

August 28, 2017

Suite 2670, 360 Main Street
Winnipeg, Manitoba R3C 3Z3
P 204 943.6740
F 204 943.3934
E lawyers@hillco.mb.ca
hillco.mb.ca

Dave Hill
Bob Sokalski
Sherri Walsh
Derek M. Olson
Christian Monnin
Kevin D. Toyne
Michael J. Weinstein
Jennifer L. Gaba
Brett A. Steidl
Amy J. MacAngus

Counsel:

Hon. Peter S.
Morse, Q.C. (Retired)

Hon. Richard J.
Scott, O.C. O.M. Q.C.

BY EMAIL AND REGULAR MAIL

The Honourable Rochelle Squires
Minister of Sustainable Development
Room 314 Legislative Building
450 Broadway
Winnipeg, MB R3C 0V8

Dear Minister Squires:

Re: Manitoba Minnesota Transmission Project
Southeast Stakeholders Coalition (the "Coalition")
Our File: 16359

I write to you in connection with Manitoba Hydro's pending application for a Class 3 *Environment Act* license for the proposed Manitoba-Minnesota Transmission Project (the "MMTP") and the imminent delivery of the Clean Environment Commission's report regarding the MMTP to you.

As you may be aware, I represent the Southeast Stakeholders Coalition (the "Coalition"). The Coalition consists of residents of Southeastern Manitoba directly affected by or otherwise concerned about Manitoba Hydro's final preferred route (the "FPR") for the MMTP. The Coalition was an active participant in the public hearing held by the Clean Environment Commission.

Copies of the Coalition's closing submissions and reply submissions to the Commission are enclosed for your review in advance of the Commission's report being delivered to you.¹ The transcript of the oral closing submissions made on behalf of the Coalition is also enclosed.

The purpose of providing these documents directly to you is to ensure that the Coalition's positions and the licensing options that they present are directly available and familiar to you in advance of your receipt of the Commission's report.

Unlike the controversial Bipole III transmission project, the primary purpose of the MMTP is to export power to the American market at a time when other energy sources are becoming less expensive and concerns are being raised about the destruction of traditional territories of Manitoba's First Nations to generate power that undermine Manitoba Hydro's claims that hydro-electric power is "green" power.

¹ Minor revisions to the closing submissions have been made to correct errors contained in the original submissions due to the haste with which they were prepared and submitted to the Commission.

As a result of the Coalition's active participation in Commission's hearing, it became clear that:

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- (a) Manitoba Hydro used a flawed routing methodology to select the FPR;
- (b) Manitoba Hydro failed to properly apply the flawed routing methodology when selecting the FPR, including but not limited to, Manitoba Hydro's discounting of the concerns of private landowners and failing to properly incorporate First Nations and Metis concerns when selecting the FPR;
- (c) the flawed routing methodology and its application resulted in the selection of an inappropriate FPR based on a route that had been repeatedly eliminated as being unsuitable due to poor scores;
- (d) a more appropriate route alternative that more appropriately balances the concerns of private landowners, First Nations and Metis is available but requires additional study and engagement; and
- (e) the commencement of surveying, home purchases and the payment of large sums of money to landowners for easements for a project it has no right to construct on those lands illustrate Manitoba Hydro's profound disrespect for the Commission and the process mandated by your predecessors.

The Coalition therefore opposes the licensing of the MMTP until such time as a more appropriate route has been selected. The more appropriate route alternative was identified by Robert Berrien (one of Canada's foremost experts in this area) and discussed with former Crown Services Minister Schuler and MLAs Graydon, Lagasse and Smook on June 22, 2017.

Copies of Manitoba Hydro Map 5-18 were distributed at that meeting to provide a general overview of the inappropriate FPR and the more appropriate alternative proposed by the Coalition's expert (see Tab 18). The FPR is based on repeatedly rejected route SIL. The more appropriate route alternative is based on routes AY and SGZ and it would continue past Anola to Vivian before turning south and travelling to the east of the Watson P. Davidson Wildlife Management Area before turning southeast towards Piney.

As an alternative to rejecting Manitoba Hydro's licensing application outright, the Coalition suggested to the Commission that it recommend that you only license the non-contentious aspects of the MMTP (Dorsey to Anola, and south of the Watson P. Davidson Wildlife Management Area to the Piney border crossing) until such time as a more appropriate alternative has been developed for the contentious aspects of the FPR. Your authority to license some but not all of the proposed MMTP can be found in section 13 of the *Environment Act*.

LITIGATION COUNSEL

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In the event that you decide to issue the requested license to Manitoba Hydro, the Coalition will respectfully request that you suspend your licensing decision pursuant to section 30 of the *Environment Act* so that the Coalition's appeal to the full provincial Cabinet can proceed without Manitoba Hydro yet again wasting further public resources in the hopes of generating false momentum for one of its projects.

Yours truly,

HILL SOKALSKI WALSH OLSON LLP

Per:

Kevin D. Toyne

KDT/km

Encls.

cc: client (by email)
Hon. Ron Schuler
Hon. Kelvin Goertzen
Cliff Graydon, MLA
Dennis Smook, MLA
Bob Lagasse, MLA