

MANITOBA CLEAN ENVIRONMENT COMMISSION

KEEYASK GENERATION PROJECT

PUBLIC HEARING

Gillam, Manitoba

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Transcript of Proceedings  
Held at Gillam Rec Centre  
Gillam, Manitoba

TUESDAY, SEPTEMBER 24, 2013

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## APPEARANCES

## CLEAN ENVIRONMENT COMMISSION

Terry Sargeant - Chairman  
Edwin Yee - Member  
Judy Bradley - Member  
Jim Shaw - Member  
Reg Nepinak - Member  
Michael Green - Counsel to the Board  
Cathy Johnson - Commission Secretary

## MANITOBA CONSERVATION AND WATER STEWARDSHIP

Bruce Webb

## KEYYASK HYDROPOWER LIMITED PARTNERSHIP

Chief Walter Spence  
George Neepin  
Halina Zbigniewicz  
Janet Mayor - Hydro Counsel  
Vicky Cole  
Shawna Pachal

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1 Tuesday, September 24, 2013

2 Upon commencing at 3:00 p.m.

3 CHIEF SPENCE: Good afternoon, my name  
4 is Walter Spence. I'm the Chief of Fox Lake. I  
5 want to introduce our elder Sophie Lockhart. By  
6 tradition we open up all of our meetings with an  
7 opening prayer, so we will start with that.

8 (Opening prayer)

9 CHIEF SPENCE: Thank you, Elder Sophie  
10 Lockhart.

11 Welcome chiefs, elders, councillors,  
12 members and visitors, as well as the  
13 Commissioners. It is a pleasure to welcome the  
14 members of the Clean Environment Commission to our  
15 home and traditional territory. The presence of  
16 the Commission members here is important because  
17 it marks the first time in history that Fox Lake  
18 has been a member of Manitoba Hydro in the  
19 planning for and development of a hydroelectric  
20 dam in which we participate as a member for the  
21 life of the project.

22 The Commission is here to hear from  
23 our membership about their feelings, questions,  
24 concerns and approval of the details of the  
25 project. The Commission wants to hear your

1 feelings about the joint Keeyask Development  
2 Agreement and the Adverse Effects Agreement  
3 intended to avoid, mitigate and compensate for the  
4 horrendous impacts which our people of Fox Lake  
5 know too well from prior hydroelectric projects in  
6 which we were not only decimated, but disempowered  
7 because we were not taken into account at all in  
8 determining the process of development or in the  
9 operation and maintenance of the dams. That is a  
10 history which can not be allowed to repeat itself,  
11 and through the negotiations of the joint Keeyask  
12 Development Agreement and our partnership with  
13 Manitoba Hydro and the other three Cree Nations,  
14 we hope we will have substantially reduced, if not  
15 entirely eliminated, the tragedies of the past.

16           There were extensive consultations  
17 with the communities over the years in which the  
18 agreements were being negotiated. There were  
19 detailed and excellent explanations of the  
20 agreement provided to the members of Fox Lake,  
21 wherever they lived, prior to the referenda, and  
22 Fox Lake members here at Fox Lake and Gillam.  
23 Throughout the communities of Thompson, Churchill  
24 and Winnipeg overwhelmingly accepted and ratified  
25 the two agreements, the JKDA and the Adverse

1 Effects Agreement. Through these agreements we  
2 have inserted our Cree Worldview into the  
3 environmental evaluation report. We have provided  
4 for protections against recurrent problems of the  
5 past, and we have negotiated benefits for our  
6 community in terms of training and employment and  
7 business opportunities which have been and will be  
8 of much assistance to our people, our youth and  
9 generations to come. Those generations to come  
10 also will be benefited by a flow of income coming  
11 to us as partners in the project, which not only  
12 will produce significant income for our people and  
13 our programs, but will be producing a stream of  
14 income which is ours to deal with as we see fit,  
15 not subject to overriding rules and regulations of  
16 governments other than our own. It is a form of  
17 independence, which we value and which subsequent  
18 generations will be proud to say resulted from the  
19 efforts of our community today and the foresight  
20 as shown in the way in which it has conducted  
21 itself in these negotiations and the ratifications  
22 of our partnership agreement with Manitoba Hydro.

23 I know that everyone not agrees with  
24 what has been done, the way in which it has been  
25 done or the results of what has been done. Of

1 course, even though Fox Lake members have  
2 overwhelmingly affirmed the project in a  
3 democratic process, we value and support those who  
4 have questions, comments, challenges or criticisms  
5 of what has been done, and the nature of the  
6 arrangements that have been made. We also look  
7 forward to hearing from those who have suggestions  
8 as to what can be done in the future to improve  
9 the protection of our Aski in all of its facets.  
10 We welcome those who have opposing views. In  
11 fact, the purpose of the Commission's hearing  
12 today in our home and traditional territory is to  
13 allow our members to express themselves freely and  
14 fully on all such matters. Please do not hesitate  
15 to engage with the Commissioners from your hearts  
16 and minds with integrity and concern for the  
17 future. We must all remember that we are stewards  
18 of this land and this environment, and nothing is  
19 more important to us than its preservation and the  
20 continuance of its ability to support and maintain  
21 our people.

22 Thank you all for being here. I look  
23 forward to hearing from you, as do the  
24 Commissioners this time, and for the first time in  
25 history, as partners in a Hydro dam.

1 THE CHAIRMAN: Yes. Is Mr. Neepin  
2 going to speak now or after my opening comments?

3 MR. NEEPIN: Part of my presentation,  
4 Mr. Chairman, will also include a video  
5 presentation, so that would be fine.

6 THE CHAIRMAN: Perhaps I should say my  
7 opening comments first because they are basically  
8 introductory, Mr. Neepin, and then we will turn it  
9 over to you. All right.

10 Okay. Thank you, Chief Spence and  
11 thank you to Elder Lockhart. Good afternoon and  
12 welcome. My name is Terry Sargeant, I'm the chair  
13 of the Manitoba Clean Environment Commission. I'm  
14 also the chair of the panel that will be  
15 conducting the review for the Keeyask Generation  
16 Project. At the outset I would like to  
17 acknowledge that we are meeting today in the home  
18 and the traditional territory of the Fox Lake Cree  
19 Nation, and we thank them for allowing us this  
20 privilege.

21 I would like to introduce you to the  
22 other members of the panel. On my far left is  
23 Edwin Yee, next to him is Reg Nepinak, and to my  
24 right is Judy Bradley and Jim Shaw. In addition  
25 to the panel, I would like to introduce some staff

1 and advisors who are assisting us with this  
2 review, starting with the Commission Secretary,  
3 Cathy Johnson. At the back of the room is our  
4 Commission administrative assistant, Joyce  
5 Mueller. Our legal counsel is Mike Green, and our  
6 report writer is Bob Armstrong.

7           As some of you will know I actually  
8 spent a number of years living in Gillam back in  
9 the early 70s as a personnel and payroll manager  
10 for the principal contractor. So it is always a  
11 pleasure for me to come back to this community. I  
12 have a lot of very fond memories of my time in  
13 Gillam. And when we were here last fall in the  
14 Bipole review it was the first opportunity I had  
15 had to come back here for many, many years. And  
16 now to come back again a year later is indeed a  
17 pleasure. I spent a bit of time yesterday and  
18 again earlier today just wandering around town  
19 looking at some of my old haunts, and also looking  
20 at many of the changes that have occurred in this  
21 community since I was here, and some that are just  
22 under way right now. I noted significant changes  
23 in front of the old shopping centre, and saw the  
24 diagrams inside and realize it is going to be a  
25 very different facility in another year or two.

1                   We are here today because last fall  
2   the Minister of Conservation and Water Stewardship  
3   asked us to hold public hearings to review the  
4   Environmental Impact Statement prepared by the  
5   partnership for the Keeyask Generation Project.  
6   He specifically asked us to review that EIS, the  
7   Environmental Impact Statement, to review the  
8   proponent's public consultation process; he asked  
9   us to recommend whether or not an environmental  
10   licence should be issued to the partnership; and  
11   third, if so, to recommend any proposed measures  
12   to mitigate any potential adverse environmental,  
13   socio-economic and cultural effects that may be  
14   affected by the project.

15                   And he specifically asked us to hold  
16   hearings in the areas, or in the area of the  
17   project, to allow reasonable access to the people  
18   who live near the proposed generation station.  
19   And that's why we are here today. Today is the  
20   first day of our hearings. These hearings will go  
21   on now for I guess about two and a half months  
22   until early November -- pardon me, early December.  
23   We are in Gillam this week. We have hearings this  
24   afternoon and this evening here. Tomorrow in  
25   Bird. Thursday in York Landing. And next week we

1 are in Thompson and Tataskweyak.

2 As has already been noted by the  
3 Chief, this is a unique project given that the  
4 proponent is a partnership that includes four  
5 First Nations that are in the immediate area of  
6 the project. And because of that, we felt it was  
7 important that we hear from the people in those  
8 communities. After our northern tour, we actually  
9 have a couple of weeks off, or two weeks off I  
10 guess, and then we will begin the Winnipeg  
11 hearings on October 21st, and they will carry on  
12 until about the 4th or 5th of December.

13 In these hearings in Northern Manitoba  
14 the Commission wants to hear from members of these  
15 communities about their thoughts and concerns  
16 about the projects. We recognize the need to  
17 respect the customs of individual communities and  
18 we will accommodate a more flexible approach. We  
19 will endeavor to make the hearings as informal as  
20 possible to encourage as much local participation  
21 as we can get. Anybody who is a member of this  
22 community or really anybody who is in the room is  
23 welcome to attend these hearings, and also welcome  
24 to make a presentation.

25 All of our hearings are recorded.

1 This is a requirement of the Environment Act.  
2 Transcripts are produced very quickly, so you can,  
3 by going to our website, read copies of the  
4 verbatim transcript of whatever we hear today in  
5 this room.

6 As I have noted already, and I will  
7 repeat, that anybody in the room is welcome to  
8 make a presentation. There is no requirement that  
9 you do so, but if you wish to make a presentation  
10 we ask that you just let our assistant, Joyce  
11 Mueller, at the back of the room know so we know  
12 that you wish to do that. The statement is a  
13 chance, or a presentation is a chance for you to  
14 give the community members, to let them know your  
15 personal knowledge, your views and any concerns  
16 you might have about the proposed project.

17 I would note that you can give your  
18 presentation in your own language, if you wish.  
19 We would ask, though, that you have somebody who  
20 can translate for you for the benefit of those of  
21 us in this room, and on the panel in particular,  
22 who don't speak Cree. I do know that last fall we  
23 had a number of people give presentations in their  
24 language and there were two or three people in  
25 particular, two or three of the women who were

1 present, who did translate very well for us. At  
2 least I think they translated very well, I didn't  
3 understand the Cree. I know they had something  
4 going on between me and some of the women about  
5 some beauties or something, but maybe Sophie can  
6 remind me what that was about. But it was good  
7 humour and it was fun. We also heard some good  
8 and moving testimony last fall.

9 I would also note that if there is  
10 anyone in your community who is unable to attend  
11 our sessions today or this afternoon or this  
12 evening, or if there is someone who doesn't really  
13 want to speak in public, but you want to let the  
14 panel know your views, you are more than welcome  
15 to submit a written submission. This can be by  
16 way of a letter or an email or you can even go to  
17 our website and send your comments to us directly  
18 on there. The panel will read all written  
19 submissions that we receive. Those written  
20 submissions become part of the record and carry  
21 the same weight as if you were here and made them  
22 in person.

23 I think that's really all I have to  
24 say by way of opening remarks. I do hope that  
25 there are a number of you who are willing or would

1 like to make presentations later on this afternoon  
2 or this evening.

3 Now I would turn it back to I believe  
4 Mr. Neepin first, and then Ms. Zbigniewicz for  
5 Hydro to make an opening presentation.  
6 Mr. Neepin.

7 MR. NEEPIN: Thank you. Welcome  
8 members of the Commission, Chiefs, councillors,  
9 elders, citizens of the neighboring Cree Nations,  
10 Ladies and gentlemen. I have been asked to do a  
11 short presentation on behalf of Fox Lake Cree  
12 Nation as part of the public process which we are  
13 now all attending here in Gillam. The Commission  
14 quite properly has instructed that we be brief in  
15 our opening comments because the purpose of the  
16 meeting today is to hear from the public, and not  
17 us, and we will be presenting evidence, in any  
18 event, in detail at the Commission hearings in  
19 Winnipeg when they begin.

20 So I want to address a number of major  
21 points in summary, which may help to stimulate  
22 discussions by all of you today, and lead to the  
23 kinds of questions and concerns that may have  
24 already occurred to you and will occur to you in  
25 the course of the meeting.

1                   Fundamentally Fox Lake Cree Nation  
2    supports the Keeyask project, and is pleased to be  
3    a partner with Manitoba Hydro and our Cree  
4    brothers and sisters from Tataskweyak Cree Nation,  
5    War Lake and York Factory First Nation in this  
6    endeavor. That's a pretty surprising statement  
7    for me to be making on behalf of Fox Lake, given  
8    the horrors we have suffered and endured from past  
9    Hydro development in our backyard. Both -- not  
10   just in our backyard but also to our Aski and to  
11   our members socially, emotionally, physically,  
12   economically and in terms of our health.

13                   In fact, we support the project  
14   because for the first time we are a partner to the  
15   promotion of a hydroelectric project, and in that  
16   capacity we can minimize the adverse impacts. We  
17   will endure as stewards and residents of this  
18   area, and at the same time we maximize the  
19   benefits we will derive and are deriving from the  
20   project.

21                   As a nation, our representatives spent  
22   ten years of sustained efforts in the research,  
23   discussions, negotiations and decision-making on  
24   all aspects of the development which lead to the  
25   signing of a joint Keeyask Development Agreement,

1 the partnership agreement, which is sometimes or  
2 most times referred to as the JKDA. When I say we  
3 participated in all aspects of the process, I'm  
4 referring to the description of the project and  
5 its fundamental features, the environmental  
6 assessment process, notably the identification of  
7 and introduction into the process of our  
8 Aboriginal traditional knowledge with respect to  
9 Aski. We have attempted to ensure that the Cree  
10 philosophy of mino-pimatisiwin was defined and  
11 accounted for in our own environmental evaluation  
12 report which became a part of the Environmental  
13 Impact Statement submitted to the regulatory  
14 authorities, including this Clean Environment  
15 Commission.

16 We negotiated an Adverse Effects  
17 Agreement with Manitoba Hydro, as did the other  
18 three Cree Nations, which deals with avoidance,  
19 mitigation and compensation of the adverse effects  
20 we have been concerned about; notably the impact  
21 of the influx of workers which has always  
22 terrorized our community.

23 The mitigation programs all have a  
24 focus on healing and strengthening the Fox Lake  
25 people and on strengthening Fox Lake language and

1 heritage. Fox Lake will receive the funding for  
2 and administer the offsetting programs.

3           We have negotiated and we have ensured  
4 in the agreement that there is a re-opener  
5 provision which provides that either Fox Lake or  
6 Manitoba Hydro may request changes to the  
7 agreement or the offsetting programs if there are  
8 material changes to the Keeyask project, new and  
9 material information comes to light that was not  
10 considered or addressed in the negotiation of the  
11 adverse agreement itself, or if an anticipated  
12 event effects occur.

13           It is also important to note that our  
14 Aboriginal and Treaty rights themselves are in no  
15 way impaired or altered as a result of the Adverse  
16 Effects Agreement or the JKDA. At the same time  
17 we have established other initiatives to deal with  
18 institutionalized discrimination which runs deep  
19 in Gillam and will require much time and effort  
20 before even moderate change is effected, but it is  
21 a start.

22           In the course of the negotiations we  
23 won some and we lost some, but the point is we  
24 were participants in the formation of the  
25 partnership with Manitoba Hydro and with the other

1 three Cree Nations. To be sure, we are minority  
2 partners and Manitoba Hydro remains essentially in  
3 control, but as partners we have had and will have  
4 a say in defining that control and in all other  
5 aspects of the project. Importantly we did so  
6 through continuous consultations with the members  
7 of Fox Lake, with the assistance of our Keeyask  
8 advisory committee which was comprised of members  
9 of the Fox Lake community, not otherwise involved  
10 in the process. Through extensive presentations,  
11 verbal and otherwise, in all of the communities in  
12 which Fox Lake members find themselves, we  
13 attempted to explain the complex provisions of the  
14 development agreement to our members.

15           Perhaps most importantly as a result  
16 of the requirements of the JKDA, Fox Lake, based  
17 on those consultations and information sessions  
18 and dialogues, held referenda to ensure that Fox  
19 Lake was proceeding only with the consent of our  
20 people. Both the Adverse Effects Agreement and  
21 the JKDA required that a majority of Fox Lake  
22 members voting approved them. In fact, in the  
23 final referenda, with about half of our members  
24 voting 91.9 per cent favoured the JKDA and 93.3  
25 per cent favoured the Adverse Effects Agreement.

1 All of those who wanted to participate did so, and  
2 their message was overwhelmingly positive.

3 I want to make one last point in the  
4 initial presentation of the Fox Lake perspective.  
5 I want to acknowledge and recognize that not every  
6 Fox Lake member agrees with our participation or  
7 the terms we negotiated or the analysis which we  
8 did. To expect such absolute consensus would have  
9 been an impossible dream, given our history. In  
10 fact, as we all know, a concerned group of Fox  
11 Lake citizens itself will be appearing at the  
12 hearings and will make its views and analysis  
13 known to the Commission.

14 We value and encourage debate and  
15 critical dissent. We are content with the  
16 overwhelming majority of the referenda vote, but  
17 we still believe that Fox Lake members, both at  
18 this meeting and the other meetings in the north  
19 as well as the hearings in Winnipeg, are entitled  
20 to express their views and concerns. We believe  
21 that democracy has triumphed in a way which past  
22 generations could never have dreamed possible.

23 There may be much about the deal which  
24 we might have loved to have seen done differently  
25 with different results, but Fox Lake is proud of

1 its accomplishments, and it looks forward to using  
2 this experience as a foundation to ensure that in  
3 the subsequent projects, particularly Conawapa,  
4 that even more is achieved.

5                   We will next play a short video  
6 entitled "Keeyask, our story." This video was  
7 produced by the Keeyask Hydropower Limited  
8 Partnership and is a component of the  
9 environmental impact statement for the Keeyask  
10 project. It provides an understanding of the  
11 Worldview of the Cree partners and our difficult  
12 journey in coming to a decision to participate in  
13 this project.

14 (Video playing)

15                   THE CHAIRMAN: Thank you, Mr. Neepin.  
16 Ms. Zbigniewicz, you are up next. We will now  
17 have a presentation from Manitoba Hydro on behalf  
18 of the partnership -- I guess on behalf of the  
19 partnership. Go ahead, please.

20                   MS. ZBIGNIEWICZ: Good afternoon,  
21 Mr. Chair, Chiefs, Commission members, elders,  
22 youth, ladies and gentlemen. I'm Halina  
23 Zbigniewicz, and I'm the manager of Hydropower  
24 Planning at Manitoba Hydro. I'm also the Keeyask  
25 pre-construction project manager. And I am

1 pleased to make this presentation on behalf of the  
2 Keeyask Hydropower Limited Partnership.

3           To undertake this project Manitoba  
4 Hydro and our First Nations partners, Tataskweyak  
5 Cree Nation, War Lake First Nation, Fox Lake Cree  
6 Nation and the York Factory First Nation have  
7 formed the Keeyask Hydropower Limited Partnership.  
8 Together today we are pleased to present a  
9 snapshot of the proposed Keeyask Generation  
10 Project. You have already heard from Chief Spence  
11 and George Neepin as well as the video. And I  
12 will build on this information that you have seen  
13 already. We look forward to presenting more  
14 details at the hearings scheduled next month in  
15 Winnipeg. We are confident that when these  
16 hearing conclude we will have demonstrated the  
17 environmental merits of the project to the  
18 satisfaction of the Commission so you are able to  
19 recommend to the province that they grant  
20 regulatory approval.

21           As you will hear -- as you heard from  
22 our partners, in addition to working directly with  
23 Manitoba Hydro on this environmental assessment,  
24 they also developed and undertook their own  
25 independent community specific environmental

1 evaluations based on their own experiences and  
2 perspectives. The partner First Nations saw an  
3 opportunity for current and future generations to  
4 benefit from the Keeyask Generation Project. We  
5 at Manitoba Hydro are honoured that the Cree  
6 Nations have joined us in this partnership, and  
7 appreciate the extraordinary efforts that they  
8 have taken to work with us in a respectful and  
9 meaningful way. We are well aware the past power  
10 development on the lower Nelson has been difficult  
11 and hurtful to the Cree people. And we understand  
12 their northern environment and ways of life have  
13 been dramatically changed in small ways and in  
14 large ways. However, progress has been made in  
15 many areas, including employment where close to 50  
16 per cent of our northern work force is now  
17 Aboriginal.

18           That said, we acknowledge that  
19 concerns have been expressed by the First Nations  
20 related to racism in the work place, and we are  
21 working with the First Nations to clarify and  
22 address their concerns. We recognize bringing  
23 together different cultures creates the potential  
24 for conflict and misunderstandings, as well as  
25 opportunities for learning and exchanging of

1 ideas.

2                   There is no question that hydro  
3 development in Northern Manitoba has been  
4 extensive, with large changes to river systems  
5 including the lower Nelson, the place the partner  
6 First Nations call home. In developing these  
7 earlier projects, Manitoba Hydro used development  
8 practices of the day which would not be considered  
9 acceptable today. Efforts to inform, consult or  
10 involve local communities in the process were  
11 either missing or much more limited, and with very  
12 different understandings of Aboriginal rights and  
13 interests. Project effects were not fully  
14 understood or appreciated, both within the  
15 communities and at Manitoba Hydro. This meant  
16 initial mitigation was inadequate and a lot of  
17 work had to be done to account for project effects  
18 well after the projects were developed.

19                   Leading up to and throughout the  
20 Keeyask process policies, procedures,  
21 understandings and attitudes within Manitoba Hydro  
22 have changed. The impact of resource development  
23 on Aboriginal people and the environment is now  
24 better understood as is the imperative to consult  
25 and involve these most affected people in the

1 development and to ensure the projects are better  
2 both socially and environmentally.

3           The Manitoba Hydro that negotiated the  
4 Northern Flood Agreement and subsequent  
5 implementation agreements of many years ago is not  
6 the same Hydro that negotiated the Joint Keeyask  
7 Development Agreement or participated in the  
8 Keeyask Environmental Assessment.

9           The JKD agreement is at the core of  
10 how Manitoba Hydro and the partner First Nations  
11 will go forward. It includes governance, the  
12 approach to the regulatory process, project  
13 description, adverse effects, training and  
14 employment, business opportunities, business  
15 arrangements/income opportunities, as well as  
16 dispute resolutions. It defines and is the  
17 foundation of a strong and fair partnership  
18 arrangement.

19           During negotiations Manitoba Hydro  
20 committed it would not proceed with the project  
21 for export purposes if the partner First Nations  
22 did not support the project. This is really a  
23 very important point, because this means the  
24 partners and Manitoba Hydro had to reach an  
25 agreement that was satisfactory to both parties,

1 if the project were to advance for export. The  
2 main focus of the companion Adverse Effects  
3 Agreement is a series of community based programs  
4 designed to offset unavoidable adverse effects on  
5 the practices, customs and traditions integral to  
6 the partner First Nations. These include  
7 opportunities for hunting, fishing, trapping for  
8 food beyond the Keeyask area, Cree language  
9 programs, programs provided for youth and young  
10 adults with opportunities to experience a  
11 traditional lifestyle. The agreements also  
12 contemplate a process to address any adverse  
13 effects that were not anticipated or foreseen, and  
14 which were not identified in the environmental  
15 impact assessment process.

16 The four partner First Nations will  
17 implement the programs and some are already  
18 underway. A community approval process is also in  
19 place for making changes to any of the programs,  
20 if required.

21 Negotiating both the joint Keeyask  
22 Development Agreement and the separate adverse  
23 effects agreement, all of which were validated  
24 through a community referendum process and signed  
25 in 2009 with each First Nation, has taken a

1 tremendous decade long effort. Process funding of  
2 approximately 140 million dollars, amounting to  
3 about 2 per cent of the total project costs were  
4 provided over the ten year period to ensure that  
5 partner First Nations had the necessary legal and  
6 technical support, as well as funding for studies,  
7 technical tables, community meetings and overall  
8 involvement.

9           This partnership has been a true  
10 collaboration; one that has resulted in a unique  
11 two track environmental impact statement and  
12 project assessment. One track was lead by the  
13 Cree Nations who evaluated the project based on  
14 their Cree Worldview and 50 years of experience  
15 with hydroelectric development. These assessments  
16 are presented in the Keeyask Cree Nations  
17 enviromental evaluation reports, and are part of  
18 our joint impact statement. They have been given  
19 equal weight and respect along with technical  
20 science.

21           The other track was lead by the  
22 partnership, including Manitoba Hydro and the  
23 partner First Nations. This track assessed the  
24 effects of the project in terms that are  
25 consistent with Federal and Provincial regulatory

1 requirements. This track included preparation of  
2 a technical science-based environmental  
3 assessment, which is also provided in the  
4 partnership's environmental impact statements.

5           These two tracks, however, should not  
6 be thought of as two silos, but rather a necessary  
7 way to incorporate and understand two ways of  
8 looking at the project. The project and the  
9 assessment are infinitely better as a result of  
10 this collaboration, and mark an unprecedented  
11 approach in the history of Manitoba Hydro, and we  
12 believe in environmental assessments everywhere.

13           These arrangements for working  
14 together were negotiated early on through a year  
15 2000 agreement in principle between Manitoba Hydro  
16 and Tataskweyak Cree Nation, and were ultimately  
17 formalized in the environmental regulatory  
18 process -- excuse me, environmental and regulatory  
19 protocol included in the Joint Keeyask Development  
20 Agreement that was signed by all of the parties.

21           The Keeyask EIS process has included  
22 intense consultation, discussion and  
23 communications; hours, days, months and years.  
24 This involved each partner First Nations  
25 conducting its own intensive consultation process

1 with its members and within their own communities.  
2 For example, between the period of 1998 and 2009  
3 the Cree Nation partners, Tataskweyak Cree Nation  
4 and War Lake First Nation, held nearly 2,100  
5 information negotiation reference group general  
6 membership and youth meetings related to the  
7 Keeyask generation project. York Factory First  
8 Nation and Fox Lake Cree Nation also undertook  
9 intensive processes which are explained in more  
10 detail in the EIS submission.

11 The partner First Nations reviewed all  
12 aspects of the EIS and it could not be filed until  
13 there was agreement on its contents. Throughout  
14 the partner First Nations have maintained their  
15 identity, integrity and strengthened their  
16 influence and capacity.

17 As well, we have undertaken extensive  
18 public consultation process throughout Manitoba,  
19 as well as holding open houses in Winnipeg and in  
20 Brandon. These meetings were open to all  
21 stakeholders who wanted to participate. This  
22 process has provided opportunities for  
23 communities, groups and organizations to learn  
24 about the project and to provide input into the  
25 project. Three rounds of formal public

1 involvement took place between June 2008 and  
2 July 2013 for a total of 74 events. Public  
3 involvement events included meetings and sessions  
4 with chiefs and councils, municipal leaders,  
5 representative organizations such as MKO and the  
6 KTC tribal council, through community meetings,  
7 workshops and open houses. Over the five years in  
8 excess of 30 groups, communities, organizations  
9 were invited to participate, including Cross Lake  
10 First Nation/Pimicikamak Okimawin, Shamattawa  
11 First Nation, as well as the Manitoba Metis  
12 Federation. Cross Lake First Nation/Pimicikamak  
13 Okimawin and Manitoba Hydro continue to meet  
14 regularly through the Northern Flood Agreement  
15 Article 9 consultation process which includes  
16 ongoing discussions about the project. The  
17 Manitoba Metis Federation and Manitoba Hydro  
18 continue to meet to explore the interests of its  
19 members in the project area.

20                   Following more than 30 meetings over  
21 several years an agreement was reached in the  
22 summer of 2013 on a work plan to undertake a Metis  
23 specific traditional land use and knowledge study  
24 and a socio-economic assessment. Shamattawa First  
25 Nation participated in rounds 2 and 3 of the

1 public involvement process. Peguis First Nation  
2 had an opportunity to participate in the initial  
3 process, and after application for participant  
4 status was invited to a workshop as part of the  
5 round 3 public involvement process.

6 Most importantly, the partner First  
7 Nations have been influential and effective in  
8 identifying and advocating measures to reduce the  
9 project's environmental effects based on their  
10 knowledge of the land and their experience with  
11 previous projects. They have substantially shaped  
12 project plans and the overall environmental  
13 assessment process. Their early involvement and  
14 participation resulted in modifying the design,  
15 size, location of the project, and helped to  
16 identify measures to avoid, reduce and mitigate  
17 adverse project environmental effects and to  
18 enhance positive benefits.

19 Our partners also influenced plans  
20 that were made for clearing the reservoir,  
21 waterways management, ice monitoring, navigation  
22 and hazard marking, as well as reclamation of  
23 disturbed sites.

24 Symbolically, but notably, the Keeyask  
25 Cree Nations changed the project name from Gull

1 Rapids to Keeyask, the Cree word for Gull. It was  
2 a signal and a sign that their participation would  
3 be influential and pivotal, and it has been. The  
4 result has been a thoughtful, carefully planned  
5 and designed project, and I will briefly describe  
6 it to you.

7                   If approved, the Keeyask Generation  
8 Project will be built within the Split Lake  
9 resource management area immediately upstream of  
10 Stephen's Lake between two existing Manitoba Hydro  
11 generating stations, Kelsey developed in the late  
12 1950s and Kettle developed in the early 1970s. It  
13 is an area traditionally used by all of the  
14 partner First Nations. The nearest communities  
15 are Split Lake, home of the Tataskweyak Cree  
16 Nation to the west, and Bird, home of Fox Lake  
17 Cree Nation. Gillam, the home of Manitoba Hydro's  
18 operation centre and Fox Lake Cree Nation, it is  
19 31 kilometres to the east of the Keeyask  
20 Generation Project. War Lake First Nation at  
21 Ilford on the Hudson Bay railway line, and York  
22 Factory First Nation at York Landing on Split Lake  
23 are located southwest of the project.

24                   Manitoba Hydro made a business  
25 decision, in response to First Nation proposals,

1 to negotiate partnership arrangements with these  
2 First Nations in part based on their proximity to  
3 the project and their historical relationship with  
4 Manitoba Hydro. In this way we could provide  
5 these communities with an opportunity to have a  
6 say in and benefit from these future developments.

7           The Keeyask Generation Project will be  
8 a 695-megawatt hydroelectric generating station  
9 with seven units with supporting infrastructure  
10 located at Gull, or Keeyask Rapids, at the lower  
11 Nelson River, 180 kilometres northeast of  
12 Thompson. In addition to the seven unit power  
13 house, the generating station will include a seven  
14 base spillway, three dams, two dykes and a  
15 reservoir. The spillway will manage surplus river  
16 flows that exceeds the capacity of the power  
17 house, and the dams and dykes will contain the  
18 reservoir created upstream of the principal  
19 structures. The reservoir level will be operated  
20 within a narrow one metre range. The full supply  
21 level, being 159 metres, and the minimum operating  
22 level of 158 metres.

23           The supporting infrastructure will  
24 include permanent north and south access roads,  
25 with a north access road now under construction

1 under the Keeyask Infrastructure Project. I will  
2 speak a little bit about the project in a minute.  
3 The supporting infrastructure also includes a  
4 transmission tower spur, a communications tower,  
5 borrow areas, excavated material placement areas,  
6 boat launches, a portage and public safety  
7 measures. Once the project is constructed, the  
8 north and south access roads will be connected  
9 with the project and will be integrated into the  
10 Provincial highway network.

11 The project will also include plant  
12 operations and decommissioning of temporary  
13 infrastructure, such as the construction camp  
14 facilities as well as work areas after the  
15 construction is completed.

16 If built, Keeyask is estimated to cost  
17 \$6.2 billion and will be the fourth largest  
18 generating station in Manitoba, with an average  
19 annual electricity production of 4400 gigawatt  
20 hours. This is enough power to power  
21 approximately 400,000 homes.

22 Subject to regulatory approval,  
23 project construction will begin in mid 2014, with  
24 first power to be produced in 2019. And  
25 construction and rehabilitation of the site will

1 be completed in 2022; an eight and a half year  
2 process.

3           There are two projects also associated  
4 with the Keeyask Generation Project. The first  
5 one, which I mentioned earlier, the Keeyask  
6 Infrastructure Project, was approved, got  
7 regulatory approval in 2011. Its construction is  
8 currently creating employment and will assist in  
9 enabling the timely construction of the Keeyask  
10 Generation Project. Like the Keeyask Generation  
11 Project, the infrastructure project is owned by  
12 the Keeyask Hydropower Limited.

13           The Keeyask Transmission Project,  
14 which will be owned by Manitoba Hydro, includes  
15 various transmission lines and switching stations  
16 and is awaiting regulatory approval. Its  
17 completion is planned to coincide with the  
18 proposed 2019 Keeyask Generating Station first  
19 power.

20           There is no doubt that the project  
21 without mitigation would cause environmental and  
22 socio-economic effects, some with the potential to  
23 be significant. To avoid this, the partnership  
24 has or will mitigate, remediate, compensate for  
25 these effects using past experience of Aboriginal

1 traditional knowledge, and state of the art  
2 scientific and engineering techniques.

3           The most telling example of the  
4 partnership balancing environmental considerations  
5 against financial ones was the scaled reduction of  
6 the plant from the original design of 1150  
7 megawatt plant which would have flooded 183 square  
8 kilometres, to the proposed 695-megawatt plant  
9 that will flood about 45 square kilometres, less  
10 than a quarter as much.

11           I want to specifically comment on  
12 sturgeon, or namao in Cree, because they are so  
13 culturally and spiritually important to the Cree  
14 people, and because of their special status as a  
15 heritage species in Manitoba. Sturgeon have been  
16 designated as endangered and are being considered  
17 for being listed under the Species at Risk Act.  
18 We believe that sturgeon in the Keeyask region  
19 will be better off with the Keeyask project than  
20 without it. A combination of mitigation measures,  
21 including habitat enhancement and a large scale  
22 stocking program is integral to the project.  
23 These measures will not only maintain existing  
24 stocks of sturgeon, but will increase overall  
25 numbers in the region. Plus the enormous amount

1 of knowledge collected on sturgeon through the  
2 Keeyask study will contribute to the ongoing  
3 management and the protection of sturgeon  
4 throughout Manitoba.

5 Other key aspects in the environmental  
6 assessment are; Caribou effects will be minimized  
7 by limiting clearing and blasting during calving  
8 season. With respect to mercury, fish and human  
9 health, mitigation measures have been developed so  
10 partner First Nations members can eat fish safely.  
11 Water quality effects will be managed to avoid  
12 harmful effects to aquatic life. Flooding,  
13 erosion, sedimentation and debris will be  
14 mitigated through the implementation of reservoir  
15 clearing plans, waterway management program and a  
16 sediment management plan.

17 There are many benefits of the project  
18 for the partner First Nations, including there  
19 will be business opportunities through direct  
20 negotiated contracts valued at 203 million in  
21 addition to supplemental work.

22 Secondly, employment mechanisms  
23 through the direct negotiated contracts, the  
24 Burntwood Nelson agreement preference provisions  
25 and the operational jobs framework that are

1 designed to optimize partner First Nations  
2 employment. The Joint Keeyask Development  
3 Agreement includes a project employment target of  
4 630 person years during construction of the  
5 project, and a target of 182 jobs in Manitoba  
6 Hydro's operations. This target is to be achieved  
7 through 20 years of funding commitment that  
8 includes collaboration between the First Nations  
9 and Manitoba Hydro.

10 Third, a \$60 million pre-project  
11 training initiative was implemented to train  
12 members for employment for Wuswatim, Keeyask and  
13 other industries. As well going forward, there  
14 will be on-the-job training programs at the  
15 Keeyask Generation Project that will provide  
16 further training opportunities for the partner  
17 First Nations.

18 Fourth, the partner First Nations have  
19 an opportunity to become equity partners through  
20 the purchase of up to 25 per cent ownership shares  
21 in the project that will generate future income  
22 streams for their communities. More generally,  
23 the project will also benefit Manitobans at large.  
24 It will create more than 4,000 person years of  
25 employment that will help build skills, capacity

1 and experience.

2                   Finally, the project will be a major  
3 contributor to Manitoba's economy by generating  
4 revenues to power sales locally and to customers  
5 in other provinces and the U.S. Earnings will  
6 flow to the partner communities through their  
7 equity investment, as well as to the Province  
8 through Manitoba Hydro. These revenues will  
9 contribute to Manitoba having among the lowest  
10 cost electricity service in North America, and  
11 produce long term, secure, renewable energy for  
12 Manitobans and our export customers.

13                   Keeyask provides an innovative model  
14 for First Nations and corporate partnership that  
15 has been specifically and locally designed to  
16 ensure that the partner First Nations have an  
17 ongoing role in the governance of the project as  
18 members of the partnership board and various  
19 committees for employment, construction and  
20 monitoring. The First Nations will also have  
21 implementation offices to manage the project  
22 related activities. They will play a major role  
23 in the environmental protection program which  
24 includes ongoing monitoring programs that will  
25 include Aboriginal traditional knowledge.

1                   In summary, we see this as a new era  
2 of partnership, and the First Nation partners are  
3 involved in all aspects. The project is  
4 consistent with Federal and Provincial principles  
5 of sustainable development. The partnership has  
6 also addressed potential project impacts through  
7 mitigation measures and offsetting programs such  
8 as alternative location resource harvesting and  
9 monitoring programs that will allow us to review  
10 actual effects and respond accordingly.

11                   The partnership is convinced that its  
12 environmental assessment will demonstrate that the  
13 adverse effects of the project with the mitigation  
14 as planned can be effectively managed.

15                   Hydroelectric power generation remains  
16 the most environmentally sustainable and cost  
17 effective bulk electricity supply alternative in  
18 the world, with virtually no emissions compared to  
19 coal or natural gas. These are qualities that our  
20 Manitoba and our export customers value as they  
21 move forward in greening their own operations and  
22 economies. When viewed globally, the project will  
23 create a net benefit and we will show the  
24 environmental risks associated with the proposed  
25 development are relatively low and readily

1 management.

2 Thank you. We look forward to these  
3 hearings and the rigorous examination of a project  
4 in which we truly believe.

5 THE CHAIRMAN: Thank you,  
6 Ms. Zbigniewicz. Does that conclude the  
7 partnership's presentation for today?

8 MS. ZBIGNIEWICZ: Yes, it does.

9 THE CHAIRMAN: I would suggest we take  
10 about a ten minute break, come back at 4:30, and  
11 if there are any members in the audience who have  
12 any questions of the partnership and the  
13 presentation this afternoon, they may ask them at  
14 that time. Otherwise, we will open the floor to  
15 oral presentations. So come back at 4:30 sharp.

16 MS. JOHNSON: Just before we break,  
17 can I put the presentation on the record as  
18 Gil-01?

19 THE CHAIRMAN: Thank you.

20 (EXHIBIT 1: Presentation by the  
21 partnership)

22

23 THE CHAIRMAN: We have not much more  
24 than ten or twelve minutes until we will break for  
25 the afternoon. But if there are any members of

1 the audience or general public who have any  
2 questions of the partnership in respect of some of  
3 what we have seen today, they can come up and ask  
4 those questions now. If there are any members of  
5 the audience who wish to make a presentation right  
6 now, you are welcome to come up and do that right  
7 now. Alternatively, we will have a couple of  
8 hours this evening. We will adjourn in a few  
9 moments or minutes, and we will reconvene at  
10 7:00 o'clock for about two hours, and if anyone  
11 wishes to make presentations and let members of  
12 the panel know your thoughts about this project,  
13 or if you know other people who weren't here this  
14 afternoon who would like to do that, please  
15 encourage them to come out this evening from 7:00  
16 until about 9:00 p.m.

17 So if there is nobody who wants to  
18 come up and either ask questions or make a  
19 presentation right now, I think we may adjourn.  
20 Chief Spence, do you have any thing you wish to  
21 say at this time before we adjourn for the  
22 afternoon?

23 CHIEF SPENCE: No.

24 THE CHAIRMAN: Thank you. So we will  
25 adjourn now, we will reconvene at 7:00 o'clock.

1 (Adjourned at 5:00 p.m.)

2 Upon commencing at 7:00 p.m.

3 CHIEF SPENCE: Good afternoon, my name  
4 is Walter Spence, I'm the Chief of Fox Lake. I  
5 want to welcome you back to this evening's round  
6 of Keeyask hearings. Earlier this afternoon we  
7 had an opening prayer. We had presentations by  
8 Fox Lake and Manitoba Hydro, and we had an  
9 opportunity to hear from the Chair of the Clean  
10 Environmental Commission. So, we won't be  
11 repeating all of our speeches because we went  
12 through it all, but for some of them, some of our  
13 members who are arriving for our round two of the  
14 hearings, I will just say that the presence of the  
15 Commission members here is important because it  
16 marks the first time in history that Fox Lake has  
17 been a partner of Manitoba Hydro in the planning  
18 for and development of a hydroelectric dam, in  
19 which we will participate as a member for the life  
20 of the project.

21 The Commission is here to hear from  
22 our membership about their feelings, questions,  
23 concerns, and approval of the details of the  
24 project. The Commission wants to hear your  
25 feelings about the Joint Keeyask Development

1 Agreement and the Adverse Effects Agreement  
2 intended to avoid, mitigate and compensate for the  
3 horrendous impacts which our people of Fox Lake  
4 know too well from prior hydroelectric projects.

5 So I want to give it over to the  
6 Chair. And again, I welcome you back for this  
7 evening, round two.

8 THE CHAIRMAN: Thank you, Chief  
9 Spence.

10 As Chief Spence said in his brief  
11 comments, we are here this evening to hear from  
12 members of this community. We would like to hear  
13 what members of this community, or any of the  
14 neighboring communities who might be here this  
15 evening, what their views are on this proposed  
16 development. We would like to hear how it might  
17 or will affect you. We would also like to hear  
18 whether or not you think it should be constructed,  
19 and if so, what measures need to be taken.

20 Chief Spence noted that a number of  
21 these measures have already been addressed in the  
22 Joint Keeyask Development Agreement, and even more  
23 particularly in the Adverse Effects Agreements.  
24 But we would like to hear from individuals what  
25 your views are on that.

1                   So what I would like to do now is  
2   invite anybody in the audience who wishes to make  
3   a presentation to come up to the front and tell us  
4   what you are thinking about this project and  
5   whether you think it should go ahead as planned.

6                   And if nobody comes up and says  
7   anything to us, you know, it is going to be a very  
8   quiet evening. We've come up here to hear from  
9   members of this community, so please come up and  
10   say your piece if you wish. Anybody wish to say  
11   anything, please come forward.

12                  Yes, sir, come up to the front, there  
13   is a mike there. We can all hear you.

14                  MR. JOHN SPENCE: Hi, my name is John  
15   Spence, I'm from Gillam, a permanent resident. I  
16   lived here all of my life, and I watched Hydro  
17   start from the beginning, from Kettle, Long  
18   Spruce, Limestone. Now they are building Keeyask,  
19   and then I hear they are talking about building  
20   Conawapa. Everything is on the move apparently,  
21   as far as I hear from my group of people, the Fox  
22   Lake band. I keep asking them what is happening,  
23   what is happening? And the good answer is, I  
24   don't know, I don't know. Everything seems to be  
25   strictly like confidential. Why do you keep it

1 confidential to our people, and yet they don't  
2 understand politics? Like I do, it is a different  
3 matter of life and work. And what I'm here to  
4 sort of express a little bit, because I'm a  
5 permanent resident here, and I'm on shaky ground  
6 living with Hydro here due to the fact that we  
7 lived here all of our lives and constantly we are  
8 watched, everything we do. Ever since Hydro moved  
9 in here, we are watched. Even the Hydro boys that  
10 drive around town, they will go report you to the  
11 authorities and then they will get the authorities  
12 to come after us. I'm a living example here. I'm  
13 already going to court for harassment by a Hydro  
14 employee. I don't know what is wrong with him, he  
15 has got a good job, good pay.

16           And I had four heart attacks and I'm  
17 looking after my son, and I am looking after my  
18 home. Everybody else in town got everything, nice  
19 new house, running water, everything. But the  
20 thing is seeing what Hydro has done to our people  
21 is sort of, hey, buddy, you could work for me,  
22 selective and favouritism to exercise, and they  
23 get on there full time. And guess what they turn  
24 around and do, drive around and -- oh, I seen this  
25 guy over here, they tell their boss, and then once

1 again the police -- see, I'm in the situation  
2 right now, if I stay home I get stalked every day.  
3 And I'm 56 years old, I am a single parent looking  
4 after my son, nobody helps me. But it is all  
5 right, God helps me. I have faith up above, but  
6 others I say, can you help me? We will see, we  
7 will see. They will see me go down -- not that  
8 fast.

9                   But I want to say Hydro, since Hydro  
10 moved in here, they have been like successful on  
11 their movement, on their development and  
12 everything they do. Look at this nice building.  
13 I remember they built this building when I was  
14 living across the tracks. It was good, it was  
15 good, but it was hard. I don't know how many  
16 times I used to get smacked in the head by someone  
17 that works here. So I'm sort of saying in a word,  
18 there are differences, you know, bias and  
19 whatever. And it is still dictating out there on  
20 the street. How many times a Hydro guy, employee  
21 gets in trouble out there, he gets a pat on the  
22 back and has coffee maybe with the RCMP, doesn't  
23 go to jail. And here if it is a native person  
24 that gets into a little hot water, and right away  
25 the RCMP take them to jail or kick them out of

1 town, and yet he is a member of this community and  
2 our land. Why do things happen like that?

3 See, I will speak out. And I know  
4 already that I'm going to court, see, I haven't  
5 done nothing, but I will do something. I stay at  
6 home with my son. I'm a Cree Indian. I have  
7 rights, don't I? Or did Hydro take all of those  
8 away? I don't know. But I'm given the cold  
9 shoulder, but I will still talk to the people of  
10 this world.

11 I'm a citizen, I'm doing okay. I get  
12 \$800 a month, I look after my child. And I  
13 thought when you are on disability you will get  
14 something like \$900 plus child, but not me, oh not  
15 that guy. But I'm doing okay. I'm relying on my  
16 grandpa's and grandma's faith, and Mother Earth  
17 that we rise from. The Lord provided everything  
18 for us out there, and today it is tampered with by  
19 newcomers.

20 Well, that's good if they want to make  
21 millions of dollars, but how about giving us some  
22 millions of dollars? Is 20 million too much when  
23 they make how much -- I heard a number of \$500  
24 billion they invested in our resources, right here  
25 in our back door, and still we get slapped in the

1 face. How many times I walk the streets here, I  
2 get -- what is the word -- gossiping, mimicking,  
3 Hydro people do that. You know, when you come,  
4 when you say something to me like that, hey, come  
5 on, let's go outside, let's deal with it, no cops  
6 around. But they will take off and go tell their  
7 boss, Johnny did this and this and this.  
8 Meanwhile they instigated everything.

9 I still live at home. And today I get  
10 my hot water, I boil it on the stove. I don't  
11 have no hot water tank hooked up. Sure, they gave  
12 me a hot water tank. Who hooked it up? Nobody.  
13 I will put my pail of water on the stove. It is  
14 better than going back across the tracks and  
15 getting firewood, chopping, and hauling water in a  
16 pail like the old ways I used to do. I still  
17 remember living up there, I would like to go back  
18 up there, it is peaceful. No Hydro guys will  
19 drive by there like every day, my house every day.  
20 I just live the next corner from this building,  
21 this Fox Lake band housing house. And I'm a Fox  
22 Lake band member. That house was built in 1970.  
23 It is a reserve house, my family members were  
24 living there, they passed it on to us. Finally I  
25 got a house, they gave it to me. But my brother

1 had it before me, he tried to tear it down, but my  
2 sister told me, you have it, move in there. Right  
3 on, I got a home.

4 Hey, guess what, I found a partner and  
5 we had a kid. I stopped drinking, under the court  
6 order, and I changed my life around for that, for  
7 my kid, for the better. And still I get harassed  
8 and mocked.

9 And I go to the post office, I get  
10 mocked verbally too. I tell someone, hey, can you  
11 help me? I will tell someone -- they don't write  
12 nothing down, no, no, nothing. And still today I  
13 will talk to all of you guys. Even court day, I  
14 go and speak my piece in court, I will carry my  
15 Treaty Card and say I didn't do nothing wrong.

16 Today I'm here to tell you that Hydro  
17 has successfully got their way. They are  
18 millionaires, they are still developing dams and  
19 dams. I have no objections, no way. But last  
20 year when I heard my uncle was getting harassed to  
21 go hunting, and he lives in Bird. Apparently some  
22 Hydro guy approached him and said, hey, get off  
23 this land, you are on Hydro property. I almost  
24 said -- I was going to go see my uncle and tell  
25 him to look up Treaty 5, what the Government of

1 Canada set up a Treaty land for us. They are all  
2 over our land and we can't say nothing or do  
3 nothing. And then they say they are helping us.

4 The game warden will come out there  
5 with a helicopter or something, carrying a gun,  
6 and who is beside him, the RCMP too. That's  
7 diversity. I will keep quiet, I don't want to get  
8 shot or get thrown in jail.

9 You see, we are prisoners on our land.  
10 Our people are not here because they are  
11 protesting today. We don't want nothing new, we  
12 are not getting nothing. Hydro got it all, Hydro  
13 world, Hydro river. Is this Hydro sky? I don't  
14 know about that yet.

15 But I keep telling people, tell your  
16 sons to go to school, not the way I was, you know,  
17 a drunken alcoholic family was my environment.  
18 But I upgraded myself, I went to Saskatoon to  
19 school, I went to Winnipeg. I worked in different  
20 places, in the oil rigs. Today I just -- the only  
21 thing I have in my life is my class one driver's  
22 licence, and I just drive, that's all, pin to pin  
23 now. Don't do nothing much because of my heart  
24 condition. I take my pills every day, and I pray  
25 that I make it through for my son. I don't want

1 to go, son, I want to grow up with you, I want to  
2 see you graduate, I want to see this. Something I  
3 didn't do.

4 I went to school here. I graduated  
5 out the back door, I ran out the back door because  
6 the Goddam teacher was grabbing my hair and  
7 grabbing my ears and -- hey, that's torture to me  
8 today. But I left there, but I kick myself in the  
9 pants that I did that. I wish I graduated, I  
10 would probably have a nice Hydro job or something.  
11 But that's gone.

12 Now I talk to my son, you go to school  
13 every day, I am going to take you as long as I  
14 live. Maybe you will not see me tomorrow because  
15 of my heart condition, but we will keep on one day  
16 at a time.

17 And what drives me crazy, when he  
18 comes home and tells me a negative thing that  
19 happens to him while he is coming home from  
20 school. But I always make him sit down, look at  
21 me, son, who said what to you? And he will open  
22 up and say, a blonde-haired kid was swearing at  
23 me, you fucking Indians, you stink and that. Oh,  
24 that's good enough, son, I lived through that too.  
25 I went to that Gillam school, I used to hear those

1 words all of the time. Still today, secretly,  
2 they are still doing it to our kids. Getting  
3 brain washed gradually, to me that's not right.

4 Today I'm 56, today I go out there, if  
5 I see anybody monkeying around with kids, hey,  
6 don't do that. Let's go back there, I will take  
7 care of you. I am a man of my own caliber, I  
8 don't go picking on kids or anybody else, but  
9 today I straightened out, for 20 years I didn't  
10 drink. I lost my family because she started  
11 drinking and found another partner. Hey, I can't  
12 tell you what to do, but be careful, I'm going to  
13 take our son, I will stay sober, look after him.

14 And there I live in the Hydro town.  
15 Hydro built a nice town. I like this town, I  
16 lived here all my life. And what bothers me is  
17 newcomers coming here mocking us, and then the  
18 police will come around. It is not right to  
19 harass us Fox Lake band people, we are neutral  
20 already. We don't -- some of us can't even go out  
21 hunting. Like myself, I used to love it out  
22 there, hunting and trapping and everything. Today  
23 I can't because the game warden or RCMP will  
24 question me. And I will just say, you are  
25 harassing my Treaty, I have got my Treaty Card.

1 And they will lead on. And I will say, hey,  
2 that's my uncle's trapline, what are you talking  
3 about? Things like that.

4 But like I say, a lot of these Hydro  
5 guys, hey, you are doing a good job. I have a guy  
6 from Barbados here, I'm not prejudiced or  
7 anything, but I have different friends all around  
8 town. They work for Hydro. Keep up the good  
9 work. But I tell my friends too, hey, take it  
10 easy, watch out for cops, they are driving around  
11 watching us, constantly, every day. Like today I  
12 feel like a prisoner at home.

13 Already I got to go to court defending  
14 my home, my grounds. For a few years this one  
15 Hydro guy has been stalking me. I have been going  
16 to the RCMP a number of times to get help. Now  
17 I'm framed, I have got to go to court.

18 But I want to say Hydro is doing  
19 pretty good. But I will let you know, a lot of  
20 people are not here, they are hurt, they are  
21 boycotting this. This is the way they do it, I  
22 don't want to hear them. But me, I always say  
23 come on, come on out, we must speak, we must speak  
24 for our land, come, although it hurts, just say  
25 something. But they get all locked up. Like I

1 feel choked up right now, I'm scared -- I'm not  
2 scared, you guys are not going to shoot me or  
3 anything. I want to say that Hydro has done a lot  
4 of things, and still today they are active when  
5 they are not working. How many times do they go  
6 out over there and go hunting, or fishing, take a  
7 plane? They get to do everything. But us, if we  
8 would do that the game warden will come around, or  
9 RCMP. Hey, why you bothering us? That law was  
10 for you guys. We have our laws. Our laws respect  
11 the land, don't do wrong. We have our ways.

12 But I want to say that Hydro has done  
13 pretty good building dams and everything else, but  
14 I wish they will be on the -- I don't know how to  
15 say, on good grounds with us people that are not  
16 working and that. We still live here.

17 And I mentioned once before in the  
18 past that when they build that Kettle dam, what do  
19 they do about the mirrors they make when it's a  
20 calm day, when the sun is shining? The reflection  
21 from the sun radiation goes back up to the sky,  
22 what does it do? It affects the ozone, right?  
23 And they talk about ozone effects. I don't know,  
24 I don't know, I keep asking. But Hydro made that  
25 too? I don't know.

1                   I want to say, like there is a lot of  
2 people out there that I talked to -- like for 20  
3 years I haven't drank and I still go out there and  
4 talk to them, what health condition I am in. I  
5 just say it's getting better, let's talk about  
6 this. And then when I get to them, we got to go  
7 to a band meeting, oh, something came up, we can't  
8 go to the band meeting. Something else so they  
9 carry on. A lot of these band meetings, I don't  
10 go to also, because I'm sure they are doing okay,  
11 I'm out of there. But I got to look after me and  
12 my son.

13                   But I think Hydro is doing good for  
14 the world, making dams and investing a large  
15 amount of money and profits. But I think us  
16 people of the land should be considered a little  
17 more. They are making billions and billions, you  
18 know, money, money every day. I think we should  
19 be there at the table too, like, hey partner, you  
20 are looking good today, peace. Thank you very  
21 much.

22                   THE CHAIRMAN: Thank you. Now has  
23 Mr. Spence inspired any others of you to come  
24 forward and make a presentation? If you would  
25 like to, please come forward now?

1                   MR. DICK: Can you hear me, because I  
2 kind of lost my voice and I can't talk very good.  
3 Anyway, my name is Samson Dick. I was born in  
4 Slave Lake but I grew up here in Gillam since late  
5 1930s. My folks, they moved here about 1937,  
6 somewhere around there.

7                   Anyway, Gillam was very rich them  
8 days, you know. We had everything from little  
9 birds to large birds sat there on the ground, and  
10 small animals, large animals, we used to have  
11 everything. We didn't go to the store to buy some  
12 meat sometimes, we would just get our own meat.  
13 Nowadays, all of that stuff is gone. We don't  
14 even see chickens or something, even the little  
15 birds, they are all gone, there is none around  
16 anymore. I don't know what -- maybe they moved  
17 somewheres else, I don't know, or some of them are  
18 dying maybe.

19                  Besides, when I was out working here,  
20 just before 1957 I was working, it was still good,  
21 there was still lots of animals and lots of birds  
22 and bees. Yet when I came back in the 1970s, big  
23 change. All I see is a lot of water and lots of  
24 power lines and that's -- all that stuff, they  
25 chased everything away. Even our fish, they are

1 not good nowadays either. We used to have, we  
2 used to get all kinds of fish from Sturgeon to  
3 Jack Fish, all kinds of fish we had used to taste  
4 good, they taste nice. Now you eat fish today,  
5 I'll bet you wouldn't eat it yourself because it  
6 doesn't taste like fish anymore.

7 All that stuff that floats, it is kind  
8 of like green sometimes from the sediment, all of  
9 that stuff, all of that green stuff is stuck on  
10 the net. Where did that come from? All of that  
11 stuff comes from the dams. Lots of rust on their  
12 steel and the cement, I mean, that rust, they  
13 throw it away instead.

14 We were happy, everybody was happy and  
15 at peace.

16 Well, anyway, we used to have five  
17 stores, and they are small, just small little town  
18 in them days, still used to have five stores.  
19 When Hydro moved in, I don't know, they even  
20 bulldozed some of our houses. There used to be a  
21 lot of houses just along the river line here.  
22 Some of those people found out -- I know someone,  
23 one lady was crying, they moved out her  
24 belongings, they didn't even tell her that her  
25 house was knocked down.

1                   That's what happened to us, you know.

2   Now we don't have nothing. We don't have nothing  
3   out of it. They don't even give us houses, or if  
4   they give us houses but they are cheap built, but  
5   the houses don't last long, maybe five years and  
6   that's it. Then they bring trailers from  
7   Sundance, they have already been used from the  
8   1960s.

9                   That's what happened to us. And  
10   nobody said nothing, Chief and Council, nobody  
11   said nothing. Why are they Chief and Council, why  
12   is that? They don't even talk to you for us.  
13   That's their job to talk. We hardly see them. We  
14   hardly see the Chief either. They don't even  
15   listen to the people. The Chief, they won't talk  
16   to their people. But here in Gillam, we don't see  
17   nobody, they don't even come to church or nothing.  
18   Even we never see them in church. I don't know  
19   why we call them Chief and Council, they don't  
20   look after their people. That's what I wanted to  
21   know. Sometimes I go to the office and talk, but  
22   they won't -- about those houses they knocked  
23   down, nobody said nothing, we never even heard  
24   nothing at all. That's all Hydro's, they made  
25   their own buildings. And this used to be ours,

1 our own buildings, all around Gillam here. It is  
2 all our land where we lived. People were living  
3 in Cross Lake, people was living here, just the  
4 other side of the overpass. They had a little  
5 community, they had a little store in there too.  
6 So we live all around Gillam. Even Fox Lake,  
7 Hydro called it Atkinson, and we don't like that,  
8 we changed back to Fox Lake because it is our  
9 lake. And this here, Stephen's Lake they call it,  
10 we are going to change that. There was no lake in  
11 there at all, it is all flooded out, it is all  
12 forebay. Why did they call it Stephen's Lake?

13           They killed the fish and they killed  
14 the birds, they even killed the animals. In fact  
15 they even killed people. We lost a lot of our  
16 people, even the young people are dying. They  
17 never used to be like that before.

18           After all of this town comes up, a lot  
19 of things happening, a lot of people dying, cancer  
20 comes up. I know it was transformers, you know,  
21 when the wind spreads them all over the place,  
22 they are flying around all over the place with  
23 radiation. Sometimes there is transformers, they  
24 leak. I know one of them transformers blew up  
25 here at Kettle about two years ago, I think, a

1 year or two years, something like that. There was  
2 lots of smoke, there was black smoke in there.  
3 Hydro never does nothing, never even says nothing.  
4 So I figured that's where all of that sickness  
5 come from.

6 In the 1940s when I was living, I was  
7 just young, everybody was okay, there was not much  
8 sickness. Everybody is okay until the Hydro moved  
9 in, everything happening.

10 So we wanted to know, you have to get  
11 something out of it, you know. It's never too  
12 late to get something out of that. I heard a lot  
13 of times, no money, no money. That's what I hear  
14 when I want to get help a little bit, no money.  
15 That's what I heard. That money never stops.  
16 That money is just going around, it never stops.  
17 How can there be no money? We all die, that money  
18 will still be going, it never stops. All I heard  
19 is no money, but that's all. That's just an  
20 excuse I think. There is no way they can't help  
21 people. Money never stops. Like I said, we will  
22 all die and money will still be going. Young  
23 people will \*\*\* -- it will never stop. Why do  
24 they say no money, no money? It is just a big  
25 excuse for that.

1                   One time here I wanted to go to my  
2 friend's funeral in Split Lake. I asked for money  
3 to buy gas for my truck. They said no money --  
4 they just give me \$20 bill. What the hell is a  
5 \$20 bill worth? You go drive out, you get stuck  
6 over there, you can't come back with the \$20 bill.

7                   I know what is happening, you know.  
8 That's why there is no money. They are the ones  
9 who spend money. People know when they spend  
10 money, they can't even get money from the band.

11                  They said we got three dams here  
12 already. And dams -- I don't know how many dams  
13 on the Big River. They have a dam at Kelsey and  
14 Jenpeg. Where does all of that money go? How  
15 many people pay? Sometimes my Hydro bill is over  
16 400 bucks. Last time it was \$450 a month out of  
17 my pension. And I gotta eat, and I gotta pay the  
18 Hydro bill, and for water, water and sewer. I  
19 used to the pay the house too, but finally they  
20 stopped that. I paid that house for about 15  
21 years, I guess, before they stopped it. Where  
22 does all of that money go? They never repay my  
23 house. \$200 a month for 15 years, that's a lot of  
24 money, a pile of money, and I never get no help.  
25 I get my same loans and do some work inside,

1 nothing at all.

2 So I don't know, I don't know if  
3 somebody pocketed that money or what, I don't  
4 know, something like that. That's the way I see  
5 it anyway.

6 Yeah, the people used to live all over  
7 the place. The people used to live right down  
8 close to the highway. They used to call that  
9 Moose Noose, Small Moose Noose, and the Large  
10 Moose Noose on the other side. Now it is all in  
11 one, it is all flooded out. What people was  
12 living on, it is all under water. That one too.  
13 And they had a graveyard in there, it is all under  
14 water, but nobody even do nothing. Everything is  
15 under water.

16 Yeah, it used to be nice, it used to  
17 be nice all the time in the 1940s, until the Hydro  
18 came, we used to have everything. We didn't need  
19 to go to the store. But we went to the store for  
20 medical and small stuff and that's it. Sometimes  
21 we buy our lard, and we get our own stuff from the  
22 bush.

23 All of this area all around Gillam was  
24 nice, all kinds of berries. People used to pick  
25 berries and sell them to the store, sometimes to

1 the train. Now today you can't pick berries at  
2 all. Everything is gone.

3           You can't even cut a tree, and Hydro  
4 is making Skidoo trails all over the place. If we  
5 cut one tree, we get hell. You can't cut a tree,  
6 that's what they told us. Why is that? It is our  
7 land, we can do anything that we want. Why can  
8 Hydro be making this Skidoo trail anywhere they  
9 want? There is lots of them all over the place.  
10 Can't even set the rabbit snare, they run over it.

11           And Hydro is happy, they have a lot of  
12 dams. They figure that they don't destroy  
13 anything, but they destroy a lot of lands. And a  
14 lot of power lines are sort of -- sometimes,  
15 sometimes the caribou, they won't even come to  
16 close to the line. They make a lot of noise when  
17 it is windy. They used to come through, before  
18 they used to come to pass the houses, go by -- go  
19 south, in the fall they go south. I don't know  
20 how far south they go, but in the springtime they  
21 all go back to the north, thousands of them. Now  
22 sometimes they don't even come around at all.

23           Same thing with the birds, same thing  
24 with large animals, like moose used to be all  
25 around here, and muskrats and beavers. There used

1 to be a lot of those littles creeks, but all those  
2 creeks, they all went dry, there is no more water  
3 in them. You used to be able to go trapping all  
4 around here in Gillam, there used to be a lot of  
5 people trapping. They didn't have to go far. So  
6 the dam comes up, everything went dry, no more  
7 creeks.

8 THE CHAIRMAN: Thank you, Mr. Dick.

9 MR. DICK: There is a lot of stuff  
10 gone, that's it. I don't know what is going to  
11 happen next. Two more dams coming up, what is  
12 going to happen now? There has to be some more  
13 power lines coming up, more roads coming up.  
14 Probably we won't have any left. Like we used to  
15 do a long time ago, there is no more of that  
16 stuff, they are all gone. We used to have all  
17 kinds of medicine from the bush, we used to get  
18 our own medicine from the bush before the road --  
19 before the hospital, we got our own medicine. Now  
20 all of that is gone too. Medicine plants, we used  
21 to have all kinds of those, but now they are all  
22 gone too it seems. They have machinery all over  
23 the place in the bush, you know. Power lines,  
24 they cut the bush for the power lines and all of  
25 that stuff, they kill everything. That's it.

1 Thank you.

2 THE CHAIRMAN: Thank you, Mr. Dick.

3 Is there anyone else wishes to make a  
4 presentation? Anybody else wishing to make a  
5 presentation?

6 What we will do, we are not going to  
7 shut it down yet, but we will just sort of take a  
8 time out. And if anybody decides in the next few  
9 minutes they would like to say something, please  
10 let me or the Commission secretary know, and we  
11 will very quickly reconvene. So we are not going  
12 to adjourn for the evening yet, but we will just  
13 take a time out until others wish to make  
14 presentations.

15 (Recessed at 7:47 p.m.)

16 THE CHAIRMAN: Has anyone decided they  
17 want to come and make a presentation? It's the  
18 latest offer, if anyone wishes to make a  
19 presentation, please come forward?

20 Well, we will wait a little while  
21 longer. We will wait about another 15 or 20  
22 minutes, so there is still an opportunity for you  
23 to make a presentation. Just let me know and we  
24 will reconvene. Okay. We will have another time  
25 out then for about another 15 or 20 minutes, and

1 if nobody comes forward then, we will close for  
2 the evening.

3 (Recessed at 7:55 p.m.)

4 THE CHAIRMAN: Back on the record now.  
5 One last chance if anybody wishes to say anything,  
6 one last chance?

7 In that case, I think we will adjourn  
8 for the evening. We do reconvene tomorrow  
9 afternoon in Bird, I believe at 3:00 o'clock in  
10 the afternoon.

11 Chief Spence?

12 CHIEF SPENCE: Good evening again. I  
13 want to thank you for coming out to our round two  
14 of the Keeyask hearings. And I also want to thank  
15 the Commissioners for attending Fox Lake. And I  
16 also want to thank some of our Cree Nation  
17 partners from TCN, War Lake and York Factory for  
18 coming to Fox Lake. And in closing, I have asked  
19 Elder Samson Dick to say the closing prayer.

20 (Closing prayer)

21 (Concluded at 8:18 p.m.)

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REPORTER'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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