

Licence to destroy: Government fails in oversight of massive Churchill River project

By Steve Ducharme, President, South Indian Lake Commercial Fishermen's Association

In the '70s, the provincial government allowed Manitoba Hydro to divert the second largest river in the province and flood the fourth largest lake, displacing a vibrant community in the process.

The project, known as Churchill River Diversion, was contentious. A provincial election was lost over it. Eventually though, a scaled back version of CRD went ahead, having been sold to the citizens of Manitoba on the basis that, 1) it would contribute to a brighter future; and 2) it would be operated according to water flows and levels as set out in a 1973 interim Water Power Act licence.

This was the moral contract that allowed for our community of South Indian Lake to be forcibly moved and our environment turned upside down. This is what we believed to be the deal. Sadly, that contract has been largely ignored.

Instead of requiring Hydro to finalize the interim licence—as was supposed to happen shortly after construction—government has allowed the utility to continually and flagrantly stretch the terms of the licence.

As for the promised brighter future, we're still waiting.

The water on our lake first went up in 1976. Southern Indian Lake is essentially a widening of the Churchill River, which flows eastward across the province, emptying into Hudson Bay at the town of Churchill. The Missi Falls Control Structure blocks the eastern outflow of the lake, causing it to rise. The swollen lake overflows southward through a man-made channel into a 300-plus kilometre diversion route down the Rat-Burntwood River system. That system then empties into the Nelson River where Manitoba Hydro's primary dams are located.

The diversion increases the power producing potential of the Nelson River dams by up to 40 percent. It also turns our lake into a reservoir in which Hydro can store water for when it is needed.

But Hydro's benefits come at our expense. The effects of CRD are drastic. Over 800 square kilometres of land are permanently flooded. Thousands of kilometres of critical shoreline habitat are affected. We see severe shoreline destabilization and erosion. Natural fluctuations of water throughout the seasons—which are essential for the health of shoreline ecosystems—are a thing of the past. The dams to the east and south of us prevent natural fish migration.

Our lake is sick and dying—the result of “clean” hydro.

The diversion has also created a legacy of social, economic and cultural harm. First was the indignity of the Manitoba government imposing the project on us without our consent. Second, the community of South Indian Lake was forced to move because of the flooding. This move created lasting trauma for many of our people.

Then our fur industry and prized fishery—the economic base of our community—started to decline.

Prior to CRD, the whitefish fishery on Southern Indian Lake was the second largest of its kind in North America, producing a million pounds of Grade A Whitefish annually. In the years after the water went up, the numbers dropped to 600,000 pounds. The decline has continued. Last season we got less than

100,000 pounds of all types of fish combined.

The fishery was the cornerstone of our community for generations. Its collapse means a dismal future for the many households that relied on fishing. It also reduces options for our youth.

South Indian Lake was originally established because of the great abundance of fish and fur for both domestic and commercial purposes. For generations we were prosperous, culturally vibrant and economically independent.

We know that our lake will never return to its original glory, but we feel that if Hydro were required to live up to the seemingly long-forgotten original licence terms we would at least have a fighting chance to rebuild our fishery and our future.

The 1973 interim licence required Hydro to maintain the lake level between 844 and 847 feet above sea level. Most importantly in our view, it allowed Hydro a maximum draw down of the lake within any 12 month period of two feet. Those were the terms on which the project was sold to our people. That is how we believed it was going to be operated.

But in 1978 Hydro asked to test CRD operations over an increased range of water level fluctuations. This "testing"—violation of licence terms—persisted over the years, with government's knowledge. In 1986 government gave written permission for what it called the Augmented Flow Program, which essentially replaced the terms of the CRD licence. It allowed Hydro to flood the lake by another half foot, and instead of a maximum 2-foot drawdown of the lake in any 12 month period, the new maximum was 4.5 feet.

Never did Hydro or government come to our community to consult us about this. This fundamentally changed what we believed to be our moral contract with the government, but we did not consent to it.

Nor has government ever required a comprehensive environmental review of this project that drastically alters the second largest river and fourth largest lake in the province as well as the 300-km diversion route.

Government continues to approve the Augmented Flow Program annually.

Now, Hydro has finally applied to have the 40-year-old interim licence finalized. But the version they want finalized is the AFP water regime not the original one. Hydro's application includes no changes to what has become business as usual for them. We find this shocking. Change is what we have desperately needed for decades. Business as usual is the destruction of our people and lands.

The Commercial Fishermen's Association of South Indian Lake calls on the Manitoba Government to require Manitoba Hydro to operate CRD according to the terms under which it was originally licensed.

We also call on government to hold public hearings as part of the CRD final licensing process. They have done this with respect to Lake Winnipeg Regulation, which is also subject to a greatly belated final licensing process. If southern cottagers deserve a public hearing so do northern fishers.

For decades we have asked ourselves: What right does government have to authorize the destruction of our community and surrounding lands? By what right has it allowed Manitoba Hydro to stretch the original licence beyond recognition?

We have sacrificed so much for the sake of Manitoba Hydro. And we recognize that the proposed new dams would also benefit greatly from CRD. As much as 40 percent of water flowing through them would come from our flooded lake. That is not acknowledged.

We were promised that CRD would not only operate according to the original licence but that it would contribute to a bright future. We ask the government to honour its word. Government leaders speak about a new era of hydro development. We are waiting for that era to arrive in South Indian Lake.