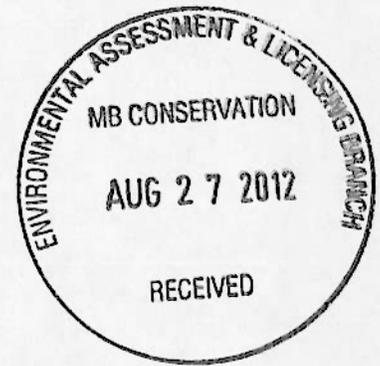


**Manitoba**   
**Conservation and Water Stewardship**

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  
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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 states, “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?

## Dagdick, Elise (CON)

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**From:** Kaita, Adara (CON) on behalf of +WPG1212 - Conservation\_Circulars (CON)  
**Sent:** August-27-12 2:52 PM  
**To:** Dagdick, Elise (CON)  
**Subject:** Bipole III - Supplemental information - File: 5433.00

The Lands Branch of Manitoba Conservation and Water Stewardship note the following:

On map sheet #24 the line main location should remain on the WEST side of PR#10 at Red Deer River Provincial Park and not cross to the east side of #10 until it gets to the Steeprock WMA. This would reduce having the line cut thru 2 cottage subdivisions along with local resident housing areas. This westward swing would also avoid great blue heron nesting sites along the shores of the Red Deer River.

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**From:** Kaita, Adara (CON) **On Behalf Of** +WPG1212 - Conservation\_Circulars (CON)  
**Sent:** August-13-12 4:02 PM  
**To:** Holmes, Glen (CON); Roberge, Elvira (CON); Harms, Jenny (CON); Sobkowich, Dale (CON); Hastman, David (CON); Misanchuk, Lorne (CON); Armstrong, Mike (CON); Campbell, Lyle (CON)  
**Subject:** Bipole III - Supplemental information - File: 5433.00

Manitoba Hydro has provided supplemental information to the Bipole III Transmission Line Environmental Impact Statement (File 5433.00). The document is available at [http://www.hydro.mb.ca/projects/bipoleIII/bpIII\\_supplemental\\_materials\\_july\\_31\\_12.pdf](http://www.hydro.mb.ca/projects/bipoleIII/bpIII_supplemental_materials_july_31_12.pdf).

Information provided in the document includes:

1. **Overview:** overview to the Supplemental Material;
2. **Errata:** identified errors in the December 2, 2011 EIS and updates to provide corrections.
3. **Socio-Economic Supplemental Filing:** provides in five separate attachments relevant baseline information, analysis and proposed mitigation consistent with the Keyask EIS filed July 6, 2012. This information is focused on updates, addressing gaps and refining effects assessment regarding community services, public safety and worker interaction focused in particular on Gillam and FLCN.

Please provide any comments on the material by **August 16, 2012**.

July 30<sup>th</sup>, 2012

Dear Ms. Elise Dagdick,

The Wildlife Branch has reviewed the response by Manitoba Hydro to the Environmental Approvals Branch request for more information with respect to the Environmental Impact Assessment, client file # 5433 "Manitoba Hydro – Bi-pole III Transmission Project: A Major Reliability Initiative"

**1. Question MCWS/MH-TAC-001a**

- Manitoba Conservation Wildlife Branch continues to be very concerned that the moose population in GHA 14, 14A, which is currently extremely reduced in number, would be irreversibly impacted by the development of a new linear feature through critical habitat supporting the remnant population in these GHAs. The main area of concern is a contiguous piece of habitat known as "Moose Meadows". Although the environmental assessment suggests that this area has low moose habitat quality, long term aerial surveys conducted by the Wildlife Branch indicate that it supports a significant moose population. If the final preferred route (FPR) is developed as proposed, the following negative impacts are expected to occur for moose in GHA 14,14A:
  - Improved access for hunters or poachers. A new linear feature will allow easier access to the remote moose populations. Currently, moose populations are only effectively protected by their inaccessible location.
  - Increased predation by wolves. Wolves will be better able to access the areas of high moose density, and subsequently there will be increased predation rates on this moose population.
  - There will be loss of habitat from the transmission line and right-of-way.
- Manitoba Conservation Wildlife Branch is aware that this area has historically been an important area for Aboriginal rights-based and licensed hunting. This region is currently subject to a moose hunting conservation closure (no harvest by anyone), and that a significant investment is being made by Manitoba to support moose recovery. **Allowing for a new linear corridor to run through critical moose habitat would negate these efforts. No mitigation options will adequately address moose related concerns. Avoidance** of the area known as "Moose Meadows" is the only way to prevent a significant impact to moose in GHA 14.
- Wildlife Branch suggests that an alternative route, as close to PTH 10 as possible, be developed instead.

**2. MCWS/MH-TAC-001a**

- Manitoba Conservation Wildlife Branch biologists are concerned about potential impacts to moose with respect to the portion of the FPR that crosses GHA 19A. The FPR bisects the middle of the GHA, directly through a large region of inaccessible, contiguous high-quality moose habitat. MB Conservation has very limited data on this critical habitat and moose population in this region, but believes that the FPR is very likely traversing critical habitat for the moose population. Moose Habitat Suitability Mapping done by MB Hydro in GHA 19A supports this and suggests the FPA is traversing important moose habitat. If the FPR is developed as proposed, the following negative impacts are expected to occur for moose in GHA 19A:
  - Improved access for hunters or poachers. A new linear feature will allow easier access to the remote moose populations. Currently, moose populations are only effectively protected by their inaccessible location.
  - Increased predation by wolves. Wolves will be better able to access the areas of high moose density, and subsequently there will be increased predation rates on this moose population.
  - There will be loss of habitat from the transmission line and right-of-way.
- Manitoba Conservation Wildlife Branch is aware that this area has historically been an important area for Aboriginal rights-based and licensed hunting. This region is currently subject to a moose hunting conservation closure (no harvest by anyone), and that a significant investment is being made by Manitoba to support moose recovery. **Allowing for a new linear corridor to run through critical moose habitat would negate these efforts. No mitigation options will adequately address moose related concerns.**

Avoidance of the large portion of contiguous habitat is **probably the only way to prevent** a significant impact to moose in GHA 19A.

**3. Question MCWS/MH-TAC-001b**

- Manitoba Conservation Wildlife Branch continues to be very concerned about potential impacts to woodland caribou with respect to the portion of the FPR that crosses GHA 9A, near the community of Wabowden.
- MB Hydro acknowledged that routing Bipole III north of the railway tracks along PTH 6 would reduce adverse effects to caribou and would improve system security by increasing the distance between Bipoles I, II and III.
- Woodland Caribou continue to be listed as “threatened” under Manitoba’s Wildlife Act. Developing Bipole III through this critical habitat would contradict “Manitoba’s Conservation and Recovery Strategy for Boreal Woodland Caribou-2005” and potentially violate the Endangered Species Act.
- Manitoba Conservation Wildlife Branch would like to ensure that MB Hydro is aware that Aboriginal peoples have unique and special relationship with boreal woodland caribou.
- Manitoba Conservation Wildlife Branch believes that potential impacts to the Wabowden caribou population from the current FPR routing are **negative and significant**. Bipole III must be positioned adjacent to PTH 6 and the railway from Wabowden to Ponton and north of Hargrave Lake.
- Attached are 2 maps of the Wabowden range showing areas used by caribou related to Bipole III FPR.





**Additional Comments: MCWS/MH-TAC-002e**

- This section indicates that no surveys have been conducted on Pen Island caribou since the mid 1990s. This is not accurate.
- Coordinated aerial surveys were completed by Manitoba Conservation and Water Stewardship and Ontario Ministry of Natural Resources in both 2008 and 2009. Summer surveys were flown through traditional Pen Island post-calving areas to determine current distribution and a minimum population estimate for the Pen Island herd. Results indicated a shift from traditional range use near the Pen Island east towards Cape Henrietta Maria on James Bay. The survey also illustrated a decrease in use of the Hudson Bay coast by Pen Island caribou during the post-calving period.
- Results of the 2008 and 2009 surveys are described in **Rangifer**, Special Issue No. 20, 2012 titled "Recent changes in summer distribution and numbers of migratory caribou on the Hudson Bay coast".

4. Manitoba Conservation- Wildlife Branch notes that MB Hydro does not have a response to Wildlife Branch's concerns regarding the impact Bipole III will have in the **Churchill Wildlife Management Area (WMA)** and the **Tom Lamb WMA**, and the requirement to provide compensation for impacts to these lands. These Crown lands have been designated for the management, conservation and enhancement of the wildlife resource of the province and are under consideration for inclusion in the Province's Protected Areas Initiative. This proposed development will negatively affect habitat and result in significant impacts associated with vehicle use and habitat fragmentation. It is recognized that the right of way cannot be relocated in these WMAs. Where avoidance of impact on habitat in a WMA is not feasible, as in this case, financial compensation is required to ensure no net loss of habitat or productivity. Please confirm that MB Hydro will work with Wildlife Branch to provide compensation for impacts to these lands.

5. **Question MCWS/MH-TAC-001c**

Manitoba Conservation – Wildlife Branch continues to be concerned with the proximity of the FPR to the Langruth and Whitemud WMAs. Hydro-electric development is prohibited in these WMAs and any activity by or on behalf of Manitoba Hydro on these lands will be subject to prosecution. An 800 meter buffer is recommended to avoid any inadvertent encroachment on a WMA.