


**MOSAKAHIKEN CREE NATION
REVIEW OF WUSKWATIM TRANSMISSION ENVIRONMENTAL IMPACT STATEMENT (EIS)
SUBMISSION TO THE CLEAN ENVIRONMENT COMMISSION (CEC)
- MAY 27, 2004 -**

EXHIBIT # **mcn-1000**
WUSKWATIM GENERATION
& TRANSMISSION PROJECT

CLEAN ENVIRONMENT COMMISSION

1.0 INTRODUCTION

The Mosakahiken Cree Nation is very close to finalizing the Comprehensive Forebay Agreement (CFA), which settles outstanding matters with Manitoba Hydro and Manitoba relating to the adverse effects of the Grand Rapids Project, including flooding of Cedar and Moose Lakes, and taking of Reserve Lands at Moose Lake. Two important provisions contemplated in the CFA include the establishment of the Moose Lake Resource Management Area (RMA) and related joint land and resource use planning, and the allocation of softwood timber harvesting rights in Forest Management Unit 53. The RMA will be established jointly by Manitoba and the Mosakahiken Cree Nation, with each maintaining equal representation, upon approval through a community referendum to be held later in 2004.

The mandate of the Board is to participate in the conservation, management and protection of lands in the RMA. The main functions are to assess and monitor environmental components such as aquatic and terrestrial biota as well as, recommending land use and resource management plans, and resource allocations. Included with these functions is the conservation and management of forestry resources in FMU 53 for economic benefits to the Mosakahiken Cree Nation.

The Mosakahiken Cree Nation sought funding to participate in the Manitoba Clean Environment Commission (CEC) Hearings as intervenors to assess if the Wuskwatim Transmission Environmental Impact Statement (EIS) describes and addresses potential impacts on the RMA and FMU 53. Emphasis of the assessment was on the proposed transmission line routing from Herblet Lake Station to Ralls Island Station, near The Pas. Environmental impacts on forestry operations, traditional land use and resources because of possible corridor clearing within or near FMU 53 and the RMA, were reviewed as part of the assessment. Other impacts such as increased traffic in the RMA as well as the consultative process with potentially affected Aboriginal populations were reviewed to assess and make the CEC aware that other issues may potentially exist that are not fully addressed in the EIS.

2.0 GEOGRAPHIC LOCATION OF WUSKWATIM TRANSMISSION LINE NEAR MOOSE LAKE

Maps showing both the proposed and alternate route between the Herblet Lake Station and Ralls Island Station show that either route will be within a few kilometres of FMU 53 along the northwest corner. As well, either route would be located to the west of Mawdesley Lake, which is also a few kilometres west of the RMA. Finally, either route would be very close to one of our proposed CFA land selections, just south of Clearwater Lake at the junction of Provincial Roads 384 and 287.

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The EIS mentions that the proposed transmission line runs through the Opaskweyak Cree Nation (OCN) Traditional Territory. It appears that the authors are confused as to the definition of traditional territory versus resource management areas. The Mosakahiken Cree Nation maintains that much of this same area also belongs to them as traditional territory.

3.0 OBSERVATIONS ON EIS AND DISCUSSIONS REGARDING ABORIGINAL AND MOSAKAHIKEN CREE NATION INTERESTS

Although the transmission line will not directly cross either the RMA or FMU 53, there may be effects on Mosakahiken Cree interests to its Traditional Territory, RMA or FMU 53. As such, the review of the EIS (in particular the transmission line) focused on Mosakahiken interests including economic and traditional pursuits, and resources/environmental management, which are inevitably linked. The following are observations and comments on the review of the EIS.

3.1 Traditional Pursuits

Negative impacts cannot be quantified without giving due regard to changes as a result of new development through trapline areas and terrestrial and aquatic habitat, adjacent to the Right-of-Way (ROW). It is stated in the EIS that *"most effects are to be either minimal or negligible."* Further, the EIS predicts that the transmission lines would not have lasting effects on *"area hunting, trapping, and fishing."* These predictions do not take into account habitats that span a greater area than the transmission line ROW, which may affect adjacent areas of hunting, trapping, and fishing, hence, directly impacting Mosakahiken Members' traditional pursuits. The potential for habitat fragmentation may impact movement of terrestrial animal populations through displacement or avoidance of certain critical locations adjacent to the ROW.

By far the largest potential for population displacement may result from increased access, which is minimally addressed in the EIS through broad statements such as *"access management."* As well, access management measures should include consultation with the proposed Moose Lake Resource Management Board (RMB), since most ranges and habitats in the area extend into the RMA.

3.1.1 Compensation

The Transmission Development Fund is proposed *"...to provide long-term community benefits to Aboriginal communities whose traditional uses may be traversed by the development of the Wuskwatim Transmission Project."* The fund only proposes to provide funding to communities whose members are directly affected by the transmission line construction and corridor. Again, the EIS assumes that all direct impacts will occur within the corridor, and not in adjacent areas where individuals may be affected from time to time. In addition, the fund appears to be provided to Aboriginal communities, but does not provide even a semblance of how the

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mechanism of compensation distribution would be applied to individuals. Further, long-term benefits should also include loss of income or access to resources on an annual basis, especially since the transmission corridor will always be in place, hence altering the landscape forever, regardless of potential mitigation measures to be implemented.

3.2 Aesthetic Changes

When discussing Mosakahiken interests, one must also speak of the spiritual link between the landscape and resources. One very important component is the visual references of landscapes. The RMA is bound on the east side by Bipoles I and II. If construction of the Wuskwatim transmission line corridor occurs, it will effectively give the perception of isolation to the people of Moose Lake, by being bound on both sides of the RMA by transmission lines.

The EIS makes no mention of visual impacts on the landscape from construction of the transmission line. The EIS makes reference to the fact that many areas of the transmission line corridor will be in "*isolated*" areas. If meaningful consultation was undertaken with local First Nations, these impacts would have been readily discussed and addressed. The EIS seems to place more importance on aesthetic values for recreation rather than the spiritual link between Aboriginal people and the landscape.

3.3 Traditional Territory

Traditional territories of Aboriginal people are not defined by borders, but rather historical movements and cyclical patterns around resource use. In other words, Aboriginal people travelled many distances to obtain food and other resources where plentiful, which was in keeping with the harmony of the environment and the people who relied on the sustenance the land and waters had to offer. The defining "border" of the traditional territory was only constrained by the ability of the land and water to sustain terrestrial and aquatic life.

RMAs are areas defined by modern borders drawn on maps by resource officers and land managers, which often contain small portions of traditional territories. The borders are mostly based on the trapline block boundaries, which were developed in the 1940's. RMAs allow for Aboriginal input on resource management and provide a local sense of stewardship, but provide limited input on development and resource use outside RMA borders where traditional pursuits are maintained to this day.

These misconceptions between traditional territory and RMAs have become a source of contention among First Nations, since younger generations tend to see defined borders on maps, where overlap in use and interests between First Nations is seen as infringement on personal territory. Overlaps have always formed part of the kinship between First Nations in the form of trade and other beneficial activities since time immemorial.

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4.0 COMMENTS

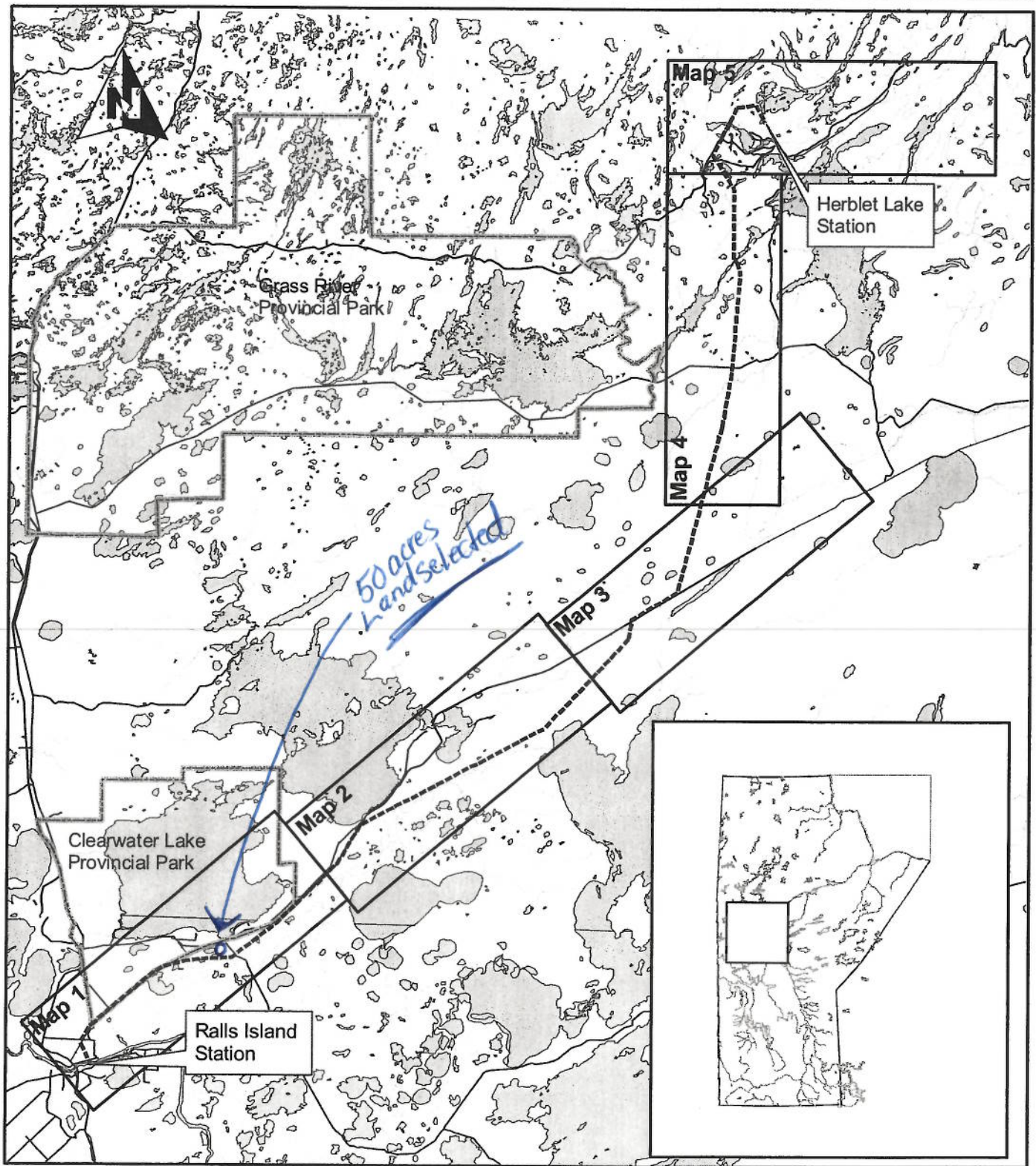
The EIS discusses impacts of corridor clearing and transmission development as minor in overall scope. It appears this kind of linear thinking minimizes physical impacts since it is anticipated that only a small portion of Mosakahiken Cree's traditional territory would be affected. Aboriginal peoples think in terms of the whole rather than the sum of parts in discussing and evaluating environmental impacts. The EIS takes the western scientific approach in dealing with impacts and long-term effects, and not fully addressing the interaction between the land, the water, the people, and corridor development, through Traditional Knowledge (TK). It appears that all TK in the EIS is used as a reference system to the scientific approach, but places no importance on how construction will affect local Aboriginal populations in "non-quantifiable" areas such as spirituality and value systems.

As mentioned in Section 3.2, no discussion of spiritual impacts is brought forth in the EIS, since the EIS seems to place more importance on the western science approach. Visual impacts on the landscape from structures (e.g. powerlines, communication towers, etc.) when undertaking traditional pursuits leaves one with the feeling of invasion in personal space. This kind of impact is not "quantifiable" in the western science sense, but is just as important an impact to the local population.

In spite of claims about TK, there seems to be no recognition in the EIS about the impacts of the proposed transmission line in terms of Aboriginal values such as teaching respect for the environment and animals. Construction of the transmission line will be contrary to the Cree value systems since it will not be possible to teach certain values associated with habitats and conservation, because of the landscape being altered in perpetuity.

Ongoing consultation with local persons, both Aboriginal and non-Aboriginal, will be required for continued facilities management such as ROW clearing, as well as environmental monitoring activities. In the case of the latter, Manitoba Hydro should consult with the Moose Lake Resource Management Board on any planned activities and provide documentation on any monitoring as required by internal and Provincial requests. This will be important especially if Manitoba Hydro plans to conduct vegetation management through the use of herbicides. The Mosakahiken Cree Nation would insist on consultation with the Moose Lake RMB, and the provision of any monitoring information at the very least.

Key Map Segments: Herblet Lake Station to Ralls Island Station



Legend

- - - - Preferred Route - - - - Provincial Park Boundary ——— Roads ——— Railway Rivers and Streams [] Lakes

Key Map Segments: Herblet Lake Station to Ralls Island Station

Figure 4-2

Source: Tetres Consultants
April 2003