

MANITOBA CLEAN ENVIRONMENT COMMISSION

BIPOLE III TRANSMISSION PROJECT
PUBLIC HEARING

VOLUME 8

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Transcript of Proceedings

Held at the Kikiwak Inn

The Pas, Manitoba

OCTOBER 17 and OCTOBER 18, 2012

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APPEARANCES

CLEAN ENVIRONMENT COMMISSION

Terry Sargeant - Chairman
Pat MacKay - Member
Brian Kaplan - Member
Ken Gibbons - Member
Wayne Motheral - Member
Michael Green - Counsel to the Board
Cathy Johnson - Commission Secretary

MANITOBA CONSERVATION AND WATER STEWARDSHIP

Elise Dagdick

MANITOBA HYDRO

Douglas Bedford - Counsel
Shannon Johnson

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1 Wednesday, October 17, 2012

2 Upon commencing at 7:00 p.m.

3 THE CHAIRMAN: Good evening, ladies
4 and gentlemen, and welcome. For those of you who
5 are new to us this evening, my name is Terry
6 Sargeant. I'm the chair of the Manitoba Clean
7 Environment Commission, as well as the chair of
8 the panel that's conducting the review into Bipole
9 III.

10 With me as members of the panel, on my
11 far left, Patricia MacKay, next to me, Wayne
12 Motheral, Ken Gibbons on my right and Brian Kaplan
13 at the far end of the table. As well, with us
14 tonight is the Commission secretary Cathy Johnson.
15 We have other officials from the Commission,
16 including our administrative assistant, Joyce
17 Mueller, our legal counsel Michael Green, and our
18 report writer, Bob Armstrong. Also present
19 tonight are a number of officials from Manitoba
20 Hydro, as well as an official from the Department
21 of Conservation, Environmental Approvals Branch.

22 The reason we are here in The Pas this
23 evening and tomorrow is that about a year ago --
24 well, early last December, the Minister of then
25 Conservation asked us, the Clean Environment

1 Commission, to conduct a review of Manitoba
2 Hydro's Environmental Impact Statement for Bipole
3 III, as well as reviewing their consultation
4 process associated with their project development.
5 He asked us to make recommendations to him as to
6 whether or not we felt the project should be
7 approved, and if we do think it should be
8 approved, what, if any, attachments or
9 conditions -- pardon me, conditions to attach to
10 that licence.

11 So we have been holding hearings. We
12 initially held a week of hearings in Winnipeg.
13 Last week we were in Gillam, earlier this week we
14 were in Thompson, and as I said earlier, this
15 evening and tomorrow in The Pas.

16 So what we will do this evening, we
17 will invite people in the audience from this local
18 community who have some concerns, or who may wish
19 to ask questions of Manitoba Hydro officials, to
20 come forward and make known those concerns or to
21 ask those questions.

22 Now, I have one name, Mr. Darrel
23 Ferland from the MMF. Mr. Ferland, are you going
24 to make a presentation?

25 MR. FERLAND: Yes.

1 THE CHAIRMAN: Do you want to come up
2 to the front? Now, under our process,
3 Mr. Ferland, the Commission secretary will swear
4 an oath, or ask you to make an oath.

5 MS. JOHNSON: Could you please state
6 your name for the record?

7 Darrel Ferland: Sworn.

8 THE CHAIRMAN: Go ahead, sir.

9 MR. FERLAND: For you that don't know
10 me, I'm Darrel Ferland. I'm on the board of
11 directors for the MMF for The Pas region, and I am
12 also the co-minister of Hydro for our department.

13 I have a few concerns that were
14 brought forward to me to address to this meeting
15 tonight, if I can just read them.

16 It says Metis are concerned about the
17 route cutting through Moose Meadows rather than
18 following highways 10 --

19 THE CHAIRMAN: Could you just speak
20 fairly closely to the mic?

21 MR. FERLAND: The Metis are concerned
22 about the route cutting through Moose Meadows
23 rather than following highway 10. Another concern
24 is, the Metis, are concerned or seen increased
25 hunting pressures in the north because of moose

1 closures in the south. The Metis community is not
2 represented by Northern Affairs councils and
3 Manitoba Hydro should not be consulting with them,
4 but they should be consulting with the MMF only.
5 For example, Victory Nickel Mine licences, the
6 company will ensure it consults with the Metis,
7 but that company had not consulted with the Metis
8 in this region. This shows that including
9 conditions in licences about consultation is
10 meaningless because the proponent is not forced to
11 follow through. Manitoba Hydro will do the same.
12 It will say whatever it needs in order to get a
13 licence, but then will do whatever it wants
14 without engaging the Metis. This can't happen
15 again.

16 And I know our vice chair wanted to be
17 here tonight, but she's unable, she's got other
18 plans. So far that's what we have to bring
19 forward so far, and we hope this will help out
20 with our people in our community.

21 And another thing Metis are worried
22 about is once this line comes in, it's so wide,
23 it's going to make it more accessible for other
24 people to hunt there in their region, and it's
25 just going to clean all the animals out. And our

1 people lived here for years and years and lived
2 off that land for harvesting, and once this goes
3 through, it's going to be so wide it's easily
4 accessible for quads and Argos and whatnot. So I
5 just hope it's taken very seriously about our
6 people and that we can try to resolve this as much
7 as we can. Thank you very much.

8 THE CHAIRMAN: We heard reference to
9 Victory Nickel last night and I didn't quite
10 follow it. But I think from what you said I may
11 understand it a little bit more. You mentioned
12 that -- well, Victory Nickel is a mine that's
13 proposed to go in somewhere off highway 6, is that
14 correct?

15 MR. FERLAND: Yeah, close to Grand
16 Rapids.

17 THE CHAIRMAN: Is that part of this
18 MMF local?

19 MR. FERLAND: Yeah, it's in our
20 region.

21 THE CHAIRMAN: It's in your region?

22 MR. FERLAND: Yeah.

23 THE CHAIRMAN: And did you say that
24 the licence included a condition that Victory
25 Nickel consult with the Metis?

1 MR. FERLAND: Yes.

2 THE CHAIRMAN: And that has not
3 happened?

4 MR. FERLAND: No, it's not happened.

5 THE CHAIRMAN: Is the mine going
6 ahead?

7 MR. FERLAND: As far as we know, it
8 is, yeah.

9 THE CHAIRMAN: Okay. I didn't quite
10 understand when -- it was Anita Campbell in
11 Thompson yesterday, or the night before, yesterday
12 I think it was. I didn't quite understand the
13 Victory Nickel reference, but it's a little
14 clearer now. So thank you for that.

15 MR. FERLAND: Yeah.

16 THE CHAIRMAN: Anybody else have
17 questions for Mr. Ferland?

18 MS. MacKAY: Yes, I have one question.
19 I want to make sure I understand what you said.
20 You said something about Hydro should be
21 consulting with MMF only?

22 MR. FERLAND: Yeah, because each town
23 has their own local, not like we're represented by
24 Northern Affairs, most of the locals in our
25 region. And each MMF has their own local in that

1 same region. And what Hydro is doing, they are
2 going to the mayor and council of each town,
3 that's the Northern Affairs communities, and they
4 are not consulting with the local MMF in that
5 area.

6 MS. MacKAY: But you're not
7 suggesting, are you, that they shouldn't be also
8 consulting with those --

9 MR. FERLAND: Yes, they should be
10 consulting with the local MMF too, though, also.
11 Say if there's a person on the Northern Affairs
12 community council that's Metis, then Hydro says
13 that, well, we consulted with the Metis people
14 there, but they are not.

15 MS. MacKAY: I see what you're getting
16 at. I understand. Thanks very much.

17 MR. FERLAND: Yeah.

18 THE CHAIRMAN: Any other questions? I
19 think that's all the questions we have,
20 Mr. Ferland. So thank you for your presentation
21 and thank you for clearing up a couple of points
22 for us.

23 MR. FERLAND: Yeah, thank you.

24 THE CHAIRMAN: Thanks for coming out.
25 Mr. Jebb, Edwin Jebb, do you wish to speak?

1 MR. JEBB: Are you the chair,
2 Mr. Sargeant?

3 THE CHAIRMAN: I am the chair, yes.
4 I'll ask Ms. Johnson to affirm.

5 MS. JOHNSON: Could you please state
6 your name for the record?

7 Edwin Jebb: Sworn.

8 THE CHAIRMAN: Go ahead, Mr. Jebb.

9 MR. JEBB: I spoke to a representative
10 of Hydro and they were talking about the proposed
11 line. I am a resident of Opaskwayak Cree Nation,
12 I am a resource user, a trapper, a recreational
13 fisherman, and I trap part time, not on a regular
14 basis. Hardly anybody traps to make a living
15 anymore. It's more for the preservation of our
16 identity and our traditions, and we use the land
17 as a place to go and relax and almost do our
18 therapy. Land for First Nation people is
19 considered therapeutic, unlike other societies
20 where land is used as a source of making revenue
21 or money. So for us, the land is therapy. By
22 going out on the land, it heals our spirit, our
23 soul, and to some extent our body.

24 I won't so much talk about the
25 resources out there, but when I talked to Hydro I

1 said I really didn't have a big problem as a user
2 with Hydro. My issues are the trails that are
3 made there after the line goes through. And
4 usually the skidoo trails are made by other users.
5 And when that happens, it becomes a super highway,
6 either from here to Mafeking or up to Flin Flon.
7 Any given Saturday or Sunday or holiday, you'll
8 see dozens of snow machines there. But they don't
9 always stick to the groomed trails, they go off.
10 And when they go off the trails, they usually go
11 into our trap lines, my trap line. And when that
12 happens, they chase the wildlife away, either
13 consciously or unconsciously. I'm not saying that
14 they go around chasing moose there or chasing fox,
15 you know, but by their presence, it does that. So
16 the animals leave our area and it's harder to trap
17 and it's harder to hunt, because there's so much
18 skidoos there. What it does is, it opens up the
19 area for high powered snow machines.

20 And there's so many snow machines that
21 use the groomed trails. And when they go on a
22 groomed trail, maybe it becomes boring and then
23 they take off and they go all over the place. And
24 with the high powered snow trails, they are always
25 trying to look for the white powder. And the

1 white powder is not on the groomed trails, of
2 course, it's off the trail. So they go out on the
3 lakes, and my trapline is right beside the
4 proposed line, and on Kelsey Lake. So that really
5 was my beef with the proposed line, is that it
6 opens up so much more area. Although right now
7 there is an existing Hydro line there and there's
8 a groomed trail on it, and that's where I'm
9 getting my bad experiences from.

10 Although from time to time we do use
11 the groomed trail also. It's further for us to go
12 to our trapline, but it's so much easier because
13 it's groomed. There is little chance of getting
14 stuck in the slush. And it's faster and it's
15 easier on the back. When you get older, it's
16 harder on the back, for those that are on snow
17 machines know that. So essentially that's what I
18 wanted to come and make a statement on, is the use
19 of those. The territory opens, it opens it up so
20 much after, not so much then. I don't think the
21 construction itself will bother me so much as what
22 happens after. That's it.

23 THE CHAIRMAN: Thank you. Do you
24 think -- I know that throughout this review there
25 is considerable concern about people accessing the

1 rights-of-way, just as you are talking about. Do
2 you think, is there any way that that could be
3 prevented, that access to the right-of-way could
4 be closed off in some way that's fairly --

5 MR. JEBB: Well, of course, by not
6 giving a permit to that people that groom trails,
7 but they have a lot of clout. Tourism is
8 important to the north, you know. I don't know
9 that the province will do that, withhold a licence
10 for the users to groom the trails.

11 THE CHAIRMAN: I suspect you're right
12 about that.

13 MR. JEBB: Like if they don't groom
14 the trail, it's really rough. You go probably
15 ten, 15 miles an hour. Once you groom it, you're
16 going 50, 60 miles an hour.

17 THE CHAIRMAN: I suspect we're not
18 going to stop groomed trails, but can we stop
19 access to the Hydro right-of-way?

20 MR. JEBB: I don't know. That's for
21 you guys to determine, not me.

22 THE CHAIRMAN: I'm just asking you --

23 MR. JEBB: Yeah.

24 THE CHAIRMAN: -- if you have opinions
25 on how it might be done?

1 MR. JEBB: I don't.

2 THE CHAIRMAN: Okay. Anybody else?

3 Any other questions?

4 MS. MacKAY: Do you have any sense of
5 who the people who are using the groomed trails
6 are? Are they locals?

7 MR. JEBB: It's the public, hey, and
8 tourists.

9 MS. MacKAY: But is it mostly
10 tourists, mostly people coming into the area or is
11 it local?

12 MR. JEBB: It's both. It's mostly
13 local but it's also tourists. The brochures that
14 are out there, you know, advertising the groomed
15 trails in Northern Manitoba, or in Manitoba for
16 that matter. Probably the province could speak on
17 that more.

18 MS. MacKAY: Thank you.

19 MR. JEBB: You've got to pay a certain
20 fee, I think it's called Snowman, certain fee per
21 year to use those trails. I don't bother getting
22 it because it's an access to my trapline.
23 Sometimes I dare them to stop me, you know, see
24 what would happen, but I've never been stopped
25 yet. But I would refuse to, of course, get a

1 permit because it's access to my trapline.

2 THE CHAIRMAN: How far away do the
3 tourists come from, do you know?

4 MR. JEBB: I don't know, where there
5 is no snow. So if there's no snow in North
6 Dakota, they come up here.

7 THE CHAIRMAN: Do they bring their
8 skidoos up on trucks or trailers?

9 MR. JEBB: Yes, yes.

10 THE CHAIRMAN: Do some of them come
11 all the way on trails?

12 MR. JEBB: No, no, I think most of
13 them bring it. They usually come up here if
14 there's no snow in Winnipeg or the Dakotas, hey.
15 Like the last few years there's been you know,
16 with this notion of global warming, so little snow
17 down in the northern States or even southern
18 Manitoba for that matter.

19 THE CHAIRMAN: Well, thank you for
20 your comments, Mr. Jebb. I don't think we have
21 any more questions for you.

22 MR. JEBB: Okay. Thank you for the
23 opportunity.

24 THE CHAIRMAN: And we know that access
25 to the right-of-way is a concern, so we will be

1 considering it. What we might recommend, I don't
2 know yet, but we will certainly take it under
3 consideration.

4 MR. JEBB: Okay, thank you.

5 THE CHAIRMAN: Thank you for coming.
6 Anybody else wishing to make a statement or ask
7 some questions of Hydro?

8 I don't see anybody else. Well, we
9 won't leave just yet, but we'll stand down, and if
10 anybody else arrives who wants to make a
11 presentation, or if any of you who are here
12 already decide you'd like to say something, please
13 just let us know and we'll hear your piece.

14 Could you come up to the mic, please,
15 sir?

16 MR. MORAN: Thanks. My name is Jim
17 Moran. I'm a member of the Metis local in The
18 Pas, and my question is, is Bipole III written in
19 stone?

20 THE CHAIRMAN: I'm sorry, is?

21 MR. MORAN: Is Bipole III written in
22 stone?

23 THE CHAIRMAN: Well, from our
24 perspective it's not because the licence hasn't
25 been issued yet. Do you mean is it --

1 MR. MORAN: This is where it's going
2 to go?

3 THE CHAIRMAN: This is what Hydro has
4 proposed, and a good part of our review is to
5 advise the Minister on whether or not we think
6 this is the best route. We might recommend
7 changes, I can't say that we will, but that's a
8 possibility. We might say that there are big
9 concerns with some of the piece of this route, or
10 we may find that with mitigation the route that
11 Hydro has selected is either completely fine or
12 mostly fine. So I think from that perspective, I
13 don't know whether I'd say it's written in stone
14 but it's certainly what is on the table.

15 MR. MORAN: It is the favourable way,
16 supposedly?

17 THE CHAIRMAN: This is what Hydro has
18 proposed. It's up to us to recommend to the
19 Minister whether we think that he should issue a
20 licence to them.

21 MR. MORAN: Okay. That's all I had to
22 ask. Thank you very much.

23 THE CHAIRMAN: Okay.

24 MR. FERLAND: Darrel Ferland again, is
25 there someone here from Hydro to talk to?

1 THE CHAIRMAN: There are a number of
2 officials. They don't cover the whole gamut, so
3 they may not have the specific information that
4 you seek. But you could ask your question, if
5 somebody here can answer it, they will, if not,
6 they'll undertake to get back to you.

7 MR. FERLAND: Okay. Just that we had
8 our local trappers meeting last night, and some of
9 the trappers heard rumours that if it does go
10 through, through community traplines and that, is
11 there going to be compensation for trappers?

12 THE CHAIRMAN: Hydro does have a
13 compensation program. I won't speak for them.
14 Vince, do you want to come and answer the
15 question?

16 MR. FERLAND: I guess probably also
17 commercial fisherman would be included in that,
18 because it's going to cross and go by some lakes?

19 THE CHAIRMAN: We will address the
20 trappers one first, and perhaps somebody else can
21 address whether it also affects fisherman.

22 MR. KUZDAK: Good evening, Vince
23 Kuzdak, Eagle Vision Resources. Yes, we will be
24 working with your local fur council, Mr. Ferland,
25 and we look forward to arranging a meeting as soon

1 as possible.

2 MR. FERLAND: Because from now on our
3 fur local, there's people going out and buying
4 licences, they are expecting all this money and
5 that. Which way are they going to go? Are they
6 going to go on number of people, or is it going to
7 be on production or -- do you have any answers on
8 that?

9 MR. KUZDAK: Well, we're willing to
10 work with your local fur council being that it is
11 in the Red Deer Shoal River block, it is a fairly
12 large area, so we need to define where each
13 trapper is working. So we can't use the formula
14 by the policy because it's such a large area.

15 MR. FERLAND: Okay, thanks, that's for
16 trappers. What about commercial fishermen?

17 MR. KUZDAK: I'm not familiar with any
18 policies for commercial fishermen.

19 MR. FERLAND: Because like I know it's
20 not going to really affect the taste of fish or
21 nothing like that, but some guys are joking, the
22 fish is already starting to taste funny with the
23 Hydro power lines that are going to be crossing
24 the rivers and by some lakes and that, but I don't
25 know. I don't really see it's going to affect any

1 like flooding or anything, so I was just told to
2 ask that question.

3 MR. KUZDAK: Again, I'm not aware of
4 any policy at this time. It's certainly something
5 that we've heard of before in the north, and
6 certainly we'd be interested in discussing
7 further. When we do get a chance to meet with
8 your local fur council, that's something I can
9 bring forth to the community relations department
10 that is a concern for the members of your local.
11 So hopefully we can have a better position to, you
12 know, to answer your concerns to that.

13 MR. FERLAND: Okay. Thank you.

14 THE CHAIRMAN: Mr. Kuzdak, is some of
15 the information still at the back table on the
16 trap line program?

17 MR. KUZDAK: Yes, I believe we have
18 our presentation from Gillam. Mr. Ferland is
19 welcome to take it.

20 THE CHAIRMAN: It's on the back table,
21 Mr. Ferland, there is some information on the
22 trapper program.

23 MR. KUZDAK: I just wanted to follow
24 up, Mr. Chairman, that I'm glad Mr. Ferland is
25 here, because I believe that you are the president

1 of the local fur council?

2 MR. FERLAND: Yes, I am, and also the
3 president of our fisherman's association.

4 MR. KUZDAK: Okay. We have met with
5 the Duck Mountain local fur council and Mr. Glen
6 Roberts, who is the zone director for the Manitoba
7 Trappers Association for the area. And we had
8 indicated that at that time that we're interested,
9 very interested indeed to work with all local fur
10 councils in the Red Deer Shoal River block. So if
11 you and I can get together and perhaps set a
12 tentative date, that would be most appreciated.

13 MR. FERLAND: Yeah, sounds good.

14 THE CHAIRMAN: I think Mr. Kaplan has
15 a question.

16 MR. KAPLAN: I'm just wondering for
17 Manitoba Hydro, just following up on your answer
18 to Mr. Ferland, when a projection is as far as
19 getting together, are we talking a day, a week, a
20 month, half a year? When it is it, do we have a
21 sense?

22 MR. KUZDAK: We'd like to see this
23 happening in the coming weeks ahead, keeping in
24 mind that I'm on the road tour here, but certainly
25 we'd like to look forward to hopefully something

1 in the next earliest convenience to the local fur
2 council. Unfortunately, we missed their fall
3 meeting, but if we can make a meeting happen
4 within the next couple of weeks, we would
5 certainly endeavour to get that done.

6 MR. FERLAND: Sounds good, thanks.

7 THE CHAIRMAN: Any other questions,
8 Mr. Ferland?

9 MR. FERLAND: No, that's it for me.

10 THE CHAIRMAN: Thank you. Anybody
11 else, questions or statements of opinion? Are you
12 going to ask questions or are you going to make a
13 statement?

14 MS. SALAMANDYK: Just ask questions.

15 THE CHAIRMAN: Okay. Just state your
16 name?

17 MS. SALAMANDYK: Irene Salamandyk, I'm
18 a consumer and a customer. I'd like to know how
19 much is this going to cost us to put this project
20 up?

21 THE CHAIRMAN: Ms. Johnson or
22 Mr. Bedford?

23 MS. S. JOHNSON: The cost of the
24 project is approximately \$3.2 billion.

25 MS. SALAMANDYK: 3.2 billion?

1 MS. S. JOHNSON: Yes.

2 MS. SALAMANDYK: Okay. How long is it
3 going to take us to pay for this, in other words,
4 the consumer, the customer?

5 MS. S. JOHNSON: You know what, I
6 think I'll take that as an undertaking to ensure
7 that I get you the right answer on that one.

8 MS. SALAMANDYK: Is someone going to
9 get back to me about this?

10 THE CHAIRMAN: Ma'am, if you could
11 leave your name and address with our secretary,
12 administrative secretary at the back of the room,
13 we'll pass it on to Manitoba Hydro. And when they
14 report to us, we'll ensure that you get a copy of
15 that.

16 MS. SALAMANDYK: Okay. And how many
17 times is our Hydro rate going to go up when this
18 project goes through?

19 MS. S. JOHNSON: That would depend on
20 how we're financing the project, which gets back
21 to I think a bit of your previous question. So we
22 can undertake to build that into your first
23 question, if you would like.

24 MS. SALAMANDYK: Okay. And what is
25 our tax rate compared to what the Americans pay?

1 MS. S. JOHNSON: Our tax rate or
2 utility bills, could you be a little more
3 specific?

4 MS. SALAMANDYK: Okay. For example,
5 if we pay a dollar, do Americans pay 50 cents for
6 our hydro?

7 THE CHAIRMAN: Do we sell hydro to the
8 Americans for less than what we charge Manitoba
9 consumers?

10 MS. S. JOHNSON: No, we don't, it's
11 more.

12 MS. SALAMANDYK: How much more?

13 MS. S. JOHNSON: It would vary, it
14 would depend upon which contract or what the
15 contract looks like. So it varies throughout the
16 year.

17 MS. SALAMANDYK: Well, I just have an
18 uneasy feeling with this project, because as
19 customers, if we have enough power now, why are we
20 going ahead with this? Like are we that short of
21 hydro power?

22 MS. S. JOHNSON: I think, just to
23 clarify, the reason we're moving forward with this
24 project is from a reliability standpoint. And we
25 actually have a presentation that we're going to

1 be doing in the morning, or we can talk a bit more
2 about it, but the project is moving forward to
3 ensure reliability for Manitoba Hydro customers,
4 not for export.

5 MS. SALAMANDYK: So you're trying to
6 tell me that we do have enough power now?

7 MS. S. JOHNSON: We have enough power
8 now if nothing happens to our current system, but
9 the system is always at risk due to weather and
10 other factors.

11 MS. SALAMANDYK: Thank you very much.

12 THE CHAIRMAN: Thank you. And I don't
13 know if you're able to come tomorrow morning, but
14 Hydro will be making a presentation that will give
15 more detail on why they are building this project.

16 MS. S. JOHNSON: We also have a copy
17 of the presentation at the back if you'd like to
18 have a look at it.

19 THE CHAIRMAN: Thank you. Anybody
20 else? Questions or statements?

21 Well, as I said earlier, we won't be
22 leaving for a little while, so if anybody decides
23 in the next few minutes or so that they would like
24 to ask a question or make a statement, or somebody
25 else arrives, we'll gladly hear it. So we'll

1 informally adjourn.

2 (Proceedings recessed at 7:33 p.m. and
3 reconvened at 8:02 p.m.)

4 THE CHAIRMAN: I think we will
5 officially adjourn for the evening and be back
6 tomorrow morning at 9:00 a.m.

7 (Adjourned at 8:05 p.m.)

8

9 Thursday, October 18, 2012

10 Upon commencing at 9:15 a.m.

11

12 THE CHAIRMAN: Welcome back to those
13 of you who are regulars at these sessions and
14 welcome to people from the community of The Pas
15 and Opaskwayak Cree Nation.

16 We have representatives of Opaskwayak
17 Cree Nation with us this morning to make a
18 presentation. I will ask them to come forward now
19 and make their presentation, up at the front
20 table, please.

21 Under our process we'll ask you to
22 affirm that you will be truthful in your
23 presentation this morning. So I'll ask the
24 Commission secretary to take care of that, please?

25 MS. JOHNSON: Could you please state

1 your name for the record?

2 MR. DORION: Phillip Dorion.

3 Phillip Dorion: Sworn.

4 THE CHAIRMAN: Go ahead, sir.

5 MR. DORION: This is my first time to

6 make any presentation to the Environment

7 Commission, and I don't know what the process is,

8 but I will read from my presentation.

9 THE CHAIRMAN: If I may, sir, just

10 very briefly. Our process is that you can make

11 your presentation, and then some of the panelists

12 may have some questions for you at the end.

13 MR. DORION: Well, I have a technical

14 person with me.

15 THE CHAIRMAN: That's fine.

16 MR. DORION: Mary Head will answer the

17 technical questions.

18 THE CHAIRMAN: Certainly, there's no

19 problem with that.

20 MR. DORION: Thank you very much. So

21 on behalf of the leadership and membership of the

22 Opaskwayak Cree Nation, I welcome you to our

23 territory, our traditional territory and reserve.

24 I convey regrets on behalf of Chief Michael G.

25 Constant who was unable to be here due to other

1 commitments.

2 I am present before you as an elected
3 official of the Chief and Council. I also speak
4 as a resource user, I use the resources, a
5 long-standing relationship with our lands, I am a
6 resource user for that, and our waterways. And I
7 also have committed to passing on what knowledge I
8 have to my children and my grandchildren.

9 The presentation I have before you
10 represents the collective rights and the interests
11 of all our membership, which includes those
12 members who are fishermen and trappers who will
13 also be making their own presentations regarding
14 their concerns with the Bipole.

15 Opaskwayak Cree Nation has a
16 long-standing relationship with Manitoba's Crown
17 corporation, Manitoba Hydro, as a result of the
18 hydroelectric generating projects. Bipole III
19 signifies one more development intent upon
20 traversing our reserve lands and traditional
21 territories. There are many concerns regarding
22 the proposed project, which includes consideration
23 that government is essentially licensing and
24 standardizing itself through a Crown corporation
25 such as Manitoba Hydro, and is doing so through a

1 process that is fundamentally flawed, in our
2 opinion.

3 Manitoba Hydro has expressed the need
4 to increase the reliability of its high voltage
5 direct current (HVDC) transmission system during
6 the peak capacity. To do so, Manitoba Hydro
7 intends to construct a new transmission line,
8 Bipole III, along the western corridor of the
9 province. The installation of a third Bipole is
10 intended to safeguard the transmission of power in
11 the event that Bipole I and II fail. Manitoba
12 Hydro has also indicated that it intends to
13 increase its forecast loads in order to export
14 power to Ontario and to the United States,
15 necessitating the need for greater reliability.

16 What Manitoba Hydro has not said is
17 that the risk of losing Bipole I and II will
18 result in reduced profits. Profit losses will
19 come as a result of having to pay for alternative
20 forms of fuel sources to provide energy during
21 outages. Bipole III essentially represents
22 financial security to meet export demand and
23 realize greater profits.

24 OCN has an inherent and legal
25 interest, given that a portion of the proposed

1 corridor is within OCN traditional territories.
2 These territories serve the cultural and
3 sustenance needs of our people, our members, in
4 addition to serving the commercial needs of our
5 fishermen and trappers. The proposed corridor
6 will trisect 83 kilometres of our traditional
7 territory intersecting with traplines and other
8 traditional use areas. The project will require
9 the installation of an estimated 145 structures
10 similar to that required of the most recent
11 Wuskwatim transmission line.

12 The relationship between OCN and
13 Manitoba Hydro was initiated in 1960s when
14 construction began at the Grand Rapids Generating
15 Station, which I worked at as a young man too.

16 The Grand Rapids Generating Station is
17 known to be one of the most environmentally
18 devastating projects in Manitoba Hydro's history.
19 It flooded an expansive landscape, compromised the
20 ecological of one of the most -- the world's
21 largest inland deltas, and contributed to the
22 cultural genocide of our people because it
23 compromised our ability to transfer our Aboriginal
24 knowledge to our children and our grandchildren.

25 OCN cannot conceivably consider Hydro

1 projects as independent of each other, because
2 each project has lead to long lasting adverse,
3 incremental and unanticipated effects on the
4 landscape and waterways which are OCN's life
5 blood.

6 Hydroelectric based activity in the
7 traditional territories of OCN has left
8 devastating effects on the lands, the waterways
9 and the well-being of our people who have long
10 relied on these gifts as contributing to both
11 identity and the way of life.

12 Each act that is considered and taken
13 by Hydro has been for the purpose of enhancing the
14 electricity generating potential of the province
15 at the expense of the natural resources held
16 sacred by our people.

17 Manitoba Hydro has approached each
18 initiative in a manner that has subtly considered
19 our people as an obstacle to be conquered in order
20 to achieve the greater good for profit and for
21 society, I suppose. We are looked upon as being
22 easily coerced with minimal monetary compensation
23 and mitigation schemes.

24 Our relationship with Manitoba Hydro
25 and the devastating effects of the hydroelectric

1 generation were minimally compensated with signing
2 of the '91 settlement agreement. However, the
3 monetary benefit failed to provide for the
4 restoration of the lands and the waterways in our
5 territories.

6 The agreement also lacked the
7 meaningful engagement of our community in the
8 process of monitoring and evaluating both the
9 unanticipated or incremental effects of
10 hydroelectric activity in our waterways. Instead
11 we have been left with significantly altered
12 ecosystems and fragile waterways that no longer
13 sustain us or allow us to engage meaningfully in
14 our cultural way of life.

15 Our attempts at assessing the effects
16 of Grand Rapids Generating Station on OCN rights
17 and interests have not been fully respected by
18 Manitoba Hydro or by the Manitoba Government.

19 There has neither been any reliable or
20 current research conducted -- there has neither
21 been any reliable or current research conducted to
22 properly assess the level of impacts on the
23 waterways, nor have there been any long-term
24 studies to assess the cumulative effects of
25 multiple Bipole structures.

1 In 2010 the Wuskwatim transmission
2 line, originated from the Wuskwatim Generating
3 Station between Thompson and the Nelson House Cree
4 Nation and terminating at The Pas, was completed.
5 The Wuskwatim Generating Station required new
6 transmission lines and substations to deliver
7 electricity into Manitoba's existing system.

8 The Wuskwatim transmission line spans
9 the same distance as the proposed Bipole III,
10 which will be located directly adjacent to the
11 existing line and require an additional 60 feet of
12 right-of-way. Manitoba Hydro has attempted to
13 assess the anticipated environmental impacts of
14 Bipole III as it is required to do so. However,
15 this assessment has not fully considered the
16 long-term cumulative effects resulting from the
17 installation of a transmission line within close
18 proximity of existing lines.

19 The potentially adverse effects of all
20 living organisms, plants and wildlife species as a
21 result of multiple projects can only be determined
22 over time, unlike the biophysical considerations,
23 the social and cultural impacts that are more
24 visible and immediate. The improved quality of
25 life in Canada and North America resulting from

1 the development of our natural resources has come
2 at the expense of our people of OCN and our future
3 generations. Our people, both young and old, have
4 become weakened by the depletion of our resources
5 as a result of the industrial based development.

6 The ability to impart our knowledge of
7 the interrelationship between us and the
8 environment and our responsibility to protect our
9 lands, waterways and animals and resources has
10 been challenged, because the Creator gifts are no
11 longer as visible and vibrant as they once were.

12 The demise of our territories has left
13 a scar, not only on our physical landscape, but on
14 the transformation of our culture, our language,
15 our way of life. How is this transformation to be
16 evaluated or compensated is the question. As with
17 all western science based initiatives, assessments
18 and evaluations are best proven with some degree
19 of bias towards anticipated result.

20 What anticipated result is being
21 considered as a result of the disconnect of the
22 transmission of our knowledge in a scarred and non
23 productive landscape?

24 The OCN government hereby recommends,

25 1) That a comprehensive cumulative

1 effects study on Bipole III, with
2 consideration given to the post
3 project evaluation of the Wuskwatim
4 transmission line.

5 2) The development of the inclusive
6 engagement process, reflecting
7 Aboriginal knowledge, for all
8 projects.

9 3) Requirement for long-term studies
10 for the purpose of assessing the
11 cumulative effects and ensuring that
12 affected First Nation communities are
13 party to the process throughout the
14 life of the study.

15 4) The requirement for rehabilitation
16 and reclamation to the affected
17 landscapes and the waterways for the
18 purpose of ensuring sustainable
19 management practices.

20 5) The denial of Bipole III until
21 such time as OCN has had a meaningful
22 opportunity to reconcile outstanding
23 issues OCN has had with Manitoba
24 Hydro.

25 Thank you.

1 THE CHAIRMAN: Thank you, Mr. Dorion.
2 You mentioned the Wuskwatim transmission line. I
3 realize it's a fairly narrow gap coming down
4 around The Pas, but how close is Bipole III to the
5 Wuskwatim line?

6 MR. DORION: I'll refer that question
7 to Mary.

8 THE CHAIRMAN: Okay.

9 MS. HEAD: Mary Head, I'm the manager
10 for natural resources for the Opaskwayak Cree
11 Nation. My understanding is that the Bipole III
12 transmission line is intended to follow directly
13 alongside the Wuskwatim transmission line, which
14 is within 60 feet of the existing line

15 THE CHAIRMAN: Okay, thank you. And I
16 think you also said that the Bipole III line spans
17 the same distance. Now, that's the same distance
18 through OCN territory?

19 MS. HEAD: That is correct.

20 THE CHAIRMAN: Okay.

21 MS. HEAD: And actually, yeah, that is
22 correct up to the Ralls Island Station for
23 Wuskwatim, and then continuing southward for
24 another estimated 70 kilometres to the junctions
25 of highway 10 and 60.

1 THE CHAIRMAN: Sixty is the road over
2 to Easterville?

3 MS. HEAD: Yes.

4 THE CHAIRMAN: So that would more or
5 less be the southern limit of OCN territory,
6 highway 60?

7 MS. HEAD: That's correct.

8 THE CHAIRMAN: Thank you.
9 Mr. Gibbons?

10 MR. GIBBONS: Yes. Thank you for your
11 presentation. I have a question that would help
12 me understand what kinds of mitigation might be
13 considered useful from the perspective of OCN. I
14 have heard from Hydro what kinds of things they
15 might do, but I'd like to have a sense of what
16 might be helpful to OCN in terms of past projects,
17 but also in terms of Bipole.

18 We have heard from other communities
19 that there have been devastating effects from
20 previous Hydro developments and so on. But what
21 I'm not getting a clear sense of yet is, separate
22 from the compensation issue, are there things that
23 could be done that aren't being done to make
24 matters -- to help with the environment that OCN
25 has to deal with?

1 MS. HEAD: I believe it's essential in
2 all project development to consider in its
3 entirety the cumulative effects as a result of a
4 proposed project. Councillor Dorion indicated
5 earlier that we cannot look at Hydro's projects as
6 independent of each other because they have
7 long-lasting effects. When we look at the Bipole
8 III, we have to look at not only Bipole III but
9 the Wuskwatim transmission line, and look at the,
10 you know, potential effects that it will have on
11 the landscape that is OCN traditional territories.
12 And so the process within government and in
13 considering environmental assessments is to look
14 at the project and only the project. It does lend
15 some assessment or evaluation to other things that
16 have gone on, but it doesn't lend a lot to
17 consider what the total cumulative effect will be
18 as a result of recently installed and proposal
19 development for Bipole structures. And in this
20 case, you know, what we're talking about is open
21 access, opening areas for a total of, you know, 60
22 metres of right-of-way, you know, 120 metres. So
23 what will be that effect over time? What
24 longitudinal studies have been done to consider,
25 you know, Bipole structures that are within close

1 proximity to each other, the effects on, you know,
2 the wildlife, the ecosystem, you know, the effects
3 as a result of electromagnetic transmission? You
4 know, what effect will that have on the people who
5 either reside or frequently occupy those areas?

6 So those are the things that are not
7 known to us. And so, you know, mitigation, you
8 know, must consider how all of those assumptions
9 get addressed through communication from the
10 beginning of a project to the end of a project and
11 throughout the life of a project. Those things
12 are not known to us. But they are demonstrated in
13 the north where they have, you know, been in play,
14 you know, since the 1960s.

15 MR. DORION: I think, in our opinion,
16 it's hard to try and figure out or estimate what
17 the damage is going to be, or what the
18 environmental effects are going to be, whether
19 they are adverse or not.

20 At the beginning of a project, what we
21 have failed to have done with Hydro, and Hydro has
22 refused us time and time again, is to take a look
23 at the Manitoba, the Grand Rapids dam, for
24 instance, and what effect has it had in the last,
25 since 1962? What effect has it had? There is no

1 environmental study that is out there that tells
2 us what they destroyed, and what effect, adverse
3 effects it had on plant life. A lot of it is
4 under water, we know that. We know the effect of
5 that, it died. And we know that there's trees
6 down there. We know that there's fish down there,
7 the fish has depleted completely. The fishery is
8 devastated. The trapping is no longer as fruitful
9 as it was. We had one of the world's -- three
10 best deltas in the world, this delta here, the
11 Saskatchewan River Delta was one of the best, the
12 three best. And that's been devastated. So what
13 the effects are and the mitigating thing, process
14 that we're looking for is for Hydro to take a look
15 at what they have done in the last 50 years.
16 Before the Clean Environment Commission approves
17 their project in terms of the Bipole, and coming
18 through here and disturbing the wildlife again,
19 and cutting down -- because you've got to keep
20 that clear. And you see it going down Bipole I
21 and II, every time we go to Winnipeg, it's always
22 clean, and it has to be clean. So animal life and
23 plant life is not given a chance to grow in that
24 area. And so what impacts are there? Those
25 impacts are going to be great, another negative

1 impact. But that's what we failed to do.

2 THE CHAIRMAN: Do you think -- you
3 just mentioned that when you drive down to
4 Winnipeg you see the rights-of-way are cleaned.
5 Do you think that if a certain amount of growth
6 were allowed in those rights-of-way, it might
7 help?

8 MR. DORION: It might, but it's hard
9 to bring back what you have destroyed when it
10 comes to land. We have been asking the province
11 all the way back to, I believe it was Ed Schreyer,
12 and every premier from then on, to look at giving
13 us some kind of -- to maintain the land, to bring
14 back the land, to maintain the plant life, the
15 fish life, and everything else in that territory,
16 we have tried that. We have tried over and over
17 again. We could probably show you all the letters
18 and all the proposals that we have written in
19 those times. We had one fire that burnt down one
20 of our band houses, but we still maintain some.
21 But, you know, in terms of returning the land the
22 way it was, you will never do that. But we can
23 enhance what has been destroyed, we can enhance
24 what we have now and make it better for our future
25 kids and children and grandchildren and great

1 grandchildren, which I have.

2 THE CHAIRMAN: How could we enhance
3 it?

4 MR. DORION: Well, by managing the
5 fishery better, the Grand Rapids -- what do you
6 call it where they -- the fishery -- the hatchery,
7 we would like the hatchery here. And we would
8 like our fishermen to manage the fishery on the
9 Saskatchewan River, for instance. There has never
10 been anything like that done in any of the
11 projects.

12 And so we have a moose management
13 agreement, but it only gets serious when the moose
14 population is at a critical point. So the moose
15 population for right now is at a critical point.
16 And so the government has been requested to put a
17 moratorium on it, and they haven't. So if we, as
18 First Nations, are allowed to manage that resource
19 in our territory, I think it would -- with some
20 resources of course, not just, you know, go ahead
21 and do it, we need resources to improve the land,
22 we need resources to improve the way the land is
23 managed, and the resources.

24 THE CHAIRMAN: Help me out, the
25 hatchery at Grand Rapids, where do the fish go?

1 Are they put into Lake Winnipeg or Cedar Lake?

2 MR. DORION: In both.

3 THE CHAIRMAN: In both. And would the
4 ones that are put into Cedar Lake, would they come
5 upstream this far?

6 MR. DORION: They are supposed to.

7 THE CHAIRMAN: They are supposed to
8 but --

9 MR. DORION: I'm not a fisherman so I
10 don't know. But my brother has been a fisherman
11 for 60 years, so he's just retired a couple of
12 years ago. But he's been on that river for all
13 his life. But he knows -- there's no more fishery
14 to him because it's been destroyed.

15 THE CHAIRMAN: Thank you. Mr. Kaplan?

16 MR. KAPLAN: Perhaps just one
17 question, Mr. Dorion. What I hear you saying, and
18 it's not the first time I have heard this at some
19 of our hearings, is that it's hard to bring back
20 the land to the way it was. And I understand
21 that.

22 Is your real conclusion only that the
23 best way to keep what you have now is not to have
24 Hydro do Bipole III through your lands? Is that
25 the easiest solution for your people?

1 MR. DORION: I think we need to work
2 together with the government and with Manitoba
3 Hydro, to take a look at what we can do to enhance
4 what we have now, so that the delta is managed in
5 a proper manner. There's another dam in
6 Saskatchewan that has devastating effects on the
7 Saskatchewan River Delta also, on the Saskatchewan
8 side, and in Manitoba also. But we need to work
9 with governments. And governments need to be
10 receptive and cooperate with some of the ideas
11 that our First Nations have in terms of how the
12 resources should be managed or enhanced. Because
13 you need to maintain the moose population, the rat
14 population -- we don't have any rats anymore. We
15 used to have millions of them. And our rat
16 trapping is gone. It used to be a tradition every
17 spring, families would move out to the land and
18 rat trap, but there's none out there any more.

19 My brother and I counted rat houses a
20 couple of years ago. We only found six where
21 there used to be thousands. So if we could fix
22 that, if we could bring the rats back, the
23 muskrats, and enhance the land where they used to
24 be fruitful and plentiful, I think we can battle
25 the environmental negative impacts that have been

1 done to the land. That's what I think.

2 But in current situations there is --
3 we have a difficult time convincing the Manitoba
4 Government because of resources, you know, with
5 the big budget cuts. And Manitoba Hydro, of
6 course, they are not interested in terms of -- in
7 fact they tell us we haven't been affected. And
8 that's not true. We have been really, really
9 affected. There is no fishery out there, there is
10 no delta out there anymore.

11 THE CHAIRMAN: There was a rat
12 enhancement program for quite a few years. Is
13 that still going on?

14 MR. DORION: There's one that they are
15 tinkering with, I guess I could call it, in terms
16 of trying to bring back the muskrats at Hale
17 island. There's a Hale Island experiment going
18 on, and it's about 60 miles down river, about
19 that.

20 THE CHAIRMAN: Where was the
21 Summerberry program?

22 MR. DORION: The Summerberry program,
23 that's what it is.

24 THE CHAIRMAN: Oh, that's the one.
25 Okay, thank you.

1 MR. DORION: Yeah. It's in between --
2 they blocked off the river, certain channels they
3 blocked off, which I thought was terrible. And I
4 would open those channels right up if I had a
5 chance. Because the river and the streams and the
6 lakes do not flow.

7 If you go out in the land, what you
8 see out in the land is this colour of water. The
9 algae, the green, that's what's on top of the
10 water. And there is no movement of water, and
11 that whole area used to have just the circulation
12 of water, they maintained the muskrat life. So we
13 have to look at that circulation of water and the
14 flow before we can even begin to look at enhancing
15 the land the way it is now. So we have to find
16 out what the problems are, and by doing the study
17 that we are talking about, with Hydro and with the
18 province. And they are not wanting to find out,
19 they don't want to know what the environmental
20 impacts have been on the delta and in our
21 territory. Because I think they are afraid that
22 when they find out what the effects are, and the
23 proposal that we're putting forward is going to
24 cost a lot of money in terms of trying to enhance
25 it, or mitigate it and everything else. That's my

1 opinion. That's not nobody else's.

2 THE CHAIRMAN: Okay, thank you.

3 Wayne?

4 MR. MOTHERAL: This question is put to
5 either Ms. Head or Mr. Dorion. We have heard from
6 several organizations, over the past two weeks,
7 who have spoke of their displeasure of the
8 consultation process with Manitoba Hydro during
9 the Bipole hearings, and I'm just wondering what
10 is your opinion of how Hydro has consulted with
11 you?

12 MR. DORION: I think, my opinion is
13 that it's hard for me to tell you, as I have said
14 before, what the impacts are going to be, because
15 I have not lived through them. I have lived
16 through the adverse effects of the Grand Rapids
17 dam and the E.B. Campbell dam up river in
18 Saskatchewan. I have lived through those and I
19 know what the impacts are of those ones, and I
20 just about cry when I go down the river to see our
21 land devastated the way it has been. It is
22 terrible.

23 But I can never tell Hydro what the
24 actual impacts are going to be, without them maybe
25 looking at it every five years and seeing what the

1 impacts are, negative or not negative, because you
2 cannot judge what the impacts are going to be
3 prior to the project. I can't tell you what they
4 are, but I know they are going to be devastating.
5 And I know the impact it's going to have on the
6 plant life and on the animal life and everything
7 else, and it's not going to be pretty.

8 MR. MOTHERAL: I understand the
9 concern with cumulative effects. My question was
10 pretty well based on the actual Bipole III
11 transmission line, the consultation process there?

12 MS. HEAD: Manitoba Hydro has,
13 throughout the Bipole process thus far,
14 endeavoured to engage consultation, communication
15 with the public, and in particular OCN. You know,
16 they have a well-documented chronology of that
17 through their public hearings, et cetera, and of
18 course, the ability to access funds to allow First
19 Nations such as OCN to coordinate their reviews
20 amongst the people and provide feedback.

21 That being said, and as a result of
22 being part of the process, I am still left with a
23 lot of questions that are not answered as a result
24 of the efforts by Hydro. And I say that for two
25 reasons. Because there is an absence of studies,

1 longitudinal studies on transmission projects such
2 as what we see with Bipole I and II, such as what
3 we can equate with Wuskwatim transmission line and
4 the proposed Bipole III. So those are questions,
5 and like Councillor Dorion indicated moments ago,
6 the long-term effects of that kind of activity can
7 only be seen with time.

8 I think the other thing is that the
9 language that is used to communicate is really
10 technical and, you know, difficult to grasp. So I
11 think that's visible by the number of people that
12 are here today to listen to the hearings, because
13 it's probably akin to the same amount of people
14 who attend the public meetings that were hosted by
15 Bipole III. It's a difficult concept, you know.
16 But as a technical person for the Opaskwayak Cree
17 Nation, I can say I verily believe, as the truth
18 was asked of me, that there's not enough
19 information there on transmission. The level of
20 investment by Hydro for transmission is nowhere
21 near what has been invested for hydroelectric
22 generation, like Wuskwatim, you know, like with
23 Keeyask and Conawapa. You know, the focus on
24 sturgeon, they have accumulated those studies, but
25 they haven't accumulated those studies at the same

1 level for transmission line installation and the
2 effects of competing Bipoles, you know, in a given
3 area. So those are the things that we have asked
4 for in a lot of our discussions with Manitoba
5 Hydro, you know, and we have yet to be considered
6 for those requests.

7 The other thing is, the other
8 challenge I think before all people is the number
9 of interests that exist on the landscape and how
10 the absence of management plans and meaningful
11 engagement can help address, you know, the issues
12 or the challenges that anybody has in proposing a
13 project. So, you know, I think that we are --
14 while our hearts, you know, our intentions may be
15 in the right place, there's still a lot of work to
16 do to ensure that there is meaningful engagement
17 and participation throughout the whole history of
18 a project, so that we can plan and better decide
19 what it is we're trying to do.

20 MR. MOTHERAL: Thank you.

21 THE CHAIRMAN: You have mentioned a
22 couple times this dam on the Saskatchewan River.
23 How far up river from here is it?

24 MR. DORION: The dam?

25 MS. HEAD: There's two dams. OCN, the

1 Opaskwayak Cree Nation has become akin to a fish
2 bowl. There are over a hundred water control
3 structures in this area alone.

4 THE CHAIRMAN: On the Saskatchewan or
5 on different rivers?

6 MS. HEAD: On the Saskatchewan and
7 tributaries. So there is, in Saskatchewan alone,
8 the Saskatchewan River is controlled or influenced
9 either by the Gardner dam, south of Saskatoon, the
10 Francois Finlay dam, in Nipawin, and the E.B.
11 Campbell dam at Tobin Lake or Cumberland House.
12 And then on the opposite side, we have the Grand
13 Rapids dam.

14 THE CHAIRMAN: Those three on the -- I
15 know the Gardner is a big dam and it's a
16 generating station, I believe. Are the other two
17 generating stations as well?

18 MS. HEAD: E.B. Campbell.

19 THE CHAIRMAN: E.B. Campbell is, and
20 Finlay?

21 MR. DORION: But you can walk across
22 the river past E.B. Campbell, you can just walk
23 across.

24 THE CHAIRMAN: You can walk across the
25 river?

1 MR. DORION: Yes.

2 THE CHAIRMAN: Downstream of the E.B.
3 Campbell dam?

4 MR. DORION: Yes, I was there. I
5 crossed the river walking. It was dry, just a
6 little stream. So it's not a natural river
7 anymore. If you could walk across the river, it's
8 not an actual river anymore. So the impacts, you
9 can feel them right there. And I think when we're
10 thinking of building more dams and spending
11 \$20 billion more on hydro dams and Bipoles, I
12 think we'd better start thinking about our
13 environment too, because I think we need to set
14 aside some billion dollars to fix what we damaged
15 in terms of building those hydro dams. It's a
16 clean type of energy, but it devastates land and
17 people and plant life and animal life and
18 everything else. But I think we need to put some
19 money up front to fix, or to develop programs or
20 whatever that it requires to keep the adverse
21 effects, negative adverse effects to a minimum.
22 But we're not doing that, we're not putting money
23 out front to fight the -- to protect the
24 environment. And I think myself, my opinion would
25 be that we need to protect our environment because

1 that's the one that maintains our life, in my
2 world anyway.

3 THE CHAIRMAN: Thank you.

4 MR. KAPLAN: Once again, if I can just
5 clarify one or two points, and perhaps with
6 Ms. Head? I recall you saying, or at least I have
7 noted that Hydro has attempted to consult. What
8 the issue that you brought forward seems to be,
9 that based on questions that may have been asked
10 or letters sent, you are not satisfied with
11 responses to much of what has been asked. Is that
12 fair?

13 MS. HEAD: That's fair. And again, I
14 take that position because there has not been
15 enough done to assess the cumulative effects over
16 a long period of time for Bipole construction in
17 close proximity to each other. So through the
18 north on Highway 6, you see Bipoles I and II. How
19 has that been studied over the long period of time
20 to help us, you know, know what the impact has
21 been, know whether or not there has been any
22 regeneration to former levels? And now in our
23 territory, we have Wuskwatim and we have now the
24 proposed Bipole III. For us, you know, from a
25 scientific, western science point of view, you

1 know, what are those considerations? How will
2 that kind of knowledge help us to plan for the
3 sustainability of the species that exist in those
4 locations? Because, you know, there's that to
5 consider, you know, that helps to guide our
6 management plans or sustainability plans.

7 But the other thing is, what are the
8 other effects that arise as a result of that? You
9 know, those are wide open spaces, so it allows for
10 easy access for people to go in and go hunting
11 with their quads, their ATV's, you know. So that
12 depletes fur bearing resources, our moose. It
13 makes it difficult for otters and martins to
14 cross, you know, if there are any left there to
15 cross at all because it's too wide open. So, you
16 know, those things -- Wuskwatim was completed in
17 2010. The reasonable question to ask, has enough
18 time passed to be able to develop a qualified
19 opinion on the effect or lack thereof for the
20 Wuskwatim transmission line? I don't know that
21 there has.

22 MR. KAPLAN: Thank you.

23 THE CHAIRMAN: I think we have run out
24 of questions, so thank you very much for this
25 presentation this morning and the exchange in

1 response to our questions. You can rest assured
2 that we will take into consideration your comments
3 when we come to deliberate on what might be our
4 recommendations. So thank you very much for
5 coming out this morning.

6 MR. DORION: And thank you very much
7 for listening to us, thank you.

8 THE CHAIRMAN: Any time. Just let me
9 test the room a little bit. There are at least a
10 couple of people here who have not seen Hydro's
11 introductory presentation. Would you like to see
12 that before you make any presentations, or ask
13 questions, or would you rather just carry on?

14 MS. JOYAL: Personally, I prefer to
15 carry on.

16 THE CHAIRMAN: If it becomes evident
17 that you don't know something, you can simply ask
18 and Hydro will respond on. Are you Ms. Joyal?
19 Would you like to come forward and make your
20 presentation now?

21 MS. JOYAL: At one point I'm going to
22 be asking you if you have the capacity or the
23 capability of bringing forward a particular
24 zone -- at one point I'm going to be asking that
25 if you have the capacity to put on your screen a

1 particular area where Bipole III is proposed to be
2 going through, can you do that?

3 THE CHAIRMAN: Good morning. I'll ask
4 the Commission secretary to affirm.

5 MS. JOHNSON: Could you please state
6 your name for the record?

7 MS. JOYAL: Katherine Joyal.
8 Katherine Joyal: Sworn

9 THE CHAIRMAN: You may proceed.

10 MS. JOYAL: This is so intimidating,
11 it's a big group. I understand, though, I'm
12 thinking that we have Manitoba Government present,
13 we have Manitoba Hydro present, we have the
14 Commission present, of course. So we have
15 representation for everywhere.

16 THE CHAIRMAN: That's right.

17 MS. JOYAL: I am not a learned public
18 speaker, I'll do my best to make my few points.

19 THE CHAIRMAN: We're pretty easygoing,
20 so...

21 MS. JOYAL: Okay. So you're going to
22 hear a few sweeping statements from me. I am not
23 a technician, I am going to probably make a few
24 comments from about four different aspects, one as
25 a Canadian, one as a Manitoban, one as a member of

1 the Metis Nation, the other as a private landowner
2 with Bipole III proposed route going right across
3 my land.

4 In general, as a Canadian, I am
5 dismayed at corporate arrogance and the imposition
6 of their mandates down on your regular average
7 Canadian. So that's one big sweeping statement as
8 a Canadian.

9 As a Manitoban, I am disappointed in
10 the Crown corporation, Manitoba Hydro, for the
11 same arrogance and the devastation that it can
12 deliver.

13 It's my understanding that Bipole III
14 is a plan B to Bipole I and II and any problems
15 that might happen along that transmission line. I
16 suspect there's more to it than that. I wonder
17 if, in fact, it is to increase the amount of
18 energy that will be delivered to our neighbour to
19 the south. I do believe in the common good, I do
20 believe in sharing, but I think that there needs
21 to be balance. I think Bipole III is going too
22 far. Bipole I, Bipole II, maintain it well. Yes,
23 there are going to be some unknowns. I would
24 personally prefer, do not do it. There are other
25 forms of energy that can be brought into the

1 balance. I am opposed to Bipole III.

2 My feeling is this is a done deal.

3 This is just poor perception, poor consultation.

4 I think I come by that in a pretty raw sort of

5 way, with a phone call to my household, or

6 actually not a phone call, a letter in the mail --

7 was this last year -- saying that the proposed

8 Bipole III project will either be coming on or

9 near my land, and if I care to know more, please

10 phone a 1-800 number. I did. And sadly

11 discovered that I'm on the proposed route.

12 But it's not just me, you know,

13 there's many, many, many people. I know that, you

14 know, government has its duty, it's trying to

15 represent and do common good for all Manitobans.

16 Manitoba Hydro seems to think that they are a huge

17 part of that, and have its engineers and its

18 mandates. Like I say, I'm not a technician, I

19 don't know all the why's of why we don't go up the

20 east side, why we're coming where we're coming.

21 Frankly, it's not a big part of my life, the

22 proposals of Manitoba Hydro, or hasn't been. And

23 unfortunately, you know, I'm finding out at this

24 point that, you know, it is affecting us

25 personally. I understand there's a big world out

1 there, but I am more busy with my family life, my
2 personal life. But you are walking right across
3 my path here.

4 So as a Manitoban, how much publicity
5 was given towards this? Well, I'm hearing about
6 it now. When I came here, you know, it never
7 struck me, Clean Environment Commission, you are
8 government. Frankly, I was here yesterday at
9 10:00 in the morning, just to let you know. I
10 knew the dates you were coming here, I did see
11 some ad quite a while back, maybe a month ago or
12 whatever, that you were here. I failed to note
13 the exact times. I knew it was October 17, 18, so
14 yesterday morning I called. I called Manitoba
15 Hydro. They had no idea what time, nor even that
16 you were here. I called Evolve who is -- do you
17 know who Evolve is, anybody?

18 THE CHAIRMAN: I've heard of it,
19 but --

20 MS. JOYAL: Evolve Surface Strategies
21 Incorporated? Somebody does. I had a visit from
22 a Jarrett Warner, surface analyst, coming to bring
23 me a little bit of what his understanding is of
24 where the location of Bipole III across my
25 property will happen. I called them. The person

1 who answered didn't know what time this was at. I
2 called my RM, they didn't know. I called my local
3 MMF office, they didn't know the times, they knew
4 the dates. I just find it interesting. I phoned
5 the Kikiwak, they said, yes, they are here today
6 and tomorrow, and they started at 9:00 o'clock
7 today. That was yesterday morning. I came in,
8 there was coffee, but nobody around.

9 I guess in saying my little story
10 here, I'm simply saying, well, you tell me how
11 much, if I represent the average Manitoban, how
12 many of us knew about this really well? I guess
13 if you're watching for it -- and I was, but only
14 in my moderate way I suppose.

15 Okay. Getting back to, you know,
16 access to the people who are making the decisions
17 about this. I don't know, I don't know how, you
18 know, what the effort is. I'm not really here to
19 judge that. I am here because of how it affects
20 me and us. And like I said, as a Canadian, as a
21 Manitoban, now as a Metis person, I do not believe
22 that there has been sufficient consultation or a
23 listening up to, and communication with the Metis
24 Nation.

25 My leader is David Chartrand. I know

1 that there has been reference to First Nations and
2 Treaty Land Entitlement, but we are a Metis
3 Nation. We are not OCN. And I would sincerely
4 hope that this hearing is proactive in
5 consultation with the Metis government.

6 THE CHAIRMAN: We will be, in fact,
7 the Manitoba Metis Federation is a participant in
8 this process. They have received about \$200,000
9 in funding to assist them in that, and we will be
10 hearing from David Chartrand next month.

11 MS. JOYAL: Thank you. All right. So
12 now as a personal landowner, like I say, the first
13 that I really, you know, caught wind of this was
14 with that mailing. Interestingly enough, in the
15 mailing they had put in the wrong map. I found
16 that out when I phoned them and said, like, you
17 know, how close is this coming to my land or
18 what's happening? All through this entire
19 process, of course, you've got so many different
20 players all trying to do their part, I'm sure
21 there's a connect somewhere, but I haven't seen it
22 yet. Like I say, the poor kid that shows up on
23 our door to bring us the maps is just saying, I'm
24 the messenger, you know, I'm the messenger, sorry,
25 sorry, what are your concerns? And then goes

1 away.

2 If I could ask, did you find me a
3 little map?

4 THE CHAIRMAN: Give him a moment to.

5 MS. JOYAL: I am just giving you
6 background on the location.

7 THE CHAIRMAN: Okay, certainly.

8 MS. JOYAL: So I live on Ralls Island,
9 which is east of here. I grew up on Ralls Island.
10 Land on Ralls Island has been in my family since
11 the '50s. I chose to continue to reside on Ralls
12 Island. I'm not a farmer, I'm a country dweller,
13 and my husband and I have raised seven children.
14 We are the very last home accessible along the
15 Saskatchewan River, accessible by road. We are
16 river rats and we are country dwellers.

17 My husband worked at Tolko. We have
18 been married 40 years this month, we have seven
19 adult children and we are grandparents. We lead a
20 Metis lifestyle. I actually never have said that
21 before. To me, I'm Manitoban doing my own thing,
22 but if you want to connect it with a lifestyle;
23 Metis. We enjoy the land, we enjoy the animals,
24 we enjoy that lifestyle.

25 And we have 173 acres on Ralls Island.

1 Like I say, we're not producers, we're not
2 farmers, we enjoy the lifestyle.

3 That's as close as you can get, is it,
4 to southwest 14/56, or do you want to scan a map?
5 Okay, yeah, there's the big bend in the river.
6 How much can you zoom in? Okay, that's looking
7 better. Can you go a little left? Sorry, no,
8 you're doing good, just go down a bit. Okay,
9 right in there. You can probably -- yeah, looking
10 for my house. No, I don't think so. Where's the
11 main road? Okay. See where the road ends south?
12 Okay. See the little crossing on the creek, right
13 there. Now go east, which is to your right, right
14 on the curve of the channel. No, that's the
15 Saskatchewan -- or, no, that is my channel, sorry.
16 Do you see some buildings in there? Not there
17 down a bit inside the curve. Okay. There we go.
18 Okay. There's our home, which is -- no, down,
19 down, put the hand down just a bit. Okay. To
20 your left, yeah, right there is our home. Do you
21 see the buildings?

22 Okay. So this is the Jenco Creek.
23 Okay, now if you head left a bit, I am just trying
24 to give you a reference point from our home. Oh
25 wait, wait, can you zoom out a bit? Good, stop.

1 See the Saskatchewan on the right? Yeah, there,
2 we are about a quarter of a mile. This little
3 tributary that's running from the south, north and
4 then straight across to the main road, Jenco
5 Creek, we own the property south of that creek and
6 right to the main road. Okay. And we own all the
7 property, like we own property to the river. So
8 we own 173 acres in there.

9 Your transmission line, you can see
10 the green line that goes straight up there, thank
11 you, it's going snack through our property.
12 According to Evolve, you're going to take
13 approximately five to six acres of our land. We
14 do not own the north side of the creek, we own the
15 south side to where the road allowance would be.
16 So it's about a quarter, let me think, it's an
17 eighth of a quarter is what you are crossing, so
18 smack between our home and the main road. There's
19 a lifestyle that this will impact. I don't want
20 you there. You are devaluating our property. We
21 don't need an unsightly tower nearby.

22 Like I say, our wish is, don't do
23 this, don't do this, not just for us, this is for
24 everybody who is affected. We are devastated by
25 this. So that's my first wish.

1 It's a fair chunk of land. Like I
2 say, we just put in a -- we have a road going to
3 our property. I know there's all kinds of
4 promises by Evolve. It sounds like the tower
5 line, or the channel that it's going to take is 66
6 metres. It's going to be about 420 to 450 feet
7 off of that main road. Depending on what we want
8 to do with our property, it's a wonderful place if
9 we wanted to do business for lodging. We've got
10 lots of -- there's lots of hunters that come up
11 and around. My husband and I personally, he's
12 retired, I want to retire ASAP. We're not sure
13 what we want to do, but if we want to sell our
14 property, you can picture the drop in value to
15 have a big honking transmission line going
16 through.

17 Why, if this is going to happen, which
18 I suspect all the hearings in the world won't stop
19 it -- that sounds a little cynical, but like I
20 say, my hunch is this is a done deal. You're not
21 going to put all the work in and all this planning
22 and then to say, oh, we don't need it in my
23 opinion. Why is this line not going up the other
24 side of the river? Why is it coming up from Bucks
25 Island on the people's side of the river?

1 MR. MCGARRY: Good morning

2 Mr. Chairman, Commissioners and Ms. Joyal. I
3 could provide some explanation of why we're in
4 this area, if you so choose?

5 THE CHAIRMAN: Please?

6 MS. JOYAL: Please?

7 MR. MCGARRY: I think we'll back out
8 and look at an overview first, and then we'll come
9 back to Ms. Joyal's property. These are maps from
10 the record, from chapter seven of the EIS, just
11 for reference, illustrating the number of segments
12 we had to review in this area. And The Pas
13 frankly presented a bit of an issue for us, it was
14 a major constraint. Finding a route through this
15 area was not easy. I'll just back up here to give
16 you -- show you what happened in the north.

17 I somehow have lost my mapping
18 temporarily. All right. While we try and work on
19 fixing that, I'll ask somebody to try and get
20 my -- they will be back working here. In way of
21 verbal description, coming through The Pas area
22 was a major constraint. Coming in from the north,
23 as we originally had looked at, and there was two
24 alternative segments in that area, coming straight
25 north to south through The Pas, and to the west as

1 well is potential options in this area as well, as
2 coming through the east through the Tom Lamb marsh
3 area, which ended up in your property. The issues
4 there were that there was no way for us to run
5 straight south through The Pas without running
6 into major constructions with development,
7 housing, airports, you name it. We looked to the
8 west as well, close to the Saskatchewan border,
9 and the routing there was probably double the
10 length in that particular section for what we
11 ended up with. And we then started looking at
12 paralleling existing infrastructure, which was the
13 Wuskwatim transmission line which had already cut
14 through the area, and the existing Hudson Bay rail
15 line. Once we got to that point, we then had
16 to -- at that point, after review, we had decided
17 to come in from the east, rather than from the
18 north, to pass through The Pas area. The closer
19 you get to The Pas, the more development there is,
20 the more difficult it is for routing.

21 So the next step in the process was to
22 pass through Tom Lamb Wildlife Management Area
23 which was originally a major constraint. There
24 was no desire on our part to pass through that
25 wildlife management area.

1 MS. JOYAL: May I interrupt?

2 MR. MCGARRY: Sure.

3 MS. JOYAL: What makes not passing
4 through the Tom Lamb Wildlife Management Area less
5 acceptable than going through my area?

6 MR. MCGARRY: It was identified
7 initially as a constraint, because the province
8 considers it conservation land for wildlife and
9 waterfowl in particular in this area, they are set
10 aside conservation lands. It didn't preclude us
11 from going through Tom Lamb. We, in fact, did go
12 through part of Tom Lamb.

13 MS. JOYAL: So are you saying that
14 there's potential damage to the wildlife?

15 MR. MCGARRY: The main approach to
16 routing is to avoid what you can avoid in terms of
17 potential effect. Once you decide on where you
18 want to go, then we do the full environmental
19 assessment to assess those effects.

20 MS. JOYAL: But affect to what, to the
21 plant life, the land, the animal?

22 MR. MCGARRY: Yes, all of those, bird
23 life.

24 MS. JOYAL: But it's okay when it
25 comes to people life, my life, as opposed to, you

1 know, this is all supposed to be so safe, so safe.
2 This transmission line, you know, as far as
3 studies done -- I just -- if you think that the
4 damage to going through a conservation area like
5 the Tom Lamb Wildlife Management Area is, you
6 know, more damaging than going through my property
7 where I live?

8 MR. MCGARRY: Well, I certainly
9 understand it from your personal point of view. I
10 personally probably wouldn't like it either.
11 Eventually we have to balance many, many different
12 points of view, different criteria. We try and
13 come up with a balanced decision. We know wild
14 life is potentially affected, but mitigated. Same
15 with property owners will certainly see some
16 effect in terms of how it affects their land. In
17 that case it's compensated for monetarily.
18 Eventually, we had to come to what we believe was
19 a balanced decision on routing.

20 MS. JOYAL: A balanced decision on
21 routing. Okay. So please get more specific, why
22 are you not across the river from me?

23 MR. MCGARRY: In that area, as I
24 mentioned, we did pass through part of the Tom
25 Lamb Wildlife Management Area.

1 MS. JOYAL: Can you show me?

2 MR. MCGARRY: Yes.

3 MS. JOYAL: I don't want to take up
4 too much of the hearing time. On the technical
5 stuff, I just don't get it. We're talking one
6 mile over.

7 MR. MCGARRY: The decision at that
8 point was to -- you know, we're getting close
9 now -- the decision at that point was to minimize
10 that distance of passing through an area that the
11 province considered conservation land. It was not
12 a desired route from their point of view.
13 Obviously, landowners have a different point of
14 view. In the end we tried to stay out of the
15 cultivated land of Ralls Island, and stayed
16 between the Saskatchewan River and the main road
17 there, 285, to pass through that area.

18 MS. JOYAL: And the Tom Lamb wildlife
19 Management Area is across the river. Where are
20 you crossing it, the Tom Lamb Wildlife Management
21 Area?

22 MR. MCGARRY: To the north, at the top
23 if we can get to it, that big loop in the
24 Saskatchewan River is where we crossed.

25 MS. JOYAL: And then it comes across

1 that one. Okay. So you're trying to minimize --
2 see how, look, if you just come down on the other
3 side of the river, like why loop across and onto
4 the island, you know?

5 MR. MCGARRY: Well, we needed to go
6 south of The Pas, so that routing is eventually
7 lining up with a north/south route south of The
8 Pas. We realized that once we were coming this
9 direction, the closer we got to The Pas, the more
10 development there is, there is agricultural land
11 there, there is certainly more issues with
12 routing. Tom Lamb presented the only opportunity
13 to get through Ralls Island and to the south.

14 MS. JOYAL: Okay. That was a good
15 picture. Can you get back to that one?

16 Now, can you take in where it goes
17 across my land and juts to the -- no, I need you
18 to go up a touch. You see where the line comes
19 across the bottom there and then goes swoop there,
20 I'm saying, why don't you just go across the river
21 and it will eventually meet up with your other --

22 MR. MCGARRY: Well, it was a
23 decision --

24 MS. JOYAL: Yeah, like go in there and
25 then north to meet it over there. Like stay the

1 heck off of our place.

2 MR. MCGARRY: I can see your point of
3 view. But for us it was bisecting, then we go
4 right through the middle of Tom Lamb, and we were
5 trying to minimize our crossing of Tom Lamb. At
6 the same time, once we crossed Ralls Island, we
7 tried to stay out of cultivated land in that area.

8 MS. JOYAL: Where is the cultivated
9 land in that area?

10 MR. MCGARRY: There is farmland. I
11 couldn't tell you what the crops are, but it
12 looked to us --

13 MS. JOYAL: North of me and on the
14 island?

15 MR. MCGARRY: To the west of the
16 preferred route in Ralls Island.

17 MS. JOYAL: Yeah. Well, I'm not
18 talking west, I'm talking east. This can be done
19 better.

20 MR. MCGARRY: Like I said, it was a
21 balanced decision. We tried to, on that main
22 north/south road in Ralls Island, on the west side
23 of that road, there are many residences and farms.
24 We decided once we were going through that area,
25 we would stay off the main cropland and 200 metres

1 off the road away from --

2 MS. JOYAL: I agree, I agree. Like
3 don't go west, go east. You came, you were almost
4 there.

5 MR. MCGARRY: Well, again, it was a
6 balance between Conservation interests and for us
7 to try and get our routing back going south again,
8 south of The Pas, and avoiding cropland.

9 MS. JOYAL: Okay. I like this
10 balanced decision thing where, you know, you
11 didn't ask me, not before it was decided, not
12 before it was decided. That hurts.

13 MR. MCGARRY: Yes. As we have
14 indicated before, there wasn't direct letter
15 notification when we were reviewing the
16 alternative routes until we had done some routing.
17 But we had done a fair amount of media advertising
18 for open houses and encouraged people to
19 participate over a two-year period and bring their
20 constraints and concerns to the forefront.

21 MS. JOYAL: Okay. That's not good
22 enough. Can this be changed?

23 MR. MCGARRY: We are presenting a
24 final preferred route for review and approval.
25 This Commission can make recommendations on

1 routing as it sees fit.

2 MS. JOYAL: So this is a done deal,
3 this is a final presentation. This is because I
4 wasn't vigilant, not even suspecting that the
5 arrogance of Manitoba Hydro was just going to
6 impose itself across my land, and because I didn't
7 notice what I didn't know, I got to swallow this?

8 MR. MCGARRY: I don't think any of us
9 are arrogant, we had a job to do.

10 MS. JOYAL: It's arrogant.

11 MR. MCGARRY: And that's fine, that's
12 your opinion. We did the job we were assigned to
13 do, to find a route within a defined area.

14 MS. JOYAL: So, Mr. Commissioner, can
15 you see how this is a done deal and how this
16 hearing is not going to make a heck of a lot of
17 difference?

18 THE CHAIRMAN: Well, that's not
19 exactly true. We can make recommendations for
20 changes in any number of things. Our
21 recommendations go to the Minister. The Minister
22 then decides whether or not to accept our
23 recommendations.

24 When we are making our
25 recommendations, we consider all of the evidence

1 that we have heard and come to our own, if you
2 will, balanced decision. So I wouldn't say that
3 it's a done deal. But specifically what we're
4 looking at right now is, as Mr. McGarry had said,
5 their final preferred route. But it is open to us
6 to make recommended changes.

7 MS. JOYAL: Okay. Well, I do know my
8 neighbours north of me, they are busy people,
9 everybody is working. I'm sure they got the same
10 letter and whatever that I did. For whatever
11 reason, they may have been here, they may not be
12 here. I would respectfully request that, even
13 though I may be the only one sitting here who has
14 got this route going through, that I can pretty
15 much assure you that it's not wanted, it's not
16 wanted through our property at all. I would
17 respectfully ask that that routing be
18 reconsidered, get it off of the island.

19 I knew Tom Lamb's family. I'm well
20 aware of what a management area is. We travel
21 this area. I don't think that the fact that it
22 was designated as a wildlife management area
23 should take precedence over us private landowners
24 on this side. I am going to ask that that be
25 changed.

1 THE CHAIRMAN: Can we back up to a
2 bigger scale? No, the other way around, that last
3 picture, but a slightly bigger area. I think that
4 last one, if you could --

5 MS. JOYAL: Where you could see how
6 it's going like this --

7 THE CHAIRMAN: Yes.

8 MS. JOYAL: -- this, and then out
9 here, where I'm saying come here and here.

10 THE CHAIRMAN: Are you suggesting,
11 Ms. Joyal, it go this way and then up?

12 MS. JOYAL: Yes.

13 THE CHAIRMAN: Okay. That's all I
14 wanted to know, thank you. And that, Mr. McGarry,
15 would take it through the Tom Lamb Wildlife
16 Management area?

17 MR. MCGARRY: Yes, there would be
18 increases in Tom Lamb.

19 THE CHAIRMAN: How much private
20 property is it going through otherwise?

21 MR. MCGARRY: I couldn't say. If we
22 put Google Earth back on you can count quarter
23 sections, but maybe Ms. Joyal would know.

24 MS. JOYAL: I don't know 100 percent,
25 but I would say none. That's all Crown land

1 across the river.

2 THE CHAIRMAN: But I'm saying where
3 it's going now, how much private land is it going
4 through? It's going through yours?

5 MS. JOYAL: I can show you what I
6 think. So we're private here, this is private
7 north up to the -- there might be some moose land
8 up here, because it's all moose land.

9 THE CHAIRMAN: But north of you is --

10 MS. JOYAL: North there is two or
11 three landowners, they do not have homes on here.
12 There's young producers putting up fences, but
13 there's no more homes. Just me, it's us. And I'm
14 saying come here, go across, go up. This is all,
15 yes, it's the wildlife management area. But if a
16 Bipole III does not affect anything other than
17 aesthetic wise, which is what Manitoba Hydro I
18 think is saying in their studies, there shouldn't
19 be any emissions, any whatever. I am saying move
20 it over here.

21 THE CHAIRMAN: Thank you.

22 MS. JOYAL: Thank you for hearing me.
23 I'm hoping that I have been heard. Again, I
24 would, just in a wrap-up, it's not just about me,
25 I'd like to think. And yes, there is a direct

1 effect on me. But this whole Bipole III thing, I
2 say you are doing that as a back-up plan to
3 potential problems along Bipole I and II. That's
4 pretty invasive and devastating. I think Manitoba
5 and Manitobans can be creative enough to come up
6 with other energy sources. I strongly suspect
7 there's going to be a lot of power going to the
8 U.S., so it's not just a back-up. I can't prove
9 that, but I'm just saying I'm getting a hunch.
10 And I would, like I say, rather not see it happen
11 at all. And if it is going to happen, please talk
12 to our Metis Nation leaders, make sure that that
13 consultation happens. There's a lot more going on
14 behind the scenes than I'm aware of, that I do
15 believe that we're not being heard yet. And thank
16 you for taking that into account. And personally
17 please do not cross my property. I think the
18 alternative is across the river.

19 THE CHAIRMAN: Thank you. Any
20 questions? Thank you very much, Ms. Joyal.

21 MS. JOYAL: Thank you.

22 THE CHAIRMAN: And I can assure you
23 that we will, in our deliberations, consider what
24 you have told us today. Whether we can give you
25 what you want, I can't say today, but we will

1 certainly consider it.

2 MS. JOYAL: I hope that I hear it
3 personally before everybody else, when it comes to
4 the decision, when it's made about our property.
5 I'd like to know it, not through the newspaper.

6 THE CHAIRMAN: Our recommendations, we
7 don't advise individuals as to our
8 recommendations, we submit a report to the
9 Minister, and then the Minister will release that
10 report generally 10 to 14 days after we send it to
11 him.

12 MS. JOYAL: Okay. That's fair. Did I
13 check off wanting the report?

14 THE CHAIRMAN: You did. I have the
15 form here.

16 MS. JOYAL: Thank you so much.

17 THE CHAIRMAN: Thank you for coming
18 out this morning.

19 MS. JOYAL: I appreciate it.

20 THE CHAIRMAN: I think we'll take a
21 short break right now and come back in about 15 or
22 20 minutes.

23 (Recess taken)

24 THE CHAIRMAN: We are done for the
25 morning. We'll come back at one and see if we

1 have a new audience.

2 MS. JOHNSON: Mr. Chairman we're just
3 going to put this document on record. Exhibit PAS
4 number 1 is the presentation by Mr. Dorion.

5 (EXHIBIT PAS 1: Presentation by Mr.
6 Dorion)

7 THE CHAIRMAN: Thank you.

8 (Proceedings recessed at 1:06 p.m. and
9 reconvened at 2:15 p.m.)

10 THE CHAIRMAN: We just want to come to
11 order for a few minutes. Some members of the
12 panel have some questions Manitoba Hydro, and it
13 almost certainly will involve an undertaking. So
14 I'll turn it over to Mr. Gibbons.

15 MR. GIBBONS: Thank you. The
16 question, or pair of questions I guess that a
17 couple of us have been discussing, I suppose you
18 might argue are informed by, but not solely
19 dependent on the commentary we heard from
20 Ms. Joyal earlier today. Because it raised an
21 issue that we have thought about in other
22 contexts. And that is the degree to which, and
23 I'm going to use the word tweaking here, I think I
24 have something in mind that's more than just
25 tweaking, but in the absence of a better term the

1 question is to what extent -- I'll back up on
2 this. If one were to engage in a tweaking of the
3 line, for example, in the way that Ms. Joyal had
4 mentioned, or for that matter in response to
5 concerns raised by First Nations or the Metis
6 community and so on, or mining companies in that
7 case, how much would it cost, I guess question one
8 is how much would it cost to do that, to make that
9 adjustment in the line? I am presuming, I think
10 several of us are presuming that the cost would
11 not be substantial because, if we take the example
12 that was talked about earlier today, the number of
13 angle towers required, the more expensive angle
14 towers required would be the same regardless. So
15 it's possible that we're missing something along
16 the way. And I don't know if, in fact, Hydro has
17 an answer to that off the top of their head, and
18 if not, perhaps an undertaking to find out how
19 much it would cost to make an adjustment of the
20 sort that she was talking about? And that might
21 well arise as well from the kinds of issues raised
22 by First Nations or Metis communities and so on,
23 or mining companies.

24 MR. MCGARRY: Good afternoon
25 Commissioners, Mr. Chairman. I could give you a

1 rough idea, and we'll see how the information I
2 provide helps you, we may supplement that. I
3 guess the first thing is that we got to this point
4 of selecting a final preferred route through a lot
5 of consultation, a lot of interest. I would say
6 none of the routing was taken lightly and it's a
7 difficult time-consuming process. And what's most
8 important for us is to conduct consultation,
9 stakeholder consultation. With that as a
10 background then, the movement of a route, as we
11 are now discussing with Manitoba Conservation, the
12 main thing -- there is some cost in locations --
13 the main thing is conducting the process as it was
14 done up until now, which was to review
15 alternatives, maybe select one, and then present
16 it to all stakeholders for review and input, and
17 then finally say, well, we think it's in the right
18 place and we put it forward as a preferred route.

19 In terms of physical cost, it's
20 somewhere in the neighbourhood of certainly more
21 than 500,000, maybe in the \$800,000 per kilometre
22 to construct. So any time we add line length by
23 making an alternative, there is additional cost.
24 Any time we add angle tower, there is an
25 additional cost. Some of that was provided by

1 Mr. Penner earlier in the proceedings about those
2 costs in the range of four to five X for every
3 angle tower. Then usually if are doing one angle
4 tower, you usually have two to right any direction
5 you have made for a small alternative. So the
6 cost can be considerable. And so for Mr. Gibbons,
7 you are saying tweaking or slight readjustments
8 there is a possibility for that. But most
9 importantly I think for us is having that
10 stakeholder input to understand everybody's point
11 of view of that point, as we heard this morning.
12 We had -- not a conflict, we had the constraints
13 in that area that Ms. Joyal mentioned, being
14 conservation land interests, Tom Lamb Wildlife
15 Management Area. We met many times with the
16 province on their interests, that was one set of
17 interests. You have landowner interest. So it's
18 always a balanced decision and one we spend time
19 and money doing. And then there's the physical
20 cost on top of that.

21 MR. GIBBONS: If I can come back to
22 the physical cost question for a moment. In the
23 example that we heard this morning, again, just
24 using that as an example, it's a more generic
25 question than that, but in that example the number

1 of angle towers would remain the same, they would
2 just be placed in a different position. And I'm
3 not sure if the length would be significant. So
4 there are circumstances, for example, where cost
5 wouldn't be the driving issue, it might be, as you
6 said, the concern of perhaps defending a consensus
7 that had developed around the most reasonable
8 location. In other words, if you move it here,
9 then you're going to get someone else concerned
10 and so forth. But there are times when the
11 physical cost is not really going to be terribly
12 different from the original idea.

13 MR. MCGARRY: That's true, it may not
14 be.

15 MR. GIBBONS: Second question, and
16 again I'm just pursuing this so we can better
17 understand the dynamics involved in these
18 processes. If in the adjustment of a line, if
19 that were decided on the part of anyone, whether
20 it's your decision or in response to something the
21 Minister required, or whatever, so it's a
22 hypothetical I guess in that context. If in the
23 movement of a line away from one location to
24 another, you had to go through some place like the
25 Tom Lamb Wildlife Management area, are there

1 mitigation measures that can be taken when the
2 line goes through a wildlife management area? Is
3 anything done differently in that context? Is it
4 possible that in the process of taking land -- in
5 essence, the ROW would effectively take some land
6 out of the wildlife mix perhaps, at least for a
7 while in terms of when it was clear-cut and so on.
8 Could additional land be purchased, for example,
9 to expand the area, or are there other kinds of
10 mitigation measures that could be taken? I'm just
11 wondering, if that line were moved there, what
12 would the consequence be, I guess is the simplest
13 way of putting it?

14 MR. MCGARRY: Part of that answer
15 would probably come from the Conservation who
16 looks after that wildlife management area as to
17 what they would like to see. And as we identify
18 that particular wildlife management area is not
19 protected, it's not Hydro exclusion -- or an
20 exclusion per se. So it has a set of conservation
21 values as developed by the province that they want
22 to protect.

23 So for us to route through it, as we
24 are routing through it right now, primarily is
25 unavoidable. We don't have a choice except to

1 route through there when we're coming from the
2 north and the east. As such that constraint is
3 recognized, and it wasn't a wildlife management
4 area that said you cannot go here, it was
5 available in that sense. But at the same time, to
6 protect and maintain conservation values as
7 designated for that site, we tried to minimize the
8 crossing distance and its location relative to
9 other existing infrastructure, and trying to
10 minimize the open area that we would have to
11 cross. It's all lower Saskatchewan River Delta,
12 so lowland marsh. It's not a forested area that
13 you'd see a lot of clearing. You wouldn't even
14 necessarily see much scarring on the landscape
15 from putting a transmission line through there,
16 except for the tower placement itself, because of
17 the lack of the need to do a lot of clearing.

18 So additional mitigation, I think we
19 would have to take that up with Manitoba
20 Conservation as to what they thought might be
21 required to maintain the conservation values they
22 see in either expanding or going a more direct
23 route across there, which essentially bisects that
24 area, the route that Ms. Joyal suggested.

25 MR. GIBBONS: And just a follow-up to

1 that, roughly how many kilometres of line would
2 traverse the wildlife management area under the
3 current plan?

4 MR. MCGARRY: That's a good question.
5 I'd have to calculate that. I could probably do
6 that this afternoon for you.

7 MR. GIBBONS: Thank you.

8 THE CHAIRMAN: I'm just thinking of
9 the same, the case that Ms. Joyal put before us
10 this morning. And it sort of brings up the
11 question, is there any hierarchy when it comes
12 between private land, Crown land, or Crown land
13 with the encumbrances like a wildlife management
14 area on it, is there any hierarchy in how you
15 select, if those three options were put before
16 you?

17 MR. MCGARRY: Not as a hierarchy, but
18 if the occurrence of a constraint, whatever it
19 happens to be in a particular area, we generally
20 look for the best option. Now, if that means
21 traversing private land or Crown land, it's a
22 decision based on what we're constrained with in
23 that area. And there are multiple interests,
24 protected areas initiative of the province are
25 very interested in us staying out of unoccupied

1 Crown land. Landowners, on the other hand, are
2 very interested in us using Crown land for
3 routing. So there's always a perspective on what
4 is the best in any given area.

5 THE CHAIRMAN: On the landowner
6 compensation, Ms. Joyal made a point that this
7 could, or she said it would lower sale value of
8 their property. Is that accommodated in the
9 compensation for use of private property?

10 MR. MCGARRY: For productive farmland,
11 the land overall, our property department has done
12 some research on the impact of transmission done
13 on property value. I would actually defer to
14 them, that's their area of expertise on how
15 property land is or isn't affected by the presence
16 of a transmission line. And that is coming up for
17 a panel in November.

18 THE CHAIRMAN: Okay. We can ask that
19 then. Anybody else have any more on this topic?

20 MR. KAPLAN: Just one quick follow-up,
21 if I could. Just in general, if in fact there was
22 a recommendation, let's assume hypothetically to
23 the Minister as far as Ms. Joyal's suggestion, and
24 that were accepted. There would be somewhat of a
25 saving. The amount I don't know and I am not

1 asking you for right now. But as far as
2 compensation, by not paying any compensation to
3 Ms. Joyal, I don't know if it's \$5,000, 200,000, I
4 have no idea. I would just like an answer what
5 that might be as far as the overall undertaking
6 with respect to the question Mr. Gibbons has
7 asked?

8 MR. MCGARRY: That would have to be
9 calculated. So once, if we did a move such as was
10 suggested, then there is other, not just
11 Ms. Joyal, but there are others we would not be
12 compensating by that change. Also routing
13 through, if we did go to the east side of the
14 Saskatchewan River there, we're into Tom Lamb
15 Wildlife Management Area, the province may want
16 some compensation for traversing through the
17 wildlife management area as well. So, I mean, it
18 would have to be calculated as to what the net
19 change might be in the compensation.

20 MR. KAPLAN: I'm not asking for the
21 calculation right now, but figuring if you had
22 hopefully a week or two weeks just to work on that
23 and have some answer, maybe the end of October,
24 beginning of November, that would be an assist?

25 MR. MCGARRY: I'm not sure to what

1 level of detail. We can certainly do it based on
2 what we know about private landowners. Provincial
3 side of it is somewhat undetermined right now in
4 terms of the type, the compensation may not always
5 be monetary for them in terms of how we traverse
6 the wildlife management area. But it creates a
7 change in process. Then if we were to have to
8 potentially do more consulting or stakeholder
9 review, not so much in that case, but --

10 THE CHAIRMAN: I think a reasonably
11 good ballpark figure is good enough.

12 MR. MCGARRY: Okay. Just the question
13 about the length through Tom Lamb, someone has
14 just handed me, it is 32 kilometres right now.

15 MR. GIBBONS: That raises a second
16 question, a small one, and this is just off the
17 top of the head, I'm not asking for anything too
18 specific. But if it's 32 under the current plan,
19 an adjustment of the sort that she was talking
20 about might increase that from 32 to 35 or
21 something of that sort, or are we talking about a
22 much more extensive addition to the line? I'm
23 trying to visualize what kind of additional length
24 would go through the management -- part of my
25 concern, of course, is I don't want to necessarily

1 disrupt a wildlife management area either, but how
2 much more line would be needed, I guess, in just a
3 rough ballpark figure?

4 MR. MCGARRY: We have a ballpark-ish
5 of ten kilometres, but that's through the wildlife
6 management area. It doesn't necessarily mean it's
7 all additional line length, but it's certainly
8 through the wildlife management area. And it does
9 go much -- we would have to lay it out, it may not
10 be a straight line either. So that was a rough
11 figure, and you'd have to lay it out based on what
12 you see and where you are starting in.

13 MR. GIBBONS: Okay. Thank you.

14 THE CHAIRMAN: Anything else? Okay,
15 thank you very much. Just a little interlude in
16 our exciting afternoon. Thank you. We will stick
17 around until about 3:00, which is our usual, and
18 if nobody shows up by then, they are out of luck.

19 MR. MCGARRY: Thank you, Mr. Chairman.

20 (Proceedings recessed at 2:10 p.m. and
21 reconvened at 3:00 p.m.)

22 THE CHAIRMAN: We are adjourned. See
23 you on Monday.

24 (Proceedings adjourned at 3:00 p.m.)

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I, CECELIA J. REID, a duly appointed Official
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Cecelia J. Reid
Official Examiner, Q.B.

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