

Council of Nemaska First Nation Presentation



Hearings on Draft Directives for EM1A Proposed Hydro-Electric Project

On behalf of the Council of the Nemaska First Nation, I wish to welcome you to the Community of Nemaska, located on Champion Lake, near the end of the Pontax River System.

In order to understand the history and the present situation of Nemaska, one must go back to the 1960's.

In the 1960's, there were a number of Hydro-Quebec exploration camps, that opened up and operated in the Nemiscau area of interest. Many were located in the Rupert River and Broadback River system.

We were told that there were plans to develop a Hydro-Electric Project in the area and that Nemaska Lake, where the village was located would be the main reservoir and that the water levels would go up by 23 feet, putting most of the community under water.

These activities continued over the years, and the rumours of a major Hydro-Electric Project continued.

Then in the latter 1960's, a Government Representative came to the community to meet with the people. He quoted from a letter that there was a Major Hydro-Electric Project planned for the area, and that it would be best for all concerned that the people leave and go elsewhere, and that the local Hudson Bay Company (HBC) store would close.

We were not informed of the scope and nature of the project.

Appeals for assistance were made to the Indians of Quebec Association, but nothing ever happened.

Then in 1970, the local HBC store was closed and people relocated to Waskaganish or Mistissini.

In these communities, we were discriminated against, because we were outsiders, and did not belong.

We were never part of either community and then when the JBNQA was negotiated, we saw an opportunity to return to the Nemaska territory and made it a condition of our agreement.

However, we could not return to the original Nemaska Post, because it was still in the area contemplated by the NBR Project. We, therefore, had no choice but

to select lands outside the NBR area, which is why Champion Lake was selected as the area.

We returned to the area in September 1977 to develop a Community vision and plan, over a period of one week.

This plan was first developed in 1979 when we built the first 8 housing units, and we have grown to a community of over 600 residents at the present time. We have grown and flourished despite many obstacles.

Throughout, the development of the present community, we have felt the Impacts of Hydro-Electric Development such as;

1. 7 sets of Transmission lines in the Nemaska Territory,
2. 2 Major Hydro-Electric Sub-Stations, (Poste Nemiskau and Post Albanel)
3. Road Construction
4. A permanent Hydro-Quebec Residence.
5. Construction of Camp Nemiskau

The infrastructure was built without benefit of an adequate Environmental and Social Impact Review process.

Now, at the present time, another Hydro-Electric Project (EM1) is under construction again, without a comprehensive Environment Review, because the Quebec Court had ruled that EM-1, despite a very vague description is Section 8 of the JBNQA was part of the La Grande Complex and therefore exempt from an Environmental Review, wherein the Cree people of Nemaska are consulted and participate in the review process.

We are now at the point whereby the proponent, Hydro-Quebec has tabled a proposal to develop a Hydro-Electric Project (EM1A) whereby the Rupert River would be diverted at PKR-314 and flow in the northerly direction into the EM1 Reservoir. This project includes the construction of a major dam on the Rupert River and other dams on the Lamarre and Nemiscau Rivers as well as the construction of 51 dikes designed to hold the waters in the reservoir as well as the construction of Control structure to regulate the flow of water from the Rupert into the Lac Goulde area.

Other infrastructure to be constructed would be a work camp near the project area which includes the construction of an access road to the camp. Also, under study are structures (sills) designed to control water levels along certain sections of the river. The construction of these structures were agreed to by Hydro-Quebec under the Boumhounan Agreement.

For the first time in the history of Nemaska, we are being requested to participate in a comprehensive Environmental & Social Impact Review of a major project. The Nemaska area has been subjected to development of infrastructure from

previous Hydro-Electric Projects and Forestry activity, none of which the people of Nemaska have been adequately informed and requested to provide their input in the planning and implementation.

We are pleased that Section 22 of the JBNQA is finally being respected, and that the project is also subject to review under the Canadian Environment Assessment Act and the Quebec Environment Quality Act. The Draft Directives for the Preparation of the Impact Statement for the EM1-A and Rupert Diversion Project as issued by the Evaluating Committee in May 2003 is the beginning of a process which the Cree people have always maintained should be applied to all major development in Eeyou Astchee. This is the first time that such a process is being applied to a major development project and is the first time that the Cree people have been requested to provide their input in the application of a process.

However, the present process is not without its drawbacks. The directives were issued on May 9, 2003, during the Goose break when the Cree people were out of the community. Due to technical and communication problems we were unable to access the documents until May 16, 2003. The Local Environment Administrator was not provided a copy of the Directives until May 26, 2003, so he was unable to provide copies to the general public. The people of Nemaska have not had an adequate time to review the directives and provide major input and comments, because of the short time frame between the actual receipt of the directives and the hearing of today. Moreover, most of the primary users of the traplines to be affected by this project were not immediately available as they were still practising their harvesting activities up to the end of May.

The language and terminology used in the directives is difficult to understand by most people. It requires the reader to review the document a number of times before he/she can come to a better understanding of the directives. Even then, the more learned members still have difficulty understanding the directives completely.

We have not the time to review the directives in detail and to respond accordingly. The following, however, are some of the major concerns of the Nemaska First Nation;

1. Flow Maintenance of the Rupert River.

The residual flow of the Rupert River at the point of diversion should be the highest possible in order to maintain the flow immediately downstream of the main dam.

2. Flow Maintenance – Other Rivers

The Project should be designed in order to maintain present flow levels in the Nemiscau and Lamarre Rivers, and also the Bras du Nord. Of particular concern is the fact that the Nemiscau River feeds into Champion Lake via Lac Caumont. Changes in the flow of this river would affect Champion Lake itself.

3. Water Levels – Lake Nemiscau

The Project should be designed in order to maintain the present levels of Lake Nemiscau as this is a prime hunting and fishing area for the people of Nemiscau. Nemiscau Lake is a very shallow lake and any change in the present levels could have an affect on the transportation routes used by the people of Nemiscau, on the lake itself as far as Genawmee, or PKR-215.

4. Protection of Sturgeon spawning sites.

The project must be designed in such a manner to ensure the continual use of the sturgeon spawning and fishing sites along the Rupert River and more particularly Genawmee and Kayapshamshee PKR-281.

5. Valued Sites

Of particular concern, to the NFN are sites of historical and communal interests. These sites are located at Lake Nemiscau itself, which includes old trading post sites and old camping sites. The proponent, in cooperation with the users must do an inventory of these sites and develop a program to ensure that these sites are protected.

6. Hunting, Fishing and Trapping Zones.

The project must be designed to ensure that certain prime communal hunting areas are protected. These areas include sections of the Rupert River between the Old Nemiscau Post and Genawmee; (Kaministich), Meetskosheew Kamook, (PKR-218 to PKR-281) and the areas at the mouths of the Lamarre and Bras du Nord Rivers and Marten Rivers.

7. KM 257

The Nemaska Band, Waskaganish Band and SDBJ recently entered into an agreement to form a venture company to own and operate the facilities at KM-257, (Camp Rupert River). This project would have an impact on the proposed activities and services to be provided by this venture. Measures must be undertaken to consult the KM-257 S.E.C. in order to obtain their concerns.

8. Transportation

The Nemiscau-Albanel road which provides access to the community of Nemaska and is the link to Chibougamau and also the Matagami-LG2 road. It was constructed in 1977-78. This road has never been upgraded or had major repairs since its construction. Since early summer 2002 this road has deteriorated very rapidly. This is due in part to increase volume of traffic, particularly heavy vehicles and heavy laden vehicles going to Camp Nemiscau and EM1. Nemaska Eenou Companee, which provides the road maintenance for this road are continuously repairing the road but cannot keep up with the need.

Since the present road condition are due in part to the construction of EM1 the proponent and its subsidiary SEBJ should undertake to participate in a repair-renovation program in order to ensure public safety.

9. Social Issues

Since the re-opening of Camp Nemiscau for the start-up of construction of the EM1 Complex and the Environmental and Technical Studies for EM1-A, there has been an increase in certain undesirable social activities and anti-social behaviour pattern in the community.

1. Influx of outsiders – native and non-native
2. Alcohol and drug accessibility
3. Employee rights – employer expectations
4. Crimes against persons – means of resolution
5. Family problems from employment
6. Community Residency – Native employees.

These concerns are the most immediately visible. There are other issues and concerns which are of personal and sensitive nature. These issues must be identified and a program developed between the proponents and community in order to adequately resolve these issues.

10. Employment

Since the start-up of works related to EM1 and EM1-A Projects employment opportunities are readily available to the local residents through the SEBJ, CCDC, and Gestion ADC. A number of local residents have been engaged to fill these positions, but were not adequately informed of the work requirements of the employers resulting in lateness, absenteeism, and dismissals. In the best interest of all concerned, a pre-employment program needs to be developed and implemented to orient new and potential employees.

11. Past Impacts

In order for the communities to be affected by the proposed Project, the proponent should provide information on impacts on users, land and natural resources from previous development. This could include community exchange programs.

12. Mercury

The proponent provide information on its studies of the presence and the effects of methyl-mercury on fish populations, and consumers in other developed areas. The information should also include studies made by other interested parties, (Cree Health Board).

13. Traditional Environmental Knowledge (TEK)

The knowledge of the Cree Tallymen, Elders and other users of the land must be incorporated into the studies. All such information given by the Cree informants must be verified and validated.

14. Land Use Study

The proponent must develop and implement a detailed land use study for the areas to be affected. This study must identify all hunting, fishing and trapping sites of importance of the users of the land. We understand that such a study is being conducted by the proponent at the present time and that results should be forthcoming soon. The information given by the Cree informants must be validated and verified. Furthermore, certain information should not be made available to the general public in order to protect the rights of the Cree people to hunt, fish, and trap, as it is a proven fact that information on good hunting and fishing areas will be used to the advantage of non-natives.

15. Monitoring Programs

The proponent must develop and implement programs to monitor the environmental effects of the project. These programs should include, but not be restricted to the following;

1. Construction work
2. Operations,
3. Maintenance of facilities
4. Closures and decommissioning
5. Sites Restoration

Closing Comments

The preceding is a summary of the initial concerns of the Nemaska First Nation. It is not all conclusive and all inclusive of the concerns and needs of the community members. The Council of the Nemaska First Nation reserve the right to submit a more detailed document which would more adequately reflect the views and concerns of the people of Nemaska. Moreover, the Council of the NFN undertakes to provide and ensure assistance to persons who wish to voice their concerns to the Evaluating Committee, in a written format prior to July 8, 2003.

Thank you for your time and attention.

Edna Neeposh
Deputy-Chief of Nemaska First Nation