Dagdick, Elise (CWS)

From: darryl beger [redacted]
Sent: December-01-15 2:28 PM
To: Dagdick, Elise (CWS)
Subject: Trsnsmission line

Hi emailing you in regards to the manitoba /minn trsnsmission line on behalf of me darryl never and my wife Micheline we live on hwy 501 on the corner of minominto where the Powerline is going directly through our 80 acre from one corner to the next and only 200!yards from our house. . We bought this land 2 years ago to build a new house (right where the power line is going) and to build our hobby farm . Hydro says it's safe to be that close I highly doubt that that's a bunch of b.s

We also have lots of bird houses and feeders out as well as deer feeders to grow the population and keep them in a safe area. But looks like they will be pushed out once again. And if the Powerline goes through will we be moving out of the area

Thanks

Sent from my iPhone

PAPE
SALTER
TEILLET BARRISTERS AND SOLICITORS

Jean Teillet, IPC

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December 2, 2015

Via Email: elise.dagdick@gov.mb.ca

Environmental Assessment
and Licensing Branch Manitoba Conservation
123 Main Street, Suite 160
Winnipeg MB R3C 1A5
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ATTENTION: Elise Dagdick, Environment Officer

Dear Ms. Dagdick:

RE: Manitoba-Minnesota Transmission Project (File 5750.00)

We represent the Manitoba Métis Federation ("MMF") in relation to Manitoba Hydro's Manitoba-Minnesota Transmission Project ("MMTP"). In response to the Notice of Environmental Impact Assessment ("EIS") released by your department on September 25, 2015, please find attached the MMF comments on the EIS for the MMTP. We thank you for the extension for filing these comments and having them considered as a part of your department's review of the EIS for the MMTP.

In filing these comments, our client wants to once again raise its ongoing concerns about the lack of Crown consultation in relation to the MMTP to date. Despite numerous letters setting out the potential impacts from the project on the Manitoba Métis Community's rights, interests and claims as well as repeated attempts to engage Manitoba's Aboriginal and Northern Affairs Ministry on Crown consultation issues, no discernible process has been put in place. Nor has any capacity support been provided to the MMF to meaningfully participate in the regulatory review process, which the Manitoba Government has indicated that it will be relying on for some aspects of Crown consultation.

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These ongoing delays in establishing a Crown consultation process and the complete lack of reasonable capacity being provided to potentially impacted Indigenous communities for Crown consultation is inconsistent with directions from the courts on these issues. In particular, courts have emphasized that appropriate funding for Aboriginal groups, to ensure a "level playing field", is essential to the success of consultations,[1] and that the provision of appropriate funding by the Crown is an important consideration in evaluating whether consultations were carried out in good faith.[2]

The corollary of the Manitoba Government maintaining full responsibility for Crown consultation is that it must act honourably and diligently in putting a process in place. Delaying Crown consultation on the MMTP—a project advanced by a Crown corporation and that the government has had full knowledge of for years—until after an EIS is filed does not achieve early or meaningful consultation. Again, courts have held that if consultation is to be meaningful, it "cannot be postponed until the last and final point in a series of decisions" as important preliminary decisions may result in "clear momentum" to move forward with a particular course of action.[3]

With that said with respect to the lack of Crown consultation, our client also wants to note that it has recently finalized a mutually agreeable engagement workplan in relation to the MMTP with Manitoba Hydro. While a contribution agreement has not yet been executed so actual work can begin, the MMF is optimistic this will occur soon. This engagement workplan contemplates that the MMF and Manitoba Hydro will "work collaboratively to ascertain if, and the manner in which, the development of the MMTP might impact any identified Metis specific interests" and that "Manitoba Hydro will file the final report from the Study with regulators."

The MMF is optimistic that many of the issues, concerns and deficiencies identified in the attached chart will be addressed or resolved through the implementation of this engagement workplan. However, at this time, the MMF is obligated, as a part of its corollary obligations related to Crown consultation, to respond to the filed EIS based on what has happened and what is in place at this time.

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1 *Platinex Inc. v. Kitchenuhmaykoosib Inninuwug First Nation*, [2007] 3 CNLR 221 at para 27; *Tsilhqot'in Nation v. British Columbia*, 2007 BCSC 1700 at para 1138.

2 *Wabauskang First Nation v. Minister of Northern Development and Mines et al.*, 2014 ONSC 4424 at para 232; *Ka'A'Gee Tu First Nation v. Canada (Attorney General)*, 2012 FC 297 at para 112.

3 *Sambaa K'e Dene Band v. Duncan*, 2012 FC 204 at para 165 ["*Sambaa K'e*"], citing *Squamish Indian Band v. British Columbia (Minister of Sustainable Resource Management)*, 2004 BSCS 1320 at para 75. See also *Dene Tha' First Nation v. Canada (Minister of Environment)*, 2006 FC 1354.

The MMF also wants to emphasize that the MMF-Manitoba Hydro engagement process does not negate or supplant the Crown's consultation obligations. Many of the rights and claims related issues that are of concern to the MMF in relation to the MMTP cannot be addressed through a proponent engagement process.

We thank you for your consideration of the issues raised in this letter and are available to discuss the issues raised.

Yours truly,

Jason Madden

Encl. (1)

c.c. David Chartrand, MMF President
Jack Park, MMF Minister for Hydro
Jason Fontaine, Aboriginal and Northern Affairs
Shannon Johnson, Manitoba Hydro

Manitoba Metis Federation
Comments on Manitoba-Minnesota Transmission Line EIS

Environmental Impact Statement Section	Comment
Introduction 1.1 Document Purpose	This section states that "[t]his EIS is based on more than five years of planning, routing and design work, involving extensive field studies and several rounds of engagement opportunities with First Nation and Metis..." This statement is problematic for a number of reasons. First, the length of the EIS development is irrelevant. A successful consultation and engagement program must not be measured by the length of the process or the amount of paper produced, rather, it must be measured by the quality of the program and the results. • The MMF was not involved in the five years of planning. • The MMF was not involved in the delineation of the route beyond preliminary notification. • The MMF was not involved in the design work. • The MMF was not involved in the extensive field studies. The lack of MMF involvement throughout the EIS development so far has resulted in an inadeqaute engagement process vis-à-vis the Manitoba Métis Community.
Introduction 1.2 Project Setting	This Project setting section does not contain the necessary detail to allow for consideration of the area the Project is located. For example, there is no description of: • The climate of the Project location including mean temperatures • A description of the land (forested, agricultural, etc.) • A broad description of the species present • A description of the surface water including relevant waterbodies in the Project vicinity • A description of the hydrogeology • A description of the Project in relation to First Nation communities and Metis groups • A description of the towns/cities in the vicinity of the Project • A description of the transportation infrastructure • A description of the regional economy This information is generally presented with a paragraph or two of information to allow readers to understand the general Project Setting. Please update the EIS to include this information.
Project Description *All*	This section does not contain an integrated approach to Aboriginal traditional knowledge and does not contain any reference to Aboriginal rights. This is contrary to the commitments within the EIS to include Aboriginal information throughout, specifically: "The design and methods of the First Nation and Metis Engagement Process were intended to involve the communities throughout all stages of pre-Project activities, transmission line routing, environmental assessment and the regulatory review process." Further, it is contrary to the advice provided by the Clean Environment Commission in the Report on Public Hearing for the Bipole III Transmission Project which specifies that:

	"Characteristics of effective consultation processes include: ... integrating different kinds of knowledge rather than fragmenting information into discipline-defined silos..."
Project Description 2.4.1.2 New Right-of-Way	Please specify whether the Crown land referenced in the opening paragraph of this section is occupied or unoccupied Crown land. To provide additional context, a map of the Crown land and designation of either occupied or unoccupied must be provided.
Project Description 2.6.3 Transmission Line within New Right-of-Way	This section, again, refers to Crown land but does not specify whether the Crown land in question is occupied or unoccupied. Please clarify.
Project Description 2.6.3 Transmission Line within New Right-of-Way	This section specifies that the line "...runs through several parcels of proposed protected area at Richer South Station." However, no additional details are provided in regards to this protected area. This is troubling as the Manitoba Conservation and Water Stewardship website (http://www.gov.mb.ca/conservation/pai/what_is.html) [Accessed October 2015] specifies that "[a]t a minimum, protected areas prohibit, through legal means, logging, mining (including aggregate extraction), and oil, petroleum, natural gas or hydro-electric development..." While transmission infrastructure such as this is not specifically mentioned, it seems the listing of developments is not inclusive. Please provide additional detail on the status of the protected areas designation and how Manitoba Hydro proposes to avoid these areas.
Project Description 2.7 Engagement Purpose and Goals	This section states the purposes and goals of the engagement program and nowhere within this section does it specify the identification of potential impacts on Metis rights. This is particularly troubling as it identifies a goal of "...review potential mitigation measures". How can mitigation measures be developed without an identification of potential impacts?
Project Description 2.7.2 First Nation and Metis Engagement	The initial letter of invitation provided to MMF did not invite the Manitoba Métis Community to participate in the selection of valued components. Nor did the initial letter it invite MMF to participate in an identification of potential effects to Aboriginal rights and uses.
Project Description 2.7.2 First Nation and Metis Engagement	Throughout Round 1, Round 2 and Round 3 engagement the MMF was not invited to participate in the EIS development (including selection of valued components) as a representative of a rights holding Aboriginal community. Further, there was no discussion through these phases of engagement of identifying effects to the MMF. The MMF is optimistic that the above-noted deficiencies and its concerns can be addressed through a recently agreed to MMF-Hydro workplan in relation to the Project, however, at this time, engagement of the Manitoba Métis Community has been inadequate.
Project Description 2.9.1 Transmission Line Routing	This section states that routing considered sensitive sites raised through the engagement program. However, as MMF has yet to come to an agreement with Manitoba Hydro for the collection of MLUOS information, this was not the case. The MMF suggests removing Metis from this section as it misrepresents the process and gives the illusion that more was completed with the MMF than actually was.
Project Description 2.9.2.2 Structures within New Right-of-Way	This section states that "...tangent self-supporting lattice steel structures will be used to limit the potential effects on farming activities..." but that "[i]n non-agricultural areas, the transmission line will be constructed primarily of guyed lattice steel structures." How does this take into account areas where a reduced ROW and tower footprint may be beneficial to the exercise of Metis rights?

Project Description 2.9.6 Tower Locations	No information has been provided on how Metis specific information will inform the final structure locations. While sensitive sites are mentioned, they are already documented and listed in Chapter 22. This is without any MLUOS information collected from the MMF.
Project Description 2.11.1 Wildlife and Wildlife Habitat	This section states that "[p]roposed and existing protected areas, large tracts of boreal forest and wetland, and the area known to support the Vita elk herd will be avoid." However, this is in direct contradiction to Section 2.6.3 which states that the Right-of-Way "...runs through several parcels of proposed protected area at Richer South Station." Please clarify.
Project Description 2.11.4 Traditional Land and Resource Use and Heritage Resources	This section states that "[t]he effects of the Project on traditional land and resource use and heritage resources are described and **assessed** in Chapter 11 and 12..." [emphasis added] This does not include a consideration or assessment of Aboriginal rights. Please explain how Aboriginal rights were considered.
Project Description 2.11.4 Traditional Land and Resource Use and Heritage Resources	This section specifically refers to a Cultural and Heritage Resources Protection Plan but does not outline any specific mitigation to be applied to traditional land and resource use. Does Manitoba Hydro have any general mitigation measures which it applies to traditional land and resource use that would be set out in a similar plan?
Project Description 2.11.5 Infrastructure and Services	This section makes no mention of using existing roads and infrastructure to reduce the potential project effects. This has been mentioned in other sections; please provide detail on why it is not carried forward to this section as well.
Project Description 2.11.9 Human and Ecological Health	This section does not include any standard mitigation measures specifically related to human health such as lack of use of herbicides to alleviate effects to traditionally harvested plants and berries, etc. Please clarify this gap.
Project Description 2.12.3 Access Route and Bypass Trail Development	It is specified in this portion of the application that "[u]nless required for ongoing maintenance, the ROW access trails will not be regularly maintained post construction." However, there is no detail provided on the level of reclamation that will occur on the ROW access trails. Please provide detail on the reclamation which will be undertaken on the ROW access trails. If no reclamation is contemplated, please provide a rationale.
Project Description 2.12.3 Access Route and Bypass Trail Development	This section of the application states that "...structures will be located as far back from the water's edge as possible..." but provides no specific detail on minimum distances. Is there a minimum distance contemplated for structures located at the water's edge?
Project Description 2.12.4.1 Right-of-Way Clearing	Please confirm that identified traditional use areas will be considered environmentally sensitive areas and will be subject to a variety of environmental protection measures.
Project Description 2.12.8 Accommodations and Construction Camps	This section specifies that additional clearing may be required for mobile construction camps but that specific camp locations will not be determined until after final Project planning and design are completed. How can the potential project effects of these construction camps, including the additional clearing, be accurately quantified if the locations are not known?
Project Description	There is no reference within this section to concerns of the Manitoba

2.13.3 Vegetation Management	Métis Community. The lack of meaningful consultation with MMF in relation to vegetation management is a significant concern.
Project Description 2.13.4 Electric and Magnetic Fields and Corona	This section states that "[c]oncerns respecting the potential for environmental effects... were raised in the course of the public and First Nation and Metis engagement processes for the Project ..." However, as consultation has not progressed to the point where MMF has shared specific issues and concerns, it is unclear where this information is coming from. Please explain and clarify this statement.
Project Description 2.14 Transmission Line Decommissioning	There is no description provided within this section of plans for decommissioning temporary infrastructure or facilities related to the construction of the Project.
Project Description 2.19 Station Decommissioning	As environmental assessments are largely predictive in nature, it is essential that the decommissioning of stations be considered, even if unlikely. Environmental assessments must be conducted in a conservative manner that account for the most remote possibilities in order for them to be credible.
First Nation and Metis Engagement 4.1 Introduction	This section indicates that the First Nation, Metis and Aboriginal engagement began in August 2013. However, in the volume related to the Public Engagement Process, it was noted that the engagement began in June 2013. Please explain this discrepancy in the beginning dates for engagement.
First Nation and Metis Engagement 4.1 Introduction	The principles that guided Manitoba Hydro's approach to First Nation and Metis engagement for this project do not include identifying project effects to Metis rights. Without this critical component as a guiding principle, the engagement program lacks substance.
First Nation and Metis Engagement 4.1 Introduction	Having the same goals as the PEP process minimizes the importance of Manitoba Métis Community's rights, interests and claim, along with the identification of Project effects to the same. Why do the FNMEP goals not include the identification of effects as a goal?.
First Nation and Metis Engagement 4.2 Lessons Learned from Previous Assessments	While Manitoba Hydro notes that it started "...engagement earlier on in the process by having a pre-engagement round...," this statement is largely misleading based on the actual chronology of events. The MMF was engaged by Hydro in pre-engagement but due to lengthy budget and workplan negotiations, meaningful project engagement has yet to begin. Further, MMF has yet to engage the necessary technical and legal experts to complete technical third party reviews and MMF was not engaged in the development of scoping documents for the Project. This reality is contrary to the Bipole III Transmission Project Clean Environment Commission's advice which stated '[i]t would be prudent to have ... community consultation input before the data collection begins so that studies can be designed to address scientific as well as local users concerns."
First Nation and Metis Engagement 4.3 Design and Scope of the Engagement Process	MMF would like to note that, as the EIS process does not include an identification of potential impacts on the Manitoba Métis Community, this must be completed as part of the Crown-Aboriginal consultation process. Of which, to date, no Crown consultation has occurred, despite the MMF repeated letter and requests to the Manitoba Government.
First Nation and Metis Engagement 4.3 Design and Scope of the Engagement Process	The MMF would like all comments and MLUOS information to be considered as part of the Technical Advisory Committee comment period, as well as part of the EPP.
First Nation and Metis Engagement 4.3.1 Identification of First Nations, Metis and Aboriginal	This section states that "[t]he Project is located in an area of the province that is of historical and current day interest to the MMF and its members." This minimizes the area in question. The Project is located within an area

Organizations	characterized by the exercise of Metis rights, including, an outstanding collective claim against the federal Crown. This should be noted in the application.
First Nation and Metis Engagement 4.3.2.1 Leadership Meetings	To date, no leadership meetings have been held which were used to "...communicate Project activities, receive feedback, and discuss engagement plans and concerns."
First Nation and Metis Engagement 4.3.2.2 Community Open Houses/Information Sessions	To date no Community Open Houses/Information Sessions have been held with the MMF specifically.
First Nation and Metis Engagement 4.3.2.6 Routing Workshops	To date, no routing workshops were held with MMF and now that the routing has been finalized, there is no opportunity for MMF to comment on this critical component of Project development.
First Nation and Metis Engagement 4.3.2.8 Project Site Tour of Similar Projects	To date, no field tour has been organized with the MMF.
First Nation and Metis Engagement 4.4 How did we Share Information with First Nations, Metis and Aboriginal Organizations?	While this section is informative on the process for sharing Project information with First Nations, Metis and Aboriginal Organizations, it does not provide detail on how information from these groups was ultimately used to inform the Environmental Impact Statement. For example, there is no detail on how Aboriginal information informed the Valued Component selection, or the assessment of the Valued Components.
First Nation and Metis Engagement 4.4.2.3 Environmental Assessment Information Sheets	This section specifies that the Environmental Assessment Information sheets were made available at Round 3 community open houses/information sessions. However, there is no detail provided on whether Aboriginal groups were offered the opportunity to participate in the development of the Environmental Assessment Information sheets, including the selection of Valued Components.
First Nation and Metis Engagement 4.5.2 FNMEP Influence on Routing	This section states that "[t]ransmission line routing is a preferred form of mitigation..." However, it is unclear from the outline methodology how the potential impacts from routing on Aboriginal groups are explored. Therefore, from the MMF's perspective, jumping to mitigation is inappropriate.
First Nation and Metis Engagement 4.5.19 Manitoba Metis Federation	The summary describing the MMF is lacking in detail, meaning and context. As information is publically available on the MMF, this should be easily sourced and provided in the EIS. Just providing a link to the MMF website is inappropriate.
First Nation and Metis Engagement 4.5.19.1 Engagement Process	This section of the EIS states that the results of MMF's work will be filed as a supplement to the Project EIS and that it will be used to inform the EIS and EPP. The MMF looks forward to this collaborative process and the integration of their data into the EIS as a whole.
First Nation and Metis Engagement 4.6.1 Regulatory Process	There is no mention in this section about the MMF or MMF information being part of the regulatory process. As MMF plans to have information submitted to Hydro prior to the hearing, this information must be considered as part of the regulatory process.
First Nation and Metis Engagement 4.6.1.1 Construction Phase	This section states that "Manitoba Hydro plans to meet with First Nations, the MMF and interested Aboriginal organizations to discuss concerns about cultural and environmentally sensitive sites identified in the ATK reports." MMF objects to the deferral of conversation about the ATK reports until the Construction Phase. In a typical EIS process the impacts are identified and mitigated within the EIS report. This must also be the case for Aboriginal information as well. By removing the discussion until the construction phase, the lack of importance placed on Aboriginal information is highlighted.
First Nation and Metis Engagement	MMF has not used the draft sample engagement work plan, the ATK

4.7 Key Outcomes	proposal template or draft ATK protocol, ATK table of contents template or community specific engagement checklists. By including MMF in the list of participants for this list of documents, it implies that MMF has, in fact, used these documents. Please revise to remove MMF from the list.
First Nation and Metis Engagement 4.7 Key Outcomes	Please provide specific detail on how Hydro funding the ATK studies by the ATKS Management Team provided opportunity to MMF to be actively involved in the Project during pre-planning and continue to involve MMF during construction and operation phases.
First Nation and Metis Engagement 4.7 Key Outcomes	The MMF and Manitoba Hydro have signed the Kwaysh-kin-na-mihk la paazh Agreement which includes provision of a Hydro Liaison Officer. However, this position is not a substitute for additional funding for engagement on Future Developments (as defined in the agreement) such as this Project. Provision of the Hydro Liaison Officer does not result in a reduction of barriers to MMF participation in the process as budgets and work plans for ongoing involvement must be negotiated with Hydro.
First Nation and Metis Engagement 4.7 Key Outcomes	While this section details that Hydro developed and shared environmental assessment information sheets that described the environmental assessment process and assessment of VCs, at no time was MMF involved in the development of these information sheets nor the process for the selection of VCs. Without MMF involvement in this process, the environmental assessment cannot reflect consideration of the Metis perspective on Metis rights, interests and claims.
First Nation and Metis Engagement 4.7 Key Outcomes	The MMF was not involved in the route selection process in a detailed manner and therefore the "...greater clarity..." in the process does not apply to the MMF or Metis rights, interests and claims.
First Nation and Metis Engagement 4.8 Summary	While the efforts outlined in the Summary helped Manitoba Hydro gain a "...better understanding of needs, concerns and priorities about the transmission line routing and environmental process..." it did not help Manitoba Hydro in identifying potential adverse effects to Aboriginal rights and interests. As the NEB will require this identification as part of the application process, the lack of this in consideration of the EIS is deficient and does not contain the necessary information for NEB to make a determination on Aboriginal rights.
First Nation and Metis Engagement Appendix 4D Draft Sample Engagement Plan	The draft sample engagement plan has no opportunity for input by Aboriginal groups into VC selection, no opportunity for input in the identification of potential impacts and no opportunity for Aboriginal involvement in the EIS as a whole beyond cursory review of Manitoba Hydro prepared summary documents.
Transmission Line Routing 5.1 Overview	This section states that "[t]here are many factors that determine the suitability of transmission line locations, such as ... land use. A robust route selection methodology identifies and considers these factors or criteria in making a selection." However, the Manitoba Métis Community's land use was not considered in the selection criteria for a route. Please explain.
Transmission Line Routing 5.1 Overview	This section states that "[s]takeholder groups had direct input on criteria selection and weighting that was used in the alternative corridor selection step before engagement began." However, this input gathering was never undertaken with the MMF. Please define who are included in the term "stakeholder groups" in this statement.
Transmission Line Routing 5.1 Overview	This section states that "[t]he public and First Nation and Metis Engagement processes were an important part of the transmission line

	routing process. Manitoba Hydro conducted multiple rounds of engagement to capture input at key decision points in the methodology as the route selection narrowed from border crossing determination to a Final Preferred Route." [emphasis added] This mischaracterizes the engagement process, as there was no opportunity presented to MMF to provide input at key decision points as the route selection narrowed beyond the initial contact.
Transmission Line Routing 5.1 Overview	This section states that "... a large number of professionals bring their expertise to the planning, assessment, evaluation and ultimately decision-making steps" of the routing process. However, there was no participation by MMF experts throughout this process leaving the routing process deficient in considering Metis rights and interests.
Transmission Line Routing 5.1 Overview	This section states that "[t]he results of the transmission line routing process is the selection of an optimal route based on a robust and transparent methodology that included extensive engagement through the public and First Nation and Metis engagement processes." [emphasis added] This mischaracterizes the process undertaken with MMF to date as one of involvement, when, in fact, MMF was not involved in the transmission line routing. Please reword this section to reflect MMF's minimal involvement in these processes to date.
Transmission Line Routing 5.2 Transmission Line Routing Approach	This section outlines the three perspectives which are used when considering the geospatial information used for routing. These perspectives are listed as a built environment perspective, a natural environment perspective and an engineering environment perspective. However, there is no corresponding Aboriginal perspective listed or considered in the modelling. This leaves a significant gap in the project considerations as no Aboriginal specialists are listed as Project team representatives.
Transmission Line Routing 5.3 Preliminary Planning for MMTP	This section states that the "[p]reliminary planning related to the location for the Project began in late 2012 with the consideration of high level geospatial data outlining current land use patterns and land cover to inform the development of potential US border crossing areas." However no current land use data from the MMF was incorporated into this process. Therefore, the preliminary planning process was ultimately deficient.
Transmission Line Routing Table 5-2 Routing Criteria Used to Determine Potential Border Crossing Areas	The factors listed do not include consideration of lands of importance to MMF or areas of Traditional Land Use.
Transmission Line Routing Table 5-3 MMTP Alternative Corridor Evaluation Model	The corridor evaluation model does not include lands of importance to MMF or areas of Traditional Land Use.
Transmission Line Routing 5.3.3.1 Alternative Corridor Evaluation Model	This section specifies that the components that comprise the model were initially developed using "...input from stakeholder groups that participated in a series of workshops conducted May 6-8, 2013." However, these workshops did not include input from MMF.
Transmission Line Routing 5.4.1 Objective	The continual reference to the First Nation and Metis engagement process instead of particular groups engaged through the Transmission Line Routing process gives the impression that all groups were equally engaged. This is not the case. Please amend the application to directly state groups involved in each stage of routing.
Transmission Line Routing Figure 5-31 Segment 475 (blue line) was Created to Address Concerns Raised Regarding First Nations Traditional and Cultural Land Use on Privately	The creating of an alternative route to mitigate concerns raised by First Nations in relation to Traditional and Cultural Land Use highlights the importance of early involvement of MMF in the EIS process, including early completion of a TLU/TK Study. As this has not occurred, MMF is left collecting information which will not be used to inform the selection of a route.

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Transmission Line Routing 5.7 Final Preferred Route	This section states that "[t]he Final Preferred Route mitigates concerns related to ... lands of recognized cultural importance to First Nations" but remains silent on any issue related to the Metis. This highlights the lack of involvement of the MMF through the routing process and the largely cursory engagement of the MMF as a whole.
Environmental and Socio-Economic Setting 6.2.3 Surface Water	This section describes the historical agricultural activity which has affected fish habitat but does not describe this in terms of Aboriginal use and knowledge. This highlights the lack of connection between Aboriginal information and the selected Valued Components for the EIS.
Environmental and Socio-Economic Setting 6.2.5 Vegetation and Wetlands	This section references mixedwood forest areas which have been converted to "...forestry and recreational use" but does not reference Aboriginal use of these areas. This highlights the lack of connection between Aboriginal information and the selected Valued Components for the EIS.
Environmental and Socio-Economic Setting 6.2.6 Wildlife	This section does not describe wildlife in terms of Aboriginal use and knowledge. This highlights the lack of connection between Aboriginal information and the selected Valued Components for the EIS.
Environmental and Socio-Economic Setting 6.2.7 Aquatic Resources	This section does not describe aquatic resources in terms of Aboriginal use and knowledge. This highlights the lack of connection between Aboriginal information and the selected Valued Components for the EIS.
Environmental and Socio-Economic Setting 6.2.7.1 Aquatic Species	This section references that "[t]he aquatic species that occur in these waterbodies support a commercial, recreational and First Nation fishery..." however, there is no mention of the Metis fishery which also occurs in these waterbodies. This highlights the lack of information held by Manitoba Hydro in relation to the Metis in the region and the lack of meaningful engagement undertaken for this EIS.
Environmental and Socio-Economic Setting 6.3 Socio-economic Environment	This section refers to a variety of First Nations near the Project region or with an interest in the Project but refers to the Metis in the region as living within the villages, towns and RMs in the Project region. This minimizes the MMF's interest in this project. Please amend the EIS to include a more descriptive reference to Metis and specifically the MMF as a regional rights-bearing government.
Environmental and Socio-Economic Setting 6.3.1 Traditional Land and Resource Use	Throughout this section there is little or no reference to previous sections including wildlife, aquatic resources and vegetation and wetlands. This highlights the lack of connection between Aboriginal information and the selected Valued Components for the EIS. Instead, Traditional Land and Resource Use is treated as a standalone product with no integration into the EIS or the EIS results.
Environmental and Socio-Economic Setting 6.3.1.3 Traditional Land and Resource Use	The reliance of Manitoba Hydro on the use of the BiPole III TLUKS for information on the Metis is wholly inappropriate. The BiPole III Study was commissioned on a Project specific basis and was not meant to characterize Metis use in the MMTP vicinity. Additionally, the study areas are not overlapping which makes use of the data inappropriate.
Environmental and Socio-Economic Setting 6.3.7.4 Designated Lands and Protected Areas	This section specifies that protected areas respect First Nation's rights and agreements but makes no mention of Metis Agreements; specifically, the Manitoba Government-Manitoba Metis Federation Points of Agreement on Metis Harvesting in Manitoba.
Environmental and Socio-Economic Setting 6.3.7.5.1 Multi-Use Trails and Routes	This section details multi-use trails and routes but does not touch upon multi-use trails and routes used specifically by Metis. As this information is also not outlined in the Traditional Land and Resource Use section, it is a noticeable gap.
Assessment Methods 7.2.1 Approach to Traditional Knowledge	This section outlines the process used with gathered ATK and indicated that it would be reviewed by Manitoba Hydro and that "[e]ach VC chapter will outline the relevant learnings from past projects and associated regulatory processes, as well as learnings on the assessment process itself, including adding more clarity in analysis processes, more inclusive cumulative effects assessment, better integration of ATK and more

	concise, plain-language approach to writing." However, this section does not include any detail on how the ATK collected would inform the VCs, how it would be/was integrated both prior to scoping and following. Without a fulsome integration of ATK information into the VCs the EIS is deficient.
Assessment Methods 7.3.2.1 Selection of Valued Components	The VCs selected for assessment do not include Aboriginal rights, nor is there a representative VC for which Aboriginal rights are designated as a pathway component.
Assessment Methods 7.3.2.4 Assessment Boundaries	There is no description provided for technical or administrative boundaries associated with the Project. The administrative boundaries should be described and include items such as municipal boundaries and wildlife management zones. The technical boundaries should also be discussed and include items such as limitations in the information available for each VC.
Assessment of Potential Environmental Effects on Fish and Fish Habitat 8.1 Introduction	This section states that "[t]he process of selecting valued components (VCs) relied on input from regulators, First Nations, Metis, public, stakeholders and the professional judgement of the assessors." The MMF has had no involvement in the selection of valued components and provided no input on the same.
Assessment of Potential Environmental Effects on Fish and Fish Habitat 8.1 Introduction	This section states that "Fish and Fish Habitat is defined as a VC based on ... interests expressed during the ... Metis engagement processes" Unfortunately, the valued components were selected for study prior to the execution of the Metis engagement process and studies of the same were already underway. Therefore, had MMF given any input, of which it did not, it would not have been able to influence the selection of valued components.
Assessment of Potential Environmental Effects on Fish and Fish Habitat 8.1 Introduction	This section highlights the importance of the Aboriginal [CRA] fishery as it is "...protected under the federal *Fisheries Act* (R.S.C. 1985, c. F-14)" however there is no mention of the importance of the Aboriginal fishery in terms of Aboriginal rights protected by sec. 35 of the *Constitution Act, 1982*.
Assessment of Potential Environmental Effects on Fish and Fish Habitat 8.1.2 Engagement and Key Issues	This section references the use of previously collected Metis information to inform the EIS. However, permission was not granted from the MMF for the use of this information. As the study areas for the referenced information differ from the study area for the Project, it cannot be used as a substitute for Project-specific Metis information.
Assessment of Potential Environmental Effects on Fish and Fish Habitat 8.4.2 Commercial, Recreational and Aboriginal Fisheries	This section references fish species that are a part of, or support the CRA fisheries; however, without specific documentation of the species used by MMF in a completed TLUKS this listing cannot be deemed complete. Further, the locations where these fish can be found cannot be deemed complete.
Assessment of Potential Environmental Effects on Fish and Fish Habitat Table 8-8 Summary of Field – Assessed Watercourses Crossed by the Project	There is no information on how Aboriginal information was incorporated into this table and into the assessment of water courses crossed by the Project.
Assessment of Potential Environmental Effects on Fish and Fish Habitat 8.5 Assessment of Project Environmental Effects on Fish and Fish Habitat	The simple assertion that "Manitoba Hydro is experienced in the construction, operation and maintenance of transmission lines near aquatic environments, and the potential effects, mitigation measures and monitoring outcomes are well understood" is insufficient. The effects must be quantified, the mitigation discussed and the monitoring outcomes described. Without this information explicitly laid out in the application, the EIS is deficient.
Assessment of Potential Environmental Effects on Fish and Fish Habitat 8.5.2 Assessment of Change in	This section is titled the Assessment of Change in Fish and Fish Habitat but there is little to no discussion in this section related to the assessment of potential effects. Instead it outlines the project mitigation and general

Fish Habitat	practices which will be used to minimize or reduce effects; effects which have yet to be quantified.
Assessment of Potential Environmental Effects on Fish and Fish Habitat 8.5.2 Assessment of Change in Fish Habitat	The potential effects on species of conservation concern are extremely vague and do not relate to actual project effects to the species in question. Instead, potential effects are listed from COSEWIC and vague Project mitigation is listed. This is inappropriate as **specific** project effects on species of conservation concern must be assessed as part of the EIS.
Assessment of Potential Environmental Effects on Fish and Fish Habitat 8.5.3 Assessment of Change in Fish Mortality or Health	This section is titled the Assessment of Change in Fish Mortality or Health but there is little to no discussion in this section related to the assessment of potential effects. Instead it outlines the project mitigation and general practices which will be used to minimize or reduce effects; effects which have yet to be quantified.
Assessment of Potential Environmental Effects on Wildlife and Wildlife Habitat 9.1 Introduction	This section indicates that "...natural wildlife habitat (*i.e.*, grassland, wetland and forests) remains primarily in Crown land areas..." however, there is no discussion of that habitat's importance to Aboriginal groups. As rights must be exercised primarily on Crown land or private land where permission is granted, this is an important aspect to note.
Assessment of Potential Environmental Effects on Wildlife and Wildlife Habitat Table 9-1 Focal Species and Species Assemblages for Evaluation of Wildlife and Wildlife Habitat	The focal species and species assemblages selected were done so without any input from the MMF. This is particularly apparent in the Rationale for Selection which references numerous First Nations but no input from the MMF.
Assessment of Potential Environmental Effects on Wildlife and Wildlife Habitat 9.1.2 Engagement and Key Issues	This section states that "Manitoba Hydro undertook three rounds of engagement to receive feedback on wildlife and wildlife habitat through the public and the First Nations and Metis engagement processes." However, no engagement was completed with the MMF on wildlife and wildlife habitat. The continual reference to the First Nations and Metis engagement process is misleading and implies that engagement with Metis was conducted, where in this case, it was not.
Assessment of Potential Environmental Effects on Wildlife and Wildlife Habitat 9.1.2.1 Change in Wildlife Habitat	This section relies heavily on the concerns raised through the various engagement processes. As MMF was not adequately engaged through this process and is still in the process of negotiating an agreement for involvement, their input was obviously not considered. This is inappropriate and highlights the superficial nature of the EIS engagement strategy.
Assessment of Potential Environmental Effects on Wildlife and Wildlife Habitat 9.1.2.2 Wildlife Mortality	This section relies heavily on the concerns raised through the various engagement processes. As MMF was not adequately engaged through this process and is still in the process of negotiating an agreement for involvement, their input was not adequately considered. This is inappropriate and highlights the superficial nature of the EIS engagement strategy.
Assessment of Potential Environmental Effects on Wildlife and Wildlife Habitat 9.1.2.3 Wildlife Disturbance	This section relies heavily on the concerns raised through the various engagement processes. As MMF was not adequately engaged through this process and is still in the process of negotiating an agreement for involvement, their input was not adequately considered. This is inappropriate and highlights the superficial nature of the EIS engagement strategy.
Assessment of Potential Environmental Effects on Wildlife and Wildlife Habitat 9.2.3 Learnings from Past Assessments	This section outlines that assessment focused on species identified as being important to Metis, however, the MMF have not provided input on this Project on species of importance and have not been engaged to provide the same. This misrepresents the Metis engagement which has taken place on the Project to date.
Assessment of Potential Environmental Effects on Wildlife and Wildlife Habitat 9.3.1.1 Sources of Information	No source of information related to Metis use of Wildlife and Wildlife Habitat was noted in this section.
Assessment of Potential Environmental Effects on Wildlife and Wildlife Habitat 9.3.1.2 Desktop Analysis	This section specifies that data gaps for the desktop analysis were addressed through key person interviews, ATK and targeted Field programs. MMF was not engaged in key person interviews or field programs and has yet to finalize an agreement for completion of an ATK

	study. The generalized description implies that MMF was engaged throughout; this is not the case.
Assessment of Potential Environmental Effects on Wildlife and Wildlife Habitat 9.3.1.5 Addressing Uncertainty	This section indicates that baseline surveys were used to capture information on furbearer use of the RAA due to it being located within an Open Trapping Area. This did not include consultation with the MMF on their use of furbearers in the region and therefore the data is insufficient to characterize MMF use.
Assessment of Potential Environmental Effects on Wildlife and Wildlife Habitat 9.4.1 Overview	The overview provided does not provide an overview of MMF use in the Project vicinity.
Assessment of Potential Environmental Effects on Vegetation and Wetlands 10.1 Introduction	This section's references the First Nation and Metis engagement processes and implies that engagement was undertaken with the Metis and that their interest was expressed in relation to wetlands and native vegetation types. While the Metis do have interest in relation to wetlands and native vegetation types, the language in the EIS is misleading and implies engagement with the Metis which did not take place.
Assessment of Potential Environmental Effects on Vegetation and Wetlands 10.1.2.1 First Nations and Metis	This section specifies that, once filed, the MMF's ATK information "...would add to the understandings of the EIS and inform the EPP." Please confirm that this information will, indeed, add to the understandings of the EIS as throughout the EIS there is mixed messages related to the use of MMF's information.
Assessment of Potential Environmental Effects on Vegetation and Wetlands 10.1.2.1 First Nations and Metis	The use of a literature review in absence of MMF-provided information without engagement with the MMF on this literature review is inappropriate. Particularly as any information gleaned from this literature review would not be Project specific in nature.
Assessment of Potential Environmental Effects on Vegetation and Wetlands 10.1.2.1 First Nations and Metis	This section states that the literature review completed by Manitoba Hydro on the MMF is attached as an appendix to Volume 11. However, in the version of the EIS which MMF downloaded, this is not the case. Please provide the literature review to MMF for their review and consideration.
Assessment of Potential Environmental Effects on Vegetation and Wetlands 10.3.1.4 Field Studies	MMF was not engaged on the two field surveys completed and were not provided the results of these surveys for review. Further, one of the surveys (a wetland survey) did not focus on plants of traditional importance; there is no mention of information on traditional species being collected.
Assessment of Potential Environmental Effects on Vegetation and Wetlands Table 10-3 Potential Environmental Effects, Pathways and Measurable Parameters for Vegetation and Wetlands	While the MMF does not dispute that the abundance and distribution of traditional use plant species is an issue, the rationale for its selection included that comments and concerns were received by Manitoba Hydro from the Metis engagement process and this is not the case.
Assessment of Potential Environmental Effects on Vegetation and Wetlands 10.4.7 Traditional Use Plant Species	The MMF requires the GIS data for the 68 traditional use plant species recorded at 1179 locations within the RAA to confirm with MMF citizens.
Assessment of Potential Environmental Effects on Vegetation and Wetlands 10.5.7.3.1 Construction	This section specifies that "...the effects of construction should not reduce the number of traditional use plant species in the RAA or effect the viability of traditional use species in the RAA." However, this does not take into account MMF preferred areas of harvest and potential effects to those areas.
Assessment of Potential Environmental Effects on Vegetation and Wetlands 10.5.7.4 Summary	The alteration of native vegetation cover classes supporting traditional use species is of great concern to the MMF for two reasons: 1. The alteration of the vegetation cover classes may result in a removal of preferred locations of harvest which the MMF frequent; and

	2. The alteration of the vegetation cover classes may disrupt MMF harvest for one or more generations, creating a gap in teaching/learning opportunities for MMF citizens. The effects being reversible after the life of the Project is complete do little to address these concerns.
Assessment of Potential Environmental Effects on Vegetation and Wetlands 10.6.6.3 Residual Cumulative Effects on Change in Traditional Use Plant Species Abundance and Distribution	As this section does not take into account: 1. The alteration of the vegetation cover classes may result in a removal of preferred locations of harvest which the MMF frequent; and 2. The alteration of the vegetation cover classes may disrupt MMF harvest for one or more generation, creating a gap in teaching/learning opportunities for MMF citizens, the assessment of residual cumulative effects is deficient. MMF agrees that the cumulative effects on traditional use plant species abundance and distribution is moderate to high in magnitude. However, MMF disagrees that because only a small permanent loss of native vegetation in the RAA the effect is lessened. This does not account for MMF preferred locations of harvest.
Assessment of Potential Environmental Effects on Vegetation and Wetlands 10.7.1 Significance of Environmental Effects from the Project	MMF disagrees with the significance determination as it does not take into account: 1. The alteration of the vegetation cover classes may result in a removal of preferred locations of harvest which the MMF frequent; and 2. The alteration of the vegetation cover classes may disrupt MMF harvest for one or more generation, creating a gap in teaching/learning opportunities for MMF citizens.
Assessment of Potential Environmental Effects on Traditional Land and Resource Use	There is no valued component which takes into account MMF rights. The use of Traditional Land and Resource Use as a proxy for Aboriginal rights is inappropriate and results in the EIS only scratching the surface of Aboriginal rights without fully delving into the issue.
Assessment of Potential Environmental Effects on Traditional Land and Resource Use 11.1 Introduction	This section states that the MMF study will be used to help inform the EPP for the Project, however, earlier sections in the EIS (4.5.19.1 Engagement Process) state that it will be used to inform the EIS. Please clarify.
Assessment of Potential Environmental Effects on Traditional Land and Resource Use 11.2.3 Learnings from Past Assessments	This section does not include advice from previous Clean Air Commission Reports. Please explain this lack of reference to the previously completed reports. The BiPole III Project included some indirect guidance in the matter of ATK that must be incorporated into this EIS. For example, the BiPole Report indicated that "It would be more prudent to have ATK and community consultation input before the data collection begins so that studies can be designed to address scientific as well as local user concern." This approach was not taken in the current EIS.
Assessment of Potential Environmental Effects on Traditional Land and Resource Use 11.4.2 Plant Harvesting	This section states that "...Metis identified plant harvesting among the current use of land and resources for traditional purposes." MMF has not provided any Project specific information on plant harvesting to Manitoba Hydro to date. Therefore, this information is incomplete.
Assessment of Potential Environmental Effects on Traditional Land and Resource Use 11.4.2.3 Plant Harvesting Information from Secondary Sources and Other VC Assessments for the Project	Relying only on secondary information collected in a Gap Analysis by third parties is inappropriate and does not include the scope and breadth of Metis harvesting in the Project Area. This is why project specific ATK studies are completed.

Assessment of Potential Environmental Effects on Traditional Land and Resource Use 11.4.3 Hunting and Trapping	This section states that "...Metis identified hunting and trapping among the current use of land and resources for both economic and cultural purposes." MMF has not provided any Project specific information on hunting and trapping to Manitoba Hydro to date. Therefore, this information is incomplete.
Assessment of Potential Environmental Effects on Traditional Land and Resource Use 11.4.3.3 Hunting and Trapping Information from Secondary Sources and Other VC Assessments for the Project	Relying only on secondary information collected in a Gap Analysis by third parties is inappropriate and does not include the scope and breadth of Metis hunting and trapping in the Project Area. This is why project specific ATK studies are completed.
Assessment of Potential Environmental Effects on Traditional Land and Resource Use 11.4.4 Trails and Travelways	This section states that "... Metis continue to use long-established trails and travelways that connect communities, harvesting areas and gathering places in a network of traditional use and cultural patterns." MMF has not provided any Project specific information on trails or travelways to Manitoba Hydro to date. Therefore, this information is incomplete.
Assessment of Potential Environmental Effects on Traditional Land and Resource Use 11.4.4.3 Trails and Travelways Information from Secondary Sources and Other VC Assessments for the Project	This section does not include the scope and breadth of Metis trails and travelways in the Project Area. Particularly as it does not contain any information on contemporary trails.
Assessment of Potential Environmental Effects on Traditional Land and Resource Use 11.4.5 Cultural Sites	The MMF was not engaged on specific cultural sites and therefore sites it may have identified are not listed in this section.
Assessment of Potential Environmental Effects on Traditional Land and Resource Use 11.5 Assessment of Project Environmental Effects on Traditional Land and Resource Use	This section states that "[p]otential project effects on TLRU shared by participants during preliminary routing discussions included Aboriginal and Treaty rights, historical use (heritage resources), harvesting (berry picking and gathering), sacred and traditional practices (sacred areas), gathering places and burial sites (sacred and sensitive areas), TLE (pressure on TLE interest) and Medicine Line burials (disturbance of burials)." It is not clear from the EIS how Aboriginal and Treaty rights were identified to be a potential project effect in terms of their relation to TLRU. Further, it is not clear from the EIS how this potential project effect was assessed as it was not identified as a Potential Environmental Effect for TLRU or as a measurable parameter/unit of measurement. Please clarify. Further, no information is provided on how the potential project effects raised during preliminary routing discussions evolved to become the Potential Environmental Effects assessed under this VC. More information is required.
Assessment of Potential Environmental Effects on Traditional Land and Resource Use 11.5.2.3 Characterization of Residual Environmental Effects for Plant Harvesting	This section fails to account for preferred areas of harvest versus non-preferred and instead focuses on the exact number of instances for harvest. This shows a lack of understanding of Aboriginal TLRU which relies on preferred means of harvest as a component of meaningful exercise of rights.
Assessment of Potential Environmental Effects on Traditional Land and Resource Use 11.6.4 Residual Cumulative Effects	As MMF has yet to submit their TLRU study, it is premature to draw the conclusion that most sites would be located outside of the Project LAA. Therefore the residual cumulative effects assessment is based on incomplete knowledge.

Assessment of Potential Environmental Effects on Traditional Land and Resource Use 11.7 Determination of Significance	This section indicates that there are generally accepted thresholds for TLRU which, in the context of the sentence, does not make sense. Does the EIS mean to state that there are **not** generally accepted thresholds?
Assessment of Potential Environmental Effects on Traditional Land and Resource Use 11.7 Determination of Significance	As MMF has yet to submit their TLRU information to Manitoba Hydro for consideration, the determination of TLRU as not significant is premature.
Assessment of Potential Environmental Effects on Heritage Resources 12.1 Introduction	This section specifies that Heritage Resources were defined as a valued component based on Metis concern; however, the MMF was not engaged specifically on heritage resources for this project.
Assessment of Potential Environmental Effects on Heritage Resources 12.1.2.3 First Nation and Metis Engagement	This section indicated that the Swan Lake First Nation identified the Assiniboine River and Red River crossing as areas of potential Metis farmsteads, however, this was not followed up on with the MMF. Please provide specific detail on why this assertion by SLFN was not further explored with the MMF.
Assessment of Potential Environmental Effects on Heritage Resources 12.2.3 Learnings from Past Assessments	This section outlines that information regarding potential heritage resources within the undeveloped portion of the RPA were acquired during First Nation and Metis engagement process, however, there was no engagement with the MMF on the potential heritage resources throughout the undeveloped tracts.
Assessment of Potential Environmental Effects on Infrastructure and Services 13.1 Introduction	It is noted that this VC was identified as important to Metis; there has been no engagement with the MMF to date on Infrastructure and Services which could be used to make that inference.
Assessment of Potential Environmental Effects on Infrastructure and Services 13.3.1.3 Key Person Interviews	No KPIs were conducted with the MMF despite offering infrastructure and services in the vicinity of the Project.
Assessment of Potential Environmental Effects on Employment and Economy 14.1.2.1 First Nation and Metis Engagement	The MMF was not engaged on any issues related to employment and economy, to date. This is despite the MMF having many programs and services related to employment and economy which may be impacted by the development of the Project.
Assessment of Potential Environmental Effects on Employment and Economy 14.3.1.3 Key Person Interviews	No KPIs were conducted with the MMF despite offering programs and services related to employment and economy in the vicinity of the Project.
Assessment of Potential Environmental Effects on Land and Resource Use 16.2.3 Administrative Boundaries	This section includes a listing of administrative boundaries; however, this particular boundary is not applied consistently throughout the EIS. Please provide detail on why administrative boundaries were not listed for other valued components.
Assessment of Potential Environmental Effects on Land and Resource Use 16.3.1.3 Key Person Interviews	KPIs were not conducted with the MMF despite the MMF having information on hunting and trapping areas relevant to the assessment.
Assessment of Potential Environmental Effects on Land and Resource Use 16.4.8.1.1 Trapping	The listing of furbearing species within this section cannot be deemed complete prior to engagement with the MMF.
Assessment of Potential Environmental Effects on Land and Resource Use 16.4.8.1.3 Fishing	The listing of fish species within this section cannot be deemed complete prior to engagement with the MMF.
Assessment of Potential Environmental Effects on Land and Resource Use 16.5.3.3.1 Construction Phase	This section states that recreational activities such as fishing, hunting and trapping "...may be disturbed during construction but the disruption is expected to be temporary and short term" but does take into account the ongoing line maintenance (considered separately) which inappropriately minimizes the potential effect.
Assessment of Potential Environmental Effects on Visual Quality 17.1 Introduction	It is noted that this VC was identified as important to Metis; there has been no engagement with the MMF to date on visual quality which could be used to make that inference.
Assessment of Potential Environmental Effects on Visual Quality 17.1.1 First Nation and Metis	This section identifies that participants expressed their concern about the Project's potential effects on visual quality and stress and annoyance related to the Project. Note, however, that do to lengthy negotiations on

Engagement	an engagement agreement, no feedback related to visual quality has yet been provided by the MMF..
Assessment of Potential Environmental Effects on Visual Quality 17.3.1 Existing Conditions Methods	MMF was not engaged with regards to the photo-simulations referenced in this section.
Assessment of Potential Environmental Effects on Visual Quality 17.3.1.1 Overview of Methods	The MMF was not engaged on identifying viewsheds of importance to them. This meant that no viewsheds of importance to the MMF were included in the fieldwork conducted for this assessment.
Conclusions 24 Conclusions	Due to the late engagement and onerous budget and workplan negotiations, the FNMEP has thus far failed to involve the MMF in the meaningfully . This resulted in a lack of involvement for the MMF through route selection, study execution and left MMF ATK information out of the final EIS. Overall, the process did not successfully include Metis interests and MMF recommends that Manitoba Hydro reevaluate the failings of this project for future projects to ensure involvement with MMF is started at an earlier stage to facilitate their involvement in the route selection and study execution.

Dr. L. James Shapiro
Box 160
St. Norbert, Manitoba
R3V 1L6

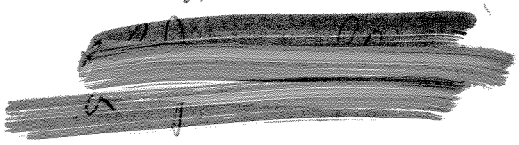
November 6, 2015

Manitoba Conservation and Water Stewardship
Environmental Approvals Board
123 Main Street
Winnipeg, Manitoba
R3C 1A5

Dear Sir/Madam:

I am opposed to the proposed Manitoba-Minnesota Transmission Project. I sent the attached material to the National Energy Board. I am sending this material to you for the same reasons.

Sincerely,



L. James Shapiro, Ph.D.
Email: [redacted]
Telephone: [redacted]
Fax: 204 [redacted]

Dr. L. James Shapiro
Box 160
St. Norbert, Manitoba
R3V 1L6

November 6, 2015

Secretary of the Board
National Energy Board
517 Tenth Avenue SW
Calgary, Alberta
T2R 0A8

Dear Sir/Madam:

Manitoba Hydro has proposed a 500-kilovolt alternating current transmission line between Manitoba and Minnesota. According to Manitoba Hydro, this line is "...needed to support export sales to the United States." It will "...also increase access to markets in the United States for future export sales." The reasons that Manitoba Hydro are using to justify the building of this transmission line are not supported by existing evidence. My reading of the situation indicates that the export market for hydroelectricity is saturated. Alternative ways to generate electricity are cheaper. They are becoming more abundant and preferred as environmental concerns increase. Manitoba Hydro's debt servicing for its recent construction projects is huge. Adding unnecessarily to that debt means that Manitoban's will be forced to subsidize Manitoba Hydro's folly. I believe that the Manitoba-Minnesota Transmission Project should not be approved at this time. The evidence indicates that it is simply not economically viable.

In addition, I have grave concerns about the location of the proposed transmission line. I have previously submitted my concerns to the National Energy Board. I am attaching a copy of that letter to this one.

Sincerely,

L. James Shapiro

L. James Shapiro, Ph.D.
Email: Shapiro@cc.umanitoba.ca
Telephone: 204-255-4717
Fax: 204-257-2081

Dr. L. James Shapiro
[redacted]a

May 7, 2015

Manitoba Hydro
820 Taylor Avenue
Box 7950 Stn Main
Winnipeg, Manitoba
R3C 0J1

Reference ID: MLO[1593]

Dear Sir:

I wish to comment on the Manitoba-Minnesota Transmission Project- Preferred Route. My comments refer to the use of the Winnipeg Floodway as a site for part of the route and to my specific location with respect to the preferred route. I offer an alternative route.

Negative Effects of The Use of the Floodway as Part of the Preferred Route

1. Negative Effects on the 5000 foot cuts in the Floodway

From the map distributed by Manitoba Hydro and the detailed expansion of that map shown to me at Manitoba Hydro's Open House on February 12, 2015, it is clear that the preferred route for this transmission line involves the Winnipeg Floodway, in particular, the base of the southern berm of the Floodway.

The use of any part of the Floodway to conduct this transmission line threatens the integrity of the Floodway and its ability to protect the residents of Winnipeg from catastrophic flooding. This threat is nowhere more apparent than in the stretch of the Floodway that extends from St. Mary's Road to the area east of Lagimodiere Boulevard on the line's way to the Riel Converter Station. My comments probably extend to the West Dike, west of St. Mary's Road also. These areas consist of agricultural land so the towers will be self-supporting lattice steel towers, according to Manitoba Hydro.

According to Manitoba Hydro's Round 3 – Preferred Route brochure, these towers range from 100 feet to 200 feet in height. These towers will be spaced 1300 feet to 1650 feet apart, on average. Along the Floodway, east of St. Mary's Road, there are at least three 5000 foot cuts into the Floodway that allow rising floodwaters to spill directly into the Floodway. These same cuts allow receding floodwater to empty into the Floodway. With the spacing of the towers there will be 9 – 11 towers along the span of the 15,000 feet of cuts made in the Floodway. Each of these towers serves as an impediment to debris contained in the rising floodwater and, subsequently, in the receding floodwater. As the

debris accumulates it can form a dam preventing rising floodwater from flowing into the Floodway as the flood is occurring and it prevents receding floodwater from flowing into the Floodway as the flood is receding. A worst case scenario would entail the collapse of one or more of these towers if the debris accumulating at its base and the force of the floodwater cause it to fall over. In that case, the Floodway's ability to fight a flood is severely compromised.

In the past, all kinds of large objects have floated along the Floodway. These objects are floating rapidly in a fast current. All of these objects can become lodged at the base of the towers. They include, but are not limited to, garages, boats, large hay bales weighing around 1000 pounds each, hydro poles, and large trees. All of these objects provide a restraining surface or structural network in which smaller objects can lodge. Of particular concern are the tons of drifting stubble from the surrounding fields. This material is made up of the remains of the crops grown in the farmland south of the floodway. It is like small sticks that can lodge anywhere. Once a network of stubble begins to form, it is like a net that collects, holds, and retains more stubble and small debris. It would not take long for a damn to form, preventing the Floodway from doing its job. Additionally, the weight of the accumulating debris could topple the tower, further restricting the functioning of the Floodway.

The Floodway is a protective device of a sensitive nature for the safety of the residents of Winnipeg and most of the population and economic activity of the Province of Manitoba. Impediments to the free flow of flooding water should be avoided.

2. Negative Effects on Raising the Level of the Floodway, if need be

There have been 40 flood events in the Red River Basin since 1776. Twenty-four of these events were among the worst floods in Winnipeg's history. Three of them were worse than the 1997 Flood. The likelihood of another flood in the Red River Basin is very high. Previous probabilities of flooding cannot be used to predict future floods (recurrence levels). The environmental conditions used to calculate the probability of flooding has changed. The old probabilities cannot be used to accurately predict future floods. Recently, a 1 in 200 year flood occurred two years in a row. Flooding is a frequent event in the Red River Basin. The floods seem to be occurring more frequently and seem to be larger, more severe and of longer duration, all of which creates more damage.

The Floodway has been widened but it has not been raised. It is possible that the Floodway will have to be raised in a future flood. The Brunkild Dike is an example of a dike that had to be raised quickly, with little warning and no lead time. Towers placed along the Floodway would impede motorized vehicles from transporting and distributing soil and rip-rap to raise or repair Floodway dikes, especially if one or more of the towers collapsed onto the existing Floodway dike. These same towers would impede the removal of debris lodged against the base of the dike after a flood.

If something goes wrong with the Portage Diversion, water will be shunted to the LaSalle River, which enters the Red River north of the floodgates. The floodgates will have to be raised in order to reduce the amount of water flowing into Winnipeg. More water will be

diverted into the Floodway, with the possible subsequent necessity of having to raise the level of the Floodway dikes. The proposed towers will present a significant barrier to such a task.

3. Negative Effects on the Recreational Use of the Floodway

The Province of Manitoba and the City of Winnipeg are trying to increase the recreational use of the Floodway. Encouraging people to use the Floodway on a regular basis makes their presence a regular occurrence. Such use will facilitate a human-tower interaction. Given the propensity of human beings to engage in acts detrimental to their own health and that of the environment, it is inevitable that such activity will result in serious injury to both body and tower.

In order to facilitate recreational uses of the Floodway, permanent structures will have to be built for the convenience of its users. Picnic areas, campgrounds, playgrounds, washrooms, shelters, and parking areas are likely to be built. Trees, buildings, toilets, shade areas, permanently installed maps, perhaps even commercial ventures, as well as other entities, could be placed on the Floodway. Such development in proximity to the proposed Hydro towers is an accident waiting to happen. Recreational uses of the Floodway means that police and emergency vehicles would have to have quick and regular access to the Floodway in case accidents occur there. The presence of these towers in an emergency would hinder rescue efforts.

4. Negative Effects on Aircraft Descending on Approach to Richardson International Airport

A flood occurs in the spring. Water occupies a large surface within the confines of the Floodway dikes. In the spring, hundreds of thousands of Canada geese migrate north over through and around Winnipeg. The water in the Floodway is an attractive resting place for the geese.

A major approach to the Winnipeg International Airport is from the southeast, directly over the Floodway. As large, cumbersome, commercial airplanes descend and slowdown in their final approach to the airport, they are not in a position to take evasive maneuvers to avoid a flock of geese or even one goose entering a jet engine.

Bird-aircraft collisions are not uncommon and can result in loss of life and high costs. The cost of repair due to bird ingestion can range from $250,000 to $1 million dollars and can go as high as $6 million dollars. Loss of human lives is inevitable and these losses are irreparable.

Most birds fly between 30 to 300 meters above the ground. When birds migrate, they usually fly between 1000 and 1500 meters above the ground. In general, the larger the bird and the faster its airspeed, the higher it flies. Around 90% of bird strikes occur below 1,500 meters above the ground. There are recorded instances, however, of bird strikes more than 2,000 meters above the ground.

Most air crashes occur when a bird hits the windshield or is inducted into the engine. It is possible that birds do not perceive aircraft as a threat or potential predator. Modern, wider-bodied aircraft require birds to fly twice as far to escape than they do with older small-bodied planes.

Heavier species are more hazardous to aircraft. The average body mass of bird species that cause fatalities or injuries to aircraft occupants is 5.1 kg. The Canada goose can weigh from approximately 1.0 kg. to 7.0 kg., on average.

Many bird strikes occur in April. That is when young of the previous year are abundant and possibly less successful in evading planes. It is also when floods occur and the Floodway begins to fill up and remains full of water for some time.

A bird-aircraft collision is not a remote possibility. On July 30, 2003, an Air Canada plane had to return to the Winnipeg International Airport after it was struck by a number of birds during takeoff. On September 15, 1998, a Boeing 767 bound for Amsterdam was forced down 35 minutes after takeoff from Calgary because of a bird strike by a small bird. That collision occurred at a height of 200 meters, or about the height of a 60 story building. Geese can fly much higher than that, planes can fly much lower than that, and when geese are frightened they ascend rapidly and steeply. The consequences of having a goose sucked into a jet engine or hitting a jet plane are catastrophic. The passengers on these large planes can number in the hundreds. The houses between the Floodway and the airport are clustered in high densities and each contains at least one individual. Collateral damage would be high. The same situation may very well be present from other approaches to the airport where incoming planes are crossing the Floodway or are within its proximity.

The relevance of this information to the presence of potential Hydro towers is that when geese are surprised, frightened, or otherwise alarmed, they will ascend into the air rapidly and steeply. If frightened on the ground or surprised by a tower while in flight, the geese will ascent steeply and rapidly. Descending aircraft run the danger of colliding with a goose ascending steeply while it is trying to avoid potential danger. The presence of these towers presents an additional and unnecessary threat to descending aircraft.

5. Negative Effects on Users of the Floodway for Recreational Purposes

The Floodway is used by horseback riders, snowmobilers, hikers, bird-watchers, dog walkers, joggers, bike riders, individuals flying kites, individuals flying miniature model airplanes, individuals practicing archery, and many other users. The electricity being carried by these transmission lines emit powerful radiation and magnetic fields. Whether one believes the literature or not, there is a liability associated with installing transmission lines in an area that is encouraging the presence of human beings and animals. It would be irresponsible to install such towers when one knows that there will be a high human-animal presence in the area immediately surrounding these lines.

The City of Winnipeg should be aware that in Quebec, the Supreme Court ruled that a city can decide what kind of development it wants to have on its territory. Hence, it is possible that the City of Winnipeg could decide that these transmission lines should be placed elsewhere rather than on or adjacent to the Floodway.

6. Negative Effects on the Army When There is a Flood

During the 1997 Flood, the army occupied the top of the Floodway. It pitched its tents, established its headquarters, created landing pads for its helicopters, parked its tanks and amphibious vehicles, erected its mess tents and hospitals, and maintained staging areas for its landing craft. Fuel depots were created, security outposts were manned, and the hundred and one other things that the army has to do were done on the banks of the Floodway. Anything that would interfere with the operation of a force asked to come in to help save Winnipeg is not in the best interests of Winnipeg or the Province of Manitoba. The banks of the Floodway should remain bare, clean, and unobstructed in the interests of protecting Winnipeg. Transmission towers would severely impede the operation of the Army or any other sizeable operation during a flood.

Negative Effects of Transmission Towers on the Community of St. Germain/Vermette

Visual pollution, rural land values, and area sensitivities

The community of St. Germain/Vermette occupies the southeast corner of Winnipeg. It is a rural area zoned for large lot rural development. Residents can have 2, 5, or 40 acres of agricultural land.

St. Germain/Vermette literally has nothing to offer its residents except its rural lifestyle. Residents have septic fields instead of sewers and have wells instead of city water. The area relies on ditches instead of curbs for its roads, which are gravel and not paved. The area has rural, not urban, street lighting, no traffic lights, and no City of Winnipeg services, except the occasional snow clearing and garbage pickup and the Assessment Department. Area residents receive a $250 rebate on their taxes because they do not share the services other Winnipeg residents receive. Both fire and police services say that the area is too far from them to be effective in an emergency. The area has no water supply from which the pumper trucks can refill if there is a fire and the pumper runs out of water. The area has no school, grocery store, post office, library, daycare, medical clinic, gas station or restaurant.

The proposed transmission line cuts through the southern portion of St. Germain/Vermette. The height of the towers will be seen from all over St. Germain/Vermette. Visual pollution of the ugliest kind will mar the rural atmosphere of the area. That atmosphere is the only characteristic of the area that it has to attract new residents.

Changing the rural nature of the area is a very sensitive issue. It will cause rural land values to drop. The proposed route is supposed to minimize its impact on people and the environment. The towers are supposed to be placed so as to minimize their proximity to individual residences and farmsteads. Placing these towers in this location will do just the

opposite; the towers will maximize their effect on a whole community and its perceived environment.

Negative Effects of the Proposed Towers on My Business

Poco-Razz Farm (www.pocorazzfarm.ca) is a registered farm with the Province of Manitoba. The name is registered with the Companies Office of the Province of Manitoba. Poco-Razz Farm is the only privately owned stable in Winnipeg that provides miles of trails for horse owners to use. The Floodway is a major component of those trails. The towers will negatively impact the attractiveness of the Floodway for riding purposes. I will lose considerable business as a result of their presence.

Negative effects of the Towers on My Property Value

The presence of these towers so close to my property will reduce my property value. The towers will take away the only characteristic of the area in which I live, i.e, open, unobstructed space.

A Possible Solution

A better location exists for erecting the proposed towers. From the currently proposed location between St. Mary's Road and Lagimodiere Boulevard there exists a line of trees that begins 1.6 km to 1.9 km south of the south side of the Floodway, as St. Mary's Road runs. These trees are mature and already provide a barrier to floating debris during a flood. If the towers were erected on the south side of these trees, the trees would provide protection for the base of the towers. The trees would serve as a strong net that would hold and retain debris that might otherwise damage the base of the towers and/or possibly topple them.

Placing the towers further south of the currently proposed location would minimize the visual disturbance to St. Germain/Vermette, an area that has nothing but its rural atmosphere as its defining characteristic.

Placing the towers south of the currently proposed location would help prevent goose/aircraft collisions because the geese would not be attracted to the treed area as a landing spot on water. They would not have enough of a glide path to use on their descent to land on the floodwater.

With the number of geese migrating north at the time of a flood, it is still possible for a collision between geese and an aircraft to occur at a location south of the currently proposed route. However, the resulting damage would spare the Floodway and the possible danger to over 700,000 residents of Winnipeg.

A positive aspect of a location south of the currently proposed route is that the Province of Manitoba already owns the land on which the towers would be erected. There would be no acquisition costs or expropriation procedures that would have to be used.

The current proposal seems to want to use the Floodway as a route that would utilize government owned land. It seems to want to avoid disruption to communities and individual residences. While these are laudable objectives, proximity to the Floodway poses a huge risk to the integrity of the Floodway, which is a protective device of a sensitive nature for the safety of the residents of Winnipeg and most of the population and economic activity of the Province of Manitoba.

If one was to look at a map of the proposed route, it seems that if one was to change the proposed route to a point south of the current proposal and extend it to Highway 501 and then east, one would save on construction costs. One would have to build a new converter station but that cost would be offset by reducing the risk to the Floodway and the catastrophe that would occur if the Floodway was breached.

Manitoba Hydro has indicated that 40% of their decision will be weighted toward the cost of the project and 30% of their decision will be weighted toward human impact. The cost of rebuilding Winnipeg is vastly higher than the cost of constructing this transmission line. The impact on human beings is huge if the Floodway is compromised.

Other Agencies Being Informed

It is my opinion that the nature of the information contained in this submission is of sufficient importance that it should be shared with several other agencies. According, I am sending it to the following:

The National Energy Board
Manitoba Conservation and Water Stewardship: Environmental Approvals Board
Mayor Bowman, Mayor of the City of Winnipeg
Grant Mohr, Branch Head – Land Drainage and Flood Protection, City of Winnipeg
Randy Hull, Emergency Preparedness Co-Coordinator, City of Winnipeg
Brian Mayes, Councillor for St. Vital Ward (the area involved within the City of Winnipeg)
Legal Services, City of Winnipeg

Sincerely,

L. James Shapiro

L. James Shapiro, Ph.D.
Email. [redacted]
Telephone [redacted]
Fax: 20[redacted]

Albert Wolfe,

Leaford Holsteins Ltd,

Box 252,

La Broquerie,

MB. R0A 0W0

24 Nov. 2015

Dear Elise,

I am writing to you in regard to Manitoba Hydros "Manitoba Minnesota Transmission Line Project." I operate a dairy farm under the name "Leaford Holsteins Ltd", and have land that is on the final route for the transmission line namely [redacted] and [redacted] My concerns include impact on wildlife, agriculture and local development.

This power line is paralleling a water course that Great Blue Herons frequent. The land is occupied by Sandhill Cranes during the summer with geese and swans taking up residence in spring and fall as they migrate north and south respectively. These large birds find it difficult to avoid hitting power lines, especially in foggy or windy conditions. Wildlife biologist, Greg Wagner, from Alberta has been observing this phenonomen around southern Alberta as reported in the April 2, 2015 edition of The Western Producer.

The soil on my farm is a sandy loam and is prone to wind and water erosion. With heavy traffic travelling over this cropland the possibility of erosion is very real; especially in NW20-6-8E which can also suffer from flooding in a spring that has an unusually high run off of water.

I have noticed on the map that Manitoba Hydro submitted that the fields that I work are classified as range or grassland, perennial cropland and pasture. For your information this land has not been in range or pasture for decades. It has been cropped annually with corn, soya beans, or cut for alfalfa hay. A century farm on the north side of La Broquerie is on the route and is not marked on their map. I would question the information submitted to Manitoba Conservation. Local knowledge is best at the end of the day. I wonder what else is not accurate?

This whole project will impact our farming activity from the planning, construction to the use phase. Being involved in dairy it is very important to harvest our crops of hay, corn and soya in a timely fashion. We need high quality forage for our dairy cows. With excess traffic on country gravel roads and periodic road closures, to continually be able to access our fields on the west side of the power line is going to be a problem. All of the above will increase our time and fuel while at the same time reducing the quality of our crops. Therefore our carbon footprint will increase.

Another aspect of this project worries me greatly and this is that this power line is a high voltage AC line. Farmers have experienced problems with such, e.g. stray voltage, such as is noted on a submission made to the Bipole 3 Transmission Project by Ferme de Rocquigny, St. Claude, Manitoba, dated 12 November 2012. I quote from the report "Hydro personel assured us that our experience with the HVac line will not be repeated with a HVdc line." This is a HVac line coming through my property and I am concerned that my livelihood will be seriously jeopardised as my dairy barns are within 410 metres. The line will cross

over the existing transmission line and thus increase the likelihood of stray voltage.

On SW8-6-8E there is a shelter belt that will need to be taken out to facilitate this transmission line thereby increasing wind erosion, and removing a deer habitat.

La Broquerie has been one of the fastest growing municipalities in Manitoba. This line will run down the east side of the town greatly reducing the area for future growth. That area is not agricultural land and so is ideally suited to residential development. Being an employer, La Broquerie is an area where employees live. Lack of development will impact the choosing of employees.

Manitoba Hydro plans to put this line just west of our home, which will be an eyesore. Every time we look out our picture window we will see multiple towers in what is an unspoiled agricultural landscape. Having towers in agricultural fields will impact our ability to aerial spray our crops, spread manure with a drag hose while increasing the likelihood of an accident especially when using GPS guidance systems. Towers are an obstacle that have the chance of getting snagged with a piece of machinery especially when working at night.

Some day in the not too distant future the next generation will be starting to farm at Leaford Holsteins. Being in such close proximity to the farmyard will limit severely the placing of a second or third residence when that time comes.

From this letter you will see the very real concerns we have with this project. We trust you will consider these and take whatever steps you can to help us ensure honesty and fairness.

Thank you.

Yours sincerely

Albert H. Wolfe.