

MANITOBA CLEAN ENVIRONMENT COMMISSION

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LAKE WINNIPEG REGULATION REVIEW
UNDER THE WATER POWER ACT

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Transcript of Proceedings
Held at Cross Lake Band office
Cross Lake, Manitoba
TUESDAY, FEBRUARY 17, 2015
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APPEARANCES

CLEAN ENVIRONMENT COMMISSION

Terry Sargeant - Chairman
Edwin Yee - Commissioner
Neil Harden - Commissioner
Beverly Suek - Commissioner

Cathy Johnson - Commission Secretary
Bob Armstrong - Report writer

Darwin Paupanakis - Coordinator

Darrell Settee - Interpreter

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1 TUESDAY, FEBRUARY 17, 2015

2 UPON COMMENCING AT 10:00 A.M.

3

4 THE CHAIRMAN: My name is Terry
5 Sargeant. I'm the chair of the Manitoba Clean
6 Environment Commission, and the chair of this
7 panel. And other panel members with me today are
8 Bev Suek, Neil Harden and Edwin Yee. Cathy
9 Johnson is the Commission secretary, and then we
10 have our technical staff, Cece Reid who is the
11 recorder, and Bob Armstrong our report writer.

12 As Darwin said, we have been asked by
13 the Minister of Conservation and Water Stewardship
14 to conduct a review of Lake Winnipeg Regulation.
15 The Minister asked us to go into all communities
16 all around Lake Winnipeg and downstream of Lake
17 Winnipeg. So we have been meeting all over the
18 place. This is our sixth week. We have been in
19 communities all around the lake, both north and
20 south, and we are here for today and two more
21 days, tomorrow and Thursday. Then we have a
22 number of weeks in Winnipeg, and then in April we
23 are back up in Norway House. So it is a busy
24 schedule.

25 And what we want to hear in these

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1 communities is just what impacts you've seen from
2 Lake Winnipeg Regulation, how it has affected you
3 and how it has affected your community. So
4 anything that you can share with us, we would like
5 to hear.

6 MR. DANIEL HALCROW: (Interpreted by
7 Darrell Settee). Danny says I welcome you to the
8 community, and that I welcome you with open arms
9 and I shake your hands, if you feel comfortable,
10 and I extend my welcome and hope that we have a
11 good conversation.

When I was a young man, young boy, my father, Daniel Halcrow, used to be the fire ranger, his office here, at Bell Street. He said he always did fishing here, a lot fishing for sturgeon, good moose hunting, always successful. It was pretty, a beautiful place to be, to grow up, that part of our life, such a beautiful location.

20 Then he was saying, suddenly, around
21 1972, not sure what day, we were told that we were
22 to get something from -- what do you call that?

23 He said when he was at his
24 grandmother's house, he could always swim in the
25 lake. So we were happy to see the lakes come up,

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1 but we didn't know that this destruction was going
2 to come upon us, on our land and our way of life.

3 We were told that the price for
4 electricity was around \$8 per month.

5 And when they were starting to do
6 their traveling in the summer, he seen the water
7 going up very high and then very low. Travel was
8 very hard in the summer and in the winter months.

9 And when the freeze up started, there was an ice
10 jam, like it formed a dam, so the water went up
11 about 12 feet. So that then migrated right into
12 the bush way back, and all of the traps, they were
13 covered in ice. So that's what happens.

14 When we were trapping, the trees back
15 in the bush were drowned, like they would start to
16 drown and they would start to fall. And a lot of
17 the access trails were flooded, and the trees,
18 downfall. And even the muskeg part of it was
19 swelling up, like it was pushed up, I guess,
20 permafrost that it affected, you know, it got --
21 it started forming up because of the muskeg,
22 that's what happens it freezes and it causes ice.

23 So in the winter months, the
24 freeze-up, the muskrats will make their lodges,
25 and a series of breathing holes. And then when

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1 the water comes up, it drowns out -- in the winter
2 months.

3 He also mentioned that he saw on two
4 occasions moose had drowned because of the ice
5 conditions, and fish that were, a lot of fish
6 floating in break-up points.

7 He says, I remember we used to have
8 lots of mallards or ducks in our area, and there
9 used to be a lot of grasses, a variety of grasses.
10 So now those grasses no longer exist, they are
11 washed out. So probably the eggs are probably
12 flooded out. There is very few mallards in that
13 area.

14 He also mentioned that the birds are,
15 migratory birds like seagulls, they nest in the
16 reefs and small islands, so once they lay their
17 eggs, the water comes up and it floods them out.
18 And we considered seagull eggs a delicacy.

19 So he also says that a lot of the --
20 like the beetles and variety of bugs are no longer
21 existing here. And they helped the environment,
22 you know, the integrity of the whole system. They
23 have quite a purpose for the whole integrity, and
24 they are starting to disappear too.

25 Okay. He said even the crawfish and

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1 the clams are, you know, in decline. Even those
2 bugs that haul trees, we call them tree haulers,
3 it is a water insect, it seems to be carrying a
4 log under water.

5 There is a decline in the coots.

6 Probably the water damages their nesting areas,
7 and grebes, G-R-E-B-E-S.

8 Also the weeds and the vegetation that
9 the muskrat eat are also in a decline. They also
10 try and build their lodges just out here, and the
11 water goes out, or the water goes up. Either way,
12 they don't prosper.

13 He says that where they're doing their
14 navigation by boat, they're starting to hit rocks,
15 they're starting to damage boats and motors all of
16 the time. And one time we are out there, he was
17 with his brothers, and he said there is a rock
18 here, a reef somewhere here, and he told them
19 there was never a rock here. So sure enough there
20 was a rock there. And it was fast moving water
21 there, so, you know, it would have been like
22 disastrous.

23 He also mentioned earlier that what he
24 would like to add on is, for all of the people
25 from our community here that are here, we could

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1 probably not tell you how much damage has
2 occurred, and I don't think that we can quantify
3 all of it, for the people that we have here. But
4 he said there has been so much damage that it is
5 hard for us to explain all of the negative impacts
6 in a day.

7 When he had the problem of the traps
8 being under water and freezing over so they are in
9 the ice, and they went over to the Manitoba Hydro
10 office to file and claim, and do the work for lots
11 of -- there is quite a few, like dozen, lots of
12 traps and they are all -- so he received a call
13 later on and the man who works at the Hydro office
14 said, could you take me over to where your
15 trapline is? Manitoba Hydro does not believe that
16 you lost all of these traps, so we have to go down
17 there. Sure. And he said he went over to lots of
18 locations and he said, there is one under here and
19 there is one under here. Why can you not try and
20 chop them up? Well, he told them it is much too
21 much work for me to, you know, chop all of these
22 out, it is almost impossible. So anyway, they did
23 finally -- it wasn't my fault that these traps
24 were in the condition they were, that they were
25 under the ice. And it was Manitoba Hydro who

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1 caused all of the problems.

2 THE CHAIRMAN: So did he finally get
3 compensated?

4 MR. DANIEL HALCROW: No, I just got
5 the traps. He didn't get any monetary.

6 So I lost out on a lot of money from
7 there. I trapped there before it got flooded.

8 But they didn't recognize that, the Hydro. They
9 are hard, they are very hard, Hydro. Even if you
10 speak from the heart, they don't believe you. And
11 I never take a camera with me. The truth comes
12 from here, not the camera, right here.

13 He used to travel the downstream here,
14 the series of the rapids. And they did work on,
15 they installed or built the weir, so the
16 navigation was now limited and kind of dangerous
17 too. There was obstructions, and they had to
18 cancel trips because of the condition, they
19 couldn't take a chance to go through.

20 He also tells us that he used to pack
21 the canoe with his grandpa and his late cousin,
22 and when we did that, we had good exercise, we
23 carried the canoe over portages. And then later
24 on they put in, they installed the ATV, the
25 trailers to transport the boat over the portages

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1 and they cleared too much of the historic
2 portages. And now they don't maintain the
3 equipment. You have to go there, like every day,
4 the trailers are always damaged because the
5 portages are not -- they put some planks, but we
6 need the whole portages to be well constructed.
7 And the tires were flat, we get stranded, we have
8 to wait a day or so for the workers from Manitoba
9 Hydro to be the one to try and maintain the
10 equipment, the trailers or the ATVs. And a lot
11 more needs to be done over there.

12 So one time he was preparing to go on
13 a trip and one of his boys, his son said, can I
14 come with you? And he said no, because of the
15 conditions. And he kept bugging me and bugging
16 me, and finally my heart broke, so we went on our
17 way. So we walked to the downstream side, there
18 is the bay there. When we got there we noticed
19 that water already came up.

20 First I tested the ice with a pole to
21 see if it is safe, strong enough to support. So
22 we checked a few more locations where trapping,
23 and tested the ice again, and he believed that the
24 ice would support the snowmobile and all of the
25 gear.

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1 So we went on the ice and we broke
2 through. He could hear his son crying already in
3 the back. And he was in this position like that,
4 angle, maybe 45, something like that.

5 So he said he was struggling, trying
6 to free the snowmobile. He was up to his knees in
7 the water. It was so heavy, he couldn't free the
8 machine. Then all of a sudden he looked back and
9 he saw his son close up, close up to his waist in
10 the water, and he was crying. And I told him, son
11 get out of the water, get out. And he said no,
12 no, he didn't want to leave his dad.

13 He said when he saw that they were in
14 trouble and he couldn't free the machine, so he
15 had to think for a minute, so what am I doing
16 here? Am I going to worry about the snow machine
17 more than my son? So he released the machine on
18 the ice, and got his son and said we have to go.
19 There is a cabin over this part of the land here,
20 on the other side there is a cabin, not too far,
21 so we will try to get there to safety. All he did
22 was pick up an ax, and on his way. And when he
23 got to the shore on the other side, he said he
24 noticed his son wasn't with him. So he looked
25 back and he was back where the snow machine was,

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1 so he had to go -- well, before he was shivering,
2 so he was soaked. So he went back to the place
3 where the snow machine was and he told him, we
4 have to go, we have to leave here. So he said,
5 can you give me piggyback, and he said, okay, I
6 will give you piggyback.

7 So he got to the shore, went up in the
8 hill, so he was tired, he had to take a break. So
9 he told his son that he had to have a serious talk
10 with his son. He said, if we give up, or if you
11 give up, that's where they are going to find our
12 remains, but if we keep walking we might get
13 warmer into the cabin.

14 So when finally they made it to the
15 cabin, and he made a fire and prepared a meal for
16 his boy, and he thought, I can't let him sleep, I
17 just have to keep him awake. Maybe it was too
18 cold or -- but, anyway, he won over me again and
19 so I let him sleep for a while.

20 Also he says, he also left notice with
21 his wife that if he doesn't show up back in the
22 community at a certain time or an hour, and
23 probably send somebody to come and get me.

24 So he said later on -- so, anyway when
25 they were in the cabin when the people already

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1 showed up, old man Johnson. And the boy was so
2 happy when he saw the lights. So on the way back
3 to Cross Lake they met another group of people,
4 three snowmobiles in the party, and he said his
5 wife was there too. So they got a lot of help
6 from Lloyd and Dion, his brother Dion was also on
7 that. So we made it back to Cross Lake.

8 I guess the other thing about the
9 health, I forgot to mention earlier, he said, if
10 we still maintain our packing and all of the hard
11 work, and maybe we drank too much of the boiled
12 water out there, maybe I wouldn't be in this
13 condition that I am today if I kept -- so in a
14 way, the four wheelers or the ATVs would probably
15 be more harmful to our health because it was
16 easier, so if we maintained the hard work, maybe
17 we wouldn't get the effects that they are now.

18 So he said after our ordeal and
19 experience, his son no longer wanted to go to the
20 area. So, almost, the effects of Manitoba Hydro
21 projects, almost one that he couldn't go out there
22 anymore. But he slowly introduced him back to get
23 into the activities of going to the area.

24 So that concludes, he says that
25 concludes mine -- that will take a lot of

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1 shortcuts, he said, I tried my best. He said he
2 is very, very grateful for the panel to come here.
3 He said if we had time, I would have told you some
4 bedtime stories.

5 Okay, I guess Nick now will do his
6 thing.

7 THE CHAIRMAN: Thank you very much.

8 MR. DANIEL HALCROW: You are welcome.

9 MR. NICK HALCROW: I think I saw you
10 on TV some place, you are from Clean Environment
11 Commission?

12 THE CHAIRMAN: That's right, yes.

13 MR. NICK HALCROW: Okay. Yeah, I
14 heard you guys talking one time. I welcome you
15 first to Cross Lake. I guess this is what you
16 come here for?

17 THE CHAIRMAN: That's right.

18 MR. NICK HALCROW: Okay. Darrell came
19 to my place last night, and he handed me this.
20 Today is the 17th. But actually I think tomorrow
21 we meet again, elders? So I thought tomorrow. So
22 I was preparing my notes last night a little bit,
23 but I didn't finish it, because I thought I had
24 time today.

25 My name is Nick Halcrow, by the way.

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1 I'm an elder, 75 years old. I taught him
2 everything he knows. I was listening to him while
3 he was speaking, because this is my nephew. We
4 trap together a long time now, but you heard what
5 he said.

6 Anyway, Greg Selinger was here not too
7 long ago, and we had a protest I guess in Jenpeg.
8 You know that?

9 THE CHAIRMAN: Um-hum.

10 MR. NICK HALCROW: I wrote a letter
11 that time. I couldn't attend that time, I was
12 away doing something else. But I wrote a letter
13 to him. Maybe you can get a copy of what I said,
14 concerning about NFA. And what he came here for
15 was apology, yeah. So maybe you can get a copy
16 and it concerns about the apology.

17 First of all, I have seen a lot of
18 things in my life. As an elder, I'm beginning to
19 see more things in my life. Like our fishing and
20 streams, that's a gift we all have. And sometimes
21 I wonder, is this true, is it going to be true? I
22 have been thinking a lot about my life and the
23 things that I encountered in my life, especially
24 the last 37 years. Like he told you a story about
25 water fluctuations in Cross Lake.

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1 I'm sorry I couldn't write down all I
2 wanted to say, but I said -- you were asking for
3 the experiences with Jenpeg and the Lake Winnipeg
4 Regulation, and the observations on environmental,
5 social and economic effects. Yes, I have
6 experiences, I have observations, I have seen the
7 social impact, the economic impact in Cross Lake.

8 My experience, experiences with the
9 Jenpeg dam are many, and there are many, like you
10 heard them talk about. I was going to mention
11 that. But you heard about his trapping, what he
12 had encountered. Fishing, hunting, it all comes
13 in there. And like I said, there are many
14 experiences. And frustrating, causing to fail us
15 Pimicikamak citizens in many ways, and I mean
16 many, many ways. Like you said, social and
17 economic. I was going to include all of that in
18 there.

19 It is because, due to the fluctuating
20 water levels, that's our main concern here, that's
21 the biggest problem there is with the Jenpeg dam.
22 Year after year for the last 37 years, and we will
23 continue to encounter these impacts as long as the
24 operation of the Jenpeg system exists.

25 Now, as I turn back to this, you said

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1 you will make recommendations for the future. We
2 didn't have environmental assessment done here,
3 not once that I recall since they build that dam.
4 That was the first thing is to let us know, like
5 we are here on the table today, we talked about
6 this for a long time, 37 years. Why is it now
7 that you said you will make recommendations for
8 the future? Now the dam is here, the dam is going
9 to be here for a long time. What will you
10 recommend now? That's my question. You have been
11 at this for a long time now. What will you
12 recommend, after you hear about the devastations
13 that we have?

14 You read my story, I wrote this for
15 Greg Selinger, and maybe you will change your
16 mind. I want you guys to get a copy of this, read
17 it very carefully.

18 I'm so glad I am here to say and hear
19 my problems -- I mean to sort out the problems
20 before in Manitoba, all over, not only here but
21 other places. But this is what I'm trying -- it
22 is that environmental management, you could have
23 known what was going to be destroyed. Now, we are
24 still here, we're still talking about that. But
25 this is what I want.

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1 You will make recommendations you say.

2 What recommendations are you talking about now?

3 We have done our share. But along the line they

4 didn't hear our stories clearly. Do you know what

5 I mean? And we want to be heard, what we are

6 saying. And now we are here. Are we going to

7 hear this story again 30 years time? Think about

8 that. Think about that. Things that you are

9 going to recommend here now, like you heard his

10 story, that very devastation story, and there is

11 many of them. You can hear from the trappers what

12 they encountered. Especially this water

13 fluctuation, that's the problem we have. Year

14 after year, like I said, we still have that.

15 It is destroying -- if you read this,

16 I said here how our lands and water and animals

17 are destroyed, annihilated in other words. Yes,

18 I've seen it and I experienced it. But you have

19 to tell the people of seeing this, like trappers,

20 fishermen, hunters. That's the truth you will

21 hear from them. Like these trappers here, they

22 actually were there and they have seen what

23 happened. Like my nephew said, the problems. Now

24 remember that in recommendations.

25 You have to tell the Hydro people what

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1 you encountered, okay, and we will continue to
2 encounter these as long as that Jenpeg is
3 operational.

4 I could go on and on, but that was my
5 main concern is those water levels. How can we
6 stop that? That's another question. Okay. But
7 I'm glad you come. We need to consult each other,
8 we have to consult each other, and we have to
9 negotiate, you know what I'm talking about.

10 THE CHAIRMAN: Um-hum.

11 MR. NICK HALCROW: Okay. Because
12 that's the only way, consultation and
13 understanding.

14 I'm happy, I don't know all of you but
15 I see the names, and I'm happy I met you today. I
16 didn't expect to talk like this but -- I have more
17 I was going to put on about the damages, but you
18 heard all of them before, from different places.
19 But I want you to get a copy of my letter, take it
20 with you and read it. I gave it to Selinger when
21 he came here, I gave him this copy to read it, and
22 to remember, and to understand what I said in
23 here. I gave one to Darwin.

24 Anyway, I don't want to hold you
25 longer, you have other people. I don't know how

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1 long you are going to stay. Are you going to stay
2 tomorrow?

3 THE CHAIRMAN: Well, we are here all
4 together for most of three days, today, tomorrow
5 and Thursday. Tomorrow afternoon from 4:30 to
6 about just before 6:30, we are going to be meeting
7 with elders.

8 MR. NICK HALCROW: That's me.

9 THE CHAIRMAN: We are going to have
10 dinner and meet with elders. It will be more
11 informal than this, and you can tell your story
12 some more. We are hearing from the high school
13 students and the middle school students, and then
14 on Thursday afternoon, just over here, there will
15 be a big public meeting. That's what that main
16 poster is about.

17 MR. NICK HALCROW: Okay. Okay.

18 THE CHAIRMAN: But just -- I want to
19 thank you, Nick, for coming here today and telling
20 your story, and we will hear more from you
21 tomorrow.

22 MR. NICK HALCROW: Sure, I have lots
23 to tell you.

24 THE CHAIRMAN: I just want to make a
25 couple of comments. You mentioned that there was

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1 no environmental assessment done.

2 MR. NICK HALCROW: Yes.

3 THE CHAIRMAN: And when this stuff was
4 built in the '70s, they didn't do that.

5 MR. NICK HALCROW: That's right.

6 THE CHAIRMAN: It was a brand new
7 science. There was no requirement to do it, so it
8 just didn't get done. I mean, if they were to try
9 to build that today, it probably wouldn't be built
10 because of the environmental damage.

11 MR. NICK HALCROW: That's right.

12 THE CHAIRMAN: But they didn't do that
13 in those days. In fact, it wasn't until the very
14 late '80s that there was a requirement for the
15 environmental assessment. And the first Hydro
16 project that had an environmental assessment done
17 was Wuskwatim, which was in 2004.

18 MR. NICK HALCROW: Yes, I heard that.

19 THE CHAIRMAN: So that's part of the
20 problem, you know, times were just really
21 different. Governments and big corporations like
22 Hydro didn't really care back then, although they
23 quickly found out when they had to negotiate the
24 NFA. But by then it was too late, they had
25 already built Jenpeg.

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1 And you ask what will we recommend?
2 Today I can't tell you. You know, we still have,
3 well, the rest of this week here we will hear a
4 lot more stories, including some more this
5 morning. And then we have six more weeks in
6 Winnipeg, and other communities, Norway House
7 later on, among them. So I can't tell you what we
8 will recommend. But hopefully -- well, I can't
9 even promise you that things will change for the
10 better, but maybe we can find some areas where we
11 can make some changes that are meaningful. But I
12 can't promise you that today, hopefully by the
13 time we are finished, we can find that.

14 MR. NICK HALCROW: Because we didn't
15 hear social effects, like on the society, the
16 community life.

17 THE CHAIRMAN: Well, we have heard
18 that from others and we will hear that, I'm sure,
19 over the next two and a half days here.

20 MR. NICK HALCROW: Economic effects,
21 that's relating to producing, I don't know what we
22 are going to produce. There is a lot of things.

23 THE CHAIRMAN: Well, I mean, economic
24 effects, like Dan talked about losing his traps,
25 and when you lose your traps then you can't get

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1 the muskrat or whatever he was trying to trap, so
2 that's an economic effect for him.

3 MR. NICK HALCROW: That's right.

4 THE CHAIRMAN: And when he doesn't
5 have money, it is an economic effect for others in
6 the community, including his family and the stores
7 where he might spend his money.

8 MR. NICK HALCROW: Right. There is
9 many of them, many of them.

10 THE CHAIRMAN: Yep.

11 MR. NICK HALCROW: Many of the
12 economic.

13 THE CHAIRMAN: I think Bev has a
14 question.

15 MS. SUEK: I have two questions
16 actually. In 1972, when the dam was being built,
17 did you have any idea of the kind of impact that
18 it was going to have on the community? Did you
19 know, did you have any sense of how this was going
20 to affect things, or were you unsure? Because as
21 Terry said, there wasn't an environmental
22 assessment so -- is it a lot bigger than you
23 thought it was going to be at the time? Do you
24 remember?

25 MR. NICK HALCROW: Well, I was a

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1 younger man then.

2 MS. SUEK: Yes. Really?

3 THE CHAIRMAN: We all were.

4 MR. NICK HALCROW: I was trapping and
5 I was fishing previous to that, and I had all of
6 these experiences already about my livelihood in
7 the past. Okay. And all of a sudden, like you
8 said -- I think I was warden then, game warden
9 then, conversation officer back then. And it
10 happened, 1974 or '73, we had a fire around that
11 area when the town was being built. I remember I
12 stayed there fighting fires with the firefighters,
13 trying to put out that fire. And it happened that
14 I had to be there supervising that fire, and I
15 stayed in that camp with the staff at that time.
16 It was just building then, they were just starting
17 to -- I know what the fire was destroying at that
18 time, animals and all of that, but I didn't have
19 an idea about the dam.

20 MS. SUEK: Right.

21 MR. NICK HALCROW: They were going to
22 block that.

23 MS. SUEK: Right.

24 MR. NICK HALCROW: Ah, I said to
25 myself, what about this and that? How is that

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1 going to do? You know, that is what I mean, we
2 should have sat down --

3 MS. SUEK: Right.

4 MR. NICK HALCROW: -- consulted each
5 other about my livelihood, trapping, fishing. We
6 could have known right there what is going to --
7 like the beaver, he builds his dam.

8 MS. SUEK: He didn't consult.

9 MR. NICK HALCROW: He knew what to do
10 and he knew what was coming, the winter, the water
11 levels are going to come up, so I better build my
12 dam, just like Hydro. This is what I mean.

13 MS. SUEK: Okay. Thank you for that.

14 THE CHAIRMAN: Thank you, Nick. We
15 will see you tomorrow again.

16 MR. NICK HALCROW: You betcha. Yes, I
17 will be here.

18 MR. DANIEL HALCROW: I forgot to
19 mention the language, Hydro is killing that too.
20 There is a domestic program here, they select a
21 certain amount of men, they used to select I think
22 20 or 30 a long time ago, and then all of a sudden
23 it went down to 10 men. So 10 men fish during the
24 winter and the summer months, and they bring the
25 fish in. And the rest of us, we don't fish, like

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1 we don't get to see mother nature.

2 When I was growing up my grandpa took
3 me out there like every week, he used to take me
4 out there. And that's where the language is. He
5 taught me about the trees, the animals and
6 everything else, clouds, sky. And that's where I
7 learned that language. And now these ten people
8 that go out there, and they don't take their
9 children, and they don't learn the language. The
10 language is out there, not around here, it is out
11 there, and that's what he is telling to you.

12 THE CHAIRMAN: Thank you, Dan.

13 MR. NICK HALCROW: One more thing. We
14 didn't have time to talk about transmission lines,
15 bipole lines. Maybe tomorrow. I have lots to
16 talk about here, but we will have time tomorrow.

17 THE CHAIRMAN: Any of you gentlemen
18 want to add to this? John? Anybody else?

19 MR. WILLIAM MUSWAGON: My name is
20 William Muswagon. I have the farthest trapline
21 from here, a place called Utik Lake, and I travel
22 100 miles to get out there. Like I really don't
23 have much time, I have to go out of town to work
24 tomorrow. And I didn't know, like I didn't write
25 down what to say. But what is that guy's name?

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1 Darrell came to my place last night, he said come
2 around 10:00 o'clock. But I just want to talk
3 about the weir. The reason why I want to talk
4 about the weir, because I don't think that anybody
5 likes traveling with the slush, with the slush.
6 And I think about that weir there, they built that
7 in '91. I was the supervisor there. And they
8 blocked that main channel, they blocked that main
9 channel, which is the Nelson River going from Lake
10 Winnipeg all the way to Churchill Lake. But what
11 are we supposed to do? Is it supposed to keep the
12 water level steady? I don't think it does that.
13 Ever since that weir was built, the water keeps
14 coming up and down.

15 And then I want to tell you a story
16 about it, when the water goes up and down. I used
17 to stick around with my late father-in-law, he had
18 a trapline at Bear Lake, and it is only a four
19 hour drive, Skidoo ride coming home. We left, it
20 was on a Saturday, we left 7:00 o'clock in the
21 morning, three of us. And I told my boys, as long
22 as we make it 7:00 o'clock tonight, we are all
23 right. 7:00 o'clock at night, we were still
24 fighting the skidoos on the slush. That's 12
25 hours on the road already.

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1 We hit the slush, once we hit the
2 Cross Lake here, you can't go around it. The
3 water was right up to, right up to all of the
4 shoreline. You can't go around it unless you have
5 got trail. So we just kept going, just kept
6 going. 12:00 o'clock, we finally got to a solid
7 lake at midnight. We went in the bushes, we were
8 all wet, got ourselves dry wood, and it was really
9 deep. We put three skidoos like this, blanket,
10 and we took all of our clothes off right in the
11 open area, changing our clothes. And that was
12 after we changed our clothes, we got there
13 2:00 o'clock in the morning, 19 hours on the road,
14 it is supposed to be 4 hours.

15 And whenever you want to put a claim
16 through Hydro, they always talk about the weir.
17 The weir don't hurt. We used to travel that river
18 there. Now you can't travel that, the rocks are
19 in the way.

20 That's one thing I don't like about
21 the slush. See, when you get wet, when you get
22 wet, later on it comes up to you, like your
23 joints, arthritis and all of that.

24 Many times I tried to put a claim
25 through Hydro, that 19 hours that took us out, we

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1 never got a cent yet. What Hydro tells us is that
2 you guys aren't affected out there, where we are.
3 But we travel on affected lake in order to get
4 here. So whenever the trappers get paid here, we
5 come here. Well, you guys aren't qualified. I
6 remember one time everybody was getting paid
7 1,500. We never got a cent. You guys aren't
8 affected. But you see this lake here. I have
9 proof, I have proof. I paid over 30,000 from my
10 pocket, paying a plane, going my trapline, I have
11 the ticket. I tried to claim from Hydro, and they
12 mentioned the weir, the weir doesn't do anything.
13 I never got a cent from that either.

14 Nick displayed that. He took -- when
15 I was a young kid he took me out to the trapline.
16 I guess he didn't have nobody to go with him. I
17 remember leaving from Cross Lake, going down the
18 river, when we were traveling with the ice. The
19 reason why we were traveling with the ice, that
20 time the water stays level all of the time, it
21 never went like this, it stayed that way. And
22 then around May, around there, May, that's when
23 the ice -- you are travelling around there in May,
24 they just break up, and you can see it all over
25 the river, it just floats down. Today, you don't

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1 see that, since the water going up, that ice just
2 melts right there. You don't see chunks of ice
3 floating down the river now.

4 But that's my only reason that I came
5 here. I don't like traveling slush, I don't think
6 anybody likes traveling slush.

7 There is lots I can say there, but
8 like I say, I'm too tied up. But I will talk to
9 Nick again, I will try and talk to Nick here,
10 because I won't be here again, I will be leaving
11 tomorrow. But that was the main reason for me to
12 come down here, I wanted to say something about
13 that weir, don't help at all. And I guess that's
14 all I can say for now.

15 THE CHAIRMAN: Okay. Thank you very
16 much, William, thank you for coming over here
17 today and sharing your thoughts with us. It is
18 interesting to hear what we have heard about the
19 weir today, because all we have ever heard is that
20 it has been good, but that's not from people here.

21 MR. NICK HALCROW: You will hear more
22 tomorrow.

23 THE CHAIRMAN: We will, okay, good.

24 MR. JOHN SPENCE: My name is John
25 Spence. And I will try and make it, I will just

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1 go to the main ones. All right.

2 I want to start talking about Kelsey,
3 the first time they build that dam. We are in
4 Sipiwesk area trapping, we didn't know, we had no
5 communications, no radio. One morning the water
6 was up. That's it. We couldn't go anywhere for a
7 couple of days. We had to make a trail with trees
8 for the dogs to go out to the lake, because ice
9 was real high, lots of water. That's what
10 happened, all the traps went in the water like
11 they were saying, and we couldn't -- we couldn't
12 claim for anything at that time. That was before
13 Jenpeg.

14 And now it is hitting us from both
15 sides, Kelsey and Jenpeg. I think compared to
16 Cross Lake, you have to draw a map every year to
17 recognize Sipiwesk Lake, that's how bad it is.

18 I used to see some beaver houses
19 hanging up the tree, there is tracks for the
20 beavers to go in the water and try and to make a
21 living for themselves. I don't know if they made
22 it. They were five feet high from the ice, that's
23 how far the ice fell, up and down, up and down.

24 So we had a hard time. I was pretty
25 young at that time. Sipiwesk was very rich with

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1 everything, like fish, beaver, muskrat, things
2 like that, everything was so nice. Nowadays,
3 hardly anything.

4 One time there we came home from
5 trapline, it is only a two and a half hour drive
6 with a Skidoo. We left from Sipiwesk at 7:00
7 o'clock in the morning, and it is only a 20 minute
8 drive on the lake. We stopped at 6:00 o'clock, we
9 couldn't even take the skidoos on the mainland.
10 We had to sleep there, up to the shore and sleep
11 there. The next morning we took them out, and the
12 next day we didn't get here until 5:00 o'clock in
13 the evening. We were all wet and all of that
14 wrestling the skidoos, trying to get them out of
15 the water. It was pretty hard.

16 MS. SUEK: Was this the slush that
17 slowed you down?

18 MR. JOHN SPENCE: The slush, yeah.
19 Maybe that's why we have sick, me, I have a
20 problem with all of my legs, arthritis and all of
21 that, because we were wet all of the time. Yeah,
22 that's the way it was with Kelsey.

23 Now, this dam from Jenpeg, it helps --
24 maybe they pour water in close at Kelsey, it has
25 even made it worse. One time there, a couple of

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1 years ago, the water was very high. Our cabins
2 were, you could only see the roof, that's how high
3 the water was flooding the cabins.

4 I took my sons a couple of years ago
5 to go hunting. There used to be a lot of moose
6 out there. There was this one place that was very
7 nice, there was always moose there, so I went
8 looking for that. There was islands going this
9 way. I went looking for that place where that,
10 the good place, I told them where it was. I went
11 around this way and I try to come down where the
12 good place was. I was looking and I didn't
13 recognize it. All of a sudden I hit a reef, that
14 was the islands I was looking for. That's how bad
15 it is, they are all washed out, those islands. It
16 is hard to recognize that place now. You might
17 have to draw a map paper here to recognize it.
18 That's how bad it was, it is. That's a bad time,
19 it was pretty hard.

20 It is just the main things I wanted to
21 talk about that are so hard, still today it is
22 hard. And the Hydro doesn't recognize that at
23 all. I wish he was with me that time, traveling
24 with me. That's the only time they know, like
25 around there, yeah. All the rich places, like

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1 even moose, you can't even see them when you go
2 hunting. They walk in the water in the bush, you
3 have no way to hear. You can't see with all of
4 those trees down. Even on our road there, we have
5 to open it every year along the shore, you know.
6 We never got nothing out of it.

7 I guess that's about all I can say. I
8 have been saying this for a long time already, he
9 knows it. I don't think it got anywhere yet.

10 MS. JOHNSON: Well, it is on record
11 now.

12 MR. JOHN SPENCE: That's good. I hope
13 everybody hears it from now. We need a change for
14 the water. That's too high. It should be stopped
15 at least a little bit, that's what I think. I'm
16 66 years old now and I have been there since I was
17 17, suffering and all of that with water. The
18 slush, that's the worst thing you ever asked for,
19 and you can't beat it. Like these guys were
20 saying, we used to travel to the trapline where
21 the road was. One time we couldn't even get off
22 the ice. We tested that ice and it was only an
23 inch deep and the water was four feet. That's how
24 deep the water was along the shore. It was really
25 bad lots of times.

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1 That's about it, I guess. There will
2 be lots of people talking anyway. Okay.

3 THE CHAIRMAN: Thank you, John, thank
4 you for coming and telling us your story. Thank
5 you.

6 MR. JOHN SPENCE: I will be sitting
7 here all day, I want to tell you everything.

8 (Lunch recess)

9 MR. DARRELL SETTEE: Now we have
10 Malcolm McKay to tell us a little bit about the
11 experience.

12 THE CHAIRMAN: Okay.

13 MR. MALCOLM MCKAY: They call me Ed,
14 my first name is Malcolm.

15 THE CHAIRMAN: They call you Ed?
16 Okay.

17 MR. MALCOLM MCKAY: (Interpreted by
18 Darrell Settee). He says I have been trapping for
19 a long time, from 'the 70s, when I was young,
20 trapping with my uncle and brother. When he first
21 started trapping, it wasn't difficult to get
22 around. So once Manitoba Hydro built a dam here,
23 we started having difficulty. Sometimes we walked
24 to our trapline, and there was too much water and
25 slush. And snowmobiles were used as a method of

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1 accessing traplines. And we couldn't go out on
2 the ice until later on.

3 When he first did the trapping, he
4 said we see a lot of muskrat lodges and breathing
5 holes, like hundreds and hundreds, and beaver
6 lodges. And now we don't have very much success
7 in harvesting, because when Manitoba Hydro built
8 the dam, after fluctuations occurred, and now
9 there is very little out there to catch.

10 So when he is out trapping now, very
11 little success, very few beaver, muskrats, and if
12 I get any beaver, I don't think that we will have
13 any population, I believe if we harvest the ones
14 that are still around, maybe we won't see beaver
15 or muskrat.

16 He said that over the years I have
17 been in trouble, I went through the ice many
18 times, and I filed a lot of claims. They are
19 still outstanding, they haven't been settled. And
20 when I try to approach Manitoba Hydro, they just
21 give me the run around, they don't want to deal
22 with the problem. And you know, they really
23 discourage me from, you know, proceeding with the
24 claims, and they give me all kinds of excuses, so
25 it is frustrating for me. He gets very emotional

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1 because there is nothing being done about it, and
2 he needs to get compensation to get some income
3 and livelihood from that.

4 I was seen by, I got a visit from
5 Jackie Johnson, Manitoba Hydro, and one of his
6 claims here where he sustained an injury, like he
7 went through the ice and was caught somewhere in
8 the abdominal area. So from what they told me, it
9 was a hernia. It is my muscles going -- so if I
10 bend like this, there is a lump here. I guess it
11 would be an injury sustained on --

12 So they were out, with his partner out
13 on the trapline, and they had no trouble getting
14 there, but coming back the water went right up,
15 and so what happens is that they struggled to
16 travel home. And there was slush and water, so
17 the snow machine was pushing water and slush, so
18 they had to stop frequently to let the machine
19 cool down because it was overheating, and we had
20 to get over thin ice. Sometimes what happens is
21 you have got thin ice -- you have to sit on top of
22 the Skidoo, the snow machine, and then let the
23 machine cool down so they can try to proceed
24 again. So it was all the way, the whole trip
25 coming back, it was very hard.

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1 So if any other resource users of
2 Pimicikamak comes here to tell you a story, it
3 will probably be consistent with the same kind of
4 problems out there. So that's what he was
5 explaining here just a while ago.

6 I'm 62 years old, I still trap.

7 He said he was 62 years old. And he
8 sought employment with Manitoba Hydro, and he was
9 very outspoken about issues and, you know, spoke
10 for the people that he get employment. But now,
11 because of his outspoken nature, they won't give
12 him a job, they won't hire him on to clean, like
13 clean-up crews and forebay work that they do. But
14 the people that did not say anything or didn't
15 speak out were hired. But the ones that do speak
16 up usually get -- won't get any employment.

17 All the impacts caused by Manitoba
18 Hydro is so huge. We can't see how much has been
19 lost or how much is going to be lost. But the fur
20 bearing animals, they drown out, and Manitoba
21 Hydro is responsible. So we still try to make a
22 living, but it is hard to get any production now.

23 He said I'm not going to talk too much
24 anymore, like I don't have too many things to say
25 now, but other people will have a chance. He just

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1 wanted to voice his opinion and his thoughts of
2 the frustrations and all of the negative impacts.

3 He said he was out there and he went
4 through again two weeks ago, and he has some
5 pictures if anybody wants to see. He was able to
6 get out.

7 THE CHAIRMAN: Where was it that you
8 went through, how far from the community?

9 MR. MALCOLM MCKAY: About ten
10 kilometres, or 12. An hour drive, so that must
11 be ---okay. The water, when it goes up, it goes
12 under the ice and goes to the shore, as the ice
13 softens. Hanging ice is another issue. Two weeks
14 ago. Just press that silver -- the other thing
15 that will happen is, you have the main ice freeze
16 up, and some winters you get another crust on top.
17 And you pop this one, and this one is not hard
18 enough because of the water, then you go through
19 both layers.

20 So when he files a claim here at the
21 Manitoba Hydro office, they don't take him
22 seriously, or they don't believe his story, or
23 they deny that he was in trouble, even though he
24 has pictures they still -- it is not a very good
25 experience to go in there and they discourage you,

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1 try to do everything, any means to get rid of you.
2 It is very frustrating for him, for a lot of
3 people, I guess, for that matter.

4 He said that is pretty much all I had
5 to say, but I wanted to make a point about the
6 Hydro bills that we receive are very high, and
7 Manitoba Hydro should make amendments because they
8 are using our water to generate the revenue, and
9 we get really high, high bills.

10 MS. SUEK: What is that from?

11 THE CHAIRMAN: How long is that?

12 MR. MALCOLM MCKAY: About three years
13 already, we keep paying 150, but it doesn't go
14 down. We tried 300. Some homes are \$700 a month.

15 THE CHAIRMAN: \$700 a month?

16 MR. MALCOLM MCKAY: I was at the
17 hearings with the -- they did a test on one home
18 here, and after the test they had the results and
19 they presented. So the conclusion was that there
20 was nothing more to be done to that home to make
21 it more energy efficient, and the bill was still
22 very high. I seen a bill from a farmer that -- it
23 is a huge building, it is 60 bucks a month.

24 So he said he thanks you very much,
25 thanks the panel very much for hearing his story

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1 and his concerns.

2 THE CHAIRMAN: Thank you.

3 MR. MALCOLM MCKAY: He has diabetes,
4 diabetic. Sick man. How can I pay this?

5 THE CHAIRMAN: So, how does the claim
6 process work? You just go to Manitoba Hydro and
7 make a claim or --

8 MR. MALCOLM MCKAY: Then it goes to,
9 then the claim is numbered and it goes to the
10 arbitration office. If they don't settle the
11 claim, it has to go to the arbitration.

12 THE CHAIRMAN: That's the NFA
13 arbitration office?

14 MR. SETTEE: Yes.

15 MS. SUEK: Can I ask him a question?

16 THE CHAIRMAN: Of course.

17 MS. SUEK: Has Manitoba Hydro done
18 anything to help relocate the traplines, or build
19 trappers' huts, or do anything to help the
20 trappers at all?

21 MR. MALCOLM MCKAY: I don't know, I
22 just buy my own material, build my own. You have
23 to argue with them.

24 MS. SUEK: So you have done your own
25 thing?

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1 MR. MALCOLM MCKAY: As much as I ask
2 them, you know, they refuse me.

3 THE CHAIRMAN: Are most of the
4 traplines around here?

5 MR. MALCOLM MCKAY: Some are, the ones
6 that don't talk for themselves, that's the ones
7 they give. I'm the one with the big mouth, they
8 won't give it to me.

9 THE CHAIRMAN: Are most of the
10 traplines just assigned to individuals or to a
11 family, or are any of them communal?

12 MR. MALCOLM MCKAY: Just a senior
13 trapper, I am a helper. My nephew is a senior
14 trapper. I don't know why.

15 THE CHAIRMAN: And he has a trapline?

16 MR. MALCOLM MCKAY: But he doesn't
17 trap. I trap.

18 They did a study, there used to be a
19 number of trappers in these traplines, but they
20 did a study of harvesting, but they did it after
21 the fact, all the areas were decimated.

22 And the other thing is, there is only
23 a few trappers, maybe two or three. So there is
24 no -- you know, to offset any claims or anything.
25 Something comes up that we got to get paid, there

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1 would be a lot of trappers.

2 MR. YEE: I gather most of the
3 traplines are fairly far away from the community?

4 MR. SETTEE: The further ones are
5 90 miles, 100 miles.

6 THE CHAIRMAN: Was it William I think
7 said it was 100K, or 100 miles? He said his was
8 the farthest from the community. And the closest
9 one is just close by or --

10 MR. SETTEE: The one within the
11 community is a senior trapline, number 56.

12 MR. MALCOLM MCKAY: Close to the dam,
13 it really affects us.

14 MR. SETTEE: Its waterways, there is
15 so much water, there is almost nothing you can do
16 to access it.

17 MS. SUEK: When you say there is
18 nothing that you can do to access, do you mean you
19 can't go along your trapline because it is blocked
20 by water or something else?

21 MR. MALCOLM MCKAY: Or trees coming
22 down.

23 MS. SUEK: Right, so you just can't go
24 and trap then.

25 MR. MALCOLM MCKAY: Lots of work.

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1 THE CHAIRMAN: Well, Ed, thank you
2 very much for coming out here and sharing your
3 stories with us.

4 MR. DARWIN PAUPANAKIS: Let me
5 introduce, they call him the elder chief, but as
6 you can see, he is a young man, Daniel Ross, the
7 elder chief. And I know we have commissioners,
8 Clean Environment Commission. And this is Roy
9 Jones Scott, he is councillor for the elders
10 council, (native language spoken.)

11 So I briefly introduced the Commission
12 and their mandate and what their relationship is
13 with the government. And they are here on behalf
14 of the elders council. So if there is anything
15 that you want to ask them, you can ask them, and
16 they can in turn reciprocate and ask questions of
17 the Commission.

18 So we have these two right now.
19 Normally there is six, six members. And some of
20 the elders work at the schools as elder advisors,
21 so I know some of the women are there right now,
22 so not all of them will be here. And I have some
23 of the executive council members and the vice
24 chief waiting in line, they will be available once
25 you are done with those two. Same with the

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1 women's council, they are all out working other
2 jobs, they do other stuff too. So you have these
3 gentlemen for now. Introduce yourselves to the
4 chief and his councillor.

5 THE CHAIRMAN: Thank you, Darwin.

6 My name is Terry Sergeant. I'm the
7 chair of the Manitoba Clean Environment Commission
8 and the chair of this panel. Other members of the
9 panel are Bev Suek, Edwin Yee, and Neil Harden is
10 also a member of the panel. Cathy Johnson is the
11 Commission secretary. At the far end is Bob
12 Armstrong, who is our report writer, and at this
13 end is Cece Reid, who is our recorder. We record
14 all of our hearings and meetings.

15 So I think that Darwin may have told
16 you why we are here. The Minister has asked us to
17 hold meetings in communities all around Lake
18 Winnipeg and downstream on the Nelson River that
19 are affected by the Jenpeg project, and just to
20 hear from people about the impacts, either on you
21 personally or on your community, from the Jenpeg
22 project and the regulation of Lake Winnipeg.

23 We have heard this morning from a
24 number of resource users, trappers mostly, but we
25 have heard -- they have told us stories about

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1 problems with the ice, problems with slush, soft
2 ice and high water. So if you have anything that
3 you would like to share with us, we would like to
4 hear it, or if you want to ask us questions, we
5 will try to answer them.

6 MR. ROY SCOTT: How far you guys come
7 here, just come up to Cross Lake here or some
8 other communities?

9 THE CHAIRMAN: This is actually our
10 sixth week on the road. The first week were in
11 Thompson, Wabowden, and York Landing. The next
12 week we were in Fisher River -- the second week we
13 were in Grand Rapids. Third week we were in
14 Fisher River, Peguis, Pine Dock and Ashern. The
15 next week we were down in the south basin, we were
16 in Grand Marais, Brokenhead, and Selkirk and
17 Gimli. Last week were in Berens River and
18 Manigotagan, and Black River, and Sagkeeng on
19 Friday. We have got, starting in early March we
20 have five weeks in Winnipeg. And then we are
21 coming back to Norway House in later April, and
22 maybe to Split Lake as well.

23 So we are in a lot of different
24 communities, communities that are seeing different
25 effects. I mean, the effects that people at the

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1 south end of the lake are telling us about are
2 different than the ones that you are experiencing
3 here, but it is important for us to hear as many
4 different issues and concerns as we can.

5 MR. ROY SCOTT: Well, for myself
6 anyway, like I have been a trapper most of my
7 life, ever since I was born, I guess, I remember I
8 have been in traplines most of my time. So then
9 it was good, before this thing came up here, it
10 was good, everything was nice, that I remember
11 anyway, of going out to traplines and things like
12 that, everything was good.

13 These are the things that we miss now.
14 We can't do these kind of things anymore. The way
15 we did before, it was easy, more like it was kind
16 of easy life that we had before, easy going, what
17 we do in trapping was easy going. Especially in
18 the lakes, it is pretty hard now, but before that
19 it is good.

20 Like when you go out trapping, I will
21 say this, when you go out trapping before this
22 thing come up, we never used to use boats in our
23 time, never. When we go out at this time, we used
24 to just use moccasins to go out, it was so dry, we
25 never see slush around there, we never did see

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1 anything like that. When you go out, it was dry,
2 it was nice. But now today you can't do that.
3 You have got to wear boots when you go out. It is
4 pretty hard times. Like, ever since this thing
5 come up in '77, after that it was getting worse,
6 every year was worse. It was worse every year.

7 So before my time, like before that I
8 used to have a lot of muskrats, sometimes I used
9 to kill 300 to 400, 700 rats in one spring season,
10 in spring time, we used to get lots of muskrats in
11 our area. So, ever since then, after this dam was
12 here, everything was going down, down. And even
13 at this time, you can hardly see anything there
14 now, today, I'm talking about today. If I go out
15 tomorrow, or this spring, you hardly see anything,
16 like muskrat houses, hardly anything there, where
17 we used to go. 700, 800 muskrats getting, nothing
18 there, you won't see anything like that.

19 In the fall you see them, you see the
20 houses in the fall, when the ice canopy, this
21 first ice freeze-up, you see them. Now, today, if
22 you go out there, you won't see a dam thing there,
23 just like this. Most of their -- some of them are
24 just on the shores like, but not what they used to
25 do, what we used to trap in ice, like this area,

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1 but nothing there. So there is absolutely
2 nothing.

3 Like last year, like last spring I
4 went to try to get some muskrat. I only got one,
5 and I still have that muskrat at my place there,
6 that's the only one that I had.

7 So these are the things that we wanted
8 to get something for the trappers, like say
9 something for the trappers to get more from Hydro,
10 to give to trappers something like a compensation
11 thing or something like that for trappers. Like
12 even hunting, if you go out hunting at this
13 time --

14 THE CHAIRMAN: Let me interrupt you.
15 When you say at this time, do you mean at this
16 time of year, or just nowadays?

17 MR. ROY SCOTT: At this time of year,
18 any kind of year at this time, any kind of year
19 now you hardly get anything. You have to go far
20 to go out and get something.

21 THE CHAIRMAN: What would you be
22 hunting? Moose?

23 MR. ROY SCOTT: Moose. For hunting,
24 for hunting moose, elk, something like that, so
25 that hunting area thing, it is pretty hard to go

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1 around it this time. I mean at this time, right
2 now, it is pretty hard. Because water comes up
3 all of the time, you don't expect water there when
4 you come up from -- like one time last year when I
5 went out with my boys, when we came back we had to
6 turn back and use our bush road there coming back,
7 we had to turn back and come back that way. So we
8 were stuck there when we came back, so we had to
9 come back and use our winter or bush road there.
10 So that's how it comes, it is hard for us, when we
11 are all like that.

12 So before that, like even before that
13 it was nice, I would say it is nice all over the
14 place, all over the place it was nice. So these
15 are the things that we miss a lot today. We
16 really miss these kinds of things now. So
17 maybe -- I have talked for a while, so maybe my
18 buddy here is going to throw in a little.

19 MR. DANIEL ROSS: Yes, it is true what
20 he is saying, he is still active in trapping and
21 fishing.

22 What I experienced has taught -- there
23 is a lot of people that have passed on that have
24 experienced this environmental impact from Hydro
25 from the dams. The trappers have passed on, a lot

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1 of them. And they didn't get too much of anything
2 of what they were after to get some kind of
3 compensation from the Hydro dams. And it is very
4 sad, you know, like it is still here today, they
5 are still doing the same thing, and they are not
6 listening to what we were asking for. It is very
7 sad.

8 There was a lot of people, like I
9 said, that passed on. And there is a lot of
10 people that experienced a lot of hardship every
11 time these dams came up, the campers, the
12 trappers, the fishermen.

13 All kinds of things, the problems that
14 we have in our community, the dams of Hydro is
15 affecting our community also. The water goes up
16 and down, they don't even tell us when the water
17 is going to come down and when it is going to come
18 up. Sometimes when the water comes, it does a lot
19 of damage to our community too. Like a couple of
20 years ago we had to experience a lot of problems
21 in our community concerning Hydro dams. Our Cross
22 Lake road was flooded out and it was hard
23 traveling in our community, you know, because of
24 the danger of flooding of our causeways. All of
25 those things are problems that we have, and things

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1 that we should have answers to what we have asked
2 for, but nothing has come up, nothing is done.
3 And it is very sad, like I said, a lot of the
4 trappers that have passed on.

5 Like the other day my friend told me
6 that Roland, he went out to his camp, and he
7 missed a trail on a lake, and he went in the
8 slush, he was there for quite a long time before
9 he could get out, you know, and he was all by
10 himself. Those kind of things are very dangerous
11 for us. For these people that drive out on
12 skidoos and go out to the lakes, some of them
13 travel at night to come back to the community from
14 their traplines, and it is pretty hard and it is
15 very dangerous.

16 You were here before?

17 THE CHAIRMAN: We were here almost a
18 year and a half ago.

19 MR. DANIEL ROSS: Yeah, I remember.

20 THE CHAIRMAN: Was it in the fall or
21 in the winter last year? I can't remember. In
22 the fall, so almost a year and a half ago we came
23 for the Keeyask hearing, and we met just across
24 the street in the community hall. There were a
25 number of people made presentations and told us

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1 some similar stories to what we have heard today.
2 And I'm sure we will hear more in the next couple
3 of days that we are here.

4 MR. DANIEL ROSS: There is not --
5 there is not very many people here that are still
6 alive that were trappers from long ago, not very
7 many guys. Quite a few I guess, eh, Roy -- just
8 Donald McKay, and just a few guys that are left
9 alive now, not very many.

10 These trappers today are pretty young
11 guys, and go out trapping, you go on the skidoos.
12 But a long time ago we had to, like Roy said, a
13 lot of times we traveled by dog teams, and you put
14 on your snowshoes and you walked all day with
15 snowshoes. It is not like -- so it was hard
16 times, you know. It wasn't easy like today, you
17 jump on a Skidoo and that's it, you go, you know.

18 THE CHAIRMAN: Are there many young
19 people getting into trapping?

20 MR. DANIEL ROSS: A lot of people are
21 trying, you know, they are trying. But like Roy
22 said, there is nothing out there.

23 THE CHAIRMAN: There is not many fur
24 bearers left out there?

25 MR. DANIEL ROSS: There is a lot of

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1 young people that want to experience the wildlife,
2 the living off the land, you know, but there is
3 nothing out there.

4 Like this year hardly anybody got a
5 moose. There used to be a lot of moose out in the
6 lakes. People were getting them in the fall when
7 hunting season opens, they used to come in with a
8 moose every time they go out. This year nothing,
9 hardly anybody got nothing. And some hunters have
10 to travel far down to get a moose, you know, you
11 have to spend a lot of money to get their moose.
12 It is not like it used to be, you know.

13 THE CHAIRMAN: Where do they go to get
14 moose?

15 MR. DANIEL ROSS: Sometimes some of
16 those people go down south, you know, they travel
17 by truck, and they take their boots and camping
18 stuff, and they go hunt out where moose is
19 available over there.

20 MR. ROY SCOTT: Like from here, when
21 you go out to Skidoo, we go down to, at least
22 about maybe about 80 miles from here, maybe more,
23 that's how far you go. That's where these guys go
24 fishing, even these domestic fisher guys, they go
25 there and that's how far they go.

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1 THE CHAIRMAN: And they go by Skidoo?

2 MR. ROY SCOTT: Yes.

3 THE CHAIRMAN: That's a long haul on a
4 Skidoo.

5 MR. ROY SCOTT: They go to other
6 lakes, they go for freshwater fish. They can't
7 fish in this area of Cross Lake here.

8 THE CHAIRMAN: They can't?

9 MR. ROY SCOTT: Because these -- only
10 people that are not commercial fishermen. Like me
11 I can go out.

12 THE CHAIRMAN: Just for subsistence.

13 MR. ROY SCOTT: Yes, but these guys,
14 they go out there. Same thing with hunters, they
15 go out there all of the time. They don't go
16 anywhere around here to get deer, they just go
17 farther. You got no choice but to go there, and
18 you hardly get anything.

19 So these are the things that we want
20 most. We want something to be done for this thing
21 here. How can we get help, more help than what we
22 get now? We want more help from Hydro. Make it
23 more easier for guys to get something like or --
24 it costs a lot of money for the Skidoo and gas to
25 go out there. These are the things that they

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1 want, these trappers and hunters, that's what they
2 want. All of them, most of these guys that I talk
3 to, they want something like that to be given, at
4 least they say. But these are things that we
5 don't get, we hardly get anything like that.

6 MS. SUEK: Can I ask you about the
7 water going up and down? Like you had said that
8 you went out in the morning, and then you couldn't
9 get back at night because the water level had
10 risen. Does it go up and down often, or do you
11 not have any idea when it is going to go up or
12 down?

13 MR. ROY SCOTT: We have an idea when
14 that thing is going to go up, but you don't expect
15 the water, it comes up, but in a different place.
16 Like from here, down in the bay there, that's
17 where the water comes up. Maybe that's where --
18 your road just comes down there and there is a
19 hole there, and that's where the water comes up
20 from there.

21 MS. SUEK: Right. And you don't
22 always know where it is going to come from?

23 MR. ROY SCOTT: You don't expect that
24 water to come up. When we went out there with the
25 boys, we didn't expect that then. When we came

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1 back the water was all there, so we had to turn
2 back.

3 MS. SUEK: Right.

4 MR. ROY SCOTT: That's why you don't
5 expect that water to come to here or over there.

6 When you travel over there, you come back and the
7 water is there. You don't expect anything like
8 that -- a good run to go out there all of the
9 time.

10 MS. SUEK: So you don't have any
11 warning or knowledge ---

12 MR. ROY SCOTT: Yeah, they give us
13 warning, but you can't use that, the water flows
14 up here.

15 MS. SUEK: Okay. They do give you
16 warning, but because it comes up in different
17 places, it sounds like it is not that helpful to
18 you. Is that it?

19 MR. ROY SCOTT: Yeah. But we don't,
20 we just have to go there. We have to go there
21 because we want to go there.

22 MS. SUEK: Yes.

23 MR. ROY SCOTT: Same thing with in
24 spring. In the spring when that water started to
25 melt, or the ice started to melt, you don't

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1 expect -- if you were to come up this way, so the
2 next thing you can't go there, the water is
3 already open there, you have to go around again.

4 MS. SUEK: Right. How does Manitoba
5 Hydro give you warning? Like what do they do? Do
6 they send a text, or how do they do that?

7 MR. ROY SCOTT: Well, sometimes they
8 announce that on the radio, and they use that --
9 in the coastal area you see that thing there. But
10 that's what we can't -- we don't -- it might be
11 helpful a little bit, but not that much.

12 MS. SUEK: Right.

13 MR. ROY SCOTT: You don't expect that.
14 These are the things that you can't rely on. We
15 know it is going to come up but we don't know
16 where it is going to come up.

17 MS. SUEK: Right. As elders you were
18 probably around when the dam was built, I assume?

19 MR. ROY SCOTT: I can tell you this,
20 when the dam was built in '76 -- actually we were
21 the first ones to go there and chop.

22 MS. SUEK: You worked on it?

23 MR. ROY SCOTT: I was a carpenter. He
24 was a carpenter. I was out in the Wabowden fixing
25 houses, or building houses. So we came back on a

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1 weekend, a Friday, we came home. And so on a
2 Sunday they came -- now you got to go work.
3 Where? Jenpeg. We didn't know where Jenpeg was.
4 We had a plane here that landed, so we went there
5 with our tools. And there was a guy who used to
6 work here in our community, housing, he was the
7 boss there. That's the one who came first. So we
8 went there, so we went there to the plane. I told
9 the pilot, where is Jenpeg? Right there. You can
10 come home this evening. We didn't know that.
11 There was only one cook shack there and one
12 trailer.

13 So when these trailers come in, and
14 they were starting to move in trailers, that's
15 where we used to set up the trailers there. We
16 were two of us, there were some guys there too,
17 but I think we were the first guys to be there to
18 work.

19 MS. SUEK: Did you have any idea of
20 what the effect would have on the community? Like
21 did you know of the kind of things that have
22 happened or would have happened?

23 MR. MALCOLM MCKAY: No, none.

24 THE CHAIRMAN: You didn't have any
25 idea of that?

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1 MR. DANIEL ROSS: No, nobody was aware
2 of it. Not until later, about two years after
3 that people started to come and promising stuff,
4 how much it is going to go up and how much it is
5 going to go down. But it has never been that way.

6 MR. HARDEN: A couple of the people
7 this morning were talking about difficulty getting
8 compensation from Hydro when their snowmobile
9 falls through the ice or whatever damage to their
10 trapline or whatever. Is this common throughout
11 the community? Are there a lot of problems in
12 getting Manitoba Hydro to compensate for that sort
13 of loss?

14 MR. ROY SCOTT: Well, they had that
15 program there, right now anyway, but they are
16 doing that anyway. Some guys were getting help
17 from the Hydro fixing Skidoos, if something
18 happens to your Skidoo, they fix the Skidoo. But
19 some guys, they are getting hard time to get the
20 thing fixed like that, to get it fixed, and it is
21 pretty hard for them. Hydro won't accept that
22 thing, sometimes the Hydro won't accept what you
23 are saying. Here is what happened to my Skidoo,
24 and I was going on the slush.

25 I noticed one time there a guy went

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1 into the slush and he broke his track, broke the
2 track off there, and this guy was saying, it
3 shouldn't happen that way. How come? It can
4 happen that way because of all of the bad spots.
5 Once you get the slush in your Skidoo, that thing
6 is pretty hard to go around and it breaks.
7 Sometimes they say he shouldn't go there. How can
8 they do that? Because we have got to go there.
9 They want us to go -- we marked the trail through
10 our traplines, but you can't just go on the mark
11 where we mark our trails, we just can't stay there
12 on the marked spot. We have to move on the site
13 to get something what we want there on the site.
14 And that's where some people are, that's where
15 they have their problems. Their Skidoos, they are
16 stuck in there, the Skidoo broke down, the motor
17 broke down, all kinds of things happened. So
18 these are the things that these guys are having a
19 hard times sometimes.

20 So that's what we are always saying
21 here, we can't just stay on the road. You are a
22 trapper, you have to go there, where you see
23 something even. If you go there, you can't just
24 stay on the road where they are marking. So if
25 you are off the road, that's when these guys don't

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1 want to listen to you. They want that Skidoo to
2 happen right on the marked place so you can get
3 compensated or something like that. It is pretty
4 hard sometimes.

5 THE CHAIRMAN: Well, do you have more
6 stories to share?

7 MR. ROY SCOTT: Oh, maybe I could stay
8 here a week.

9 THE CHAIRMAN: You probably could.

10 MR. ROY SCOTT: I have been there a
11 lot of my life. I'm 71 years old now, I am still
12 at it.

13 THE CHAIRMAN: Still trapping?

14 MR. ROY SCOTT: Yes, it is my hobby, I
15 guess. But as long as I can go there, I will go
16 there.

17 THE CHAIRMAN: Well, thank you very
18 much for taking a bit of time out of your day
19 today to come and talk with us. It is important
20 that we hear these stories. So thank you.

21 MR. DANIEL ROSS: We like to thank you
22 people for coming here today. It is good, it is
23 good to talk with you. Hope all goes well with
24 you, and happy travels.

25 THE CHAIRMAN: Thank you, and same to

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1 you. I hope that either through our process, or
2 our process plus others we can try to find things
3 to make it better. But we can't promise, but we
4 will try. Again, thank you very much.

5 (Recess taken)

6 THE CHAIRMAN: So, do you know why we
7 are here? We have been asked by the government,
8 by the Minister of Conservation and Water
9 Stewardship to talk to people all around the lake
10 and downstream from Jenpeg about Lake Winnipeg
11 Regulation, and Jenpeg, which is part of that
12 regulation project, just to find out what the
13 impacts are on individuals and on communities. So
14 any stories that you might have to share are of
15 value to us to hear.

16 I'm Terry Sargeant, I'm the chair of
17 the Clean Environment Commission and chair of this
18 panel. On this particular panel is Bev Suek and
19 Edwin Yee and Neil Harden. Cathy Johnson is the
20 Commission secretary, and down at the right end is
21 Bob Armstrong, report writer, and at this end is
22 Cece Reid, who is the recorder. We record all of
23 our hearings and we produce transcripts of them.

24 MR. DON MCKAY: My name is Don McKay,
25 I'm one of the executive council members of

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1 Pimicikamak.

2 MR. MERVIN GARRETT: My name is Mervin
3 Garrett, executive council for Pimicikamak.

4 MR. DON MCKAY: I guess right now with
5 regards to Lake Winnipeg Regulation and with
6 respect to other related directly to the
7 tributaries and waterways connected to Lake
8 Winnipeg, with regards to water levels, of course,
9 they are always, have been full tide with the
10 water, Lake Winnipeg, as well as the connecting
11 tributary, or tributaries. As a result one of the
12 most common complaints, issues, concerns, however
13 you want to say, is the fishing. The commercial
14 and domestic fishing is very, very affected. And
15 the fishers, the fishers are really, really
16 profoundly affected that they can not fish the way
17 they used to, or the areas where they fished
18 before, because of government regulations and
19 policies changed as to how, where and when they
20 can fish, which is not traditional. It is not
21 the -- it has no part in the way of life of our
22 people. That was their norm of economic
23 sustainability, is to be part of this commercial
24 fishing and to sustain their healthy eating habits
25 through the water eco-system, the fish, the

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1 natural meats and all of that. So that has deeply
2 affected the way of life, the health of our
3 people, and the economy of our people. Because we
4 have less fishers now, the people that depended on
5 this way of economic independence.

6 So that's what I notice and that's
7 what I hear, and I see that too as a resource
8 user. I'm not a traditional -- I shouldn't say
9 traditional, but I use the land, the waters to do
10 my hunting and -- mostly hunting. I'm not a
11 fishermen, but I do get stories from people that
12 fish as a way of life to make a living, and they
13 are very, very affected, through the mind and body
14 and spirit. Because that has been their way of
15 making a living. And there are only a few now
16 that do that.

17 But if you look at the overall
18 economic, socio-economic independency of people, I
19 think that should still have been -- still useful
20 to sustain this way of life, if not for this
21 continuing Manitoba Hydro regulation of the lakes
22 and waterways.

23 So that's one of the big problems with
24 fishing and hunting and trapping, is the
25 continually get the flow up, just like that. If

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1 you live here and see the waters, once that -- the
2 gates close and open over here at Jenpeg, because
3 they have to keep the Lake Winnipeg at certain
4 levels. And if it goes over or above a certain
5 level, or close to it, they have to open the
6 gates. And for both Lake Winnipeg for sure -- and
7 I say that because they have actually phoned me
8 from Jackhead -- and what is that other community,
9 Berens River -- they have actually phoned me, a
10 couple of fishers over there, because they had
11 heard me speak in one of the meetings that we had
12 in Winnipeg with regards to the permitting of
13 the -- to regulate Lake Winnipeg. And that's the
14 same thing that they have brought out is, you
15 know, we can't fish where we used to, you have to
16 know the fishing areas, you have to look for your
17 best fishing grounds or best trapping grounds or
18 best hunting area, you know, they don't come to
19 you, you have to look for them. And you have to
20 go to the best areas where you think you can get
21 something.

22 And that's what they say is that, you
23 know, they are assigned different sectors or
24 quadrants, or whatever they are called, where they
25 can fish. And they can't catch anything there

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1 because that's not where the fish normally are.

2 And Lake Winnipeg, the regulation of that deeply
3 affects that part of trying to make an income or
4 something.

5 So with that, and also with our
6 experience is that down the lake where the family
7 I married into go there for their annual trapping
8 and hunting and whatnot, so we go there every
9 spring. And you know, sometimes I get so
10 exasperated and frustrated, what is going on here
11 you know?

12 Our travel roads are affected, you
13 know, where we normally travel. On the shore the
14 ice is like this, there is ice here and there is
15 ice down here. So your travel is not -- it is
16 very dangerous and hazardous, where you have to
17 run your Skidoo into a hidden ledge and then a
18 difficult time to take it out. And the roads are
19 where there was ice the day before where we
20 traveled and the next day it is gone. And we
21 can't -- we have to retrack, backtrack, and we
22 have to make our own trail through the bush and
23 cut whatever for a while, and that takes a lot of
24 hard, tough work. And we have to make a last
25 minute trail to get to our hunting area or

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1 whatever.

2 And the shoreline, of course, it is
3 devastating, you know, very, very devastating.
4 Every year it is like what you see with the ice,
5 ice glaciers. You see year by year how that
6 glacier disappears. That's how our shoreline is
7 like over there. If somebody can make something
8 like that, you will see how that ledge will inch
9 by inch, and then by feet, how it will just
10 disappear and fall into the river. There are
11 islands. I was asking him, do you have an apple
12 here? I bit around that apple and put it down
13 here, that's what those islands look like, if it
14 is bit around the apple. And what you see is just
15 that, you know, what you see on those islands.

16 So it is very dangerous. There are
17 some waterways where there is -- where there used
18 to be rapids before, natural rapids, now there is
19 another rapids, bigger and worse, and that has
20 destroyed that -- it has made its own rapids
21 actually, you know. And then when we went there
22 last time, and my friend said come over here, he
23 was standing way up there on the flat platoon. I
24 said come over here? And he said, come over here,
25 come and see this. And I went up and, oh, Jesus,

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1 it is like a small grand canyon in there. That
2 was its own waterways that it made, and the
3 natural rapids was on the other side.

4 So, that's where the sturgeon fishing,
5 that's where -- well, this family that I go with,
6 my in-laws, that's where they sturgeon fish. And
7 where they had those, sturgeon fish were six,
8 seven feet, now they are half of that size. He
9 said, where are these things going? And I said I
10 don't know.

11 So those are some of the things that I
12 hear and I see when I go out. And it really
13 hurts. Sometimes I get angry. That's why our
14 people are affected psychologically, you know, and
15 their minds and their hearts are not there, what
16 the land used to be. And I get mad when I
17 experience that myself, I get very anxious and
18 depressed. So yeah, it is not good.

19 And that's the way that I see --
20 actually, a friend of mine phoned me this weekend
21 from Poplar River, a guy I knew before, and said,
22 how are you guys doing over there with your
23 fishing and that? And I said, it is not good like
24 it used to be. Same here, he said, and just told
25 me you can't fish here, you have to go somewhere

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1 else, because of that Lake Winnipeg being high and
2 low too, I guess, it goes up and down.

3 But now you can see more algae
4 nowadays than before. You don't see the bluish
5 green waters that we used to have, and what you
6 see is brown water over there now.

7 I remember when I was a kid,
8 everything was on that river, our daily nutrition.
9 You know, fish is one of the world's healthiest
10 foods, and we do not have that daily anymore.
11 When I was a kid I remember eating fish every day,
12 and we were the healthiest at that time. Over a
13 span of 40 years, we are the sickest people now I
14 think for whatever reason. And I say part of that
15 is because we -- our mobilization, our foods are
16 gone. Because we can't use as before.

17 I used to wade out to the river there,
18 creek, back at the south end where we actually did
19 our own spear fishing, and we could see the fish
20 in the water. Now we can't see the fish, if they
21 are there or not. Those type of things. That
22 little bay there, we used to spear fish, and
23 Mervin knows where that was, that little area
24 there. We used to wait there and go spear
25 fishing, and we could see the fish in the water.

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1 Now we can't see it because of this brown dirty
2 water that filters through from Lake Winnipeg,
3 whatever it is. There are more of those -- what
4 do you call those -- sand piles?

5 THE CHAIRMAN: Sand bars.

6 MR. DON MCKAY: Sand bars under water
7 than there was before, because it is flows, it
8 filters into the river, and it piles up somewhere,
9 somehow, and there is more of that, and that
10 impedes the fishing and everything else that needs
11 to go through with what was done before.

12 THE CHAIRMAN: You talked earlier
13 about the fishermen can't fish where they used to,
14 they can only fish on certain blocks?

15 MR. DON MCKAY: Yeah.

16 THE CHAIRMAN: Is that only on this
17 lake?

18 MR. DON MCKAY: It is on this lake and
19 Cross Lake and Sipiwesk. So they phoned me and
20 they said, no, I can't really fish here anymore.
21 One of the government officials tells us we can't
22 fish here, you have to go fish over there. That's
23 why I mean that the government regulations kind of
24 changed. For me it is when the water levels go up
25 and down, it depends.

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1 THE CHAIRMAN: Did they tell you why
2 they can't fish in certain areas?

3 MR. DON MCKAY: Well, that's what they
4 were told. Probably part of that quota system.

5 THE CHAIRMAN: Maybe.

6 MR. DON MCKAY: But again for me --
7 for them, for them this is where they always
8 fished.

9 THE CHAIRMAN: How many commercial
10 fishers are there in Cross Lake?

11 MR. DON MCKAY: I really can't tell
12 you that myself, I don't want to say because I
13 don't really know.

14 THE CHAIRMAN: Quite a few, or a
15 handful?

16 MR. MERVIN GARRETT: There is only
17 about 12 now, like about 12. That's the only
18 commericial fishers here.

19 THE CHAIRMAN: There is not many any
20 more.

21 MR. MERVIN GARRETT: No. My brother
22 and my dad were commercial fisherman, but since
23 the project like everything was squashed down,
24 destroyed. They had to go on the welfare line.

25 MR. DON MCKAY: That's why I say

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1 indirectly, for us where people have done their
2 traditional trapping or fishing for income, it is
3 where the fish is, or where the moose may be in
4 this case. So since this continuous regulation of
5 our water, they have to move -- they have been
6 indirectly moved to another place to fish where
7 there is probably not as much fish as there was.
8 I don't know how to -- maybe the fish operate the
9 same way we do, they go to the best place that
10 they can.

11 THE CHAIRMAN: Yes, I believe they do.

12 MR. DON MCKAY: So their usual
13 spawning grounds or their feeding grounds are
14 probably affected too by the water regulations.

15 THE CHAIRMAN: Absolutely, yes.

16 MR. DON MCKAY: It is the same as we
17 are to -- you know, I don't know if that's the
18 natural select, one of the natural laws of natural
19 selection or what, I don't know. But this is
20 man-made.

21 THE CHAIRMAN: Yeah.

22 MS. SUEK: Do you notice, do they say
23 anything about different kinds of fish, or some
24 fish are no longer there? You were saying the
25 sturgeon seem to be smaller than they were. Do

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1 you get any different kind of fish?

2 MR. DON MCKAY: Well, for me when I
3 was a kid I used to see, what do you call those
4 fish, whitefish, they used to hang them along all
5 over the shoreline, you know, and spike them, you
6 know.

7 MR. MERVIN GARRETT: We call it
8 butterfly them.

9 THE CHAIRMAN: Dry them?

10 MR. DON MCKAY: Yeah. So now you
11 don't have that anymore, there is no more
12 whitefish.

13 MS. SUEK: You don't see it anymore?

14 THE CHAIRMAN: No more whitefish?

15 MR. MERVIN GARRETT: Not in our little
16 lakes here. They find them in the outside lakes.

17 THE CHAIRMAN: Okay. So what are they
18 catching here? Pickerel?

19 MR. MERVIN GARRETT: Pickerel pretty
20 well, because they supply them from the fishery in
21 Grand Rapids, they bring them over.

22 MR. DON MCKAY: So it is different
23 compared to the other lakes that are out there,
24 because there is a couple of fishers that bring
25 their fish in from that Clear Lake.

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1 MR. MERVIN GARRETT: Utik Lake.

2 MR. DON MCKAY: And that guy went out

3 and he got whitefish, and they were just gone like

4 that. Because that's where, that's where these

5 medicines come from, the broth, especially the

6 broth. That's what -- for us, when I was a kid, I

7 remember when I didn't feel good my grandmother

8 would give me fish broth and that would make me

9 feel a lot better. She didn't give us NyQuil or

10 whatever at the store.

11 THE CHAIRMAN: Mervin, do you have any

12 stories to share with us?

13 MR. MERVIN GARRETT: Yes. Right here,

14 look, shoreline erosion. And you know, when we

15 are out hunting, you see all of these things, you

16 get most of it out in the bush, you have to cut

17 through this. Because from here to maybe north

18 marsh, that's how far these things back up to. It

19 is a lot of work, it is a lot of work. It is a

20 danger also, it is dangerous.

21 THE CHAIRMAN: I mean, it just keeps

22 coming?

23 MR. MERVIN GARRETT: It keep coming,

24 year after year, there is more now than there is

25 fish.

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1 THE CHAIRMAN: So is Hydro removing
2 any of this?

3 MR. MERVIN GARRETT: They are trying
4 to remove it, but they have a limitation, because
5 the lake is so massive. Like it stretches from
6 here to just about Kelsey.

7 THE CHAIRMAN: Yeah.

8 MR. MERVIN GARRETT: And this is what
9 they are trying to avoid is to clean up the
10 shoreline, but it is what they have to do. They
11 have to bring back the way it was. But it is
12 going to take a long time, and this is what they
13 are trying to eliminate.

14 THE CHAIRMAN: So when they clean that
15 up, does it come back?

16 MR. MERVIN GARRETT: No, it doesn't
17 come back. But once you clear up this area here,
18 like then the water goes and gets these other ones
19 at a later date, because of the water fluctuations
20 year after year.

21 THE CHAIRMAN: Yeah.

22 MR. MERVIN GARRETT: But most of them,
23 they don't want to clear this up because they use
24 it as a buffer. You know, they use it as a
25 buffer.

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1 THE CHAIRMAN: A shoreline buffer.

2 MR. MERVIN GARRETT: A shoreline
3 buffer, yeah.

4 MS. SUEK: So it doesn't erode so
5 much?

6 MR. MERVIN GARRETT: Reduce the
7 erosion, yes.

8 MR. YEE: Are there any particular
9 erosion programs that are being undertaken by
10 Hydro?

11 MR. MERVIN GARRETT: No. They are
12 supposed to riprap all of the shoreline erosions,
13 but they are not doing it. I was in PA, Prince
14 Albert, Saskatchewan, they are seeing erosion
15 there, and they dyke those things really, really
16 well with cemented rock, and it eliminates further
17 erosion. But right here they just put rock, and
18 with the high waves, with the waves from the
19 water, it slowly, slowly moves the rock back out.
20 And there is seepage also because they are not
21 compacted well.

22 MR. DON MCKAY: Another argument on
23 that is the aesthetic value of the shoreline, the
24 land itself.

25 MR. MERVIN GARRETT: So when we talk

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1 about our medicines being destroyed, you can see
2 from this thing here the destruction of it. And
3 you know, our people, you know, they don't have
4 that care no more. You know, I care because of
5 the destruction, they are trying to fix this
6 little thing, and then the next day Hydro comes
7 around and destroys it anyways.

8 Like I said earlier, my father and my
9 brother were all commercial fishermen, and that's
10 all we had was fish, and we had lots of fish.
11 Talking about butterflying fish in the fall for
12 winter storage, we had two of them, two stacks,
13 full, because we had dogs also that we had to feed
14 from there. Once the destruction happened, like,
15 you know, so was my father destroyed.

16 MR. YEE: Mervin, with the shoreline
17 erosion, have you noticed much sediment in the
18 water?

19 MR. MERVIN GARRETT: There is lots of
20 it. So right around here, like it is pretty hard,
21 like when you travel you have to be on the alert.
22 See, we travel with fear and anxiety. And then
23 when we go hunting, you know, sometimes it is
24 pretty hard to predict if you are going to be
25 coming back. You know, there is a lot of logs and

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1 debris out there, there is a lot of them out
2 there. If you hit the shorelines, you hit logs
3 and things like that, debris. There was, if I can
4 find a picture here...

5 THE CHAIRMAN: Sipiwesk is all like
6 that?

7 MR. MERVIN GARRETT: Sometimes when
8 you travel, you can't find a place to camp, to set
9 up your camp.

10 THE CHAIRMAN: Where is this?

11 MR. MERVIN GARRETT: That's in
12 Sipiwesk I believe.

13 Then we tell our stories to Hydro, and
14 they don't believe, like they tell you guys, you
15 are full of shit. But they are fuller than shit.

16 You know, it is -- this old man was
17 standing there by the lake and he said, I'm
18 lonesome, you know. We couldn't understand what
19 he was talking about until way later, that he
20 missed all of this, the ways of life, the way
21 how -- we take pictures, and look at this net
22 right here. There is a lot of that floating
23 debris, and that's what you catch, a lot of logs
24 it has, a lot of debris in their nets. You know,
25 you have got more logs than you get fish. And it

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1 gets frustrating at times when you can't really
2 pull up your own net because of -- this is the
3 shoreline, right here. This is what it is. Like
4 look at his guy here, he can't even dock properly.
5 You have stuff from here to the bush where you can
6 set up your tent, you have to climb through all of
7 that.

8 MS. SUEK: So are there some places
9 where this has been cleaned up?

10 MR. MERVIN GARRETT: It is pretty hard
11 to, because after you clean it up another patch
12 falls in.

13 MS. SUEK: It comes back again?

14 MR. MERVIN GARRETT: It is continuous,
15 like just like an avalanche here.

16 MS. SUEK: Because we were up at
17 Jenpeg and we took a boat trip down and, you know,
18 we saw the crews cleaning up some of the logs and
19 whatnot. But you have to keep doing that, is that
20 what you are saying?

21 MR. MERVIN GARRETT: My son used to
22 work for Hydro, and in one of the dams there is
23 supposed to be a fish ladder, there is no fish
24 ladder in those things. And all they catch fish
25 floating down, and they catch them right into the

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1 turbines, and there is fish in there that they
2 have to haul them out to the garbage dump, a lot
3 of dead fish. And that's our menu right there,
4 that's our food right there.

5 And what we are seeing, you know,
6 people like Split Lake, Nelson House, they get
7 paid from Hydro to say different, to say
8 everything is okay, the agreements that they
9 signed, the master agreements --

10 THE CHAIRMAN: Well, they are partners
11 now.

12 MR. MERVIN GARRETT: The master
13 agreements, that's what they signed,
14 confidentiality, not to talk about these things.
15 But the people there they talk about them.

16 MR. DON MCKAY: So that's what I mean
17 that Mervin shows, the dead trees lying on the
18 shoreline. You have to clear those. These
19 trappers and hunters, they have to clear them to
20 travel in their roads, you know. That keeps you
21 away sometimes from your hunting area.

22 MR. MERVIN GARRETT: This is some of
23 it also. You have to travel through that.

24 MR. DON MCKAY: That's what I mean by
25 the esthetic value of the shoreline or the

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1 landscape itself. What you have there is a riprap
2 of rock or cement, or whatever, or the natural lay
3 of the land like trees that form a barrier to the
4 falling trees or whatever the water does to the
5 shoreline. So it is like that all over and people
6 feel it.

7 MR. MERVIN GARRETT: The other thing
8 about this Lake Winnipeg and the Jenpeg dam here,
9 the food that we have, the food that we eat, like
10 the geese, the moose and the fish, they don't have
11 that same taste, that taste is gone already. The
12 moose, the same thing, because they eat this
13 garbage.

14 The fish, they die. But a little lake
15 where I live, one time there was a lot of dead
16 fish on the ground, like come spring time when the
17 ice is starting to melt, and you see some seagulls
18 all of a sudden come, and they are crying and
19 crying, and landing here. And we go down the
20 bank, and there is fish, dead fish underneath the
21 ice. And you know, we take pictures of them, and
22 they blame it on something else. You know, it is
23 not something else, it is just the project itself
24 has done the damage here.

25 MS. SUEK: Why do the fish die?

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1 MR. MERVIN GARRETT: Why do they die?

2 MS. SUEK: Yes.

3 MR. MERVIN GARRETT: Because of the
4 water, fluctuation of the water, because they are
5 right in there and there is no oxygen, so they die
6 off.

7 MS. SUEK: I see, okay.

8 MR. DON MCKAY: Well, we are not
9 scientists, but a lot of our elder people say that
10 fish need water to breathe too. And then when
11 there is less water, there is less oxygen for them
12 to breathe for them. Just like us, we need water,
13 if there is less oxygen, you do this -- what do
14 you call it -- that greenhouse effect there --
15 carbon emission, carbon emissions. It takes a lot
16 of our clean air, clean oxygen. So that's the
17 same thing with the water, according to our
18 elders, the less water, the less for water
19 breathing animals to breathe.

20 THE CHAIRMAN: That was interesting,
21 your comment, Mervin, about the food that you eat,
22 the moose and ducks and fish are eating
23 differently now.

24 MR. MERVIN GARRETT: Um-hum.

25 THE CHAIRMAN: We have heard before

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1 that the fish taste different, but I could never
2 figure out why until you just said that they are
3 eating differently.

4 MR. MERVIN GARRETT: I just had
5 whitefish yesterday from Bear Lake, and it is one
6 of the non-affected lakes. And when you eat that
7 fish you can taste the meat. You catch it around
8 here, if you are lucky enough to catch a
9 whitefish, it is soggy, it is waterless, that's
10 how bad it is. We had one like that and we had to
11 throw it out because it wasn't -- you try and boil
12 it and, you know, the meat became squishy.

13 And the same thing with the muskrat
14 and the beaver, you know, they are not the same.
15 The muskrats are little things like that now.
16 They used to be like that. I remember one time my
17 dad killed 1,000 muskrats and he got a star
18 blanket from the Hudson Bay here for the catch
19 that they had, plus a shotgun. But those muskrats
20 were huge. It is not there now.

21 The travel is bad, really, really bad.
22 In the winter time, like there is so much slush
23 out there, it is unpredictable what is underneath
24 the snow, it could be just slush in there and
25 people get stuck with their skidoos there. And

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1 some of them, they have to leave and walk home,
2 there is no way that they can climb up.

3 THE CHAIRMAN: We have heard a lot --

4 MR. MERVIN GARRETT: And when you
5 leave them there, they freeze up at night and they
6 are stuck in the ice. And you need twice as much
7 manpower now to get them out.

8 The destruction I think has kind of
9 destroyed the minds of people as well. You know,
10 I would like to go fishing, but where? You know,
11 I raised sleds dogs and I used to go out fishing
12 out on the lake, not on this side but the other
13 side of the lake. Like in the morning you would
14 be able to lift a net there. But now you get more
15 debris there than anything else. And pretty soon
16 you pull up your net and you say, what the hell,
17 why bother? The mind manipulation is really,
18 really bad.

19 Once you start manipulating somebody
20 else's mind, you die essentially. And this is
21 what has happened to our people, a lot of our
22 people, a lot of them. There is a little place
23 here, you might see some smoke here, those are
24 real trappers that are there. Because the
25 trapping has been destroyed for them, they have no

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1 place to go. But one has some beer over there,
2 they build a camp fire. At least a camp fire
3 makes them feel like they are still out there in
4 the wilderness, in the bush with their traplines.
5 But the ways of their life have been destroyed.
6 That's why they call them the traplines, they call
7 them their traplines already now.

8 MR. DON MCKAY: They fixed that place
9 up there, they take care of it. They can take
10 care of themselves, yeah, like Mervin said, those
11 are the people that were out there that can't be
12 there anymore.

13 MR. MERVIN GARRETT: They are real,
14 real people, frustrated people there.

15 So what kind of authority do you have
16 to do us a favour?

17 THE CHAIRMAN: Well, we have the
18 authority to tell the Minister what we hear in the
19 communities that we go into. We have the
20 authority to make recommendations. At this point,
21 I can't tell what you those recommendations might
22 be.

23 MR. MERVIN GARRETT: I'd like to know
24 now, not later.

25 THE CHAIRMAN: We would like to know

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1 now too, it would save us a lot of work, it would
2 save us another six or eight weeks of work. And
3 then it is up to the Minister to decide whether or
4 not he accepts our recommendations, but...

5 MR. DON MCKAY: One thing that I would
6 like to recommend is that, what I hear from the
7 actual fishers themselves because of the effect
8 that they have on their loss of income, is to
9 review this Fisheries Act, regulation or whatever
10 they follow, and the quota. The quota regulation
11 maybe needs to be extended, the time frame of what
12 they are allowed, how long to fish, it should be
13 extended because of these circumstances.

14 THE CHAIRMAN: We will certainly
15 consider that.

16 MR. MERVIN GARRETT: I would like to
17 get a fishery, a well established, a fish hatchery
18 of different species of fish. And then because
19 our lakes are being destroyed, we have some outlet
20 lakes that we can feed those lakes with either
21 jacks or pickerels, or whatever, and then turn
22 them over to tourism, you know, the fishermen that
23 used to come here, Americans used to come and fish
24 here, but since there is no fish, they
25 disappeared. And we used to have lots of them

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1 around here.

2 THE CHAIRMAN: In Cross Lake?

3 MR. MERVIN GARRETT: In Cross Lake,
4 yes. And then the fishermen that were left
5 homeless more or less because the fishing is gone,
6 like, you know, get these people, put them back
7 into that training program and then produce --
8 feed those lakes and let them run those lakes,
9 manage them. Invite the tourism for them, give
10 them something to do, instead of just leaving them
11 out to die.

12 I seen a fishery like that in
13 Portland, farm springs, and that provides a good
14 economy for the people.

15 THE CHAIRMAN: Where was that, Mervin?

16 MR. MERVIN GARRETT: In Portland,
17 Oregon, farm springs. And then their children,
18 the fishermen's, their children come and work
19 there at the same time. They go work there as
20 guides out in the lakes there, so it provides for
21 them. So this is what I would like to see.

22 MS. SUEK: So you are suggesting some
23 kind of economic development that would be ongoing
24 and be generational?

25 MR. MERVIN GARRETT: And this is what

1 they like, the fishermen and the trappers, that is
2 what they like. They like to live out there with
3 more or less the animals and whatever they catch.
4 So all of those things like, you know, those
5 things can be made to happen here as well. If
6 they can build a multi-billion dollar transmission
7 line, Bipole, then I don't know see why they can't
8 make a little fishery like that down here.

9 MR. DON MCKAY: And flying in a lot of
10 camps, yeah, fishing camps.

11 MR. MERVIN GARRETT: We have our local
12 pilots also.

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1 had such a mind -- like he doesn't write, he
2 doesn't -- he can't read or he can't talk the
3 language, but his mind is hard to believe.

4 THE CHAIRMAN: Creative.

5 MR. MERVIN GARRETT: Really, really
6 creative, you know, he thinks like that muskrat,
7 he thinks likes that beaver. He said, like you
8 know, in time we are not going to be able to eat
9 them, like we need to do something. And the same
10 thing with the fish that I'm talking about.

11 But that was a long, long time ago
12 when he told me that. I was just starting up in
13 work here with the Cross Lake band, and he called
14 me over and he started talking about this thing.
15 And I said you are crazy. That's what I thought.
16 But the more I listened to him, the more I went to
17 see him about it, like it wasn't just a one night
18 thing, it was probably more than a week that I had
19 to go and listen to him. And he took me down
20 right by the lake there and showed me all of these
21 kind of things.

22 And he took me to his trapline also,
23 and I seen the muskrat houses and I seen how the
24 muskrat -- he just told me to observe, just watch
25 them. So I sat there, you know, here I am

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1 thinking about the baseball game back home and I
2 was supposed to pitch this evening, and here I am
3 watching muskrats. You know, but that's what
4 really, really captured my mind, you know, this
5 brain, how it works, how it functions.

6 But he has lived in the bush with
7 these animals and that's why his mind, he sees
8 what -- he knows what is happening. It's amazing,
9 it is an amazing thing.

10 THE CHAIRMAN: One of you said earlier
11 that you are not scientists, but an awful lot of
12 science is just observing stuff. And if you
13 observe it often enough, and if it is the same,
14 then that becomes the science. So, I mean,
15 sitting and watching muskrat huts often enough,
16 then that becomes science for him.

17 MR. MERVIN GARRETT: But our students
18 here are doing some project on the effects of the
19 dam on muskrats, and I think they are going to be
20 making a presentation here.

21 THE CHAIRMAN: Yes, we are going to
22 two schools tomorrow, the high school and middle
23 school.

24 MR. MERVIN GARRETT: It is going to be
25 something to see.

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1 MS. JOHNSON: Do you think anything
2 can be done with Duck Lake, if they put a dam on
3 there, then you get some marsh back?

4 MR. MERVIN GARRETT: Duck Lake? I
5 don't know, there is rapids there, but then that's
6 where, you know, we go fishing and hunting, things
7 like that. The one area over there that got torn
8 apart, like there is one marsh area, and I don't
9 know if I have a marker over there.

10 THE CHAIRMAN: Okay. Thank you very
11 much.

12 MR. MERVIN GARRETT: This is the
13 rapids here, and we do our fishing right around
14 here. This is all land here, this used to be a
15 bay, this is a different river system goes this
16 way. This is just a bay here. And now this thing
17 has been -- there is a little channel that opened
18 up here, this thing now is a river system in
19 itself, like that. So it makes it dangerous for
20 us to travel. That first one we went there, we
21 just went with a small boat, and then it was an
22 opening from here, maybe to the wall, and we go
23 over there and follow that thing, just see how far
24 it went. The next time we went it was wider, and
25 it is big river now.

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1 I swear we were fishing there, not in
2 that little lake, but in that river there. And
3 the rapids just up there -- and just as we were
4 lifting nets, I happened to look towards the falls
5 here, and I seen the little thing in the middle of
6 the river. And the next thing, we looked and it
7 is this much, now it is showing this much. And I
8 told my partner, look at that thing. I said, what
9 is that, is that a bear? And he said, no, it is
10 not a bear, it is a tree. And then I looked at
11 it, and there is that thing, it is about the size
12 of this flag pole here, right in the middle of the
13 river. All of a sudden you see it there. And
14 next thing you know, it is gone under again, and
15 then it resurfaces on the other side now. And
16 when we are coming home, we seen the tree there
17 just squashed up to the shore. It is
18 unbelievable, you know, people that travel there.
19 Like you can just hit that tree just when it is
20 popping up there, you are gone.

21 I had that picture here but I can't
22 seem to find it. A lot of this thing, like you
23 know, these things that we tell you are true
24 stories.

25 THE CHAIRMAN: Oh, yeah.

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1 MR. MERVIN GARRETT: We live them, and
2 it is a continuous problem for us. You know, some
3 places we can't go -- ever since that channel
4 opened up there, my partner can't go to his cabin
5 because of the uncertainty of the flow of water
6 out on the ice now. It is, you know, the only
7 time that we are going out there now is the
8 summertime, like when water is open. But the
9 channel is going to get bigger, and pretty soon
10 there is another chunk of land and that's going to
11 be gone.

12 MR. YEE: I have seen the odd, we call
13 them dead heads floating in the Winnipeg River,
14 and I have almost hit them one or two times. They
15 sink and then they come back up.

16 MR. MERVIN GARRETT: They come back
17 up, that's how it goes. One guy here just about
18 drowned with his wife and two friends. They hit
19 the same thing, you know, when it is like this,
20 when it is waves, it will go down and it is pretty
21 hard to see, and you hit it. It is amazing that
22 they survived that accident.

23 MS. JOHNSON: Can you send me your
24 pictures and we will have them for ourselves, can
25 you email them to me?

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1 MR. MERVIN GARRETT: I will send you
2 all of the pictures that I have, and I will send
3 them to you.

4 THE CHAIRMAN: That will be very
5 helpful.

6 MS. JOHNSON: That might be too big to
7 email, you might have to put them on a disk or
8 something.

9 MR. YEE: Well, if you resize them,
10 you can send them.

11 MS. JOHNSON: Whatever works.

12 MR. YEE: Or you can just put them on
13 a disk and mail it.

14 THE CHAIRMAN: So Darwin told us you
15 were the first employee of the band?

16 MR. MERVIN GARRETT: I was, yes. Just
17 fresh out of high school, just when the First
18 Nation, the chief and council took over local
19 government at that time. Before then we had an
20 Indian agent from Indian Affairs who used to have
21 an office right around this area here, and they
22 controlled everything. He ran the programs for
23 everything, brought his own staff in. Then at
24 that time the Chief said, well, you know, I think
25 we are capable enough to look after our own

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1 government. And so we drafted a Band Council
2 Resolution, gave it to this guy to leave, and we
3 told him that we want to look after ourselves.
4 And that was the start of it, you know.

5 THE CHAIRMAN: Good. How long ago was
6 that?

7 THE WITNESS: That was back in '66,
8 '65, I was fresh out of high school. My position
9 was, at that time to go to St. Francis Xavier
10 University to take on the social work. And when I
11 started work here come August, the middle of
12 August, I received my letter to come to the
13 university and register. And then I told my boss,
14 my bosses, I said I have been accepted to enroll
15 in the university. And right away the director,
16 the manager said, band manager at that time said,
17 what if we give you a raise, would you stay? And
18 I said, I don't know, I have to talk to my dad and
19 my mom about it.

20 So I went out and I talked to my mom
21 and dad, and I said, they offered me to stay and
22 they offered to pay me more, and I have to ask you
23 for your permission if I should stay or I should
24 leave. And my dad said, I wanted you to get an
25 education. What is it that you are going for? I

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1 said to be able to work with people, help people.
2 But if you are willing to stay here, you will be
3 doing the same thing, you will be helping our
4 people. What if you go out there and don't like
5 it, and you hit the streets and everything else,
6 you know, that's probably the last time we see
7 you. So think about it. So I came to work the
8 next day and I told the bosses, this is what my
9 dad told me, so I think I'm going to stay now.

10 So then I stayed, then my pay was
11 raised \$200 a week. They had -- my starting wage
12 was \$75 a week. So I stayed. Gradually, I became
13 the band manager. I did every little thing here.
14 Like in the school board, like I think I was in
15 the school board for 16 years, I was chair, the
16 longest serving chairperson with that. That's
17 when we built that new school there. We used to
18 ship our students out to Thompson, Winnipeg,
19 Portage la Prairie, private home placements, and
20 it cost the government \$3 million to send them
21 out, tuition, room and board and everything. And
22 after a few years we seen that it was failing our
23 students. It was 95 per cent failing and 5 per
24 cent success. We had a meeting with the parents
25 and we talked about the situation that we have.

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1 And I said, what do you want us to do? And they
2 told us, bring them back here and build a
3 temporary school, build a school next year.

4 So we started that process, and we
5 used the number of students that we had, there was
6 about 300, and it was about \$3 million. We went
7 to the Department of Indian Affairs with our
8 proposal, a budget and everything else, and they
9 said no, you can't do this. I says, but look, 95
10 per cent failing is not good either. So we went
11 back again with the same proposal, to work on it,
12 and they said no.

13 So what we did was we went to the
14 Treasury Board director, to Ottawa, and we put our
15 proposal, and we got there and had a big meeting.
16 And again we said to the director, this is what we
17 want from you guys. This is what we had in
18 Winnipeg for so many frustrating months, trying to
19 get this thing, and they told us, no, it can't
20 happen. It can happen, it is going to happen. So
21 go ahead and do what you want to do. So we went
22 to the bank and the bank said, we need supporting
23 documents from Indian Affairs. And I said get
24 those from Ottawa. So Ottawa supported us and
25 they gave us a letter. We got the money and we

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1 built a school. And once we had the money in
2 place, the project came into place. The Indian
3 Affairs office in Winnipeg, they said we need to
4 be in your management team, and I said no thanks,
5 we don't need you. We built a school and they
6 paid for the opening.

7 THE CHAIRMAN: Good.

8 MR. MERVIN GARRETT: Now it is 95 per
9 cent success, 5 per cent failure. It is really
10 good.

11 THE CHAIRMAN: That's really high.

12 MR. MERVIN GARRETT: We have over 100
13 probably graduates every year in grade 12.

14 THE CHAIRMAN: Wow.

15 MR. MERVIN GARRETT: Is that it for me
16 then?

17 THE CHAIRMAN: That's it, unless you
18 have more to tell us. But those pictures will be
19 really helpful if you can send those to us. Thank
20 you for your time, Mervin.

21 MR. MERVIN GARRETT: It was nice
22 talking to you.

23 THE CHAIRMAN: Okay. We are going to
24 finish up for today.

25 (Concluded at 4:00 p.m.)

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OFFICIAL EXAMINER'S CERTIFICATE

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5 I, CECELIA J. REID, a duly appointed Official
6 Examiner in the Province of Manitoba, do hereby
7 certify the foregoing pages are a true and correct
8 transcript of my Stenotype notes as taken by me at
9 the time and place hereinbefore stated, to the
10 best of my skill and ability.

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Cecelia J. Reid

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Official Examiner, Q.B.

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