

January 7, 2013

Honourable Gord Mackintosh
Minister of Conservation and Water Stewardship
330 Legislative Building
450 Broadway Avenue
Winnipeg, MB R3C 0V8

Tracey Braun, Director of Environmental Assessment & Licensing
Manitoba Conservation and Water Stewardship
Suite 160, 123 Main Street
Winnipeg, MB R3C 1A5

Dear Minister and Director,

Re: Manitoba Hydro Keeyask Transmission Project, File #5614

These comments regarding the Manitoba Hydro Keeyask Transmission project emphasize Manitoba Wildlands ongoing concern regarding staged licensing. We also want to remind the Minister, that his government and political party clearly stated its opposition to staged licensing when in Opposition in the Manitoba Legislature. In 1999 and 2003, the New Democratic Party made commitments to stop staged licensing for environmental approvals of projects in Manitoba. At the same time, commitments were made to put an Environmental Commissioner or Auditor in place to monitor decisions about our environment.

The Keeyask projects are perhaps the worst example since 2003 of staged licensing under the Manitoba Environment Act. The close competitors would probably be ongoing forest operations licensing, and both McCains and Maple Leaf mills. Staged licensing carries many risks into decision-making; allowing only a narrow view of a part of the project, thereby blocking examination of the greater ramifications of the project in its entirety.

It is hard to determine how many individual projects are involved with the greater Keeyask project. Clearly we have three specific Keeyask projects under the Environment Act; infrastructure, generation, and transmission. There are also the various roads, and access roads – and the building of provincial highway routes by Manitoba Hydro, without clarity as to what will be decommissioned. It is also unclear as to whether there has been any consultation with affected communities or public information about these highway decisions related to the Keeyask projects. The highway and access roads are included in the Keeyask transmission EIS materials.

There is also the confusing situation regarding the Keewetinook Converter Station, which is included in the Bipole III project – and apparently not in anyway related to Keeyask Generation Station. Public impression is that Bipole III will carry the ‘new green power’ Manitoba Hydro would be producing from Keeyask and Conawapa generation stations.

The Keeyask Generation Station EIS does not indicate that Bipole I will carry the new “green power”. The same is confirmed in the EIS for Keeyask Transmission. The Wuskwatim Generation and Transmission project EIS materials were filed, and reviewed at the same time. Both were part of the same proceedings and public hearings through the Clean Environment Commission. Yet the elements of the Keeyask project are separated into at least three projects, and filings. This means the reviews are separate, the information is separate, and the combined impact, environmental effects, and decisions do not take into account the whole project. Now the Keeyask transmission EIS indicates that transmission will go from the generation station, to an old converter station, and then down an older HDVC transmission line – Bipole I – to another former converter station, Dorsey Station. Why was this information not made available in the Bipole III hearings, or in the Keeyask Generation Station EIS?

The status of the licenses for recent transmission projects in Manitoba may need to be reviewed, and assessed before any further proposals for transmission projects are filed.

It is long over due for Manitoba Hydro to clearly indicate to the public all the various transmission projects it intends to seek licenses for. The recently released energy plan for Manitoba does not provide the kind of information necessary to allow Manitobans, owners and shareholders in Manitoba Hydro, to adequately respond to development intentions and participate in public reviews. In particular, the public needs full information about the transmission projects in place, being built and *how and when they will be connected to the hydro system.*

Staged licensing enables the inclusion of incomplete information into an EIS, can include pieces of other projects being licensed without complete information, and can lead to a weak basis for licensing decisions. When public money/ debt, public lands and waters, and public resources and services are being utilized for a project under the Environment Act, the highest standards should be in place at every technical and licensing step. This is not currently so. When self-assessment by a public utility is the basis for filing an environmental proposal, the public needs to see the full project scope beyond just what has been filed by the proponent. Staged licensing also allows the proponent to downsize or ignore existing, future, intended or potentially connected projects when providing filings for a ‘new project’. Staged licensing also allows the proponent to separate environmental effects into different ‘projects’ thereby reducing or ignoring those effects.

The Manitoba government standards for short transmission projects must be made available to the public. The EIS and scoping document standards/guidelines for the Keeyask Transmission project were not made publically available.

This means that there is no ability to compare the EIS standards and content to the submitted Keeyask Transmission project EIS. Manitoba Conservation, and its predecessor Manitoba Environment, used to make such standards available. We suggest this be done immediately, as there are various transmission projects being submitted now and intended in the near future.

We note that the study area, project area and project region terminology are used inconsistently in the Keeyask transmission EIS materials. In addition, sections of the VECs are incomplete and incorrect. One example would be the use of dated sources for the endangered species content, without clearly stating the requirements regarding woodland caribou under MESA.

Manitoba Conservation must immediately make requirements of proponents regarding woodland caribou public so that public reviews have validity, and licensing decisions are consistent with Manitoba law.

The transmission project scope for the preferred corridor is insufficient. There is a small project area on the topside, or waterside of the intended preferred transmission corridor, meaning that the self-assessment and EIS are incomplete.

Inadequate public engagement by Manitoba Hydro stands out in the EIS materials. A comparison of the public engagement information in the Generation and Transmission EIS filings, show that Manitoba Hydro took advantage of staged licensing for both of these projects. A special open house and discussion forum for the academic, and environmental community was held in Winnipeg for the combined Wuskwatim Generation and Transmission project. Nothing of that quality occurred for Keeyask.

Manitoba Wildlands summary comments and recommendations:

- Staged licensing of the Keeyask project(s) provides incomplete information, and an inadequate basis for assessment, reviews, and licensing;
- Clear public information regarding all existing, connected, and intended projects should be provided in the EIS for any Manitoba Hydro project;
- It should be noted that the Canadian Environmental Assessment Agency has a responsibility with regards to both Keeyask Generation and Transmission. The EIS Guidelines from CEAA have not been fulfilled, and EALB should cooperate with CEAA to make sure that they are fulfilled;
- All aspects of the Keeyask projects should be completely available, together, with all records maintained online and on paper throughout the current sequence of Hydro projects;
- Clarity with respect to new green energy projects, Bipole III, the Keeyask project(s), and the existing and intended converter stations is needed immediately. This information should include all transmission lines and projects. (Manitoba Hydro indicates there will be as many as five new transmission lines for the new converter station in northern Manitoba.) Manitobans deserve clear information, not disconnected information from lack of energy planning and staged licensing;

- The recommendations of the Clean Environment Commission report regarding Wuskwatim Generation and Transmission projects should be reviewed and fulfilled, with transparency;
- The various lessons learned pertaining to improvements and required adjustments to infrastructure policies while constructing the Wuskwatim Transmission line project were acknowledged during the Bipole III hearings. These improvements/adjustments to the Wuskwatim transmission project that are being applied to the BP3 project, should be identified and acknowledged within the BP3 EIS;
- EALB should require a supplemental filing from Manitoba Hydro regarding this transmission project – and any other transmission projects in the system now – to make sure these adjustments and changes in Manitoba Hydro infrastructure policies from the Wuskwatim transmission project are being applied to all transmission upgrades and new projects;
- An analysis of the risks, additional work, confusion arising from multiple license and public registry files, and potential environmental effects resulting from staged licensing, needs to be undertaken by an independent office;
- All EALB guidance documents, and standards for types of proposals/ projects under the Environment Act should be made public, and added to the public registry file for all proposals; specifically for all transmission projects;
- The *reference* to the CEC for the Keeyask Generation project hearings should be amended to include; transmission, infrastructure and sustainability/ environmental effects of all existing, intended and connected projects;
- Every Manitoba Hydro project needs to undergo a thorough review that includes; public comments, TAC review, etc., with the results posted in the public registry file. All Manitoba Hydro projects need to be advertised, posted online etc. beyond small local community notices;
- The public paper registry for all Keeyask files should be available together, and not limited to primary registry and northern locations. EALB needs to remember that all Manitobans are shareholders and owners of Manitoba Hydro, and thereby potentially affected by these licensing decisions.



565 - 167 Lombard Ave Winnipeg MB Canada R3B 0V3
info@ManitobaWildlands.org Ph 204-944-9593
www. ManitobaWildlands.org Fax 204-947-3076

NOTE re VALIDITY OF REVIEW PROCESS – The links to access the EIS for the Keeyask Transmission project were mostly not working on the EALB online registry prior to the deadline for comments on this project. This includes in the weekend leading up to and the day that is the deadline for review comments.

Yours sincerely,

Gaile Whelan Enns,
Director
Manitoba Wildlands.