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Bipole III Clean Environment Commission Chart: Events, Decisions, Documents

As of Aug 28, 2012

Acronyms used:

BP3 = Bipole III;
BP3 Coal = Bipole III Coalition;
CAC = Consumers' Assoc. of Canada;
CEC = Clean Environment Commission;
EIS = Env. Impact Statement;
IRs = Information Requests/Responses
GPM = Green Party of Manitoba;
MB-Gov = Manitoba Government;
MB-Gov EALB = Env. Assessment & Licensing Branch;
MBHY = Manitoba Hydro;
MMF = Manitoba Metis Federation;
MWL = Manitoba Wildlands;
NFAAT = Needs For And Alternatives To;
PILC = Public Interest Law Centre;
SCN = Sapotaweyak Cree Nation;
SD = Scoping Document;
TCN = Tataskweyak Cree Nation;
WFP = Winnipeg Free Press;

Bipole III Chronology: Events, Decisions, Documents

As of Aug 28, 2012

Date	Event / Document / Motion	URL if Available	Source	Comments / Notes
14-Dec-09	Manitoba Environment Act Proposal	http://www.gov.mb.ca/conservation/eal/registries/5433bipole/app_letter.pdf	MBHY	All applications for an Environment Act license begin with and Environment Act Proposal Form (EAPF)
14-Dec-09	Scoping Document (SD) Filed for Public Review	http://www.gov.mb.ca/conservation/eal/registries/5433bipole/eapf_draftscope.pdf	MBHY	The initial draft scoping document was made available for public review. Scoping Documents seeks to lay out the requirements for the subsequent Environmental Impact Statement.
2-Jan-10	Ad Notice of SD in Winnipeg Free Press (WFP) (and other publications Jan 2-8)	http://www.gov.mb.ca/conservation/eal/registries/5433bipole/advertisement.pdf	MB Gov-EALB	All reviews under the Environment Act must be advertised in a local paper. We state the date advertised in Winnipeg Free Press, but notice was posted in other publications across Manitoba, after this date.
10-Feb-10	Original SD Comments Deadline		MB-Gov-EALB	Deadline for comments on Scoping Document extended until March 31, 2010
31-Mar-10	Extended SD Comments Deadline		MB-Gov-EALB	
14-Apr-10	CEC Chair Terry Sargeant sends letter to EALB Director Tracey Braun re: BP3 Scoping	http://manitobawildlands.org/pdfs/SargeantToBraun-BipoleScoping_14Apr112010.pdf	T. Sargeant	

1-Jun-10	Final SD Posted By EALB	http://www.gov.mb.ca/conservation/eal/registries/5433bipole/scopedoc.pdf	MB Gov-EALB/MB Hydro	
29-Jun-12	Preferred Corridor for BP3 selected	https://www.hydro.mb.ca/NewsReleases/GetDetail?hdnAct=E&hdnTXT='Bipole%20III%20Preliminary%20Preferred%20Route%20Released'	MBHY	
2-Dec-11	Environmental Impact Statement (EIS) Filed by MB Hydro to MB Licensing Branch	http://www.hydro.mb.ca/projects/bipoleIII/eis.shtml	MBHY	Manitoba Hydro submitted the Environmental Impact Statement (EIS).
2-Dec-11	CEC Hearing Announced by MB Gov	http://news.gov.mb.ca/news/index.html?archive=2011-12-01&item=12725	MB Gov-Min Con	Government Announces CEC hearing by press release. Also confirms participant funding offered, and a 90 day review period for the EIS will take place first.
5-Dec-11	CEC Terms of Reference for BP3 hearings	http://www.cecmanitoba.ca/resource/hearings/36/Terms%20of%20Reference%20Bipole%20III.pdf	MB Gov-Min Con	CEC Terms of Reference for BP3 issued by Dave Chomiak, both acting Minister for Conservation and the Minister Responsible for Hydro at the time.

10-Dec-11	Ad Notice of BP3 EIS Review in WFP (and other publications Dec 10-22)	http://www.gov.mb.ca/conservation/eal/registries/5433bipole/advertisement_08_12-11.pdf	MB-Gov-EALB	All reviews under Environment Act must be advertised in a local paper. We state the date advertised in Winnipeg Free Press, but notice was posted in various other publications across Manitoba. Distribution of EIS to Public Registries was mid-December. Review took place over the x-mas holidays when many First Nation offices are closed for 3 weeks.
1-Feb-12	MBHY sends letter to First Nations requesting BP3 EIS USB/CDs.		MBHY	Hydro had accidentally left confidential First Nations information in 1st draft of EIS.
15-Feb-12	CEC Issues Updated Procedural Documents	http://www.cecmanitoba.ca/resource/hearings/36/Procedures%20Manual%2020123.pdf	CEC	CEC updates procedural guidelines in anticipation of BP3 hearings.
17-Feb-12	Notice of participant assistance funding deadlines.	http://www.cecmanitoba.ca/resource/hearings/36/Procedures%20Manual%2020123.pdf	CEC	
16-Mar-12	EIS Comments Deadline			Comments due to EALB.
16-Apr-12	CEC Funding Deadline		CEC	Applications due by 1pm to be considered for funding.
20-Apr-12	CEC Funding Committee Interviews			

10-May-12	CEC Pre Hearing Conference #1	http://www.cecmanitoba.ca/resource/hearings/36/Transcript%20Pre-hearing%20May%2010,%202012.pdf & http://www.cecmanitoba.ca/resource/hearings/36/Pre-Hrg%20Report%20-%20May%202012.pdf	CEC	Summary and Transcript are available online.
10-May-12	Participants encouraged to submit EIS deficiencies to CEC by May 31, 2012.			Discussed at prehearing conference.
10-May-12	Participants encouraged at pre-hearing conference to submit Information Requests (IRs) until June 15, 2012.			Discussed at prehearing conference.
10-May-12	EALB requests additional information from MBHY.	http://www.gov.mb.ca/conservation/eal/registries/5433bipole/add_request_05_10_12.pdf	EALB	Letter outlines requests for additional information required.
11-May-12	CEC Announce Funding decisions			
14-May-12	1st draft Participant Contact List Circulated.		CEC	1st draft of contact list circulated.
14-May-12	CEC Circulates Letters to Participants Who Applied for Funding		CEC	
18-May-12	CEC sends 1st batch of IRs to MB Hydro		CEC	First round of IRs sent to MBHY on Caribou issues. Both an original and ammended version

22-May-12	Public Interest Law Centre (PILC)- Consumers Association of Canada- MB Chapter (CAC) sent identified deficiencies doc to CEC		PILC	PILC
29-May-12	CEC sends 2nd batch of IRs to MB Hydro		CEC	Second round dealt with a variety of issues.
31-May-12	R. Dawson sends letter to CEC on behalf of Peguis		Peguis/Dawson Law	Letter outlines numerous issues surrounding consultations with Peguis First Nation. Letter actually sent evening of May 30.
31-May-12	Original Deadline for participants to submit comments on EIS deficiencies			Deadline extended to June 15, and then again to July 20.
1-Jun-12	CEC extends deadline to submit IRs and EIS deficiencies from June 15th to June 30th, 2012		CEC	
4-Jun-12	MWL submits comments on BP3 EIS deficiencies		MWL	
7-Jun-12	CEC circulates updated contact list		CEC	Updated contact list circulated. Changes include the Bipole III Coalition switching law firms.
7-Jun-12	CEC Circulates 3rd Batch of Info Request to MB Hydro		CEC	
8-Jun-12	CEC Chair Terry Sargeant responds to Peguis 30May12 letter.		CEC	CEC indicates position that First Nations consultation is outside the scope of the hearings. Letter dated June 7, but circulated June 8.

8-Jun-12	J Madden on behalf of MMF sends CEC a letter outlining procedural issues & IRs (1st batch by MMF).		MMF	
15-Jun-12	CEC circulates list of consultants relied upon		CEC	
15-Jun-12	CEC responds to MMF 8Jun12 letter.		CEC	
15-Jun-12	CEC announced second prehearing conference		CEC	
15-Jun-12	CEC sends 4th batch of IRs to MB Hydro		CEC	
18-Jun-12	MBHY IR responses package #1		MBHY	Provides responses to CEC IR#1
20-Jun-12	CEC extends deadline to submit IRs and EIS deficiencies to July 20		CEC	e-mail held by WEA
22-Jun-12	CEC sends 5th batch of IRs to MB Hydro		CEC	
22-Jun-12	CEC sends 1st addendums to 5th batch of IRs to MB Hydro		CEC	
28-Jun-12	CEC sends 2nd addendums to 5th batch of IRs to MB Hydro		CEC	
3-Jul-12	CEC circulates 3rd addendum to 5th batch of IRs to MB Hydro		CEC	
10-Jul-12	CEC Circulates Agenda for 2nd Prehearing Conf.		CEC	
11-Jul-12	CAC/PILC submit IRs (1st batch)		PILC/CAC	
12-Jul-12	MBHY IR responses package #2		MBHY	Provides responses to some of the questions in CEC IRs batch#2-5.

12-Jul-12	CAC/PILC send letter regarding scheduling.		PILC/CAC	
18-Jul-12	MMF circulate IRs (2nd batch)		MMF	
18-Jul-12	MBHY IR responses package #3		MBHY	Provides responses to some of the questions in CEC IRs batch#2-5.
19-Jul-12	CEC Circulates Updated Funding Allocations		CEC	\$100,000 Given to TCN after funding deadline.
19-Jul-12	CEC Pre Hearing Conference #2		CEC	
19-Jul-12	CEC Announces Motions Hearings for August 16 & August 30.			Notification timelines and other motions procedures also discussed.
19-Jul-12	Bipole III Coalition Submits IRs to CEC (1st batch)		BP3 Coalition	Request were not forwarded, and some of the requests remain in limbo.
19-Jul-12	CAC/PILC Circulates Document Outlining IR Problems at Prehearing Conf.		CAC/PILC	
19-Jul-12	MB Hydro Responds to Env. Approval Branch Request for more info.	http://www.gov.mb.ca/conservation/eal/registries/5433bipole/mb_hydro_resp_addinfo.pdf	MB-Gov- EALB	Letter from Hydro is dated June 22, 2012, but response was not posted until July 19, 2012.
20-Jul-12	CAC/PILC Submits IRs to CEC (2nd from PILC)		CAC/PILC	
20-Jul-12	CEC asks for possible BP3 motions from participants		CEC	
20-Jul-12	Manitoba Wildlands submits IRs to CEC (end of first round)	http://manitobawildlands.org/pdfs/HY-BP3-MWL-IRs-20Jul12.pdf	MWL	
20-Jul-12	Deadline for participants to submit IRs (1st round)			

21-Jul-12	2nd Round of IRs begin			
23-Jul-12	2nd Prehearing Meeting Conf Transcript	http://www.cecmanitoba.ca/resource/hearings/36/cecjuly1912a.pdf	CEC	
23-Jul-12	2nd Prehearing Meeting Conf Summary	http://www.cecmanitoba.ca/resource/hearings/36/Pre-Hrg%20Report%20-%20July%202012.pdf	CEC	
27-Jul-12	CEC Circulates Letter (dated July 26, 2012) to Participants		CEC	Chairman Sargeant chides participants about duplication and relevancy of information requests sent. CEC did not vet information requests sent in the last few days.
27-Jul-12	CEC sends 6th batch of IRs to MB Hydro.		CEC	CEC did not vet these IRs but rather simply forwarded MMF, MWL, & CAC/PILC. BP3 Coalition IRs not forwarded.
31-Jul-12	MBHY responds to IRS - package #4			This includes response to CEC questions up until July 3rd, but not response to questions forwarded to MBHY by the CEC July 27, 2012 (approx. 200)
31-Jul-12	Deadline MBHY to respond to all IR requests (1st round)			MBHY did not respond to information request forwarded after July 3, 2012.

1-Aug-12	MBHY files supplemental information on the EIS	https://www.hydro.mb.ca/projects/bipoleIII/bplII_supplemental_materials_july_31_12.pdf		Description does not clearly state what materials are.
1-Aug-12	CEC sends MBHY Addendum to IR #6.		CEC	Includes NFAAT question vetted by CEC and other questions 'inadvertently missed.'
8-Aug-12	MBHY files supplemental report on Caribou	https://www.hydro.mb.ca/projects/bipoleIII/BPIII_CaribouSupplemental_Report_August2012.pdf	MBHY	Report based on data collected over spring-summer-fall of 2011.
8-Aug-12	Deadline to file Substantive Motions			Deadline is 12pm (NOON).
8-Aug-12	CAC files Motion for hearing Aug 16.		CAC/PILC	
8-Aug-12	Bipole III Coaliton files Motion for hearing Aug 16.		BP3 Coalition/Darcy Deacon	
8-Aug-12	Peguis First Nation files Motion for hearing Aug 16.		Peguis/Dawson Law	
12-Aug-12	MBHY circulates response to motions		MB-HY	Note: was not circulated to all participants.
13-Aug-12	Deadline to file Response to Substantive Motions			Deadline is 12pm (NOON).
13-Aug-12	MMF files Response to Motions		MMF	
13-Aug-12	GPM files Response to Motions		GPM	
13-Aug-12	MWL files Response to Motions		MWL	
13-Aug-12	CEC Circulates Agenda for Motions Hearing August 16		CEC	

15-Aug-12	MBHY responds to IRS - package #5		MB-HY	These responses are 15 days past July 31, 2012 deadline for Hydro to respond.
16-Aug-12	Motions Hearing on Substantive Issues (motions to adjourn, aboriginal consultation motions)			Location details still to be confirmed.
16-Aug-12	CEC Announces Deadline for 2nd Round IRs will be extended until NOON August 24			BP3 Coalition, CAC, & Peguis Motions all heard.
17-Aug-12	Original Cancelled deadline for submission of 2nd Round of IRs			CEC Moves deadline back 1 week at Aug 16 Motions hearing. CEC announces they will not vet 2nd round IRs, will send as is to Hydro. CEC also makes new rule that 2nd round IRs must stem from first round IRs.
20-Aug-12	CEC circulates transcript and summary (via e-mail) from Aug 16 motions hearing.	http://www.cecmanitoba.ca/resource/hearings/36/Transcriptcecaug1612a.pdf	CEC	Summary indicates updated IR deadlines and that these are supposed to only flow from answers to first round questions (never stated when a second round was announced at the July 19, 2012 pre-hearing conf).

21-Aug-12	CAC/PILC sends a notice indicating certain information requests from Round 1 have still not been answered. CAC/PILC explains this undermines their ability to send in Round 2 info requests.		CAC/PILC	These responses are now nearly three weeks past due.
21-Aug-12	MWL sends a notice indicating there was no previous indication that Round 2 IRs would be restricted to questions stemming from Round 1 questions.		MWL	
22-Aug-12	MBHY responds to IRS - package #6		MB-HY/CEC	Cathy Johnson indicates this is the last of the IRs. There is no index to verify this, and this makes first round IRs 22 days late.
22-Aug-12	Deadline to file Routine Motions			Deadline is 12pm (NOON).
22-Aug-12	MMF asks for delay to file notice of its motion regarding aboriginal consultation from Aug. 30, 2012 motions date until Sept. 11, 2012 motions date.		MMF	Initially CEC had indicated it would reserve decision on Peguis motion until MMF motion is heard, but because of delay, no longer required.
22-Aug-12	GPM files motion as to scope of issues to be considered.	http://greenparty.mb.ca/system/files/files/GPM NoticeofMotion-22Aug2012-FNL.pdf	GPM	CEC refuses to hear motion on August 30, 2012.

22-Aug-12	CEC circulates letter indicating they will not be hearing anymore motions on scope or adjournment. They also announce they have sent a letter to the Minister asking to clarify terms of reference for proceedings/hearings.		CEC	This announcement effectively cancels Aug. 30, 2012 motions hearing.
22-Aug-12	Brian Meronek, lawyer for the BP3 Coal asks for copy of CEC letter.		BP3 Coalition/Darcy Deacon	
22-Aug-12	CEC responds to Meronek indicating that they will not share a copy of the letter sent to the Minister until they receive a response from the Minister.		CEC	
22-Aug-12	CEC circulates French copy of the terms of reference for CEC proceedings/hearings.		CEC/MB-Gov	
23-Aug-12	CAC sends letter to Minister (copied to all participants, proponent, CEC) indicating they want to provide comments on review of Terms of Reference.		CAC/PILC	Preliminary letter asking for Minister to consider their position.
24-Aug-12	Amended Deadline for Second Round IRs		CEC	CEC not vetting this round of IRs, but will send as is to Hydro. (CEC also makes new rule that 2nd round IRs must stem from first round IRs.)
24-Aug-12	MMF files 2nd Round of IRs		MMF	
24-Aug-12	GPM files 2nd Round of IRs		GPM	

24-Aug-12	Peguis files 2nd Round of IRs		Peguis	
24-Aug-12	MWL files 2nd Round of IRs		MWL	
24-Aug-12	CAC files 2nd Round of IRs		CAC	
24-Aug-12	BP3 Coal files 2nd Round of IRs		BP3 Coal	
27-Aug-12	Deadline to file response to motions for Aug. 30, 2012 motions hearing (Cancelled)			August 30, 2012 motions hearing cancelled - CEC requests terms of reference clarification from Minister.
28-Aug-12	CEC Circulates Updated Contact List - Adding an additional unfunded participant: Pine Creek First Nation.		CEC	Pine Creek added as participant, however other First Nations applied to be participants were told participant application process was closed. Not clear why discrepancy in treatment, appears to be bias.
28-Aug-12	CAC/PILC circulates letter Minsiter and all participants, proponent, CEC, etc. re: NFAAT.		CAC/PILC	This letter lays out in more detail than Aug 23 letter why CAC feels broad NFAAT is needed.
30-Aug-12	Motions Hearing Intially Scheduled			Cancelled. CEC refused to hear motions submitted on scope or adjournment.
31-Aug-12	Hydro to respond to 2nd round of IRs			Deadline is 12pm (NOON).

11-Sep-12	3rd Pre Hearing Conference/Motions Hearing			Was initially supposed to be only pre-hearing conference, but at Aug 16, 2012 motion CEC announced they would hear motions as well. Tentative - location details still to be confirmed.
1-Oct-12	1st week of hearings start (Winnipeg 4-5days)			Tentative Date.
9-Oct-12	2nd week of CEC BP3 hearings start (Gillam 1.5days)			Tentative Date.
15-Oct-12	3rd week of CEC BP3 hearings start (Thompson 1 day & The Pas 1 day)			Tentative Date.
22-Oct-12	4th week of CEC BP3 hearings (Dauphin 1 day)			Tentative Date.
24-Oct-12	4th week of CEC BP3 hearings (Portage La Prairie 1 day)			Tentative Date.
26-Oct-12	4th week of CEC BP3 hearings (Niverville 1 day)			Tentative Date.
29-Oct-12	5th week of CEC BP3 hearings (Winnipeg 4 days)			Tentative Date.
05-Nov-12	6th week of CEC BP3 hearings (Winnipeg 1-4 days)			Tentative Date.
25-Jan-12	Rough Deadline for CEC report			Assumes hearings end November 9, 2012