



Box 815 • Winnipeg, Manitoba Canada • R3C 2P4
Telephone / N° de téléphone : (204) 474-3535 • Fax / N° de télécopieur : (204) 475-2452
gpschneider@hydro.mb.ca

2004.06.30

Ms. Dawn Mikkelson
Aquaries Media
Producer/Director, Green Green Water
136 East Tenth Street
Rossmor Building
Saint Paul, MN 55101

Sent via email: dawn@aquariesmedia.com

Dear Ms. Mikkelson:

It recently came to our attention that you are producing a documentary film about hydroelectric development in northern Manitoba and its impacts on the Cree people and the environment.

Manitoba Hydro welcomes informed, factual and balanced commentary on our past and planned developments. A retrospective commentary on hydroelectric projects in Manitoba provides an opportunity to examine how projects were undertaken over 30 years ago, what has been learned about the impacts of these projects, what has been done to mitigate and compensate for project impacts, and innovative partnerships with First Nations being used today to minimize impacts of new projects and to ensure local people share in the benefits of development. For these reasons and because Manitoba Hydro is fundamental to your film, we would like to discuss how we could cooperate with your project by sharing our thoughts and perspectives so that they can be included in your documentary and assist you in telling a truthful story.


At this time we also must be candid with you and point out that we do have strong concerns about the obvious biased viewpoints inherent to date in your project. This is evidenced by information on your web site that is incomplete, unbalanced and inaccurate and fails to acknowledge some basic facts. For example:

- The traditional ways of life of Canada's First Nations have been affected by numerous social and economic factors, much like Native American tribes in the United States. No one thing is responsible for these difficulties or is capable of fixing them. Many northern Manitoba First Nations are remote communities where unemployment and poverty are all too common. Although Manitoba Hydro's facilities, built in the mid-1970s, contributed to the difficulties of some of Manitoba's First Nations, it is unfair to blame all of the problems of a community like Cross Lake on Manitoba Hydro.
- Failure to accurately represent the range of views among Manitoba Cree Nations and Manitoba First Nations leaders respecting hydroelectric development. Some First Nations are looking to hydroelectric development as a means to create a brighter future for their people, looking for a new way to benefit from natural resources near their communities, while protecting the environment and their culture.

- Failure to acknowledge that significant progress has been made in resolving issues arising from developments undertaken some 30 years ago. More than \$500 million has been devoted to mitigation, compensation and programs to address impacts of past developments and four of the five Northern Flood Agreement (NFA) First Nations have reached agreements to resolve impacts of past developments. Moreover, with regard to the remaining NFA First Nation, Manitoba Hydro and the Province of Manitoba have expended over \$90 million at Cross Lake, respecting Pimicikamak's decision to pursue implementation of the NFA rather than negotiate a comprehensive implementation agreement as the other four NFA First Nations have done. Instead, leadership at Cross Lake prefer to negotiate NFA implementation on an ongoing basis. Some outside observers misconstrue this process to suggest neglect or indifference on the part of Manitoba Hydro but this is not the case.
- Failure to ascertain the facts. Your promotional material on the website states that "millions of acres of pristine forests are flooded". This is wrong. I have attached a document "Just Facts" that we developed to provide a factual context to the many unfair and inaccurate characterizations contained in the ME3 "Just Energy" material. In another example, your web page material contains the statement "These nations have signed more recent implementation agreements with Manitoba Hydro that promise millions of dollars to each of these communities, much of it hinged on future development of more dams downstream." This too is wrong. The multi party implementation agreements delivered, not promised, millions of dollars to the four communities that signed such agreements. As part of the agreements, Manitoba Hydro committed to openly discuss with them any plans for future development in their traditional territories. The details of these implementation agreements are published on Manitoba Hydro's web site.

We would invite you to contact us to discuss how we can cooperate in a documentary that accurately presents an informed and current picture of hydroelectric development and First Nations in Manitoba. We would also urge you to contact the elected leadership of other First Nations such as Nisichawayasihk and Tataskweyak who have been impacted by hydro development to obtain other perspectives on hydroelectric development. As well, visits to other First Nations in northern Manitoba who have not been impacted by hydroelectric development would provide useful context and perspective.

Yours truly



Glenn P. Schneider
Division Manager, Public Affairs

Encl.

cc. Chief Jerry Primrose, Nisichawayasihk Cree Nation
Chief Norman Flett, Tataskweyak Cree Nation

Dawn Mikkelson
136 E. 10th St.
St. Paul, MN 55101

July 16, 2004

Glenn P. Schneider
Division Manager, Public Affairs
Manitoba Hydro
Box 815
Winnipeg, Manitoba R3C 2P4
CANADA



Dear Mr. Schneider,

Thank you for contacting me regarding *Green Green Water*. I apologize for my delayed response. I am pleased that you are interested in discussing how Manitoba Hydro might become involved in this film.

From the beginning I had hoped that Manitoba Hydro would be interested in participating because I believe it is important for all sides of this issue to be heard. In June I met with Dave Sparby from Xcel Energy to discuss my intentions for the film and my hope that Xcel would be willing to share its perspective. I made this contact first primarily because I am an Xcel Energy customer.

Reading your letter, I understand your concern about *Green Green Water*. As I told Dave Sparby, our promotional materials (including the film's website) are formed around the interviews we had in December of 2002 in Cross Lake. It was a very brief trip and I only spoke with people from one side of this issue. This is why it is critical for me that I have the opportunity to speak with representatives of Manitoba Hydro, Xcel Energy, and leaders from Manitoba First Nations who support hydroelectric development. To this end, I am pleased that Chief Jerry Primrose of the Nisichawayasihk Cree Nation has contacted us to express his desire to be interviewed when we return to northern Manitoba. As we are still fundraising, we haven't solidified our travel dates for this trip, but I believe it will be in the next few months. My goal for this trip is to speak with people whose perspectives are not currently represented in the film. Two key interviews in my mind are with Chief Primrose and a representative of Manitoba Hydro. As soon as I know the exact dates for our travel, I will begin making calls to coordinate these interviews.

I would like to address a few of your comments from the letter sent on June 30, 2004.

- "*No one thing is responsible for these difficulties or is capable of fixing them.*" - I absolutely agree with this statement. In fact, this is one of the reasons I thought it was especially important to include Indigenous advisors and collaborators on this film. I believe their perspective will bring depth to our portrayal of members of Canada's First Nations. My goal with this film is to really look deeply into the multiple layers of this story. This story is anything but black and white.

- “Failure to accurately represent the range of views among Manitoba Cree Nations.”—Again I agree. As I mentioned earlier, this is exactly why I plan to go back to northern Manitoba as I know that the current interviews I have are one-sided. I look forward to speaking with Chief Primrose and others.
- Other comments – Ultimately the website reflects one perspective. It is my goal to make the film more balanced. In order to do this, I must meet with representatives from all sides.

I believe it is important for you to know what to expect from me.

- I will do my best to speak with as many people with diverse perspectives as possible.
- As I have explained to members of the Minnesota environmental community (including ME3) and the Pimicikamak Cree Nation, I cannot guarantee that any of the parties will be completely happy with how their side is portrayed. However, I will do my best to be true to the intentions of all the people we interview. I do not like films that show the world in black and white. They are not realistic and do not take into account that we are all human. In order to make sure I portray people in the most accurate light, I have offered the Pimicikamak the opportunity to view a rough-cut of the film and will listen to their concerns about their portrayal. I will take these comments and concerns under consideration during the final edit of the film. I would like to offer the same to Manitoba Hydro, Chief Primrose, and Xcel Energy. The only stipulation is that I will need to receive comments within a limited timeframe of sending the rough-cut.
- There are limitations to film. We will not be able to give a detailed account of the story the way a book can. What we can do is give an overview of the general perspectives of the major players. Film is an emotional medium and I plan to highlight the human perspective in this issue. Voices of all sides will be important to the overall end product.

Ultimately, I hope this film will give all parties an opportunity to share their perspective and that audiences will learn from those perspectives. Please don't hesitate to call or email if you have any questions or concerns.

Respectfully,



Dawn Mikkelson
 Producer/Director
Green Green Water
 651-291-7727

cc. Dave Sparby, Xcel Energy
 Chief Jerry Primrose, Nisichawayasihk Cree Nation
 Chief Norman Flett, Tataskweyak Cree Nation



Box 815 • Winnipeg, Manitoba Canada • R3C 2P4
Telephone / N° de téléphone : (204) 474-3535 • Fax / N° de télécopieur : (204) 475-2452
gpschneider@hydro.mb.ca

2004-08-04

Dawn Mikkelson
Aquaries Media
Producer/Director
Green Green Water
136 Tenth Street
Rossmor Building
St. Paul MN 55101

Sent via email: dawn@aquariesmedia.com

Dear Ms. Mikkelson:

Thank you for your response to my June 30, 2004 letter in which I indicated our interest in possibly participating in your “Green Green Water” documentary. At that time, I also outlined our concerns about the biased viewpoints evidenced in your project to date and stated our desire is to assist you in telling an accurate story. While we appreciate your expressed commitment to being “more balanced” and to “give all parties an opportunity to share their perspective,” we remain concerned and somewhat unconvinced.

Although we’re pleased you recognize that no one thing is responsible for the difficult conditions found in First Nation communities like Cross Lake, your film’s prospectus summarily condemns Manitoba Hydro and contains no hint of our considerable efforts to rectify the impacts caused by our projects built 30 years ago, including ongoing mitigation efforts and many other environmental and social programs. This information and relevant information on Manitoba Hydro, other Cree Nations in Manitoba and past and future hydro developments, is easily accessed through the Internet.

We also note that you plan to visit northern Manitoba with representatives of ME3’s JustEnergy campaign. JustEnergy’s unwavering opposition to hydro development is well established and, in our experience, is indifferent to the truth. In fact, ME3’s leadership has refused to meet with us to discuss our concerns about the accuracy and completeness of JustEnergy’s information. Again, this causes us to question the fairness of your approach.

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Dawn Mikkelson

2004-08-04

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Lastly, we recently came across a fundraising email from you dated June 14, 2004 that states "Green Green Water is extremely important by establishing negotiating leverage for the Cree in order to create a solution to some of the problems they face due to large-scale hydro." From this correspondence it appears that you have a very specific objective in mind for your film versus an intent to produce a truthful narrative. We hope that is not the case.

We are still considering our participation in your project, but as I am sure you will understand, we are hesitant for the reasons outlined above and in my previous letter. Your timely response to these concerns would be appreciated and would aid in our decision to participate in your film.

Yours truly,

Glenn P. Schneider
Division Manager, Public Affairs

cc. Chief Jerry Primrose, Nisichawayasihk Cree Nation
Chief Norman Flett, Tataskweyak Cree Nation
Dave Sparby, Xcel Energy

GPS/dl

Dawn Mikkelson
c/o Aquarries Media
136 E. 10th St.
St. Paul, MN 55101

August 4, 2004

Glenn P. Schneider
Division Manager, Public Affairs
Manitoba Hydro
Box 815
Winnipeg, Manitoba R3C 2P4
CANADA

Sent via email: pgschneider@hydro.mb.ca

Dear Mr. Schneider,

Thank you for your letter today in response to my request for an interview. Since reading it, we have made a number of changes to our website, in hopes of helping reflect Manitoba Hydro's point of view. (In order to see the changes, make sure you hit the "refresh" button on your browser, as the old website will be cached on your computer.)

Quite honestly, our materials reflect the perspectives of those who are willing to speak with us on camera. We fully acknowledge that these materials currently have a slant toward the Pimicikamak and JustEnergy, as these are the groups we have spent the most time with. This is exactly why it is important that we speak with Manitoba Hydro, Xcel Energy, and Cree leaders with different opinions from the Pimicikamak including Chief Jerry Primrose and others. This is why we are taking this trip. Quite honestly, we could have created a film based on the footage we had, but we understand that in doing that we are not giving you a fair shake. That said, as I have told JustEnergy and the Pimicikamak, I cannot guarantee that any side will agree with the outcome of this film. Frankly, I would prefer a film that leaves the audience with more questions than answers so that the audience can make up its own mind about the issue.

Regarding the website changes, we have changed language on the following pages:

- Home Page (including changing "flooded" to "impacted")
- Synopsis
- Information (including changing the wording regarding implementation agreements)

We hope that these changes reflect our sincerity in wishing to learn other perspectives in this process.

Regarding our trip with JustEnergy representatives. Although we are traveling together, JustEnergy representatives will not be present at ANY interviews with persons or companies that have opposing views to JustEnergy. We want to be sure that those we interview are as comfortable as they can be, without having the "other side" present. The reason we travel with JustEnergy is that they have made this trip quite a number of times and they can guide us to persons who share their viewpoint. I hope to counterbalance this viewpoint with

interviews with Manitoba Hydro, Chief Jerry Primrose, Elvis M. Thomas, or any other councilor for the Nisichawayasihk Cree Nation.

I am sorry to hear that you are unconvinced of my stand regarding my commitment to being “more balanced”. Frankly, I could take this trip without meeting Manitoba Hydro or anyone from this side if Manitoba Hydro and Xcel were willing to financially back a second trip that was led by your spokespersons. That would address your concern about us traveling with JustEnergy. Otherwise, as independent filmmakers, we cannot afford to take another trip.

Finally, regarding the fundraising email dated on June 14, 2004 referred to in your letter. I do not deny that I believe that the film is important to establish negotiating leverage for the Cree. We hope that *Green Green Water* will help level the playing field between the Cree and Manitoba Hydro. The Pimicikamak do not have the same size of marketing budget as Manitoba Hydro, so they have less opportunity to tell this story to a U.S. audience the way Manitoba Hydro and Xcel Energy can.

Ultimately, my personal feelings on this issue are that I believe that all parties need to take the time to really listen to each other. My hope is that *Green Green Water* will assist in doing this. I believe that all parties are on the right track and that Manitoba Hydro has been doing its best to balance what it has learned from these past 30 years. There is no way to turn around past development and the need for electricity keeps growing. I intend on being critical of Manitoba Hydro and Xcel Energy’s decisions over the years in the same way that I will be critical of environmentalists (i.e. JustEnergy and their partners) and the Pimicikamak. I do not believe that any side of this issue will fully agree with the outcome of the film, but my hope is that they ultimately see value in this type of public dialogue.

My hope is that Manitoba Hydro and Xcel Energy will be willing to speak with me on camera in order to share their perspectives. Please let us know if there’s anything else we can do to make this interview possible.

Respectfully,

Dawn Mikkelson
Producer/Director
Green Green Water
651-291-7727

cc. Dave Sparby, Xcel Energy
Chief Jerry Primrose, Nisichawayasihk Cree Nation
Chief Norman Flett, Tataskweyak Cree Nation

RE Request for interview.txt

From: Schneider, Glenn
Sent: Tuesday, August 10, 2004 11:26 AM
To: 'Dawn Mikkelsen'
Subject: RE: Request for interview

Dawn: while we have significant reservations, on the whole, our feeling is that it is better to participate in your production and provide you with some other perspectives than not. We are attempting to confirm with Mr. Brennan's office his availability for the date you proposed. Will confirm with you asap.
Glenn Schneider
204-474-3535

-----Original Message-----

From: Dawn Mikkelsen [mailto:dawn@aquariemedi a. com]
Sent: Wednesday, August 04, 2004 11:30 AM
To: Schneider, Glenn
Subject: Request for interview

2005-11-30

Dawn Mikkelson
Aquaries Media
Producer/Director
Green Green Water
136 Tenth Street
Rossmor Building
St. Paul MN 55101

Sent via email: dawn@aquariesmedia.com

Dear Ms. Mikkelson:

Thank you for sending us a rough cut of Green Green Water received on November 14, 2005. We also appreciate your invitation to us to provide you with feedback on the film.

We acknowledge the effort you have made to produce this documentary, traveling great distances, experiencing some of our province's most rugged and remote areas and visiting many extraordinary individuals along the way.

However, we continue to have serious concerns about the film's fairness and accuracy. We understand that as a filmmaker you have a right to showcase a certain point of view and that you are not bound by tenets of journalism aiming at objectivity. Still, we assume that your efforts to produce this film are centered around the idea of revealing a "truth" and that you would not want your production to mislead people. It's our hope you will work to improve the film's balance and maintain your previously stated commitment to ensure that people are "portrayed in the most accurate light." To this end:

- The film provides no mention of the complex social issues affecting First Nations in Canada, and without this context the viewer is led to believe that Manitoba Hydro is unduly responsible for causing the problems facing many First Nations.
- There is virtually no mention of Manitoba Hydro's considerable mitigation efforts within the NFA communities, including Cross Lake.
- There are several factual inaccuracies regarding the Northern Flood Agreement (NFA), and the subsequent implementation agreements, while the discussion of South Indian Lake is incomplete.

Following is some additional detail on each of these areas we hope you will consider.

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Challenges Facing First Nation Communities:

The three communities featured in the film are presented in isolation of myriad complex social and economic influences that have profoundly impacted the majority of Aboriginal communities across Canada. In its 2005 report, the Canadian Boreal Initiative states “Of the estimated one million people who live in more than 600 Aboriginal communities across Boreal Canada, more than half are under the age of 25. Most of these communities lack adequate housing, and some even lack drinking water and other basic sanitation facilities. As a consequence of these conditions, suicides, substance abuse, and many other forms of social dysfunction are endemic in many Aboriginal communities.”¹

Another recent commentator states “There was an epidemic of suicide at Cross Lake in the 1980s. These acts of despair cannot be attributed directly to the dams, as much as to the process of cultural evisceration that has been going on much longer. First came the Hudson Bay fur traders, then the Anglican and Roman Catholic missionaries in the nineteenth century, competing for the natives' heathen souls.Then in the twentieth century, from 1920 to 1960, several generations of children were taken from their communities and forced to attend residential schools, where they were beaten if they spoke their own language.”²

We provide these examples not to diminish Manitoba Hydro's impact on a number of First Nations communities in northern Manitoba, but rather to provide important context. Failing to provide this context is a disservice to the enormity of the challenges facing First Nations and undermines any hope to find real solutions to these gravely serious problems.

In our earlier correspondence, you indicated that you “absolutely agree” with the statement that “No one thing is responsible for these difficulties or is capable of fixing them.” The film would be well served if this was made clear. We also encourage you to visit northern Aboriginal communities that have not been impacted by hydropower development and note the difficult conditions present throughout these communities.

Mitigation Efforts:

While the film devotes considerable attention to Cross Lake's perspective on the NFA and comprehensive implementation agreements entered into by the four other NFA First Nations, the same courtesy isn't provided to leaders from the other four NFA communities who have vastly different views.

There is also virtually no mention of the very substantial activities and programs under the NFA to address impacts on the Cross Lake community specifically, where, Manitoba Hydro has spent more than \$90 million to date. And just this month, as an example of our ongoing work, Manitoba Hydro assisted Cross Lake in expanding and diversifying its economic base by providing a \$500,000 advance against future claims under the NFA to assist in their purchase of a gas station and restaurant along northern Manitoba's busiest highway. You also may have noted in your winter travels last year, and as captured in the film, a system of marked trails spanning 180 miles that are marked each winter – one of many mitigation and safe travel programs we undertake at Cross Lake.

Factual Inaccuracies:

The film includes a number of statements that are factually incorrect or misleadingly incomplete. For example:

- Discussion of First Nation employment at Jenpeg ignores the very significant progress Manitoba Hydro has achieved in its goal to increase Aboriginal employment in northern Manitoba. As identified in our Corporate Strategic Plan on our web site (<http://www.hydro.mb.ca/>), from 1999 to 2003, the proportion of Aboriginal employment in our northern operations increased from approximately 20% to 30% of all employees. We now have an even more aggressive target of 37% Aboriginal northern workforce by 2007.
- The statement attributed to a 1990 government report that the “Jenpeg Station led to 12-foot water fluctuations on Cross Lake” is misleading and does not describe the situation today. With the completion of Jenpeg in 1976, water levels were observed within about a 12-foot range; however, since a weir was constructed in 1992 under the NFA to mitigate water level fluctuations, the observed range of water levels has been about 9.4 feet which is less than the 10.5-foot range experienced prior to the project. The average annual water level fluctuation since the weir was constructed is 4.2 feet. Prior to the project, the average annual water level fluctuation was 3.8 feet.
- Mr. Bradley’s comments misrepresent scientific knowledge on greenhouse gas emissions from dams. The Pembina Institute for Appropriate Development, a leading Canadian environmental think tank, determined that the total lifecycle global warming related emissions per unit of delivered power from the planned 200 MW Wuskwatim generating station were 290 times less than coal and 130 times less than even the most efficient natural gas generation technology. Research also shows that greenhouse gas emissions from natural lakes in northern climates are similar to those from reservoirs older than 6 to 8 years.³
- Dr. Kulchyski and the film’s graphics misrepresent the NFA by stating the agreement promised the “eradication of mass poverty” A complete reading of Schedule E of the NFA reveals the Agreement states that the parties to the NFA undertake to “work towards a comprehensive Community Development Plan” for each of the five NFA Cree Nations. “The Community Development Plan shall serve as a policy coordinating instrument, setting forth the best-case community development scenario and joint action program for the eradication of mass poverty and mass unemployment and the improvement of the physical, social and economic conditions and transportation.”⁴ The NFA’s commitment to undertake comprehensive community development plans is not a simple promise to eradicate mass poverty and unemployment as your film portrays.

- Dr. Kulchyski's suggestion that Manitoba Hydro "broke the solidarity between the five communities by offering cash deals to the communities one at a time" to get four NFA First Nations to sign Implementation Agreements is wrong. In 1989, the five NFA First Nations agreed to a global settlement but subsequently could not agree on the apportionment among individual communities. Eventually, the Crown parties to the NFA (Canada, Manitoba, and Manitoba Hydro) were approached by Tataskwayak Cree Nation, resulting in the first of four community specific Implementation Agreements.
- The film's material regarding relocation and compensation at South Indian Lake (SIL) requires clarification. The fact is only a handful of homes would have been directly affected by flooding. However, because of concern about maintaining reliable access to both sides of the community, a decision was made with the concurrence of the community to relocate all homes on the west bank to the east side, with new modern housing provided to all who were to be moved. They were also given title to the lots of their new homes, whereas previously all homes and facilities had been located on Crown (government) land. In all, in the 1970s some 58 new houses were provided to individuals in the community. At the time, the Winnipeg Free Press reported "The consensus here is that these are the best homes this community has seen."⁵ Once their new homes were ready, residents were paid to dismantle or burn their old cabins, and were paid a fee for moving expenses. Over the past 30 years, more than \$33 million in compensation and mitigation has also been provided, including more than \$3.7 million paid to SIL fishermen through several agreements, one of which made a \$2.5 million settlement in 1984 for all past, present and future loss and damage to commercial fishing. Some of the funds provided to fishermen were used to develop a fishing lodge on Big Sand Lake which continues to provide benefits to the people of SIL. These past agreements compensated the commercial fishermen for 100% of the net value of the fishery quota plus provided funding for fishermen to access alternate inland lakes to ensure they received the net value of their annual catch whether they fished or not. Today there remains an active commercial fishery, even though it faces economic challenges in part due to the elimination of government transportation subsidies to the northern fishery. Manitoba Hydro continues to work with community leaders and resource harvesters to develop an environmental monitoring program for the lake and to provide access to inland lakes to reduce harvest pressure on Southern Indian Lake and improve the sustainability of its fish populations. The film also refers to a \$23 million settlement provided in the 1990s that was "quickly spent." If you are referring to the 1992 \$18 million agreement with the Community Association of South Indian Lake, while some funds were used by the community to build an arena, it is our understanding that a substantial amount remains in a community trust fund with use of these funds under community control. Finally, the film fails to note the Displaced Residents of South Indian Lake have a claim that is in process under the NFA, and should the claim prove to be valid, appropriate compensation will be forthcoming.

Dawn Mikkelson

2005.11.30

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Let me conclude by noting that Manitoba Hydro recognizes that our hydro projects built more than 30 years ago had an adverse impact on the environment and nearby communities, including Manitoba First Nations. But that is not the whole story. We have taken significant action over the years to correct the situation and contribute to a better future for Manitoba and Manitoba First Nations. There is a very positive story to be told about how Manitoba Hydro and First Nations have worked together to address impacts of past development and how we are working together today to develop new hydropower projects that respect the environment and provide benefits to local Aboriginal people. We've learned from the past and are committed to moving forward in a new spirit of cooperation and understanding with First Nations.

We have taken the time to respond to the rough cut of Green Green Water in such detail because we believe there is benefit to telling this story. Your film is an examination of an important issue and while we respect other points of view we don't believe anything is gained by being casual or disingenuous with the truth. We hope you agree and find our feedback constructive.

Yours truly,



Glenn Schneider

Division Manager, Public Affairs

GPS/dl

1. *Assembly of First Nations - Fact Sheet: Socio-Economic Exclusion of First Nations in Canada*, cited in "The Boreal in the Balance, Securing the Future of Canada's Boreal Region- A Status Report, the Canadian Boreal Initiative, 2005, p. 12.
2. *NRDC On Earth Magazine, Spring 2005*
3. See <http://www.hydropower.org/Downloads/Emissions%20from%20reservoirs.pdf>
4. Northern Flood Agreement, December 16, 1977, Schedule "E" Community Development Planning and Community Development Plan
5. Winnipeg Free Press, March 20, 1975