



WA NI SKA TAN

AN ALLIANCE OF HYDRO IMPACTED COMMUNITIES

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Province of Manitoba
103 Legislative Building
450 Broadway
Winnipeg, MB R3C 0V8

Re: Manitoba's Energy Policy Framework Engagement

Dear Honourable Alan Lagimodiere,

We would like to congratulate the Manitoba Government for inviting a diversity of stakeholders to provide feedback and guidance on the development of the Province's long-term energy policy framework. We applaud the Province's goal to combat climate change and successfully achieve a clean and sustainable energy transition to a low-carbon, net-zero-emissions future. We understand the importance and value of engagement and appreciate the willingness to include organisations, such as Wa Ni Ska Tan,¹ within the process.

While we appreciate the opportunity to provide feedback, it has come to our attention that Indigenous peoples have not been adequately represented in the consultation process to date and that the scope has been quite limited. This absence of Indigenous representation suggests that the Province may be planning a two-tiered engagement/consultation process. One for the 'general public' and another for Indigenous peoples and their communities. The systemic lack of inclusion and unwillingness to engage all Manitobans, especially those who have already been disproportionately affected by environmental decline, in this first round of consultation further perpetuates inequality and segregation. This amounts to environmental racism and violates the United Nations Declaration on the Rights of Indigenous People (UNDRIP), which on June 21, 2021 became Federal law.² For these reasons, we declined to participate in Manitoba's Energy Policy Framework stakeholder workshops or the online Engage survey facilitated by Dunskey Energy.

The Province has a legal responsibility to act honourably in its dealings with Indigenous peoples. We believe, and have documented, that it has not done so with regard to hydropower in Manitoba. Consultation, in general, is now viewed by many Indigenous communities as a 'dirty word' because it is used by governments and industry to present fully formed project plans and policies to community participants with no options for accommodation, revision, or alteration. As an example, we would point to the Churchill River Diversion (CRD) final licensing decision process, where

¹ To learn more about our organisation please visit www.hydroimpacted.ca.

² The specific violations pertain to UNDRIP Articles 19, 27, and 32. <https://laws-lois.justice.gc.ca/eng/acts/u-2.2/FullText.html>

several communities directly impacted by the CRD were not adequately consulted, nor were meaningful and honourable efforts made to engage with them. This has been the case for past hydropower projects in Manitoba that were imposed onto communities without their input in decision-making circles, with very little compensation, and very large consequences. The most recent construction of Keeyask demonstrates that very little has changed in 50 years.

Indigenous peoples and communities in northern Manitoba have experienced the decimation of their once-thriving commercial fisheries. Many waterways, which were and are still integral to their livelihoods and cultures, have been subjected to ongoing devastation; drinking water has become contaminated; many waterways have become hazardous for navigation, and recreational and traditional uses have been greatly impacted. Additionally, access to land, shorelines, and waters, which are critical for the exercise of harvesting and hunting activities, has become difficult and sometimes impossible. Indigenous peoples have constitutionally guaranteed harvesting rights under Treaty 5. These harvesting rights depend, in part, on healthy and viable animal populations, yet severe damage has occurred to environments on which animals rely and the populations of a number of culturally important species have declined. Tremendous cultural and social damage has resulted from hydro impacts in northern Manitoba. Climate change will only amplify the impacts of these issues and has in fact, already begun to do so.

Here it feels important to point out that hydropower, in fact, is not carbon-neutral or a climate change solution. It contributes to greenhouse gas emissions in several significant ways, the most notable being the creation of carbon dioxide, nitrous oxide and methane emissions through large reservoirs. The ongoing artificial fluctuation of water levels means that these emissions are continuously released into the atmosphere over the dam's lifecycle and are not only created at the time of construction. The grey energy that is accumulated throughout the lifecycle of a megadam from construction to decommissioning is a major contributor to GHG emissions. Accounting for emissions related to hydropower must consider the emissions generated during decommissioning, in addition to construction and maintenance. Hydro operations have also led to the destruction of large areas of Canada's northern boreal forest, the lungs of the North in terms of carbon sequestration, oxygen production, and protection against climate change. Again, this destruction is ongoing due to Manitoba Hydro's extreme manipulation of water levels.

Given the long history of inadequate consultation between Indigenous peoples and the Province, the severe impacts caused by hydropower in Manitoba's north, and its contribution to climate change, it was disappointing to learn that engagement with Indigenous peoples and northern communities was not prioritised in the first round of stakeholder workshops and surveys. The Province is well aware of the limited access most people in the North have to the internet and should understand that participation in a three-hour Zoom workshop and online surveys would be impossible for most. A similar process is currently being used by Manitoba Hydro in their Integrative Resource Planning workshops and surveys. We strongly encourage the Province and Manitoba Hydro to rethink this inaccessible and isolated strategy of engagement. It is clear that Indigenous participation was not considered, expected, or encouraged, contravening the Province's

own mandate to guide reconciliation through the “principles of respect, engagement, understanding, and action”.³

While we would obviously have preferred the Province to include Indigenous peoples and communities from the start of this process, we do hope that the government still intends to engage with Indigenous peoples and northern communities in the creation of an Energy Policy Framework that reflects the needs and values of all Manitobans. Indeed, we would be happy to play a role in facilitating such engagement as long as it was proactive and meaningful. Legislation already exists to guide the Province in meaningful engagement⁴; however it is up to the Province to act accordingly.

We look forward to your response.

Sincerely,



Dr. Stéphane McLachlan
Professor and Principal Investigator
University of Manitoba
Wa Ni Ska Tan Alliance of Hydro-Impacted Communities

CC Premier Heather Stefanson
Minister Cameron Friesen
Minister Scott Fielding
Wab Kinew, Leader of the NDP
Dougald Lamont, Leader of the Liberal Party
James Beddome, Leader of the Green Party
Adrien Sala, MLA, NDP Critic for Hydro
Jay Grewal, CEO, Manitoba Hydro

³ The Path to Reconciliation Act: Annual Progress Report, February 2022 <https://www.gov.mb.ca/inr/reports-and-expenses/pubs/ptr-act-annual-progress-report-2020-2021.pdf>

⁴ See Truth and Reconciliation Commission of Canada Calls to Action 92.i, 2015 (www.rcaanc-cirnac.gc.ca/eng/1524506030545); Articles 19, 27, and 32, United Nations Declaration on the Rights of Indigenous People, 2021 (<https://laws-lois.justice.gc.ca/eng/acts/u-2.2/FullText.html>); Section 35 of the Constitution Act, 1982 (<https://laws-lois.justice.gc.ca/eng/const/FullText.html>); The Path to Reconciliation Act, 2016 (<https://web2.gov.mb.ca/bills/40-5/b018e.php>).