

MANITOBA CLEAN ENVIRONMENT COMMISSION

BIPOLE III TRANSMISSION PROJECT
PUBLIC HEARING

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Transcript of Proceedings

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Brian Kaplan - Member
Ken Gibbons - Member
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PINE CREEK FIRST NATION
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Warren Mills
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1 Thursday, November 8, 2012

2 Upon commencing at 9:10 a.m.

3 THE CHAIRMAN: Good morning. I
4 apologize for the short delay in starting this
5 morning, we had some other business that needed to
6 be attended to.

7 We have on our agenda for today
8 presentations from perhaps three First Nations, as
9 well as in the afternoon from Manitoba Hydro on
10 environmental protection plans. I don't
11 believe -- is anybody here from Swan Lake? We
12 have them first on our agenda, but I don't believe
13 they are here yet. But the folks from Fox Lake
14 are here, so perhaps we'll call them to come up
15 now and make their presentation.

16 Good morning and welcome. I'd ask our
17 Commission secretary to affirm your evidence?

18 Loretta Ross: Sworn.

19 Wendy Ross: Sworn.

20 Karen Anderson: Sworn.

21 Leslie Agger: Sworn.

22 THE CHAIRMAN: Thank you, you may
23 proceed.

24 MS. L. ROSS: Good morning members of
25 the Commission, I am going to start off our

1 presentation. And before I start, I would like to
2 acknowledge that today is Aboriginal Veteran's
3 Day, so I hope that throughout some point today we
4 all take some time to acknowledge the Aboriginal
5 veterans that have fought in wars for this
6 country.

7 Having said that, my name again is
8 Loretta Ross, and I am the executive director of
9 the Fox Lake Cree Nation negotiations office. We
10 are located here in Winnipeg, Manitoba. And we
11 are here to continue our presentation to the Clean
12 Environment Commission, which commenced I think
13 October 10th and 11th in Gillam, Manitoba, which
14 of course is the heart of Fox Lake's homeland,
15 traditional resource use area, and also happens to
16 be the northern operational centre for Manitoba
17 Hydro.

18 The Commission has already received
19 Fox Lake's position paper on Manitoba Hydro's
20 proposal to construct Bipole III and the
21 Keewatinoow converter station on Fox Lake home
22 Cree land territory. I believe you already have
23 that. And this was presented to you in Gillam by
24 Karen Anderson of our office. So I won't be
25 repeating that document, I just want to

1 acknowledge that that has been prepared and filed
2 with the Commission.

3 And I understand that much of the
4 session in Gillam did focus on a lot of the human
5 impacts that the Keewatinoow -- that the people of
6 Fox Lake expect. They talked about their
7 historical relationship with Hydro development in
8 their area, their experiences. And we realize
9 that the Commission is here to hear presentations
10 specific to the Keewatinoow project, but I can't
11 re-emphasize enough or stress enough that for Fox
12 Lake, these are all one big project. And I think
13 you had that message in Gillam from those that
14 made that presentation from Fox Lake. All of
15 these projects are interconnected and cannot be
16 viewed in isolation of each other.

17 Having said that, we will be making
18 presentations here today specific to the
19 Keewatinoow converter station. But it's all
20 within the context that this is one huge
21 development that impacts the people of Fox Lake,
22 both historically and of course going forward.

23 With me today, as noted, is Wendy
24 Ross. She is a researcher for Fox Lake. She'll
25 be presenting Fox Lake's Bipole III and

1 Keewatinoow converter station traditional
2 knowledge study report findings, the core
3 kitayatisuk and harvester perspectives, and
4 recommendations on moving forward.

5 Also is Leslie Agger, and Leslie will
6 actually be presenting first, and then she will be
7 followed by Wendy. But Leslie is also a
8 researcher for Fox Lake, and she will be speaking
9 on the shortcomings of the Bipole III transmission
10 project, Environmental Impact Statement, and
11 environmental assessment process itself. As well,
12 she will be talking about the measures necessary
13 for Fox Lake to begin to prosper from the
14 hydroelectric development that is centred in Fox
15 Lake's homeland.

16 And of course, you all have already
17 met Karen Anderson. She is again here, and
18 although she will not make a specific
19 presentation, she, along with myself, are
20 available to answer any questions the Commission
21 may have with respect to the position paper or any
22 of the other presentations that are made here
23 today.

24 So with that, again I want to thank
25 you for providing us this opportunity, and I will

1 now turn it over to Leslie. Meegwetch. Thank
2 you.

3 MS. AGGER: I would like to thank the
4 Clean Environmental Commission for the opportunity
5 to speak on behalf of the Fox Lake Cree Nation on
6 the topic of the Bipole III Environmental Impact
7 Statement, EIS. My presentation will cover four
8 areas.

9 First, I will provide an overview of
10 the environmental and human impacts of
11 hydroelectric projects that are concentrated in
12 Fox Lake's traditional resource use area. The
13 impacts of these past projects are ongoing and
14 relevant to Fox Lake's assessment of the proposed
15 Bipole III project.

16 Second, my presentation will critique
17 the EIS, including what Fox Lake considers major
18 flaws.

19 Third, I will describe what is
20 necessary to mitigate and monitor in a meaningful
21 way further adverse impacts on Fox Lake people and
22 their homeland.

23 And finally, I will address the
24 questions asked by the panel of Fox Lake at the
25 hearings in Gillam on October 11th.

1 The people of Fox Lake and their
2 ancestors have a long and rich history in the area
3 that is now known as Gillam. This history goes
4 back hundreds of generations. The relationships
5 that people maintained with each other, the land,
6 waterways, plants and animals of the Hudson Bay
7 lowlands are enshrined in the stories and legends
8 that continue to be told in and about the local
9 landscape. These relationships and the values
10 that Fox Lake people attach to the land and waters
11 are enshrined in the Cree names the people gave to
12 important places and spaces. The Kischi Sipi
13 translates to English as the great river, and is
14 more commonly known today as the Nelson River. It
15 served as one of the main highways that connected
16 the Cree of the lowlands to each other and allowed
17 unfettered access to a variety of good quality
18 Cree foods, for example, sturgeon, brook trout,
19 pickerel, pike, white fish, burbot, perch,
20 caribou, moose, muskrat, beaver, bear and lynx.

21 The Nelson River also provided the
22 people with a safe and clear source of drinking
23 water. In fact, before the dam at Kettle Rapids,
24 the river's bottom could be seen from the top of
25 the Canadian National Railway bridge, and Fox Lake

1 people drank directly from the river. The banks
2 of the Kischi Sipi provided sheltered places for
3 people to collect food and survive over at least
4 three seasons. These and many other things that
5 people gleaned from an intact ecosystem, or what
6 in Cree is the word aski, which means land, but
7 also implies the interconnectedness between the
8 land, water, plants, animals and people, was the
9 building block for rewarding, independent and
10 self-sufficient Cree livelihoods.

11 The quality of life that was
12 attainable on and around the Kischi Sipi prior to
13 large scale industrial developments can be
14 summarized by one seemingly simple yet profound
15 Cree expression, mino pimatisiwin. Its literal
16 translation is good or balanced living. This is
17 not to suggest that life for the people of Fox
18 Lake was not without hardships and
19 disappointments, rather it means that the
20 opportunities for living according to the ideal of
21 mino pimatisiwin were ample and attainable for
22 most people.

23 As the panel is aware, Manitoba Hydro
24 built three major generating stations on the lower
25 Kischi Sipi beginning in the mid 1960's, Kettle,

1 Long Spruce and Limestone. The utility also built
2 two converter stations, Radisson and Henday, as
3 well as the Bipole I and II transmission lines.

4 The chronology of the construction of
5 these facilities is well known to the panel and
6 has been described by the Manitoba Hydro
7 vice-president of transmissions in his
8 presentation to the panel in early October . But
9 Mr. Tymofichuk did not acknowledge that all of
10 these projects, either in whole or in part, were
11 constructed in Fox Lake's homeland, leaving
12 permanent impacts on the local landscape and
13 changing forever the natural rhythms and
14 ecological functioning of the Kischi Sipi and its
15 tributaries.

16 Over the eight years I have worked for
17 Fox Lake, I, along with elders and resource
18 harvesters, have documented example after example
19 of perturbations to Fox Lake's traditional
20 resource use area, with little or no mitigation,
21 monitoring or rehabilitation. Among these are the
22 blocking and reversal of direction and flow of the
23 Butneau River. This was accomplished by
24 constructing a dam, a dike, and a diversion
25 channel which transformed a pristine river, and

1 sturgeon and brook trout sustenance fisheries,
2 into what is essentially a slough. The continuous
3 dumping of raw sewage into a small brook trout
4 stream which flowed directly into the lower
5 reaches of the Kettle River, resulting in the
6 contamination of an important potable water source
7 and a brook trout fishery. The replacement of the
8 sound of rapids and fast flowing waters with the
9 constant hum of transmission lines heard
10 kilometres away from the Radisson and Heday
11 converter stations. The destruction of a vibrant
12 sustenance sturgeon fishery downstream from Gull
13 Rapids to the former Kettle Rapids, and from there
14 to Limestone Rapids. The uncontrolled hunting and
15 fishing by three decades of construction workers
16 contributing to the near extirpation of brook
17 trout and sturgeon from a number of local rivers
18 and streams. And finally, the myriad of gravel
19 pits cut and transmission lines and other
20 aesthetic eye sores that serve as constant
21 reminders of these projects. These are but a few
22 examples of the cumulative impacts that are
23 concentrated in the small geographic area that is
24 Fox Lake's homeland. To date these remain largely
25 unmonitored, unmitigated, and un-rehabilitated.

1 Given this history and lived
2 experience, it is impossible for Fox Lake to view
3 the Bipole III project as discrete and unrelated
4 to past and future projects. Bipole III is part
5 of a process of hydroelectric development that
6 began in the 1960's and continues today. With
7 each additional project, Fox Lake's homeland is
8 more and more altered and destroyed by projects,
9 with a consequence that existing environmental
10 problems are compounded and magnified.

11 Fox Lake has reviewed Hydro's EIS for
12 Bipole III and has identified major flaws, both in
13 its methods and conclusions.

14 First, the EIS treats the impacts as
15 though they were similar throughout the entire
16 project's footprint and as though they were
17 distributed equally among all communities and all
18 landowners along its route. The EIS fails to
19 adequately describe the extensive and intensive
20 impacts that have and will occur in this small
21 geographical area. Fox Lake people and their
22 lands are unique in terms of the magnitude of
23 past, present and future impacts, and this should
24 have been acknowledged in the EIS. Moreover, it
25 should have featured prominently in the executive

1 summary. This is its first fundamental flaw.

2 Second, the EIS failed to show how the
3 proposed Keeyask and Conawapa projects are
4 intertwined with the south access road, Bipole III
5 transmission lines, the Keewatinoow converter
6 station, and the electrode site. For example, the
7 Keeyask south access road, which will become part
8 of the provincial highway system, coupled with the
9 AC collector lines connecting the proposed Keeyask
10 generating station to the Radisson converter
11 station, will further fragment, disturb, and
12 increase access to ecologically sensitive areas
13 along the south side of the Kischi Sipi. These
14 are major infrastructures and their impacts are
15 additive. Because these impacts are undeniably
16 related to the construction of and long-term
17 operations of Bipole III, they must be identified
18 and given a fundamental place in environmental
19 assessment. Fox Lake considers the failure to
20 acknowledge the interconnectedness among projects
21 as a second major flaw.

22 Third, the EIS does not adequately
23 deal with the issue of controlling human access to
24 natural resources within Fox Lake's traditional
25 resource use area. For Keeyask, Conawapa and

1 Bipole III, these projects require large
2 workforces, and these workforces, coupled with
3 additional landscape fragmentation from all three
4 projects means more people will be trying to
5 access fewer resources. Consequently, as more
6 areas will become accessible to recreational
7 hunters and fishers, there will be increased
8 harvesting pressure on local populations of moose,
9 three sub species of caribou, and brook trout.
10 This prediction by Fox Lake is based on past
11 experience during the construction of Kettle, Long
12 Spruce and Limestone.

13 These concerns are compounded by a
14 lack of details on monitoring and mitigation,
15 especially if something does not work. In fact,
16 there needs to be more Fox Lake traditional
17 knowledge and other research on caribou cow
18 migrations across multiple transmission lines to
19 calving complexes in Stephen's reservoir, brook
20 trout recovery in streams where they are
21 extirpated, and vegetation recovery studies.
22 There is also no comprehensive and integrated
23 access management program that deals with the
24 impacts of all the proposed projects.

25 Four, the EIS is fundamentally flawed

1 because of the lack of integration of Fox Lake
2 traditional knowledge, what Fox Lake calls aski
3 Keskentamowin. Moreover, most of the technical
4 studies were undertaken prior to the collection of
5 AK. Fox Lake considers AK to be baseline
6 knowledge on which technical studies are built.

7 To summarize, Fox Lake traditional
8 knowledge played little, if any, role in deciding
9 what should be studied, how studies should be
10 carried out, and what data should be collected,
11 analyzed and interpreted. Indeed, the failure to
12 make AK a fundamental feature of the EIS is
13 evident by the absence of citations to Fox Lake's
14 AK throughout the document. A consequence is the
15 omission of important information on ecologically
16 and culturally important brook trout streams such
17 as Goose Creek. Ironically, impacts on Goose
18 Creek are classified as insignificant in the EIS.
19 And as a consequence, it is proposed that grey
20 water from construction will be dumped into this
21 system eventually to make its way into the Kischi
22 Sipi.

23 There are other discrepancies between
24 what is written in the EIS and what Fox Lake
25 predicts. Fox Lake's AK predicts a decline in

1 moose numbers in the local area, but the EIS
2 states there will not be a decline. Fox Lake did
3 not have input into the selection of valued
4 environmental components, and as a result the EIS
5 did not include information that is vitally
6 important to Fox Lake. Examples are lack of
7 information on protecting brook trout and their
8 essential habitats, ensuring the security of
9 traditional Cree foods, and reclaiming mino
10 pimatisiwin. Rather, AK simply appears as an
11 add-on with Fox Lake's AK report appearing in the
12 appendix to the EIS.

13 Fox Lake's elders and harvesters have
14 identified a number of areas in which studies
15 carried out for the Bipole III environmental
16 assessment were inadequate, and for which further
17 technical studies, based on AK, are required. For
18 example, on-the-ground field studies are required
19 for all the creeks located between Henday and
20 Conawapa that will be traversed by power lines.

21 Finally, Fox Lake views many of the
22 technical studies carried out for the
23 environmental assessment as fundamentally flawed
24 from a scientific perspective. Fox Lake's
25 advisors evaluated the science and found numerous

1 problems, including, but not limited to the
2 following:

3 One, stream crossings in Fox Lake's
4 territory, especially since land clearing along
5 rivers and streams will impact fish habitat,
6 especially along smaller streams and at the mouths
7 of these streams. Since sturgeon and brook trout
8 are vitally important to Fox Lake, their omission
9 from the EIS is unclear.

10 Two, no soil inspections at borrow
11 sites in Fox Lake's territory because,

12 "Route information was not available
13 at the time of field assessment."

14 This in Fox Lake's view is an unacceptable
15 rationale for failing to conduct sampling.

16 Three, no mention of cold water steeps
17 which are critical habitat for brook trout,
18 especially in local construction areas, including
19 areas where borrow pits and roads are located.

20 Four, claims that chronic wasting
21 disease exists in the province, when to date it
22 has never been found.

23 Five, lack of reference to the claim
24 that,

25 "Manitoba Conservation believes that

1 boreal woodland caribou populations
2 are stable."

3 And six, downplaying the significance
4 of summer habitat for woodland caribou and moose.

5 Fox Lake has provided all of its
6 comments on the EIS to Manitoba Hydro, including
7 those mentioned above, and can provide these
8 comments to the Commission upon request.

9 Fox Lake is concerned, after they were
10 informed by Manitoba Hydro that there will not be
11 an opportunity to revise the EIS to correct
12 omissions, provide complete information on routes,
13 and properly review the citations of Fox Lake's AK
14 in the core document. Moreover, the first draft
15 of Manitoba Hydro's Environmental Protection Plan,
16 EPP -- sorry, the review of the first draft of
17 Manitoba Hydro's EPP by Fox Lake reveals serious
18 shortcomings. These include:

19 One, the EPP only addresses Hydro's
20 regulatory obligation and compliance. It does not
21 reflect how Fox Lake relates to and values the
22 environment, or the unique local and historical
23 knowledge of Fox Lake people that is critical to
24 determining, for example, what, where, and how
25 monitoring should be undertaken.

1 And two, it does not reflect additive
2 and cumulative impacts of all past, current and
3 future projects, which are and will continue to be
4 concentrated in Fox Lake's traditional resource
5 use area.

6 To address these inadequacies, Fox
7 Lake has begun the process to develop a
8 comprehensive Environmental Protection Plan that
9 will apply to the community's entire traditional
10 resource use area and will address the
11 construction and operational impacts of Bipole,
12 the south access road, and Keeyask transmissions.
13 This plan will provide much more meaningful
14 monitoring, access management, and ecological and
15 aesthetic restoration and rehabilitation,
16 consistent with Fox Lake's values and
17 relationships to aski.

18 Fox Lake anticipates that Manitoba
19 Hydro and all its departments that are directly
20 involved, across the several projects, will work
21 with Fox Lake to make this happen.

22 For monitoring, this plan requires:

23 One, independent Fox Lake monitors at
24 all construction sites during critical times of
25 activity, noting that in certain circumstances and

1 for short durations, this could be 24 hours a day.

2 These independent monitors will work closely with
3 Hydro staff but will report directly to Fox Lake.

4 Two, development of monitoring
5 criteria beyond that of regulatory compliance that
6 reflects Fox Lake's values and relationships to
7 the environment.

8 Three, training for Fox Lake monitors
9 that is fully funded by Manitoba Hydro.

10 Four, clear and direct communication
11 channels between Fox Lake monitors, Manitoba
12 Hydro, and Fox Lake resource users, so there was
13 rapid communication and input to and from Fox Lake
14 members if and when problems arise.

15 And five, Fox Lake lead rehabilitation
16 and restoration of past, current and future
17 impacted sites such as borrow pits and cut and
18 transmission lines.

19 Fox Lake anticipates that once this
20 program is in place, the community will be much
21 more directly involved in solutions to
22 environmental problems, since they are much more
23 familiar with the local environment, and have a
24 wealth of experience and knowledge on past
25 problems.

1 For access management, this plan
2 requires:

3 One, a comprehensive plan that goes
4 above and beyond limiting access to individual
5 construction areas, but rather addresses the
6 harvesting behaviour of sojourning construction
7 workers in Fox Lake's entire resource use area.

8 Two, Fox Lake developed and lead aski
9 management and recovery plans for such species as
10 lake sturgeon and brook trout, as well as geese,
11 caribou and moose.

12 And three, Fox Lake aski officers,
13 with the authority equal to provincial
14 Conservation Officers, to ensure cooperation among
15 resource users and compliance to Fox Lake's aski
16 management and recovery plans.

17 In closing, I would like to address
18 the five questions posed by the panel to Fox Lake
19 at the hearings held in Gillam on October 11th.
20 The first question was, what is the Fox Lake nine
21 step sturgeon recovery plan and what is its
22 status?

23 At present it is a plan which Fox Lake
24 developed because they were interested in a Fox
25 Lake and First Nation lead management and recovery

1 strategy for lake sturgeon on the lower Kischi
2 Sipi. This plan was developed because Fox Lake's
3 traditional resource use area has been heavily
4 impacted by previous dam constructions, and it
5 wanted to ensure it had proper input on sturgeon,
6 which is an iconic species to Fox Lake.
7 Unfortunately, the nine step plan has not been
8 advanced due to primarily the efforts by Manitoba
9 Hydro to set up a lower Nelson River sturgeon
10 stewardship committee.

11 The second question was, how will
12 Sturgeon be impacted by the Bipole III project?

13 Fox Lake's past experience has
14 demonstrated that it is impossible to separate and
15 compartmentalize impacts of multiple
16 constructions. The proposed project makes Fox
17 Lake very uneasy. Consequently, since lake
18 sturgeon are an iconic species and listed as
19 endangered by the Committee on the Status of
20 Endangered Wildlife in Canada, this species was
21 chosen by Fox Lake to illustrate the
22 interconnectedness of impacts among projects and
23 how Fox Lake views the environment as an
24 integrated whole.

25 Fox Lake also wanted to draw attention

1 to the fact that society, industry, regulators and
2 politicians tend to view impacts as direct and
3 cause and effect and occurring over short periods
4 of time. Thus, there is usually a failure to
5 adequately connect impacts across time, industrial
6 developments and multiple projects.

7 It is difficult to argue that the
8 south access road, transmission lines and Bipole
9 III would be constructed if the Keeyask dam were
10 also not being constructed. It is also difficult
11 to argue that lake sturgeon will not be impacted
12 by the Keeyask dam, nor that past projects such as
13 Kettle, Long Spruce, and Limestone did not
14 significantly impact sturgeon populations in Fox
15 Lake's homeland.

16 The third question was, what is meant
17 by making the land aesthetically beautiful?

18 Perhaps it is more accurate to state
19 that the land and water should be returned to its
20 original functioning state for food gathering,
21 that is fishing, hunting, trapping, berry picking,
22 and gathering medicinal plants.

23 The fourth question was, at what stage
24 is Fox Lake's aski management plan?

25 As previously stated, this

1 comprehensive management plan is currently under
2 development and includes aski conservation
3 officers.

4 The fifth question was, what is Fox
5 Lake's perception of aski health?

6 One indicator of aski health is the
7 ability to glean a wide variety of high quality
8 Cree foods from Fox Lake's homeland.
9 Unfortunately, aski health has been jeopardized
10 because of past damage to the local ecosystem that
11 left it fragmented and in some areas non
12 functioning. Examples of the latter include
13 complete losses of rapids, loss of fish habitats
14 at mouths of rivers such as the Kettle, large
15 borrow pits left as moonscapes and devoid of
16 vegetation. Further industrial developments will
17 make the environment even worse if past and future
18 impacts are not properly mitigated and compensated
19 ecologically.

20 In closing, I would like to thank the
21 Commission for the opportunity to speak, and for
22 listening and hearing Fox Lake's views on the
23 Bipole III project. Fox Lake is hopeful that its
24 message will assist the Commission in making its
25 recommendation to the Minister.

1 THE CHAIRMAN: Thank you, Ms. Agger.

2 I think we should probably go through the whole
3 presentation and then we will ask questions
4 following that.

5 MS. W. ROSS: My name is Wendy Ross
6 and I work for Fox Lake Cree Nation. I have been
7 working for Fox Lake Cree Nation since 2008. I
8 came onto the team to help with the Keeyask TK,
9 and I had been there for a couple more TK
10 projects, including this project. So I'll be
11 presenting on the research findings that we have
12 had during the Bipole III study.

13 The funds for the study was provided
14 by Manitoba Hydro and it commenced in October of
15 2010, and the writing phase concluded in December
16 of 2011.

17 Fox Lake's goal is to live mino
18 pimatisiwin, to maintain autonomy and to build a
19 future where new generations of Fox Lake Inninuwak
20 can assert their identity, self-determination, and
21 live free and healthy joyful lives in their
22 homeland.

23 This picture depicts our kitayatisuk,
24 Robert Beardy, and his partner, Jessie Anderson,
25 and some of our youth and our resource harvesters.

1 Robert is sharing the knowledge that he has
2 learned from his grandfather, his father, and he's
3 sharing it to us during one of our mapping
4 sessions. So this is what this picture depicts.

5 Also, our goal, the intergenerational
6 time honoured knowledge obtained through our
7 relationships with aski, contributes to Fox Lake's
8 peoples' ability to live and sustain vibrant
9 lives.

10 The framework that we took for this
11 research is based on Inniniwak philosophy, mino
12 pimatisiwin. Mino pimatisiwin constitutes this
13 balance of human relationship with the ability to
14 interact with aski through harvest consumption and
15 regeneration of foods from aski. Human health is
16 dependent on the health of aski, including our
17 perceptions of health -- perceptions of health of
18 aski. Therefore, it is our responsibility to care
19 and nurture aski so that it can provide for the
20 future generations.

21 And this picture depicts our goose
22 camp that we have every year around the Limestone
23 quarry. This picture shows one of our community
24 members showing some young people the skills and
25 art of goose preparation. This is at our goose

1 camp a couple of years back.

2 The intergenerational and time
3 honoured knowledge obtained through our
4 relationships with aski contributes to Fox Lake's
5 people's ability to live and sustain healthy and
6 vibrant lives. This picture depicts one of the
7 first meetings of core kitayatisuk and harvester
8 group. This group was formed in June 2011, and
9 this group formed organically, they came, they
10 were very, very concerned with the work that we
11 were doing, and so they decided -- they took more
12 of an active role in sharing their knowledge with
13 me and our researchers. And they provide the
14 guidance for most of, if not all, of our TK
15 projects and the stuff that we do in our
16 negotiations office. So we tried our best to
17 acknowledge our kitayatisuk.

18 So the research methods for this
19 project, we had individual map biographies, group
20 mapping sessions, and we did some ground truthing
21 which was lead by the kitayatisuk and harvesters.
22 This picture depicts us as the late Frank Beardy's
23 trapping cabin and we are overlooking the Kischi
24 Sipi, which you probably know as the Nelson River.
25 And this picture we were observing the beautiful

1 Spider Island, which has been dubbed by Manitoba
2 Hydro employees as Golf Course Island. But Fox
3 Lake people, they refer to it as Spider Island,
4 because there is a lot of spiders that make their
5 home there.

6 So as mentioned, in June of 2011, a
7 group of active harvesters in kitayatisuk were
8 formed to advise in negotiations impact assessment
9 unit, formerly the environmental office, Fox
10 Lake's aquatics, terrestrial and heritage advisors
11 and the resource management board on the
12 environmental resource issues. These are
13 knowledgeable and committed individuals who have a
14 strong desire to play a role in the
15 decision-making process.

16 Research from a Fox Lake perspective
17 must include our kitayatisuk and harvesters.
18 Their participation in our work is vital. Without
19 their guidance and wisdom this work can not be
20 done. Many kitayatisuk and harvesters possess
21 several decades of active experience with aski,
22 and provide guidance to the younger hunters,
23 trappers and fishers. Heeding our kitayatisuk and
24 harvesters' wisdom allows us to re-incorporate
25 essential inniniwak values and perspectives on

1 life and the natural world.

2 During our ground truthing in June of
3 last year, the women were very, very keen on
4 showing me, the researcher, all the important
5 things that they find important in their back
6 yards, which is where the converter station will
7 be located. So Jessie and Mary, they are on
8 the -- they are right there, those are the people
9 that did the bulk of this work. They carried me
10 forward, they carried me and helped me with this
11 work. And they are giving us a lesson on the
12 importance of plants. And this plant here is a
13 poplar tree, and we were discussing the importance
14 of that.

15 Caribou: Caribou and moose are a
16 major source of food for Fox Lake and there's a
17 considerable interest by the Fox Lake community
18 about past and future populations. Our AK shows
19 that there are up to three sub species of caribou
20 in the local area, one which is woodland. The
21 identification of woodland and other caribou is
22 based on people's long-term experience of
23 harvesting caribou, namely each specie's behaviour
24 and appearance.

25 So this picture was taken in June of

1 last year, a little bit south of the proposed
2 converter station, which is right there. This is
3 where we were lucky enough to see a caribou so we
4 took a picture of it. We didn't have any guns
5 that day, so we couldn't procure some food.

6 THE CHAIRMAN: It's there for the
7 future.

8 MS. W. ROSS: Our TK revealed that the
9 local population woodland caribou utilizes the
10 forest and bogs of the area, and is made up of the
11 migratory woodland ecotype and extension of this
12 boreal woodland caribou range into the Fox Lake
13 resource area, which is well beyond the present
14 accepted distribution reported by Environment
15 Canada and the Province of Manitoba in their
16 report on caribou.

17 AK revealed that some of the local
18 woodland caribou are similar in appearance to Pen
19 Island caribou. Woodland caribou continue to live
20 in the local area and throughout Fox Lake
21 traditional resource use area, including the
22 Angling and Hayes River areas.

23 So that's right around here.

24 Our AK asserts that the caribou
25 populations have declined significantly in large

1 part as a result of Hydro development.

2 Critical rutting habitat was destroyed
3 through past development and woodland caribou
4 disappeared from the Mile 346 area, which is near
5 the converter station site. So there's like a
6 railway around that area, and it was known there
7 used to be abundance of caribou, as told to us, to
8 the researchers.

9 And so this picture here is -- Jessie
10 Anderson took this picture one day. I know, I
11 work in the Winnipeg office, and I remember she
12 called me up this day and she said, Wendy, the
13 caribou are migrating across in the area, I'm
14 going to go out and take pictures. So that day
15 her and her daughter-in-law went out and they shot
16 some caribou. We were dubbing her our caribou
17 paparazzi. So it was quite an exciting day
18 because she just sent a whole bunch of pictures,
19 and this is one of the best pictures.

20 They were telling us stories, like
21 they were going around in the ditches trying to
22 get a good shot of something to put into their
23 report. So the efforts taken by our elders is
24 evident here.

25 Fishing: Fishing remains to be an

1 important cultural, Fox Lake cultural activity.
2 The construction of Bipole III and the Keewatinoow
3 converter station will increase the local
4 population, thus leading to an influx of transient
5 workers extracting an already strained resource
6 such as brook trout and sturgeon.

7 And this is one of our young people
8 showing off his catch to the photographer. And
9 these are important, you know, this is what living
10 mino pimatisiwin is, being able to catch, eat and
11 live actively, and being able to eat Cree foods
12 such as, if I'm correct, this is a jackfish.

13 Getting back to ground truthing.
14 During our study -- so this picture depicts Jessie
15 Anderson again sharing her knowledge with the
16 photographer. Again, this is a budding poplar,
17 and the ladies inform me that this would be good
18 for treating acne and to help with acne and to
19 help ease toothaches.

20 The Bipole III and Keewatinoow
21 converter station will continue to wreak havoc on
22 the local landscape. Many Fox Lake people
23 continue to harvest plants, roots and berries
24 where this proposed Keewatinoow converter station
25 will be situated.

1 So this table depicts, shows a summary
2 of statistics of all interviews conducted
3 regarding the converter station and the Bipole III
4 line. So one thing that we do at our -- when we
5 do our projects, we put a map, we use a map and
6 then we put plastic overlay, and each of the
7 individuals will share what they want to share
8 with us, you know, important spots such as
9 hunting, trapping, fishing, berry picking,
10 medicinal plant picking, timber harvesting, burial
11 site, cabins, camping, community recreation. And
12 each features -- for example, a point would be
13 like, this is where I hunt, so they put a dot onto
14 the map. And so of all the map biographies, we
15 counted each one of those instances. So, as you
16 can see, there was 23 locations on our maps of
17 hunting. And then there was 16 for fishing. And
18 the line feature is where people will draw like an
19 area, like such as a route they are taking to go
20 hunting, trapping or fishing. And then area
21 features would be like counting each, again, each
22 place.

23 So the following methodology used to
24 collect our traditional resource land use
25 information from the elders, this methodology was

1 used on Manitoba Hydro's infrastructure projects,
2 the Keewatinoow converter station and Bipole III
3 transmission line. The traditional resource land
4 use information was collected and formed Fox
5 Lake's assessment to measure and quantify the
6 effects Manitoba Hydro's projects will have on Fox
7 Lake and resource and land use.

8 Again, this is all the interviews, all
9 the information from our map interviews was
10 compiled on this map. As you can see, this is the
11 whole area where Fox Lake people, this is Fox Lake
12 people's homelands. And this is where the
13 Limestone River is, this is the Kischi Sipi. And
14 as you can see, this is actively -- still actively
15 used. Many people in the interviews still use
16 this area. And there's a lot of camp sites along
17 the river.

18 This is Stephen's Reservoir, which is
19 now -- used to be called (native language spoken),
20 and then Keeyask. And then there will be another
21 road here, south access. And then there's the
22 Keeyask transmission lines. So there's going to
23 be a lot of disturbances. And then, you know,
24 this is where Limestone and Bird is situated
25 there. And there's further, about that way,

1 that's where the converter station, Conawapa area
2 will be.

3 So a number of interviews with Fox
4 Lake elders were held where they were given a map
5 of the Bipole III converter station study area.
6 Maps included satellite imagery, aerial
7 photographs, and vector based maps generated by
8 Fox Lake and Manitoba Hydro.

9 Draped over a map was a clear plastic
10 sheet, as mentioned. Elders were asked to draw,
11 or told interviewers exactly where on the map they
12 use the landscapes and for what specific purposes.
13 Land use types included, but were not limited to
14 hunting, fishing, trapping, berry picking, and
15 medicinal picking, timber harvesting, camping,
16 youth training, and community recreation, burial
17 sites and many others. For each land use type
18 such as hunting, detailed information as the type
19 of animal hunted were also recorded. The date of
20 the interview and the name of the elder were also
21 recorded.

22 So this map is, about 60 people
23 participated in all this research in this project.
24 And that's for mapping sessions, community mapping
25 sessions and individual map sessions.

1 So blue more specific represents
2 hunting. So if you see there's a lot of blue
3 along the Kischi Sipi, people will hunt around the
4 Kischi Sipi. They hunt around the Hayes, they
5 travel around these areas. There's a lot of moose
6 pasture.

7 And then green, again, green is
8 fishing, where people continue to fish. So people
9 will share, like this is my fishing route, I go
10 here to fish. And then they will draw from Bird
11 and say, oh, I go all the way over here, and
12 sometimes I go over here. So they shared that
13 with us.

14 Yellow is trapping. There's a lot of
15 trapping in the area. You can see trapping along
16 the rivers.

17 Brown, again, brown, a lot of people
18 share, we go berry picking, we go for medicinal
19 plant picking all along the Kischi Sipi,
20 Limestone. And then they always remind us, you've
21 just got to know where to look, when they tell me,
22 when I ask where the important areas are. But
23 they say it's everywhere. And then asking
24 specific information about this project, you know,
25 it is right where the planned project is going to

1 be built.

2 Orange is medicinal plant picking.

3 Purple is wood collecting, timber
4 harvesting.

5 Black, recreation centre areas, and
6 that includes like families' preferred fishing
7 spots.

8 And red, you know, is youth training,
9 where a lot of people would share, you know, I
10 took -- my dad took me here, or my uncle took me
11 here.

12 So, again, black dot represents
13 cabins, a red dot represents camp sites, a blue
14 dot, old community gathering sites. Red cross is
15 a burial site and green crosses represent special
16 spiritual sites.

17 Again, it's the same map, it is a map,
18 but this map depicts where Manitoba Hydro provided
19 us with some layers to our GIS person. And he was
20 able to layer on the infrastructure, the Bipole
21 III and, you know, the collector lines, electrode,
22 lagoon, camps, or the actual converter station
23 sites. So it's going to be right smack on top of
24 all this activity.

25 So, again, we asked our GIS, what

1 would be, our GIS specialist, what is the best way
2 to depict the effects of the converter station
3 Bipole on the activities that are going on in our
4 homelands. He said, okay, well, if this
5 infrastructure is being built, all this is going
6 to be affected. And then you see all the green
7 lines? That's going to be obliterated, you know,
8 through his analysis.

9 So it's pretty straightforward what's
10 going to be affected by this project.

11 So the next part of the presentation,
12 I'll be talking about the summary of findings.
13 I'm going to keep this map up on the board and I'm
14 just going to be reading, so you can follow along.

15 Aquatic: Fishing is an important
16 cultural activity for Fox Lake. The construction
17 of the Bipole III and converter station will
18 increase the local population, thus leading to an
19 influx of transient workers extracting an already
20 strained resource such as brook trout and
21 sturgeon.

22 Terrestrial: Bipole III and the
23 converter station will continue to wreak havoc on
24 the local landscape. Many Fox Lake people harvest
25 plants, roots, berries, where the proposed

1 converter station will be situated.

2 And it's what this map shows.

3 Terrestrial findings: Fox Lake lead
4 research reaffirms that this area is vital to
5 caribou, moose and other fur bearing animals. The
6 surrounding habitat provides local animals with a
7 rich assortment of nourishing food. As well, the
8 destruction of this area will hinder Fox Lake
9 people's ability to acquire high quality Inniniwak
10 food. Construction of the Bipole III and
11 converter station, including material extraction,
12 will disturb animals and it is uncertain that
13 these animals will return to the vicinity upon
14 completion of construction. Caribou and moose are
15 very important food for Fox Lake, so there's
16 considerable interest by the Fox Lake people and
17 community about past and future populations.

18 AK shows that there are up to three
19 sub species of caribou in the area, which one is
20 woodland. The identification of woodland and
21 other caribou is based on people's long-term
22 experience of harvesting caribou, namely each sub
23 species' behaviour and morphology -- which means
24 what the animals look like.

25 AK revealed that the local population

1 of woodland caribou utilize the forest and bogs of
2 this area, and is made up of a migratory woodland
3 ecotype. Environment Canada currently does not
4 recognize the presence of boreal woodland caribou
5 as far north as Fox Lake traditional resource
6 area. Fox Lake recommends that the accepted
7 distribution be extended into the area.

8 The loss of local habitat in areas of
9 dam construction and operation has resulted in the
10 significant decline in caribou numbers and a
11 gradual replacement of caribou by moose as a
12 primary source of red meat. Critical rutting
13 habitat was destroyed and the woodland caribou
14 disappeared from the Bird and Mile 346 area.

15 Our core group recognizes that weather
16 patterns play an important role in caribou
17 movements and may modify the migration path of
18 caribou. Subsistence hunting can be drastically
19 affected when adverse weather conditions are
20 combined with generating station operations. The
21 latter creates unsafe ice conditions and caribou
22 mortality. This applies to all caribou sub
23 species and ecotypes.

24 AK revealed that some of the local
25 woodland caribou are similar in appearance to Pen

1 Island caribou. Woodland caribou continue to live
2 in the local area and throughout Fox Lake
3 traditional resource use area, including the
4 Angling and Hayes River areas. Around here, and
5 then Hayes.

6 AK asserts that caribou populations
7 have declined significantly as a result of Hydro
8 development. Historically, woodland caribou were
9 abundant year-round in the local area and caribou
10 meat constituted the primary source of red meat.
11 Past development activities from construction,
12 noise, outside hunting pressure, flooding of
13 traditional migration routes, and generating
14 station operations which create unsafe ice
15 conditions for caribou have contributed to its
16 decline in the local area.

17 The core group considers, at present,
18 there are sufficient numbers of caribou to support
19 a Fox Lake subsistence harvest in Fox Lake
20 traditional resource use areas, but these
21 populations are threatened by outside hunting
22 pressure, current and future disturbances
23 associated with dam construction and human
24 activities and further fragmentation of the local
25 environment.

1 Our core group expects significant
2 increase in the mortality of caribou as a result
3 of the increased hunting pressures due to doubling
4 of the human population in Gillam and the
5 increased accessibility of hunting grounds by
6 additional cut lines.

7 The core group expects further decline
8 of caribou due to the developments in the local
9 area that will result in more effort by the
10 community, time and cost to obtain important
11 Inniniwak food.

12 Heritage and aski keskentamowin.
13 Heritage: The construction of the Keewatinoow
14 converter station and Bipole III will disturb Fox
15 Lake people's ancient ancestors' cultural and
16 spiritual places. For example, we have heard
17 numerous stories from our kitayatisuk, and even
18 our young people, about where they first
19 remembered their first kill. You know, killing a
20 moose for the first time is a very significant
21 event in a young person's life. So that's what,
22 you know, other spiritual places.

23 Aski keskentamowin: Fox Lake aski
24 keskentamowin teaches people the essential skills
25 to live vibrant lives. This knowledge is

1 intergenerational. Foundations of the Fox Lake
2 community identity are within aski. When a young
3 person is taught to hunt, the knowledge holder
4 transfers essential skills and fundamental wisdoms
5 that are learned, such as respect for animals,
6 rhythm of the seasons, and patience.

7 Our core group estimates that over
8 100,000 acres of their local resource use area,
9 which is defined as the region between Keeyask and
10 Conawapa Rapids, has been lost or disturbed as a
11 result of past hydroelectric development.

12 75 percent of the local resource use areas for
13 berry picking and the harvesting of medicinal
14 plants have been destroyed in both Gillam and
15 Bird. A similar amount of trapping and hunting
16 area has been lost. For example, our core group
17 predicts 80 percent reduction in the current local
18 population of caribou as a result of new
19 developments.

20 Our core group estimates that lake
21 sturgeon and brook trout fishing sites within a
22 three to four hour walk of Gillam and Bird has
23 been destroyed and populations are reduced to well
24 below subsistence levels of the past. Indeed,
25 lake sturgeon and brook trout have disappeared

1 from some areas in the local resource use area and
2 are reduced to remnant populations in other areas.
3 The exception is the Limestone River where there's
4 a modest recovery of brook trout. But the Fox
5 Lake community predicts, based on past
6 experiences, the numbers will decline
7 catastrophically as construction workers enter the
8 area, unless restrictions are placed on their
9 fishing activities in Fox Lake traditional
10 resource use area.

11 Our core group perspectives: The core
12 group considers Manitoba Hydro and their
13 consultants' efforts to estimate caribou and fish
14 populations and to predict impacts are unsound for
15 a variety of reasons including: Fox Lake
16 kitayatisuk and harvesters were not involved in
17 the design of the scientific studies for Bipole
18 III, the Keewatinoow converter station
19 Environmental Impact Statement. Field work was
20 inadequate in terms of duration and season.
21 Studies did not properly document and adjust for
22 disturbances created by ongoing construction
23 activities. Studies do not properly document and
24 adjust for human interference, for example, people
25 removing fish from study nets. Baseline data

1 generally does not include historical animal
2 population levels.

3 Our core group perspectives: They
4 feel that the studies disturb and in some
5 instances cause mortality to individual animals.
6 For example, helicopters disturb caribou and moose
7 and songbirds. It has been reported that some
8 animals have been entwined in string left over
9 from large mammal studies.

10 Confidential information about animal
11 location and movements have been disclosed to
12 outside hunters, thus resulting in instances of
13 overhunting and overfishing.

14 Communication and collaboration
15 between people of Fox Lake and Manitoba Hydro's
16 consultants is inadequate, and thus elders and
17 harvesters had limited opportunities to provide
18 for proper input into the studies. For example,
19 study of burbot. Burbot, and many people in Fox
20 Lake call them mariah, is considered a delicacy.
21 So working with Fox Lake, I have learned that when
22 people catch burbot, it's often given to the
23 elders as it is a delicacy, and they love it. One
24 of our young trappers, he's about 26 years old, he
25 told me that burbot tastes really, really good

1 with butter and garlic. So maybe one of these
2 days you'll be able to have like a feast of
3 burbot.

4 So core group recommendations: So
5 this is our core group, this is last June. Last
6 June we were out, these guys took me out on to the
7 bush. They organized it themselves. I flew into,
8 you know, I flew into Gillam and they are all
9 ready for me. They had all the supplies ready.
10 We had to pick up some groceries and some pop.
11 And then everyone contributed, the people brought
12 bread and baloney, and Robert brought us some
13 fish. So it was such a good time to be with
14 these -- to be with Fox Lake elders. So this is
15 kind of a finale, after our day we came back to
16 our office to debrief. And one of our elders,
17 Johnny, he's like -- we're talking about plants
18 that day, and he's like I'm going to go show you
19 our medicine, I am going to show you, I'll go get
20 it, it's in my backyard. So he took off and after
21 about 20 minutes he comes back on his ATV. See,
22 this is the good stuff. And he comes to share
23 with us. And it's very powerful when the elders
24 are, kitayatisuk and elders are directly involved
25 in the work. And that's one thing that Fox

1 Lake -- the impact assessment have asserted that
2 research must include our elders.

3 So this is some of their
4 recommendations. A comprehensive recovery
5 strategy for the local landscape. Develop hunting
6 protocols that apply to the local area throughout
7 Fox Lake people's traditional resource use area.
8 These protocols will prohibit hunting by outsiders
9 and restrict access to hunting areas. To develop
10 big game monitoring program lead by Fox Lake based
11 on kitayatisuk and harvesters' extensive use of
12 the resources.

13 They also recommend that all Manitoba
14 Hydro consultants continue to respect Fox Lake
15 research protocols. All future sampling protocols
16 in Fox Lake people's traditional use must be
17 vetted by our core group prior to the start of any
18 study. And if any studies are happening, Manitoba
19 Hydro's consultants are to come to our core group
20 and to present what they have learned in Fox
21 Lake's homelands.

22 In final, we would like to thank the
23 Commission for giving us the opportunity to share
24 our work. It's very important that Fox Lake
25 kitayatisuk and harvesters are involved in this

1 type of work, and it is their vision that they
2 share with us that is our responsibility to
3 continue to take care of aski for us and for the
4 future generations. (Native language spoken)

5 I just wanted to show you Spider
6 Island. There is Spider island, I was mentioning
7 before, and Kischi Sipi, and we're talking about
8 Bipole, but if Conawapa gets built, this island is
9 not going to be there anymore.

10 THE CHAIRMAN: Just on that last
11 slide, Ms. Ross, so Spider Island will be upstream
12 of Conawapa?

13 MS. W. ROSS: It will be -- Conawapa
14 is north, so, yes, it will be upstream.

15 THE CHAIRMAN: So it will be flooded
16 by the forebay?

17 MS. W. ROSS: Yes.

18 THE CHAIRMAN: Thank you. Thank you
19 very much for your presentation. Is there any
20 more presentation?

21 MS. W. ROSS: No, we are available for
22 questions.

23 THE CHAIRMAN: Thank you. Manitoba
24 Hydro, any questions of Fox Lake people?

25 MR. BEDFORD: No.

1 THE CHAIRMAN: Thank you. Any of the
2 participants? Mr. Williams?

3 MR. WILLIAMS: Good morning members of
4 the panel, and good morning to the Fox Lake
5 presenters as well.

6 My name is Byron Williams. Sadly, I'm
7 a lawyer, but I represent the Consumers
8 Association of Canada, the Manitoba branch. And
9 they are quite interested in issues related to
10 cumulative effects. And certainly on their
11 behalf, we want to thank you for what in their
12 view is probably one of the very most important
13 presentations in this proceeding.

14 Just in terms of the three reports, I
15 don't have a lot of questions, and none of it is
16 cross-examination, so that will be a relief to
17 both of us. But Ms. Agger, if I could just turn
18 you to page 5 of your report? And this is in the
19 midst of your discussions about some of your
20 concerns with the flaws in the Manitoba Hydro EIS.
21 And in the first paragraph on page 5, you talk,
22 towards the end of that paragraph, about the need
23 for more Fox Lake traditional knowledge and other
24 research on caribou cow migrations across multiple
25 transmission lines. And I'm just wondering in

1 terms of the time, or how much additional time Fox
2 Lake might require for that, if you have an idea
3 in terms of that?

4 MS. AGGER: You mean to study this?

5 MR. WILLIAMS: Yes?

6 MS. AGGER: I think our recommendation
7 was that Manitoba Hydro hadn't adequately
8 addressed that. So there is a science component
9 and then there's also a TK component.

10 We are currently undertaking a
11 traditional knowledge study in that area. And
12 that is one -- and I believe that is one of the
13 things that we will be looking at. The impact
14 from the south access road, coupled with the
15 impact from the collector lines between the
16 Keeyask generating station and Radisson, those two
17 things in our view are absolutely connected, and
18 they will cross a caribou migration path from the
19 south to Stephen's reservoir, where there are
20 calving complexes on islands.

21 MR. WILLIAMS: Just so I understand
22 your point here, there is ongoing ATK work by Fox
23 Lake, and you're also suggesting that there needs
24 to be more work by Manitoba Hydro in terms of
25 western science as well?

1 MS. AGGER: Yes. But we always
2 advocate that the two should actually be occurring
3 concurrently.

4 MR. WILLIAMS: Okay. And just staying
5 in that paragraph, there is again a reference to
6 brook trout recovery and vegetation recovery
7 studies. And would your point be the same, that
8 there needs to be more ATK work and Hydro work in
9 this regard, integrated?

10 MS. AGGER: Both, yes, absolutely.

11 MR. WILLIAMS: And in terms of your
12 commentary about, in the same paragraph, the
13 absence of a comprehensive and integrated access
14 management program, any sense of how long that
15 would take to develop?

16 MS. AGGER: Fox Lake is currently,
17 because Hydro does not have a comprehensive access
18 management plan or Environmental Protection Plan,
19 Fox Lake is currently developing one that will
20 apply to its traditional resource use area. And
21 we anticipate it will take us about at least three
22 months solid work to develop that plan, but we
23 have begun to develop the terms of reference so
24 that we can begin developing that plan.

25 MR. WILLIAMS: And you're hearing,

1 certainly from our client, an interest in
2 additional information you require, but also
3 trying to get a sense of how much time you
4 require. So you're going to hear a few more
5 questions from me on that.

6 And just at the bottom of this page,
7 there is a reference again to the omission of
8 important information on ecological and culturally
9 important brook trout streams. And does that
10 relate to the paragraph above, or is this
11 something in addition to what you were speaking of
12 in the paragraph above? It's towards the bottom
13 of the paragraph on page 5.

14 MS. AGGER: Well, the point we were
15 trying to make was because there was no
16 collaboration, our ATK studies was an add-on and
17 there was no use of traditional knowledge by
18 Hydro. As a consequence, we know that there are
19 brook trout streams between Henday and Conawapa,
20 and those streams will be traversed by the
21 collector lines. And we know from TK, TK shows us
22 that there are brook trout there, but there was no
23 attempt by Manitoba Hydro to, in our view,
24 adequately study and identify brook trout in those
25 streams. So we have a discrepancy where we have

1 AK saying there is.

2 Had we had the opportunity to work
3 collaboratively with Manitoba Hydro, we feel
4 confident that their scientists would have
5 identified that. And that is the model that we
6 are trying to advocate for, a more collaborative
7 approach.

8 MR. WILLIAMS: I thank you for that.
9 Just in terms of your report, I think my last
10 question relates to page 7. It's actually a
11 request, it's near the top of page 7. And the
12 last sentence in the top paragraph, you indicate
13 that you have provided all of your comments on the
14 EIS to Hydro, and you make the offer to provide
15 those comments to the Commission upon request.
16 And I don't know what they will do, but certainly
17 if you are prepared to share them with our
18 clients -- if you're not, we understand -- but our
19 clients would certainly be interested in seeing
20 those comments if you would be prepared to share
21 those?

22 MS. AGGER: I would ask Loretta to
23 answer that question.

24 MR. WILLIAMS: And if you're not,
25 that's okay.

1 MS. L. ROSS: We'll have to get back
2 to you on whether or not we're able to share
3 those.

4 MR. WILLIAMS: Yes. Not to worry.

5 Now I think there are two Ms. Ross's
6 up there, so I'm going to start with W. Ross,
7 Ms. Ross.

8 Just in terms of the issue from your
9 ATK work in terms of woodland caribou in the area,
10 and I guess it's fair to say there's some
11 disagreement between the people who live and hunt
12 there and between the people who don't live and
13 hunt there, but who have some scientific, or
14 western scientific, from that tradition,
15 there's -- you're saying that there is woodland
16 caribou there and you haven't managed to persuade
17 others of that?

18 MS. W. ROSS: It's been very difficult
19 to -- the studies done by Manitoba Hydro, they
20 have been dubbing the woodland caribou, what the
21 elders refer to as woodland caribou as summer
22 resident caribou. The elders have been living
23 there for a really, really long time, and they
24 shared with us about the different caribou
25 appearances, and they shared the differences

1 between different species. Like, for example, the
2 rack sizes, the hooves, the woolly hooves, the
3 different kinds of wool on their feet, so that's
4 what they shared with us during the research.
5 But, no, Fox Lake people, the elders, they say
6 that they have seen woodland caribou, but Manitoba
7 Hydro and their consultants, they don't
8 necessarily agree with our point.

9 MR. WILLIAMS: What, if any,
10 recommendations would you make to Manitoba Hydro
11 or to this Commission in terms of exploring the
12 woodland caribou issue further, apart from
13 listening to your elders, I guess?

14 MS. W. ROSS: Well, from the
15 kitayatisuk and the harvesters, they are more than
16 eager to share their knowledge. They just want to
17 be respected that they are not considered liars.
18 They feel -- they shared with me that when one of
19 our elders, he gets really discouraged coming to
20 Hydro meetings because he feels that -- because
21 they are not dubbed as woodland caribou by Hydro,
22 he felt that they are calling him a liar, even
23 though he's been living there since the '50s and
24 he's been hunting there, and his trapline is
25 located there.

1 MS. AGGER: One of the recommendations
2 that came from a core group meeting was that they
3 wanted to see a more collaborative research
4 between science. And one of our Fox Lake's
5 advisers is a specialist on big game. They wanted
6 to see collaborative research that's based on AK.
7 So they were very interested in developing studies
8 to study this issue further.

9 MR. WILLIAMS: It wasn't part of your
10 oral presentation, but we do have a third document
11 which is called the Fox Lake Cree Nation position
12 paper. I have one question about that, and I see
13 the other Ms. Ross, Loretta nodding at me. Is
14 that your paper, Ms. Ross?

15 MS. L. ROSS: It is not just my paper,
16 no, it was a collaborative effort from a number of
17 people within our office.

18 MR. WILLIAMS: I just have one
19 question on that relating to page 4. And if you
20 see the first paragraph under number eight, so it
21 starts "the relationship". And if you go to the
22 second sentence there, it says:

23 "Therefore given the historical
24 relationship between FLCN and Manitoba
25 Hydro, it is critical that FLCN be

1 given the time and opportunity..."

2 and it goes on,

3 "...to ensure the involvement of our
4 community and in particular our
5 elders."

6 Can I ask -- first of all, how much
7 time are we talking about? How much time do you
8 feel is necessary?

9 MS. AGGER: This is something that is
10 a general statement about the ongoing necessity.
11 We are currently asked to respond to a lot of
12 Hydro documents, and in doing so it makes it
13 difficult to -- because of strained resources and
14 bodies, oftentimes we find ourself unable to focus
15 on our own studies and on Fox Lake's own --
16 developing Fox Lake's own measures. And so we
17 have to struggle to maintain a balance between Fox
18 Lake studies and responding to Hydro and EIS
19 products.

20 MR. WILLIAMS: And I don't want to put
21 words in anyone's mouths over there, so if you
22 disagree with me, just shoot me down. But you
23 know where there's certainly within Hydro's plans,
24 they are planning to start construction in the
25 spring. You are aware of that?

1 MS. AGGER: (nodding).

2 MR. WILLIAMS: And I guess I'm just
3 asking for a bit of a sense of, is that kind of
4 schedule giving your community the time you need
5 for the very important deliberations that you
6 have? And I'm just curious about that.

7 MS. L. ROSS: I guess the short answer
8 would probably be no. I think this is more of an
9 all encompassing statement on behalf of Fox Lake,
10 because they have had so much Hydro development in
11 their area and they are trying to recover and
12 regain themselves as a community and as a people.
13 And they have recently signed onto the Keeyask
14 development project in which they are a partner.
15 Things have changed somewhat from back in the '60s
16 and there is more -- I do give some credit to
17 Manitoba Hydro that they are making efforts to
18 engage the community. It's still at a pace that's
19 much faster for a community that's trying to
20 rebuild itself, and having gone through all of the
21 Keeyask issues related to that, I mean, the
22 resources, the human, and the fear of what all the
23 developments are going to bring is a bit
24 overwhelming. So it's going to happen in the
25 spring. Whether it happens this spring, or if it

1 were to happen next spring, I think it's just a
2 general statement that these things are coming
3 again at Fox Lake. And they don't have -- it's
4 just our people trying to cope with what's
5 happening to them.

6 So, they'll respond as best as they
7 can to meet whatever is in front of them and to
8 deal with what's been put in place, but I don't
9 know that we can put a time and say, by the spring
10 they will be ready, or in five years they will be
11 ready, because they are dealing with a number of
12 factors.

13 MR. WILLIAMS: I thank you for that.
14 And we'll certainly, now that we have your
15 reports, I'll just -- we have some western experts
16 who have been waiting eagerly to see what Fox Lake
17 has to say. And on behalf again of our clients
18 and our experts, we thank you for your expertise.
19 Thank you very much.

20 THE CHAIRMAN: Ms. Ross, just
21 following on Mr. Williams's last question. Would
22 it work, if there is a serious endeavour to
23 address your concern on the part of Manitoba Hydro
24 working collaboratively with Fox Lake, could it be
25 done in parallel? In other words, Mr. Williams

1 asked if by next spring was enough time to address
2 your concerns, you said obviously, no. But would
3 it be feasible that Hydro could begin their
4 construction sometime next year, and at the same
5 time the serious endeavours to address your
6 concerns carry on in a parallel track? Could that
7 work?

8 MS. ANDERSON: I guess from a point of
9 view from Fox Lake, the time frame could be longer
10 for us, just for the community members themselves
11 to become really aware of the whole process. I
12 know that it's always provided to the community in
13 fragments, you know, on separate projects. But
14 for Fox Lake, they are always all intertwined and
15 interconnected. I think I mentioned that in my
16 presentation in Gillam. And it is difficult to
17 kind of separate them.

18 And I know for a Bipole III project,
19 it is stated for reliability purposes, but they
20 don't -- you know, for me as a Fox Laker and the
21 people I know in Fox Lake, they don't see it as
22 separately. And they mentioned it, I know some of
23 the elders spoke at the hearings, and they had a
24 chance to speak, but they spoke about the past and
25 the beginnings, because Fox Lake has never had a

1 chance to speak publicly on that. And I think you
2 also mentioned that this is the first time that
3 the Commission had gone to Gillam. So, you know,
4 from that view, the elders had not spoke of the
5 beginnings of the projects in the area. And you
6 know, looking towards the future, they look at
7 that experience from the past and kind of, you
8 know, trying to relate it to the current and, you
9 know, I think there is always -- that there was
10 more opportunity, like with the core group elders,
11 the one that Wendy mentioned. Like I think they
12 really want to get some of their ideas
13 acknowledged and worked on, you know. But it's
14 always time frames, deadlines, and we're always,
15 you know, chasing those. So kind of make a
16 balance with what the people want and, you know,
17 with the demands of the project themselves. It is
18 a balance and there could always be more time
19 provided.

20 THE CHAIRMAN: Thank you. I'm going
21 to have a few more questions later, but I turn to
22 other participants. Mr. Beddome -- yes, sir,
23 you'll get an opportunity. Mr. Beddome?

24 MR. BEDDOME: Thank you. James
25 Beddome, leader of the Green Party of Manitoba.

1 Thank you very much for your presentation. I
2 really appreciated it.

3 I only have a couple quick questions,
4 similar to Mr. Williams, and I know you have
5 already answered him, but I just wanted to
6 indicate I also would be interested in your
7 comment on page 7, of the further information you
8 could provide the Commission. I am not sure, you
9 know, once again, that's your request saying that
10 you have provided your comments on the EIS to
11 Manitoba Hydro and could provide it to the
12 Commission, if needed. I also would be
13 interested. I understand if it can't be shared,
14 then that's fine as well, but I just wanted to
15 indicate that. And thank you for your
16 presentation.

17 I had just two quick questions, the
18 one is really easy. In this slide presentation at
19 page 8 there's a picture of the caribous crossing
20 the road. I just want to know when approximately
21 that picture was taken?

22 MS. W. ROSS: That picture was taken
23 in December of 2010.

24 MR. BEDDOME: December of 2010.

25 MS. W. ROSS: By Jessie Anderson,

1 she's our elder.

2 MR. BEDDOME: And you said there was
3 sort of a concerted effort to capture them on
4 camera by some of the elders -- you said there was
5 a bit of a concerted effort by some of the elders
6 to try to capture the caribou on camera, a part of
7 the study. What was the approximate time frame
8 that that was carried out over?

9 MS. W. ROSS: Okay. You have to
10 repeat your question again, I'm sorry, I couldn't
11 hear you.

12 MR. BEDDOME: Okay. I'll try again.
13 I was just saying, when you mentioned there was a
14 concerted effort by the elders to capture the
15 pictures of the caribou as part of your AK study,
16 I just want to know what the approximate time
17 frame that that was carried out over?

18 MS. W. ROSS: The whole TK project, it
19 started in October of 2010, and the writing phase
20 and concluded last December 2011. The paper was
21 submitted to Manitoba Hydro on December 16th, and
22 it became available for people to review on the
23 Hydro website.

24 MR. BEDDOME: Thank you. That helps a
25 lot.

1 The other one was -- it's in the
2 report at page 9. You guys, I guess it starts on
3 page 8, I suppose, but there's talk about at the
4 very bottom of the paragraph you mentioned:

5 "Unfortunately, the nine step plan has
6 not been advanced due primarily to the
7 efforts by Manitoba Hydro to set up
8 the lower Nelson River sturgeon
9 stewardship committee."

10 I just wondered if you can comment on
11 that and provide some background as to what you
12 mean, and how that plan differs from your nine
13 step plan, et cetera?

14 MS. AGGER: I guess the major
15 difference is that the nine step plan that Fox
16 Lake kitayatisuk, it was the core group who
17 developed that, is a First Nation lead plan. The
18 major difference is that the committee is a Hydro
19 driven process.

20 MR. BEDDOME: Sorry, what was that?

21 MS. AGGER: The lower Nelson River
22 sturgeon committee is a hydro driven process.

23 MR. BEDDOME: Okay. And I guess you
24 feel that there's been a tendency to go towards
25 the Hydro driven one, rather than having one

1 driven by Fox Lake or other communities that are
2 impacted?

3 MS. AGGER: Fox Lake has not made its
4 decision about whether it will participate in the
5 committee or not.

6 MR. BEDDOME: Thank you. And then
7 sort of right following after that, this is just a
8 real quick question, but the second question of
9 the Commission that you answered, you sort of
10 mentioned that it's impossible to separate and
11 compartmentalize impacts of multiple
12 constructions. That's certainly something that is
13 actually the reason why the Green Party of
14 Manitoba is participating in these hearings,
15 because we feel that there's a need to consider
16 the totality of the development. But my question
17 is just sort of really quick, which would be, if
18 Bipole III is built, right now it's unclear
19 whether, you know, or at least it's unclear
20 whether they will or will not move forward with
21 Conawapa, but if Bipole III is built, do you think
22 it is more or less likely that Conawapa will be
23 built?

24 MS. L. ROSS: You're asking if that's
25 our view?

1 MR. BEDDOME: I am just wondering what
2 your opinion is. Obviously, you studied it, but I
3 am just curious, you're talking about the
4 interconnection. So if it was built, is Conawapa,
5 in your opinion, more or less likely to be built
6 then?

7 MS. L. ROSS: Well, I think that, just
8 kind of based on the development that's happened,
9 and we think that if Bipole III is built, and we
10 expect that at some point, yeah, Conawapa would be
11 there. It's been talked about for a number of
12 years and, you know, if something else happens and
13 it's not built. But, you know, we don't have
14 that -- that's kind of an economic type of
15 question that we don't really have that expertise
16 to say whether or not it will or will not be
17 built. We just kind of react in a lot of ways to
18 what the Hydro development could be, and what
19 those potential, if it is built, what we
20 anticipate those impacts would have on our
21 community.

22 MR. BEDDOME: Just the last one, it's
23 more just process. I'm hoping you were able to
24 provide the Commission secretary with digital
25 copies of your slide show presentation? The

1 reason I ask that is that because the colours on
2 some of the maps would certainly be appreciated to
3 have them in colour format so that you can better
4 interpret them.

5 MS. L. ROSS: Yes, they do.

6 MR. BEDDOME: Thank you very much.

7 THE CHAIRMAN: Thank you, Mr. Beddome.

8 Mr. Stockwell, do you have any
9 questions?

10 MR. STOCKWELL: I don't, Mr. Chairman.

11 THE CHAIRMAN: Thank you. Sir, yes,
12 come forward, please? Do you have questions for
13 these panelists?

14 MR. ROSS: Good morning. I am
15 thankful for a chance to be heard.

16 THE CHAIRMAN: Yes, and you have
17 questions for --

18 MR. ROSS: I have a comment.

19 THE CHAIRMAN: Could you please state
20 your name for the record?

21 MR. ROSS: George Ross. I am
22 originally from Pimicikamak Cree Nation, Cross
23 Lake. I work with schools, I work with schools
24 right now, the First Nation schools. You don't
25 have an interpreter here?

1 THE CHAIRMAN: No, we don't, sir.

2 MR. ROSS: I would be able to tell my
3 story in my language from the heart. No? Okay,
4 I'll try my best to speak in English.

5 There is a couple of times in my life
6 that experienced death, the feeling of death. I
7 was in high school, I don't know, in my teens that
8 I -- I went to high school outside of Cross Lake,
9 and it was the time that Hydro start building that
10 Jenpeg project. And I was growing up in Cross
11 Lake as a young boy, and I thought that it was
12 paradise. It was the most beautiful place on
13 earth. You know, as a little boy I would go
14 around the land and the water, the water was the
15 giver of life. And we used to fish, they are
16 talking about fishing there, just down the bank of
17 my house, and I used to make my own fishing line
18 and fish for perch. And we'd catch them and it
19 was so easy.

20 So off I went to high school, and I
21 seen Jenpeg being built as I was going through
22 high school. And then when it was finished, I
23 happened to come home, and I saw the devastation
24 of the environment, my homeland. I could throw a
25 stone across -- it's when Hydro shut down the

1 water. You could walk across the mighty Nelson
2 River, Kischi Sipi.

3 At times when power was needed,
4 because we live along the river, the water was
5 right near our doorstep.

6 So that first instance when I went,
7 when I went home, when I saw the land, I felt a
8 sense of death. Something had died. And that's
9 one instance.

10 The second time that I felt this was a
11 few years back, we went on a summer trip to
12 Wounded Knee, South Dakota. As I was going down
13 that valley, I felt the same, the same feeling I
14 had when I first saw, when Jenpeg was done, what
15 the water was doing to the river.

16 So going through that Wounded Knee, I
17 felt that feeling of death. It's something
18 that -- it's inexplicable, just like today.

19 The third time was two years ago when
20 I started working at the Fox Lake School, my first
21 visit into Fox Lake to see the school, and to see
22 the community, to work with the teachers. We had
23 to go, there was no place to stay in Fox Lake, to
24 I guess what they call Bird. So we went into
25 Gillam. But near Gillam, when I saw that, the

1 massive, massive Hydro dams, that was the third
2 feeling of death I felt. That feeling you can't
3 describe, maybe if you felt that in your lifetime,
4 what happens, the hair on your back stand up, the
5 feeling. And that's the third feeling I had.

6 And when we look at this, and we look
7 at whatever is going to be built on the Cree
8 traditional territory, what are we going to get
9 out of it?

10 As keepers of the land, Inniniwak, the
11 Creator said you are going to be the keepers of
12 the land, protect the land. And we are not doing
13 it, it's not going to happen. But, you know, the
14 presentation the Fox Lake people had was very
15 good. It had that feeling of it. There's some
16 feeling, there's a spirit in that presentation.
17 And if you lived on the land, if you lived on that
18 river, you would have that same feeling, you know,
19 that feeling of protecting the land.

20 Once it's destroyed, what will we get
21 out of it? Not just for the First Nations people,
22 but everybody will suffer. And there's so much
23 happening right now, and we need to take a step
24 back because we're destroying our land, we're
25 destroying -- our great grandchildren, are they

1 going to benefit from this? Everybody, all
2 mankind, three generations, four generations? If
3 the water is destroyed, life will be gone.

4 I thank you all.

5 THE CHAIRMAN: Thank you very much,
6 Mr. Ross. Questions from panel members?

7 MR. GIBBONS: First, thank you very,
8 very much for your presentations, including the
9 one in Gillam as well.

10 I'm looking for a little bit more of
11 an understanding of the consultation that has
12 taken place so far, and what you would like to see
13 Manitoba Hydro do in order to improve the
14 consultation process that you have already
15 experienced? If I could get a little bit more on
16 that?

17 I'm getting some of that sense from
18 some of the presentation, and also in terms of the
19 answers, for example, to Mr. Sargeant's question
20 as the most recent example. But what have they
21 done so far by way of consultation, and how would
22 you like them to proceed? I think we get a good
23 sense of the idea of the collaborative effort in
24 the science. I think that part is clear -- but in
25 a more general sense?

1 MS. AGGER: Well, I can offer one
2 example. What we have been trying to do is to --
3 we have our core group which assembled a couple of
4 years ago. And what we began doing with Hydro's
5 consultants, its engineers, its consultants on the
6 technical studies, is bring those individuals who
7 can answer the questions that the community has,
8 bring them to Fox Lake, and get those two groups
9 together. And we have started doing that, but we
10 would anticipate there's more -- this is a new
11 reality. So if Hydro has proposed a study, we ask
12 that their consultants come to meet with the core
13 group to discuss the study with them, and for the
14 core group to have input into the development of
15 that study. And also we ask that our members
16 participate, and then also be informed of the
17 results of the study.

18 So this is how we're trying to work
19 with Hydro to have more collaboration. But we
20 would need that process that we have started to
21 continue.

22 MR. GIBBONS: And sorry, would there
23 be as well need for more meetings beyond the core
24 group, with the community at large, for example,
25 would that be a useful element?

1 MS. AGGER: It would, yes, indeed.
2 The great thing about the core group is that they
3 are incredibly engaged and committed, and they
4 assembled because of their keen interest and
5 knowledge base. What we try and do, though, too
6 is -- these are open meetings, so even though the
7 core group is there, anybody from Fox Lake can
8 attend.

9 MR. GIBBONS: And perhaps the last
10 follow-up for me is, I get from the first response
11 that part of the concern is that you are getting
12 involved, in a sense, after initial decisions have
13 already been made. And what you're looking for is
14 to be there at the beginning of the process, not
15 towards the end?

16 MS. AGGER: Absolutely.

17 MR. GIBBONS: Is that a fair way of
18 assessing what you've said?

19 MS. AGGER: Yes.

20 MS. ANDERSON: I just want to add to
21 Leslie's comments.

22 There has been consultations with the
23 overall community. We have had -- I guess it's on
24 the status of negotiations, and gathering input
25 from our members on what's in the agreement, our

1 draft agreement. We have tried to make an effort
2 in this round with the Bipole III and Keewatinoow
3 converter station to reach out to the youth as
4 focus groups, to the women, to the elders, and
5 overall general. But we have, you know, it's been
6 a lot of, I guess a lot of the input from the
7 committee members is -- I don't know how to put it
8 in words -- like they want much more, they want
9 much more than what is being offered, and they
10 want a bigger part of the benefits, which is part
11 of the negotiations, like business opportunities,
12 those types of benefits, but also just continuing
13 to address the adverse effects. You know, we view
14 them as cumulative among all the projects. So
15 those are the types of stuff that we want to
16 ensure that the community is knowledgeable on,
17 what is in the agreement and what is being
18 offered, and if they are going to support those
19 aspects of the agreement. So we do -- we are
20 making effort to reach out to all the members of
21 the community.

22 MS. L. ROSS: Can I just add one small
23 little point to that?

24 We do receive and have received money
25 from Manitoba Hydro, and we have met at kind of a

1 negotiation type level with them where they have
2 shared their information with us. And I guess in
3 their view that's part of the consultation
4 process.

5 Our difficulty has been to take that
6 information then back to the community and try and
7 translate all of that to a level that they can
8 understand. And I think that's where our
9 difficulty is. If we meet in Winnipeg, there's no
10 problem, we can meet bi-weekly or we can talk, and
11 they can prepare their presentations, and we
12 certainly have people that we hire to help us
13 understand what that information is as well. But
14 it's the time frame to take a lot of that and take
15 it back to the community, and have the community
16 feel comfortable and to feel part of the process,
17 and that's the part that takes a little bit longer
18 than sitting across the table, or at a table with
19 Manitoba Hydro and exchanging some of that
20 information. So it's taking that back from our --
21 even our level at the negotiations office back to
22 the community, and trying to decipher that and put
23 that in a manner that they feel they understand
24 and that they can then be comfortable with. So
25 that's where a lot of the consultation, if you

1 will, takes longer for Fox Lake.

2 MR. GIBBONS: Thank you very much.

3 That was very helpful, thank you.

4 THE CHAIRMAN: Brian?

5 MR. KAPLAN: You can all relax, I have
6 no searing questions of any of you. I do have one
7 question, however, for one of your panel members,
8 and that is, are you the Wendy Ross who prepared
9 the Keewatinoow converter station and Bipole III
10 report that I read probably about nine months ago?

11 MS. W. ROSS: Yes. I was the main
12 research coordinator and I wrote the draft, and
13 all our advisers and our team members and our
14 kitayatisuk had an opportunity to vet it and
15 provide input. So I was the main person for that
16 project.

17 MR. KAPLAN: Out of the 10 to 50,000
18 pages of material I have read so far while I have
19 been on this panel, I can advise you, without
20 giving away what I think I may conclude in the
21 end, is that I found it extremely helpful, the
22 research that you did, and that the report itself
23 was something that I have never forgotten reading
24 from all the vast material. You should know that.
25 And also that the panel has presented very well

1 the positioning of Fox Lake here.

2 THE CHAIRMAN: Thank you, Mr. Kaplan.
3 Wayne?

4 MR. MOTHERAL: My comment and question
5 will be short but very -- I mean it with my heart
6 too. Your community, along with Gillam, was our
7 first entrance into our travelling show that we
8 had, and we were treated with respect by both Fox
9 Lake Cree Nation and Manitoba Hydro, and we
10 enjoyed our three or four days there.

11 My question to you could be answered
12 in simple yes or no: Is your association in the
13 past few years with Manitoba Hydro, with all your
14 concerns, et cetera, has it been improving? Is it
15 better than it was ten years ago? I would hope
16 I'd hear an affirmative answer.

17 MS. ANDERSON: Yes, yes, it has. I'll
18 leave it at that.

19 MR. MOTHERAL: And I'm not trying
20 to -- I take it you still have a lot of concerns,
21 we realize that. But the treatment we had up in
22 your community was a positive experience, and
23 hearing your concerns also. But I was lead at the
24 end to say that you are working together.

25 MS. L. ROSS: Yes. And I think that

1 there's two parts to that. I think certainly on a
2 business level between our Cree Nation and Fox
3 Lake, as those two entities, overall I think the
4 relationship has certainly improved, and Manitoba
5 Hydro has certainly come a long ways in terms of
6 the relationship that it has had since the '60s
7 with Fox Lake.

8 Having said that, there's certainly a
9 lot of room to grow at the local level, where you
10 have the people living side by side on a daily
11 basis. And I think there may be certainly some
12 improvement, there's a long ways to go at that
13 level.

14 MR. MOTHERAL: Thank you so much.

15 Do you always eat that much at mid
16 morning? When we met with the elders, I couldn't
17 believe it. That was like a lunch. Thank you.

18 MS. MacKAY: My first question, I'm
19 sorry to have to ask it, but when you speak of
20 your harvesters and core group, you use the word
21 kitayatisuk?

22 MS. W. ROSS: Kitayatisuk means people
23 who hold the wisdom of our ancestors. That's from
24 my understanding on how that's translated. But
25 kitayatis is singular, one person.

1 MS. MacKAY: Thank you. I'd like to
2 ask if you can give me any information around your
3 comments on monitoring and access management. You
4 want to have monitors to work with Hydro, and then
5 in terms of access management, you want to have
6 Fox Lake aski officers as equivalent to
7 conservation officers. Can you give me any sense
8 of how long it would take you for each of these,
9 if you moved ahead with it, to have people in
10 those kinds of positions?

11 MS. AGGER: So currently, I'll just
12 say that there is a lot of informal monitoring
13 that is happening right now by people who are
14 there all the time. The problem is that there is
15 no formalized structure to deal with the things
16 that they are observing. So one of the things we
17 had discussed is training, Manitoba Hydro will be
18 providing training to its environmental
19 inspectors. And we would like to suggest that the
20 independent Fox Lake monitors, who would be those
21 who are currently there now monitoring informally,
22 receive that type of training as well. And that
23 they work -- we develop a process where
24 information flows directly between Fox Lake
25 monitors, Manitoba Hydro, and the core user group

1 and other harvesters. And we anticipate that this
2 process will be collaborative and cooperative.

3 We currently have a lot of concerns
4 with how the monitoring has been designed by
5 Manitoba Hydro, because there is very little input
6 from First Nations people, and there's a lot of
7 discretionary decisions that are made by a single
8 individual who is the project manager. Also there
9 is nobody there on a consistent basis to ensure
10 that the contractors are actually abiding by the
11 regulations. But also maybe the regulations don't
12 go far enough in that Fox Lake would actually like
13 to develop its own criteria for what should be
14 monitored and how monitoring should happen. But
15 we anticipate this to be a parallel process, but a
16 collaborative process.

17 MS. MacKAY: Somewhat related to that,
18 in the slide show you told us that one of your
19 recommendations was a comprehensive recovery
20 strategy for the local landscape. I think the
21 further north you go, the more difficult it
22 becomes to establish plants once the landscape has
23 been changed. Do you have information at this
24 point on techniques you might be able to use to
25 repair some of that landscape?

1 MS. AGGER: I would say that the
2 elders probably do. But we know that one of the
3 things that we'd like to do is actually, say work
4 with an ecologist and probably also maybe even a
5 landscape architect, and have those two
6 individuals work directly with the core group.
7 And that's why we also called for vegetation
8 studies. Because it may be that, you know,
9 historically, there were abundant berry patches,
10 but it may not be possible for those berry patches
11 to be -- or we may have to try different things so
12 that those berry patches can be rehabilitated.
13 But the point is that if Manitoba Hydro makes
14 those decisions about how rehabilitation occurs,
15 there's no input for Fox Lake, or the elders, or
16 the youngers to have input into how the landscape
17 should be restored.

18 MS. MacKAY: Thank you.

19 THE CHAIRMAN: I'd like to echo the
20 comments of my colleague, Mr. Kaplan, as to the
21 quality of the work that we have seen out of Fox
22 Lake over the last number of months, and
23 culminating in your outstanding presentation this
24 morning. You have set the bar very high for those
25 who are going to be presenting over the next

1 couple of weeks, and I hope they are all paying
2 attention.

3 I have three or four questions and
4 they bounce around a bit.

5 I'm looking at your position paper,
6 which we received in August. You had a number of
7 points on page 10, but one of them is just the
8 name Keewatinoow is inappropriate and should be
9 changed. I'd like to just ask about that. I did
10 ask, when we were in Gillam I asked about that,
11 and he thought it was the pronunciation and
12 spelling that was the problem. But could somebody
13 discuss that?

14 MS. W. ROSS: One thing is that our
15 language is very diverse, very different dialects.
16 We have different ways of saying things. And it
17 could be just a difference between the different
18 communities. I know some people in Gillam say
19 Keewatinoow, and then some people say Keewatinow.
20 To me, it's just the difference in language, the
21 same language but different way of saying it. And
22 some people will say that their Cree is right and
23 some people will say that their Cree is wrong.
24 But, again, just to remind everybody that our
25 language is oral, we didn't start writing it down

1 until the missionaries came. So it's the Roman
2 orthography that -- we're still trying, since we
3 are oral, we're finding ways to learn to spell.
4 Like, for example, like some elders also this
5 is -- our kitayatisuk, Jessie, like she corrects
6 the Cree whenever -- she helps me a lot. And
7 where she lives, she refers to the area as
8 Keewatinoow, but I know there's people who say
9 Keewatinoow. I just think it's the dialect. And
10 from just listening to Fox Lake people telling me
11 their perspectives, I have a feeling that when
12 they are trying to name the name, the name was
13 just -- another dialect was used rather than our
14 dialect. That's from my understanding of that.

15 THE CHAIRMAN: So the name is not an
16 insurmountable problem?

17 MS. W. ROSS: Pardon me?

18 THE CHAIRMAN: The name is not an
19 insurmountable problem?

20 MS. W. ROSS: Well, for a lot of
21 people in Fox Lake, yes, it is a problem because
22 it is their area and that is their language, and
23 the way they say it there, that's how they say it.
24 Another Cree community maybe a hundred kilometres
25 away may say Keewatinoow.

1 THE CHAIRMAN: So it could be
2 addressed with just a different spelling?

3 MS. W. ROSS: Yes. The way we spell
4 our Keewatinoow as --

5 MS. AGGER: Could I offer a
6 suggestion? What we've done, because we did a
7 history project a while back and we had a lot of
8 discussion about spelling and pronunciation. What
9 we did is we acknowledged that there are many ways
10 to spell and use the Roman orthography, and there
11 are different pronunciations, and neither is wrong
12 or right, it's just appropriate for different
13 contexts and different groups of people.

14 THE CHAIRMAN: Okay. Thank you. I'd
15 like to talk a little bit about the ATK and the
16 process for doing that. In your August position
17 paper, you referred to the lack of references, and
18 had a concluding sentence on that bullet of, in
19 fact, ignorance of the entire document is evident.
20 You have spoken today about the fact that it
21 doesn't seem to have been -- well, a lot of Fox
22 Lake Aboriginal knowledge has either been ignored
23 or not incorporated into the EIS.

24 Is there a better way -- I mean, you
25 have talked about meetings between Hydro and their

1 consultants and your core group or others in your
2 community -- is there a better way of doing this?
3 Should the Aboriginal knowledge be sought first,
4 long before they ever get around to doing the EIS?

5 MS. AGGER: I mean, ideally,
6 absolutely. Fox Lake has always argued that its
7 traditional knowledge should come before the
8 science. If that's not possible, then at the very
9 least, concurrent to studies.

10 THE CHAIRMAN: But if it's
11 concurrent --

12 MS. AGGER: Concurrent with.

13 THE CHAIRMAN: -- it might not, it
14 still might not overly influence the EIS, the
15 science. If it's done beforehand, then that can
16 influence what science has chosen, or what VECs,
17 the term used, are chosen. Would that work
18 better?

19 MS. AGGER: It would work better. And
20 what would make it even better than that is that
21 there is a continual input from local people on
22 how that science is conducted. I would even
23 suggest that, because there's a lot of interest in
24 Fox Lake, that Fox Lake, these knowledgeable
25 kitayatisuk actually lead and conduct some of the

1 sampling or the studies. There's no reason why
2 they can't.

3 THE CHAIRMAN: Thank you. Some
4 specific questions. Ms. Agger, in your paper you
5 talked Goose Creek, and the fact that impacts on
6 this creek are classified as insignificant, and
7 it's proposed that grey water will be dumped into
8 it?

9 MS. AGGER: Yes.

10 THE CHAIRMAN: That's correct, is it?

11 MS. AGGER: Yes, it's in the EIS.

12 THE CHAIRMAN: And this is a brook
13 trout stream?

14 MS. AGGER: Yes.

15 THE CHAIRMAN: Is it still an
16 active --

17 MS. AGGER: My understanding is that,
18 yes, it is.

19 THE CHAIRMAN: So there are still a
20 significant number of brook trout in that stream?

21 MS. AGGER: And that was just an
22 example. There are a number of unnamed creeks
23 which have also been identified by Fox Lake
24 kitayatisuk as being important brook trout
25 streams, but those were not identified in the EIS.

1 THE CHAIRMAN: Okay. I think perhaps
2 in both papers this morning, you have talked about
3 controlling hunting and fishing. And actually one
4 thing struck me this morning during one of your
5 presentations, Manitoba Hydro has talked about
6 putting in a lot of restrictions on workers living
7 in the camps on fishing and hunting, and those are
8 probably achievable. But it didn't occur to me
9 until one of you said that the Town of Gillam is
10 projected to double in size over the next few
11 years, and they wouldn't come under the same
12 restrictions that are in the camp.

13 So how might we address -- or we the
14 general, the big picture we, rather than just we,
15 the Clean Environment Commission -- how might we
16 address that concern? Because, you know, another
17 thousand or so people living in Gillam itself
18 wouldn't have those restrictions.

19 MS. AGGER: Well, one of the things
20 that the core group has talked about is having a
21 direct input into how many and where licences are
22 issued. I mean, it could be that it's necessary
23 to have hunting and fishing closures altogether,
24 it could be, that could be a possibility. But,
25 yeah.

1 THE CHAIRMAN: Thank you. This is
2 just something I have never heard of before, cold
3 water steeps. What are they?

4 MS. AGGER: Now, I am not an aquatic
5 specialist, and that was something that our
6 aquatic adviser, Dr. Terry Dyck had raised. My
7 understanding is that they are up-wellings of cold
8 water, and that those are brook trout habitat.
9 But if you require further details, I can
10 certainly provide those.

11 THE CHAIRMAN: No, I think that's
12 sufficient, just the fact that it's important to
13 the brook trout is enough.

14 You write that Fox Lake has begun the
15 process of developing its own Environmental
16 Protection Plan. Where is that at?

17 MS. AGGER: It is very preliminary,
18 but it is very important to us, so we'll be
19 reshifting our efforts so that we develop that in
20 collaboration with the community as soon as
21 possible. But it does require the support of
22 Manitoba Hydro as an entity, as a unit, as a
23 working together among its own departments to
24 actually see that happen.

25 THE CHAIRMAN: Thank you. I think

1 that answers all of my questions. Any other
2 questions?

3 Well, again, thank you very much for a
4 very good presentation this morning. I want to
5 thank the four of you individually for coming
6 out -- I'm sorry. Oh, we've got other people in
7 the audience. We'll ask him to come forward, sir.

8 MR. MCLEAN: (Native language spoken).
9 My name is Gary McLean, I'm a member of Lake
10 Manitoba First Nation. I am just a member, I'm
11 not involved with the community as such, even
12 though -- but more recently I just got elder
13 status, which is awesome.

14 I just want to, I'm sure it's just
15 oversights, and I'm sure -- or I want to believe
16 they are oversights from your part, from the
17 nation and also from Manitoba Hydro and the panel
18 itself. I noticed in your documents there is no
19 mention of any Treaty territory in the area. I
20 know Fox Lake, it has only come in the last 70
21 years, but I don't -- I want to know why is it not
22 being mentioned in your documents? That all of
23 them -- like for example, Manitoba is covered with
24 like by five Treaties. I'm just asking that
25 question out loud. And I'm sure it's an oversight

1 from the Cree Nation's side. And Manitoba Hydro,
2 I mean, I was just jokingly saying, I'm not white
3 enough.

4 The other part, is there a reason why
5 the Commission didn't appoint any First Nation, be
6 it Cree or Ojibway or Dakota or Lakota? Same with
7 Manitoba Hydro, is there a reason why Manitoba
8 Hydro doesn't have an Anishinaabe person as part
9 of their panel? I'm sure you may have them in the
10 background, but is there a reason why you don't
11 have visible Anishinaabe people as part of your
12 Commission or as part of your panel?

13 Those are the two questions I have, or
14 observations. I'm not looking for an answer, it's
15 just an observation.

16 I mean, and we say the word
17 Keewatinoow, that's how we say our word,
18 Keewatinoow. And the word for (Native language
19 spoken) is the word for Ojibway, just for the
20 young lady asking here earlier.

21 So, as you may or may not be aware,
22 there's roughly, as of today there's roughly only
23 31 dialects left in the country, and there's nine
24 of them here in Manitoba, different dialects of
25 Cree, Ojibway, Lakota, Dakota. And of course, the

1 more recent one is the Oji-Cree. And Michif is
2 another language that had just been born in the
3 last 25 years. I just wanted to sort of point
4 that out. And I want to thank you for allowing me
5 to speak.

6 THE CHAIRMAN: Thank you, Mr. McLean.
7 Just on your comment, I can't speak for Manitoba
8 Hydro, of course, but on your comment about the
9 panel, we do have one -- we have a roster of about
10 15 people from whom I select the panel to conduct
11 these hearings. We do have a member from
12 Opaskwayak Cree Nation. Fortunately for her, I
13 guess, she has a full-time job. Unfortunately for
14 us, she has a full-time job. Because as anybody
15 who has been involved in this process knows, the
16 panel members, it's a full-time job for three or
17 four months. So somebody -- plus a part-time job
18 for about a year -- so somebody who has a
19 full-time job, as this woman from OCN does, is
20 simply not able to participate on our panels.

21 We have had other members in the
22 Wuskwatim process. We did have a member of the
23 roster who was a member of the panel as well. He
24 went on to become elected chief of his community
25 and felt that he had to resign from the Clean

1 Environment Commission.

2 But thank you for the question.

3 MR. MCLEAN: Miigwech.

4 MS. L. ROSS: Just to speak to your
5 question about why we don't have specific
6 reference to the Treaties. I think over and over
7 again in our presentation we talked about our
8 traditional territory, which we see as being
9 recognized through the Treaties. And we
10 deliberately didn't include that in this
11 presentation and wanted to make it very specific
12 to what we thought could affect Manitoba Hydro.
13 And in our minds, Manitoba Hydro has nothing to do
14 with our Treaties. Our Treaties are elevated
15 beyond and above Manitoba Hydro and are at a
16 different level between our elected council and
17 those elected leaders of the Province of Manitoba
18 and the Government of Canada. So that's why. But
19 we do make certainly reference to our traditional
20 territory, which goes above and beyond any
21 demarcations that Manitoba Hydro makes or the
22 Province of Manitoba, and what defines our
23 territory of Fox Lake.

24 MR. MCLEAN: Miigwech.

25 THE CHAIRMAN: Thank you. Are there

1 any other questions from members of the audience.

2 Sir?

3 MR. KEHLER: Good morning, ladies from
4 Fox Lake Cree Nation. It's good to see you. I
5 had a chance to speak with you before you came up
6 to do your presentation.

7 My name is Irwin Kehler. My legal
8 address is in Thompson, Manitoba. I know quite a
9 few leaders from past and present from Fox Lake
10 George Neepin and so forth, and the current chief,
11 I also know from past work when I was working at
12 the Nisichawayasihk Cree Nation, or NCN. Your
13 current chief was working there with the NCN
14 family community and wellness centre.

15 I wanted to make one specific point.
16 I am making all kinds of observations, but this
17 one I just wanted, Mr. Sargeant, to make this one
18 observation. What caught me here in this
19 presentation is that picture. One of the
20 presenters on the Fox Lake Cree Nation panel had
21 mentioned that island might disappear.

22 Now, I spent two years as an adviser
23 with the Manitoba Association Native Fire Fighters
24 to the board of directors, Charlie Hart from NCN
25 was the president, the late Charlie Hart. Well,

1 in the discussion when they were doing the pre
2 referendum for Wuskwatim Hydro development
3 project, I sat one on one with Charlie, and he
4 said to me, Irwin, the island that's in the middle
5 of where they are going to build the dam, he says,
6 I have a problem, and it's a personal
7 philosophical problem that I have to deal with in
8 regards to deal with in regards to being part of
9 the promoters of Wuskwatim in my community at NCN,
10 but also from a personal level. I was raised by
11 my grandparents. There is an island where they
12 are going to build the dam.

13 Now, the Wuskwatim dam is built and
14 that island no longer exists. So the Spider
15 Island, that's what that means to me, remembering
16 my long time friend and boss, Charlie Hart, the
17 president of the Manitoba Association of Native
18 Fire Fighters. And he said to me, he says, I'm
19 caught in a catch 22, where I want my future
20 generations, my children, grandchildren, to have
21 jobs, economic development, which is what the gist
22 of Wuskwatim was. But on the other side of the
23 fence, or this issue, personal issue with him was,
24 how do you say it, my grandparents raised me, and
25 they used to take me fishing to that island that

1 disappeared. So that's the impact of that. And
2 how do you say it? It's a powerful statement from
3 the late Charlie Hart.

4 And I just want to make that as a
5 point, Mr. Sargeant.

6 And I really appreciate your
7 presentation. That's how powerful this
8 presentation that you bring to the table here is.
9 And it's too bad you didn't have some elders to
10 help you with the interpretation. Miigwech.

11 THE CHAIRMAN: Thank you, Mr. Kehler.
12 Any other questions? Yes, ma'am.

13 MS. H. AGGER: Helen Agger (Native
14 language spoken). I just wondered if the people,
15 the presenters over here, if they have any time
16 frames in terms of when they expect to have a
17 response from Manitoba Hydro with regards to their
18 position paper? Miigwech.

19 MS. L. ROSS: It was shared with
20 Manitoba Hydro. We did let them know that it was
21 something that we had asked that they file on our
22 behalf, along with their Environmental Impact
23 Statement. So they are aware of it, and we have
24 had kind of some off-line discussions on it. I
25 don't know that we are having a formal response,

1 but we are having discussions, ongoing discussions
2 with Manitoba Hydro on it.

3 MS. H. AGGER: Because I see you have
4 a lot of very important issues that you raise, and
5 that you have them all listed in your bullets on
6 page 10. So I see that as really critical to the
7 process of your working with Hydro. Miigwech.

8 THE CHAIRMAN: Thank you very much.
9 Any other questions?

10 Okay. Well, once again I'd like to
11 thank you very much. I'd like to thank the four
12 of you individually for coming out here this
13 morning. I'd like to thank the elders and
14 harvesters and other members of your community who
15 worked with you to develop these presentations.
16 I'd particularly like to thank, or I'd also like
17 to thank Karen Anderson for her efforts in Gillam,
18 when she had a number of members of the community,
19 a number of elders in the community come out to
20 present to us. It was a moving experience. It's
21 something that we will long remember. And it also
22 I think contributed greatly to our understanding
23 of the impacts on your community, Fox Lake, of
24 these projects over the last half a century. So
25 thank you very much.

1 And as I have said to other
2 presenters, we will very seriously consider
3 everything that you presented. I can't guarantee
4 that we'll be able to give you everything that you
5 would like, but we will certainly -- it will
6 certainly inform our decisions. So again, thank
7 you.

8 MS. L. ROSS: Thank you.

9 THE CHAIRMAN: We'll take a short
10 break. I'm not sure if the next presenter is
11 there, so it may end up being a longer break, but
12 we will take a short break to see what is up, and
13 we'll come back in about 10 or 15 minutes and see
14 if we're going to resume anything before lunch
15 time. Let's come back in about ten minutes and
16 see where we're at.

17 (Proceedings recessed at 11:27 a.m.
18 and reconvened at 11:35 a.m.)

19 THE CHAIRMAN: Could I have everyone's
20 attention for a minute? You don't need to rush
21 back to your seats. Our next presenter is not
22 here. Manitoba Hydro will be presenting their
23 environmental protection plan, et cetera. But we
24 are not going to start that now. So we'll take an
25 extra long lunch break. Please come back for one

1 o'clock sharp.

2 (Proceedings recessed at 11:36 a.m.
3 and reconvened at 1:05 p.m.)

4 THE CHAIRMAN: Good afternoon. We
5 seem to have the technical glitches worked out
6 right now, so we're able to proceed with the
7 afternoon's presentation on environmental
8 protection plan and others. I'd first like to
9 welcome four students from Red River College
10 Creative Communications program who are sitting in
11 for the afternoon and who, as part of a class
12 project, may well be trying to pin some of you for
13 interviews during our breaks and afterwards. I
14 told them that would be fine, but I couldn't
15 guarantee what information they might be able to
16 drag out of you. So if you are approached,
17 cooperate as much as you can, please.

18 Now, I can't recall, have either of
19 you been sworn in yet? Okay. Ms. Johnson.

20 MS. JOHNSON: Could you please
21 statement your names for the record.

22 MR. ORTIZ: Wayne Ortiz.

23 MR. MATTHEWSON: James Matthewson.

24 Wayne Ortiz: Sworn

25 James Matthewson: Sworn

1 THE CHAIRMAN: Go ahead.

2 MR. ORTIZ: Thank you, Mr. Chairman,
3 commissioners, ladies and gentlemen, good
4 afternoon. My name is Wayne Ortiz. I joined
5 Manitoba Hydro in 1989. Until 2006 I was employed
6 as a forester in the forestry department at
7 Manitoba Hydro. My current role is as an
8 environmental officer in the transmission line
9 asset services department in the transmission line
10 construction and line maintenance division. I
11 have an honours Bachelor of Science degree in
12 forestry from Lakehead University. Today I would
13 like to present to you an overview of Manitoba
14 Hydro's approach to vegetation management,
15 maintenance on transmission line rights-of-way.

16 Manitoba Hydro has in its existing
17 system approximately 11,200 kilometres of
18 transmission line right-of-way, and that covers
19 approximately 50,500 hectares. The transmission
20 line maintenance department is responsible for all
21 aspects of maintaining these lines, but does so
22 with the support of five other main groups at
23 Hydro. Transmission line construction who, of
24 course, builds the lines in the first place.
25 Transmission line design sets the standard

1 facility requirements and the design standards.
2 Transmission line asset services, who is a group
3 of specialists, technical support. Manitoba
4 Hydro's Aboriginal relations community liaison
5 department helps us engage other program
6 activities with the resource management area
7 holders and other Aboriginal groups with local
8 interests. Licensing and environmental assessment
9 department helps us identify sensitive sites,
10 prepare mitigation strategies and operational
11 environmental protection plans.

12 So, why do we need to control
13 vegetation growing on the right-of-way? A number
14 of factors; these are the five main ones. But
15 certainly one of the main reasons that we need to
16 do this is so we have access to our facilities by
17 our crews whenever there's emergency repairs or
18 maintenance to be done to the facility.

19 Public safety and protection of
20 facility: Trees falling on to the wires and
21 bringing wires down to ground level expose the
22 public to electrical hazard through direct contact
23 with the energized system. Any trees falling on
24 to the wires or into the towers, of course, will
25 also cause damage even to the component they fall

1 into, breaking it or by causing electrical fault
2 that affects other parts of the system.

3 Now there's two things about fire.

4 The first is trees contacting the wires can cause
5 forest fire when the flashover occurs, as you can
6 see on the slide on the right-hand side there.

7 And the second is trees on the right-of-way, that
8 are on the right-of-way proper, when the forest
9 fire approaches the area, these provide additional
10 fuel to carry the fire to our facility, putting
11 our facility at risk from fire damage, as you can
12 see that happens on the left-hand side.

13 Reliability, of course, is a main
14 responsibility of any utility service in servicing
15 its customers. All these outages listed here
16 since 1996 to 2003 were caused by a tree
17 contacting a transmission line, causing a
18 cascading outage to not only the owner's utility
19 system but also on the neighboring systems.

20 NERC, the North American Electric
21 Reliability Commission, developed a suite of
22 reliability standards in direct response to the
23 U.S. outage in 2003 in order to improve the North
24 American grid reliability. There are
25 approximately 100 standards in total, but one of

1 which, FAC 003-1, which came into effect in 2007,
2 mandates utilities have a vegetation management
3 program with zero tolerance for tree related
4 outages, with a potential fine cited in the
5 standard of up to a million dollars a day per
6 violation, and are provided for in the standard.

7 In 2007 Manitoba Hydro policy adopted
8 the NERC reliability standards, recognizing its
9 responsibility to have a reliable system operation
10 to its domestic and its interconnected customers.

11 In 2012, the Manitoba Hydro Act
12 regulation was introduced, 25/2012, and that made
13 compliance with NERC standards a legal obligation
14 for Manitoba Hydro.

15 Right-of-way design considers how the
16 line sags when it gets hot, how it blows out in
17 strong winds, and how the surrounding vegetation
18 may interact with the conductor. There is also a
19 required air gap distance which provides an
20 insulated barrier to prevent flashover. If
21 anything conductive comes inside this air gap,
22 there is the potential for electricity to jump
23 across to the object, it doesn't need to be direct
24 contact. And this air gap is depicted by this
25 round circle around the conductor there.

1 Considering the growth rate of many
2 tree species, a reasonable maintenance period,
3 it's obvious that the area under the wires in the
4 wire zone must be maintained at a low level,
5 preferably limited to low growing grasses,
6 broadleaf plants and low growing shrubs, such as
7 roses and dogwood, while taller growing shrubs
8 such as peat Hazel or pin cherry could be allowed
9 to grow in the border zone.

10 Outside the operational right-of-way,
11 the maximum distance the wires will blow out
12 sideways in the wind, which is depicted by this
13 line here, picture of the wire coming out, the
14 taller trees are removed if they are tall enough
15 to fall into the wire. The air gap here for
16 Bipole III is about 2.8 metres in radius.

17 Line maintenance strives to control
18 every span of the transmission system once a year.
19 During these patrols vegetation conditions are
20 recorded and line inspectors then use this
21 information to plan their programs. Ultimately
22 many factors are considered to decide which
23 techniques and equipment are used in which areas,
24 including what is the target species, the density,
25 growth habits, terrain conditions, access

1 restrictions, environmental considerations and, of
2 course, cost.

3 Adjacent landowners and other
4 stakeholders are contacted to inform them of
5 Manitoba Hydro's planned programs, and to consider
6 any concerns the landowner may have. This may
7 happen by phone call, personal contact, door
8 knocker, or mail out or through advertising.

9 The vegetation management cycle begins
10 when the right-of-way is originally cleared for
11 construction, when all tall growing tree species
12 are mechanically removed from the right-of-way.
13 Danger trees, which is a tree tall enough to
14 strike the wires if it fell along the right-of-way
15 edges are also removed during construction. Over
16 the next two to three years the right-of-way
17 naturally regenerates with the roots and stumps of
18 deciduous species suckering, conifer seedlings
19 seeding, and the pioneering grasses and herbs
20 establishing.

21 Annual line patrols report on the
22 establishing incompatible tall growing vegetation,
23 and vegetation management plans and strategies are
24 started. Typically around four years after
25 clearing, the first vegetation management plans

1 are realized considering the clearance
2 requirements, environmental constraints and the
3 ecological objective of developing a
4 self-sustaining, low growing plant community. The
5 implementation of that plan could either involve
6 contractors or Manitoba Hydro crews, and is always
7 under the qualified Manitoba Hydro supervision in
8 consultation with Manitoba Conservation.

9 Follow-up monitoring and controls that
10 record the results of the treatments which
11 influences the requirements of future work plans.
12 The effects of the previous treatment dictate the
13 return period and ultimately which follow-up
14 treatments are appropriate. And, of course, the
15 cycle repeats.

16 The typical tree control methods that
17 we use are mechanical, manual and herbicides. All
18 have their advantages and disadvantages. Some are
19 better suited to certain conditions than others.
20 I'll discuss more each in more detail in the
21 upcoming slides.

22 Mechanical mowing and shear blading is
23 suited to areas that have high density of tree
24 species over large areas. It's also used in the
25 winter months in areas with wet summer access,

1 where equipment cannot otherwise travel.

2 Mechanical methods are considered non
3 selective in that it clears all existing
4 vegetation and habitat in its path. The heavy
5 equipment is subject to disturbing the soil if the
6 operator is not extremely careful and this
7 disturbed soil then provides a good seed bed for
8 invasive weed and tree species, and the removal of
9 the resuckering deciduous species -- and
10 encourages the resuckering of deciduous species.
11 Typically a site will require mechanical treatment
12 every seven to ten years.

13 Here's an example, or two examples of
14 mowers, one on tracks and one on wheels. Evidence
15 of the non selective nature of the operation,
16 clearing the right-of-way from edge to edge, and
17 in both of these examples we see them clearing a
18 dense stand of aspen.

19 This is an example of a shear blade,
20 usually mounted on a bulldozer. And the
21 right-of-way on the right here is dominated by
22 conifers. And again you can see the widespread
23 clearing that is required in order to control the
24 trees.

25 A feller harvester, a feller buncher

1 is suitable for selectively removing large danger
2 trees along the edge of the right-of-way. Feller
3 bunchers can also reach into sensitive areas such
4 as wildlife corridors to remove individual trees,
5 leaving the surrounding vegetation and ground
6 undisturbed. Again this is typically used in the
7 winter when ground is frozen and wet areas can be
8 accessed. Although a wide pad track machine can
9 access areas in the summer without causing
10 excessive ground disturbance, if they are not too
11 wet.

12 Here we see a feller harvester
13 removing a danger tree from along the edge of the
14 right-of-way. So you can imagine with the knuckle
15 here and the knuckle there, that this arm could
16 reach forward quite a ways, if this machine was
17 driven up to the edge of a sensitive area,
18 selectively picking out the trees that are the
19 problem and laying them back on the unsensitive
20 right-of-way.

21 Manual methods are labour intensive
22 and time consuming, and typically only used in
23 smaller, hard to reach sites and sensitive areas
24 where machinery is prohibited. Manual costs can
25 cost upwards of ten times of mechanical treatment,

1 sometimes in the neighbourhood of \$2,000 a hectare
2 compared to \$200 or \$300 a hectare for shear
3 blading.

4 Herbicide use in Manitoba is overseen
5 by Manitoba Conservation through the pesticide use
6 permit process under the Manitoba Environment Act.
7 The process requires Manitoba Hydro to advertise
8 a public notification of our proposed programs,
9 and provides a 30 day opportunity for public to
10 engage comments or concerns back to Manitoba
11 Conservation. Manitoba Conservation then issues a
12 permit to Manitoba Hydro and stipulates which
13 herbicides are authorized to be used, how they
14 maybe applied, where they can be used, minimum
15 setback distances and other safety conditions. At
16 the conclusion of each spray season Manitoba Hydro
17 is required to submit a report to Manitoba
18 Conservation detailing our herbicide use
19 activities.

20 Only herbicides available for use in
21 Manitoba and Canada are registered by the pest
22 management regulatory agency of Health Canada with
23 very specific use guidelines on the label which
24 must be followed by law. These herbicides go
25 through a wide sweep of testing for both effects

1 on plants and animals. The herbicide selected
2 feeds by Manitoba Hydro for tree control are
3 selective in nature in that they only affect
4 broadleaf plants and do not control grasses or
5 sedges. Manitoba Hydro uses application
6 techniques that target the individual tall growing
7 trees, leaving the low growing compatible species
8 to flourish. As the numbers of individual trees
9 decline on the site, the low growing compatible
10 shrubs and grasses dominate the plant community,
11 helping to keep trees from growing there in the
12 future, that are competing for space, light, water
13 and nutrients. This acts as a form of biological
14 control as the resulting plant community inhibits
15 trees from becoming established in the mostly
16 shrubby meadow.

17 Over the years we have refined our
18 approaches to lower application rates to deliver
19 as little herbicide as possible while still
20 effectively controlling target trees. Manitoba
21 Hydro's forestry section has developed ground
22 water hazard maps that consider soil permeability,
23 organic content and depth to groundwater. These
24 maps delineate areas of concern that limit or
25 exclude the use of herbicides.

1 All herbicides at Manitoba Hydro are
2 applied by provincially licensed applicators, who
3 must be certified every five years by passing a
4 practical written exam. Manitoba Hydro runs a
5 pesticide applicators working group whose policy
6 it is to annually review the herbicide programs
7 within Hydro, set policy for herbicide use at
8 Manitoba Hydro including planning, operational
9 checklists, and other reporting requirements.

10 Careful herbicide use allows Manitoba
11 Hydro to lengthen the time frame between tree
12 control treatments, potentially stretching to 15
13 years or more. Also over time, as a number of
14 individual trees on the site goes down, less and
15 less herbicide is used and smaller and smaller
16 equipment is required, so eventually we are able
17 to use quads and people on foot with backpack
18 sprayers.

19 Here we see a right-of-way in a
20 deciduous area that has been selectively treated.
21 Note the treated trees scattered throughout the
22 unaffected green compatible vegetation. The
23 treated areas, of course, are the brown patches
24 you see going down this hillside and up the next.
25 The trees have been selectively targeted, leaving

1 the compatible vegetation to thrive.

2 Also note in the bottom of this valley
3 here, where we have extra clearance because the
4 span is spanning a valley, and the tower is on the
5 top of the surrounding hillsides, we have left
6 some taller shrub species down in here, some
7 cherries and some willows, while controlling the
8 tall growing trees because we have the extra
9 clearance here. Also notice along the edges of
10 this right-of-way we are starting to develop that
11 softer edge in the edge zone of tall growing
12 shrubs before we get into the surrounding forest.

13 This is a right-of-way surrounded by
14 or on the edge of a coniferous stand. Again, an
15 example of our trees being controlled while both
16 the shrubs and other compatible vegetation is left
17 to flourish. This patch of aspen here was
18 controlled while the shrubs in amongst them and
19 down here have been left. If this patch had been
20 cut, had been mechanically cut instead of
21 controlled with herbicides, suckering would result
22 in a larger and denser patch of trees to be
23 controlled in the next cycle. By using herbicide
24 we would avoid this scenario and reduce the number
25 of times we need to return to this site.

1 The setback areas or buffer zones are
2 enforced around sensitive areas, such as water
3 bodies and other environmentally, socially
4 sensitive areas which are identified by the
5 Environmental Protection Plan and through the
6 public feedback to Manitoba Conservation in
7 response to our program advertising during the
8 pesticide use permit process.

9 So just to recap a bit. Mechanical
10 control is suited for areas of high densities of
11 trees or inaccessible wet areas. It is a non
12 selective technique in that everything in the
13 machine's path is removed. It stimulates the
14 suckering of tall growing deciduous tree species,
15 increasing our workload over time. As a number of
16 deciduous suckers and sprouts dominate a plant
17 community, plant bio-diversity goes down. The
18 amount of work and, therefore, on site impact
19 increases in both frequency and intensity over
20 time. The large mechanical equipment uses more
21 and more fuel, thereby has increasing emissions.

22 Here is an example of a right-of-way
23 that's been managed by mechanical mowing only.
24 You can see how there's a hard edge to the
25 right-of-way, and a dense canopy of aspen

1 suckering back across.

2 Another example in a little bit of a
3 different situation in a more coniferous area, the
4 deciduous species have suckered back and are
5 dominating the landscape, and the conifers are
6 receding in probably on soil that was disturbed
7 during the mechanical treatment.

8 The diligent use of herbicides does
9 provide some advantages where it's appropriate to
10 use them. Selective application creates an
11 advantage for lower growing compatible species
12 allowing for the development of the wire zone,
13 border zone approach to softening the right-of-way
14 edge and increasing species diversity. The
15 competitive advantage that the compatible species
16 developed acts as a biological control to
17 discourage trees from re-establishing on the
18 right-of-way. This allows us to be on the land
19 less often and carrying out less intrusive
20 operations. We are able to use smaller and
21 smaller equipment over time, resulting in lower
22 fuel consumption.

23 This is an example of a right-of-way
24 that has been managed through two cycles of
25 herbicides. Note the compatible shrubs and

1 grasses dominating the plant community, and the
2 taller shrubs along the edges providing a softer
3 transition to the edge of the right-of-way. So
4 you've got taller growing shrubs along the edges
5 and, of course, right across the right-of-way we
6 have a good mix of shrubs and grasses.

7 Annual line patrols monitor vegetation
8 regrowth, and assess right-of-way conditions.
9 This information feeds into the planning of the
10 next vegetation cycle, allowing us to continue
11 what is working and improve on what is not.

12 And that concludes my presentation.
13 Thank you.

14 THE CHAIRMAN: Thank you, Mr. Ortiz.
15 Looking for a bit of guidance, would you prefer to
16 have cross-examination of this separately or both
17 together?

18 MS. MAYOR: Perhaps we'll let
19 Mr. Matthewson do his presentation and questions
20 can be directed by each of the participants as a
21 panel together.

22 THE CHAIRMAN: Okay. Sounds fair.
23 Any objections? Okay. Go ahead, Mr. Matthewson.

24 MR. MATTHEWSON: Good afternoon,
25 Mr. Chairman, commissioners, participants, ladies

1 and gentlemen. My name is James Matthewson, I'm
2 with the licensing and environmental assessment
3 department within the transmission planning and
4 design division within the transmission business
5 unit.

6 I have been with Manitoba Hydro since
7 approximately 2008. And prior to that, I was with
8 Manitoba Conservation as a pest management
9 forester, vegetation management forester for ten
10 years. When I joined Manitoba Hydro I joined in
11 the customer service forestry department. I was
12 responsible for managing vegetation underneath the
13 distribution system within Manitoba Hydro. I have
14 since moved to the licensing and environmental
15 assessment department where I am a senior
16 environmental assessment officer and I'm
17 responsible for environmental assessments on
18 transmission projects. And my role in the Bipole
19 III project was in the environmental protection
20 planning and the data management of the project.

21 So after route selection and
22 assessment, environmental protection is the
23 primary method to minimize the effects of the
24 project. The program, environmental protection,
25 is designed to meet Manitoba Hydro's corporate

1 goals for sustainability and protecting the
2 environment. Its commitments, documents that
3 we've shared with the Commission as a result of a
4 request for clarity on what Manitoba Hydro has
5 committed, has resulted in a commitments document
6 summing up our commitments with over 600
7 mitigation measures to further illustrate Manitoba
8 Hydro's commitment to environmental protection.

9 We have had over 100 consultants,
10 engineers, construction, environmental staff
11 involved in the development of environmental
12 protection plans, mitigation measures, so that
13 those measures are practical, able to be
14 implemented on an operational scale and most
15 importantly be effective.

16 Bipole I and II over the past were
17 built over 50 years ago at a time where
18 environmental protection was not, and
19 environmental assessment was not in the forefront
20 of people's minds as it is today. And we built --
21 however, so there was a lot of questions about the
22 environmental monitoring and what we have learned
23 through Bipole I and II. And there wasn't, at the
24 time, a lot of monitoring on the construction of
25 Bipole I and II due to the nature of the time

1 frame. However, we build many transmission lines
2 since Bipole I and II have been built. For
3 example, the Wuskwatim to Herblet transmission
4 line, it's a double structure, 230 kV corridor.
5 That particular transmission line, over 200
6 kilometres in length, is almost twice as wide as
7 the Bipole III project from a corridor
8 perspective. And the towers themselves are only
9 five to ten metres shorter than the Bipole III
10 project.

11 So when we're relating the
12 environmental effects of transmission lines, a lot
13 of the infrastructure we have built in the last 50
14 years is more relative to what we're building with
15 Bipole III with regard to the size and the height
16 of the structure, which are the two main
17 components that are affecting the environment.

18 The first environmental protection
19 plan that was developed was in 1992. It was with
20 the Split Lake transmission line. And since then
21 we have developed over 15 specific environmental
22 protection plans for projects, as well as numerous
23 environmental protection plans that follow our
24 generic environmental protection plan template for
25 the last 22 years. So we have a long history of

1 environmental protection on the transmission
2 projects.

3 Manitoba Hydro has invested hundreds
4 of thousands of dollars in over 35 R&D projects
5 related to transmission involving the academic
6 community since the early '90s, ranging from
7 support of the bird atlas to caribou monitoring
8 and assessment, to moose and wolves and peregrine
9 falcons, blueberries and the use of herbicides
10 have all had various roles in R&D projects that
11 Manitoba Hydro has supported over the past 20
12 years.

13 The environmental protection program
14 for the Bipole III project, it's not an
15 afterthought. We have been spending thousands of
16 hours in the development of the draft
17 environmental protection plans. I'm thinking
18 about the mitigation measures that go into those
19 plans, as well as the management plans and the
20 monitoring plans that we have developed or are in
21 the process of developing.

22 So I'll start with an overview of my
23 presentation, and this has come up a lot in the
24 intervenor questions. Why is the environmental
25 plan draft? Why does Hydro not have a final plan?

1 I'll address why that is. We'll talk about the
2 environmental protection program. What is an
3 environmental protection program. Everybody is
4 familiar with an environmental protection plan,
5 but what exactly is a program, or what are the
6 components of that program, how are we developing
7 it, how are we going to implement it.

8 We will talk a little bit about
9 adaptive management and Hydro's approach to
10 address the uncertainty that is essential or that
11 is native to whenever you are managing a natural
12 resource or you are involving a natural resource,
13 there's always a certain level of uncertainty.
14 Adaptive management is a key tool to help us
15 address that uncertainty, and continually improve
16 our understanding of our effects on the
17 environment and the mitigation measures that we
18 implement to reduce or minimize those effects.

19 We'll look at plan updating and review
20 of our environmental protection plans, how we're
21 going to learn from our experiences. We'll talk
22 about some of the plans for monitoring and for
23 environmental protection for management, we will
24 talk about auditing and what Manitoba Hydro's
25 approach is to auditing our environmental

1 protection program. We will talk about the
2 monitoring plans themselves, the types of plans,
3 some examples of the monitoring activities that
4 Manitoba Hydro is looking at pursuing. These are
5 all in development. Manitoba Hydro is going to
6 continue to engage local communities and First
7 Nations and the Metis in the development of these
8 plans, which I'll talk about.

9 And then throughout my presentations
10 I'm going to present lessons learned. We have
11 learned a lot in the last 22 years about
12 environmental protection. So I'll scatter some
13 lessons learned about how those lessons have
14 developed the environmental protection program
15 that we are presenting here today and are
16 proposing to use on the Bipole III project.

17 So why is the environmental protection
18 plan draft? I talked about the thousands of hours
19 that we spent in developing a draft product, the
20 hundreds of consultants and engineers and
21 construction supervisors that were involved in
22 coming up with the draft and reviewing it,
23 contributing to it. However we don't have all the
24 answers. Manitoba Hydro does not profess to have
25 all the answers on protecting the environment.

1 However, there is a lot -- much more knowledge in
2 the local communities and through the technical
3 advisory committee review of the biologists and of
4 Manitoba Conservation, the intervenors within this
5 Commission and the process of the Commission
6 itself, is all contributing to refining the draft
7 environmental protection plan and revising it and
8 adapting it to hopefully come up with the best
9 plan that we can for protecting the environment
10 for the Bipole III project.

11 This is also the first time that
12 Manitoba Hydro has presented an environmental
13 protection plan that's submitted with a
14 transmission project EIS. Generally we submit the
15 environmental impact statement and then the plan
16 is developed after. So when we developed this
17 plan we wanted to be as comprehensive as we could,
18 but we knew we don't have all of the answers, so
19 we put it under the draft label. And through our
20 community engagement program, through this
21 Commission, through consultations with Manitoba
22 Conservation, we hope to improve that draft
23 substantially to produce a product that will be
24 the ultimate product for protecting the
25 environment as part of the Bipole III project, but

1 also employing an adaptive management approach
2 that we won't have it right the first time in that
3 plan either, and we need to adapt as things change
4 throughout the project. The project construction
5 time is over, at least over a five year period,
6 there's a lot that we can learn over that time on
7 an annual basis to improve those plans annually.

8 So the overview of the environmental
9 protection program. So what is the program? The
10 components of the program, also what is in the
11 program, I'll talk about the development of the
12 program, how we built it -- sorry, not how we
13 built it, it isn't built yet -- how it's being
14 built, and the implementation of the program. So
15 how are we going to implement this environmental
16 protection plan and all the components that go
17 with it? How are we going to be able to implement
18 it?

19 So I'll start with the overview.
20 Starting with lessons learned here; the overview
21 was developed from a comprehensive review of the
22 Wuskwatim and Riel projects. So there was an
23 evaluation of those two projects, those two
24 environmental protection plans and their
25 effectiveness done in 2009. This was a thorough

1 review of all of the related departments that were
2 involved in the construction of that project and
3 the effectiveness of the environmental protection
4 plan.

5 From that report, five over-arching
6 measures were recommended. The environmental
7 protection plan should clearly state how
8 environmental provisions are to be implemented.
9 So they need to be in plainer language. Our
10 traditional environmental protection plans were
11 written by specialists, consultants and not
12 necessarily in a language that was understood by
13 the construction operators of the equipment that
14 we are tasking with protecting the environment and
15 understanding how we would like it protected. The
16 database and an online problem solving chart of
17 environmental protection provisions should be
18 created, to organize environmental protection
19 provisions for an on site reference system, to
20 have a data base of everything that the
21 construction supervisors and everybody involved in
22 the project can go to to get what they need to
23 know about environmental protection. Training
24 courses or workshops should be developed to
25 educate new staff and update existing staff on the

1 implementation of environmental protection plans,
2 including contractors. Having training workshops,
3 orientation workshops at the beginning of the
4 project to educate all the people involved in the
5 project about the environmental protection plans
6 themselves and how to implement them. Having
7 dedicated environmental inspectors on site.
8 Having a website established for archiving,
9 monitoring inspection reports to enable efficient
10 updates to the project plans.

11 There is also literature review across
12 North America of environmental protection plans
13 for transmission lines, pipelines, floodways and
14 other linear developments. I conducted interviews
15 with employees responsible for environmental
16 protection and utilities in Western Canada, B.C.
17 Hydro, Alta Links, Sask Power. We had interviewed
18 them to understand their environmental protection
19 programs and learn from their experiences in
20 developing this program.

21 The program itself provides the
22 framework for the implementation, management and
23 monitoring of the mitigation measures that were
24 proposed in the 600 mitigation measures that were
25 proposed or that are represented to the Commission

1 as Manitoba Hydro's commitment to the
2 environmental protection. It provides the who,
3 the what, the where and how aspects of protecting
4 environmental phases of the project.

5 The components: There are numerous
6 components in the environmental protection program
7 and I will go through each one of them. Within
8 the presentation there is a big sheet that
9 corresponds to the slide, so you can read it. I
10 know it might be hard to read so we printed it
11 out. So I'm going to walk you through the various
12 components of the environmental protection program
13 and I'll refer you back to that sheet as we go
14 through the presentation.

15 So I will start with the first one
16 which is the -- so the green line across the top
17 is the environmental protection program. So
18 everything beneath it is within that program. And
19 the red box below that is the environmental
20 protection management system, we abbreviated it to
21 call it EPM for short. So that was one of those
22 lessons learned from one of those recommendations
23 from that evaluation report, recommendation number
24 2, about the development of a centralized system
25 of information.

1 Within the environmental protection
2 information management system it's composed of a
3 few modules; inspection, monitoring, reporting and
4 communication. And to implement those modules
5 there's various tools. There's document
6 management, work flows, reporting, mapping, and
7 communication. Some examples of a work flow is
8 when a complaint is registered into the system
9 through a Bipole information line or through a
10 land owner to a construction person, that the
11 complaints are registered and followed through to
12 resolution. So a work flow is triggered and the
13 particular people responsible for resolving that
14 complaint are put into a loop and notified that
15 there is a complaint, and if it's about a property
16 thing, the complaint goes to the property
17 department. If it has something to do with
18 construction, it would go to the construction
19 supervisor, and perhaps our department, licensing
20 and environmental assessment, depending on the
21 nature of the complaint.

22 We have incidents and inspection work
23 flows where once an inspection is created, there's
24 a work flow -- the results of that inspection fall
25 out and go to the various different -- up the

1 chain of command to the various different
2 departments, and I'll explain that further.

3 We have mapping of the environmentally
4 sensitive sites that are stored within the system.
5 There is an interactive type mapping built into
6 the system so people can readily have access to
7 the mapping.

8 Website, for communication tools, we
9 have the project website that we developed or
10 there already is a project website for the Bipole
11 III project that will be continued to be filled
12 with information that comes out of the
13 environmental protection information management
14 system, as well as the information hotlines, there
15 are communication tools to get incoming
16 information from the public.

17 The contents of the Environmental
18 Protection Plan at a high level involves library
19 of all of the plans, all of the environmental
20 protection plans. And I'll go into those in a few
21 slides and there's a few them.

22 The environmental management
23 practices, legislation, regulations, libraries of
24 this information for ease of access by
25 construction or environmental officers and

1 inspectors. Operational statements from the DFO
2 that go into some of our mitigation measures.
3 There's contact lists of information for Manitoba
4 Highways when we come to a road crossing; the rail
5 lines, when we come to a rail crossing so our
6 construction supervisors have access to that to
7 communicate the project schedule and where we're
8 at with those things. Or even snowmobile groups,
9 when we are crossing a snowmobile trail. Resource
10 users, trappers when we're entering their trapping
11 line, so we can notify them and bring them up to
12 speed on where we're at with the project. We will
13 have schedules on construction and environmental
14 monitoring schedules on activities. Inspection
15 reports that are generated by our environmental
16 inspectors. The information line, the information
17 coming from the information line will be fed into
18 the system for, as I said, going through the work
19 flows to resolution.

20 Licences and permits that are required
21 for the project will be stored in the system.
22 Monitoring reports conducted by on site monitoring
23 and by specialist monitoring. Training tools,
24 videos, photo library of implementation measures.
25 Evasive species identification information.

1 Priority plants. So that we can -- for our
2 environmental inspectors who are on site and they
3 come across a plant and they don't know what it
4 is, is it an invasive plant, is it a plant that we
5 call priority plant that may be of interest or
6 concern to First Nations, it may be a medicinal
7 plant, it may be a country food.

8 Dash boards are a quick fuse of the
9 environmental performance indicators, such as a
10 number of incidents or spills, a number of
11 incidences requiring follow up, inspections
12 conducted to date. The dash board is intended for
13 high level managers to have a quick look and see
14 how the environmental performance is being
15 measured on the project on a daily basis.

16 The project website has a
17 communication tool to disseminate some of this
18 information to the public, whether it be our
19 plans, our audit results, our annual reports that
20 we submit to the government and to the communities
21 on monitoring results.

22 Referring back to the sheet, and now
23 I'll talk about the environmental protection plans
24 on that big sheet that we handed out there and
25 talk about the different components. So the

1 overall project, Environmental Protection Program
2 itself, that's the top document, that's the parent
3 document, all the children below it, which are the
4 construction, the operations, the decommissions
5 and the heritage resource protection plan. We
6 submitted a draft, that's the document we
7 submitted with the EIS. That was the draft
8 project environmental protection plan. It is
9 written for a regulatory and a public audience, it
10 is not written for contractors to implement into
11 the field. It's a fairly thick document. It
12 contains general mitigation measures, some of the
13 specifics, but at a small scale. It has a lot of
14 process information in it.

15 So one of the lessons learned going
16 back to recommendation number one, was to have a
17 construction environmental protection plan clearly
18 written for contractors, specific to their
19 segment. Thinner documents -- our traditional
20 documents are very thick -- and you can hand that
21 over to a contractor, and there can be some
22 challenges in getting them to fully understand and
23 read and know what they have to do, so we have
24 really redeveloped the construction environmental
25 protection plans to be much more focused on what

1 they are for, and narrowing it down to what the
2 contractor needs to know to protect the
3 environment that's related to the type of work
4 he's doing, and the area that he's in. For
5 example, we wouldn't have agricultural mitigation
6 measures in an area in Northern Manitoba. So that
7 section is removed from that construction
8 environmental protection plan.

9 They are converted down to plain
10 language, there is a great amount of detail. For
11 example, on one of the segments of the maps, we
12 have over 150 maps of one to 10,000 scale with
13 environmentally sensitive sites and specific
14 mitigation laid out on them, as opposed to the
15 interactive mapping viewer that we attached with
16 the draft Environmental Protection Plan, which had
17 a level of environmentally sensitive sites that we
18 had collected, and just had a high level scale and
19 gave some idea of some of the mitigation measures
20 we were considering, refining that in to much more
21 detailed plans.

22 With the construction, we will have 11
23 construction environmental protection plans. The
24 plan is there will be eight for the Bipole line
25 south, and they link to the construction planning

1 segments that Mr. Penner would have talked about,
2 where in the north we have N-1, 2, 3 and 4. And
3 each one of these segments is anywhere from 150 to
4 200 kilometres in length. And then in central
5 Manitoba we call them C-1 and C-2, and in the
6 south we call them S-1 and S-2. So there is a
7 total of eight plans. So the plans are written in
8 such a way that they correspond with these
9 segments, which also correspond to the
10 construction planning process and tendering.

11 We'll have one for the construction
12 power NEC collectors. We'll have one for each of
13 the converter stations and the corresponding
14 ground electrodes.

15 With the operations and maintenance
16 plans, they are created by a line or by the
17 components. So we would have an operation and
18 maintenance plan for the Bipole III line as a
19 whole. The operation and maintenance is handled
20 by Mr. Ortiz's group, so they would have one plan
21 for the entire line. We would have one for the
22 construction power and the AC collectors. Again,
23 because it's a different component and has a
24 different line identification. And in management
25 in the operations and maintenance part of Hydro,

1 we have developed a second plan for that one. As
2 well as a separate plan for the Keewatinoow and
3 Riel converter stations and ground electrodes, one
4 for each of those because those are managed by the
5 Power Supply Group, constructed by New Generation,
6 construction department.

7 The decommissioning plans will be
8 created at the time of the decommissioning of the
9 project. In the case of the converter station,
10 that decommissioning could be 50 years from now.
11 So best practices, regulations, methods for
12 decommissioning could dramatically change over
13 those 50 years. So that's why we create those
14 types of plans at the time of decommissioning.
15 And those are for decommissioning of a project
16 component, and I'll talk about decommissioning of
17 some of the project activities, what we call
18 construction decommissioning, which is where we
19 get into, how do we decommission a camp that we
20 used to build a site? How do we decommission a
21 marshaling yard? And those are handled under our
22 construction decommissioning plans.

23 The Heritage Resource Protection Plan:
24 We plan to have one for the project, developed to
25 be compliant with the Heritage Resources Act,

1 which is the driving Act that outlines how
2 Manitoba Hydro handles heritage resources. But in
3 addition to the Act, we plan to have supplemental
4 protocols with First Nations and Metis to address
5 their specific concerns and communication
6 protocols and handling of heritage resources that
7 are discovered throughout the process. At the
8 converter station site, the northern converter
9 station site, there are two existing heritage
10 discoveries that we have that were developed, the
11 mitigation measures were developed in conjunction
12 with the First Nation. And the monitoring plans
13 will monitor the effectiveness of those
14 mitigations. Those types of mitigations will be
15 prescribed by the project archaeologist in
16 conjunction with working with the First Nations
17 that have an interest in that particular heritage
18 resource, and developing the mitigation measures
19 and how -- if, for example, the ceremonies for the
20 discovery, and before it is disturbed by
21 excavation, and that comes before.

22 So we have -- I just was going to go
23 through the interactive map or demo that we
24 displayed, or we submitted with the environmental
25 assessment. And unfortunately it doesn't come

1 online.

2 So that was the high level
3 environmental protection planning, environmentally
4 sensitive site map that was submitted with the
5 EIS. It was an interactive mapping application
6 that allows you to zoom around and see all the
7 sites that were identified by the specialist
8 consultants. We did not include the ATK sites
9 that were collected through the workshops, as we
10 had not had a chance to discuss those further with
11 the First Nations at the time of submissions, so
12 we excluded them. We didn't exclude them because
13 we are not going to protect them. We excluded
14 them for privacy reasons until we had fully
15 flushed out what measures the First Nations wanted
16 to apply, what mitigation measures they wanted to
17 apply to those sites, and refining what those
18 sites were going to be. And those are being
19 developed and refined and put into the
20 construction phase of the environmental protection
21 plans.

22 So a sample of construction phase
23 environmental protection plan map looks like this,
24 where this is a single map sheet, like I said, out
25 of about 150 for a segment. It's one to 10,000

1 scale. We have identified on here all the
2 different mitigation -- sorry, sensitive sites
3 that have been delineated to date.

4 The bird crossing, you'll see there's
5 bird mitigation measures, or bird mitigation
6 sites, environmentally sensitive sites. We have
7 sites for terrain and various other components,
8 and the river crossing itself, identifying the
9 buffer zones, are all in there. So this is the
10 level of detail and mapping. What goes with this
11 map is another table which has the corresponding
12 specific mitigations that goes with each
13 particular site.

14 So in our environmental protection
15 plans we have general mitigation measures that
16 cover off anywhere on the project footprint that
17 they are applied. And when we come to a specific
18 site, an ESS site, environmentally sensitive site,
19 we apply or can apply further mitigation. And
20 that's outlined in the corresponding tables that
21 highlight to the construction supervisor, you have
22 to apply all the general mitigation measures when
23 it comes to crossing this creek, but there are
24 more and specific measures that you should also be
25 addressing as well.

1 So I'm going to move to management
2 plans, back to that main sheet there, and we'll
3 talk about management plans. They are another
4 component of the Environmental Protection Program.
5 They cover off things such as access, which is a
6 big concern. We have heard that through a lot of
7 the workshops, and stakeholder engagements, and
8 meeting with First Nations, much concern about
9 access management to the right-of-way. We will be
10 developing an access management plan for the
11 transmission component of the project, as well as
12 a specific access management plan for the
13 Keewatinoow converter station, as there are very
14 unique sensitivities in that area. And they
15 involve the restriction of a road that many
16 resource users in the community use. So we
17 developed a detailed, or will be developing a
18 detailed access management plan for the converter
19 station site in conjunction with Fox Lake First
20 Nation.

21 The scope of the management plans for
22 access include security of the construction sites
23 and facilities, safety of construction workers and
24 the general public, respect for the Aboriginal
25 rights and resource users, protection of natural

1 and cultural and heritage resources.

2 We will have blasting plans that are
3 prepared by the contractor, by a licensed blaster,
4 to manage the storage and use of explosives in
5 conjunction with the regulations for blasting.

6 There will be construction decommissioning
7 management plans, that I referred to before, and
8 they refer to how we were going to decommission
9 camps, mobile camps, stationary camps, marshaling
10 yards, and the right-of-way clean-up, how, when we
11 leave a site, how do we decommission it.

12 The emergency preparedness and
13 response plans: Manitoba Hydro will develop a
14 framework for emergency preparedness and response
15 plans, but each contractor will develop their own
16 specific plan, because emergency response is
17 unique to each contractor and to each component of
18 work they do. But they will all be in line with
19 the framework that Manitoba Hydro will develop and
20 provide to them, which aligns with Manitoba
21 Hydro's emergency response and preparedness plans
22 for the corporation.

23 The objective of those emergency
24 response plans will be to protect human health and
25 the environment, and include spills or releases of

1 hazardous substances, fires, petroleum product
2 spills, medical emergencies, explosions. That's
3 what will be covered off in emergency preparedness
4 and response plans.

5 Erosion protection and sediment
6 control: Again, Manitoba Hydro will develop a
7 framework from which the contractors will develop
8 specific erosion protection and sediment control
9 plans, as each contractor has unique interface
10 with the environments, whether it be at a
11 converter station, it is different than when
12 you're constructing a right-of-way. So each one
13 of those plans will be developed in accordance
14 with Canadian professional erosion and sediment
15 control standards to match those construction
16 activities that cause soil erosion and result in
17 sediment releases to aquatic environments.

18 Rehabilitation plan: The objective of
19 this plan is to rehabilitate the decommissioned
20 sites, construction sites, in accordance with the
21 environmental protection measures, the provincial
22 guidelines, corporate policies with regards to
23 rehabilitation, as well as input from First
24 Nations and local communities about rehabilitation
25 of a particular -- whether it be a borrow pit or a

1 campsite.

2 Remediation plans will be developed to
3 manage any remediation activities that result as a
4 result of contaminated sites. So these are
5 developed on a case-by-case basis, depending if
6 there is a spill and there is contamination, a
7 remediation plan is developed for that site.

8 A vegetation management plan will be
9 developed to manage the vegetation during
10 construction. So we have heard from Mr. Ortiz
11 about how vegetation is managed through operations
12 and maintenance. We will have a vegetation
13 management plan for managing vegetation during the
14 construction. This will include management of
15 invasive species that are discovered on the
16 right-of-way or on the project footprint,
17 controlling the vegetation of weeds on borrow pits
18 in areas that we're actively using in
19 construction.

20 Revegetation of disturbed sites: The
21 rehabilitation plan will prescribe rehabilitation.
22 The vegetation management plan will prescribe what
23 types of vegetation are applicable. So we involve
24 ecologists and botanists and First Nations in
25 developing what is an appropriate plan to replant

1 in that area to rehabilitate that borrow pit, or
2 what seed mix of native grasses or plants is
3 appropriate for use in erosion and sediment
4 control plans.

5 Solid waste and final solid waste, a
6 recycling management plan will be prepared. A
7 framework, again, by Manitoba Hydro, but each
8 contractor will be responsible for developing
9 their own plans on how they are going to manage
10 the waste that is produced out of their particular
11 role on the project, and the waste is different
12 from the converter station, and putting together
13 electrical components, to clearing a right-of-way
14 or stringing conductors. There is different types
15 of waste, so each contractor will have to develop
16 a plan on how to manage that waste, and Manitoba
17 Hydro promotes recycling as part of that plan.

18 Now, all of these plans I'll talk
19 about further in the community engagement, but all
20 of these management plans will receive input
21 through our community engagement process. We'll
22 talk about that when I get to the community
23 engagement.

24 The next part on the sheet that's in
25 front of you is the monitoring plans. So

1 currently we have two monitoring plan categories.
2 We call them biophysical and socioeconomic. They
3 are intended to confirm predictions of the EIS,
4 effectiveness of the mitigation, identify
5 unanticipated effects, provide information for
6 future projects, and community and traditional
7 knowledge to be incorporated into those plans.

8 The local communities have vast
9 amounts of information to share and contribute to
10 the monitoring programs, as well as traditional
11 knowledge with the elders. We have worked with
12 Fox Lake elders and harvesters core group on the
13 Keeyask transmission project. And in that project
14 we have had quite a bit of engagement on
15 monitoring that they are interested in seeing, and
16 the types of measures that they feel, or the
17 effects that they feel need monitoring on the
18 project, within the right-of-way and outside the
19 right-of-way, a wider ranging effect.

20 We have plans for meeting actually at
21 the end of the month with Fox Lake. We had a
22 previous plan to meet with them to talk about
23 environmental protection program and all these
24 plans a few weeks ago, but unfortunately the
25 weather prevented me from visiting them.

1 Communication is the next -- I will go
2 into more detail on the monitoring plans a little
3 later in the presentation. Communication, another
4 back to your sheet, there's a box on that sheet
5 under the program for communication. It's about
6 ongoing liaison and discussion with local
7 communities, landowners, First Nations and Metis,
8 on not only the development of the project, but
9 the development of all these plans that we are
10 talking about that I just presented to you,
11 building on existing relationships with management
12 bodies like, committees like the northeast and the
13 northwest caribou committees, the resource
14 management boards; development of new
15 relationships with Swan Valley moose management
16 committee, the Western Region moose management
17 committee. There is the Western Region elk
18 management board. Hydro wants to build
19 relationships into these boards and be part of
20 them, and sharing how our project is being
21 developed and keeping them aware and up-to-date of
22 the project, as well as including them in
23 discussions on monitoring and mitigation measures.

24 Contractors: So this is, we are
25 drafting draft tender construction phase

1 environmental protection plans. So it's the
2 construction phase environmental protection plan,
3 but it's very draft, it's intended for tendering
4 purposes, because we want the contractor to be
5 fully understood, when he bids, the level of
6 environmental commitment that Manitoba Hydro has
7 to the project and that they expect out of the
8 contractors. So those draft construction phase
9 environmental protection plans are part of the
10 tender documents. That was one of the lessons
11 learned on the Wuskwatim project. Involving
12 environmental protection measures into contract
13 specifications for contractors. Having
14 orientation meetings with contractors prior to
15 construction to making sure they fully understand
16 the environmental protection plans and associated
17 documents. Training of their environment
18 officers, we'll talk about the role of environment
19 officers that the contractors must have, and the
20 training of those contractors.

21 So this is all pre construction. When
22 we get into construction, we talk about a
23 different level of communication. It's mostly
24 internal communication tools on a daily and a
25 weekly basis within the implementation team.

1 There is a construction -- so we have tail boards,
2 we have inspection reports and monitoring reports,
3 these are all generated daily. We have weekly
4 construction meetings and environmental topics are
5 on the agenda in addition to the typical
6 construction topics.

7 Community liaison reports: We'll talk
8 a little bit about the community liaison.
9 Inspection report summaries, regulatory
10 inspections from Natural Resource officers and
11 environment officers may be conducted on a weekly
12 basis. And the escalation, if there is activities
13 or items that happen on a daily or weekly basis,
14 those will be escalated to deal with those
15 incidents at a higher level. They will be
16 escalated to a higher level outside of the
17 implementation team and to the management team.

18 The monthly, on a monthly basis, the
19 communication, the information of the project
20 starts to flow up to project and department
21 manager meetings about the environmental
22 performance. The inspection reports are
23 summarized and moved up the chain to senior
24 environmental officers. Monitoring report
25 summaries are flowing into the environment, senior

1 environmental officers like myself, and to our
2 monitoring specialists. Project websites are
3 updated with information with regard to schedules
4 and monitoring reports.

5 On an annual seasonal basis, we start
6 looking at post construction community meetings,
7 reviews with contractors on the construction phase
8 environmental protection plans, with community
9 liaisons and directly affected resource users and
10 stakeholders. It's part of our plan updating a
11 review process for the construction phase of the
12 environmental protection plans. I'll talk about
13 that further as we go to it. As well as annual
14 reports and presentations on the environmental
15 performance and the monitoring results that have
16 been collected to date, to Manitoba Conservation,
17 put on the public website, and also held in local
18 communities.

19 Inspection program: Again, going back
20 to that sheet that I presented to you, we will
21 have dedicated environmental inspectors on site.
22 This is one of the lessons learned from Wuskwatim.
23 With Wuskwatim we had construction inspectors, and
24 we trained them intensively on environmental
25 inspection and environmental monitoring, what to

1 look for. But the construction supervisor's job
2 is just so intense that we felt that it was
3 appropriate to have dedicated environmental
4 inspectors to ensure the environment is a top
5 priority for somebody who is on site.

6 Ensuring compliance with the
7 Environment Act licence and conformance with the
8 environmental protection plans, the inspection
9 program will do that.

10 Correct implementation of mitigation
11 measures. The inspection program ensures that our
12 contractors are implementing the mitigation
13 measures correctly. We have an environmental stop
14 work order. This is another lesson learned.
15 Environmental stop work orders are a mechanism to
16 ensure compliance with contractors. So we have a
17 stop work order always on typical construction
18 sites, but now we have a specific environmental
19 stop work order, and the contractors have to come
20 up with a plan, if there is a specific incident
21 that has caused that stop work order, before they
22 can start work again.

23 The environmental protection plan
24 program, I'll just talk about how it's being
25 developed. The draft EPP, which you have seen,

1 contains Manitoba Hydro policies and commitments,
2 regulatory requirements, environmental impact
3 statement, mitigation and monitoring requirements,
4 the environmental protection guidelines and best
5 practices, input from stakeholders, and iterative
6 mitigation development process with our technical
7 specialists. It was back and forth with our
8 specialists on implementing or prescribing and
9 describing the environmental mitigation measures
10 that you see in that plan. As they are the
11 experts on moose or caribou or birds or
12 vegetation, we wanted to make sure the mitigation
13 measures that we were developing were following
14 their expertise.

15 How did we change? Now, in the
16 ongoing development process we reviewed comments
17 from the EIS public and technical advisory
18 committee review. The CEC information requests
19 that have come in about the environmental
20 protection plan had us looking at rewording a
21 mitigation to provide more clarity in the
22 organizational program, because looking in, people
23 were having some confusion about the organization
24 of the program and how it was going to be handled
25 and implemented. So we have started to draft and

1 address those questions.

2 The community engagement process: We
3 have been conducting community engagement on the
4 environmental protection plans and access
5 management plans, identifying any new
6 environmentally sensitive sites and refining the
7 existing information that we collected through
8 their self-directed studies or through their ATK
9 workshops at Manitoba Hydro. We went back to them
10 with those and said, can we refine exactly where
11 the particular site is? Because the scale of
12 mapping that was used in those workshops was one
13 to 50,000. And now we go back to them with much
14 more detailed mapping to get a more accurate
15 representation or location of the sensitivity.
16 Presenting how the concerns that the community has
17 presented in our stakeholder and through the
18 public engagement process, how we have addressed
19 their concerns about berry picking sites, or
20 heritage sites, or access, we explained to them
21 how we planned to address them. We solicit from
22 them new mitigation measures about how, and new
23 ideas about how they can contribute to different
24 approaches to mitigation.

25 And we're working in this engagement

1 process from north to south. We had been working,
2 concentrating in the N-1 to N-3 segments of the
3 construction. So that goes from The Pas to the
4 Keewatinoow converter station. And the reason for
5 that is that's the first place, if a licence is
6 received, that would be the first area of
7 construction, so we have been focusing our efforts
8 on that area.

9 We have had meetings with elders and
10 resource users, and open houses in communities,
11 over 70 percent of the communities in that N-1 to
12 N-3 have participated in open houses to date.
13 There are still a few communities that we are
14 having ongoing plan meetings, such as Fox Lake, we
15 have one planned for the end of the month, as well
16 as some other communities.

17 The ongoing development, still
18 ongoing. Once we have got some, or concluded our
19 community engagement, first round, we will start
20 incorporating that into our draft plans. We'll --
21 we have been developing the preliminary
22 development of the construction phase
23 environmental protection plans for tendering
24 purposes. The monitoring and management plans and
25 frameworks are being developed with feedback from

1 the community engagement. So we'll draft the
2 first draft, and then we go back to the community
3 to present a draft management plan for access, or
4 for decommissioning, or rehabilitation.

5 Reviewing the draft plans with
6 Manitoba Conservation, and through community
7 engagements. So going back to the community, like
8 I said, in another round of discussions. Some of
9 the concerns or results from our community
10 engagement to date have been the desire to have a
11 liaison with Manitoba Hydro during construction,
12 concerns about moose, concerns about vegetation
13 management, access, wanting of the timber off the
14 right-of-way for firewood, wanting to be -- they
15 wanted to understand how they would be notified,
16 the trappers, prior to construction, about access
17 and how we would decommission access if there's
18 new access that needs to be created.

19 So those are the type of questions
20 that we have been getting from our community
21 engagement process, and we are preparing those
22 answers for the communities, so we can further
23 discuss the mitigation measures for them.

24 After those processes have gone
25 through, we will finalize the plans, after review

1 of, again, further community engagement results.
2 The CEC intervenor evidence has been very
3 informative of showing a different aspect of
4 whether it be adaptive management or moose
5 mitigation. So we are reviewing that evidence and
6 incorporating that where we can into the
7 environmental protection plans. The CEC
8 recommendations will be reviewed and incorporated.
9 The Environment Act licence conditions will be
10 incorporated into those environmental protection
11 plans.

12 So that's what makes an environmental
13 protection plan final, and that's why we don't
14 have a final environmental protection plan when we
15 submitted the EIS. There is a lot more steps, a
16 lot more information that we are in the process of
17 gathering to produce those documents.

18 So the environmental protection
19 program now, the implementation, how are we going
20 to implement it? The rubber hits the road, how is
21 Manitoba Hydro going to implement this program to
22 achieve the implementation of the 600 mitigation
23 measures that we have committed to?

24 So I'll talk about the program's
25 organizational structure, the lines of reporting,

1 the roles and responsibilities, and the community
2 involvement.

3 So looking at this chart here, it
4 starts, we have got the executive, division
5 managers, they are responsible for the overall
6 environmental protection program, including the
7 resourcing, the management, the performance,
8 accountability for regulatory compliance, policy
9 adherence, stakeholder satisfaction.

10 Below that we have an environmental
11 protection management team. They are senior
12 Manitoba Hydro staff and they are responsible for
13 the management of the environmental protection
14 plans, including regulatory compliance, quality
15 assurance, consultation with regulators,
16 stakeholders, and Aboriginal people. So you can
17 see those are the project managers. My
18 department, the corporate environment department,
19 section heads and department managers of the
20 different construction groups, the community
21 relations department of Aboriginal relations.

22 The environmental protection
23 implementation team. So they are the ones that
24 have to put this thing into implementation on the
25 ground. They are composed of Manitoba Hydro

1 operational field staff and office staff, and are
2 responsible for day-to-day implementation of
3 environmental protection plans, including
4 monitoring, inspecting and reporting. The
5 implementation team worked closely with other
6 Manitoba Hydro staff on an as required basis. But
7 they include the construction supervisors who are
8 directly on site. In the transmission world we
9 call them construction supervisors, and the
10 converter station world we call them site
11 managers. So those two are equivalent.

12 Environmental inspectors and officers,
13 environmental monitors, construction contractors,
14 specialist consultants. And I'll talk a little
15 bit about each one of those in a little bit more
16 detail too, and explain where the local community
17 involvement comes into the team here. The
18 environmental monitors is one of the ways the
19 community comes in here, and the community
20 liaison, which is missing off a bullet there.

21 The typical reporting structure: On a
22 daily basis we have contractors reporting to a
23 construction supervisor in the transmission side
24 of things, or a site manager on the converter
25 station side. We have the environmental officers

1 and inspectors reporting, and informing and
2 working directly with the construction supervisor
3 in the field. And then above that we have a
4 project manager who is responsible for all aspects
5 of the project, including regulatory compliance
6 and environmental performance.

7 So this is a typical internal
8 reporting structure. I'll go through the main
9 components of this.

10 Now we have construction supervisor,
11 site manager. Their role is they work with the
12 contractors to implement the environmental
13 protection plan and ensure compliance. And we
14 will have one Manitoba Hydro staff member per
15 construction environmental protection plan as
16 those plans correspond to the planning segments
17 that Mr. Penner has -- I'm talking about them in
18 relation to the construction phase environmental
19 protection plans.

20 The key responsibilities for the
21 construction supervisor, they will review
22 inspection reports with the construction
23 contractor, and remedial actions to be implemented
24 as required. They respond to non compliance
25 situations or incidents and implement mitigation

1 measures as required. They ensure the
2 implementation of environmental protection and
3 management plans. They ensure that appropriate
4 authorities are notified in emergency or incident
5 situations, as well as notifying local communities
6 with respect to heritage resource discoveries.
7 They issue stop work orders, they have that
8 authority.

9 The senior environmental assessment
10 officer, that's my role on the project, leads the
11 development of the environmental protection plans,
12 the management plans and the monitoring plans. We
13 develop and implement the environmental protection
14 information management system. I support the
15 environment officers with environmental incident
16 mitigation, clean-up, follow-up information and
17 support. We are just another level of support of
18 expertise. We review and audit the daily, the
19 weekly and monthly summary reports of the
20 environmental inspection program. We conduct --
21 to ensure that the inspection program is being
22 implemented as per the environmental protection
23 program has outlined it to be. We conduct annual
24 reviews of the construction environmental
25 protection plans and the program as a whole. I

1 prepare and present annual reports through the
2 communication program, have presentations in the
3 communities and to stakeholders about our
4 environmental protection program and how it's
5 performed to date, about the monitoring results
6 that we have seen to date.

7 A senior environmental officer, they
8 manage the implementation of the construction
9 phase environmental protection plan. There are
10 two in Manitoba Hydro, one for the transmission
11 component and one for the converter station
12 component. This is another lesson learned. These
13 are new positions. These are brand new positions
14 in the construction departments. The construction
15 department did not have an environment officer
16 directly inside the department before. That is
17 brand new, and that's a lesson learned through our
18 22 years of environmental protection and the
19 results of the Wuskwatim. There was a need to
20 have a direct environmental officer in those
21 fields because of the amount of environmental
22 protection measures and monitoring plans and
23 construction activity that's occurring. It was
24 important to have a dedicated officer in those
25 departments.

1 They manage the environmental
2 compliance inspection to ensure the terms of the
3 environmental protection plan and the work permits
4 are followed. They train and do orientation of
5 the contractors and the Manitoba Hydro staff on
6 the environmental protection plans. They assist
7 the construction supervisor in the implementation
8 of the plan, the construction plan. They directly
9 manage the environmental incident reporting,
10 mitigation, clean-up and follow-up. If there is
11 an environmental spill, they are the ones managing
12 it at a senior level, ensuring appropriate
13 measures are being implemented. They liaison with
14 field level regulators. They are the liaison with
15 Manitoba Conservation, natural resource officers,
16 and the environment officers. They review and
17 action the results of the inspection reports that
18 come from the environmental inspectors.

19 Which leads me to the environmental
20 inspector role. The environmental inspector
21 conducts daily site inspections. They are
22 responsible for training and orientation of
23 contract to Manitoba Hydro staff. They assist the
24 construction supervisor in the implementation --
25 they are the on site construction -- the

1 construction supervisor's on site help when it
2 comes to environmental protection and
3 implementation of the plan. They identify the in
4 field environmentally sensitive sites. So they
5 are responsible for laying out the flagging and
6 the buffer zones and getting the signs put up that
7 protect our environmentally sensitive sites. They
8 prepare daily, weekly and monthly summary reports
9 of the environmental inspection program, and they
10 direct -- on the Hydro site they direct the
11 environmental monitors in fulfilling some of their
12 duties. As it is a Manitoba Hydro work site, we
13 need to have -- the environmental monitor, which
14 I'll talk about next, may or may not be a Manitoba
15 Hydro employee. So we will have, again, one
16 environmental inspector per construction
17 environmental protection plan. So that inspector
18 will follow that entire plan and be involved in
19 all the activities of that segment.

20 The construction contractors
21 themselves: One of the lessons we have learned
22 from Wuskwatim is to have -- a contractor has to
23 have an environmental officer on their staff. And
24 that person has to be a qualified environmental
25 professional. They can't be a fill-in, somebody,

1 oh Joe, it's your job to be the environmental
2 officer today for the job. They have to be
3 qualified environmental professionals. They are
4 responsible for working with the employees to
5 implement the environmental protection plan and
6 ensure compliance. We'll have many of them for
7 each component, as there will be many contractors.
8 Sometimes for smaller components or projects, the
9 safety officer and the environment officer may be
10 a dual role.

11 They maintain detailed records of
12 environmental approvals, an inventory of
13 accidents, incidents, alterations, wastes,
14 equipment maintenance, public complaints that they
15 receive. They report any discoveries of non
16 compliance or accidents, discoveries of heritage
17 resources. They report those directly to the
18 construction supervisor. They are responsible for
19 preparing and implementing the contract specific
20 plans that I talked about, the erosion sediment
21 control plan, the emergency response plan, the
22 solid waste and recycling plans, the contractor
23 specific ones, the contaminated site
24 identification assessment and remediation. They
25 stop work voluntarily when construction activities

1 are adversely affecting the environment or
2 mitigation measures are not effective.

3 The environmental monitor: This is
4 another one of those lessons learned through the
5 Wuskwatim project. On the Wuskwatim project we
6 had environmental monitors but they weren't on
7 site all the time. We didn't have a real
8 structured linkage to their duties and the
9 biophysical monitoring plan. And they were there
10 just during construction, they weren't there in
11 the field work season with our specialists.

12 And there was desire to build capacity
13 in the communities, we heard a lot from the
14 communities that they wanted to be involved in
15 environmental monitoring, they wanted to build
16 capacity to do such activities on Hydro projects
17 and other projects in their community. So our
18 desire is to have one local community member per
19 construction phase, environmental protection plan.
20 So they would work hand-in-hand with the
21 inspector. They would be there during the
22 construction period every day, same as the
23 inspector. And they'd be there during the summer
24 work with the specialists, where we have -- after
25 construction is done for the winter, usually the

1 aquatic specialists or the vegetation specialists
2 go out and do field work in the summer time to
3 validate the mitigation measures effectiveness.

4 They will monitor -- so the
5 responsibilities, they do have key roles linked to
6 the biophysical monitoring plans, monitoring
7 activity on the right-of-way such as caribou
8 crossings, moose activity on the right-of-way,
9 sightings of fur bearers, discoveries of new sites
10 that may need to become environmentally sensitive
11 sites. They liaison with the community and the
12 resource users. So we'd like them to go back and
13 tell the community about what is occurring on the
14 project, talk to the resource users, the trapper,
15 the trapline that we are currently in, and talk
16 about the things that they are seeing on the line
17 during construction.

18 They assist the enviromental inspector
19 in delineating those environmentally sensitive
20 sites, and locating and delineating them on the
21 ground, laying out the buffers for the riparian
22 areas, putting in the buffers on heritage sites,
23 or whatever type of mitigation for those, they
24 work with the inspector on that.

25 They contribute firsthand knowledge

1 and local knowledge to the specialists, the
2 environmental monitoring specialists, as well as
3 to the construction supervisor during
4 construction. If that monitor knows that
5 particular creek crossing we're going to doesn't
6 freeze over, there's no way for us to know that,
7 that community member has a huge wealth knowledge
8 of the area, or access to that that we can tap
9 into and understand. The community knowledge that
10 is inherent in the area, they know, it's their
11 backyard. They know what goes on in it and how
12 that can help mitigate our impact on the
13 environment.

14 Community liaison: So this is another
15 role, another lesson learned through the community
16 engagement process. There's been a strong desire
17 for communities to be involved in the monitoring
18 program. The community liaison role was developed
19 to accommodate as many communities as possible.
20 But whereas the environmental monitoring role, we
21 need to have one of those sticking with the
22 construction phase segment, one of those plans for
23 the duration of that construction period. We want
24 to invest heavily and build the capacity of that
25 individual. And if we have a whole bunch of them

1 on the project, it's very hard to manage that. So
2 we have introduced another role to address that
3 where we have a community liaison, they come --
4 during the construction period, they'll come on to
5 the work site one or two days a week. They are
6 selected by and employed by the community,
7 supported by Manitoba Hydro. They liaison with
8 local communities and stakeholders, trappers,
9 about the environmental issues and monitoring
10 programs that Manitoba Hydro is doing. They
11 contribute the local knowledge, again, about the
12 community capacity. They can inform us about the
13 capacity of the community. There may be a piece
14 of equipment we need and the liaison says, oh, Joe
15 down the road has one of those machines, he can
16 bring it up. So bringing in again the local
17 community knowledge, the local knowledge of what's
18 going on. And the concerns of the community,
19 bringing those concerns back to Manitoba Hydro so
20 we are knowing firsthand from the community what
21 their concerns are on a weekly basis.

22 They participate on site with the
23 environmental inspector and the monitor when they
24 are there, identifying environmentally sensitive
25 sites, providing mitigation measure inspection and

1 implementation assistance. For example, the
2 community liaison could be an elder from the
3 community. It could be a trapper from the
4 community that we are operating on his trapline.
5 It could be anybody from the community. It is up
6 to them to select it and provide somebody.

7 They report back to the community on
8 what they see. They provide feedback to Manitoba
9 Hydro about what they see. We document -- we have
10 them document visits with photos and video about
11 what they saw on the project, so that there's some
12 tangible -- they can show the community members
13 about what they saw and things that are going on
14 in the project.

15 Monitoring specialists: A lesson
16 learned on this one is -- the community, we
17 traditionally have used consultants with
18 specialties in wildlife, aquatics, groundwater,
19 soils, vegetation, heritage, reptiles. We plan on
20 the Bipole III project to utilize consultants in
21 those expertise, but also to utilize local
22 community members and Aboriginal traditional
23 knowledge holders, the elders, to contribute and
24 act as monitoring specialists as well as. So it's
25 not a consultant, traditional monitoring

1 specialist, this could be an elder from a
2 community.

3 They are more involved in the
4 mitigation measures as they are developed and
5 adjusted. Through our adaptive management
6 approach, it's real time adapting. If we run into
7 an issue with a mitigation measure, we can go back
8 to the appropriate specialist and get some
9 alternate prescriptions or develop some different
10 mitigation measures if that one isn't performing
11 as predicted.

12 We have annual field investigations of
13 sensitive sites. So every year those specialists
14 at different times of the year, depending on their
15 speciality, will go back and investigate the
16 performance of the mitigation measures on those
17 environmentally sensitive sites and the
18 right-of-ways as a whole. They provide expertise
19 and analysis of the mitigation performance. They
20 provide us guidance in the mitigation measure
21 implementation and adjustments. And they provide
22 reports on the performance of the mitigation
23 measures and the monitoring results that they
24 conduct, through their special monitoring
25 activities that they conduct.

1 In conjunction with the monitoring
2 specialists, the environmental monitor as I note
3 in the beginning there, they are there during
4 construction, but we also, in part of our capacity
5 building, will be a field assistant to whoever the
6 monitoring specialist is. So if we have a
7 vegetation specialist going to the field, we will
8 want that environmental monitor to go with that
9 specialist. Because that environmental monitor
10 has the local knowledge and was there during
11 construction. They have a wealth of information
12 of what actually occurred during construction,
13 which is a vital piece of information for the
14 monitoring specialist to know, because they
15 weren't there during construction when they are
16 doing their assessment on mitigation performance.
17 As well as capacity building, again, those
18 environmental monitors, getting the specialists
19 teamed up with those monitors, who will also bring
20 in, in the northern areas, bring in some of the --
21 not just in the northern areas, some of the
22 traditional knowledge aspects to the monitoring.
23 So we talked about cultural monitoring, as well as
24 a specialty, as well as others as required. As we
25 develop our monitoring plans, we may need more

1 specialists or different types of specialists.

2 The adaptive management approach: The
3 implementation of new or modified measures over
4 the construction operation phase of the project,
5 to address those unanticipated effects. We
6 recognize that there's uncertainty in the
7 predictions of the EIS. There's always
8 uncertainty when you're trying to manage a natural
9 resource. But adaptive management is the best
10 practice to minimize that risk.

11 The elements of our approach include
12 testing the predictions of EIS through the
13 monitoring, the inspection of the mitigation
14 measures that were prescribed, the monitoring of
15 the performance of those mitigation measures, the
16 feedback from those monitoring reports, and
17 response in adapting our monitoring measures,
18 adapting the monitoring measures and also adapting
19 the mitigation measures that are prescribed.

20 Dedicated staff to adaptive
21 management, it's important to have somebody who
22 that's their responsibility, is to look at the
23 whole program, big picture from an adaptive
24 management approach. If you leave it up to a team
25 of individuals, it doesn't quite work as well as

1 having a dedicated person.

2 Continual improvement: From the
3 mitigation level, prescription of a single
4 mitigation measure such as signs -- and I'll show
5 you this one. So we have signs through adaptive
6 management, so the sign on the left there was the
7 first ESS site. So the intention of this sign was
8 to identify contractors that you are about to
9 enter an environmentally sensitive site and you
10 need to follow the measures that are prescribed in
11 the plan. And through the work of the Wuskwatim
12 project, and through the construction phase plans
13 we had there, and some of the misunderstandings of
14 equipment operators, we have decided to --
15 throughout that project they changed the sign.
16 They made the sign much bigger, much more explicit
17 about what they can and can not do there.

18 On the Bipole III project we have
19 taken it another step, we have changed the shape
20 of the sign. It's going to be a stop sign, it is
21 going to be red, it is going to really give the
22 impact to the operator that he's got to stop, read
23 the sign, and then knows what to do. So that's an
24 example of adaptive management, just the smallest
25 little thing as the sign.

1 But when we move up to a program or a
2 plan level adaptive management, we are embedding
3 adaptive management amongst the components of the
4 project, so the inspection program and monitoring
5 program components, there will be adaptive
6 management that are driven by each one of those
7 components. Inspection will find certain things
8 that we'll have to adapt our monitoring programs
9 to measure, and vice versa. Monitoring programs
10 may find anticipated effects that we now need to
11 adapt our inspection programs to look for on the
12 next inspection.

13 As well as adaptive management within
14 each one of the components, adaptive management
15 within the inspection process, within the
16 communication process -- are we not communicating
17 enough? Is the mechanism by which we are
18 communicating presentations, newsletters, website,
19 is that not effective? Is there other ways that
20 we can do it?

21 Construction plan updating and review:
22 A lesson learned as well. We have adapted plans
23 on the Wuskwatim project, we adapted our
24 environmental protection plans from construction
25 segment to construction segment. And so the

1 Wuskwatim project was broken into three lines, it
2 was from Birchtree to Wuskwatim, and from
3 Wuskwatim to Herblet, and then Herblet to Ralls.
4 So three different lines and we weren't building
5 them all at the same time. We built Birchtree to
6 Herblet first. So we adapted each plan as we went
7 along and improved the quality of the plans and
8 the implementation measures. We actually wrote an
9 implementation guide to further explain to the
10 contractors, in more simple plain language,
11 because of the way the plan was originally
12 written, it was -- they were confused about
13 exactly what they had to do, so we had to change
14 language on it. So an implementation plan was
15 written in addition to the construction
16 environmental protection plan.

17 In Bipole's construction environmental
18 protection plan, there is no implementation plan,
19 it's all merged together into one, and we are
20 writing those plans to be very clear and
21 understood by contractors. And we are adapting
22 those year by year. So whereas Wuskwatim, they
23 adapted the plan from one segment to another
24 segment within -- and that construction plan may
25 have spanned two years for a particular segment,

1 we didn't adapt it every year. But on the Bipole
2 III project, we'll be adapting and reviewing our
3 plans, for transmission lines, there will be a
4 construction season review of the plan, with
5 contractors and consultants and communities to
6 find out where we can adjust those environmental
7 protection plans, what has to change? Is there a
8 mitigation measure that didn't work? Is there
9 language that needs to be changed? Is there new
10 mitigation measures that need to be developed?

11 With the converter stations that will
12 be on an annual process, because converter
13 stations under construction annually -- or for all
14 year long, whereas the transmission lines for the
15 most part in northern Manitoba are through a
16 construction season, whether it be in the winter
17 time or in the summer season.

18 Auditing: Manitoba Hydro will use
19 auditing to evaluate the effectiveness of our
20 mitigation measures, our management plans, the
21 inspection program, the monitoring program. The
22 environmental protection program as a whole will
23 be audited by an accredited environmental auditor.
24 That is something that Manitoba Hydro hasn't done,
25 is our environmental protection plans have never

1 been -- the plan itself has never been audited.
2 We have undergone third party audits for part of
3 our ISO 14001 management system standard. But
4 those are at a higher level, looking at bigger
5 processes. We want to audit our plans at a much
6 more detailed lower level in a specific area.

7 The next part of my presentation will
8 talk about the biophysical monitoring and the
9 socioeconomic monitoring plans. So these are
10 draft, we're in the process of drafting these
11 plans. And what I will present to you is some
12 examples of some of the methods that we're
13 including in those plans.

14 Now, we're drafting them, we haven't
15 engaged -- we haven't brought these plans into the
16 community engagement process, so they are very
17 high level, and they look at things from a
18 scientific perspective, not an ATK perspective,
19 which is the next perspective we need to get
20 through our community engagement process, as well
21 as other stakeholders.

22 So groundwater, we'll look at water
23 quality assessment surveys on areas where we have
24 wells, at the converter stations and the camps
25 where there's wells. Aquatics, we'll look at

1 assessments of the environmentally sensitive sites
2 at the stream crossings, where we put in buffers
3 ensuring that the mitigation measures we have for
4 stream crossings were implemented properly and are
5 effective with regard for deactivation and removal
6 of ice bridges and following of the DFO
7 operational statements for water crossings.

8 Soils and terrain; we'll look at
9 ground and aerial surveys in agricultural areas
10 for compaction, rutting, soil productivity,
11 looking at the effects of the construction on
12 those aspects.

13 For terrestrial ecosystems and
14 vegetation, we're looking at pre and post
15 construction surveys, vegetation surveys on
16 species of conservation concern, native grassland
17 prairie areas, plant communities important to
18 Aboriginal peoples, so berries, medicinal plants,
19 looking at the effectiveness of the mitigation
20 that we proposed for those things.

21 Invasive and non native species of
22 plants, looking for those, the presence of those.

23 Reptiles, looking at the habitat
24 surveys for prairie skinks, reptiles, garter snake
25 dens and hibernaculum that are in proximity to the

1 line.

2 Birds, looking at sharp-tailed grouse,
3 Lek surveys pre construction, identifying where
4 those Leks are and prescribing mitigation measures
5 for them.

6 Bird wire collision surveys; you heard
7 Mr. Berger talk about. We have done extensive
8 bird wire collision monitoring as part of
9 Wuskwatim project, and we'll continue to do that,
10 where we prescribe the bird diverters on the
11 Bipole project and in other areas that we feel are
12 a concern to potential collision.

13 Colonial and active bird nests,
14 looking at the nests, identifying those nests pre
15 construction. Identifying where we have to
16 construct during active bird nesting season in a
17 particular area or a particular site, doing a pre
18 construction survey to ensure there are no active
19 nests during the timing windows, during nesting
20 season. Most of our construction where we're
21 doing clearing is all in the winter. So active
22 bird nest surveys aren't required except for
23 larger stick nests, the raptor nests, we will do
24 surveys for those to identify where those are, and
25 propose different types of mitigation. If they

1 happen to be right on the right-of-way, where they
2 are on the right-of-way, we may move and provide a
3 different platform. Traditionally on the
4 Wuskwatim project, we have created more raptor
5 nests than were there previously. The raptors
6 very much like transmission lines for building
7 nests.

8 Mammals, caribou: So we're building
9 on, we're going to continue to build on the
10 extensive research that's been conducted to date,
11 and the corporate commitment to woodland boreal
12 caribou. And we have an internal caribou
13 committee that deals with boreal woodland caribou
14 that goes across business units, involves the
15 power supply and transmission business units, as
16 we both have projects that affect caribou. So we
17 deal with that committee, we look at different
18 types of monitoring and mitigation measures and
19 look at the effectiveness of the different
20 programs, and make sure we aren't overlapping with
21 our programs.

22 The caribou collar tracking, we have
23 an extensive caribou collaring program, the
24 collars are still in place. We plan to maintain
25 those collars in the ranges intersected by the

1 Bipole route. We plan to do mortality
2 investigations, as we have continued to do since
3 we started the collaring program, to determine the
4 cause of death and proximity to the right-of-way,
5 was the animal, was the cause of death to the
6 animal wolves or was it hunting? And what
7 relationship does that have with the transmission
8 right-of-way? Was that an access point to provide
9 that mortality?

10 Caribou recruitment surveys: Again,
11 looking at the lambda rate that Mr. Schindler
12 talked about and the population change of the
13 herds intersected by the Bipole III project, The
14 Bog and the Wabowden and the Reed Lake herd
15 ranges, as well as the Cape Churchill and Pen
16 Island herds.

17 The post collaring surveys, looking at
18 creating population estimates after animals are
19 collared, we use the telemetry information about a
20 month later to go back and see how many animals
21 are associated with those collars, and get rough
22 population estimates. We do multi species track
23 surveys to understand the interaction between
24 moose, wolves, caribou, and the interaction and
25 how they are interacting with each other, just by

1 looking at their tracks and where they have been.

2 Caribou calving complexes, looking
3 at -- we use trail cameras in those complexes to
4 monitor for bears, for predators, for use of --
5 the continued use of the calving complex. We've
6 got wildlife corridors, investigating wildlife
7 corridors for shrubs and understorey, retaining
8 shrub and understorey vegetation to retain the
9 vertical structure in those corridors, to block
10 line of sight and provide shelter in the core
11 calving areas that are being intersected. With
12 the Naosap and Reed Lake herds, we have specific
13 agreements and working partnerships with the
14 Northwest Caribou Committee, because that herd was
15 disturbed by fire, so we're understanding a great
16 deal about large fires. We are working with them
17 to understand the effects of that fire in
18 conjunction with the transmission line.

19 Looking at the Cape Churchill and Pen
20 Island herds, the coastal herds, working with
21 Manitoba Conservation, we have been working on a
22 the project with them, with Manitoba Conservation,
23 the Fox Lake Resource Management Board, the Split
24 Lake Resource Management Board, the York Factory
25 Resource Management Board. We are all in a

1 partnership, as well as Aboriginal Northern
2 Affairs, monitoring through a collaring program of
3 those animals, and monitoring their migration
4 paths and where their calving habitats are. We
5 are continuing that program with them.

6 Mammal, other mammals such as moose,
7 we're looking at moose effects from the
8 transmission line, how moose were -- looking at
9 mortality investigations, again, how moose were
10 killed. Was it a hunter that accessed that moose
11 hunting area from the transmission line, or did
12 they access it from another way? Again, the multi
13 species track surveys also includes the human
14 species, and we do snowmobile tracks, at the same
15 time we are looking at caribou tracks, we are
16 looking at snowmobile tracks and trails, and is
17 the right-of-way being used as a major travel
18 corridor all of a sudden for accessing new moose
19 areas for hunting? Was the right-of-way used --
20 so if there was mortality, was the right-of-way
21 used to access that animal? Was it a
22 relationship, direct connection to the
23 right-of-way of improving access to an area, or
24 was it just through an existing trail that was
25 already there? We're looking at the track

1 analysis with multi species.

2 Line of sight corridors, so using

3 shrubs and understorey in our clearing areas where

4 we would actually retain the shrubs and

5 understorey to break up the line of sight on

6 access trails. So where we have an access trail

7 coming in, we would retain shrubs and understorey

8 for a certain distance away from that access point

9 to break up line of sight -- as well as other

10 types of mitigation. We have been in a lot of

11 discussion with -- in recent discussions with Fox

12 Lake on the Keeyask project, they were educating

13 me about wolves, and how wolves on some of the

14 transmission lines, you can see the wolves. They

15 don't walk up and down the transmission line

16 looking for a moose. They find the high point on

17 land, just like a hunter does, and they sit there,

18 and they look, see how far they can see, which

19 they can see in some areas for quite a distance.

20 And then they see the moose cross and that's where

21 they know where to hunt. So now we are looking at

22 wildlife and line of sight corridors on looking at

23 terrain features. So not only are we preventing

24 access from a hunting perspective, from a human

25 hunting perspective, but from the wolf hunting

1 perspective, and looking at the terrain features
2 and how terrain breaks up on the right-of-way. In
3 different parts of the project, terrain,
4 undulating terrain is a major breakup for line of
5 sight. So that's a major breakup instead of the
6 vegetation is breaking up the line of sight,
7 versus areas where vegetation is the primary
8 mechanism by which we can break up line of sight.

9 Fur bearers, a trapping program for
10 monitoring the impacts of the transmission project
11 on trappers. We have conducted, from 2010 to 2012
12 on the Wuskwatim transmission project, we have
13 conducted a trapping program with two trappers in
14 the Snow Lake area. They were the active
15 participants, they did the monitoring for the
16 trapping trials. We looked at -- we did a trial
17 where we had the trappers consistently trap at
18 various distances away from the transmission line,
19 to see if there was an effect of the transmission
20 line on trapping performance. And there was
21 considerably more fur bearers caught in proximity
22 to the line than there was away from the line.

23 Now, there was a recognized -- during
24 the construction period the fur bearers weren't
25 there. It's the sensory disturbance that drives

1 the fur bearers away. But as soon as construction
2 was removed from the equation, the physical
3 barrier of the right-of-way was not a barrier to
4 the trapping production, and actually increased
5 the access for the trappers and didn't affect the
6 trapping performance.

7 We used trail cameras as part of that
8 survey to observe fur bearers along the
9 right-of-ways. We did track surveys for wolves,
10 and wolverines were discovered, in conjunction
11 with that program.

12 Small mammal monitoring; we were
13 looking at the food source of the fur bearers to
14 see if that was impacted by this right-of-way
15 clearing, and whether that created more small
16 mammals or less. But the results of that project,
17 it was a pilot project, it was two years, but
18 didn't show any effect due to the transmission
19 line. So we want to continue that. We have heard
20 that from a lot of trappers along the line, but we
21 want to replicate that type of monitoring program
22 in their areas. So we're investigating that as an
23 option for monitoring.

24 Multi species track surveys; again,
25 when we do those surveys we are looking at all

1 species of animals. So identifying whether those
2 animals, when we are following a track, does it
3 come up to the right-of-way and then never cross,
4 and runs parallel to it, or do they cross it
5 freely? Those are the kind of results we get out
6 of those multi species track surveys that are
7 conducted in the winter time.

8 Socioeconomic monitoring, employment,
9 workforce, some of the things we'll look at is the
10 employees have the declaration form that Manitoba
11 Hydro has, it collects data on the total number of
12 hires, worker retention and turnover rate, the
13 number of Aboriginal peoples employed by the
14 project, business opportunities, the total number
15 and value of purchases stored in vendor databases
16 in our accounting system. We would conduct key
17 person interviews to understand the indirect
18 business effects of the transmission project on
19 other businesses, like local gas stations and
20 restaurants in say the Gillam area.

21 Infrastructure and services; looking
22 at the effects of all of the people that are going
23 to be coming into this area as, you know, there
24 are camps within the Keewatinoow converter
25 station, but there are some workers that will be

1 in other areas in and around Gillam, in
2 conjunction with all the other projects that Hydro
3 is proposing in that area. We expect there to be
4 some type of effect on the infrastructure with
5 regards to -- so we would do interviews with the
6 RCMP and hospital and band councils, and as well
7 as the Gillam town council, to understand what
8 types of strains are being placed on those local
9 services, what kind of mitigation measures we can
10 implement to reduce that.

11 Worker and family well-being;
12 interviews with workers and camp managers to
13 understand the worker family dynamic. Is the
14 worker being away from home causing undue stress
15 on the family? Interviewing camp managers to look
16 at what the morale level is in camp and what kind
17 of social issues are occurring in the camps.

18 Electromagnetic fields; we have done
19 some modeling on EMF to come up with predictions
20 of the electromagnetic fields on Bipole, but we
21 are conducting validation experiments to validate
22 those models. So we do EMF readings prior to
23 Bipole construction, and then EMF readings after
24 Bipole is constructed to see the differences, and
25 to validate the predictive modeling that has been

1 conducted.

2 Property values; we're tracking market
3 values of properties sold, traversed by the
4 right-of-way. This is a lesson, one of the
5 lessons learned. This is to validate the
6 prediction in the EIS that there is no loss in
7 value to agricultural properties or residences.
8 We have been studying residential values near the
9 Birds Hill and Lister Rapids areas, as a licence
10 condition of the Dorsey transmission line, for
11 over ten years looking at the property values. We
12 want to extend that now into the agricultural
13 arena of real estate, and looking at market
14 values, how they are affected on the agricultural
15 land. But market values don't tell the whole
16 story sometimes, so we are proposing to conduct
17 seller/buyer interviews for sale motivation.
18 Sometimes sale is sold cheaply because it's to
19 their neighbour, not because there is a
20 transmission line, or it is to their family, it is
21 not because of the transmission line, it is
22 because they gave a deal to their brother; or it
23 is sold expensive, at a very high premium because
24 the buyer is trying to amalgamate land to put
25 together larger parcels of land to farm, so he's

1 willing to pay a premium. So the market value
2 doesn't tell the whole story, so we want to
3 augment that with these interviews to understand
4 if the transmission line is really affecting the
5 property values.

6 Heritage resources; we look at
7 monitoring for the effectiveness of the mitigation
8 measures, the protection measures that are put
9 into place for heritage discoveries like the ones
10 at converter stations.

11 Culture and spirituality; we're not --
12 Manitoba Hydro is not expert in culture and
13 spirituality of First Nations, so we want to
14 engage the Aboriginal peoples to determine the
15 appropriate monitoring measures to determine those
16 effects that we were described in the
17 Environmental Impact Statement.

18 Agriculture; interviews with various
19 types and scales of producers. So from grain
20 farmers to hog farmers to dairy farmers, from big
21 corporations to small farmers, conducting
22 interviews to understand if they have concerns
23 about the construction, what were some of the
24 effects of the construction process? Has crop
25 production been affected by the transmission line

1 on the right-of-way? Has their crop selection
2 changed because there's a transmission line on
3 their property now? Has the input use -- so the
4 inputs that they put into their crops -- increased
5 because of the transmission line being on their
6 land, or has the land use changed because of the
7 transmission line?

8 Transportation and access; we're
9 looking at Manitoba Highways transportation
10 information system data, looking at traffic
11 volumes in the Gillam area, around Riel Converter
12 station, is there a dramatic increase in access
13 due to the construction activity?

14 Traffic volume, using traffic counters
15 at some of those key sites to look at traffic
16 volumes, talking with the RCMP to see if there's
17 an increase in accidents in relation to the
18 construction activities.

19 Gate records on the gates required at
20 some of our construction sites to see how many
21 resource users are utilizing the Conawapa access
22 road to get to the boat launch at the end. So our
23 access management plan has measures in place to
24 allow access of the resource users through the
25 Conawapa, on the Conawapa access road through the

1 Keewatinoow construction area to get to the boat
2 launch, which they heavily utilize. So we look at
3 gate records and how frequently that's being used,
4 and times of days that it is being used, and see
5 if there's ways we can improve the access, the
6 ease of access for resource users.

7 Using trail cameras on the
8 right-of-way to manage -- sorry, to monitor the
9 use of the right-of-way by non construction
10 personnel, are people using it quite a bit more
11 for hunting or accessing areas that they
12 previously didn't access? We have done this type
13 of work on the Wuskwatim project, and there was
14 less than 10 percent of the activity on the
15 Wuskwatim transmission line was non construction
16 related activities. But the Wuskwatim
17 transmission line is a little more remote than the
18 Bipole line, so we want to monitor that again.

19 Safety programs; looking at any
20 incidents, safety program results looking at
21 incidences of people on the right-of-way,
22 utilizing the right-of-way, and if there's been
23 any incidents from a safety perspective.

24 Resource harvesters and outfitters
25 surveys, chatting with them, we plan, through the

1 community engagement process, we plan to talk to
2 them throughout the whole construction to keep
3 them aware of when we are going to be constructing
4 on their trapline and when a particular trail that
5 they utilize may be closed because we are
6 straightening a conductor or clearing it. Keeping
7 that constant line of communication, but then at
8 the end measuring our performance through surveys
9 with them. You know, were you restricted access
10 to hunting areas or resource extraction areas due
11 to construction activities? And having a better
12 understanding of that.

13 And finally in summary on my
14 presentation, Manitoba Hydro is committed to a
15 comprehensive program of environmental protection.
16 We are committed to community engagement and
17 community involvement in that program. We are
18 committed to being adaptive and learning and
19 evolving throughout the duration of the
20 construction program and operations of the line.
21 We are involving all of the lessons we have
22 learned in the 22 years of environmental
23 protection plans we implemented, monitoring and
24 following up on those EIS predictions that we have
25 been hearing about for the last few weeks. And

1 our program is being designed to meet or exceed
2 applicable government guidelines and industry best
3 practices. In development of the draft
4 environmental protection plan, we have -- if you
5 look in the appendices there -- we have combed the
6 legislation, the best practices documents from
7 across Canada trying to find the best mitigation
8 measures to implement for this project.

9 And that's all. Thank you.

10 THE CHAIRMAN: Thank you,
11 Mr. Matthewson. We'll take a short break in a
12 moment and give participants an opportunity to
13 draft a question or two of you folks. We'll come
14 back in about 15 minutes. So I'd say to the
15 journalism students, you have about 15 minutes to
16 pin down some of the participants in this process.
17 So please come back just after quarter after.

18 (Proceedings recessed at 3:02 p.m. and
19 reconvened at 3:20 p.m.)

20 THE CHAIRMAN: Okay. Can we come back
21 to order, please? I think all of the participants
22 have some cross-examination, so first up is
23 Mr. Beddome.

24 MR. BEDDOME: Thank you very much
25 Mr. Chair, James Beddome, Green Party of Manitoba

1 for the record. And I just want to thank the
2 other participants for allowing me to switch
3 around here once again to get my questions in. I
4 also want to thank you, Mr. Ortiz, and
5 Mr. Matthewson for being here today.

6 The first one I guess is, I guess will
7 be to Mr. Ortiz. Were you involved in responding
8 to the information requests at all?

9 MR. ORTIZ: Yes.

10 MR. BEDDOME: Okay. So I just want to
11 turn to information request, and it's found in the
12 August 15th package from 2012, it's page 137 on
13 the digital version, but actually let me just
14 check. If you are in print, it will be 135, and
15 it's CEC MH VI 244B.

16 Essentially, you give a breakdown as
17 to the use of herbicides on Bipoles I and II, and
18 that would be you are using, in 2011 you used 100
19 litres of Garland Ultra, 480 litres of Garland
20 XRT, and 555 litres of Tordon 101. That's 2011,
21 is that correct?

22 MR. ORTIZ: Yes, that's what the
23 response was.

24 MR. BEDDOME: In 2012 you used and 900
25 litres of Garland XRT and 900 litres of Tordon

1 101, correct?

2 MR. ORTIZ: That's right.

3 MR. BEDDOME: Now, are these the only
4 two herbicides and/or pesticides that is used in
5 terms of maintaining transmission right-of-ways?

6 MR. ORTIZ: Yes.

7 MR. BEDDOME: So there is no other
8 pesticides being used?

9 MR. ORTIZ: No, those are the only two
10 herbicides that we used for tree control and
11 rights-of-way.

12 MR. BEDDOME: How about historically?

13 MR. ORTIZ: Herbicides have changed
14 over the years. These are the two most advanced
15 ones to come along in a while.

16 MR. BEDDOME: The reason I ask is
17 because, in that information response you indicate
18 that Manitoba Hydro has only recently in the last
19 two years began to apply herbicides on Bipoles I
20 and II. You can probably see that at the top line
21 of the response, correct?

22 MR. ORTIZ: Yeah.

23 MR. BEDDOME: When I go to chapter 8,
24 and it's page 8-7, there's an indication at the
25 bottom of that page -- and that's in the EIS I

1 should indicate. I can read it for you. I don't
2 know if you have to turn there, but it's up to
3 you.

4 MR. ORTIZ: If you would, please?

5 MR. BEDDOME: It says:

6 "Since 1985 Manitoba Hydro has
7 significantly reduced the use of soil
8 residual herbicide products for
9 management of vegetation operation
10 phase along transmission line
11 rights-of-ways, and use of herbicide
12 products is currently more selective
13 than it has been in the past,
14 resulting in minimal soil residue
15 lingering into the next growing
16 season."

17 I'm just wondering if you can explain that,
18 because the answer said we have only been applying
19 herbicides to Bipoles I and II in the past two
20 years, but yet there's been a significant
21 reduction since 1985. So I'm just wondering if
22 you can help rectify that or explain that for me?

23 MR. ORTIZ: The comment in the EIS is
24 based on the entire transmission system, not just
25 on Bipoles I and II.

1 MR. BEDDOME: Okay. And so then can
2 you -- I don't necessarily expect you to have all
3 the information at the top of your head, but maybe
4 provide an overview then of how this reduction has
5 been achieved, roughly what this reduction is
6 since 1985?

7 MR. ORTIZ: Well, basically, it's been
8 a change in chemistry. One of the products that
9 was used in the past, the active ingredient was
10 dicamba, which remained active in the soil after
11 it was applied. The herbicides that we use today
12 basically break down a lot faster.

13 MR. BEDDOME: Okay. I'm going to
14 assume, given your expertise, that you have had
15 time, therefore, to go through MSDS sheets for
16 these herbicides, correct, or you have reviewed
17 them in the past?

18 MR. ORTIZ: Yes.

19 MR. BEDDOME: Because I was going
20 through some of the MSDS sheets, so I have one
21 here for Garland XRT that I got off the
22 Agricultural Department of the Government of B.C.
23 And if I can just scroll down, I think it gives
24 the breakdown rates. And basically what you're
25 saying is that the bio-cumulative effects are

1 lower for Garland XRT, in terms of what they were,
2 versus previous chemicals that we're using? Am I
3 not correct in that?

4 MR. ORTIZ: I guess depends on your
5 definition of bioaccumulation. They certainly are
6 not persistent.

7 MR. BEDDOME: Just one second. I went
8 for the shorter one and then I found the longer
9 one, the B.C. page -- persistence in
10 degradability. So they are saying that the
11 biodegradation under static laboratory conditions
12 is moderate...between 10 and 40 percent. That
13 sounds accurate to you?

14 MR. ORTIZ: I am not familiar with
15 those numbers, but I guess it would all depend
16 what you're comparing it to as well. An MSDS
17 would be comparing it to all the chemicals that
18 have -- not just necessarily to other herbicides,
19 but to a whole myriad of chemicals.

20 MR. BEDDOME: Okay. I see, yes, to
21 the entire.

22 And now, you would agree, though, that
23 both Garland Ultra XRT and Tordon are harmful to
24 aquatic water systems; correct?

25 MR. ORTIZ: If they are used

1 appropriately on the landscape, the effects on
2 aquatic water systems, there should not be any
3 effect on aquatic water systems.

4 MR. BEDDOME: Well, I'll just read off
5 the MSDS.

6 "Garland XRT herbicide is not
7 registered for application to water
8 surfaces, including lakes, ponds and
9 streams, and is highly toxic to fish,
10 aquatic plants and aquatic
11 invertebrates."

12 You'd agree with that, correct?

13 MR. ORTIZ: I would agree that's what
14 the MSDS says, yes.

15 MR. BEDDOME: But through the use, and
16 you guys I think list a 30 metre buffer zone you
17 feel that those impacts will be mitigated; is that
18 not correct?

19 MR. ORTIZ: That's the traditional
20 setback, yes.

21 MR. BEDDOME: And the traditional
22 setback is based upon?

23 MR. ORTIZ: It's based upon a lot of
24 scientific study, both in the agriculture and in
25 the industrial setting, based on a Manitoba

1 Conservation permit and Health Canada
2 recommendations. It's not a distance that Hydro
3 has picked.

4 MR. BEDDOME: Okay. And how are these
5 herbicides applied? Like what's the method of
6 application?

7 MR. ORTIZ: From the ground.

8 MR. BEDDOME: So is it from the ground
9 from just backpack and the guy with a sprayer
10 essentially?

11 MR. ORTIZ: In certain circumstances
12 it is, most of the time it's from a small track
13 machine with a hose and handgun.

14 MR. BEDDOME: Do you have any idea
15 what the rate of application per hectare would be?

16 MR. ORTIZ: Well, it depends on the
17 herbicide and the concentration.

18 MR. BEDDOME: So when we're looking at
19 Garland XRT, we don't know --

20 MR. ORTIZ: It's about four litres per
21 hectare.

22 MR. BEDDOME: Okay. The reason that I
23 ask that is -- okay. I was just looking at the
24 MSDS sheet and looking for their suggested buffer
25 zones and comparing it, but that makes sense to

1 me.

2 I think I can move along. I do
3 appreciate that. Oh, there was just one or two
4 other quick questions. In one of the IRs you
5 mentioned in some of the southern agra areas
6 there's been use of, I can't remember what the
7 name of the beetle, but to deal with leafy spurge,
8 correct?

9 MR. ORTIZ: That's correct.

10 MR. BEDDOME: Any comparable programs
11 or options that Manitoba Hydro has examined for
12 use in other areas, or nothing that you are aware
13 of?

14 MR. ORTIZ: For noxious weed control?

15 MR. BEDDOME: For noxious weeds or
16 even for -- I guess -- you know, obviously, you're
17 using the herbicides in more wooded areas of the
18 province. Is there any other alternative options
19 that Hydro has been investigating in order to try
20 to reduce herbicide use even further?

21 MR. ORTIZ: State your question again,
22 please?

23 MR. BEDDOME: I was just wondering if
24 there were -- so I understand you're using beetles
25 in some southern regions to deal with leafy

1 spurge. I just wanted to know if there were any
2 other similar biological type programs that were
3 looking at alternatives aside from herbicides to
4 help further reduce herbicide use to control
5 transmission right-of-ways?

6 MR. ORTIZ: Ultimately, the use of
7 herbicides, it results in a biological control
8 because you're enhancing the competition for the
9 species that you don't want to be there. There
10 has been some research done into some fungal
11 products for the control of aspens and alders.
12 Nothing has been registered, though, that we are
13 at liberty to use.

14 MR. BEDDOME: Okay. Thank you. I
15 appreciate that.

16 I will move onto Mr. Matthewson.
17 There were just really only a couple of quick
18 questions for yourself.

19 So it's a new step for Manitoba Hydro
20 to include the draft environmental protection plan
21 when filing its EIS. This is generally a new step
22 for Manitoba Hydro, correct?

23 MR. MATTHEWSON: For transmission
24 projects.

25 MR. BEDDOME: For transmission. So

1 previously it was done with Wuskwatim, that would
2 be the first time it was done for generation
3 projects?

4 MR. MATTHEWSON: I'm not sure when the
5 first time took place.

6 MR. BEDDOME: I was just curious if
7 that's going to be -- maybe you're not able to
8 answer, and if you're not, that's fine -- but that
9 will be a continuing practice for Manitoba Hydro
10 going forward for all future projects?

11 MR. MATTHEWSON: It is a practice we
12 are striving to achieve, yes. And the most recent
13 transmission project EIS submitted less than a
14 week ago contained a draft environmental
15 protection plan.

16 MR. BEDDOME: Turning to, I guess page
17 5, the slide on the bottom of it in your
18 presentation. I just was curious for a bit more
19 information on the information line, you indicated
20 that through the information line things are going
21 to be flowed through. Maybe I missed it, but
22 flowed through to whom? Like who is going to
23 receive any information that comes in from the
24 information line and how are they going to deal
25 with it?

1 MR. MATTHEWSON: Well, the nature of
2 it depends on the nature of the information. If
3 it was a complaint about a construction activity,
4 it would flow through to the construction
5 supervisor in that area. If it was a complaint
6 about, or maybe not even a complaint, if it was
7 something as in they found a nest on the
8 right-of-way and they wanted to make us aware of
9 that.

10 MR. BEDDOME: They found what?

11 MR. MATTHEWSON: A nest, let's say
12 they found a nest on the right-of-way that we
13 weren't aware of, they could call us and say,
14 there's a nest on the right-of-way. And we would
15 go and investigate that nest, and add it to our
16 environmentally sensitive site maps, and apply
17 mitigation as required.

18 MR. BEDDOME: Okay. The other thing
19 was just sort of, the blasting that's going to be
20 required, that a blasting plan is still set to be
21 developed. What will be the mechanisms for public
22 review?

23 MR. MATTHEWSON: Of the blasting plan?

24 MR. BEDDOME: Will there be any
25 mechanisms for the blasting plan?

1 MR. MATTHEWSON: Well, the blasting
2 plans are a document that is developed by the
3 blaster, a licenced blaster. And it's a
4 regulatory requirement to develop the plan. And
5 then as far as what's in that plan, no, or the
6 review of that plan would generally not be
7 reviewed. But within the environmental protection
8 plan that we have, the draft environmental
9 protection plan, we have a section on blasting.
10 And those mitigation measures will be reviewed as
11 part of the ongoing community engagement about the
12 mitigation measures we propose to implement for
13 blasting.

14 MR. BEDDOME: But there won't be any
15 review for the blasting plan drafted by the
16 blasting professional?

17 MR. MATTHEWSON: No, but it will be in
18 conjunction and follow the mitigation measures as
19 outlined in the environmental protection plans,
20 that were reviewed.

21 MR. BEDDOME: Okay. I just wonder if
22 you can elaborate a bit more on page 8, at the top
23 of it, you talk about community and traditional
24 knowledge to be incorporated. Can you just --
25 into the monitoring plans -- can you just sort of

1 provide an overview as to what the process is to
2 incorporate it?

3 MR. MATTHEWSON: Well, I think what we
4 have been doing so far is we have been having
5 meetings with elders and resource users. We have
6 open houses in the communities where we go back to
7 those communities that participated in the ATK
8 workshops, or voice concerns in the public
9 consultation process, gone back to them and
10 brought more detailed mapping, and engaged in
11 discussion with them about what the mitigation
12 measures were that we were proposing to implement
13 there, and asking them for their input into those
14 mitigation measures and development of new ones.

15 MR. BEDDOME: Now, in terms of the
16 monitoring plans, when I had a chance to question
17 Dr. Rettie and Mr. Schindler, as well as
18 Mr. Berger, they sort of indicated the monitoring
19 plans for birds, for caribou, for other species
20 are still yet to be determined. So how long are
21 we looking at continuing caribou and wolf
22 collaring?

23 MR. MATTHEWSON: The current draft
24 plan has the collars that are -- to maintain the
25 collars on the herds that are intersected by the

1 Bipole III transmission project, The Bog and
2 Wabowden and Reed, as well as the Naosap and Pen
3 Island animals, to maintain those collars at a
4 level of 20 collars, which is what we have been
5 maintaining up to this date. That was the goal
6 for a statistically sound sample was to have 20
7 animals collared. We intend to maintain that
8 for -- our current plans are to maintain that for
9 five years. Sorry -- maintain those 20 collars up
10 to 2015. And as they -- the life of the collar,
11 it lasts for three years, so the last deployment
12 of collars will be in 2015, and then they would
13 last up to three years.

14 So the intention of the Wuskwatim
15 transmission project has undergone extensive --
16 undergone five years, sorry, three years of
17 monitoring so far post construction -- sorry, not
18 post construction -- three years of monitoring
19 since we first employed the collars, and we will
20 continue those collars, and that project will act
21 as our long-term monitoring. So we will continue
22 to monitor those collars on those herds for, in
23 conjunction with the Bipole project, so as to have
24 a longer term data set of post construction. What
25 the Bipole monitoring will do, by having the 20

1 sample size, what we didn't have on the Wuskwatim
2 project was the 20 sample sized herds during
3 construction. So the Bipole monitoring project's
4 goal is to ascertain the effects of the
5 construction phase of the transmission project on
6 boreal woodland caribou. So we're intensively
7 monitoring the caribou during that time, but
8 meanwhile keeping the collars on the Wuskwatim
9 line and to look at the long-term operational
10 effects of the transmission project on caribou.

11 MR. BEDDOME: There is one thing I
12 want you to clarify, maybe I misheard you. You
13 said that -- I thought I heard you say we did not
14 monitor construction on Wuskwatim?

15 MR. MATTHEWSON: We didn't start --
16 there was pre construction monitoring that was
17 conducted by Manitoba Conservation. And then
18 there was some construction monitoring, but it
19 wasn't for the duration of construction. It was
20 in the last year, year and a half of construction.

21 MR. BEDDOME: I see.

22 MR. MATTHEWSON: So we don't have as
23 big of a data set as we would like.

24 MR. BEDDOME: But there is going to be
25 some monitoring, sort of post in the operational

1 phase. And I guess what dawned on me was that the
2 last collars will be put on in 2015, in regards to
3 the Bipole III monitoring, and will have a three
4 year life span. But the project is slated to be
5 finished by 2017, and that's making some generous
6 assumptions, I think, in terms of when the licence
7 will or won't be issued. That's correct, right,
8 2017 is still the slated end date?

9 MR. MATTHEWSON: Yeah.

10 MR. BEDDOME: So there won't be much
11 operational monitoring then of the Bipole III
12 corridor after construction? Is that not correct
13 to say?

14 MR. MATTHEWSON: No, the Bipole III
15 construction segments that are planned for
16 construction in the boreal woodland caribou areas
17 will be constructed in the first two years of the
18 project. So they will occur, and we will have
19 monitored those herds during construction for two
20 years all the way through 2017.

21 Now, it is true the line will not be
22 energized, but the right-of-way will be fully
23 cleared and the conductors strung. So as far as
24 the caribou is concerned, it is an operational
25 line, as in the construction is gone and there's

1 no longer the sensory disturbance caused by
2 construction, for several years before the
3 in-service of Bipole as a whole.

4 MR. BEDDOME: I understand that and I
5 get that the clearing will be made. Just to do
6 the math, though, that would be -- the last
7 collars go on 2015, which would be roughly around
8 the same time that you would finish the
9 collaring -- or you would finish the clearing for
10 the northern portions where the caribou herds are.
11 You would agree with that, right? I mean, I'm
12 assuming we started this spring, so roughly?

13 MR. MATTHEWSON: Yeah.

14 MR. BEDDOME: So there may be 20 in
15 2015, but it's going to taper down below 20 then
16 going into the future of the operation?

17 MR. MATTHEWSON: Yes, but the
18 Wuskwatim will have had several years of
19 operational monitoring as well.

20 MR. BEDDOME: Do you think the
21 monitoring could be improved if you were to extend
22 that collaring by a few years in order to assess
23 the operational aspects a little bit more on
24 Bipole III?

25 MR. MATTHEWSON: The results we have

1 received, we have seen on the Wuskwatim
2 transmission project monitoring to date, as
3 outlined in the monitoring reports submitted to
4 Manitoba Conservation, don't illustrate any
5 negative effects operationally of the Wuskwatim
6 transmission line on boreal woodland caribou.

7 MR. BEDDOME: You don't see any
8 benefit doing a compare and contrast with Bipole
9 III?

10 MR. MATTHEWSON: The Bipole III will
11 augment the information on the Wuskwatim project.

12 MR. BEDDOME: Okay. Fair enough. How
13 about bird surveys? What's the plan and for how
14 many years to conduct bird surveys, and how will
15 that be taken care of in terms of long-term
16 monitoring?

17 MR. MATTHEWSON: Can you clarify what
18 bird monitoring you're referring to? Are you
19 referring to nesting or bird wire collisions?

20 MR. BEDDOME: I guess I kind of was
21 looking at both, I was hoping you would give me a
22 general overview, but, yeah, I was sort of
23 wondering about, I know that there's some plans to
24 survey for bird wire collisions, some plans to
25 survey for nesting. Same type of thing as sort of

1 the collaring we were talking about with caribou,
2 I'm just wanting to know, is that monitoring
3 planned to be, you know, every two years let's say
4 going forward in perpetuity, or it's going to be
5 for five years from the start of construction, or
6 I mean, same type of questions almost that I asked
7 you on the caribou, to be quite honest?

8 MR. MATTHEWSON: So for nests, nesting
9 surveys are conducted prior to clearing for
10 looking for stick nests. Looking for migratory
11 bird nests, breeder nests would only occur in
12 areas that we would be constructing during the
13 timing window of the breeding period for birds --
14 sorry, we would only be clearing in those timing
15 windows. So that's when we would be doing nest --
16 breeding bird surveys for nests.

17 MR. BEDDOME: And migratory birds, the
18 collisions?

19 MR. MATTHEWSON: Bird wire collisions,
20 the monitoring would start upon installation of
21 the conductor, and the bird diverters in those
22 areas that require them, as prescribed in the ESS
23 sites. And monitoring of those would continue
24 through the construction period up to in-service,
25 and then from -- the operational monitoring

1 program is yet to be developed to determine how
2 long we would monitor the bird wire collisions on
3 that.

4 MR. BEDDOME: So it's still up in the
5 air?

6 MR. MATTHEWSON: Right now, yeah. We
7 have been monitoring bird wire collisions on the
8 Wuskwatim project for almost five years now, and
9 we have seen very good performance from our bird
10 diverter program and aerial markers, and as noted
11 in the Wuskwatim reports submitted to Manitoba
12 Conservation, we're seeing less than five birds
13 found under areas where bird diverters are
14 installed. But we will be conducting sampling, as
15 Mr. Berger mentioned, we will be sampling under
16 areas with bird diverters and areas without,
17 generating a sampling, statistical sampling. We
18 likely will not sample every bird diverter
19 location because there are many, probably close to
20 a hundred.

21 MR. BEDDOME: Because I don't want to
22 take too much time, other surveys that might be
23 done in terms of monitoring biological, wildlife
24 in particular, that are planned or -- if you can
25 just provide a quick overview, that would be

1 adequate.

2 MR. MATTHEWSON: Just in my last slide
3 there -- we talked about caribou, birds, so we
4 have bird wire collisions, colonial nesters,
5 reptiles, habitat for prairie skink in Southern
6 Manitoba, as well as garter snake habitat,
7 terrestrial surveys for vegetation, you were
8 asking about mammals, fur bearers with the
9 trapping program and the multi species and track
10 surveys conducted.

11 MR. BEDDOME: Okay. Now, there's just
12 a couple of other questions. One is that you talk
13 about annual environmental protection plan audits
14 conducted by an accredited environmental auditor.
15 Could you define what you mean when you say
16 accredited environmental auditor? What are the
17 credentials that make someone an accredited
18 environmental auditor?

19 MR. MATTHEWSON: There is an auditing
20 body in Canada that accredits auditors of
21 different disciplines, environmental and
22 financial. So we would look to that governing
23 body to apprise the level of accreditation.

24 MR. BEDDOME: And you don't know the
25 name?

1 MR. MATTHEWSON: I don't know the name
2 offhand, no.

3 MR. BEDDOME: That's fair enough. And
4 same type of question about, you know, you are
5 talking about the environmental officers and
6 inspectors. Once again you are saying they are
7 going to be, you know, accredited environmental
8 professionals. What's the accreditation you're
9 looking for there?

10 MR. MATTHEWSON: I used the term
11 qualified environmental professionals.

12 MR. BEDDOME: Sorry.

13 MR. MATTHEWSON: It is a term
14 delineated by the Environmental Professional
15 Association. Again, I can't recall off the top of
16 my head the name of that association, but there is
17 a definition under their program.

18 MR. BEDDOME: I think I know the
19 association you are speaking of. But thank you, I
20 do appreciate that clarification.

21 The only other thing I was wondering
22 about was, in terms of the inspectors, they are
23 going to be employees of Manitoba Hydro?

24 MR. MATTHEWSON: Correct.

25 MR. BEDDOME: Do you think there would

1 be any benefit in having third party inspections,
2 having it done by something that's more arm's
3 length in terms of providing the inspections?

4 MR. MATTHEWSON: Natural resource
5 officers, as well as environment officers, conduct
6 inspections as compliance for the Environment Act
7 licence, as well work permits that are issued
8 under -- so they conduct inspections. So the
9 Government of Manitoba conducts inspections as
10 well.

11 MR. BEDDOME: Will the Government of
12 Manitoba inspections build upon the inspections
13 done by the Manitoba Hydro environmental
14 inspectors, though, or will it be independent of
15 that?

16 MR. MATTHEWSON: They conduct their
17 own inspections as per their work permits.

18 MR. BEDDOME: So it is separate?

19 MR. MATTHEWSON: Yes, they provide us
20 copies of those inspection reports as well as
21 remediation recommendations for Hydro to
22 implement.

23 MR. BEDDOME: And the reports will be
24 put out, there will be an annual report that will
25 be made publicly available?

1 MR. MATTHEWSON: There will be an
2 annual report on the monitoring program which will
3 include the number of inspections conducted, the
4 number by Manitoba Conservation, by Manitoba
5 Hydro, but the inspections themselves would not.

6 MR. BEDDOME: Okay. And so I see what
7 you are saying, sorry, I understand now.

8 Do you know how it's going to be made
9 public? Is it going to be posted on Manitoba
10 Hydro's website? Do you know what the plan is?

11 MR. MATTHEWSON: The monitoring
12 reports will be posted on Manitoba Hydro's Bipole
13 III project website, as well as listed or filed
14 with Manitoba Conservation and put into the public
15 registry.

16 MR. BEDDOME: Okay. I think that more
17 or less concludes my questions. I do appreciate
18 your time, and I will allow the next participant
19 to question here.

20 THE CHAIRMAN: Thank you, Mr. Beddome.
21 Mr. Keating?

22 MR. KEATING: These questions are for
23 Mr. Matthewson. I just want to ask a couple of
24 questions with the hope that the answers will
25 assure me that Aboriginal communities, including

1 TCN, will have meaningful input into the design of
2 the EPP, and also with respect to participation in
3 the implementation of the various plans,
4 particularly monitoring.

5 And I turn to page 12, and the first
6 slide on that page which describes the community
7 engagement process. Mr. Beddome touched on this
8 aspect a little bit in his questioning, but I just
9 want to confirm a few things.

10 This community engagement process, you
11 are really referring to the four rounds of
12 consultation or engagement, right?

13 MR. MATTHEWSON: No, I am not.

14 MR. KEATING: What does it refer to
15 then?

16 MR. MATTHEWSON: It is a new
17 engagement process specifically for the
18 environmental protection program.

19 MR. KEATING: Okay. I'm glad to hear
20 that. Could you tell me when it started and what
21 the status is of it now?

22 MR. MATTHEWSON: The engagement
23 process started with letters going out on
24 March 16, 2012 to all the communities in N-1, N-2,
25 N-3, so that's Fox Lake, TCN, and all the other

1 communities. If you would like me to list them, I
2 can. But we sent a letter asking to meet with the
3 community and discuss the environmental protection
4 program. Meetings actually occurred, the first
5 meeting occurred on April 24th. And then that
6 last meeting occurred May 10th, for the
7 communities that we had consulted with so far.

8 MR. KEATING: Thank you for that one.

9 With respect to the final EPP, based
10 on this community engagement process, how much
11 flexibility is there in terms of the content of an
12 EPP and the role of an Aboriginal community? As
13 an example, I notice that under socioeconomic
14 monitoring, domestic harvesting is not cited as a
15 component that would be monitored. But is that
16 something that could be added?

17 MR. MATTHEWSON: Yes.

18 MR. KEATING: And also that applies to
19 the nature of the role of the Aboriginal
20 communities, like in this presentation it mentions
21 one environmental monitor and one community
22 liaison. I mean, that could change depending upon
23 the size of the community and its needs?

24 MR. MATTHEWSON: We would -- the
25 environmental monitor role, the reason for one to

1 one per construction environmental protection plan
2 was so that there was a continued -- sorry, a
3 capacity building, extensive training. Now, there
4 could perhaps be two in a community, depending on
5 the size of the community in the area traversed.
6 Community liaisons, we can undertake -- and that's
7 through the community engagement process, to
8 discuss with the community about how many liaisons
9 they would like. And some of these -- those are
10 just the environmental monitors, the community
11 liaison.

12 The monitoring specialist's role may
13 introduce other avenues for the community. There
14 may be a vegetation specialist in a community
15 that's very familiar with medicinal plants and
16 country foods that we would bring into work, to
17 look at the monitoring of those aspects of the
18 monitoring plant.

19 MR. KEATING: Okay. Thank you very
20 much. That's all.

21 THE CHAIRMAN: Thank you, Mr. Keating.
22 Mr. Stockwell?

23 MR. STOCKWELL: Thank you
24 Mr. Chairman. I just have a couple of questions
25 for Mr. Ortiz.

1 It seems to me that using herbicide as
2 a method of maintenance is inexpensive and very
3 easy to use. And hence, I would think that there
4 might be a good deal of pressure, because of the
5 inexpensiveness and the ease of use, to use
6 herbicides. Is that the case?

7 MR. ORTIZ: I would say no. As a
8 matter of fact, there is a lot more planning
9 involved. To institute a herbicide program takes
10 a lot more effort than it does to hire a bulldozer
11 and go out and just knock everything down.

12 MR. STOCKWELL: Does that go for
13 maintenance as well?

14 MR. ORTIZ: Yes, that's what I'm
15 talking about.

16 MR. STOCKWELL: Maintenance and
17 clearing, because we learned earlier that there is
18 a big difference between maintenance and clearing.

19 MR. ORTIZ: Yes, clearing is typically
20 dealing with mature forests, whereas we're dealing
21 with the regeneration.

22 MR. STOCKWELL: Okay. You mentioned
23 that actually clearing -- and you mentioned that
24 clearing actually could be ten times more
25 expensive doing it manually than doing it by heavy

1 equipment; is that correct?

2 MR. ORTIZ: That's true, yes.

3 MR. STOCKWELL: Does that apply to
4 maintenance as well?

5 MR. ORTIZ: Yes, that's what my
6 presentation is on.

7 MR. STOCKWELL: It is all about
8 maintenance?

9 MR. ORTIZ: Is all about maintenance,
10 yes.

11 MR. STOCKWELL: The details of a
12 buffer zone as far as herbicide is concerned, what
13 distance do you have? For instance, in Pine Creek
14 we're asking for no herbicides to be used at all
15 in their immediate area, in their traditional
16 lands. What I would like to know is, if there's a
17 buffer zone, how far is that, how long is that
18 buffer zone?

19 MR. ORTIZ: Typically it's 30 metres,
20 but depending on the application technique, that
21 could vary, that could be larger.

22 MR. STOCKWELL: And you also mentioned
23 that the -- as far as the use of herbicides is
24 concerned, you're following all of the provincial
25 regulations?

1 MR. ORTIZ: Yes, that's not an option.

2 MR. STOCKWELL: Sorry, that wasn't a
3 question, but it was an in-tone question. Is
4 there a difference between herbicide and pesticide
5 as far as you are concerned?

6 MR. ORTIZ: Well, a herbicide is one
7 of the classes of pesticides. Pesticides is an
8 over-arching term that includes everything from
9 ant killer for your driveway, to herbicides, to
10 fungicides, to the chemicals you put in your pool.
11 So, yes, herbicides are pesticides.

12 MR. STOCKWELL: I was just referring
13 to the use of the word pesticide applicators
14 working group on page 10. And in that case, you
15 could have used herbicide as easily as pesticide;
16 is that correct?

17 MR. ORTIZ: No, that working group
18 includes other areas in some of our northern -- we
19 have some pesticides, we do use some pesticides,
20 but not in a transmission right-of-way scenario.
21 We do some mosquito control in other areas. We do
22 have insect disease control on some of our
23 properties as well. So those groups are included
24 in that working group.

25 MR. STOCKWELL: So pesticides, we need

1 to watch out for pesticides as well then?

2 MR. ORTIZ: Not on a transmission line
3 right-of-way.

4 MR. STOCKWELL: Not on the
5 transmission line right-of-way. So Pine Creek
6 would have no worry about pesticides?

7 MR. ORTIZ: Other than herbicides, no.

8 MR. STOCKWELL: Just herbicides.

9 MR. ORTIZ: Yes.

10 MR. STOCKWELL: Okay. We haven't had
11 commitments, but we have had verbal -- not
12 assurances -- that we can get a condition where no
13 herbicide will be used in our area of C-1, the
14 Pine Creek area of C-1. Is that feasible to you?

15 MR. ORTIZ: What I would say is, I'm
16 not familiar enough with the landscape or with the
17 vegetation that would potentially come back in
18 that area. One of the presentations we saw
19 yesterday seemed to indicate it was more of an
20 open aspen parkland mixed wood through that area,
21 which would indicate to me that there are probably
22 a lot of open areas where we may not have to use
23 herbicides, or herbicides may not be warranted, or
24 very limited use of herbicides would be
25 appropriate in a situation like that.

1 What I would say is that if we, when
2 we do evaluate the vegetation that comes back on
3 that area, and we deem that through our due
4 diligent planning processes that a herbicide would
5 be the preferred tool in that area, we would
6 advertise it as such. And through the pesticide
7 use permitting system of Manitoba Conservation,
8 Pine Creek would have an opportunity to engage
9 both Conservation and ourselves in the
10 implementation of that program at that time,
11 through that process.

12 MR. STOCKWELL: I think you just lost
13 my comfort level. What would Pine Creek have to
14 do in order to ensure that there would be no
15 pesticide, or no herbicide used in its area?

16 MR. ORTIZ: Well, just like any other
17 Manitoban that we would engage with that has the
18 opportunity to engage Manitoba Conservation in
19 pesticide use, in herbicide use in the Province of
20 Manitoba. The programs are advertised. Any
21 Manitoban can engage Manitoba Conservation and the
22 proponent in the planning and design and
23 implementation of that program, or the
24 cancellation of that program if Conservation feels
25 that it's appropriate. But there is a mechanism

1 for, when and if that program is planned, for a
2 consultation at that time.

3 MR. MATTHEWSON: Also any
4 environmentally sensitive site that's delineated
5 as part of the construction environmental
6 protection plans also flow into the operational
7 environmental protection plans. So if there was a
8 medicinal plant area that was identified on the
9 right-of-way, then that area would be deemed an
10 environmentally sensitive site under those plans,
11 and the prescription for that could be for no
12 herbicide use on those areas. But those are on a
13 site specific type of basis that is delineated
14 when we're developing those environmental
15 protection plans. We wouldn't deem an entire
16 watershed an environmentally sensitive site.
17 Right off the hop we would work with the community
18 and identify the exact areas that they would want
19 to see protected. As an example, Pine Creek is
20 concerned about water, so we could implement
21 larger water buffers on the water areas, to
22 further ensure the risk -- minimize the risk of
23 herbicide entering the water system.

24 MR. ORTIZ: Just to take that one step
25 further. I understand the area is a very, is a

1 saturated, has very saturated soils in that area,
2 where erosion, of course, would be a concern as
3 well. The use of herbicides would allow us to use
4 smaller lighter equipment, instead of using heavy
5 equipment that could disturb the soil and start
6 erosion on the landscape. So they both have
7 trade-offs. There's pluses and minuses to both.
8 The bottom line is the trees have to be
9 maintained.

10 MR. STOCKWELL: Yes. And I would
11 suppose, and maybe you can agree with me, that
12 where Pine Creek would go from here is to make
13 recommendations, or ask the CEC panel to make
14 recommendations on our behalf, to the welfare of
15 the state of Pine Creek as far as herbicides are
16 concerned. Would you agree with that?

17 MR. ORTIZ: I'm not familiar with the
18 process beyond the maintenance cycle.

19 MR. STOCKWELL: Thank you. If
20 Mr. Dawson was here, he would tell you, Mr. Ortiz,
21 that you could put your head down now. Thank you.

22 Mr. Matthewson, I want to tell you
23 that when you got into your presentation, I felt a
24 good deal of relief. It was like we weren't
25 talking with Hydro anymore, in that many of your

1 statements were involving First Nations in the
2 very planning stages. And I think that's what
3 most First Nations are looking for, is to be
4 involved in the planning stages. And that will be
5 my only comment. It's a positive comment. And I
6 was really happy to hear that, and happy to
7 experience kind of a non confrontational approach.

8 MR. MATTHEWSON: Thank you.

9 MR. STOCKWELL: There will be
10 questions from now on, sir.

11 THE CHAIRMAN: Good.

12 MR. STOCKWELL: So, my understanding
13 is that you are starting actually with the whole
14 EPP in the northern sections, the end sections,
15 and that's why Pine Creek hasn't been contacted as
16 far as anything to do with EPP yet, is that
17 correct?

18 MR. MATTHEWSON: That's correct.
19 Although we have had preliminary discussions with
20 Pine Creek about environmental protection
21 measures.

22 MR. STOCKWELL: Was that through --

23 MR. MATTHEWSON: With yourself and
24 Mr. Mills.

25 MR. STOCKWELL: Myself and Mr. Mills,

1 yes.

2 Now, our experience with some of the
3 other experts that have been called here, or have
4 presented here, has been that the experts have
5 done their work and made a presentation, and the
6 only contact that the First Nation has had is
7 through the ATK. Are you going to work through
8 the same ATK's that have been in place or that are
9 in place now?

10 MR. MATTHEWSON: Yes, that's our
11 starting point is we would start with the ATK
12 information that's been collected thus far, and
13 use that as the starting platform to further
14 engage the community in refining those locations
15 and identifying any new locations for inclusion in
16 the environmental protection plans. It's just the
17 starting point, it's not the end point.

18 MR. STOCKWELL: Just the starting
19 point.

20 Are you aware that Pine Creek chief
21 and council have declared the ATK that came from
22 Pine Creek, or that Pine Creek was involved in, as
23 invalid? They are not happy with it at all at
24 this point.

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

1 MR. STOCKWELL: Okay. Well, that's
2 the case, and with good reason. I have read the
3 ATK, and I have made a comparison between the ATK
4 and the community meeting in Dauphin where members
5 of the community, of the Pine Creek community were
6 quite vocal, and clarifying what their positions
7 and their concerns were. Anyway, as long as you
8 are aware of that now --

9 MR. MATTHEWSON: When you refer to
10 ATK, do you refer to the report or the map
11 products that were produced through the workshops?

12 MR. STOCKWELL: They are not happy
13 with either of the products.

14 MR. MATTHEWSON: Okay.

15 MR. STOCKWELL: So I'm sure Pine Creek
16 would like the opportunity to do their own ATK.

17 THE CHAIRMAN: Is there a question?

18 MR. STOCKWELL: Do you think that
19 would be possible?

20 THE CHAIRMAN: Ms. Mayor?

21 MS. MAYOR: There is an individual
22 that can speak to this as to whether Manitoba
23 Hydro is prepared to enter into a new ATK study
24 with Pine Creek. Again, back to previous points,
25 we're not going to negotiate these things on the

1 record.

2 THE CHAIRMAN: Mr. Stockwell, back to
3 you.

4 MR. STOCKWELL: Thank you,
5 Mr. Chairman. I want to get on to -- I'll move on
6 here. And I should be relatively short -- well, I
7 am relatively short. And I won't be any shorter.

8 On page 5 in the environmental
9 protection information management system, the
10 licence permit, with what department would -- what
11 department would be engaged say to enforce or
12 police the licence permit?

13 MR. MATTHEWSON: The Environment Act
14 licence?

15 MR. STOCKWELL: Yes.

16 MR. MATTHEWSON: That would be
17 Manitoba Conservation and Water Stewardship.

18 MR. STOCKWELL: So they will be the
19 ones to ensure that Manitoba Hydro EPP plans were
20 enforced and in place and functioning, and that's
21 correct? Is that correct?

22 MR. MATTHEWSON: No, Manitoba Hydro is
23 responsible for ensuring our environmental
24 protection plans are in place and working. The
25 licence conditions simply reflect -- the licence

1 simply reflects conditions that those plans must
2 be abided by. So they would be enforcing the
3 licence conditions. And if the licence condition
4 states that Manitoba Hydro is to have an
5 environmental protection plan, then that would be
6 one thing that they would need to enforce.

7 MR. STOCKWELL: Is that kind of like
8 the fox minding the hen house?

9 MR. MATTHEWSON: Can you clarify what
10 you mean?

11 MR. STOCKWELL: Well, Manitoba Hydro
12 is the beneficiary of the construction, and
13 Manitoba Hydro is also concerned about economics.
14 And is it a good idea to have Manitoba Hydro
15 policing itself with matters of concern, matters
16 that could cost them a lot of money and could
17 delay the project?

18 MR. MATTHEWSON: Well, I think through
19 Manitoba Hydro's open engagement with communities,
20 the posting of -- sorry, the performing of audits
21 and third party audits are mechanisms by which
22 Manitoba Hydro addresses those concerns.

23 MR. STOCKWELL: But then the people
24 that are actually monitoring this are paid by
25 Manitoba Hydro. And Manitoba Hydro, would you

1 agree that they would have undue pressure upon
2 them to do things?

3 THE CHAIRMAN: I think he's already
4 responded to that.

5 MR. STOCKWELL: Have you initiated
6 contact with First Nations in the central Bipole
7 area yet? You had mentioned that you had done it
8 in the north?

9 MR. MATTHEWSON: We have been engaging
10 in discussions with some First Nations in the
11 south.

12 MR. STOCKWELL: In the south?

13 MR. MATTHEWSON: And central, yes.

14 MR. STOCKWELL: And central. Other
15 than ourselves, has there been other First Nation
16 communities, other than Pine Creek?

17 MR. MATTHEWSON: Yes.

18 MR. STOCKWELL: In Fox Lake's
19 presentation this morning, they were still looking
20 for many of the promises, or I guess many of the
21 points that you had mentioned as far as involving
22 First Nations in the EPP planning and execution
23 and monitoring. They were still looking for that.
24 Is that -- why would that be? Why are they still
25 looking for it when you have already approached

1 them and been consulting with them?

2 MR. MATTHEWSON: We have had some
3 discussions with Fox Lake, preliminary discussions
4 about environmental protection measures. Our
5 primary meeting with regard to the community
6 engagement process, where we would have presented
7 this full approach to them, was scheduled for a
8 few weeks ago. Unfortunately, due to weather
9 conditions, our aircraft could not go. And that
10 meeting has been rescheduled with Fox Lake for
11 November 29th. So that's why they weren't fully
12 familiar with all the approaches that we were
13 going to be implementing.

14 MR. STOCKWELL: Were you present for
15 Dr. Kulchyski's presentation yesterday?

16 MR. MATTHEWSON: Only for the first
17 ten minutes.

18 MR. STOCKWELL: I see. He was
19 mentioning that sending a letter to First Nation
20 communities was probably one of the worst ways of
21 communicating with them. Are you working with an
22 Aboriginal consulting firm now in order to kind of
23 start communications and trying to build trust
24 with First Nations?

25 MR. MATTHEWSON: No, we are not

1 engaged with a consulting firm. Manitoba Hydro
2 transmission department, my department, relies on
3 the services of the Aboriginal relations
4 Department of Manitoba Hydro for that.

5 MR. STOCKWELL: Okay. You are aware
6 that there is good deal of lack of trust of Hydro
7 by the First Nations communities?

8 MR. MATTHEWSON: Yes.

9 MR. STOCKWELL: Do you have plans in
10 place as to how to build that trust, or rebuild
11 that trust?

12 MR. MATTHEWSON: I can speak to how I
13 will rebuild that trust from the implementation of
14 the environmental protection program, in having
15 open and honest communication with the First
16 Nations, and having those communications at the
17 community elder level, so that we're getting down
18 to the resourcers and the people that are truly
19 affected by the project. And meeting with them,
20 having workshops with them to engage and
21 incorporate their concerns into the environmental
22 protection program itself.

23 MR. STOCKWELL: That's very good. It
24 gives me a bit of hope that Hydro can rebuild the
25 trust -- or build trust I guess, because I think

1 it hasn't been there for a long time.

2 We have had the opportunity, or at
3 least Hydro experts have had the opportunity to
4 work with First Nations on doing their assessments
5 in the traditional lands of the First Nations.
6 And to my understanding, they didn't take them up
7 on that. And that was a golden opportunity, or
8 could have been a golden opportunity to work with
9 the First Nations and gain some understanding
10 through their traditional knowledge, or through
11 their knowledge even of the area and the terrain.
12 Would you agree that that would be a good
13 methodology for starting this relationship with
14 First Nations?

15 MR. MATTHEWSON: Starting it at the
16 start of the environmental assessment process?

17 MR. STOCKWELL: Yes.

18 MR. MATTHEWSON: Yes. For the Bipole
19 III process, recognizing that that was a
20 deficiency up until date in the assessment
21 process, we're looking to rectify that in the
22 environmental protection planning process,
23 involving First Nations in the monitoring of the
24 project.

25 We have done so on the Wuskwatim

1 project to date. Members from OCN are involved in
2 the caribou collaring project, are involved in the
3 bird surveys, they are involved in the bird nest
4 surveys. We have involved them in the last year
5 or so as part of that monitoring program. And
6 they previously had not been involved, but we had
7 been engaging the communities since.

8 MR. STOCKWELL: Good. On page 13
9 there is an ongoing development process, and I
10 think it was Mr. Keating asked when that plan
11 would be finalized. And would you agree that the
12 development process would be finalized when it
13 works 100 percent?

14 MR. MATTHEWSON: The plans need to
15 come to a state of -- come out of draft into prior
16 to construction. So there is a milestone that
17 they have to come to an acceptable state to become
18 implementable prior to construction. But
19 recognizing that through the adaptive management
20 process the documents are never truly final. Even
21 the project environmental protection plan will be
22 adapted from year to year, as well as the
23 management plans and the monitoring programs
24 beneath that.

25 MR. STOCKWELL: In other words,

1 there's always room for improvement.

2 MR. MATTHEWSON: Correct.

3 MR. STOCKWELL: It's a dynamic
4 process.

5 MR. MATTHEWSON: Continued improvement
6 process.

7 MR. STOCKWELL: Great. On page 14,
8 the EPP organizational structure, this is a Hydro
9 structure. This would be your own structure,
10 would it?

11 MR. MATTHEWSON: Yeah, it's the
12 proposed structure for the program within Manitoba
13 Hydro, yes.

14 MR. STOCKWELL: And you have
15 Aboriginal people. Would they be involved in the
16 initial stages of this organizational chart, like
17 of organizing this chart, how the responsibilities
18 would flow through this chart?

19 MR. MATTHEWSON: It's an
20 organizational chart, not a responsibility -- it's
21 not a reporting structure. It illustrates the
22 different mechanisms by which Manitoba Hydro will
23 implement the environmental protection program.
24 Regulators, stakeholders and Aboriginal people, as
25 you can see, are the direct input at the

1 management team level, which is the ones
2 developing the program. But they are also
3 inherent in the staff for environmental monitors
4 and community liaisons within the environmental
5 protection implementation team, so they are --

6 MR. STOCKWELL: They are in both
7 levels then?

8 MR. MATTHEWSON: Yeah, they are in
9 both levels.

10 MR. STOCKWELL: Great. That's good.

11 On page 21, draft biophysical
12 monitoring plan examples of methods, groundwater
13 quality assessment survey; I would also think that
14 groundwater quantity should also be studied, flow
15 rates as well. Would you agree with that, or is
16 water -- you have to understand I'm not an expert
17 in this so, I'm not sure if water quality also
18 means flow rates and quantity?

19 MR. MATTHEWSON: It may, I'm not an
20 expert in groundwater as well. The water quality
21 assessment survey is primarily looking at the
22 wells that need to be drilled for various
23 components of the project, and looking at drinking
24 water quality standards, as well as impacts on how
25 much water is pulled from that well and the

1 effects on the aquifer, but that's groundwater,
2 under the ground.

3 MR. STOCKWELL: Not surface.

4 MR. MATTHEWSON: Not surface water.

5 MR. STOCKWELL: I would think you
6 might want to include surface water. Would that
7 be right?

8 MR. MATTHEWSON: Well, we have looked
9 at the aquatic section below that, that would be
10 our terminology used to look at fish habitat and
11 surface water quality.

12 MR. STOCKWELL: Surface water being
13 watershed information? You would agree that --
14 forget that one.

15 Sorry, this might be a result of my
16 own ignorance again, but on page 22, draft
17 biophysical monitoring plan examples of methods.
18 What is a L-E-K survey?

19 MR. MATTHEWSON: A lek is a breeding,
20 brooding area for sharp-tailed grouse. They --
21 now I'm not a bird expert, Mr. Berger is, and he's
22 the one who advises me on these things. It is my
23 understanding it's a breeding area for
24 sharp-tailed grouse where they perform mating
25 dances and aerobatics and that sort of thing.

1 MR. STOCKWELL: I've had it up to my
2 ears with TLA's and LEKs, and that sort of thing.

3 I have one second final question here,
4 and this would be about the wolf hunting, and the
5 observation that you had that wolves will go and
6 sit and wait like a hunter would on a piece of
7 high ground, watch where the moose cross, and then
8 proceed to hunt them in the area that they were
9 crossing. Did that -- how did you arrive at that
10 information? How did you gain that information?

11 MR. MATTHEWSON: That was told to me
12 by a First Nation member of Fox Lake First Nation
13 during a workshop for the Keeyask transmission
14 project.

15 MR. STOCKWELL: Good answer.

16 Oh, blasting plan, is there any
17 blasting going on in C-1, C-2?

18 MR. MATTHEWSON: There will be
19 blasting when joining conductors, when joining two
20 spools of conductor together uses an implode
21 process, which does put off a loud bang when the
22 conductors are fused together. And there will be
23 joining of conductors within the Pine Creek area,
24 so from -- and it's done in the area, so it's an
25 air blast. From a ground perspective for quarries

1 or borrow pits, that has not yet been determined
2 if there is any need for gravel sources that will
3 require blasting, or whether existing borrow
4 sources can be utilized.

5 MR. STOCKWELL: Very good. I have one
6 third final question. It just occurred to me.

7 In the Wuskwatim CEC hearings, I
8 understand that the EPP plans, almost all portions
9 of the EPP plans were to be made public. And to
10 my knowledge that hasn't occurred, or am I in
11 error?

12 MR. MATTHEWSON: The environmental
13 protection plans would have been filed with
14 Manitoba Conservation and therefore placed in the
15 public registry.

16 MR. STOCKWELL: In the public registry
17 with Manitoba Conservation?

18 MR. MATTHEWSON: That's my
19 understanding, but that's prior to my time with
20 Manitoba Hydro.

21 MR. STOCKWELL: Could you check on
22 that and get back to us?

23 MR. MATTHEWSON: You would like me to
24 check to see whether Manitoba Conservation placed
25 the environmental protection plans in the public

1 registry?

2 MR. STOCKWELL: Well, maybe I could do
3 that. You're suggesting I do that myself?

4 THE CHAIRMAN: Yes.

5 MR. STOCKWELL: And if they are not,
6 and if they are not there, what can I do about
7 that?

8 THE CHAIRMAN: These are environmental
9 protection plans in respect of Wuskwatim?

10 MR. STOCKWELL: Yes.

11 THE CHAIRMAN: That has nothing to do
12 with this Commission at this time, so sorry. Then
13 you complain to the Minister.

14 MR. STOCKWELL: I can complain to the
15 Minister? Very good.

16 THE CHAIRMAN: Probably better to
17 complain to the director first, you might get
18 something.

19 MR. STOCKWELL: Thank you
20 Mr. Chairman. Thank you very much,
21 Mr. Matthewson.

22 THE CHAIRMAN: Thank you.
23 Ms. Whelan-Enns?

24 MS. WHELAN-ENNS: Just to see how
25 we're all doing at 4:30, I thought I'd say I'm the

1 next short person at the mic. We're sort of a
2 little awake, right?

3 I'm going to try a quick series of
4 questions and see how we do, because it's
5 certainly that point in the day, and I also wanted
6 to thank the Consumers Association of Canada
7 Manitoba branch for rearranging and allowing some
8 of us to in fact ask questions first.

9 Could you tell us when you expect to
10 start the corridor preparation for construction at
11 the beginning of the north top sections of Bipole
12 III?

13 MR. MATTHEWSON: Sorry, can you
14 repeat?

15 MS. WHELAN-ENNS: When do you expect
16 to start the preparation of the corridor for in
17 advance of construction?

18 THE CHAIRMAN: Ms. Whelan-Enns, that
19 has nothing to do with the environmental
20 protection plans or the maintenance of the lines.
21 That was dealt with about three weeks ago when we
22 had the construction people before us.

23 MS. WHELAN-ENNS: I will go on. Thank
24 you, Mr. Chair.

25 The reason I was trying that question

1 was because of the number of references to
2 construction. So I'll go on to another question.

3 Could you tell us whether the
4 environmental protection plans, it's a suite of
5 them obviously, for Bipole III will be public?
6 And that question does not pertain to whether they
7 would be in the environmental proposal public
8 registry file, but rather whether Manitoba Hydro
9 will be making the environmental protection plans
10 public?

11 MR. MATTHEWSON: They will be put on
12 the Manitoba Hydro Bipole III project website.

13 MS. WHELAN-ENNS: Good, thank you.

14 Will the affected communities, and I
15 was just listening closely to your description of
16 community engagement and traditional knowledge
17 use, monitoring specialists and so on, will the
18 affected communities also receive then copies of
19 the environmental protection plans? And I ask
20 that because we cannot assume use of the Internet.

21 MR. MATTHEWSON: Yes. When we meet
22 with those communities, we will be presenting them
23 the environmental protection plans, draft ones, as
24 well as we provided the draft environmental
25 protection plan when we filed the EIS.

1 MS. WHELAN-ENNS: I take the
2 correction, thank you, draft and in the final
3 ones. Thank you very much.

4 Could you tell us in your community
5 engagement process how you determine who you are
6 dealing with in terms of the affected communities?
7 Will this be starting with a community meeting?
8 And I think I took that from your presentation,
9 but I arrived late, so I may have missed some of
10 the front part of your presentation.

11 MR. MATTHEWSON: So who in the
12 community would we be dealing with?

13 MS. WHELAN-ENNS: Yes.

14 MR. MATTHEWSON: Manitoba Hydro's
15 first step is always with chief and council, and
16 we take our direction from chief and council on
17 who they would like us to engage with.

18 MS. WHELAN-ENNS: Thank you. Are you
19 assuming that chief and council will identify
20 then, for instance, any traditional knowledge
21 assistants, any monitors who will be assisting
22 your specialists?

23 MR. MATTHEWSON: That would be a
24 question we would pose to chief and council.

25 MS. WHELAN-ENNS: Thank you. And will

1 these individuals, and there were several
2 references in your presentation to this kind of
3 community participation and joint activity, will
4 they be receiving an honorarium or payment, or
5 will the First Nation be funded for providing
6 certain of these services?

7 MR. MATTHEWSON: We haven't worked out
8 all the details on payment, whether we would be in
9 direct contract with the community, whether a
10 community member become a Hydro employee, or
11 whether it be through honorariums, we have not
12 worked out the reimbursement methods, and it may
13 be different for different communities.

14 MS. WHELAN-ENNS: It may well be.
15 Thank you.

16 I heard you indicate in terms of the
17 bids that will be posted in terms of contractors
18 bidding on work that is inherent to the activity
19 that has to do with the EPPs, I heard you indicate
20 that the draft EPP's would be part of those tender
21 packages. So what I want to ask you then is a
22 point in time. If you are putting out bids and
23 have the draft EPP's in those packages, would at
24 that point in time, or prior to that, would those
25 draft environmental protection plans be public?

1 MR. MATTHEWSON: When the tender
2 packages go out, the ones that are for public
3 tender include the construction phase
4 environmental protection plan, so they are public
5 documents.

6 MS. WHELAN-ENNS: Thank you.

7 Again, listening to the description in
8 terms of the changes and improvements, lessons
9 learned in terms of monitoring and environmental
10 officers for all stages of the construction of
11 Bipole III, and your reference to stop work orders
12 and so on, I have a couple of questions, if I may?

13 Do you have any sense, and we may not
14 know today but I'd like to ask the question, do
15 you have any sense whether or not Manitoba
16 Conservation is also anticipating a need for
17 additional resources also during the construction
18 period, to work with your environmental protection
19 plan and your environmental officers?

20 THE CHAIRMAN: That's beyond the ken
21 of Mr. Matthewson.

22 MS. WHELAN-ENNS: Thank you,
23 Mr. Chair.

24 I would like to ask you what you mean
25 when you indicate or use the word consultation? I

1 have heard it several times, both in your answers
2 and oral comments, and it's there a little bit in
3 your Powerpoint presentation. When you're talking
4 about community engagement, you have also been
5 using the word consultation. When you are
6 referring to the first stage of meetings with
7 communities about the EPP, I heard you use the
8 word consultation. What do you mean?

9 MR. MATTHEWSON: I use it as a synonym
10 to engagement and not in the legal definition of
11 consultation.

12 MS. WHELAN-ENNS: Thank you very much.

13 Who will have the authority to issue a
14 stop work order, and you were referring to a stop
15 work order specific to Manitoba Hydro's
16 construction activities?

17 MR. MATTHEWSON: Yes. The
18 environmental stop work order is in relation to
19 Manitoba Hydro's activities.

20 MS. WHELAN-ENNS: Is that stop work
21 order then a decision made by Manitoba Hydro
22 personnel?

23 MR. MATTHEWSON: Yes.

24 MS. WHELAN-ENNS: Do you have in your
25 draft work so far, or are you anticipating how you

1 will coordinate that with potential for a stop
2 work order under the Environment Act of Manitoba?

3 MR. MATTHEWSON: Manitoba Hydro's
4 environmental stop work order has to do with how
5 the contract is enforced by the contract between
6 Manitoba Hydro and its contractors. The stop work
7 order issued by Environment, Manitoba Environment
8 is a legal stop work order that Manitoba Hydro and
9 its contractors would abide by.

10 MS. WHELAN-ENNS: Yes. I think that's
11 accurate. And both of the last two questions had
12 to do with how things will be coordinated with
13 Manitoba Conservation, and the Environment Act is
14 the obvious. But thank you for your answer.

15 I think that your approach in your
16 presentation in terms of lessons learned and the
17 references to the Wuskwatim transmission project
18 was quite valuable. What I was waiting to hear,
19 and may have missed, was whether there were any
20 specific lessons learned then in terms of the
21 Ralls Island installation for the Wuskwatim
22 project? Now, this is not a converter station
23 question but rather about --

24 THE CHAIRMAN: What's the relevance of
25 that to our review?

1 MS. WHELAN-ENNS: Well, if I
2 understand your question, Mr. Chair, you're not
3 seeing a relevance. I wanted to basically ask
4 some questions about lessons learned. I will pass
5 on that one then. Okay.

6 Let's try another area where you were
7 identifying lessons learned in terms of woodland
8 caribou, okay. I think that there's an obvious
9 question here, and it's there in your answers on
10 birds also. And that is, where will all the data
11 go, that is, the information from your monitoring
12 and your best practices that you are aiming for in
13 terms of the sample sites and sample areas for
14 woodland caribou, and some of what you described
15 in terms of bird monitoring, will the information
16 reside with Manitoba Hydro only, or will it be
17 available to communities if, for instance, they
18 are doing a lands plan?

19 MR. MATTHEWSON: Yes, we would address
20 on a case-by-case basis with communities on what
21 information would be shared with the community.
22 Our goal would be to be as open and share as much
23 as we can. But some of the nature of some of the
24 information may not be -- such as a heritage
25 discovery area, we may not share the exact

1 location for the protection of that resource.

2 MS. WHELAN-ENNS: Thank you. Good to
3 hear.

4 I was surprised at your description of
5 the access corridor for Bipole III and the
6 proportion or percentage of non hydro traffic so
7 far. I think you said 10 percent. Did I hear
8 that correctly?

9 MR. MATTHEWSON: That was for the
10 Wuskwatim project.

11 MS. WHELAN-ENNS: Yes. Now, again,
12 the reason I'm asking is because, in using it in
13 your presentation here today, as I said, it
14 surprised me, because the corridor has been in
15 place gradually over a short period of time, would
16 be the observation. So I'm asking you whether you
17 think the data you have, what you know so far
18 about that transmission line, is sufficient to be
19 basically implying that the same will be true for
20 the Bipole III corridor?

21 MR. MATTHEWSON: No, I stated that the
22 Wuskwatim transmission project was a remote
23 location, and that we would need to have
24 monitoring to understand that same effect on the
25 Bipole III transmission project.

1 MS. WHELAN-ENNS: Thank you.

2 Again, in acknowledging the content in
3 your presentation and the intent in terms of
4 incorporating traditional knowledge and working
5 with local communities on the environmental
6 protection plans, I was struck by the conversation
7 about herbicides, chemicals -- not to get into
8 herbicides and pesticides. So I wanted to ask you
9 whether you realize that there's a consistent
10 pattern in all of the ATK reports that are from
11 the community projects, as in the community lead
12 projects, the same pattern is there to a lesser
13 degree in the ATK gathering through Manitoba
14 Hydro's consultants, and that is consistent,
15 without exception, objection to the use of any
16 chemicals in this Bipole III corridor. Are you
17 aware that's what the First Nation communities
18 have been saying?

19 MR. MATTHEWSON: Yes, I'm aware that
20 that's what the First Nation communities are
21 saying. But Manitoba Hydro still endeavours to
22 discuss with the communities to share some of the
23 information that was presented in Mr. Ortiz's
24 presentation. There are trade-offs in not using
25 herbicides, and we wanted to make the community

1 fully aware what those trade-offs are with regard
2 to vegetation management using mechanical means.
3 The right-of-way is, because it is a non selective
4 method using motor mechanical methods, there is a
5 resetting of the ecosystem every five to ten years
6 which results in destruction of berries and bird
7 nests and other types of items within that
8 ecosystem, versus herbiciding which is a very
9 selective application in certain spots, and
10 depending on one's point of view, may be less
11 intrusive on the environment over a longer term.

12 MS. WHELAN-ENNS: Thank you. That is
13 an appropriate answer.

14 I'd like to know whether Manitoba
15 Hydro has a research program or any demonstrations
16 generally in transmission corridors in Manitoba
17 investigating biocides and other applications that
18 may achieve some of the same objectives?

19 MR. MATTHEWSON: There are some
20 experimental things, such as Mr. Ortiz has talked
21 about with fungicides and stump treatments, but
22 there is nothing registered with Health Canada
23 that Manitoba Hydro is legally allowed to use.

24 MS. WHELAN-ENNS: I think that
25 participants and others who are concerned and

1 watching Bipole III would encourage you to
2 continue to watch that and perhaps do more
3 research.

4 I think that any other questions I
5 have in front of me, the two previous participants
6 have covered. Thank you very much.

7 THE CHAIRMAN: Thank you
8 Ms. Whelan-Enns. Mr. Williams, roughly how long?

9 MR. WILLIAMS: I'm hopeful that we
10 will not move beyond the five hours -- I mean,
11 5:00 o'clock, sir.

12 THE CHAIRMAN: We'll give you five
13 minutes latitude.

14 MR. WILLIAMS: Good afternoon, members
15 of the panel, after I have scared you with my five
16 hours suggestion, and good afternoon Mr. Ortiz and
17 Mr. Matthewson.

18 I have a warning for you
19 Mr. Matthewson, for some strange reason I keep
20 wanting to call you Mr. Motheral. If you hear a
21 question directed to Mr. Motheral, I think you
22 should presume it's directed to you, and that I
23 have not been bold enough to inquire of the panel.

24 And recognizing the late hour, I will
25 ask for 15 seconds of latitude from the Chair, to

1 extend to you, Mr. Matthewson, Ms. Johnson and
2 also your legal counsel, some appreciation from
3 our client and from our experts on adaptive
4 management, for making yourselves available during
5 the hearing process so our experts and our clients
6 can better understand the corporation's proposal.
7 So they do thank you for that.

8 MR. MATTHEWSON: I thank you and your
9 client for that opportunity as well. It was very
10 enlightening, and there was a lot that we can
11 learn from your report, and including our
12 environmental protection program and our adaptive
13 management approach.

14 MR. WILLIAMS: Sir, I have some
15 questions first about the -- you'll have to excuse
16 me, Mr. Chair, in my haste I may have left one
17 document at the table.

18 Mr. Matthewson and Mr. Ortiz, I'm
19 going to start with Mr. Matthewson's Powerpoint,
20 and then I'll move to you, Mr. Ortiz, but some of
21 the questions may kind of cross pollinate. So
22 don't feel, Mr. Ortiz, if there's a question or
23 two that I ask Mr. Matthewson that you feel you
24 can contribute on, please feel welcome to chip in.

25 Mr. Matthewson, just let's start with

1 a definition. And without asking you to
2 elaborate, you are aware within the literature --
3 this is not in your report, sir -- about the use
4 of the terms both passive adaptive management and
5 active adaptive management?

6 MR. MATTHEWSON: Yes.

7 MR. WILLIAMS: And in terms of the
8 term active adaptive management, or some may say
9 active environmental, adaptive environmental
10 management, would you be comfortable with the
11 definition suggesting that what it speaks to isn't
12 a manager implementing more than one strategy, as
13 concurrent experiments to see which best meets
14 management objectives?

15 MR. MATTHEWSON: Yes.

16 MR. WILLIAMS: And in terms of
17 Manitoba Hydro's approach to active adaptive
18 management, we can agree that one opportunity to
19 do that might involve in the mitigation process?

20 MR. MATTHEWSON: Yes.

21 MR. WILLIAMS: And in terms of the
22 mitigation process, can you give our clients an
23 example of how Manitoba Hydro going forward might
24 adopt that active approach?

25 MR. MATTHEWSON: Yeah. An example I

1 will use is wildlife corridors. Wildlife
2 corridors on transmission lines have not been
3 extensively studied. The width of the wildlife
4 corridor, the composition of the corridor as in
5 its vertical and horizontal distribution have not
6 been studied in any great in-depth. So when
7 Manitoba Hydro is looking at wildlife corridors,
8 we would propose an adaptive management approach
9 in that we would test different widths of the
10 corridor, length of the corridor, the locations of
11 the corridors, all at the same time. That would
12 be an example.

13 MR. WILLIAMS: I thank you for that.
14 And this one can certainly go to either you or
15 Mr. Ortiz. Can that active approach also be
16 applied to vegetative management techniques, that
17 active approach?

18 MR. ORTIZ: Certainly we are always
19 trying new things as we come up with new ideas and
20 test to see how they work.

21 MR. WILLIAMS: We may come back to
22 that, Mr. Ortiz.

23 MR. MATTHEWSON: As an example, we do
24 use different application rates in different
25 areas, testing, we're continuously testing the

1 application rates to be applied. And we currently
2 apply, for a lot of our products, below the label
3 rate, because we do see effective results below
4 the label rates. So in our desire to use less
5 herbicides over time, we look at it that way.

6 MR. WILLIAMS: Okay, thank you. And
7 in terms of your PowerPoint presentation
8 Mr. Matthewson, we're going to very briefly go to
9 page eight, and then we'll spend a bit more time
10 on page 18.

11 This is a very small point. Just the
12 top slide on that page, under monitoring plans,
13 you describe it as confirming the predictions of
14 the EIS. And just in terms of the terminology,
15 sir, the purpose of this monitoring, I'd suggest
16 to you, is rather than to confirm the predictions,
17 it would be to evaluate or to test the
18 predictions. Would that be fair?

19 MR. MATTHEWSON: That would be
20 correct, yes.

21 MR. WILLIAMS: As I said, a small
22 point. If I can direct your attention just to
23 pages 18 and 19 of your report?

24 And, sir, at page 18 in the bottom
25 right-hand -- or in the top slide, you have made

1 note of the proposal of the corporation to involve
2 local community members in biophysical monitoring.
3 Agreed?

4 MR. MATTHEWSON: Yes.

5 MR. WILLIAMS: And would I be fair in
6 suggesting to you that that is a development since
7 the initial filing of the EIS, that community
8 monitoring aspect of it? It's not a big point,
9 sir.

10 MR. MATTHEWSON: I just was looking
11 for exactly what we wrote in the EIS. But, yes,
12 there has been further development since the
13 initial filing of the EIS for more community
14 involvement, and the environmental monitoring is
15 one of those aspects, as well as the community
16 liaison was not in the original draft
17 environmental protection plan or program.

18 MR. WILLIAMS: Okay. Thank you.

19 Now, when one looks at the description
20 in terms of the community member monitoring, would
21 I be correct in suggesting that it is, when I see
22 the initials after it, CENVPP, does that suggest
23 that the community monitoring ends after the
24 construction phase and does not extend into the
25 operations phase, sir?

1 MR. MATTHEWSON: Yes, the current plan
2 involves environmental monitors with regard to
3 construction phase of the project. The
4 operational environmental protection plans may
5 also include community involvement, but to that
6 extent has not been fully flushed out or developed
7 yet.

8 MR. WILLIAMS: So at this point in
9 time, certainly the corporation is planning for
10 that community monitoring during the construction
11 phase. And what I think I am hearing from you is,
12 in the appropriate circumstances, some openness to
13 that in the operational phase as well; agreed?

14 MR. MATTHEWSON: Yes.

15 MR. WILLIAMS: And, sir, the community
16 monitoring appears to be focused on biophysical
17 monitoring at this point in time?

18 MR. MATTHEWSON: Sorry, could you
19 rephrase? The environmental monitor's role, you
20 mean?

21 MR. WILLIAMS: Yes, excuse me, the
22 community environmental monitor, is it focused on
23 biophysical monitoring at this point in time?

24 MR. MATTHEWSON: It is currently
25 focused on biophysical monitoring. As in further

1 in the presentation when it comes to spiritual and
2 cultural monitoring, we are looking for the First
3 Nations to provide guidance to us on that. And
4 some of those aspects may be incorporated into the
5 environmental monitor's role and/or the community
6 liaison's role, or the monitoring of the
7 specialist's role that I talk about as well.

8 MR. WILLIAMS: I thank you for that.
9 Now, turning to page 24, for just a second, and at
10 the top, sir, you set out some draft socioeconomic
11 monitoring plan examples. We can agree on that
12 without asking you to elaborate? You just set out
13 some examples there?

14 MR. MATTHEWSON: Yeah, they are just
15 examples, they are not a complete picture of what
16 Manitoba Hydro envisions. Once we meet with
17 communities, we'll have a better understanding.

18 MR. WILLIAMS: At this point in time,
19 does the corporation envision monitoring for
20 community mental health issues, perhaps in the
21 Bird or Gillam areas?

22 MR. MATTHEWSON: We will certainly
23 take that under consideration for inclusion in the
24 monitoring program.

25 MR. WILLIAMS: Mr. Matthewson, I'm not

1 sure if you were here for the Fox Lake

2 presentation this morning. Did you see that?

3 MR. MATTHEWSON: I caught the tail end
4 of it. I spent most of the hour driving around in
5 circles looking for a parking spot.

6 MR. WILLIAMS: You'll agree with me
7 that there appears to be some debate between
8 Manitoba Hydro and its western experts, and the
9 Fox Lake traditional knowledge, in terms of the
10 presence of boreal woodland caribou within that
11 region; agreed?

12 MR. MATTHEWSON: Yes.

13 MR. WILLIAMS: And what, if any,
14 further activities, to your knowledge, in terms of
15 monitoring or exploration of that issue might
16 contemplate, sir, or might more importantly
17 Manitoba Hydro contemplate?

18 MR. MATTHEWSON: Well, the partnership
19 that we have with the Fox Lake resource management
20 board, Manitoba Conservation, and the two other
21 resource management boards, is one mechanism by
22 which we are collaring caribou that are from the
23 Pen Island caribou herds, which have the most
24 likely potential of being woodland caribou
25 characteristic. And so through that program, we

1 will understand more about the habits of the
2 boreal woodland caribou. And we are looking to
3 still further develop that program to understand
4 the caribou that are more sedentary in nature that
5 they have observed, and don't have the migration
6 patterns of the Pen Island herds.

7 MR. WILLIAMS: Thank you for that.
8 And it's getting late in the day and I think
9 you're starting to back away from the mic, so
10 you're starting to fade out a little bit, but I
11 heard you.

12 If I heard your conversation with
13 Mr. Beddome correctly, in terms of the monitoring
14 of the effects of the Bipole III transmission line
15 upon boreal woodland caribou, the corporation's
16 current plans are that it would extend for about
17 five years, is that right, sir?

18 MR. MATTHEWSON: Based on the
19 collaring they would extend to approximately 2017,
20 2018.

21 MR. WILLIAMS: And you may not be
22 aware of this, sir, and if so, that's fine. But
23 are you aware of evidence in this hearing, whether
24 through learned articles or through the Hydro
25 witnesses on caribou, related to the time lag

1 effect of disturbances in the environment as they
2 particularly affect boreal woodland caribou?

3 MR. MATTHEWSON: Yes.

4 MR. WILLIAMS: And you are aware that
5 there's evidence that the consequences of a
6 disturbance may take years, or in some cases
7 decades to become apparent, sir?

8 MR. MATTHEWSON: Yes, they may.
9 Through the Wuskwatim monitoring program, we will
10 have had a much longer monitoring program,
11 understanding the effects of a transmission line
12 on boreal woodland caribou. And we continue to
13 work with Manitoba Conservation, who is monitoring
14 and managing the woodland caribou herds over a
15 much larger time frame. And we'll work with them
16 in the development of action plans and monitoring
17 plans for boreal woodland caribou which span over
18 longer periods of time.

19 MR. WILLIAMS: Okay. And we'll
20 reflect upon that.

21 Sir, you mentioned in your
22 presentation, we do not need to go to that page,
23 the existence of Hydro's environmental management
24 system and its registration at the 14001 EMS
25 standard.

1 MR. MATTHEWSON: Yes

2 MR. WILLIAMS: It's my understanding
3 that the corporation underwent an audit of its
4 environmental management system in September 2011,
5 or 2012, sir, I'm trying to remember the date.

6 MR. MATTHEWSON: I'm not sure of the
7 date either.

8 MR. WILLIAMS: Okay.

9 MR. MATTHEWSON: It's audited
10 annually, I believe.

11 MR. WILLIAMS: And certainly through
12 its information request, CAC Manitoba requested a
13 copy of that audit. Sir, are you aware whether
14 the annual audit for 2012 has been received by the
15 corporation yet? And if not, I'll pursue it with
16 your legal counsel.

17 MR. MATTHEWSON: I'm not. I do not
18 know whether we received that audit or not, I am
19 not aware of that. I understand it is an
20 information request for the process, and our legal
21 counsel are reviewing it, preparing a response.

22 MR. WILLIAMS: Okay. Mr. Ortiz, I'm
23 moving to your report. And I don't think I'll be
24 particularly long, Mr. Chairman. And
25 Mr. Motheral, I have referenced your name already

1 this afternoon, I just thought --

2 Mr. Ortiz, in terms of the tree
3 control methods that you identified in your
4 report, ranging from shear blading to herbiciding,
5 and everything in between, would I be correct in
6 suggesting that for the northern portion of Bipole
7 III, the transmission line, we can expect that the
8 dominant mechanism will be shear blading?

9 MR. ORTIZ: Yes.

10 MR. WILLIAMS: And this can go to
11 either witness. In terms of research, independent
12 research into vegetative management techniques, is
13 the corporation in possession of any research in
14 terms of the impacts of vegetative management
15 strategies on federally and/or provincially listed
16 wildlife species at risk? Has the corporation
17 undertaken any research like that? Leaving aside
18 anything filed within this hearing.

19 MR. MATTHEWSON: Manitoba Hydro has
20 not conducted any research or funded any research
21 with regard to species at risk and vegetation
22 management strategies and the effects of
23 vegetation management on species at risk.

24 MR. WILLIAMS: Okay. And similarly,
25 has Manitoba Hydro funded or undertaken any

1 independent research into the site specific
2 vegetative management strategies? And I didn't
3 ask that very well, Mr. Motheral or Mr. Ortiz, but
4 has Manitoba Hydro retained anyone to do
5 independent studies into various site specific
6 vegetative management studies in terms of its
7 transmission lines? I'm not sure I asked it much
8 better the second time, but I think they have got
9 it.

10 MR. ORTIZ: If I understand your
11 question correctly, yes, we have done our own
12 research, a lot of it operational style of studies
13 investigating the effects of different techniques
14 on different sites and evaluating the results of
15 those sites. We also have engaged in some masters
16 level studies, and some Ph.D. studies, to follow
17 the effects of vegetation management on the
18 right-of-way over a number of years.

19 MR. WILLIAMS: Sir, by way of
20 undertaking, could you produce a bibliography of
21 the research that the corporation has undertaken,
22 at least to the extent of the masters and Ph.D.
23 level research? And if it is documentation of
24 Hydro's own internal studies, we're just taking a
25 bibliography.

1 MR. MATTHEWSON: Yes, Manitoba Hydro
2 can take an undertaking to provide that
3 bibliography.

4 MS. MAYOR: Before we give that
5 undertaking, are you asking for those site
6 specific studies that may apply to the Bipole line
7 or the final preferred route? Because I'm not
8 sure what the relevance would be if there were
9 site specific studies done of areas that aren't in
10 the final preferred route?

11 MR. WILLIAMS: Certainly from our
12 client's perspective, it would be, both would be
13 equally relevant. They are certainly of the view
14 that the evidence in this hearing will ultimately
15 show that one of the most, potentially biggest
16 impacts in terms of environmental impacts is
17 vegetative management studies. So any literature
18 related to that would be relevant, in our client's
19 perspective. And again, we're less interested in,
20 frankly, in the corporation's internal stuff than
21 in the Ph.D. and masters level research.

22 MS. MAYOR: We'll have to review what
23 was done and take that under advisement and get
24 back to you.

25 MR. WILLIAMS: Okay.

1 Panel, I'm not sure how I did on time,
2 sir, but --

3 THE CHAIRMAN: You're five minutes
4 over the flash, when you flashed -- it's ten
5 minutes since you flashed me five.

6 MR. WILLIAMS: That was a clever
7 lawyer's trick, sir. I do thank the panel and the
8 Hydro witness's for their patience.

9 THE CHAIRMAN: We'll break for dinner
10 in a moment or so. We won't have an opportunity
11 to further cross-examine this panel this evening,
12 but we will need them probably one day next week.
13 I think we're thinking of Wednesday evening. The
14 panel have some questions, panel members will have
15 some questions. I'm not sure if Mr. Meronek will
16 have questions, and Mr. Madden will likely have
17 some questions. So we'll excuse them now.

18 We've got a busy evening. We've got
19 five members of the public who have registered to
20 make presentations, as well as the Swan Lake First
21 Nation. We had a bit of a mix up. We thought
22 they were coming this morning. They thought they
23 were coming this evening. They will be here this
24 evening. So I think we're going to use that full
25 two hours this evening. So please be back at 7:00

1 o'clock.

2 (Proceedings recessed at 5:10 p.m. and
3 reconvened at 7:00 p.m.)

4 THE CHAIRMAN: Good evening, I'd like
5 to get the evening's proceedings going. Right now
6 we have a very full evening and we don't have much
7 time to waste.

8 We have a number of people who have
9 expressed an interest in speaking this evening,
10 plus the Swan Lake First Nation which will be
11 making a presentation. First up is Mr. Al
12 Mackling, followed by Swan Lake, and then
13 Mr. Robert Hamlin, Albert Myska, Irwin Kehler and
14 Dave Ennis and that may well take us to
15 9:00 o'clock, which is our adjournment time.

16 I will let those who are presenting
17 know that our rules of procedure require that you
18 affirm to tell only the truth before this
19 Commission.

20 So, Mr. Mackling, before you proceed,
21 I'd ask the Commission secretary to affirm your
22 evidence.

23 MS. JOHNSON: Could you please state
24 your name for the record?

25 MR. MACKLING: Alvin Henry Mackling.

1 Alvin Henry Mackling: Sworn

2 THE CHAIRMAN: I'll let you know that,
3 and other presenters know that we have a 15 minute
4 time limit on presentations. I am going to
5 enforce that strictly, and I have flash cards for
6 five and two minutes that I will pop up if you get
7 close to the minute. Go ahead, Mr. Mackling.

8 MR. MACKLING: Thank you, Mr. Chairman
9 and panel members. I, like many other Manitobans,
10 have read and heard and am concerned about the
11 issue of the Hydro development of a further
12 transmission line. I have taken the trouble to
13 talk to a number of people, and one occasion I
14 talked to the former executive director,
15 Mr. Brennen.

16 Why I should be considered to be of
17 any value in this sort of thing, or whether or not
18 I have any commitment to the resources and
19 conservation, I should let you know that I have
20 been a longstanding member of the Manitoba
21 Forestry Association, and they are dedicated to
22 educating the Manitoba public as to the value of
23 trees and forests. I am a very committed member
24 of that association. I was the Minister of
25 Natural Resources that introduced the first

1 wilderness park to Manitoba, and that is Atikaki.
2 I was the Minister responsible for the first
3 planning of the Whiteshell park where we committed
4 12 percent, only 12 percent as the wilderness
5 area. But we had to face down, I had to face down
6 a great number of snowmobilers who were very
7 unhappy about even that amount of the park being
8 taken away from them.

9 Also when I was Minister of Natural
10 Resources, I introduced the first forestry
11 guidelines that were introduced. There were no
12 forestry practices guidelines before I questioned
13 my department, and we did introduce forestry
14 guidelines in respect to size of clear-cutting and
15 so on. So I think my credentials are reasonable.

16 Now, obviously everyone is concerned
17 about the protection of the boreal forest and the
18 benefits of that that boreal forest can bring to
19 all Manitobans. When I looked at the -- when I
20 have looked at the maps, I am concerned that -- I
21 wonder why Hydro didn't exploit the natural
22 routing along an existing right-of-way, and I'm
23 talking about the Churchill Railway right-of-way.
24 I've had occasion as a student to ride the train
25 to Churchill and I know something about that

1 right-of-way. The right-of-way generally goes
2 where the line has to go.

3 And if you'll note, it comes to a
4 point near Wabowden where there is a short leg
5 across to an existing transmission line to Jenpeg.
6 I, quite frankly, think that the east side route
7 should be possible.

8 And why I say that is that one of the
9 factors that has not been considered, that I know
10 of, is the question of protection of the boreal
11 forest from forest fires. We know that we are
12 going into a climate change era when the
13 likelihood of more drastic weather conditions is
14 something we have to face up to. One of those is
15 very serious forest fires. We have had them in
16 the past, we'll have them in the future.

17 Forest fires can be beneficial if they
18 are small scale and you get fresh growth. The
19 animals profit by the fresh growth. But if we
20 have an extended dry period like we had in this
21 last past summer in August, and our forest is
22 tinder dry, and we have dry lightning strikes and
23 we have a forest fire, then our boreal forest can
24 be in very serious jeopardy.

25 Now, fortunately, the topography of

1 eastern Manitoba is that the lakes and streams run
2 from the east to the west, most of them emptying
3 into Lake Winnipeg or into that region. Those
4 rivers and streams form natural forest fire
5 barriers. But there's no barrier north and south.
6 Interesting, isn't it?

7 And if you had a transmission line
8 running with a reasonable width of clearing, you'd
9 have a green area, a buffer, for forest fires.

10 Now, I might say, I wonder if anybody
11 else has ever thought of that. Years ago I met
12 Eiling Kramer who had been Minister of Natural
13 Resources in Saskatchewan, Minister of Highways.
14 He was on the good side, I considered the good
15 side, he was a CCFer or NDPer, as I am, or was.
16 He told me at one stage he had proposed that there
17 be a series of cleared strips, areas through the
18 Saskatchewan portion of the boreal forest, for the
19 very reason of protecting the boreal forest from
20 devastating forest fires.

21 And he's pointed out that that would
22 have another added benefit. Because when you have
23 a clearing, when you have to keep it clear like
24 that, you have new growth for a variety of animals
25 that depend upon new growth. And that's why in

1 the forestry of operations of old, they have
2 always considered fires to be beneficial, if they
3 can be controlled.

4 So if you have a cleared area, not an
5 extensive area, but a cleared area, not only would
6 it protect against forest fires, but it would be
7 beneficial to the animals in the forest.

8 Now, one of the concerns I have had,
9 and I have spoken to John Ryan, is I do not
10 understand why Hydro can't come up with a
11 technique of providing submerged cable through
12 Lake Winnipeg. Now, John Ryan and others have
13 told me that cable has to be, it has to be about a
14 five inch cable. I don't know why it has to be
15 five inches. The cables that are on the
16 transmission line is not one big cable of five
17 inches in that diameter, it's a series of cables.
18 Couldn't there be a series of smaller cables
19 submerged in Lake Winnipeg? Maybe they can be
20 bundled together when they are put down, when they
21 are anchored. But what's the particular magic of
22 having one large cable? I don't know. I think
23 Hydro should be challenged to come up with the
24 technology to utilize submerged cables and
25 underground cables where that is appropriate.

1 Now, I could go on at some length
2 about the advantages or disadvantages of either
3 routing. Wherever the route is established, there
4 will be ecological ramifications. There will be
5 effect on the boreal forest, because the boreal
6 forest doesn't just end on the east side of Lake
7 Winnipeg. Whatever route is chosen will be a
8 challenge.

9 I think that Hydro could develop a
10 line on the east side of Lake Winnipeg, perhaps
11 utilizing or being within a reasonable proximity
12 of Lake Winnipeg itself, so it's not in the heart
13 of the boreal forest. If it's not in the heart of
14 the boreal forest, perhaps that would be more
15 beneficial from the point of view of protecting
16 the forest from fire, and supplementing the
17 natural feed that animals require, because they
18 require that new growth. Perhaps they can come up
19 with a better plan? I think they can be
20 challenged to do that.

21 However, one other thing I want to
22 talk about is, we're entering into a new era of
23 power and energy. I have never read anything in
24 the Winnipeg Free Press, the Globe & Mail, any of
25 these periodicals about the changes that are

1 occurring worldwide in respect to the approach to
2 energy. We knew about the technological advances
3 in communication. The radical changes that are
4 occurring where people can Skype from Manitoba to
5 Iraq. I was talking to a student at English
6 Additional Language, he Skypes to his family in
7 Iraq every week. They can see him. He can see
8 them, and he talks to them. And it's a very
9 nominal cost of this communication. Things are
10 changing.

11 In his book, Jeremy Rifkin talks about
12 the third industrial revolution, fascinating
13 reading. I don't suggest you all have to read it
14 right away, but it would be very good reading for
15 you. What he talks about here is something that
16 the European countries have adopted. They have
17 adopted the philosophy that instead of energy
18 being developed by large super companies, energy
19 will be produced by individuals, small operations,
20 and integrated with a network, a network that is
21 established through this higher communication
22 technology we now enjoy.

23 The European Union has adopted a
24 policy in respect to energy development where they
25 won't be transmitting energy long distances, large

1 amounts from single plants. It will be an
2 integrated system. And North America better wake
3 up to the challenges there.

4 One other thing that I talked to
5 Mr. Brennen about is, why Hydro doesn't exploit
6 the old fashioned development of taking water,
7 water which is hydrogen and oxygen, using the
8 surplus electricity, and producing those two gases
9 again? Because water is two molecules of
10 hydrogen, one of oxygen. When you separate them,
11 when you separate the molecules, that's what you
12 get. And we should be moving into a hydrogen era.
13 We've got all that power close to water. Why
14 don't we produce hydrogen and have hydrogen fueled
15 systems in Manitoba and in Canada? That's the
16 future, new types of energy.

17 But if we're going to build a
18 transmission line, we should do it not just
19 thinking about the dollars involved, but we should
20 be thinking about how we best protect that boreal
21 forest. And I suggest you should give some very
22 serious thought to a line that becomes a buffer
23 and a protector of the forest from forest fires,
24 and a lasting benefit, and a continuing benefit to
25 the animals in the forest. Thank you.

1 THE CHAIRMAN: Thank you,
2 Mr. Mackling. Any questions?

3 MR. MACKLING: No questions?

4 THE CHAIRMAN: No questions, sir.
5 Probably lots of questions but also a dearth of
6 time. But your presentation was interesting.
7 Thank you.

8 MR. MACKLING: Thank you.

9 THE CHAIRMAN: Next up is the Swan
10 Lake.

11 MS. JOHNSON: Could you please state
12 your name for the record?

13 MR. SCOTT: David Scott.
14 David Scott: Sworn.

15 THE CHAIRMAN: Just to inform others
16 in the audience, don't get too concerned if
17 Mr. Scott goes beyond the 15 minutes that I noted
18 earlier. He made application on behalf of Swan
19 Lake First Nation to make a more substantive
20 presentation, so he will have more time.

21 Go ahead, sir.

22 MR. SCOTT: Thank you, Chairman.

23 Before I get into my actual
24 presentation, I have two elders with me, the
25 archaeologist that worked on our TKP report, and

1 also a couple of my research assistants. If you
2 require, if you want to ask them questions, you
3 can swear them in now, or if you require them, I
4 can bring them up individually.

5 THE CHAIRMAN: It's your choice, sir.
6 If you want, you could all sit together at that
7 table.

8 MR. SCOTT: Okay, we can do that. I
9 think it would be easier for all of us, if you
10 have questions.

11 THE CHAIRMAN: Have them come up now
12 and sit at the table over there and you can speak
13 from there.

14 MR. SCOTT: Thank you, Chairman, for
15 accommodating us. I'll just introduce the panel
16 up here. Next to me is Tomasin Playford. She's
17 the archeologist that we hired to do some of the
18 archeological work in the area that we're going to
19 be discussing this evening. Bill Scott is the
20 next one sitting down here. He was one of the
21 community members who worked on the TKP. And we
22 have Elaine Scott, Joyce McKenny, who are elders
23 and also have contributed to the document that we
24 had presented to Manitoba Hydro. Next to Joyce is
25 Harry Hobson, who was my research assistant. And

1 we have elder Wayne Scott as well, who is familiar
2 with the traditional practices of our First
3 Nation.

4 THE CHAIRMAN: Mr. Scott, I'll ask the
5 Commission secretary just to take an affirmation
6 from those that you just introduced.

7 Tomasin Playford: Sworn.

8 Bill Scott: Sworn.

9 Elaine Scott: Sworn.

10 Joyce McKenny: Sworn.

11 Harry Hobson: Sworn.

12 Wayne Scott: Sworn.

13 THE CHAIRMAN: Go ahead, sir.

14 MR. SCOTT: Thank you. I hope I
15 didn't scare the Commission with the big box I
16 brought up here. What I brought up here is the
17 studies that we have done since 1971 researching
18 the history of our community, and in particular,
19 the area that we are going to be discussing this
20 evening. I'll keep our presentation specific to
21 the area that we have a concern with.

22 Swan Lake First Nation has studied the
23 proposed crossing area north of our land known as
24 Indian Gardens, including a few studies funded by
25 the Manitoba Hydro and a review of the EIS funded

1 by the Province of Manitoba. All studies were
2 undertaken with very short time frames, small
3 budgets, narrow geographical scopes, and with a
4 lack of cooperation from nature. We had a big
5 flood when we were going to get under way there.

6 In addition, Swan Lake First Nation
7 has undertaken and funded additional research, and
8 funded and/or participated in a number of other
9 studies. And in your package, I gave you a study
10 of the berry study that we did.

11 Swan Lake First Nation submitted our
12 review of Manitoba Hydro's Bipole III
13 Environmental Impact Statement in March of 2012.
14 We have continued to conduct additional research
15 into the proposed crossing and other lands within
16 Swan Lake First Nation's traditional territory
17 since that time.

18 As identified in the EIS report, we
19 have determined this specific area as rich in
20 culture and natural resources, and important to
21 the people of Swan Lake as well as other First
22 Nations.

23 We believe that this area should be of
24 some heritage and historical value to the people
25 of this Province and to the people of Canada.

1 An area with potential for additional
2 heritage values was determined from existing
3 information as shown on map three of the EIS
4 review, as well as a memory map that I have
5 attached.

6 The additional research we have
7 undertaken since our EIS review has confirmed the
8 cultural, spiritual and heritage significance of
9 this specific crossing location. Additional
10 research since our EIS report also suggests that
11 crossing the Assiniboine River at other locations
12 within our traditional territory would not impact
13 another significant cluster of natural and
14 cultural resources such as this one.

15 Given the significant concentration of
16 cultural, spiritual, heritage and natural values
17 at the crossing, and the availability of other
18 crossings within our traditional territory that
19 would not have the same adverse effects, Swan Lake
20 First Nation cannot approve the line crossing the
21 Assiniboine River at this location.

22 The line must be moved outside of the
23 area with potential for additional heritage
24 values, as shown on map three of our EIS review
25 report.

1 The people of Swan Lake First Nation
2 have been consulted. However, consultations have
3 been limited, the time frames have been very
4 short, the scope of funded research and review has
5 been limited. Swan Lake First Nation has not yet
6 been reasonably accommodated. To us reasonable
7 accommodation is to find an alternative location
8 to cross the Assiniboine River.

9 In January, and there is a typo here,
10 it should read in January 2011, Swan Lake
11 officials, other First Nation officials and
12 Manitoba Hydro officials were informed of the
13 gravity of the location they had chosen. In the
14 same meeting, Manitoba Hydro officials were asked
15 what it would take to move the line to the west
16 and south of Indian Gardens. We got no response.
17 We have not yet been given reasons as to the
18 choice or reasons as to why another location could
19 not work into the Bipole III plan.

20 Manitoba Hydro has not yet committed
21 to abandoning this alignment and looking for other
22 locations. Manitoba Hydro has made every effort
23 to avoid provincial heritage sites. This area is
24 a First Nation heritage site of great importance
25 to the people of Swan Lake First Nation. We

1 recognize that it is not a structure, it is a
2 place on the ground, as most First Nation heritage
3 sites are.

4 I would like to direct your attention
5 to the map, I forgot my map. The map shows four
6 lines coming out of the north. All of those lines
7 converge in the area known as Indian Gardens, and
8 we have not been given an explanation as to the
9 determination made to locate this line in this
10 area.

11 We have made every reasonable effort,
12 at great financial cost to our community, to work
13 with Manitoba Hydro to address our concerns. We
14 have both failed.

15 Swan Lake First Nations has had
16 numerous discussions with Manitoba Hydro regarding
17 environmental protection plans and mitigation, et
18 cetera. It is important for Swan Lake -- oh, we
19 can use this map right here. You'll see all the
20 dots on there, they all converge and we're talking
21 about this area at the bottom here where Long
22 Plains, Dakota Plains are located. All those
23 lines come and converge in that location. And
24 when we got involved, we told Hydro, this is the
25 worst possible place you could have chosen. We

1 were not consulted prior to that.

2 Swan Lake First Nation had numerous
3 discussions with Manitoba Hydro regarding
4 environmental protection plans, mitigation, et
5 cetera. It is important for Swan Lake First
6 Nation to be involved in the environmental
7 protection plans at any location within our
8 traditional territory. However, it has become
9 clear that the proposed crossing area is not an
10 acceptable location.

11 Swan Lake First Nation has advised
12 Manitoba Hydro that we are prepared to accommodate
13 a line at an alternative location removed from the
14 proposed alignment.

15 Swan Lake First Nation has not seen a
16 cost benefit analysis with which we are to measure
17 infringement of our constitutionally protected
18 rights. It saddens us to hear the citizens of
19 this Province come before this Commission to
20 attempt to articulate the protection of their way
21 of life.

22 We have not been convinced that the
23 Bipole III line is for the benefit of the citizens
24 of Manitoba. This information would be very
25 important in our decision to relinquish or allow

1 an infringement of our rights, as we are being
2 asked to do so, once again.

3 We as citizens of this Province are
4 being asked to place our trust in the proponent
5 and the regulators, without the benefit of the
6 necessary expertise to make such a decision. We
7 cannot and we will not comment on the issue of
8 whether or not the Bipole III line should go on
9 the east or west side of the province. This issue
10 is not for us to determine, it is your
11 responsibility as Commissioners to do that.

12 Commissioners, I have brought before
13 me on the table a small portion of the research
14 work that Swan Lake First Nation has conducted
15 since 1971 about our history, our territory and
16 land use, as evidence that the presentation I am
17 making to the Commission is not a flight of
18 fantasy on our part, and that we take the
19 infringement of our rights very seriously.

20 However, I could not make copies for you, I do not
21 have the resources to cover such documents, and we
22 have thousands more at home.

23 We are asking the Commission, Swan
24 Lake requests that the Clean Environment
25 Commission ask the Minister to compel Manitoba

1 Hydro to realign the crossing of the Assiniboine
2 River to a location outside of the area with
3 potential for additional heritage values shown on
4 map three of our EIS review report.

5 We further ask the Commission to
6 compel Manitoba Hydro to work with Swan Lake First
7 Nation to help find an alternative location within
8 our traditional territory, to not issue a licence
9 to Manitoba Hydro for Bipole III unless the
10 crossing of the Assiniboine River is moved.

11 Wherever the line crosses the
12 Assiniboine River, we ask the Commission to compel
13 Manitoba Hydro to continue to involve Swan Lake
14 First Nation in the environmental protection plan
15 and mitigation measures, to address the comments
16 and expectations identified in Swan Lake First
17 Nation's review of Manitoba Hydro's Bipole III
18 Environmental Impact Statement.

19 That concludes my presentation. If
20 you have questions, we'll answer them.

21 THE CHAIRMAN: Thank you, Mr. Scott.
22 Ken?

23 MR. GIBBONS: Mr. Scott, thank you
24 very much for that presentation. Could you
25 briefly outline for us how far or what location

1 moving the crossing would require in order to meet
2 your needs as a community?

3 MR. SCOTT: I think if you look at the
4 map three in your handouts, we made a big blue
5 circle in the area in which we have a very high
6 cluster of different types of activities that the
7 people of Swan Lake First Nation would like to
8 protect. Anywhere outside that blue area would be
9 fine with us if it doesn't interfere into another
10 cluster. And we do have information in other
11 areas, but we're not engineers, we don't know how
12 to put up a hydro pole, so we would ask that Hydro
13 participate in that. All we're saying is if
14 there's another location identified, we would
15 participate in that.

16 MR. GIBBONS: And sir, just for
17 clarification, the proposed line shown by the
18 white dashes, are the green lines that are on the
19 line beside that, are those references to the
20 other lines that were considered, the other routes
21 that were considered, or are those a reference to
22 something else?

23 MR. SCOTT: I'm sorry, I couldn't
24 hardly hear you there.

25 MR. GIBBONS: The green lines --

1 actually, I think I may have just found the
2 answer. The green lines that are north of and
3 south of the proposed Bipole III line, I now see
4 on the map it says it's the recommended monitoring
5 and follow-up area. So I guess the question might
6 be, if the line were moved farther north where it
7 was between the blue circle and Long Plain
8 reserve, or farther south so it was south of
9 Indian Gardens, either of those would work?

10 MR. SCOTT: Could you show me the map
11 you are looking at? I'm not sure. Okay, yes --
12 oh, no, that's a different one. Let me find that
13 map.

14 This map here, on that map we are
15 showing you there, the green lines is the three
16 mile corridor identified by Manitoba Hydro, the
17 two outside green lines. And then the dotted line
18 is the now route that they have decided is the
19 best area for that line. And you will see the
20 concentration of activity by First Nations people
21 in that area.

22 Manitoba Hydro and myself have been in
23 lengthy discussions to try and find a way to get
24 around this issue. The concern that we have is
25 Manitoba Hydro is not willing to say or to commit

1 to abandoning the lines should we find an area
2 there. We didn't do all the work. We didn't do
3 all the work. We kept asking for Hydro to, let's
4 move on this, let's do it now, so that we can talk
5 about mitigation or whatever else we need to do.
6 We didn't get that far.

7 And as long as Manitoba Hydro
8 continues to say that there is no option to
9 abandon that particular area, then we must ask the
10 Commission to make that a condition of their
11 licence. This is the only opportunity we are
12 going to have.

13 MR. GIBBONS: Thank you, sir.

14 THE CHAIRMAN: Mr. Scott, are you
15 continuing to have discussions with Manitoba
16 Hydro?

17 MR. SCOTT: We stopped our discussions
18 as of yesterday. Manitoba Hydro would not commit
19 to abandoning the line should we find anything on
20 that line directly in the 66 metre right-of-way.
21 What they have come to us is, we would move the
22 line 20 metres or whatever it might be, within the
23 66 metre right-of-way. We did get to a point
24 where we would discuss the potential of moving the
25 line in a different area, but they would not

1 commit to saying yes, if we find something there,
2 we'll move the line. And that doesn't give us
3 very much comfort.

4 The way we view our heritage,
5 cultural, spiritual sites, it's large areas that
6 we leave undisturbed. In this particular area,
7 you notice that there is very few fields. Hydro
8 is planning to put that line in the bush areas,
9 and very few agricultural fields will be
10 disturbed. Those fields have already destroyed a
11 number of sites already. We are trying to protect
12 whatever else might be in there. And we don't
13 know that, we don't know what's there. But we're
14 asking this Commission if they are not willing to
15 make that commitment that will move the line
16 should we find anything there, we're asking you to
17 compel them to move the line should we find
18 something there.

19 THE CHAIRMAN: Did you say that you
20 had broken off discussions with Hydro?

21 MR. SCOTT: As of last night --
22 whether they want to keep talking, we're willing
23 to do that. But in order for Swan Lake to
24 continue to work with Hydro -- and we do have a
25 good relationship, we're not at odds with Hydro

1 whatsoever, and we do everything we can to try and
2 understand their position. It is expensive for
3 them to do all of this work and come in there.
4 But they knew, from the very first meeting, they
5 were informed about Swan Lake's concerns about
6 where they located this line. We were not
7 involved in those decisions. They knew right from
8 day one that this was just the worst area they
9 could have picked, but they are still not willing
10 to move off by saying that, you know, we'll move
11 that line if we have to.

12 THE CHAIRMAN: Do you know if any of
13 the initial alternate lines miss all of your areas
14 of concern?

15 MR. SCOTT: We have done extensive
16 research in the area. There is a lot of other
17 areas that line would cross where it would not
18 interfere in such a large clustered area.

19 THE CHAIRMAN: But Manitoba Hydro had
20 in different areas three or four or five different
21 routes that they were considering.

22 MR. SCOTT: No, they have never come
23 to us about -- they haven't come to us to tell us
24 why that line can't be moved. They haven't told
25 us why that line is all focused there. We still

1 don't have any of that information. And in order
2 for us to allow an impact on our rights, we need
3 that kind of information.

4 We're not unreasonable people. If
5 there is a true benefit to the Province of
6 Manitoba that this line must be there, we're
7 reasonable, we're willing to talk about it. But
8 they will not commit to say, if we find something
9 there, we'll move the line. They have not done
10 that.

11 THE CHAIRMAN: Thank you, Mr. Scott.
12 I don't think I have any more questions. Do you
13 have other questions? Yes.

14 MR. GIBBONS: Just a follow-up, if I
15 may. And Hydro could certainly correct me if I'm
16 wrong about this, and I'm using a map that is not
17 Hydro's map, but there seems to have been at least
18 at one point an alternative line that, after the
19 line heads south towards your territory, would
20 have then turned east at a point at the northern
21 edge, or just outside the northern edge of the
22 Long Plain reserve.

23 MR. SCOTT: Yes.

24 MR. GIBBONS: That would miss the area
25 completely that you're talking about, would it

1 not?

2 MR. SCOTT: That was recommended by
3 our botanist that looked at the plant species in
4 that area. We debated that particular issue, but
5 it was not discussed beyond that. Hydro never
6 came to us and talked about it or anything. But
7 we did suggest that alternative line, which I
8 suppose they would have to do their work in terms
9 of that. But we never had discussions regarding
10 that alternate route with Hydro. They never
11 discussed it with us.

12 MR. GIBBONS: Thank you.

13 MR. MOTHERAL: If I could ask a point
14 of clarification, Mr. Scott? When you say, if we
15 find something there sometime, I'm a little bit
16 foggy on what you're talking about, because are
17 you meaning that if the line was put through and
18 then you find something there afterwards, is that
19 what you're talking about?

20 MR. SCOTT: That's what we're trying
21 to prevent. We'd rather find the stuff before.
22 But if we find something there, Hydro is saying
23 all they are going to do is move the line a few
24 feet around whatever. For Indian people sun-dance
25 grounds could be large areas, and those are sacred

1 sites to us. Burial areas are very sacred,
2 midewiwin, all these different ceremonies, so we
3 don't know what size these areas are, and those
4 are usually areas that we don't disturb. We do
5 have ceremonies in the area, but because of
6 private landownership, we do it at Indian Gardens
7 for those relatives that we have buried there. So
8 we don't know what size these are. And that is
9 one of the things that we were working with Hydro
10 on. But now that we're into this phase where
11 there is a potential for Hydro to get a licence,
12 without taking seriously -- I shouldn't say that,
13 they might take it seriously -- but without
14 understanding the values we hold to these sites
15 and without the willingness to move that line, we
16 are lost. We don't know. We're asking for your
17 help to solve this problem.

18 MR. MOTHERAL: Thank you. It wasn't
19 the something there that I was really concerned
20 about, I understand your concern about the sites,
21 it's the sometime. Would that be if you find
22 something within two years, within five years,
23 that's what I meant by that.

24 MR. SCOTT: I think what we're saying
25 there is -- no, this is what we're saying. We

1 don't want Manitoba Hydro to get a licence without
2 at least Hydro saying, okay, Swan Lake, we will
3 respect your heritage site because you found this
4 particular location, and we will move the line out
5 of the area. Right now there is no option for the
6 line to be moved completely out of the area. Plus
7 we don't know exactly all the activities that took
8 place in the area. We don't know exactly where
9 these -- this area has been a main area of
10 gathering for Indian people for hundreds of years.
11 And more recently, even in my day, my grandfather
12 was there. My grandfather was a council member of
13 the chief that signed Treaty 1. So we have all
14 that rich history still alive in our community.

15 MR. MOTHERAL: Thank you.

16 THE CHAIRMAN: I think that is all the
17 questions that we have, Mr. Scott. I want to
18 thank you very much for this presentation.
19 Presenters aren't subject to cross-examination by
20 anybody except panel members.

21 I can't promise you that we will give
22 you everything that you ask for in this, but I can
23 promise you that we will consider it very
24 seriously, and it will inform our decision-making.

25 MR. SCOTT: Can we just add one more

1 thing, and I think it's important, not from a
2 strictly First Nation issue, but an issue about
3 the archeological potential for this area. I'm
4 going to ask Tomasin if she could speak a little
5 bit about that just for your information.

6 THE CHAIRMAN: Certainly.

7 MS. PLAYFORD: All I want to mention
8 is I did a very preliminary look at the area
9 surrounding Indian Gardens, the section in green
10 in David's map, which is about seven kilometres in
11 length. And you can see on the map there, there
12 are some archeological sites already identified in
13 the region. This is an area of very high
14 potential for archeological sites because of the
15 high biological diversity of the area. It's in a
16 location where you have three different regions
17 meeting, you have tall grass prairie, you have
18 aspen parkland, and glacial Lake Agassiz plain all
19 meeting. So it's a very biologically diverse
20 area. And areas of high biological diversity tend
21 to correlate with areas of cultural diversity.

22 I'd also like to point out that the
23 line of the proposed Bipole transmission line is
24 on a ridge of glacial Lake Agassiz. So that
25 increases the archeological potential for the

1 area, and there is a high possibility of very
2 early archeological sites. So while we have a lot
3 of historical activities in this area, there's
4 also the potential to have activities that
5 occurred nine, seven, six, five, four, two and
6 1,000 years ago. So that makes this area very
7 archeologically diverse and a very high potential.

8 We have only undertaken a very, very
9 preliminary examination of the area. We haven't
10 done any kind of testing to date. We are waiting
11 on Manitoba Hydro to undertake that kind of study.
12 But given that there is a very high or strong
13 possibility of unearthing archeological sites,
14 while these may not have the same spiritual or
15 cultural significance to Swan Lake First Nation,
16 it definitely has importance to all peoples of
17 Manitoba.

18 So thank you.

19 MR. SCOTT: Swan Lake supports that
20 position.

21 THE CHAIRMAN: Do you have any others
22 who wish to say anything, Mr. Scott?

23 MR. SCOTT: No. Thank you, that's all
24 the questions, thank you.

25 THE CHAIRMAN: Thank you very much

1 again for your presentation this evening.

2 Next up is Mr. Robert Hamlin.

3 MS. JOHNSON: Could you please state
4 your name for the record?

5 MR. HAMLIN: Robert Hamlin.

6 Robert Hamlin: Sworn.

7 MR. HAMLIN: Good evening,
8 Mr. Chairman, panel members. My name is Bob
9 Hamlin, and I prepared this as a private citizen
10 for your consideration. My expertise has been, I
11 have two degrees, Bachelor of Science in
12 engineering and Master of Science in engineering.

13 I am a private citizen of the Rural
14 Municipality of Woodlands. I lived near Warren,
15 Manitoba. I worked for ACL for seven years on the
16 first stages on Bipole I, starting in 1967. It
17 seems like a long time ago. And I continued on
18 after that with Manitoba Hydro on various aspects
19 of high voltage DC and communications aspects.

20 We farm sheep and cattle with my wife.
21 We have significant gardens in that area, and
22 that's one of the views of our sunset out the
23 window. And I think as part of the work we do in
24 the area, we try and garden organically, but it's
25 not completely possible.

1 I am also a canoeist. I have
2 travelled very extensively in some of the shield
3 country, so I know the swamps and muskegs of those
4 places. I think I can speak for farmers and
5 environmentalists.

6 I want to note that since this
7 transmission line was chosen, there has been a
8 significant change in the economy. I want to also
9 note that there's a couple of points that I'd like
10 to make. As you well know, the east route is much
11 shorter than the west route. The west route is
12 much more expensive because of conductor or
13 transmission. And it has a much bigger impact on
14 the farming community and the people that are
15 exposed to it.

16 But because of the changes in the
17 economy, I think it's time to have a look and see
18 where we're going. There's time and opportunity
19 to have a look around and make sure that we're
20 going in the right direction.

21 When Manitoba Hydro first started on
22 this project, and I can't remember the exact year,
23 their preferred route was east of Lake Winnipeg.
24 But now that they have been instructed to pursue
25 only the west route, we can only get their

1 expertise on that west route. But we kind of
2 wonder whether they can still ask questions about,
3 with the economy changing, whether they can change
4 the time frame when this transmission line has to
5 be built? Eventually it has to be built, yes, but
6 the question is when. So, can they ask these
7 questions or not?

8 The other part that's missing, because
9 they can't look at the east route, we missed their
10 expertise. They are very, very good at it. There
11 is an incredible depth and knowledge and skill to
12 develop routes.

13 As you can see from the next slide,
14 the huge difference in length is well known, it's
15 been stated many times. But the route on the east
16 side goes through a sparsely habitated area. It
17 affects a minimal number of people in that area in
18 terms of exposure to electric or magnetic fields.
19 There are known audible noise concerns from
20 transmission lines from the corona discharge and
21 from wind effects, but the jury is still out on
22 whether there's effect from the electric fields or
23 the magnetic fields. That route would be a safe
24 secure route.

25 What we don't know very well is what

1 the weather conditions in terms of tornadoes and
2 severe weather occurrences on that route are. It
3 seems as though they are less. We don't hear
4 reports, anecdotal reports, unfortunately, but we
5 do know on the west route, particularly in the
6 central plains area, we do know it is a tornado
7 area.

8 The other part of the transmission
9 line, we know as society moves forward, we want a
10 secure reliable service. Look at what happened
11 with Hurricane Sandy and its lack of resource
12 there to keep it in place.

13 So the east route, to my opinion, has
14 very low impact in terms of the flora and fauna.
15 I have had a great deal of experience with the
16 canoeing, with livestock, and I understand what
17 happens under a transmission line. We have hiked
18 and walked under the transmission lines, and we
19 have yet to see what we would call an adverse
20 effect that you can observe under that
21 transmission line. And we can't, for all the work
22 that we've done, we can't see where a right-of-way
23 of I understand 66 metres, would have an impact on
24 the wildlife.

25 When I travel through that area,

1 Woodlands Caribou Park or down the Bloodvein
2 river, I see fly-in lodges, I see wild berries, I
3 see large forest fire burns, I see winter roads
4 with some bridges, but some of those I think have
5 more impact than a transmission line would. And
6 there is a caribou migratory route that went
7 through there. It's quite simple to try and
8 identify where the mature forests are where the
9 caribou might be travelling, and you can put a
10 section of much taller transmission towers in that
11 area. So that would be an easier way to help
12 alleviate anything you might have a problem with.

13 The one thing we have seen along the
14 transmission lines, the ungulates seem to prefer
15 the brush and the low new growth that's there.
16 But, again, it's a sparsely inhabited area.

17 Now, the west route -- pardon me, this
18 would be a standard transmission line that you
19 could use on the east side, probably the same
20 design as currently used on the Bipole I and II,
21 that particular tower was designed and built in
22 Manitoba back in '66, '67. But the requirements
23 for Bipole III are that it be capable of being
24 paralleled with Bipoles I and II. And there's a
25 bit of a technical issue, and I'm not sure you

1 want to go through it all, but in order to
2 parallel Bipole III on to one of Bipole I or
3 Bipole II lines, you have to have a much larger
4 conductor to match the resistance, i.e. the
5 losses. So they would share the load, should you
6 need Bipole III line to be used with the loss of
7 Bipole I or two lines. It's a little convoluted
8 but, trust me, they have a switching scheme that
9 works.

10 But what that does, though, it causes,
11 as we know, the transmission towers to be larger
12 and the conductor to be bigger and more expensive.

13 The weather exposure is we don't have
14 good data between what's on the west route versus
15 the east route, but we know because it's
16 50 percent longer, 500 kilometres longer, that
17 pure simple exposure is going to be longer and
18 higher.

19 We know the capital cost of the
20 transmission tower of the entire line is going to
21 be a billion dollars, but what's not known is what
22 is the maintenance cost for that additional line?
23 You can probably extrapolate it and say, it's 500
24 kilometres worth longer. But what we don't know
25 is what the farming inefficiencies cost. Because

1 the farming inefficiencies of working around these
2 structures is significant.

3 And if we look at what else we might
4 spend this billion dollars on, instead of spending
5 it on a much longer route, we can spend it on
6 social programs, housing, the infrastructure
7 deficit. But we have other issues, we have parks
8 that we have concerns about. The extra debt that
9 is incurred with this, it's noted in the
10 integrated financial forecast that the current
11 debt equity ratio is 75/25. But by 2017, it's
12 85/15. So I think we have to be careful Manitoba
13 Hydro doesn't take on too much debt, because if
14 you take a look at what happened in New Brunswick,
15 they were almost forced to be sold because they
16 had accumulated too much debt.

17 So the impact on farming is
18 significant. It's very difficult to get an
19 overall number of what the transmission line
20 effect on any given quarter section is. I know
21 they have done a lot to align the transmission
22 lines with road allowances, and that's a really
23 good step because all the equipment is getting
24 bigger and bigger, and they don't like them in the
25 middle of the operations.

1 In our area alone, we have had two
2 instances of accidental contact with transmission
3 structures between Warren and the Dorsey station.
4 It didn't actually cause an outage, but it
5 certainly causes problems for the farmers. What's
6 happening is we are putting this line through
7 prime agricultural land, and we don't want to lose
8 any more than we can possibly lose. It's really
9 important that we maintain this prime agricultural
10 land. Food production is important all over the
11 world. We're seeing foreign nationals buying up
12 farms because they know that the product can be
13 sold back in their own home country. So we need
14 to minimize the impacts on the agricultural land.

15 The other aspect that I'd like to
16 quickly mention is, perhaps because of the cost of
17 insurance by the farmers in operating, perhaps
18 Manitoba Hydro should indemnify the farmer against
19 any losses or damage, and hold harmless in the
20 event of contact with a structure. Because the
21 farmers already own the land and it's Manitoba
22 Hydro that's the intruder, so to speak.

23 The other aspect I'd like to note is,
24 on a highway, is that Manitoba Hydro has always
25 refuted the need for a highway to build a

1 transmission line on the east side. And I think a
2 highway would have far more impact than any
3 transmission line. So it's not needed for the
4 construction, it's not needed for the northern
5 portion of the existing transmission lines.

6 One of the difficulties with farming
7 with a structure is there's always weeds and weed
8 control in that area. We can't always get in
9 there and spray it because it's a different weed
10 than in the crop.

11 In conclusion, I'd like to note that
12 the eastern route is sparsely habitated, it's
13 shorter, it's less expensive, it doesn't take away
14 agricultural land. I think there's reduced
15 weather exposure, but I can't prove that.

16 The decision makers in this case, the
17 decision makers have moved on from when they made
18 the decision to pursue only the west route. I
19 think that there's nothing to be lost by making a
20 change, and I think for the benefit of Manitoba,
21 the cost will be much lower and there would be a
22 lot less impact.

23 Mr. Chairman and panel members, I urge
24 you to not provide the Honourable Gord McIntosh
25 with a licence to build the west route, and

1 recommend that Manitoba Hydro be instructed to
2 design the east route. Thank you very much for
3 your considerations.

4 THE CHAIRMAN: Thank you, Mr. Hamlin.
5 Any questions? Thank you very much for coming out
6 this evening, sir.

7 Mr. Albert Myska?

8 MS. JOHNSON: Could you please state
9 your name for the record.

10 MR. MYSKA: My name is Albert Myska.

11 Albert Myska: Sworn.

12 THE CHAIRMAN: Go ahead, sir.

13 MR. MYSKA: Okay. I apologize for my
14 hearing deficiency. I'll start over.

15 Good evening panel members, ladies and
16 gentlemen. My name is Albert Myska and I live in
17 Winnipeg. I am a member of the Association of
18 Professional Engineers and Geologists of Manitoba
19 and a graduate of the University of Manitoba in
20 civil engineering. With I.D. Engineering and
21 Teshmont Consultants, I worked on the design of
22 civil aspects of the Bipole I and II transmission
23 lines and converter stations. I was resident
24 engineer for phase 2 of the Radisson converter
25 station. I worked on the preliminary design and

1 cost estimates of the Gull Island to St. John's
2 transmission line in Newfoundland and Labrador, a
3 line that is still being studied. Through to
4 1990, I worked periodically on various HVDC
5 transmission line and converter studies.

6 Also, I want to note my more than 30
7 years on the design and project management of
8 projects on First Nation reserves in Northern
9 Manitoba. My work has been all over Manitoba,
10 both the north and rural Manitoba.

11 This is my personal presentation.

12 There have been concerns expressed on
13 the narrow mandate of these hearings, and I add my
14 voice to the concerns. It is useless to detail
15 impacts of one stipulated concept and route and
16 exclude demonstrably better routes and
17 alternatives. What matter is it if there are 400
18 bird species along the west side route when the
19 important flyways could be avoided if the optimum
20 east side route were selected, or when there is an
21 alternative of locating the southern converter
22 station west of Winnipeg, for enormous social,
23 environmental, reliability, and economic benefit,
24 or when natural gas fed steam generation could
25 provide the needed reliability and eliminate the

1 need for building Bipole III altogether? I will
2 elaborate on these points.

3 With regard to the mandate, the terms
4 of reference state under mandate of the hearings
5 the Commission shall provide a report recommending
6 whether an Environmental Act licence should be
7 issued to Manitoba Hydro for the Bipole III
8 project.

9 I submit the Commission should
10 recommend that an Environmental Act licence should
11 not be issued to Manitoba Hydro for Bipole III as
12 applied for. Alternatives to provide improvements
13 in reliability and future capacity for
14 transmitting power from Northern Manitoba should
15 be scrutinized, and the best alternative should be
16 selected before recommending a licence.

17 On November 1, that's a week ago,
18 Mr. Tishinski outlined the history of the Bipole
19 III planning and the unsound reasons given by the
20 Manitoba Government for ordering Manitoba Hydro to
21 avoid the route on the east side of the province.
22 I want to add my experience with the First Nation
23 aspect.

24 Prior to 2004, Manitoba Hydro
25 conducted initial information meetings with First

1 Nations along Manitoba Hydro's selected east side
2 route, but refused to discuss First Nation
3 participation or compensation. Simultaneously,
4 the east side planning initiative was under way,
5 and undertook to speak for the First Nations.

6 The First Nations never ever said they
7 were opposed to or would not accept the east side
8 route, but instead stated that they should
9 participate and benefit, even acquire ownership,
10 as has been done for the Wuskwatim generating
11 station and negotiated for Keeyask generating
12 station.

13 The Manitoba Government mistakenly or
14 intentionally took this to be opposition and said
15 the First Nations would be too hard to deal with.
16 This was the fallacious initial reason the
17 government ordered Manitoba Hydro to avoid the
18 east side route, even against Manitoba Hydro's
19 better judgment. Even today the majority of the
20 east side First Nations want to negotiate the east
21 side route because of the potential benefits.

22 A survey I made last year indicated
23 that of the 16 First Nations on the east side, 11
24 want the east side route. One I did not talk to.
25 Only four, those participating in the application

1 for World Heritage Site designation, have swung to
2 the World Heritage application, and they are
3 divided internally. An official of one First
4 Nation said they do not see any benefits accruing
5 from the potential flyovers or the canoeists that
6 already visit the boreal forest area.

7 On the other hand, you have seen that
8 there is resistance from the west side First
9 Nations such as Pine Creek and others. Cross Lake
10 has not yet signed the more than 30-year old
11 Northern Flood Agreement negotiated after Bipoles
12 I and II. There are others like Nisichawayasihk
13 Cree Nation at Nelson House and Tataskweyak Cree
14 Nation on Split Lake who have negotiated equity
15 ownership in the generating stations, and Manitoba
16 Hydro will have to deal with these First Nations.
17 I do not purport to speak for the First Nations,
18 but it is obvious the government was misguided
19 when they ordered Manitoba Hydro to avoid the east
20 side route because of First Nation issues.

21 There is no rationale basis or
22 explanation for the government order to avoid the
23 east side route. It is wrong by any standard -
24 environmental, economic, technical, or social.

25 Manitoba Hydro was not permitted to,

1 or chose not to provide east side route data in
2 their EIS, an unacceptable deficiency. They had
3 spent many years studying the east side route and
4 no doubt they have the data.

5 The following significant comparisons
6 between the west and east side routes can be made.
7 On the total length, the west side route is 1,364
8 kilometres, the east side route is 980 kilometres.
9 On the reliability, the west side route is less
10 reliable due to its extra length, and the southern
11 half is in the most tornado and ice storm prone
12 area in Manitoba. The additional power loss, the
13 west side route has an additional 40 megawatts
14 power loss, more power than is produced by one of
15 Manitoba Hydro's wind farms.

16 On the technical basis, it's
17 incompatible. The west side route is incompatible
18 with Bipoles I and II. The east side, length and
19 line losses are similar to Bipole I and II, so
20 converters are interchangeable. This gives
21 options and reliability.

22 The length in the boreal forest, the
23 west side route has 884 kilometres from the north
24 end to the vicinity of Winnipegosis in the boreal
25 forest. The east side route has 900, from the

1 north end to the vicinity of Lac Du Bonnet.

2 The length in the mixed forest and
3 lesser agricultural land, there is 200 kilometres
4 on the west side route and 30 kilometres on the
5 east side route. The length in prime agricultural
6 land, the west side route traverses 280
7 kilometres, roughly from Gladstone to Riel, prime
8 agricultural land. The east side route would be
9 about 50 kilometres, roughly Beausejour to Riel.

10 The First Nation traditional lands,
11 the west side route traverses 15, the east side
12 route 16. With regard to birds, the west side
13 route traverses important flyways, the east side
14 route is east of the main migration routes. With
15 regard to caribou, and this applies -- I take this
16 as the most important of the animals, that the
17 west side route has several herds and so does the
18 east side route. With regard to the cost, the
19 west side route will cost an additional \$1 billion
20 in construction cost, line losses and reduced
21 reliability costs.

22 It can be seen the environmental
23 impacts in the boreal forest are about equal or
24 higher for the west side route. The west side
25 route provides less reliability and higher line

1 losses of clean power, a very serious
2 environmental loss. The west side route has a
3 severe negative and un-mitigatable impact.

4 Now, it's apparent that west side
5 route is wrong and Manitoba consumers will pay
6 dearly in their monthly power bills and negative
7 environmental impact, and in power outages due to
8 lesser reliability.

9 With regard to the west side route, I
10 want to elaborate on a significant design
11 improvement introduced by Mr. Will Tishinski in
12 his presentation a week ago. The southern
13 terminus and converter station should be located
14 west of Winnipeg, Mr. Tishinski says near Oak
15 Bluff.

16 Now, attached as the last page of my
17 submission is a copy of the south end of Manitoba
18 Hydro's preliminary preferred route map. An
19 alternative location for the southern terminus is
20 in the vicinity of McGregor, or north of Portage
21 la Prairie. This location has significant
22 advantages. It shortens the route by 250
23 kilometres and would save \$250 million at average
24 line costs. It provides the desirable separation
25 from Bipole I and II, particularly with regard to

1 Dorsey. Technically, it may restore compatibility
2 with Bipoles I and II, thereby increasing
3 reliability and decreasing costs. The portion of
4 the route through the prime agricultural land is
5 eliminated.

6 I'll go to the next point. It
7 eliminates the portion of line that is affected by
8 the most frequent and serious tornadoes and ice
9 storms in the Province. An example is the tornado
10 near Elie two years ago which had the highest
11 winds of any tornado in Canada, and serious ice
12 storms have brought down power lines southwest of
13 Winnipeg more than a dozen years ago.

14 It could be connected to the existing
15 high voltage lines and substations which feed
16 power west from Dorsey toward Brandon and to
17 the -- these existing lines could be reversed to
18 send power toward Winnipeg and the transmission
19 lines to the U.S.A.

20 Should the Commission recommend the
21 issuance of a licence for the west side Bipole
22 III, as provided in their mandate, the Commission
23 should propose the south terminus of the line and
24 converter station be located west of Winnipeg.

25 My last point is, the recent Public

1 Utility Board hearings heard evidence on an
2 alternative to the construction of Bipole III.
3 That is gas-fired generation, similar to Manitoba
4 Hydro's Selkirk generating station, to provide
5 power during outages of Bipoles I and II. This
6 alternative provides the needed reliability at a
7 much lower cost and with less negative
8 environmental impact.

9 I'll skip the next paragraph, and go
10 to natural gas generation can be built at a
11 fraction of the cost of Bipole III. The plant
12 would only operate during emergencies and to keep
13 it in standby condition. The consumption of gas
14 and the carbon emissions from this clean burning
15 fuel would be minimal. The environmental impact
16 of the plant is miniscule compared to Bipole III.

17 In closing, I urge the Commission to
18 recommend that an Environmental Act licence not be
19 issued to Manitoba Hydro for Bipole III as applied
20 for. Thank you.

21 THE CHAIRMAN: Thank you very much,
22 Mr. Myska. Irwin Kehler.

23 MS. JOHNSON: Could you please state
24 your name for the record.

25 MR. KEHLER: My name is Rudolph Irwin

1 Kehler. My legal address is Thompson, Manitoba,
2 and I'm currently spending time in Winnipeg.

3 Irwin Kehler: sworn.

4 THE CHAIRMAN: Go ahead, sir.

5 MR. KEHLER: Thank you, Terry. Before
6 I start, I'd like to thank Cathy for all her help.
7 I have been having problems trying to send in
8 photos for this presentation for the big screen up
9 there.

10 I just want to go really quickly, a
11 few seconds on what these photos and articles I
12 was sending in for the public to view and the
13 panel of Manitoba Hydro and the Commission.

14 There is a photo of Finance Minister
15 Struthers and myself in Thompson recently, with
16 Minister Ashton, and they were doing presentations
17 on resources in Northern Manitoba at that time,
18 and the fiscal budget for Manitoba.

19 Also there is a Weetamah issue for
20 October 2007, the front page. I did that
21 newspaper with the chief of NCN, Nisichawayasihk
22 Cree Nation, on the front, the title was
23 Nisichawayasihk Cree Nation and Manitoba Hydro
24 Project. And then the NCN Family Committee
25 Wellness Centre magazine, front page, December

1 2009. Also on page 23 of that magazine, I had
2 associate worker Walter Spence, page 23. He is
3 the current chief of Fox Lake Cree Nation.

4 NCN magazine, page 24, is a picture
5 and story of the late John Markowsky. I did this
6 magazine -- I was fortunate enough to spend time
7 in a couple of meetings with the late John
8 Markowsky, Wuskwatim's resident manager. I was in
9 meetings with the NCN chief at the time. A photo
10 of Chief Glenn Hudson of Peguis with Premier Greg
11 Selinger, and Premier Selinger recently toured,
12 the past year, the flood of 2011 with an entourage
13 in Peguis. Premier Selinger is holding a copy of
14 my magazine of NCN that I did on Wuskwatim Hydro
15 project. Also there's NCN magazine of
16 August 2009, page 27, a message from then Manitoba
17 Hydro president, featuring president Bob Brennan
18 who I believe is retired.

19 THE CHAIRMAN: Yes.

20 MR. KEHLER: Okay. Just some of the
21 stuff that's missing, I didn't get a chance to
22 access Thompson Citizen or the Nickel Belt News,
23 where I was also writing, also the Grassroots
24 newspaper.

25 I'd like to state greetings to

1 Mr. Terry Sargeant and your panel of CEC
2 Commissioners for Manitoba Hydro Bipole III
3 hearings. Also greetings to the panel of Manitoba
4 Hydro, as I mentioned.

5 As an Aboriginal Manitoban, as a
6 veteran of the Aboriginal media industry, I want
7 to thank you for your time in listening to my
8 presentation.

9 I would like to give a bit of a
10 background, very brief, of my Manitoba family. My
11 two older children are band members of the Sandy
12 Bay First Nation on the west side of Lake
13 Manitoba. My grandmother was a band member of the
14 Lake Manitoba Indian Reserve in Manitoba's
15 Interlake region. My mother was a member of
16 Boeger (ph), a Metis community. My youngest
17 daughter is a band member of the Little Black
18 River First Nation on the east side of Lake
19 Winnipeg. Further, my younger son is the grandson
20 of the late Eddie Simard, a mentor of the current
21 president of the Manitoba Metis Federation, David
22 Chartrand.

23 I spoke recently to Oliver Boulet of
24 the MMF, who was involved with the recent
25 convocation of a doctorate of letters ceremonies

1 for Mr. Chartrand at the University of Winnipeg.
2 Mr. Boulet, a former Manitoba Deputy Minister of
3 Northern and Aboriginal Affairs told me in private
4 about his great respect of my younger son's
5 grandfather, Eddie Simard, and his great
6 relationship at the time with current MMF
7 president, David Chartrand. Premier Selinger
8 presented President Chartrand during these
9 ceremonies with the doctorate of letters.

10 What has this all have to do with the
11 current Bipole III hearings, you may ask? My
12 answer is quite simple. Ladies and gentlemen,
13 everything. Everything that the current Manitoba
14 Hydro panelists and the CEC panelists sitting in
15 front of us represent is what I am talking about.
16 People, Manitobans, no matter their familial,
17 ethnic, or other characteristics, we are all
18 affected by business and economic undertakings in
19 such a project as a Bipole III transmission line
20 project. And we must all find ways that this
21 project will benefit all of us that will outweigh
22 the costs involved.

23 And I just want to throw in here
24 briefly, my older sister lives in New Jersey, and
25 we all have seen what's going on with Hurricane

1 Sandy and the devastation. There is a lot of
2 power outage in New York State. How do you say
3 it -- that's the impact of not having hydro, so I
4 just want to make that point. My sister lives in
5 New Jersey, my older sister.

6 I believe if Bipole III is developed
7 and created properly for the benefit of all
8 Manitobans, then this project will succeed. But a
9 fair and honest, open and transparent presentation
10 must be made to all Manitobans that the Bipole III
11 project will benefit all Manitobans, and not leave
12 environmental, financial, cultural or business
13 deficits that will take away from our current
14 standard of living or create a deficit for our
15 future standard of living.

16 As a business and economic
17 undertaking, Bipole III must allow for business
18 opportunities, no matter how financially minute or
19 large, any and all Manitobans must be allowed to
20 participate in business and economic opportunities
21 provided in the building and construction of
22 Bipole III transmission line project.

23 Business opportunities must include
24 employment and training opportunities as well.

25 I propose that this panel of CEC

1 Commissioners and this Manitoba Hydro panel of
2 experts, sitting and listening to me now, make all
3 efforts to ensure the maximization of business,
4 employment and training opportunities for all
5 Manitobans.

6 I found out recently that a cousin of
7 my wife has been, and still may be working on the
8 building of transmission line towers such as those
9 that are required for this Hydro project. He is
10 one of many crews who are building transmission
11 line towers, and they are doing this work outside
12 of the Province of Manitoba. He is a Manitoban.
13 I cannot tell you for sure if those towers that
14 his crews are building are slated for Bipole III,
15 but I can tell you he does a lot of work and makes
16 a good pay-cheque. That is good.

17 Not too long ago I sat in on a meeting
18 at the Wuskwatim Hydro dam site while it was still
19 being built. The two others who were sitting in
20 this meeting were the late Wuskwatim site manager,
21 John Markowsky, and the Chief at that time of NCN,
22 Nisichawayasihk Cree Nation. These two gentlemen
23 were haggling it out that too many jobs are not
24 going to NCN members, and that rather these
25 Wuskwatim jobs were going to people from outside

1 of Manitoba.

2 Further, during this meeting, the NCN
3 chief had complained to Mr. Markowsky that even
4 though NCN companies had submitted proposals to do
5 service contracts, Manitoba Hydro awarded these
6 service contracts to companies out of Manitoba or
7 outside of NCN. And I witnessed some of this
8 evidence firsthand.

9 In fact, some people who were trained
10 by Manitoba Hydro training dollars, I failed to in
11 my presentation here put ATEC Centre, and
12 successfully completed their certified training
13 were not being employed by the Wuskwatim Hydro
14 project in their own reserve where they did their
15 training. I can provide the CEC panel with names
16 in confidence if so required of some of these
17 individuals.

18 Last winter when Manitoba Minister of
19 finance, Stan Struthers, visited Thompson at a
20 local church, I happened to attend this community
21 meeting and tape-recorded it and took photos.
22 Minister Steve Ashton was also present. It was
23 during this meeting I questioned Minister
24 Struthers on the lack of maintaining business
25 training and job opportunities throughout the

1 Wuskwatim process. And he admitted that this was
2 indeed an honest summary of the situation in his
3 mind at Wuskwatim, and in his words, next time we
4 will do better, pardon me, we'll do better next
5 time. And I told him if he meant what he said,
6 then he had my support on projects such as Keeyask
7 and Conawapa and Bipole III.

8 And to do Bipole III properly, ladies
9 and gentlemen, I urge that the proponent of Bipole
10 III, that is Manitoba Hydro, and I urge Terry
11 Sargeant and Commission to see to it that there is
12 some sort of guarantee in writing that any and all
13 Manitobans who want to do business, whether train
14 with, or be employed with building and maintaining
15 the Bipole III project are given a fair chance do
16 so. Please follow through on what Minister
17 Struthers stated in Thompson, Manitoba not too
18 long ago, that we'll get it right.

19 In conclusion of this presentation, I
20 would like to return for a brief moment to my
21 introduction of this presentation on the point
22 that we are all Manitobans. Recently, my wife's
23 two uncles, that is her mother's two brothers, had
24 presented to this Bipole III hearings when they
25 were in Thompson. My sister-in-law's best friend

1 is a current vice-president of the MMF Thompson
2 region and she also presented to the CEC hearings.
3 In fact my wife's late father was formerly from
4 Grand Rapids, Manitoba, which is a community that
5 has a great history with Manitoba Hydro projects,
6 as we all know.

7 I worked with two chief and councils
8 of the Nisichawayasihk Cree Nation, NCN, using the
9 Native media and non Native media of Manitoba to
10 promote pre Wuskwatim and during the construction
11 of Wuskwatim, a time span of about 10 years.
12 There were times when Wuskwatim had problems in
13 moving forward, but it succeeded. And as Minister
14 Struthers admitted in a public meeting in
15 Thompson, which I tape-recorded, mistakes were
16 made. But I also believed Minister Struthers when
17 he stated we can find ways for everyone to benefit
18 from these type of projects.

19 I urge this Manitoba Hydro panel and
20 CEC panel in front of me today to ensure that all
21 Manitobans benefit, especially through business,
22 jobs and training. You must make these efforts
23 because that is your responsibility and the
24 Manitoba public has placed its trust in all of
25 you.

1 One final point, I recall a one-on-one
2 interview I tape-recorded with one of the NCN
3 chiefs during my work in promoting Wuskwatim.
4 This NCN chief was frustrated that not enough NCN
5 workers were being employed by Wuskwatim.
6 Further, this NCN chief vented to me his
7 frustration in this interview about dealings he
8 had with the president of Manitoba Hydro at that
9 time in negotiations over Bipole III, and a
10 letter, at that time, that president of Manitoba
11 Hydro had written this NCN chief and his two other
12 partners, First Nation partners, who were the
13 chiefs of the Tataskweyak Cree Nation and Fox Lake
14 Cree Nation. He basically called the president of
15 Manitoba Hydro a forked tongue for not following
16 through on a promise to these chiefs to share
17 Bipole III with the three partnering First Nations
18 of NCN, Fox Lake and TCN.

19 Right now you have an opportunity to
20 prove this NCN chief wrong. You can show all
21 Manitobans that Bipole III will benefit everyone
22 and not just the Manitoba Hydro empire.

23 I would like to dedicate this
24 presentation to former MMF vice-president, a close
25 friend of mine, of the Thompson region, and

1 community resident of South Indian Lake. When he
2 presented to the CEC hearings for Wuskwatim on
3 behalf of the Manitoba Metis Federation a number
4 of years ago at the Radisson Hotel here in
5 downtown Winnipeg, a number of years ago, I
6 assisted him in drafting his submission to this
7 Commission.

8 I want to say one last thing, just a
9 brief recommendation, just a one-liner,
10 Commissioner Sargeant, if I could. If there are
11 problems, Manitoba Hydro panel, or Commissioners,
12 please take your time and do it right this time.
13 As I said, Minister Struthers, I believed him when
14 he said we'll get it right this time, but we've
15 got to work together. Chi'miigwech.

16 THE CHAIRMAN: Thank you very much,
17 Mr. Kehler. Next is Dave Ennis.

18 MS. JOHNSON: Could you please state
19 your name for the record.

20 MR. ENNIS: My name is David A. Ennis.
21 David Ennis: Sworn.

22 THE CHAIRMAN: Go ahead, sir.

23 MR. ENNIS: Before I do, I am not
24 familiar with the process. Does the panel have
25 copies of my presentation?

1 THE CHAIRMAN: We do, sir.

2 MR. ENNIS: Good, thank you.

3 And I give you warning ahead of time,
4 I have the attachments on the screen here which
5 I'll show to you on the screen.

6 So, again, thank you, good evening
7 panel members. As you have heard, my name is
8 David Ennis. I am a retired professional
9 engineer. My career has been in Manitoba as a
10 designer, a bridge contractor, and laterally as
11 the registrar and executive director of the
12 Association of Professional Engineers of the
13 Province of Manitoba, APEGM. I hold a Bachelors
14 degree in civil engineering from the University of
15 Manitoba, and last year I earned a masters degree
16 in bio-systems engineering, formally known as
17 agricultural engineering.

18 I make this presentation as a private
19 citizen and not on behalf of any organization or
20 other person.

21 I thank you for the opportunity to
22 provide some thoughts on the question of whether
23 an Environment Act licence should be issued to
24 Manitoba Hydro for the proposed Bipole III
25 transmission project.

1 My understanding is that your terms of
2 reference require that should the Commission
3 recommend the issuance of a licence for the
4 project, it should also provide recommendations on
5 measures to mitigate any potential adverse effects
6 expected to result from the project within three
7 categories - environmental, socioeconomic, and
8 cultural - and where appropriate to also make
9 recommendations on managing residual effect.

10 My concern has to do with the
11 socioeconomic area of your assignment, and in
12 particular, the fundamental adverse effect of the
13 project and its ongoing residual effects, effects
14 that will interfere with the intensive
15 agricultural operations along the proposed routing
16 of the line in Southern Manitoba. I will have a
17 suggestion later on how much of that could be
18 avoided.

19 As you might have inferred, I am not a
20 farmer. While my birth certificate says that my
21 place of birth is section 32-23-15 west, i.e. I
22 was born on a farm, it is still in the family, but
23 I haven't worked on a farm for over 50 years.
24 That being said, I am also not oblivious to the
25 issues and risks inherent in farming operations.

1 I don't think I'm afflicted with that commonly
2 occurring Winnipeg syndrome known as
3 "perimeteritis."

4 My awareness of farming has continued.
5 I have travelled through the agricultural areas of
6 the province for 50 years, and I am struck by the
7 extent of mechanization improvements and with the
8 integration and speed of technological change.

9 I first became interested in the issue
10 of the routing of the proposed transmission line
11 because I wanted to save my grandchildren from
12 paying their share of the all too obvious extra
13 cost of this extended line, but now my focus has
14 changed.

15 I have since come to realize that my
16 grandchildren will eventually pay off their share
17 of that extra cost, however, there is a much more
18 serious issue. The children and grandchildren of
19 the farm families and landowners adversely and
20 unnecessarily affected by the transmission line
21 have it worse. They will be disadvantaged in
22 perpetuity.

23 Farming is a high risk business at the
24 best of times. Farmers have to make business
25 decisions to manage that risk on a daily basis.

1 Farm families don't need the adverse effects from
2 this project piled on top of their already high
3 pressure existence.

4 The panel has heard presentations that
5 clearly delineate many of the adverse effects on
6 agricultural operations, costs, losses, risks,
7 diminished value of asset, and last but not least,
8 the mental anguish for multi generational family
9 farms from an arbitrary invasion of their
10 existence. That stress would be even harder to
11 endure knowing that there were alternatives.

12 It is fundamental that you, as a
13 panel, should be weighing those impacts on the
14 socioeconomic fabric of Southern Manitoba when
15 making your recommendation. Think about how you
16 would feel if it was your family. It ought not,
17 as my old mother would have said, depend on whose
18 ox is being gored.

19 It also begs the question of whether
20 the proponent, and make no mistake, the real
21 proponent is the Government of Manitoba, has
22 subjected the economic effect of these factors to
23 any form of true cost accounting.

24 So, bottom line, this panel and the
25 Commission have a responsibility to defer any

1 recommendation on the application unless and until
2 there is evidence that the socioeconomic
3 well-being of affected Manitobans cannot be
4 preserved, or at least minimized by an
5 alternative.

6 And I am not suggesting the east side.
7 The issue is how to connect to Riel without the
8 risk of loss of service options due to an extreme
9 weather event or other natural catastrophe. I
10 believe there are two alternatives.

11 Firstly, if you'll look at attachment
12 A, and you will see that -- well, that's not it.
13 Yes, from attachment A, it seems to me there is an
14 option for hybrid line. The dark blue line that
15 you see going from roughly Gladstone crossing
16 Bipoles I and II, using underground cable, and
17 from there you'll see that circle, and then going
18 east to -- just northeast of Winnipeg before
19 turning south and going to Riel. That would
20 significantly reduce the length of line and reduce
21 the overall adverse effects on agricultural
22 operations.

23 Secondly, I think that Mr. Will
24 Tishinski provided you with a well thought out
25 suggestion a week ago, namely establishing a

1 southern inverter station to terminate Bipole III
2 at a location in the southwest of Winnipeg, in the
3 vicinity of the current LaVerendrye station. That
4 would shorten the line by 120 kilometres and avoid
5 many of the adverse effects on some of Manitoba's
6 most productive farmland, stretching from Riel all
7 the way back to St. Claude. For this we'll try
8 attachment B, again, the blue line, and you can
9 see where it goes across right there from the
10 vicinity of Long Plain over to Riel, the dark blue
11 line.

12 That would make sense to examine the
13 feasibility of that option and a shorter line,
14 while keeping the capability for high voltage
15 alternating current customer service in any sales
16 by way of a connection to the present Riel
17 location. In that context, I am told that Hydro
18 already owns right-of-way property, not just an
19 easement but titled property, on the south side of
20 Winnipeg starting in the vicinity of the
21 LaVerendrye station near Oak Bluff, and then
22 following a route parallel to, but separated from
23 the Perimeter Highway and the Floodway, and ending
24 at the Riel station. And for this it's attachment
25 C -- we have to get down on the screen here. In

1 this case, it's the brown line over there which
2 I'm referring to, which is already owned by
3 Manitoba Hydro.

4 That acquisition, the result of some
5 good planning in earlier years, seems fortuitous.
6 The vacant right-of-way could be used for a high
7 voltage alternating current connection from an
8 inverter station near LaVerendrye to the Riel
9 distribution and transmission station.

10 Additionally, each of these
11 alternatives would be more in line with the
12 overriding purpose of the Manitoba Hydro Act
13 referred to you by Mr. Len Bateman on
14 November 1st. Namely, promote economy and
15 efficiency in the development, generation,
16 transmission, distribution, supply, and end-use of
17 power.

18 As I said earlier, the bottom line is
19 that this panel and Commission has a
20 responsibility to defer any recommendation on the
21 application, unless and until there is evidence
22 that the socioeconomic well-being of affected
23 Manitobans cannot be preserved, or at least
24 minimized by way of an alternative.

25 After you have deliberated the issues

1 of the caribou, the moose, the wolves, the bears,
2 the wolverine, the prairie skink, the garter
3 snakes and the vegetation, there are still the
4 human beings, and their life span is greater than
5 any of the others.

6 Thank you for taking the time at this
7 late hour to listen to my concerns. I will do my
8 best to respond to questions or to provide further
9 information, if requested.

10 THE CHAIRMAN: Thank you, Mr. Ennis.
11 Mr. Gibbons?

12 MR. GIBBONS: Sir, thank you for your
13 presentation. Just a point of clarification
14 regarding the map attachment B, if you might go
15 back there for a moment. It's in regard to the
16 dark blue line, sir. Is it the case that that
17 dark blue line is drawn so that it finishes or
18 stops at the LaVerendrye station that you noted in
19 attachment C? Is that why it stops where it is?

20 MR. ENNIS: Yes, that is the
21 intention.

22 MR. GIBBONS: I see. Thank you, sir.

23 MR. ENNIS: I could add that that line
24 already follows, for the most part, existing
25 transmission lines.

1 MR. GIBBONS: Thank you, sir.

2 THE CHAIRMAN: Thank you very much,
3 Mr. Ennis.

4 MR. ENNIS: You're welcome.

5 THE CHAIRMAN: We still have about 10
6 minutes, so if there's anybody else in the
7 audience who would like to make a presentation,
8 please come forward now.

9 MS. JOHNSON: Could you please state
10 your name for the record?

11 MR. BOUDREAU: My name is Edward
12 Alfred Boudreau.

13 Edward Alfred Boudreau: Sworn.

14 MR. BOUDREAU: I came to Manitoba in
15 1966 to teach at the University of Manitoba as
16 assistant professor, and I taught there for five
17 years in public finance as my specialty. One of
18 the principles of good management in government is
19 to have two good alternatives, and build up the
20 alternatives so they are each a good option, and
21 then you choose the best of two.

22 I feel in this process, the Manitoba
23 Government has pulled a mafia hit on one of the
24 proposals. So it isn't good policy to not
25 consider alternatives because that is just a poor

1 way of doing it. And I want to speak in two ways.

2 One of the things I soon found and
3 enjoyed in Manitoba was canoeing. And I canoed
4 extensively in Northwest Ontario, in Manitoba and
5 on the Churchill River. And for the area that we
6 are talking about, I had been on the Black River,
7 the Manigotogan River and the Bloodvein River, so
8 I think I know the area fairly well.

9 Additionally, after leaving the
10 University of Manitoba, I opened a business called
11 The Happy Outdoorsman, which specialized in
12 selling canoes. And during that period, I
13 probably sold in Western Canada over 5,000 canoes,
14 so I think I know the fraternity of people who
15 would use this area.

16 Additionally, I was involved in the
17 Mantario Trail development that goes from Caddy
18 Lake to the Big Whiteshell. And across that area
19 there is a hydro line that was built after we
20 started the trail and it's about 100 feet, or
21 maybe 150 feet wide. And of all the time that I
22 was walking on the trail and guiding different
23 groups through there, I don't think we had one
24 adverse comment that this had spoiled the
25 wilderness experience. So from my travel in the

1 area, I think you can easily put a transmission
2 line through the area and not destroy the nature
3 of what the travel is like for that particular
4 area. And in particular, the travel route would
5 probably be closer to the eastern edge of the
6 lake, and that's at the end of your canoe trip,
7 not at the middle or the beginning of your canoe
8 trip. So your wilderness broken up experience
9 would be probably minor, and you might like to see
10 that hydro line there because you know you have
11 only got another day to go before you finish your
12 trip.

13 On the economic side of things, it's
14 clear to me from what you have heard from people
15 in the discussion that follows that the eastern
16 side is by far cheaper. And people have talked
17 about a billion dollars being the difference.
18 Well, if you gave half of that to Sammy, he would
19 be up dancing the jig around you, because we have
20 such an infrastructure deficit in the Province,
21 the billion dollars is equal to about the annual
22 deficit of the province. So we're talking chicken
23 feed here, we are talking a very significant
24 amount of money.

25 Additionally to that, I feel that when

1 this analysis was started some years ago, you need
2 to factor into that the change of the environment,
3 particularly for the price of natural gas. We
4 have large new technologies that have made natural
5 gas available both in Canada and in the U.S. So
6 that relative Hydro, to the price of generating a
7 conventional thermal station, is our customers in
8 the U.S. have many more options that they had
9 years ago. In fact, I think Wisconsin Public
10 Utility has reduced its commitment for 500 to 100,
11 which is 20 percent of what it was originally. So
12 if you don't have customers for this particular
13 project, and you build it at a higher cost, my
14 economics says that's a bad deal.

15 Additionally, I don't see the problem
16 with postponing this development until you can
17 establish the economics as truly in your favour.
18 Because the Hydro will be there for some time, and
19 if you determine that the markets are good, then
20 maybe you want to revisit this project at that
21 time and go ahead. If you build it now and the
22 market turns against you, you probably got a
23 situation where the residents of Manitoba will be
24 paying much higher Hydro rates. So I think on the
25 economic side of things, this is a bad deal.

1 So I would encourage you to either
2 postpone your hearing or your recommendation to a
3 future time, and that you consider the economic
4 effects of a bad decision. Thank you. I'll
5 answer questions.

6 THE CHAIRMAN: Thank you,
7 Mr. Boudreau. I don't believe we have any
8 questions, but I bought my first set of
9 cross-country skis from The Happy Outdoorsman.

10 MR. BOUDREAU: The problem is they
11 probably lasted too long and you didn't come back
12 for a second pair.

13 THE CHAIRMAN: That's true, that's
14 exactly correct.

15 MR. BOUDREAU: That is the trouble in
16 that business. It's even worse for canoes.
17 Canoes last a lot longer than skis.

18 THE CHAIRMAN: Yes. If anybody has
19 about a five minute presentation, they can come up
20 and say it right now. Otherwise, we'll call an
21 end to a very long day.

22 Okay. Well, we have some documents to
23 register.

24 MS. JOHNSON: A little bit of a list
25 today. Winnipeg number 4 will be the Fox Lake

1 Cree Nation presentation we saw this morning from
2 Ms. Agger. Number 5 will be the Fox Lake
3 presentation by Ms. Ross. Number 6 is the Swan
4 Lake First Nation presentation by Mr. Scott.
5 Number 7 is the Swan Lake information package.
6 Number 8 is Mr. Hamlin's presentation. Number 9
7 is Mr. Myska's presentation. Number 10 is
8 Mr. Kehler's presentation. Number 11 is
9 Mr. Ennis's. And MH 89 is Mr. Ortiz's
10 transmission line maintenance presentation, and 90
11 is Mr. Matthewson's presentation.

12 (EXHIBIT WINNIPEG 4: Presentation by
13 Ms. Agger)

14 (EXHIBIT WINNIPEG 5: Presentation by
15 Ms. Ross)

16 (EXHIBIT WINNIPEG 6: Swan Lake First
17 Nation presentation by Mr. Scott)

18 (EXHIBIT WINNIPEG 7: Swan Lake
19 information package)

20 (EXHIBIT WINNIPEG 8: Mr. Hamlin's
21 presentation)

22 (EXHIBIT WINNIPEG 9: Mr. Myska's
23 presentation)

24 (EXHIBIT WINNIPEG 10: Mr. Kehler's
25 presentation)

1 (EXHIBIT WINNIPEG 11: Mr. Ennis's
2 presentation)

3 (EXHIBIT MH 89: Mr. Ortiz's
4 transmission line maintenance
5 presentation)

6 (EXHIBIT MH 90: Mr. Matthewson's
7 presentation)

8 THE CHAIRMAN: Thank you very much. I
9 would like to thank all of the folks who came out
10 and made presentations this evening. As you may
11 have heard me say to the Swan Lake people, I can't
12 guarantee that we'll give you everything that you
13 asked for, but I can guarantee that we will
14 consider what you have said this evening.

15 We will resume Tuesday morning at
16 9:00 a.m. Next week we are at the Convention
17 Centre as we continue our tour around Winnipeg
18 meeting halls.

19 So thank you all, good night, and see
20 some of you next week.

21 (Proceedings adjourned at 8:55 p.m.)

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OFFICIAL EXAMINER'S CERTIFICATE

I, DEBRA KOT, a duly appointed Official Examiner
in the Province of Manitoba, do hereby certify the
foregoing pages are a true and correct transcript
of my Stenotype notes as taken by me at the time
and place hereinbefore stated.

Debra Kot
Official Examiner, Q.B.

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