

MANITOBA CLEAN ENVIRONMENT COMMISSION

LAKE WINNIPEG REGULATION REVIEW
UNDER THE WATER POWER ACT

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Transcript of Proceedings
Held at Community Centre
Fisher River, Manitoba
MONDAY, JANUARY 26, 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

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Opening by the Chair 4

Community members:

Carl Cochrane

Darrell Thaddeus

Dion McKay

Walter Sinclair Jr.

Doroty Crate

Walter Sinclair Sr.

Steve McKay

Leslie McKay

1 MONDAY, JANUARY 26, 2015

2 UPON COMMENCING AT 11:00 A.M.

3 MR. THADDEUS: I want to welcome you
4 here this morning to the Clean Environment
5 Commission, the Lake Winnipeg hearings for the
6 final licence of Manitoba Hydro. I want to
7 welcome everyone here today. I want to welcome
8 the panel here who will be taking a recording of
9 what you have to say, the history of our
10 community, and the effects of the lake. But
11 before we get started, I'm going to ask Elder
12 Dorothy Crate here to say opening prayer.

13 (Opening prayer)

14 MR. THADDEUS: So, we are gathered
15 here today to gather information on Lake Winnipeg,
16 you know, the effects of the lake, how it has
17 changed in past years until today. And we
18 encourage you to come up and just give your story,
19 the history, and it will be recorded here.

20 First I'm going to ask them to
21 introduce themselves here.

22 MR. YEE: Edwin Yee with the Manitoba
23 Clean Environment Commission.

24 THE CHAIRMAN: Terry Sargeant, I'm the
25 Chair of the Manitoba Clean Environment

1 Commission.

2 MR. HARDEN: I'm Neil Harden, I am
3 with the Clean Environment Commission as well.

4 THE REPORTER: Cecelia Reid, recorder.

5 MR. ARMSTRONG: I'm Bob Armstrong, I'm
6 the report writer.

7 MR. THADDEUS: Okay. So, I will hand
8 it over to the Chair on how this is going to work
9 here. Again, I encourage you to share your
10 information.

11 THE CHAIRMAN: Thank you, Councillor.
12 Good morning and welcome. We have already
13 introduced ourselves so I can skip over that part.
14 As I noted, I'm the Chair of the Clean Environment
15 Commission. I'm also the Chair of this particular
16 panel which is conducting the review of Lake
17 Winnipeg Regulation.

18 At the outset, I would like to
19 acknowledge that we are meeting today in the
20 traditional territory of the Fisher River Cree
21 Nation, a Treaty 5 nation.

22 I would like to thank the leadership
23 of your community for accepting our invitation to
24 host the Commission, so that we may hear from as
25 many of you as wish to share your thoughts with

1 us.

2 We had some introductions, there are
3 some other staff people with us who I will note;
4 our Commission secretary, Cathy Johnson; our
5 administrator, Joyce Mueller, and our community
6 liaison person, Melissa Hotain.

7 We are here today, and the Councillor
8 in his introductory comments told you a little bit
9 about why we are here. A bit more specifically,
10 we are here today because in 2011 the Minister of
11 Conservation and Water Stewardship asked the Clean
12 Environment Commission to provide a forum to hear
13 evidence from the public about the impacts of
14 Manitoba Hydro's regulation of Lake Winnipeg. We
15 were asked to hold meetings in communities that
16 surround both the north and south basins of the
17 lake, as well as to have meetings in the City of
18 Winnipeg, which will occur later this winter.

19 We've not been asked to provide an
20 opinion on whether or not a licence should be
21 issued, or whether or not Lake Winnipeg Regulation
22 should have been implemented in the first place.
23 We realize Lake Winnipeg Regulation is a key
24 overall part, or a key part of the overall
25 Manitoba Hydro regime, but we have not been asked

1 to look at other parts of that system of Hydro
2 throughout the province. We have been asked
3 specifically to look into why Lake Winnipeg
4 Regulation came into being with the issuance of
5 the first licence in 1970. We have been asked to
6 look at whether Lake Winnipeg Regulation has
7 succeeded or failed in meeting those goals. And
8 we have also been asked to look at the effects and
9 impacts of Lake Winnipeg Regulation.

10 We hope that these meetings in the
11 communities will be as informal as possible so
12 that you will not feel intimidated to come forward
13 and share your stories with us.

14 As you will note, the hearings are
15 recorded. This is required of us by the
16 Environment Act. Within a couple of days, a
17 verbatim transcript of today's hearings will be
18 posted on our website.

19 Anyone who is present may come forward
20 and tell us a story, or give us your opinion. If
21 you feel more comfortable coming forward with one
22 or two or three of you, that's not a problem.
23 What we want you to do is just tell us who you
24 are, how Lake Winnipeg Regulation may have
25 impacted you, or benefited you, how it has

1 impacted your community, and any thoughts you
2 might have on how Lake Winnipeg Regulation should
3 go forward.

4 We typically, in these sessions, limit
5 oral presentations to about 15 minutes, but we
6 have found that in the community meetings we
7 really don't limit them. Most people speak for
8 less than that, some people want to speak longer,
9 some people will come back two or three times and
10 just add more to their stories, and we have no
11 problem with that.

12 Also, if anybody feels comfortable or
13 more comfortable making a presentation in your own
14 language in Cree, you are quite welcome to do
15 that. We only ask that either you or somebody
16 else translate so that we understand what was said
17 to us.

18 And finally, if any of you wish to
19 make a written presentation, that's quite all
20 right and that's part of our process, and that can
21 be as simple as a letter or an email, or even a
22 bit of a paper that you write and send in to us.
23 You can send it to us by mail, by email, or post
24 it on our website.

25 Having said that, that's all I have to

1 say by way of introductory comments. I now invite
2 anybody who wishes to come forward and just share
3 your stories with us. We just have the one mic.
4 I will give it to you and you can either speak to
5 us or you can turn and speak to the community,
6 whichever way you feel more comfortable.

7 Who wants to be first? Who wants to
8 break the ice for us today?

9 MR. COCHRANE: There was a question
10 asked here by some of the elders --

11 THE CHAIRMAN: We need you on the mic
12 because it is recorded.

13 MR. COCHRANE: Anyways, there was a
14 question asked here by one of the elders. Do you
15 have a copy of the original agreement with
16 Manitoba Hydro and licensing regarding Lake
17 Winnipeg?

18 THE CHAIRMAN: I don't have it with me
19 today. I don't know, I don't think any of us have
20 it with us today. It is available online at the
21 Manitoba Hydro website. It is probably available
22 online at our website. It is -- the original
23 licence -- well, there was an initial licence in
24 1970, and then a supplementary licence in 1972,
25 and then sort of after it went into operation in

1 1976, the licence that's up for review right now
2 was put in place.

3 Now, the licence basically sets out
4 the terms and conditions of Lake Winnipeg
5 regulation. It is about 15 pages, each of them is
6 about 15 pages, most of it quite frankly, and I'm
7 a lawyer, but it's legal gobbledygook. But there
8 are specific terms in there, and the specific
9 conditions include that they have to keep the lake
10 always 711 feet above sea level. And actually
11 since 1976, it has never gone below that anyway.
12 So that hasn't been an issue.

13 It also requires that if the lake gets
14 above 715 feet above sea level, then they have to
15 open the gates at Jenpeg fully and keep them
16 flowing until the lake goes down below 715. That
17 has happened a number of times. Sometimes there
18 have been stretches I know of, one and a half to
19 two years where the gates are open full time
20 because the lake has been so high, particularly in
21 the last three or four years. It might be because
22 of global warming, but there has been a lot more
23 water coming into the lake from the inlet rivers
24 in the last few years, so the lake has often been
25 higher than 715, so they have to keep it open all

1 of the time.

2 The licence also provides for a number
3 of pieces to the regulation, one of them is a
4 channel called 2-mile channel, which is just a
5 little bit to the west of Warren Landing. You
6 know that spit that comes out near Warren Landing,
7 it is just a 2-mile channel that goes through
8 there, and that provides one more outlet from the
9 lake. There is the natural outlet at Warren
10 Landing, and then 2-mile channel provides another
11 outlet from Lake Winnipeg into Playgreen Lake.
12 Then from Playgreen Lake into -- we don't have a
13 map with us. Sometimes Hydro has been with us,
14 but not today, and they have these maps -- from
15 Playgreen Lake into Kiskittogisu Lake, which is an
16 eight-mile channel. So the water moves over to
17 Kiskittogisu Lake. And further up Playgreen Lake
18 there is what is called the Ominawin bypass, and
19 that just also helps move the water more quickly
20 into Kiskittogisu Lake. And then at the top end
21 of Kiskittogisu Lake is Jenpeg, and there is a
22 control structure there as well as a small
23 hydroelectric generating station. And that's
24 where the actual controls are.

25 Beyond that, what are some -- am I

1 missing other key terms in the licence? I think
2 that pretty well covers it.

3 So the lake is regulated between those
4 two levels, 711 and 715 feet above sea level, and
5 then those conditions, if it gets higher, they
6 have to open the controls. It has changed the
7 flows a little bit. The basic idea was to have
8 more water in winter, or have water available in
9 winter to drive the generating stations that are
10 further downriver, particularly at Kettle and Long
11 Spruce and Limestone.

12 MR. SINCLAIR: Do you know what --

13 THE CHAIRMAN: Talk into the mic.

14 WALTER SINCLAIR JR: Walter Sinclair,
15 Junior, I'm a commercial fisherman.

16 Do you know what effect it has on the
17 water, say it blows north, north wind, and then we
18 have a south current, it is all backwards now this
19 thing. See, you have a south wind and you have a
20 north current, so we don't know what is going on.
21 I don't know if the elders noticed a difference on
22 that from back when. Do you guys know?

23 WALTER SINCLAIR SR: Around 1965, we
24 noticed a change to the current, you know, it
25 would be against the wind, and it was always with

1 the wind. I don't know why it does. And then
2 there is a change of the current from Macbeth from
3 south to north. I don't know where the water
4 changed. If there is a south wind, the water
5 comes up. And then when there is a north wind,
6 the water comes up on the south side of Macbeth.
7 So there must be a change in there.

8 And then another thing too, the
9 current, we noticed a few years back, you know, we
10 had a little accident there, we lost a few men in
11 Lake Winnipeg and they drowned on Swampy Harbour,
12 near Swampy Harbour, that area. And then their
13 bodies came west, the current came west. That's
14 the first time I ever knew of that. I always had
15 trouble with my nets outside of Macbeth there.
16 You know, it was a west current and there was an
17 east current.

18 THE CHAIRMAN: Do you have your map
19 with you? What you are saying -- what you are
20 saying is that the water is moving from -- you are
21 saying when the wind is coming from the north, the
22 water in some places is moving from the south?

23 WALTER SINCLAIR JR: Yep.

24 THE CHAIRMAN: That I can't help you
25 with, I don't know why, but we want to hear that,

1 and if we can figure out what --

2 MRS. CRATE: Does it have anything to
3 do with that 2-mile channel? I am asking, does it
4 have anything to do with the two-mile channel?
5 Because I remember my dad telling me years ago
6 that since they erected the 2-mile channel, that
7 things started being different on that lake.
8 Because the lake was supposed to be turning over
9 and it hasn't been turning over.

10 THE CHAIRMAN: Can you tell us your
11 name?

12 MRS. CRATE: Mrs. Crate.

13 THE CHAIRMAN: Lydia Crate? That I
14 can't help you with right now either, but we are
15 not here to answer all the questions, we are here
16 to hear what concerns you have and --

17 MRS. CRATE: Is that not a concern?
18 The question, is that not a concern?

19 THE CHAIRMAN: If what you are saying
20 is correct, yes, it certainly would be a concern.
21 We want to hear from you what concerns you have,
22 and then we will take them away, we will try to
23 find some answers. And then in our report to the
24 Minister, we will make note of that. But if you
25 can tell us more about that? Now, you said it was

1 your father that said when they built -- and when
2 was that?

3 MRS. CRATE: When my father told me
4 that?

5 THE CHAIRMAN: Can you take the mic,
6 please?

7 MRS. CRATE: Well, I remember him
8 telling me around -- when he first gave me his
9 licence, that was the late '70s or early '80s, I'm
10 not exactly sure.

11 THE CHAIRMAN: That would fit because
12 2-mile channel was built in the early '70s. Now,
13 what you said, you were talking about in the mid
14 '60s, that was before Lake Winnipeg Regulation was
15 even started. So it is hard to say what might
16 have caused that.

17 WALTER SINCLAIR JR: You guys have to
18 be out there to see this, how this fishing is
19 working now, from back then. It is pretty weird
20 when you have a north wind and south current, you
21 are fighting with your floats all of the time, it
22 comes over your net. And it is very frustrating
23 the way it is happening right now.

24 THE CHAIRMAN: Is that off Macbeth
25 Point?

1 WALTER SINCLAIR JR: It is all over
2 the lake.

3 THE CHAIRMAN: All over the lake?

4 WALTER SINCLAIR JR: Yeah.

5 THE CHAIRMAN: And is it doing that
6 all of the time or just some of the time?

7 WALTER SINCLAIR JR: Every time it
8 blows it is like that. Not only that, there is
9 dirt that we are coming up with, and I have
10 pictures to prove it, the dirt that we had last
11 fall.

12 THE CHAIRMAN: You are pulling up dirt
13 in your nets?

14 WALTER SINCLAIR JR: Yes, very thick,
15 heavy dirt. I have photos of it on my phone if
16 you guys want to see it.

17 THE CHAIRMAN: That's the first time
18 we have heard that.

19 WALTER SINCLAIR JR: It is bad, it's
20 really bad, last fall was really bad. We see a
21 little bit right now this winter. It is actually
22 doing the same thing in the winter time, it is
23 opposite current from the wind. So we don't know
24 what effect it is having by you guys controlling
25 the water levels at 2-mile channel.

1 THE CHAIRMAN: Well, we are not the
2 ones doing that, it is Manitoba Hydro, but that's
3 the first time I have ever heard this, so we will
4 look into it, but I hadn't heard that before.
5 Hopefully, we will hear that from other people as
6 well.

7 WALTER SINCLAIR JR: I'm pretty sure
8 you will, I am pretty sure a lot of guys know
9 that, in the south basin they know that too.

10 THE CHAIRMAN: And it is happening in
11 the south basin as well?

12 WALTER SINCLAIR JR: All over the
13 lake.

14 THE CHAIRMAN: When you get those big
15 fall blows from the northeast, you are saying even
16 when you get a strong northeast blow, the current
17 is still --

18 WALTER SINCLAIR JR: It is the
19 opposite way.

20 THE CHAIRMAN: The current is going
21 the opposite way.

22 WALTER SINCLAIR JR: It is the
23 opposite way, yes.

24 THE CHAIRMAN: Well, that's a mystery.
25 We will -- we have a hydrological engineer that's

1 working with us, as well as one of our panel,
2 although I'm not sure he is fully aware of Lake
3 Winnipeg, but we do have somebody working with us
4 and we will ask him about it.

5 WALTER SINCLAIR JR: That's the stuff
6 I was telling you about in our nets, that's how
7 bad it was last fall.

8 THE CHAIRMAN: Is that mud or is that
9 algae?

10 WALTER SINCLAIR JR: We don't know
11 what it is.

12 THE CHAIRMAN: It looks green to me.

13 WALTER SINCLAIR JR: It is pretty bad
14 anyway.

15 THE CHAIRMAN: Yes, it looks ugly. It
16 will mess up your nets pretty badly. I mean, we
17 were in Grand Rapids last week and they showed
18 us -- we saw this, we saw similar pictures in
19 Grand Rapids last week from some of the fishermen
20 there, so it is happening in other places.

21 WALTER SINCLAIR JR: So when Manitoba
22 Hydro is regulating the water level, and they are
23 compensating so many different areas up north, why
24 doesn't it be the whole lake? It affects the
25 whole lake, not just the ones up north.

1 THE CHAIRMAN: For the most part their
2 controls of Lake Winnipeg haven't changed the
3 levels on Lake Winnipeg much at all. On the
4 average --

5 WALTER SINCLAIR JR: Yeah, but you
6 guys are looking after Norway House, Cross Lake,
7 Grand Rapids, I don't know about Poplar River, but
8 what is wrong with the other part of the lake, it
9 is still part of Lake Winnipeg?

10 THE CHAIRMAN: That's correct, but
11 that I can't answer you.

12 WALTER SINCLAIR JR: It doesn't make
13 sense on how you guys are running the station and
14 looking after only a few people on the lake, and
15 there is over, I don't know how many fishermen, a
16 total of 3,000 on Lake Winnipeg.

17 MRS. CRATE: That's where the green
18 bucks come in I guess.

19 THE CHAIRMAN: Well, that isn't part
20 of our mandate. We don't have any control over
21 it. We will note this, we will note your
22 concerns, but as far as --

23 WALTER SINCLAIR JR: It is all one
24 body, it should be the whole lake, not just look
25 after a few people up north. We are affected by

1 it too.

2 THE CHAIRMAN: All right. Yes?

3 MR. DION MCKAY: Dion McKay, Fisher
4 River. I agree with what Walter is saying, I
5 think -- like, I understand the reason why you are
6 here, you are here to listen to the community
7 members, to implement the input that we are
8 providing and hopefully turn them into
9 recommendations for Manitoba Hydro that the
10 Province will enforce as part of the regulations
11 for the licence, right?

12 THE CHAIRMAN: Yes.

13 MR. DION MCKAY: I know you're not
14 Manitoba Hydro, I know that. You are the Clean
15 Environment Commission. You have just been given
16 a mandate from the Province to hear from the
17 communities and to hopefully put this information
18 in the form of recommendations, right? That's the
19 gist of it, right?

20 What Walter is trying to note, though,
21 is no consultation has ever been done with Fisher
22 River Cree Nation, and probably with any of the
23 other First Nations in the south basin. I think
24 that's his point, and I think that's an important
25 note to make as part of the recommendations. You

1 can't make it part of the recommendations for the
2 licence, but it is something vitally important to
3 note back to the Province when you do submit your
4 final report. Fisher River wants consultation in
5 regards to Manitoba Hydro development, because
6 that's never happened. That's point blank, right?

7 You can hear some of the frustration
8 from our community members so far, and the fact
9 that Fisher River has been kept in the dark from
10 Hydro development. So that's something that we
11 definitely want to see and hear in the future, and
12 we are hoping that you can take that message back
13 to the Province and to Manitoba Hydro that Fisher
14 River wants consultation.

15 I do have another concern, you touched
16 on it a little bit, with the lake levels in
17 regards to climate change and how there seems to
18 be -- lately there has been more water coming in
19 from the different outlets, different watersheds.
20 And that's a trend that I think is going to
21 continue on. And I want to know -- I want to be
22 able to see through the recommendations at least
23 that there is some sort of climate change
24 adaptation plan for Manitoba Hydro to address
25 climate change, because nobody really talks about

1 it at the government level, and I think it is
2 about high time that that conversation is started.
3 Because if we don't have a plan in place to at
4 least forecast and to address a lot of the extreme
5 weather events that could happen, which we have
6 seen happen here in Fisher River; in 2011, in the
7 fall we had a flood from northwestern winds that
8 blew the lake water -- sorry, northeast, back into
9 the Fisher River. And within a matter of hours we
10 had, I would say, almost half the community under
11 water. Something at least -- I'm not as old as
12 some of the people here -- something that I have
13 never seen in my life time. And that is an
14 extreme weather event, right? And you look at
15 just the way the weather patterns have occurred
16 over the past while, it just seems like those 1 in
17 100 year events are one in ten years, or one in
18 five years. I know that scientifically it is
19 going to be pretty hard to predict, but what is
20 Hydro going to do and what is the Province going
21 to do to address these type of issues? There has
22 to be some sort of plan in place, there has got to
23 be some thought put into it, otherwise we are
24 going to find ourselves in the next couple of
25 years with another extreme weather event,

1 scrambling to address it.

2 We had about probably 160, 170 homes
3 that flooded in 2011 -- 238 homes that we had to
4 repair because of that flood, because of that one
5 extreme weather event. One event, in the fall
6 mind you. We always prepare for a spring flood
7 which is a normal thing that occurs. When you get
8 a flood in October, I mean, what does that say?

9 I was in -- of all places I was at a
10 conference at the time on a climate change. And I
11 get a call from, a text from my chief telling me
12 that we are flooding. So, you know, I'm at a
13 conference addressing climate change issues, and
14 here we are, we are flooding back home in October,
15 which doesn't happen, right?

16 So we try to do what we can here in
17 the community, we have some emergency measures
18 that we enact but, you know, the Province,
19 Manitoba Hydro needs to have a plan in place to
20 address these type of issues when they do happen.
21 And so far we haven't heard or seen anything. So
22 that's something that has got to be looked at.

23 The other issue is, like if Manitoba
24 Hydro has a licence for Lake Winnipeg Regulation,
25 how are they going to regulate the new diversion

1 that was built from Lake Manitoba to Lake
2 Winnipeg? I mean, is it -- like, is that a part
3 of the licence at all, or is that just the
4 Province that's going to regulate that? And how
5 do the two work in conjunction to address those
6 water issues when the water rises?

7 I mean, you just said that Hydro has
8 been opening up, you know, Jenpeg as an example,
9 to alleviate the water pressure. But now that we
10 have this new diversion in place, how -- like what
11 is the plan from both the Province and Manitoba
12 Hydro to address the extra, or the more influx of
13 water that's going to be coming into Lake
14 Winnipeg? And at the end of the day, how does
15 that affect us? And it is on top of all of the
16 other issues you have seen, whether they are
17 erosion down on the riverbanks here or at Fisher
18 Bay, which is a part of our traditional territory.
19 And I'm hoping that -- you know, I'm glad to see
20 some of our fisher people talk about the currents,
21 you know, maybe there is other issues as well in
22 regards to migration patterns of fish, spawning
23 areas, things like that, that you might have seen
24 as well that have changed over time.

25 I don't know, I'm not a fisher person

1 at all, my family is a gardening family, so I'm
2 more on the land. But there is a lot of issues
3 definitely in regards to fishing, in regards to
4 erosion, and just the amount of water that's being
5 inputted into Lake Winnipeg, that's a big concern
6 of mine.

7 Again, just to end what I need to say
8 here, I definitely agree with what Walter is
9 saying, and a consultation needs to happen with
10 Fisher River Cree Nation. And that's our end goal
11 here, that's our hope, that at the end of this it
12 will be a start that Hydro realizes that they have
13 a duty to come back, and the Province of Manitoba
14 has a duty to come back here to consult with the
15 people of Fisher River Cree Nation so we can
16 address these issues, because they have never been
17 addressed in the past. And if this is the way we
18 get that addressed, then so be it. We want to
19 make sure that it is noted in the report. And if
20 it can be part of a recommendation, great. But we
21 just want to put the Commissioner on notice that
22 that's something that we need, and we want.

23 THE CHAIRMAN: Thank you for those
24 comments. You really captured an awful lot of
25 what we have been thinking about already. I do

1 know that Manitoba Hydro is cognizant of the fact
2 that there is more water coming into the lake, and
3 that they have to figure out a way to deal with
4 it. The Province is also aware of this. I'm not
5 sure what is being done to address that at this
6 point. It is something that we on the Commission
7 have talked about in our preparations for these
8 hearings. We know that -- you also mentioned the
9 outlet channel from Lake Manitoba, which is
10 something that has come up in our deliberations as
11 well. So you will see those thoughts reflected in
12 our report, and perhaps some specific
13 recommendations, perhaps not licensing
14 recommendations, but we also make what we call
15 non-licensing recommendations and they often end
16 up being implemented sort of as side issues to the
17 main review that we have done.

18 We have heard and we will certainly
19 make note of your concerns about the fact that
20 your community has not been consulted, and as a
21 community on the lake that may or may not have
22 been impacted by Lake Winnipeg Regulation. I'm
23 really curious about this phenomenon of flows
24 going one way and winds going the other. And we
25 will ask our hydrological engineer to look at that

1 and give us some comment on that. I have never
2 heard that before today. But that's why we come
3 into these communities, to hear stuff that we have
4 never heard before, and we can't promise -- you
5 know, I say this at every community meeting we
6 have -- we can't promise to do everything that you
7 would like us to do, but we do promise to listen
8 and consider everything that we have heard. And
9 it will -- if not, if we don't address every
10 issue, those issues will certainly inform our
11 thinking when we make our decisions.

12 WALTER SINCLAIR JR: When you guys put
13 that new diversion in from Lake Manitoba, have you
14 guys consulted the fishermen of Lake Winnipeg
15 before you guys did that, and what effect it has
16 had in our area and Dauphin River?

17 THE CHAIRMAN: The first outlet that
18 was put in place three years ago now, 2011, there
19 was no consultation at all. It was done under
20 emergency measures, so they didn't have to do any
21 environmental review or consult with anybody. Now
22 they are talking about putting in a new permanent
23 outlet, they will be required to conduct an
24 environmental assessment and to consult with
25 communities, consult with all communities, but

1 there will also be the specific Aboriginal, the
2 duty to consult, section 35 consultations will
3 have to be done as well with the First Nation
4 communities.

5 WALTER SINCLAIR JR: Do you guys know
6 what really happened? Like it is two or three
7 years now since that thing came in that Dauphin
8 River hasn't been fished. And last year --
9 Macbeth is an hour away from the outlet, and it
10 affected us also, our nets were all muddy in the
11 springtime. So it really affected the west side
12 of the lake quite a bit.

13 THE CHAIRMAN: Now, we weren't aware
14 of that because that's not our department. We
15 would hope that when they put in this new
16 permanent structure, which they are still in the
17 planning stages, that it will be referred to us,
18 and then we will come back out into the
19 communities and do an environmental assessment.
20 The section 35 assessment with First Nations
21 communities is done by other people in government,
22 not by us. But if we are asked to look at the
23 environmental review, then we would look at those
24 specific concerns that you are talking about. But
25 that's probably not going to happen for two or

1 three years. They are not going to start building
2 it for probably two to three years either. So the
3 environmental review would be maybe one and a half
4 to two years from now.

5 Were you sticking your hand up?

6 MR. COCHRANE: Carl Cochrane. I just
7 want to mention too, you know, the people that
8 know the effects on the lake are the guys that are
9 sitting here. We have been there for years and
10 years. You can bring as much hydrologists coming
11 in there, but without the knowledge or
12 consultation with our fishermen with regards to
13 anything, they are the ones who should have been
14 first consulted with, I believe, with our
15 community in Fisher River and our people, that's
16 their livelihood.

17 And all of the effects of channels
18 coming in -- I heard about that current change or
19 whatever, like with that 2-mile channel or
20 whatever, I don't know what it does, but I heard
21 that from elders and people that are in the lake,
22 from fishermen talking about that over the years
23 and the effect that it has. There is an elder,
24 Dorothy here, also mentioned her father who is a
25 long-time fishermen, and these are the people that

1 have got to be consulted with because they know
2 exactly what is going on there. There is things
3 that sometimes, okay, we will make the channel
4 here, we will make whatever here, but we have a
5 big livelihood, we have a lot of fishermen here in
6 Fisher River, in the whole of Lake Winnipeg there
7 is a lot of fishermen and it affects their
8 livelihood.

9 And the things there, even with the
10 Hydro regulations, the water levels, like I know
11 when I was growing up we used to cut hay and haul
12 hay down -- what is that called, Walter --
13 Swystun, along the lake there, you can't get in
14 there any more. Anyway, we had a lot of cattle
15 farmers here making hay down that whole area
16 there. There is no way now, from years back, when
17 the water level -- and Dion also mentioned about
18 the floods when we get the northeast wind coming
19 in from the lake, like in the springtime we get it
20 when it comes down to the south. And the more
21 drainages and channels or whatever they are doing,
22 it all comes into Lake Winnipeg and it has a great
23 effect.

24 You know, they said they opened the
25 dams or whatever fully to flow. So what do we

1 have to do to make it like flow faster or
2 whatever? Because there is a lot of effects here,
3 like you said, 715, and I was looking on the
4 internet also, like it varies in different areas,
5 different times. I mean, I know in 2011 there we
6 had -- the water levels were very high, I believe,
7 according to when you look at the internet there,
8 on the lake levels. And essentially all of -- in
9 fact, even the shore erosion along Lake Winnipeg,
10 what is now a Metis settlement of Fisher Bay, and
11 coming up, we also owned land there that's just
12 washing away, washing away. It affects
13 everything. We have an area down there for
14 cottage development, when the water comes up, you
15 know, it affects a lot of things here, not only in
16 the community but the whole surrounding area.

17 I just want to mention also that the
18 fishermen here is -- that was interesting to me
19 too when they talked about, I don't know whether
20 it is a current flow or whatever, it has all
21 changed and that, and the fish or whatever, and
22 also when Walter here was showing his nets. This
23 past year was the worst year, I believe, that a
24 lot of the fishermen that mentioned that they were
25 really dirty and they had a really tough time out

1 on the lake there.

2 Just some of the things that I wanted
3 to say, and then I think the first thing, even
4 prior to anything, even before there was no
5 consultation and there should have been, the first
6 thing would be to approach the people that would
7 be affected by it.

8 MRS. CRATE: I don't know if Walter
9 will agree with me, because he is the eldest elder
10 here, but I remember whenever we had a northwest
11 wind, we would get anxious, the water would come
12 up. But now it is the northeast wind. And we
13 also have a Cree camp out there that we haven't
14 been able to use in years because, you know, high
15 water is just raising havoc with it, and the
16 surrounding area there.

17 THE CHAIRMAN: You noted in
18 particular, Carl, that we should be talking to
19 fishermen and people around the lake, that's in
20 part why we are here today. We want to hear some
21 of those stories.

22 WALTER SINCLAIR JR: My dad is Walter
23 Sinclair Senior, he has been fishing for over 60
24 years, and today he is still fishing at 83 years
25 old. And we have Fred Sinclair who is over 50

1 years himself. And we have John Cochrane, he is
2 79 or 78, he has been over 50 years. Nobody
3 consults with these guys and they know a lot about
4 the lake.

5 THE CHAIRMAN: I can't speak for other
6 people who haven't consulted, but I think you are
7 right that they should be consulted, and hopefully
8 as things move forward, they will be. When this
9 channel comes and, you know, it is going to be a
10 bit north of you but it could still have impacts,
11 I would hope that there is more consultation done
12 with people in the community. That's not our job
13 unless we are asked to do the environmental
14 review, then we will be back.

15 MRS. CRATE: And if Hydro does any
16 more work out there, I hope they don't leave the
17 land devastated like beavers leave it.

18 THE CHAIRMAN: Again, I'm not Manitoba
19 Hydro, but I do know that nowadays they are much
20 better at not harming the land like they did when
21 they built Jenpeg and Kettle.

22 MRS. CRATE: Jenpeg, yeah, I remember.

23 THE CHAIRMAN: Kettle was even worse.
24 They didn't cut any of the trees at Kettle and
25 they flooded a lot of land, but they don't do that

1 anymore. Dion?

2 MR. DION MCKAY: Yes, sir, I'm looking
3 online for -- like, the previous licence was for
4 50 years, if I'm not mistaken?

5 THE CHAIRMAN: That's correct. Even
6 this licence that we are considering right now is
7 in that same 50-year period. So once this review
8 is done and we report to the Minister, which will
9 be the middle of 2015, if he issues a licence then
10 or later this year, it is only good until 2026.
11 And actually I think they have to start applying
12 for a relicensing six years before, so they will
13 have to apply for a new licence in 2020. So in
14 some ways, you know, we are just setting the stage
15 for the next application for a licence.

16 And that's part of our thinking, that
17 if we can provide information now, or research and
18 monitoring that needs to be done before the next
19 application, that could help that process. But
20 they will need a completely new licence in 2026,
21 so you are correct in the 50 year.

22 Anybody else? Anybody back here have
23 having to say? Just repeat your name for the
24 record?

25 MR. THADDEUS: Councillor Darrell

1 Thaddeus, Fisher River.

2 We were talking about the effects of
3 2011 wind storm that we had. I have pictures here
4 of what happened here in Fisher River. I will be
5 passing these around so you can take a look.

6 One site here is the cottage lot
7 development, it is a new site down by Fisher Bay.
8 That's all under water. This happened, the wind
9 that you are talking about, the north wind, where
10 it has never flooded before. In my lifetime, I
11 have never witnessed this kind of event. We
12 talked about the different weather patterns,
13 events that are going to be happening more and
14 more often because of climate change. You know,
15 we are going to be under water. We have never
16 flooded down this way. This is Larry Traverse's
17 home, this is his yard. I will be sharing these
18 with you. This here is down by Johnny Garson's
19 road. I seen the water that was flowing over that
20 road. That has never ever happened before since I
21 have lived down that bay, water to come that high.
22 And this is the fall time. What happens if the
23 lake, can't control the lake, what happens in the
24 springtime, more and more water is coming down
25 from the south? We are going to be under water,

1 this water will have no place to go if they don't,
2 you know, divert the water out of Lake Winnipeg.

3 The other stories that I have heard
4 from the fishermen that we are getting sand bars
5 out there, where the fishermen once used to go for
6 shelter during a wind storm, you can't get there
7 any more because of the sand bars. I know it had
8 an effect on the three fishermen that drowned,
9 they would have been able to go into the islands,
10 but due to the sand bars, they weren't able to get
11 in there. That's the story I heard from the
12 fishermen.

13 The lakeshore erosion that's happening
14 with our Cree camp, we used to work down there,
15 the water is right up to the cabin, there is no
16 more land there. I used to travel the lake with
17 my father and other fishermen. We can not see any
18 shoreline any more, no beaches. That's how high
19 the water is.

20 Now, to consult with the community, I
21 strongly agree with the council members and
22 fishermen here that that needs to happen. We see
23 our communities to the north here, I think it is
24 Lake St. Martin, they have no place there any
25 more. Their land is gone, their homes are gone.

1 I think there are still community members in
2 Winnipeg, still staying in hotels. What is going
3 to happen to our land here to the north, to the
4 east? We have lands here in the community where
5 our ranchers used to get hay. We can not get the
6 hay there anymore because it is all under water,
7 because the lake waters are so high.

8 Carl mentioned about the hay grounds.
9 And in addition to our reserve for our ranchers on
10 the east side, you can't get there anymore, the
11 road is inaccessible. I remember the farmers,
12 ranchers that used to collect hay down there
13 because I used to work for them, help them. We
14 can't get into that area any more.

15 Our reserve, the water, the swamp, you
16 know, most of our reserve is unusable because of
17 the water levels. And I noticed year after year
18 that we are losing more land that we can use.

19 That's the comments I wanted to make,
20 and I hope any other stories about farming or
21 ranching that you could share also. Because when
22 Fisher River first settled here, we came here for
23 ranching and farming, that was part of our
24 Treaties that we signed in 1875. And we have to
25 take a look at those Treaties, what we were able

1 to do, we can not do anymore. I just wanted to
2 make those comments.

3 THE CHAIRMAN: Thank you, Councillor.
4 Anyone else wish to add comments? Does anybody
5 else have any stories along the lines of what we
6 have heard from the fishermen, or Councillor
7 Thaddeus' comments about flooding?

8 MR. DION MCKAY: Dion McKay. Maybe
9 just to continue on with what I said earlier on
10 the, you know, the whole recommendation is non --
11 I forget how you put it -- the non-licensing
12 recommendation, as you put it, Terry, in regards
13 to consultation with some of the other First
14 Nations communities that surround Lake Winnipeg,
15 of course. But, you know, you are going to hear
16 some of the stories that have been said so far,
17 and we are talking about 2026 we are going to go
18 through the same process again when a new licence
19 will be granted to Manitoba Hydro and, you know,
20 so forth. The information that we have here is,
21 of course, you know, very important to document.
22 But going forward, you know, we at Fisher River,
23 we understand that we need to document as much as
24 we can. And that's why right now there is a
25 definite need for consultation, so that we can get

1 all of this information and this knowledge
2 recorded. And in regards to lake levels around --
3 well, the lake, is there -- do you know if there
4 is like a comprehensive Lidar study that has been
5 done in regards to the lake and its surrounding
6 lands? And if not, that should be a
7 recommendation going forward.

8 THE CHAIRMAN: I don't believe -- I
9 don't think a Lidar study has been done. There is
10 certainly various observations from satellites,
11 there is -- they have got 100 years of history of
12 water levels, but a Lidar study, I don't believe.
13 Perhaps you could just describe what the benefits
14 of that might be?

15 MR. DION MCKAY: I think in terms of
16 land use planning, which sometimes gets put on the
17 back-burner when you are facing emergency issues
18 such as flooding in regards to address, you know,
19 how you are going to protect communities from
20 flooding, that's where your land use plan comes
21 in. If you have Lidar study mapping you know
22 which areas are the best to mitigate, whether it
23 is through building diversions or building dykes
24 around communities or so forth. That would be the
25 benefit of addressing some of the issues, I'm sure

1 you heard from other communities around Lake
2 Winnipeg, and I think that should be the
3 responsibility of Manitoba Hydro to do that. I
4 don't think it should be anybody else's
5 responsibility. I think if Manitoba Hydro wants
6 to regulate Lake Winnipeg, then it should be their
7 duty and their responsibility to make sure that
8 they understand the lay of the land, to understand
9 where the high points are, where the low points
10 are, and to make that information readily
11 available to the people of Manitoba, and
12 specifically us. I think that it's surprising
13 that Hydro doesn't have anything like that yet.
14 But it should be something that they should do in
15 regards to this new licence.

16 And I know -- I don't know if we are
17 calling it an interim licence or whatever the case
18 is, but like they are operating right now with a
19 new licence. And this is just kind of the final
20 motions to grant the official final licence until
21 2026. But before we get to that 2026, there
22 should be Lidar mapping of the land that surrounds
23 Lake Winnipeg. Because if we come, you know, to
24 2026, there should be at least an understanding of
25 how the land is formed around it and, you know, if

1 there is any other further effects that happen
2 from now until then, we will know where it needs
3 to be addressed. So I think that Hydro should
4 invest into Lidar mapping for the land surrounding
5 the reservoir, we will call it, of Lake Winnipeg.

6 THE CHAIRMAN: Thank you. Just on
7 what this licence is called, you said, you know,
8 is it sort of a further interim licence. It is
9 sort of strange in a way, I don't understand the
10 history of it, but under the Water Power Act the
11 initial licence, when they start to build a
12 project, is an interim licence. And then after
13 they have completed the project, the proponent or
14 the project builder, in this case Manitoba Hydro,
15 is entitled almost automatically to get a final
16 licence. And usually they will apply for the
17 final licence almost immediately after the project
18 is completed. And it is really just a formality.
19 For some reason Manitoba Hydro waited 35 years --
20 from 1976 until 2010, so that's 34 years before
21 they applied for the final licence. And again
22 they felt, and probably in law they are entitled
23 to it almost automatically, but for small p
24 political reasons, because of concerns from
25 communities like yours and many other communities

1 around the lake, because there is a long history
2 of these concerns coming forward, the government
3 asked us to come out and look at it and hear from
4 communities and people such as you, as your
5 community and the people in this room. That's why
6 we are here.

7 In law they are probably almost
8 automatically entitled to this final licence, but
9 the Government has asked us to hear from people
10 and offer commentary before the government issues
11 the final licence.

12 As I said earlier, what we hear this
13 time may well, and probably will, influence the
14 next round when they apply for a new licence in
15 2026.

16 MR. DION MCKAY: And as I understand
17 it, just so our community members that are here
18 understand, basically like this whole process
19 which has been initiated by the Province of
20 Manitoba is, in essence, just going through the
21 motions. Just like Terry said, the licence is
22 almost -- this whole process is a formality.
23 While we felt that -- the Chief and Council felt
24 it was important to get the Commission out to hear
25 us, is just to show that at the very least we care

1 enough, we care enough about our land and we care
2 enough about our fishing industry, we care enough
3 to show that we have these concerns.

4 Now, I fully understand that -- at the
5 end of the day, my personal perspective is that
6 there might not be a whole lot of recommendations
7 that is going to influence this licence in some
8 grand way that's going to address all of our
9 concerns. And I fully admit that and I fully can
10 see that and I understand that.

11 And moving forward to 2026, when the
12 next final licence comes up, that's what we want
13 to do, is at least document what we have right
14 now. That's 12 years, 11 years away. A whole lot
15 can happen from now until then. And I think what
16 council members Cochrane and Thaddeus were talking
17 about is we need to be heard now.

18 And in regards to the Province of
19 Manitoba, you know, I don't, honestly I don't have
20 a whole lot of faith in their procedures, yet they
21 still have a lot of work that they have to do in
22 regards to consultation and understanding First
23 Nations rights, and understanding First Nations
24 communities and the people that reside in them.

25 But, you know, it is almost a sad

1 reality, you talked about this interim licence and
2 how it took them 30 plus years to finally apply
3 for a licence and how it seems to be the behaviour
4 and the attitude of Hydro that they can do what
5 they want, as they please, being one of the
6 only -- I think they are the only Crown run
7 corporation for the Province right now, and
8 probably the only money-making Crown run operation
9 that's out there. So you know -- oh, and
10 Lotteries, okay. I was going to say the only one
11 to make money, but Lotteries is definitely making
12 money from them.

13 THE CHAIRMAN: Lotteries and liquor.

14 MRS. CRATE: I heard on the news that
15 they may be selling Manitoba Hydro?

16 THE CHAIRMAN: I would be very
17 surprised. I mean, the government has legislation
18 in place saying that they can't sell Manitoba
19 Hydro without a province-wide referendum. I would
20 be surprised if they sold it. I think people
21 would be up in arms.

22 MR. DION MCKAY: I just want to add on
23 to what Dorothy said, there is regulations too
24 from the Province of Manitoba not to raise the PST
25 before a referendum was done, and we all know what

1 happened there.

2 So the regulations are in place, but

3 we have seen so far that they are there to be

4 broken as well, and easily. When we had MTS here

5 in the Province of Manitoba, it was a Crown run

6 corporation, and we had a Conservative Government

7 come in and what happened? They sold it and it

8 became a private run company. It wouldn't

9 surprise me either, Dorothy, if at some point that

10 was considered. Now, I know you guys can't

11 comment on that and, you know, we can only assume,

12 right? But there is always that chance. I don't

13 want to put any -- I don't want to fear monger in

14 any way, but, you know, that can occur. And we do

15 have an election coming up, and I have heard

16 whispers of that too, you know, on the

17 Conservative end of things. And I think that the

18 sooner we get this information out and the sooner

19 we make our stance known, the much stronger front

20 we will have, at least for Fisher Cree Nation,

21 going forward. That if it is ever entertained, I

22 wouldn't want it to, but if it is ever

23 entertained, they would have a force to be

24 reckoned with here in Fisher River, and we

25 wouldn't -- no way in any of our imagination would

1 we want Manitoba Hydro to be run as a private run
2 company. We know what would probably happen to
3 the rates that we currently enjoy, although our
4 Hydro is high some times, it is still some of the
5 best rates you are going to find across the
6 country, and if it is privately run, you can only
7 imagine what is going to happen to the rates then.
8 Anyway, just something to say.

9 WALTER SINCLAIR SR: We had a big
10 flood here about 1974, it was the biggest flood we
11 had. 1975 they started working on the floodway
12 from Hodgson through the province boundary. I
13 think it was a \$25 million project. I think it
14 was also to make that floodway, to make Winnipeg
15 floodway to come out just east of the second creek
16 and to come out to Lake Winnipeg. And that time,
17 you know, a really great thing for Fisher River
18 and Hodgson and Peguis would have caught all of
19 that water that's coming from the south, and then
20 it would have caught all of that water that's
21 coming from Lake Winnipeg, it would have flowed
22 down there instead of flowing into the reserve.
23 And what happened that time, after everything was
24 right through, everything was approved just to go
25 ahead with the project. And our neighbours put a

1 stop to that, they wanted a man made lake in
2 between here and Peguis, but it wasn't in the
3 proposal, so that stalled it right there. That
4 killed it. We never got any money after that.

5 And I think, that's the way to go, to
6 be honest, stop your water coming in the reserve.
7 I think the leaders could invite the Province to
8 come in that road again to make that way coming
9 through here. And you will catch all of that
10 water coming from Lake Winnipeg, and you catch all
11 of the water coming from south, instead of coming
12 into this river here, to flood this little river.
13 There is a lot of drainage that's going in this
14 little river here, there is a lot. Some of their
15 drainage is bigger than the river that catches
16 that water, and that's why we get that water in
17 the spring. And I think the leadership should get
18 after the Province now to start fighting for that
19 floodway. That's the only way that you are going
20 to save your land. They might have paid
21 \$100 million -- \$25 million in 1975.

22 THE CHAIRMAN: Can I ask you, would
23 that floodway -- but it wouldn't have helped this
24 situation?

25 WALTER SINCLAIR SR: Oh yeah, it would

1 have.

2 THE CHAIRMAN: From the northwest, or
3 northeast rather?

4 WALTER SINCLAIR SR: It would catch
5 all of that water coming from Lake Winnipeg,
6 because that thing was, I don't know, it was
7 12 feet deep, it was really a big floodway. It
8 would have caught all of that water, and that's a
9 25 mile stretch.

10 THE CHAIRMAN: Okay.

11 WALTER SINCLAIR SR: Instead of coming
12 into the reserve, you see this reserve is 17 feet
13 lower than Riverton, that's how low it is, and
14 that's how you get all of that flood here. I
15 think they have to get after the province to do
16 the work on it, you know. If they can do the work
17 from Lake Manitoba to Dauphin River, they can do
18 the same thing for us to make a floodway to
19 protect the people in the future.

20 THE CHAIRMAN: Thank you. Anyone else
21 have anything to say?

22 MRS. CRATE: We used to be able to
23 take our families out on to the beach at the mouth
24 of the river, we can't even do that anymore, there
25 is no beach here. There is not even any beach

1 further east. It is all underwater.

2 THE CHAIRMAN: Can I ask you or
3 somebody else, a couple of people have mentioned
4 the Cree camp, where is it, or where was it?

5 So it is across Fisher Bay from the
6 mouth of the river?

7 MRS. CRATE: It's not across Fisher
8 Bay, it is just directly to the mouth of the
9 river.

10 THE CHAIRMAN: Okay. And it is now
11 flooded?

12 MRS. CRATE: Pretty much.

13 THE CHAIRMAN: Anybody else have
14 anything to say?

15 WALTER SINCLAIR SR: You know, Dorothy
16 just mentioned about Hay Point. You know, one
17 time the farmers who started to hay in this
18 community, that's where they went to make hay, Hay
19 Point, they went across that bay with horses.
20 Yeah, that's how they used to make hay up there.
21 So that's right across the bay from the mouth of
22 the river straight east, northeast. And that's
23 where they used to go and make hay. Now you
24 can't. You can't even go across these creeks
25 here. Just east of us here there used to be a

1 road there, you can't even use that road anymore.
2 It used to be a highway over there, but now they
3 can't maintain that highway because of the flood
4 from the south and from the lake. You know,
5 that's why the Province has to do something to
6 make that big floodway to catch all of that water
7 to save all of our land.

8 THE CHAIRMAN: Now, you said that in
9 the '70s there were plans to build, or start
10 building the floodway?

11 WALTER SINCLAIR SR: Yes, it was '74
12 when they had that big flood, and they had a
13 meeting after that. There was so much damage that
14 year, so they decided to come all together and
15 plan this floodway, even Riverton and Arborg, all
16 of these little towns supported our community to
17 make us a floodway here.

18 MR. DION MCKAY: I think we will break
19 for lunch right away. I do want to add on to what
20 Walter said as well. I mean, the discussion would
21 have been there, I think of all of those
22 discussions between the Province and our
23 neighbours to the south, and that's something else
24 too we have to consider is our relationship with
25 our neighbours to the south. Sometimes our

1 priorities are different from their priorities,
2 and I do think if there is a lull just in the next
3 little while to have a discussion on, or a new
4 discussion on -- I don't know if it would be a
5 diversion or floodway or what, but there is some
6 effort being shown by the Province and by Peguis
7 to come together with us to talk about that. And
8 at the end of the day we will sit down with them
9 and we will talk about that opportunity. And you
10 know, whatever it entails, we will definitely want
11 a stake in it, you know, in terms of employment
12 benefits for construction or whatever the case is.
13 I wanted to state that out to the members now, if
14 it does happen or when it does happen, but, you
15 know, definitely we will have to align our
16 priorities up with our neighbours and hope that
17 they see things eye to eye with us as well and
18 that we can get something done in the future.

19 That being said, lunch is in the back,
20 and I'm sure we have some hungry tummies. Terry,
21 if you wouldn't mind, we will call for a lunch
22 break and we can come back and continue on with
23 our discussions.

24 I call on our Elder Dorothy Crate to
25 bless the food, and then we can get into eating.

1 (Prayer)

2 (Recessed and reconvened at 1:20 p.m.)

3 THE CHAIRMAN: Councillor Thaddeus was
4 showing us some areas on the map and then related
5 to these pictures that were circulated earlier.
6 It was informative to those of us who were taking
7 part in it.

8 First of all, let me thank and
9 compliment whoever provided the lunch, it was
10 excellent. I think all of us went back for
11 seconds and even thirds of things. The biscuits
12 in particular were very popular, but so was the
13 egg salad which I'm a fan of, and the cakes.

14 So we, you know, we had a good
15 discussion this morning before lunch. We heard a
16 lot of your concerns. We heard in particular that
17 that you feel the need, and I think rightly so, to
18 be consulted more on your concerns, particularly
19 as things go forward, not only Lake Winnipeg
20 Regulation going forward, but also the diversions
21 out of Lake Manitoba, and as had been mentioned by
22 two or three people, including Dion McKay, global
23 warming and the increased water coming into all of
24 the lakes, the lakes and rivers in Manitoba. And
25 the more you link them up, the more complicated it

1 gets to manage. So, we need to be taking the
2 management of our waters a lot more seriously as
3 it gets more complicated, involving people at all
4 of these communities like yours in how we do that.

5 Having said that, does anyone else
6 have any more comments or stories that they wish
7 to provide? I think all of you, or most of you
8 were here this morning and you heard the
9 discussion we had before lunch, which we feel was
10 a very good discussion, which is exactly why we
11 come into these communities, we want to hear that
12 type of thing, stories of people who are living
13 with these effects.

14 So does anybody else have any more
15 they wish to let us hear?

16 WALTER SINCLAIR JR: These rights,
17 these recommendations as they are today, are they
18 for the next licence, 2026, or the ones prior?

19 THE CHAIRMAN: What we are doing right
20 now is more immediate. It is for the issuance of
21 the final licence right now. Hydro wants to have
22 that licence in place by the end of this year.
23 Whether that will happen remains to be seen, but
24 they want it in place soon. The 2026 application
25 will be separate. That probably won't come for

1 about -- what are we now, 2015 -- probably about
2 five or six years before Hydro applies for a
3 completely new licence. What we are dealing with
4 now is a licence that's been in place for almost
5 40 years, 39 years. So what we want to hear, what
6 we are going to report on and make recommendations
7 about is the current final licence, which will
8 only be good for another 11 years.

9 WALTER SINCLAIR JR: Are you guys just
10 starting this, these meetings now, this year?

11 THE CHAIRMAN: Yes.

12 WALTER SINCLAIR JR: Why weren't they
13 started maybe three or four years ago?

14 THE CHAIRMAN: Hydro applied for the
15 final licence, it was either late 2010 or early
16 2011. It was referred to the Clean Environment
17 Commission in -- we got the terms of reference in
18 September 2011, and we started working on it then.
19 But then after that, Hydro applied for the licence
20 for Bipole III, and they wanted that done first.
21 So we put Lake Winnipeg Regulation to the side and
22 did Bipole III, which took us over a year. And
23 then before we got back to Lake Winnipeg
24 Regulation, they applied for Keeyask, which was
25 also referred to us, and we did that, and that

1 took almost a year. And we finished Keeyask last
2 spring. When did we send the report over?
3 Probably about April or May. And we have turned
4 our minds to this in the spring of last year. We
5 held our first pre-hearing meeting with various
6 parties at the end of May. Then we had to wait
7 for Hydro to produce a document that we had asked
8 them for. And it just sort of took a number of
9 months getting people, getting the message out,
10 finding contractors to do some of the work waiting
11 for Hydro to complete their document, it took a
12 number of months before we were ready to come out
13 with the hearings.

14 We just started these hearings two
15 weeks ago. We went up north to Thompson. We were
16 in Thompson, Wabowden, and York Landing, and last
17 week we went up to Grand Rapids, and this week we
18 are in this part of the Interlake this week. And
19 we will continue on the other side of the lake in
20 the next couple of weeks, then back up to Cross
21 Lake, then a few weeks in Winnipeg in -- well,
22 March and probably into April. And I think one or
23 two more trips up North. I think we have to go to
24 Norway House some time.

25 WALTER SINCLAIR JR: Are you going to

1 be hosting a general meeting in Winnipeg?

2 THE CHAIRMAN: In Winnipeg?

3 WALTER SINCLAIR JR: Yeah?

4 THE CHAIRMAN: Yes. Right now we have
5 already scheduled three weeks of meetings in
6 Winnipeg, and we are probably going to have to add
7 at least one week in there.

8 WALTER SINCLAIR JR: So you are
9 breaking up the lake from north, central to south
10 in these phases?

11 THE CHAIRMAN: Not really. I mean, as
12 far as our review goes, it is the lake as a whole,
13 and it is the controls at the north end of the
14 lake as well, they are the specific things that
15 affect the regulation of the lake. The schedule
16 of our hearings is just how it worked out, I mean,
17 when communities were available, what worked. And
18 just because of travel, we try to keep things
19 together. Like this week we are just in this sort
20 of central part of the Interlake. Next week it
21 will be sort of the south basin, Lake
22 Manigotagan -- no, next week it is the Grand
23 Marais and then Brokenhead, Gimli, Selkirk. It is
24 just what is convenient for travel. You know, we
25 have to stay in hotels when we are out here, so we

1 have to get central stuff. That's all. It is
2 just -- just the scheduling dynamics rather than
3 any plan.

4 Anybody else?

5 MR. DION MCKAY: I want to add a
6 couple of other things, on top of everything else
7 that I touched on. But when you look at our
8 20-year community plan and the Lidar mapping that
9 we did out of that, very land base use mapping,
10 but out of that 20-year plan we can very clearly
11 see that about 70 to 72 per cent of our land is
12 unusable because it is all swamp, it is all marshy
13 and it is not suitable for development. So for
14 Fisher River, when we look at our land use
15 planning, we have very limited resources on
16 reserve to use at our disposal. But the
17 interesting question was asked in terms of our
18 high water table that we do have in our community,
19 how much of that might have increased from the
20 time that Hydro development started, and then
21 currently going forward, how is -- you know, it
22 would be interesting to find out if that would be
23 a part of the consideration, like if you look at
24 water tables of various communities and how they
25 are going to be impacted by current Hydro

1 regulations on Lake Winnipeg, because that impacts
2 us, that will definitely impact us. You heard
3 about it in regards to the flooding that occurs in
4 the community on top of climate change effects.
5 We are a bottleneck, as a community we get
6 everything from Lake Winnipeg when we get those
7 storms, but also we get everything from south as
8 well, so from the RM of Fisher, of Peguis, of
9 Dallas, we get everything from there as well,
10 right? So we are a unique community in that sense
11 I would say.

12 On top of that, we stake riparian
13 rights to the river, and we still have got to get
14 it, I will say more legally defined. But the
15 Federal Government has stated that we do have
16 riparian rights here in the river. From what I
17 understand, we are the only community in Manitoba
18 that has staked its riparian rights in regards to
19 the water. So in regards to Lake Winnipeg
20 Regulation, I think it is something that, I don't
21 know if they have ever looked at that but -- and I
22 don't know going forward how we define that. I
23 will be honest, I'm not too sure what it is, but I
24 do know that it is a right. How is that going to
25 impact the, you know, the recommendations or the

1 regulations of Lake Winnipeg? There is no answer
2 there right now, but I just want to put the
3 Commission on notice that that's something else
4 that will have to be considered, is how riparian
5 rights will be impacted through Lake Winnipeg
6 regulations by Manitoba Hydro and the Province of
7 Manitoba.

8 THE CHAIRMAN: You said that 72 per
9 cent of your community is not usable. Now, do you
10 know if that's recent, has it always been like
11 that? Has the higher waters in recent years added
12 to that? Did you use to have more that was
13 usable?

14 MR. DION MCKAY: Well, you heard this
15 morning about the hay lands that our farmers used
16 to be able to use to harvest hay. Like I said
17 earlier, I come from a family of gardeners and
18 farmers as well. And there is people in my family
19 that like to farm and they can't right now, or
20 maybe never, I don't know. But yes, there is land
21 that we used to be able to use that we can't use
22 now. So the 72 per cent that I was talking about
23 is right now what we can't use. What percentage
24 that was going back 30 or 40 years, I couldn't
25 even guess what that would be.

1 THE CHAIRMAN: It would be interesting
2 to know that. I don't know how you determine it,
3 I'm not a scientist, but it would be interesting
4 to know whether at the time of Lake Winnipeg
5 Regulation, if that sort of added to the land you
6 were no longer able to use. Global warming has
7 almost certainly played a part, but...

8 Anybody else? You need to talk into
9 the mic, introduce yourself first.

10 MR. LESLIE MCKAY: My name is Leslie
11 McKay and I'm from this community, and I did all
12 kinds of work. How I see it, when I was growing
13 up there was a lot of houses along the river here,
14 never ever flooded. But until they start putting
15 in those dams and flooding the land, the people
16 had to move away from the shore, away from the
17 rivers. And today, like last fall I went down on
18 the boat and I went down towards the mouth of the
19 river, and where they used to cut hay, this is
20 covered with water. You could easily, you could
21 have rode around out in the field where a boat was
22 not allowed to go because of all of the water.

23 And what is Manitoba Hydro doing to
24 help First Nations people, not only here, but
25 different areas? The way I look at it, I think we

1 should be compensated for the waste of our land.
2 Even we used to have a nice beach before, but
3 that's all gone now. It is all gone now. We used
4 to have a nice beach down at the bay area, but
5 that's all gone now.

6 What is being done about it? You hear
7 a lot of talk about it, but nobody wants to do
8 anything about it. But I believe it is time First
9 Nations people begin to speak up for themselves
10 and what is rightfully theirs, and I believe it is
11 only fair. Manitoba Hydro come and flood the land
12 and destroy the land. They figure that they are a
13 gift to the people in this community or in
14 different areas, but they don't think, they don't
15 think about the needs of other people around,
16 around the areas.

17 So this is all I got to say, you know,
18 it is pretty sad. It is pretty sad. If you were
19 to come out here, if there is a big northwest
20 wind, you can see what it does even to the river
21 here, how high it brings it up. I remember it
22 back here, not too far from here, as a kid growing
23 up near the river, it never ever flooded. But
24 ever since they put these dams and everything
25 else, and that 22-mile channel as well, it has a

1 lot of effect on the lake. You know, it is pretty
2 sad. All I can say, it is pretty sad.

3 It is sad for the fishermen too, it
4 affects the fishermen. I used to fish as a
5 helper, and I seen the damages that it used to do.
6 And I believe it is still happening today. Look
7 at that channel they made from Lake Manitoba, all
8 of that dirt affected the waves last fall. And I
9 was talking to fishermen, they said their nets
10 were just like planted. That's pretty dam sad, to
11 see the government do this to the people that
12 elected them in office, you know, and just lining
13 their pockets.

14 THE CHAIRMAN: Thank you, Mr. McKay.
15 Anybody else?

16 MR. THADDEUS: Thank you. Councillor
17 Darrell Thaddeus. In answer to speak to what they
18 were talking about here with the north wind, we
19 were talking about the effects of the north wind.
20 And if you can see down by Hecla Island there,
21 there is islands there that prevent water, most of
22 the water from going into the south basin here.
23 But where do you see that water going? Where we
24 are situated right here. Most of that water is
25 going to come into our community. And the effects

1 of those winds -- they are all photographed, and
2 I'm sure that there is plenty of other pictures
3 out there that we can send. If you have any more
4 information, please send them to us.

5 We talked about compensation for the
6 loss, and the use of our land. I was talking
7 about up the road here there used to be hay lands
8 up there, there used to be fences, remember that?
9 You can't even cut hay in that area anymore
10 because of the high water table. To the south, to
11 the north, northeast, unusable.

12 So council have already started
13 amongst ourselves, you know, what our next steps
14 are for compensation. And I hope that out of
15 these discussions, recommendations from the
16 community, where we go from here, because that's
17 what we need to hear also, you know.

18 THE CHAIRMAN: Thank you, Councillor.
19 Anybody else? Anybody want to add to the
20 discussion?

21 MR. STEVE MCKAY: Yeah, maybe here.
22 What's your name?

23 THE CHAIRMAN: My name is on that
24 plaque up there, I'm Terry Sargeant.

25 MR. STEVE MCKAY: I'm Steve McKay

1 senior. Okay. Like has been said quite a bit
2 already, right now, but they make the branches
3 from the south weir, the farmers, the pig farmers.
4 And I know from way back over there, I forget what
5 they call that, by Ashern anyway, all that water
6 is coming this way here, you know, because the
7 river that we have. Like there is the two rivers.
8 When you get about past Peguis there, there is a
9 branch off there, there is one from the west side,
10 one from the east side, and it comes to one river
11 from there. So when you get those two to meet
12 together, I guess they must spill a lot of water
13 into that one channel that comes out to the lake
14 here. I was just wondering -- like, you said, a
15 lot of that land, hay land is flooded. You can't
16 even go there with a four wheeler, you get stuck
17 there if you go with a four wheeler there now
18 today. At one time you could walk over there. I
19 used to go and hunt over there a long time ago
20 when I was young, I didn't need no (inaudible),
21 that's how great it was, nice. Yeah.

22 But then what is happening now, like
23 the government is doing a lot of building dams,
24 that's true, but they are making good money. What
25 about us? Like they said, we are not getting

1 nothing for that. We are still paying Hydro, and
2 I heard that we are paying more Hydro than the
3 States do. It is ridiculous. I think it is time
4 the government looked at -- we have got these
5 things, what we have been doing all of these years
6 since the first dam was built at Grand Rapids.
7 That was in the '70s, the other dams were built
8 there, and now they are starting another one up
9 there. So how they can control the water? I
10 don't know what they do to control the water, the
11 lake.

12 THE CHAIRMAN: What can they do to
13 control it?

14 MR. STEVE MCKAY: What do they do to
15 control the lake.

16 THE CHAIRMAN: What they use, and that
17 big map that was brought in this morning with
18 Manitoba Hydro system on top shows some of the
19 structures of the control. You know, it is 2-mile
20 channel and then 8-mile channel, but the main
21 control is at Jenpeg where there is a control
22 structure and a generating station, a spillway and
23 a generating station. That's the main controls.

24 MR. STEVE MCKAY: Okay. You know, I
25 think it is about time the government come here

1 and check out what is happening, you know. Like
2 the river that you see here, when I was a young
3 kid I used to swim on that river, I used to drink
4 that river. When I was young, that was our
5 drinking water when we were here, before all of
6 these wells and everything else came around,
7 that's where we drank from. That's how clear and
8 clean that river was before everybody started
9 dumping everything into the river, making their
10 drains and all that into the river. You know, we
11 are left with it.

12 THE CHAIRMAN: Well, when I was kid
13 growing up in Gimli, there were streams that we
14 would drink straight out of the creek. I would go
15 to scout camp and drink water right out of the
16 Winnipeg River. I sure wouldn't do it today, just
17 like you wouldn't.

18 WALTER SINCLAIR SR: How about that
19 dam in Grand Rapids, do they let the water in same
20 as Jenpeg?

21 THE CHAIRMAN: I'm sorry, can you
22 repeat your question?

23 WALTER SINCLAIR SR: There is a dam in
24 Grand Rapids, do they let that water out the same
25 as the one in Jenpeg?

1 THE CHAIRMAN: Yeah, it is much the
2 same principle as the one at Jenpeg. It is a
3 bigger generating station, but water comes through
4 the generating turbines as well as over the
5 spillway if they have too much water. So it is
6 similar in concept to the one at Jenpeg, it is
7 just -- it is a bigger dam, but then the lake
8 behind it is smaller, it is Cedar Lake. There was
9 a lot of flooding in Cedar Lake, as I am sure you
10 know, when they built that dam.

11 MR. MCKAY: My name is McKay. Like,
12 the control of the water of Lake Winnipeg is
13 really, I think is not as good as it should be.
14 Because like I was sitting here listening to the
15 elders talk about places where they used to make
16 hay, where -- and all of our hunting lands are
17 being flooded over. And I worked for this
18 community for a few years as flood coordinator,
19 and seeing the flood in the fall was something I
20 never saw, which comes down from Lake Winnipeg. I
21 knew that the years that I was working with the
22 different organizations, along with Peguis and
23 Lake Manitoba, and we went to meetings, they were
24 more concerned about the south basin than the
25 Interlake basin, like considering, not worrying

1 about the flood lands of the crops and the farmers
2 and the cattlemen. It was a mistake, I say,
3 opening the diversion in Portage. Still yet we
4 can see the Federal and Provincial Governments
5 still paying for their mistake. And it caused a
6 community to be dislocated. I was working along
7 with a friend of mine from Fairford, and when they
8 opened the dam and they had no control about where
9 the water was going, and EMO was slow at moving
10 out their equipment, and he asked me, what am I
11 going to do? I says, well, what have you got?
12 And he says, I have nothing. And I says, okay,
13 you have snow on the ground, let's use that snow.
14 And what I told him to do is get some machinery in
15 along the east side of the river, Fairford River,
16 and start building up a snow dyke, which held for
17 a while, long enough to move some cattle and some
18 families out of the lower Fairford River.

19 And controlling the lake water, in the
20 past few years it has been higher than usual, and
21 it does -- it really does take effect on the
22 fisheries. Because I used to go visit at one of
23 the stations here, and the guys were coming in
24 with probably maybe three, four boxes of fish, and
25 that doesn't even pay for their fuel. But it is

1 so high that, you know, global warming, before
2 even global warming came, I can't say anything
3 about the same global warming had an effect in
4 probably about 30 years ago. I think basically it
5 was the Hydro and the generation stations that
6 were causing the problems.

7 Maybe I'm saying too much right now.

8 THE CHAIRMAN: No. That was fine,
9 thank you. Anybody else want to add to the
10 conversation?

11 SPEAKER: Is the Hydro, like when you
12 start -- like is the Hydro really checking
13 everything or monitoring whatever they started on,
14 or before you started you were going and surveyed
15 the areas where you know that it is going flood.
16 And like, Hydro, now today, I remember we didn't
17 have Hydro when I was growing up, but it is good
18 to have Hydro and that today, but it is costing
19 the government some money. But I was wondering
20 about that, did they monitor that stuff before
21 they started making dams, and are they continuing
22 going and checking everything as they are building
23 more dams?

24 THE CHAIRMAN: No, I know what he is
25 talking about. And in the early days they didn't.

1 When they built Kettle and probably Long Spruce
2 and Lake Winnipeg Regulation, that was before the
3 current Environment Act came into place, and that
4 was really -- sort of environmental impact science
5 and studies just started probably late '60s, early
6 '70s, so it was really in its infancy and it
7 wasn't done broadly. So there were very few
8 environmental impact assessments done before those
9 projects were built. Even Limestone, which was
10 built in the '80s, it wasn't subject to a major
11 environmental impact assessment or a review. In
12 fact, the first Hydro project that was reviewed by
13 us, by the Clean Environment Commission, was
14 Wuskwatim, and that was only 11 years ago. So it
15 is a fairly new process. A lot of those projects
16 didn't have assessments done before they were
17 built.

18 In the mid '70s there was a study
19 board group called the Lake Winnipeg,
20 Nelson/Churchill River Study Board, and they did
21 an assessment that was a sort of environmental
22 assessment of the projects. It was actually -- I
23 read it last summer, and it is quite good. Given
24 that the science was really in its infancy then,
25 what they did was quite good, but it wasn't a full

1 impact assessment the way they do today. But
2 since those projects, and with the growth of
3 environmental assessment, Hydro does do a lot more
4 monitoring. They do a lot of monitoring of what
5 has happened. In some cases they don't know what
6 was there before, but they still look at what is
7 going on. And with the newer projects they do
8 full environmental assessments. And when we
9 review them, we find all of the holes in their
10 environmental assessments and make them do them
11 even better. So I hope -- it is a bit of a
12 long-winded answer, but I hope it answers your
13 question.

14 Anybody else? This is going to be
15 your last chance, your last opportunity -- well,
16 not your last opportunity forever because we are
17 meeting in Winnipeg in March and you are welcome
18 to come there, but your last opportunity here in
19 your community, if I don't hear from anybody else
20 in the next minute or two or three.

21 Well, let me say, I think this has
22 been a very good session. I'm really glad we came
23 here. I can tell you we have gone into some
24 communities where only one or two people come out
25 and we don't hear much, if anything. But some

1 communities we get into really good discussions,
2 and I feel that today's discussion has been a
3 really good discussion. It has been about a lot
4 of issues that are obviously of important concern
5 to your community. A lot of those issues do fall
6 within our mandate and we will comment on them.
7 As I said to Dion earlier, I don't know, I can't
8 guarantee that we will make recommendations about
9 your concerns, but we may. It may be specific, it
10 may be a general recommendation that does benefit
11 your community as well as other similar
12 communities along the lake.

13 But I do want to thank you for all of
14 your input today, for all that we've heard, and
15 thank you for letting us into your community.
16 Thank you for a great lunch. And I think this
17 gentleman just indicated that he wanted to say
18 something more before we turn it over to you.

19 WALTER SINCLAIR JR: I have a question
20 about -- you guys are the Clean Environment, is
21 that what you guys do?

22 THE CHAIRMAN: Yes.

23 WALTER SINCLAIR JR: What about the
24 pig barns up south and there are some by Riverton
25 there, how far are they supposed to be away from

1 drainages and the lake?

2 THE CHAIRMAN: Well, we don't manage
3 stuff that goes on in the environment, that's a
4 different branch of government. But about eight
5 years ago, nine years ago, we did a review of the
6 hog industry in Manitoba, and we toured throughout
7 southern Manitoba, into the Interlake, we had
8 meetings in Arborg and Stonewall. And we made a
9 number of recommendations about hog operations.
10 And I think all of them have been implemented.
11 And there are rules about how far the lagoons are
12 supposed to be from water, and how close they can
13 come to water when they are spreading the manure.
14 So that's all in place. Whether it is being
15 enforced, I don't know, and that's not our
16 jurisdiction. But we have looked at it and we
17 have made what -- a lot of what we felt were very
18 good recommendations about them.

19 WALTER SINCLAIR JR: So a lot of that,
20 like during the spring floods down south there,
21 there is a lot of hog farmers down there and a lot
22 of that stuff is coming into the Red and
23 Assiniboine and into Lake Winnipeg.

24 THE CHAIRMAN: Well, among the
25 recommendations we made was to move, or to

1 actually outlaw any new operations in the Red
2 River Valley for exactly the reason that you are
3 talking about. Because in flood years some of
4 those sewage lagoons got overrun by the flood
5 waters and all of that pig poop ended up in our
6 lake.

7 So again -- we have one more comment
8 here.

9 SPEAKER: Do you have control about
10 how many drainages are, or do they have to get a
11 licence to put a drainage in toward the river or
12 any run-offs?

13 THE CHAIRMAN: No, that's not in our
14 jurisdiction at all. There are other branches of
15 government, I would say the Department of
16 Conservation or Agriculture, but we don't do that.
17 All right.

18 WALTER SINCLAIR JR: I know it is a
19 little bit off what you guys are here to deal
20 with, but there is a licence that a person has to
21 get if they want to, if they want to even clean
22 out existing drainage, there is a process there
23 that you still have to go through. I think it is,
24 there is a drainage department, a part of
25 Conservation, that you have to go through. The

1 unfortunate thing though is, and Terry, you are
2 very nice in the way that you put it, but there is
3 barely any money for the Province to enforce any
4 of the rules. So in spite of the rules that we
5 have, there is nobody there to enforce it. So the
6 only time something is going to get done is if
7 somebody raises a red flag about whatever it is.
8 And we actually did that last year in regards to a
9 farmer up in Dallas RedRose, that claimed that all
10 he did was clean out existing ditches, but, man,
11 did he ever do a lot of work out there.

12 SPEAKER: A lot of drainage was coming
13 into that.

14 MR. DION MCKAY: Yeah, exactly, that
15 was done without a licence. There is a lot of
16 issues there, we are aware of some of them, and we
17 are still waiting to hear from the Province as to
18 what they are going to be doing about it.

19 SPEAKER: (Inaudible.)

20 MR. DION MCKAY: He claimed he did.
21 He basically outright lied about it, and he went
22 to drainage and told them, said they were okay
23 with it, and that was never the case. The
24 Province is caught basically between a rock and a
25 hard place with us, and we are holding them to it,

1 to keep that particular person accountable for
2 what they do. That's not right that they go to
3 the government and say we were fine with
4 something, and we weren't. That's not the case at
5 all. And then the hog barns are one thing, in
6 regards to Red River and Assiniboine, but I think
7 the big thing is Winnipeg itself, I mean, they
8 are -- raw sewage is going right into the river
9 almost on a daily basis. It is a matter of fact.
10 There is so much, it is a lot of crap out there,
11 granted, but there is a lot of work to be done.

12 SPEAKER: Maybe we should get into
13 salvaging raw sewage and make some money.

14 THE CHAIRMAN: Winnipeg sewage is
15 something that the Clean Environment Commission
16 looked at, and we recommended against dumping raw
17 sewage into the rivers. And there are some things
18 that you can do with raw sewage. There is a
19 process that will recover phosphorous from raw
20 sewage, and it can be sold and used as fertilizer.
21 But that takes money.

22 WALTER SINCLAIR SR: There is a farmer
23 here, he was tired and he had to clean out his
24 yard, he had to take everything out and not in the
25 lake. And then the same thing towards here, we

1 had an old store here for many years and they had
2 tanks in the ground, so they had to dig all of
3 that up and haul that mud away and put new mud in
4 there. And then there is people that got away
5 with it up the line here. They had stores, and
6 the tanks were under there, but they were never
7 bothered. And there is a farmer there not far
8 from the ditch, he has a big farm along the creek,
9 two farms around the creek, they never bothered
10 those farmers to make them clean up. There is
11 people getting away with stuff, and there is
12 people that are getting charged. Just like the
13 guy digging the ditches there, he should have been
14 charged.

15 THE CHAIRMAN: This is off the record.

16 (OFF THE RECORD DISCUSSION)

17 THE CHAIRMAN: Anybody else before we
18 close down the record?

19 MR. THADDEUS: I just wanted to say a
20 few words.

21 Well, if there is no more conversation
22 on this, you want to bring forward in the
23 recommendations that you would like to see, we
24 will just close it down. But in saying so, I just
25 want to make a few last comments on the whole

1 water system here in Fisher River. We have got
2 the lake, you know, to the north of us, we are
3 surrounded by another lake up here, Goldeye. We
4 have no land to the south because it is all bog,
5 and we have got all of the water coming down from
6 south, but the water has no place to go because
7 the lake levels are so high. So that's why our
8 lands are flooding. We have got no more use for
9 our land, 72 per cent of our land, as Dion said,
10 is unusable. We are looking at drainage for those
11 areas, but still, where is the water going to go?
12 And when the water does come in from the north, it
13 impacts us, it doesn't go all of the way to
14 Peguis, but in surrounding areas it will flood the
15 low lying areas. And again Fisher River is
16 surrounded by bog, and that's the places where it
17 is going to go first. So surrounded by water from
18 the south, and when it does, we are caught, we
19 have no place, you know, to exit.

20 We have a fish road there that we are
21 working with government, you know, when it floods,
22 when the road does close down, you can at least go
23 through the fish road, it is through the bush line
24 here. I showed you on the map. So we still want
25 to get that road all worked up and improved so we

1 have access out of here, that's one of the things
2 that we are talking with Tom Chabatinoff (ph) on,
3 I think that's his name. Yeah. So if there
4 aren't any more questions, I have got Steve. One
5 more, that's it.

6 MR. STEVE MCKAY: No, just, come to
7 think of it here, when you were talking about, you
8 know, this river, I worked on this river here when
9 they surveyed it. I was the one cutting the lines
10 for the surveyors. I don't know what became of
11 that, I never heard anything about it, I don't
12 know if anybody on council heard about it. So
13 then that was years ago, I don't know how many
14 years ago, maybe 40 years ago, probably. It is
15 about 40 years ago anyway that they surveyed this
16 place here, and from here all the way down to a
17 reserve there where that new bridge is now. But I
18 don't know what became of that survey of what they
19 made there, but it was 1,000 feet from the river
20 to the outlet, from the shore to the bush. There
21 was 1,000 feet that we cut. We cut that line like
22 for those surveyors. I don't know what became of
23 that.

24 MR. THADDEUS: I don't know, I never
25 heard about that. Carl, do you want to say

1 anything else before we close?

2 MR. COCHRANE: I just want to say also
3 that our members, our elders, you know, our wisdom
4 is right here, and I always say that these are the
5 people that always should be talked about. They
6 lived here all of theirs lives, like fishing,
7 farming, all of the things. I still say the
8 elevation of the lake is high and it does affect,
9 it continues to effect everyone in our community
10 today. Not only that, we have traditional people
11 within the community also. It affects gathering
12 of the medicines and different things. They call
13 a thing called Weekis, that's for colds or
14 whatever. It can't be picked any more along the
15 lake there. People used to use that all of the
16 time for colds and sickness and medicines. It
17 affects not only farming, livelihood, fishing, and
18 it affects everything in our daily way of life
19 from day-to-day. And some of the areas, we did
20 our community plan, and some of the areas are
21 identified as hay lands and they can no longer cut
22 hay there any more. That's probably why we don't
23 have cattle farmers, because what are they going
24 to feed their cows? Are they going to transport
25 hay in from elsewhere? That's the reason why when

1 we first moved from Norway House is for more
2 economic purposes, one is farming, fishing is big.
3 We have about 100, maybe 95 commercial licensed
4 fishermen, around there, about 150 fishermen
5 within the community that goes out to our fishing
6 station at Macbeth. And then the things, like the
7 channels that are coming in, for me personally --
8 you know, when the Creator set his land the way it
9 should be, and when anybody tampers or does any
10 changes or anything like that, it doesn't matter
11 what it is, there is always going to be an effect.
12 That's what our elders always told us, my dad told
13 me that, my grandparents told me that. Any
14 changes that are done to Mother Earth, not just
15 our areas but all over, there is always going to
16 be effects of everything. Coming along with that
17 comes sicknesses and illnesses and different
18 things. There is a lot to it.

19 The fishermen here, they have a tough
20 time right now. This past year, you know, they
21 spent more money on a few different things, and no
22 fish, dirty water. Like we see the gentleman,
23 Walter's netting here that's filled with, you
24 know, mud and like everything. You know, that's
25 our way of life.

1 And with that, I just wanted to say
2 thanks to everyone for coming out, and thanks for
3 coming out and recording and listening to all of
4 the concerns. And I hope, I personally hope that
5 all of the information, the concerns from our
6 members here are put forward and put as
7 recommendations that, you know, and shows all of
8 the effects, the damages that it does. With that
9 I just want to say thank you. Now back to Dion.

10 MR. DION MCKAY: I think I said
11 everything that I needed to say. So just thanks
12 again for coming out, and the team, for everyone
13 making this possible, and Melissa for coordinating
14 this.

15 MR. STEVE MCKAY: You know, he talks
16 about flooding from the lake, from the south, and
17 all of the drainages coming to the thing. I
18 wanted to tell you a story that reminds me of it.
19 The big flood, when you are coming from the south,
20 coming from the lake, and after a while it came
21 from the south, and our whole area here, look at
22 our mapping here, we had some homes close to the
23 river. And then his house is quite a ways back
24 from the river along the highway. And the guy was
25 sitting there, you know, you talk about carp and

1 different things going into the land, this guy was
2 having coffee there, and there was carp fish
3 swimming around there. He wanted me to tell that
4 story because he thought it was pretty funny when
5 he has sitting there having coffee in the morning
6 and you see carp jumping around at the bottom of
7 your steps. But it is a true story.

8 MR. THADDEUS: Yeah, that's a true
9 story about the carp, the fish coming in.

10 I want to say thank you to the team
11 for coming out and hearing what our elders have to
12 say, and the different community members. I hope
13 you have a safe ride back. Thank you everybody.

14 THE CHAIRMAN: Well, again, thank you
15 to everybody. Thank you to the folks that put the
16 lunch together. Thank you for the people who
17 organized today's session here in your community
18 hall. We may see some of you in Winnipeg in
19 March. Otherwise, happy trails, we may cross
20 paths somewhere else. Again, thank you all very
21 much.

22 (Concluded at 2:20 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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