North American Megadam Resistance Alliance

Protecting rivers and their communities by resisting megadams and their transmission corridors

www.northeastmegadamresistance.org

Fall 2021 Newsletter
Commercial resource extraction has severely impacted Blueberry River First Nations' way of life. Photo courtesy of the David Suzuki Foundation.

A Victory for Blueberry River First Nation

Legal decision could provide a precedent for the case against Site C dam.

On June 29, Blueberry River First Nations won a landmark victory for treaty rights in British Columbia's (B.C.) Supreme Court. The decision follows a five-year legal battle over cumulative impacts on Blueberry River’s treaty rights from oil and gas extraction, hydroelectric dams, forestry, and mining.

Justice Emily Burke found that B.C. had breached Treaty 8 by allowing industrial development in the Blueberry River territory without assessing their cumulative impacts or ensuring that the Nation would be able to continue meaningfully exercising treaty rights. Justice Burke prohibited the province from authorizing further development and gave the parties six months to negotiate enforceable mechanisms to ensure Blueberry’s rights are recognized and protected.

With negotiations still underway, it's difficult to predict whether, or how, the fate of the Site C dam will be directly affected by this judgment. In any event, Blueberry River’s victory will provide a welcome precedent in another treaty infringement case against Site C, filed by the neighboring West Moberly First Nations, which will be heard in 2022. To find out more and/or support West Moberly’s case against the Site C dam on the Peace River, visit https://raventrust.com/campaigns/sitec/.

-By Ana Simeon of Respecting Aboriginal Values and Environmental Needs (RAVEN)
Studies Confirm That Megadams and Reservoirs Produce Greenhouse Gas Emissions

Hydropower is not clean energy.

Over the last 35 years, scientists in the U.S. and around the world have documented the greenhouse gases (GHG)—including methane (CH4), carbon dioxide (CO2), nitrous oxide (N2O), and others that are emitted from the construction and operation of dams and reservoirs.

These studies show that, during dam and reservoir construction, consequential emissions can be generated by deforestation, concrete production, and the trucking and hauling of construction materials. In addition, during the operation of reservoir systems—including, but not limited to hydropower facilities—consequential emissions can be generated by:

- the anaerobic (without oxygen) decomposition of carbon-laden soils under water
- the anaerobic decomposition of organic material such as vegetation and agricultural nutrients running off into the reservoir
- the anaerobic decomposition of vegetation that grows on the banks of reservoir and is later flooded during a seasonal or ramping cycles
- the dry-up of wetlands and other hydrophyte (water plant) communities along the river downstream of the dam and reservoir

Dam and reservoir GHG emissions have been documented across river systems in the U.S., in Canada, and around the world. The amount of GHG emissions varies in degree...
In some cases, the amount of estimated or measured emissions have been quite large. Some U.S. and Canadian hydropower facilities have been estimated to emit greenhouse gases equal to or larger than those of coal-fired power plants with the same electricity generating capacity. Some non-hydropower facilities—including reservoir systems built for water supply, flood protection, and navigable transportation have been estimated to be in the top five anthropogenic (caused by human activity) methane emission sources in a state, region, or locality.

This growing body of science dictates that climate activists need to better understand the GHG emissions of hydropower specifically so that it is no longer promoted as a clean energy solution with zero emissions. Further, government agencies need to start measuring and reporting the GHG emissions caused by dams and reservoirs, and then develop regulations that avoid, minimize, or mitigate these emissions. It makes no sense to build more hydropower due to their potential GHG emissions, as well as the other significant negative impacts caused by dams and reservoirs on ecosystem and human communities.


-By Gary Wockner, PhD—Director, Save The World’s Rivers
Update on Champlain-Hudson Power Express

*Hudson Riverkeeper is the latest group to oppose the proposal.*

Efforts continue to block construction of the long-delayed Champlain Hudson Power Express (CHPE) transmission corridor through eastern New York. During 2021, there has been a growing awareness and understanding among Hudson River valley residents about how destructive CHPE would be for both Canada and New York State.

An indication of that growing awareness is the fact that CHPE became an issue in the recent NYC primary elections for mayor, comptroller, borough presidents, and city council.

The proposed 333 mile-long transmission corridor would bring electricity, produced by large-scale hydropower, from Quebec to New York City. The line is proposed to be built both underground and underwater—embedded in both Lake Champlain and New York’s Hudson River.

In a hopeful signal, Hudson Riverkeeper sent a letter to former Governor Andrew Cuomo on July 12 emphasizing that the Hudson River "should not be subject to unnecessary impacts as we move toward reliance on renewable energy sources." Hudson Riverkeeper wrote that installing CHPE in the river could dislodge toxic PCBs (polychlorinated biphenyls), negatively impacting drinking water and that CHPE cables could endanger shipping. It is also possible that magnetic fields from CHPE could inhibit fish navigation. Hudson Riverkeeper's letter acknowledged the dangers Canadian hydropower poses to rivers in Canada, the damages it causes to indigenous peoples, and its climate impacts.
Efforts to Stop CMP’s Transmission Corridor Continue in Maine

*Latest state court ruling is a setback for the project.*

In federal court, the Sierra Club, the Natural Resources Council of Maine, and the Appalachian Mountain Club continue to litigate the Army Corps’ and Department of Energy’s approvals of Central Maine Power’s (CMP) transmission corridor without the required environmental analysis. Unfortunately, the First Circuit Court of Appeals upheld the district court’s denial of the groups’ request for a preliminary injunction, which allowed CMP to clear cut trees in Segment 1 of the project in the western Maine mountains. The tree cutting was paused for two months to protect Northern long-eared bats but resumed in August. Several state legislators wrote to the Maine DEP, pointing out that CMP was cutting a wider corridor than its permit allowed, but the DEP refused to take action on the complaint. The federal case will be briefed for the district judge this fall, with a decision anticipated sometime in early 2022.

In state court, oral argument was held in July on the question of whether the state illegally leased a portion of the transmission corridor to CMP without first getting approval from the state legislature. During the two-and-a half hour hearing, Judge Michaela Murphy seemed skeptical of the state’s arguments. On August 10, Murphy ruled that Governor Janet Mills did not have the authority to enter a renegotiated public land lease that is part
any state land. If that were the case, Maine law requires that the Legislature must authorize the lease by a two-thirds majority. Murphy found that the state did not have the authority to lease the land in question because they had not determined whether the lands would be altered as a result of the corridor, nor did they bring the issue to the Legislature. For more on the decision click [here](https://mailchi.mp/bcdb899417fc/namra-fall-2021-newsletter).

Finally, the Maine Supreme Judicial Court on July 29 denied a request by transmission corridor proponents to split the November ballot referendum on the corridor into three separate questions. The court upheld the Maine Secretary of State’s decision to submit the referendum to voters as a single, multi-part question ([Press Herald Story re Supreme Judicial Court Ruling](https://mailchi.mp/bcdb899417fc/namra-fall-2021-newsletter)). If approved, the referendum would “ban the construction of high impact electric transmission lines in the Upper Kennebec Region and require the Legislature to approve all other such projects anywhere in Maine, both retroactively to 2020.” Proponents of the referendum gathered more than 80,000 validated signatures to place the question on the November ballot.

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**Lake Erie Connector Would Import More Dirty Energy From Canada**

*Project is opposed by hydro-impacted Indigenous communities.*

The Canada Infrastructure Bank (CIB) and ITC Investment Holdings (ITC) have signed an agreement to invest $1.7 billion in the Lake Erie Connector project.

The Lake Erie Connector Project is a proposed 117-kilometer underwater transmission line that would connect Ontario's Independent Electricity System Operator (IESO) with the PJM Interconnection—the largest electricity market in the U.S. The connector would extend from Nanticoke, Ontario to Erie, Pennsylvania. Promoters of the project claim that it would bring “clean” energy to U.S markets. But a good part of the imported energy, produced by Canadian megadams, is neither clean nor green.

And beyond the issue of importing dirty hydropower, a recent article on the rabble.ca website suggested that the Lake Erie Connector would allow Ontario to ramp up exports of electricity from gas-fired power plants.

Rabble.ca’s report included this statement from Ontario Clean Air Alliance Chair Jack Gibbons:

“Ontario’s grid operator, the Independent Electricity System Operator, exports and imports fossil-fuel electricity to and from the U.S. on a daily basis. Exports and imports are dispatched based on the financial fuel and operating costs of the fossil generators, not total
The Lake Erie Connector is widely opposed by hydro-impacted Indigenous communities and would provide yet another financial pipeline for U.S. ratepayers to fund destructive hydropower.

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Rivers Shouldn’t Serve as Highways for Electricity Transmission

*Proposal to lay electrical cables under the Columbia River is opposed by Indigenous activists and river advocates*

A proposal to slice a 100-mile trench under the Columbia River in Oregon and Washington to deliver energy from solar and wind farms is being opposed by Indigenous activists and river advocates due to the negative impacts it would have on river communities and ecosystems.

In an article on the [Oregon Public Broadcasting (OPB) website](https://www.opb.org/), Elaine Harvey, a member of the Yakama’s Kah-milt-pa, said that the pitch from advocates of the proposal (Cascade Renewable Transmission) sounds like further industrial development that will harm her people as well as their traditions and cultures.

As Harvey and Kah-milt-pa Chief Bronsco Jim Jr. wrote earlier this year in the Columbia Riverkeeper newsletter: “Ours is a living culture, and we are being cheated by progress. An unrelenting cultural extinction in the name of energy development.”

The Columbia River has already been devastated by extractive energy infrastructure such as the Dalles Dam—one of 14 major dams on the river that has caused widespread destruction in the form of flooding, species extinction, displacement, and cultural genocide for Indigenous communities.

NAMRA stands with the Indigenous peoples and river advocates who are opposing the Cascade Renewable Transmission project on the Columbia River. Rivers should not serve...
NAMRA to Join Forces With Save the World’s Rivers

A letter from Save the World’s Rivers’ leader Gary Wockner and board member Meg Sheehan

Greetings NAMRA Friends and Allies,

NAMRA and Save the World’s Rivers are pleased to announce a new strategic alliance that will leverage both groups’ work to save the world’s rivers and their communities.

As of September 1, 2021, NAMRA has become a program of Save the World’s Rivers. This means NAMRA will be stronger than ever and even more positioned to fight for our communities and rivers. The alliance with Save the World’s Rivers will increase NAMRA’s breadth and capacity with access to a greater bench of experts, writers, and activists. NAMRA will maintain its independent identity and governance structure. The familiar faces at NAMRA will stay the same and NAMRA’s founding principles remain the same as well.

According to Meg Sheehan, NAMRA’s coordinator: "NAMRA's history stretches back to the 1990s with the first James Bay campaign that stopped the transmission line to New York to export stolen Canadian hydropower from Indigenous lands. Today, we continue the work of our Indigenous allies in Canada and those in the U.S. who ran the successful campaign that culminated with the "Ban the Dam Jam" in New York City. This campaign was built on volunteer efforts, partnerships and alliances that are foundational to our grassroots movement. Our alliance with Save the World's Rivers builds that strength and we will continue to support the work of our many grassroots volunteers."

Save the World's Rivers is an outgrowth of Gary Wockner's work over the last twenty years fighting dams and protecting rivers in Colorado, in the Southwest U.S., and across the planet.

Gary has had the extraordinary opportunity to travel and support river protectors in parts of Central America, South America, Eastern Europe, Africa, and Southeast Asia. Check out Save the World’s Rivers' website to read about much of that work.

According to Gary Wockner, Save the World's Rivers' Executive Director: "There's a lot of work to do protecting rivers in North America, but the more we stick together and form coalitions, the more success we are likely to have. Save The World's Rivers is an action-oriented organization guided by eco-centric values. Like NAMRA, we like to find and push the political edge, bring dam-impacted people and communities to the forefront, and advocate for our natural treasures—rivers and wild nature—in the political and legal arena. We especially like to use every law-enforcement tool available to achieve our goals."
- Gary Wockner & Meg Sheehan

UPCOMING EVENTS:

Stop New England's Greenwashing of Megadam Hydropower
Wednesday, September 29 at 6:30 pm

The CMP Corridor, and the hydropower it would transport, not only harms Indigenous communities, but also destroys the ecosystems they depend on. Join this educational event on Wednesday, September 29th, at 6:30 pm. The event will feature speakers from frontline communities including Carlton Richards, a youth from the Cree community of Pimicikamak where hydropower development by Manitoba Hydro has destroyed over 50,000 square miles of rivers, streams, and forests. Also featured will be Melissa Ferretti, Chairwoman and President of the Herring Pond Wampanoag Tribe—one of the tribes that has called on Governor Baker of Massachusetts and Governor Mills of Maine to reject Canadian hydroelectricity imports and NECEC.

Click here to register.

Co-Hosts: 350 Maine, Maine Youth for Climate Justice, North America Megadam Resistance Alliance, and Sierra Club Maine.

TAKE ACTION

NAMRA is a volunteer-led organization. We rely on your support. Please consider donating to our important work.

And please sign and share NAMRA's petition calling on leaders throughout the Northeast U.S. to reject dirty Canadian hydropower.