

SUBJECT AREA: Public Engagement, None

REFERENCE: EIS, Chapter 3 and Appendix 3A

QUESTION:

Why is Canadian Pacific considered to be a stakeholder group, and what feedback (if any) did it provide to Manitoba Hydro?

RESPONSE:

- 1 Manitoba Hydro notifies rail companies as they are an interested landowner in the area.
- 2 Through recent work undertaken by rail companies, a buffer of 1km is preferred if paralleling
- 3 due to potential for induction and electrical effects on signaling systems. Manitoba Hydro has
- 4 processes to work with rail operators during design.

SUBJECT AREA: Public Engagement, None

REFERENCE: EIS, Chapter 3 and Appendix 3A

QUESTION:

Why is CN Rail considered to be a stakeholder group, and what feedback (if any) did it provide to Manitoba Hydro?

RESPONSE:

- 1 Manitoba Hydro notifies rail companies as they are an interested landowner in the area.
- 2 Through recent work undertaken by rail companies, a buffer of 1km is preferred if paralleling
- 3 due to potential for induction and electrical effects on signaling systems. Manitoba Hydro has
- 4 processes to work with rail operators during design.

SUBJECT AREA: **Routing, None**

REFERENCE: **EIS, Chapter 4, section 4.3.1**

QUESTION:

What is meant by the “study area”?

RESPONSE:

- 1 Please refer to Map 5-2 found in Chapter 5.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.3.1

QUESTION:

“Proximity to the study area (40km)” is ambiguous – please clarify what this means.

RESPONSE:

- 1 Please refer to response SCO-IR-019.

SUBJECT AREA: First Nation and Metis Engagement, Public Engagement

REFERENCE: EIS, Chapter 4, section 4.3.2.7

QUESTION:

Did workshops occur on November 1, 2013, or is that the date that invitations were sent? In any event, how many workshops occurred and when?

RESPONSE:

- 1 The invitations were sent on November 1, 2013. Two workshops were held:
- 2
 - Winnipeg (Norberry-Glenlee Community Centre), November 15, 2013
- 3
 - Steinbach, Freidensfeld Community Centre, November 19, 2013

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.3.2.7

QUESTION:

Please provide list of attendees at each workshop.

RESPONSE:

- 1 Please refer to the Manitoba-Minnesota Transmission Project Summary of Round 1 Public
- 2 Engagement Process Technical Data Report for information on attendance at the workshops.

SUBJECT AREA: First Nation and Metis Engagement, Public Engagement

REFERENCE: EIS, Chapter 4, section 4.3.2.7

QUESTION:

Please provide details on opportunities for the attendees at the workshops to:

- a) Determine route selection criteria most important to stakeholder groups?
- b) Identify preferences and concerns regarding the alternative routes and preferred border crossings?
- c) Address the route selection criteria selected (working groups) and suggest modifications?
- d) Determine local issues and concerns?
- e) Discuss mitigation strategies?

RESPONSE:

- 1 Please refer to the Manitoba-Minnesota Transmission Project Summary of Round 1 Public
- 2 Engagement Process Technical Data Report for information on opportunities for attendees at
- 3 the workshops to discuss, identify and provide information and feedback.

SUBJECT AREA: **Routing, None**

REFERENCE: **EIS, Chapter 4, section 4.3.2.7**

QUESTION:

Please provide details of the preferences and concerns (if any) of the workshops regarding the alternative routes and preferred border crossings.

RESPONSE:

- 1 Please refer to response SSC-IR-187.

SUBJECT AREA: **Routing, None**

REFERENCE: **EIS, Chapter 4, section 4.3.2.7**

QUESTION:

Please provide details on the impact (if any) of the workshops on route selection criteria

RESPONSE:

- 1 The impact of the workshop feedback on criteria is outlined in response SSC-IR-072.

SUBJECT AREA: **First Nation and Metis Engagement , Routing**

REFERENCE: **EIS, Chapter 4, section 4.3.2.7**

QUESTION:

Please provide details of the concerns shared (if any) regarding the transmission line routing and environmental assessment processes.

RESPONSE:

- 1 Please see the Public Engagement Technical Data Report for the details of concerns shared
- 2 during the two Stakeholder Workshops.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.3.2.7

QUESTION:

Please provide meeting notes from the workshops. If meeting notes are not available, please explain why.

RESPONSE:

- 1 Please refer to the Manitoba-Minnesota Transmission Project Summary of Round 1 Public
- 2 Engagement Process Technical Data Report (Section 3.2) for information on the workshops.
- 3 Workshop results are summarized in Appendices C3, C4 and C5 of the Round 1 Public
- 4 Engagement Technical Data Report.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.5.2

QUESTION:

One of the general routing preferences was “avoiding Crown land where possible to protect for TLE selection opportunities”. Please provide details of any specific Crown land referred to (if any).

RESPONSE:

- 1 This preference, heard from participants in the First Nations and Metis Engagement process,
- 2 referred to any Crown land in southern Manitoba due to limited TLE selection opportunities in
- 3 southern Manitoba.

SUBJECT AREA: First Nation and Metis Engagement, Routing

REFERENCE: EIS, Chapter 4, section 4.5.2

QUESTION:

Please provide details of the “advancement from previous assessments and a progression from the transmission line routing process undertake decades in the past”.

RESPONSE:

- 1 Manitoba Hydro’s approach to development, and related approach to community engagement,
- 2 has evolved over time. Please see the “Lessons Learned” section in the assessment and
- 3 engagement chapters of the EIS.

SUBJECT AREA: First Nation and Metis Engagement, Routing

REFERENCE: EIS, Chapter 4, section 4.5.3.4

QUESTION:

Please provide details about how “potential effects of routing on undisturbed lands where First Nations people can exercise their Aboriginal and Treaty Rights were taken into consideration during the routing process”.

RESPONSE:

- 1 The projects effects have not been discussed in the context of “rights” but rather in the context
- 2 of Manitoba Hydro’s understanding of valued traditional activities, practices, areas and
- 3 resources that are of cultural importance.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.5.5.2

QUESTION:

Please advise whether the “concerns with potential effect on unoccupied Crown lands and TLE” were general or specific to Long Plain First Nation.

RESPONSE:

- 1 Representatives from Long Plain First Nation specifically shared their concerns about potential
- 2 effects on unoccupied Crown lands and TLE. This concern was also shared by others through
- 3 the FNMEP.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.5.5.2

QUESTION:

How does “Manitoba Hydro’s assessment process include clear information on TLE effects”? In any event, please provide specific details about the TLE effects of the Manitoba-Minnesota Transmission Project.

RESPONSE:

- 1 For the Manitoba-Minnesota Transmission Project, Treaty Land Entitlement selections were
- 2 identified as an area of least preference. For more information, please refer to Chapter 5.
- 3 Routes for the MMTP were not developed across any known Treaty Land Entitlement
- 4 selections; therefore, there are no anticipated potential effects.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.5.5.2.1

QUESTION:

Please explain why “concerns about riparian areas near La Broquerie” are referred to in connection with Long Plain First Nation.

RESPONSE:

- 1 Long Plain First Nation representatives shared concerns about riparian areas near La Broquerie.
- 2 Please see Chapter 4 for more information.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, Section 4.5.5.3

QUESTION:

In the third bullet point, please identify which potential effects, which Crown lands and which First Nations are being referred to.

RESPONSE:

- 1 The third bullet was referring to concerns identified by Long Plain First Nation and their
- 2 perspective that Crown land with a transmission line is less desirable for future TLE selection.
- 3 Map 16-8 identifies Crown Lands. Long Plain First Nation, Swan Lake First Nation, Roseau River
- 4 Anishinabe First Nation, Peguis First Nation, Brokenhead Ojibway Nation, and Buffalo Point First
- 5 Nation still have outstanding entitlement in the Province under Manitoba's Treaty Land
- 6 Entitlement Process.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.5.6.2

QUESTION:

In the seventh bullet point, please advise whether the Crown lands and TLE selections being referred to are general or specific to Swan Lake First Nation.

RESPONSE:

- 1 Representatives from Swan Lake First Nation specifically shared their concerns about potential
- 2 effects on Crown lands and TLE selections. These concerns were also shared by others through the
- 3 FNMEP.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.5.6.3

QUESTION:

In the fourth bullet point, please identify which potential effects, which Crown lands and which First Nations are being referred to.

RESPONSE:

- 1 The fourth bullet was referring to concerns identified by Swan Lake First Nation and their
- 2 perspective that Crown land with a transmission line is less desirable for future TLE selection.
- 3 Map 16-8 identifies Crown Lands. Long Plain First Nation, Swan Lake First Nation, Roseau River
- 4 Anishinabe First Nation, Peguis First Nation, Brokenhead Ojibway Nation, and Buffalo Point First
- 5 Nation still have outstanding entitlement in the Province under Manitoba's Treaty Land
- 6 Entitlement Process.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.5.7.1

QUESTION:

Please advise how Buffalo Point First Nation’s unwillingness to “agree to new construction unless Manitoba Hydro is willing to discuss and reopen past agreements regarding previous Hydro projects in their territory” affected each stage of the route selection process.

RESPONSE:

- 1 Buffalo Point First Nation’s unwillingness to “agree to new construction unless Manitoba Hydro
- 2 is willing to discuss and reopen past agreements regarding previous Hydro projects in their
- 3 territory” was acknowledged by Manitoba Hydro; however, it had no effect at any stage of the
- 4 transmission line routing process.

SUBJECT AREA: [Primary Subject Text], None

REFERENCE: EIS, Chapter 4, section 4.5.7.1

QUESTION:

Why is Manitoba Hydro unwilling to discuss and reopen past agreements regarding previous Hydro projects in Buffalo Point First Nation territory?

RESPONSE:

1 While this question is out of scope, we will advise that Manitoba Hydro does not have any
2 agreements with Buffalo Point related to previous hydro projects in the area. The references to
3 historic flood claims in SSC-IR-211_Attachment1 are in relation to the control and impounding
4 of the Lake of the Woods in the late 19th century. The issues arising from the decisions of
5 Canada and Ontario to control and impound the Lake of the Woods are the subject of a number
6 of longstanding claims against those governments by other Treaty 3 First Nations. Manitoba
7 Hydro and its predecessors were not involved in these decisions or developments.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.5.7.1

QUESTION:

Please confirm that routes BZG, DKT and other similar routes were eliminated by Manitoba Hydro to avoid discussing and reopening past agreements with Buffalo Point First Nation.

RESPONSE:

- 1 BZG, DKT and other similar routes were not eliminated by Manitoba Hydro to avoid discussions
- 2 with Buffalo Point First Nation, please refer to SSC-IR-202.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.5.7.1

QUESTION:

Please identify the past agreements and previous Hydro projects referred to.

RESPONSE:

- 1 The “126 year old flood claim” referenced by Buffalo Point in (SSC-IR-211_Attachment1 and SSC-IR-
- 2 211_Attachment2) relates to the decisions of Ontario and Canada to control and impound the Lake of
- 3 the Woods, including the Rollerway Dam and Norman Dam. Manitoba Hydro and its predecessors were
- 4 not involved in these decisions or developments.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.5.8.3

QUESTION:

What is the “discrepancy between Manitoba Hydro’s relationship with northern versus southern First Nations”?

RESPONSE:

- 1 The above statement was included under Section 4.5.8.3 as a perspective shared by a
- 2 community. From Manitoba Hydro’s perspective the nature of Manitoba Hydro’s relationship
- 3 with individual First Nations varies on a case-by-case basis, depending on a variety of factors
- 4 (e.g. proximity to Manitoba Hydro projects and operations).

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.5.11.1

QUESTION:

In the first bullet point, please identify which potential effects, which Crown lands and which First Nations are being referred to.

RESPONSE:

- 1 The first bullet was referring to concerns identified by Dakota Plains Wahpeton First Nation
- 2 about the potential effects of routing on Crown lands and the ability to practice traditional
- 3 activities where First Nations people can exercise their Aboriginal rights. Please see Table 4B-6
- 4 for a summary of concerns and comments from Dakota Plains Wahpeton First Nation and
- 5 Manitoba Hydro's responses.

- 6 Map 16-8 identifies Crown Lands.

- 7 It is Manitoba Hydro's understanding that Dakota Plains Wahpeton First Nation was broadly
- 8 referencing all First Nations.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.5.13.2

QUESTION:

Did any First Nation share future planned TLE selections with Manitoba Hydro and, if so,

- a) Please provide details of those future planned TLE selections; and
- b) Advise whether Manitoba Hydro took any steps to “avoid the area through the routing process”?

RESPONSE:

- 1 First Nations did not share the location of any future planned TLE selections with Manitoba
- 2 Hydro; however, Manitoba Hydro identified TLE lands through a geospatial dataset provided by
- 3 the Province of Manitoba. Please refer to response SSC-IR-033.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, section 4.5.13.4

QUESTION:

In the fifth bullet point, please identify which potential effects, which Crown lands and which First Nations are being referred to.

RESPONSE:

- 1 The fifth bullet was referring to concerns identified by Peguis First Nation and their perspective
- 2 that Crown land with a transmission line is less desirable for future TLE selections. Map 16-8
- 3 identifies Crown Lands. Long Plain First Nation, Swan Lake First Nation, Roseau River Anishinabe
- 4 First Nation, Peguis First Nation, Brokenhead Ojibway Nation, and Buffalo Point First Nation still
- 5 have outstanding entitlement in the Province under Manitoba's Treaty Land Entitlement
- 6 Process.

SUBJECT AREA: First Nation and Metis Engagement , None

REFERENCE: EIS, Chapter 4, section 4.5.15.3

QUESTION:

In the third bullet point, please identify which potential effects, which Crown lands and which First Nations are being referred to.

RESPONSE:

- 1 The third bullet was referring to concerns identified by Roseau River Anishinabe First Nation
- 2 and their perspective that Crown land with a transmission line is less desirable for future TLE
- 3 selection. Map 16-8 identifies Crown Lands. Long Plain First Nation, Swan Lake First Nation,
- 4 Roseau River Anishinabe First Nation, Peguis First Nation, Brokenhead Ojibway Nation, and
- 5 Buffalo Point First Nation still have outstanding entitlement in the Province under Manitoba's
- 6 Treaty Land Entitlement Process.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, Appendix 4A

QUESTION:

Pages 4A-4, 6, 8, 10, 13, 18, 21 and 23 refer to an e-mail invitation to a workshop sent on October 31, 2013. Is this one of the workshops referred to in section 4.3.2.7?

RESPONSE:

1 Yes.

SUBJECT AREA: First Nation and Metis Engagement, None

REFERENCE: EIS, Chapter 4, Appendix 4A

QUESTION:

Please provide copies of the letter from Buffalo Point First Nation received by Manitoba Hydro on December 4, 2013, Manitoba Hydro's response sent on January 17, 2014 and Buffalo Point First Nation's letter sent to Stan Struthers.

RESPONSE:

- 1 Please refer to responses SSC-IR-211_Attachment1, SSC-IR-211_Attachment2, and SSC-IR-
- 2 211_Attachment3.



November 18, 2013

Lindsay Thompson
Licensing & Environmental Assessment Department
P.O. Box 7950 Stn Main
820 Taylor Avenue, Winnipeg, MB.
R3C 0J1

Dear Lindsay,

**SUBJECT: Proposed Manitoba–Minnesota Transmission Project:
Alternative Routes and Potential Border Crossings**

Manitoba Hydro is proposing the construction of a 500-kilovolt alternating current (AC) transmission line in southeast Manitoba known as the Manitoba-Minnesota Transmission Project. This project is needed to support export sales to the United States and improve the reliability and security of electricity supply in emergency and drought situations. The new line will also increase access to markets in the United States for future export sales.

At this time Buffalo Point, within the Treaty #3 Territory is not prepared to agree on any new construction as noted above, until there is an agreement and a genuine process to settle the 126 year old flood claim of Buffalo Point and to reopen past arrangements on transmission lines that have been protected under the grandfather clause and prevented First Nation access in order to share in the sales and profits when using our traditional territory. If you want to meet with Buffalo Point Council on your matter, you will have to be prepared to address these concerns.

The water flowing from Lake of the Woods into Lake Winnipeg continues to flood our priceless community beaches and waterfront leased lots and the "loss of use" compensation continues to rise each year. These damages need to be addressed sooner than later.

Treaty #3 Territory requires a royalty provision through use of natural resources and the sharing of sales/profits/benefits must be extended from crown governments and/or its corporations to First Nations. First Nations cannot be ignored from such benefits, especially when we continue to experience loss and diminished rights from any land and natural resource developments.

I trust you will take these concerns to the appropriate levels.

Respectfully,

Hereditary Chief John Thunder
Treaty # 3 Territory



P.O. Box 7950 Stn Main, 820 Taylor Avenue • Winnipeg Manitoba Canada • R3C 0J1
Telephone / N° de téléphone: 204-360-4632
Fax / N° de télécopieur: (204) 360-6176
lthompson@hydro.mb.ca

Chief John Thunder
Buffalo Point First Nation
P.O. Box 1037
Buffalo Point, MB R0A 2W0

January 17, 2014

Dear Chief Thunder:

Proposed Manitoba–Minnesota Transmission Project: Alternative Routes and Potential Border Crossings

Thank you for the letter of November 18, received on December 4, 2013, regarding the Proposed Manitoba-Minnesota Transmission Project.

Manitoba Hydro reiterates its request to have an initial meeting with Buffalo Point First Nation to share information, answer questions and discuss any concerns the community may have regarding the proposed transmission Project.

As you are aware, the issues arising from decisions of Canada and Ontario to control and impound Lake of the Woods are the subject of a number of claims against those governments by other Treaty 3 First Nations. Manitoba, we understand, is involved to some degree as well. In the face of such litigation involving the governments, Manitoba Hydro will not be engaging in any separate discussions regarding an agreement on the 126 year old flood claim. As you have also observed, issues surrounding transmission lines are settled and are not, from Manitoba Hydro's perspective, open to question. Manitoba Hydro will not consider reopening any past agreements on transmission lines. Sharing ownership of transmission lines would require amendments to *The Manitoba Hydro Act* and Manitoba Hydro is not prepared to support such amendments. Shared ownership of assets that do not, in and of themselves, generate revenue would not be desirable, nor would the complexities of managing and operating those complex assets be made less complicated if ownership was shared with persons inexperienced in such operations.

We would suggest that the appropriate venue for Buffalo Point First Nation to raise these concerns and its views on rights and interests is with Manitoba during the Crown consultations related to this project. While the Crown consultation process will be the most appropriate venue for the issues you have identified to be raised and discussed, Manitoba Hydro would still

like to have an initial meeting with Buffalo Point First Nation to provide your community with more information about the proposed project. Manitoba Hydro understands that Buffalo Point First Nation's participation in any information meeting would not in any way denote community support for the project, nor replace the need for a Crown consultation process. I will call you to further discuss your willingness to set up an initial meeting to discuss this specific project. In the meantime, if you have any questions, please contact me directly at (204) 360-4632 or by email at lthompson@hydro.mb.ca.

Further Project information can be found on our website at www.hydro.mb.ca/mmtp.

Sincerely,

Original Signed By

Lindsay Thompson
Licensing & Environmental Assessment Department

cc. Councillor Herman Green



February 19, 2014

Honourable Stan Struthers
Minister Responsible for Manitoba Hydro
301 Legislative Building, 450 Broadway
Winnipeg, MB. R3C 0V8

Dear Mr. Minister,

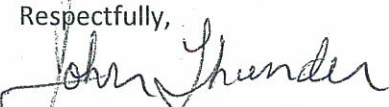
Subject: Hydro Concerns and Issues

We have been in communication with Lindsay Thompson, who works for Manitoba Hydro under the Licensing & Environmental Assessment Department. This is in reply to her letter dated January 17, 2014 in regards to the proposed Minnesota- Manitoba transmission line. She states that our issues need to be addressed by Manitoba Government rather than Hydro. After 5 years of negotiations with treaty land entitlement where the Manitoba Government continually took the position that when it came to flood zones, easements and right of ways we had to deal with Hydro, we actually called it the tail wagging the dog. Now she says we need to deal with Manitoba.

We don't have a problem in who we deal with but we need to stop this moving target that has plagued the First Nations in these bad faith negotiations. Either way we will continue to take the position that until our past wrongs are corrected no further development will be allowed in our traditional territory.

We also need to start actually benefiting from the billions that flow through our front door and out our back door. Not only are we owed for 126 years worth of loss of use but will have a share of these revenues. Treating one and not treating another is no longer an accepted practice and will not be tolerated. Fair and equitable is what is required and it would be in every ones best interest to participate in a mutually beneficial process.

Respectfully,


Hereditary Chief John Thunder
Treaty # 3 Traditional Territory

c. **Lindsay Thompson**, Manitoba Hydro
Box 7950 Stn Main
820 Taylor Avenue, Wpg. MB. R3C 0J1

Treaty # 3 Grand Chief, Warren White
P.O. Box 1720, Kenora, Ontario, P9N 3X7