Manitoba

Conservation and Water Stewardship

Climate Change and Environmental Protection Division
Environmental Approvals Branch
123 Main Street, Suite 160, Winnipeg, Manitoba R3C 1A5
T 204 945-8321 F 204 945-5229
www.gov.mb.ca/conservation/eal

File: 5433.00
August 29, 2012

Mr. Patrick T. McGarry, B.Sc. Hons., M.N.R.M.
Senior Environmental Assessment Officer
Licensing and Environmental Assessment
Transmission and Distribution Division
Manitoba Hydro
820 Taylor Avenue
Winnipeg, MB R3C 2P4

Dear Mr. McGarry:

Re: Bipole III Transmission Project Environmental Impact Statement

Additional information is required based on our review of Manitoba Hydro's response to our May 17, 2012 information request regarding the Environmental Impact Statement (EIS) for the Bipole III Transmission Project.

The following additional information is required:

1. Provide detailed options, including maps, and a recommendation for the most suitable option for relocation of the proposed transmission line route in the following locations:
    a. Game Hunting Areas (GHA) 14 and 14A,
    b. GHA 19,
    c. between PTH 373 and Hwy 6 (Wabowden boreal caribou herd), and
    d. PR 10 between Red Deer River Provincial Park and Steeprock WMA.

    The Wildlife and Ecosystem Protection and Lands Branches must be consulted regarding options for relocation of the line in these areas.

2. Provide a response to the attached August 17, 2012 letter from the Aboriginal Relations Branch.

If you have any questions, you may contact me at 204-619-0709 or at elise.dagdick@gov.mb.ca.

Yours truly,

Elise Dagdick. B.Sc.
Environment Officer
Environmental Approvals Branch

Att.

c. Public Registries, File: 5433.00
Don Labossiere, Environmental Compliance and Enforcement

Manitoba
Conservation and Water Stewardship
Aboriginal Relations
Box 26, 200 Saulteaux Cres, Winnipeg, Manitoba, Canada R3J 3W3
T 204-945-2821 or 1-866-626-4862 F 204-948-2197
www.manitoba.ca

August 17, 2012

Ms. Elise Dagdick
Environment Officer
Manitoba Conservation and Water Stewardship
Land Use Approvals
123 Main Street
Winnipeg MB R3C 1A3

Dear Ms. Dagdick:

Thank you for forwarding our information requests from the Aboriginal Relations Branch to Manitoba Hydro in the letter dated July 5, 2012; this letter is in follow up to that correspondence.

Our review of Manitoba Hydro's responses to the Public EIS Review and TAC comments has generated subsequent information requests, which are attached to this letter. The initial questions were based on socio-economic and Aboriginal resource information that Manitoba Hydro committed to collecting in their Bipole III Transmission Project *Environmental Assessment Scoping Document.*

This information and the attached follow-up requests will assist us in our EIS assessment to identify how Manitoba Hydro has fulfilled their commitment to incorporate Aboriginal Traditional Knowledge and local knowledge, to the extent possible, in their environmental assessment for the Bipole III Transmission Project.

Thank you for requesting this information on our behalf; we look forward to receiving the responses to both requests in order to complete our review.

Sincerely,

Ron Missyabit

Enclosure

ADDITIONAL INFORMATION REQUESTS
Manitoba Hydro's Bipole III Transmission Project – Response to Public EIS Review and TAC Comments

Manitoba Hydro Response 001a

- Please identify what, if any information obtained from First Nations or Métis support the modelling conclusions reached for the intact forested peat lands complex in the Mafeking area is not high quality habitat for moose?
- Please clarify what, if any information obtained from First Nations or Métis assist in the description of moose habitat for the Mafeking area; specifically information collected via ATK Workshop questions Forestry, #51-66 or Mammals #120-142, Appendix #5, Traditional Knowledge Technical Report #1, or Independent ATK Studies?

Manitoba Hydro Response 001b

- Please identify what if any information obtained from First Nations or Métis support the balance reached for routing selection through the known wintering area of the Wabowden boreal woodland caribou herd?
- Did the land use conflicts cited in this Response include information received from First Nations or Métis about Aboriginal use of land for traditional purposes (i.e, domestic use of resources for subsistence purposes)?
- Please describe how any future consultations with First Nations or Métis would be executed by Manitoba Hydro in the event of a routing change?

Manitoba Hydro Response 002a

- Please identify how information from First Nations or Métis will inform the identification of environmentally sensitive sites in the field by Manitoba Hydro field personnel?
- Please clarify how that information will be obtained from First Nations and Métis, including specific timelines for its collection.

Manitoba Hydro Response 002c

- Please identify what if any information was collected from First Nations or Métis related to wolverine denning sites in the Bipole Study Area; specifically information collected via ATK Workshop questions Mammals, #120-142, Appendix #5, Traditional Knowledge Technical Report #1, or Independent ATK Studies?

Manitoba Hydro Response 002d

- Please identify, what if any information was obtained from First Nations or Métis regarding the Cape Churchill coastal herd populations; specifically, what information collected via ATK Workshop questions Mammals, #120-142, Appendix #5, Traditional Knowledge Technical Report #1, or Independent ATK Studies?

- Please identify, what if any quantitative information was obtained from First Nations or Métis regarding harvesting of caribou in this area to support conclusions reached?

Manitoba Hydro Response 002e

- Please identify, what if any information was collected directly from First Nation or Métis by Manitoba Hydro that support conclusions reached for Coastal Caribou? Specifically, is this information captured as "anecdotal information" cited in this response?
- Please identify if any quantitative information was captured from First Nation or Métis via ATK Workshop questions Mammals, #120-142, Appendix #5, Traditional Knowledge Technical Report #1 or Independent ATK Studies?

Manitoba Hydro Response 002i

- What if any information was collected directly from First Nations or Métis to support the conclusions reached by the modelling exercise conducted for the identification of marten, caribou, moose and beaver habitat? Specifically, was information collected via ATK Workshop questions Mammals, #120-142, Appendix #5, Traditional Knowledge Technical Report #1 used by wildlife disciplines (as described in methodology Section 3.2 Traditional Knowledge Technical Report #1)?

Manitoba Hydro Response 002j

- The consent form (Appendix 6, Traditional Knowledge Technical Report #1) used by Manitoba Hydro clearly states collected information would be used for the Environmental Assessment process. The consent form does not state that information (including spatial information) would not be available for review. Please provide evidence that interviewees (or their leadership) understood Manitoba Hydro would not share information collected, particularly when that information would be requested by the Crown for the purposes of the environmental assessment.
- If Hydro will not provide information to the Crown for review, please confirm that ATK information (including consent forms, transcripts and/or recordings, spatial data, including original mark up maps) will be provided to each First Nation and Métis group leadership in a timely fashion (as described in the methodology section 3.4 of this Report) for their review.
- Confirm which First Nations and Métis provided spatial data for use in constraints mapping used in the SSEA (Chapter 7, Appendix 7A); also, please confirm which First Nations or Métis prohibited Manitoba Hydro from using spatial data in constraints mapping.
- Please clarify further why obtaining consent would be difficult if Manitoba Hydro has access to the recording list of participants as described in the Consent Form, Appendix 6 Traditional Knowledge Technical Report #1?

Manitoba Hydro Response 003a

- It appears that none of the 28 criteria used by Manitoba Hydro in the SSEA process included any criteria for subsistence or domestic use of land and resources, or other Aboriginal interests. Please identify how input from First Nations and Métis influenced the selection of the 28 criteria for use in site selection process, as the use of this dataset was critical in the selection of the FPR.
- Please provide evidence from the consultation process undertaken by Manitoba Hydro with First Nations or Métis that no concerns (or preferably support) were identified for routing of FPR West Side of Lake Winnipegosis and Lake Manitoba by First Nations or Métis.

Hydro Response 006a

- As MH sates, "Imperative to a successful SSEA process is the use of good data...Therefore, MH went to great lengths to acquire all available data relative to the Project study area," please identify how spatial information was or was not used from the Independent ATK Studies undertaken by individual First Nations and the MMF in the SSEA process.
- Please clarify if the Construction Phase Environmental Protection Plan has been developed as suggested in this response.

Manitoba Hydro Response 006e

- Please identify if Table 7, Table of Constraints (p.87), Section 5.4 of the Traditional Knowledge Report #1 is a comprehensive list of outstanding concerns of each First Nation and Métis community identified in the Table (specifically, Chemawawin, Dakota Plain, Dakota Tipi, Pine Creek, Waywayseecappo, Fox Lake First Nation, Long Plain First Nation, MMF, Opaskwayak Cree Nation, Swan Lake First Nation, Tataskweyak Creek Nation and Wuskwi Sipihk First Nation).
- Please identify what if any outstanding concerns remain for those First Nations or Métis communities consulted by Manitoba Hydro **not** identified in Table 7?
- Please clarify if items listed as "Concerns" in Table 7 are identified effects (using definitions outlined in Volume 1, Section 4.2.8 of the EIS)? If not, please clarify if Manitoba Hydro concurs with the identified concerns as described as requiring mitigation measures?
- Please clarify if items listed as "Requirement" were mitigation measures identified by the First Nation or Métis community identified in Table 7. Also, please identify if these requirements were satisfied by Manitoba Hydro or if there are outstanding implementation concerns.
- Please identify the nature of items identified as "Constraints" and if items listed as "Constraints" influenced the selection of the FPR? If no, please provide reasons why.
- Please provide clarification on how Table 7 "Concerns" and Appendix 12 "Environmental Effects" of the Traditional Knowledge Report #1 are related (specifically for Pine Creek, Dakota Plains, Dakota Tipi). Also please clarify if Appendix 12 is a fulsome listing of sensitive sites collected by Manitoba Hydro? Also, please clarify if mitigation measures will be developed for each Env Eff as identified in Appendix 12.
- Please identify if polygon locations identified in Appendix 12 can be reviewed can be reviewed by Pine Creek, Dakota Plains and Dakota Tipi for accuracy?

- Please identify how Self-Directed ATK Studies influenced Appendix 12 or constraints mapping outlined in Chapter 7, Appendix 7A?
- Please clarify the statement "remaining areas that are not accessible due to lack of permission to access will be monitored during construction"?

Manitoba Hydro Response 008f

- Please identify any plant communities of importance for gathering or plant communities of importance to support wildlife populations as identified by First Nations and Metis communities (as per questions #99 – 119, Appendix 5, Traditional Knowledge Report #1)

- Please explain how Manitoba Hydro plans to involve this information in its mitigation efforts to prevent the spread of invasive plant species and noxious weeds to these areas during construction activities.

Manitoba Hydro Response 010a

- Please identify a complete listing of outstanding concerns identified by SLFN.
- Please identify any issues and concerns SLFN has with the mitigation measures identified in the outlined draft Environmental Protection Measures
- Please identify the consultation process with SLFN that will be used to develop additional mitigation measures for consideration by Manitoba Hydro in the EPP.

Manitoba Hydro Response 010b

- Please identify how Environmentally Sensitive Sites were (or will be) identified with First Nations and Métis communities for use in the development of the final EEP or Construction Phase Environmental Protection Plans?

Manitoba Hydro Response 011b

- Please clarify if Response 011a, 011b and 011c is meant to address all comments identified in MMF submissions dated March 16, 2012?

Manitoba Hydro Response 011c

- Please describe the manner in which "clearly identified sensitive sites" will be inventoried by Manitoba Hydro for non-chemical vegetation management for First Nations and the MMF?