORA SALA: The decommissioning
24 environmental protection plan?

25 MR. MATTHEWSON: That would be created

1 only once, if and when the project were
2 decommissioned at some later date, and both of
3 those plans would be made public.

4 MS. PASTORA SALA: The annual harvest
5 plan?

6 MR. MATTHEWSON: I'm not seeing the
7 reference to the annual harvest plan specifically
8 on the diagrams there, but that has been renamed
9 to the clearing management plan, and that will be
10 placed on the website.

11 MS. PASTORA SALA: Is it there right
12 now?

13 MR. MATTHEWSON: It's under
14 development.

15 MS. PASTORA SALA: How about the
16 blasting plan?

17 MR. MATTHEWSON: Those are developed
18 by contractors, so...

19 MS. PASTORA SALA: So they are not
20 publicly available?

21 MR. MATTHEWSON: They are not
22 developed.

23 MS. PASTORA SALA: What about the
24 emergency preparedness and response plan?

25 MR. MATTHEWSON: Again, developed by

1 the contractors and not currently available.

2 MS. PASTORA SALA: Erosion and
3 sediment control plans?

4 MR. MATTHEWSON: The specific plans
5 are developed by the contractors. The framework
6 by which those plans are developed are included in
7 Manitoba Hydro's construction environmental
8 protection plan as an appendix.

9 MS. PASTORA SALA: Hazardous
10 substances management plan?

11 MR. MATTHEWSON: Those are developed
12 by the contractor at time of construction.

13 MS. PASTORA SALA: Remediation plan?

14 MR. MATTHEWSON: The remediation plan
15 has been replaced with the Rehabilitation and
16 Invasive Species Management Plan, as Manitoba
17 Hydro has on its website.

18 MS. PASTORA SALA: Can I get that name
19 again?

20 MR. MATTHEWSON: Rehabilitation and
21 Invasive Species Management Plan.

22 MS. PASTORA SALA: Site reclamation
23 plans?

24 MR. MATTHEWSON: Those are developed
25 on a site-by-site basis by the contractor,

1 following the rehabilitation plan. They are
2 specific prescriptions about how to rehabilitate
3 or reclaim a marshaling yard or station site. So
4 they are very specific to the site and are
5 developed as required.

6 MS. PASTORA SALA: What about the
7 Waste and Recycling Management Plan?

8 MR. MATTHEWSON: Waste and Recycling
9 Management Plan, as I described in my
10 presentation, is developed by the contractor,
11 however there is a framework in the Construction
12 Environmental Protection Plan as an appendix.

13 MS. PASTORA SALA: And the
14 Communication Plan?

15 MR. MATTHEWSON: I believe the
16 Communication Plan was in reference to blasting,
17 and that was a plan developed prior to
18 construction that talks about the notification of
19 landowners, emergency services, rural
20 municipalities, and First Nations and Metis with
21 respect to implode activities that may be
22 occurring as part of the project.

23 MS. PASTORA SALA: So there's no
24 general communication plan? I'm looking at the
25 box there that says Communication. Does that just

1 refer to the imploding?

2 MR. MATTHEWSON: Yeah, the box
3 Communication doesn't mean to infer it's a plan.
4 That's just a component of the Environmental
5 Protection Program.

6 MS. PASTORA SALA: But you would agree
7 that communication plan is referenced in the EIS?

8 MR. MATTHEWSON: Yes, I believe it's
9 been referenced the way -- I'll check, one sec.

10 MS. PASTORA SALA: So as you're
11 checking, if you could just clarify whether
12 there's a general communication plan for
13 monitoring and follow-up or if it just relates to
14 imploding?

15 If it's more convenient,
16 Mr. Matthewson, I can also take it as an
17 undertaking.

18 MR. MATTHEWSON: No, I was just
19 confirming my understanding. And it is my
20 understanding the only place that we refer to a
21 communication plan is with respect to the blasting
22 operations for a specific communication plan or a
23 protocol in the EIS.

24 As far as communication with
25 landowners, and First Nations and Metis, and the

1 public, certainly Mr. Joyal and Ms. Coughlin
2 talked to that effect about our ongoing processes
3 for engagement and communication of our
4 activities.

5 MS. PASTORA SALA: Okay. And can you
6 describe for us the process for getting these
7 plans that we just reviewed approved once they
8 have been written? You indicated some of them
9 have not been written. Can you explain the
10 process for me, please?

11 MR. MATTHEWSON: So any of the
12 contractor developed plans are developed by the
13 contractor prior to construction start, and they
14 are sent into the environmental group in the
15 construction department for review and approval,
16 as well as my team has a role to play in reviewing
17 of those plans, to make sure that they are in
18 compliance with the Construction Environmental
19 Protection Plan, and/or any frameworks associated
20 with it.

21 MS. PASTORA SALA: And then what?

22 MR. MATTHEWSON: Once the plans are
23 approved, they are re-communicated to the
24 contractor. Usually they are not approved the
25 first time, so there are multiple rounds of

1 communication back and forth with respect to
2 mitigation measures and transparency and clarity
3 with respect to implementation. It's multi
4 stages -- multi, multiple revisions and reviews.

5 MS. PASTORA SALA: And then presumably
6 after that, they are provided to the government;
7 correct?

8 MR. MATTHEWSON: If the government has
9 requested them as part of a licence condition,
10 then they are provided, but not all of the plans
11 are provided to the government.

12 MS. PASTORA SALA: Are all of the
13 plans made public?

14 MR. MATTHEWSON: Generally not all of
15 the plans are made public. There may be certain
16 contractor information that is private and for
17 contractor's use only. So they're generally
18 not -- all of them are not made public, correct.

19 MS. PASTORA SALA: So for example, the
20 Rehabilitation and Invasive Species Plan could
21 potentially not be made public. Would that be
22 correct?

23 MR. MATTHEWSON: No, it was made
24 public. It's on the Manitoba Hydro website.

25 MS. PASTORA SALA: The one I referred

1 to as the remediation plan, and you corrected the
2 title, I believe you said it wasn't made public?

3 MR. MATTHEWSON: No, it was corrected,
4 the new title is called the Rehabilitation and
5 Evasive Species Management Plan, and it is
6 currently on Manitoba Hydro's web page in a draft
7 format.

8 MS. PASTORA SALA: My apologies.

9 Would it be fair to say that the
10 process through which these plans will be approved
11 is not as transparent as draft plans that have
12 already been made public such as the Construction
13 Environmental Protection Plan?

14 MR. MATTHEWSON: As these plans are
15 all sub plans of the Construction Environmental
16 Protection Plan, they follow all of the mitigation
17 measures and prescriptions in the construction
18 that does go through multiple layers of review,
19 both by the regulator and through the public
20 review process. So are these plans -- don't go
21 through review, that's correct, they don't. There
22 would be very numerous plans and the regulator
23 simply does not have the means by which to review
24 all of them, which is why they review the
25 Construction Environmental Protection Plan,

1 because it outlines the frameworks by which these
2 plans are to be developed, and they approve that.

3 MS. PASTORA SALA: So it may be the
4 case that the public may not have the opportunity
5 to review some of these plans prior to the
6 potential approval of the MMTP licence; correct?

7 MR. MATTHEWSON: That is correct. And
8 such that many of these plans may not be developed
9 by the time the licence is issued.

10 MS. PASTORA SALA: And continuing on
11 this theme of transparency, would it be fair to
12 assume that you are familiar with the CEC
13 recommendations from Bipole III and Keeyask
14 generation statements, and specifically I'm
15 thinking of the ones referring to the third party
16 environmental audits, which were recommendation
17 12.1 of the Bipole III report and 13.1 of the
18 Keeyask report, as well as the annual reporting
19 recommendation which was recommendation 12.3 of
20 Bipole III and 13.3 of Keeyask. You're familiar
21 with those?

22 MR. MATTHEWSON: I am very familiar
23 with the Bipole ones. I have read the Keeyask but
24 not as familiar with it.

25 MS. PASTORA SALA: Would you like me

1 to read it to you? It's almost word for word the
2 exact same recommendation.

3 MR. MATTHEWSON: Okay. No, you don't
4 have to read them. It's okay.

5 MS. PASTORA SALA: In CAC IR 006,
6 Manitoba Hydro committed to making annual reports
7 for the MMTP publicly available on the project
8 website and Manitoba Sustainable Development
9 public registry; agreed?

10 MR. MATTHEWSON: I believe we made
11 that commitment in the environmental monitoring
12 plan, and we have made that commitment in our
13 draft environmental monitoring plan, and it was
14 reaffirmed in the CAC IR as that, yeah.

15 MS. PASTORA SALA: Would you agree
16 that there is a difference between the annual
17 reports, which Manitoba Hydro has agreed to
18 undertake, and the third party environmental
19 audits, as referenced in the recommendations from
20 Keeyask and Bipole III?

21 MR. MATTHEWSON: Yes, there is a
22 difference between an annual report and an audit.

23 MS. PASTORA SALA: And the difference
24 being, one of them, that annual reports are
25 internal reports; correct? I'm sorry, they are

1 created internally; correct?

2 MR. MATTHEWSON: Yes, annual reports
3 are developed, the summary -- annual reports and
4 the annual summary is developed by Manitoba Hydro
5 or its consultant staff.

6 MS. PASTORA SALA: And the audits
7 would be third party; correct?

8 MR. MATTHEWSON: The audits such as
9 the ISO audit that Mr. Stuart talked about is a
10 third party audit, yes.

11 MS. PASTORA SALA: The audits
12 referenced in the Keeyask recommendation and the
13 Bipole III recommendation are third party;
14 correct?

15 MR. MATTHEWSON: Yes.

16 MS. PASTORA SALA: Thank you,
17 Mr. Matthewson, those are my questions.

18 And thank you to the CEC Commission
19 for your patience.

20 THE CHAIRMAN: Thank you for those
21 questions, and for the responses.

22 If you'll just give me a minute to get
23 back to my chart. We had scheduled Peguis
24 questioning for after lunch, but I think you've
25 answered my question. I was going to ask if you

1 are ready to go now, and you appear to be ready.
2 So we will start with the questioning on behalf of
3 Peguis First Nation. So take it away.

4 MR. VALDRON: Thank you very much.
5 You'll be glad to know my
6 cross-examination will be shorter than
7 anticipated. My learned colleague preceding me
8 has touched on a number of levels, so I don't have
9 to -- she has shortened my questions a bit.

10 All right. So I'm going to try and
11 move this along as quickly as I can. Now, I heard
12 yesterday that this was the first time for a class
13 3 project that a full and complete monitoring
14 program was submitted as part of the EIS, but I
15 have also heard that this is essentially the same
16 plan as Bipole III; is that correct? And if not,
17 how has it changed? What's the difference between
18 what we're doing now and what was done with Bipole
19 III, just for clarification?

20 MR. WIENS: Hi, thank you for that.
21 Jonathan Wiens here.

22 I think I just want to be clear that
23 with the filing of the Manitoba-Minnesota
24 Transmission Project, we included a draft
25 Environmental Monitoring Plan. So it had a

1 greater level of detail than is usually provided
2 with a class 3 project for a monitoring program.
3 However, it would not be correct to state that
4 it's a repeat, or the same as the Bipole III
5 monitoring plan. We have incorporated a lot of
6 information from the monitoring plan from Bipole,
7 but we have also incorporated a lot of information
8 specific to this region and to this specific
9 project, which makes it quite distinct and
10 separate from what you might read in the
11 monitoring plan for Bipole.

12 MR. VALDRON: Okay. And when you say
13 specific to this project, can you elaborate on
14 that?

15 MR. WIENS: Certainly. So as part of
16 the EIS and the engagement process, both public,
17 First Nations and Metis, we did a thorough
18 investigation of the project area. As you heard
19 within the previous panels, the various portions
20 of the EIS were described to the project area.
21 And we also, of course, needed to incorporate
22 information provided under the ATK and First
23 Nation reports, which were specific to this
24 project area and would not be considered the same
25 as Bipole.

1 MR. VALDRON: Okay. Thank you very
2 much.

3 Now, here we go. All right. Now, I
4 assume you would agree with me that for something
5 like environmental monitoring, establishing your
6 baseline data is pretty critical, yes?

7 MR. WIENS: Yes, it's important to get
8 a good baseline or a good understanding of the
9 general environment as you start your monitoring
10 process. So I would agree.

11 MR. VALDRON: And I understand that
12 field studies are still ongoing; is that correct?

13 MR. WIENS: So I would agree, yeah, we
14 do still have some ongoing data collection and
15 field work occurring currently.

16 MR. VALDRON: Okay. What's the
17 specific ongoing field collection or data
18 collection in field work? What are you currently
19 looking for?

20 MR. WIENS: I believe we had an IR on
21 that. I'm just going to flip through my book and
22 I think we actually provided a fairly detailed
23 answer on that. I'll get back to you in a moment,
24 I'll look that up and then I'll be able to answer
25 that with more --

1 MR. VALDRON: Well, if there's an IR,
2 certainly just refer it to me when you find it.

3 So field studies are still ongoing.
4 How reliable is the baseline currently?

5 MR. WIENS: The information we
6 collected to support the EIS was thorough, and
7 Manitoba Hydro is confident in the information we
8 collected, and its conclusions within the EIS.
9 What we have done with this project and with
10 others is take advantage of this extra time
11 between the filing of an EIS and the review of the
12 project by a commission, by the environmental
13 approvals portion, and public hearings. So in
14 order to take advantage of that one or two years
15 of time that lapses between the filing date and
16 when a proposed project might start, we felt it
17 important to continue to collect data where we can
18 to further improve our monitoring program and
19 allow us to take advantage of this time frame from
20 the beginning of the project through to proposed
21 start date for construction.

22 MR. VALDRON: Okay. Do you feel that
23 the additional data that's being collected now
24 will substantially impact the monitoring program?

25 MR. WIENS: The purpose of the work is

1 to enhance and build upon what we have already
2 gained. There is nothing -- it wouldn't be
3 correct to characterize it as making a substantial
4 change. We're looking to enhance what we have
5 already learned through our EIS process.

6 MR. VALDRON: So you see this as
7 refining your work but not substantially changing
8 it?

9 MR. WIENS: It's to enhance the work
10 and augment what we have already collected.

11 MR. VALDRON: Okay. Now, I was
12 interested to hear from the presentation yesterday
13 about the difficulties in organizing large volumes
14 of documents and the preparation of key documents
15 to make sure that contractors and other parties
16 had the right documents in usable forms to do
17 their work. I think everyone here can sympathize
18 with the struggle to manage and organize large
19 volumes of documents. And I was interested in the
20 development of your key documents and how they
21 were dispersed to different parties in your
22 process, including contractors. Are all of these
23 documents publicly available?

24 MR. MATTHEWSON: As described in my
25 presentation, there are many of the plans and

1 programs, certainly all of the major ones, are all
2 publicly available in draft format currently on
3 the Manitoba Hydro website for review and comment.
4 As the contractor developed plans are developed,
5 they are housed internally in our internal
6 management system for compliance monitoring and
7 version control.

8 MR. VALDRON: Okay. So are these
9 contractor plans, or will they be publicly
10 available?

11 MR. MATTHEWSON: I think I answered
12 that previously in that some of them may contain
13 information that is proprietary to the contractor
14 and may not be able to be shared, but Manitoba
15 Hydro will endeavour to share as many of the plans
16 as possible.

17 MR. VALDRON: Okay. So there wouldn't
18 be like publicly available documents with redacted
19 portions? That would be an option, wouldn't it?

20 MR. MATTHEWSON: That could be an
21 option, correct.

22 MR. VALDRON: Okay. Is Manitoba Hydro
23 prepared to consider that option?

24 MR. MATTHEWSON: Yes, as I stated, we
25 would consider that.

1 MR. VALDRON: Okay. Who had input
2 into the formation of these documents? Did First
3 Nations have an opportunity to provide input?

4 And I do apologize. I'm trying to
5 edit my questions in light of my predecessor's
6 various line of questions, but even so there will
7 be some overlap. So I do apologize to everybody
8 for that.

9 MR. MATTHEWSON: Yes. So as part of
10 the Environmental Protection Plan meetings that we
11 had with Indigenous communities, we shared our
12 overarching plan with respect to the construction
13 and the mitigation measures and the monitoring
14 plans. Also through some of the field trips that
15 we conducted, we explained our monitoring process
16 and our proposed monitoring plan during some of
17 those Indigenous community monitoring working
18 group field trips held in November of 2016.

19 MR. VALDRON: All right. So your
20 contractor's plans, I was looking at the EIS
21 report, and they are all left blank. And I can
22 understand that these contractor's plans are for
23 the contractors to develop and they haven't been
24 assigned yet. Is there a vetting process for
25 contractor's plans? Do you review these plans?

1 Are they subject to approval? And if so, to what
2 standard? I mean, obviously this is not taking
3 place in a vacuum. You know, contractors will
4 have to do environmental plans. How are these
5 plans assessed?

6 MR. MATTHEWSON: These plans are
7 assessed by Manitoba Hydro environmental staff for
8 compliance with the Construction Environmental
9 Protection Plan measures.

10 MR. VALDRON: And what if they don't
11 comply?

12 MR. MATTHEWSON: They are rejected,
13 and with guidance to provide to the contractor
14 about why the plan was rejected and what
15 enhancements need to be made to plan for it to be
16 approved.

17 MR. VALDRON: And what's the standard?
18 How is the standard established?

19 MR. MATTHEWSON: So Manitoba Hydro
20 has, for a few of its plans, frameworks developed
21 and published as appendices to the Construction
22 Environmental Protection Plan. So those are the
23 standards those plans would be measured against.

24 MR. VALDRON: So as long as they
25 comply with the frameworks, they're good?

1 MR. MATTHEWSON: Yeah. That's the
2 intention of the framework is to provide that
3 guidance to the contractor in developing the plan
4 and also the approver to approving the plan.

5 MR. VALDRON: What about the ones
6 without frameworks?

7 MR. MATTHEWSON: The ones without
8 frameworks are reviewed against the general
9 mitigation measures in the Construction
10 Environmental Protection Plan. There are over 400
11 measures that we have in that plan to make sure
12 that those plans are developed in compliance with
13 those mitigation measures.

14 MR. VALDRON: Okay. And are these
15 contractor's plans, when they're approved, are
16 they made public?

17 MR. MATTHEWSON: We just discussed
18 that.

19 MR. VALDRON: Yeah, okay.

20 So the contractor's plans aren't made
21 public necessarily. So what happens if there is
22 an Aboriginal stakeholder who objects to a
23 contractor's plan, or believes that a contractor
24 is not fulfilling their plan?

25 MR. MATTHEWSON: That is one --

1 there's a variety of mechanisms that Manitoba
2 Hydro has. So Manitoba Hydro has a community,
3 Manitoba Hydro community liaison staff member, and
4 their job is to work with Indigenous communities
5 to talk and address any concerns they may have
6 about a construction contractor's performance, or
7 their plan, emergency response plan or anything
8 that they may have a concern with. That's one
9 mechanism by which they can communicate with
10 Hydro. And those meetings happen on a regular
11 basis throughout the construction season, as well
12 as outside of the construction season.

13 The Indigenous community monitoring
14 working group is another mechanism by which
15 Manitoba Hydro would endeavour to hear any
16 concerns that Indigenous communities have about
17 any of the plans with respect to Manitoba Hydro's
18 Environmental Protection Plan or any of the
19 contractor's plans.

20 MR. VALDRON: Okay. Are those the two
21 main mechanisms?

22 MR. MATTHEWSON: There are also
23 environment officers and Manitoba Conservation
24 officers by which any member of the public or
25 Indigenous First Nation community member can

1 approach and discuss any concerns they have about
2 the project.

3 MR. VALDRON: Okay. If a First Nation
4 has concerns or is objecting to a particular
5 contractor's environmental protection activities,
6 and they don't know what the plan is because it's
7 not public, how are they able to voice their
8 concerns? Through those mechanisms?

9 MR. MATTHEWSON: Yes, through all
10 those mechanisms I mentioned.

11 MR. VALDRON: Okay. With regard to
12 your decommissioning environmental protection
13 plan, according to the transcript it's not
14 developed. I was a little bit confused. You
15 either have one or you don't. Would it be fair to
16 say that you don't actually have a decommissioning
17 plan, but you have a commitment to develop a
18 decommissioning plan at the appropriate time.

19 MR. MATTHEWSON: Correct. There is a
20 commitment to develop a decommissioning
21 environmental protection plan if and when the
22 project is decommissioned, and that plan would
23 follow any and all regulatory requirements at that
24 time and place.

25 MR. VALDRON: But there isn't one

1 right at this moment?

2 MR. MATTHEWSON: Correct. We cannot
3 predict what type of environmental conditions may
4 exist a hundred years from today, and what type of
5 regulatory environment we may be operating within.

6 MR. VALDRON: All right. You referred
7 to, or at least referred to, somebody referred to
8 yesterday the environmental protection management
9 team. And it noted it met regularly to discuss
10 matters every couple of weeks. Are minutes kept
11 of those meetings?

12 MR. MATTHEWSON: There are no minutes
13 taken. There are action items taken, and there is
14 a spreadsheet with action items and deliverable
15 dates for each member.

16 MR. VALDRON: Is that available to the
17 public or is that internal?

18 MR. MATTHEWSON: That's internal.

19 MR. VALDRON: Okay. So not available
20 to the public?

21 MR. MATTHEWSON: Correct, as it
22 contains confidential information with respect to
23 contractors and Manitoba Hydro's infrastructure.

24 MR. VALDRON: All right. Now, this
25 may be just typographical, but last night as I was

1 re-reading the transcript at page 2057 there was a
2 phrase:

3 "Another key component to our
4 organizational structure is regulatory
5 First Nation and Metis ongoing input."

6 Can you elaborate on that, regulatory,
7 what's the regulatory component of First Nations
8 and Metis ongoing input? What does it mean?

9 MR. MATTHEWSON: Regulatory input is
10 the ongoing discussions we have with Manitoba
11 Sustainable Development, at all levels. We deal
12 with biologists and regional directors, we deal
13 with conservation officers and environment
14 officers, and we deal with the Environmental
15 Approvals Branch on a regular basis through the
16 development and construction of our project. As
17 well as this project is an international power
18 line, it will also be subject to review and
19 discussion and inspection by the National Energy
20 Board.

21 MR. VALDRON: So then I think the
22 intent was regulatory and First Nation and Metis
23 ongoing input?

24 MR. MATTHEWSON: Yes, that was the
25 intent.

1 MR. VALDRON: Okay. Now, it's been
2 raised before so I'm not going to spend a lot of
3 time on it, but listening to you over the last
4 couple of days and through the cross-examination,
5 my understanding is that First Nations' input is
6 intended to continue in the monitoring phase but
7 that hasn't been worked out yet. Is that fair to
8 say?

9 MR. MATTHEWSON: Yes, it has not been
10 formalized.

11 MR. VALDRON: Okay. Why not?

12 MR. MATTHEWSON: We're still in
13 ongoing discussions with Indigenous organizations,
14 First Nations and Metis on how to move forward and
15 formalize that process.

16 MR. VALDRON: Okay. Is there a point
17 of dispute? Is Manitoba Hydro taking a position
18 distinct from First Nations in terms of the
19 adequacy of monitoring?

20 MR. MATTHEWSON: No, there's been no
21 dispute with respect to that.

22 MR. VALDRON: Okay. Is there a
23 dispute with respect to resources to be provided?

24 MR. MATTHEWSON: Not that I'm aware
25 of, no.

1 MR. VALDRON: Is there a dispute
2 between Hydro and First Nations as to the
3 desirability of First Nations' input?

4 MR. MATTHEWSON: No, not that I'm
5 aware of.

6 MR. VALDRON: Okay. And I assume that
7 there's a general agreement that resources would
8 have to be provided to First Nations to continue
9 to participate in the monitoring phase?

10 MR. MATTHEWSON: Yes.

11 MR. VALDRON: Okay. So what's the
12 holdup?

13 MR. MATTHEWSON: We had a recent
14 meeting to discuss moving forward in development
15 of terms of reference, and some Indigenous
16 communities expressed an interest in meeting with
17 senior executive prior to moving forward any
18 further with the monitoring group. Some
19 communities would like to continue moving forward,
20 so we're waiting for the -- I'm sorry, rephrase.
21 Manitoba Hydro is currently engaging, senior
22 executive is engaging with those communities that
23 are interested in meeting to further discuss the
24 project as a whole. And I don't believe it's
25 specifically about monitoring. They have other

1 concerns and issues that they would like to
2 discuss with senior management prior to moving
3 forward with the community monitoring program
4 meetings.

5 MR. VALDRON: Thank you very much.

6 Now, this is possibly a silly question
7 so feel free to laugh at me. I note that you
8 referenced a hundred specific mitigation measures
9 and 400 general mitigation measures. Isn't that
10 kind of backwards? Usually the smaller number is
11 the general and then the larger number is the
12 specifics. Can you lay out the difference for me
13 between specific and general mitigation measures?

14 MR. MATTHEWSON: General mitigation
15 measures apply to anywhere, any time on the
16 construction of the project. A specific
17 mitigation measure is developed for a very
18 specific environmentally sensitive site building
19 in the construction environmental protection plan,
20 in where that there is specific instructions that
21 we need to provide the contractor about that site.

22 MR. VALDRON: Okay. So why so few
23 specific mitigation measures?

24 MR. MATTHEWSON: Because a lot of them
25 are covered by general mitigation measures that

1 encompass the entire project area. A lot of the
2 specific ones are with respect to stream
3 crossings, rare endangered plant sites, heritage
4 resources sites. But vast majority of mitigation
5 measures cover the entire project footprint and
6 apply universally.

7 MR. VALDRON: Okay. Now moving on,
8 with respect to video tutorials, these were
9 mentioned for contractor staff to review. Are
10 these video tutorials confined to archaeology, or
11 do you have a general set of video tutorials for
12 contractors?

13 MR. MATTHEWSON: There are a couple
14 currently developed right now. One is for
15 cultural and heritage resource protection plan,
16 and another one is bio-security. We are looking,
17 as I mentioned previously, there are other methods
18 by which -- such as videos we're using to
19 communicate other aspects of our Environmental
20 Protection Program to contractors.

21 MR. VALDRON: Are you contemplating
22 doing more video tutorials, or is it just the two?

23 MR. MATTHEWSON: No, there may be
24 more.

25 MR. VALDRON: Okay. And will these be

1 available to the public?

2 MR. MATTHEWSON: I think we can
3 consider that. There's nothing in those videos
4 that isn't already in our printed documentation
5 that is publicly available.

6 MR. VALDRON: Okay. Are they
7 available to stakeholders like Peguis?

8 MR. MATTHEWSON: They could be on
9 request, yeah.

10 MR. VALDRON: Okay. Can I make that
11 request now?

12 MR. MATTHEWSON: So you're making a
13 request for the cultural and heritage resource
14 protection plan video?

15 MR. VALDRON: Yes.

16 MR. MATTHEWSON: Yes, we can share
17 that.

18 MR. VALDRON: Both of them actually.

19 MR. MATTHEWSON: And bio-security.

20 MR. VALDRON: Yes.

21 MR. MATTHEWSON: Okay.

22 MR. VALDRON: All right.

23 MR. MATTHEWSON: Actually, I'll have
24 to confirm on the bio-security one, if there is
25 any copyrights on the sharing of that information.

1 But the cultural and heritage one is the one I
2 developed, so there's no problem sharing that one.

3 MR. VALDRON: With respect to the
4 other one, we'll just call it an undertaking to
5 get back on that.

6 MR. MATTHEWSON: Okay.

7 (UNDERTAKING # MH-09: Produce cultural and
8 heritage resource protection plan video)

9 (UNDERTAKING # MH-10: Under advisement: Produce
10 bio-security video)

11 MR. VALDRON: In the transcript from
12 yesterday at page 2068, and yesterday it was
13 mentioned with respect to protocols with
14 communities; are these protocols in place? My
15 impression is that this is still outstanding?

16 MR. MATTHEWSON: Yes, these are to be
17 developed, as we have just released the draft
18 cultural and resource protection plan for MMTP,
19 these have not been filled out with communities or
20 discussed with them in detail yet.

21 MR. VALDRON: Okay. So there are
22 drafts that are circulating now?

23 MR. MATTHEWSON: There are drafts that
24 have been put up onto the Manitoba Hydro website,
25 and then as part of this ongoing First Nations and

1 Metis engagement process, we will be sharing our
2 draft documentation.

3 MR. VALDRON: Excellent. All right.
4 Now, with respect to penalties for contractors'
5 breach, I mean the contractor has this
6 environmental monitoring plan, they have
7 obligations, there's some kind of oversight. How
8 is the monitoring of contractors done? Is there a
9 site inspection before or at the time the
10 contractor arrives, follow-up at the end? Are
11 there spot checks during the contractors' work,
12 schedule checks, or is there monitoring
13 throughout? How do you ensure that the contractor
14 is doing what they are supposed to do in terms of
15 just environmental monitoring and diligence?

16 MR. MATTHEWSON: Manitoba Hydro has
17 dedicated environmental inspectors on site during
18 the construction process to oversee the
19 contractor's compliance with the construction
20 environmental protection plan and all its
21 components.

22 MR. VALDRON: So they are there
23 continuously?

24 MR. MATTHEWSON: Yes, that's correct.

25 MR. VALDRON: And what about penalties

1 for contractor's breach? You mentioned two of
2 them, financial penalties and stop work orders,
3 but it seemed to be implied that there were other
4 penalties. What other penalties were there?

5 MR. MATTHEWSON: There are two
6 mechanisms by which Hydro communicates to the
7 contractor unsatisfactory performance in regards
8 to environmental related matters. And one is the
9 environmental improvement order, and this can be
10 found on page 1-7 and 1-8 of the draft
11 Construction Environmental Protection Plan. And
12 the other is the environmental stop work order in
13 which all activities -- so an environmental
14 improvement order is they are given notice,
15 written notice about things they need to remedy,
16 and dates by which they have to have those
17 remedied by. And an environmental stop work order
18 is communicated and is effective immediately if
19 there is any eminent risk of serious impact to the
20 environment, or a contravention specified in the
21 environmental approval order was not remedied, an
22 environmental stop work order could be issued.

23 MR. VALDRON: Okay. So these are the
24 two main ones?

25 MR. MATTHEWSON: These are the two

1 mechanisms by which we communicate, of course,
2 with the contractor. And of course, there's many
3 informal means of communication on daily
4 tailboards and contractor meetings that happen on
5 a weekly basis with the construction supervisors.

6 MR. VALDRON: Makes a lot of sense.
7 So are these two sorts of orders, are they public?
8 Would they be up on the Manitoba Hydro site?

9 MR. MATTHEWSON: No, they are not,
10 because they contain sensitive contractor
11 performance information.

12 MR. VALDRON: Okay. Now, you
13 mentioned decision triggers yesterday. Do you
14 recall that?

15 MR. WIENS: On Thursday I discussed
16 decision triggers, yes.

17 MR. VALDRON: Sorry, obviously my
18 sense of timing is all wonky. Thursday you
19 mentioned decision triggers. How exactly does
20 that work? I never heard that term before, so I
21 thought I'd ask you to just elaborate on it a
22 little bit.

23 MR. WIENS: Hi. Thanks for that
24 question. Yes, on page 16 we have a key of all
25 the different components of the Environmental

1 Monitoring Plan. And decision triggers or
2 thresholds for action are outlined there. And I
3 can read it here. It says:

4 "It describes the scenarios which will
5 trigger the requirement for adaptive
6 management to be implemented. This
7 section does not provide how Manitoba
8 Hydro responds to a particular action
9 because there is an indefinite amount
10 of possible scenarios and responses.
11 Manitoba Hydro is committed to an
12 adaptive management process, as
13 described in section 5, to fully
14 evaluate the options and develop an
15 appropriate response."

16 MR. VALDRON: Okay. So when is the
17 trigger pulled? What's the threshold, or does
18 that vary from one situation to the next?

19 MR. WIENS: It's difficult to
20 anticipate for every component or every portion of
21 the monitoring process when adaptive management or
22 changes will need to be made. So we have put some
23 examples within each component to help guide the
24 process along.

25 MR. VALDRON: All right. And who

1 pulls the trigger, Manitoba Hydro?

2 MR. WIENS: Yes.

3 MR. VALDRON: And who within Manitoba
4 Hydro would be pulling that trigger? Is there a
5 specific level of authority?

6 MR. WIENS: Yeah, it would be
7 discussed within the environmental management team
8 as part of their regular meetings.

9 MR. VALDRON: Is that the
10 environmental protection management group?

11 MR. WIENS: Yes.

12 MR. VALDRON: Okay. And so that would
13 basically then be something that comes out of the
14 consensus of the environmental protection
15 management group, or at a higher level where they
16 make a recommendation? Just clarify the decision
17 process for me a little bit.

18 MR. WIENS: It's tough to characterize
19 every possibility. There's some that perhaps
20 might be relatively small adaptations, where you
21 might implement a particular action for a small
22 issue. And then there's other things that might
23 require regulatory review. And so the purpose of
24 the management team is to understand the various
25 conditions and then make appropriate decisions.

1 MR. VALDRON: All right. Fair enough.

2 Now, I want to talk a bit about the
3 environmental monitor as set out in box 21 of the
4 powerpoint point, which was involved in First
5 Nation consultation. Now, I believe that the
6 environmental monitor is a Manitoba Hydro
7 position; correct?

8 MR. MATTHEWSON: No, exactly who will
9 fulfill that position hasn't been determined at
10 this time.

11 MR. VALDRON: Okay. So it wouldn't be
12 a Hydro employee, whether First Nations or not, it
13 could be a First Nation person, or First Nation
14 designate?

15 MR. MATTHEWSON: Yes. As I mentioned
16 in the presentation, the environmental monitor may
17 be selected and chosen by the Indigenous community
18 monitoring working group to represent them on the
19 construction site. Or if that group decided that
20 a Manitoba Hydro employee would be suitable, or if
21 that group didn't for some reason come to
22 fruition, we still have commitments in our
23 Environmental Monitoring Plan for roles and
24 responsibilities of the environmental monitor. So
25 those roles may be conducted by a Manitoba Hydro

1 employee, or a consultant, or a separate, as I
2 mentioned in the response to the IR, a university
3 student also is conducting research on
4 environmental protection. That may be a good
5 suitable connection there.

6 MR. VALDRON: All right. I'm just
7 seeking clarification because I was fuzzy on a
8 couple of things.

9 So the environmental monitor isn't
10 just working with the First Nations or First
11 Nations working group, they're actually out in the
12 field monitoring the contractors?

13 MR. MATTHEWSON: They are in the field
14 monitoring, participating in the construction
15 process. They may be observing contractor
16 activities with respect to the implementation of
17 the Environmental Protection Plan. They may be
18 working with Manitoba Hydro's environmental
19 inspectors to ensure compliance. They may be
20 working with the environmental inspectors to
21 implement mitigation measures such as buffer zones
22 and flagging of areas of concern, or identifying
23 new areas potentially for environmentally
24 sensitive site designation.

25 MR. VALDRON: Okay. Does the

1 environmental monitor have input into the
2 environmental protection management group? I was
3 going to ask if it was part of the management
4 group but it doesn't sound to me like it is at
5 all.

6 MR. MATTHEWSON: They're part of the
7 environmental implementation team which reports
8 into the environmental management protection team.

9 THE CHAIRMAN: This is Serge
10 Scrafield, the Chair. I wonder if we could take
11 our break for lunch now, it's 12:30. Would you be
12 comfortable resuming your questioning at 1:30?

13 MR. VALDRON: Sure thing. It looks
14 like from my notes I'm about halfway through. I
15 was just doing my best, sir.

16 THE CHAIRMAN: Okay. So we'll
17 reconvene at 1:30. Thank you.

18 (Proceedings recessed at 12:30 p.m.
19 and reconvened at 1:30 p.m.)

20 THE CHAIRMAN: All right. Welcome
21 back, everyone. It's Serge Scrafield, Chair. And
22 we'll resume the questioning from Peguis First
23 Nation and Mr. Valdron.

24 MR. WIENS: Perhaps before the next
25 question, I'll just speak to that IR that I

1 mentioned in my earlier line of questioning. It's
2 IR number CAC IR 020, and it speaks to the value
3 of doing monitoring work between filing and
4 proposed in-service.

5 MR. VALDRON: Just repeat that; CAC
6 IR --

7 MR. WIENS: 020.

8 MR. VALDRON: And you are satisfied
9 the IR is a complete and full response to my
10 question?

11 MR. WIENS: Yes.

12 MR. VALDRON: Beautiful. All right.
13 You'll be pleased to know I have edited my
14 questions down a little bit in light of my very
15 talented predecessor's questions, so I think we
16 can streamline this, and I won't take up too much
17 of your time, and hopefully all the questions will
18 be easy and answered quickly.

19 So with reporting on monitoring, I
20 note that at transcript page 2,098, you referred
21 to annual submission and annual report which would
22 be available to any other groups that may be
23 interested. I just wanted to say for the record,
24 Peguis would like to get a copy of that report,
25 and just have that on the record.

1 (UNDERTAKING # MH-11: Provide copy of annual
2 report)

3 MR. VALDRON: Now, with respect to
4 your annual report, I wanted to know if there was
5 a mechanism or process for comments on that
6 report. For instance, once the report is out, if
7 Peguis was to believe the report is incomplete or
8 has had a breakdown in methodology someplace or is
9 outright in error, is there a process for that
10 input?

11 MR. MATTHEWSON: Yes. Typically, when
12 an annual report is published, copies of it are
13 sent to indigenous communities, First Nations, and
14 Metis that are interested in receiving it. And at
15 that time in the letter we offer to come and
16 present the annual report and answer any questions
17 or concerns they may have about the report.

18 MR. VALDRON: And if it turns out the
19 report is incorrect or incomplete, what do you do?

20 MR. MATTHEWSON: We'll make the
21 necessary revisions as required, depending on the
22 nature of the correction.

23 MR. VALDRON: Okay. What if, for
24 instance, Peguis requests or requires more
25 information than is in the report? Is there a

1 provision for more information?

2 MR. MATTHEWSON: Yes, there is.

3 Similar to the ER process that we have here,
4 Manitoba Hydro is more than willing to answer any
5 questions the public, First Nations, or Metis may
6 have about any component of this project and
7 provide further information.

8 MR. VALDRON: All right. Thank you
9 very much.

10 Now, I was looking at this table that
11 you have here. It's in the EIS; it's figure 4.1,
12 Proposed Monitor and Activity Schedule. It also
13 appeared in your Powerpoint presentation. I'm
14 going by the one in the table, because it's more
15 legible for me, but it's basically the one you've
16 got. I'm holding it up so you can see it.

17 MR. MATTHEWSON: Yeah, we have that in
18 front of us.

19 MR. VALDRON: Okay. I'm holding it up
20 for the Board.

21 MR. MATTHEWSON: It's page 15. We can
22 bring it up on the presentation. It will be hard
23 to see, but ...

24 MR. VALDRON: Okay, great. Now, I
25 notice that for postconstruction, you've got

1 monitoring for 2020 and '21, and then 2021
2 and '22. And I notice that you've only got
3 monitoring for stream crossing assessment for
4 2021 -- or '20 and '21, but not for '21/'22. Why
5 is that?

6 MR. WIENS: So construction is
7 proposed to finalize in 2020, and what we're
8 hoping to monitor in that next year is any effects
9 from the construction process. And so if we
10 identify anything that would require further
11 monitoring beyond the window presented in this
12 table, then we would be looking to continue the
13 monitoring process as identified through the
14 monitoring report.

15 MR. VALDRON: I appreciate that, and I
16 believe you have said that before. But I'm
17 wondering why just one year monitoring here.

18 MR. WIENS: We anticipate being able
19 to identify any construction-related effects
20 within the year after the construction process is
21 over. And so that's what our purpose of the
22 monitoring program is, is to identify
23 construction-related effects. And we anticipate
24 that with the expertise retained by our
25 consultants and our environmental monitoring team,

1 we would be able to identify that in the year
2 after construction.

3 And that's fairly standard practice.

4 MR. VALDRON: All right. Well, that
5 obviously explains vehicle collision statistics
6 gathering. But what about rare plant surveys and
7 invasive species surveys? Only one year
8 monitoring there. Why?

9 MR. WIENS: So, similar to our
10 response to stream-crossing assessments, we have
11 an expectation that we'll be able to identify
12 effects within the following year after
13 construction. But I want to emphasize that for
14 those particular key monitoring activities, the
15 majority of the effects are anticipated during the
16 clearing process, and so that would be proposed in
17 2017. And so -- sorry, 2017/2018.

18 And then we would actually have
19 monitoring ongoing through construction, through
20 postconstruction. So there would be multiple
21 years of monitoring of the two key monitoring
22 activities you have identified after the clearing
23 portion of the project is complete.

24 MR. VALDRON: So the table is just
25 inaccurate with respect to those items? I'm not

1 trying to trap you, just for clarification.

2 MR. WIENS: I don't think there's any
3 inaccuracies from that perspective in this table.
4 The clearing is at the beginning of the
5 construction phase, and we have got two subsequent
6 years of construction, and then we have the
7 postconstruction window. So those are all
8 outlined in the table.

9 MR. VALDRON: Okay, but for the
10 postconstruction window, there's only, like, one
11 year monitoring. And I would suggest to you that
12 for both rare plants and invasive species, it
13 might take several years for them to stabilize.
14 You'd want to monitor them for several years.

15 MR. WIENS: So we have multiple
16 mechanisms to deal with invasive plants and rare
17 species. And the monitoring portion is important,
18 but we've also got mitigation measures, I want to
19 remind everyone of, during the clearing and the
20 construction phase, that are going to help prevent
21 impacts to both those areas, including invasive
22 plants and rare plant species.

23 So with the buffering and mitigation
24 and the other EPP protocols in place, we are going
25 to be doing what we would consider a good job of

1 managing those concerns throughout the clearing
2 and construction phase.

3 But like we said before, if, through
4 monitoring and after the postconstruction
5 monitoring, we identify that there is an ongoing
6 concern or an ongoing reason to continue
7 monitoring, we have mechanisms in place through
8 adaptive management to consider that.

9 MR. VALDRON: All right. I'd suggest
10 to you that if you are clearing out a
11 right-of-way, it will take at least four or five
12 years for the vegetation in that right-of-way to
13 stabilize in the new pattern. Will you agree with
14 that? Disagree?

15 MR. WIENS: Thank you for your
16 patience.

17 So with the experts we have retained
18 for this work, we'll be able to monitor, through
19 the EPP and through the monitoring process we have
20 in place, you know, the appropriate buffers around
21 areas identified as supporting rare plants and
22 invasive plant species. And we have quite a bit
23 of experience with other projects, and we feel
24 comfortable that within the time frames allocated
25 here, our mitigation and our monitoring methods

1 will be able to detect changes postclearing and
2 postconstruction, and we have contingencies in
3 place whereas if we need to continue monitoring
4 beyond what's outlined in this table, we can do
5 that.

6 MR. VALDRON: Okay. Now, you had
7 mentioned monitoring and mitigation. Will they be
8 taking place concurrently, or will mitigation be
9 going on after monitoring?

10 MR. WIENS: Mitigation and monitoring
11 will be happening concurrently.

12 MR. VALDRON: Okay. So when you are
13 monitoring, there is mitigation; and when there is
14 mitigation, there's definitely monitoring?

15 MR. MATTHEWSON: The purpose of the
16 monitoring program is to measure the -- as
17 Jonathan pointed out, there's five key things that
18 we try to achieve with our monitoring program
19 objectives: Confirm the nature and magnitude of
20 the predicted environmental effects, as stated in
21 the Environmental Impact Statement; assess the
22 effectiveness of mitigation measures implemented;
23 establish decision triggers for action; identify
24 unexpected environmental effects of the project if
25 they occur.

1 So the whole concept of monitoring and
2 mitigation, they are all intertwined, and through
3 the adaptive management process, through that
4 adjust loop of the adaptive management cycle is
5 where mitigation could be implemented at any point
6 in time as a result of monitoring activities. And
7 monitoring activities will respond to the
8 introduction of new mitigation measures, so we can
9 monitor their effectiveness.

10 MR. VALDRON: All right. Thank you.
11 That's a very good answer. I appreciate it.

12 Now, looking at this table, I'm
13 looking at postconstruction, and I had the
14 impression looking at this that you were only
15 contemplating monitoring and mitigation in the
16 first two years after construction. Is that
17 correct? I mean, barring unforeseen circumstances
18 like things just being a whole lot worse than you
19 judged.

20 MR. WIENS: So our monitoring program
21 and our time line indicated in this plan utilized
22 the best information we have from other projects,
23 and through experience with our discipline experts
24 as to what we require for time to identify and
25 answer the six main questions we just went

1 through.

2 But we do have contingencies in place,
3 like I have identified before; if, through the
4 monitoring process, as you could find within the
5 annual reports, if we identify ongoing concerns or
6 issues that haven't quite been solved per the
7 monitoring plan, there are opportunities in a
8 stepwise fashion to continue monitoring various
9 key monitoring activities after what we have
10 outlined here, if required.

11 MR. VALDRON: Okay. I'm just asking
12 because to my understanding, there's a lot of
13 animals and plants whose life cycles are longer
14 than two years, so it might take longer than two
15 years for them to -- for things to stabilize, for
16 things to work out, to determine what's really
17 going on. Would you agree with that?

18 MR. WIENS: Right. So, granted there
19 is many cycles and many environmental components
20 that might take more than two years over the --
21 you know, the course of a project to understand.
22 However, we feel that the information we have
23 presented and the components that we plan to
24 monitor and the information we plan to collect,
25 based on the information in the EIS, we have

1 adequate time and resources and people and places
2 to assess those changes and to answer these key
3 monitoring questions.

4 In addition, we also have information
5 we are gleaning from other projects in other parts
6 of Manitoba. As we outlined before, the Keeyask
7 project, the Bipole III project, the Lake Winnipeg
8 East project, even the Wuskwatim project, are all
9 providing information to Manitoba Hydro
10 transmission about the effects of construction and
11 transmission lines.

12 And all that information isn't kept in
13 separate silos; it's all contributing to our
14 general understanding of environmental effects and
15 monitoring on transmission lines. So I want to
16 kind of bring that information to light too, that
17 we benefit from the other projects that are also
18 occurring throughout Manitoba.

19 MR. VALDRON: Okay. And many of these
20 other projects are either in process or only
21 recently completed; so it's a lot of ongoing data,
22 then, you're saying.

23 MR. WIENS: Right. We have the
24 benefit of quite a bit of information from other
25 projects.

1 MR. VALDRON: And you'll have further
2 information from other projects?

3 MR. WIENS: Right. Before the start
4 of this, yeah, we have the benefit of quite a few
5 different projects.

6 MR. VALDRON: Okay. I guess my point
7 is that since many of these projects are
8 relatively young, not all the verdicts are in on
9 them either; is that correct?

10 MR. WIENS: Yeah. I don't know if
11 there's actually a verdict pending on any of the
12 projects we're working on, but we are collecting
13 ongoing data. And as outlined in our annual
14 reports and through other publications, we're able
15 to share what we're learning and incorporate
16 learnings through an adaptive management framework
17 continuing on through this project.

18 MR. VALDRON: Okay. Now, I guess one
19 of the things I was wondering is with only a
20 two-year time frame, if there is a curveball later
21 on, you might miss it. What happens if there's
22 events or significant changes at Year 5 or
23 Year 10, how would you be detecting that? Could
24 you detect that, and would you be able to monitor
25 it or mitigate it at that point? What happens if

1 you get a surprise in a few years' time?

2 MR. MATTHEWSON: So Manitoba Hydro, as
3 I explained in one of my presentations a few weeks
4 ago about our operational program, so Manitoba
5 Hydro undertakes annual patrols of the
6 transmission rights-of-way on an annual basis to
7 know about any kind of ongoing issues or new
8 issues. Such as an example, if there was a
9 riparian area that was all of a sudden flooded one
10 year and started to pose some type of soil and
11 erosion control issue along the banks or along the
12 right-of-way as a result of some unusual flooding,
13 it's our annual patrols that detect those type of
14 changes to the environment. And those patrols are
15 done by inspectors, as well as environmental
16 staff, on an ongoing basis, on all of our
17 transmission projects throughout their life span.

18 Also, as part of the integrative
19 vegetation management program, there is
20 prescriptions being developed that require
21 environmental staff and vegetation management
22 staff to be in the field and assessing what's
23 going on with the right-of-way, and noting any
24 unusual activities or environmental effects that
25 may be occurring that we are not aware of. So we

1 do have a continuous presence on the right-of-way.

2 We also have a mechanism through
3 the -- our website, our phone number -- our
4 project phone numbers, by which landowners or
5 resource users can continually engage with us and
6 make us aware of any items that they may have --
7 be seeing on the right-of-way.

8 And I think, through our ongoing
9 relationships with First Nations and indigenous
10 communities, that that spans much more than the
11 construction phase of a project. We have
12 mechanisms in there to gather more and more
13 feedback.

14 MR. VALDRON: Okay. Good answers.

15 Just for the record, I think you would
16 agree with me that things like fires or riparian
17 events, like floods, don't necessarily happen on
18 any kind of schedule?

19 MR. MATTHEWSON: That's correct. And
20 that's as I mentioned in one of my other previous
21 presentations, there, with respect to our Manitoba
22 Hydro system control centre, which monitors -- has
23 a weather monitoring component which monitors
24 those things.

25 Manitoba Hydro also has an emergency

1 common operating picture by which it gets forest
2 fire information from the province directly into
3 our system and control centre, to be aware of
4 these type of events that may be occurring on the
5 landscape.

6 MR. VALDRON: Thank you for mentioning
7 emergency; I was wondering about that too.

8 I was looking at the Construction
9 Environmental Protection Plan, and Appendix A, and
10 I noticed that the emergency response contacts
11 were all essentially blank. I take it that
12 there's no intention to leave that blank. Can you
13 tell me when that's going to be completed and who
14 is going to be notified of that contact list?

15 MR. MATTHEWSON: That contact list is
16 generally updated during the preconstruction
17 checklist that occurs with the construction
18 contractor. That's when those items are filled
19 in, so that everybody has the latest information
20 at the time.

21 MR. VALDRON: Okay. And this will be
22 periodically updated as required?

23 MR. MATTHEWSON: It's updated on an
24 annual basis at the start of every preconstruction
25 meeting, or at the start of every different

1 contractor starting the project.

2 MR. VALDRON: All right. And this
3 will be provided to the First Nation?

4 I'm assuming it will be provided to
5 the First Nation. There is a space in there for
6 "First Nation Contacts," also blank.

7 MR. MATTHEWSON: Yes. I'm just
8 checking the entire content of that list, but I
9 believe -- yeah, it would be shared through our
10 community liaison process, where we share that
11 type of information with the community. And so it
12 could be shared through indigenous community
13 monitoring working group, or just through
14 individual discussions with communities as part of
15 our ongoing engagement process.

16 MR. VALDRON: All right. Now, also on
17 the subject of emergency, is there
18 postconstruction emergency response plan provided
19 for?

20 MR. MATTHEWSON: Manitoba Hydro has a
21 corporate emergency management plan which it
22 follows for operations of the transmission
23 project.

24 MR. VALDRON: Okay. And does that
25 plan apply to this project?

1 MR. MATTHEWSON: Yes, it applies to
2 all Manitoba Hydro assets.

3 MR. VALDRON: Can you tell me where to
4 find that?

5 MR. MATTHEWSON: We're just checking
6 to see if we filed that as an IR.

7 Sorry, it was filed as part of
8 MWL IR 103, and it's Manitoba Hydro's most current
9 corporate emergency program plan.

10 MR. VALDRON: Okay. Give that to me
11 again; MWL IR ... ?

12 MR. MATTHEWSON: 103.

13 MR. VALDRON: Thank you very much.

14 All right. And with respect to this
15 particular project, are there any plans to conduct
16 the emergency response exercise postconstruction?

17 MR. MATTHEWSON: I don't believe
18 there's any specific plans at this time to conduct
19 an exercise specific to this project.

20 MR. VALDRON: Are you aware that the
21 NEB has required Enbridge to complete an emergency
22 response plan for its Line 3 replacement pipeline,
23 and has required the completion of an emergency
24 response exercise within 18 months?

25 MR. MATTHEWSON: No, I'm not aware.

1 MR. VALDRON: Okay. Wouldn't it be
2 useful to ensure that whatever emergency response
3 system you have in place is appropriate to this,
4 and conduct an exercise to determine that, within,
5 say, the first two years?

6 MR. MATTHEWSON: So Manitoba Hydro
7 uses a variety of different mechanisms to test its
8 emergency management plan. I'm not an expert in
9 knowing all of those. And Manitoba Hydro would
10 follow any recommendations that the National
11 Energy Board had with respect to conducting an
12 exercise on this project.

13 MR. VALDRON: All right. Thank you
14 very much.

15 Now, in terms of ongoing operation, I
16 mean, even after two years, if the project isn't
17 shut down, the transmission line will be there,
18 essentially, indefinitely. You know, there's no
19 decommissioning date set. So I assume that
20 there's going to be regular maintenance of the
21 right-of-way, also indefinitely for the lifetime
22 of the project.

23 How is that regular maintenance going
24 to be monitored? And if there's mitigation
25 required, how will possible changes in the

1 environment up and down that right-of-way be
2 identified, recorded, adapted for, and if
3 necessary, mitigated?

4 I keep coming back to this. You've
5 got a two-year check-up thing, and -- you know,
6 you've given me an explanation for that. But this
7 project is, in many practical terms, essentially
8 forever, or at least indefinite. So -- and it's
9 not as if it will just be -- it's not like it's
10 concrete, you know. You can just do your concrete
11 pillar, you set it there, you know, you'll come
12 back in about 50 years; that's still going to be a
13 piece of concrete.

14 Here, you're clearing out pathways,
15 right-of-ways through forested land, and you are
16 basically in the zone of things that grow and
17 change. And in order to maintain this, you're
18 going to have to keep going in there and pruning
19 back trees and making sure the right-of-way is
20 clear. That's ongoing. How do you monitor and
21 mitigate for that? I believe I answered this
22 question in a previous question with respect to
23 our inspections and our environmental specialists,
24 that as part of our integrated vegetative
25 management plans, survey the area and understand

1 the change of the right-of-way over time.

2 Manitoba Hydro has over 11,000
3 kilometres of transmission right-of-way that we
4 patrol on an annual basis, and our monitoring,
5 through our environmental staff that are a part of
6 the environmental protection -- sorry, the
7 environmental protection management team, as noted
8 in my presentation, those include line maintenance
9 staff and their environmental specialists.

10 So there's a variety of mechanisms by
11 which we conduct ongoing environmental monitoring
12 of our transmission rights-of-ways as they grow
13 and change over time.

14 MR. VALDRON: So essentially it's
15 basically ad hoc monitoring as you do your regular
16 operations?

17 MR. MATTHEWSON: It's scheduled
18 monitoring during our routine annual inspections.

19 MR. VALDRON: Okay. Is there a
20 checklist? Is there a policy for that scheduled
21 monitoring during routine maintenance?

22 MR. MATTHEWSON: I do not have the
23 checklist or routine. There are procedures by
24 which inspectors follow with respect to
25 identifying environmental effects, potential

1 environmental effects or issues. For example,
2 bird nests, it's very common for bird nests, stick
3 nests to be developed on transmission line towers.
4 That is one of the monitoring effects, one of the
5 effects that line maintenance folks patrol and
6 document in our transmission geographic
7 information system. They also patrol and document
8 riparian areas and crossings. They would look at
9 the effectiveness of any environmentally sensitive
10 sites that are contained within the operational
11 environmental protection plan. And the
12 Operational Environmental Protection Plan is an
13 extension of the Construction Environmental
14 Protection Plan. We identify many sites in that
15 plan, we construct the project, there's different
16 types of effects of that project during
17 construction. But we take that same information
18 and we move it into the Operational Environmental
19 Protection Plan, and we apply mitigation measures
20 and any monitoring requirements that are ongoing
21 for specific sites in that document.

22 MR. VALDRON: All right. You will
23 appreciate that my clients as well are in it for
24 the long term, indefinite as you say. So could we
25 get a copy of that?

1 MR. MATTHEWSON: A copy of the
2 environmental protection plan will be shared with,
3 through the ongoing First Nations and Metis
4 engagement process during its development prior to
5 in-service.

6 MR. VALDRON: All right. And that
7 will include any checklists or any criteria for
8 monitoring or mitigation during regular
9 operations?

10 MR. MATTHEWSON: Yes, it will describe
11 activities required with that respect.

12 MR. VALDRON: All right. Disclosure
13 is good. By the way, I want to thank you for
14 being so patient with me. Now, let's see here. I
15 believe I've just about come to the end, there's
16 just one last follow-up.

17 Now, you will recall we discussed
18 Contractors Environment Plans, and/or Contractors
19 Environmental Management Plans. And there was
20 some concern with respect to releasing those,
21 given the cost potential for proprietary or
22 confidential information. And I suggested to you
23 that perhaps such information could be simply
24 redacted and the balance of the plans could be
25 released. And you indicated that was a

1 possibility. Now, I don't want to put you on the
2 spot here. So what I'd like to do is ask for an
3 undertaking from Manitoba Hydro to determine
4 whether they are prepared to do that, rather than
5 keep the entire document confidential?

6 MS. MAYOR: We'll have to consider
7 whether we're going to provide an undertaking or
8 not. So we'll consider that at the break.

9 MR. VALDRON: All right. Fair enough.
10 I'll wait for your response to the request for an
11 undertaking. But in the meantime, I have
12 completed all my questions, and I thank the
13 Commission for its patience and I thank the
14 witnesses for their cooperation.

15 MR. MATTHEWSON: Thank you.

16 MR. WIENS: Thank you.

17 THE CHAIRMAN: Thank you for those
18 questions and once again for the responses.

19 All right. I believe now, next on the
20 list will be the Southeast Stakeholders Coalition,
21 Mr. Toyne.

22 MR. TOYNE: Thank you, Mr. Chair.
23 Again, for the record it's Kevin Toyne for the
24 Coalition.

25 So I don't have too many questions for

1 this panel. If we could go back to the
2 information that Mr. Matthewson was providing
3 about concerns being raised by landowners about
4 access and Hydro's willingness to enter into
5 discussions with them, for example, to have gates
6 to prevent access to the right-of-way. I'm
7 wondering if you could provide a little bit more
8 detail about those discussions? For example, you
9 know, are there certain financial constraints that
10 Hydro will place in any mitigation, or are there
11 certain types of agreements that Hydro might want
12 landowners to enter into before some sort of gated
13 access is put up, who is responsible for
14 maintaining it? If you could just provide a bit
15 more information about that, to the extent that
16 you can?

17 MR. MATTHEWSON: I'm not sure I can go
18 into much more detail. The construction panel
19 probably would have been the best to, Mr. Penner's
20 department to answer that. But I'm not aware of
21 any further agreements that get put into place.
22 There is certainly discussions about access that
23 Manitoba Hydro may use on a particular landowner's
24 property, so we do get a release that allows us to
25 use that access, to cross their property to get to

1 the right-of-way if we do need to.

2 As far as any other financial
3 constraints, I'm not aware that we have reached
4 any scenarios where that may come into play.

5 MR. TOYNE: All right. And are you
6 able to provide any additional information about
7 situations where a landowner may express those
8 concerns and request some sort of gated access or
9 some measure along those lines, and Hydro has
10 declined to accommodate them in that regard?

11 MR. MATTHEWSON: I'm not aware of any
12 times where we've declined that. We have tried to
13 work very closely with the landowner to address
14 their concerns when it comes to access of the
15 right-of-way. But we also have to make sure that
16 we have access to the right-of-way for the
17 purposes of our operations and maintenance. So
18 when I talked about the gates, one of the measures
19 we had to have in place is a double locked system
20 so that it allows us access to that right-of-way
21 24 hours a day, 365 days a year for emergency
22 situations.

23 MR. TOYNE: All right. So just
24 turning briefly to an issue that was discussed a
25 little bit more with other panels. So there is

1 what's been referred to as the Fournier farm, the
2 Centennial farm property, and I don't want to get
3 into a debate about whether or not the lands form
4 part of the farm or not. But are there any
5 specific provisions in the different monitoring
6 plans to ensure that no further impacts occur on
7 that particular property, or properties like that,
8 in the vicinity of the right-of-way?

9 MR. MATTHEWSON: Well, I don't think
10 the Fournier farm specifically has been listed as
11 an environmentally sensitive site in the
12 Construction Environmental Protection Plan. There
13 are a variety of measures by which we implement,
14 with respect to any heritage resource, and that we
15 constrain vehicle traffic to the right-of-way
16 itself. We have other methods by which we reduce
17 soil erosion and compaction through use of winter
18 construction and/or construction matting to
19 mitigate the effects on soil productivity. I
20 think constraining the activities to the
21 right-of-way and looking at constraining the
22 construction access to designated access areas.
23 So if the Fournier farm had an area where there
24 was no access provided except along the
25 transmission right-of-way, then that's something

1 Manitoba Hydro would honour. And certainly as far
2 as the operations going outside of the
3 right-of-way, those are things that do get
4 monitored. Of course, the landowner of course
5 will let us know if there is any concerns they may
6 have. But also our project archaeologist would be
7 measuring, just like any heritage resource, any
8 potential effects outside of the right-of-way on
9 that.

10 MR. TOYNE: If we could talk about the
11 clearing management plan and some of the comments
12 you made about landowner involvement in some of
13 those decisions. You gave, as an example, a
14 landowner having discussions with Hydro about
15 turning some of the trees that are being cleared
16 into firewood. To what extent does the
17 landowner's concerns or views drive Hydro's
18 decision? Is this something where if the
19 landowner says I want all firewood or I want no
20 firewood, Hydro will just comply, or is it a
21 discussion or a negotiation?

22 MR. MATTHEWSON: It is a discussion
23 that we have with the landowner I guess. But
24 whenever a landowner has requested wood from the
25 right-of-way that's on their property, Manitoba

1 Hydro has gone to an extent of taking out wood and
2 putting in a process by which they can utilize it.

3 Now, where the discussion comes into
4 play is that although the landowner may want the
5 firewood, we have to allocate a place by which the
6 firewood is stored off the right-of-way, because
7 we have to have the right-of-way free and clear
8 for the construction of the project. So some
9 landowners will identify another parcel, portion
10 of their land and say, well, haul all the wood to
11 there and just leave it and I'll deal with it.
12 Others request us to do, to maybe cut it in tree
13 length pieces and pile it on another portion of
14 the right-of-way. Some want full tree length.
15 There's a whole variety of requests that we get
16 for firewood and for the vegetation on the
17 right-of-way, and we try to work with the
18 landowner and deal with their concerns as best we
19 can.

20 MR. TOYNE: In a somewhat similar
21 vein, if a landowner is concerned about say slash
22 being burned, either on their property or in the
23 vicinity of their property, will Hydro have
24 discussions with that landowner about that?

25 MR. MATTHEWSON: Certainly on their

1 property, we'll seek their permission to do that.
2 And as far as adjacent, if they do voice a concern
3 with us about burning, we'll take that into
4 consideration in our clearing management plan with
5 respect to where designated burning activities can
6 occur. And again, one of our primary mechanisms
7 or primary concerns with respect to choosing when
8 to burn has to do with proximity to residences,
9 potential for fuel loading, access, as well as
10 highways and smoke conditions that may occur.

11 MR. TOYNE: Right. So if a landowner
12 doesn't expressly raise concerns about slash
13 burning, either because they don't know it's an
14 option, it doesn't occur to them when they are
15 talking to their liaison, I take it Hydro will
16 still take steps to try to minimize the impact
17 that smoke may have on the landowner and in
18 particular the landowner's residence?

19 MR. MATTHEWSON: Yes, we will.

20 MR. TOYNE: Okay. And I appreciate
21 that this question may have been better for a
22 different panel, but it struck me that this was
23 the right one, and if I was wrong, I apologize.

24 So one of the Bipole III licensing
25 conditions talks about minimizing slash burning

1 when smoke may affect residences. And you would
2 use the phrase, I think, that Hydro tries to be
3 considerate of landowners in this regard. Does
4 Hydro take into account the impact that smoke may
5 have, not just say on residences or highway
6 traffic, but other places where people might
7 gather, say schools, churches, recreation
8 facilities that are in the vicinity of the
9 right-of-way?

10 MR. MATTHEWSON: Yes.

11 MR. TOYNE: Okay. And would there be
12 any operational problems if that licensing
13 condition from Bipole III that relates just to
14 minimizing the impact of smoke on residences is
15 expanded beyond residences to other places where
16 people might gather?

17 MR. MATTHEWSON: As expanded to
18 schools and playgrounds and that thing or --
19 people could gather anywhere so...

20 MR. TOYNE: Fair enough. But right
21 now the licensing condition just, it's very
22 specific to smoke affecting residences, and that
23 Hydro should take steps to minimize that. And the
24 question is, if the Minister, based on a
25 recommendation from the Commission, in her wisdom

1 looks to expand the scope of that condition for
2 this project, are there any operational concerns
3 or problems that Hydro would foresee with that?

4 MR. MATTHEWSON: Manitoba Hydro would
5 adapt its operational procedures to be in
6 compliance with licence condition.

7 MR. TOYNE: So the next series of
8 questions I've got are based on the hypothetical,
9 but I'm hoping that you will answer them when I
10 tell you what the hypothetical is.

11 So the hypothetical is that the
12 Commission buys what the Coalition is selling and
13 they are agreeable to some sort of a modification
14 to the route along the lines of what the Coalition
15 is suggesting.

16 The monitoring plan and program that's
17 currently contemplated, what would be required
18 from an updating perspective if the final
19 preferred route that Hydro is looking to have
20 approved is rejected and some other modified
21 version of the route is adopted?

22 MR. MATTHEWSON: The Environmental
23 Protection Program has been developed and tailored
24 to the final preferred route, so it would likely
25 require extensive modification if that route were

1 to change, to adapt for that.

2 MR. TOYNE: All right. And to go back
3 to a point that I had made in the Coalition's
4 opening statement; if the Minister proceeds with a
5 staged licensing, or a licensing of preliminary
6 steps before a full licence is granted, does the
7 plan, as currently drafted, work with that type of
8 a licensing decision as opposed to the project
9 being fully licensed at the outset, or would
10 revisions and updating be required?

11 MR. MATTHEWSON: Revisions and updates
12 would be required. As I mentioned, these plans
13 are all very specific to the final preferred
14 route. We are conducting preconstruction surveys
15 now on the final preferred route alignment. So
16 any route alignment may require waiting for more
17 preconstruction surveys to be conducted prior to
18 construction.

19 MR. TOYNE: All right. So just to
20 break that down a little bit, so if the Minister
21 grants a staged licence so that the part of
22 project that goes, say from Dorsey to the part of
23 the line just south of Anola, along the Riel to
24 Vivian transmission corridor, that part gets
25 licensed but other parts don't, does this plan

1 allow for Hydro to do what it needs to do to start
2 that construction process, notwithstanding that
3 other parts of project aren't licensed yet?

4 MR. MATTHEWSON: So the construction
5 environmental protection plan for the area from
6 Dorsey to Anola would stand. It would not likely
7 need any modifications to it, pending any other
8 licence conditions that may need to be revised,
9 that's why they're provided as draft. The
10 monitoring plan will likely need revision because
11 there are certain sample sizes and other
12 assumptions made in that plan that require a
13 certain number of plots. So if we're breaking the
14 monitoring plan into different steps and stages,
15 it may require a look at a different approach to
16 our current study designs.

17 MR. TOYNE: All right. So this is a
18 slightly more specific hypothetical. So right now
19 the final preferred route travels to the west of
20 the Watson Davidson Wildlife Management Area, but
21 if the route that's ultimately adopted and
22 approved travels to the east of that wildlife
23 management area, are there any specific monitoring
24 protocols or things that could be done in the
25 construction monitoring plan to take some of the

1 concerns that had been raised about that area into
2 account? You know, so for example on Bipole III,
3 the northern converter station, different parts of
4 the lines are actually in a wildlife management
5 area. So I take it that Hydro has protocols of
6 monitoring type in place to deal with that. So
7 here we wouldn't necessarily be doing construction
8 within a wildlife management area like Bipole III,
9 just in its vicinity.

10 So is there anything different that
11 would need to be done if we're on the east side as
12 opposed to the west side of that particular
13 wildlife management area?

14 MR. MATTHEWSON: I think previous
15 panels have attempted to answer. The
16 environmental assessment, which the monitoring
17 plan is based on, was not conducted in that area,
18 so there will be a whole variety of information.
19 As well as the First Nation and Metis engagement
20 process, while they did collect some information
21 in that area, a lot of them focused directly on
22 the final preferred route. So there are probably
23 a lot of unknowns on the east side that we would
24 have to study further to understand any type of
25 mitigation measures that we may need to be put in

1 place, which would require probably extensive
2 consultation with Manitoba Sustainable Development
3 and First Nations and Metis engagement process.
4 Those works that we did conduct in wildlife
5 management areas and Northern Manitoba as part of
6 Bipole III project were in wildlife management
7 areas that were not legally protected portions,
8 and also did require extensive discussions with
9 Sustainable Development in developing monitoring
10 and mitigation plans within them.

11 MR. TOYNE: And would those different
12 types of plans, protocols, procedures that were
13 developed for the northern wildlife management
14 area where Hydro has built, or at least
15 construction is under way, can those be adapted
16 for construction in the vicinity of a southern
17 legally protected wildlife management area, or is
18 there really no comparison between the two?

19 MR. MATTHEWSON: There is no
20 comparison, they are different environmental
21 ecosystems.

22 MR. TOYNE: So wading into the
23 adaptive management discussion, which I am
24 reluctant to do because I don't really understand
25 it all that well but I'm going to try. And I

1 apologize if the question comes out awkward. If
2 Manitoba Hydro becomes aware that you're going to
3 need to, for example, violate a particular
4 mitigation measure, or decline to do some sort of
5 monitoring, violate a licence condition, does
6 Manitoba Hydro take steps to notify the landowner
7 or landowners that might be affected as part of
8 this whole adaptive management process to
9 incorporate their feedback into that decision?

10 MR. MATTHEWSON: Can you restate the
11 question, please?

12 MR. TOYNE: Yeah. I thought that was
13 going to happen.

14 Hydro decides it's going to do
15 something it's not supposed to do, do you tell the
16 landowner and get their input? Is that better?

17 MR. MATTHEWSON: Hydro doesn't decide
18 to do something it's not supposed to do.

19 MR. TOYNE: Well, that would come as a
20 real shock to my other client involved in
21 discussions with Hydro, who received
22 correspondence to that effect last week. So I'm
23 trying not to get into the details of it because
24 that's not before the Commission.

25 So if, for example, you know, some of

1 the policies and procedures and protocols that are
2 put in place in this very thick number of
3 mitigation measures, if Hydro for whatever reason
4 isn't going to implement one of them, do they talk
5 to the landowners that might be affected to get
6 their input before that decision is made, or do
7 you just present it to them as a decision that's
8 already been made?

9 MR. MATTHEWSON: Do you have a
10 specific example? Like there's just such a wide
11 variety of potential circumstances that --

12 MR. TOYNE: So why don't we talk about
13 say slash burning, because that seems to have
14 become a topic of interest during the hearing. So
15 whether it's one of your measures in the plan, or
16 it's the licence condition, whatever it might be,
17 Hydro discovers that it can't follow, or it can't
18 comply with that, and for some reason you've got
19 to burn slash when you're not supposed to. Will
20 you, before you do that, notify the landowner?
21 Will you notify and engage in discussions? Will
22 you ask for permission? Like how does Hydro deal
23 with a situation like that?

24 MR. MATTHEWSON: So if there was a
25 situation where Manitoba Hydro had to conduct

1 burning operations on private land, if there was
2 some type of regulatory requirement to approve
3 that, we, of course, would seek any type of
4 approval required. If there was a licence
5 condition approving it, we would have discussions
6 with Environmental Approvals Branch and discuss
7 whether the Minister would allow such an activity
8 to occur. And also there would be discussions
9 with the landowner about that activity, and
10 explain and discuss with the landowner the burning
11 and the rationale for it, and work with landowner
12 to come up with a reasonable conclusion.

13 MR. TOYNE: All right. So if Hydro
14 finds itself in a situation where again to, you
15 know, boil it down to the phrase that I used
16 before, if you find yourselves in a position where
17 you've got to do something you're not supposed to
18 do, is that something that you'll always notify
19 the applicable regulator about, or at the time, or
20 is that something that you might just put into the
21 annual reports that you will file on, you know,
22 how well you are complying or not complying with
23 all of these policies, procedures and protocols?

24 MR. MATTHEWSON: Manitoba Hydro, if it
25 comes into that situation where it needs to seek

1 regulatory approval to conduct an activity that is
2 different than what it had proposed in its
3 construction environmental protection plans,
4 depending on the nature of the activity, it seeks
5 permission from the landowner or the regulator
6 prior to. There may be some conditions which we
7 report annually after, as an example, a spill and
8 we don't know they are going to happen ahead of
9 time, so those are reported annually in our annual
10 reports. There are riparian areas as a buffer
11 zone that is supposed to be 30 metres. The buffer
12 zone may get cleared by the contractor to 15
13 metres. So that may not get identified until the
14 monitoring plan is -- or the monitoring is
15 conducted the following summer. It is documented
16 in the annual report and there are plans put in
17 place to rehabilitate that buffer to the 30 metres
18 that it's supposed to be.

19 MR. TOYNE: All right. And sort of,
20 you know, going a little bit further down this
21 particular hypothetical, let's say that the
22 regulator or the Minister is displeased with how
23 Hydro has handled the situation, and either
24 suspends or terminates the licence that you're
25 asking for, for this particular project. And this

1 would be different from say the decommissioning at
2 some indefinite point in time in future. I didn't
3 see anything in any of these plans, procedures or
4 protocols for how Hydro deals with that particular
5 contingency. Is there a plan, if this licence is
6 suspended or terminated by the Minister, on what
7 Hydro would do? Like for example, would you keep
8 up the monitoring? Would you keep up the
9 maintenance? How does that work?

10 MR. MATTHEWSON: No, there is no
11 defined plan should the Minister cancel the
12 licence for the project.

13 MR. TOYNE: And what about if the
14 Minister simply temporarily suspends it?

15 MR. MATTHEWSON: We would investigate
16 what the nature of the temporary suspension is
17 for, obviously work to remedy that deficiency in
18 fulfillment of licence conditions, and implement
19 any measures as directed by the Minister.

20 MR. TOYNE: Just so it's clear, so
21 right now, if this licence is granted and then
22 subsequently suspended, there is no specific
23 policy, procedure or protocol in place on how
24 Manitoba Hydro would deal with all of the
25 different monitoring and mitigation measures set

1 out in these plans that we had been talking about
2 the last two days?

3 MR. MATTHEWSON: No, that would fall
4 under our adaptive management process with this
5 new event. We would, depending on what level of
6 construction we are at, we'd probably have to
7 implement a bunch of different monitoring measures
8 depending on the type of deactivation that may be
9 required. It's very hypothetical with respect to
10 there could be a huge ramification to the
11 mitigation monitoring plan depending on that
12 circumstance. So we don't plan for that.

13 MR. TOYNE: Right. And then same
14 question, if it was beyond a temporary suspension,
15 there's a termination, again, there's nothing
16 currently in place that outlines Manitoba Hydro's
17 response to that in this specific regard?

18 MR. MATTHEWSON: That's correct,
19 there's nothing in place. If the Minister
20 hypothetically were to cancel a licence, I would
21 be very -- I would be fairly certain that there
22 would be very specific requirements with respect
23 to decommissioning and monitoring and mitigation
24 requirements, if the Minister decided to do that.

25 MR. TOYNE: And those would be imposed

1 by the Minister as opposed to something that's
2 been proposed in advance by Hydro?

3 MR. MATTHEWSON: Yes, they would be
4 proposed by the Minister, and Manitoba Hydro would
5 prepare a response and develop plans to action and
6 address those requirements. And the reason
7 Manitoba Hydro doesn't have a protocol or a plan
8 for this is we certainly have done our best to be
9 in compliance with all licence conditions and have
10 not received any type of stop work, or a
11 cancellation of a project licence to date.

12 MR. TOYNE: No further questions.
13 Thank you, Mr. Chair.

14 THE CHAIRMAN: Thank you, Mr. Toyne,
15 and for the responses again.

16 All right. That brings us to Dakota
17 Plains Wahpeton Oyate and Mr. Mills. We have a
18 break scheduled in here at some point, do you have
19 any idea how long your questioning will be so I
20 can time the break?

21 MR. MILLS: Well, James and I can go
22 on forever, Mr. Chairman, but probably half an
23 hour.

24 THE CHAIRMAN: All right. We'll go
25 till 3:00 o'clock then.

1 MR. MILLS: Thanks. Give me one
2 minute.

3 Good afternoon, Commission, good
4 afternoon, panel. James, I think most of my
5 questions will be to you. You seem to be the guy
6 on the spot today. I may seem to wander around,
7 but bear with me and hopefully we can move through
8 this quickly.

9 Could you turn to your slide 16,
10 please?

11 MR. MATTHEWSON: Which presentation?
12 Mine?

13 MR. MILLS: It had to do with erosion
14 protection.

15 MR. MATTHEWSON: Okay.

16 MR. MILLS: Yes, thank you.

17 James, we were specifically concerned
18 about the effect of ice bridges preventing spring
19 movement of the fishery up and down the many
20 waterways that this project will be crossing. And
21 when we put that question to Stantec's fisheries
22 expert, he was very clear that, as there was ample
23 access to the site, he did not expect to see any
24 ice bridges built. I haven't had time to withdraw
25 it from the transcripts, but that's my clear

1 memory.

2 We have also heard discussion that the
3 30 and greater metre riparian zone is more than
4 sufficient to protect the waterways from the
5 construction process. And yet we see so many
6 references to erosion and sediment control. Is
7 that in an abundance of safety on your team's
8 part, or isn't it in fact an acknowledgment that
9 the waterways will be affected by this work?

10 MR. MATTHEWSON: I think Manitoba
11 Hydro's approach to soil and erosion control isn't
12 just restricted to water erosion. So we have wind
13 erosion concerns on agricultural lands. So there
14 is a variety of measures that are put into place,
15 depending on different environmental conditions,
16 not just the proximity to riparian areas do we
17 implement soil and control measures.

18 MR. MILLS: Your appendix stream
19 crossings referred to as PC 9, mitigations 9.01 to
20 9.02 discusses stream crossings at length. You
21 indicate in there that your stream crossings will
22 follow the Manitoba stream crossing guidelines
23 that ice bridges will be constructed in a certain
24 manner and there is -- that there will be, if
25 water is being pumped from a lake or river to

1 build up an ice bridge, the intakes will be sized
2 accordingly. Is that templated information, or
3 did Stantec get it wrong when they said that there
4 would be no need for ice bridges to be built on
5 any of the waterways on this project? Just quite
6 simply, was Stantec speaking knowledgeably when
7 they said there would be no ice bridges built over
8 the course of this work?

9 My concern is that when they said
10 that, we stopped asking them questions about it,
11 and I wonder if we had missed a panel through a
12 misdirection?

13 MR. MATTHEWSON: I think at the time
14 that comment was made, that was the understanding
15 of Stantec. Subsequently, since then, Manitoba
16 Hydro has evaluated stream crossings and
17 accessibility, and knowing the different types of
18 environmental conditions that we are experiencing
19 on Bipole with respect to early spring thaw and
20 lighter winters, there may be a situation where
21 stream crossings may require an ice bridge, but
22 those would likely be only on very small streams,
23 not likely, not fish bearing. So as an example,
24 the LaSalle River or the Red River, the
25 Assiniboine River, Manitoba Hydro would never

1 consider an ice bridge across those rivers. But
2 there may be some stream crossings out of the 78
3 approximately, subject to check, that are more
4 ephemeral in nature that may require some type of
5 snow bridge or ice bridge across them. Those
6 decisions are made on a seasonal basis each year,
7 depending on the construction season and the
8 weather and the winter activities that we have.

9 MR. MILLS: Okay. I'll move on from
10 that point.

11 Burning of slash, I think you're, I
12 was going to say feeling the heat, but we're
13 certainly hearing a lot about it. In the process
14 of discussing slash burning, I have heard Manitoba
15 Hydro refer to obtaining burning permits, which is
16 a provincial regulation. I heard you this morning
17 indicate that you would respect road restrictions,
18 which is a provincial regulation. Your
19 construction access management plan confirms that
20 you will respect the limitation that MIT has on
21 burning on any roadways or right-of-way
22 allowances, and which is a provincial regulation.
23 You also say that you will comply with the
24 Wildfire Act, which is a provincial regulation.
25 Yet when questioned, your team has specifically

1 avoided committing to complying with the Crop
2 Residue Burning Act. And I was wondering if you
3 could definitively describe to us what Manitoba
4 Hydro's plans are with regards to residue burning?
5 Will you be respecting the residue burning laws of
6 Manitoba?

7 MS. MAYOR: Mr. Chairman, for the
8 record, Manitoba Hydro does not believe that Act
9 is applicable to the sections that Mr. Mills was
10 referring to, and he's really asking
11 Mr. Matthewson right now for a legal opinion,
12 which he's not in a position to do.

13 MR. MILLS: Okay. Thank you.

14 The crop residue burning laws state
15 that they exist for two very specific reasons,
16 concern for the environment and concern for
17 safety. We consistently hear that Manitoba Hydro
18 has those same concerns, and we remain -- we
19 continue to wonder why concerns for the
20 environment and concerns for safety with regards
21 to night-time burning wouldn't be Hydro's
22 concerns. Has that matter been discussed at some
23 of these round tables of your team that you
24 describe?

25 MR. MATTHEWSON: Yes. Manitoba Hydro

1 has the utmost concern for safety with respect to
2 burning, and concern for the potential effects it
3 may have on the environment. And it takes it very
4 seriously when it chooses and develops a clear
5 management plan, when it selects the different
6 methods of debris disposal. And it does defend
7 that burning is, in certain circumstances, an
8 environmentally acceptable method to debris
9 disposal, that when weighed against other factors
10 and in the right location and in considerations of
11 safety and human health effects, is an applicable
12 choice for debris disposal.

13 As I mentioned in my presentations,
14 Manitoba Hydro has numerous other methods of
15 debris disposal at its availability. However,
16 burning in certain circumstances and certain
17 locations may pose to have a lower environmental
18 risk than those other methods. So it's something
19 that Manitoba Hydro considers carefully in
20 choosing when to burn.

21 MR. MILLS: James, we've been told and
22 I think we've been told twice that no estimate
23 exists of the amount of biomass that will be
24 created by the 550 odd hectares of clearing that
25 you anticipate doing. In order to allow you to

1 reach in and arrive at some conclusions from the
2 point that you just made -- sorry, in order to
3 allow you to reach in to that amount of biomass,
4 and in order to address all of the options and
5 alternatives that you have just described to us,
6 wouldn't it be most accurate for you to obtain or
7 prepare a biomass estimate so that you could put
8 value -- sorry, so that you could put value to the
9 alternatives and options that you have?

10 MR. MATTHEWSON: Yes, we're just
11 pulling up an IR on that, but I did respond to
12 this question previously. We do have a biomass
13 estimate.

14 MR. MILLS: Really?

15 MR. MATTHEWSON: It's been presented
16 in -- and I'll just get you the IR.

17 So the land cover analysis is
18 conducted in -- and I'll just get you the IR
19 number -- so this is DPW0 IR 005, and our response
20 to that -- so the Clearing Management Plan will
21 quantify how much biomass will be burned. That
22 plan uses the life cycle analysis estimate that
23 all cleared biomass would be combusted. So when
24 they did the life cycle assessment, and this is
25 about as far as I can go into the discussion of

1 life cycle assessments, is that the biomass was
2 accounted for in that assessment, and they assumed
3 it would all be burned for the assessment in order
4 to measure a worst case scenario. And should
5 biomass be combusted productively or used in
6 permanent products, the net emissions would be
7 less than what they assumed in the life cycle
8 assessment.

9 MR. MILLS: Thank you. We haven't
10 been able to find a quantity that equals all, you
11 said all, and we haven't been able to find that
12 quantity. If your GHG LCA has been prepared based
13 on the burning of all biomass, there must be a
14 number somewhere as to the amount of biomass that
15 "all" is. Could you undertake to provide us with
16 that number? You tell us that you're going to
17 burn all of the biomass. You provide us with a
18 GHG analysis which you tell us assumes that all of
19 the biomass is burned, and the GHG analysis is
20 accurate down to a pound. Surely the amount of
21 biomass that gets us to that accuracy must be
22 known by someone. Would you please share it with
23 us?

24 MR. MATTHEWSON: Just to --

25 MR. MILLS: Or not?

1 MR. MATTHEWSON: So Manitoba Hydro
2 never, as you have stated, said it would burn all
3 of the material. Biomass is part of this project.
4 I just want to clarify that. The greenhouse gas
5 life cycle assessment was conducted by the Pembina
6 Institute. There was a previous panel on this
7 discussion which you asked many questions of my
8 learned friend about that. I don't have any
9 further knowledge about, other than what we wrote
10 in the IR responding to you, that the information
11 was in the life cycle analysis. I'm assuming it's
12 in the appendices which contains those
13 calculations.

14 MR. MILLS: Okay, thank you.

15 When we go back -- pardon me, before I
16 get to that, there was just one point, a micro
17 point that you made. You described the concept
18 earlier, in fact, this morning as to specific
19 tower interference. You described there being
20 some magnetic or electric effect as a result of a
21 specific tower, and you seemed to indicate that
22 that was separate and apart from the information
23 that Mr. Bailey provided us with. Is that tower
24 interference information available anywhere else
25 in EIS, or any of the information that we have

1 received?

2 MR. MATTHEWSON: No. Just to clarify,
3 my reference was to the steel as an obstruction
4 to, and potentially causing interference. So the
5 steel fixture itself, just like you put any type
6 of -- if you were to put a large steel structure
7 in front of any type of antenna, there may be some
8 type of radio interference. Those discussions on
9 potential interference are covered in other
10 chapters of the EIS that I don't have at my
11 fingertips. But it wasn't referring to any other
12 type of radio electromagnetic fields that a tower
13 creates, it was simply the presence of a steel
14 structure may cause interference. And that was
15 something that was assessed as part of the EIS.

16 MR. MILLS: I must have missed that,
17 but thank you, I'll go looking.

18 Could you pull up your slide 14
19 Monitoring Activities, please? I quickly count 22
20 key monitoring activities with regards to the
21 activity schedule. Other constituencies require
22 the resource developer to track on a monthly basis
23 and report their fuel or hydrocarbon consumption.
24 Would it be that difficult for Manitoba Hydro to
25 include a monthly hydrocarbon consumption accurate

1 figure, in light of the other monitoring
2 activities that you are certainly capable and
3 willing to do?

4 MR. MATTHEWSON: I believe this has
5 been answered already by a previous panel.

6 MR. MILLS: Yeah, they said no. I was
7 wondering if you thought it could be done?

8 MR. MATTHEWSON: They are the experts,
9 not myself.

10 MR. MILLS: Okay. You indicated that
11 you reviewed other constituencies and their work
12 in doing your work. Is that fair to say?

13 MR. MATTHEWSON: We reviewed publicly
14 available information with respect to
15 environmental monitoring plans and environmental
16 protection plans, of other utilities and
17 developers.

18 MR. MILLS: So would you have reviewed
19 those plans for the Lower Churchill project? Does
20 that ring a bell?

21 MR. MATTHEWSON: That does not ring a
22 bell for that project, no.

23 MR. MILLS: Okay. Can you reassure us
24 as to how Manitoba Hydro, on this project, will be
25 controlling the survey layout of the right-of-way

1 and the construction?

2 MR. MATTHEWSON: Sorry, can you
3 rephrase the question, please?

4 MR. MILLS: Surveying?

5 MR. MATTHEWSON: So you would like to
6 know about surveying?

7 MR. MILLS: Well, how do you monitor
8 and control and proof the survey work that you do?
9 Is that part of what we're talking about?

10 MR. MATTHEWSON: And you are referring
11 to land surveying when we're talking about
12 surveying?

13 MR. MILLS: Yeah.

14 MR. MATTHEWSON: That is not in the
15 scope of this panel about their activities and how
16 they measure whether their surveying is accurate
17 or done correctly.

18 MR. MILLS: Okay. Well, we'll step
19 off of that and into another matter.

20 We go to Bipole III information that
21 we receive and what we receive on the public
22 registry. And although we voiced our concern
23 before as to whether or not we get the full
24 picture, some of that information is germane to
25 what we're talking about now and what we're about

1 to do. I refer to one document, March 10th, 2014:

2 "Dear Ms. Braun, a contractor has made
3 an error at a deflection point and
4 cleared just over 7 kilometres of
5 centre line on an incorrect
6 alignment."

7 We find on the Conservation registry for Bipole at
8 least 77 submissions that Manitoba Hydro makes to
9 the director with regards to adjustments, or
10 corrections, or amendments, or conditions being
11 resolved. In light of your assurance that my
12 client will receive transparency and inclusiveness
13 in Manitoba-Minnesota Transmission Project, if we
14 asked that we be included in that type of
15 correspondence and information, would that be a
16 problem for your team? Let me help you out, we
17 see many of those submissions that specifically
18 affect the traditional lands, the lands that are
19 used and enjoyed by my client and several others'
20 clients. And we're just wondering if in light of
21 this transparency and inclusiveness that you have
22 proudly described, and we look forward to
23 enjoying, if at least my client could be included
24 in those discussion chains. If you do get off the
25 right-of-way and you do need to make an

1 adjustment, as well as advising the director,
2 would it be reasonable for a condition of the
3 licence to be that you also advise the affected
4 stakeholders?

5 MR. MATTHEWSON: Yes. If we deviate
6 from the right-of-way, from the planned
7 right-of-way that's been licensed as a project, we
8 will notify all the stakeholders involved as part
9 of our regulatory approval process to get an
10 amendment to the Environment Act licence. That is
11 something that the National Energy Board also
12 requires is for us to notify First Nations and
13 Metis and the stakeholders about any type of
14 deviation from the project, such as a route
15 alignment change.

16 MR. MILLS: So you're telling me that
17 those communications exist already?

18 MR. MATTHEWSON: They exist for
19 international power lines. So we will continue to
20 do those for the Manitoba-Minnesota project, where
21 we will notify adjustments to the, any adjustment
22 to this project through that process. And there
23 are numerous applications put forward to the
24 National Energy Board for modifications of our
25 existing power lines, of which we notified your

1 client.

2 MR. MILLS: No further questions,
3 Mr. Chairman. Thank you.

4 THE CHAIRMAN: Thank you, Mr. Mills,
5 and thank you for the responses again.

6 Well, it's five to 3:00, so we'll take
7 our break now and resume at 10 after 3:00. And I
8 believe it's the Southern Chiefs' Organization
9 next with Mr. Beddome, and we'll do that after the
10 break. Thanks.

11 (Proceedings recessed at 2:53 p.m. and
12 reconvened at 3:10 p.m.)

13 THE CHAIRMAN: Okay, welcome back.
14 And Mr. Beddome, thanks for being patient with us,
15 and you are on -- I guess you are on next for the
16 questioning. So go ahead.

17 MR. BEDDOME: All right. Thank you
18 very much, Mr. Chair. James Beddome for the
19 Southern Chiefs' Organization, just for the
20 benefit of the monitor.

21 I want to thank the panel for working
22 with the schedule today, and all the other
23 participants for also working with the schedule.
24 I know we thought we might have a long night, and
25 fortunately, you will be glad to know that it

1 should be a lot shorter, because a couple of the
2 participants, particularly the Consumers'
3 Association of Canada and Peguis First Nation
4 asked some really good questions that addressed
5 some of the questions that I had.

6 First one is a really easy one;
7 therefore I think I will throw it to
8 Mr. Matthewson. How happy are you that this is
9 the last panel that you have to sit on, and the
10 last question that you are going to get today?

11 You don't have to --

12 MR. MATTHEWSON: This has been a very
13 good exercise and learning experience for me.
14 I've -- you know, I've been on a panel previously,
15 on the Bipole III project, and learned a lot from
16 that, and learned more from this. The
17 intervenors' questions are excellent; they drive
18 change. And certainly all the questions that I've
19 received to date have certainly sparked different
20 things that I may be addressing in future
21 environmental protection programs. So I think it
22 is a very good process.

23 MR. BEDDOME: Thank you for that. I
24 was just expecting a quick "Very happy", but I
25 appreciate your comments, nonetheless.

1 It maybe jumps me off to a different
2 point that I may address, which is you were
3 talking about previous projects and the Bipole III
4 project, and you've already testified that you
5 were involved in that project, so it is fair to
6 say you've learned from past projects?

7 MR. MATTHEWSON: Yes.

8 MR. BEDDOME: And that includes
9 Bipole III, to be specific?

10 MR. MATTHEWSON: Yes, that's correct.

11 MR. BEDDOME: You would be aware, with
12 the licensing recommendation -- sorry, the
13 licensing recommendations of the Clean Environment
14 Commission from its 2013 report with respect to
15 Bipole III?

16 MR. MATTHEWSON: Yes, I am aware of
17 most of them. I can't repeat them verbatim to
18 you, but I've certainly read the document a few
19 times.

20 MR. BEDDOME: That's fair enough.

21 The one I want to look at is 12.1,
22 which, if you want a specific page reference, it
23 is at page 118 of that report. I also can read it
24 on to the record, because I don't think you will
25 need to review it all if you're familiar with it.

1 "Manitoba Hydro, under the direction
2 of Manitoba Conservation and Water
3 Stewardship, on completion of the
4 Bipole III project, undertakes a
5 third-party environmental audit to
6 assess whether commitments were met,
7 and to assess the accuracy of
8 assumptions and predictions. The
9 results of this audit will be made
10 public. This is to be repeated five
11 years after the first environmental
12 audit."

13 MR. MATTHEWSON: Yes.

14 MR. BEDDOME: You are familiar with
15 that recommendation?

16 MR. MATTHEWSON: Yes.

17 MR. BEDDOME: Now, maybe I missed
18 something. I see that there is a third-party
19 monitor for compliance for agricultural
20 biosecurity; but am I wrong that there is not
21 going to be third-party monitoring to ensure
22 compliance with respect to all of the VCs that you
23 are monitoring?

24 MR. MATTHEWSON: No, you are not
25 correct. So Manitoba Hydro's approach to

1 third-party oversight on this project is fairly
2 extensive. I can go through a few of those
3 examples.

4 So the ISO audits will -- sorry, the
5 environmental protection program will be subject
6 to those ISO audits, as Mr. Stuart pointed out.
7 So it is one mechanism by which we have an
8 independent review by an auditor.

9 We have our current plans with the
10 community indigenous monitoring working group,
11 which would be another mechanism by which we would
12 have another form of oversight or involvement from
13 indigenous communities during the construction and
14 monitoring of the project.

15 We have our environmental monitoring
16 reports, which we publish annually, that outlines
17 all of our environmental compliance and spills
18 and -- reportable, non-reportable spills -- and
19 all our environmental monitoring results
20 presented, posted on public registry for anybody
21 to ask questions about, or critique, or provide
22 further feedback to Manitoba Hydro.

23 And we of course have that ongoing
24 landowner liaison, so if landowners -- potentially
25 you could consider them a third party, if they

1 have concerns about the activities being conducted
2 by Manitoba Hydro on their land, there is
3 mechanisms by which we can engage with them, and
4 they can provide feedback to us.

5 And of course, the regulatory
6 oversight, both from the Province of Manitoba and
7 the National Energy Board, as well as many other
8 government regulatory departments, provide a lot
9 of third-party oversight to our entire program,
10 both the monitoring and construction.

11 MR. BEDDOME: Now, certainly I see
12 your point with regulatory oversight, and I'm
13 going to return to some of these. But I guess my
14 point is that in many cases, it wouldn't
15 necessarily be known as an independent third-party
16 audit. For instance, you mentioned the landowner
17 liaison; that's a Manitoba Hydro employee.
18 Correct?

19 MR. MATTHEWSON: The liaison that the
20 landowner deals with is a Manitoba Hydro employee,
21 yes.

22 MR. BEDDOME: I'm certainly going to
23 return to the indigenous monitoring working group.
24 We'll probably address this more, or maybe -- I
25 went a little bit out of order because of your

1 initial comment, but maybe we can go to Slide 14
2 of your presentation -- make sure I refer to the
3 right one for you.

4 It is the chart that several have
5 referred to today already. I apologize for you
6 there. Sorry, it would be at Slide 14 of
7 Mr. Wiens' report; my apologies for that.

8 But we've seen it several times today.
9 So if we went through here, is there going to be a
10 true independent third-party audit for fish and
11 fish habitat?

12 MR. MATTHEWSON: There -- we do not
13 have planned any further audits or oversight,
14 other than the ones that I've described to you
15 already.

16 MR. BEDDOME: Just to be fair, then
17 just for clarity, they are not true independent
18 third-party oversights, although, to be fair to
19 what you said, there is some oversight built into
20 the way that you're planning to do it. Correct?

21 MR. MATTHEWSON: Yes, there is
22 oversight. Certainly the ISO audit process will
23 audit Manitoba Hydro's monitoring program and
24 construction practices with respect to fish and
25 fish habitat; it will certainly be an item that

1 they will investigate to determine whether
2 Manitoba Hydro has completed those activities as
3 per the construction environmental protection
4 plan, and completed the monitoring, as per the
5 monitoring plan, by reviewing all of the reports.

6 MR. BEDDOME: I didn't hear a plan;
7 perhaps I'm wrong. Every five years, are you
8 going to complete a subsequent audit, as per
9 licensing reference 12.1?

10 MR. MATTHEWSON: We do not have a plan
11 to conduct an audit every five years as per the
12 licence condition for the Bipole III project. On
13 this project, it is currently not something that
14 we are considering. The size and scope of this
15 project is substantially different than the
16 Bipole III project.

17 MR. BEDDOME: If the Commission was to
18 make that a licensing condition, of course
19 Manitoba Hydro would respect that and would follow
20 that; right?

21 MR. MATTHEWSON: Absolutely.

22 MR. BEDDOME: Now, you are aware that
23 this project is not only being approved under the
24 Environment Act, but it is also being approved
25 while pursuant both to the National Energy Board,

1 but also the Canadian Environmental Assessment Act
2 2012. Correct?

3 MR. MATTHEWSON: Correct.

4 MR. BEDDOME: And you would be aware
5 that in accordance with Section 5(c) of that,
6 there is a requirement to take into account
7 interests of Aboriginal peoples, and that's
8 socioeconomic, that's traditional land uses, et
9 cetera; it goes on -- you would be aware of that
10 provision. Right?

11 MR. MATTHEWSON: I'm not intimately
12 familiar with all of the regulations under the
13 Canadian Environmental Assessment, but I will take
14 that as fact, subject to check.

15 MR. BEDDOME: Okay. I will make it
16 simpler, because I understand you can't
17 necessarily give a legal opinion.

18 You knew that under the Canadian
19 Environmental Assessment Act, you had to take
20 Aboriginal rights into account?

21 MR. MATTHEWSON: I'm not sure whether
22 I had to take into account Aboriginal rights under
23 the Canadian Environmental Assessment Act.

24 MR. BEDDOME: You're not?

25 MR. MATTHEWSON: My expertise is not

1 in the regulatory regime of this project. We have
2 other experts that ...

3 MR. BEDDOME: I will move on.

4 One of the reasons I was asking is
5 that just I note in Appendix D of your
6 construction environmental protection plan -- I
7 have a copy of it here, if you want -- are you
8 familiar with this document?

9 MR. MATTHEWSON: Yes.

10 MR. BEDDOME: I notice there is
11 nothing in there -- you talk about timing windows,
12 but there is nothing in there with respect to
13 Aboriginal rights. Can you explain that?

14 MR. MATTHEWSON: This is a -- this
15 document is the project wildlife reduced risk
16 timing windows, so it is -- respects the
17 mitigation and guidance provided by regulatory
18 agencies across Canada with respect to sensitive
19 time periods for wildlife. So there are no
20 specific line items here to deal with Aboriginal
21 rights; you are correct.

22 MR. BEDDOME: Now, you are probably
23 not surprised, I definitely want to talk about the
24 indigenous monitoring group. And certainly you
25 went over it quite well today, so some of this

1 should be fairly easy; I think we can get them in
2 yes or no questions.

3 Right now, the indigenous monitoring
4 group is not determined. Correct?

5 MR. MATTHEWSON: Correct. The scope
6 and terms of reference have not been determined.
7 Manitoba Hydro has simply had some introductory
8 field sessions back in November, had another
9 meeting recently -- in January, I believe -- to
10 move forward with the program.

11 MR. BEDDOME: And part of that is you
12 heard from communities they want to meet with
13 senior executives first. Correct?

14 MR. MATTHEWSON: Some communities
15 expressed an interest in meeting with senior
16 Manitoba Hydro executives to discuss concerns
17 about the project, in general; they didn't mention
18 specifically what they wanted to talk about.

19 And Manitoba Hydro is endeavoring to
20 conduct those meetings, and Manitoba Hydro
21 technical staff are also endeavoring to continue
22 community -- indigenous community monitoring
23 working groups, as we have heard from several
24 indigenous communities that they would like to
25 proceed with those discussions.

1 MR. BEDDOME: And is it fair to say
2 probably one of the reasons these communities have
3 expressed an interest in meeting with senior
4 executives is they want to get right to the top
5 decision managers; right? Just like any of us, if
6 we are upset at a store, we ask for the manager;
7 right? That's probably the rationale behind it.

8 Are you able to comment on that?

9 MR. MATTHEWSON: I can't comment on
10 the rationale for why they want to talk to
11 Manitoba Hydro senior executive, on what topics.

12 MR. BEDDOME: Mr. Matthewson, you seem
13 to be quite involved in this project; you have
14 been involved in several panels. What do you
15 think of the idea of actually having an indigenous
16 working group between senior executives and First
17 Nations in this province, looking at a broader
18 scale, maybe not just a project-by-project
19 approach?

20 Or Mr. Wiens can answer, too, if you
21 prefer.

22 MR. MATTHEWSON: Those types of
23 discussions are -- are more directed at our
24 indigenous relations division of Manitoba Hydro.
25 We have no comment on the type of activities that

1 they may be conducting or undertaking to further
2 Manitoba Hydro's commitment to engage with
3 indigenous, First Nations, and Metis people.

4 MR. BEDDOME: And who is presently on
5 the indigenous monitoring group? Do we have any
6 sense of who is going to be on it?

7 MR. MATTHEWSON: There is no roster of
8 communities. Manitoba Hydro has simply opened an
9 invitation to all communities that have expressed
10 an interest in the environmental impact statement,
11 First Nations and Metis engagement process. So
12 there are numerous First Nations, the Metis, and
13 indigenous organizations, such as your client.

14 MR. BEDDOME: Okay. So you have
15 reached out to my client; I just wanted to confirm
16 that.

17 MR. MATTHEWSON: Yes, we've reached
18 out to your client from the start of the EIS
19 development.

20 MR. BEDDOME: I'm speaking
21 specifically about the indigenous monitoring
22 group.

23 MR. MATTHEWSON: Yes, we have reached
24 out to them and invited them to participate, and
25 your client has participated.

1 MR. BEDDOME: Thank you for that. I
2 do appreciate that, you answered an outstanding
3 email I had from today.

4 Now, I think I heard you correct that
5 the idea of the indigenous monitoring group came
6 from the community meetings that you were having.
7 Is that fair to say?

8 MR. MATTHEWSON: It was -- certainly
9 we heard feedback through the environmental impact
10 statement, all the engagement meetings as part of
11 the First Nations and Metis engagement process, of
12 a desire to be involved in the monitoring of the
13 project, yes. But it is also based on Manitoba
14 Hydro's previous experiences in developing
15 monitoring programs and community involvement.

16 MR. BEDDOME: This is where I'm less
17 clear, and maybe you can answer: Did this idea
18 come from Manitoba Hydro? Or did it come from
19 suggestions or feedback by First Nations? I'm
20 trying to understand the genesis in which way the
21 idea was suggested. Perhaps Manitoba Hydro
22 suggested it, or perhaps it came up as feedback.
23 Are you able to answer that?

24 MR. MATTHEWSON: As I previously
25 answered, it was a combination of both. I don't

1 know which came first, the chicken or the egg,
2 with respect to the -- was it our idea, or
3 communities were requesting involvement in
4 monitoring? It's -- we have heard from many
5 communities on all of our projects for the nine
6 years I've been working with this department, on
7 wanting to be involved in monitoring activities.

8 So we've always known that to be true,
9 and so we were just simply putting forward a
10 concept in the environmental impact statement by
11 which we could achieve some community involvement,
12 but it was just a proposal, and we are open to
13 anything the indigenous communities want to
14 further discuss and develop and tailor to their
15 specific needs.

16 MR. BEDDOME: And it is a proposal,
17 because earlier today, I think with Ms. Pastora
18 Sala, I heard you say -- or perhaps it was
19 Mr. Valdron, forgive me if I'm wrong -- but that
20 if, in the end, each community wants a community
21 monitor similar to as in Bipole III, Manitoba
22 Hydro is open to also considering that. Right?

23 MR. MATTHEWSON: I think we've
24 conducted the environmental monitor concept on the
25 Bipole III project, and it had some benefits. Due

1 to the nature and geographic location of this
2 project, proximate to the communities and the size
3 and scale of this project, we have been looking
4 more into community involvement similar to the
5 Lake Winnipeg East projects, where we have
6 communities working together, as it provides a
7 much clearer and a much clearer and involved, with
8 multiple different perspectives being voiced at
9 the same time, and working together as a
10 collective, is by far a more rewarding process for
11 Manitoba Hydro and the communities, as we've
12 illustrated on previous projects.

13 MR. BEDDOME: And you will have to
14 forgive me; I still have a tough time. You say
15 "we", and I'm unclear whether it is for Manitoba
16 Hydro's benefit or for the community's, but I
17 don't want to belabour the point. How many
18 environmental community monitors were there in the
19 Bipole III project?

20 MR. MATTHEWSON: There was an
21 environmental monitor position, one position for
22 each section of Bipole III. Each section of
23 Bipole III was approximately 150 to
24 200 kilometres, which is larger than -- or the
25 same as the size of this project.

1 So if we were to follow through with
2 that, that would be one environmental monitor for
3 a project of this scale. As you can imagine that
4 would be difficult, to share a position like that
5 with the multitudes of agencies, indigenous
6 organizations, First Nations and Metis having --

7 MR. BEDDOME: Certainly. Certainly.
8 And it actually jumps off to my next question,
9 which is part of the indigenous monitoring group,
10 which is -- how do you ensure or guarantee that
11 you have indigenous diversity within this
12 indigenous monitoring group? I mean, we have
13 Dakota world views, we have Ojibway world views;
14 we're going to have -- some Cree Nations were
15 still going to have an interest.

16 You have these different cultures,
17 different understandings. So you have only room
18 for one monitor, but how do we ensure that we get
19 indigenous diversity respected on that indigenous
20 monitoring group?

21 MR. MATTHEWSON: All Manitoba Hydro
22 can do is invite those organizations to
23 participate, and provide a forum, an open and
24 transparent and honest forum, by which everybody
25 can communicate openly and share their

1 perspectives.

2 MR. BEDDOME: Now, Manitoba Hydro has
3 been aware, at least in conception form, of this
4 project since 2007, correct?

5 Let me move on even further. I think
6 that's been established on the record. If you
7 are -- at least since 2013, the process has been
8 underway, including the engagement process?

9 MR. MATTHEWSON: Yes, I believe the
10 engagement process started in 2013, subject to
11 check.

12 MR. BEDDOME: I put it to you that
13 you've had ample time to start putting together
14 this framework, and that although I think there is
15 some good things in the framework and what you've
16 put forward, you are kind of saying, "Just trust
17 us; just trust Manitoba Hydro. We will work this
18 out after we are done the hearings."

19 Would that be fair to say?

20 MR. MATTHEWSON: No, we aren't waiting
21 for the hearings to conclude. We started this
22 back in November, and we are continuing with
23 engagement. We hope to have some meetings in the
24 coming weeks, probably prior to the end of the
25 hearing, if communities are available to meet.

1 MR. BEDDOME: And I can appreciate
2 that. I'm just saying, for the benefit of
3 everyone standing here today and for the EIS, if
4 you were able to have some of these terms of
5 reference more settled at an earlier date, I think
6 it would improve the entire assessment process,
7 and in fact this hearing process. Would you not
8 agree?

9 MR. MATTHEWSON: I'm not sure how the
10 terms of reference of an indigenous community
11 monitoring working group would have affected this
12 hearing, or outcomes of it. And Manitoba Hydro
13 determining what the terms of reference on its own
14 and dictating them to the communities is certainly
15 not something we contemplated. So we wanted to
16 make sure we were building these together with the
17 communities.

18 MR. BEDDOME: And thank you for that,
19 and I completely understand and completely agree
20 with you, it has to be built together with the
21 communities. I guess my point is it could have
22 been engaged earlier.

23 And let me give you a couple of
24 specific examples. On May 15, you and me had an
25 exchange. We discussed both the challenges of

1 identifying a sacred tree; there was an example of
2 an IR, if it was identified, and I sort of asked
3 you, "What happens if the response from the
4 community is that a ceremony is not enough; we
5 refuse to yield this sacred tree; must be
6 protected"?

7 And I asked if you would be willing to
8 consider rerouting; you said, "Well, that's never
9 came up to us before, and it will kind of be dealt
10 with through the monitoring."

11 Do you remember that exchange?

12 MR. MATTHEWSON: I guess, and I want
13 to clarify that: We would use the monitoring
14 working group as a mechanism by which
15 communications could occur. If the monitoring
16 group didn't exist, we would communicate in other
17 manners, with First Nations and Metis, to discuss
18 the issue and --

19 MR. BEDDOME: But this is precisely my
20 point. Right? The value is, if you can use the
21 monitoring group to communicate, that's what we
22 are going to use; but otherwise, we are going to
23 use different mechanisms.

24 So we today don't really know exactly
25 what mechanisms you are going to use, because the

1 upfront work -- and I agree, it is going to
2 involve two-way work between both sides to come up
3 with terms of reference that are going to work for
4 everyone, hasn't been done to date, but it is
5 going to be done after the project is at least
6 reviewed in this process, if not licenced --
7 assuming it does get its licence.

8 MR. MATTHEWSON: I think, through the
9 First Nations and Metis engagement, and public
10 engagement panel that presented earlier, it
11 provided very clear presentation of all the
12 different methods of engagement and mechanisms by
13 which we communicate with First Nations and Metis
14 people in the development of the EIS. And we
15 would continue those same processes in the
16 construction and monitoring of the project.

17 MR. BEDDOME: What decision-making
18 authority is this indigenous monitoring group?
19 Assuming it gets created, what authority -- what
20 is it going to have? Is it going to be able to
21 basically put down, once again, a demand that a
22 sacred tree needs to be protected, or there is a
23 certain area where herbicide absolutely must not
24 be applied, is this indigenous monitoring group
25 going to have the power to basically tell Manitoba

1 Hydro that those are no-go areas?

2 MR. MATTHEWSON: As the terms of
3 reference are not developed, I cannot comment on
4 what authorities the indigenous community working
5 group will have, or responsibilities.

6 MR. BEDDOME: Can you see how that
7 relates to my previous question?

8 That's okay; you don't need to answer.

9 Now, I just want to draw a contrast.
10 It is not clear if it is going to be specific
11 community monitors yet to be determined by the
12 indigenous monitoring group, but there is going to
13 be one liaison per landowner with respect to this
14 project; correct?

15 MR. MATTHEWSON: No, there isn't one
16 liaison per landowner. There are several
17 liaisons, each assigned a collective of
18 landowners.

19 MR. BEDDOME: How many liaisons do you
20 need to deal with a collective of liaisons for a
21 project of this size?

22 MR. MATTHEWSON: So there are
23 approximately 126 landowners, and I believe there
24 is approximately six Manitoba Hydro project
25 liaisons that are dealing with those landowners --

1 approximately; I'm not sure what the math is on
2 that.

3 MR. BEDDOME: About six for a roughly
4 200-kilometre project, but for indigenous
5 monitoring, you just need one monitoring. Is that
6 correct?

7 MR. MATTHEWSON: No, that's -- we are
8 talking about different topics. That was with
9 respect to landowner liaison with 126 different
10 landowners; Manitoba Hydro has a larger team of
11 First Nations and Metis engagement staff that deal
12 and have relationships with First Nations, Metis,
13 and indigenous organizations.

14 So there are many Hydro staff that
15 work collectively to address and work with the
16 community, with the First Nations and Metis
17 engagement process.

18 MR. BEDDOME: Now, I think it is at
19 slide -- I apologize. It is -- I think it is at
20 PowerPoint 25. It is the circle that deals with
21 adaptive management -- yes, PowerPoint 25 of yours
22 today. If you wouldn't mind putting that one up.
23 CAC has also conveniently given out these sheets
24 that are more legible, but ...

25 I'm looking at the "adjust" part, and

1 I'm wondering, who makes the decision when it is
2 time to adjust?

3 MR. MATTHEWSON: There are a wide
4 variety of scenarios, which would involve a whole
5 bunch of different potential people being
6 involved.

7 I will give you an example of a
8 cultural and heritage resource site, so anything
9 that we may have newly discovered on the
10 construction project. So we, of course, have a
11 plan with the cultural and heritage resource
12 protection plan, we have "a do" , which is the
13 training and construction activities and all
14 mitigation measures put in place by those
15 construction activities, according to the
16 Construction Environmental Protection Plan, and
17 evaluate and learn. So if and when a site is
18 discovered by a construction crew or an
19 environmental inspector, environmental monitor,
20 whoever, then we implement the "adjust" phase,
21 where we engage the project archeologist and
22 community representatives from First Nations and
23 Metis communities to partake in discussions about
24 the nature of the site, any type of mitigation
25 measures that may be required.

1 And we also have to be aware of the
2 Heritage Resources Branch and the Heritage Act and
3 any requirements under that Act.

4 Ultimately, then, it is the Heritage
5 Resources Branch that dictates what mitigation
6 measures and repatriation and any other activities
7 that would happen to a heritage resource,
8 specifically.

9 MR. BEDDOME: That's a good example
10 for heritage resources. And so the Heritage
11 Resources Branch, in this case even if there was a
12 dispute between, say, the project archeologist and
13 the First Nations community, the best way to deal
14 with it, Heritage Resources Branch would deal with
15 it.

16 Let's go to a different scenario.
17 What happens if you find that the impact to the
18 Vita elk herd is more significant than you might
19 think? Who then makes that decision?

20 MR. MATTHEWSON: So if there was -- if
21 the Vita elk herd were to somehow enter into the
22 project area, we would be working with Sustainable
23 Development biologists to develop any type of
24 mitigation measures that may be required. We
25 would also include the indigenous community

1 monitoring working group in those discussions
2 about any type of mitigation measures and/or
3 monitoring activities that may need to be
4 conducted to monitor the potential effects of the
5 project on elk.

6 MR. BEDDOME: Maybe it was just
7 missed, but to back up, would you include the
8 indigenous monitoring group in the cultural and
9 heritage site as well?

10 MR. MATTHEWSON: If there was a group,
11 we would utilize that. But as I mentioned
12 previously, we have a protocol in place that we
13 would like to work -- or, sorry, that we don't
14 have in place; we have a protocol, which we would
15 engage with every community to have a clear,
16 direct line of communication with folks that are
17 required to respond immediately to any type of
18 undiscovered resource.

19 So it may include those same people,
20 or maybe more people.

21 MR. BEDDOME: Moving back to the elk
22 example -- and I recognize that you mentioned you
23 had worked with the Province and worked with
24 Sustainable Development. Am I fair to assume that
25 Manitoba Hydro would only adjust if it was

1 required to by a regulatory authority, then?

2 MR. MATTHEWSON: No, I think Manitoba
3 Hydro takes its own measures to adjust its
4 practices and our procedures, based on the
5 information that it receives through its
6 monitoring programs. Both the indigenous
7 community monitoring work group, if they were
8 monitoring elk, if that was a topic that they were
9 monitoring, and concerned that they had
10 information to provide in the decision-making
11 process, and new information about elk sightings
12 within the project area, because of the
13 traditional practices, they may be the first ones
14 to observe such interaction between elk and the
15 project.

16 MR. BEDDOME: So that information is
17 going to come, but then ultimately it would be --
18 someone somewhere in Manitoba Hydro would make the
19 decision to adjust and take some mitigative
20 measures, or to implement this adaptive management
21 approach; would that not be correct?

22 MR. MATTHEWSON: Yes, it would be the
23 environmental protection management team that
24 would make decisions about actions that Manitoba
25 Hydro had to take or undertake with the advice of

1 those folks I discussed previously.

2 MR. BEDDOME: So it is the
3 environmental protection management team; it's not
4 senior management above you? It would be at your
5 level -- and I believe Ms. Pastora Sala has
6 acknowledged this -- you are on the environmental
7 protection management team. Correct?

8 MR. MATTHEWSON: Yes, I am.

9 MR. BEDDOME: So it is not the level
10 up that makes that decision?

11 MR. MATTHEWSON: That's correct --
12 well, ultimately it would depend on the level of
13 alteration that we would need to make to the
14 project on how high up -- whether we needed
15 executive approval to implement. But generally,
16 most of those type of management decisions are
17 made at the environmental protection management
18 team level.

19 MR. BEDDOME: And just to be clear,
20 the indigenous monitoring working group is
21 advisory only to you and your team, in terms of
22 those decisions; so it provides you advice, but
23 you make the ultimate decisions? In terms of the
24 environmental protection management team, just to
25 be clear.

1 MR. MATTHEWSON: Manitoba Hydro makes
2 the decisions about actions that Manitoba Hydro
3 has to conduct, yes.

4 MR. BEDDOME: Now, at Slide 22, you
5 talk a little bit about the huge GIS data set that
6 Manitoba Hydro keeps, and I very much appreciate
7 that. And I think we've already went over this,
8 so it should just be a quick yes or no: Because
9 of the proprietary aspect of the information, and
10 because First Nation communities often want to
11 keep the information to themselves, both to
12 protect their harvesters -- ATK information is not
13 incorporated into this GIS data set, right?

14 MR. MATTHEWSON: ATK information that
15 is shared with Manitoba Hydro is stored within the
16 system, but it is secured, and against other -- so
17 that only pertinent people have that visible to
18 them.

19 MR. BEDDOME: And this goes back to
20 one of our previous exchanges. I just have a hard
21 time understanding how you are not able to just
22 generate a list of all of the available data sets.
23 Perhaps you can just clarify that to me.

24 MR. MATTHEWSON: That is an
25 undertaking. We are looking to provide you that

1 list. It will be provided.

2 MR. BEDDOME: Okay. It seemed like it
3 was a challenge, and I just wasn't
4 understanding -- have a chance here with the
5 technician here to explain what creates that
6 challenge, I suppose -- I appreciate that it can
7 be a challenge; I'm just wondering if you are able
8 to comment. If not, I can move on. I don't want
9 to take too much time.

10 MR. MATTHEWSON: It has to do with
11 making sure that we provide a thorough response
12 with respect to the data sets that were used in
13 that analysis. And the data sets that were
14 utilized by the contractor in developing that
15 followed their own naming conventions, so we need
16 to cross-check those data sets with our data sets,
17 to ensure that we are providing you accurate
18 information with respect to the exact sources of
19 the data.

20 MR. BEDDOME: Okay. Thank you. I
21 appreciate that, and I do appreciate your response
22 to that.

23 At slide 23, I just really quickly
24 wanted to confirm -- my notetaking wasn't fast
25 enough. You talked about the environmental

1 protection plan reviews, and that it would be
2 Ms. Johnson, yourself, Mr. Matthewson, and
3 Mr. Keil -- and I think you mentioned another name
4 or two, and I missed it. I wonder if you can
5 confirm who is all on that team that makes the
6 decisions with respect to the environmental
7 protection plan annual reviews?

8 MR. MATTHEWSON: I just provided a
9 sample of those staff that are -- the main members
10 are the environmental protection management team,
11 illustrated on this slide here. Ms. Fiona
12 Scurrah, with transmission line construction;
13 Kristopher Watts, with licensing; Trevor Smith,
14 with transmission line maintenance; Shannon
15 Johnson, with licensing environmental assessment;
16 Amber Lahti, with transmission line maintenance;
17 myself; Jim Kiel, the construction manager for
18 transmission line construction; and Anne
19 Melnichuk, with transmission line construction,
20 are all members of the environmental protection
21 management team.

22 There may be other members brought in
23 to help with that review, such as environmental
24 inspectors, who utilize the products on an annual
25 basis, as well as construction environment

1 officers and construction supervisors from the
2 contractor side of things, to provide feedback on
3 the usability and -- and information on the
4 products.

5 MR. BEDDOME: Thank you. I do
6 appreciate that, and I do apologize; I am probably
7 going over something you covered, so my complete
8 apologies for that. I just wanted to be clear on
9 that.

10 And I wasn't -- it wasn't quite clear
11 to me, Ms. Pastora Sala was asking you some
12 questions regarding the blasting plan. And you
13 said it wouldn't be publicly available, but I
14 guess the notice of the blasting would. It wasn't
15 clear -- she moved on to the question -- and I
16 wish I had the transcript, but obviously, it was
17 from this morning, so I don't. I was just
18 wondering -- I wrote a little note to myself, will
19 it be public?

20 So the blasting plan isn't developed
21 yet -- that's right, so the blasting plan hadn't
22 been developed yet. So my question is, will it be
23 made public when it is developed?

24 MR. MATTHEWSON: I think we had a few
25 questions on the contractor-specific plans, and we

1 are -- subject to any type of proprietary or
2 contractor confidentiality clauses that they may
3 have with respect to those plans, I can't say
4 whether that would be made public.

5 However, I think the more pertinent
6 plan is the communication plan around blasting
7 activities and when they would be conducted,
8 because the blasting plan is about storage of
9 explosives; not terribly interesting for most
10 people, to know where the magazines and storage --

11 MR. BEDDOME: And we've talked about
12 communication, and in fact my client has filed an
13 IR on that.

14 MR. MATTHEWSON: So the communication
15 plan is about how we are going to notify resource
16 users, the public, First Nations and Metis, and
17 emergency response personnel, and community
18 leaders about blasting activities so that nobody
19 is alarmed when those activities take place.

20 MR. BEDDOME: And we have the question
21 from Mr. Valdron with respect to redaction, I
22 guess, and I see no reason why that information
23 shouldn't make its way to being public, but ...

24 I only have a few more questions for
25 you. Going to Slide 19, I'm going to take a chop

1 at the old block, if I can, in terms of clearing.
2 I will give you a chance, like Mr. Valdron did --
3 come on, that one wasn't even funny. You're
4 supposed to answer correct. Was it Ms. Coughlin,
5 or was it -- that was on the ball the other day.

6 Anyway, basically what I was looking
7 at with the clearing is -- you talked about
8 feasible; you remember speaking about the term
9 "feasible"? Right?

10 MR. MATTHEWSON: Yes. Correct.

11 MR. BEDDOME: And I presume, when you
12 say "feasible", you mean both in terms of
13 engineering and in terms of being feasibly
14 economic. Correct?

15 MR. MATTHEWSON: Economics,
16 environmental, and technical construction all come
17 into the determination of feasibility.

18 MR. BEDDOME: Fair enough.

19 Now, I think this has been covered
20 well by Mr. Mills; I don't want to go too far over
21 it. But basically, as I understand it, the
22 greenhouse gas report tried to take a conservative
23 estimate, assuming that all wood will be burned.
24 We don't know what the volume is, but that was
25 sort of what they did for the purposes of --

1 better safe than sorry; you can figure out what
2 your maximum greenhouse gas emissions would be if
3 you burned absolutely everything. Correct?

4 MR. MATTHEWSON: I believe that was
5 the assumption of the greenhouse gas report
6 authors, but I cannot confirm.

7 MR. BEDDOME: Okay. The reason I ask
8 ask is a little bit more about -- it seemed to me
9 that there was -- you know, I recognize you've run
10 into feasibility issues, but it seemed to me that
11 there was a lot of demand, a lot of interest in
12 this wood, and that quite possibly -- and I know
13 you never know for sure -- that the vast majority
14 of this wood would be able to be salvaged or
15 applied to a secondary use in some way. Would
16 that not be fair to say?

17 MR. MATTHEWSON: That's currently the
18 assumption Manitoba Hydro is going with in its
19 clearing plan, is to utilize as much of the
20 material as possible in secondary uses.

21 But there are, as I mentioned,
22 feasibility items to be considered, and
23 practicality items with respect to the clearing
24 methods.

25 MR. BEDDOME: And looking only at both

1 technical and environmental feasibility-- I want
2 you to leave economic feasibility off the table
3 momentarily -- would it be possible for Manitoba
4 Hydro to consider a licensing condition that,
5 let's say, 60 per cent of the wood cleared will be
6 re-used for re-process, or 80 per cent, or
7 40 per cent; would you be able in any way to
8 determine what percentage might be able to be
9 re-used, and therefore Manitoba Hydro would have a
10 target in its licence?

11 MR. MATTHEWSON: Until the clearing
12 plan is developed, we don't have a clear account
13 of where all of the different types of vegetation
14 exists along the right-of-way in enough detail to
15 say how much is merchantable timber, as an
16 example, how much is wood that can be chipped, how
17 much is wood that can be salvaged for firewood.

18 So there is a large variety of
19 factors. And also we have to take into
20 consideration all the different habitat management
21 plans, such as the golden-winged warbler habitat
22 management plan, to lay another level of
23 complexity into the different types of debris
24 disposal methods that we may utilize in a
25 particular area, because of the type of debris

1 that we are going to generate or not generate on
2 the project, by leaving shrubs and smaller woody
3 debris on the right-of-way, growing, for habitat
4 for golden-winged warbler.

5 MR. BEDDOME: What prevents you from
6 developing even a draft clearing management plan
7 at this point?

8 MR. MATTHEWSON: We are drafting it
9 right now. We are in the process of drafting the
10 plan right now.

11 MR. BEDDOME: So, technically, it
12 could have been presented before the hearings?

13 MR. MATTHEWSON: No, we require
14 landowner access. So right now, we are developing
15 it at a desktop level, and then we have to go and
16 validate that desktop analysis at the landowner
17 level, to talk with landowners about intended
18 secondary uses or desires for firewood, or that
19 sort of thing, on their property.

20 So until that communication comes into
21 effect, we won't have a very good understanding of
22 exactly what secondary uses are possible and what
23 wood can be allocated for each use.

24 MR. BEDDOME: Now, I notice -- you
25 mention there was a lot of interest in wood,

1 right? And particularly in firewood. Right?

2 MR. MATTHEWSON: Yes.

3 MR. BEDDOME: And one of the parties
4 that expressed an interest in firewood was Roseau
5 River First Nation. Correct?

6 MR. MATTHEWSON: Yes.

7 MR. BEDDOME: Any other First Nations
8 express an interest in the wood, either for
9 firewood or other cultural practices?

10 MR. MATTHEWSON: We will check on
11 that. The reason I know Roseau is because I had
12 direct communication with Roseau; that's why I
13 knew that one off the top of my head. But we'll
14 check.

15 MR. BEDDOME: Along with Buffalo
16 Point; in terms of geographic proximity, their
17 reserve is closer than many others.

18 MR. MATTHEWSON: Yes, it is. I will
19 check on our correspondence.

20 MR. BEDDOME: If you wish to deal with
21 it by way of an undertaking, it is not vital for
22 my line of questioning.

23 MR. MATTHEWSON: No, we're just
24 checking, but our recollection is that we have not
25 heard from any other indigenous community about

1 specific requests for firewood.

2 MR. BEDDOME: Now, my question, then,
3 following that, is: Will Roseau River First
4 Nation -- or any other indigenous community, for
5 that matter, that expressed an interest -- be
6 given a preference in terms of being able to
7 re-use this wood?

8 MR. MATTHEWSON: I'm not sure if there
9 will be a preference given to any one particular
10 user. I think we are trying to meet -- and as
11 we've done previously, on the Bipole III project,
12 when a community has voiced an interest for wood
13 products, we deliver as much as they are willing
14 to accept, as part of that project.

15 So if Roseau River has a certain
16 amount of wood or type of wood that they are
17 requesting, we will work towards meeting their
18 request.

19 But keeping in mind, if there are
20 numerous First Nations that are interested in wood
21 products, with the project only being on a small
22 percentage of Crown land, there may not be a lot
23 of merchantable wood products to salvage.

24 MR. BEDDOME: Fair enough. I
25 appreciate that.

1 My question is, if there isn't a lot
2 left, would Roseau River be given first dibs,
3 essentially?

4 MR. MATTHEWSON: We don't have a
5 tiered-system approach on who gets first dibs on
6 salvaged products. We will work towards meeting
7 their request.

8 MR. BEDDOME: How do you determine,
9 then? I mean, if -- you have people competing for
10 similar products; right? I assume in some places
11 it is easy to get to, the wood is really good; in
12 other places, it is hard to get to and the wood's
13 not very good. Right?

14 So how do you assess or prioritize
15 competing interests, be they competing First
16 Nations or competing non-First Nations interests
17 and First Nations interests?

18 MR. MATTHEWSON: I think just the same
19 manner by which we routed the project. We are
20 trying to balance all the interests, and address
21 requests as they come in.

22 MR. BEDDOME: It wasn't just Crown
23 land. You mentioned even sometimes in private
24 land, there is just the local owner; there is not
25 enough use for it, necessarily. That's fair to

1 say; right?

2 MR. MATTHEWSON: Yes, on a particular
3 parcel of land, that landowner may only want
4 20 cords out of the 500 cords on their particular
5 parcel.

6 MR. BEDDOME: And you are willing to
7 agree with me that if more of this wood was used,
8 instead of being burned, that would mitigate the
9 impact of the project, particularly with respect
10 to greenhouse gases? Even if it was subsequently
11 burned as firewood, it is getting a second use out
12 of it, so that would mitigate with respect to
13 greenhouse gases. Right?

14 MR. MATTHEWSON: I can't comment on
15 the effects of the greenhouse gas analysis on
16 whether we'd burn or chip the wood. I'm sure
17 there is numerous calculations that would need to
18 be conducted.

19 MR. BEDDOME: Fair enough.

20 Now, with respect to the feasibility,
21 taking aside economic feasibility for a moment,
22 there would be -- certainly it would be feasible,
23 perhaps, to be hauling away or using more of this,
24 but that would likely require more manual labour.
25 Would that not be a fair assumption to make?

1 MR. MATTHEWSON: I'm not sure whether
2 it would require more manual labour. It may
3 require more equipment and truck driving and
4 hauling, and delimiting equipment that will process
5 the wood for hauling.

6 MR. BEDDOME: And if I suggest to you
7 that, say, a community like Roseau River wanted to
8 undertake to do some of that hauling, both as a
9 means of utilizing wood products and also as a
10 means of economic development, would Manitoba
11 Hydro be willing to not only consider that, but
12 also provide said community with the resources it
13 needed to make that a reality?

14 MR. MATTHEWSON: I think that's
15 outside the scope of the environmental protection
16 panel here. It is really a construction-related
17 contracting question.

18 MR. BEDDOME: Fair enough.

19 Now, with the ongoing First Nations
20 and Metis process, when you say "ongoing", does
21 that mean forever?

22 MR. MATTHEWSON: I think that question
23 was already answered by the public engagement
24 team.

25 MR. BEDDOME: Fair enough.

1 I wrote down a comment where you said
2 that the IR process that we undertake here is a
3 very similar process to what a First Nation might
4 go through; you stated this earlier today, on the
5 record. If they were wanting information, that
6 they would request the information, and in due
7 course Manitoba Hydro would provide that
8 information. Do you recall making that statement?

9 MR. MATTHEWSON: Yes, I made the
10 statement in reference that when somebody asks us
11 a question, that we provide a full -- full and
12 fulsome response to that question, in as much
13 detail as we can provide, similar to the IR
14 process. Not to say that the IR process of
15 sending numbered sheets in with questions, and
16 Manitoba Hydro responding in that manner, that
17 wasn't my intent of the IR process analogy.

18 MR. BEDDOME: Okay. And I appreciate
19 that, and the reason I picked up on that is I put
20 it to you that that's quite a different approach,
21 that here we are today, in a formal hearing, and
22 that's a more informal request. Do you see the
23 distinction?

24 MR. MATTHEWSON: Yes, there is -- we
25 do it -- I believe there is a few IRs from the CAC

1 on this. We had formal requests, and we had
2 informal requests, and I can bring those IRs up in
3 a second --

4 MR. BEDDOME: No, we don't need --
5 this is -- you will be happy to know this is my
6 last line of questioning, so you will finally be
7 relieved, but ...

8 MR. MATTHEWSON: We were hoping for a
9 question on eastern tiger salamanders.

10 MR. BEDDOME: I can run back and
11 quickly work one up. Do you want to talk about
12 eastern tiger salamanders? I'm sure everyone else
13 will want to hang me when I get out of here after
14 a long day, but I'm willing to listen.

15 The challenge, I guess, that I have,
16 Mr. Matthewson, is that in many cases we are
17 having to wait for reports that are either in
18 draft form or that are yet to be developed. And
19 we are here in a formal process where there is a
20 formal and a clear review process, and you
21 actually acknowledged it in your opening question,
22 where I asked, "Are you happy this is the last
23 panel?"

24 And you said, you know, you learn from
25 this process; this process adds benefit to it.

1 And the challenge that I have is that
2 in many cases, we are not able to actually fully
3 review these environmental protection plans as
4 part of this environmental assessment process. Do
5 you see the difference, and why I raise that
6 comment that you made earlier today?

7 MR. MATTHEWSON: From regulatory
8 process to regulatory -- from Bipole III, or
9 Keeyask, the MMTP project has provided the most
10 comprehensive environmental protection program
11 plans in draft format for regulatory review,
12 public review, First Nations and Metis engagement
13 review, than any other project previous to this.

14 So I think we've come a long way as
15 far as sharing that information, and we do note
16 that there is more desire to be involved in
17 contractor-level management plans, and we will
18 take that under consideration.

19 But I certainly think we've provided a
20 wholesome book of all of Manitoba Hydro's
21 procedures and mitigation measures, to be as open
22 and transparent and get as much critique and
23 feedback as we can, through this process and
24 others.

25 MR. BEDDOME: Just to follow up with

1 that, Mr. Matthewson, at the time of Bipole III,
2 that was -- that proposal was the proposal that
3 put out the most amount of information compared to
4 any project before it; correct?

5 MR. MATTHEWSON: Yeah -- well, just
6 because it was 1,384 kilometres; so, yeah, it was
7 a very large environmental impact statement.

8 MR. BEDDOME: I think it was the first
9 time you put out a draft environmental protection
10 plan, if I recall from my read of the final report
11 and recommendations. Do you know if I'm correct
12 on that or not?

13 MR. MATTHEWSON: Anything prior to
14 that was before my time, so I can't comment. But
15 ever since that time, we've always put in a
16 construction environmental protection plan in our
17 environmental impact statements or environmental
18 reports.

19 MR. BEDDOME: The reason I'm asking is
20 notwithstanding that there is more here than there
21 was in projects past, is it fair to say that going
22 forward, there is always more to do, and you could
23 always include more information, and particularly
24 you could always engage with First Nations earlier
25 and earlier in the project?

1 MR. MATTHEWSON: I think, moving
2 forward, Manitoba Hydro strives to always improve
3 its documentation and the amount of information it
4 can share with the public engagement and First
5 Nations and Metis engagement processes. I
6 certainly think there is a lot of overload, with
7 the sheer volume of information that we have, and
8 we have to make sure that we are sharing it in a
9 meaningful way, so that it is understood.

10 With respect to earlier and earlier
11 engagement, I believe that's been asked and
12 answered by other panels.

13 MR. BEDDOME: That's all of my
14 questions. Thank you, Mr. Matthewson and
15 Mr. Wiens. Thank you, Mr. Chair.

16 THE CHAIRMAN: Thank you, Mr. Beddome,
17 for those questions; and Hydro, thank you for the
18 responses.

19 I think that concludes the questions
20 from the participants, but we do have a few
21 questions from the panel. So I will start with --
22 I guess I will start with Mr. Nepinak, and we will
23 work our way across the table.

24 MR. NEPINAK: Mr. Matthewson, earlier
25 in the hearings a question was put to the

1 construction panel at line 9, page 1,165, on
2 May 15th. The question was:

3 "Would you agree, would you all agree
4 that indigenous knowledge that includes Aboriginal
5 traditional knowledge adds value to the project?"

6 Do you remember that question?

7 MR. MATTHEWSON: Yes, I remember.

8 MR. NEPINAK: Okay. This question was
9 then specifically related to both construction and
10 operation phase of the project. This was one of
11 many questions that various panels had been asked
12 that have led to the decisions of -- the valuable
13 contribution of indigenous knowledge and world
14 views to the project.

15 Keeping in mind these statements about
16 respect for indigenous knowledge and world views,
17 then what practice would be carried out before
18 clearing vegetation of the project right-of-way,
19 that you can think of?

20 MR. MATTHEWSON: Are you referring to
21 which ceremonies?

22 MR. NEPINAK: Yep.

23 MR. MATTHEWSON: Ceremonies -- I
24 believe there has been some discussion with some
25 communities about a pipe ceremony prior to

1 construction start. There has been numerous
2 different ceremonies, and I'm not going to say
3 different types, but different ceremonies
4 conducted on various parts of the Bipole project.

5 Each community seems to have a
6 different perspective and different desire to have
7 a ceremony at different stages of the project.
8 Some of them are just once, at the beginning of
9 the project; sometimes it is at the start of every
10 construction season.

11 So Manitoba Hydro works with
12 communities to address and facilitate any type of
13 ceremonies that those communities have a desire to
14 have prior to or during the project.

15 MR. NEPINAK: All right. Thank you.

16 THE CHAIRMAN: Ms. Streich.

17 MS. STREICH: I also have a question
18 for Mr. Matthewson, and it's related to the
19 herbicide use in the vegetation management.

20 It has been described in the EIS that
21 herbicide use is a component of the vegetation
22 management system -- program -- and Hydro has
23 stated that herbicides used are approved through
24 the PMRA following thorough testing, and are
25 applied according to label directions and the

1 pesticide use permit issued by Manitoba
2 Sustainable Development.

3 How does Hydro ensure that herbicide
4 use is carried out as described on the product
5 label and as set out in the permit, and what
6 training is required for Hydro and/or contract
7 employees who carry out these duties?

8 MR. MATTHEWSON: Okay, I will start
9 with training. So all applicators, herbicide
10 application must be licensed under -- I can't --
11 I'm not sure of the Act, but there is an Act in
12 Manitoba that requires licensing of pesticide
13 applicators, and so any applicator working for
14 Manitoba Hydro, as an employee or a contractor,
15 must be licensed to apply herbicides.

16 For insuring compliance with the
17 pesticide use permit and its other documents,
18 Manitoba Hydro has a document created by the
19 pesticide application working group, which was a
20 group in Manitoba Hydro that developed all of the
21 procedures and requirements for Manitoba Hydro
22 employees and/or contractors applying herbicides
23 for Manitoba Hydro.

24 So where there is a clear
25 documentation there, all of the -- that outlines

1 the procedures.

2 The training that is required, so all
3 of our contractors have a licensed -- as I
4 mentioned, they are licensed applicators, so have
5 to undergo a lot of training to get that licence.

6 We train them again on our procedures,
7 and buffer requirements, and application
8 technique, and species identification, to make
9 sure they are targeting tree species during their
10 application processes.

11 If it is Manitoba Hydro staff or
12 contracted staff, there are Manitoba Hydro
13 construction -- or, sorry, Manitoba Hydro
14 supervisors on site that are supervising the
15 application, and to ensure it is following all the
16 requirements of the Environment Act licence, the
17 pesticide use permits, and the label requirements,
18 and any other regulatory requirements.

19 MS. STREICH: Thank you. I have one
20 more question, actually, and it relates to the
21 same subject, and it is just in relation to
22 notification.

23 So, previously it was stated that
24 communities would be notified when herbicides are
25 used along the ROW. Given that some communities

1 are located some distance away from the project
2 area, what specific means of communication would
3 be used to inform them, the communities and the
4 resource users, when herbicides are used along the
5 ROW?

6 MR. MATTHEWSON: Manitoba Hydro, we
7 actually have a bit of a working team on this
8 exact topic. It involves licensing and
9 department -- line maintenance department, our
10 chief forester, as well as public affairs. And I
11 think those are the main components of the team.

12 So we are developing different
13 mechanisms by which to communicate vegetation
14 management in general. And we developed some
15 recent brochures. We are looking at project
16 website updates, as far as notification of which
17 transmission lines may be treated, in a particular
18 year, similar to the advertisements that we do as
19 part of the pesticide use permit.

20 We are also looking at other types of
21 social media. Manitoba Hydro has Facebook and
22 Twitter accounts by which we can post and notify
23 that information. We've received some feedback
24 that that may be an effective way to communicate
25 the information.

1 We've also had discussions with some
2 of the medicine people within the communities,
3 about notifying them directly, so that they are
4 aware of any type of activities across the
5 province as they go and collect across the
6 province when they are collecting.

7 So with respect to your comments about
8 proximity, we are trying to achieve a notification
9 and awareness all across Manitoba, so that --
10 because we recognize that resource users can
11 travel great distances to utilize the land. And
12 we want to be aware of that and direct our
13 communications so that we are encompassing of
14 that.

15 So we are looking at a variety of
16 different mechanisms by which we can increase our
17 public tools to notify. And of course, as we meet
18 with communities, we are also discussing with them
19 mechanisms by which they would like to be made
20 aware of those type of vegetation management
21 activities.

22 MS. STREICH: Thank you.

23 MS. MAYOR: Sorry, Mr. Chair,
24 Mr. Matthewson made reference to a statute in his
25 answer, and it is the Pesticides and Fertilizers

1 Control Act. And under Section 2, it has a
2 requirement for commercial applicators to be
3 licensed by the Minister before they make any
4 applications.

5 THE CHAIRMAN: Thank you for that
6 clarification.

7 Mr. Gillies.

8 MR. GILLIES: Thank you. A question
9 for Mr. Matthewson.

10 As I listened to the presentations on
11 environmental protection and monitoring, it is
12 apparent and right that you are very focused on
13 the mitigation of harms or risks along the
14 right-of-way and in the vicinity of the
15 right-of-way.

16 My question is really maybe going to a
17 different frontier. Do you also have the
18 opportunity to look at enhancements of
19 environmental benefits in conjunction with the
20 development of the right-of-way or in the vicinity
21 of the right-of-way? You frequently mentioned the
22 golden-winged warbler enhancement, and that's
23 great, and you should be given a lot of credit for
24 thinking that way.

25 But looking at the literature, it

1 seems like there is more opportunity to look at
2 the enhancement side of this kind of project,
3 probably in conjunction with other partners that
4 may have interests in specific enhancements. But
5 how far along the road are you on that side of
6 developing these kinds of projects?

7 MR. MATTHEWSON: We've worked on a
8 variety of different enhancements of right-of-ways
9 over the last -- well, ten years is all I can
10 speak to. But -- and I will give you some
11 examples. So tall-grass prairie, a native grass.
12 We have certainly done, on some rights-of-way,
13 where we do manage the right-of-way for native
14 grasses and tall-grass prairie, and it is burned,
15 on an annual basis, to -- because that's a
16 mechanism by which we renew the grasses, a very
17 controlled burn, as smoke, and that can affect the
18 conductors.

19 As part of our ongoing vegetation
20 management programming, Bipole III, I guess, is a
21 big driver right now, because we are getting close
22 to the operational stage of Bipole III, so we are
23 in active development of the vegetation management
24 plan for that project.

25 We are certainly aware of some of the

1 secondary uses of rights-of-way and enhancements,
2 as you mentioned, so the tall-grass prairie, the
3 golden-winged warbler, doing enhancements to the
4 right-of-way to promote bees. We've heard about
5 the bee crisis in North America and how
6 pollinators are very important to our ecosystem,
7 and certainly right-of-ways provide a good
8 mechanism by which we could manage that
9 right-of-way in such a manner to promote
10 wildflowers and different plant species.

11 Some of the considerations we have is
12 some of these plants -- important things, like
13 monarch butterfly; milkweed is listed in Manitoba
14 as a noxious weed, and is very -- it is my
15 understanding it is noxious to the cattle if they
16 ingest it.

17 And there was an IR on this, and we --
18 you know, we wouldn't, by default, go and treat
19 this noxious weed if it was in the middle of the
20 forest, not near any cattle, when it is providing
21 a very good habitat for monarch butterflies.

22 So we are trying to take into
23 consideration all of these different aspects of a
24 right-of-way and the value that it can bring to a
25 variety of different wildlife species.

1 So we are probably fairly early into
2 the process, in my involvement in the process, but
3 we have had a variety of different projects in the
4 past with research students and experimentation of
5 enhancing our right-of-way for different wildlife
6 species.

7 MR. GILLIES: Thank you. You might
8 have worked in something about the tiger
9 salamander in that response; I gave you the
10 chance.

11 THE CHAIRMAN: All right. Thank you,
12 Mr. Gillies. Thanks for the response. And thanks
13 to all of the participants. I believe that
14 concludes the questioning --

15 MR. MATTHEWSON: Sorry, one more thing
16 to clarify. In my rush to describe to Mr. Mills
17 our notification process, I mixed up some
18 terminology.

19 And with respect to the National
20 Energy Board, they have a whole host of different
21 protocols. The National Energy Board posts all
22 applications to modify international power line on
23 their public registry. And in terms of direct
24 notification to third parties, Manitoba Hydro will
25 provide such notification where directed to by the

1 National Energy Board, or required under the
2 National Energy Board Act.

3 But it's also important that we also
4 provide all of these notifications about route
5 modifications, as an example, on to the public
6 registry, so that all can see. And I think that's
7 the whole intent and purpose of Manitoba
8 Sustainable Development's public registry, is for
9 everybody to have the same information at the same
10 time.

11 And as Mr. Mills pointed out, there is
12 over 77, I think, entries into that public
13 registry, and Manitoba Hydro notifying and keeping
14 everybody aware of what is going on on that
15 project.

16 MS. MAYOR: Excuse me, sir. Just one
17 other point.

18 There was an informal inquiry made by
19 the Commission earlier to Mr. Matthewson, and I
20 wondered if he can, just for the record, provide
21 the answer to that one.

22 MR. MATTHEWSON: I believe the
23 question was with respect to right-of-way width,
24 and looking at it from a purely engineering
25 perspective, or from an environmental perspective,

1 in determining right-of-way width and the edge.

2 So my presentation a few days ago, one
3 of the many presentations, I talked about the
4 feathered-edge concept. And that's something we
5 are trying to achieve with -- through an
6 integrative veg management approach, and where the
7 mechanical edge is a very hard edge, because they
8 are non-selective in their nature.

9 And environment -- the width of the
10 right-of-way is certainly dictated by engineering
11 factors and criterias. There is a very large
12 formula the engineers have to figure out and
13 consider all of the different factors that come
14 into play in a right-of-way width.

15 But from the environmental
16 perspective, we are always trying to push the
17 engineers to make sure that we are creating a
18 right-of-way that is -- has the least potential
19 effects on the environment, while taking into
20 consideration all of those safety and reliability
21 factors and feasibility.

22 So the right-of-way width on this
23 project is the 80 metres within the
24 self-supporting structures, and that's largely
25 driven by, as we've heard in the previous

1 discussions, the swing-out of the conductors.

2 And then we increase to a 100-metre
3 width when we get to the guyed structures. So the
4 guyed structures, of course, they are much wider
5 and require a 100-metre footprint. But as part of
6 the clearing plan, from the initial, we hadn't by
7 default chosen to clear the entire width
8 100 metres wide.

9 There are a variety of different
10 vegetation types along the right-of-way, and there
11 is a zone we call -- or an area called NCR, or No
12 Clearing Required. So that's an area where, as an
13 example, in a wetland, where we have vegetation
14 that is fairly small, less than a couple of metres
15 tall. The clearance height that our requirements
16 and design standards are for is a 4-metre-tall
17 vegetation, is the tallest it can be. And from
18 that point forward, we have to start managing
19 vegetation to prevent any type of reliability, or
20 fire, and all those things that I talked about
21 before.

22 But there is certainly in wetlands,
23 and in low-productivity sites, as part of the
24 clearing plan, we are looking at a No Clearing
25 Required zone. While we would still have an

1 access trail in the middle, approximately
2 24 metres wide, and the full clearing around the
3 base of the foundation, in between the tower
4 foundations in this no-clearing zone, we may
5 actually not clear any of the vegetation the width
6 of 100 metres, or we may just go in and
7 selectively clear the danger trees, if there are
8 trees that exceed 4 metres.

9 As you can appreciate, in the wetland
10 environments, especially in the North, you can
11 have trees that are 200 years old that are
12 3 metres tall, and they are never, ever going to
13 grow to a point that they are a concern from a
14 reliability or a NERC violation.

15 So those types of concepts are already
16 things that we are incorporating into the No
17 Clearing Required zones of the clearing management
18 plan in our prescriptions, and so that's one way
19 you look at the LIDAR data and the vegetation data
20 and the aerial photography that support that;
21 those are some of the delineations of area.

22 So when we talk about a 100-metre-wide
23 corridor, it isn't 100-metre-wide clear in all
24 scenarios. There would be scenarios where it's
25 only cleared 24 metres wide. There'll be other

1 areas, as we described in the golden-winged
2 warbler habitat, where we have a much more
3 feathered edge along it, because of the retention
4 of all that understory in that area outside of the
5 centre-line zone and outside of the tower
6 footprints.

7 I will pause for a second.

8 But there are -- as we developed that
9 clearing plan, we can look at things such as in
10 the guyed structures, where we may look at
11 narrowing the right-of-way to 80 metres wide only,
12 in some of those areas, and then taking out the
13 danger trees.

14 We would still maintain and acquire a
15 100-metre-wide easement, but we may narrow the
16 clearing width to accommodate reduction in
17 clearing. There is financial reasons to reduce
18 the clearing costs, as well as environmental
19 reasons not to clear the entire area, if the
20 engineering requirements really dictate the
21 80-metre swing-out which is required for conductor
22 clearances.

23 So those are considerations that we
24 are going to take into account in developing that
25 clearing plan. And I think hopefully that kind of

1 addresses some of the concerns about -- that the
2 default 100 metres, that's the width we are going
3 to clear to.

4 It is an environmental consideration
5 taken into account in that clearing plan to
6 accommodate the different vegetation types, the
7 different clearance requirements, the different
8 tree heights. We may have to clear the full width
9 wide because of -- all the trees are just very
10 tall, even danger trees; height is too tall to
11 leave in place.

12 We also have, during final alignment
13 and spotting of the transmission line, there will
14 of course be adjustments on the towers'
15 foundations and footprints and all that sort of
16 thing. So we can't have a default where we're
17 going to narrow it to 80 metres between each way,
18 because there are other construction factors that
19 come into play, when we -- as an example, when we
20 string the conductors, there is a 24-metre-wide
21 centre-line trail I talked about, but we actually
22 have to clear it wider around that, because the
23 stringing machine takes up that full 24 metres
24 wide while it's stringing, and we need to clear
25 around it, still within the right-of-way, to allow

1 vehicle traffic around the stringing machine.

2 It is something that we are trying
3 to -- or we are approaching addressing in our
4 clearing plan, taking into consideration the
5 environmental concerns about full right-of-way
6 width clearing of 100 metres, trying to mitigate
7 it down to -- sometimes to the 24 metres, where we
8 have the no-clearing zones, and maybe managing in
9 other areas to 80 metres, managing differently in
10 golden-winged warbler habitat, or other
11 environmentally sensitive features we have in the
12 landscape.

13 It is very dynamic, I guess, the
14 clearing prescriptions that we ultimately end up
15 with on this project, which is what makes it
16 unique from our previous projects, because we
17 haven't gone to that level of detail in a clearing
18 plan previous to this project.

19 So it is a new beginning for us,
20 because ultimately the way you clear the project
21 will dictate your vegetation management
22 requirements moving forward. So, operationally,
23 we want to minimize the clearing as much as
24 possible, because the more we clear, the more we
25 are going to create that poplar regrowth,

1 revegetation, come back as very vigorous as it
2 can, which will cause us operational veg
3 management challenges in the future.

4 So we are trying very diligently, from
5 the start of construction on this project, to
6 manage the clearing process in such a way that it
7 sets us up for a very good integrative veg
8 management process as we move throughout the
9 operation of the line.

10 Sorry for the long answer.

11 THE CHAIRMAN: Well, thank you for
12 that, and for the answers to all the other panel's
13 questions.

14 So I want to thank Manitoba Hydro for
15 a very thorough presentation of your project, and
16 I want to thank all the participants for some very
17 incisive questioning, and I would agree with
18 Manitoba Hydro's view that the questioning has led
19 to a better understanding of the project, and
20 hopefully leading to the improvements in this
21 project, and of course in future projects.

22 We will adjourn until 7:00 o'clock.
23 We have added a session this evening -- I think
24 all of you are aware of that -- and that would be
25 for presentations sponsored by Manitoba Wildlands,

1 part of their contribution to this hearing
2 process, on tower structure and design, by
3 Mr. Dennis Woodford. So that will begin at
4 7:00 o'clock in this same room.

5 Thank you all.

6 (Recessed at 4:30 to 7:00 p.m.)

7 THE CHAIRMAN: All right. Welcome
8 back, everyone, to our hearings into the
9 Manitoba-Minnesota Transmission Project. Serge
10 Scrafield, Chair, for the benefit of the reporter.

11 This evening -- and thank you all for
12 accommodating the change in schedule, both to our
13 presenter, of course, and to all of the
14 participants here today. So, thanks again, and I
15 will turn it over now to Manitoba Wildlands.

16 Ms. Whelan Enns and Mr. Woodford.
17 Take it away.

18 (Dennis Woodford sworn)

19 MR. WOODFORD: I guess I will get
20 going. Mr. Chairman, members the Commission,
21 ladies and gentlemen, I appreciate this
22 opportunity to present to you on behalf of
23 Manitoba Wildlands concerns about the impact of
24 the MMTP line on the environment, communities, and
25 agriculture.

1 We all appreciate that transmission --
2 electric power transmission is essential for our
3 developing communities. Sixty years ago, as rural
4 electrification was emerging, electric
5 distribution and high voltage transmission lines
6 were generally welcomed. When the 230 kV
7 transmission line came through our property on our
8 farm, I welcomed them, as I could climb to the
9 very, very top to bring in the sheep that were
10 scattered all around, and I could see where they
11 were. And from there, hanging on the top of the
12 tower, I could tell the sheepdog where to go, and
13 he would run out and bring in the scattered sheep
14 and assemble them around the foot of the tower. I
15 would climb down, and with the help of the dog,
16 bring them in. Now, that saved me a lot of time;
17 I appreciated that transmission line.

18 And there is a Google Earth of the two
19 towers that I used to climb, and that is what one
20 of the towers looked like. Since then, they have
21 put another line in. Those lines come from the
22 Snowy Mountains, down into the state of Victoria,
23 in Australia.

24 During the 1970s, I spent about seven
25 out of 15 years in Manitoba Hydro's transmission

1 planning department working on the Winnipeg to
2 Twin Cities 500 kV inter-connection, now known
3 as M602F. I was pleased with what we had
4 achieved. The line was commissioned in May 1980.

5 A year or so later I was down with
6 friends in Warroad, who lived just west of
7 Warroad, and I mentioned the line. To my great
8 surprise, they expressed disgust with the line.
9 This was a great shock to me, the first time I had
10 heard such negativism towards transmission lines,
11 and particularly about a line that I was proud of;
12 I'd received two awards for my contribution to it.

13 Next I was working in Denmark, in
14 2003. The government then required that all
15 overhead transmission under 150 kV go underground.
16 And when they were finished that, they were to
17 start on the 400 kV transmission lines which were
18 overhead, which was the highest voltage in Europe.

19 So they started on their first
20 underground transmission line at 400 kV,
21 109 kilometres long. And we helped them with
22 that. It was so technically challenging and
23 expensive it has not been built to date, in my
24 knowledge.

25 Now, it was to my surprise that a few

1 years ago, a new double-circuit 400 kV overhead AC
2 transmission line had been constructed in Denmark.
3 Denmark became the first place in the world where
4 the ubiquitous lattice tower, transmission towers,
5 was no longer acceptable for any power line
6 construction.

7 Construction of the line began around
8 the start of 2013, with the project scheduled to
9 be completed by November 2014. I don't know where
10 the tower went to; anyway, it disappeared. That's
11 Figure 4 in the document.

12 The disaster from the non-acceptance
13 of the Bipole III transmission line -- and I don't
14 use that term lightly, as you can tell by the
15 response that we've had.

16 Can Manitoba Hydro avoid the social
17 acceptance, the failed social acceptance of
18 Bipole III as they proceed to MMTP? Now, perhaps
19 they have learned a few lessons since then.

20 They must. These inter-connections by
21 knowledge holders and experts must be listened to
22 and accepted and developed further by Manitoba
23 Hydro as they move forward.

24 Now, the lattice tower construction of
25 transmission lines hasn't changed in 100 years.

1 In the meantime, fashion, transportation,
2 economies, communities, communications, have
3 developed dramatically over this period. We are
4 in danger that new overhead high voltage lattice
5 transmission lines will be treated like oil and
6 bitumen pipelines are today -- you know how
7 difficult it is to get a pipeline built -- and
8 become all but impossible to permit and licence,
9 as was the case in Denmark.

10 This will be a tragedy, as the future
11 of energy is moving towards new electricity and
12 its transmission, new electricity sources and its
13 transmission.

14 Leaving behind the steadfast lattice
15 tower is something that will probably never be
16 driven by economics alone: Time has demonstrated
17 that these towers are cost-effective and offer
18 outstanding performance and service life. Indeed,
19 that explains why they have remained in use,
20 basically unchanged for decades.

21 I'm talking about here the lattice
22 tower designs.

23 There is the tubular tower in Denmark.

24 And appearance is a major factor in
25 effecting social acceptance of overhead

1 transmission lines. Also land use, right-of-way
2 width, impact on the environment can be achieved.
3 That's the low-profile transmission design.

4 In recent years, international working
5 groups of the International Council of Electric
6 Systems, with the French acronym CIGRE, have been
7 established to examine compact and low-power
8 transmission lines. Of significance is Working
9 Group B2.63, compact HVAC transmission lines,
10 where transmission line design experts from around
11 the world collaborate together on the design of
12 compact HVAC lines, and where possible, the cost
13 of compacting lines, as in appendix A of my
14 report.

15 This working group has not completed
16 its study. Manitoba Hydro has provided
17 information to this working group. Electranix
18 Corporation has presented as representation on
19 this compact HVAC working group, and will be
20 meeting this Saturday in Dublin.

21 There is a debate about the costs.

22 THE CHAIRMAN: Mr. Woodford, sorry to
23 interrupt just for a second, but I think the
24 reporter may be having a little difficulty with
25 your voice. Can you bring this a little -- and

1 you weren't here for the other sessions, but many
2 of us have had this difficulty, so -- get it as
3 close as you can; that's the nature --

4 MR. WOODFORD: Okay.

5 THE CHAIRMAN: Good. Thanks.

6 MR. WOODFORD: Sorry about that. I
7 apologize.

8 There is a debate about the cost of
9 tubular low-profile transmission line that blends
10 into the landscape, as Manitoba Hydro obtained
11 cost comparisons for single circuit 500 kV tubular
12 transmission towers from companies such as Bystrup
13 of Denmark, while the North American
14 representative, Sinopa Energy Inc. of Toronto, or
15 Valmont Utilities in the United States.

16 In comparing costs of tubular towers
17 to lattice towers, the overall environmental
18 benefits must be considered as well. Benefits of
19 the tubular towers, significantly saves in
20 footprint, reduces costs for weed control, and
21 modern designs require less maintenance, faster
22 installation, et cetera. Comprehensive
23 investigations regarding lattice towers, compared
24 to monopole structures, have been done by Bystrup
25 of Copenhagen, with several operators in Europe.

1 Bystrup of Denmark would welcome the
2 opportunity of working with Manitoba Hydro to
3 compare cost comparisons between the tubular
4 low-profile monopoles and the lattice tower that
5 is presented in chapter 2 of the environmental
6 impact statement.

7 By lowering the height of the
8 structures, the transmission line becomes less
9 intrusive.

10 The impact of the reduced span is
11 shown to be seen in this slide. Midspan ground
12 clearances remain as Manitoba Hydro describes, and
13 standards require. By taking the tubular steel
14 tower Manitoba Hydro designed and installed by the
15 highway on the road towards Birds Hill Park near
16 the floodway, keeping the same tower top, but
17 lowering its total height by 13 metres, with the
18 span reduced to keep the same conductor tension
19 and midspan clearance, a simple comparison of
20 low-profile versus self-supporting lattice is
21 made.

22 This is not a recommended low-profile
23 aesthetic tower design, by any means, but it is
24 presented for comparison purposes only. With
25 modern design techniques, materials, and

1 construction methods, the costs of profile tubular
2 towers may come down, as Valmont Utility
3 structures and Bystrup indicate is possible.

4 Regarding the line capacity for the
5 proposed MMTP line, there is a puzzling fact why
6 the MMTP line has the capacity to carry
7 1500 megawatts -- if I can find the -- there we
8 go.

9 Why is that? Yet the firm contracts
10 and opportunity sales for export to the U.S.A. can
11 be nowhere near this level, particularly since the
12 additional generation capacity of Keeyask is only
13 695 megawatts. This is over twice the capacity of
14 Keeyask; this line is over twice the capacity of
15 Keeyask.

16 Is this a costly extravagance? An
17 impending drought may be a justification for the
18 1500-megawatt rating of MMTP. As has been done in
19 previous years of droughts, Manitoba Hydro
20 purchased energy from the U.S. overnight, and
21 during the day, if needed, to pond water to reduce
22 the daytime peak.

23 Would surplus Keeyask and overnight
24 energy purchases from the U.S. during severe
25 drought conditions be accommodated with just a

1 230 kV MMTP connection with a rating of three to
2 four hundred megawatts? Is there significant
3 evidence to the contrary? Can the in-service date
4 of MMTP be delayed? Manitoba Hydro's response to
5 this was no.

6 Why is it not possible to delay the
7 in-service of MMTP by 18 months, to redesign the
8 MMTP line for lower capital costs and less
9 environmental impact? Reliability to Manitoba
10 Hydro may be cited as a reason to require a
11 1500-megawatt MMTP inter-connection. It is well
12 known that Bipole III was stated and
13 deterministically justified to supply the needed
14 reliability to Manitoba without MMTP. What new
15 evidence would there be that the reliability from
16 Bipole III is not adequate?

17 So, the question remains, since
18 Manitoba Hydro's financial situation is great
19 concern to Manitobans, why build MMTP to about
20 1500 megawatts, with the significant cost that
21 this entails, when maybe it can be replaced by a
22 lower-voltage inter-connection to Minnesota Power?

23 Consider the existing 230 kV -- which
24 used to be called R50M; I hope it still is --
25 inter-connection to Minnesota Power. Will there

1 be adequate capacity to accommodate firm contracts
2 with them along with MMTP at 230 kV?

3 To emphasize the importance of
4 Manitoba Hydro's debt crisis, it was stated by
5 Mr. Kelvin Shepherd that the Keeyask generating
6 station is not required for Manitoba's domestic
7 load until 2033. This means that Keeyask will be
8 surplus for many years.

9 Now, I just read yesterday, in
10 Manitoba Hydro's general rate application sent to
11 the PUB on May 12th, that -- quote:

12 "Due to decrease in forecasted
13 Manitoba load, new generation
14 resources are now projected to be
15 required to meet persistent dependable
16 energy shortfalls in 2040/41, and
17 capacity shortfalls starting in 2043."
18 That's a long way into the future.

19 To address this debt situation and the
20 overbuilt generation resulting from Keeyask, why
21 rely on one inter-connection such as MMTP? Why
22 would Manitoba Hydro build a high-priced
23 speculative venture for MMTP when it is a
24 participant in the recently initiated Regional
25 Electricity Cooperation and Strategic

1 Infrastructure Initiative, known as RECSI,
2 R-E-C-S-I, funded by Natural Resources Canada.

3 RECSI is a very intensive study for
4 the Western Canadian provinces, which includes
5 examining the benefits and costs of new interties
6 between Saskatchewan and Manitoba, and in
7 particular to reduce CO2 emissions in
8 Saskatchewan.

9 The RECSI study is based on the
10 premise that if results are environmentally and
11 cost-effective, the additional transmission from
12 Manitoba to Saskatchewan will be financed by the
13 Canada Infrastructure Bank. It is important to
14 note that the proposal for the RECSI study should
15 be completed by the end of this year. My company,
16 Electranix Corporation, is a subcontractor on this
17 study.

18 RECSI opens up a second market, which
19 may result in better export energy prices,
20 particularly if Minnesota Power has to compete
21 with Saskatchewan for Manitoba Hydro's surplus
22 power and energy from Keeyask. Unless the RECSI
23 study shows otherwise, it will impact MMTP export
24 permitting from the National Energy Board, which
25 must be satisfied. There is no other market in

1 Canada for the intended export to Minnesota Power.

2 So, we come back again for
3 consideration that a 230 kV transmission line may
4 be adequate and cost-effective for MMTP. Can
5 Manitoba Hydro take advantage of a delay and
6 undertake a business case for these considerations
7 and for a possible 230 kV alternative line for
8 MMTP?

9 From the U.S. side, we learn that
10 Presidential Permit Number 398, issued
11 November 15, 2016, indicates a not-to-exceed level
12 from Manitoba Hydro to purchase 750 megawatts of
13 winter capacity from Minnesota Power, while not to
14 exceed the delivery of 883 megawatts of summer
15 capacity to Minnesota Power.

16 According to the Presidential Permit,
17 Manitoba Hydro can supply up to 883-megawatt of
18 power for summer export energy to Minnesota Power.
19 Much depends on what actual contract level for
20 summer power and energy to the south is agreed
21 upon. No doubt Manitoba Hydro will have to have
22 the generating capacity for north-to-south exports
23 based on the expected summer power contracted to
24 Minnesota Power. Will there be enough capacity in
25 MMTP at 230 kV, along with the existing

1 inter-connection to Minnesota Power, to deliver
2 this amount without resorting to a 500 kV,
3 1500-megawatt inter-connection?

4 Presidential Permit No. 398 is not
5 cast in stone. There is a possibility to change
6 the requirements of the Presidential Permit 398
7 with the approval of the U.S. Department of
8 Energy.

9 The Centre for Energy Advancement
10 through Technical Innovation, CEATI, which used to
11 be called Canadian Electric Association
12 Transmission International, have recently released
13 a request for proposal entitled "Innovative New
14 Structures (Visually Pleasing) for Better Public
15 Acceptance."

16 Manitoba Hydro is a member of CEATI,
17 as well as 119 other Canadian and international
18 utilities over 17 countries. This indicates the
19 growing interest in this very important subject,
20 and so must be considered for MMTP.

21 Manitoba Hydro has raised the valid
22 point of live line maintenance with low-profile
23 tubular transmission lines, particularly if
24 compact. However, modern aesthetic tubular
25 monopole designs are capable of live line

1 maintenance. Low profile does not necessarily
2 mean compact, where the phase spacings from
3 conductor to structure on the lower-profile
4 aesthetic and tubular tower can be the same as for
5 the higher lattice tower structure. Nevertheless,
6 as Bystrup of Denmark have stated, even high
7 voltage transmission aesthetic and tubular tower
8 line designs can be compacted, allowing live line
9 maintenance.

10 Where am I? Sorry.

11 This is an emphasis two on the CIGRE
12 study, as I mentioned, on compact AC transmission
13 lines now underway, that is maintenance. Live
14 line maintenance is a very important point.
15 Advantage should be taken to explore this
16 developing technology, which is very applicable to
17 MMTP.

18 Now, the width of the right-of-way
19 should be considered as a critical factor, both
20 for environment when passing through wildlands,
21 and for agriculture. Lower-profile transmission
22 towers allow for a narrower right-of-way.

23 Now, Manitoba Hydro had stated the
24 existence of right-of-way is seen as more
25 significant than the width of right-of-way. They

1 also stated width of right-of-way is not as
2 significant as finding right-of-way. Certainly we
3 agree with that finding. A right-of-way is a key
4 activity. But these statements raise the question
5 as to what is the value placed on the width of the
6 right-of-way?

7 In reviewing Table 5-3 from chapter 5
8 of the environmental impact statement, there is no
9 specific value placed on the width of
10 right-of-way. Instead, under "Proximity to
11 Buildings", as shown here, or residences in the
12 tables specified, they specified a fixed value of
13 100 metres. This implies that the area of the
14 right-of-way is considered in the EPRI-GTC
15 methodology to have no value. It is recognized
16 that in chapter 5 of the environmental impact
17 statement, that the macro corridor model of the
18 EPRI-GTC methodology, that relative values are
19 placed on land features, but not on the area taken
20 up by the right-of-way.

21 Contrary to what the EPRI-GTC
22 methodology optimizes, right-of-way width has a
23 significant impact on the environment and on
24 agriculture. Now, wind can blow the conductors of
25 the transmission line away from their normal

1 position, causing swing-out.

2 And what is swing-out? Swing-out is
3 less with a shorter span, resulting in the
4 possibility for a reduced right-of-way width.

5 Swing-out contributes to the right-of-way. It is
6 the wind causing the swing-out, and forces on the
7 towers -- that's mechanical forces on the towers.
8 Manitoba Hydro stated in Appendix D of our report:

9

10 "The majority of wind load on a
11 transmission structure is impacted by
12 the wind pressure on the conductors.
13 The load is due to the effect of the
14 wind pressure upon a wind span,
15 adjusted for conductor height (wind
16 factor) and tower spans (span
17 factor)."

18 This is in relation to a question to
19 Manitoba Hydro: "Would not a lower tower height
20 be less impacted by a wind hazard?"

21 By way of example for the designed
22 MMTP line of chapter 2 in the environmental impact
23 statement, with a 400-metre span, but not knowing
24 what the exact parameters were used by the
25 transmission line designers of Manitoba Hydro, the

1 swing-out is approximately 32 metres, based on
2 assumed values. A shorter 250-metre span would
3 have an approximate swing-out of 15 metres, a
4 difference of 17 metres. Taking into account both
5 sides of the transmission line, this provides
6 opportunity to reduce the right-of-way by
7 34 metres. Thus the right-of-way width could be
8 reduced in the extreme of 80 minus 34, equals
9 46 metres' width for the right-of-way. This
10 34-metre right-of-way reduction through forest
11 amounts to a significant amount of trees and plant
12 life left standing.

13 The lower-profile transmission system
14 design benefits slightly from lower wind forces.
15 So in plain and simple terms, the line with a
16 shorter tower will be exposed to lower wind
17 forces; therefore a shorter tower is less impacted
18 by wind load.

19 It appears that Manitoba Hydro's
20 assumptions about risks from extreme weather
21 effects will result more on the higher height
22 lattice towers. In forested areas, shorter spans
23 reduce conductor swing-out, require fewer trees to
24 be cut, and more carbon dioxide sequestered from
25 the atmosphere from the growing trees. It also

1 saves maintenance costs relative to regular
2 clearing under the lines.

3 In agricultural areas, smaller
4 corridors reduce the economic losses due to future
5 value of land, land income, harvest losses, and
6 the time and cost of cleaning out weeds. These
7 are benefits of the narrower right-of-way.

8 Another factor in the width of the
9 right-of-way is to avoid property damage if a
10 tower falls over.

11 Here are some parts of Winnipeg that
12 you will all understand and know: Pembina
13 Highway, south of Confusion Corner, and Grant
14 Avenue, just beside -- near Pembina Highway.

15 With lower tower structure height, the
16 distance to impact adjacent property is reduced,
17 and shorter spans may provide some conductor
18 support for a single tower failure to fall full
19 length towards the edge of the right-of-way.

20 I wouldn't want to be near one of
21 those towers on Pembina Highway if they fell over
22 and I'm driving down the highway.

23 Electric and magnetic field effects,
24 known as EMF, can be a limit to reduce width of
25 the right-of-way. These include electric and

1 magnetic fields, which are often a concern, as
2 well as audible noise from the corona on the
3 energized conductors. I'm sure you've all heard
4 transmission lines crackling away.

5 It is known that audible noise at the
6 edge of the right-of-way can be a determining
7 factor in the transmission line design. In
8 Appendix G of our report, Manitoba Hydro stated
9 that the predicted audible noise for MMTP would
10 "remain below guidelines for residential and
11 commercial areas."

12 From this, it can be concluded that a
13 low-profile transmission line design with a
14 right-of-way less than 80 metres may still well be
15 within standards so far as audible noise is
16 concerned. If other EMF factors exceed guidelines
17 from a reduced right-of-way and low-profile
18 transmission, then the conductor design will need
19 developing to ensure that guidelines are met.

20 Compliance with standards and
21 guidelines should be possible for a low-profile
22 line. In Appendix B of our report, Manitoba Hydro
23 states:

24 "From a purely structural perspective,
25 you could design a low-profile transmission

1 structure that would meet the D604I structural
2 requirements, but more structures would be
3 required, increasing the property, biosecurity,
4 and agricultural impacts as well as the overall
5 cost."

6 The response from Bystrup, in
7 Appendix C of our report, is:

8 "In some cases probably yes!"

9 But there are conditions where, quote:

10 "The monopole structures are a
11 feasible alternative."

12 Is access requirement the determining
13 factor in the need for an 80-metre right-of-way?
14 If not, the right-of-way can be reduced.

15 Is access requirement, as I said, the
16 determining factor? Now, in this slide, the
17 narrow service track through the Arizona desert of
18 that transmission line there, a 500 kV line from
19 Mead to Phoenix. I have been in that desert, and
20 the bush, with its prickles and cactuses, is
21 almost impenetrable if you want to walk through
22 it, not to mention the six types of rattlesnakes
23 that make home there, as well as scorpions and
24 other things.

25 Then, with the existing 500 kV to Twin

1 Cities M602F inter-connection near Piney, in
2 southeast Manitoba -- which is the next slide to
3 the right, next picture.

4 Just looking at that indicates that
5 the right-of-way is less than 80 metres, if that
6 tower is 55 metres tall. I haven't paced it out,
7 but maybe we can have access to a transmission
8 line with a narrower right-of-way.

9 In this case, in this MMTP line, for a
10 guyed tower structure like we see there, they are
11 asking for a 100-metre right-of-way, which is a
12 lot of trees through the forest that has to be
13 taken away.

14 It is apparent that access will be
15 possible on a narrower right-of-way. On location
16 of the MMTP towers, Manitoba Hydro, in the
17 environmental impact statement on page 20, state:

18 "While steel lattice towers require
19 larger right-of-ways than tubular towers, there
20 are several advantages. Steel lattice towers
21 allow for longer span lengths, thereby reducing
22 the number of obstacles that landowners may need
23 to avoid."

24 On this matter, I think this slide
25 speaks for itself, so far as the preferable

1 footprint: The tubular tower, with its
2 5-square-metre footprint every 200 to 250 metres,
3 compared to the 100-square-metre footprint every
4 400 metres or so. Amazingly, no landowners were
5 consulted on this. So how would Manitoba Hydro
6 know this? This is not a convincing
7 justification.

8 Weeds will prevail within the
9 100-square-metre footprint on farmland, and that
10 appears to receive minimum attention as per
11 Manitoba Hydro's response in our Appendix H, where
12 they state:

13

14 "Regarding weed control, Manitoba
15 Hydro acknowledges that there may be
16 concerns regarding weed control around
17 towers; structure impact compensation
18 provided to landowners for lands
19 classed as agricultural considers weed
20 control underneath and in close
21 proximity to the tower footprint."

22 Furthermore, the EPRI-GTC methodology,
23 as we said earlier, places no value on the width
24 of the right-of-way and the value of the land that
25 can be saved. That's per Appendix B of our

1 report.

2 There are significant environmental
3 impacts that reduced right-of-way, with a
4 low-profile aesthetic tubular tower structure,
5 provides. Fewer trees cut down, more CO2
6 requested as a consequence, and a better chance
7 for social acceptance, as we have seen in Denmark.

8 It is unfortunate that the
9 transmission towers and line design included in
10 chapter 2 of the environmental impact statement
11 were the only configurations presented to impacted
12 landowners in the public engagement and
13 consultation process.

14 When asked about this in Appendix I of
15 our report, Manitoba's response was:

16
17 "There were no constraints. However,
18 there were no alternative tower
19 configurations acceptable to Manitoba
20 Hydro that would have been presented
21 in any event. Further, tower design
22 was not raised as a concern in the
23 public engagement process."

24 We can only assume that landowners are
25 not aware of any alternative configurations that

1 may be available, and so did not question what
2 Manitoba Hydro presented to them in the
3 environmental impact statement, chapter 2, and in
4 the public engagement and consultation process.
5 Is it the landowners' responsibility to be up to
6 date on the latest of developing technologies of
7 high power electric power transmission, or is it
8 Manitoba Hydro's?

9 There were many consultations on
10 routing through the public engagement and First
11 Nations and Metis engagement. There is indeed a
12 tremendous effort, and Manitoba Hydro is to be
13 commended for it. However, there should have been
14 more emphasis on more socially and environmentally
15 acceptable low-profile tubular and aesthetic
16 transmission options at these consultations.

17 They reduce right-of-way width,
18 perhaps enabling greater possibility to enable
19 roadside right-of-way, such as a typical rural
20 66 kV feeder, seen all throughout the province.

21 The MMTP line and the rapidly changing
22 scene of electric generation and transmission must
23 be seen as an opportunity and an obligation for
24 Manitoba Hydro to capitalize for the benefit of
25 the people of this province. What was successful

1 40 years ago, I have learned from sad experience,
2 may not be successful today, and certainly won't
3 be tomorrow.

4 Manitoba Hydro had a reputation of
5 pioneering new transmission technologies, and
6 these included construction the Nelson River HVDC
7 transmission system. That was indeed a pioneering
8 effort.

9 Implementing the largest mercury arc
10 converter valves ever built for Bipole I; a risk.
11 A bigger risk, perhaps: Using water cooling for
12 the thyristor valves of Bipole II. Who would use
13 water to cool high voltage?

14 And they had the first application of
15 metal oxide surge arresters at 500 kV on the
16 M602F, the existing 500 kV inter-connection to the
17 U.S.

18 Has Manitoba Hydro lost its pioneering
19 spirit, which served it so well, and served the
20 province so well in the past? Why don't we take
21 advantage of the delay possible with Keeyask
22 falling behind schedule? It is recommended
23 consideration be given to redesigning MMTP with
24 cost-effective tubular steel low-profile aesthetic
25 tubular transmission towers, as per Manitoba's

1 Sustainable Development principles and guidelines.
2 That's from the Sustainable Development Act.

3 During this delay, determine how to
4 deal with the out-of-date preferred development
5 plan, along with the RECSI study for transmission
6 to SaskPower, and also MMTP. Develop a business
7 case to determine the most economical way forward.

8 In the process of delay of MMTP, make
9 an active effort to work with international
10 transmission line design experts to design a more
11 aesthetic and cost-effective transmission line to
12 improve social acceptance of the MMTP line,
13 including a detailed review of its rating and
14 costs.

15 Where there is the most adverse impact
16 of the MMTP line as presently proposed has on
17 communities, landowners, and the environment, use
18 the delay time to take advantage of a low-profile
19 transmission line, and consider its reroute and
20 right-of-way, and consider the impact that this
21 has on reducing the environmental impact and how
22 it will better serve our communities. This is an
23 opportunity to increase its social acceptance.

24 In conclusion, these recommendations
25 are made with full awareness and recognition of

1 the tremendous effort that Manitoba Hydro staff
2 have put into the MMTP inter-connection. Having
3 gone through the exercise myself 40 years ago, the
4 information and recommendations brought forward by
5 Manitoba Wildlands in this presentation are
6 intended to be supportive and helpful to the CEC,
7 Manitoba Hydro, and the MMTP project, and for
8 future major transmission projects of Manitoba
9 Hydro that will be essential for the growing
10 dependency in our society on clean electric
11 energy.

12 The times are changing, and we have to
13 grasp the opportunities and change too. Thank
14 you.

15 THE CHAIRMAN: Yes, thank you,
16 Mr. Woodford, for your presentation.

17 Ms. Whelan Enns.

18 MS. WHELAN ENNS: Thank you,
19 Mr. Chair. I just wanted to say a couple of quick
20 things about the chronology in decision-making
21 that's reflected in Mr. Woodford's report and his
22 presentation.

23 And that is to state the obvious, that
24 the content in his report and content in his
25 presentation that is in fact new since the Public

1 Utilities Board review of the development plan in
2 2015, and of course most of the materials that
3 they were dependent on and reviewing were from
4 2013 and 2014 -- I'm making a generalization
5 there, but there is a time gap, and so there is in
6 fact new content.

7 The other thing I wanted to say is to
8 thank Dennis for all his work on this, and to say
9 that as an environmentalist, it is great to listen
10 to and learn from an engineer who identifies
11 environmental impacts and benefits while
12 identifying changes in approach in engineering.

13 Thank you.

14 THE CHAIRMAN: Thank you,
15 Ms. Whelan Enns.

16 Well, we will now turn to Manitoba
17 Hydro to ask if they have questions of
18 Mr. Woodford's presentation.

19 MR. BEDFORD: I do.

20 Good evening, Mr. Woodford. My name
21 is Doug Bedford. Of course, we've met once
22 before, and it is my responsibility to ask you a
23 few questions on your presentation this evening.

24 So the span or the distance between
25 towers is 250 metres, I understand, for the

1 monopole towers that you favour?

2 MR. WOODFORD: It could be 200 metres;
3 it could be 250 metres. That's a design issue.

4 MR. BEDFORD: I will tell you that
5 using 250 metres, I calculated that for a
6 213-kilometre transmission line, one would need
7 about 850 towers. Does that strike you as more or
8 less accurate?

9 MR. WOODFORD: I'm surprised it is not
10 more.

11 MR. BEDFORD: And I also calculated
12 that that would be about 300 more towers than the
13 lattice steel type of towers that my client is
14 proposing to use. Does that sound about accurate?

15 MR. WOODFORD: Certainly.

16 MR. BEDFORD: And of course you and I
17 know that's because the span of the proposed
18 Manitoba Hydro lattice steel towers is longer than
19 the span for the towers that you favour?

20 MR. WOODFORD: Yes.

21 MR. BEDFORD: The number I will tell
22 you I used for my client's towers is an average
23 span of 400 metres. Does that sound reasonable?

24 MR. WOODFORD: Yes.

25 MR. BEDFORD: I would suggest to you

1 that more towers in farm fields is not going to
2 be, to use your word, socially acceptable to
3 farmers. Is it?

4 MR. WOODFORD: Well, you need to ask
5 the farmers about that.

6 MR. BEDFORD: Well, in a fashion, I
7 have. I sat through, I will tell you, hours of
8 testimony given by farmers before the Clean
9 Environment Commission at the Bipole III hearing,
10 and I learned through each of those hours that the
11 core concern of farmers is the challenge they face
12 of maneuvering large pieces of farm equipment
13 around towers in their fields. Does that sound at
14 all familiar to you?

15 MR. WOODFORD: Yes, but you only
16 provided one option there. And they didn't have
17 another option to weigh it against.

18 MR. BEDFORD: Well, I would suggest to
19 you -- granted, I'm not a farmer, and my
20 brother-in-law, who is, doesn't permit to drive
21 any of his large pieces of farm machinery, and I
22 suspect that you haven't farmed for decades. But
23 whether it is a monopole or a lattice steel tower
24 in a farm field, Mr. Woodford, it is still an
25 obstacle that a farmer has to maneuver around, is

1 it not?

2 MR. WOODFORD: Yes, but it would be
3 nice if you could put it beside another
4 right-of-way, such as a road or a rail line.

5 MR. BEDFORD: Well, the average
6 distance from the edge of a road, when you think
7 of most roads in rural Manitoba, for a
8 right-of-way is about 7 to 10 metres. Is it not?

9 MR. WOODFORD: I don't know. I know
10 that -- I can't answer that. I don't know the --

11 MR. BEDFORD: Well, if my assumption
12 is correct, that's really not enough room to
13 accommodate either the -- you call it "swing-out";
14 I believe my client's witnesses called it
15 "blow-out".

16 But the blow-out, whether my clients
17 have calculated it or we use the numbers that
18 you've provided tonight, they exceed 7 to
19 10 metres, don't they?

20 MR. WOODFORD: That's for Manitoba
21 Hydro to determine. I'm not that kind of a
22 designer.

23 MR. BEDFORD: I can assure you, my
24 client's witnesses are delighted to do that sort
25 of thing.

1 If you have to buy and set up about
2 300 more towers, the cost of your project is going
3 to increase, is it not, even if the cost per
4 monopole tower is about two-thirds the cost of a
5 lattice tower?

6 MR. WOODFORD: That doesn't seem to
7 coincide from what I'm hearing from Valmont and
8 Bystrup. Because, for example, the way they built
9 the line in Denmark was they pile-drove the --
10 they pile-drove the foundations. They could drive
11 a foundation in a half a day and drop the tower on
12 top of it in the other half a day. How long does
13 it take you to put up a foundation for these big
14 lattice towers? It takes a long time.

15 And so this is why I make the point
16 very strongly that you need to get together with
17 these designers that know how to do this work --
18 and I'm sure Manitoba Hydro could, if they wanted
19 to -- and find out for ourselves really what the
20 costs are.

21 And I haven't seen a comparative cost
22 from Manitoba Hydro, with what we are proposing
23 compared to what you are proposing, that has taken
24 into account what experts have -- from the U.S. or
25 from Europe have -- can provide.

1 MR. BEDFORD: Would you, for the
2 moment, Mr. Woodford, look at page 30 of the paper
3 that you submitted to the Clean Environment
4 Commission.

5 MR. WOODFORD: Yes, I have it here.

6 MR. BEDFORD: I can see immediately
7 that is the page that has your references on it.
8 I draw your attention to the first footnote. It
9 is apparently an article, "Aesthetic Tower Design
10 Helps Danish Grid Operators ..."

11 I assume you read the article?

12 MR. WOODFORD: Yes.

13 MR. BEDFORD: I'm assured in the body
14 of that article there is a reference to a 30 to
15 40 per cent cost premium for use of the towers
16 that are described in the article. Do you recall
17 that?

18 MR. WOODFORD: Yes, I do.

19 MR. BEDFORD: Mr. Woodford, my client,
20 the Clean Environment Commission has heard, pays
21 farmers compensation per tower. So more towers in
22 farm fields is also going to require more
23 compensation, and accordingly, more cost. Is it
24 not?

25 MR. WOODFORD: Possibly. What about

1 in the wilderness, where we are concerned about?

2 MR. BEDFORD: The monopole tubular
3 towers you describe, I gather, are embedded
4 directly into a hole in the ground, in effect?

5 MR. WOODFORD: No.

6 MR. BEDFORD: You auger a hole, and
7 you insert the monopole?

8 MR. WOODFORD: The way that I've seen
9 it done and seen pictures of it done is that they
10 are pile-driven.

11 MR. BEDFORD: Would that be the
12 technique called "cast in place"?

13 MR. WOODFORD: I wouldn't have a clue.

14 MR. BEDFORD: I will suggest to you
15 that my understanding is that soil conditions are
16 important when installing monopole towers, because
17 it is critical that the tower, once installed, be
18 secure.

19 MR. WOODFORD: Exactly.

20 MR. BEDFORD: And in the case of the
21 Danish Bystrup line that you've cited as an
22 example a couple of times, that was built in
23 Denmark in a single geological area, was it not?

24 MR. WOODFORD: I've been there; it
25 looks similar to a typical European countryside.

1 MR. BEDFORD: We can conclude that the
2 soil conditions were suitable there for the
3 installation of monopole towers?

4 MR. WOODFORD: Yes, and for monopole
5 towers, you have to take into account when you are
6 designing the foundation, look the soil conditions
7 up. For example, if you are on rock, obviously
8 you don't drill holes in the rock.

9 MR. BEDFORD: So did you take note, in
10 paging through my client's environmental impact
11 statement, that the proposed Manitoba-Minnesota
12 Transmission Project is to be routed through six
13 geological areas?

14 MR. WOODFORD: I wouldn't be
15 surprised.

16 MR. BEDFORD: With different soil
17 types in those areas?

18 MR. WOODFORD: I would expect so.

19 MR. BEDFORD: And directly embedding
20 the towers you've indicated, in the case of a
21 monopole tower, is not really an option where you
22 have shallow soils, is it?

23 MR. WOODFORD: It may have to have a
24 different foundation, yes.

25 MR. BEDFORD: Similarly, if you have

1 surface bedrock, you have a problem if you are
2 trying to set up a monopole tower, don't you?

3 MR. WOODFORD: Oh, for sure.

4 MR. BEDFORD: Or if you are in
5 adjacent to or in a wetland or a bog, once again,
6 you have different challenges?

7 MR. WOODFORD: Exactly.

8 MR. BEDFORD: And one of the
9 advantages of lattice steel towers is that you
10 have available a variety of different foundation
11 methods, four of which I believe were described at
12 this hearing, depending on the type of soil or
13 bedrock conditions that you face?

14 MR. WOODFORD: And you could do that,
15 as I understand, with monopoles as well.

16 MR. BEDFORD: In any event, my
17 understanding is that the task of assembling and
18 setting up towers, be they monopole or lattice
19 steel, is work for civil engineers, is it not?

20 MR. WOODFORD: Exactly.

21 MR. BEDFORD: And your degree, I did
22 take notice, is in electrical engineering.

23 MR. WOODFORD: Exactly. And that's
24 why I'm not an expert on how to dig foundations.

25 MR. BEDFORD: My understanding of the

1 maintenance work that one is required to do on
2 high-voltage lines relates primarily to work
3 around the insulators and the conductor hardware.

4 Does your electrical engineering background --

5 MR. WOODFORD: Yes.

6 MR. BEDFORD: -- support that?

7 MR. WOODFORD: Correct.

8 MR. BEDFORD: And I've been told that
9 with lattice steel towers, the men and women who
10 do that work travel to the towers either by
11 helicopter or by all-terrain vehicles. They climb
12 on the towers, and they secure themselves to a
13 lattice steel structure while they work on the
14 insulators and the conductors. Does that sound at
15 all familiar?

16 MR. WOODFORD: I guess that's one way
17 of doing it.

18 MR. BEDFORD: I'm told that with
19 monopole tubular steel towers, the maintenance
20 work requires use of a bucket truck. And I did
21 notice that on page 10, Figure 18 of your
22 presentation this evening, you happily provide us
23 with a picture of a bucket truck, don't you?

24 MR. WOODFORD: Yes.

25 MR. BEDFORD: And we could all see,

1 just looking at the picture, that workers are
2 lifted in what is nicknamed a "bucket", which is
3 attached to a crane or an arm. Correct?

4 MR. WOODFORD: Yes.

5 MR. BEDFORD: Were you aware that
6 these bucket trucks weigh in excess of 20 tons?

7 MR. WOODFORD: Wouldn't be surprised.

8 MR. BEDFORD: So use of 20-ton
9 vehicles to perform maintenance on high-voltage
10 lines would quite obviously result in additional
11 soil compacting and more biosecurity concerns,
12 particularly in farm fields, wouldn't they?

13 MR. WOODFORD: Well, this is why I
14 recommended that consultants from either -- should
15 I say experts from either Valmont or Bystrup be
16 consulted on this, who do know this stuff, and are
17 very -- know what can be done. I don't. I can't
18 answer these questions, because, as you say, I'm
19 an electrical I engineer.

20 But I do know that despite all the
21 costs and all the mechanical and civil issues that
22 you raise, there has to be consideration for
23 right-of-way appearance, social acceptance. And
24 this seems to be not a big issue at all, as we've
25 seen.

1 MR. BEDFORD: Would you agree it is
2 probably more desirable in remoter areas that
3 maintenance workers travel there either by
4 helicopter or by all-terrain vehicles, as opposed
5 to 20-ton bucket trucks?

6 MR. WOODFORD: Well, that could be,
7 but I'm not an expert. I'm just concerned about
8 what we can do for making transmission in the
9 future acceptable, and not become like pipelines.

10 Now, I'm presenting to you a situation
11 where Manitoba Hydro, as the experts, should be
12 thinking ahead. If you are going to build an
13 inter-connection to the west, do you think you are
14 going to be able to build lattice towers forever?
15 That's the question I raise. And I'm saying the
16 way things are going, no. We see that in Europe.

17 MR. BEDFORD: Mr. Woodford, one factor
18 that engineers consider in transmission line
19 design is the effect of the wind. Correct?

20 MR. WOODFORD: Yes.

21 MR. BEDFORD: And there is an equation
22 that's generally used, is there not?

23 MR. WOODFORD: Several equations, some
24 more complex than others.

25 MR. BEDFORD: Well, one of them --

1 arguably a simpler one -- requires that you
2 multiply the span factor by the elevation factor.
3 Correct?

4 MR. WOODFORD: When you say
5 "elevation", elevation above sea level? Or are
6 you talking about --

7 MR. BEDFORD: Elevation of the tower.

8 MR. WOODFORD: Oh, yes.

9 MR. BEDFORD: So you then adjust the
10 elevation factor for, as I just said, the height
11 of the tower; correct?

12 MR. WOODFORD: Yes.

13 MR. BEDFORD: And in effect, the lower
14 the tower, the smaller this factor will be in the
15 equation; correct?

16 MR. WOODFORD: Presumably.

17 MR. BEDFORD: And that's consistent
18 with what I've read in your paper and with what
19 you've told us tonight; right?

20 MR. WOODFORD: Yes.

21 MR. BEDFORD: Turning to the span
22 factor, you adjust that for the length of the span
23 or the space between the towers; correct?

24 MR. WOODFORD: Right. The objective
25 is to reduce the span, so that we can reduce the

1 right-of-way.

2 MR. BEDFORD: In effect, the longer
3 the span, the smaller the span factor will be in
4 the equation; correct?

5 MR. WOODFORD: Well, I'm starting to
6 get lost with all of this stuff. So all I'm
7 saying is that as Manitoba Hydro said, and what
8 I've said, the shorter the span, the narrower the
9 right-of-way.

10 MR. BEDFORD: Well, the result of the
11 equation that I've described is that so far as the
12 effects of wind are concerned, the advantages of
13 shorter towers, which you favour, I suggest to
14 you, are offset by the fact that shorter towers
15 have shorter spans; right?

16 MR. WOODFORD: That's the intent.

17 MR. BEDFORD: Mr. Woodford, when I
18 read your paper, I concluded that you had not read
19 the terms of reference set by the Minister to the
20 Clean Environment Commission for this hearing. Is
21 that correct?

22 MR. WOODFORD: Yes. I have not.

23 MR. BEDFORD: So I can then fairly
24 conclude that you were unaware that the four
25 Commissioners whom you have addressed this evening

1 have not been asked by the Minister to recommend
2 whether this high-voltage line should be
3 230 kilovolts as opposed to 500?

4 MR. WOODFORD: As I've said, the times
5 have changed, and it is time to think in terms of
6 where the future is going. And regardless of
7 whether the government has said "Thou shalt only
8 consider 500 kV", that is not significant in my
9 terms.

10 MR. BEDFORD: And similarly, given
11 that you didn't read the terms of reference, I can
12 fairly conclude that you are also not aware that
13 these four Commissioners have not been asked to
14 revisit the recommendations given three years ago
15 by the Public Utilities Board regarding this
16 project and others?

17 MR. WOODFORD: Okay. I've just been
18 told that the -- what do you call it?

19 MS. WHELAN ENNS: Gaile Whelan Enns
20 here.

21 I've been asked to explain my
22 scribbles. I'm just checking with Mr. Chair. The
23 observation was that the terms of reference for
24 the hearing regarding the MMTP project there, in
25 fact do include the Sustainable Development

1 principles and guidelines for Manitoba, which of
2 course Manitoba Hydro also attaches to their own
3 decision-making, although they are not exactly the
4 same.

5 So the position, then, from Manitoba
6 Wildlands' point of view, is that a good deal of
7 the content we've heard and the recommendations
8 from Mr. Woodford are pertinent in terms of the
9 principles and guidelines. And that was our
10 assumption going in.

11 MR. BEDFORD: I have no further
12 questions for Mr. Woodford. Thank you.

13 MR. WOODFORD: Thank you.

14 THE CHAIRMAN: Do members of the panel
15 have any questions? No?

16 Thank you, then, for your
17 presentation.

18 Yes, Mr. Mills.

19 MR. MILLS: Where we have an interest
20 in Mr. Woodford's comments, may we ask questions?

21 THE CHAIRMAN: The approach we have,
22 and we determined and discussed right at the start
23 of the hearings, is there will not be questioning
24 between participants unless the participants are
25 on the differing side of an issue. And there is a

1 couple of areas where that could happen, but I
2 don't believe this is one of them.

3 MR. MILLS: Can you hear my question
4 and make that decision?

5 THE CHAIRMAN: If you make it very
6 quick, yes.

7 MR. MILLS: Mr. Woodford --

8 THE CHAIRMAN: No, no. I want to hear
9 the question first, before you ask Mr. Woodford;
10 then I will decide whether we're going ahead with
11 it or not.

12 MR. MILLS: Mr. Chairman, as you know,
13 the Environment Act 1202 requires the Minister or
14 Director to draw a conclusion and -- to be
15 informed, and be able to draw a conclusion as to
16 the energy efficiency of this project. And I
17 would just like to simply ask Mr. Woodford, in his
18 expert opinion, are the conductors that are being
19 used in this project the most energy-efficient.

20 THE CHAIRMAN: No. That is -- we
21 won't be going there. That is not the kind of
22 question I was referring to earlier. So no, we
23 are going to leave it where we are at. Thank you.

24 All right. Thanks very much for your
25 presentation.

1 Are there any announcements for this
2 evening, Ms. Johnson?

3 MS. JOHNSON: I have some documents to
4 put on the record.

5 MH063 are the missing slides for the
6 fish presentation. 064 are the slides for the
7 vegetation presentation. 065 is the excerpt from
8 May 16 transcripts. 066 is the copy of the
9 Minnesota Power permit. CAC 005 is the adaptive
10 management cycle. 067 is the excerpt from
11 Foundation for the Future, Strengthening follow up
12 and Monitoring in the MMTP to Ensure Robust
13 Environmental Protection. MWL 001 is the outline
14 and CVs. MWL 002 is Mr. Woodford's paper, and 03
15 is his presentation.

16 (EXHIBIT MH-63: Missing slides for
17 the fish presentation)

18 (EXHIBIT MH-64: Slides for the
19 vegetation presentation)

20 (EXHIBIT MH-65: Excerpt from May 16
21 transcripts)

22 (EXHIBIT MH-66: Copy of the Minnesota
23 Power permit.

24 (EXHIBIT MH-67: Excerpt from
25 Foundation for the Future Paper)

1 (EXHIBIT CAC-05: The adaptive
2 management cycle)
3 (EXHIBIT MWL-01: Outline and CVs)
4 (EXHIBIT MWL-02: Mr. Woodford's
5 paper)
6 (EXHIBIT MWL-03: Presentation of
7 Mr. Woodford)
8 THE CHAIRMAN: All right. Anything
9 else? No? Okay.
10 We are adjourned until tomorrow
11 morning, back here at 9:30. Thank you.
12 (Adjourned at 8:25 p.m.)

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OFFICIAL EXAMINER'S CERTIFICATE

Cecelia Reid and Debra Kot, duly appointed
Official Examiners in the Province of Manitoba, do
hereby certify the foregoing pages are a true and
correct transcript of our Stenotype notes as taken
by us at the time and place hereinbefore stated to
the best of our skill and ability.

Cecelia Reid
Official Examiner, Q.B.

Debra Kot
Official Examiner Q.B.

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