

1 Plan Approval

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APPROVAL STATEMENT
WATER MANAGEMENT PLAN FOR WATERPOWER
for the
Muskoka River System
District of Parry Sound, Southern Region
Ontario Power Generation Inc.
Orillia Power Generation Corporation
Algonquin Power Fund (Canada) Inc.
Bracebridge Generation Ltd.

For the 10-year period April 1, 2006 to March 31, 2016

In submitting this plan, we confirm that this water management plan for waterpower has been prepared in accordance with *Water Management Planning Guidelines for Waterpower*, as approved by the Minister of Natural Resources on May 14, 2002. The signing parties agree that this plan will supercede the operational plans and strategies for various Muskoka Lakes outlined in the Hackner-Holden Agreement of 1940 and the subsequent Addendum of 1969.

Peter Murray, NEPG and Evergreen Energy, date
Ontario Power Generation Inc.
(Trethewey, Hanna Chute, South Falls, Ragged Rapids and Big Eddy waterpower facilities)

John Mattinson, Orillia Power Generation Corporation date
(Matthias waterpower facility)

David Kerr, Algonquin Power Fund (Canada) Inc. date
(Burgess waterpower facility)

Chris Litschko, Bracebridge Generation Ltd. date
(High Falls, Wilson Falls and Bracebridge waterpower facilities)

I concur that this water management plan has been prepared in accordance with *Water Management Planning Guidelines for Waterpower*, as approved by the Minister of Natural Resources on May 14, 2002, and that direction from other sources, relevant policies and other obligations have been considered. I recommend this plan be approved for implementation.

Andy Heerschap, A/District Manager date
Parry Sound District, MNR

Approved by: _____ date
Ray Bonenberg, A/Regional Director, Southern Region
Ontario Ministry of Natural Resources

In 1994, MNR finalized its Statement of Environmental Values (SEV) under the Environmental Bill of Rights (EBR). The SEV is a document that describes how the purposes of the EBR are to be considered whenever decisions are made that might significantly affect the environment are made in the ministry. During the development of this water management plan, the ministry has considered its SEV.

Disclaimer

This water management plan (WMP) sets out legally enforceable provisions for the management of flows and levels on this river within the values and conditions identified in the WMP.

In instances where, due to emergency energy shortages, the Independent Electricity System Operator (IESO) requests that owners of the waterpower facilities and associated water control structures seek relief from certain provisions of this WMP, the Ministry of Natural Resources (MNR) will consider those requests expeditiously and, after consultation with the IESO, may allow short-term relief from certain provisions.

The mandatory provisions of this WMP will be waived, as appropriate, when the dam owners (which may include other dam owners, such as MNR) are requested to do so by a police service or other emergency measures organization.

In instances of unscheduled facility imperatives (e.g. emergency maintenance etc), MNR will consider requests from the owner for temporary relief from the plan expeditiously with consideration to the relative priorities of both MNR and the owner

This plan does not authorize any other activity, work or undertaking in water or for the use of water, or imply that existing dams(s) meet with safe design, operation, maintenance, inspection, monitoring and emergency preparedness to provide for the protection of persons and property under the *Lakes and Rivers Improvement Act*. Approval of this WMP does not relieve the dam owners from their responsibility to comply with any other applicable legislation. For the purposes of this plan, an operational plan means a plan for the management of flows and levels.

Approval of this plan does not grant a dam owner the right to flood Crown land or the land of any other person without first obtaining the Crown's or that person's consent, nor does it authorize any infringement of the rights of the Crown or of any other person.