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**SUBJECT: BIPOLE III TRANSMISSION PROJECT**

Please find comments from the Clean Environment Commission regarding the scoping document for the proposed Bipole III Transmission Project.

**2.0 Regulatory and Policy Framework**

- In the short list of legislation provided, two critical items that govern the completion of this project are missing, *The Crown Lands Act* and *The Mines and Minerals Act*. The Commission expects that a complete list of all the applicable legislation, regulations, guidelines and their appropriate versions be provided to the regulator for review prior to the completion of the EIA to ensure all the appropriate legal instruments and environmental guidelines have been included and addressed.

**3.2 Scope of Assessment of Factors**

- In the list of topics that will be covered, groundwater is not mentioned. It should be included in the initial list as it is discussed later.

**7.2 Environmental Assessment**

- In the second bullet of this section the word "sufficient information" or "sufficient level of detail" is used here and throughout the rest of the document. An alternative is required.

Sufficient is a subjective term and without a specific definition, it is left to the party reading the document to interpret what "sufficient" means. The number of interpretations will reflect the number of readers and will not positively assist in the assessment of the environmental effects. We suggest using terms more reflective of the actual information that is available e.g. "will provide existing information...." or "will provide information that can be used to predict .....".

Further to this point we wish to provide some additional guidance on the use of existing information.

In preparing the EIA, the proponent is encouraged to make use of existing information relevant to the Project. When relying on existing information to meet the requirements of various sections of the EIA, the proponent must either include the information directly in the EIA or clearly direct (e.g. through cross referencing) the reader to where it may be obtained. When relying on existing information, the proponent must also comment on how representative the data are, clearly separate factual lines of evidence from inference, and state any limitations on the inferences or conclusions that can be drawn from them. For instance:

- assumptions should be clearly identified and justified;
- all data, models and studies must be documented such that the analyses are transparent and reproducible;
- the uncertainty, reliability and sensitivity of models used to reach conclusions must be indicated;
- conclusions should be substantiated; and
- the studies should be prepared using best available information and methods.

Stand alone expert reports may be included as appropriate and necessary.

- In the third bullet, some clarification of this statement is required. What is meant by optimizing Project opportunities and beneficial effects? Will they just be financial; social, environmental? Further discussion of this topic will be required.
- Fourth bullet. Local knowledge should also be included in this activity.

## 7.5 Environmental Setting Description

### 7.5.1 General

- The paragraph that begins Valued Environmental Components (VECs), defined as elements of the environment having **scientific**, social, cultural ..... Is the term "scientific" meant to convey ecological importance? Some clarification is required here.
- In identifying the various VECs and key issues, the Commission wishes that the proponent take note of the following instruction:

The EIA must explain and justify methods used to predict the effects of the project on each VEC, which includes the biophysical and socio-economic components (which have been described), and the interactions among these components and on the relations of these components within the environment. The information presented must be substantiated. The proponent will describe how the VECs were selected and what methods were used to predict and assess the adverse environmental effects of the project on the components. The value of a component not only relates to its role in the ecosystem, but also to the value placed on it by humans. The culture and way of life of the people using the area affected by the project may themselves be

considered VECs. The spatial and temporal boundaries used in the assessment may vary as appropriate, depending upon the VEC.

- As described above, the term “sufficient level of detail” should be replaced. Additional comments on the specific components follow.

#### 7.5.2.4 Surface Water

- Some discussion at the sub-basin level may be helpful, as this project traverses a large geographical area, the effects may occur far downstream of the action and/or project effects may be additive in parts of the sub-basin.

#### 7.5.3 & 7.5.4 Biological and Ecological Components

- In all the discussions of the biological components, species and ecological communities, S1 and S2 species and communities as designated by the Conservation Data Centre, within the project area should be identified and discussed as to whether there is a potential impact from the project. This discussion should go beyond only those that are officially listed under the various pieces of legislation. In addition, species of regional or special concern or interest should be clearly identified and addressed e.g. woodland caribou, bats etc.

#### 7.5.3 Aquatic Environment

- It would be expected that available as well as general information would be provided.
- The EIA should include predicting and avoiding adverse effects on all aquatic organisms not just fish.

#### 7.5.4.1 Terrestrial Habitats

- The Commission would expect that in the general discussion of terrestrial habitats that information would be provided on important ecological communities that would include the identification of keystone or key indicator species in those communities.
- Discussion on the effects of the aerial portion of this project should be included for species that may be affected e.g. birds and bats.

#### 7.5.4.2 Vegetation

- It is expected that some clarification and detail will be provided regarding available information on “plant species, abundance and distribution”. This aspect of the vegetation is probably best addressed in the context of representative, provincial and locally significant ecological communities.

## 7.5.??? Human Health

- There is no discussion included on the effects of the project on human health. It is expected that information and discussion would be included regarding:
  - any potential effects on human health associated with air quality, potential contamination of country foods, drinking water quality, electric and magnetic fields, and noise exposure;
  - any potential effects of the visual environment and the effects that changes to the aesthetic quality of the landscapes will have on human well-being.

### 7.5.5.1 Resource Use

- If analysis reveals that groundwater resources will be affected then a discussion and a map of potentially affected resources need to be included in this section.
- Will there be impacts on navigable waters?

### 7.5.5.2 Land And Water Use

- Discussions here need to include local planning initiatives and how these plans overlap on and with the project. What are the local planning boards and municipal development plans and zoning allocations; does the project impinge on these; how were these conflicts resolved?

## 7.6 Environmental Effects, 7.7 Mitigation Measures, 8.0 Cumulative Effects

As these three topics are intertwined they will be addressed together.

In general, the environmental effects on aquatic components should be addressed at a sub-basin, watershed and local level as appropriate.

Environmental effects on terrestrial components should be addressed at the ecoregion, ecodistrict, local level and at the watershed level as appropriate.

- The benchmark for determining cumulative effects should be 1977, when the major structures for the Churchill River Diversion were essentially completed. Cumulative effects should be assessed based on the projects and developments within the project area since 1977 and for those projects proposed into the foreseeable future.

The EIA must describe the analysis of the total cumulative effect on a VEC over the life of the project, which requires knowledge of the incremental contribution of all projects and activities, in addition to that of the project. The EIS must include different forms of effects (e.g. synergistic, additive, induced, spatial or temporal) and identify impact pathways and trends.

The Proponent shall:

- Identify and justify the environmental components that will constitute the focus of the cumulative effects assessment. The proponent's assessment should emphasize the cumulative effects on the main valued ecosystem components (VEC) that could potentially be most affected by any components of the project.
  - Identify and justify spatial and temporal boundaries for the cumulative effect assessment for each VEC selected. The boundaries for the cumulative effects assessments will generally be different for different effects considered. These cumulative effects boundaries will also generally be larger than the boundaries for the corresponding project effects.
  - Identify the sources of potential cumulative effects. Specify other projects or activities that have been or will be carried out that could cause effects on each selected VEC within the boundaries defined, and whose effects would act in combination with the residual effects of the project. Consideration shall be given to the proposed transmission line routing in combination with other proposed transmission line or linear development routings and other aerial impacts such as communication towers and wind generators.
  - Describe mitigation measures that are technically and economically feasible.
  - Determine the significance of the cumulative effects. The proponent shall assess the effectiveness of the measures applied to mitigate the cumulative effects. In cases where measures exist that are beyond the scope of the proponent's responsibility that could be effectively applied to mitigate these effects, the proponent shall identify these effects and the parties that have the authority to act. In such cases, the proponent shall summarize the discussions that took place with the other parties in order to implement the necessary measures over the long term; and
  - Develop a follow-up program to verify the accuracy of the assessment or to dispel the uncertainty concerning the effectiveness of mitigation measures for certain cumulative effects.
- Presentation of this material shall be provided in an easily readable format. The Commission suggests that the proponent take guidance for the presentation of environmental and cumulative effects and mitigation actions from such sources as Senner et al. 2002 and the Environmental Impact Statement, New Nuclear - Darlington Environmental Assessment (2009).

## 9.0 Sustainability Assessment

- The Commission requests that the proponent address each and every Principle and Guideline under *The Sustainable Development Act* and specify how they were addressed. Special attention should be paid to discussion of full-cost accounting and how it was applied in this project.

## 10.0 Monitoring and Follow-up Program

- In this section it should be clearly defined where the resulting data will reside, its availability and in what format. How will the public be involved in this activity?
- In the discussion it should be clear what would trigger the requirement for mitigative actions.

## 11.0 Environmental Impact Statement Format

- The Commission would like to direct the proponent's attention to the Bute Inlet Hydroelectric Project, Terms of Reference (2009) as a possible model for the organization of the EIA.

Should further clarification or discussion be required regarding the Commission's comments please don't hesitate to contact us.

## References

Bute Inlet Hydroelectric Project, proposed by Bute Hydro Incorporated. Terms of Reference for an application for an environmental assessment certificate pursuant to the *British Columbia Environmental Act* and Guidelines for the preparation of an environmental impact assessment statement pursuant to the *Canadian Environmental Assessment Act*. 2009. May 2009. CEAA project number 09-05-44825, <http://www.ceaa.gc.ca/050/05/documents-eng.cfm?evaluation=44825&type=5>

Environmental Impact Statement, New Nuclear – Darlington Environmental Assessment, NK054-REP-07730-00029. 2009. CEAA file number 07-05-29525. [http://www.ceaa-acee.gc.ca/050/documents\\_staticpost/cearef\\_29525/0103/statement.pdf](http://www.ceaa-acee.gc.ca/050/documents_staticpost/cearef_29525/0103/statement.pdf)

Senner, G.B., J.M. Colonell, J.D. Isaacs, S.K. Davis, S.M. Ban, J.P. Powers, and D.E. Erikson. 2002. A systematic not-too-complicated approach to cumulative effects assessment. Paper presented at the 22<sup>nd</sup> Annual Conference of the International Association for Impact Assessment, The Hague, June 15-21, 2002. <https://www.alaskafisheries.noaa.gov/analyses/Senner02IAIA.pdf>



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