

**Association for the Displaced Residents of South Indian Lake  
Clean Environment Commission Hearings  
Wuskwatim Generation and Transmission Line Projects  
March 23, 2004: Thompson, Manitoba**

**Presentation of Angus Dysart: President**

**Good morning. My name is Angus Dysart. I am President of the Association for the Displaced Residents of South Indian Lake often referred to as DRSIL. I am pleased to have the opportunity to make a presentation on behalf of DRSIL at these Clean Environment Commission Hearings for the Wuskwatim Generation and Transmission Line Projects. I am very pleased to be here and talk to you today in Thompson in front of many other people who have been seriously affected by past hydro development by Manitoba Hydro. However, our Association is not happy that these hearings are spending only two days in Thompson for these hearings. More time should be spent in northern Manitoba to allow the people who are affected by hydro development and have suffered greatly at the hands of Manitoba Hydro to be part of this process. Why are not hearings being held in**

**Nelson House and South Indian Lake so NCN members there can be heard and see what is going on here? This would also have given this Commission the opportunity to see how past promises of prosperity for us from hydro development have not been fulfilled and honored. Why is so little time and respect being given to those who are paying the price for Manitoba Hydro to make hundreds of million of dollars?**

**For the record I am demanding an apology from Jerry Primrose for calling me, our Association, and others who have concerns or do not want Wuskwatim “economic terrorists”. I support Carol Kobliski in her comments to you on March 17 2004 that this apology should be made to this Commission and to all those who question this project. I know that so many people have talked about this comment and I hope that his apology will put this to rest.**

**I will start by saying a few words about myself and how our Association came into being, our current struggle with Manitoba Hydro, Manitoba and Canada for fair and just treatment under the Northern Flood Agreement. Then I will discuss why our Association decided to be part**

**of these hearings and finally our position on the Wuskwatim Generation and Transmission Line Projects.**

**Some thirty years ago I was one of the future generation growing up in South Indian Lake. I remember how it was like growing up in South Indian Lake prior to the Churchill River Diversion. This was a clear pristine lake with sandy beaches, even nicer than Lake of the Woods.**

**My father Murdo Dysart provided a good self sufficient living for us being a commercial fisherman and trapper. I was raised right from the land and most of the members of DRSIL were raised the same way. Before the hydro project and the flooding of Southern Indian Lake there was abundant high quality fish and fur. South Indian Lake was known worldwide for its Export A White fish that was served in some of the finest restaurants in North America. Now the people of South Indian Lake are warned to limit the fish they eat due to mercury. People are getting sick from eating the fish and drinking the water.**

**The furs were also of the highest quality and sold around the world. Despite what Jerry Primrose said to you it was Manitoba Hydro that**

destroyed trapping around South Indian Lake and not any outside fur lobby.

When Manitoba Hydro was planning to build a dam at Missi Falls and South Channel they made a lot of promises to the Community of South Indian Lake. New housing, running water, and sewer hook up for everyone were promised. Jobs were promised and the fair and just settlement for the loss of land, property and opportunities. The future generation of young people was promised a bright and better way of life by Manitoba Hydro. This was one of many promises broken by Manitoba Hydro and the Government of Manitoba.

For example, according to Manitoba Hydro's Quarterly Report of Reserve Resident's Employment under Article 18.5 of the NFA for the fiscal year ending December 31, 2003 only 2 people were employed in South Indian Lake. One was a full time utility worker and the other a casual labourer. I do not even know if these 2 people are even from South Indian lake. In fact, for Nelson House only 23 NCN members were employed with all being in low paying and low skilled labourer jobs. In comparison, PCN Cross Lake, who have not signed a NFA

**Master Implementation buy-out agreement have 243 people employed including a number in skilled positions. I have copies of this report which I can file with the CEC today.**

**None of the promises were kept by Manitoba Hydro and the Government of Manitoba. Many of us suffered great social, economic, and psychological harm as a result of the project. This when Manitoba Hydro and the Government of Manitoba continue to reap hundreds of million of dollars from selling hydroelectricity. Many people have suffered and continue to suffer while others prosper on our misery. This includes the over 400 members of DRSIL who like me who were forced to leave South Indian Lake and our traditional way of life to find a future. To provide further information on South Indian Lake and the impact of hydro development I would like to table paper with you that was presented at the February 23, 2004 forum on hydro development held at the University of Winnipeg. The paper is by Dr. Steven Hoffman of St. Thomas University of Minnesota and it is titled *Engineering Poverty: Colonialism and Hydroelectric Development in Northern Manitoba*.**

My September 11, 2003 letter to the Clean Environment Commission, which has been placed on record for these hearings, gives a brief background of our Association. Like me, our members have been displaced and were forced to move from our home at South Indian Lake due to the flooding and ongoing impacts of the Churchill-Nelson River Hydro Dam Project. The majority of our over 400 members (around 70%) live in northern Manitoba with the rest in places like Winnipeg, Brandon and outside of Manitoba. Like me the majority of us are NCN band members and have serious concerns about the Wuskwatim Project, the deals between NCN and Manitoba Hydro and the things being done to try to get NCN members to agree to it.

We currently have six members on our Executive chosen by the traditional aboriginal way of members putting their names forward and having it discussed and endorsed by members at meetings held throughout Manitoba. The current Executive was endorsed at meetings held this past summer in Winnipeg, Thompson, Leaf Rapids and South Indian Lake. We try to hold as many meetings as we can and keep our members informed on what is happening but it is very difficult when no resources are provided to us for this.

Since 1993 our members have been in a struggle with Manitoba Hydro, Manitoba and Canada to receive fair and just treatment for our claims for compensation under the Northern Flood Agreement. Many of us have suffered property, economic, social and emotional damage by having our homes at South Indian Lake and way of life largely destroyed by the hydro project. To date none of our DRSIL claims have been settled. Manitoba Hydro has done everything it can do to tie up our claims and deny us adequate resources to present our claims as we are entitled to under the NFA. For the past two years there has not even been an NFA Arbitrator to deal with our claims and our concerns. I have been informed that they have just recently appointed an Arbitrator, retired judge Ms. Ruth Krindle, over the objections of the Pimicikamak Cree Nation (PCN) of Cross Lake. This person has not yet started work and we have no idea when our claims or issues will even be considered. To us the delay in appointing an Arbitrator shows the low regard and respect Manitoba Hydro and the Governments of Manitoba and Canada have for the Northern Flood Agreement Treaty. This includes people like us who are trying to get fairness and justice for the

**environmental, social and economic harm Manitoba Hydro has inflicted on us. We strongly feel that this is just an example of how Manitoba Hydro and the Governments of Manitoba and Canada are trying to avoid dealing with us fairly and justly. From our experience the studies, promises and assurances of Manitoba Hydro cannot be trusted and relied upon. That includes what has happened in South Indian Lake and how Manitoba Hydro, Manitoba and Canada have dealt with us over our DRSIL claims.**

**I will not discuss our claims against Manitoba Hydro since I do not have our lawyer here with me. The claims we have filed are individual claims for compensation and I cannot talk about specific claims. Also the reason I am here today is to talk about our position on the Wuskwatim Projects and these hearings.**

**We first became involved in these hearings with the September 30, 2003 hearing on Pimichimak Cree Nation's motion to expand the Wuskwatim review to include past hydro projects and their total impacts. Although talking with our lawyer and others who have attended and kept track of the hearings in Winnipeg I still feel that the**



**CEC should have expanded the scope of these hearings. To limit the scope of these hearings was a decision made by the CEC and we feel that it prevents a true and complete review of the impacts of the Wuskwatim Generation and Transmission Line Projects. We must recognize and understand what has been done and its impacts before we can have confidence in future development.**

**We feel that a thorough review of past and continuing impacts of hydro development in northern Manitoba should have been done even before a new hydro project was proposed. Manitoba Hydro must address these impacts and do much more than what they are doing now. We want Manitoba Hydro and the government to clean up the mess they have inflicted on South Indian Lake and other places in the north. We have a number of members from there and of course all of us originally come from there. We also have members of our Association that live in South Indian Lake and we want the environmental mess cleaned up on Southern Indian Lake. This should be done before any more dams like Wuskwatim and transmission lines are built. Manitoba Hydro should not be allowed to continue to make hundreds of millions of dollars on**

**the pain and suffering of others who are affected by the continuing impacts of past hydro development.**

**We hope that this hearing will strongly question Hydro on their claim that Wuskwatim will not affect South Indian Lake and other communities. I remember the false promises and assurances that were made to us in South Indian Lake that low level flooding of Southern Indian Lake would produce little damage that would be managed by Manitoba Hydro. Manitoba Hydro should not be allowed to do what they did to South Indian Lake again.**

**In December 2003 our Association sent a letter to the Clean Environment Commission on the Summary of Understanding between NCN and Manitoba Hydro. That letter raised a number of questions and concerns we have with it and the upcoming Wuskwatim Project Development Agreement and the vote. I understand that it was sent to all members of the Commission and I will not go over it. I just hope that the questions raised there are dealt with during these hearings. The response provided by NCN Chief and Council to Vern Anderson the Southern Vice-President of our Association after these hearings started**

should not be considered a satisfactory response to our questions. We are not satisfied with the lateness of the response, one week after these hearings started and the responses received. A number of the questions were not answered or it was stated that they would be answered in the Wuskwatim Project Development Agreement. In the next few weeks we will be going over the responses in more detail.

I notice that the NCN response to Mr. Anderson has been put in the NCN website. We are also requesting that NCN put Mr. Anderson's December 17, 2003 letter to the Clean Environment Commission on its website so that people can read the two together and get a full picture of our concerns. It is misleading to just include just the responses and not the letter that contained our questions.

I would like to table a paper that supports our concerns with the Wuskwatim Agreement in Principle (AIP), Summary of Understandings (SOU) and the upcoming Project Development Agreement. On March 16<sup>th</sup> Dr. Peter Kulchyski made a presentation that dealt with the Wuskwatim SOU. Dr. Kulchyski informed the CEC that he was just finishing the paper that he was basing his comments on the SOU and he

would table it with the CEC for review. On behalf of Dr. Kulchyski I am tabling a final draft of his paper to be put on the record for these hearings. In the very near future the paper will be published by the Canadian Centre for Policy Alternatives.

In conclusion, we recommend the following:

1. No vote on the Wuskwatim PDA be undertaken until all treaty and aboriginal issues are satisfactorily dealt with.
2. All aspects of the Wuskwatim Project Development Agreement, Limited Partnership Arrangement between NCN and Manitoba Hydro and component side agreements be thoroughly explained to all NCN Band Members so all are clear on what they mean and what they are agreeing to. These must all be included in the referendum vote. All of these documents should be translated in Cree and copies made available to all who request them.

- 3. All outstanding compensation issues and claims of NCN members under the Northern Flood Agreement be settled before any vote on the Wuskwatim PDA.**
- 4. All financial information on the Wuskwatim deal and partnership between NCN and Manitoba Hydro be given and explained to NCN members.**
- 5. Independent third party legal counsel be retained to explain the Project Development Agreement and other agreements identified in the Wuskwatim SOU to NCN members. This legal counsel should not have had represented Manitoba Hydro or had been involved in the negotiation of Wuskwatim Agreement in Principle, Wuskwatim SOU and the Wuskwatim PDA.**
- 6. A set time be established for the Wuskwatim PDA referendum which allows sufficient time (at least three months) for all the information provided be properly explained and discussed in the community. The NCN band membership and not just Chief and Council or Manitoba Hydro should also decide and agree**

**when the vote is to be held. This will be important to heal the wounds, divisions and hard feelings that have been created by the Wuskwatim Projects.**

**7. Adequate resources must be provided for those who have concerns about the Wuskwatim Project and partnership agreement between NCN and Manitoba Hydro. The Government of Manitoba, Manitoba Hydro and/or NCN Chief and Council should provide adequate funds (e.g. from the \$4.2 million annual budget provided to the NCN Community Futures Portfolio) and allow alternative relevant information be provided to the people of NCN prior to the referendum vote. All efforts should be made to enable NCN members to make a reasoned and non pressured decision on Wuskwatim.**

**8. The Clean Environment Commission should not officially conclude these hearings, and should delay the filing of its recommendations to the Government, until after the Wuskwatim PDA referendum vote is held. This will allow them**

to take into account the vote and how it was conducted in its report to the Minister of Conservation.

9. If Indian Act voting regulations are used for the Wuskwatim PDA Referendum, and not traditional ways led by NCN Elders, an expert independent third party such as Elections Canada or Elections Manitoba should oversee all aspects of the voting to ensure it is done fairly and honestly.

10. Any vote on the Wuskwatim Project Development Agreement must include all NCN members and the people of South Indian Lake and the Displaced Residents of South Indian Lake. The reserve status issue for South Indian Lake should have no bearing on this. All these people were eligible to vote for the Wuskwatim Agreement in Principle and they should be allowed to continue to participate in the process and be allowed to vote on the Wuskwatim PDA and have their vote counted and recognized. Members of the Association for the Displaced Residents of South Indian Lake should not be disqualified from voting by any reserve status deals made by NCN Chief

**and Council, South Indian Lake and the Government of  
Canada.**

**Thank you.**