

**SPEAKING NOTES FOR CHIEF CATHY MERRICK
AS PRESENTED BY DAVID MUSWAGGON – EXECUTIVE COUNCIL MEMBER
PUB HEARINGS**

NATURE OF PIMICIKAMAK AND ITS RELATIONSHIP TO THE LAND

- Tansi, I am here to present a statement for Chief Cathy Merrick from Pimicikamak Okimawin.
- She sends her regrets that she cannot be here. But we only have 15 Minutes, I will get straight to presenting our issues before the PUB.
- First I want to present to you copies of our;
 1. PIMICIKAMAK MAP
 2. THE HISTORY OF PIMICIKAMAK PEOPLES
 3. A BACKGROUNDER OF PIMICIKAMAK
- Since we are a wholistic people, our presentations will not directly relate specifically to the Rate Payers Concerns that come before the PUB but rather the culamaltive effects of Hydro Projects that generate electricity which enables your governing body to oversee how rates are established for consumers
- Pimicikamak is here to share their concerns of the continuing escalating cost of using hydro electricity we receive in our homes throughout Pimicikamak territory.
- This service is provided by Manitoba Hydro.
- Most of this electricity generated comes from the wealth of our natural resources from our traditional territory.
- We understand that Hydro has requested PUB to increase the established rates which it expects the Rate Payers to absorb.
- We do not support such request since the increasing costs from hydro results from the plans to construct more dams and destroy more of our home and ways of life.
- We say this because we know the existing hydro dams operating throughout our traditional territory generate enough electricity to provide adequate electricity to all the homes and businesses in Manitoba.
- So why would Manitoba Hydro ask for an increase in these rates?
- Pimicikamak people have suffered enough through the environmental, social, economic and human costs.
- The price tag has been too high and continues to spiral out of control.

- Our traditional economies and ways of life have been turned upside down:
- There is no regulatory body to address these costs and how they are to be paid for. Only hydro rates through PUB.
- As the original people who own this land, a once beautiful land with a wealth of natural resources that is now decimated as a result from the power of economics.
- We can no longer subsidize hydro's plans to continue to construct more dams and suffer the consequences for the Crown Corporations desire to destroy more lands, our ways of life and increase our social and economic misery.
- Pimicikamak can no longer sustain its survival.
- We continue to suffer in silence as a result of the treaties not being honored in good faith.
- We believe that there are other alternatives that are reasonable in costs and are more environmentally friendly.
- Further, how can PUB continue to establish regulating hydro rates and increase those rates incrementally to appease the Crown Corporations appetite for the need to construct more dams resulting in more destruction to our traditional territory, our way of life and expect the "Rate Payer" to carry the burden of the environmental and economic costs of just doing business.
- What is more disrespectful to Pimicikamak Peoples is the fact the Hydro has been operating many of its dams throughout our homeland without permits.
- Yet it has generated billions of dollars and the south has lived in luxury at the expense of our misery.
- Where is the moral, social and environmental and economic justice?
- Why are the disparities so great? Why are the "Charter of Rights" and Benefits so one sided?
- Our elders always mentioned where we were promised to pay hydro electricity bills for \$8.00 a Month Per household.
- Our elders were promised that the water levels and ways of life would not be adversely affected. They were told that the water would only go as high or as low as the length of the pencil.
- We can go on and on with many more examples.
- Our commentary is the voices of many of our Pimicikamak Citizens, not just mine. It is not limited to this.

- Our views are wholistic based on our history, our laws, our system of government. A system of reality.
- Promises in those treaties are sacred to our peoples. They are sacred covenants.
- Where is the law of equity and fairness.
- As a Rate Payer, our costs are wholistic. Not just the hydro bills we get monthly.
- Our hydro bills are outrages.
- How can Pimicikamak Peoples afford to pay such rates when unemployment is at 85% yet governments and Hydro promised to eradicate mass poverty and mass unemployment.
- Some pay as much as \$400-\$600 per month while they only receive \$1,300.00 on social assistance.
- Hydro has opted to turn to financial deals with the Cross Lake Band of Indians which does not have aboriginal and treaty rights or title to the land. This was done to cap the cost of honoring their promises.
- So they continue to enjoy the luxuries generated from our homeland.
- So we have to ask ourselves if increasing Rate Payer rates justified? We say "no".
- PUB should see the big picture of the cost of the Power of Economics.

Speaking for Ourselves and Who we are

- Pimicikamak is an indigenous nation with a particular area of land we call home.
- Pimicikamak is not a new, it was always there. It functioned orally.
- Pimicikamak is a sovereign indigenous nation located in Northern Manitoba
- Pimicikamak territory is vast tracts of lands that extends throughout what is now known as Northern Manitoba. This is a known fact.
- We respect the system of governance established by Canada and I am not here to debate that system of whether this process right or wrong. That is your System.
- However, I am here to tell you how existing hydro systems affect our lands and our people.

- By virtue of its sovereign authority and the right to govern its lands and people, Pimicikamak was entertained with a peace and friendship treaty in 1875 by treaty commissioners representing the British Crown.
- In trust, respect and honor, Pimicikamak accepted the 1875 Treaty with the Crown, known as Treaty 5
- Pimicikamak understood this treaty to be one of friendship and peace where the lands would be shared with the Crown and its people coming onto this island what is now known as North America
- History has shown Treaty 5 was not honored in its spirit and intent
- Many steps have been taken to deny Pimicikamak its fair share of the wealth generated off their lands
- In the mid 1990's, Pimicikamak with the encouragement, wisdom and guidance from their elders took another step to re-assert its inherent sovereignty and self-determination.
- Pimicikamak adopted a policy of adaptation to meet the needs of the various challenges it faces
- Pimicikamak (which is a people driven government contrary to the system of government established by Canada) passed its own national written laws and national policies and, today Pimicikamak is governed by the Four Councils, the three traditional councils comprise of the (elders, women, youth) and the executive council.
- Pimicikamak is not a band or First Nation, which is something created entirely by and imposed on indigenous peoples by the federal government through the *Indian Act*.

Pimicikamak is a party to:

- British Treaty (known as Treaties 1-11); and
- Northern Flood Agreement Treaty

Treaty 5

Pimicikamak granted rights to the Crown and the settlers by virtue of Treaty to use our lands.

In the Treaty 5 relationship, the Crown and its agents, Canada, Manitoba and Manitoba Hydro, have responsibilities.

These responsibilities include but are not limited to true stewardship to our lands belonging to Pimicikamak whom agreed to share it.

Pimicikamak people are waiting in good faith with the Crown to implement their promises in good faith.

Pimicikamak people should not have to come to you to remind you of your treaty obligations.

It is offensive and disrespectful for the Crown and its agents not to honor the sacred covenants of the treaty promises made.

Pimicikamak ancestors were mindful of their nation's future and the unborn. They gave your ancestors permission to live with us on our lands. This was based on respect, trust and honor when the British Treaty was concluded. The adherence to this Treaty, the NFA Treaty, has not changed to date. It add more responsibilities.

We are here because we believe in the integrity of this process. We are relying on you to do the right thing to bring justice to this process. We have approached other regulatory bodies to tell them the truth about hydro impacts.

The Laws and regulations established in Canada cannot be conveniently used.

My Pimicikamak understanding of integrity is "Tapwaywin" "The truth".

All people concerned about hydro's adverse affects on the lands and the people living in those lands need to be exposed, the truth needs to be told, the truth needs to be seen. Then you will understand our view what integrity is.

Pimicikamak's survival is at stake. Its own critical infrastructure that has sustained it for thousands of years is being washed away. Its traditional economies and customs eroded. Its history is being washed away. Erosion is out of control.

Our ancestors remains are consistently exposed. Some have been re-buried with some remediation measures. But more needs to be done to control the damage that has been done and continues to date as we speak.

The Northern Flood Agreement

Pimicikamak still honors those elders who made the decisions to agree to Treaty 5 and the NFA. In 1977, it was the elders of the 5 communities negotiated and agreed to the terms of the Northern Flood Agreement. Disagreements were settled then.

It was not the Chief and Councils who negotiated the treaties. It was the wisdom of the elders that established those relationships through the Northern Flood Committee.

Pimicikamak was the successor to the NFC, not the Indian Bands.

Leadership at the time were instructed by the elders back then to sign the NFA in its spirit and intent.

Pimicikamak still awaits honorable implementation of the 1977 Agreement.

The NFA Article 25 is clear. It states that the NFA should remain in force and binding on the parties for the lifetime of the project. (READ ARTICLE 25.1)

So if Hydro wants to increase the rates to accommodate its needs, Pimicikamak should be accommodated with appropriate measures to address the adverse affects from the projects.

If hydro wants to collect money its owed from my people, then it should create employment and training to the maximum possible extent to address concerns about Rate Payers not paying.

Pimicikamak is the only Nation that still retains its full NFA Rights. The responsibility is in the hands of the Crown and its agents to do the right thing.

The truth of the matter is this;

- Our homeland has been turned upside down
- the environment has been destroyed
- our traditional economies have been destroyed
- our social fabric is no longer stable
- our waters are no longer healthy to consume
- navigable waterways are no longer safe
- our animals and fish are no longer healthy
- Our traditional food chain is affected and affects our physical and mental health.
- This is dampens our spirit.

We were led to believe that the 1977 NFA implementation would replace our traditional economies and develop a new way to sustain our survival.

Pimicikamak understands that the NFA is the wishes of the people. Implementation calls for a professional planning, based on fact based needs to support the rationale of the implementation processes resulting from the adverse affects from the project.

Our people are sick and dying because our mother earth is sick and cannot continue to sustain us.

We all have a responsibility to make conscience decisions.

We have to see, we have to feel and we have to walk in the shoes of the oppressed in order to understand.

Our people do not want to be spoon fed with continued dependency of hand outs. We have seen many approaches by others how to implement the NFA.

Historically, our people have been very good reliable workers. Good responsible men who looked after the welfare of their families. The love for their lands and traditional economies sustained them.

Our women were good responsible care givers and keeper of life. They also cherished the sacred relationship they had with the lands and waters that enabled them to raise their children in a healthy way with healthy lands and healthy foods.

The wisdom of our elders were aware the Project would impact us. They were not sure in what way and how much. After so many decades, we have seen the results of the devastation.

The NFA is clear of the responsibilities on what needs to be done to address the adverse affects. Our understanding is that adverse affects would be Mitigated first, to be followed by remediation and lastly, compensation. This is the standard for implementing the NFA. Somehow, this has gone backwards.

We have heard of the many alternative agreements that have been signed. But we are no better off today.

Why should Manitoba Hydro be allowed to go ahead and build another generation station? Many of the NFA responsibilities have not been met and fall far short in achieving viability for Pimicikamak to sustain itself.

Benefit Sharing

Pimicikamak is an inherent and treaty rights holder. Sharing in the wealth of natural resource development should be done in a transparent, accountable, visible, fair and equitable way.

The wealth generated from the "Hydro Projects" determines how they sell the product the produce generated from our lands.

History shows that the Project has and will continue to adversely affect Pimicikamak. The impacts will continue to cumulate. Pimicikamak suffers the costs and burdens of this. Mitigation measures need to be implemented in a professional planned way to address the environmental harms and to the people who live there.

Let's start cleaning up the mess in a serious way. The Environmental and Economic benefits will start flowing for Pimicikamak by implementing meaningful and practical plans to mitigate the problems created by hydro. We need to start implementing the NFA in spirit and intent.

Pimicikamak has plans available to move forward. This is how benefits should flow.

Why should the benefits, if any, of new dams be only shared, when we also have to consider existing dams that continue to generate revenue from the lands and waters of the original people that live there?

In our view, decisions that have been made do not make sense. To make sense of the decisions requires the truth.

We live right below Jenpeg Dam and we pay more than any other Manitoban;

Damage to our lands and resources

Damage to our way of life

High cost of hydro electricity

I will end by saying to Manitobans;

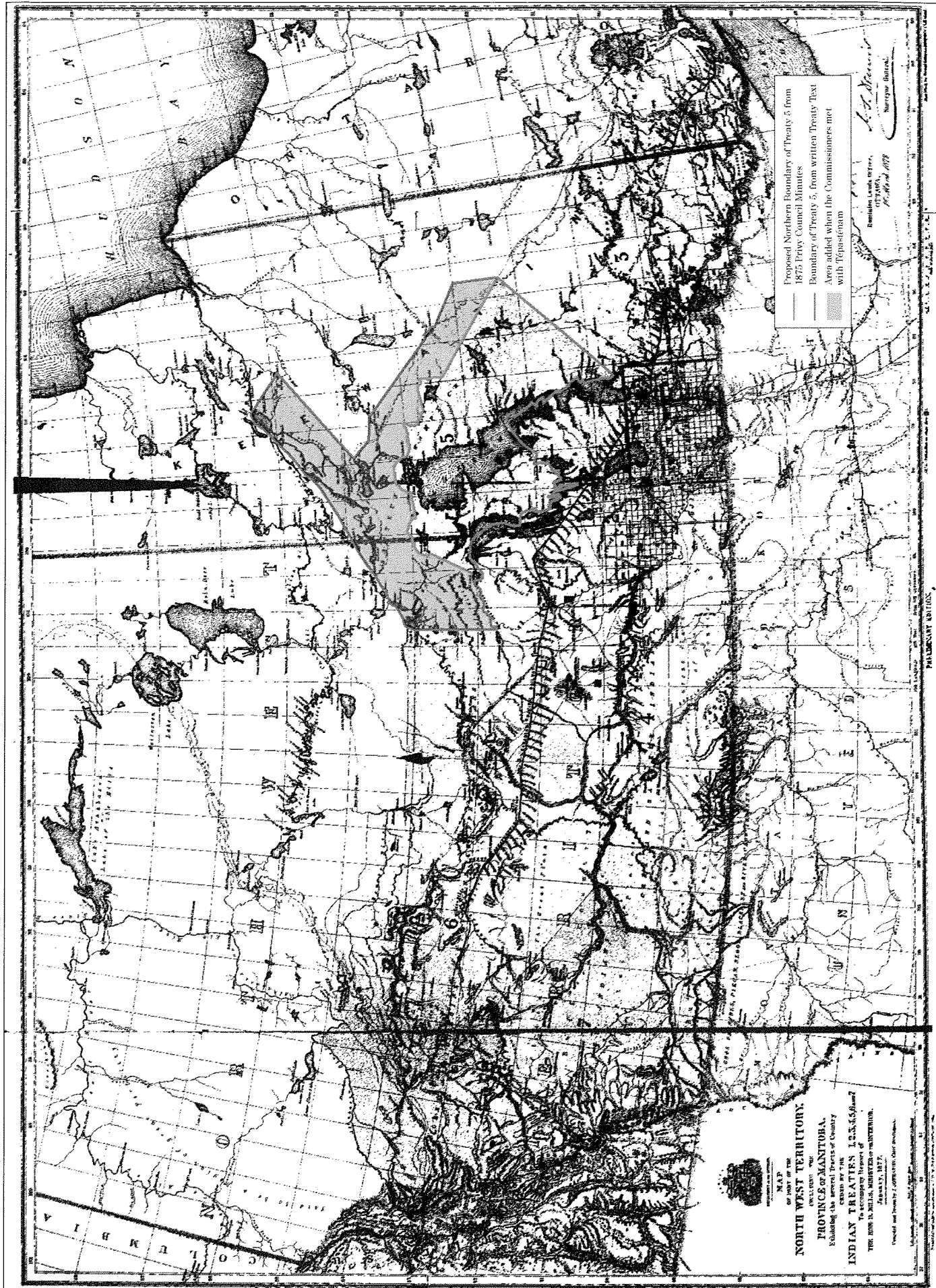
We say in closing, Hydro Rates are still too high as is. We need to find a way to make this service we receive to be more affordable.

One of the ways is to stop constructing dams that add more liability to Manitobans and our people.

There are cheaper and reliable alternative energy options.

Renewable Energy should be Clean and Green

Thank you.



Proposed Northern Boundary of Treaty 5 from
1875 Privy Council Minutes
Boundary of Treaty 5, from written Treaty Text
Area added upon the Commissioners met
with Tepees/steam

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