

## TIMISKAMING FIRST NATION

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Monday, November 19<sup>th</sup>, 2001

Mr. Andre Caille, President  
Hydro Quebec  
75 Rene Levesque Boulevard West  
20<sup>th</sup> Floor  
Montreal, QC  
H2Z 1A4

**SUBJECT: RETROFIT: RAPIDE DES QUINZE STATION AND DAM, RIVIERE DES QUINZE**

Dear Mr. Caille,

This letter is to follow up on previous correspondence regarding this issue. We have already made our submissions to Hydro Quebec and the Minister of the Environment with respect to our interests, but at this time, I would like to review these again for your benefit, in case the message did not get through the first time.

As already mentioned, the Rapide des Quinze station and dam are located on Aboriginal title lands. The Algonquin Nation, and the Timiskaming First Nation specifically, holds Aboriginal title to the area in question. We never agreed to the original placement or construction of the dams on the Quinze River in the first place, and we regard their continued presence as an ongoing infringement of our Aboriginal title and rights.

The proposed retrofit of the station and dam at Rapide des Quinze must be seen in this context. There are outstanding infringements to Algonquin rights and title which have not yet been justified, and yet Hydro Quebec is proposing to carry out additional infringements - again, without justification or any meaningful effort to include us in the process of decision-making. It is therefore unfortunate that your Regional Director, Mr. Daniel Rivard, in his letter to me dated June 21<sup>st</sup>, indicated that your representatives "are not authorized to discuss or negotiate those rights". Your officials seem to be saying that Hydro Quebec has licence to infringe on our rights, but without any obligation to justify its actions.

We take this opportunity to advise you that sooner or later, Hydro Quebec will have to address these issues related to the infringement of our Aboriginal rights and title, and further, that the Timiskaming First Nation will protect our interests, in the courts if need be. The longer you delay in justifying your

actions, and coming to some meaningful accommodation of our rights, the more costly it will be.

Another outstanding issue, distinct from Aboriginal rights, relates to employment opportunities at the site - short and long term. We are very concerned that a multi-million dollar project is taking place in our backyard without even one job for our members. We know for a fact that when the dams on the Quinze were first built, many Timiskaming Band members were hired to assist with the work. This time around it seems very different, and it appears that your own policies, as well as restrictive regulations about unionization and accreditation, are being used to deny our members much-needed employment, and instead direct those jobs towards our non-Indian neighbours. We are glad to see our neighbours get work, but we need jobs too.

I trust you will agree with me when I say that Hydro Quebec should play an active and positive role in ensuring that the local Algonquin people benefit from employment opportunities arising from the proposed retrofit, as well as longer term employment. To date, this has not occurred. We trust that Hydro Quebec will take a more proactive role in seeing that these employment issues can be cleared up, on an urgent basis. Spring will soon be here and we need to have arrangements in place.

One last point relates to language. We appreciate the ongoing efforts of the Government of Quebec to protect and maintain use of the French language. We can say this because we know first hand what happens to language when it is under attack from other cultures. Our own Algonquin language has been decimated as a direct result of ongoing efforts by successive Quebec provincial governments to impose French at the expense of other languages.

We would hope, however, that in the year 2001, the government of Quebec is able to see that the people of the Timiskaming First Nation do not represent a threat to the survival of the French language in our territory. We would also hope that the government of Quebec would be prepared to accommodate our needs as a distinct national minority resident in Quebec.

Today, at Timiskaming, our main working language is English. We do not have the resources or the facilities to translate large volumes of technical materials from French into English. And yet when we have asked for technical studies related to the proposed retrofit, and other materials on the consultations, all we receive are French language copies. We have hundreds of pages of technical reports in French which are useless to us. When we have asked about this, we are told that the government of Quebec "has no resources" to provide English language versions of the technical studies and related materials. We regard this as insulting and disrespectful.

Hydro Quebec has reaped many millions of dollars in revenues from our land and resources without sharing a penny with us. At this time you are proposing a multi-million dollar retrofit of the facilities at the Rapide des Quinze. And yet you expect us to believe you when you say you do not have the resources to provide us with English language copies of the relevant technical studies and reports?

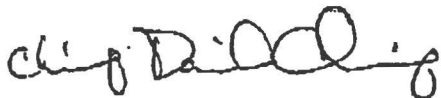
We have heard comments from your officials to the effect that Hydro Quebec, and the government of Quebec, are committed to consulting with the Timiskaming First Nation. But, taking these things into account, we do not regard anything that has occurred to date as meaningful consultation.

We will not even come close to meaningful consultation until you are prepared to talk with us in our own language; until you are prepared to give us a concrete indication of what special measures you are prepared to take to ensure that our members receive an equitable share of employment arising from the proposed project; and until you are prepared to address Hydro Quebec's ongoing infringement of our Aboriginal title and rights.

We are not anti-development. In fact, we are more than willing to sit down with Hydro Quebec to see how we might mutually benefit from a range of different activities. But none of this can happen until Hydro Quebec takes the steps needed to fulfil its responsibilities and engage in substantive and meaningful consultation with the Timiskaming First Nation.

I look forward to an early and positive response.

Yours truly,



Chief Daniel Chief,  
Timiskaming First Nation

c.c. Robert Nault, Minister of Indian Affairs  
Pierre Brien, MP  
Guy St-Julien, MP  
Rémy Trudel, MNA  
Phillipe Barrette, Prefect, MRC de Temiscamingue  
Daniel Rivard, Regional Director, Hydro Quebec