

This is in response to **Undertaking No. MWS-79** as outlined on Page No. 5299, Volume 22, of the transcript of the May 11, 2004 proceedings of the Manitoba Clean Environment Commission concerning the proposed Wuskwatim Generation and Transmission Project. The requested undertaking is outlined below:

"Advise if Hydro notifies Water Branch re adverse impacts on community of South Indian Lake each year"

This Undertaking relates to a question about point 5 in the letter from the Minister of Conservation (now Water Stewardship) authorizing adjustment to flows under the CRD Interim Licence for the Augmented Flow Program:

"Manitoba Hydro fully mitigate any effects of the altered levels and flows;"

This provision makes it clear that it is the responsibility of Manitoba Hydro to take responsibility for any adverse effects of the altered levels and flows resulting from the Augmented Flow Program. The provision does not place any specific requirement for Manitoba Hydro to notify Water Branch of impacts.

Manitoba Hydro does not notify the Water Branch concerning adverse impacts to the Community of South Indian Lake. Under the terms of the augmented flow program, Manitoba Hydro is responsible for mitigating any effects of the altered levels and flows. Manitoba Hydro would normally deal directly with the community concerning efforts to mitigate adverse impacts.

Submitted by:

Steven D. Topping, P. Eng. Director Water Branch Manitoba Water Stewardship

and

Gordon E. Hannon Crown Counsel Manitoba Justice