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Jim Shaw - Member
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Monday, November 4, 2013

Upon commencing at 1:30 p.m.

THE CHAIRMAN: Good afternoon, we'll reconvene these hearings. I trust you all had a good and productive and busy weekend. I know that some of us, at least a couple of us on this panel and others in the room spent an otherwise beautiful afternoon watching the futility of our beloved football team. At least now they are out of their misery for another few months.

I believe we have some undertakings, or response to undertakings from the Partnership?

MR. RODDICK: Yes, Mr. Chairman, there was a request for the Band Council Resolutions that may have been signed with regard to the signing of the JKDA by the Chiefs and Council. So I had spoken with my colleagues, and it is our view that those documents are irrelevant.

THE CHAIRMAN: Are?

MR. RODDICK: Irrelevant.

THE CHAIRMAN: Thank you. Any others?

Okay. We'll resume cross-examination on the terrestrial presentation that was made last week.

Yes, Mr. Berger?

MR. BERGER: I do have some materials that were asked about during the course of the October 31st cross-examination that I'd like to update you with.

THE CHAIRMAN: Certainly.

MR. BERGER: Thank you.

With respect to when Mr. Massan asked about the distance to the substation and the calving areas adjacent to the access road in the Keeyask transmission line project, I believe I said a distance of about one to one and a half kilometres. That distance is 400 metres total.

With respect to Mr. McLachlan on page 1733, the precise number of samples collected in the vehicle area was 151. There was further sampling downstream in the lower Nelson River of 17, for 168 samples.

To clarify again for Mr. McLachlan, the muscle and liver from fur bearers, and part of the country food's voluntary monitoring include other organs such as kidney. So, to clarify, with fur bearers we only collect muscle tissue and liver, but with the country food samples we are also including kidney.

The data for Mr. McLachlan can be

found in supporting volume for the fur bearers summarized in mercury supporting volume 8, appendix 8(b) and 8(c).

And to clarify the question concerning change in mercury levels over time, the volunteer sample collection and the targeted collection were not designed to do this. The information contained in the mercury supporting volume is baseline estimates by species for future monitoring purposes. Thank you.

And please excuse me, Mr. Chairman, I am slightly under the weather today, so I may have to turn and cough on occasion. Thank you.

THE CHAIRMAN: It sounds like you spent the weekend picking up a cold.

Now we'll return to cross-examination. The only cross-examination left is from Consumers Association. Mr. Williams was about 20 minutes into his cross when we broke on Friday. Once he concludes, the panel will have some questions.

So, Mr. Williams, the ball is in your court.

MR. WILLIAMS: Yes, thank you. And just to make sure, we won't be coming to it yet, but we did provide, as an exhibit, an excerpt from

the 2011 scientific assessment relating to woodland caribou by Environment Canada. So hopefully that's on the panels in front of them.

And, Mr. Berger, I have just been trying to decide whether you've got the tactical advantage from your illness or I do. I guess we'll find out as we go along.

Sir, I do want to rephrase or reframe a question I asked you last week.

Focusing on the boreal population of woodland caribou that is protected under the Species at Risk Act, would you be comfortable referring to that population as the sedentary ecotype?

MR. BERGER: There are numerous researchers that do make that generalized distinction where -- including COSEWIC, Thompson and Bray, and Festa-Bianchet suggest that boreal caribou are forest dwelling sedentary animals. I am, however, a little uncomfortable with the term sedentary because it can mean different things. Sedentary with respect to things such as distance and space, with respect to migration and movements, but I would agree in principle that the boreal woodland caribou indeed is called

sedentary. And some of the distinctions, of course, and some of the concerns I also have is if the boreal woodland caribou do change their behaviour in some cases, which has been recognized in literature, the issue becomes a little bit clouded. However, most people do call boreal woodland caribou that are threatened COSEWIC -- sorry, threatened by MESA and SARA as sedentary.

MR. WILLIAMS: Thank you for that thoughtful answer. I believe on Thursday, we were just about finished talking about the SARA protected boreal woodland caribou and calving. And just a couple of last points I want to follow up on.

You would agree that low density, especially during calving and post calving, appears pivotal to SARA protected boreal woodland caribou calf survival; agreed?

MR. BERGER: If you might define -- or we could come to a common term regarding low density.

MR. WILLIAMS: Well, Bergerud, he argued that a density of 0.06 caribou per square kilometre represented a stabilizing density above which sedentary caribou populations decline. So

that's the type of density of which I'm speaking, sir.

MR. BERGER: Thank you.

MR. WILLIAMS: Do we have agreement then to that phrase?

MR. BERGER: We do have general agreement in terms of how boreal woodland caribou use the space in the way in which they occupy it. But there are many examples where that particular density can, in fact, change. So, for example, in the Keeyask area, as I pointed out during the presentation, there are numerous caribou, for example, using calving islands and lakes. And that some of those calving islands, in fact, have more than one caribou on it. Some of the peat land complexes can certainly have more than one caribou on it as well. So if you calculated the density with respect to a smaller unit area at Keeyask, or possibly in unknown areas further south of our study area, those densities might in fact be higher.

MR. WILLIAMS: Okay. Just out of fear that my original question might have been lost in the exchange of definitions, generally, subject to the -- we can agree that low density, especially

during calving and post calving, appears pivotal to SARA protected boreal woodland caribou calf survival. Agreed?

MR. BERGER: When caribou calve, I agree, they certainly do it by definition as a boreal woodland caribou might in a solitary way. But during the post calving period, as they start to expand their calving ranges, it's quite often that nearby boreal woodland caribou, such as in Rettie and Messier's paper, they actually come together and have home range overlaps, quite often. So they'll enter those circumstances as a group. They come together and they come together more and more as the particular season progresses and as their home ranges increase.

MR. WILLIAMS: So I think I understand your point, that the low density during calving is pivotal to their calf survival. Agreed?

MR. BERGER: As a general principle, yes. The low density is a well-known boreal woodland caribou characteristic. However, there are exceptions that we should, in fact, recognize, but in agreement with Mr. Williams.

MR. WILLIAMS: I'm going to turn, still on part 3, to slide 19, which appears at

page 126.

Mr. Berger, we're probably going to be asking a couple of motherhood statements here, but just very quickly.

We can agree that in Canada, where the boreal population is listed as threatened, there are many local populations in decline?

MR. BERGER: Yes. Canada-wide, there are many local boreal woodland caribou populations that are in decline. And there are others that are not. And there are multiple reasons why some are and some aren't. And I firmly believe that's what we looked at in the environmental impact assessment.

MR. WILLIAMS: And among those multiple reasons, a key reason associated with the decline of forest dwelling boreal woodland caribou is also of habitat. Agreed?

MR. BERGER: I agree that the loss of habitat is one of many factors that contribute to the decline of boreal woodland caribou in Canada. We approached -- and if I can bring back the Keeyask EIS, for example, and looking at what a hypothetical boreal woodland caribou population might be in the area, we not only looked at

habitat, which is a bottom up approach to describe okay, hey, where are the lichens? Where are the food that the caribou might use, and how well that's distributed over space. Because certainly it's well in the literature that that's one means of doing it.

But not only that, we looked at the benchmarks with respect to the top down approach with predators, which is a very important combination, to take the overall impression of why a caribou, a particular caribou population may or may not decline.

So yes, Mr. Williams, habitat is certainly one factor to consider with respect to the caribou.

MR. WILLIAMS: To be more precise, though, sir, the question was a key factor. And you'll agree that it is a key factor?

MR. BERGER: It is a key factor along with the predators.

MR. WILLIAMS: Thank you.

And indeed there is an intimate relationship between loss of habitat and increased predation in that the loss of habitat invites in creatures such as moose, which use a different

type of habitat and which invites in more predators. Agreed?

MR. BERGER: If we define loss of habitat as things such as human disturbance, and there are spatial considerations with respect to that versus a change in habitat such as, you know, the multiple burns that exist as we have demonstrated on the maps throughout the area. Certainly that will attract moose in a differential rate that might be different than the human disturbance factors. But, yes, I agree, it's also important that habitat loss is directly, or can result to loss of caribou.

MR. WILLIAMS: Mr. Berger, I will ask you just to turn to the CAC exhibit, which is the excerpt from the Environment Canada 2011.

Do you have that, sir?

MR. BERGER: I have it.

MR. WILLIAMS: And before we get into any intimate details, at a high level, what the scientific assessment does is link woodland caribou population condition to habitat condition?

MR. BERGER: My apologies, sir, my hearing is a little bit plugged today. If you don't mind repeating the question?

MR. WILLIAMS: At a high level, what this document analyzes is the links between woodland caribou population condition and habitat condition. Agreed?

MR. BERGER: Excuse me, just one moment to confer with my colleague, please?

Yes, that's what this document is about. It looks at various limiting conditions throughout space, and changes in population, changes in growth rates, and things of that nature. But certainly it's a predictive model that should be looked at as such, and it's a very important model to refer to. And that's exactly why we used it in the environmental impact statement as one of the several measures that we looked at in terms of how caribou might be affected.

MR. WILLIAMS: And in essence, sir, what it does is it relates caribou population stability to the proportion of range disturbed by fire and by human activity. Agreed?

MR. DAVIES: While Mr. Berger is coughing, I'd just like to remind, we were asked questions in regards to the law of minimum before, which is Liebig's law.

MR. WILLIAMS: I can't hear you, sir, I'm sorry.

MR. DAVIES: I'm sorry. We had been asked questions in regards to the law of minimum, which is Liebig's law from the 1800s, but it's used quite commonly in agriculture. We used it slightly differently, we refer to it as limiting factors. In regards to limiting factors, each case may be different. In some cases, it may be a habitat that's a limiting factor. In another case, it may be predation. In another case, it may be harvest pressure. So each one of these is a factor, but it may not be necessarily the limiting factor. So it's quite complicated.

MR. WILLIAMS: That being said, the key mechanism that they are undertaking in this assessment is an examination of the relationship between caribou population stability and the proportion of range disturbed by fire and human activity, agreed?

MR. BERGER: Yes, I agree that that's exactly what was done. They did take a look at that. They did take a look at a number of models. And the model that best performed on page 24 of your exhibit was N3. And that combines total

disturbance, the first portion of the total disturbance was with respect to human disturbance, which explained 60 percent of the variation. So that part of the model, you know, if you've got human disturbance, that is one of the reasons why you might not have the persistence of a caribou population. Whereas the combined, or with the fire, it accounted for 5 percent of the variation. So fire is thought to be somewhat of a more moderate type stressor when it comes to woodland caribou.

Combined, however, they performed slightly better. And that's what you see as being the 70 percent on, I believe, it's the first page of your exhibit, Mr. Williams.

MR. WILLIAMS: And so the genius or the insight of this particular model, sir, was that the combined influence of human activity and fire disturbance was greater than the sum of their individual contributions. Agreed?

MR. BERGER: My apologies, I missed the last part of your question, Mr. Williams.

THE CHAIRMAN: Mr. Berger, you're clearly extremely uncomfortable. Would you feel better if we put this off for a couple of days? I

realize it means bringing this panel back, but it might be more productive and it might give you a chance to recover. It won't disrupt the overall hearings much at all.

MR. BERGER: My apologies, sincere apologies to the panel.

THE CHAIRMAN: You don't need to apologize. You can't help getting a cold.

MR. BERGER: It, in fact, may be better. But I feel like it may take a little longer this afternoon, Mr. Chairman.

If we have maybe another half an hour, Mr. Williams, I can certainly --

THE CHAIRMAN: Well, Mr. Williams has some and the panel has some, we may be here another hour, hour and a half. So, I mean, I expect that the socio-economic panel isn't too far away. I mean, you are clearly in discomfort and we don't want to seem mean and nasty.

MR. WILLIAMS: And we're certainly at the discretion of the board, and I felt like you sound the last two weeks. So if you feel that bad, then you are certainly welcome. Maybe you want to consult with your counsel?

MR. BEDFORD: I think we will adjourn

this panel and they'll come back later in the week.

THE CHAIRMAN: So we'll take a few minutes break while we change up the panels.

And go home, get some chicken soup and stay in bed for a day or two.

(Proceedings recessed at 1:54 p.m. and reconvened at 2:11 p.m.)

MR. WILLIAMS: Sorry to interrupt, I'm not sure we got the Powerpoint yet.

THE CHAIRMAN: It's minutes away, but I would just like to get going rather than take too much longer. We will hand them out as soon as they arrive. It might be a little disruptive, but we can all manage that.

MR. LONDON: Mr. Chairman, there will be one other person arriving, and she will disturb you just a bit to go in the back row.

THE CHAIRMAN: Thank you.

Any other announcements? Okay. Ms. Cole or whomever?

MS. KINLEY: Were you wanting to swear in the panel?

MS. JOHNSON: Yes, please. I think there is only a couple of you who haven't been

sworn in. So could you please state your names for the record?

MR. MACDONELL: Don MacDonell.

MS. PETCH: Virginia Petch.

MR. WILSON: Ross Wilson.

MS. ANDERSON: Karen Anderson.

MR. BLAND: Ted Bland.

Don MacDonell: Sworn

Virginia Petch: Sworn

Ross Wilson: Sworn

Karen Anderson: Sworn

Ted Bland: Sworn

THE CHAIRMAN: Would you introduce yourselves as well as your back table, please?

MS. KINLEY: We have our formal introduction as part of our presentation, if that's all right.

THE CHAIRMAN: That's fine, yeah.

MS. KINLEY: Okay. Thank you.

Good afternoon, commissioners, hearing participants, elders and members of the public. We would like to present to you today the results of the regulatory environmental assessment regarding effects on the socio-economic resource use and heritage resources.

You have heard about the overall approach to the regulatory assessment in panel 4A, about the assessment of effects on the physical environment in panel 4B, and about the assessment of effects on the aquatic and terrestrial environment in panel 4C.

Now we would like to introduce the Partnership's presentation on the assessment of effects on the socio-economic environment, on resource use, and on heritage resources, essentially to look at effects on people.

What we have here, before we move any further into our presentation, I'd like to take a few minutes to introduce you to the panel.

First of all, Karen Anderson. Ms. Karen Anderson, Karen will be making opening remarks. She is a Fox Lake Cree Nation member and director of operations for Fox Lake Cree Nation negotiations office. She's been in that role since 2008. Since 2007, she has also been adverse effects mitigation manager for Fox Lake Cree Nation negotiations office, and she is trained in social services, counselling and social work.

Councillor George Neepin will be here with us tomorrow and we'll introduce him at that

time.

Just to indicate that Ms. Martina Saunders was to have been part of our panel, but Martina's grandmother passed away last Thursday and she is not able to be here with us. So Mr. Ted Bland from York Factory First Nation has stepped up to be in her place today. On Martina's behalf, Ted will be providing opening remarks and also remarks about cultural and spirituality. Ted is a York Factory First Nation member and since 2008 has been senior negotiator for the York Factory Future Development office. Before that, he was chief of York Factory First Nation from 2004 to 2008, and has held positions related to business, economic development and education. He is trained in social work and counselling.

Ms. Vicky Cole, who you have met on a previous panel, is manager of major projects, licensing and assessment at Manitoba Hydro. Since 2005, she has held positions in Manitoba Hydro related to development and implementation of generation projects. She is trained in environmental science, geography, and natural resources management, and is a member of the International Association for Impact Assessment.

Mr. Don MacDonell, at the end, he'll be speaking about effects on resource use. He is senior aquatic biologist with North/South Consultants, with 31 years experience. He is trained in zoology and natural resources management, and is a certified environmental professional in fisheries and wildlife and water quality.

Dr. Virginia Petch, next to Don, will be speaking in two areas, effects on culture and spirituality and effects on heritage resources. She is president of Northern Lights Heritage Services and has more than 33 years experience in anthropology and archaeology with her own firm, and with the Hudson Bay archives and with government. Since 2011, she has also been adjunct professor with University College of the North from The Pas and Thompson, and has taught at University of Manitoba and Brandon University as well. Her training is in anthropology, archaeology and education. She is a registered professional archeologist, member of the Society of American Archaeology and is a certified environmental professional. She also holds teaching certificates in Manitoba and Ontario.

Mr. Ross Wilson, sitting beside me, will be answering questions about mercury and human health. He is a principal with Wilson Scientific and has more than 24 years experience as a toxicologist conducting human health risk assessments. He is trained in toxicology and is a board certified toxicologist with the American Board of Toxicology, a member of the Society of Risk Analysis, a registered professional biologist, and a risk assessment specialist regarding BC contaminated sites.

My name is Janet Kinley. I will be speaking about the overall context and approach to this panel, and specifically about effects on the socio-economic environment. I am a principal of Intergroup Consultants with 34 years experience in socio-economic impact assessment and public engagement. I am trained in geography, where I focused on socio-economic impact assessment, and a member of the Canadian Institute of Planners, International Association of Impact Assessment and International Association of Health Participation.

Now, in the back row, we have folks in the back row as well. We have Gaylen Eaton at the end who works with North/South Consultants; Mark

Manzer with Manitoba Hydro; Susan Collins, Manitoba Hydro Aboriginal relations division; Laura McKay, also with Manitoba Hydro; Robynn Clark at the very back, also with Manitoba Hydro; Kelly Bryll with Manitoba Hydro; Nancy LeBlond with Intergroup Consultants; and Jim Thomas with Hilderman Thomas Frank Cram.

In this presentation, we'll begin with opening remarks by Karen Anderson and Ted Bland. Then we'd like to review important context for the assessment, aspects of the Keeyask project and the planning process to date that are relevant to assessing effects on people. We will also review the approach to the regulatory assessment and how the assessment of effects on people differs from biophysical assessment. And then we'll walk through effects on each of the three subject areas.

So now we're going to ask Karen Anderson of Fox Lake Cree Nation negotiations office and Ted Bland of York Factory, who are going to begin by describing the history of their communities.

MS. ANDERSON: Thank you, Janet.

So for the socio-economic panel, Fox

Lake, we decided to do a presentation on our history because we felt that it's very important for others to know who Fox Lake Cree Nation is and our history, and also to help understand our experience with hydro development. And also understand why we don't want history to repeat itself, and we want to take part in measures to help protecting our families. And we want to understand, we want everyone to understand our experience from us as Fox Lake members. And the presentation will also complement our presentation in the environmental evaluation panel. And we'd like to take the opportunity to educate others on who we are. So I'm going to try to be brief, but a lot of slides.

So for us as Fox Lake Cree, we resided in our traditional territory for years before contact with the European people. There has been written history that is wrong stating that Fox Lake Cree were newcomers to the area during the 1920s, but we have always lived in this area.

I found that the history taught in school today is wrong because it is does not take into consideration the whole history of the Cree people. They always use written documentations.

This is an area in Gillam before hydro development. This is where we lived.

The Fox Lake people are referred to as the Swampy Cree, the Lowland Cree or Coastal Cree in various historical documents. We consider ourselves Ininewuk, which is indigenous or aboriginal people in the Cree language. So the language is very important to us as Cree. There are words in English that cannot be translated, so they are more of a descriptive nature.

Fox Lake was part of a large network of people and communities in the north which extended from Hudson Bay coast down to the area where Split Lake is now located.

The people travelled from areas that could sustain their families and the communities where hunting was plentiful, so, you know, moving from area to area as needed.

The Fox Lake people as well as our relations lived on the land and the water, sustained their communities, provided for all their needs to ensure their survival. Hunted game for food and used the natural resources to make products to assist in their daily lives such as birch bark for canoes, animal bones for tools,

animal hide for clothing. Women made beadwork on jackets, mukluks and gauntlets. Also people also made snow shoes. Those are some examples.

So in the past, the Fox Lake people were instrumental in assisting in the development of the fur trade, and we shared our knowledge of living our way of life with the Europeans, which included sharing how to survive winters and knowing how the animals migrated on the land. An example would be the caribou.

So on this slide here, I have two quotes that, you know, found quotes from Europeans who had contact with the Cree and their observations of the Cree. And we find that in the non Native culture, it's always having to look for written documents. So these are just two quotes that we had found.

So one of them was stated by H.A. Innes that:

"This culture assumed a thorough knowledge of the animal habits and the ability of the peoples concerned to move over wide areas in pursuit of a supply of food."

And that came out of a document "Fur Trade in

Canada."

And the other one, Victor Lytwyn stated:

"The fur trade records clarify that the Lowland Cree groups already occupied well-defined territories when Europeans first arrived in the area."

So for Fox Lake, their way of life began to change after the arrival of the Europeans and the Hudson Bay Company.

We began to participate in the fur trade and spend more time on the coast providing labour service for the traders and being middle men in the economy. You know, being guides and helping the Europeans hunt, preparing for transporting goods from different post to post.

And this is a picture of the Hudson Bay Company in Gillam, and I'm not sure of the year.

So the large group of people were mainly situated into family groupings or clans and continued to live their way of life on the land and water.

After a period of difficult times for the Cree, which was the downsizing of the fur

trade, a new development would alter the Cree way of life.

In the early 1900s, the Cree had wanted to sign a Treaty with the government but were refused after many requests.

There were many -- there were very few treaties signed in the north at this time, and the Cree were concerned with the changes coming and what the effects would be on the land and the way of life.

So this is a picture of the early clan, or part of our members in the north. At the time the top, in the top row, the middle person, his name is Simian (ph) Beardy. He was the past Chief of Fox Lake and these are his siblings.

So the development of the railway, because of the rich economic opportunities in the north and its resources was the reason that the treaties were signed with the Cree in Northern Manitoba.

The people in the north then became separated through the creation of two bands, which is a term through the Indian Act, Split Lake in 1908 and Fort York in 1910. Fox Lake was a part of the Fort York band.

So the Treaty provides for the protection of our hunting and fishing rights, as well as a right to education and health and to the land for our benefit and use.

And over the years, our elders have passed down the terms of the treaties and its guarantees.

I'm just going to go to the next picture here and I'll read it. So this is the Kettle Bridge. The railway is planned to be built right through the traditional territory of Fox Lake. The railway crosses the Nelson River at Kettle Rapids, which was a traditional crossing point for the people of Fox Lake. The railway was to be ended at Port Nelson, but that was changed to end at Churchill and that was completed in 1929.

So our people began to work on the railway through the construction and maintenance of the rail line. And the development of the railway was also damaging to the land and animals.

Many Fox Lake people began to settle at Kettle Rapids in Gillam and along the bay line, at the same time continuing to utilize the lands and water to sustain their families.

And again, this is another picture of Gillam. I'm not sure of the year again.

So during this period, our people were already functioning as a government, choosing a leader to deal with the Indian agent and the government.

The Fox Lake Cree were recognized as the Gillam band in approximately 1939, and we began to request a reserve in the Gillam area.

The Fox Lake Cree Nation became a recognized band in 1947, when we signed Adhesion to Treaty 5 and split from Shamattawa and York Factory, who were all comprised of the Fort York band. And many people were left off the registries due to some people being out on the traplines or out of the range of the Indian agents who were registering people.

So today the large network of people are known as the Fox Lake Cree Nation, Shamattawa First Nation, the War Lake First Nation, Tataskweyak Cree Nation and York Factory First Nation, and these were recognized through the Indian Act that we all became separated.

So many more changes began to occur in the area from the 1930s to the 1950s. The

registered trapline system was introduced. Our people were now being restricted to certain areas for hunting and fishing purposes, after utilizing the land for many years.

And the Fox Lake people have always maintained that the reserve in Gillam promised to us was never fulfilled, due to future hydro development plans and cost to establish reserves. And various measures were taken to ensure the land in Gillam would not become a reserve for Fox Lake.

So in the Cree language the term for reserve is iskonikan, sorry, can't say it, or leftover land is how it is described, and the land in Gillam was very good. And how the reserve selection process is done is that all the government departments review it. And when nobody had no use for that land that's being requested, only then is a reserve approved.

In 1930, the Natural Resources Transfer Agreement or the NRTA was signed. The land and its administration was transferred to Manitoba from Canada without consulting First Nations. We agreed to share the land, and Canada gave the land to Manitoba and we had never agreed to that as First Nations.

So there is a lot of correspondence between Indian Affairs, the Province of Manitoba and Fox Lake Cree Nation, regarding the request for reserve land in Gillam from the period of 1939 to 1966.

So in 1966, Manitoba created the local government district of Gillam or the LGD, and at that time Fox Lake, who always lived in the area, were considered by the government to be squatters in our own land.

And we believe that the government worked with Indian Affairs to displace our families and move us off our lands and homes, out of our homes.

So one of the most drastic measures was that the homes of families were bulldozed for the development of the Gillam trailer court. We had been considered to be a short-term problem.

Families were displaced and moved without proper consultation. Indian Affairs provided funding to construct homes in a new area but always with minimal resources, which was mainly basic four walls.

So the water power reserve was identified and the area extended from Norway House

to Hudson Bay, and the Water Power Act was passed in 1967. And from our documents in 1968, the Province stated that there will be no reserve in the town site or in the LGD boundaries.

So at that time in the end, Fox Lake was provided with 26 federal Crown lots within the Town of Gillam, but just recently designated, we had a portion designated as reserve land.

And Canada agreed to pay a grant in lieu of taxes to the LGD of Gillam for those lots.

So for the next one, for these slides coming up regarding the dam, we're not putting them there to promote the dams, it's to show the magnitude of the change for Fox Lake Cree Nation in our area, and the length of the period of development.

So for us, there were three dams that were built in our area, plus some converter stations.

So the mega hydro development over the years has had a damaging effect on the Fox Lake Cree, our way of life was changed forever.

We no longer had access to the land. We were evicted from our homes. The waterways were changed or diverted. With that came, like

private property signs were put up on different areas, gates were erected, we couldn't get to areas. The land was flooded. So the whole northern environment got changed.

So this is when planning and construction for the Kettle Generating Station began in 1966 throughout 1975, when Kettle began producing at full capacity. So this is when it was completed. 54,000 acres of land was flooded, the water levels rose. There was a large influx of workers. The waterway was diverted. Converter station and transmission lines were constructed.

So for us, Fox Lake Cree Nation, a major concern for us and our people is the influx of workers. During the construction years and the operational base from 1961, the population was approximately 332 people. And then when the construction began from throughout 1969 up to 1976, there was a major influx of people came through the community, you know, 3,300 people to 5,500 people in town and at the camp sites. And then up to 2002, it began to level off to 1,100. So that just kind of gave a number of the people that were in our area.

And again, Limestone Generating

Station began in approximately 1973, until producing again at full capacity in 1978. 3,400 acres of land was flooded, 8 miles of dykes were built to contain flooding, again influx of workers in town and camp, and the converter station was constructed to link Long Spruce to Radisson and Henday.

And the next one was the Limestone Generating Station. Construction began in 1976 and then was suspended in '79 and restarted in 1985, and completed in 1992. And with these dams, 500 acres of land was flooded, transmission lines were built, a new town site was built, and a work camp was constructed, and large influx of workers again.

So for Fox Lake, the Northern Flood Agreement that's been mentioned many times throughout these hearings. So the NFA was signed in 1977 with five First Nations, Split Lake, Norway House, Cross Lake, York Factory and Nelson House, to deal with the effects of hydro development. But Fox Lake was not a part of the NFA due to not having any designated land, but three dams were built in our backyard.

So our way of life was changed

significantly and continues to affect our members today. There are many examples of the social, physical and health impacts, and violations of our people throughout the years.

Earlier I mentioned that we were being displaced and removed from our homes and homeland. There were restrictions on the land, you know, for hunting, gathering and fishing, no access to traditional areas. There were alcohol and drug-related issues, crime and justice issues. Our burial sites were flooded or disturbed. There was a lot of discrimination. People experienced this on a personal level from employment, from services in the community, from government and in the school. There was a lot of -- many women experienced abuse and violations. Our children, they experienced discrimination within the school and even recreational activities. So all our people, Fox Lake people experienced racism from all levels of services and government.

So this is a picture of a monument that we have in Gillam right in front of the hospital. It's almost in the middle of town I guess.

So this is, we had signed the impact

settlement agreement. It was between Fox Lake Cree Nation, Manitoba Hydro and the Province of Manitoba. And this was signed on December 6, 2004. And it was an avenue for Fox Lake to move forward, not to forget the experiences, but to begin dealing with the issues.

And this plaque, there's a plaque on the back of this monument that shows all the different members who lost their lives during the period 1966 to 1990, I believe.

I just read that slide.

On September 9, 2009, Fox Lake Cree Nation acquired reserve land in Gillam and it was 3.21 acres on Kettle Crescent, akwis ki mahka, it means where it turns around, referring to the train. So that's on Kettle Crescent in Gillam.

So right now currently today, Fox Lake has a small reserve at Bird and continues to occupy the Crown lots and reserve in Gillam. We continue to fight for the promised land in Gillam, although now some land is now designated as reserve. Our population is approximately 1,100 and that's on and off reserve. And we are now preparing for the new change that is again coming.

So this is the sign at Bird Reserve.

So right now, we are talking about Keeyask. You know, Fox Lake members have signed on to be part of Keeyask, but this is the future site of Conawapa, so we're also looking forward to that change coming.

So today as Fox Lake people, we are asserting our voice and showing our strength and resilience. You know, we had a tough experience throughout the years and we have endured enough to destroy our people, but we have survived and will be a part of all activities on our land and in our traditional territory.

Thank you.

MR. BLAND: Good afternoon. As Ms. Kinley pointed out, I am here to present on Martina's behalf. She is up north burying her grandmother. So this presentation is coming from Martina's perspective.

Tansi, good afternoon. My name is, I am going to say Ted Bland in this case. I should speak with her voice too -- just kidding.

My name is Ted Bland. I am here to speak briefly about the Cree of the York Factory First Nation. As a member of this panel, I feel it is important for me to speak about our history,

culture and spirituality. You have already heard some of our history, culture and spirituality in presentations made by Chief Constant and my colleague, Ted Bland. We have written about these topics in Keeyask EIS report and I encourage you to read that whole document.

You have also heard from my colleague and friend Karen Anderson about the history of Fox Lake people. As she explained, the people of Fox Lake and York Factory are closely related and share some common history.

This panel will provide information about the assessment and the effects of the Keeyask project on people, including people of York Factory.

In the Keeyask Environmental Impact Statement, there is a lot of technical information and description by professional western trained engineers, biologists and social scientists. You have heard some speak at the other panels, you will hear some speak today.

As I said, I feel it is important that you also hear from me. I will share with you about who we are, how we got here, and what this project means to us in the context of the

socio-economic panel.

We have our own way of speaking about our identity, culture, language, history, traditions, customs, our way of life. I speak to you as a young Cree woman.

I also speak as a witness for York Factory First Nation, a proud co-proponent in the Keeyask project.

I heard the stories from my parents and grandparents about life in York Factory before our relocation in 1957 to York Landing. The name of our First Nation comes from York Factory, the Hudson Bay Company's post at the mouth of the Hayes River. Our people live there and all along the Hudson Bay coast and along the rivers that flow into the Hudson Bay.

My parents were born in Kaskatanagun and Port Severn. My mother's parents were born in York Factory and Shamattawa. My mother was born in Benrick Falls. My father was born in Kaskatanagun. These are places that I come from.

As you heard, the Cree Ininiwak of this territory share a common history. We are related to people from Fox Lake, Shamattawa, Tataskweyak and War Lake. We all have a similar

story and deep roots and connections to the land.

A part of our history includes the residential schools which started when we lived in York Factory with my father's and mother's generation. There was a day school in York Factory. However, in September of 1956, the older children were taken away to residential school. My father went to school in Punnichy, Saskatchewan.

The next year in 1957, the families from York Factory were relocated to York Landing by Indian and Northern Affairs. How did this come about? Our grandparents and parents talk about someone from Indian Affairs coming with a letter to York Factory in the spring to deliver a message, York Factory members will be moved that summer.

My grandmother tells a story of how they made the journey by boat up the Nelson River to the rail line at Amery. My grandfather explained how the people were forced to leave behind most of their personal and household valuables in our homeland.

Our grandparents and parents also talked about what it was like when they arrived in

1957 at York Landing. They had to rebuild a community from the ground up, clearing and constructing houses, working quickly before winter.

They were promised things that would help them survive like what they had in York Factory. My grandfather, Horace Saunders, told us, when Indian Affairs located us at the area, in this area, they had promised us everything would be given to us to suit our needs. But they left out one great thing, our way of life, our traplines. One trapline was loaned to us from Split Lake, trapline 13. Everyone from York Landing is trying to trap on it at the same time.

When the people arrived in York Landing, there was no school. That first September, shortly after we arrived, the children were taken away to residential schools. My mother went away to MacKay Residential School in Dauphin. My late father used to say before he went to residential school, he was with his grandfather everyday. He talked about living off the land. I can only imagine how devastating it was for my family and for my community to be separated and disconnected in so many ways.

As you have heard, shortly after we arrived in York Landing, construction started on the Kelsey dam just up river, 32 kilometres from our new home. We have been living with hydro development since then. Hydro development brought new challenges as we struggled to stay connected with the land. York Landing became our grandparents' and parents' new home, and it is my home.

I remember the water in the 1970s the water was clear. We would go to the beaches and everybody would be there. Now the water is high and there are no beaches.

In the 1980s, I had to leave York Landing to go to high school. We had no choice but to leave to continue our education. It was hard because our families were separated a second generation. You had to get your education, but nothing was offered after grade eight in York Landing. Our students find it difficult to finish high school. It is a challenge because you have to be away from home, community and family.

Most of what I learned about my identity and who I am, I learned as an adult. I read about the history of the residential school

system in university. It was hard to accept what I learned.

I did not hear the extent of the impacts of the residential school from my parents. This is some of what has been called the intergenerational impact of the residential schools.

Although we have lived in the middle of hydro development for more than half a century, we were never a part of it. But today I stand here representing my community, a partner and a co-proponent of the Keeyask project. As we have explained in Kipekiskwaywinan and other presentations, becoming a partner was not an easy decision. We had many meetings in sharing circles where we shared our thoughts, ideas and fears. We spoke with one another, elders, youth, men and women. In that process, I learned about the rich culture of my people, my family and myself. I have a much better understanding about where we come from and where we are going in the future.

As partners, we need to work together towards reconciliation to strengthen our relationships. We must acknowledge what happened in the past.

We are a people with an oral tradition. Our ways are not easily communicated in writing. However, we won't be here forever, so we have to document what happened in the past and what is happening today so our children, grandchildren, and our (Cree word spoken), this is the great grandchildren in Cree, will be able to read about these experiences and understand where we have come from and the role we are playing today. Egosi. Thank you.

MS. KINLEY: Thank you very much to Karen and to Ted for providing that important context and the important understanding of history of two of these partner First Nations in this area. The history is a very important part of this assessment.

Then before we look at the details, it's important to put this part of the assessment in other types of context as well. In the context of the joint planning that has been undertaken between Manitoba Hydro and the Partner First Nations, in the context of the relationships that had been developed among the partners, and in the framework for the assessment as a whole.

Firstly, looking at relationships

between the Partner First Nations and Manitoba Hydro, you have heard from Karen and from Ted about a difficult history in this area and difficult relationships.

From that difficult history, there has been a gradual improvement over decades in the relationships between the Partner First Nations and Manitoba Hydro as they planned the Keeyask project together. A fundamental difference between assessment of effects on people and assessment of effects on the physical, aquatic and terrestrial environments, is that people have perspectives about their world, their circumstances, and how they would like to see that world change in the future.

In this case, the people most affected by the Keeyask project, the Partner First Nations, have worked with Manitoba Hydro over an extended period of time to plan a better project. There has been early and meaningful involvement that has been under way for a long period of time.

Also their planning has been brought together in formal agreements that will govern how the project is implemented. These include the Joint Keeyask Development Agreement and the

adverse effects agreements.

From a socio-economic point of view, these form a foundation for the socio-economic assessment of measures that enhance benefits and reduce adverse effects. That's been part of the planning among these parties. And as is not typical from my experience as a practitioner in impact assessment, each Partner First Nation, as a collective, has voted on the agreements through a referendum to determine acceptability. This is also a foundation for the socio-economic assessment.

So, first of all, the Joint Keeyask Development Agreement includes a number of aspects that are again building blocks for the socio-economic assessment. It deals with governance, including ongoing stewardship of the project among the parties. Yet it defines the project description for the project, including fundamental features that you heard about in the earlier project description panel, including the low-head design that was developed as a result of the early discussions between the Partners.

It deals with employment and training. The Burntwood/Nelson Agreement is referenced

there, the collective agreement that governs the project and provides preferences established for qualified Aboriginal and northern people, not just the Partner First Nations but others in the north.

It also includes targets for jobs, operating jobs throughout the system for Manitoba Hydro in Manitoba Hydro system.

It includes business opportunities, direct negotiated contracts set aside for the Partner Cree Nations, and also the business arrangement that would see a return on equity investment by the First Nation.

It includes a waterways management program from Split Lake to Stephens Lake, dealing with travel safety. It includes the forebay clearing plan to remove vegetation before flooding, again, an important aspect brought by the Partner First Nations. And it includes adverse effects agreements for each partner First Nation.

So all of these aspects have already had an effect on the benefits being brought by the project to people as well as reducing adverse effects.

The adverse effects agreements were

developed between the Partner First Nations and Manitoba Hydro. They work to avoid and alleviate adverse effects of the project. Each agreement includes offsetting programs to address past, present and future effects of Keeyask. Programs are tailored to effects identified by each Partner First Nation. Each includes a program to assist members to access parts of their RMA unaffected by the project, to spend time on the land, harvesting country food, engaging in cultural activities, passing on traditions. And they also include programs to strengthen language and culture, and to address specific concerns, for example, Fox Lake Cree Nation's Wellness Counselling and Crisis Shelter, to deal with the kind of issues that Karen was just speaking about.

You have heard from Joe Keeper and Vicky Cole about the Two-track assessment approach. The socio-economic resource use and heritage resource assessment worked within the regulatory environmental assessment framework on the right-hand side of this chart, and specifically the final, addressing the final EIS guidelines issued by the Canadian Environmental Assessment Agency.

At the same time as we worked with the Partner Cree Nations in this assessment, we learned from their studies, their experience and their Aboriginal traditional knowledge.

And you will recall this overall chart from the environmental assessment approach panel that was the panel 4A, which set out the overall approach to the assessment. This is the framework and steps that we used for this part of the assessment as well.

Now, we'd like to go on and provide some information about the overall, within the overall framework, and the context that I have just spoken about. The assessment of effects was tailored to this component. This section looks at the approach to this portion of the assessment.

First of all, just looking at the final environmental impact assessment guidelines, the Federal guidelines that we were working toward in this part of the assessment. We were addressing section 8, existing environment, particularly section 8.3 on the socio-economic environment dealing with economy, population, infrastructure and services, personal, family and community life, land and resource use, and

heritage resources.

We were dealing with section 9, dealing with the environmental effects assessment, dealing with each of those subject areas.

We were addressing section 10, economic and social benefits of the project.

And in section 12, environmental management, we were dealing with, again, the same subject areas with respect to environmental management.

You heard earlier in the EA approach panel, the Partnership acknowledged the differences in worldview that underpin Aboriginal traditional knowledge and technical science. In fact, the Two-track framework of the filing is intended to make space for both worldviews, and you have heard about how they are reflected in the filing.

You also heard in the EA approach panel that the partnership collaboratively developed a set of ATK principles that were intended to guide how Aboriginal traditional knowledge would be gathered and brought into the assessment.

For the socio-economic assessment,

these principles were applied in the following ways: First, in identifying issues and concerns that required study throughout the assessment process, including ultimately the selection of valued environmental components. Secondly, a lot of time has been spent discussing the effects of past developments and how this has shaped the community perspectives and concerns about future developments. Thirdly, a partner First Nations reviewed assessment results, shared results from their own evaluation studies, and helped identify mitigation options.

These two sets of perspectives helped to create a better understanding of possible project effects, areas where there may be uncertainty in conclusions, especially in cases where different conclusions were reached.

A key theme that emerged through the assessment has been the importance of ongoing monitoring and follow-up. This was seen as important in addressing difference and conclusions and uncertainty, and also was a way to address environmental stewardship, a key aspect of the Cree worldview.

These principles were also applied in

discussing how to document ATK and technical science in the filing.

And finally, all of the partners reviewed and commented on the final EIS filing and Manitoba Hydro and the Cree Nation Partners approved the filing, consistent with the environmental and regulatory protocol in the JKDA.

The socio-economic assessment deals with effects on people. We work with people. That's the core of the approach to socio-economic assessment. We work collaboratively with the people most affected by Keeyask to learn from their experience and figure out together what can be done to address the effects. Years of work have occurred, and this is a snapshot of that work.

At the bottom of the chart you see the mechanisms in place between Manitoba Hydro and the Partner First Nations to guide and oversee the EA as a whole. At the top of the chart are the specific processes for the socio-economic resource use and heritage resource studies. Collaboration in the work planning process was done for purposes of the regulatory assessment, beginning in about 2006. Work planning recognized that each of the

Partner First Nations was engaged in their own studies, and as much as possible we drew from that work so as not to duplicate effort.

Steering committees were established with each Partner First Nation to guide fieldwork, key personal interviews and workshops. We trained local staff and worked with the communities to verify results. We drew from secondary sources such as health data. A complete health assessment was done for the communities in the local study area, and Statistics Canada, for example.

We also held workshops with all Partner First Nations regarding mitigation and mitigation ideas.

And a very important element is that we had a mercury and human health technical working group. All communities were represented. A focused effort was undertaken to understand the issue and look at solutions with assistance from specialists selected by the group, and the involvement of the -- also involvement of the Northern Regional Health Authority, the medical officer of health.

So that gives you an idea of the process we have gone through.

This graph shows what we're calling a socio-economic impact assessment general framework. It shows potential pathways of effect from the project to people at a high level. From the project, at the bottom left-hand corner we see pathways of effect that begin with, you will see physical, biophysical environment. So there are changes in water leading to changes in fish and fish habitat, leading to changes in harvesting of fish resources, access and navigation, if you follow it through on the very bottom pathway. Similarly, changes inland can lead to changes in wildlife and vegetation that again are harvested by people.

In turn, changes and resource use can affect the economy, up in the circle in the top right-hand side, so the changes in resource use could affect the economy, as well as aspects of personal and family life that derive from those connections to water and land.

Physical changes can also affect heritage resources, in the middle of the diagram there. And through project expenditures, the top pathway, we look at potential benefits to people through employment, business and equity

investment. And potential in-migration of people who come to the area for those opportunities. People create demand, and in this case can also cause adverse effects on public safety, as Karen was talking about.

The chart doesn't show all of the linkages we considered, but it gives you a high level understanding of the pathways that we did follow.

As for the other parts of the assessment, we identified valued environmental components, there were several sources of information that we used to identify them, regulatory guidelines, workshops with the partner First Nations, the public involvement program, more broadly in the Province to understand perspectives that others had, other environmental assessments that deal with this type of development. And of the criteria that were identified, and you saw those criteria in earlier presentations, the ones that were particularly important for us were overall importance or value to people, potential for substantial project effects and regulatory requirements.

So through that process, we identified

a number of valued environmental components for this portion of the study. This particular chart shows 16 valued environmental components in the socio-economic environment. Broadly they include three topics: Economy, which includes valued environmental components that may be affected by project expenditures, so employment and training opportunities, business opportunities, income, cost of living and resource economy. Resource economy reflects changes to the existing resources used by the people.

The second major category is population, infrastructure and services. It includes valued environmental components that may be affected by in-migration, population changes as a supporting topic in this instance, and valued environmental components that reflect meeting the needs of that population in the local study area.

Land, test the extent to which reserve or private land may be required for the project. And transportation infrastructure looks at road, rail and air services.

The third area is personal, family and community life, that includes valued environmental components that may be affected by direct and

indirect effects from Keeyask. They typically play a role in the quality of life that people experience. And this is a dynamic and complex area. It focuses on the local study area where people are most affected by a number of different aspects of the project. And these include governance, goals and plans, community health, mercury and human health, public safety and worker interaction, travel access and safety, culture and spirituality, and the way the landscape looks or aesthetics.

In the other areas of resource use and heritage resources, we have three resource use valued environmental components and one heritage resource VEC. Resource use looks at the interaction between people and resources. Valued environmental components are comprised of subsistence, commercial and recreational use of resources derived from the natural environment that may be affected by the physical, aquatic and terrestrial changes. It includes resource use for subsistence by Aboriginal people.

Heritage resources are non-renewable resources that may be affected by physical changes to the land and water in the local study area.

They are tangible objects of human endeavour that have survived the rigours of time and which indicate evidence of past human activities. They provide a vital cultural link between the past and present. They sustain and support, and in turn are supported by an oral tradition of long-term occupancy in the vicinity of the Keeyask project by the Partner First Nations.

With respect to geographic scope, study areas are tailored to each valued environmental component. Each has a local study area and a regional study area, which are discussed in the sections that will follow in our presentation. In addition, the heritage resources has a core study area which is the area subject to inundation and erosion.

For the temporal scope, looking at past, present and future, this chart looks at, this particular slide looks at how we examined the past, present and future, and where it is in the filing. In the response to the EIS guidelines, the past is described in chapter six. Understanding of history of the area and its people is very important. Learning from past hydroelectric development has been an important

way of understanding what may happen in the future, and understanding influences on and vulnerability of the valued environmental components that are included in the assessment.

The present and future without the project is also included in chapter six. It looks at the state, or the status of the valued environmental components, future trends -- and future trends to the extent that those are apparent. It also looks at the future with the project in chapter six, including the effects of Keeyask, for the construction phase and the operation phase.

So that forms one part of the cumulative effects assessment.

Then in chapter seven, we go on from there to look at the future with other projects and activities, again, during the construction phase and the operation phase.

THE CHAIRMAN: I think we'll take a short break now before you move to this next section. It's 3:13, so come back at 3:25, please.

(Proceedings recessed at 3:13 p.m. and reconvened at 3:25 p.m.)

THE CHAIRMAN: Okay, we'll reconvene.

So Ms. Kinley, you can continue, please.

MS. KINLEY: So now we'd like to look at --

THE CHAIRMAN: Order in the back of the room, please.

MS. KINLEY: Now we'd like to look at the socio-economic environment. And there will be four of us participating in the presentation of this section, myself, Ted Bland on behalf of Martina, and Karen Anderson and then Virginia Petch as well.

So the socio-economic local study area which is shown on the screen at the moment includes those people who live closest to Keeyask and may be affected by changes, inland and water, as well as economic change. The construction camp and workers will be located here and all physical works as well as the hydraulic zone of influence.

If I can just look backward here, I'm just trying to point out for you where the communities are.

So there is the Keeyask Generating Station. Tataskweyak Cree Nation is off to the west here, the north side of Split Lake. York Factory First Nation is located across the lake,

south end of Split Lake. War Lake First Nation is located along the rail line with no road access.

I've got a little bit of a shine of light on the screen so I can't see very well.

But at any rate, we have Gillam here, that includes -- it's the Town of Gillam, it also includes Fox Lake Cree Nation and their reserve population there. And then just up here is Fox Lake Cree Nation.

Also included in the local study area is Thompson down here in this location.

The four Partner First Nations include on-reserve population of about 3,000 people. Including off-reserve population, it was about 5,300 people in 2006.

The Town of Gillam includes about 1,200 people and it includes portions of the population of Fox Lake and the new reserve parcel. The City of Thompson is the regional centre with about 13,400 people. So in total within the local study area, we're looking at about 17,600 people.

This is the regional study area, and so it's everything north of the gray line, and it includes all of Northern Manitoba. This regional study area follows the economic effects of

employment benefits that are expected to be distributed because of the Burntwood/Nelson collective agreement which governs construction employment.

That collective agreement has preferences within it. A first preference is for an area of the Churchill, Burntwood, Nelson communities. And if you look on the slide, the tan coloured dots are all of those communities that are in an area called the Churchill, Burntwood, Nelson area. Those are communities that have been affected by past hydroelectric development. And first preference for construction employment then is for qualified Aboriginal people who live in those communities.

Second preference is for qualified union members in Northern Manitoba as a whole. And third preference is qualified Aboriginal people anywhere in Northern Manitoba, even beyond that Churchill, Burntwood, Nelson area. And then fourthly, any qualified person living in Northern Manitoba.

I should just point out there is one exception here, and that's for Partner First Nation communities. For preference one, they

don't have to live in the north. They can be anywhere within Manitoba.

There are about 84,000 people living in the regional study area, and about 72 percent of those people self-identified as of Aboriginal descent.

What you'll also find in the EIS, but we haven't characterized it in this presentation, we have a description of economic effects that flow to Manitoba and to Canada as well.

So here are the economy VECs, the valued environmental components. And of these, we wanted to select an example, one to look at in detail, and we chose employment and training opportunities as the one to look at.

This chart provides a picture of the employment status of the Aboriginal population and the Partner First Nations in comparison to the provincial population. It also shows the employment status of the Aboriginal population of the regional study area as a whole, including First Nations, Metis and non-status populations, and the total regional study area.

The main messages from this chart are that we see a somewhat lower participation rate in

the KCN communities and the northern Aboriginal residents, but it's not that much lower than Manitoba as a whole. But what you do see is a lower employment rate and a much higher unemployment rate. So it gives the picture of the disadvantage for the Aboriginal population.

The Aboriginal labour force in the regional study area is young and a growing population that's moving into the labour force. And so there's also a challenge of lower education levels than the provincial population, and as we say, a growing population.

This chart shows the estimated total construction workforce. Overall, the project is estimated to generate about 4,218 person years of construction employment, that's composed of construction support, non-designated trades and designated trades. Those are expected to account for about 3,150 person years with another 1,068 person years generated by Manitoba Hydro and key contractor personnel.

What the chart illustrates is that the demand for labour, the requirement for labour changes over time, as is typical of a construction project. The demands peak in about 2016 or 2017,

and then lowers again to the end of construction. And then within each year, it reflects the typically higher activity in the summer months.

The blue colour on the chart shows contact supervisory and Manitoba Hydro site staff. Designated trades are things like crane operators, mechanic, carpenter, millwright, iron worker, electrician, lineman, plumber, welder. Non-designated trades, which are the yellow colour, are construction transportation -- sorry, trades helper and construction labourer, driller blaster, heavy equipment operator, teamster servicemen. And then the final area is construction support occupations.

One of the undertakings that has attempted to deal with the skills and education, the lower skill and education levels for a construction project of this kind is the Hydro Northern Training and Employment Initiative. It operated between 2002 and 2010. It included Partner First Nations, the Nisichawayshik Cree Nation, Manitoba Metis Federation and MKO. It was funded by Manitoba Hydro, Manitoba and Canada. 2,670 people in total completed training, and 595 participants completed training in job categories

required for project construction, and 242 of those were from Partner First Nations. So that was a major undertaking that was intended to help to prepare people for the work that was to come.

There have been other enhancements to raise the amount of employment available for four Northern Aboriginal, Northern Aboriginal population. The Burntwood/Nelson agreement that I mentioned earlier provides preferences for qualified Aboriginal and northern workers. There are also direct negotiated contracts for Partner First Nations included in the JKDA. And these are key mechanism for northern companies to be able to hire directly from northern populations.

Thirdly, there is an employee retention and services contract that is a direct negotiated contract held by Fox Lake Cree Nation and York Factory First Nation. The purpose of that is to help Aboriginal workers while on the site with respect to, there's cross-cultural training, there is counselling services and there are also ceremonies included in that contract.

There will be on-site employee liaison workers. Also there will be an Aboriginal union representative hired by the Allied Hydro Council.

There will also be an advisory group on employment. And the purpose of this is to be a forum within which contractors, unions and Manitoba Hydro can talk about employment issues.

There will also be community-based job referral officers, and this is an important measure because one of the challenges that has been seen in Wuskwatim, for example, was the ability to get people to the job site and to find them in the requisite period of time.

So those are all a series of measures that have been identified and put in place for the Keeyask project.

This chart provides an estimate of the construction person years that we expect to go to partner, the Partner First Nation workforce and to the regional study area workforce, the Aboriginal workforce in Northern Manitoba. A labour supply and demand model was used to assess the likely degree of participation, and it focuses on Aboriginal workers. You'll see in the chart that uses a range in each case, a low and a high range. And this is to reflect uncertainty in -- there are a whole series of variables that come into play in doing this kind of estimation, so we have shown

you a range.

It also reflects the experience of Wuskwatim, which was adjusted to account for there being no infrastructure phase, comparable infrastructure phase for the Keeyask project, because that's been undertaken separately in the Keeyask infrastructure project.

So in terms of the bottom line then, the estimate for Partner First Nations workforce is that there would be about 235 to 600 person years of employment, or six to 14 percent of the labour force for the regional study area. We're looking at an estimate of 550 to 1,700 person years, or 13 to 40 percent. So that's the overall estimate of construction employment.

I'll just point out that that doesn't necessarily reflect the actual number of people hired at any one time, because a person year of employment on a construction site can be divided up among so many quarters at a time. This is converting all of that into a person year.

In addition, for the operations phase, we have -- there was an original estimate of 37 Keeyask site staff. That's now been updated. And that was provided in the project description

update of 38 people as permanent employees, and nine Gillam support staff. That's been updated to anywhere from 11.25 to 42.25, depending on the time of year.

Also with respect to employment and training, the Joint Keeyask Development Agreement includes a target for full time operations jobs in Manitoba Hydro's system. And these targets are 100 for Tataskweyak Cree Nation, 10 for War Lake First Nation, 36 for each of York Factory and Fox Lake Cree Nation, for a total of 182 positions. And that activity has already begun in terms of working toward that target.

So the conclusion for this employment and training valued environmental component is that it will be a positive effect. And for that reason, the valued environmental component wasn't carried through to consideration of effects in combination with future projects and activities. We only carried forward where there were adverse effects to consider along with other projects.

So if we just look back to our list of VECs, economy VECs, some other, just very high level conclusions that you'll find in the report are business opportunities. We'll see positive

effects, mainly through the direct negotiated contracts for the Partner First Nations. Income will see positive effects during construction and operation phases due to employment measures, direct negotiated contracts and investment income. Cost of living is expected to see neutral effects during construction and no detectable effect during operation. And for resource economy, as you'll hear later in the presentation, effects are either neutral or positive.

So now we'd like to look at the next group of valued environmental components, effects on population, infrastructure and services. And what we'd like to do here is to provide a more in-depth examination of infrastructure and services, and then give you an overview at the end.

So for infrastructure and services, a wide range of essential human needs are fulfilled by infrastructure and services in communities. Public infrastructure such as pothole water treatment facilities, waste handling facilities, roads, airports, rail, electricity, communications, public facilities like schools, health centres, recreation facilities and

government offices, public services like education, health care, recreation, daycare, social services and other government services.

The way things are today in the Partner First Nations, population growth and limited financial resources challenge the ability to provide services to members living on reserve. In three of the four communities, students must leave home for high school, child care facilities are operating at capacity, and healthcare services are described as underfunded. Members often have to travel to Gillam, Thompson and Winnipeg to access additional care.

In Gillam, for infrastructure and services, kindergarten through high school is available in the community. There is a new childcare facility which has just been developed. The hospital does have space for the current patient volume, and there is a Gillam redevelopment and expansion program that will result in other improvements.

And that particular expansion program is, the mandate of it is to repair existing 1970s infrastructure and build new infrastructure in anticipation of additional staffing required for

the northern projects that are on the horizon.

So project effects for infrastructure and services for the construction phase, Gillam in particular, and Split Lake will see possible adverse effects on social services due to worker interaction and lifestyle changes. Partner First Nations are concerned that the project may draw skilled workers from local service jobs. And Partner First Nations adverse effects agreements include new infrastructure and services that will add to infrastructure and services in their communities and beyond. So, for example, War Lake First Nation has a fish distribution centre. There are improved access in community fishing programs. Fox Lake Cree Nation is looking at their crisis centre and wellness counselling programs. So there are a variety of infrastructure and services that will come out of those agreements as well that will add to infrastructure and services.

During the operation phase, population will increase in Gillam and add to demand for infrastructure and services. Just with respect to the Keeyask project, about 120 to 150 people were expecting to be added to Gillam. That will be,

when we start to think about cumulative effects, there will be more as a result of other projects in the future. So that will be a substantive growth in that community.

Another key operation phase effect will be equity income to the Partner First Nations could be used infrastructure and services, but that's entirely up to the communities as to how they wish to make use of the funds that come from their investment.

Project mitigation. There will be emergency medical and ambulance services at the camp. There already has been communication with service providers in the local study area, by the Partnership, for timely planning, so that services can prepare. The Partnership is working with the Northern Regional Health Authority in particular and the RCMP regarding construction-related needs. There has been a, and continuing, a Gillam land-use planning process has considered demands for permanent population in Gillam. And there is something called a harmonized Gillam development process. It provides an ongoing forum for discussion among the Fox Lake Cree Nation, the Town of Gillam and Manitoba Hydro, in looking at

the future, and as the community grows, to look at their joint goals and their plans together.

In looking at interaction with future projects and activities, we do see an overlap between infrastructure and services and the Keeyask transmission, Bipole III, and Keewatinoow, Gillam redevelopment, and Conawapa.

So the conclusion is that construction workers from other future projects will add to pressure on the infrastructure and services in Gillam. A corporate-wide approach to worker interaction is in place, and we'll talk about that in a minute under worker interaction. There will be overall growth in Gillam, based on all of these future projects that require a base of operating staff. And there are processes in place for Manitoba Hydro, the Fox Lake Cree Nation, and the Town of Gillam to plan for that growth.

So while there will be adverse effects, we don't feel that they will be significant because the planning is in place.

So other effects on population, infrastructure and services. For housing during construction, the driver of that change is population change. The main population change

will be temporary, construction workers travelling to the area, they will be housed during construction in a fully-serviced camp near the construction site on the north side of the river, and a smaller camp will also house workers for the south access road and dykes on the south side of the river.

In the Partner First Nations, we are expecting only a very small return migration, in part due to the shortage of housing already in communities, and the fact that people can be hired from anywhere in Manitoba. It's not necessary to be physically at the site.

The effects, we expect to be mostly limited to workers visiting their families, so potential temporary crowding.

In Gillam, very little population change is expected during the construction phase, perhaps a small number of Fox Lake Cree Nation members. However, temporary accommodation may experience increased demand during construction. No population change is expected in Thompson, so no demand for housing is anticipated.

During operation, we mentioned the permanent growth in Gillam for which plans are in

place. There will be no effects on Partner First Nation housing during operation. If Partner First Nation members take on operations employment, they would move to Gillam where Manitoba Hydro would provide the housing in that location.

As far as land is concerned, no private land, reserve land or Treaty Land Entitlement parcels are required for the project. And for transportation infrastructure, Provincial Road 280 has been and will continue to be upgraded by Manitoba Infrastructure and Transportation. Predicted traffic volumes are below the carrying capacity of the provincial road, and we don't expect any effect during operation.

So overall there will be adverse effects, but plans in place to address them.

The next area is personal, family and community life. Many of these VECs are closely linked to each other and to other VECs in the socio-economic assessment. The dynamic nature of personal, family and community life is difficult to illustrate, but these VECs are intended to provide a picture of how life may change resulting from direct and indirect effects of the project.

The local study is aware that these

changes are anticipated. Beyond the regional study area, the effects are anticipated to be, or beyond in the regional study area, the effects are anticipated to be largely economic through employment.

Of the personal, family, community life VECs, we'd like to highlight three for you, mercury and human health, public safety and worker interaction, and culture and spirituality. We thought these would be the ones of most interest to look at in depth.

For mercury and human health, this valued environmental component considers potential effects of methylmercury, or we refer to it as the short form, mercury, on human health resulting from Keeyask. The valued environmental component was identified in part due to past experience of the Partner First Nations and Manitoba Hydro with mercury effects of past hydroelectric developments.

Also, once the project is in operation, mercury is expected to increase in the Gull reservoir, and to a lesser extent in Stephens Lake. So we do expect an effect.

For these reasons, early in the

assessment process, the partnership struck a mercury and human health technical working group to study this topic in depth. We had representatives of each Partner First Nation, their advisors, Manitoba Hydro, the environmental assessment team, and the medical officer of health for the Northern Regional Health Authority, who were part of this group. The group selected technical expertise as well, and Ross Wilson is one of the experts that we selected, who prepared a human health risk assessment for us.

So just some background about mercury and human health. Methylmercury is found in soil and water. It moves up the food chain from small organisms to fish, and in fish that eat other fish, such as pike and walleye, have higher mercury than fish that eat bugs, for example, whitefish. So the higher that you go in the food chain then, that's the mechanism by which mercury gets to people.

Larger fish have higher mercury concentrations than smaller fish. So, again, the longer living and the larger they are, the more mercury that they will have.

And people acquire mercury by eating

fish. Women of child-bearing age and children are sensitive groups. And the reason we say not just women who are pregnant, but women of child-bearing age, is because if women don't know that they are expecting, they can still be affected by the mercury crossing the placental barrier. So women of child-bearing age are sensitive, and children.

There is a guideline which we have used in the assessment. It's called a tolerable daily intake for fish. And this is put out by the World Health Organization and Health Canada. And the standard is .2 micrograms per kilogram of body weight per day for sensitive individuals, and .47 micrograms per kilogram body weight per day for the general population. So this was a standard that was used in the human health risk assessment.

THE CHAIRMAN: I don't know if this is an appropriate time. Can you put that in a context? I mean, how many fish would that be? Or should I wait until we get later into this process?

MR. WILSON: So the question is how many fish would that be? It is dependent on the concentration in the fish. And so right now, we

have whitefish, .05 to .1 part per million is the concentration. And so that would be about four or five large servings a week at those concentrations.

THE CHAIRMAN: And how about pickerel?

MR. WILSON: Pickerel right now are in the range of .2 to .3 PPM, and so that would be about a serving a week.

THE CHAIRMAN: Thank you.

MS. KINLEY: And just to be clear, he's talking about Stephens Lake and Gull Lake.

THE CHAIRMAN: Yes.

MS. KINLEY: Yeah. This chart shows, and you will have seen a similar chart in the aquatic presentation, and it was provided by the aquatic study team for us to illustrate the typical way that mercury comes into the environment. And it looks at over time, about three to seven years after impoundment, after the start of flooding, you'll see a peak of mercury in the environment. And then it will gradually come down to background levels over about a 20 to 35 year period. So that is the effect that we're looking at in this case. And you will have heard about that in the aquatic presentation earlier.

Mercury from past hydroelectric projects has been evident in this study area, in the local study area. Health Canada did testing of people between 1976 and 1990, and concerns about mercury lead to reduced use of fish from affected waterways by the Partner First Nations. So it's not just that -- we know that the levels have come down in the study area, but the concerns there still had been concerns for using fish from the system.

Past effects of mercury were one of the many influences on the negotiations of the adverse effects agreements. And that's why what's been put into the agreements has been an access program to obtain country food in areas unaffected by the project. This was one of the key issues to be dealt with.

So effects on human health, mercury and human health. First of all, increased mercury in fish is expected in Gull reservoir and Stephens Lake. It's predicted to peak three to seven years after impoundment, and predicted to return to stable levels over 25 to 30 years.

Risks from consuming fish from the Gull reservoir and Stephens Lake, especially for

women of child-bearing age and children, there will be risks. It will be greater for walleye or pickerel, and northern pike or jack fish, and less for lake whitefish. But from the point of view of, especially at that peak period, we will not be wanting women of child-bearing age and children to be eating walleye and northern pike from those lakes.

In the work that was done for the mercury and human health technical working group, the community representatives in particular wanted to also explore and ask about other, risks of consuming other country foods. So there was work done on mammals, birds, and plants. With respect to risks of consuming other country foods like mammals was not found to be of concern. So it's really zeroing in on the fish as being the primary concern.

Also in the human health risk assessment that was done, people wanted to -- our committee wanted to look at water, the risks of drinking water, swimming in water, bathing in water. Risks from swimming in water was not of concern, and risks from mercury -- drinking water with mercury, the mercury is not of concern;

however, it's important to recognize that drinking untreated surface water is not recommended without boiling. That's a recommendation from Health Canada.

So mitigation for mercury. Each adverse effects agreement includes programs for partner First Nations to access areas unaffected by Keeyask to obtain country food. And in the case of the War Lake and the TCN adverse effects agreement, they also include a healthy food fish program where healthy fish would be brought back to the community for distribution as well.

There will also be a risk communication plan for Partner First Nations, for Gillam, and other users of affected lakes. And this is important that it's not just for people who are in the First Nations, but for everyone who may use this area, this risk communication plan will target them.

The partnership is going to work with Federal and Provincial health authorities to establish consumption guidance. And it's important to recognize at the end of the day that, we have done estimates as part of the environmental assessment of what the effects will

be, but when we come to the point of actually getting the monitoring results in fish, when the project is in operation, the Federal and Provincial health authorities are the ones who will be providing the guidance from the point of view of what is safe to eat, and will be the authorities that will be -- we'll be working with them from the point of view of creating materials that will be used for communication, but it really is the health authorities who establish that guidance.

Communicating risks of consuming fish from affected lakes will be undertaken based on mercury monitoring actual results. And that communication will encourage use of low mercury fish and other country foods, plants and animals, and communicate the results of the mercury monitoring. So our expectation is for a substantial period of time in Gull Lake and Stephens Lake, the guidance will be not to eat those pike and -- or the fish at the top end of the food chain, and will be to make use of low mercury fish from other locations, or other country foods that we don't expect to be affected by mercury.

And that's a really important point that came up through the course of our discussions at the human health risk -- or through the human health risk assessment, is that when people are concerned about country food and using less country food, we're also concerned about that having an effect on their health, because country food is a very healthy source of nutrition for people in the north, particularly given the high cost and the availability of other sources of diet.

So it's a complicated message from the point of view of what to say to people. One doesn't want to scare people away from using country food, and particularly fish, because fish is such an important element of the diet and has such value. So it's going to -- the communication plan then needs to have two elements to it. One is talking to people about the risks associated, and in what locations, and for what period of time. But also encouraging people to use country food from other locations while it is high in Gull Lake and Stephens Lake, and to use other types of country food that are low in mercury. So it needs to have multiple, multiple messages.

Also for mitigation, there will be a consumption survey and a human health risk assessment repeated every five years after the peak is reached, until mercury concentrations return to stable levels. So there will be monitoring of fish through the course of, as the project is operating, and then every five years the human health risk assessment will be redone to see where things are at.

I should also mention that there will be a voluntary testing of mammals and sturgeon, ducks and geese and plants. So if even though we feel that the levels will be low, it's important that people feel comfortable with the kind of country food that they are using. And so there is a voluntary program that will be in place to, if people want to bring in samples, that those would be tested for mercury.

In terms of interaction with future projects and activities, physical effects of the Keeyask project and these other future projects will not overlap, so that was not carried forward.

So the conclusion is, there's no spatial overlap between the effects on environmental mercury concentrations and human

health for Keeyask and effects of other future projects. The adverse effects agreements and the risk communication plan mitigate the adverse effects. So while there will be adverse effects during the operations phase, it will not be significant because of these measures in place to protect human health.

Public safety and worker interaction is the next valued environmental component. Public safety refers to the overall prevention and protection of people from issues that affect their personal and collective safety and security. It focuses on interaction between non local construction workers and local residents. Particularly vulnerable are the Aboriginal population, especially Fox Lake Cree Nation, because of their negative experiences with past hydroelectric development in the Gillam area.

And in the past, there's been a long history of adverse interactions between non local construction workers and residents in the Gillam area, beginning with the Kettle project in the 1960s. And you heard Karen speak about that in her opening.

Fox Lake Cree Nation members see this

as one of the main socio-economic effects of hydroelectric development. They have identified harassment, racist comments, sale of drugs, physical abuse, violence, infidelity, pregnancy and paternal abandonment as outcomes of previous projects.

In 2007, a harmonized Gillam development agreement was signed between Fox Lake, the Town of Gillam and Manitoba Hydro. And this has been a foundation for dealing with issues between Fox Lake, Manitoba Hydro, and the Town of Gillam, including future projects such as Keeyask. So while there have been these very difficult, this very difficult history, this is a mechanism for the parties to begin to discuss these effects and to look at what can be done differently in the future.

So effects on public safety and worker interaction. Experience indicates that worker interaction is -- that there will be worker interaction issues during the construction phase, likely in Gillam, which is the closest centre to the construction camp. And there's also concern, TCN is also concerned at Split Lake. Other Partner First Nations note the possibility of

interaction when members are in Gillam or Thompson.

It's not possible to forecast the frequency or type of events with certainty, and a precautionary approach was applied, assuming that there would be adverse local interactions, and spending a lot of effort looking at how to mitigate those.

Obviously, there's no threshold or benchmark that's possible with an effect of this kind. Any incident is taken seriously, and it was important to identify measures to prevent these types of incidents, and if they occur, to deal with them.

There were a number of measures focused on the construction workers at camp. There will be cultural awareness training for all workers, that will include expectations of respect, respectful behaviour on the site and in adjacent communities. There will be a lounge and recreation facilities at the camp to encourage people to stay in camp. There will be restrictions on unauthorized public visits to the camp. There will be restrictions on use of company vehicles for personal use. And they will

discourage non local workers from bringing vehicles to the site through use of a shuttle from Gillam and Thompson airports.

There will also be camp rules and an oversight committee for implementing those rules. There will also be measures focused on prevention and coping. There will be a worker interaction committee established. It's already established actually, as part of the harmonized Gillam development group that I spoke about earlier, to coordinate monitoring and strategies in Gillam. And it also involves RCMP and other service providers.

So it's important, in looking at a community like Gillam, it's important that all parties are working together and looking at these types of issues, and keeping track of them and strategizing together as to what measures to take.

There's also been ongoing dialogue that's begun between Manitoba Hydro and the RCMP in Gillam and Thompson. So that they are aware of what's coming and can help to plan for these.

We do see definitely interaction with future projects, with the construction phases of the Keeyask transmission project, Bipole III and

Keewatinoow, Gillam redevelopment and Conawapa.

So the conclusion is that construction of future projects will increase the number of non local construction workers to a peak of about 2,300 total workforce, when we have overlain all of these projects. And that is included in chapter 7 of the document.

There will be an increased chance of worker interaction effects, but Manitoba Hydro intends to address these risks through a corporate wide strategy, not just focused on Keeyask but focused on all of their northern projects.

So we do see adverse effects mainly during the construction phase, but not significant because of all of the efforts that are in place to prevent, and then to deal with them if they occur.

So the next valued environmental component we'd like to look at is culture and spirituality. And I'll just point out that before Virginia speaks about cultural and spirituality, Ted is going to speak about it.

THE CHAIRMAN: Can I interrupt for a moment? This section is pretty long. It looks like it will take half to -- three quarters of an hour. We have only got about 15 minutes or more.

I don't want to go much past 4:30, because some of us have to go out for dinner and come back here for 7:00 o'clock. But I think perhaps the introductory comments today, and then the bulk of it tomorrow, or whatever works best for you?

MS. KINLEY: I would actually prefer to have the introductory comments with discussion of this section, if we could.

THE CHAIRMAN: That's fair enough.

MS. KINLEY: So this is a logical place to --

THE CHAIRMAN: So you don't want to split the presentation after 15 or 20 minutes or something, I would assume?

MS. KINLEY: I think we'd rather keep it together. Yes, please.

THE CHAIRMAN: Okay. It's unfortunate timing, but those are the realities of this odd day that we're having, with this evening session that we have later on.

So I guess we'll break in a couple of minutes and come back tomorrow morning at 9:30 with this panel.

This evening from 7:00 until 9:00 o'clock, we will be open for the general

public to come and make presentations. As is always the case, we have no idea how many people we're going to get. I think we have had one person register, but often in the past we will get a number of people who just show up and want to make a presentation. So, hopefully that happens, otherwise it could be a bit of a long evening for some of us.

I would also note that we do provide opportunities for the general public to ask questions of the proponents, so I understand that there will be a bit of a rump guard of partnership people who will be here to provide those responses should any public members have questions.

Madam secretary, do you have one or two documents to register?

MS. JOHNSON: Yes, I do, Mr. Chairman. KHLP 43 is the response to the undertaking regarding the minutes from the Fox Lake meeting with the Quebec band on the effects of hydroelectric development. KHLP 44 is the socio-economic presentation that we were going through today. And KHLP 45 is the Fox Lake Cree Nation report. And CAC 004 is the caribou paper.

(EXHIBIT KHLP 43: Response to undertaking re minutes from Fox Lake meeting with Quebec band on effects of hydroelectric development)

(EXHIBIT KHLP 44: Socio-economic presentation)

(EXHIBIT KHLP 45: Fox Lake Cree Nation report)

(EXHIBIT CAC 004: Caribou paper)

THE CHAIRMAN: Thank you. Any other business? Okay. We'll adjourn then until 7:00 for some of us and until 9:30 tomorrow morning for others.

(Proceedings recessed at 4:18 p.m. and reconvened at 7:00 p.m.)

THE CHAIRMAN: We will reconvene. This evening is one of two evenings we've set aside for members of the public who wish to ask questions of the proponent or of members of the public who wish to make a presentation. Although we ask would be presenters to register in advance, it is not a requirement. So anybody from the public who wishes to make a presentation tonight or to ask a question of the proponent, can do so. Those who are making presentations are restricted

to 15 minutes. I do have flash cards that will let you know when your time is running out should you use up the full 15 minutes. We have had only one person register for this evening, and that's Baldur Nelson. I will ask him to come forward now, come up to this table at the front and use this mic.

MR. BALDUR NELSON: How is this?

THE CHAIRMAN: Maybe even a little closer.

MR. BALDUR NELSON: Not used to having one of those in front of me.

THE CHAIRMAN: We have a requirement in law to record every -- all of our hearings and proceedings, so go ahead.

MR. BALDUR NELSON: All right. Thank you. Good evening, folks. I am reading a paper here before the Clean Environment Commission, a presentation of an objection towards the creation of the Keeyask Hydro control dam, of November 4th, 2013. I have asked to appear before the Commission in order to register my objection towards the proposed Keeyask Hydro dam and project.

My position comes from a two-fold

reasoning. The first being the method in which Manitoba Hydro operates, and also the way it projects its corporate strategies. The project totally involving Tataskweyak Cree First Nation, along with three other northern Cree First Nations has already started the preliminary work of access roads and construction camp facilities, as opposed to waiting for the completion of these hearings and receiving permission from the Clean Environment Commission.

My concern encompassing the Tataskweyak First Nation is because my family, consisting of my wife, Kaneena Joyce Nelson, daughter Kaneena Inga Vanstone, my son Gustav Roderick Nelson, along with two grandsons, are band members. To date none of the people mentioned have been approached either personally or by other communication from either the band, Manitoba Hydro, the Provincial government or the Clean Environment Commission explaining the purpose, the process, advising band members as to the positive and negative long term aspects as the project relates to the immediate and future well-being or to the methods which will be available in the event of misunderstandings,

misdirections or outright cheating.

Negotiations, which I believe have been ongoing for a number of years already, have not been communicated and are not open and transparent to the band members. Could this practice be deemed to be a form of prejudice in the sense that band members cannot be trusted to comprehend the details or to share in the benefits rumoured to be available to the select few. Should band members ask questions if they are not recognized, citing confidentiality agreements? For example, Solange Garson, a band councillor with Tataskweyak, is on record as having asked for information from Manitoba Hydro regarding millions of dollars in funding it has dispersed. These monies are confirmed by the Canadian Taxpayers Association. If the councillor is denied information, who can then receive it? Can Manitoba Hydro be relied on or even trusted in their contracts and obligations to all participants? What other information will be hidden and to who, the band, Provincial Government or even to this Commission?

If this is the manner in which Manitoba Hydro now operates, what of the future?

How will they satisfy the questions as to their ongoing procedures, maintenance and administration? What then is the recourse to the band member to knowingly choose their best representative to deal with delivery of services, investments and mechanics of dispute situations which are bound to arise?

My second concern is the perceived assumption that water derived from the Nelson River will continue to be available. That water comes from Lake Winnipeg. Manitoba Hydro has an interim licence to regulate the lake, but in seeking a full licence decided to hold that request in abeyance. I do not understand the strategy, but that water is not guaranteed and Hydro must ask for permission from this Board again. Should for some unforeseen reason the licence is not approved, or is restricted, the entire Keeyask project would be put at risk. That concern, of course, would not happen if Manitoba Hydro is already confident of not being affected.

Thank you, very much for speaking to you this evening.

THE CHAIRMAN: And just for the record, could you introduce yourself?

MR. BALDUR NELSON: I neglected to do that?

THE CHAIRMAN: You did.

MR. BALDUR NELSON: Ladies and gentlemen, my name is Baldur Nelson. I'm a long time resident of Gimli, Manitoba. Currently a property owner along the shore and totally affected by Lake Winnipeg Regulation.

THE CHAIRMAN: Thank you, Mr. Nelson. Just a couple of -- if I may explain a couple of things. You said that Manitoba Hydro was already working on certain things, roads and construction camp before, as you put it, completion of these hearings. Those are under a different licence. That's why they are not before this Commission and this hearing. Manitoba Hydro applied for a licence to the Province to go ahead and do those things ahead of time and they were granted that licence.

And also the issue of holding the request for a permanent licence or a final licence for Lake Winnipeg Regulation, it wasn't Hydro who put it in abeyance, it was actually this Commission, because we received that reference from the Minister about two or three years ago to

go ahead with hearings into Lake Winnipeg Regulation. However, then we subsequently got a reference for Bipole III, and then after that for Keeyask, and we were the ones that chose to bump the Lake Winnipeg Regulation hearings until after we complete these.

MR. BALDUR NELSON: My inference to the work that is already started, was meant to point out that should, for example, this Commission decide that Hydro is not forthright in its methods, it would be then a waste of money. You don't start something without trying to complete it, I don't believe, I don't do that in my life, I can't see spending and wasting money. So it does say to me that Hydro has a certain confidence in starting up the procedure.

And I didn't mean to say that this Commission, this Board has the authority or the concern of granting those licences or permits for the lake, or pardon me, for the construction work. I suppose that's about all, unless you care to --

THE CHAIRMAN: I would just add that I can't speak for Hydro and their thinking on building this ahead of time, but you are correct in your assumption, that if we were to recommend

to the Minister not to issue a licence, then Hydro has spent money needlessly. But that's not the concern of this Commission.

MR. BALDUR NELSON: No, I didn't mean to leave that thought.

THE CHAIRMAN: Okay. Well, thank you very much for coming in this evening and making this presentation.

MR. BALDUR NELSON: Thank you all.

THE CHAIRMAN: I'm not sure if there is anybody else in the audience who wishes to make a presentation or ask questions of the proponent, if so, please come forward now, otherwise we will wait and if anyone does come to make a presentation, we will accommodate them. But until such time, I guess we all sit here and stare at each other.

MS. JOHNSON: Mr. Chairman, we can put this document on record, Mr. Nelson's presentation is WPG001.

(EXHIBIT WPG001: Mr. Baldur Nelson's presentation)

THE CHAIRMAN: Okay. I think we can release the hounds or release whatever. This is the last opportunity, the last 15 minute slot for

somebody to make a presentation and nobody is here, so I think it is safe to go. See you all at 9:30 tomorrow morning.

(Adjourned at 8:45 p.m.)

OFFICIAL EXAMINER'S CERTIFICATE

Cecelia Reid and Debra Kot, duly appointed Official Examiners in the Province of Manitoba, do hereby certify the foregoing pages are a true and correct transcript of my Stenotype notes as taken by us at the time and place hereinbefore stated to the best of our skill and ability.

Cecelia Reid

Official Examiner, Q.B.

Debra Kot

Official Examiner Q.B.