

MANITOBA CLEAN ENVIRONMENT COMMISSION

LAKE WINNIPEG REGULATION REVIEW
UNDER THE WATER POWER ACT

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Transcript of Proceedings
Held at the George Saunders School
York Landing, Manitoba

THURSDAY, JANUARY 15, 2015

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APPEARANCES

CLEAN ENVIRONMENT COMMISSION

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

Cathy Johnson - Commission Secretary
Joyce Mueller - Administrative Assistant
Bob Armstrong - Report Writer

MANITOBA CONSERVATION AND WATER STEWARDSHIP

Rhonda Dyck

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1 THURSDAY, JANUARY 15, 2015

2 UPON COMMENCING AT 2:30 P.M.

3

4 THE CHAIRMAN: I think we will begin
5 our formalities. I understand from Chief Bland
6 that there is an elder who will open the
7 ceremonies with a prayer.

8 (Opening Prayer)

9 THE CHAIRMAN: Thank you. Good
10 afternoon and welcome. My name is Terry Sargeant,
11 I am the chair of the Manitoba Clean Environment
12 Commission, as well as the chair of the panel that
13 will be conducting this review.

14 At the outset I would like to
15 acknowledge that we are holding today's meeting in
16 the traditional territory of the York Factory
17 First Nation. I would like to thank the
18 leadership of your community for accepting our
19 invitation to host the Commission so that we can
20 hear from as many of you as wish to share your
21 thoughts or stories.

22 I would like to introduce the other
23 members of the panel. On my left is Neil Harden,
24 on my right is Edwin Yee. In addition to the
25 panel, we have some Commission staff with us, our

1 Commission secretary, Cathy Johnson, and our
2 administrator, Joyce Mueller. As well as support
3 staff, we have our report writer Bob Armstrong and
4 our recorder, Cece Reid.

5 Many, if not most of you, will
6 remember that we were here about 16 months ago.
7 We came to your community to conduct hearings for
8 the Keeyask project, a project in which your
9 community is an equity partner with Manitoba Hydro
10 and three other First Nations in the general area.
11 I recall it as being a good day, we actually had a
12 very good session that day, and I look forward to
13 today, good input and good involvement from those
14 of you who are present today.

15 The reason we are here is because in
16 2011, the Minister of Conservation and Water
17 Stewardship asked the Clean Environment Commission
18 to provide a public forum to consult with
19 communities regarding Manitoba Hydro's performance
20 under its interim licence for the regulation of
21 Lake Winnipeg. We were asked to hold meetings in
22 communities around both the south and north basins
23 of Lake Winnipeg, as well as in the City of
24 Winnipeg, to hear evidence about impacts of this
25 regulation.

1 Today, we want today's meeting to be
2 as informal as possible in order to encourage as
3 much local participation as possible. The
4 hearings are recorded, which is a requirement of
5 the Environment Act. A written record of what is
6 recorded will be prepared and will be posted on
7 our website within a few days. Anyone who is here
8 is welcome and indeed encouraged to make a
9 presentation. If you wish -- if more than one of
10 you wishes to participate or make a presentation
11 together, that is certainly not a problem. It is
12 a chance for people in your community to give your
13 personal, or to share your personal knowledge, to
14 give your views and concerns about this issue, the
15 regulation of Lake Winnipeg.

16 What we would like to hear from you
17 first of all is who you are, how Lake Winnipeg
18 Regulation has impacted you, or benefited you if
19 that's the case, how it has impacted your
20 community, whether in your view the project has
21 been good for the province as a whole, and really
22 any other decision, or any other information that
23 you think is important in this regard.

24 Typically, typically public
25 presentations or oral presentations are 15

1 minutes, but in the communities we are a little
2 lax with that. If somebody wants to go over a
3 little bit, we certainly won't shut you down. If
4 anyone wishes and feels more comfortable making
5 the presentation in your own language, that's
6 certainly welcome, although we would ask that you
7 have someone to translate so that we can
8 understand the presentation. And if you or others
9 in the community don't feel comfortable speaking
10 in public, it is also open to you to make a
11 written presentation. This can be as simple as a
12 letter or an email, or a formal written
13 presentation that you can send to us, again, by
14 email or by regular mail. Our address is on our
15 website at cecmanitoba.ca. Written presentations,
16 as far as the panel is concerned written
17 presentations carry as much weight as
18 presentations made today.

19 That's all I have by way of opening
20 comments. I would like to thank the people
21 responsible for the lunch. The stew and the
22 bannock were both excellent. The apple crisp was
23 really good. I think we are well fed and that
24 should set us off on a good track this afternoon,
25 so thank you and compliments to the chefs.

1 Chief Bland, I understand that you are
2 going to open with a presentation on behalf of
3 your community?

4 CHIEF BLAND: Usually we have the
5 presenter facing the community.

6 MS. JOHNSON: We can do that.

7 THE CHAIRMAN: We can change that if
8 you like, that is not a problem for us.

9 CHIEF BLAND: First of all, on behalf
10 of Chief and Council, we would like to welcome the
11 Clean Environment Commission to York Landing. We
12 welcome representatives from Manitoba Hydro and
13 the Province. We thank you for this opportunity
14 to participate in the review of Manitoba Hydro's
15 application for the final licence.

16 I also would like to thank our members
17 for coming out today. We hope for a lot of
18 participation and I would like -- why don't you
19 give us second here while they set up chairs?

20 As I was saying, I would like to thank
21 our members for coming out today. I'm hoping for
22 a lot of participation, and for our members to
23 come and speak about the experiences of living
24 here in York Landing since 1957, and the impacts
25 that we have been facing over the years through

1 Manitoba Hydro development. Tell your stories,
2 share your experiences.

3 Over the last six years we have been
4 affected in so many ways by Manitoba Hydro
5 development on the Nelson and Churchill Rivers.
6 We have been significantly affected by those
7 projects that were developed before today's
8 environmental assessments and consultation
9 standards. But today what can we do? We must
10 strive for better environmental and consultation
11 standards so that we don't regret our decisions in
12 the coming decades. We hope that the Clean
13 Environment Commission will keep this in mind. We
14 understand that what is done is done, but must ask
15 ourselves, and we believe you, the panel members,
16 must ask yourselves, how can we ensure a better
17 environment and life for ourselves and future
18 generations with this review of the final licence?

19 We have already shared a great deal
20 with the Clean Environment Commission as part of
21 the Bipole and Keeyask environmental assessments
22 and review processes. But we would like to remind
23 the panel of some of the fundamentals of who we
24 are and what our experience has been with
25 hydroelectric development, which includes the Lake

1 Winnipeg Regulation.

2 Until recently, in 1957 to be exact,
3 our members resided on the Hudson Bay coast of
4 York Factory and the surrounding area. This was
5 and continues to be our homeland where our elders
6 and ancestors were born, lived, and worked and
7 passed on. We moved seasonally between various
8 settlements such as York Factory, Fort Nelson, Ten
9 Schillings, Spenceville and Kaskatamakan. Our
10 members lived on the land, trapping, hunting
11 fishing and gathering. Before the Hudson Bay
12 Company post at York Factory was closed in 1957,
13 some of our members also worked in jobs that
14 supported the post, such as delivering mail or
15 supplies between posts.

16 Can everybody else hear me okay, or do
17 we need to turn this up a little bit? Just a
18 second. Is that a little better? Is that louder?
19 Okay. I think I will have to speak a little
20 closer to the mic.

21 Early in the year 1957,
22 representatives from Indian Affairs visited our
23 community at York Factory and explained to us that
24 there will be no work, services or supplies in
25 York Factory once the post closed. For that

1 reason we were being moved to a site on Split
2 Lake. Many of our family members had already
3 moved away from York Factory seeking work. While
4 our members were hesitant, they made the long
5 journey by boat or foot in the summer of 1957 from
6 York Factory to this site on Split Lake and the
7 Aiken River. This place is now called York
8 Landing. This is our home and many of our members
9 were born here in nearby communities or in
10 Thompson. We had to adapt to this new
11 environment, the boreal forest with the vast
12 muskeg and large freshwater lakes. This was new
13 to us. We were experts in an open coastal
14 environment with rivers and estuaries opening onto
15 the Hudson Bay. That change in environment was
16 huge for our members, but we adapted.

17 Then just a few years after our
18 members settled here, the first hydroelectric dam
19 at Kelsey Rapids was built. Our homeland and
20 waters were changed before we had barely begun to
21 understand and learn about them. Then the
22 Churchill River Diversion and Lake Winnipeg
23 Regulation soon followed, reversing the seasonal
24 water levels and flows on the Split Lake basin
25 where we live. Our water turned brown. The

1 average water levels rose, the shorelines were
2 flooded and eroded. Debris became the norm, and
3 the fish and animals became poor in health and
4 abundance. Ice conditions became unpredictable,
5 and occasionally when water was held back during
6 the drought, water levels went lower than we had
7 ever seen them go before.

8 As you know, the Nelson River is a
9 big, messy, complicated engineered system. We are
10 told that it is difficult, if not impossible, to
11 say what exactly is related to the Lake Winnipeg
12 Regulation, Churchill River Diversion and other
13 projects. Like, we live in this engineered
14 environment and it affects everything about our
15 daily lives.

16 The biggest effect that we experience
17 and continue to experience today is higher than
18 natural water levels and flows. Our older members
19 still recall the Aiken River as a small river.
20 Today Split Lake reaches up the Aiken making the
21 river so much wider and the shoreline is now much
22 further up. Willows, Black Spruce and low mossy
23 areas have been drowned out. These typical
24 shoreline plants have disappeared, including wild
25 mint and Weekis, which are two of our medicines.

1 Overall, the levels and flows reach higher heights
2 never experienced in the past and remain higher on
3 average than they were ever in the past.

4 However, in some years such as 2003,
5 we experienced low water levels that might be
6 considered normal to our elders. We initially
7 built our ferry landing based on the high average
8 water levels, only to find that in 2003 that the
9 ferry couldn't use the landing due to extremely
10 low water levels. We had to build a temporary
11 ferry landing at the east end of our reserve.
12 Then in 2011, we had to build our regular ferry
13 landing because it was completely submerged.

14 Water levels and flows are always
15 changing from week to week, from month to month
16 and from year to year. The daily and weekly
17 regulation of levels and flows can confuse us.
18 They are unpredictable. And a seasonal reversal
19 of levels and flows means water levels and flows
20 are lower than normal in the summer and higher
21 than normal in the fall and winter. This reversal
22 affects our travel on the water and the ice and
23 how safe we feel when we travel by boat, ferry,
24 skidoo and vehicle on the ice flow.

25 As the water levels and flows are

1 managed upstream, the depth of shoals under the
2 water surface can change quite quickly. This is a
3 real danger to our members traveling by boat.
4 Yes, very many of our members are experienced
5 navigators and some members mark dangerous shoals,
6 but the unpredictability of our environment is a
7 risk. Even the most experienced boat driver can
8 be tricked by the changes in the water levels.

9 Without the Churchill River Diversion
10 and Lake Winnipeg Regulation, the Nelson River
11 would have peak flows and levels in May or June.
12 Under regulation, the greatest releases and flows
13 now occur from November to January, right when we
14 are trying to construct and start traveling our
15 winter road. November to January is also when our
16 members want to travel to York Landing by skidoo
17 to trap, hunt and ice fish. After the ferry shuts
18 down for the season in late October, our community
19 is isolated without road or train access until the
20 winter road opens, typically in January there is
21 ice breakup, often in April our community is again
22 isolated. During these seasons we can only travel
23 in and out of York Landing by plane. There is one
24 scheduled flight a day. Air charters are very
25 expensive and baggage allowances are limited.

1 This severely limits who can travel out of York
2 Landing to access goods and services in Thompson
3 such as health care, groceries and baking.
4 Without our winter road, members either can't
5 travel or must pay for expensive flights. When
6 travel is essential, our First Nation must take on
7 the extra cost to get the members the health care
8 that they need.

9 Daily, weekly or seasonal changes in
10 water flows and levels can affect how ice forms
11 and break ups. Ice conditions are not
12 predictable, and this can make winter road travel
13 unreliable and unsafe. Higher water flows can
14 slow and postpone the formation of an ice base,
15 and we need ice that is one metre thick before we
16 can officially open the ice road across the
17 channel to Split Lake and the Provincial highway.
18 Ice may be thinner where flows are higher, and the
19 higher flows can also mean early breakup, cutting
20 our winter road season short.

21 As of a couple of days ago, MIT wants
22 to change the route of our ice road that we have
23 to the highway because the formations and the
24 water flows are becoming consistently faster over
25 the past few years, and it is costing us more and

1 more money to build an ice road now. And it has
2 become unsafer. There is still decisions yet to
3 be made on how that happens, but this is something
4 that we are dealing with right now. It has become
5 unsafe, and trying to find a new route for safe
6 ice is not that easy.

7 As ice forms in November and December,
8 water is often released upstream causing ice to
9 flood. This is what causes slush ice. Slush ice
10 is frustrating, can quickly be changed how soon
11 the ice road comes into operation, and increases
12 the risk of ice travel when the road is open.
13 Slush ice is also a danger to those traveling by
14 skidoo. And then there is hanging ice which forms
15 when flows are artificially held back and the ice
16 layer forms creating a gap below the ice. Some of
17 our members have broken through hanging ice with
18 the skidoos. When we are doing a lot of the
19 drilling, the holes of the ice, there is a lot of
20 gaps in between the formations of ice, and it is
21 difficult to find safe ice. So it is, you know,
22 as I said earlier, it is increasingly more and
23 more difficult to provide safety when these types
24 of impacts are happening with the water.

25 When water flows are reduced and the

1 level of ice water drops after the ice forms, the
2 ice along the shore can become steeply sloped
3 causing dangerous and difficult travel conditions.
4 This kind of ice is unnatural ice formation and it
5 obstructs shorelines that we use to travel easily
6 in winter and spring by skidoo or four wheeler.
7 Shoreline ice also contributes to shoreline
8 erosion.

9 Our people will tell you that the
10 water quality, both raw and potable, has become
11 much worse since the 1970s. We have observed many
12 changes in the water on Split Lake. It has become
13 much dirtier, brown, cluttered with debris and
14 algae ridden. We have recurring problems with
15 potable water quality at York Landing, including
16 changes in its turbidity and colour. Our water
17 treatment plant was upgraded in 2000, and again
18 more recently in 2014, which was an attempt to
19 improve our water supply. But the water intake
20 continues to be influenced by the regulated water
21 flow into Split Lake.

22 Essentially, the water intake is
23 located relatively close to the mixing point of
24 the Aiken and Split Lake, which both have distinct
25 water chemistry. Changes in the water flows and

1 levels shift the mixing point and the quantity of
2 water going into our treatment plant. There is
3 Split Lake or the Aiken River. This makes proper
4 treatment a challenge, an inconvenience and
5 uncertain, which leads to many of our members
6 opting for bottled water at an additional expense
7 that they have to add to their grocery bills.

8 With more frequent and higher water
9 levels, we have seen more erosion along our
10 shorelines. This leads to more trees and
11 vegetation falling into the lake and becoming
12 floating debris. This debris even forms into
13 floating islands that work their way around Split
14 Lake. We must be careful and attentive when
15 traveling by boat.

16 When water levels are higher, banks
17 are eaten away and pulled into the lake. We are
18 concerned about the soil that falls into the water
19 that affects fish and other animals in the water.
20 Then when the water levels go down, we are left
21 with shorelines covered in mud where there used to
22 be sand or gravel.

23 We also have lost many beaches,
24 landing sites, camp sites that allowed us to come
25 together as families. These places were key to

1 our community recreation and health.

2 With support from Hydro, our community
3 recently developed a riprap project, a rock wall
4 along our reserve. This armor of rock wall was
5 intended to prevent further shoreline erosion and
6 sedimentation in the immediate vicinity of our
7 reserve. This project has lead to mixed results
8 and feeling from our community members.

9 Our trappers will tell you how the
10 changes in water levels have changed the abundance
11 of furbearers. You now rarely see muskrat and
12 beaver along the Aiken and Mistuka River where
13 they used to be common. They will also tell you
14 the changes in the water and the ice affect travel
15 to the cabins and traplines and access to the
16 resources. Some cabins have been flooded and
17 moved further upland. And ice travel by skidoo is
18 essential but uncertain for our trappers.

19 Our fishermen will also tell you that
20 the changes in the water and ice have caused real
21 challenges for navigating, landing and launching
22 boats. They will tell you how the ability to fish
23 and the quality of fish they catch has been
24 affected. They can tell you how they pull up
25 algae logs in their nets, in areas that used to

1 provide good catches of pickerel, whitefish or
2 sturgeon. When the fish are caught some people
3 will not eat them any more because they say the
4 changes in the water have affected the taste and
5 texture of the fish.

6 It is true that we are a Northern
7 Flood Agreement community and that we have
8 negotiated the Implementation Agreement of 1995
9 with Manitoba Hydro and the Province. The 1995
10 agreement provides more compensation and
11 mitigation for the adverse effects of Lake
12 Winnipeg Regulation, but the agreement and the
13 mitigation and compensation measures do not take
14 the problems away. We will live with the effects
15 of Lake Winnipeg Regulation for the life of the
16 project. But our agreement, or any similar
17 agreements should not be used as an excuse for us
18 not asking ourselves the most important questions;
19 how can we do better? How can the effects of Lake
20 Winnipeg Regulation, in combination with other
21 projects, be reduced? How can we create a better
22 future for our children?

23 Our people will forever remember the
24 lands and the waters, what we call aski in our
25 Cree language, were clean and natural. Today we

1 experience the effects of multiple Hydro projects
2 on a daily basis. One of these is Lake Winnipeg
3 Regulation. For this reason we are extremely
4 interested and concerned about the finalization of
5 the licence. We are sad that we will never be
6 able to return to the past that our older members
7 remember.

8 We can ask questions of the Clean
9 Environment Commission and its experts.

10 Can the terms of the licence be
11 changed to reduce the adverse effects we
12 experience, or will the changes bring other
13 problems? Without a hydraulic expert, we don't
14 know what will happen to the water regime,
15 shorelines, and our members in terms of if the
16 conditions of the licence are changed. Maybe it
17 would be better to maintain the current licensed
18 conditions, but we certainly care about further
19 reducing the effects that we face.

20 The Lake Winnipeg/Churchill/Nelson
21 River Study Board predicted that the shorelines
22 will stabilize within a few years of the Lake
23 Winnipeg Regulation project. This has not
24 happened on Split Lake. So what do the experts
25 say about the system's stability today? Will the

1 shorelines ever stabilize or become more
2 predictable, or can Lake Winnipeg be regulated so
3 that the conditions are more like they were before
4 the project, or will this cause different
5 problems? What do you and your experts think?
6 What would Manitoba Hydro say? We acknowledge
7 that there are many stakeholders around Lake
8 Winnipeg, but we insist that any changes
9 considered be carefully studied for the effects
10 downstream. We, the downstream communities, have
11 been forgotten for too long.

12 We also know that the effects that we
13 experience do not start with Lake Winnipeg and
14 water regulation, even though this is the scope of
15 the review. How the land and waters are managed
16 upstream on the Red River and Assiniboine
17 watersheds affect us all. Does large scale,
18 cumulative land drainage and engineering in the
19 south affect flows, levels and water quality at
20 York Landing? What changes to the land use
21 management and policy can the Province of Manitoba
22 work towards in the coming decades in southern
23 Manitoba that would benefit Manitobans and the
24 Cree northern communities?

25 While we understand this falls outside

1 the scope of this review and mandate of the Clean
2 Environment Commission, we think that there is a
3 real opportunity for the Clean Environment
4 Commission to ask themselves and potentially
5 provide non licensing recommendations to the
6 Minister as to how the Province can change the
7 land and water management policy in southern
8 Manitoba, even in small ways, that would reduce
9 the downstream effects and improve the resiliency
10 of the system.

11 The operation of the Lake Winnipeg
12 Regulation affects us every day in many different
13 ways. Because of this we know that the downstream
14 effects of the Lake Winnipeg Regulation, in
15 combination with the CRD and Hydro generating
16 stations, is complicated. There needs to be a
17 thorough analysis and understanding of downstream
18 effects of the Lake Winnipeg Regulation.

19 Our First Nation is interested in
20 discussing whether the licence can be modified in
21 ways to reduce adverse effects and create net
22 benefits for York Factory.

23 There must be no changes to the
24 licence without thorough study of the potential
25 downstream effects on York Factory First Nation

1 and our neighbours. York Factory must be involved
2 in such studies. There can be no changes to the
3 licence without consultation and the informed
4 consent of York Factory First Nation.

5 All we want is hope for a future with
6 fewer environmental, economic, social, and
7 cultural effects due to Lake Winnipeg Regulation
8 and its interaction with other projects. All we
9 want is hope for a better life for our members and
10 future generations.

11 Thank you for coming to our community
12 and giving us an opportunity to speak with you.
13 Egesi.

14 THE CHAIRMAN: Thank you, Chief Bland,
15 for a very interesting and comprehensive
16 presentation, and we will certainly consider some
17 of your -- or not some -- all of your suggestions
18 and recommendations.

19 CHIEF BLAND: Thank you.

20 THE CHAIRMAN: Next? Anybody else?
21 We will welcome now anybody from the community who
22 wish to come up and say their piece. Yes, sir,
23 will you come up to the front table, please?
24 Could you introduce yourself for the record and
25 then just proceed, please?

1 MR. BEARDY: Okay. My name is Jim
2 Beardy. I'm a member of the York Factory First
3 Nation. I also work for the York Factory First
4 Nation in the lands. (Cree spoken).

5 I thank you all for giving me the
6 opportunity to speak today, to share my
7 experiences and to talk about what I have
8 witnessed since 1976, in regards to what has
9 happened to my surrounding area because of Hydro
10 development.

11 I hear Manitoba Hydro has applied for
12 a final licence for Lake Winnipeg Regulation under
13 the Water Power Act and the Water Power Regulation
14 25/77R. Apparently under this regulation the term
15 of a final licence is 50 years, which is
16 calculated from the time the project was fully
17 operational, which would be 1976. So apparently
18 this licence will expire in 2026, and then another
19 application has to be done to continue operating
20 after this date.

21 In simple language, I presume these
22 hearings are about the regulation of the lake over
23 the past 35 to 40 years, the impacts that it has
24 caused, and whether to issue a permanent licence
25 with certain conditions to regulate the Lake

1 Winnipeg water levels.

2 I worked for the Northern flood

3 Committee as a liaison officer for Split Lake and

4 York Landing from 1975 to 1977. After the

5 Northern Flood Agreement was signed, funding for

6 one field worker from each of the five reserves

7 was only funded. So I was laid off and couldn't

8 be a part of the implementation of the Northern

9 Flood Agreement. I believe the Northern Flood

10 Agreement failed because Manitoba Hydro did not

11 set aside any money to implement the Northern

12 Flood Agreement obligations. Also, we believed

13 that we had signed a Treaty, because in the final

14 negotiations, the Manitoba Government was heavily

15 involved and participated in finalizing the

16 Northern Flood Agreement. I can't remember the

17 exact date. I remember staying up all night at,

18 which is the Fairmont hotel now, it used to be the

19 Winnipeg Hotel. I remember sitting there all

20 night, going back and forth inside the rooms with

21 our consultants and negotiators and our lawyers,

22 sitting down with the Government and Manitoba

23 Hydro. We hammered out everything, right until it

24 was already morning like when we finalized

25 everything.

1 But we believed that it was a Treaty.

2 I still look at it as a Treaty that was broken.

3 Because to me that was a nation to nation

4 negotiations, which the Manitoba Government was

5 heavily involved in, and the five reserves.

6 In all of these years I have not seen

7 or heard of any Aboriginal consultations regarding

8 the regulation of water levels on Lake Winnipeg.

9 Back in 1977, which I talked about earlier, the

10 reserves at Cross Lake, Norway House, Nelson House

11 and Split Lake, and my reserve here in York

12 Landing, signed an agreement which was known as

13 the Northern Flood Agreement. I keep saying we

14 considered this a Treaty. Even Warren Allman, who

15 was the Federal Minister of Indian Affairs, said

16 this was a Treaty at an interchurch inquiry.

17 The purpose of the Northern Flood

18 Agreement was to compensate those Aboriginal

19 communities for the damage caused by the Hydro

20 dam. It caused irreversible, unnatural regimes

21 with the fluctuation of the water levels resulting

22 in the destruction of spawning grounds for

23 wildlife. The best part of the Northern Flood

24 Agreement is where it stated, in my opinion, that

25 this agreement will eradicate mass poverty and

1 mass unemployment. But still by the middle of the
2 1990s, Manitoba Hydro had not set aside any funds
3 for meeting the Northern Flood obligations, the
4 agreement obligation.

5 During that time Manitoba Hydro wanted
6 to get rid of this agreement, which we considered
7 a Treaty. They offered settlements to the five
8 reserves that were involved. Finally they got
9 their way. In 1992 Split Lake signed a
10 compensation agreement, and our reserve followed
11 in 1995. Nelson House signed their agreement in
12 1996 and Norway House in 1997. Cross Lake is the
13 only reserve that has not signed an agreement and
14 still follow the Northern Flood Agreement to date.
15 Yet, there is still mass poverty and mass
16 unemployment in Cross Lake.

17 I strongly believe that there should
18 be a re-examination in our area of shoreline
19 changes, erosion, sedimentation, and loss of
20 habitat for fish and mammals, because what
21 Manitoba Hydro predicted would happen went way
22 beyond their predictions. For example, there are
23 nearly 300 islands in our area, that's from here
24 to Kelsey, Split Lake and the first rapids down
25 river on Split Lake. There has been little done

1 to clean up this mess of erosion happening on
2 these islands and trees falling into the water.
3 Also, above Kelsey there has been no remedial work
4 done. The erosion of trees falling into the water
5 could cause more mercury forming in our waters and
6 our waters will never become treatable. Last time
7 I remember drinking water from the lake was in the
8 middle of 1970s. Also, a lot of my people who
9 travel say they are afraid of floating debris and
10 they can't even land on shores that are covered
11 with trees falling all over the place. These
12 islands have to be cleaned up. This situation
13 will probably get worse since the re-running of
14 Kelsey, where the water flow was increased by 33
15 per cent and going to affect our winter road in
16 the future.

17 In the past 35 to 40 years, I haven't
18 seen any kind of revitalization of growth on our
19 lands and waters. It seems like everything that
20 we used and enjoyed are gone forever. Like I
21 said, we still can't drink that water, the fish
22 are still not healthy, and the waterways are
23 dangerous to travel on.

24 After witnessing all of these damages
25 in my area, I wonder why there is no environmental

1 licence in place for this Hydro project? I hear
2 these hearings will not be considering an
3 environmental licence discussion. Sometimes I
4 wonder, hearings like this, are they just going
5 through the motions, or is anything really going
6 to be done on what we bring up?

7 In closing, I am 61 years old, and I
8 hope I'm still around if there is going to be
9 another dam built in our territories, because I
10 will strongly push the future leadership of our
11 First Nations that are going to be involved to not
12 negotiate with Manitoba Hydro, but to negotiate
13 with the Manitoba Government, especially regarding
14 lands and waters. They should be done as nation
15 to nation.

16 Besides, Manitoba Hydro cannot give my
17 people what they want in the negotiations, but the
18 Manitoba government can. I hope at that time my
19 people finally get what they've always wanted,
20 which is revenue sharing on the project, and lower
21 hydro rates, or better yet, free hydro, since it
22 is our resources that are being used and depleted
23 for the comfort of other people, for the south.

24 I thank all for taking the time to
25 listen to my presentation. Egosi.

1 THE CHAIRMAN: Thank you very much
2 Mr. Beardy. Anybody else? Next?

3 MR. REDHEAD: Okay. Hello. My name
4 is Wayne Redhead.

5 THE CHAIRMAN: Wayne?

6 MR. REDHEAD: Wayne Redhead, 34359.
7 I'm a First Nations member. Okay. I thank you
8 all, I thank the panel, community members who have
9 come out to express their concerns and their views
10 on the Lake Winnipeg Regulation, and also to the
11 people in attendance who have come to hear what we
12 have to say about the Lake Winnipeg Regulation.

13 First off, I want to start off by
14 saying a quote from --

15 THE CHAIRMAN: Mr. Redhead, just pull
16 the mic in a little closer.

17 MR. REDHEAD: First off, I want to
18 start off by saying a quote from the late Johnson
19 Saunders. He had written it a few years before he
20 passed away, while he was still working for future
21 development. He stated:

22 "This process is guided by spirit
23 which has a message. This is the time
24 for people to wake up. Otherwise, the
25 things they see today are going to get

1 worse and the children are going to
2 suffer. We have a responsibility to
3 stand up for our life in this world.
4 The young people, the children that
5 you know and care about will have to
6 pay for what is going on today. So we
7 have an obligation to them and to the
8 continuance of life."

9 And that was a quote from the late Johnson
10 Saunders.

11 I, on the other hand, am still here
12 and I continue to encourage people to speak up and
13 to make a stand for what is right and true, to
14 make a stand for our children, our grandchildren,
15 for our future generations, for the unborn yet to
16 be born.

17 Just a note before I continue with my
18 presentation. The transcriptions that were done
19 for Keeyask CEC hearings, and in particular to
20 what I spoke, were not word for word, which took a
21 lot away from what I had to say. It changed most
22 of what I had stated, you know, I don't know if
23 that was the same person or not, but when I read
24 my transcription, it wasn't what I said.

25 THE CHAIRMAN: Just on that, that

1 would be very rare, because the vast majority of
2 our transcripts are word for word. So perhaps
3 there was a bit of a problem with the recording
4 when you spoke. So I am sorry for that.

5 MR. REDHEAD: I just wanted to make --
6 just in case it happens again.

7 It has been 40 plus years since Hydro
8 development has come to make changes and have
9 continued effects on our way of life here in York
10 Landing.

11 MS. JOHNSON: Slow down a little bit.
12 Slow down because she misses the words in between.

13 MR. REDHEAD: Sorry about that. It
14 has been 40 plus years since Hydro development has
15 begun to make changes and have continued effects
16 to our way of life here at York Landing and our
17 membership. All the combined effects have been
18 felt, seen, tasted, smelled and heard, physically,
19 emotionally and spiritually. With the reversal of
20 water levels and flows, York Factory First Nation
21 community members continue to be significantly and
22 adversely affected.

23 When our parents, grandparents, great
24 grandparents were relocated here, this area was
25 beautiful. There was an abundance of wildlife,

1 animals, including furbearing animals, fish, birds
2 and waterfowl. This land and water provided us
3 our way of life. We were able to get food to feed
4 our families, good water to drink and to cleanse.
5 We were able to get plants, foods, medicines from
6 the land and water.

7 All of that has changed now. We are
8 not able to access what it is that we want to get
9 off the land and water. Most of what we get now
10 is from the store and from other places that
11 have -- where we are not able to do what we used
12 to do.

13 The environment has been continually
14 changing. It hasn't been given a time to heal, to
15 cleanse and to replenish itself. It hasn't even
16 been given the opportunity to stabilize itself,
17 with the ongoing activity, in particular Hydro
18 development, it hasn't been given the time to do
19 that.

20 And from the licence, Hydro states
21 that Lake Winnipeg Regulation not only provides
22 benefits for power production, but also alleviates
23 flooding and joint effects on Lake Winnipeg. The
24 same can't be said for downstream all the way
25 along the Nelson River, including our community

1 here. The waters of Lake Winnipeg flow north of
2 Lake by way of Nelson River, which eventually
3 flows into the Hudson Bay.

4 What were once islands are now reefs,
5 and there are many, there are more reefs to watch
6 out for. All the things that make up an island,
7 like the soil, trees, willows, shrubs, roots,
8 berries, medicines, et cetera, are eroded and
9 washed away and destroyed by Hydro development.
10 I'm speaking specifically to Hydro development.
11 Most or all this ends up in the river as
12 sedimentation and debris, which adds to the
13 concerns of mercury contamination, water quality,
14 transportation, recreation. High water levels all
15 of these years has caused additional erosion, dead
16 trees and debris, which affect navigation and
17 resource use.

18 The formation of ice along the
19 shorelines break away when the water levels rise
20 and open water is created along the shorelines and
21 comes over the ice. Ice breaks and cracks where
22 air pockets are created when the water fluctuates.
23 This makes it very dangerous for travel and
24 transportation. And we felt that most recently in
25 December when the water level went up over two

1 feet in December. There was a cold period there
2 in November and we were able to travel by skidoo,
3 or even with our vehicles to get out of the
4 community. And once the high water level came up,
5 that made it more dangerous because all of the
6 water came up over the shoreline, and it was -- I
7 even have pictures of that but I'm not able to --
8 I wasn't able to show any of those pictures today.

9 Another quote in the application by
10 Hydro was that healthy waters and healthy
11 communities are among the keys to Manitoba Hydro's
12 future success and critical to the well-being of
13 all Manitobans. Water on the Nelson River has not
14 only become dirtier and brown, it has become
15 green. Manitoba Hydro has really started to take
16 this literally when they talk about green, clean
17 renewable energy. When you fly over areas of the
18 lake here, and Nelson River, the water is just
19 green, like there is a mixture of green -- I mean
20 brown, dirty brown that comes out of the Aiken
21 River and mixes with the green on Split Lake and
22 the Nelson River.

23 Rapids are where they are for a
24 reason, they have a purpose. But most are now
25 covered and no longer rapids. Spawning areas for

1 fish have been destroyed and flooded over.
2 Locations such as the portage on Aiken River,
3 birds have gone. (Cree words spoken) were there
4 yesterday, and are mostly gone, which were
5 excellent locations for the spawning of many
6 species of fish, including sturgeon and walleye.

7 Both in the 1995 agreement and the
8 Joint Keeyask Development Agreement, we were given
9 ultimatums by Manitoba Hydro. It was a take it or
10 leave it approach by Manitoba Hydro. They played
11 with us as they had the money and backing to do
12 this. In my view and opinion, the compensation,
13 remedial programs and mitigation measures are
14 minuscule to what truly should be in place. An
15 environmental assessment should have been
16 completed prior to working on any details of
17 compensation, remedial programs and mitigation.

18 We didn't go through an environmental
19 assessment to get to the 1995 agreement. With the
20 JKDA, the environmental assessment was done after
21 details of the compensation, remedial programs,
22 mitigation and adverse effects agreement were
23 completed. In fact, the 1995 agreement seems to
24 be going along the way of the 1977 NFA. There is
25 not too much being done about the 1995 agreement.

1 When we were in the midst of doing the
2 environmental assessment for Keeyask and the
3 groundwork for Conawapa, I had often heard from
4 Manitoba Hydro reps that they didn't want to make
5 the same mistakes that they had done in the past,
6 that they wanted to learn from their mistakes.
7 But it became apparent that they were using the
8 same tactics and not wanting -- it seemed to me
9 that they didn't want to learn from their
10 mistakes, they did what they wanted.

11 Manitoba Hydro also states that they
12 provide employment opportunities. They do provide
13 opportunities, but it has not provided employment,
14 specifically long-term employment for our
15 membership within their operations. I would think
16 that there would be more York Factory members
17 employed, having long-term employment with
18 Manitoba Hydro, other than what is being presently
19 constructed at Keeyask, in their operations, like
20 the Manitoba Hydro building in downtown Winnipeg,
21 or any other generating stations that are located
22 throughout Manitoba. And I think, but I'm not too
23 sure, I think there has only been one or two York
24 Factory members that are, in all of these years,
25 that are employed at Manitoba Hydro.

1 The Lake Winnipeg Regulation and Hydro
2 development along the river continue to change our
3 way of life. We will not be able to get back what
4 we had in 1970s and earlier. With all of the
5 changes, my grandchildren will not know what we
6 had here, just as their grandchildren will not
7 know what they have had in their time.

8 Manitoba has to be committed to
9 ongoing monitoring and communication with our
10 membership. We have to fully understand the
11 effects of which we live amongst each and every
12 day of our lives. Many thanks. Thank you.

13 THE CHAIRMAN: Thank you, Mr. Redhead.

14 Are there any others? Anybody else
15 want to come up and add to what we've heard from
16 three presenters so far?

17 MR. OUSKUN: Good afternoon panel
18 members, members of First Nation. I don't have a
19 prepared statement like everybody else, but I will
20 just shoot from the hip, as they say.

21 THE CHAIRMAN: Could you introduce
22 yourself?

23 MR. OUSKUN: My name is Roddy Ouskun,
24 I am a member of the York Factory First Nation,
25 and currently I am co-chair of the York Factory

1 Resource Management Board, along with Darryl
2 Headman and other members of the band.

3 Anyway, it was mentioned earlier that
4 there was, about 16 months ago there was another
5 hearing similar along these lines. I didn't
6 bother coming, because I knew it was more or less
7 just a formality for everything, just like this
8 one, it is just a formality that they have to go
9 through just to -- to get the final licence. I
10 don't really believe that Manitoba Hydro or the
11 Province itself has our best interests at heart.
12 They are just going through the motions to get
13 what they want.

14 All of this was started out 50, 60, 70
15 years ago by somebody thinking that we need to go
16 through, we need the power for future generations
17 they say. It didn't matter who lived in the area.
18 Like, just take a look at South Indian Lake, they
19 were inundated, they had to be moved, Chemawawin,
20 Moose Lake, places like that. But now that people
21 are watching, they have to go through the motions.
22 I don't know what really -- I just don't believe
23 in anything that's happening in this room right
24 now. I've seen what -- I have seen the
25 consequences of the Act, of what is being done

1 right now.

2 I moved here from -- I was one of the
3 people that was moved from York Factory to this
4 community. I was about seven years old at that
5 time. And when we first got here, I seen what
6 this place was, what it had to offer the people at
7 that time. It was no paradise, but at least the
8 water there was drinkable, there was animals,
9 there was a waterfall. Now we don't see any of
10 that here.

11 They say that the health of an
12 eco-system is judged by what you see around you.
13 We don't see anything. So the health of this
14 river system is not very good.

15 And they say, Manitoba Hydro is always
16 trying to stress the fact that this is a clean
17 energy, a source of clean energy. I beg to
18 differ. I would like to see them come around and
19 just look at what they've done to the system here.
20 You can't even put your boat in any place along
21 the river. You have to climb over trees just to
22 get to the better part of the forest.

23 And another issue that I have is
24 this -- I would say this formality or whatever.
25 One of the things that I've always -- excuse me, I

1 can't really remember what -- I'm trying to figure
2 out something to say here but -- I know what I'm
3 trying to say, but it is just not coming out.

4 Anyway, I was thinking about this
5 causeway here, the one that they just put up. The
6 Clean Environment Commission, or whoever was
7 involved at that time, they had to go through
8 those people just to put that thing in. And they
9 couldn't do it until after the study was done.
10 Well, what is the difference there? These people
11 have done the damage, they have done all kinds of
12 stuff to the environment, and yet they are still
13 trying to get a final licence. They have got all
14 kinds of temporary licences. What is the
15 difference there, on what was done in that
16 causeway there? It seems to me that there is a
17 double standard for certain people or certain
18 projects, but the government can do whatever they
19 want.

20 THE CHAIRMAN: Mr. Ouskun, which
21 causeway are you talking about?

22 MR. OUSKUN: Well, there is a causeway
23 that goes from the mainland to that island over
24 there.

25 THE CHAIRMAN: Here in York Landing?

1 MR. OUSKUN: In this community.

2 THE CHAIRMAN: Okay.

3 MR. OUSKUN: So those are a couple of
4 the points that I wanted to bring out. There is a
5 lot of issues that I want to talk about, but due
6 to certain things with my health and that, I can't
7 get them on paper because I can't read -- not that
8 I can't read, but I can't see to read. And I just
9 try to remember what I try to, what I'm trying to
10 say. And I probably forgot -- I know I forgot a
11 lot that I wanted to say. I want to thank
12 everybody just for putting up with me for now.

13 THE CHAIRMAN: Thank you. That's why
14 we come here. We want to hear what you have to
15 say. I'm not sure I caught your first name?

16 MR. OUSKUN: Roddy.

17 MS. DOREEN SAUNDERS: I decided to
18 come up here and speak on some concerns of mine
19 before my voice gets all shaky and whatnot. My
20 name is Doreen Saunders, I am a member of the York
21 Factory Band.

22 I have noticed a lot of changes from
23 the time when we moved over here from York
24 Factory. As the children were, the younger
25 children were growing up here, they had no issues

1 with skin problems. And today there is a lot of
2 them. And I think that's from the water issue,
3 that's the way I look at it. I have a niece, it
4 makes me want to cry when I see her, it looks so
5 pitiful. Not only -- the children too that go
6 swimming in the summertime, they have a lot of
7 issues with the water too.

8 I went for a boat ride one time in
9 Split Lake. I was shocked. And I had my
10 granddaughter with me when she was younger. And
11 there was -- I was sitting in the middle with her,
12 and if I hadn't been paying attention, we would
13 have hit that log that is floating in the water.
14 That's a dangerous part of the season too. In
15 spring thaw there is all of those floating logs
16 and whatnot. We don't want any more of that.

17 If what you guys are going to do what
18 you say you are going to do, please, enough is
19 enough. What more does Hydro want? Why do they
20 want more, why do they want to make more money?
21 If they want to make so much money, give us some,
22 if you are going to destroy our land. You take
23 from us what we have, but we don't get anything in
24 return. Look at our school. The kids miss what,
25 nearly two weeks of school due to the mold. We

1 could have had a new school.

2 There is other, lot of other concerns
3 that I can talk about. But with you people,
4 travel is essential, you have to get out before
5 dark. When you guys come for meetings like this,
6 you should at least spend a couple of days here,
7 meet with all of the people. The other people
8 that don't show up for meetings, they think they
9 can hear it all on Facebook. And I'm not the type
10 that -- people phone me, so what happened at the
11 meeting? You should have been there, that's
12 always my answer to them. They have concerns,
13 they should come out here and speak out. Yeah,
14 there is a lot of concerns that I can talk about
15 but I don't -- I'm pretty sure you heard these
16 things before. I don't want to see any more
17 destruction. Thank you.

18 THE CHAIRMAN: Thank you very much,
19 Ms. Saunders.

20 Anybody else wish to share their
21 thoughts with us? Yes. Thank you.

22 MS. WILLIAMS: Hi, my name is Nancy
23 Williams, I'm with the York Factory First Nation
24 Band, and I work with Health Services as a
25 building healthy communications -- communities,

1 not communications -- coordinator.

2 I didn't prepare anything because
3 usually I just say what I think that I need to
4 say.

5 When I came from York Factory in 1957,
6 I was here, I didn't go out to school that first
7 year. And being here I noticed, I think back a
8 lot of times on those first years I was here in
9 York Landing, about the quality of the water, how
10 clear it was, and it was clean. And after, a few
11 more years later when I was coming back from
12 school in the summer, I noticed a change in the
13 quality of water, how it started getting -- like
14 it was, I can't even describe the colour of it now
15 where it was, before it was nice and blue, bluish
16 colour, and traveling down towards the Landing
17 River there was areas that I can almost remember,
18 I can still picture where you could see right down
19 to the bottom of the river that we were traveling
20 on. Those are the memories that I have of being
21 in York Landing those first years.

22 Now when I look at the water there has
23 been a lot of change, and seeing all of that algae
24 growing, and I know that stems from the Hydro
25 development that's been going on for so many

1 years. All the destruction to the shoreline, the
2 quality of our fish. I don't really have fish a
3 lot of times now, but in the earlier years when we
4 were here, I used to help my mom clean fish,
5 because that is one way of teaching us how to
6 clean the fish and that. And now I see how it is
7 now, the difference in the flesh in the fish. It
8 looks like it is more translucent than it used to
9 be. And there is other -- around the fin area
10 that I have noticed that it is not the way it used
11 to be before. It is harder to cut the fins off.
12 Like it used to be a soft substance around the
13 fins and it is not there anymore.

14 And also we used to be able to walk
15 along the shorelines and go play around the
16 shorelines, spend our time there, but now we can't
17 do that. I go with my grandchildren for walks
18 along the causeway now, and whatever -- there is a
19 little part of, there is a little bit of sand
20 around there, that's where sometimes they spend a
21 little bit of time. Most of that time we are
22 walking through the bush road. And it is -- and
23 walking along the causeway too, we see all of that
24 destruction of the shoreline where all of those
25 trees are in the water, and a lot of other things

1 that are right in the water there too. Yeah,
2 this -- that Hydro development has caused a lot
3 of, I guess, destruction, and I hope that it
4 doesn't happen to our homeland area.

5 And I know that it has been in process
6 for a long time already with Conawapa, right now
7 with Keeyask. It is so, I don't know, it is hard
8 to understand sometimes why there is so much
9 greed. And we try and speak for ourselves when we
10 try and negotiate, but, you know, it doesn't help,
11 because it seems like everything is already in
12 place. But I would like to be able to see
13 something there for my grandchildren and my great
14 grandchildren, if there is still land left for
15 them when they are grown up.

16 I often wonder what is going to happen
17 should anything happen to one of these dams if
18 they break? I've mentioned that before. It seems
19 like it is right throughout Manitoba that all of
20 these dams are growing up, being put up by -- they
21 are building them. Nobody is going to get
22 anything out of that if anything like that
23 happens.

24 I've seen a lot of skin problems with
25 people. But most of the time it is blamed on the

1 water quality, but I don't know for sure, because
2 I don't have any stats on what kind of problems,
3 health problems the water causes. But I'm quite
4 sure that there are problems caused by the water,
5 even with all of the diseases that are happening.
6 There is so much cancer going on with our native
7 people. Even right now today my sister-in-law is
8 having surgery on her lung to remove cancer that
9 they had found a few months ago. I'm not sure if
10 that's a direct cause from the water too, but it
11 could be other things from the environment, the
12 food that we eat from the land.

13 And also we were promised so many
14 things and yet we don't see them. Even when we
15 were relocated from York Factory, there was
16 promises made that things would be here, they
17 would be able to have houses here when they got
18 here. Nothing, there was nothing here. And the
19 food that we have, all of the processed foods I
20 don't think are really good for our health,
21 whereas it used to be better like living off the
22 land. There wasn't that many people sick with
23 diseases like cancer and diabetes and other
24 illnesses that we have now.

25 I don't know if that licence should be

1 granted to Manitoba Hydro, but it will still go
2 through no matter what we say. That's all I have
3 to say. Thank you.

4 THE CHAIRMAN: Thank you,
5 Mrs. Williams.

6 MS. DOREEN SAUNDERS: I just want to
7 make one more statement or question, I have one
8 question for the Hydro. What does the rainbow
9 represent?

10 THE CHAIRMAN: I'm sorry, we do not
11 represent Hydro so --

12 MS. SAUNDERS: What does the rainbow
13 represent? God's promise not to flood the water.
14 And what is Hydro trying to do? That's all.

15 THE CHAIRMAN: Thank you. Anybody
16 else?

17 MS. REDHEAD: Tansi. (Cree spoken).

18 I didn't bring any notes, I'm just
19 going to speak a little bit, some of my
20 experiences, what I have seen. 1957, when the
21 people were relocated from York Factory, I was
22 just an infant then. I was -- my parents were
23 living in Kelsey at the time when the project was
24 started in Kelsey. I was a baby then. And then
25 again in the late '60s, when they extended the

1 powerhouse, I was there once again, because people
2 were employed, the men from Split Lake were
3 employed, and my father was one of the men that
4 was working there.

5 I never, I was a child, I never knew
6 then what destruction I would see in the future
7 from this project. But I just want to share a
8 story of my granddaughter, she is five years old,
9 she is not able to enjoy a lot of the things that
10 I enjoyed as a child playing outdoors such as down
11 the lake. What I see today and what she sees
12 today is very different from what I seen as a
13 child. Last fall we took -- last fall we took her
14 down the lake because she likes to go, she will
15 ask us to take her down to the lake because she
16 wants to throw rocks. But what she throws into
17 the lake is not the natural rock that was there
18 when I was a child, this is all plastered rock
19 from the riprap that's been put along our
20 shoreline here. But I see her enjoying herself.
21 And then she noticed the water, the colour of the
22 water. She asked us how come the water looks like
23 that, is it dying? It was hard to answer her and
24 for her to understand, even if we try to explain
25 to her what is happening to the water.

1 But I felt very sad, and I continue to
2 feel sad, what I see has been done to our land and
3 water. Everything is unhealthy. We are not able
4 to eat the wild food because it has become
5 unhealthy. I believe some of the wild food we
6 eat, especially the fish, is making us sick now,
7 and a lot of us refuse to eat the fish. And the
8 enjoyment of boat rides is not that enjoyable
9 anymore either, because we have to think of our
10 safety. It is almost like it becomes stressful to
11 be on a boat now because you have to be watchful
12 of things floating around.

13 So that's all I have to say. Egesi.

14 THE CHAIRMAN: Could you, you didn't
15 tell us your name?

16 MS. REDHEAD: My name is Nellie
17 Redhead.

18 THE CHAIRMAN: Thank you, Ms. Redhead.

19 MS. DONNA SAUNDERS: Tansi, my name is
20 Donna Saunders. (Cree spoken).

21 I just wanted to repeat what I said.
22 I want to talk about the winter road, the ice
23 road. So there is 32 kilometres from York Landing
24 to the PR80, and there is six kilometres of ice
25 road. And the major concern is the two kilometres

1 of the ice road that's on the Nelson River. So
2 York Factory, York Landing builds a winter road,
3 ice road every year, and there seems to be low
4 funding given for this project every year. And on
5 that two kilometres there is ice ridges, air
6 pockets. And today they have seen six ice ridges,
7 and they have to knock it down and flood it, and
8 it takes a lot of time and effort. And now MIT
9 wants to look at a new location and they possibly
10 want to test an alternative location to cross the
11 ice.

12 But Manitoba Hydro, they need to study
13 the velocity. There is water velocities there
14 that have been studied, but only in that area for
15 the winter road area, and Manitoba Hydro needs to
16 do more studies in the upstream, at least two to
17 three kilometres upstream from the ice road where
18 we cross. So we need Hydro to do that work. It
19 hasn't been discussed with them, but that's a
20 request the chief wants to do.

21 I just wanted to mention my husband,
22 Johnny Saunders, helps construct the ice. And I
23 just asked him if he wanted -- he couldn't come up
24 here, he wanted to come up, and there is some
25 immediate work that needed to be done today. He

1 planned to be here, but he couldn't come. But he
2 wanted some concerns raised, or written down,
3 documented. And he is going to write also a
4 written -- he is going to submit a written
5 document.

6 So there is concern with the water
7 velocity. MIT is concerned with the water
8 velocities, ice thickness, and they are concerned
9 about the section now, now that they have their
10 new system that they have been working with. And
11 it is like, it is brand new to them. It is like
12 before, okay, here is money, go build your winter
13 road, and there was no concern. But now that they
14 have these sophisticated instruments and now they
15 are concerned with ice ridges and air pockets, and
16 there is more of those. And we have had -- like
17 the weather was -- there is different weather,
18 there was warm weather for a long time and then it
19 would be cold and then it will warm up. So that
20 affected the construction of the ice road.

21 And another thing I wanted to mention
22 was, I asked -- well, there is a guy -- where is
23 he, he left -- there was a guy who worked on a
24 ferry here, but he stepped out. But that was one
25 of the other -- I asked one of the workers there

1 that we use the ferry to get to York Landing to
2 Split Lake, to get to Thompson, so we use the
3 ferry service from June to October, and I asked
4 the guys, I asked one of the guys what effects
5 they see. And we have local people that work
6 there that go back and forth. And they see a lot
7 of debris, they see a lot of water fluctuations,
8 and they would like to see more shoreline cleanup,
9 and they would like to see year round shoreline
10 cleanup. They run into a lot of debris. And an
11 example I wanted to give is, I just happened to be
12 on a ferry where they caught a net in one of the
13 propellers, and that delayed the ferry service,
14 they had to cut it. And so that's one of the
15 stuff I wanted to mention there.

16 And my last point I wanted to mention
17 too is, I was just telling the members that I
18 think this panel came, like the panel came, I
19 think it should have been the Province that come
20 here to explain what is going to happen with Lake
21 Manitoba and Lake Winnipeg, and what the effects
22 coming down, what will the effects be,
23 fluctuations, who is regulating it. I think we
24 are seeing you too soon here, because this will
25 give the Province licence after the CEC has been

1 in our communities. The Province hasn't come into
2 our community or other communities to -- like we
3 like to hear what the others thought, I don't know
4 if anybody has been given a chance. So we would
5 like to understand how Lake Manitoba and Lake
6 Winnipeg, how the channel is going to be cut.

7 And if it is possible, we request
8 funding to look at some studies, monitoring,
9 future monitoring, and maybe we could look at
10 hiring our own hydrologist, and just to request
11 funding for stuff like that. We would like to see
12 to, with our fellow members down south, Lake
13 Manitoba, Lake Winnipeg to see the effects that
14 they have with their water flows and what is going
15 to happen. Like there is a lot of cottagers
16 during the summer there, and we hear on the news
17 that they want compensation. We would like to see
18 what they are compensated for. So I would like to
19 see on a map studies showing from Lake Manitoba to
20 Lake Winnipeg all the way down to the coast, I
21 would like to see something like that. That will
22 probably be the business part of it.

23 I think that's all. Thank you.

24 THE CHAIRMAN: Thank you,
25 Ms. Saunders. I can't speak for the Minister or

1 guarantee what the Province might do, but I
2 would -- I think there is a very good chance that
3 when those channels are finally decided and
4 planned, and they will have to apply for an
5 environmental licence, that the CEC will be asked
6 to look at that. And when and if that happens,
7 I'm sure that the CEC will be back into northern
8 communities to hear your concerns. But I would
9 guess that's a few years down the road at this
10 point, two, three, four years before we get to
11 that stage, so...

12 CHIEF BLAND: Did they already build
13 one of them?

14 THE CHAIRMAN: They did. They built
15 an emergency outlet from Lake St. Martin, and they
16 did it under sort of emergency measures so that
17 they didn't have to get an environmental
18 assessment or licence. Now, what they are
19 planning now is a permanent one, and I think it
20 will be more than one channel, and they will have
21 to get -- do the environmental assessment and get
22 a licence for that. And that's in the planning
23 stages right now. I can't tell you exactly where
24 it is at, because we are not involved in that.

25 But the Minister did say about a year

1 ago that he wanted it complete in seven years, so
2 that's about five and a half or six years from
3 now. And there is probably two or three years of
4 construction, so I would think that an
5 environmental licence would probably be applied
6 for in about two years.

7 CHIEF BLAND: Has there been a system
8 evaluation or something since that new -- it is
9 not really -- it is like a drainage thing or
10 whatever?

11 My question is was there a review or
12 an evaluation done on the system as a whole, right
13 down from Lake Winnipeg, down the Nelson River, or
14 is there something going to be looked at in terms
15 of the velocity or the amount of water that comes
16 through that new causeway, or not causeway, but
17 the new drainage system that they put in from Lake
18 Manitoba to Lake Winnipeg?

19 THE CHAIRMAN: At this point nobody
20 has done a system-wide assessment. Whether they
21 do that when they apply for the licence for those
22 Lake Manitoba channels, I don't know, but it is
23 something that we have talked about internally at
24 the Clean Environment Commission, and we think at
25 some point in the not too distant future the

1 Province needs to do that. Because, I mean, you
2 and the other, the other 45 or 50,000 northerners
3 know better than most that Manitoba's waterways
4 have just been totally rerouted and changed and
5 disrupted by other human beings, and nobody has
6 done a system-wide assessment of that. And it is
7 probably at a point now that it should be done
8 very soon.

9 CHIEF BLAND: So in terms of a formal
10 request, is that something that we should be doing
11 as part of this process?

12 THE CHAIRMAN: You can do it as part
13 of this process. And you mentioned earlier, in
14 your earlier comments you made note about
15 non-licensing recommendations. That is certainly
16 something that we would consider. I can't say
17 that we would put it in, but we would certainly
18 consider it. And you can also make that same
19 request just directly to the Minister of
20 Conservation. You basically made it to us now,
21 but in addition to that it wouldn't hurt to go
22 directly to the Minister and ask him to do a
23 system-wide assessment.

24 CHIEF BLAND: Okay. Thank you.

25 THE CHAIRMAN: Yes, sir, if you are

1 going to ask a question, could you use the mic so
2 it gets on the record? Okay.

3 MR. BEARDY: I guess you are opening
4 up a whole new can of worms here when you start
5 talking about what is happening to us. But nobody
6 wants to touch that, what has happened in the
7 past. My brother-in-law, my in-laws from my
8 second marriage, they have been displaced, they
9 are from the Lake St. Martin area. And when they
10 did that, they did that in a hurry. There was no
11 permits given, nothing, licences. So who pays for
12 that, like what happened to us down here? We call
13 it the Nelson River floodway, what they did when
14 they built that, that destroyed Lake St. Martin.
15 But who is to blame for that, and how do you come
16 to compensation wise? Like we are talking about
17 the Churchill River Diversion, we talk about the
18 Kelsey re-running, we talk about Wuskwatim, and
19 now Keeyask is being built, you know. How do
20 you -- who pays for what here? Like we
21 renegotiated the water regime when I was a
22 councillor, and it is peanuts for what Manitoba
23 Hydro has to pay us when the water levels go up.
24 And more water comes down on us when that water is
25 released so the south don't get flooded, so their

1 friend's house don't get dirtied up.

2 I have heard in the past them blaming,
3 it is not us, it is the water coming from the
4 Rockies, all the way down. It might be, it might
5 be. But still the people still cause damage along
6 the way themselves by creating what they did at
7 Lake St. Martin. And I hear they are going to
8 build another one some place else, but it is going
9 to affect the farmers. Finally, they will see
10 when the farmers get affected, when the prices of
11 your food go up, you know, that's the only time
12 they will smarten up, so they will start thinking
13 about us, what we have gone through over all of
14 these years.

15 I don't know how governments, the
16 Federal Government and the Provincial Government
17 can allow this to happen without some kind of
18 punishment, some kind of penalties. You know, it
19 is nothing for Hydro to pay for what it is.
20 Something like this happens to us, the door should
21 be open for us, since it is us that suffer a lot
22 and we give up a lot, and we should get something
23 out of this, not petty cash, that's all we ever
24 got, the Northern Flood Agreement, the '95
25 agreement, that's pennies of what we gave up.

1 I believe it is time -- I think when
2 the government allows things like that to happen,
3 we should seriously talk about revenue sharing.
4 We should have talked about it a long time ago. I
5 probably won't see it because -- the way we
6 negotiate, we are led to a slaughter by us hiring
7 non-aboriginal lawyers, non-aboriginal
8 consultants. We take their word thinking -- we
9 are brainwashed into thinking they know better
10 than us, which is a bunch of crap to me. When you
11 negotiate, you have got to negotiate from
12 experience of what you see. And we failed there,
13 because we did not hire people that seen the past
14 and what they have experienced. We hired
15 non-aboriginal consultants that don't even live
16 here, never lived in the north. We hired
17 non-aboriginal lawyers that never lived in the
18 north. They don't know nothing. It is just a
19 piece of paper, dollar signs to them, that's how
20 they evaluate things.

21 You could never ever replace, no
22 matter how much money you give us, what we lost.
23 But it would be nice to have that for the future
24 generations, some kind of mechanism in there where
25 there is revenue sharing, and we still have a

1 chance to enjoy life. We enjoyed life a different
2 way, maybe with revenue sharing they would enjoy
3 life a better way. That's why we have to protect
4 what is left. We have been in the process of
5 trying to protect northeastern Manitoba with two
6 other reserves. And I hope I'm around to complete
7 it, so the younger generation and the future
8 generation can enjoy at least something that we
9 had in the past, they can go up there and enjoy
10 it.

11 But that isn't -- my main point is, it
12 has to stop somewhere, where we will be treated as
13 equals, not given scraps. You know how you say
14 reserve in my language, (Cree word), that means
15 leftovers, and that's all we have ever gotten.

16 THE CHAIRMAN: Thank you. Anyone else
17 have anything they wish to say?

18 MS. BEARDY: Hello, my name is
19 Georgina Beardy. I'm a band member. This is what
20 I was thinking for a couple of days, well, some of
21 it, I didn't get to finish, the area that I work
22 in. I know our ancestors have always lived in and
23 around the coast, and this continues to be our
24 homeland, my parents, my grandparents, my great
25 grandparents have lived up in the coast. Since

1 1957, the people that were, our people that were
2 relocated to this area, they were guided and
3 directed as to where to go. In order to travel to
4 get here, it was a period of a month and a half to
5 two months, something like that anyway. This was,
6 this place -- this area that they were put,
7 directed to stay here was the (Cree word), meaning
8 like a beaver hut, which is they named to
9 Kawechiwasik.

10 When our people, at the time our
11 people were relocated here, they were already
12 directly impacted from the time prior to 1957, up
13 in York Factory through Kelsey. Of course, they
14 got men from York Factory, a handful of them, to
15 go do the labour, cheap labour work in Kelsey.
16 Just by listening to the stories of our elders,
17 being directed and guided to this area, was meant
18 to me that they were meant for labour for Kelsey.
19 And they already knew at that time being guided
20 and directed that Split Lake was just on the other
21 side, just on the river.

22 During that time when they
23 relocated -- this is my own point of view of our
24 people -- if they stayed up and not come this way,
25 you know, they could have survived living up

1 there, they survived thousands of years before
2 that, before the post was up by York Factory, they
3 lived in Kichewaskahekan. They had a life, the
4 way of the life, the spiritual laws that they
5 followed, a system that is respected, and the
6 natural law still is there today. You know,
7 relocation of our people distorted the way of
8 life, you know, meaning directly impacted and
9 affected, you know, that is a big loss
10 uncomprehended to this day. Everything is
11 different, you know, the whole environment,
12 physically, emotionally, spiritually, mentally,
13 the whole environment impacted by Hydro, it is so
14 more prevalent today than it was 40 years ago.

15 And all of the elements, the cycle of
16 life, the most affected element, what you hear is
17 the water, you know, the water is alive. I always
18 stress that. The last time you guys were here, I
19 talked about the life of water, water gives life,
20 it affects everything in the eco-system. And I
21 can't stress how important water is. As I was
22 listening to people talk, that water in the
23 causeway that was built here, during the summer
24 months we have a youth camp down by the lake
25 there. The causeway that was built there, because

1 of the flow of the water, the way it goes, the bay
2 here was darker and that part was green past the
3 causeway. You can see it in the pictures. People
4 love to take pictures. I like taking pictures,
5 because I find our land to be beautiful. But over
6 the last 40 years it has changed so drastically,
7 impacting the whole of our environment.
8 Especially, you know, I can't even stress to
9 explain how the water has become dead eventually.
10 The next 40, 50 years, those are my children and
11 my grandchildren, what are they going to have?
12 This is where, you know, I get stopped for me when
13 I was thinking about this, there is some -- a lot
14 of other impacts that do affect us all of the
15 time, and you heard it from the community people
16 today.

17 That's all I want to share. Thank
18 you.

19 THE CHAIRMAN: Thank you very much,
20 Ms. Beardy.

21 Anyone else wishes to say anything?
22 We have had some very good comments and
23 presentations this afternoon. We have a few more
24 minutes before our plane returns. If anyone else
25 has anything they wish to say? Well, if not, we

1 will bring them to a close, but we will be around
2 for a few more minutes and we can chat off the
3 record, if any of you wish. Chief Bland, do you
4 have any closing comments you wish to make?

5 CHIEF BLAND: Thank you. I just want
6 to say that this process is important. You know,
7 there is some people that don't feel that what we
8 are doing today is, you know, going to be heard or
9 going to be acknowledged in a decision-making
10 process. You know, that may very well be, but at
11 the same time, people are being heard, what is
12 being said today is being documented and it is
13 being put on record. And I want to thank
14 everybody for coming out today and saying what you
15 had to say. It is important that we bring these
16 issues forward and that we talk about our history,
17 our impacts, and what we go through on a
18 day-to-day basis, or what we have been through in
19 our lives living here in York Landing.

20 You know, there is a lot of emotional
21 stories that were shared over the years and there
22 is a lot of, you know, loss and grief that's been
23 experienced here in our community, and anger with
24 Manitoba Hydro. What they do and what they
25 continue to do, you know, we have been through

1 negotiations with Manitoba Hydro over the past few
2 years, and it never changes, they never cease to
3 amaze me. They will try to railroad and make
4 decisions without, you know, without your real
5 input, even though you try. And the relationship
6 has improved a little bit, but it still has a long
7 ways to go. And people are justifiably angry and
8 upset, and the things that they talk about here
9 today are real, and those are real voices that you
10 hear, and real emotions that you hear.

11 So when we ask, you know, for this
12 Commission to help us, you know, help us put a
13 stop to what is going on, help us to have better
14 control over what happens in our lives and our
15 territory, that this is real for us. And we
16 definitely appreciate the opportunity to have our
17 voices heard.

18 So with that I would like to thank, on
19 behalf of the Chief and Council and the community
20 members of York Factory, I would like to thank you
21 for coming here today and giving us that
22 opportunity. Thank you.

23 THE CHAIRMAN: Thank you, Chief Bland.
24 And I would like to thank you and your council and
25 community for allowing us to come in here today.

1 I would like to particularly thank those of you in
2 the room today who came up this afternoon, and for
3 many of you sharing your thoughts and views with
4 us.

5 As I probably said at the end of our
6 hearings 16 months ago, I can't guarantee that we
7 will give you any of the things that you would
8 like, specifically, but what we've heard today
9 will certainly have an influence on us, on the
10 panel, when it comes time to make our decisions.
11 And in our deliberations leading up to those
12 decisions, we will be informed by what we've heard
13 here today. So thank you all. Again, thank the
14 community for the welcome and the lunch, and for
15 your presentations this afternoon. Do you wish to
16 have a closing prayer?

17 CHIEF BLAND: Yes. I will ask Nancy
18 Williams to do a closing prayer. Thank you.

19 (Closing prayer)

20 MS. WILLIAMS: I just wanted to say
21 something quickly. Last year the children, I
22 forget what grades they were, went to release some
23 sturgeon somewhere. And a few days ago we were
24 mentioning those sturgeon and somebody said, I
25 wonder what ever happened to those sturgeon? And

1 I guess some of the little kids had said, they
2 probably all died of fright from that water.

3 (Concluded at 4:30 p.m.)

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OFFICIAL EXAMINER'S CERTIFICATE

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

Cecelia J. Reid
Official Examiner, Q.B.

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