

September 30, 2009

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Dear Ministers;

Re: Environmental and Water Power Licensing of Hydro Projects in Manitoba

We are writing because it has recently come to our attention that action has been initiated on the 2004 Clean Environment Commission (CEC) recommendation to move from interim to permanent water power licences for Manitoba Hydro dams.

Manitoba Wildlands supports permanent water power licences for every dam in the province. We also recommend that each river water license be made permanent. Water use for ***each separate hydro dam will require its own water power licence, contrary to suggestions we have heard that a single permanent water power licence for the whole hydro CRD system may be sought.***

However, the CEC's 2004 recommendations do not leave out the ***important imperative to also put in place environmental licences – that the hydro system currently lacks,***

The Clean Environment Commission recommends that:

The Government of Manitoba require Manitoba Hydro to resolve all outstanding issues with regard to the Churchill River Diversion, the Augmented Flow Program and Lake Winnipeg Regulation. Following resolution of these issues, Manitoba Hydro should apply for the appropriate final licences for these three operations under The Environment Act and The Water Power Act as soon as possible.

Recommendation 7.6, CEC Report on Public Hearings – Wuskwatim Generation and Transmission Projects, 2004

The Clean Environment Commission recommends that:

The application for the approval of final licences for Churchill River Diversion, Augmented Flow Program and Lake Winnipeg Regulation should include a review of the terms and conditions, an operational review and any required environmental impact assessments. Clear guidelines should be developed with respect to what constitutes conformance to and/or violation of the terms of the licences.

Recommendation 7.7, CEC Report on Public Hearings – Wuskwatim Generation and Transmission Projects, 2004

As a point of note, the CEC recommendation to ‘resolve all outstanding issues’ includes a ***need to undertake a cumulative assessment of the environmental impacts of the Churchill River Diversion (CRD), the Augmented Flow Program (AFP) and Lake Winnipeg Regulation (LWR) before building any more dams.*** An assessment of cumulative effects over the last 30 years is needed now, and did not occur as part of the Wuskwatim licensing process, despite urging and requests from civil society groups and affected Aboriginal peoples.

Given the importance of both permanent water power licences and environmental licences for the dams within the hydro system, ***a truly public and transparent process for both water power licensing and environmental licensing, with both physical and electronic public registries, is essential. We would welcome confirmation that this will indeed be the approach the Manitoba government is taking.***

We would appreciate hearing from this government as to how these processes will be structured and what timelines are envisioned for the various licences (water power and environmental), noting – for instance – that

- a permanent water power licence cannot be put in place for the Wuskwatim project until after it is in operation
- the dams on the Winnipeg River are part of the hydro system and will require water power licences, and a cumulative impact assessment.

In particular, we would appreciate clarity as to scope and objectives for the water power review and licensing processes for the Manitoba Hydro system dams.

Thank you for your consideration of our concerns – we look forward to a timely and thorough response to our above questions, confirmation that the CEC recommendations quoted will be fully addressed, and your assurance that these processes will be public and transparent.

Yours truly,



Gaile Whelan Enns
Director, Manitoba Wildlands