

SOUTH INDIAN LAKE FISHER'S ASSOCIATION (SILFA)

Southern Indian Lake Commercial Fishers Association (SILCFA)
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Manitoba Clean Environment Commission

305-155 Carlton Street
Winnipeg, MB. R3C 3H8

Dear CEC Panel Members,

We request that Panel Members take this opportunity to scrap and strike from the record the Regional Cumulative Effects Assessment (RCEA) as it stands.

The RCEA is not a valid document in describing the regional cumulative effects of Hydro, the South Indian Lake fishing community, environment, operations, the regions and communities it impacts. The process has been flawed after its initial recommendation and appears to be directed by Hydro to accomplish its own goals. There has been no meaningful consultation and a failed process. In our opinion the RCEA, it's Industry and Government authors have been allowed to obscure our reality, selectively determine what is included and once again twist the reality we must endure.

The Southern Indian Lake Fishers Association is the elected Board of Fishers that represents its members. We have a long history and relationship with Manitoba Hydro in relations to its operations and impacts to our Fishery. We also have a number of Agreements with Manitoba Hydro that acknowledge we are the legal entity that represents the Fishers interests.

South Indian Lake was the third largest Lake Whitefish Fishery in North America prior to the flooding of SIL by Hydro and the Province. Our Fishery and lake is in collapse, but we endure with limited or borrowed time. Without meaningful change the end is in sight of a historically significant, once prosperous, cultural and proud community industry that was and should continue to be the backbone of South Indian Lake (O-Pipon-Na-Piwin) for its people and future generations.

The current unlicensed, seemingly unregulated operation of the Churchill River Diversion (CRD) is the Augmented Flow Program (AFP). This program is destruction in the purest sense. We do not believe that the RCEA does justice to its impacts, not only to the environment but to people.

We are people, and we should matter.

SIL was once a fishery that employed 175 licenced Fishers with exponential spin off. It peaked in the 70's but by the late 90's started to dwindle. We are now down to 40 or fewer fishers most years. We had an industry that produced over a million pounds of fish; we are now down to less than a tenth of that.

We were self-sustaining with a future that could give hope to our community and our youth, which is no longer the case.

We have learned through experience that Hydro and MB do not care! They continue to produce countless documents, reports, studies, agreements and processes that pretend to have meaning. They spend countless dollars on so called experts and imply there is room for change but time and time again we are left with nothing positive. Hydro benefits and marches on we are left to deal with the impacts. This is what the RCEA brings once again.

We believed our own agreements with Hydro, had meaning and gave some hope of a future. But we have learned after the fact that while Hydro articulated the actual terms of the CRD Interim Licence during negotiations, meetings, drafting and signing of agreements. Hydro was operating not according to that licence but the Augmented Flow Program. AFP allows Hydro to make extreme changes to the Interim Licence, making the Interim Licence unrecognizable. There is little hope for a future. This lack of transparency on Hydro's part warrants further investigation. Where was the honor then, where is the honor now with the RCEA?

We learned in the 80's that when Hydro operates SIL as a reservoir in a responsible manner it is proven that the Lake Whitefish population survives, thrives and we can maintain a fishery at acceptable levels despite the initial flooding of CRD. Yet when Hydro operates SIL and AFP in an extreme, irresponsible and most times unnecessary manner our Lake Whitefish population both commercial and domestic catches drop by half. This is shown with the attached graph. In the decades preceding CRD, Hydro only operated CRD/AFP extremely and irresponsibly on two occasions (80' & 86'), the lake and fish had the ability to rebound. Hydro has since operated CRD/AFP on too many occasions since the mid 90's, (97', 09', 00', 05', 06', 08', 09', 11', 14', 15' and on) and you can see the dramatic collapse of commercial catches. Most times this extreme operation does not result in any extra revenue for the Corporation. Where is the benefit? No justice has been given to these facts in the RCEA; they have been glossed over once again.

The Lake Whitefish population has crashed, the fishery has crashed, fish quality has been downgraded, SIL can be described as a welfare state, and the economy is in tailspin. Once again, we lose.

Both Hydro (Senior Environmental Specialists) and Government (Manager Fisheries Branch) are on record as indicating the declines are not related to overfishing!

South Indian Lake Environmental Steering Committee (SILESC)

We did for a relatively short time have a “good” relationship with Hydro which we believed was to be mutually beneficial and make great strides for the future since the planning and construction of the CRD. In July of 2003 this process was initiated, in July 2013 Hydro abandoned this process.

True to form Hydro and the Province ultimately dismantled this planning table after a decade of discussion, studies, programs, relationships and positive ideas. This was an inclusive process that included; SILFA, SIL Trappers, CASIL, Mayor & Council (at the time), OPCN, MB (Fisheries Branch), DFO and Hydro all bringing their expertise and experience to the table. Hydro was represented by many members but mainly a Senior Environmental Specialist, since promoted to Department Head (co-author of RCEA) and one of the most Senior Representatives in Northern MB for the Province, the Northern Manager of Fisheries Branch who has a specific mandate to manage fisheries.

Once we presented Hydro and MB credible scientific evidence that the operation and the Missi Falls Control Structure may contribute significantly to the decline of Lake Whitefish it was apparent they were unwilling to accept this fact. This we believe contributed greatly to their unilateral decision to dismantle the SILESC in the inclusive and transparent form.

Hydro has said this process is still ongoing, there is apparently some process started after SILESC dismantlement that carries in name only what we tried to accomplish. This process is limited, not transparent, accomplishes much less and attended only by special and sponsored invitation. SILFA, Trappers and CASIL as recognized bodies are Not Invited. SILFA cannot fully support what has transpired under this “process” for the simple reasons, there is no transparency, we are not fully informed and there is no consultation. We do not know what the end goal is anymore.

Documents, studies and reports that are included in RCEA published from 2003 to 2013 that reference SILESC, ***Do Not have our permission*** as to be included in the RCEA as Hydro and Government have betrayed our trust and ultimately had no intention to expose the underlying reality of those reports. There are fundamental issues (AFP) that need to be addressed before there is meaningful change. In a letter sent to Shelley Matkowski & Tracey Braun (Department Manager of Environmental Licensing Protection & Director of Environmental Approvals Branch:

Co-authors of RCEA) by CASIL in October 2015 indicated that previous studies should not be used without permission, we supported that position regarding SILESC studies, in the end they did not bother to ask.

The Science

It should be noted that two renowned scientists have given their perspectives and opinion regarding CRD and its operations. Which we know has not been included in RCEA in any meaningful way.

Dr. David Suzuki (World renowned scientist and past host of CBC's Nature of Things) in a town hall forum in SIL stated in response to a past President of SILFA questions, that: ***"...CRD is by far the largest experiment in Canada perhaps the World today, no one knows with any certainty what the future will bring..."***

Dr. Drew Bodaly former DFO scientist and undisputed expert when it came to SIL Lake Whitefish, who we invited to review the current studies (SILESC – 2003-2011), he then authored **"The SIL whitefish fishery: Why has it collapsed? Can we find out why? What should be done?"** His report included the attached graph and there is also a letter he has submitted to the authors of RCEA in support of SIL. Dr. Bodaly also stated when he and other DFO scientists conducted studies for more than a decade in the 70's thru the 80's there had been no effort to inform them by Hydro and the Province that AFP was the baseline operation not CRD. They conducted their studies and reports with the operating parameters of Interim CRD as the baseline Dr. Bodaly an expert scientist with a decade long experience with SIL was to do further work but again Hydro dismantled the process and pulled our funding.

The history and evidence clearly show that SIL, its people and the fishers have merely become pawns with both Hydro and the Province. To what end? Are we simply to be sacrificed for power generation regardless of human cost, an obstacle in the way for Final Licencing? What other conclusions can be drawn from the fact that they do not want to deal with the reality?

RCEA Process

Our initial reaction when we heard of the RCEA was "ok, a step in the right direction", only to be immediately replaced with disbelief that a "Final" report existed. We were still awaiting a first step to start talking to us about effects, effects that directly impacted people with intimate knowledge of our lake and environment that we desperately wanted to share.

We did have some hope when informed by CASIL that they had applied for funding to conduct an inclusive process to share our perspective with you, only to be once again disappointed when insufficient funding was “approved”. We supported CASIL when they refused the inadequate process funding.

The Public Outreach process has failed. There was no opportunity for Community Meetings as you are aware. We were very surprised and to learn that a transcript exists that is termed “Community Meeting SIL” posted on website. This absolutely should be removed in that context.

The RCEA process has been left severely wanting to say the least. To date there has been No Community Meeting, No Public Consultation, No Forums of any sort, No Information provided, No background, and inadequate process. In the end another failed attempt at producing yet another large meaningless document for us. This document if left to exist may have far reaching impacts, impacts we well know will Not Benefit us. Our history shows they will bend the facts to their gain.

Hydro wants a permanent Licence not the CRD Interim as is written and “sold” but AFP a different licence; this is what needs to be addressed immediately.

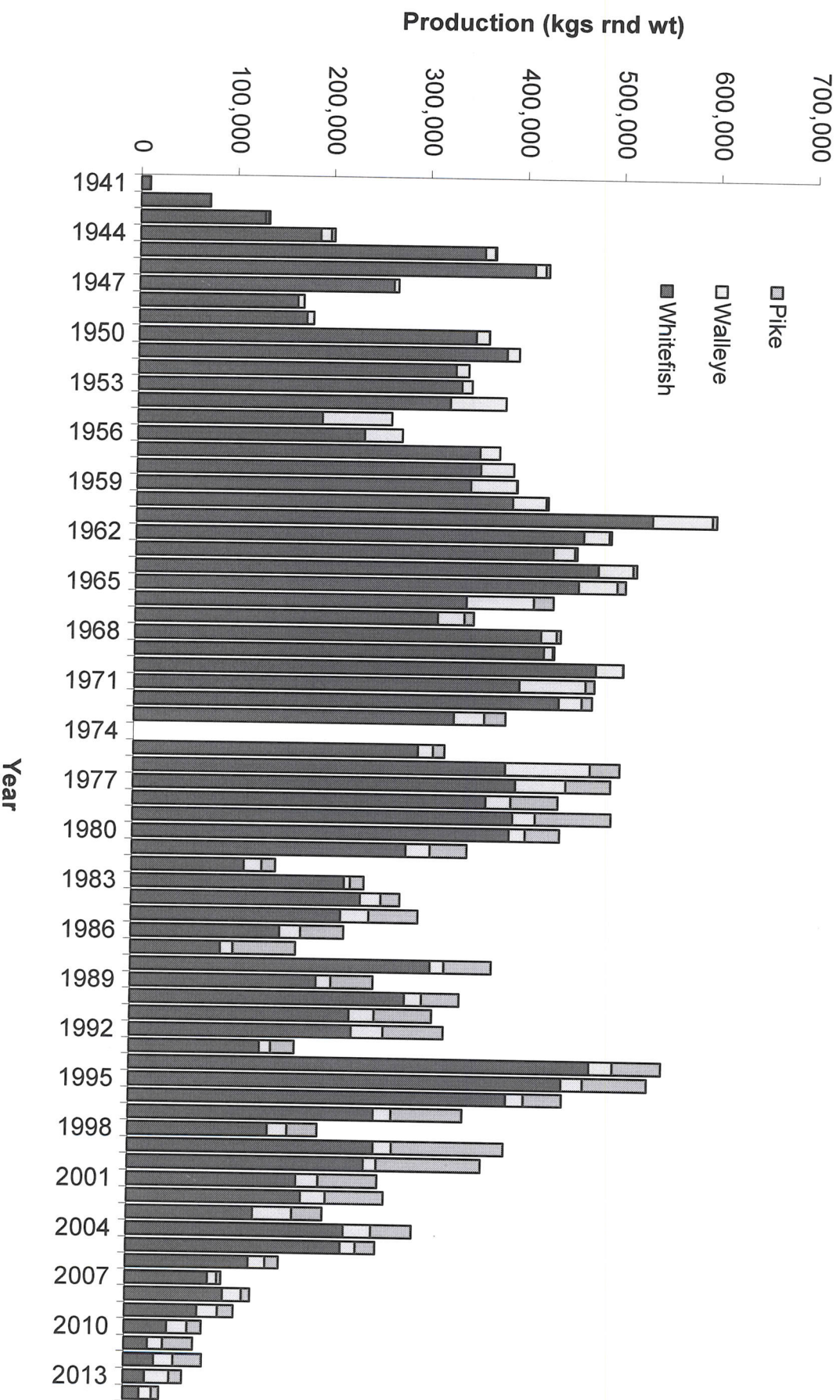
In closing we ask the CEC Panel, scrap the RCEA and strike it from the record. To let it stand will do more harm than good. It is the only meaningful thing that can be done, the right thing to do. You have opportunity, take it.

Respectfully,

Steve Ducharme

SILFA PRESIDENT

SIL Commercial prod'n, 1941 - 2014



Production has fallen dramatically since 1995 (or maybe 1997 or 1999)

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Dear Shelley and Tracey

I have been involved in research on hydroelectric development in N Manitoba since the 1970's as a scientist with the Federal Government, and more recently as an independent contributor to the planning of studies and possible remedial measures with the South Indian Lake Environmental Steering Monitoring Committee sponsored by Manitoba Hydro from 2003 until 2013.

I understand from Leslie Dysart that there have been some recent discussions between Manitoba Hydro and South Indian Lake regarding the use of studies, some of which I was involved in, for the production of a Regional Cumulative Effects Assessment. I write to you in support of the members of the South Indian Lake community, and in particular, the commercial fishers of the community. These people have borne the brunt of the effects of the Churchill River Diversion (CRD) development and its operation under the Augmented Flow Program (AFP), which has benefitted the bottom line of Manitoba Hydro, the Province of Manitoba and electricity users in the province for decades while leaving resource users in the SIL community with the residual impacts. The AFP has changed the original CRD in terms of flows, water levels and resulting shore erosion, sedimentation. I support the view of the Community Association of South Indian Lake (CASIL) that there should be continued consultation with the SIL community before finalizing any Regional Cumulative Effects Assessment. Specifically, I recommend that CASIL, the fishermen's group (SILFA) and the trappers (SILTA) should be included.

I understand that it is Manitoba Hydro's position that the entirety of the SIL fishery has been compensated for. This position is not shared by me or by the commercial and domestic fishers and it seems to me that Hydro has at least a moral obligation to continue to work with the fishers of the community, in particular to fund significant remedial works to help the fishery recover. This position is also based on the fact that the AFP changed the original CRD. I also feel that monitoring of the benefits of any

remedial works would be an essential part of such programs. It is my view that the SIL whitefish population continues to suffer from the impacts of CRD and the AFP, specifically 1. the blockage of movement of whitefish back to SIL due to the presence of the Missi Falls control structure, 2. nutrient robbing of the north portion of the lake related to diversion flows, and 3. high egg mortality due to continued high levels of winter sedimentation, related to continuing high levels of shore erosion. There are potential remedies for all three of these impacts which need to be seriously considered. I was disappointed that Manitoba Hydro has not continued the activities of the Environmental Monitoring Committee in searching for remedies to the impacts of CRD.

I am also very concerned that Manitoba Fisheries, whose mandate it is to manage the SIL fishery in a responsible and sustainable manner, seems to have failed to maintain a viable fishery on the lake.

Sincerely

A handwritten signature in black ink, appearing to read 'Drew Bodaly', with a stylized, cursive script.

Drew Bodaly, Ph.D.

c.c. Clean Environment Commission
 Premier of Manitoba
 Minister of Conservation and Water Stewardship
 Minister of Northern Affairs
 Community Association of South Indian Lake