

# Eeyou Eenou

the voice of the people

FEBRUARY 2002

N A T I O N



The Grand Council  
of the Crees

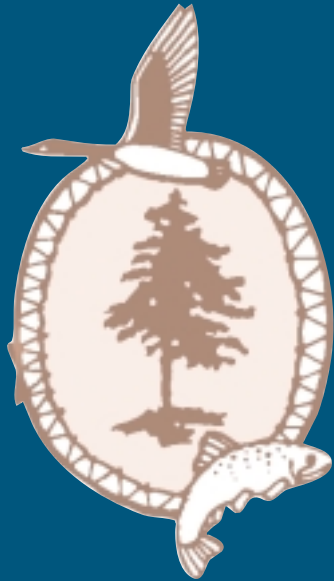
An Interview with  
Ted Moses

Summary of  
Agreement with Quebec

Update: Clean up  
of Cape Jones  
Mid Canada Radar Site



## Three Grand Chiefs Say "Yes"



## The mandate of the Grand Council of the Crees (Eeyou Istchee)

The Grand Council of the Crees (GCCEI), is the political voice of the Cree people who live in the province of Quebec, Canada. Our Council, established in 1974 represents the nine Cree communities whose lands and traditional way of life were threatened by the construction of the James Bay hydroelectric development project in the northwestern portion of the province. Today the Grand Council continues working to promote and protect the rights of the Cree Nation.

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To read the Agreement in Principle (AIP)  
on the Internet see: <http://www.gcc.ca>

Please send feedback on the AIP to:  
E-mail: [cree@gcc.ca](mailto:cree@gcc.ca)

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Ted Moses photo on cover  
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## Table of Contents

<b>5</b>	<b>Board of Directors 2002</b> A current list of contact information
<b>6–12</b>	<b>An Interview with Ted Moses</b>
<b>13–20</b>	<b>Summary of Agreement with Quebec</b>
<b>22–23</b>	<b>Centre piece – Map</b>
<b>24–25</b>	<b>The Meeting of the Trappers Impacted by the Eastmain and Eastmain 1A-Ruperts Projects</b>
<b>26</b>	<b>The Troilus Agreement</b>
<b>27</b>	<b>Updates: Oujé-Bougoumou Toxic Contamination</b>
<b>28–33</b>	<b>Reports on Community Meetings</b> Oujé-Bougoumou Council/Board Meeting
<b>34–35</b>	<b>Update: Firearms Legislation</b>
<b>35</b>	<b>Diamonds Sparkle in the Otis Mountains?</b>
<b>36–37</b>	<b>Update: Clean up of Cape Jones Mid-Canada Radar Site</b>
<b>38–39</b>	<b>Facts Concerning the Cree Economy, and Project Impacts</b>
<b>40–41</b>	<b>Forestry Part II: A Share in the Forest Resources</b>
<b>42</b>	<b>Transfer of Lands from Mistissini to Oujé-Bougoumou Finally on the Road to Resolution</b>
<b>43</b>	<b>I Support the Agreement</b> by Matthew Coon Come, National Chief
<b>44</b>	<b>Resolution</b>

# A Message from the Editor,

Bill Namagoose



**The NBR project is dead, long live Eeyou Istchee!** This is the most important news to many of us on this second tour of the chiefs. Three rivers were to be diverted in the project that was described in the James Bay and Northern Quebec Agreement (JBNQA) in 1975.

Eleven dams, diversion of the Rupert River from the “Nemiscau Reservoir” to the headwaters of the Broadback River, diversion of the Nottaway River below Lake Mattagami into Lake Dana, 20 worker camps and villages, access roads and an airport on the Mattagami Road near the Broadback River—that once was the NBR (Nottaway Broadback Ruperts) project. It would have flooded about 8,000 kilometres of Cree land. Some versions of the project had Mistissini Lake as a headwater reservoir. And now it is history, because of the new agreement with Quebec.

Our family lands at the mouth of the Broadback River, and my favourite fishing place, would have been the site of the last dam before the Bay.

**Three Grand Chiefs—the only three to have led us over the last 30 years—are strongly in favour of the new agreement.** Billy Diamond, who along with Ted Moses negotiated the James Bay Agreement, is a strong supporter of the new agreement. He believes that it is the achievement of a dream—what they were trying in the early days to negotiate as part of the implementation of Section 28 of the JBNQA but which never happened at the time, in part because the government in Quebec changed after the Agreement was signed.


Matthew Coon Come, now the National Chief, led us through the fight against the NBR and Great Whale projects. He says that the Agreement is seen by the Aboriginal peoples across Canada as the cutting edge of developments in the relations between Aboriginal peoples and the provinces. The whole Aboriginal country has its eyes on us right now!

Ted Moses, former chief negotiator of the James Bay Agreement and present Grand Chief, sees the new agreement as an implementation of both Section 28 of the JBNQA, and of the Cree right to benefit from the resources on their lands. To him, the agreement was only possible because the Crees fought so long and hard to protect our rights. The court actions we made because of the epidemic in the Cree communities in the 1980’s, the fight for the *Cree/Naskapi Act* and its funding, the fight for Oujé Bougoumou, the fight against the NBR and Great Whale projects, the ongoing fight for the recognition of our international rights, the fight for our political rights in Quebec, and the fight to improve forestry practices—these are, for Ted, all factors that made it possible to obtain the present agreement. He says that the new agreement—I will call it the People’s Agreement

(Eeyou Niskamowin)—is an opportunity for us to provide for the growth of the Cree communities, and to gain access to employment opportunities for present and future generations.

I remember Billy's dream. In 1973 and 1974, we thought that the Agreement would bring us employment, housing and all of the things that modern communities should have. We thought we had it then, but we soon learned that they would fight us every inch of the way. They—the various governments of Quebec since 1975—of course expected the NBR and Great Whale projects to be built, and so progress stalled for us. We found that the La Grande project did not bring us the benefits that we had been promised, and had impacts such as mercury that we did not expect.

And so, of course, we were reluctant to go down the path that Hydro-Québec and Quebec wanted to lead us down.

Now we see our three grand chiefs joined together in the belief that the new agreement will help us to define a future for ourselves. I for one am convinced that they are right! This is what we fought for. No agreement will solve all of our problems forever—nothing could. However, it gives us the chance of becoming, once again, the major economic and governmental force on Eeyou Istchee, as the Eeyouch always were in the past. We owe it to ourselves and future generations to take this step and sign the agreement. We should not be afraid to make this decision. 

4





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# An Interview with Ted Moses

**Eeyou Eenou Nation (EEN): Has the Agreement in Principle (AIP) been respected in the text of the final agreement that has been negotiated with Quebec?**

**Ted Moses (TM):** Yes, the principles we had agreed upon last October with Quebec are all there. I think the final agreement fully respects these principles. If anything, we went beyond the AIP.

6

**We are now explaining the final text in each of the Cree communities, so the people will be able to make their decision. And as we do this, people are able to see how far we have come—how much we have gained.**

**EEN: Are you as pleased with this final agreement as you were with the AIP in October?**

**TM:** When I look at the final text, I realize that we have accomplished things that we have been trying to do for many years. We are now explaining the final text in each of the Cree communities, so the people will be able to make their decision. And as we do this, people are able to see how far we have come—how much we have gained. In Mistissini, people were clapping when Billy Diamond told them that Mistissini Lake was to be protected.

**EEN: Yes, but I thought Quebec had already agreed in the AIP not to build the NBR project.**

**TM:** That is just the point. With the final agreement we now have a guarantee that NBR is off the table. People in Mistissini have had this thing hanging over their heads for 30 years—that Lake Mistissini was going to be under six feet of water. For 30 years they have had to live with that. The final agreement brings this thing home. It's gone. There was a huge sigh of relief. There is a legal text, and then there is the fact that we now have a guarantee. When was the last time a government gave a guarantee not to build something—not to do development when it wanted to, because Aboriginal people didn't want it? This is a first. Once again you have the Crees breaking the trail. This is the first substantive change to a hydroelectric complex in the history of hydroelectric development in Eeyou Istchee.

**EEN: But the Rupert River will be diverted. There will be flooding. The people in Mistissini may be able to celebrate, but what about Waskagnish?**

**TM:** The NBR project would have affected three rivers. It would have flooded 7,000 to 8,000 square kilometres. The NBR project is in the JBNQA. This agreement trades that huge project for a much smaller one—about one eighth the size. If we look at the final agreement, the agreement not to build NBR is much much larger, and has a much greater impact on our people, than the



agreement to give Cree consent to the Rupert-Eastmain project. The NBR project would also have had a much greater impact in Waskaganish. It would have diverted the Rupert River and the Nottaway River into the Broadback River.

**EEN: Do people in the communities understand this part of the agreement? Most people think this agreement is about Cree consent for more development.**

**TM:** That's why I say people see now what we have accomplished. When people look at what the NBR would have done, they understand how good this agreement is for Eeyou Istchee. And that is just one example.

**The Cree negotiators fought very hard at the table, and were successful in doubling the proposed guaranteed flow in the Rupert**



**EEN: What about the Rupert diversion?**

**TM:** The Cree negotiators fought very hard at the table, and were successful in doubling the proposed guaranteed flow in the Rupert, and complete protection of the river above the diversion. The Rupert will still have one-half of its present flow near the community. The Cree negotiators did a fantastic job. It was very tough, very hard, but they did well. They deserve our congratulations.

**EEN: But there are traplines that will see flooding.**

**TM:** That's right, but very few. My own family's trapline is right in the middle of this project. I have thought a lot about this. I could easily have said: 'I don't care if this agreement saves a huge amount of Eeyou Istchee from flooding. I don't care if this agreement creates jobs for Crees or gives the Crees economic development or housing. I was with my father on our trapline, and I don't want it touched.' My family is one of the small number of families that will see flooding on their traplines. So does that mean that I should refuse this deal? We might be able to use all of our compensation funding to fight these projects, and who knows, we might win. On the other hand, while we fight it out the housing and employment situation would worsen, and we would risk losing. We must remember that we lost the fight to stop the proposed EM-1 (1975) Project [Eastmain] in the courts, and we would have to go beyond the courts to stop it. I want to choose my fights so that we can win. This agreement allows us to take on the bigger task of fighting to become the main economic players in the development of Eeyou Istchee. I want this, and I believe that our ancestors who lived only from the land would expect us to take this role. I believe that the agreement not to build NBR is an added benefit.

## EEN: So what about the trappers?


**TM:** In the big picture this agreement protects our trappers. We have guarantees that the biggest possible project that could affect Eeyou Istchee will not be built. We will have money for the CTA (Cree Trappers' Association) to promote hunting, fishing and trapping, and to train young people to become trappers. In the end, very little of Eeyou Istchee is affected by this project—less than one-half of one percent of the territory, or one third of a small trapline. Even along the Rupert and Eastmain, the affected traplines will still be productive. And we have successfully negotiated a big mitigating works program, to support the productivity of those traplines. In the future, we also have in the agreement that Cree traplines will become the units upon which forestry operations are based.

8

## EEN: What about the people who say this is the end of the Cree way of life?

**TM:** I wish those people who are against this agreement would come to our community meetings and discuss their objections and fears. Show me how this agreement destroys our way of life. Explain what is wrong with this agreement. Don't just say you don't like it—anyone can do that. What are the real alternatives? Where are we going to get jobs? How are we going to be able to afford to take care of our children? What is going to happen 25 years from now, when we have 25,000 people looking for work and a place to live? The traplines will continue to be productive; but we can't support that many people on the land no matter what happens. Tourism, crafts, jobs in the band office—that won't do it. We need another much bigger and more reliable source of income, and that can only come from a diverse economic strategy including resource development.

## EEN: OK, but where will the money come from?

**TM:** This agreement recognizes Cree ownership of a share of the natural resources in Eeyou Istchee, and makes the Crees beneficiaries of the development of those resources—electricity, mining, and forestry. We will have a sizable stake in the revenue from these resources. That stake will grow as the resources increase in value, and as new resources are developed. This is another first in Canada. There is not another agreement in Canada that comes close to this one. Once again, the Crees are setting a new higher standard. If we use this revenue wisely, then the Cree Nation has a way into a bright future for all of us and our children and grand children. 













# Summary of Agreement with Quebec

## A New Relationship with Quebec

- Nation-to-nation basis, characterized by cooperation, partnership and mutual respect
- Development compatible with the Cree way of life and sustainable development



Abel Bosum, head of Québec negotiations for the Grand Council of the Crees.

## Key Aspects of the Agreement

- Resource development
- Economic and community development
- Resource revenue sharing
- Cree Development Corporation
- Resolution of legal disputes
- Resolution of outstanding issues

## Resource Development

### *i) Forestry: An Adapted Forestry Regime*

- Forestry regime to incorporate measures to protect Cree traditional way of life
  - Direct consultations with the trappers
- These adaptations to be recognized by a new chapter in the JBNQA
- Forestry planning to be on trapline basis
  - Protective measures applying to each trapline
- Cutting limits to be on basis of trapline groupings (3-7)—rather than large territorial units—to ensure traplines will not be over-cut
- Tallymen able to designate one per cent of their lands for “no cutting” protection
  - For camps, burial grounds, bear dens, drinking water sources etc.
- Tallymen able to designate 25 per cent of their lands for special wood harvesting rules
  - Areas of wildlife interest

- Road construction planning to take Cree land use into account
- Joint Working Groups to be established in communities affected by forestry
- Forestry adaptations to be administrated by a Cree-Quebec Forestry Board
  - To review all aspects of the forestry management plans, and the effectiveness of the Joint Working Groups; and to recommend changes to forestry provisions of the Agreement to the MNR (Ministry of Natural Resources), etc.
- Cree-Quebec Forestry Board to have a secretariat in Waswanipi
- Cree Nation to be allocated, at a minimum, 350,000 cubic metres of timber per year
- Quebec to ensure Crees a fair share of forestry contracts and employment

#### *ii) Hydroelectric Development*

- Crees to consent to the proposed EM-1/Rupert River Diversion project
- All projects to continue to be subject to the environmental provisions of the JBNQA
- Hydro-Québec renounces its option to undertake the NBR complex
  - To be fulfilled with a complementary agreement in the JBNQA
- Cat. II lands flooded or affected by road and hydro line infrastructure to be replaced
- Hydro-Québec commits to a \$50 million Cree-managed remedial works program, as specified in the Nadoshin and Boumhounan Agreements; and to providing employment and contracts with estimated value of at least \$591 million during the construction and operation phases
- Fulfillment of past obligations of Hydro-Quebec

#### *iii) Mining*

- Mining Exploration Board to facilitate Cree involvement in mining
- Quebec to fund this program out of regular program funds, for \$300,000 per year

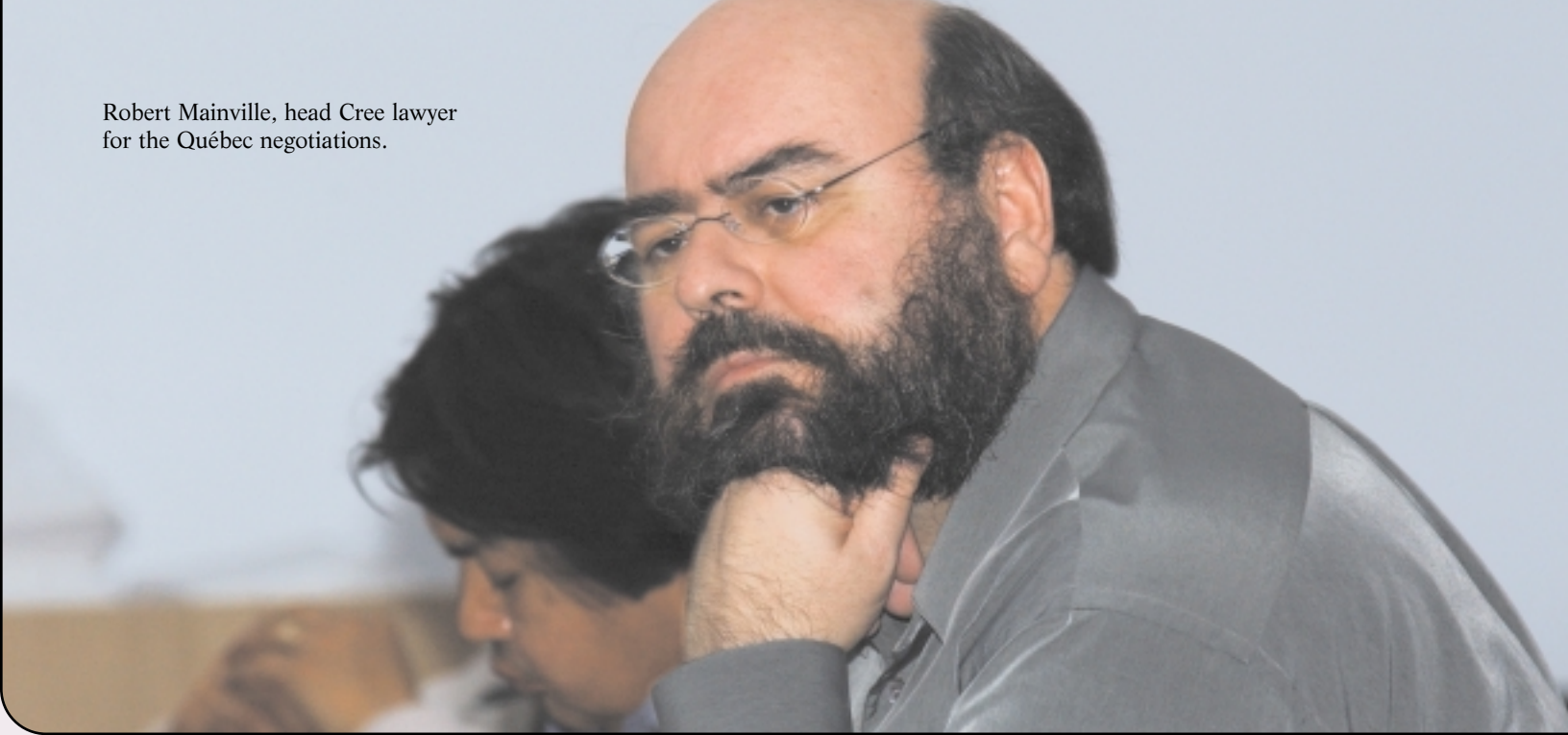
#### **Economic and Community Development**

- Quebec to relinquish control, and to fund the Crees to assume certain responsibilities of Quebec and Hydro-Québec under section 28 of the JBNQA, for 50 years
  - Funding of associations
  - Training obligations
  - Community centers
  - Essential sanitation services
  - Fire protection
  - Assistance to Cree entrepreneurs, etc.
- Quebec to complete 1995 MOU commitments to community projects—\$100 million

### **Resolution of Hydro-Québec's Past Obligations**

150 Jobs Agreement: 1986	\$105 million
Mercury Agreement: 1986	\$24 million
Decommissioning of former HQ work sites-employment	\$1 million
Waskaganish Transmission line	\$80 million (approx.)
<b>Total</b>	<b>\$210 million</b>

Robert Mainville, head Cree lawyer for the Québec negotiations.



### Resource Revenue Sharing Provisions

- Cree Nation to share in the three main natural resource sectors of Eeyou Istchee: hydroelectricity, forestry and mining
- Base is set at \$70 million annually, to be paid in equally in quarterly installments over 50 years
- Funds are not taxable
- Amount paid to the Crees to increase as the value and volume of production from the territory increases
- Increases to occur whether increases in resource output due to private or public sectors.

### Cree Development Corporation (CDC)


- SODAB to be dissolved, and replaced by the CDC
- Mandate of the CDC to support the long-term development of the Cree communities
  - To promote training and investment in Cree economic opportunities
- Crees to have controlling interest, and to decide capitalization from above funding

### Legal Proceedings

- All outstanding court cases on the JBNQA with Quebec to be resolved

- Crees agree not to sue Quebec for past obligations or damages
- Protect right of Crees to sue for damages due to contamination by toxic materials
- Outstanding cases with Canada to remain unaffected

### Other Provisions

- Mistissini–Oujé-Bougoumou land transfer resolved (subject to federal approval)
- Crees to fund 50 per cent of the operating costs of environmental committees
- Agreement on Section 19 (policing) obligations (subject to federal approval)
- Increase number of conservation officers in Eeyou Istchee
  - Including 30–50 auxiliary Cree Tallymen officers
- Creation of a Standing Liaison Committee, made up of Crees, the Secretary General of the SAA, and one representative of Cabinet
  - To resolve major disputes
- To avoid court proceedings, disputes may go to independent third party mediation. However both Crees and Quebec reserve the right to legal recourses 









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## Community liaison officers

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FOR DISCUSSION  
HYDROELECTRIC PROJECT UNDER STUDY

# Eastmain-1-A Generating Station and Rupert Diversion



Société d'énergie de la Baie James

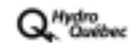
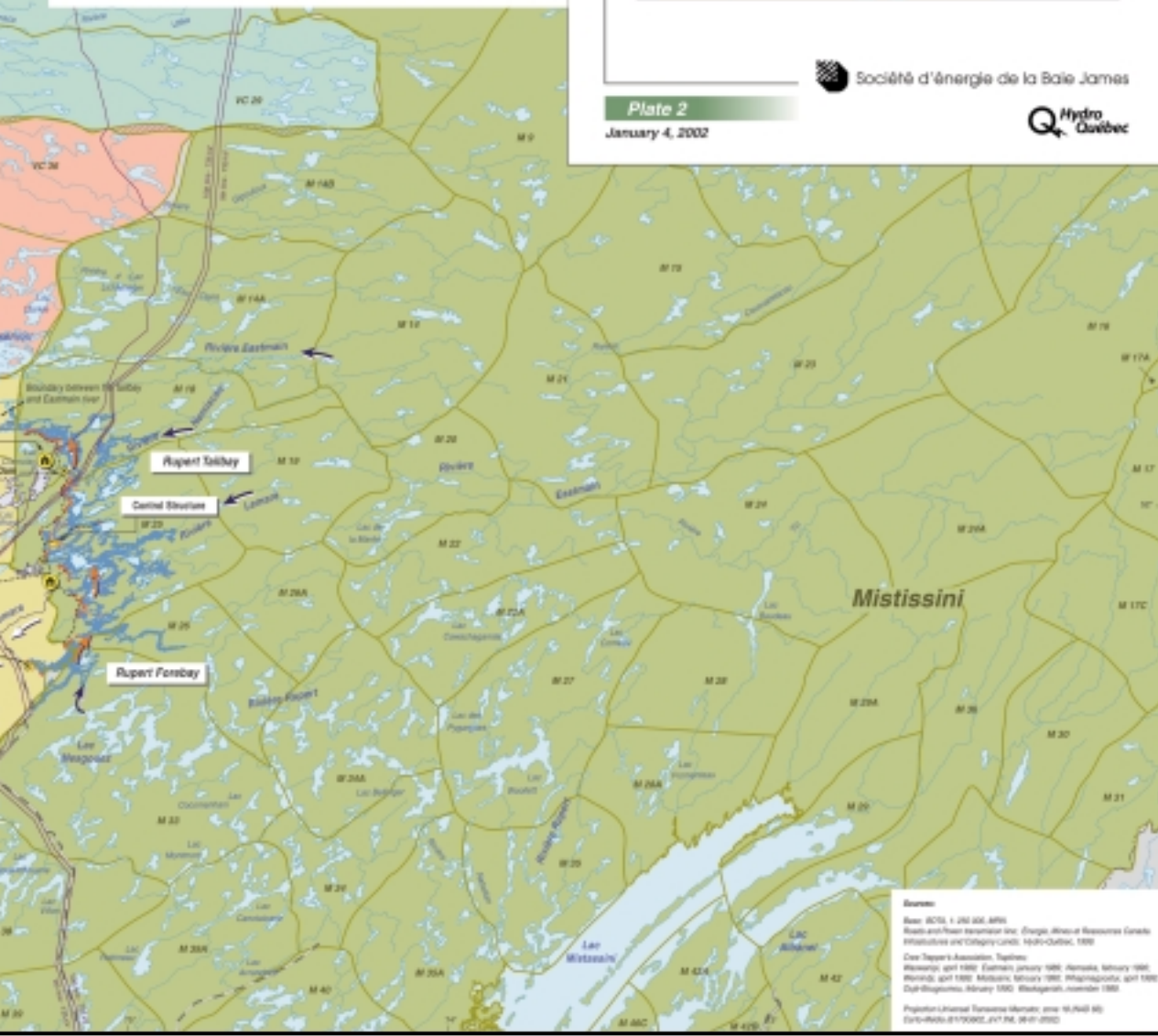


Plate 2  
January 4, 2002

DN-314 - Crémoly 2001 Variant	
<b>Main structures</b>	<ul style="list-style-type: none"> <li>Dams (number) 4</li> <li>Dams (surface) Approx. 51</li> <li>Gravimetric/structural Approx. 10,300 m</li> <li>Rupert spillway (surface) Approx. 1,600 m<sup>2</sup></li> <li>Control structure (surface) 500 m<sup>2</sup></li> <li>Structures (surface) 3 km</li> <li>Rupert (surface) (Rupert/Amos/Manicouagan)</li> </ul>
<b>Impoundments (km<sup>3</sup>)</b>	<ul style="list-style-type: none"> <li>Total area affected Approx. 200</li> <li>Light flood 200</li> <li>Water level rise 150</li> </ul>
<b>Accommodations and access</b>	<ul style="list-style-type: none"> <li>Roadways Numerous</li> <li>Canals, water ways Canals, water ways</li> <li>Gravimetric work Approx. 100 km</li> <li>From Amos/Manicouagan Numerous</li> <li>Trails</li> <li>Report used</li> </ul>
<b>Materials</b>	<ul style="list-style-type: none"> <li>FE - excavated material Approx. 8,000,000 m<sup>3</sup></li> <li>Control structure Approx. 8,400,000 m<sup>3</sup></li> <li>Concrete Approx. 20,000 m<sup>3</sup></li> </ul>
<b>Eastmain-1-A</b>	
<b>Main structures</b>	<ul style="list-style-type: none"> <li>Generating station</li> <li>Dams 10/10 Hudson</li> <li>Canals 10/10 170 km</li> <li>Minimum water flow 10 to 1,400 m<sup>3</sup>/s</li> </ul>
<b>Accommodations and access</b>	<ul style="list-style-type: none"> <li>Roadways Numerous</li> <li>Report used Eastmain-1</li> <li>Numerous</li> </ul>
<b>Energy capacity</b>	<ul style="list-style-type: none"> <li>Eastmain-1-A 12 to 23 TWh/year</li> </ul>
<b>La Sarcelle</b>	
<b>Control structure (FE-gate) or powerhouse</b>	<ul style="list-style-type: none"> <li>In additional (FE-gate) is required in La Sarcelle control structure</li> <li>Existing only for M1</li> </ul>
<b>Accommodations and access</b>	<ul style="list-style-type: none"> <li>Existing only for M1</li> </ul>
<b>Energy Capacity</b>	<ul style="list-style-type: none"> <li>Increase in energy production</li> <li>Eastmain-1 and Eastmain-1-A 12 to 23 TWh/year</li> <li>Rehabilitation of Crémoly 1-A and 12 Crémoly-1 12 to 17 TWh/year</li> <li>Total Up to 14.7 TWh/year</li> </ul>
<b>Main Hydrological Data</b>	
<b>Diverted and restored flows (m<sup>3</sup>/s)</b>	<ul style="list-style-type: none"> <li>Mean diversion into Crémoly 12 to 160.3</li> <li>Maximum diverted for the Eastmain 12 to 160.3</li> </ul>

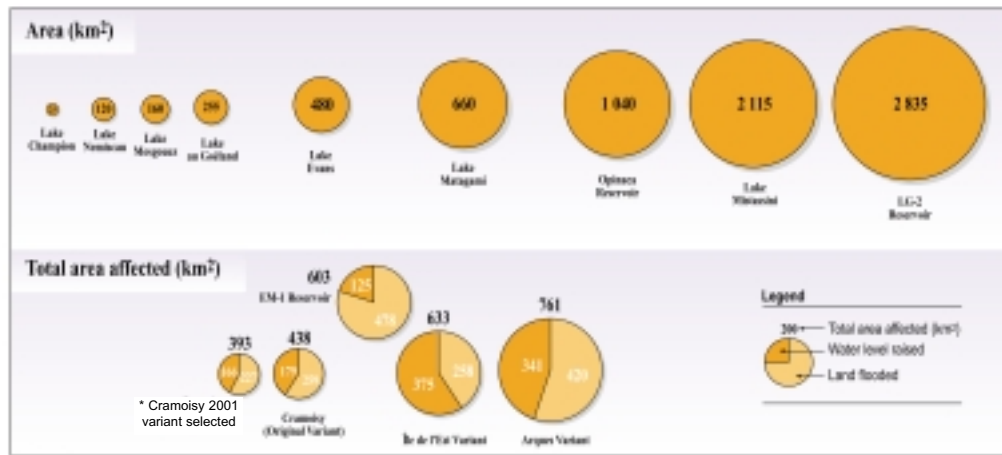


**Source:**  
 Base: BC75, 1:250,000, 1970  
 Bathymetry: Hydro Québec, 1990  
 Digital Elevation Model: Hydro Québec, 1990  
 Data: Sogefi, 1990; Hydro Québec, 1990; Hydro Québec, 1990  
 Rupert Dam: 1990; Eastmain-1-A: 1990; Manicouagan: 1990  
 Crémoly Dam: 1990; Mistissini: 1990; Manicouagan: 1990  
 Rupert Forebay: 1990; Manicouagan: 1990  
 Population: 1990; Hydro Québec, 1990  
 Hydro Québec, 1990; Hydro Québec, 1990

# The Meeting of the Trappers Impacted by the Eastmain and Eastmain IA-Ruperts Projects

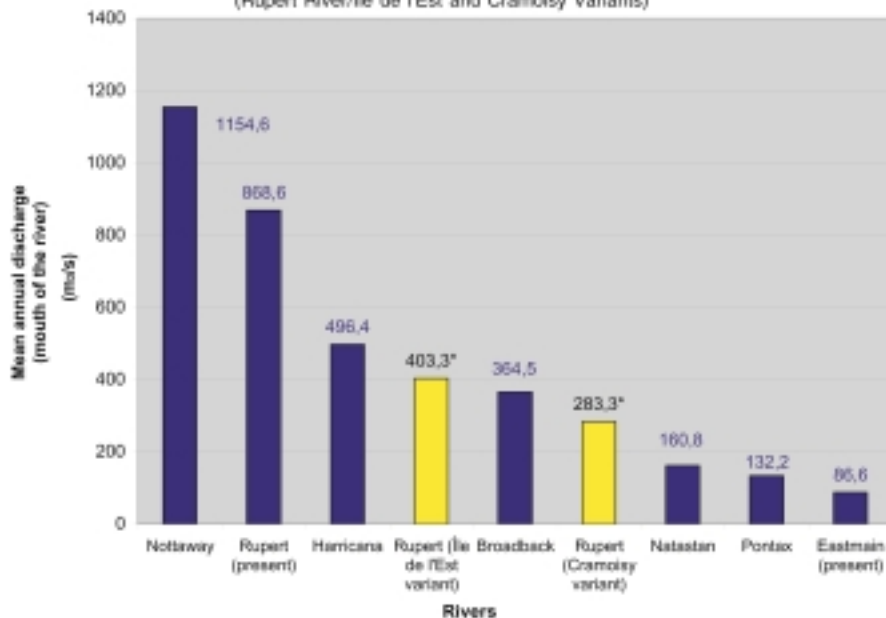
The following are excerpts from presentations made at the meeting. It was attended by all of the trappers along the Rupert and Eastmain rivers in the area to be affected by the new projects, and by Grand Chief Moses and Negotiator Billy Diamond, as well as support staff.

## Reservoir and Lake comparison



## EM-1/Rupert Potential Development

River classification according to mean annual discharge (mouth of the Rupert river)  
(Rupert River/Île de l'Est and Cramoisy Variants)



\* 10% in-stream flow released at the river cutoff site



## Luke Tent

“There is the James Bay Agreement, and then there is this Agreement in Principle that is proposed to us. I think that the children in the future will benefit from the new agreement, just as we have benefited from the James Bay Agreement. At first I didn’t like it. But, when I think about my children and grandchildren—some of them do not have work. Many young people do not have work, even though they went to school. Some of these people, when they see that the agreement is signed, they will go back to school to get the qualifications with the new funding, so that they will be able to find work. I really like the look of this agreement that will last for 50 years. This is all that I wanted to say.”

## Sandis Weistchee

“We should not just consider ourselves when we discuss this project, we must think about future generations. These things that will be impacted by the dam have already been looked into. However, if there are further studies done, then there will be something else found out that is different, or that has changed since the studies were done. There should be an agreement that will bring work to us when there are studies to be done on things, such as on the water. I was a person who grew up in the bush. I did not go to school, I was someone who always hunted. In Moose Factory, the Moose River, I knew what it was like, what the water was like before the river was dammed, and how deep it was along its course. I also knew what we got out of the river, and what that was like before the dam. I do not know what will happen in the present proposal. Perhaps more will happen here than in Moose River.

“I think that in the future there perhaps could come a time when too much has been done. I think about this, even though they say that in the future there will be water in the river and it will not dry up. I wonder what will happen to the fish. I think about the fish in that water, and when they spawn. If the water is not good then the eggs will not be good.

“I cannot say what exactly will happen to Notimeshanan. This place has been important for many many years for the people, as they can help themselves there. If the animals do not do well in

this river, including the fish, they will go to another river. There is another river here where there is a little house, the Pontax River. There is a place on it called “Ameekananish” (Little Spawning Place). That is where these same fish from Notimeshanan are found. So there is something that could well be lost. This is why I said that there should be more studies done to see what will happen to the water in the Rupert River.

“I have seen the land of the Nemaska people also. I walked and I also paddled on their lands, just looking to see what it was like. I hope for the sake of those who live by hunting that there will be more studies before the dam is constructed, and too much is done to the land.

“I want to say to Ted, the Grand Chief, that if his Nataashtin is destroyed, I could give him some of mine, because I also have a place called Nataashtin on my land! (laughter)

“Thank you!” 🐾



Philip Bosum and Sam Mianscum

# The Troilus Agreement

The Cree Nation of Mistissini and Inmet Mining Corporation (earlier known as METALL) entered into an agreement in 1995 respecting the Troilus Mine, before startup of the project in 1996.

The negotiations leading up to the agreement were difficult, as the community of Mistissini needed access to a fair share of the economic benefits, and the mining corporation was faced with the marginal economics of the project. At the time, both parties were faced with restrictive interpretations of the Quebec Government on Cree participation in development.

26

**Cree employment levels at the mine site have consistently met or exceeded the target levels of 25 per cent of direct employment, amounting to some 75 direct employees.**


The agreement establishes a working relationship between the community and the corporation concerning Cree employment, training, contracts and business opportunities, and other issues such as the environment, and certain mitigating works.

An implementation committee was set up, where representatives of the community and corporation discuss all matters relating to the agreement. This committee played a key role in the development and planning stages—reviewing the hiring process, working conditions, job descriptions and training—to ensure that Crees could access the jobs at the site. The hiring of a Cree employment coordinator was a key to success, at the mine site and throughout the life of the project.

Cree employment levels at the mine site have consistently met or exceeded the target levels of 25 per cent of direct employment, amounting to some 75 direct employees. In addition, some 15 additional full-time Cree jobs were created through subcontracts to Cree related enterprises, and an additional 10+ positions are provided through other contractual opportunities.

The community gives great importance to the agreement, and the Chief regularly attends meetings of the committee. The local Council visits the mine site to recognize and express appreciation for the efforts of the employer. The mining company has also appointed a senior official from its head office to sit as a regular member of the committee.

Depressed metal prices, and the marginal economics associated with the project, required that the Cree party work with the employer to meet the challenges. At the same time, Inmet has consistently recognized the importance of the Cree workforce, and has invested time and money to ensure that the Crees play an important role at the mine site.

The Troilus Agreement is a positive example of how a developer and local Crees can work together for the common interest. 




**Upon its review of the report, Quebec government officials asked for a review of the report, its methodology and conclusions by an expert and neutral third party.**

## **Updates: Oujé-Bougoumou Toxic Contamination**

On October 16, 2001, U.S.-based geologist Christopher Covell and Dartmouth College Professor Roger Masters presented a report on the findings of their analysis within the Oujé-Bougoumou traditional territory. The objective was to determine the presence of heavy metal toxins.

Upon its review of the report, Quebec government officials asked for a review of the report, its methodology and conclusions by an expert and neutral third party. We are currently in the process of selecting the expert third party to provide an evaluation of the Covell/Masters report. Once this review has been completed, we will be in a position to proceed in resolving the environmental and public health questions raised by the report.

The Oujé-Bougoumou Cree Nation Council, with the support of the Grand Council, will continue to work on this urgent and sensitive matter in order to guarantee the health and safety of the Oujé-Bougoumou population. 

27



The Honourable Robert Nault, Minister of Indian and Northern Affairs Canada; Ted Moses, Grand Chief; and Jane Stewart, Minister of Human Resources Development Canada, at the signing of the five-year agreement on employment and training with Canada. The agreement provides normal programs and a special territorial program to get Crees into mining, forestry, tourism and construction jobs.

# Reports on Community Meetings

## Oujé-Bougoumou Council/Board Meeting

The Council/Board met on January 7 and 8 and reviewed the text of the final agreements with the negotiators. They decided that they would recommend the text of the agreement to the Cree people.

It was also decided that, given the complexity and number of the issues resolved in the agreement, a Cree Nation referendum would not be an appropriate way to make the decision as to whether or not to sign. It was decided that the chiefs would return to their people and, before January 30, 2002, would ask for a decision from their communities.

28



Chief David Masty

The meetings in the communities are to take two days per community. The first day, it is planned, will be to give the information to the community members, and the second day will be given over to the people to speak and ask questions about the agreement.

### **Mistissini**

The first community meeting was held in Mistissini on January 9 and 10. The National Chief, Matthew Coon Come was present at the meeting. See his statement on page 43

### **Nemaska**

#### **Elders Meeting**

(The following are notes taken from what was said during the meeting.)

#### *Daniel Bearskin*

“What you are telling us is difficult to tell, and may take years to be fully understood. It is difficult for you to make us understand, but it is a solid agreement. It is like the hunting way of life, like my father’s teachings; it was not easy to understand his teachings about the our way of life. I wish that we could be united and think alike. I know that this agreement is for us. It has taken years, and it will take years yet, and I know that you are trying very hard to get things for us. I thank Ted for the way you spoke for us, and told us about the agreement. I told you last fall that I will talk to you later. Now I thank you for what you have accomplished. I wanted to be at the funeral of your father, he hunted for many years. He gave



you the family trapline, and that is the way it is suppose to be. I know that you are speaking for the children in this agreement, as it will affect them in the future. I also know that you hunt yourself, and know how to hunt. I thank you for your help.”

*Jimmy Trapper*

“Wachiya to all leaders. When you came to Waskaganish, I wanted you to listen to our people. This will hurt the trappers. We were told you would come back to Waskaganish. I want to talk about hunters. The James Bay Agreement was possible because of the trappers. I went to see where my uncles went hunting, and there are only a few trees there now. The hunters should benefit first and from this agreement and they should

benefit the most from it. It is very difficult to go hunting, since it is very expensive. I heard of one trapper who could not go to his family lands as it would cost him \$3,000 just to get there. Benefits for hunters should be the priority. Fur prices are not adequate today to support a trapper. There are also some youth who want to go hunting and cannot afford the cost of a plane or the price of the skidoos. Trappers suffer the most. Charlie Diamond’s trapline has been affected by forestry, and he has not benefited from this. He is just one example.

“Policing is an important issue that needs to be resolved.”

*Sam Awashish*

“I wanted to ask something. In the past when we agreed to certain things with the government, why was what was agreed to not implemented?”

*Billy Diamond*

“When we signed the JBNQA in 1975 with Quebec, the government that we signed with did not last one year. The present agreement is nation-to-nation, and the obligations are clear. The James Bay Agreement relied too much on trust to be implemented. In the present agreement we have guarantees that for example, Lake Mistissini will not be touched. The obligations of Hydro Quebec are clear. Also, in the agreement there is a liaison committee with high-ranking civil servants on it, and it is to them that we will take out grievances.

“When I was negotiating, I saw the Quebec negotiator, a person of the highest rank, giving directives to HQ—rather than the other way around. I never saw that before. That is why the agreement is very complex. It resolves problems that we have been fighting over for 26 years. The agreement says that we will work together, and the language is stronger than the James Bay Agreement. I know future generations will amend the agreement.”

*Matthew Wapachee*

“The project will have some impacts. Is it possible that we cannot know all of the damages if we do not know how high the water levels will be. We are turning our water into light. Aren’t we giving up too much? Although I don’t think that we are getting enough money for the water.”

Others asked about the compensation for those impacted by forestry, about the traplines above the 55<sup>th</sup> parallel, and about the laws respecting hunting and how they applied to non-natives.

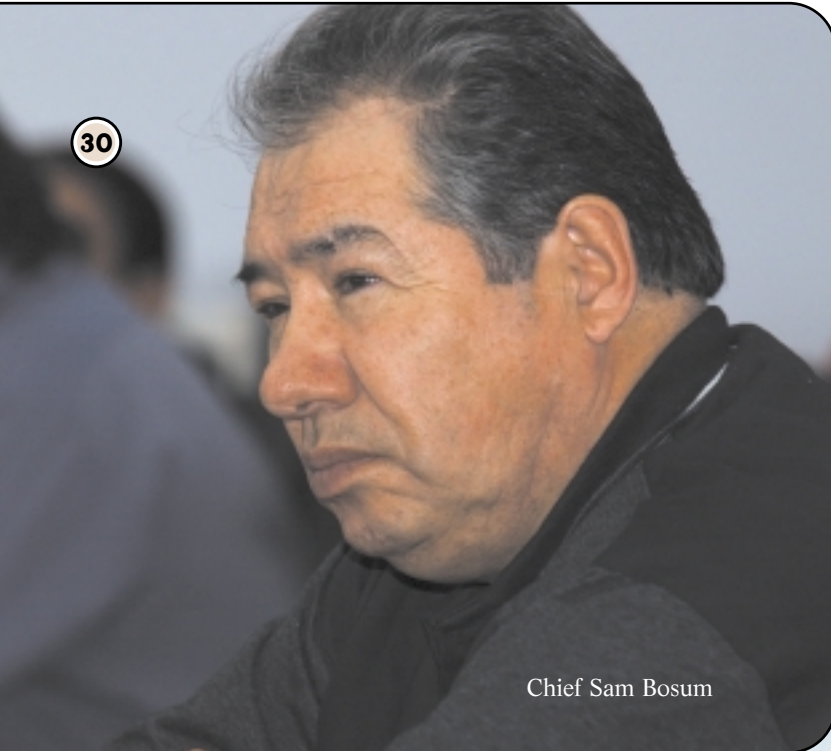
**Benefits for hunters should be the priority. Fur prices are not adequate today to support a trapper. There are also some youth who want to go hunting and cannot afford the cost of a plane or the price of the skidoos. Trappers suffer the most.**

## Nemaska

*Issac Meskino*

“I see nothing in the agreement about how Nemaska people were treated. We were mistreated where we were in Waskaganish and Mistissini. There is no apology from Quebec on the way Quebec treated our people.”

30



Chief Sam Bosum

*Caroline Jolly*

“I get comfort when my son brings home a partridge, as it is part of the land. We own all this land, and should be the sole beneficiaries. I will never agree to more dams. I want to know what will happen to my late father’s trapline if the project goes ahead.”

*Ted Moses*

“Parts of your fathers trapline would have been underwater, had the NBR project gone ahead. I am now able to tell you that your father’s trapline will not be affected.”

*George Wapahee*

“I also say that we own the land, but Quebec and Canada have a different view. My son plays some video games, and I asked him how it works. He told me that if he gets to a certain place, then he wins.

In the meantime, he says that he has to get muscles in the game which will make him stronger, and which will help him get to where he wants to go inside the game. This is silly, but it applies to what we are trying to do. We are trying to get stronger to get to where we want to go, and this agreement is part of this.”

*Harry Jolly*

“When I first heard about the AIP, I was shocked. Now I read it and understand it. I am not against it. But I want to know, how are we going to decide? The only jobs available are at the band office. We do not look outside the community.”

*Ted Moses*

“There will not be a Cree Nation referendum, since that process will not serve our purpose. There are too many issues on the table for a simple answer. We have left it up to each community to decide, and the chief will then tell us if the GCCEI will have a mandate.”

*George Wapachee*

“The council will meet on this, and the community will also meet. We have several options and several processes that we have used in the past. We would like to get a community consensus. We could also decide to go house to house.”

*Andrew Moar*

“What about the ISP (Income Security Program) program? Will it be impacted by this agreement?”

*Ted Moses*

“No, it will continue.”

*Roger Orr*

I watched on TV about the deformed frogs in the south, and I am concerned that the same is happening on our land. That is what is happening in Oujé-Bougoumou, there is pollution there that deforms the fish. We need to be very careful on what we do to the land.”

*Madeline Jolly*

“My father died of cancer when I was 13 years old, and now I think it may have been due to the pollution as in Oujé-Bougoumou. Now I ... still wonder about it.”

*Abel Bosum*

“The issue is being taken care of, and will be dealt with by Quebec and the Crees. The poison came from old mines that opened in 40s to 60s and were not subjected to the James Bay Agreement environmental review procedures.”

*Stewart Metaweshkum.*

“I learned hunting from my grandfather. Our lives changed when the first project was built. I have a job now, and I decided that this is how I will make a living in the future. It was hard to survive off the land, but now I have work. I ask my son if he wants to come with me to go hunting, and he tells me he will tell me tomorrow. He then tells there is a game, and he does not come with me. We went traveling once, and we visited some reserves. We saw a lot of poverty there. I told my son that our community used to be like this.

“My grandfather went to court on the first project because of hunting, and he earned something, and today I enjoy what he preserved for me.”

*Steve Neeposh*

“My son didn’t go to the bush with his grandfather. The youth cannot get jobs and therefore cannot buy the equipment that they need to go hunting. Fur trapping is not viable as the prices are too low. We are comfortable today. We don’t walk to our traplines, but use money to get there. Our children now go to school in our communities. This agreement will help us. We see transmission lines and logging trucks. The sound you hear coming from the transmission lines is the sound of money going south, and we don’t get any benefit from this. We can’t tell fisherman and loggers to leave, but in this agreement we are told we help manage the resources, and we will benefit from the development.”

*Harriet Wapachee*

“I was not here when I first heard this agreement, as I was in the bush. I was not angry when I heard about it. We stay at the late Albert and Minnie’s trapline, which was passed on to us. Many of my children went to school, and now everybody wants to hire Norman. I am not against this agreement, our children will find employment through their schooling.”

*Yvonne Neeposh*

“My trapline was to be under water from the NBR project, and now it won’t be. I was not that worried about it, as I left it up to God to decide. I got money from the Crees to compensate for the impact of the forestry on us. We did not take money from the loggers, and I felt that I was stealing from others in our society. The loggers should have paid, rather than the Crees.”

**Waswanipi**

The community meeting was held on January 15 and 16. The members were concerned about how much money might be set aside for the trappers impacted by the forestry operations on their lands. They asked how much money the trappers would have set aside for them out of the \$70 million per year to be received under the agreement. The answer was that this had to be decided by the Crees.

In addition, the issue of where the new wood allocation would be made came up in the meeting. Waswanipi, the only Cree community with a sawmill, had a great interest in the answer to this question, as it presently has a wood shortage. The answer was that the wood would be additional, and had yet to be decided by Quebec, although it is guaranteed by the agreement.

The extent of the settlement of past obligations was raised, and the answer was that past claims against Quebec were settled.

The question of whether the Crees would still be eligible for Quebec programs was raised, and the reply was that the Crees would remain eligible for normal programs, but that the implementation of Section 28 with respect to Quebec was resolved for 50 years.

One person raised the issue of the issue of Quebec separation, and whether this deal had a hidden agenda on the matter. The answer, given by the Grand Chief, was that there was no hidden agenda. The agreement is a settlement with Quebec on Section 28 obligations. He said that Canada is still subject to the Cree court action, and that they would have the Crees’ attention after the agreement was settled with Quebec.

One person thanked the guests, and then stated: “When I was young, many times we did not have anything to eat when my father was with us. It was cold at night in our tent. I hunted all kinds of animals, but I never hunted geese. The agreement is good in

that we will have money to buy food, but the elders prefer wild food. The youth will benefit from the agreement through the jobs that they will be able to have, although they will not depend on hunting for a livelihood. The youth today have youth centers and things that we did not have. I have lots of respect for educated Crees, since they know how to use the courts system to protect their rights. We, our family, were forgotten in the JBNQA, and were told that our trapline was outside of Waswanipi land, and we are told we cannot benefit from programs. Some even tell us that we don't have a trapline! When I was ill and unable to go into the bush under the Income Security Program for 3 years, the bills piled up."

Another person asked about the game wardens, and where they would be located. He was told that the implementation of that matter was still under discussion with Quebec, and that the details are not yet decided.

The issue of why the Deputy Grand Chief had spoken out against the agreement arose. Deputy Grand Chief Matthew Mukash answered as follows:

"Greetings to the Waswanipi people. I like to learn from listening to the people. I told the people that I was elected to the Grand Council of the Crees, and I respect the Grand Chief and Chiefs. I will not speak for the Grand Council of the Crees right now. I am not telling the people not to sign. I was the leader for the Great Whale hydro project fight, and you helped us in that fight. If we had not stopped the Great Whale project, then we would not see this agreement in front of us today. The Great Whale fight also helped Matthew Coon Come, who is now National Chief, and Ted Moses, our Grand Chief. It was because we applied pressure on Quebec that

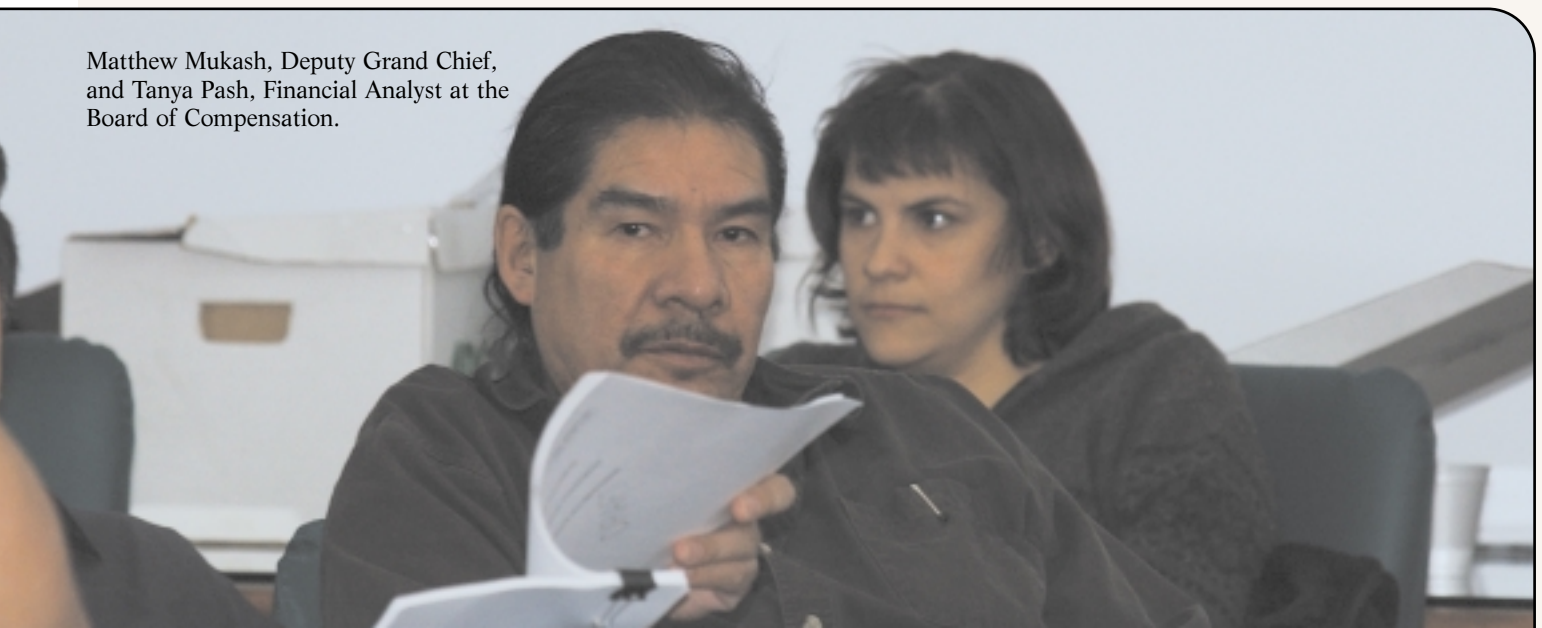
we are today asked to contemplate this agreement. However, I don't think we have enough time to think about it.

"Section 28 of the JBNQA was supposed to be implemented by the Quebec government anyway, so why do we have to accept another hydroelectric project to get it implemented? The EM1A project is not in the JBNQA. There are measures for forestry and hydro in the proposed agreement. They are packaging a Hydro-Québec project inside this agreement. By using the water from the Rupert River, Hydro-Québec is just correcting a mistake, because they designed the La Grande complex too large. That is also why they are sacrificing the NBR project. They want to put more water into the complex already built.

"Components of this agreement should be considered separately, and they should solve forestry first. If the GCCEI accepts this agreement, the Waskaganish Band can sue the Grand Council. My duty is to protect the Grand Council. It is difficult to allow flooding; we should have an economic analysis to see if this makes sense. The McCullough Report reads: 'This transaction is a sale of Cree rights.' We need to deal with this. We also need to have the project subject to environmental assessment."

Another speaker supporting Matthew Mukash asked why Hydro-Québec was not in the room, and why the negotiators spoke to Quebec on their behalf. He stated that the forestry companies had been given 75 per cent of the land, and questioned whether the Grand Council supported this state of affairs. "Why should the Crees consent to more dams when they can now stop projects?" he asked. While recognizing that the jobs were beneficial, he did not accept

Matthew Mukash, Deputy Grand Chief, and Tanya Pash, Financial Analyst at the Board of Compensation.





Cree consent for the new project. Finally he asked why the people weren't consulted before the leaders signed the Agreement in Principle.

The answer by Abel Bosum was that the Crees could reject the agreement, but that that would mean going back to the courts, and no funding for the development of the communities as is contained in the agreement. He stated that the agreement improved on Cree rights, as it removed the NBR project from the James Bay Agreement. "Just this one item will preserve thousands of kilometers of land," he stated. He also outlined how forestry would improve under the agreement.

Other questions were asked on how relations between non-Crees and Crees in the bush would be affected by the agreement, and whether the forestry operations could be changed to be more compatible with Cree hunting.

**A nation without a vision will perish. This agreement is like a map and a vision.**

One person stated that God created earth, and that the Crees could not sell the land, which belongs to god. If there are no trappers, he stated, there wouldn't be any agreements. It is because of the Cree occupation of the land that there is a need for agreements and benefits. He noted that all the places on the map are named after people who are from the land. He added that he did not believe that NBR was cancelled, and asked why Hydro-Québec was not present to confirm this.

The Grand Chief stated: "I know that you don't believe NBR is gone. HQ wanted to build NBR first, and then decided to build La Grande complex first. When I was chief of my community, the people


did not believe me when I told them we would get houses, schools, running water and sewers, or the Income Security Program. People didn't even believe that we could build a winter road to the community. However, NBR is definitely cancelled by the agreement.

Another person stated that he was happy with the new agreement. He commented that nobody in Waswanipi could state that they have not benefited from the James Bay Agreement, as even those working for Cree entities, and on the Income Security Program, benefited from the Agreement. He then commented that the people of Waswanipi needed funding help from the Grand Council, as they have 55 traplines in the community affected by forestry. Finally, he commented on the lack of youth programs in the agreement, even though the leaders say that the agreement is for the youth.

A young leader stood up and stated:

"When the 1975 Agreement was negotiated, the people must have been afraid. I am grateful that I still speak my language and practice our culture. A nation without a vision will perish. This agreement is like a map and a vision. Ted has a vision, and sees 50 years from now. I hope there will be people who are able to start businesses, and who benefit from this agreement. People who oppose do not have hope, and do not trust the white man or the governments. There is also an element of jealousy. They are afraid.

"Years ago, our people were hunting. They did not even have a building to meet in. Now many people here have jobs. When we first met the White man 200 years ago, we traded with them, and we must have trusted them. The white people who live around here will not leave, so we must find ways to live alongside them.

"We need to sign this agreement for the benefit of future generations. Remember the time before 1975 and the JBNQA—the elders will remember. We had a big family, and we did not have much in terms of material wealth. Today we are better off, even though we signed the JBNQA. Some say that the land will be flooded, and they seem to fear this. But we are not helpless. I do not say that I understand everything in this agreement, but I trust the leadership." 

# Update: Firearms Legislation

Although the Canadian Firearms Centre has earmarked \$200,000 for the Cree Regional Authority, and Indian and Northern Affairs Canada has promised to add about \$100,000 more, it still leaves the Crees about \$1 million short of the amount that it costs to implement the federal *Firearms Act* in Eeyou Istchee—and no money has yet been paid.

The Cree Trappers' Association (CTA) has taken responsibility for the implementation of the *Firearms Act* in Eeyou Istchee, but has done so without the benefit of financial assistance from the governments. Mr. Willie Iserhoff, Director of Traditional Pursuits, wrote, in a December 18 letter to the Chief Executive Officer of the Canadian Firearms Centre, and the Chief Firearms Officer:

34



“Cree Trappers’ Association and Cree Regional Authority have clearly proven their will and good faith in resolving all outstanding matters with your governments, unfortunately the ongoing jurisdictional disputes, lack of political will and no support resources have put us into a volatile situation... We have only been able to assist some 3,266 Cree members in the provision of firearms safety courses, and exams. We have done so with no provision of assistance from your governments, and since 1992 we have incurred substantial amounts of our own resources to respect the law. To date, we have some 7,786 Cree members who are now unable to access firearms safety courses and exams, and who will not be able to comply with gun registration requirements.”

On December 14, 2001, Cree representatives met with Canadian officials in Ottawa, and told them that the Crees could no longer continue to assist with the implementation of the *Act* without the support which the governments are obliged to provide.

“What I don’t understand,” said Mr. Simeon Pash, Secretary/Treasurer of the CTA, “is how Canada can pass legislation knowing that there is no way it can be implemented, and then put the Crees into a position where we can not comply with the law, even when we try to do so.”

Mr. Thomas Coon, President of CTA, said, “The law is already making it difficult or impossible for us to carry out our treaty right to hunt and trap. We won’t be able to buy ammunition, and we have certainly tried to comply with the law.”

Simeon Pash, Secretary/Treasurer of the Cree Trappers' Association



(L) Thomas Coon, President of the Cree Trappers' Association and (R) Willie Iserhoff, Director of Traditional Pursuits, CRA

Mr. Coon wrote to Grand Chief Dr. Ted Moses on December 12, 2001:

“With no funding whatsoever from the governments, we have exhausted all available Cree monies... we simply are no longer able to implement gun safety courses and exams, as well as address gun registration requirements. As of this date we have no option but to cease all activities in this respect.

“In reaching this decision, let me assure you we hold the governments of Canada and Quebec fully responsible and accountable, should any situation arise from this blatant disregard to constitutional and treaty-protected Cree rights.”



## Diamonds Sparkle in the Otis Mountains?

Ever since sizable quantities of diamonds turned up in the NWT over a decade ago, prospectors have been scouring the Canadian North in search of similar riches. Naturally, this search has included Eeyou Istschee. Just before Christmas, word came that several positive drill core samples came from a site in the Otis Mountains north of

Mistissini. This news has ignited a land rush as prospectors have filed more than 5,000 claims in and around the area. Members in the mining community indicated that, while it is too soon to say the find will lead to a commercial Diamond mine, the preliminary samples are very promising.

# Update: Clean up of Cape Jones Mid-Canada Radar Site

Following World War II, Canada and the United States established three comprehensive networks of radar installations across the Canadian North. One of these networks, the Mid-Canada Line, runs across Canada's 55<sup>th</sup> parallel, and thus, a number of installations are found in Northern Quebec, including one at Cape Jones in Chisasibi territory.

36

Although this military radar network was closed down in 1965, the federal government neglected to thoroughly dismantle the sites. The result is a legacy of leftover fuel depots of gasoline, diesel, avgas and heating oil that are slowly contaminating the surrounding areas, as the storage containers rust and leak their contents. This is particularly true for Cape Jones, where local trappers have reported seeing periodic oil slicks in the water near a sunken barge that holds a load of 45-gallon fuel barrels.



In 1998, at the direction of both Chisasibi and Whapmagoostui, the Grand Council wrote the federal government to inform Government officials of the need to have the Cape Jones site decontaminated. The Grand Council indicated that the Cape Jones site was important to both communities, for traditional pursuits and potential tourism development. The federal government response was that Quebec had assumed ownership of the site, and any future clean up was Quebec's responsibility. The federal government then informed the Crees that it was negotiating a cleanup agreement with the Kativik Regional Government (KRG) for sites north of the 55<sup>th</sup> parallel, and that the Crees should coordinate with the KRG on the Cape Jones site.

Despite the efforts of the Grand Council and local Chiefs, the agreement between the KRG and the federal government did not cover the cleanup costs for the Cape Jones site. It is difficult to understand why the cost of cleaning up the Cape Jones site was not professionally evaluated, and covered by the agreement. It is a large site, and much more problematic in terms of toxic contamination than the others. The site is littered with fallen radio towers, large oil stains mark the soil, oil drums are stacked adjacent to nearby ponds, and the site's old electrical equipment is scattered about the installation. After further discussion between the Crees and Inuit, the KRG agreed to add the Cape Jones site to their list; however, no further funding was made available by Canada.

The cleanup project was exempted from assessment under the Inuit environmental regime, Section 23 of the JBNQA. KRG neglected to submit the project to the Cree regime under Section 22, which has jurisdiction over sites on Cree traplines north of the 55<sup>th</sup> parallel, and over Cape Jones, south of it. Subsequent to the start of the cleanup, KRG submitted the project to the Cree regime, asking that it also exempt it from review. However, based the information submitted, COMEV concluded that it wanted to be assured that the sites were assessed by properly qualified firms, and that the cleanup be done according to clear standards.

It is clear that the present project will not meet professional standards used by the province, or by other cleanups that have been performed in Cree communities. It is doubtful that a proper cleanup of the site can be done by KRG, given the limited resources for the project.

This situation is troubling because if only a partial clean up of the Cape Jones site is conducted, it will be much more difficult to get the federal government to commit more funding for a more complete future cleanup. Currently, COMEV has asked the KRG to present a site characterization that is done to professional standards, and that includes a forecast of the costs associated in full cleanup of the Cape Jones site. Thus far, KRG has not responded to this request.

**... left over fuel depots of gasoline, diesel, avgas, and heating oil that are slowly contaminating the surrounding areas as the storage containers rust and leak their contents.**



While the agreement between Canada, Quebec and KRG on the cleanup has not been submitted to the evaluating committee, it is reported that the funding for the three-year deal is only sufficient for a superficial cleanup and stacking of materials—without removing them, in most cases. Moreover, Canada insists that the Crees and KRG provide legal releases for each site after it is attended to under the program, which makes the possibility of future federal funding to complete the job very slim.

Canada has failed in its obligation to the Crees, to provide for environmental safety and cleanup programs that will address the problems it created itself. The Crees must pressure Canada to provide the means to clean up Cape Jones.

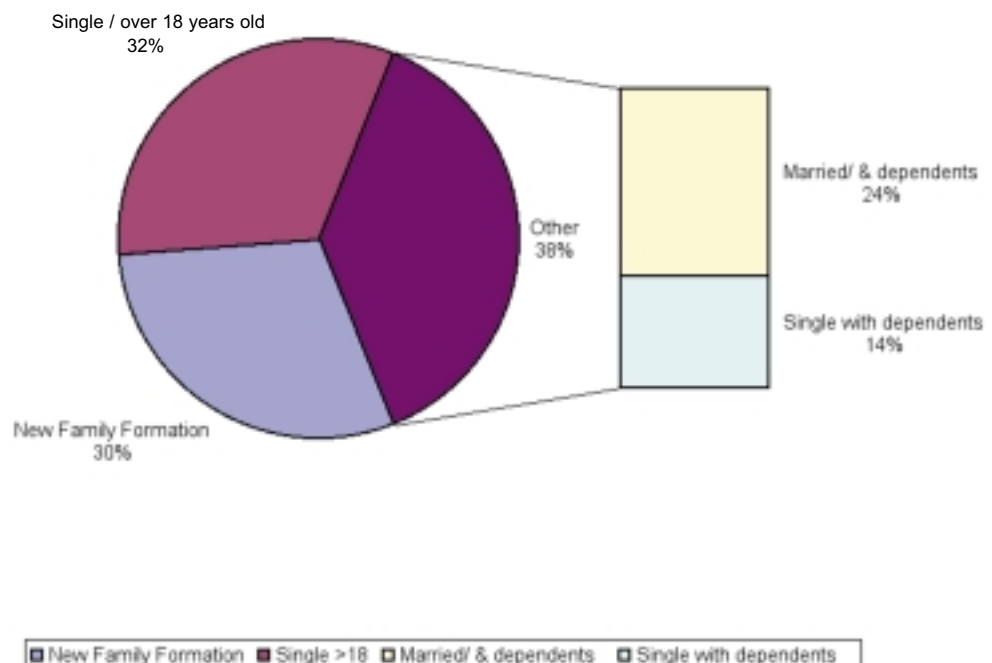
# Facts Concerning the Cree Economy, and Project Impacts

## The Traditional Economy and Impacts

38

1. Hunting, fishing and trapping are anchors of the Cree people. The traditional way of life helps us maintain our language, it is an important part of our culture, and it provides the best food that we can eat. If everyone ate the food from the land all of the time, few of us would have diabetes. However, while it is important spiritually and culturally, we can nevertheless look at the products of the hunt in terms of their monetary input to the Cree economy. Today for every \$10 in monetary value coming into the Cree economy, about 50 cents comes from the value of the products of the hunt.
2. Eeyou Istchee is approximately 345,000 square kilometres of land and water.
3. The area of the La Grande reservoirs is approximately 13,000 square kilometres, which equals 3.7 per cent of this area.
4. The new Rupert Diversion, separate from the Eastmain Project, would flood approximately 393 square kilometres of land, or one one-thousandth of Eeyou Istchee. This is about one third of one trapline.

## We need 2000 new houses



5. The 316 Cree traplines vary in size, but have an average area of 1,100 square kilometres. The smallest belongs to George Matoush (at 100 square kilometres), and the largest is that of John Petagumshkum (at 14,593 square kilometres).
6. If the new diversion project is built, the flooding will be distributed among traplines from Mistissini and Nemaska, and the flooded area of any one will be limited. The traplines west of the diversion point will see the river substantially reduced in size. These traplines will, however, still be productive hunting areas.

## The New Economy

7. Employment in the Cree economy is split between hunting and trapping, which employs about one third of the workforce; and public administration, which employs about the same number of people full time.
8. Those in the private sector or unemployed make up the rest. The unemployed number will increase in the future at a much faster rate than the increase in the number employed in either hunting or public administration. This is because the school board, health board and Cree government offices have a more limited ability to grow now than they did in 1975.
9. If all Crees of working age work are to find work in the future, private sector employment will have to increase substantially.
10. At the present time, the Crees are a large portion of the territorial population. Because the Cree population is young, and the average age of the non-Cree population is getting older in the territory, the Crees will become an even larger percentage of the territorial workforce in the future.
11. In mining, the Crees have about 9 per cent of the jobs. In hydroelectricity, we have less than 1 per cent of the permanent jobs. In forestry, the Crees have about 3 per cent of the jobs.



12. In 1975, there were 6,500 Crees. In 2000, there were 13,000 Crees. If the rate of increase in the Cree population continues, there will be 26,000 Crees in 25 years, and 52,000 in 50 years.

13. The communities presently have about 2,173 housing units. Of these 1,297 need renovation or replacement. In addition approximately 1,403 new houses are presently needed to house the Crees—and this number grows at the rate of 600 additional housing units needed every five years.

14. The present rate of construction of houses will never meet the growing need, and will never house all of those who presently need houses. The rate of house construction has to increase to 250 per year in order to meet the backlog and the increase in demand over 10 years. After that, it could drop to about 100 per year in order to meet the increase in demand at that time.

# Forestry Part II: A Share in the Forest Resources

40

In the last *Eeyou Eenou Nation*, we wrote about some of the benefits that the Agreement in Principle will have on trappers directly affected by forestry operations. We outlined how government and industries' traditional "stand aside" approach on forestry to Cree hunters will end, through the introduction of new forestry measures adapted to the needs of the trappers. Here, we will review another important aspect of the Agreement in Principle—Cree economic development opportunities in forestry.

For many years, the Grand Council has made it known that the Crees are not against forestry conducted in a manner in keeping with the needs of Cree trappers. Along with lobbying for environmental reform within forestry practices, the Council has also pushed to make the industry more accessible to Cree-run ventures.

The *Forest Act (1987)* effectively marginalized the Crees from the industry, by limiting timber licences to companies owning lumber or paper mills. Since none of the Cree communities had such mills in 1987, they were unable to obtain timber licences for many years, and missed out on much of the forestry potential that exists today. Being cut off from Government timber allocations, those Cree communities interested in forestry opportunities had to rely on the wood found on Category I lands. Despite the challenges of limited wood supplies, both Mistissini and Waswanipi were able to develop local forestry ventures. Waswanipi, after many years of difficult negotiation, was even able to form a partnership with Domtar, and build its own lumber mill. This enabled the community to obtain a timber licence outside of Category I lands.

Today, the obstacle for Cree communities interested in forestry is a lack of wood supply in the territory. Waswanipi has long sought additional allocations in order to expand its mill and local job opportunities. It is the same in Mistissini. With the signing of the Agreement in Principle, the Crees and the Quebec government will work to remove this obstacle.




**Another important aspect of economic development and forestry that should not be overlooked by Crees is in the area of secondary or value-added manufacturing.**

In the Agreement, Quebec has committed to allocating, at a minimum, 350,000 cubic metres of timber per year to the Cree Nation. This allocation is more than double that of Mistuk's current timber licence, and will serve as a springboard for future opportunity in forestry. Capitalizing on these initial timber stocks, those Cree communities interested in forestry will then be able to use investment funds generated through the resource sharing revenues in the agreement to obtain further timber supplies. These supplies could come through partnerships with existing companies (similar to Nabakatuk and Domtar), through mergers or acquisitions of smaller forestry companies, or in further government timber allocations.

In addition to exploiting harvesting and milling opportunities, there will be many opportunities for local Cree entrepreneurs to enter into the forestry services market. These services involve road construction and maintenance, forestry camp services, heavy equipment maintenance and silviculture work. Again, investment funds generated by the agreement will make entry into this lucrative market possible, and provisions within the agreement should facilitate the awarding of more contracts in favour of Cree enterprises.

Another important aspect of economic development and forestry that should not be overlooked by Crees is in the area of secondary, or value-added, manufacturing. As raw logs are transformed into lumber and then used to manufacture furniture or any other specialized wood product, the benefits from the wood are multiplied. At each stage of wood production, the value of the resource is increased and more jobs are created. And so, the challenge for Crees is to build locally based enterprises devoted to making products out of the trees they harvest.

A future agreement with Quebec, with its resource and revenue sharing provisions, should set the stage for the Cree Nation to meet this challenge and capture the full potential of the forestry resources they possess. The agreement will also ensure that Cree entrepreneurs who are interested in forestry opportunities will have the tools to participate in a meaningful way. And so, just as trappers will no longer be expected to stand aside for forestry, neither will Cree business people. 

# Transfer of Lands from Mistissini to Oujé-Bougoumou Finally on the Road to Resolution

At the end of December 2001, negotiators for Mistissini and Oujé-Bougoumou finally reached an agreement-in-principle to resolve the very long-standing issue of the transfer of lands between the two communities. It will provide Oujé-Bougoumou with a land regime in the same manner as the other Cree communities, and will resolve outstanding territorial issues for Mistissini.

42

At the same time, solutions for a number of other very important issues for each community were agreed to.

## For Mistissini:


- Quebec finally agreed to resolve all the issues that were contained in a Memorandum of Understanding signed in 1989. This will allow a final description of Mistissini's Category I and II lands, which have remained ambiguous since the original signing of the James Bay and Northern Quebec Agreement.
- A process will be established to set up a joint corporation with Mistissini to be responsible for the management and operations of the Albanel, Mistissini and Waconichi Lakes Wildlife Reserve.
- Quebec has agreed to settle the long-standing claim by Mistissini regarding their hunting territories which lie beyond the height of land, and, therefore, outside the James Bay territory.
- Quebec has agreed to eliminate the "200-foot corridor" rule as it has applied to Mistissini's Category IA lands.
- Quebec has made a clear commitment to upgrade and pave Highway 167 from Chibougamau to Mistissini. The project will be completed over the next three years, with guarantees of employment and contracts for the community of Mistissini.

## For Oujé-Bougoumou:

- Quebec has agreed on boundaries for Category 1A, 1B and II lands, which will comprise Oujé-Bougoumou's land regime.
- Quebec has agreed that the "200-foot corridor" rule will not apply to Category 1A lands.
- Quebec has agreed to establish a joint corporation with Oujé-Bougoumou to be responsible for the management and operations of the Assinica Wildlife reserve.
- Quebec has agreed to discussions with Oujé-Bougoumou, which will result in the transformation of the Assinica Wildlife Reserve as a Cree Heritage Park.
- Quebec has agreed to collaborate with Oujé-Bougoumou in identifying and implementing a permanent solution to the safety concerns related to Oujé-Bougoumou's access road, Road #209.

Quebec has agreed, as part of this agreement, that the two communities will receive an amount of \$40 million, with \$20 million for Mistissini and \$20 million for Oujé-Bougoumou.

All these matters will be incorporated into a new complementary agreement to the James Bay and Northern Quebec Agreement, which will involve Canada as well.

After nearly a dozen years of fruitless discussions and negotiations, these long outstanding issues are finally on their way to being resolved, pending review and ratification by the Mistissini and Oujé-Bougoumou communities. 

# I Support the Agreement

by Matthew Coon Come, National Chief

After Quebec signed the James Bay Agreement, they acted as though they could do whatever they wanted to do, because the Crees had signed the James Bay Agreement. We always disagreed with this view. We always fought to share in the development of the resources. I see this in the present agreement; we will have our share.

We used to see the traplines being clearcut, and at the time the trappers were not asked what they wanted to save on their land and how they wanted the cutting managed. Now we have a new regime set up in the agreement, where the trappers will be part of the forestry planning process and will be able to protect sensitive areas. I see that Muskuchii near Waskaganish will be protected, and that Assinica Park will finally be created.

**... in 1975, Lake Mistissini was to have been flooded. Parts of the community would have been under water!**


As you know, just as in a family, when someone helps another he expects to eventually receive some help, or something in return. The government is the same. However, they tend to speak to us only when they want something. In the past, we have fought development when they wanted too much, when



Matthew Coon Come, National Chief

the projects that they proposed were too large and destructive of the land. In Great Whale, they wanted to block three other rivers, and put powerhouses on the Great Whale. In NBR, they wanted to block another two large rivers, and put the powerhouses on the Broadback River. They wanted seven rivers. I look at the agreement before us, and I see that they want to block one river.

This is progress. As the NBR project was described in 1975, Lake Mistissini was to have been flooded. Parts of the community would have been under water! Today, by this agreement, we will remove that threat. Yes, Waskaganish will feel the impacts, but even there the Broadback and Nottaway Rivers will be saved, and in

NBR they would have been destroyed. We have an agreement before us that leads the way in the development of relations between Aboriginal peoples and governments. Aboriginal peoples across Canada have their eyes on us. If we do not sign, we can be assured that the government will be back for the rivers and the lakes. Will we win the next time? Maybe, but we should take the progress that we have made with governments. This is what we have always done—made some progress, and then moved along from there. This is what we must do this time. 

ANNUAL GENERAL ASSEMBLY

RESOLUTION NO. 2001-18

SUBJECT: Development of Natural  
Resources on Eeyou  
Istchee

WHEREAS the Crees have the right to the full and effective enjoyment of all human rights and fundamental freedoms including those set out in international instruments and under international law;

WHEREAS the Crees have the right of self-determination and by virtue of that right, they may freely determine their political status and may freely pursue their economic, social and cultural development;

WHEREAS the Crees have the right to determine and develop priorities and strategies for the development or use of Cree traditional lands and territories and other resources, including the right to require Canada and Quebec to seek and obtain Cree consent prior to the approval of any project affecting Cree traditional lands, territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water, forestry or other resources;

WHEREAS on the basis of these principles it is appropriate and expedient to enter into discussions with the appropriate government authorities concerning the participation involvement and prior consent of the Crees in relation to natural resources development on or affecting Cree traditional lands, territories or resources;

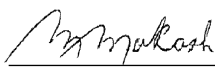
RESOLVED:

THAT the Grand Council of the Crees (Eeyou Istchee) through the Grand Chief be and is hereby instructed to seek discussions with the appropriate government authorities concerning the participation, involvement and prior consent of the Crees in relation to natural resources development on or affecting Cree traditional lands, territories or resources.

Proposed by: Chief Sam Bosum

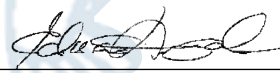
Seconded by: Roderick Georgekish

Carried: August 23rd, 2001



Chairman

Matthew Mukash



Recording Secretary

Edna Neeposh