



EXHIBIT # OTH-1025
WUSKWATIM GENERATION
& TRANSMISSION PROJECT
K.P.L.
CLEAN ENVIRONMENT COMMISSION

**Consultations
on the Proposed Wuskwatim Generation
and Transmission Projects**

CONSULTATION BACKGROUNDER

Government Consultations

Manitoba Conservation and the federal Department of Fisheries and Oceans (DFO) have initiated consultations with First Nations and aboriginal communities who may be affected by the proposed Wuskwatim Generation and Transmission Projects.

Manitoba Conservation and DFO acknowledge that they have a responsibility to consult in a meaningful way with First Nations and aboriginal communities when the granting of licences and permits might result in an infringement of Treaty or aboriginal rights.

The objective of the consultation is to hear and understand the concerns of First Nations and aboriginal communities about how their traditional use of resources, lands and waterways might be affected by the proposed Wuskwatim Projects.

The consultation being conducted by Manitoba Conservation and DFO is separate from that being done by Manitoba Hydro and Nisichawayasihk Cree Nation as part of the environmental review process for the proposed projects.

The Proposed Wuskwatim Projects

The proposed Wuskwatim Generation Project involves development of a 200 megawatt generating station at Taskinigup Falls on the Burntwood River, approximately 35 kilometres southeast of Nelson House. The proposed Wuskwatim Transmission Project involves development of new transmission lines and stations to connect the new generating station to the existing Manitoba Hydro transmission system. The points of connection would be at Thompson, Snow Lake and at The Pas.

In April 2003, Manitoba Hydro and the Nisichawayasihk Cree Nation submitted an Environmental Impact Statement (EIS) for the Wuskwatim Generation Project. At the same time, Manitoba Hydro also submitted an EIS for the Wuskwatim Transmission Project. Public hearings will be held by the Clean Environment Commission.

Manitoba Conservation

Manitoba Conservation is the lead department for the Government of Manitoba in matters relating to the use and allocation of provincial Crown lands and resources. The Water Branch is the lead branch for this consultation.

The Wuskwatim Projects will require licences and permits under *The Crown Lands Act*, *The Water Power Act*, and associated Regulations for the use of Crown lands, waters and water powers.

Department of Fisheries and Oceans

The Department of Fisheries and Oceans has determined that the Wuskwatim Generation Project will require authorization under the federal *Fisheries Act* in order to proceed, as well as approval under the *Navigable Waters Protection Act*. Information brought forward in the consultation will be considered prior to deciding on the issuance of these approvals.

Both of these approvals necessitate environmental assessment pursuant to the *Canadian Environmental Assessment Act (CEAA)*. A Comprehensive Study Report (CSR) under CEAA is being prepared for the Generation Project. The CSR will also consider information brought forward in the consultation.

Proposed Consultation Process

Manitoba Conservation and DFO have contracted with a Consultation Facilitator to assist with the consultation process. The Facilitator is an independent and neutral party.

There are three phases proposed for the consultations.

Phase 1 The first phase is to determine interest in the consultation process through initial contacts and meetings.

Phase 2 During Phase 2, a consultation protocol could be developed that outlines a mutually acceptable consultation process. The consultation will be undertaken according to the plans and schedules developed with each First Nation and aboriginal community.

Phase 3 During Phase 3, Manitoba Conservation and DFO will review the consultation information with each First Nation and aboriginal community, consider how concerns may be addressed, and document the consultation.

The consultation information will be considered, in addition to other findings, by both the Manitoba government and DFO in their decision-making processes on the proposed projects. Manitoba Conservation and DFO will undertake separate communications with First Nations and aboriginal communities on how the information provided in the consultation was incorporated into the decision-making processes and how concerns were addressed.

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