



Aboriginal Traditional Knowledge Technical Report

A Summary of the Self-Directed Studies
Report #2

November 2011

Table of Contents

1.0 Introduction	3
2.0 Fox Lake Cree Nation	3
3.0 Long Plain First Nation.....	7
4.0 Manitoba Metis Federation	8
5.0 Opaskwayak Cree Nation	10
6.0 Swan Lake First Nation.....	12
7.0 Tataskweyak Cree Nation.....	16
8.0 Wuskwi Sipiik First Nation	19
9.0 Conclusion	20

APPENDICES

- APPENDIX A Fox Lake Cree Nation Keewatinoow Converter Station & Bipole III Traditional Knowledge Interim Report (*final report pending*)
- APPENDIX B Fox Lake Cree Nation Socio-Economic Technical Report Component (*prepared by Manitoba Hydro and reviewed by Fox Lake Cree Nation*)
- APPENDIX C Fox Lake Cree Nation position paper (*pending*)
- APPENDIX D Long Plain First Nation Traditional Knowledge Report
- APPENDIX E Manitoba Metis Federation Traditional Use, Values and Knowledge of the Bipole III Project Study Area
- APPENDIX F Opaskwayak Cree Nation Report on Proposed Bipole III Transmission Line
- APPENDIX G Swan Lake First Nation Traditional Knowledge Project Report
- APPENDIX H Tataskweyak Cree Nation Bipole III Preferred Route Selection
- APPENDIX I Tataskweyak Cree Nation Report on Bipole III Right-of-Way and Expected Impacts
- APPENDIX J Wuskwi Sipiik First Nation Bipole III Project Maps (*final report pending*)

1.0 Introduction

For the Bipole III Project Environmental Impact Statement (EIS), Aboriginal Traditional Knowledge (ATK) is used as the overarching term for the knowledge shared by Aboriginal communities, though certain communities used such other terms as Traditional Knowledge, Traditional Ecological Knowledge and Aboriginal Ecological Knowledge. ATK was shared in two ways: through participation in the workshops and interviews conducted by the Manitoba Hydro ATK study team and, where communities indicated a desire to conduct their own ATK study, through self-directed studies.

Six First Nation communities, Fox Lake Cree Nation (FLCN), Long Plain First Nation (LPFN), Opaskwayak Cree Nation (OCN), Swan Lake First Nation (SLFN), Tataskweyak Cree Nation (TCN), and Wuskwi Sipiik First Nation (WSFN) as well as the Manitoba Metis Federation (MMF) elected to conduct their own workshops and mapping. While the self-directed studies were conducted separately from the ATK workshop process, where requested, some assistance regarding methodology based on the workshop process was provided. From Manitoba Hydro's perspective, the purpose of these studies was to engage communities about the Bipole III Project in the hope of developing a greater understanding of the study area and the potential impacts of the project, from the perspective of Aboriginal communities. However, the MMF and the six First Nations that conducted their own study completed this work using the objectives, methods, study topics, and analysis procedures that they each deemed appropriate.

The self-directed studies, including their specific objectives, methods, and results are summarized below. The ATK reports are included in their entirety as appendices of this report. In addition, where Manitoba Hydro had other ongoing processes with specific communities related to the Bipole III Project, the community knowledge and perspectives and that were shared through these processes are also described below.

2.0 Fox Lake Cree Nation

The Keewatinoow Converter Station and other components of the Bipole III Project will be located within the Fox Lake RMA and Fox Lake Traditional Territory, as defined in Section 1.2.1 of the 2004 Fox Lake Impact Settlement Agreement (ISA)¹. This is an area that is used intensively by Fox Lake members for a variety of activities. The Keewatinoow Converter Station site is located approximately 35 km from the Fox Lake Cree Nation community of Bird and approximately 91 km from the Town of Gillam, the historic and present-day home of the Fox Lake Cree Nation (FLCN). The ISA, which was signed by Manitoba Hydro, Manitoba, and

¹ http://www.hydro.mb.ca/community/agreements/fox_lake/fox_lake_settlement_agreement.pdf.

FLCN in 2004, addressed the impacts of past Manitoba Hydro developments on the community. The agreement also outlines a process to address the adverse effects of certain types of future developments in the area, including a new converter station. FLCN and Manitoba Hydro interact across a range of projects and processes and have been in discussions in relation to the Project since late 2009.

ISA Keewatinoow Consultation Process²

Section 8.5 of the ISA includes provisions for Manitoba Hydro to undertake a consultation process with FLCN in relation to the development of a converter station in the Fox Lake Traditional Territory, as described in the ISA. This process includes: providing information on the Project and criteria for locating alternative sites; identifying FLCN concerns related to the development; identifying and reviewing potential site alternatives and the relative impacts on FLCN; identifying and evaluating potential mitigation measures; reviewing Manitoba Hydro employment, training, and business policies to identify potential opportunities for FLCN members; identifying and describing negative impacts which cannot be addressed through mitigation; and negotiating and endeavoring to finalize an agreement to compensate FLCN for adverse effects (Section 8.5.2).

Manitoba Hydro and FLCN have met on a monthly or biweekly basis since November 2009 in relation to the ISA Keewatinoow Converter Station consultation process. As the development of Keewatinoow is occurring as a component of the overall Bipole III Project, this process has also been used as a forum for dialogue related to the other Bipole III project components, including the HVdc line, the ground electrode site and a series of ac collector lines. As of October 2011, Manitoba Hydro and FLCN have met over 30 times in relation to the Project.

Meetings to date have covered a range of topics, including information sharing around the selection of the preliminary preferred electrode site and the evaluation and selection of the preliminary preferred Keewatinoow Converter Station site; discussion of pre-construction field work, permit applications, and associated employment and business opportunities; discussion and follow up regarding archaeological findings at the Keewatinoow preferred site; potential adverse effects and general discussions regarding the regulatory approvals process and construction employment opportunities.

Throughout the ISA Keewatinoow consultation process, FLCN has communicated its concerns regarding Project adverse effects, including: the potential for effects associated with an influx of workers into the area and more importantly concerns regarding potential Project effects on “*Mino pimatisiwin*” the overall health of the people and “*Aski*”, the land, water, resources, animals and their interrelationships for future generations which are integral to the cultural identity of FLCN and Aboriginal and treaty rights. These concerns have arisen from FLCN’s

² Crown consultation discussions with Fox Lake will be undertaken by the Province of Manitoba through a process that is separate from the Environmental Act approval process.

previous experience with development as well as the results of its Bipole III Traditional Knowledge Project and its ongoing consultations with members.

Manitoba Hydro understands that FLCN does not view the Bipole III Project in isolation, but rather, views the previous and future projects as a multi-staged, inter-dependent project. The cumulative impacts of all Manitoba Hydro projects are an important consideration for FLCN. As a result of previous developments in the Gillam region, including the development of the Town of Gillam as Manitoba Hydro's base for its lower Nelson River operations, FLCN considers its existing environment and human condition to be one that is already heavily impacted by previous developments. Fox Lake and Manitoba Hydro have discussed a range of concerns arising from the development of the Project related to human and social issues, safety and community services, and land, water and resource-based issues. This feedback has significantly informed the assessment of project effects, particularly the socio-economic effects assessment related to the development of Keewatinow. Two background papers summarizing the parties' perspectives on these issues were developed and are included with the Bipole III Aboriginal Traditional Knowledge Technical Report – one is a summary paper which was drafted by Manitoba Hydro with FLCN's participation, input, and review, the other is a paper summarizing only Fox Lake's perspective.

In addition to the ISA Converter Station process, FLCN's experiences are also informed by its *Socio-Economic Technical Report* (submitted August 2011- Appendix B) and its *Bipole III Traditional Knowledge (TK) Project*, which gathered and documented FLCN TK about the areas which are in the vicinity of, and which will be affected by, the construction of the Project (submitted May 2011 - Appendix A). The final report is still pending.

The FLCN TK report describes FLCN's areas of use and their community's connection to these lands. The report notes that their lands are now used by a number of Manitoba Hydro generating stations and that the developments have impacted FLCN in a number of ways. For example, the report describes environmental impacts such as the population decline of a number of species, as well as impacts on community well-being due to increased separation from the land. The Project will add to Manitoba Hydro's presence in FLCN's territories. The objective of FLCN's report was to communicate the perspectives of FLCN Elders and resource users about the impacts of the Project. To achieve this objective, FLCN employed three different research methods: map biography interviews, group interviews, and ground truthing. Specifically, 27 map biography interviews, four community mapping sessions, and five ground truthing activities were completed. Research participants included resource users and Elders.

The importance of FLCN defining and controlling their knowledge was emphasized. It is their perspective that "Fox Lake people's knowledge is alive and it must be protected like any individual would protect his/her loved ones" (FLCN:9). FLCN's report describes a variety of important land use activities and also includes local place names as well as Cree vocabulary for animals, fish, and plant species. In addition, a number of land use maps were developed,

depicting knowledge related to berry-picking, fishing, hunting, traditional medicine picking, trapping, and important community sites. Harvesting berries and medicines continue to be essential activities. The locations of community harvesting areas as well as the medicinal and cultural uses of specific plants were provided. Generally FLCN members harvest berries and medicines in areas that have not been impacted by humans to avoid pollution.

Extensive information was provided about the three herds of caribou hunted by FLCN members: woodland, barren ground, and Pen Island. It was noted that, in the past, there were a lot more caribou observed in the area. More recently, following the construction of the Conawapa road, FLCN members have observed that local caribou movement has shifted. Concerns regarding the potential impact of the Keewatinoow Converter Station on caribou were expressed as the preferred site is to be located in an area caribou are known to occupy. Another point of discussion was the difference in perspectives between Manitoba Hydro and Fox Lake regarding the different caribou species. Fox Lake would like to ensure that their knowledge regarding these species is respected and acknowledged in Manitoba Hydro reports.

Fishing and hunting were two activities noted for their importance to community life. For many, fishing provides an opportunity to spend time with their family and share Cree knowledge. Similarly, the community goose hunt and fall moose hunt are noted as community-wide events. The strength of family ties is underlined by such traditional and annual events. However, Fox Lake has noted changes in the quality of certain fish species and a decline in moose populations since the start of hydroelectric development in the area. With regards to potential impacts on goose populations, the report identifies concerns that the Keewatinoow Converter Station will displace geese from the area. The importance of these resources as a healthy food source is noted.

The recent discovery by Manitoba Hydro's Project Archaeologist of two archaeological sites, one containing possible ancient burials at Keewatinoow Converter Station has led to development of a heritage resource protection plan (HRPP) by MH's Project Archaeologist on the advice of the FLCN Elders and with support of Manitoba Hydro. Another concern identified by FLCN is the potential for the construction component of the project to impact community trapping activities. In addition to the actual construction activities themselves, FLCN has expressed concerns regarding the influx of workers into the region and the access these workers may have to FLCN territories and resources, which could lead to the over-harvesting of some species. These issues are considered and addressed further in Chapter 8.

The report offers some suggestions for mitigation measures, which include: ensuring that FLCN is involved in deciding the research topics when Manitoba Hydro is planning projects and field studies, as well as the development of a FLCN heritage policy protocol. Additionally, the importance for ongoing communication between FLCN and Manitoba Hydro was emphasized.

Discussions with FLCN with respect to the Project are ongoing. Following the filing of the EIS, Manitoba Hydro and FLCN will continue efforts to identify potential adverse effects and conclude an Adverse Effects Agreement, pursuant to the process set out in Article 8 of the ISA. Consistent with the approach outlined in Section 8.5 of the ISA, the effort will be to prevent or avoid, to lessen or reduce, to compensate in kind and through offsetting programs and, finally, to provide monetary compensation for any residual adverse effects associated with the development of the Keewatinoow Converter Station. Manitoba Hydro is committed under Section 8.5 of the ISA to provide funding for this process. Manitoba Hydro has entered into a series of process funding agreements with FLCN, which have provided funding for FLCN's participation in this process since its inception.

3.0 Long Plain First Nation

In addition to Long Plain First Nation's participation in the SSEA process, the First Nation conducted the Long Plain First Nation Aboriginal Traditional Knowledge study (submitted April 2011 – Appendix C). The objective of Long Plain First Nation's (LPFN) study was to document their community's traditional and current land use within the Project Study Area and their concerns regarding the Project. To achieve this objective, LPFN staff sent out a newsletter to every home in the community outlining the purpose of the study and asking for interview participants. In addition, advertisements were placed in the Winnipeg Sun and run on the NCI radio station asking for participation from members living off-reserve. A total of 125 interviews were conducted, all following the same interview guide.

A number of local environmental issues and concerns were noted in LPFN's report. One of LPFN's major concerns is the declining water quality in the area. The Assiniboine River, which used to be the main source of water for the community, can no longer be used in the same way due to increased pollution. The increased chemical use by the agriculture industry has given rise to concerns regarding the safety of drinking water from waterways and wells, using the waterways for recreational activities, and harvesting fish and plants from the area. The report also identifies a number of historical, cultural, and burial sites that the community would like to see protected.

The report focuses on the changes observed in the way in which LPFN uses the land. For example, while there used to be many LPFN members engaged in agricultural activities, the First Nation now leases reserve land to non-member farmers. The report also describes the changes associated with hunting, trapping, and fishing activities that have been observed over time. Government regulations as well as concerns about environmental degradation were identified as having an influence on the way in which people engage in subsistence activities. The report also makes mention of the various plant and tree species that used to grow in and around LPFN's reserve lands but have become scarce in recent years, making the harvesting of

plants for medicinal and subsistence purposes more challenging. All of these changes were connected to the social changes observed by study participants.

LPFN provided four maps showing the southern portion of the preliminary preferred route for the Project; LPFN's traditional land areas, LPFN traditional land use initiative, and traditional buffalo chase areas.

The report concludes by listing a number of concerns and issues that require further discussion:

- Electromagnetic fields and the potential impacts on humans living near to lines;
- The impact of the project, both in the construction and operation phases, on the health of local wildlife and community members;
- The ability for LPFN members to continue hunting, trapping, fishing and harvesting plant species;
- The extent of the footprint associated with the Bipole III Project;
- The placement of the Bipole III Transmission Line;
- Potential impacts on LPFN's treaty land entitlement process; and
- Traditional healing and how it relates to the Bipole III Project.

As a result of the concerns raised through the Traditional Knowledge Report, LPFN offers the following recommendations:

- Ensure meaningful consultations are conducted with First Nations;
- Ensure availability of employment and training opportunities; and
- Offer additional benefits to LPFN.

Manitoba Hydro will continue to meet with LPFN to discuss any issues arising from the Project and to consider LPFN's interests and concerns related to the project.

4.0 Manitoba Metis Federation

Manitoba Hydro has been working to build a strong relationship with the Manitoba Metis Federation (MMF) through a variety of projects and initiatives, including engaging with the MMF in relation to the Bipole III Project. Engagement with the MMF on the Project has included providing support for the development of an MMF-led community engagement

process and support for a Metis Traditional Land Use and Knowledge Study (submitted September 2011- Appendix D).

The purpose of the MMF's Traditional Land Use and Knowledge Study was to identify any Metis rights and interests that have the potential to be affected by the Bipole III Project. Specifically, the report outlines the methods employed to complete the study, the current Metis use of the Project Study Area, and documented knowledge about the study area. The MMF asserts that the Project Study Area includes portions of the province which are of historical and present-day interest to the Metis Nation as represented by the MMF. The MMF used two different processes to gather information for their study. The first was a screening survey, conducted with the goal of identifying MMF members who use the study area. The survey responses were also used to identify potential participants for the interview process, which was the second component of the MMF Traditional Land Use and Knowledge Study. Interviews were conducted with the use of an interview guide and included a mapping component, in order to identify specific areas of interest and/or use. In total, forty-nine interviews were completed.

The findings of the screening survey provided information regarding the extent to which respondents engaged in traditional activities in the Project Study Area, and the demographic information associated with those respondents.

The information gathered through the interview process provided a more descriptive account of Metis land use in the Project Study Area. This included information regarding seasonal activities, the types of species harvested, the consumption of country foods, harvesting practices, the process of learning about the land, the amount of time spent on the land, and the way in which people access their areas of use. For example, the report explains that fall is the most important season to harvest large and small animals while summer and winter are identified as the most important seasons for fishing activities. In general, interviewees indicated that they began engaging in traditional activities in the company of their parents, siblings, and extended family, and that these family members were integral to their learning about the land itself and the use of the land. The average number of days per year each Interviewee spent engaged in traditional activities in the Project Study Area was 49 days. Half of those interviewed reported that they spent more than 24 days per year harvesting in the Project Study Area.

The way in which these aspects of Metis land use have changed over the last few decades was also documented. The report indicates that the average number of days per year that interviewees spent engaged in hunting, fishing, and gathering activities has changed throughout the past few decades.

With regards to cultural sites, the report identifies a number of ceremonial, burial or other sacred and spiritual places. However, the majority of these sites were located outside the Project Study Area.

The maps provided illustrate 419 food harvesting and 82 trapping areas as well as transportation routes. The maps also provide information about harvesting practices associated with large animals including moose, deer, elk, caribou and black bear, as well as for small game including upland birds, duck, geese, other waterfowl, rabbits, coyote/wolf, and beaver. Detailed information regarding fishing, and food and medicinal gathering activities was also presented.

The MMF report concluded that “...the information provided by the sample of 49 Manitoba Metis suggests extensive traditional use in the Project Study Area, particularly in the Porcupine and Duck Mountain areas of the province” (MMF: 44).

Manitoba Hydro will continue to meet with the MMF to discuss and consider MMF interests and concerns related to the Project.

5.0 Opaskwayak Cree Nation

Opaskwayak Cree Nation undertook a Bipole III Aboriginal Ecological Knowledge study, in addition to their participation in the SSEA process.

Opaskwayak Cree Nation’s (OCN) report (submitted July 2011 - Appendix E) indicates that approximately 83 km of the transmission line would traverse lands used by the community, including the intersection of five Registered Trap Lines of OCN members. In undertaking their Aboriginal Ecological Knowledge (AEK) Project, OCN developed the following objectives:

- Develop a process for OCN and Manitoba Hydro to discuss the proposed Bipole III Transmission Project;
- Encourage membership engagement for the purpose of addressing issues, concerns, and opportunities related to Bipole III;
- Identify and characterize the environment where the alternative routes for Bipole III are located;
- Map AEK within OCN’s areas of use;
- Describe how the use of AEK will enhance the level of consideration given to the ecosystem and the well-being of the environment in relation to Bipole III;
- Explain the findings and considerations arising from discussions with Elders, resource users, membership and leadership regarding Bipole III;
- Identify potential positive and negative effects of Bipole III within OCN lands; and

- Propose mechanisms that will allow for follow-up on areas of primary concern related to Bipole III (OCN 2011:4).

OCN's report includes a description of their areas of use, which are identified as extending into Saskatchewan. In addition, the report outlines OCN's rights and responsibilities in the Agreement for Joint Management of Natural Resources executed between OCN and the Province of Manitoba.

In recognition of the vital role they play in the community, OCN emphasized the importance of involving Elders in their AEK Project. As such, the first step in the project was to identify three Elders who would act as project leaders and would work with technical staff to develop an interview guide, conduct the interviews, and overview the analysis. In total, 28 Elders and resource users were interviewed. Interviews, which included a mapping component, were recorded and translated.

The importance of trapping to OCN culture and AEK was highlighted. Concerns were raised regarding the decreasing number of members, in particular youth, who engage in trapping activities. Interviewees were particularly concerned about the reduced opportunity to transfer knowledge to the youth in the absence of engaging in trapping activities. To address these issues, the Opaskwayak Educational Authority and OCN have supported the designation of the Elk trap line area, referred to as the Elk Zone, as a youth line to serve as an outdoor classroom where OCN practices and knowledge can be taught. The Elk Zone has recently been disturbed by the Wuskwatim Transmission Line, a disturbance which resource users and Elders linked to a decline in marten and fisher population in the area. Within this context, the report identifies a concern that the Project might further impact this area as well as marten and fisher populations.

Additional areas of concern were also identified in the report. The Ravensnest Zone, which includes the northern portion of Kelsey Lake, and is in close proximity of important spawning grounds, was noted as being susceptible to impacts of the Project. This area was also noted to be of cultural importance because of its birch forests from which canoes were constructed. The Kelsey Lake Zone was another culturally important area for OCN, and concerns were raised about the potential for the project to affect caribou herds found in the area.

The extent of industrial land use, including forestry and mining activities as well as Manitoba Hydro development, was noted as a source of apprehension for the OCN trappers. Trappers have observed changes resulting from these activities, such as a decrease in animal populations, an increase in outsider access to areas used by OCN, and the contamination of food sources. There are concerns that such disturbances have further cultural and socio-economic effects, as OCN sees the land as a source of cultural identity and economic stability. These existing concerns extend to the Project, which is anticipated to impact their areas of use. Conversely, the report acknowledges that the Project may bring benefits in the way of employment opportunities for community members.

The report concludes by offering a number of recommendations and socio-economic considerations:

- Ensure that OCN's AEK is considered in Manitoba Hydro's Bipole III Environmental Impact Statement and associated mitigation measures;
- Conduct a longitudinal biophysical study to evaluate potential environmental impacts;
- Compensate for impacts on the Elk Zone and for any adverse effects that cannot be mitigated;
- Establish mitigation measures to address the disturbance of subsistence use practices in the named areas;
- Develop environmental protection plans in partnership with OCN;
- Conduct monitoring and maintenance in partnership with OCN;
- Allocate timber generated as a result of clearing the right-of-way to OCN;
- Wherever possible, discourage the burning of forest related debris;
- Consider the negotiation of Impact Benefit Agreements and Purchase of Services Agreement between the successful contractor and OCN;
- Ensure that 10%, of the workforce within OCN lands and is comprised of OCN members; and
- Provide training and certification relevant to transmission line site development, installation and monitoring.

Manitoba Hydro will continue to meet with OCN to discuss and consider OCN interests and concerns related to the project.

6.0 Swan Lake First Nation

In addition to Swan Lake First Nation's participation in the SSEA process, the First Nation undertook an ATK Study in relation to the Project. For a full understanding of the results of the SLFN work and the SLFN perspective, the complete reports can be found as an attachment to this report (submitted October 2011 - Appendix F).

The purpose of Swan Lake First Nation's (SLFN) Traditional Knowledge Project was to identify their community's traditional land use in the Project Study Area as well as identify the

potential impacts of the Project on SLFN. To fulfill this objective, SLFN's History and Treaty Research Department conducted historical research and site visits to areas of concern. In addition, interviews with community Elders and local landowners were completed.

SLFN's report identifies a number of important community sites located in the vicinity of the Project. These include the areas known as: Long Plain, Round Plain, Halfway Bank, Eagle's Nest, Indian Garden, Backfat Lake, Indian Springs, Hamilton Crossing, and Indian Ford. These sites carry historical relevance to SLFN and, in some cases, other Treaty 1 First Nations. For example, the Indian Garden Site is described as the area occupied by Chief Yellow Quill prior to Treaty 1 and subject to an outstanding land issue with the federal government. Another significant site is the Round Plain Site, which is considered a sacred ceremonial ground, and also the site where the Portage Band split into three bands. SLFN would like to ensure that sacred and ceremonial sites remain undisturbed.

The protection of burial grounds, noted to occur across the study area, is an area of great concern for SLFN. Although the locations of some burial sites have been identified, the lack of burial site markers makes identification of these sensitive sites problematic. It is extremely important that burial sites remain undisturbed and that any mitigation measures related to burial sites reflect the traditional practices of SLFN. The *Heritage Resources Act* provides relevant regulations. SLFN wants to ensure that these are properly enforced.

With respect to the current use of the study area, the majority is privately owned. However, local First Nations continue to gather medicines as well as hunt and fish in the area. As an indication of this use, the report also includes a vegetation survey which identifies numerous medicinal and edible plants. Maps, showing traditional and current land use of the area, were also provided.

Due to a variety of constraints including timeframes and flooding, SLFN was not able to undertake all of the work they wished to include in their report to Manitoba Hydro. However, based on the information SLFN had at the time the report was submitted to Manitoba Hydro SLFN developed the following recommendations:

- That the Round Plain Site be left undisturbed;
- That SLFN undertake research regarding the Indian Garden Site and initiate further discussions regarding this land with the federal government;
- Should a licence be granted for the project, that Manitoba Hydro allow for a SLFN monitor to be on-site for construction activities occurring between NW 35-9-9W1 to SW 26-9-9W1 to NE 8-9-8W1 east to SE 15-9-8W1;
- That a formal protocol be established and agreed to regarding the enforcement of the regulations under the Heritage Resources Act prior to construction; and

- That Manitoba Hydro continues to work with SLFN to address the community's concerns with the Project.

In addition to providing recommendations, Swan Lake identified a number of outstanding concerns related to the Project:

- Potential impacts on the resolution of outstanding SLFN land issues;
- Proper enforcement of the regulations provided in the *Heritage Resources Act*;
- Manitoba Hydro's defoliation practices and the potential impacts of chemical use on waterways and the environment as a whole; and
- Potential impacts of Manitoba Hydro's emergency management and maintenance practices on plant species.

Subsequent to Swan Lake's Traditional Knowledge report and upon request from the community, Manitoba Hydro provided funding for Swan Lake to complete additional botanical and archaeological work within the study area, in areas of concern to the community. Both studies were conducted with the purpose of further identifying potential impacts of the Project on the areas of historical significance and current use for SLFN.

To complete the botanical work, walk-through surveys of the defined areas of concern were completed in June, July, and September 2011. The botanical survey team divided the proposed project corridor into five sections and also focused on the Indian Gardens and Round Plain sites. Species lists for all the sections and sites were created and rare species as well as species of particular interest to SLFN were logged with a GPS. The botanical survey identified more than 200 plant species, more than 95% of which are known medicinal plants. Of these, nine species are currently considered rare in Manitoba. Two sections, Sections 1 and 4 were identified as highly vulnerable to disturbance as a result of unique species compositions. The report proposed the following recommendations:

- Consider adjustments to the Bipole III route;
- Once the final route is chosen, conduct detailed site surveys prior to disturbance to allow for additional mitigation measures;
- Adjust the placement of towers to minimize any negative impacts;
- Conduct construction activities in the wintertime; and
- Avoid using herbicides in areas where there are rare species and/or where community members harvest medicinal plants.

The archaeological study set out to locate known sites as well as assess the potential for undiscovered or unreported sites within the area. The archaeological study area was limited to the 7 km of the proposed preferred route where it crosses the Assiniboine River and was not systematically studied but examined at irregular intervals. Field work was conducted in August 2011. The Historic Resources Branch inventory identified over 90 sites within a 30 km radius of the study area and provided coordinates for six known sites within, or just outside, the preliminary preferred route within the study area. Because of a lack of accessibility, only four of these sites were visited. Of these, the locations of three sites were confirmed. The study area, characterized by the intersection of three ecoregions and also containing a riparian corridor, is understood to be biologically diverse and therefore attractive to humans. The report provided an overview of the rich cultural history of the area and concluded that there is high potential for undiscovered archaeological sites within the study area given that nine of ten archaeology potential indicators were directly observed. The tenth indicator was not directly observed but is known to exist. Indeed, the field work conducted led to the identification of three new archaeological sites, an isolated find, and other finds. Apart from completing the remaining research objectives of recording landowner collections and undertaking a fall/spring site visit, which has been delayed due to extensive flooding and ongoing wet conditions, the following recommendations were proposed:

- Once the final route is established, a comprehensive archaeological assessment of the route and its right-of-way should take place;
- Based on the outcome of the archaeological assessment, further recommendations may be made to avoid or mitigate archaeological sites;
- Where impacts on archaeological resources are unavoidable, site specific assessments should be conducted to determine the size and nature of the site and to collect as much archaeological data as deemed necessary by SLFN and the Historic Resources Branch; and
- Archaeological work conducted in this area should be done in collaboration with the Historic Resources Branch and SLFN.

SLFN feels that additional work needs to be done to address their concerns and has emphasized the importance of continuing their community's involvement in the Bipole III project. Mitigation measures will be considered during the final design process. Discussions will continue with SLFN in an effort to address their concerns and interests and minimize impacts during construction.

7.0 Tataskweyak Cree Nation

Tataskweyak Cree Nation (TCN) has a long history with Manitoba Hydro and today, the community and the Corporation have a unique relationship, and interact across a number of projects and processes. TCN's perspective is that it has been severely impacted by major Manitoba Hydro developments. The developments, which began in the 1950's and continue in operation today, include the Churchill River Diversion, Lake Winnipeg Regulation, and the construction and operation of four generating stations and transmission facilities in the lower Nelson River area. Along with four other First Nations, Manitoba, Canada, and Manitoba Hydro, Tataskweyak Cree Nation (Split Lake) is a signatory to the 1977 *Northern Flood Agreement*. In any given year the majority of the hydro-electric power produced in Manitoba is generated in the lower Nelson River region, within the Split Lake Resource Management Area.

Since the 1970s, Manitoba Hydro and TCN's relationship has continued to evolve. In 1992, TCN, Manitoba Hydro, Manitoba and Canada signed the 1992 NFA Implementation Agreement³ to guide the implementation of the Northern Flood Agreement with TCN; the 1992 Agreement was the first NFA Implementation Agreement, setting the template for the other three Implementation Agreements to follow. This agreement included a range of provisions, including compensation for adverse effects, joint Tataskweyak-Hydro processes to address adverse effects of future hydroelectric development, and led to the creation of the SLRMA and definition of the Split Lake Resource Area. Agreements in 1996 and 2008 further defined the relationship and included provisions related to certain described water events. In 2000, TCN and Manitoba Hydro signed an *Agreement in Principle* in relation to the potential development of the Keeyask Generating Station, located at Gull Rapids in the SLRMA. In 2009, Manitoba Hydro and Tataskweyak Cree Nation signed the Tataskweyak Cree Nation Keeyask Adverse Effects Agreement, which sets out a range of programs to offset adverse effects of Keeyask, and the Joint Keeyask Development Agreement, which outlines the arrangement for TCN to become an equity partner in the Keeyask Generating Station (along with three other First Nations in the area).

Approximately 226 km of the Bipole III transmission line as well as a portion of the related facilities is located within the SLRMA. The Keewatinoow Converter Station and related facilities as well as approximately 15 km of the Bipole III transmission line are also located in the broader Split Lake Resource Area, just outside the SLRMA. As is TCN's preference, Manitoba Hydro provided the community with funding to consult with its own members regarding the Project. As the TCN/Manitoba Hydro working relationship has evolved over time, the community has developed its own approach to project discussions, where TCN representatives and leadership tend to consult directly with TCN members, without a strong Manitoba Hydro presence in the community. While this approach is somewhat different from

³ <http://www.hydro.mb.ca/community/agreements/sla>.

that taken in other communities, it is TCN's preferred approach, and it is respected by Manitoba Hydro.

To date, the Manitoba Hydro/TCN process in relation to the Bipole III project has led to the development of two reports. The first, the *TCN Bipole III Preferred Route Selection Report* (submitted June 2010 – Appendix G) included a constraints map and descriptive report, and provided the results of TCN's consultations with members regarding the three original proposed Bipole III alternative routes through the SLRMA. Consultations with members were conducted through community meetings and through 49 interviews with Elders and resource harvesters. The Report concluded that Tataskweyak was prepared to enter further discussions with Manitoba Hydro and conduct further examinations with a focus on Route B within the SLRMA and identified three potential adjustments to locate Bipole III as close as reasonably possible to PR 280 to reduce intrusions into otherwise pristine areas. Further discussion and examination was conditional upon reasonable funding of joint processes to address TCN concerns regarding the construction and operation of Bipole III within TCN traditional territory: determination of the 66 ft. right of way within the agreed preferred route, impacts of Bipole III on Tataskweyak, and Project benefits including training, employment and business opportunities.

Following submission of this report, Manitoba Hydro, in July 2010, announced "Route B" - the route which was most closely situated to PR 280 - as the preliminary preferred route within the SLRMA. In December 2010, at a meeting with TCN, Manitoba Hydro accepted two of the three route amendments that had been proposed by TCN in its June report, revising its Bipole III preliminary preferred route such that it follows the existing PR 280 in portions of the SLRMA, as described in Chapter 7.

A second report, the *TCN Report on Bipole III Right-of-Way and Expected Impacts* (submitted March 2011 - Appendix H) summarized consultations with TCN members and member perspectives regarding the selection of the Bipole III route and potential Project impacts in the Split Lake Resource Management Area.

For the second report, TCN based its assessment of the expected impacts from the Project on their Cree worldview, which is described as reflecting a number of beliefs expressed in vital relationships with Mother Earth that recognize "the interconnectedness of all things, living and non-living, in our homeland ecosystem" (TCN:3). This worldview was further explained through the use of the Mother Earth Ecosystem Model.

TCN used the Overview of Water and Land (OWL) process to gather information from their membership regarding the Bipole III Project. This process, which has been used for previous studies and described as reflective of TCN's worldview, relied on two rounds of interviews conducted with the use of a general interview guide to encourage open-ended discussions. A mapping component was included in the interview process. Ninety-two members participated in the first round of interviews, and another 20 were involved in the second round. Fifty-four

percent of the 112 interviewees were resource users who were believed to be the ones most likely affected by the Bipole III Project. The interviews were translated and analyzed with a view to developing a list of identified issues.

TCN's second report includes a number of maps which depict their community's areas of use, much of which are in the Project Study Area. A number of issues and/or expected impacts related to the Project were identified. The analysis of these issues "indicated that the impacts of the Project are likely to be interferences with the exercise of the customs, practices and traditions which define our cultural identity" (TCN:40). Nine possible interferences were noted including the potential impact on hunting, trapping, access to traditional foods, opportunities for sharing, as well as the experience of traditional learning and living. Concerns were also raised regarding the Project's possible interference with TCN's historical, spiritual, emotional relationship with the land including members' respect and care for Mother Earth.

The information presented from the first round of interviews demonstrated a clear preference for the transmission line built close to PR 280 as a way to minimize the potential negative impacts of the line. The second round of interviews focused on the two route amendments proposed by Manitoba Hydro in December 2010 with an emphasis on resource harvesters familiar with the area that would be affected by the amendments. No clear preference was stated from this round of interviews.

TCN members consider the Project in the context of past and future Manitoba Hydro developments. TCN has experienced various impacts from previous Manitoba Hydro projects. There are ongoing concerns regarding further loss of natural habitat, displacement of animal populations, and loss of access trails within the Resource Area and the consequent negative effects on TCN's cultural practices and identity. With regard to future developments, there was an identified interest in seeing the Keeyask Generating Station built. Without assurances that the Keeyask Generating Station and the associated benefits will be realized, members were hesitant to support the Project.

The report concluded by identifying the following conditions associated with TCN's continued support of the Project:

- Conduct negotiations with the goal of reaching an agreement regarding compensation for potential project impacts on the collective rights and interests of TCN;
- Conduct negotiations and reach an agreement regarding business, training and employment opportunities associated with the construction, operation and maintenance of the project;
- Participate in and contribute to Manitoba Hydro's Environmental Impact Statement; and

- Conduct a consultation process regarding the Keewatinoow converter station and electrode site.

Manitoba Hydro continues to meet with TCN in the context of the Project. The parties are currently in discussions regarding TCN's concerns about the Project, as well as the potential Project -related business, training, and employment opportunities. These discussions are intended to lead to a jointly developed set of principles which will address training, employment, business opportunities and project impacts. Funding for TCN-led consultation and communication with its members regarding the Project is ongoing. Manitoba Hydro and TCN are also organizing a visit of an existing northern converter station and electrode site for TCN members. This visit, being planned for fall of 2011, will include a facilitated information session regarding the construction and operation of these facilities. It is anticipated that Project-related discussions with TCN will continue past the filing of the EIS.

8.0 Wuskwi Sipiik First Nation

Wuskwi Sipiik First Nation (WSFN) undertook a traditional knowledge study to achieve the following objectives:

- Gather information related to gathering, hunting, fishing, burial sites and traditional ceremonies; and
- Document concerns regarding the placement of the Project.

To achieve these objectives, WSFN conducted interviews with community Elders and resource users. The interviews included a mapping component.

WSFN developed a series of maps depicting their community's detailed knowledge of their areas of use (submitted September 2011 - Appendix I). Habitat areas for a wide range of species were documented, as were areas used by the community for hunting, trapping, and fishing. Specific locations where the community harvests medicinal and other culturally important plants were also noted. The community also documented the known locations of a wide range of heritage resources. Protection of sensitive sites was of particular concern. The final report is still pending.

Manitoba Hydro will continue to meet with WSFN to discuss any issues arising from the Project and to consider WSFN's interests and concerns related to the Project.

9.0 Conclusion

Manitoba Hydro recognizes the unique relationship Aboriginal communities have with their areas of use and is appreciative to all the communities who took time to share information about their history and culture as well as their valued knowledge and perspectives with regards to the Bipole III study area and Project. Each community who undertook a self-directed study developed the objectives, methods, and analysis procedures that they deemed appropriate for their study and community. The ATK that has been shared assisted Manitoba Hydro in: developing a greater understanding of the study area; identifying potential Project effects; planning and designing the Project; and developing potential mitigation measures.

The Aboriginal communities who conducted self-directed studies shared information about their history, culture, areas of use, as well as the current issues facing their communities. Each community who conducted a self-directed study presented their distinct and detailed knowledge. However, Manitoba Hydro is aware that these reports, focused on the Bipole III Project and study area, represent only a small portion of the depth of ATK that exists within each community. Nevertheless, the ATK that communities shared with Manitoba Hydro assisted in developing a greater understanding of the study area and potential Project impacts, including biophysical, cultural, and socio-economic.

Manitoba Hydro has attempted to incorporate Aboriginal concerns throughout the Project planning process as well as through the development of the EIS. Manitoba Hydro understands the importance of continuing to engage with Aboriginal communities and to work to address outstanding concerns. Discussions regarding culturally appropriate and site-specific mitigation measures as well as Access Management Plans will be ongoing with Aboriginal communities who have identified concerns. In addition, Manitoba Hydro will continue to provide Project updates and encourage ongoing communication with all Aboriginal communities. Further detail regarding the assessment of project effects and proposed mitigation measures can be found in Chapter 8 of the EIS.