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**Sent:** Friday, May 17, 2013 1:45 PM

**To:** nboucher@hatch.ca; minister.moe@ontario.ca; eaabgen.moe@ontario.ca; troutlakeinfo@m-k-e.ca; linda.heron@rogers.com

**Subject:** Save Big Falls!!

The Honourable Jim Bradley  
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May 17, 2013

**Re: Big Falls Hydroelectric Plans**

I am writing to voice my strongest opposition to the these plans.

First, I want to explain to the ministry why words like "environment" are not in our vocabulary. Anishinaape life and perspective is all about relationships. For us, the Land, Fire, Water and Air are Life-Givers, they are our relations just as much as our human relations. We acknowledge these Life-Givers as much a part of our community as we do our parents, children, aunts, uncles, cousins, etc. The Land is our Mother, Niinkeminaan. Intakiiminaan. The Water is our Brother. We take care of one another. When we start calling them by names such as "Nature", "Environment" or "Ecosystem", it starts to disconnect us from those relations. We are taught every day, all day, to do ceremony to remind us of that, that we should be cognizant of that all the time. We practice our ceremonies to show our relations respect and honour and gratitude for all their gifts. I need you to understand that.

I have seen the three binders from Horizon that make up the EA Report. I have looked at them and have lifted them, with some difficulty. I want to make comments, at this time, on two things only, although I could fill three huge binders myself with comment.

1. We, the NamekosipiiwAnishinaapek, were never adequately consulted about the project.

The NamekosipiiwAnishinaape people are signatories to Treaty #3 between her majesty the Queen and the Saulteaux Tribe of the Ojibway Indians at the Northwest Angle on Lake of the Woods. Our community was not present at the signing of the treaty on October 4, 1873, because we are hundreds of miles away, at the most northerly part of the treaty area. However, our leaders, the Chiefs and Councillors of Trout Lake signed the adherence to the treaty on June 9, 1874, along with the Chiefs and Councillors of Lac Seul, Seul and Sturgeon Lakes. (Roger Duhamel, F.R.S.C. Queen's Printer and Controller of Stationery Ottawa, 1966) The adherence to the treaty was signed by R.J.N.Pither, Indian Agent, on behalf of the Queen.

The Surveyor-General of Canada at that time was J.S. Dennis. (Trout Lake Reserve Entitlement for Lac Seul Band: An Interim Report by Leo G. Waisberg, Treaty Researcher, August 1981 quoting from P.A.O. Irving Papers: 75/16.) A sketch was provided to the Surveyor-General and the Indian Agent by Chief Cromartie, showing the sites for the reserves. Waisberg writes: "... a reserve, also bounded by lines, is on the water route from Trout Lake to the English River, on a 'Small Shoal Lake'; this location on the sketch corresponds best with a location on the west side of what is now known as Bruce Lake, near the Trout Lake River." On Oct. 16, 1879, in response to the plans to have the northern Treaty #3 reserves surveyed, Pither wrote to the Deputy Superintendent-General of Indian Affairs the "Season is too far advanced to commence this season." In 1882, J.F. Graham, the Indian Superintendent, issued the following instructions to A.H. Vaughn, the Dominion Land Surveyor (ibid, page 8): I am to instruct to you to proceed with the least possible delay to the following places, viz.: Lac Seul, Trout, and Sturgeon Lakes ... for the purpose of surveying and defining the boundaries of the several Indian Reserves which are indicated upon the map of part of Keewatin."

In 1884, the Lac Seul reserve was surveyed around Frenchman's Head and Kejick Bay. The reserve near the Trout Lake River was not surveyed. Waisberg wrote: ... there is no indication that he (Vaughn) consulted with the Chiefs and Councillors prior to surveying one large reserve on Lac Seul." The Chiefs had indicated that several smaller reserves were preferable to them. J.S. Dennis had instructed that the surveyor "should consult with the Chiefs and/or Councillors regarding the desired location." (ibid, page 14).

Oral story confirms all the evidence that the NamekosipiiwAnishinaape people were to have a reserve but that the surveyors did not come to Trout Lake. That surveyor's decision has led to Hatch's statement that the "Trout Lake community no longer exists." (Hatch Energy Agenda Item - -- First Nation and Public Consultation, Rev. 0, Bottom of Page 3.) That surveyor's decision has left the Trout Lake community in a vulnerable place for almost 140 years. A place that excludes us from being recognized as a community. And therefore to be excluded from the legal process of consultation and accommodation. We strongly object to this exclusion.

NamekosipiiwAnishinaapek are entitled to be consulted. Although there was an initial meeting of Trout Lake people with MNR and Horizon/Hatch (names which appear to be used interchangeably) as well as a special open house, this "courtesy" was not extended to us after the Lac Seul First Nation indicated an interest in a partnership in the Big Falls project. As the Report of the Ipperwash Inquiry states that, typically, Ontario "consulted with Aboriginal peoples only very late in the process" (Pages 115-116, Volume 2, Report of the Ipperwash

Inquiry), these two meetings occurred only **after** the company had already invested a large dollar figure into their planning process. We know that the more resources that are invested into a project, the harder it is to abandon that project. Seeing the three large binders makes one very aware that a great deal has already been invested into the project. Therefore, it is of utmost importance that the **timing** of the consultation happen **before** any planning or research takes place. However, it is also our understanding that an expensive lesson is a lesson well-learned.

NamekosippiwAishinaapek believe that MNR should have consulted with us **prior to** contracting Hatch to survey the rivers of Ontario for waterfalls or rapids that could possibly be "developed" for Hydroelectric power. This work was obviously done prior to the publication in October 2005 of the Evaluation and Assessment of Ontario's Water-power Potential Final Report, where it lists, on pages 6 and 7 of Appendix A (the Detailed Information on Potential Waterpower Sites), FIVE times the Trout Lake River. I would like to know the exact dates when Hatch was in the area and did not inform us of their research in our traditional territory.

In 2006, MNR offered up Big Falls and two other sites on the Trout Lake River, to develop three hydropower sites. When there were no bids, MNR extended the deadline for bids, not once, but twice. That seems to indicate that MNR was eager to get these sites developed. At no time during these stages were the Trout Lake Anishinaapek consulted, much of the information classified as "confidential". By the time we were consulted, Horizon, the successful bidder, was well into plans to develop a power site at Big Falls. There were two consultation meetings, both of which confirmed strong opposition of the plans by the NamekosippiwAnishinaapek, the Trout Lake people. After these two meetings, Horizon no longer contacted us, instead, dealing with Lac Seul, Wabauskang and Grassy Narrows First Nations, and offering them a partnership, opportunities to invest (as well as an offer to lend the equity required at a 5% interest rate), and a share in the revenues.

Thus, we believe that the duty to consult and accommodate was not adequately carried out. We wish to have our voices heard and our wishes respected. We do not want the Trout Lake River at Big Falls to be dammed and "developed".

2. Furthermore, we consider the archaeological report to be totally inadequate.

In Horizon's EA Report, the view of our cultural heritage is carefully minimized, with the archaeologist(s) reporting only physical artifacts such as pottery sherds and arrowheads, of which there are apparently none at Big Falls. The report said that there was no significant archaeological finds at any of their test sites. To whom is it not significant? Who set the bars for significance? This is unacceptable.

Both the Stage I and Stage II reports were completed before the new Standards and Guidelines for the Ministry of Culture came into place in Jan. 2011. Thus, both archaeologists were not **required** (by the MOC) to consult with Aboriginal and other local people. Stage One which does not even involve digging, so how could they find any artifacts? It does not even indicate that consultant even visited the site! The Stage I report does not indicate any high-potential sites for the Stage II workers to investigate. Stage II investigators only spent three days

(October 17 - 19, 2008) on the Big Falls site and did not take into consideration how flooding would disturb buried archaeological sites and perhaps even burials.

The world around us is changing. Archaeological practice is being decolonized.

Decolonizing archaeological practice means to take down the framework through which archaeological interpretations, in the past for the most part, in the present for the Big Falls archaeological report, have been built (Sonya Atalay, paraphrased). Decolonized archaeological practice has to be "with, for and by Indigenous people" -- Atalay continues, in her paper, *Indigenous Archaeology as Decolonizing Practice*: "we must then continue to explore ways to create an ethical and socially just practice of archaeological research—one that is in synch with and contributes to the goals, aims, hopes, and curiosities of the communities whose past and heritage are under study, using methods and practices that are harmonious with their own worldviews, traditional knowledges, and lifeways." By definition, this includes oral history, the stories of the people.

Present-day archaeology, such as those at Lakehead University in Thunder Bay and University of Manitoba in Winnipeg, strive to include all these facets, especially story. Jill Taylor-Hollings, PhD Candidate at the Department of Anthropology, University of Alberta, talks about the necessity of looking at physical remains in the context of the culture, time, place. This past year, I was invited to lead 1 and 1/2- day workshops with Archaeology grad students at Lakehead and at U of M, on traditional Anishinaabe Land Teachings, as a part of furthering their knowledge to include story in their studies. The younger generations of Archaeology studies acknowledge the necessity of including traditional knowledge as a part of their education.

This following definition provides a description of traditional knowledge and is taken from the documents created by the Federal Government to regulate how all researchers should conduct research in Canada. It is known as the *Tri-Council Policy Statement: Ethical Conduct for Working with Humans* and this section called Research involving First Nations, Inuit, and Métis Peoples of Canada (2013:4):

"Traditional knowledge – the knowledge held by First Nations, Inuit and Métis peoples, the Aboriginal peoples of Canada. Traditional knowledge is specific to place, usually transmitted orally, and rooted in the experience of multiple generations. It is determined by an Aboriginal community's land, environment, region, culture and language. Traditional knowledge is usually described by Aboriginal peoples as holistic, involving body, mind, feelings and spirit. Knowledge may be expressed in symbols, arts, ceremonial and everyday practices, narratives and, especially, in relationships. The word tradition is not necessarily synonymous with old. Traditional knowledge is held collectively by all members of a community, although some members may have particular responsibility for its transmission. It includes preserved knowledge created by, and received from, past generations and innovations and new knowledge transmitted to subsequent generations. In international or scholarly discourse, the terms traditional knowledge and Indigenous knowledge are sometimes used interchangeably."

Story, one component of traditional knowledge, is just as important. Yet, the Big Falls archaeological report is totally without story.

Every Anishinaape person on every trip would have had a story to tell. These stories were almost lost to us when that seasonal, migratory way of life was disrupted by the "discovery" of gold in the Red Lake area in the 1920's and, to a greater extent, by the building of the dam at Ear Falls resulting in the massive flooding of Lac Seul and the creation of its huge reservoir. The stories were almost lost to us when our community of Trout Lake was dismembered over the past 85 years, first by the gold rush, the damming of Ear Falls, the residential schools, alcohol, diseases, Christianity, the great scoop and the deaths of our people on the land. Consistently, our stories were denigrated as "legends" and "myths" and "fables" and "tales". Slowly, over those years, the stories were put away, for a time when we would need and use them again. That time is now.

These stories, hundreds of thousands of them, have been preserved for us by our Elders and by our relations on the land and water. Contemporary researchers (e.g., Asch 1997; Cruikshank 1992, 2000, 2005; Palmer 2005) have made the point that oral history is very significant in North American cultures. Including local narrative is becoming common practice for scholars and recent legislation for consultation and accommodation would seem to be an attempt to include local story in all environmental reporting.

For us NamekosipiiwAnishinaapek, it is also a dilemma to document oral story. We have never decided that it was acceptable to document by writing story on paper or by audio-video recording. If our stories were documented in this way by the archaeologists, would that, in fact, be an appropriation of our stories, since they would be taken so far out of context? The complexities surrounding documentation of story by other than orality and practice have yet to be resolved and it must be done together, respectful of custom and tradition.

The plans for the development of Big Falls for hydroelectric power have been opposed from the very first time that we, the NamekosipiiwAnishinaapek, heard of them and nothing will make those plans acceptable to us. We want the Trout Lake River to be free from any industrial development.

For all the reasons noted above, I am requesting that Minister Bradley issue a Part II Order to elevate the Trout Lake Hydro proposal to an Individual Environmental Assessment.

*Miikwech* for reading my submission.

MikisiKwe intishinikaas, Namekosipiink intoonchii, Atikamek intootem.  
(Kaaren Dannenmann, NamekosipiiwAnishinaapeKwe, 1000 Anton Beach, Trout Lake, Ontario)

Oo'oons intishinikaas, Namekosipiink intoonchii keniin, Atik intootem.  
(John Paul Kejick, NamekosipiiwAnishinaapeInini, 100C Forestry Road, Red Lake, Ontario)

c.c. Linda Heron, Chair, Ontario Rivers Alliance