



Submission by Tataskweyak Cree Nation (TCN) to the Manitoba Clean Environment Commission Public Hearing on Lake Winnipeg Regulation

OUTLINE

February 24, 2015

Outline

- A. Historical Overview of Available Information Documenting Nelson River Hydro Development Impacts, Including From Lake Winnipeg Regulation, on TCN Since 1976 and Initial Settlements With Hydro and Governments
 - Cree World View and the Disruption caused by Hydro Development
 - Impacts as compiled in the Split Lake Post Project Environmental Overview (1996), the Keeyask Generation Project Environmental Impact Statement and the Cree Nation Partners' Environmental Evaluation Report (2012), and Manitoba Hydro's Lake Winnipeg Regulation Document (2014);
 - Federal Ecological Monitoring Program (FEMP);
 - Lake Winnipeg, Churchill and Nelson Rivers Study Board; and
 - Northern Flood Agreement (1977), the Northern Flood Implementation Agreement (1992), and addressing the impacts

- B. Continuing Lake Winnipeg Regulation Impacts - High Water Levels and Community Flooding 2005-2015 and Settlement with Hydro
 - High water levels on Lower Nelson River, including Split Lake
 - Settlement with Hydro and outstanding obligations; and
 - Continuing impacts including flooding, mercury, water quality, erosion, silt, and debris and adverse effects on traditional pursuits

- C. The Keeyask Generating Station and LWR
 - Effect on LWR;
 - Keeyask Monitoring and Overlap with Coordinated Aquatic Monitoring Program (CAMP); and
 - LWR Operation a Fundamental Feature of the JKDA

- D. Concerns and Recommendations Regarding the Issuance of a Final Licence
 - Mitigation
 - Monitoring
 - Remediation; and
 - Compensation

Reference Documents

- i. Northern Flood Agreement between the Northern Flood Committee, Canada, Manitoba and Manitoba Hydro, December 16, 1977 –
https://www.hydro.mb.ca/community/agreements/nfa/t_of_c.htm
- ii. The Agreement among Split Lake Cree First Nation, Canada, Manitoba and Manitoba Hydro 1992 - http://www.hydro.mb.ca/community/agreements/sla/t_of_c.htm
- iii. Split Lake Post Project Environmental Review Volumes 1, Split Lake Cree First Nation 1996 -
<http://www.tataskweyak.mb.ca/HISTORY/analysispdf/analysiscomplete.pdf>
- iv. Joint Keeyask Development Agreement between Tataskweyak Cree Nation and War Lake First Nation, operating as the Cree Nation Partners, York Factory First Nation, Fox Lake Cree Nation, and the Manitoba Hydro-Electric Board, 2009, in particular, Article 7 – Description of Project, Section 4.7 – Committees of the Limited Partnership, and Schedule 4.7 – Monitoring Advisory Committee – Terms of Reference
https://www.hydro.mb.ca/projects/keeyask/jkd_agreement.shtml
- v. Keeyask Generation Project: Environmental Impact Statement, Response to EIS Guidelines, prepared by the Keeyask Hydropower Limited Partnership 2012, including Keeyask Environmental Evaluation: A Report on the Environmental Effects of the Proposed Keeyask Project on Tataskweyak Cree Nation and War Lake First Nation, prepared by Cree Nation Partners, in particular, Section 6.2 – Existing Environment, Chapter 7.0 – Cumulative Effects, and Chapter 8.0 – Monitoring and Follow-up - <http://keeyask.com/wp/the-project/environment-and-montoring/environment-assessment-process/environmental-licensing-process/executive-summary>
- vi. Lake Winnipeg Regulation: A Document in Support of Manitoba Hydro’s Request for a Final Licence under the Manitoba Water Power Act, prepared by Manitoba Hydro, 2014 -
http://www.hydro.mb.ca/corporate/water_regimes/lake_wpg_regulation/LWR_report_complete.pdf
- vii. Manitoba Hydro Hydrological Data - <http://www.hydro.mb.ca/hydrologicalData/static/>
- viii. Lake Winnipeg, Churchill and Nelson River Study Board Summary Report, April 1975 -
http://www.gov.mb.ca/waterstewardship/licensing/pdf/summary_report.pdf