

INFORMATION SESSION

With Representatives of First Nations and Northern Affairs Aboriginal Communities

About the Manitoba Crown Consultation With Respect to the Churchill River Diversion Hydro Project Final Licence

> September 17, 2009 9:30 a.m. to 2:00 p.m. Juniper Centre, 108 Nelson Road, Thompson

Purpose of Information Session

This Information Session is being hosted by the Government of Manitoba for purposes of sharing information with invited communities about:

- the final provincial Water Power Act licensing process for the Churchill River Diversion Hydro Project; and
- the Crown consultation process framework for the final licence.

Agenda

9:30 a.m.

Registration and Refreshments

10 a.m. to noon

Purpose of Information Session and Introductions - Barb Connell, Consultation Facilitator

Introductory Remarks - Rob Matthews, Manitoba Water Stewardship

Overview of Churchill River Diversion Project - Rick Bowering, Technical Advisor, Manitoba Water Stewardship

Water Power Act Licensing Process - Rob Matthews, Manitoba Water Stewardship

Questions

noon to 1 p.m.

Lunch

1 p.m. to 2 p.m.

Crown Consultation Process Framework and Next Steps – Barb Connell, Consultation Facilitator

Questions

Closing Comments

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Overview Presentation

Rick Bowering, P. Eng September 17, 2009

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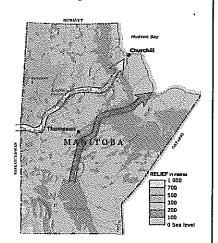
Outline

- Review of Churchill River Diversion
 - Where is it?
 - What is its purpose?
 - How is it operated?
- Churchill River Diversion operation
 - Summer
 - Winter
- · Review of levels and flows

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Churchill-Nelson System

- Two major rivers in Northern Manitoba:
 - Nelson River
 - Churchill River
- Together they drain most of the prairies and parts of NW Ontario and the northern USA



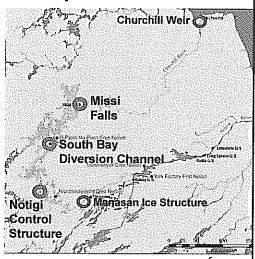
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Churchill-Nelson System Nelson River drainage area = 410,000 sq. mi. Churchill River drainage area = 111,000 sq. mi. Monitoba Alberta Alberta Monitoba Monitoba Ontario Ontario South Dakota South Dakota South Dakota South Dakota

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Project Components

- Project area is shown in orange
- 2 control structures
- An excavated channel
- 2 mitigation structures
 - Manasan Ice Structure
 - Churchill Weir



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Missi Falls Control Structure

What is it?

- Dam and Spillway control structure
- Small house unit power to operate structure

What does it do?

- · Holds water in SIL
- Regulates the volume of water passing down the lower Churchill River



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South Bay Diversion Channel

What is it?

 A 5.8 mile long, 200 foot wide excavated channel – 35 feet deep

What does it do?

 Diverts water from Southern Indian Lake to the Rat River system (Notigi)



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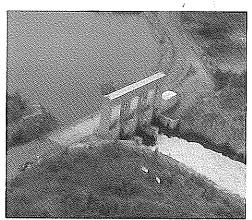
Notigi Control Structure

What is it?

Dam and Spillway control structure

What does it do?

 Regulates the volume of water released into the Burntwood River system





Manasan Ice Control Structure

What is it?

- · Mitigation project
- · Ice boom and weir

What does it do?

· Reduces the risk of ice jam flooding in Thompson



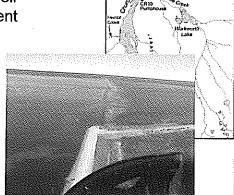
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What is it?

- Mitigation project
- · 2.5 mile long rock filled weir
- Goose Creek enhancement
- Marina

What does it do?

- Improves habitat for fish
- · Improves recreational opportunities for local residents
- · Enhances reliability of Town of Churchill water supply



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Why CRD was built

- Development on the lower Churchill more expensive than on the Nelson
 - Poor access
 - Longer distances
- Diversion increases lower Nelson flows by about 25%
- More reliable flows during the winter months

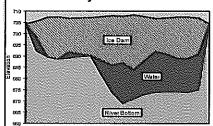


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Lake Winnipeg Outlet in Winter

Lake Winnipeg's outlet is shallow with many islands





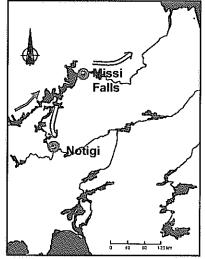
In winter ice build-up restricts the channel capacity

 Ice is much less of a problem along the Burntwood River

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How is CRD Operated?

- Churchill R. inflows are stored in SIL
- Flows are released from the Notigi Structure into the Burntwood River, and from Missi Falls into the lower Churchill River

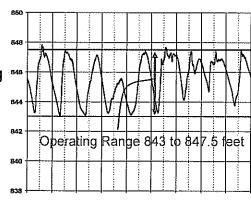


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How is Southern Indian Lake Operated?

- Inflows are stored in the summer and released into the Burntwood in winter
- Lake levels rise over spring and summer
- Levels drop over fall and winter as additional flows are diverted to the Burntwood system
- Minimum releases to the Lower Churchill River are 500 cfs in summer and from 1500 – 4000 cfs in winter



2000 2001 2002 2003 2004 2005 2006 2007 2008

Lake Levels 2000 - 2008



River Flows and Lake Levels

Now we will look at flows and lake levels at three locations:

- Footprint Lake
- Southern Indian Lake
- Lower Churchill River

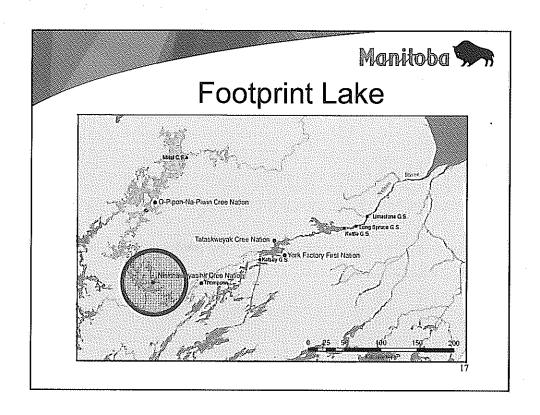
We will compare conditions before and after the diversion was put into operation.

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River Flows and Lake Levels What to notice:

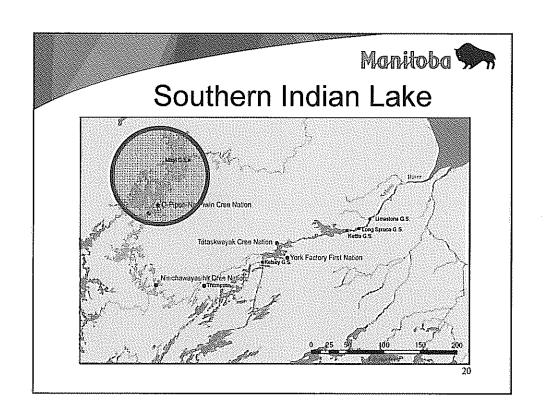
- Higher river flows and lake levels along the Burntwood River
- Lower flows along the lower Churchill River
- Seasonal demands for power have changed some of the annual flow and lake level patterns



Footprint Lake Levels • Average levels increased by 14.3 ft. - Average before diversion = 782.3 ft. - Average after diversion = 796.6 ft. **Total Control of the image is a second of the image

Manitoba 😘 **Footprint Lake Levels** Average Lake Levels Seasonal pattern Current Pattern has changed: 795 17 feet higher 10 feet higher - Highest levels now In winter Lake Level (feet) 790 occur in winter - Historically highest 785 levels occurred in diversion Pattern June 775

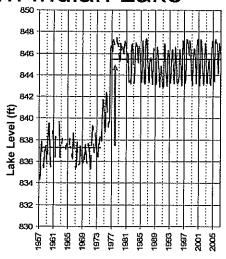
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Southern Indian Lake

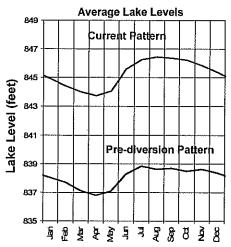
- Average levels increased by 8.2 ft.
 - Average before diversion = 837.3 ft.
 - Average after diversion = 845.5 ft.



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Southern Indian Lake Monthly Levels

- Seasonal pattern has not changed:
 - Highest levels still occur in summer
 - Lowest levels still occur in late winter

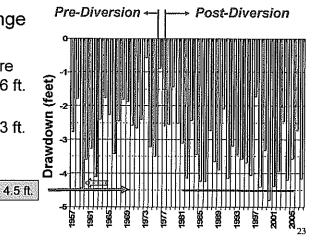


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Southern Indian Lake

Maximum 12 Month Drawdown

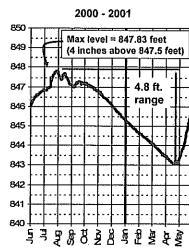
- Operating Range = 4.5 ft.
 - Average before diversion = 2.6 ft.
 - Average after diversion = 3.3 ft.



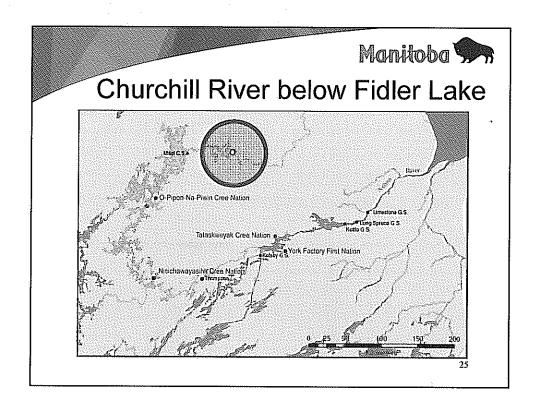
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Southern Indian Lake

2000 - 2001 operation



- During a major flood controlling SIL levels becomes top priority
 - In summer of 2000 Missi Falls and Notigi flows were increased to bring lake to 847.5 ft.
- Once within range reverted to normal operation

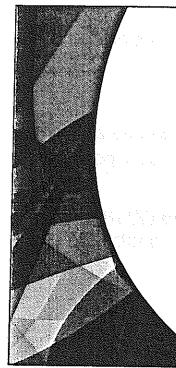


Manitoba 😘 Churchill River below Fidler Lake · Reduced flows in 90,000 lower Churchill: 80,000 70,000 - Average flow in decade before diversion = 40,100 cfs. - Average flow after 30,000 diversion = 7,100cfs. Maximum flows are similar



Summary of Flows and Levels

- An average of 27,100 cfs is being diverted from the Churchill to the Burntwood River.
- Footprint Lake levels have increased by an average of 14.4 feet.
- River flow at Thompson has increased from an average of 4,000 cfs to 30,600 cfs.
- Southern Indian Lake levels have increased an average of 8.2 feet.
- Lower Churchill Flows have been significantly reduced.



Churchill River **Diversion Project**

Final Licensing Process

Rob Matthews

Manitoba Water Stewardship September 17, 2009

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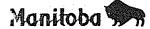


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Presentation Outline

- Overview of Water Power Act
- Historical overview of Churchill River Diversion (CRD) licence
 - What is the Interim Licence
 - Describe Augmented Flow Program
- Hydro's request for Final Licence
- Final Licensing Process
 - What does this involve



Water Power Act

- The Water Power <u>Act</u> provides authority for Province to regulate water power development
- The Water Power <u>Regulation</u> provides guidance or rules for administration of the Act

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Manitoba Hydro System Most Manitoba power generation is on the Lower Nelson River (75% of capacity) Minipeg Winnipeg Winnipeg Winnipeg

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CRD Interim Licence

- Granted to Hydro, the right to use provincial Crown resources (land and water power) for purposes of generating electricity
- CRD used to augment flow for generating stations on Nelson River

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CRD Interim Licence

- Authorizes Hydro to:
 - construct works
 - divert waters of Churchill River into Burntwood/Nelson River system
 - impound waters on Southern Indian Lake (SIL) and Rat River System

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CRD Interim Licence

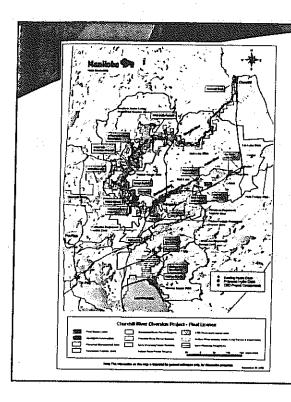
- Issued to Hydro in 1973
- · Remains a valid and ongoing licence
- · Allows Hydro to operate project in accordance with terms of Interim Licence
- Upon fulfillment of its obligations, Hydro is entitled to a Final Licence

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Obligations Under the Interim Licence

- · Surveys and plans
 - Severance Line Plan
 - As Constructed Plans
- Physical works
 - Missi & Notigi Control Structures
 - South Bay Diversion Channel
- Mitigatory works
 - Manasan Ice Control Structure
 - Churchill Weir



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CRD Licence Area

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- Hydro tested CRD operation over period (1978-1986) to optimize operation of project
- Resulted in Augmented Flow Program (AFP) in 1986
- Affected range of water levels on SIL and flows released through Notigi Control Structure into Burntwood River system





Augmented Flow Program

- Hydro has requested annual approvals for AFP
- Annual approvals granted by Minister of Water Stewardship
- · Upon approval, AFP forms part of operating regime set out in Interim Licence

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Kev Licensing Parameters

Location	Control Aspect	Interim Licence	Augmented Flow Program
Southern Indian Lake	Maximum Water Level	. 847 ft.	847.5 ft.
	Minimum Water Level	844 ft.	843.0 R:
	Maximum Annual Change	2 ft	4.5 ft,
Notigi	Minimum Water Level	838 ft	834 ft.
Thompson	Maximum Flows or Levels	Av. Mean Flow plus 30,000 c.f.s.	619 ft. (Summer) 623 ft. (Winter)
Diversion Flow (Notigi)	Maximum Flów	30,000 c.f.s.	35,000 (Summer) 34,000 (Winter)
	Maximum Daily Change	10,000 c.f.s.	10,000 c.f.s.
Flow (Missi)	Minimum Flows	500 c.f.s. (Open: Water) 1500 c.f.s. (Ice Covered)	No Changes Specified

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Request for Final Licence

- · Before requesting its final licence, Hydro also sought to resolve issues related to adverse effects of CRD Project (including AFP) with First Nations and communities
- May 2009 Hydro requested Final Licence from Government of Manitoba
- Request includes Augmented Flow Program
- · Envisions project be operated in same manner as historically operated (since 1986)

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Final Licence

- · Would contain terms and conditions described in Interim Licence
- · May contain any other terms and conditions specified by Minister of Water Stewardship
- Licensing decision made under authority of Water Power Act
- · Term of Final Licence is 50 yr. from Initial Development (50 yr. from September 1, 1976)

Manitoba 327 water Power Act **CRD Licensing Flow Chart** Project le Constructed & Operated Under Interim Licence, Licenses Submits Final (as constructed) Plans to Manilobe and Requests Final Lice Crown Consultation Initiated Manitoba Raviews Submissions from Licens Required Plans (Severance Line) & Hydraulic Monitoring Implementation Guide Submissions from Licensee Accepted Minister of Water Stewardship Issues Final Licence (including any additional terms)

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Duty to Consult

· Government of Manitoba has a duty to consult in a meaningful way with First Nations, Metis communities and other aboriginal communities about government decisions that might affect the exercise of Treaty or aboriginal rights

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- Government of Manitoba will attempt to address concerns in good faith
- · Government of Manitoba will consider possible accommodation measures as part of licensing decision

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Crown Consultation for CRD **Final Licence**

- · Does not affect any agreements with communities
- · Does not deal with final licensing process for Lake Winnipeg Regulation **Project**
- Does not deal with licensing processes for future Water Power Projects

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Other Considerations

- CRD Project predates Manitoba **Environment Act (1988)**
- CRD Project, including Augmented Flow Program, is considered to be an existing development under the Environment Act
- CRD Project as currently operated does not require Environment Act Licence

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Manitoba Hydro Activities

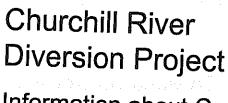
- Communications with communities and organizations about request for Final Licence
- · Planned Public Open Houses in Thompson and Churchill for sharing information about CRD Project and licence request

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Government of Manitoba **Activities**

- Approved Augmented Flow Program for 2009/2010
- Reviewing Hydro's request for Final Licence
- Initiating Crown consultation process



Information about Crown Consultation Framework

Barb Connell, Consultation **Facilitator**

September 17, 2009

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Presentation Outline

- Crown consultation framework
- Next steps



Guiding Principles

- Consultation process is intended to be:
 - Mutually acceptable
 - Community-specific
 - Respectful and inclusive
 - Reasonable and workable

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Consultation Framework

- Consultation framework lays out process steps:
 - information sharing from Province
 - communities confirm interest
 - development of consultation plans
 - undertake consultation
 - consider how concerns might be addressed
 - document consultation
 - government decisions and reporting to communities

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Consultation Framework

Phase 1

- Manitoba informs communities about CRD Final Licensing process and Crown consultation
- Manitoba hosts Information Session with community representatives
- Communities confirm interest in Crown consultation

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Consultation Framework

Phase 2

- Develop consultation plan for mutually acceptable consultation process
- Undertake consultation according to the plan
- · Document community interests, concerns and other consultation information

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Consultation Framework

Phase 3

- Review consultation information with each community
- Consider how concerns might be addressed
- Prepare Record of Consultation

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Consultation Framework

Decision Making

 Manitoba Water Stewardship will consider consultation information and accommodation measures before decision is made about the CRD Final Licence

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Consultation Framework

Reporting

 Manitoba Water Stewardship will report to communities on licensing decision and how concerns were addressed

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Information Package

- Consultation Backgrounder
- Consultation Planning
- Community Support Costs Guideline
- CRD Final Licensing Backgrounder
- Map of Project Region
- Flow Chart of Consultation Framework
- Community Confirmation Form

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Consultation Planning

- **Consultation Plan Topics**
 - Community consultation coordination
 - Types of consultation sessions e.g. focus groups (Elders, resource users, youth etc.), community meetings, workshops
 - Meeting recorder
 - Need for translation
 - Suitable timeframe
 - Budget
 - Involvement of Manitoba Hydro

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Community Support Costs

- **Community Consultation Arrangements**
 - Community Consultation Coordinator to facilitate organization of consultation
 - Meeting room, refreshments, audio and visual aids, translation services, meeting recorder
 - Elders honoraria for their participation

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Community Support Costs

- Other Support Costs
 - Manitoba Water Stewardship will consider any requests for additional support costs

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Next Steps

- Communities consider interest in Crown consultation process
- Communities advise Manitoba Water Stewardship of interest
- Crown and communities jointly develop community-specific consultation plans

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Request to Communities

- Consider information heard today
- Advise Manitoba Water Stewardship within 6 weeks of community interest in consultation
- Complete Community Confirmation Form

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Schedule of Activities

- Information Session Sept. 09
- · Confirm community interest end of Oct. 09
- Develop community-specific plans Nov/Dec 09
- Initiate consultation Jan. 2010
- Undertake community consultation sessions - Jan. - June 2010