



O-PIPON-NA-PIWIN CREE NATION

May 25, 2023

Statement of Hydro Impacts

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Community Association of South Indian
Lake

South Indian Lake Fisherman's
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In the mid-1970s, Manitoba Hydro built the Churchill River Diversion project in our home territory in northern Manitoba. They poured cement in the water, they blasted a nine-km channel through the forest, and they forcibly relocated our entire community.

The massive project diverts 85 percent of the flow of the second largest river in Manitoba. It also floods over 800 square kilometres of boreal forest (see map and list of impacts below).

The ecological, economic and cultural damage is severe, ongoing and heartbreaking. Words can never express the loss and grief our community has endured and continues to endure.

The Diversion was built without our consent and against our wishes. The Manitoba Government issued a licence for the project in violation of our best interests. We had no say.

What Manitoba Hydro did was flat-out wrong. That licence authorized Hydro to sacrifice our well-being for the sake of southern interests.

As we describe below, once the water had gone up, the province then allowed Hydro to raise the water even further which put even more strain on the already crippled ecosystems.

We wish we could say that government attitudes and practices have changed since the '70s, but we still have no meaningful say in how the Churchill River Diversion is operated. We have urged the Manitoba Government to require Hydro to take specific steps to ease up on their relentless assault on our waterways. **Our requests have been ignored.**

On May 12, 2021, the Manitoba Government issued a final licence for Churchill River Diversion, again bulldozing aside our concerns and doubling down on past mistakes. The final licence requires no changes in operations of the Diversion, thus cementing the status quo. The only thing that changed is that the government removed the previous condition that Manitoba Hydro fully mitigate certain impacts, as outlined below.

We cannot accept the ongoing damage. We cannot accept the outdated attitudes. We will not just sit back and allow more business as usual, because business as usual is destroying us. We need change.

BACKGROUND

The Churchill River enters Northern Manitoba from Saskatchewan and flows eastward, emptying into Hudson Bay at the town of Churchill.

For size comparison, the average flow of the Churchill, upstream of the diversion, is about five times the average flow of the Red River.

Instead of building dams on the Churchill, Manitoba Hydro determined it would be more economical to divert 85 percent of the flow of the Churchill southward toward the huge dams on the Nelson River. This massive diversion was achieved, in part, by constructing the Missi Falls Control Structure at the outlet of Southern Indian Lake. This lake—the fourth largest in Manitoba—is a 150 km-long widening of the Churchill River.

The Missi Falls Control Structure (a dam, but with no generating capacity) raises the level of Southern Indian Lake by about three metres on average. The raised lake now spills southward through a nine-km man-made channel into the Rat-Burntwood River system which eventually empties into the Nelson River at Split Lake. The Notigi Control Structure on the Rat River controls outflows down the diversion route.

In the 1960s, the Manitoba Government hired H.E. Duckworth—vice president of the University of Manitoba—to study the diversion plan. In a 1967 report, Duckworth and his team of experts recommended that the province try to achieve the diversion without raising the level of Southern Indian Lake. They said the harm to the inhabitants of South Indian Lake would be “unjust,” and “unworthy of the Province, although it might be in keeping with much past treatment of the Indians.” Alternatives to the Diversion were ignored.



RE-ENGINEERED REALITY

The Diversion has drastically re-engineered major waterways, causing widespread, ongoing and unnecessary harm. Some of the major impacts include:

Flooding

- » Permanent flooding of 837 square km, including raising the level of Southern Indian Lake by an average of 3 m (10 feet);
- » Disastrous flushes of water down the Lower Churchill at high water times (these sudden inundations of up to 50 percent more water than the highest flows recorded in the 15 years prior to Diversion—often during spring ice break-up—scour the riverbed, batter shorelines, flood cabins, inundate riparian habitat, and temporarily raise levels of lakes on the river system by as much as 5.8 m (19 feet));

Dewatering

- » Major reduction of water flows and aquatic habitat on the Lower Churchill River, downstream of Missi Falls (a 415-km stretch);

Fish and wildlife

- » The near extinction of a distinct and culturally vital species of Sturgeon;
- » A rise in fish mercury to levels not fit for human consumption;
- » Decimation of the most productive inland northern fishery (Southern Indian Lake was home to the third largest Lake Whitefish fishery in North America. In the decade prior to Diversion, the annual catch averaged about 400,000 kg; in the past decade it was less than a tenth of that.);
- » Beaver and muskrat are killed by flooding and unpredictable fluctuations;



Hundreds of kilometres of shoreline on Southern Indian Lake are collapsing

Shoreline erosion

- » Unnaturally large range of water levels on Southern Indian Lake contributing to excessive shoreline erosion, obliteration of many beaches, and loss of aquatic habitat;
- » Debris-strewn shorelines on Southern Indian Lake;
- » Disappearance of hundreds of islands due to flooding and erosion on Southern Indian Lake;
- » Wood debris from collapsing shorelines gets caught in nets, and half-submerged “dead heads” create a hazard for boaters;

Relocation and Sacred Sites

- » Forced relocation of the community of South Indian Lake and imposed burning of the old village; and
- » Inundation of hundreds of documented culturally significant sites, including graves, on Southern Indian Lake.

The ongoing harm to waterways, wildlife and our community is beyond words. And the full list of impacts is much longer.

Various agreements have been signed and compensation payments made in acknowledgement of some of the harm done. All of the agreements were signed only after the water went up and in most cases only after great struggle on the part of Indigenous peoples in the face of Hydro and government efforts to downplay damages, minimize their responsibilities and delay action. Despite the agreements, fairness, respect, honour and reconciliation remain a distant hope.



An island in Southern Indian Lake eroding away.

WHO LETS THIS HAPPEN?

In 1973, the Manitoba Government issued an interim licence under the *Water Power Act* that gave Manitoba Hydro permission to build Churchill River Diversion. Construction was completed in 1976.

The *Water Power Act* is a provincial law by which the Manitoba Government asserts the right to unilaterally decide how waters in the province are allocated. It also sets the rental fees paid to the province for use of waters.

Much has changed since 1973 when the interim licence was granted. Much has not.

The *Water Power Act* contemplates the government issuing a final licence once a project is complete and operating. The licence is then good for 50 years from completion of the project. Manitoba did not issue a final licence until much later.

ANNUAL DEVIATIONS ADD INSULT AND MORE INJURY

Shortly after completing the Churchill River Diversion, Manitoba Hydro requested and received permission to deviate from the limitations on lake levels and water flows in the interim licence. In 1986, the altered and expanded water regime was formalized as the Augmented Flow Program (AFP). The AFP “deviations” from the interim licence allow Hydro to raise Southern Indian Lake an extra six inches, lower it an extra foot, and draw the lake down by 4.5 feet annually, instead of the 2-foot annual limit in the interim licence. These are major changes from the 1973 licence and they have major impacts, all contributing to the destruction of Southern Indian Lake, as outlined and pictured above.

Manitoba Hydro requests and receives permission for these deviations annually. In recent years, the permission form letter is signed by an Assistant Deputy Minister. First Nations have no say.

A civil servant in Winnipeg has more control over the waterways in our territory than we do. As far as we know, neither this person, nor the minister responsible, have visited the waterways they control.



The Missi Falls Control Structure during a sudden and extreme release of water down the Lower Churchill, June 2020. Photo courtesy of Michael Tyas / Wa Ni Ska Tan

The annual AFP permission letter included the condition that Hydro “fully mitigate any effects of the altered levels and flows.” In reality, mitigation efforts have been entirely inadequate and often ignore and often ignore our wishes.

On May 12, 2021, Manitoba issued a final licence that allows Hydro to continue operations with no changes, other than that the mitigation clause is dropped. The licence expires on September 1, 2026, 50 years after what government deems to be the completion of the project.

We never wanted the Churchill River Diversion. It should not exist. The water should still be free to flow as it is meant to flow. The fish should still be free to spawn where they are meant to spawn. Our beloved homelands should not be sacrificed. But we are not demanding that Churchill River Diversion be dismantled; only that damages be addressed and that we have a meaningful say in how the Diversion is operated.

South Indian Lake is a community of about 1,000 people located 130 km northwest of Thompson. It is home to the O-Pipon-Na-Piwin Cree Nation, the Community Association of South Indian Lake and the South Indian Lake Fisherman’s Association. While there is significant overlap in the membership of these three groups, some members of the latter two groups are not members of OPCN.