

## **SUMMARY OF COMMENTS/RECOMMENDATIONS**

**PROPONENT:** Manitoba Hydro  
**PROPOSAL NAME:** Manitoba-Minnesota Transmission Project  
**CLASS OF DEVELOPMENT:** 3  
**TYPE OF DEVELOPMENT:** Transportation and Transmission  
**CLIENT FILE NO.:** 5750.00

### **OVERVIEW:**

The Manitoba-Minnesota Transmission Project consists of the construction, operation, and decommissioning of a 213 km long, 500 kilovolt alternating current, international power line from the Dorsey Converter Station (located near Rosser, Manitoba) to the United States border crossing near Piney, Manitoba, where it will connect to a transmission line in Minnesota. The project includes modifications to the existing Dorsey Converter Station, the Riel Converter Station (located near the intersection of Provincial Trunk Highways 101 and 15), and the Glenboro international power line within the Glenboro Station (located south of Glenboro, Manitoba).

The project requires approval under the federal *Canadian Environmental Assessment Act, 2012* and the *National Energy Board Act*. Since it is an international power line, the project would normally only be reviewed and approved under this federal legislation. However, the *National Energy Board Act* allows for a province to designate itself as a provincial regulatory agency for the portions of the transmission line that are within that province. Manitoba issued Order in Council No. 00386/2013 designating the Minister of Sustainable Development (formerly Conservation and Water Stewardship) as the provincial regulatory agency for the proposed Manitoba-Minnesota Transmission Project. Therefore, the Manitoba *Environment Act* now applies and a Class 3 licence pursuant to the Act is required for the project. Manitoba and the federal government are cooperating to reduce duplication of respective environmental assessment processes.

The Environmental Approvals Branch of Manitoba Sustainable Development received a proposal from Manitoba Hydro on November 21, 2014 for the Manitoba-Minnesota Transmission Project. The proposal consisted of an application for a Class 3 licence pursuant to *The Environment Act* for the project and a draft scoping document for an Environmental Impact Statement (EIS) to be prepared and submitted in support of the application.

Copies of the draft scoping document were placed in the Public Registries located at the Legislative Library (200 Vaughan Street), the Winnipeg Millennium Public Library, and the Environmental Approvals Branch Website at <http://www.gov.mb.ca/conservation/eal/registries/5750mbhydrombminnesota/index.html>. A notice soliciting public comments was placed in the Winnipeg Free Press on Saturday, January 10, 2015 and in the Steinbach Carillon on Thursday, January 8, 2015. Copies of the draft scoping document were also provided to the Technical Advisory Committee (TAC), which is composed of provincial government representatives with expertise on the potential impacts of the

project. Comments on the scoping document were also requested from the National Energy Board. The newspaper and TAC notifications invited responses until February 9, 2015.

Based on a review of the comments from the TAC and the public, the Environmental Approvals Branch requested that Manitoba Hydro revise the draft scoping document in a letter dated May 2, 2015. The scoping document was finalized by Manitoba Hydro on June 10, 2015. The document was placed in the Public Registries.

Manitoba Hydro submitted the EIS to the Environmental Approvals Branch on September 22, 2015. Copies of the EIS were placed in the Public Registries. To solicit public comments, a notice was placed in the Winnipeg Free Press on Saturday, October 3, 2015 and in the Steinbach Carillon on Thursday, October 1, 2015. Copies of the EIS were also provided to the TAC. Federal government departments were invited to be a part of the TAC and provide comments to inform the provincial environmental assessment process. The newspaper and TAC notifications invited responses until November 30, 2015.

The Environmental Approvals Branch sent information requests based on the comments on the EIS from the public and the TAC to Manitoba Hydro on March 9, 2016 and February 9, 2016. Manitoba Hydro responded on April 18, 2016. The information requests and responses were placed in the Public Registries. A summary of the Environmental Approvals Branch's review of the public and TAC comments received on the EIS and licence recommendations are provided in this report.

## **ENVIRONMENTAL IMPACT STATEMENT – REVIEW SUMMARY**

The following is a summary of the comments received from the public pertaining to the EIS, additional information requested based on these comments, the responses received, and the disposition of the comments.

## **ENVIRONMENTAL IMPACT STATEMENT – REVIEW OF PUBLIC COMMENTS**

### **List of Public Commenters:**

No.	Name
1	Doug Quark, Sr. VP, The Quark Group
2	Jim Fenske, Chief Administrative Officer, Rural Municipality of Springfield
3	Richard Turenne
4	Ray and Sharon Richard
5	J. Carriere
6	Albert and Monique Bedard
7	Robert Wheeldon, Parkland Mews
8	David Dawson
9	Bernard Fournier
10	Jim Teleglow
11	Edward Rak
12	Ashley Poiron and Mikel Rondeau
13	Robert and Michelle Frankard-Cooper
14	Mike Lambert
15	Darren Bouchard
16	Darryl Beger
17	Jason Madden, Pape Salter Teillet LLP on behalf of the Manitoba Métis Federation (MMF)
18	Alain and Jacqueline Fournier
19	Dr. L. James Shapiro
20	Albert Wolfe

### **Summary of Public Comments and Concerns:**

- Health impacts from electromagnetic fields;
- Decreased property value;
- Preference for the transmission line route to be moved to the undeveloped lands east of the Rural Municipalities of Springfield and La Broquerie;
- Preference for the route to be moved away from prime residential and agricultural land;
- The project would hinder future housing developments and the economic prosperity of La Broquerie;

- The transmission line would pass less than 1 km from two schools;
- The transmission line would cross natural areas on private land, affecting wildlife habitat and aesthetics;
- Potential impact of the transmission line on Peregrine Falcon conservation activities undertaken at Parkland Mews;
- The location of a Century Farm is incorrectly labelled on the map in the EIS;
- Potential effects of the transmission line on the health of cattle which graze along the proposed route;
- Humming noise from the transmission line;
- Fragmentation of private property;
- Public access to the transmission line right-of-way by all-terrain vehicles and snowmobiles leading to noise, disruption, hunting, and poaching on private land, and liability to owners of land to be expropriated for damage to the transmission towers;
- The line traverses the planned location of a residence;
- Removal of part of a provincially managed woodlot;
- Removal of shelterbelts, treed buffer zones, and sources of timber on private property;
- Manitoba Hydro's engagement process was inadequate in relation to the Métis, therefore the MMF did not participate in the engagement activities and did not provide input into the EIS;
- Certain sections of the EIS do not provide enough detail and do not adequately assess the potential effects on regarding Manitoba Métis;
- The EIS does not include an assessment of the effects of the project on Aboriginal rights;
- Request for details regarding the proposed protected area at Richer South Station mentioned in the project description;
- Request for detail on reclamation of access trails;
- Request for information on whether there a minimum distance to the water's edge contemplated for structures at water crossings;
- Request for confirmation that identified traditional use areas will be considered environmentally sensitive areas and subject to environmental protection;
- Request for an explanation on how the effects of mobile construction camps can be quantified if they are not identified in the EIS;
- There is no description of plans for the decommissioning of temporary infrastructure or facilities related to construction of the project;
- Decommissioning of stations must be considered;
- The EIS process does not include identification of potential impacts on the Manitoba Métis Community;
- Concern that alteration of native vegetation cover supporting traditional use species may disrupt MMF harvest for one or more generations, creating a gap in teaching/learning opportunities for Métis, and
- The assessment of impacts to traditional use species does not account for Métis preferred areas of harvest.

***Information Request:***

The Environmental Approvals Branch requested that Manitoba Hydro provide information and responses to specific concerns raised by the public relating to the potential impacts to Manitoba Métis Community, routing through Protected Areas, routing near Parkland Mews, potential impacts on cattle, tree clearing, and impacts from public access.

***Disposition of Public Comments:***

Manitoba Hydro's response to the information request satisfactorily addressed the public concerns included in the request.

Concerns of health impacts from electromagnetic fields in residential areas and schools in proximity of the proposed transmission line route were addressed in the EIS. Numerous studies by scientific and government agencies have concluded that there is no evidence that transmission line corridors pose a human health risk in residential areas.

Noise from the proposed infrastructure is not expected to exceed provincial guidelines. Manitoba Sustainable Development enforcement staff respond to noise nuisance complaints. The licence would contain a clause to address noise nuisances.

Manitoba Hydro has committed to evaluate GPS data from the recent PhD study of birds released at Parkland Mews and to discuss potential mitigation measures such as bird diverters and perch deterrents in the vicinity of the breeding site. A commitment was also made for monitoring of bird interaction with the transmission line and reporting of mortalities during construction. Monitoring and mitigation for impacts to Peregrine Falcons would be included in the conditions of an Environment Act licence issued for this project.

Public requests for the proposed transmission line route to be moved to the undeveloped lands east of the Rural Municipalities of Springfield and La Broquerie and away from residential and agricultural land were addressed in the EIS. Alternative routes were considered and evaluated. The selected route balanced competing land uses.

Concerns regarding potential impacts to property value are outside the scope of *The Environment Act*. The EIS states that Manitoba Hydro compensates for changes to private land through easement lease payments.

Assessment of the project's potential impact on Aboriginal rights is not carried out as part of Manitoba's environmental assessment process pursuant to *The Environment Act*. It is conducted as part of the Crown Consultation of Indigenous communities process.

Regarding the request for identified traditional use areas to be considered environmentally sensitive areas in the environmental protection program, the EIS states that First Nations and the MMF will be given opportunities to identify sensitive sites to help inform the Environmental Protection Program for the project and that non-chemical vegetation management will be

considered in clearly identified sensitive sites that contain plants that are of importance to Aboriginal harvesters.

Regarding the MMF's concerns that there was an inadequate assessment of the potential impacts on the Manitoba Métis in the EIS due to inadequate engagement of the MMF by Manitoba Hydro, Manitoba Hydro provided the MMF with numerous opportunities to provide input on their concerns regarding the potential impacts of the project on Métis traditional use. Although Manitoba Hydro was not able to obtain this information from the MMF during development of the EIS, they made a commitment in their response to the information request to use the anticipated MMF Métis traditional land use study to inform the Environmental Protection Plan for the project, allowing for mitigation to be applied to identified environmentally sensitive sites. The proposed mitigation in the EIS, along with the proposed Environmental Protection Program, address concerns regarding potential impacts to traditional use.

Regarding the request for detail on reclamation of access trails, the draft Access Management Plan included in the EIS states that a decommissioning plan will be submitted to Manitoba Sustainable Development for access trails that are no longer required. The licence would require approval of decommissioning plans by Manitoba Sustainable Development.

Regarding whether there is there a minimum distance from structures to the water's edge at water crossings, the EIS states that setback distance for structures from the water's edge at waterway crossings will be as far away as possible to protect slope stability and prevent erosion. Where difficult terrain or steep slope conditions exist, contractor developed sediment and erosion control plans will be developed.

Regarding the concern that the locations of mobile construction camps were not assessed in the EIS, the licence would address post licence assessment and approval of mobile construction camps.

Regarding decommissioning of temporary infrastructure associated with the project, decommissioning and rehabilitation of temporary infrastructure would be addressed in the licence conditions.

Regarding station decommissioning, the licence would require decommissioning plans for the development.

Regarding the concern that alteration of native vegetation may affect preferred Métis harvesting areas and disrupt Métis harvest for one or more generations, the licence would contain a clause for mitigation of identified traditional harvesting areas located within the transmission line right-of-way. Clearing would be limited to the right-of-way; therefore vegetation in the surrounding areas would not be affected.

**ENVIRONMENTAL IMPACT STATEMENT - TECHNICAL ADVISORY COMMITTEE REVIEW**

The following is a summary of comments received from the TAC pertaining to the EIS, additional information requested based on these comments, the responses received, and the disposition of the comments.

<b>Technical Advisory Committee Member</b>	<b>Response Provided</b>
Manitoba Sustainable Development: Compliance and Enforcement Branch Climate Change and Air Quality Branch Wildlife and Fisheries Branch Parks and Protected Spaces Branch Forestry Branch Indigenous Relations Branch Lands Branch Water Quality Management Section Groundwater Management Section Office of Drinking Water Use Licensing Section Water Control Works Licensing Section Regional Services Branch	No concerns No response See below See below No response No response See below No response No response No response No response See below See below
Manitoba Sport, Culture, and Heritage: Heritage Branch	No response
Manitoba Growth, Enterprise and Trade: Energy Development Branch Petroleum Branch Office of Fire Commissioner Work Place Safety & Health	No response
Manitoba Infrastructure: Flood Forecasting Branch Highway Planning and Design Branch	No response See below
Manitoba Indigenous and Municipal Relations	See below
Manitoba Health, Seniors and Active Living	See below
Manitoba Agriculture: Land Use Branch	No response
Environment Canada	See below

## **Manitoba Sustainable Development – Wildlife and Fisheries Branch**

### ***Summary of Comments:***

Wildlife and Fisheries Branch (WFB) requested additional information regarding grassland patch size, tall grass prairie surveys, impacts to resident licensed hunters and trappers, and the draft Environmental Monitoring Plan. Clarification and comments were provided relating to wildlife data used in the EIS. WFB also requested licence requirements for monitoring data sharing, surveys and mitigation for tall grass prairie, and no net loss of wetlands.

### ***Information Request:***

The Environmental Approvals Branch requested that Manitoba Hydro address each item in the comments from WFB. Manitoba Hydro provided a response. WFB had further concerns relating to the draft environmental monitoring plan. Manitoba Hydro worked with the Branch to resolve the outstanding issues.

### ***Disposition:***

WFB's concerns regarding the EIS and the draft environmental monitoring plan were addressed by Manitoba Hydro. WFB has indicated to the Environmental Approvals Branch that they are satisfied with the draft monitoring plan dated September 23, 2016. Licence conditions would include requirements for data sharing, pre-construction surveys and mitigation for tall grass prairie, no net loss of wetlands, and implementation of the Environmental Monitoring Plan.

## **Manitoba Sustainable Development – Parks and Protected Spaces Branch**

### ***Summary of Comments:***

No comments or concerns to offer as all concerns were addressed during the routing phase of the project. The Branch appreciates Manitoba Hydro's cooperation in avoiding provincial parks, ecological reserves, and proposed protected areas.

### ***Disposition:***

No action required.

## **Manitoba Sustainable Development – Lands Branch**

### ***Summary of Comments:***

Advice was provided on Crown land dispositions (interim reservation, easements, permits, etc.) that may be required for the project.

### ***Disposition:***

No action required.



## **Manitoba Sustainable Development – Water Control Works Licensing Section**

### ***Summary of Comments:***

Advice was provided on permits that may be required for the project under the *Water Rights Act* and it was noted that the drainage and/or alteration of permanent and semi-permanent wetlands is regulated under the *Water Rights Act*. The following mitigation measures were requested: adherence to *Fisheries and Oceans Canada - Operational Statements*, construction timing at water crossings, and sediment and erosion control.

### ***Disposition:***

The advice on permits that may be required was sent to the proponent for their information. The requested mitigation measures would be included in the licence.

## **Manitoba Sustainable Development – Regional Services Branch**

### ***Summary of Comments:***

Regional Services Branch indicated that although the use of one of the existing transmission corridors that traverse Crown land in the Eastern Region for the new transmission line would have been preferred, the Region accepts Manitoba Hydro's routing rationale and supports the proposed route as the best option from a Crown Lands management perspective. The project would contribute to cumulative effects on allowable timber harvesting, resulting in a loss of revenue to the Province as well as local economies. Quota holders should have the opportunity to harvest the timber during the clearing of the transmission line right-of-way through Forest Management Unit 24 to mitigate this impact.

The Eastern Region Wildlife Section acknowledged that the selected route is the best of all routes explored for minimizing potential effects on wildlife and wildlife habitat and represents a compromise for maintaining as much distance as possible from valued wildlife areas located in western and eastern portions of the study area. Additional information was requested regarding access management and the draft Environmental Monitoring Plan. Comments were provided on the wildlife data used in the EIS, assessment of wildlife effects, approval of bypass routes, and involvement/notification of branch staff regarding wildlife-related surveys and mitigative prescriptions.

### ***Information Request:***

The Environmental Approvals Branch requested that Manitoba Hydro address each item in the comments from the Wildlife Section of the Eastern Region. Manitoba Hydro provided responses and worked with the Wildlife Section to resolve outstanding concerns.

### ***Disposition:***

A requirement for mitigation of impacts to quota holders would be included in the licence.

The Wildlife Section is satisfied with the draft Environmental Monitoring Plan dated September 23, 2016. Wildlife Section's concerns regarding the draft Access Management Plan were addressed in Manitoba Hydro's response to the information request, however the Wildlife

Section will need to field verify the suitability of some of the identified access routes prior to approval of the plan. Approval of any new access routes or by-pass trails by the Eastern Region would be included as a condition in the licence.

### **Manitoba Infrastructure – Highway Planning and Design Branch**

#### ***Summary of Comments:***

Advice on permits and approvals that will be required for the project was provided. Concerns were raised regarding the proposed location of the transmission line crossing near the Red River Floodway inlet control structure relating to: potential risks of a transmission tower failure or line breakage during the operation of the control structure during a flood; constraints upon emergency operations during periods of flood; and unforeseen circumstances.

#### ***Disposition:***

The advice regarding the required permits and approvals was forwarded to Manitoba Hydro for their information. Manitoba Hydro was already working with Manitoba Infrastructure to address their concerns regarding the floodway crossing near the control structure since the same crossing location is planned for the proposed St. Vital Transmission Complex Project. The licence would contain a clause requiring a memorandum of agreement between Manitoba Infrastructure and Manitoba Hydro regarding the crossing near the Red River Floodway inlet control structure.

### **Manitoba Indigenous and Municipal Relations**

#### ***Summary of Comments:***

Comments were provided on development policies and activity. Clarification of information in the EIS on land use development control was also provided. Appropriate setback of the transmission line from residential dwellings was recommended. It was noted that Chapter 16 does not provide a discussion on potential impacts to residential dwellings in the RM of St. Anne.

#### ***Disposition:***

Comments on development were noted. The clarified items of information do not change the outcomes of the assessment. Potential impacts to residential dwellings were addressed in the EIS in the routing and environmental assessment (Lands and Community Health and Well-Being sections). Impacts to lands crossed by the transmission line are mitigated by Manitoba Hydro through easement agreements with private landowners.

### **Manitoba Health, Seniors and Active Living – Environmental Health Unit**

#### ***Summary of Comments:***

Manitoba Health asked questions relating the following:

- potential impacts of the burning of slash on populated areas;
- whether there would be independent quality control inspections related to pesticide application, particularity related to lands important to Indigenous people;

- whether there would be ongoing liaison with Indigenous communities to discuss mitigation of issues that may develop;
- if noise monitoring of the transmission infrastructure was planned near populated areas;
- whether the potential health effects of changes to country food availability were assessed;
- whether climate change risks associated with two lines in the same right-of-way were assessed;
- electromagnetic hypersensitivity;
- whether there would be an effort to recruit local workers and if it would be tracked;
- request for more information on the potential impacts of mobile work camps on communities;
- whether easements include financial compensation for use of land; and
- whether the effects of ticks and mosquitoes on worker safety was assessed.

***Information Request:***

The Environmental Approvals Branch requested that Manitoba Hydro address each item in the comments from Public Health. Manitoba Hydro provided a response that includes the following:

- Potential impacts to traditional use, climate change risks, mobile camps, landowner compensation, and worker safety were addressed in the EIS.
- Permits would be obtained for the application of pesticides. This process includes public notification. All herbicide applications are conducted and supervised by licensed applicators and completed in accordance with the conditions of the permit. The permit requires annual reporting of type, amount, and location of pesticide use. To address concerns raised by Indigenous communities regarding pesticide use along the transmission line right-of-way, Manitoba Hydro has committed to not apply herbicides to clearly identified sites such as those for gathering berries and harvesting of other traditional plants and country foods that have been identified through the Aboriginal Traditional Knowledge process.
- Manitoba Hydro committed to continuing to share information and discuss any concerns with Indigenous communities during construction and operation of the project.
- Noise monitoring is not proposed since noise from the proposed infrastructure is not expected to exceed provincial guidelines.
- Scientific evidence does not support a linkage between health effects and electromagnetic fields (including hypersensitivity) associated with transmission line infrastructure.
- Manitoba Hydro promotes and tracks participation of Manitoba businesses through the contracting process.

***Disposition:***

Manitoba Hydro's response to the information request satisfactorily addressed the concerns raised by Manitoba Health. The licence would contain clauses relating to the following:

- pesticides would be prohibited within specific patches of traditional plants located within the transmission line right-of-way that are identified by Indigenous communities;
- third party auditing of the success of mitigation measures and adaptive measures; and

- adherence by Manitoba Hydro to all commitments made in the EIS and responses to the information requests during construction and operation of the project.

## **Environment Canada**

### ***Summary of Comments:***

Information was requested relating to distance of towers from waterways, width of machine free zones near riparian areas, mitigation for clearing in Golden-winged Warbler habitat, trails near northern leopard frog habitat, and whether species at risk data was provided to the provincial data centre.

### ***Information Request:***

The Environmental Approvals Branch requested that Manitoba Hydro provide the information requested by Environment Canada in their comments. Manitoba Hydro's response to the information request was provided to Environment Canada. They indicated that they had no further comments other than that the licence should require Manitoba Hydro to undertake the mitigation they proposed for the Golden-winged Warbler.

### ***Disposition:***

Manitoba Hydro provided a satisfactory response to the concerns raised by Environment Canada. A requirement for Manitoba Hydro to undertake the mitigation they proposed for the Golden-winged Warbler would be included in the Environment Act licence.

## **PUBLIC HEARING:**

To address federal environmental assessment requirements and to provide an additional opportunity for the public to relate their concerns regarding the project, the Minister requested the Clean Environment Commission to hold public hearings for the project in a letter dated December 31, 2015. Terms of reference for the hearing were provided with the letter.

## **CROWN-INDIGENOUS CONSULTATION:**

Crown Consultation of Indigenous communities is being carried out for the project. An Environment Act licence would not be issued for the project until Crown Consultation is complete.

## **CONCLUSION AND RECOMMENDATION:**

The concerns raised by the public and TAC in the environmental assessment process have been addressed by Manitoba Hydro in the EIS and the responses to the information requests, or can be addressed in licence conditions. It is recommended that the Clean Environment Commission proceed with the public hearings for this project in accordance with the Terms of Reference

issued by the Minister on December 31, 2015. A licensing decision will be made by the Minister of Sustainable Development upon receipt of a report on the public hearings by the Clean Environment Commission. The licence conditions recommended in this report as well as recommendations from the Clean Environment Commission should be included in a licence if one is issued for the project.

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