



MINISTER OF CONSERVATION

Legislative Building
Winnipeg, Manitoba, CANADA
R3C 0V8

DEC - 5 2011

Mr. Terry Sargeant
Chair
Clean Environment Commission
Room 305 - 155 Carlton Street
Winnipeg MB R3C 3H8

Dear Mr. Sargeant:

Pursuant to Clause 6 (5) (b) of *The Environment Act* (the Act), I hereby request the Clean Environment Commission to hold public hearings on the proposed Bipole III transmission line project. My intent in this regard was announced publicly on December 2, 2011, following the receipt of the Environmental Impact Statement (EIS) by my department on December 1, 2011.

To guide the scope of your review, pursuant to Clause 6 (5.1) of the Act, attached are Terms of Reference.

Following completion of the hearings, please forward me in accordance with Clause 7(3) of the Act, a report outlining the Commission's advice and recommendations regarding the proposed project.

A copy of the EIS will be forwarded by the Environmental Assessment and Licensing Branch directly to your office this afternoon.

Yours sincerely,


Dave Chomiak
Minister

Attachment

Terms of Reference
Clean Environment Commission
Manitoba Hydro Bipole III Transmission Line Project:
A Major Reliability Initiative (the Project)

Background

On December 14, 2009, Manitoba Conservation, Environmental Assessment and Licensing Branch (EALB), received an Environment Act Proposal and Draft Environmental Assessment Scoping Document from Manitoba Hydro respecting the proposed Bipole III transmission line project. The scoping document is for the Environmental Impact Statement (EIS) and it was finalized in June 2010 following a public and Technical Advisory Committee (TAC) review.

As authorized under *The Environment Act* (the Act), the Minister of Conservation has decided that the assessment of this project will include a review by the Clean Environment Commission (the Commission).

To date, no federal triggers have been identified for the project and as such, a federal regulatory decision will likely not be required. However, Manitoba will seek expert advice from federal agencies in accordance with the Canada/Manitoba Agreement on Environmental Assessment Cooperation.

Terms of Reference

Pursuant to Section 6 (5.1) of the Act, the Minister has determined that the Terms of Reference the Commission is to follow in carrying out its duties are:

- To review and evaluate the Environmental Impact Statement (EIS) and the proponent's public consultation summary;
- To hold public hearings to provide an opportunity for the Commission to consider stakeholder and public input as part of their project assessment. The locations of hearings must include Winnipeg, but other locations also should be considered along the proposed route to allow easier access to those members of the public that do not live in Winnipeg but may be affected by the project; and,
- To prepare and file a report with the Minister of Conservation outlining the results of the Commission's review and providing recommendations for the Minister's consideration. The report should be filed within ninety (90) days from the date of completion of hearings as per Section 7(3) of the Act.

Mandate of the Hearings

The Commission shall conduct the hearings in general accordance with its Process Guidelines Respecting Public Hearings. The Commission may, at any time, request that the Minister of Conservation review or clarify these Terms of Reference.

Hearings should be located in areas that will allow reasonable access to potential stakeholders.

The Commission shall, within the mandate of the hearing and the Terms of Reference provided by the Minister as noted above, provide a report recommending:

- Whether an Environment Act licence should be issued to Manitoba Hydro for the Bipole III Project.

Should the Commission recommend the issuance of an Environment Act licence for the Bipole III Project, then appropriate recommendations should be provided within the scope of the Terms of Reference:

- Measures proposed to mitigate any potential adverse environmental, socio-economic and cultural effects resulting from the Bipole III Project, and, where appropriate manage residual effects; and
- Future monitoring that may be recommended in relation to the Bipole III Project.

The Commission's recommendation shall incorporate, where appropriate, the Principles of Sustainable Development and Guidelines for Sustainable Development as contained in *Sustainable Development Strategy for Manitoba*.

December 5, 2011