



**“Manitoba Hydro Operations
and Essential Public Services in Manitoba” :
Engineered Low Water Levels on Split Lake and Cancellation
of Connection to the Provincial Transportation System”**

**Manitoba Hydro Fiscal 2026 to 2028 General Rate Application
Manitoba Public Utilities Board**

York Factory First Nation Panel

December 8, 2025 – Treaty No. 1 Territory – Winnipeg, Manitoba, Canada

Water Regime Operations Cancel Ferry Service on July 16, 2025 during State of Emergency

- The ferry service on Split Lake that is the “lifeline” connection of the York Factory First Nation community of York Landing to the Provincial Transportation System was cancelled on July 16, 2025 due to low water levels on Split Lake.
- The ferry service between the communities of Split Lake and York Landing is provided by Manitoba Transportation and Infrastructure through the operation of the M.V. Joe Keeper.
- The low water levels on Split Lake were the result of Manitoba Hydro water regime operations and the storage of water in controlled reservoirs for the production of electricity later in the year.
- The cancellation of ferry service to York Landing occurred during a declared province-wide State of Emergency and while the Out-of-Control Fire NO010 burned across the river from York Landing.

Water Levels on Split Lake are the “Canary in the Coal Mine”

- Releases of water by Manitoba Hydro from the Lake Winnipeg Regulation project and the Churchill River Diversion Project combine on the Lower Nelson River at the inlet of Split Lake.
- The water level of Split Lake is the *“canary in the coal mine”* of the Manitoba Hydro system and acts as an accurate reflection and indicator of the overall planning and operation of the water regime of the entire Manitoba Hydro system and the “Manitoba Hydro Watershed,” as described in Chapter 5 of the NFAT filing.
- Manitoba Hydro stated in writing to York Factory at the time of the cancellation of the ferry service in July, 2025 that:
 - *“Split Lake (...) The water level is well below average and similar to those last experienced in fall 2003.”*

“...unless we are confident that facilities can continue”

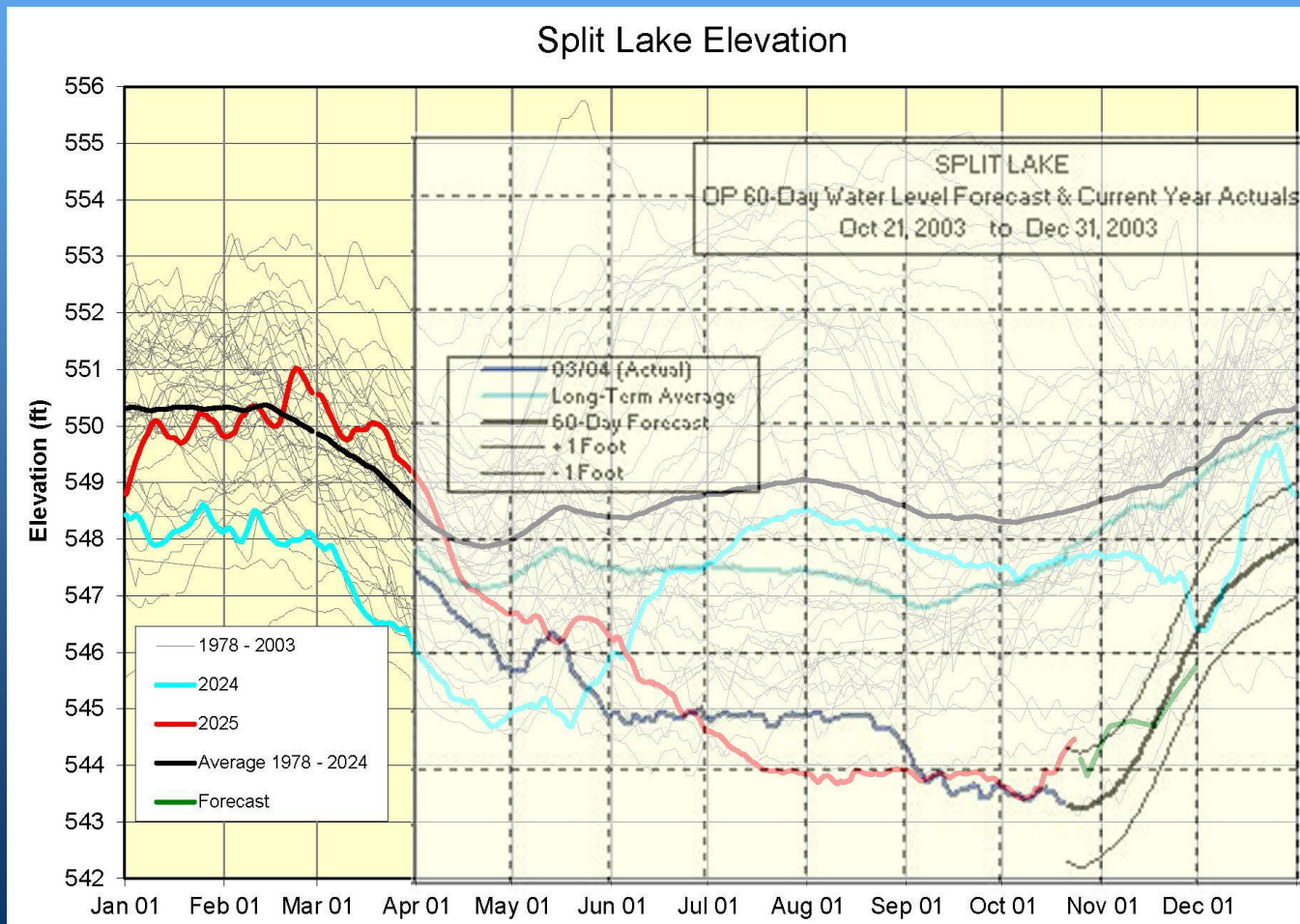
- As to any consideration by Manitoba Hydro of the effects of Manitoba Hydro's water regime operations on public services and other facilities, Manitoba Hydro's David Cormie stated during MKO's cross-examination of the Hydro Panel on June 23, 2004 in the context of the low water sequence on Split Lake in the fall of 2003:
 - ***“A key issue is whether we will be establishing new water regimes on the -- on the lakes and the rivers, going into territory that we had not been in before. Being very aware that there were many public facilities along the waterways that will be affected by low levels and -- and we don't want to lower water levels and -- and break new ground with regard to the water regime unless we are confident that those facilities -- that -- that service to those customers can-- or those other stakeholders can – can continue.”***

“... while considering the effects on waterway users, Indigenous communities and the environment”

- Broadly similar to Manitoba Hydro’s statement on June 23, 2004, Manitoba Hydro states in response to COALITION-MH I-43b in the current proceeding:
 - ***“Manitoba Hydro reliably operates an integrated system including all available resources to maximize economics while considering the effects on waterway users, Indigenous communities, and the environment. This involves operating as required to meet the total of the Manitoba load and export obligations while observing operational limitations.”***
- There is no specific *Water Power Act* licence issued by Manitoba to Manitoba Hydro that establishes minimum or maximum ***“operational limitations”*** to the control and alteration by Manitoba Hydro of the waters of Split Lake or for the use and flooding of Provincial lands.

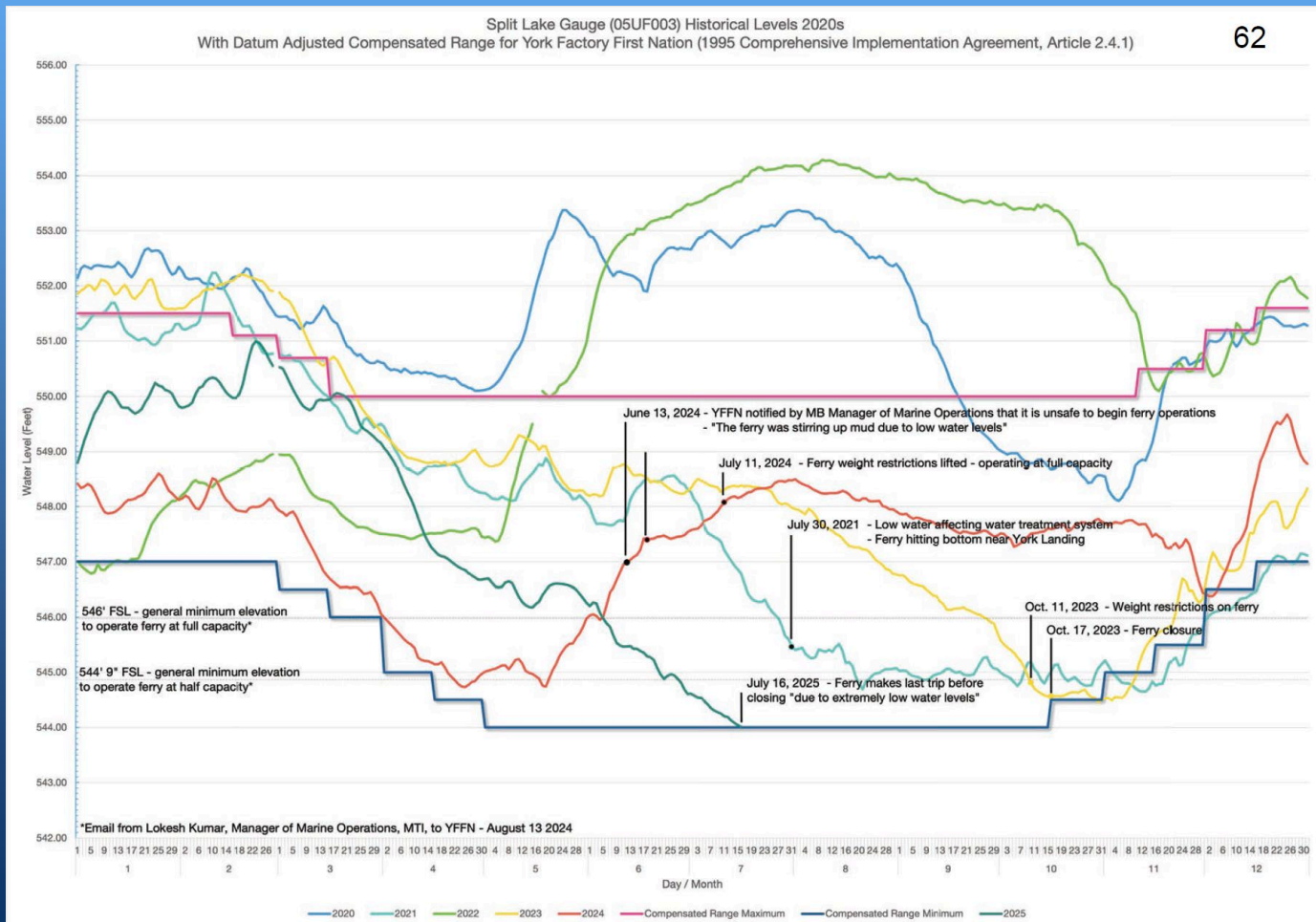
Water Was Available in Reservoir Storage to “Float the Boat” in 2003 and in 2025

- The forecast rapid increase in water levels confirms water was and has been available to “float the boat” in 2003 and 2025.



Ferry Service on Split Lake has been Cancelled or Disrupted Four Times Since 2020

- Hydro's water regime operations on Split Lake have cancelled or disrupted ferry service four times since 2020, including 2025.



”Continuance of Supply of Power” Must Include Continuity of Essential Public Services

- All of the Residential and General Service accounts at the York Factory First Nation are customers of Manitoba Hydro.
- York Factory says that the *“continuance of a supply of power adequate for the needs of the province”* must include taking steps to address the needs of Manitoba Hydro’s customers to maintain continuity of access to essential services to that are affected by Hydro’s operations.
- **Rates for service and the revenue requirement must take into account and reflect the costs of Manitoba Hydro taking – or failing to take – steps to ensure the safety, security, emergency response requirements and the continuity of access to essential services of Manitoba Hydro’s customers which are peculiarly vulnerable to, and at risk of, frequent and repeated extended losses of access to essential public services arising from Manitoba Hydro’s drought response operations, including where these effects are not addressed by Agreements.**