

August 13, 2012

**Memo to:** Clean Environment Commission, Manitoba Hydro, and participants in the CEC Bipole III proceedings.

**Re: Response to Motions filed August 8, 2012 in Bipole III CEC Proceedings**

Manitoba Wildlands has concerns about the way the Clean Environment Commission (CEC) Bipole III Transmission Project proceedings are occurring. We have read the motions filed for the first motions hearing, and wish to indicate that we are an unfunded participant.

As even the Chair of the CEC has acknowledged in his letter of July 14, 2012, there are “significant deficiencies in the Bipole III EIS.” There are a range of deficiencies in the EIS, the continual assumption by Manitoba Hydro that the EIS is sufficient, and its avoidance of thorough answers to IRs are surprising and not in the public interest. The materials provided in their Bipole III filings and supplemental information do not meet the level of the Wuskwatim filings in 2003 and 2004.

Manitoba Hydro has provided thousands of pages of supplemental information since mid-July. Including background reports, supplement reports, etc. The terms of reference indicate that the CEC is to review the EIS materials, but it is unclear how participants will be able to review this new information that is still being added to the record.

The EIS is not complete and this is verified by the continual filing of Bipole III materials since mid July this summer.

Among our concerns: the schedule for the rounds of IRs does not include the ability to review, this is just assumed, the confusion over the CEC determination about the IRs filed, and how decisions are made to forward IRs to Manitoba Hydro.

We are supportive of all the motions for an adjournment, but we prefer the 120 day adjournment requested by Peguis First Nation and the Consumers Association of Canada (CAC) over the roughly two-month adjournment requested by the Bipole III Coalition.

We have heard the concerns, confirmed by the Chair of the CEC in his letter of June 7, 2012 about the contradictions, and confusion about First Nation and Aboriginal People consultations regarding Bipole III. The repeated statement that consultations began in 2010 is not so. The Manitoba government Aboriginal Consultations Fund was not set up or operating until the end of 2010. Faxes, generic emails, and information packages are not consultation - to any community including in dominant society. The steady repetition of this point of view by Manitoba Hydro increases our concern about these claims.



We would challenge the CEC, and Manitoba Hydro to actually indicate how many of the 45 Aboriginal communities they name as affected by Bipole III have actually had the capacity, and the access to information to review the EIS, etc. Is it 10 ? 15 ? It should be noted that review of the original filing of the EIS is NOT a full review, and that only the participants in CEC proceedings plus good internet access would actually be able to access the full materials. Also review of the EIS is NOT a consultation.

The Crown's participation is required for a meaningful consultation. So perhaps Manitoba Hydro can make clear what they are saying in their response to motions. Are the ' consultations ' they are sure about fulfilled the Manitoba government standards for consultations with Aboriginal People?

We continue to find the EIS startling for its assumptions and lacks. If Manitoba is going to spend over 1\$ Billion on this transmission system, and government is licensing a public works that will be financed with public debt then a much higher standard is expected and needed.

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Director, Manitoba Wildlands