

Temagami First Nation Report  
On  
Montreal & Matabitchuan  
Rivers  
Water Management Planning

2004



## Table of Contents

Table of Contents.....	1
1.0 Introduction.....	2
1.1 General.....	2
1.2 Report Indepth.....	2
1.3 Methodology.....	3
2.0 First Nations Consultation Plan.....	3
3.0 History.....	3
3.1 The Effects of Damming on the Land use of the Teme-augama Anishnabai.....	4
4.0 Native Values.....	6
5.0 Issues and Concerns.....	6
5.1 Survey Summaries.....	7
5.2 Hydro Development Benefits.....	10
6.0 Future Direction.....	11
6.1 Future Study.....	11
6.2 TFN Small Hydro Potential.....	11
6.3 Comprehensive Consultation Plan.....	12
7.0 Conclusions.....	12
Appendix A.....	13
Figure 1.....	18
Figure 2.....	19
Figure 3.....	20

## **1.0 Introduction**

### **1.1 General**

With the implementation of the *Energy Competition Act* in 1998 the provincial government opened the provinces electricity market in May 2002. Water management planning for future and current owners of waterpower facilities along with control dams on river systems is required to develop a Water Management Plan (WMP) under the *Lakes and Rivers Act*, under the authority of the Ministry of Natural Resources. (MNR)

The goal of water management planning is to contribute to the environmental, social and economic well being of the people of Ontario through the sustainable development of waterpower resources, and to manage these resources in an ecologically sustainable way for the benefit of present and future generations.

This will be achieved through the management of water levels and flows as they are affected by the operations of waterpower facilities and associated water control structures. Water management plans are to provide certainty and clarity regarding how waterpower facilities are to be operated.

Involvement with the Montreal and Matabitchuan WMP process was proposed to Temagami First Nation in October 2002 in accordance with the Water Management Planning Guidelines for Waterpower, May 2002 (appendix D).

### **1.2 Report Indepth**

Temagami First Nations WMP report to the MNR and OPG does not involve any in-depth studies concerning the use, control, and management of the two water systems on which this report is based. But, rather a compilation of concerns and issues from TFN citizens being voiced in the context of this reports submission.

For this to be a comprehensive report would involve months/years of archeological and environmental studies on the areas affected within both watersheds. Such a report would also require a sufficient amount of funds to secure, further adding to the length of the requested report.



### **1.3 Methodology**

The information gathered for this report is comprised from documents and other materials explaining the history of the Temagami First Nation on Daki Menan. The use of the waterways is still an essential part of the lifestyle of the TFN to this day, and our involvement on the effects of water control structures regarding all aspects of its use are of a concern today and for generations to come.

Concerns and issues have been gathered much in the same way as that of MNR and OPG through TFN community questionnaire handouts and information sessions such as Elders luncheons. Many of the issues concerning water management planning are of the same interests expressed from public input with the exception of native cultural and heritage sites and water quality.

## **2.0 First Nations Consultation Plan**

Included with this report is a **Consultation Proposal/Budget for TAA/TFN 2003/2004** written by David Laronde in April of 2003. (Appendix A)

## **3.0 History**

The Teme-augama Anishnabai people have used and occupied their ancestral homeland (n'Daki Menan) for at least 6000 years. Archeological research has recorded anishnabai occupation on this land and the waterways that are found within it.

The extent of n'Daki Menan as a territory covers an area of approximately 4000 square miles. The northern limit goes as far as the community of Matchewan, and as far south as Marten River. The Sturgeon River marks the western boundary, while the eastern boundary follows the Montreal River. The Teme-augama Anishnabai people were self reliant, and obtained all the elements to sustain their way of life for generations from the land, and its life forms.

With the incursion of European settlement this self-reliance to the land would become limited in many ways over time because of pressure from the governments initiation to negotiate treaties and confine first nations to reserve areas, and define their rights to the land.

The Teme-augama Anishnabai have made legal claim to never surrendering their rights to the land, as what is believed to have taken place with the implementation of the Robinson-Huron treaty of 1850.

### ***3.1 The Effects of Damming on the Land use of the Teme-augama Anishnabai***

Prior to the European occupation of North America the Anishnabai peoples of the Montreal and Matabitchuan watersheds were dependent on the natural flow regime of these rivers for transportation and the basic necessities to live as a people.

Beginning in the late 1890's, this same area would soon become a necessity for profit as a livelihood of lumber barons and mining tycoons with the support of the provincial government. In order for these industries to run efficiently it was necessary to avert and alter these waterways to meet the needs of businesses and the influx of a population to work the mills and mines within each watershed.

Changing the waterways natural flow also changed the natural flow of life for many of the first nation peoples and the wildlife. The effects of damming to move timber or generate hydro has been documented and recorded from archives and research papers from as far back as Frank Speck's interview with the families of the Teme-augama Anishnabai in 1913.

Some of the reported effects of damming the waterways on traditional family grounds were given under testimonials of Elders who experienced the impacts, or had first account information on these events.

Some of these testimonials were collected from 'History and Land Use of the Teme-Augama Anishnabai'.

Testimony of Donald McKenzie (pg. 119)

*In 1912, a dam was built which raised the level of Rabbit Lake 22 feet and White Bear Lake 7 feet. Frank White Bear did receive minimal compensation for damage to his property, but he was forced to move away from White Bear Lake.*

Testimony of Madeleine Theriault (nee Kat) pg. 106

*Another grand- nephew of Wendabans, Antoine Katt, son of Micheal Katt- then took over Wendabans cabin and grounds, which he held until his death in 1923. For a short time after that, a white man named Charlie Taylor had possession of Wendabans house, but left when hydro built a dam at Mattawpika Falls in 1926(?), raising the level of Lady Evelyn Lake 20 feet and flooding out the house.*

*Madeleine Theriault could recall waking up in the morning to find water rising on the floor of the cabin.*

*Hydro apparently compensated him for the loss of Wendabans cabin.*

Testimony of Mrs. Jane Katt and Madeleine Theriault (nee Kat) pg. 107

*Micheal Katts other two sons, Micheal Jr. and John trapped with their father until this death in 1914. They maintained a cabin on Diamond Lake that was flooded out without compensation, by the A.B. Gordon lumber Company from Latchford who built a dam at the outlet of Diamond Lake at Lady Evelyn Lake.*

*They moved to Macpherson Lake where they built a cabin.*

Testimony of Gus Friday (pg. 108)

Trapped the south half of Lady Evelyn Lake between 1942 and 1946.



*Trapping in that area was extremely difficult due to the rise and fall of water levels caused by the dam at Matawapika Falls.*

*Gus Friday also made statement to “ seeing beaver come out the tops of their houses because the rest was completely submerged by water”.*

Testimony of John Katt Jr. (pg. 108)

*Traditional patterns of land use in this particular area, then, have been disrupted by dams on Diamond and Lady Evelyn Lakes*

## **4.0 Native Values**

As recently as of March 2003 the values of n'Daki Menan were updated in the revised Native Background Information Report (NBIR) in response to the MNR's request, in order that the values could be protected under the Forest Management Planning Guidelines. (Per. Section 1.4.6 of the Forest Management Planning Manual)

It was during this time that additional areas of value were documented in the NBIR. There are areas of sacred value that have been disturbed by the effects of flooding throughout both waterways. These sites consist of burial, cultural heritage, spiritual sites and are of historical significance.

Site numbers 03-18 and 03-19 consist of the resting places of the Martin and Albany families that are now submerged under the waters of the Montreal River. There are a number of other sites that require initial or further archeological study and assessment, as mentioned in the TFN/TAA consultation plan drafted by David Laronde. (Refer to 2.0)

## **5.0 Issues and Concerns**

The issues and concerns raised by TFN community members have been gathered from the Elders and community members from two separate questionnaires. It was necessary to conduct two separate questionnaires for the sake of obtaining first hand experience that the

Elders witnessed; and the other questionnaire focusing on what today's generation feels what are the concerns regarding water use and quality.

## **5.1 Survey Summaries**

1. How was your family affected by flooding? (When, Where?)
  - ◆ Flooded out at Cross Lake. No income due to affects on trapping.
  - ◆ Loss of homes, loss of trapping opportunities
  - ◆ Flooded out at Cassels Lake
  - ◆ Flooded out at Diamond Lake in 1950 by A.B Gordon Lumber Co.
  - ◆ Difficult navigating Gull Lake.
2. What changes occurred as a result of the flooding? (Changes in land, Travel, Wildlife?)
  - ◆ Loss of traps
  - ◆ Drop in water levels (dams open)
  - ◆ Find other portages around flooded areas
  - ◆ Fish spawning altered
  - ◆ Had to move
  - ◆ Not knowledgeable
3. What are your concerns with respect to dams and water level fluctuations?
  - ◆ Spawning beds (fall spawn, could result in eggs killed)
  - ◆ Loon habitat and nesting
  - ◆ Other wildlife
  - ◆ Navigation
  - ◆ Natural habitat
  - ◆ Erosion
  - ◆ Let mother take her course
  - ◆ Beaver habitat
  - ◆ Persons in charge should be more aware of effects



4. Do you know of any sites or graveyards that were lost or impacted because of flooding?
  - ◆ Do you have any concerns with how water levels are presently controlled?
  - ◆ Whitebear graveyard flooded on Cassels Lake
  - ◆ Rock paintings on Lady Evelyn and Diamond Lakes
  - ◆ Burial grounds at Cross Lake, Temagami Island, Montreal River flooded
5. Do you have any concerns with how water levels are presently controlled?
  - ◆ Do not make changes during spawning phases or nesting periods
  - ◆ No voice on how it is controlled
  - ◆ Dollar value more important than nature
  - ◆ Closer monitoring
  - ◆ Houseboats not regulated, garbage
  - ◆ Cater to southern interests, no regard for the north
  - ◆ Need to emphasize more in educating public
  - ◆ None
6. Do you have any suggestions on what could be done to make it better
  - ◆ Advise public on control level changes, and who is making changes
  - ◆ Let nature regulate waterways
  - ◆ More studies on impacts
  - ◆ Meet with people and listen to their views more often
7. Should TFN benefit from waterpower generation on Daki Menan? (Own a facility, revenue sharing)
  - ◆ 36% in favour of revenue sharing
  - ◆ 26% are in favour of reduced rates for TFN
  - ◆ 5% suggest owning a facility
  - ◆ 10% Don't know
  - ◆ 20% recommend using other sources of power generation. Specifically solar and wind generation.

The survey results from the general population of the community varied from that of the Elders by removing the focus of affects on families and personal accounts.

The responses to the four questions can be broken down as follows:

1. Concerns with water on Daki Menan
  - ◆ Drinking water (reduced quality)
  - ◆ Recreation (personal & business)
  - ◆ Fish and wildlife
  - ◆ Pollution –eg. Mining tailings, sulphur dioxide (acid rain), grey water (house boats)
  - ◆ Introduced species –eg. Zebra mussel and other aquatic wildlife
  - ◆ Develop better practices in use of water, such as closer monitoring
  - ◆ Fluctuating water levels on spawning beds
  - ◆ Affects on eco-system
  - ◆ Never consulted when changes are going to occur
2. Impacts of flooding and damming
  - ◆ Loss of structures – eg. Docks,
  - ◆ Loss of heritage and cultural sites
  - ◆ Disturbs natural environment
  - ◆ Affects summer navigation
3. Dams affects
  - ◆ Threatens wildlife
  - ◆ Loss of heritage and cultural sites
  - ◆ Speeds up erosion when dams are opened plus increases sediment in water that can harm walleye eggs in spring
4. Should TFN benefit from waterpower generation on Daki Menan? (Own a facility, revenue sharing)
  - ◆ 46% in favour of revenue sharing
  - ◆ 33% are in favour of reduced rates for TFN
  - ◆ 7% suggest owning a facility
  - ◆ 13% Don't know

- ◆ 26% recommend using other sources of power generation. Specifically solar and wind generation.

## **5.2 Hydro Development Benefits**

Temagami First Nation has benefited from, and relies on hydro electricity along with the rest of society in the name of progress.

The Cree of northern Quebec signed the James Bay and Northern Quebec Agreement in 1975, which left the Cree with areas of land for their own use, and payments that amounted to \$600 million when the La Grande River was transformed to produce hydroelectric power. In 2002 the Cree signed another agreement with Hydro Quebec that would allow Hydro Quebec to possibly proceed with future projects along the Rupert River.

Although the scope of the Quebec hydro projects far outweighs the scale of hydro development on n'Daki Menan, there has never been any documentation of compensation from OPG for disrupting the lifestyle of TFN families on both the Montreal and Matabitchuan river systems. TFN is interested in benefiting from the use of this resource within our homelands. This can be done by one of three options. 1) Payment in lump sum 2) Percentage of revenue or, 3) Reduced rates. A 2001 report on 'Daki Menan Negotiations for Small Hydro and Potential' places a figure of just over \$ 30.7 million @ \$0.06 / kilo-watt hour (kWh). This revenue is generated from Hound Chute GS, Matabitchuan GS, Indian Chute GS and Lower Notch GS combined. The Ragged Chute GS brought in another \$2.1 million during that same year. Using a benefit percentage rate of 6% on the amount of \$32.8 million, a total amount of \$1,968,000 per year would be paid out as compensation based on these figures. The 6% figure is based on the population of Bear Island within the population of the Temagami area. Changes in rate prices and power production would influence the yearly compensation amount. The 6% figure would remain constant despite fluxuations in TFN population numbers.

The second form of compensation involves a reduced rate in hydroelectric consumption costs per kWh per household for the community of Bear Island. This would seem to be the most logical solution for financial compensation. Reducing the unit cost per kWh by 25% could be accomplished in the shortest amount of time. It is understood that maintaining hydro service for Lake Temagami does require higher costs, but for the families who had to relocate to Bear Island



because their homes were flooded out from surrounding areas should have in the very least been offered such a form of compensation.

## **6.0 Future Direction**

### **6.1 Future Study**

Further archeological studies, environmental studies, water quality studies, fish and wildlife studies and other site specific types have to be continually updated or revised to meet the needs of future changes within an eco-systems.

The greatest concern from the members of TFN is the quality of water within the lakes, rivers and streams that flow throughout n'Daki Menan. All forms of life require quality water, free of toxins and by-products from industry.

There has been an observed decline in the water quality for a number of years on n'Daki Menan. It is believed much of this pollution entering our waterways is of an airborne nature. The decline of aurora trout (*salvelinus temmagiensis*) in area lakes is a true testament to the impact many of these pollutants is having on the environment.

It is in all likelihood there will be very little improvement in the near future unless there is a greater effort from government to impose stricter environmental protection rules towards industries that are mostly responsible for the decline in water quality.

TFN would encourage project studies that would be beneficial in improving the environment and the variety of ecosystems that inhabit wildlife. We would not endorse studies that would further alter or destroy lands for the purpose of increasing power generation using water as the resource.

### **6.2 TFN Small Hydro Potential**

An independent contractor conducted the 2001 feasibility study 'On Small Hydro and Potential' to determine whether TFN could benefit financially by independently operating small generating stations at Cross Lake and Red Cedar Lake. The report concluded that taking on such a project would not be a feasible venture due to the high cost of startup, and the number of years

before a return on the investment would be seen. These facilities are small output generating stations that if combined could produce just over 10,000 MWh annually. It is for this reason TFN is requesting either one of the compensation structures mentioned in 5.2 of this report.

### **6.3 Comprehensive Consultation Plan**

The activities and funding requirements outlined in the Consultation Proposal 2003-2004 by David Laronde (Appendix A) are still necessary to fulfill the “meaningful consultation” on which the second level funding budget would make possible.

A first nation water management committee may still be required to assist OPG, MNR and the advisory committee with future concerns, resolutions and any possible amendments of the water management plan.

## **7.0 Conclusions**

The information provided in this report summarizes the issues and concerns brought forward by the members of Temagami First Nation. It reflects on the impacts that past practices had on the Anishnabai of n’Daki Menan, and the disregard that was given to them, and their way of life when the waters of the Montreal and Matabitchuan rivers were harnessed to generate hydroelectric power and move timber. TFN was never consulted or advised during any phase in the construction of any of the waterway control structures. TFN believes there should be accountability or compensation for past damages.

Anishnabai cultural and heritage sites must be protected from future development in power generation so that they remain undisturbed.

Implementing a provincial WMP for all major waterways within the province shows a step in the right direction for future regulation of this resource. Had such a plan been in place in the early 1900’s it is likely possible damages to the environment and waterways would never have taken place. TFN’s participation in this WMP will help reassure future generations that past practices or future ignorance’s will never go unnoticed again.

# Appendix A



DC  
/

**CONSULTATION PROPOSAL/BUDGET FOR TAA/TFN 2003, 2004**

FOR

DETAILED REQUIREMENTS TO MEANINGFULLY PARTICIPATE  
IN THE WATER MANAGEMENT PLANNING FOR THE MONTREAL  
AND MATABICHUAN WATERSHEDS

David Laronde April 30, 2003.

Table of Contents

**First Nation Water Management Consultation Program**

**1.1 First Nation and Water Resources**

**1.1.1 Water and First Nation People**

**1.1.2 Water Management Issues**

**1.2 Goals and Objectives of First Nation Consultation**

**1.3 Consultation Activities and Tasks**

**1.3.1 Research and Scoping**

**1.3.2 Community Meetings**

**1.3.3 Form First Nation water Management Committee**

**1.4 Budget Submission/Proposal**

**1.4.1 First Level Funding**

**1.4.2 Second Level Funding**

## **1.0 First Nation Water Management Consultation Program**

### **1.1 First Nations and Water Resource**

#### **1.1.1 Water and First Nation People**

The aboriginal people from the Temagami region have lived on this land for the past 6000 years moving from place to place on traditional lands. The main travel routes are the lakes and rivers which really are the lifeblood of the nation. Main arteries and smaller veins provided routes to gather food, find shelter and resources to survive. Along these routes the cultural heritage runs deep into the ground. Archeological remnants of first nation life that lie along these routes date back 6000 years. Many of these cultural heritage sites and graveyards now lie underwater on flooded lands. Imagine the number of affected sites on Lady Evelyn Lake alone. From a first nation perspective the adverse affect on the cultural heritage property is foremost in importance when it comes to water management. With the advent of water power several families have felt the displacement from their homes as a result of flooding. Taking this into consideration along with the impact on fisheries and wildlife one can see that first nations are major stakeholders.

As a major stakeholder with inherent ties to the land, a thorough, meaningful and lasting say into the water management on traditional lands is warranted in addition to benefiting from the water resource.

#### **1.1.2 Water Management Issues**

First nation water management issues can be similar to the other stakeholders in regards to navigation, fish and wildlife. The issues may differ when it involves cultural heritage and gravesites which have accumulated over the past 6000 years of living on traditional lands. From a First Nation's point of view some of these issues are listed as follows:

<b>Cultural heritage</b>	<b>flooding, erosion</b>
<b>Gravesites</b>	<b>flooding, erosion</b>
<b>Fisheries</b>	<b>water level fluctuation</b>
<b>Wildlife</b>	<b>water level fluctuation</b>
<b>Economic Development</b>	<b>not benefiting from water resource on traditional lands</b>
<b>Navigation</b>	<b>water level fluctuation</b>
<b>Other</b>	

### **1.2 Goals and Objectives of First Nation Consultation**

- Educate the First Nation community on complexity of water management
- Help build technical capacity of First Nation water management committee
- Seek out community members most affected by water management practices
- Consider all First Nation issues in a meaningful way



- Identify cultural heritage and grave sites for protection from flooding, erosion etc
- Explore and develop options to facilitate First Nation involvement in utilizing water resource from traditional lands
- Identify sites the First Nation can acquire to meaningfully benefit economically from the water resources on tradition lands
- Put on record issues and promote solutions

## **1.3 Consultation Activities and Tasks**

### **1.3.1 Research and Scoping**

- 1.3.1.1 Field Trip to generating facilities and control structures
- 1.3.1.2 Gather oral history on cultural sites, grave sites, spawning beds
- 1.3.1.3 Archeological assessment
- 1.3.1.4 Assemble technical data on generating stations and control structures
- 1.3.1.5 Education session with First Nation committee and OPG/MNR
- 1.3.1.6 Consultant assessment + recommendations

### **1.3.2 Community meetings**

- 1.3.2.1 Information session I on Bear Island, present issues document
- 1.3.2.2 Education session on Bear Island
- 1.3.2.3 Consider issues and discuss options
- 1.3.2.4 Other information sessions to follow consultation protocol

### **1.3.3 Form First Nation water management committee**

- 1.3.3.1 Coordinate community meetings
- 1.3.3.2 Develop schedule
- 1.3.3.3 Disseminate information to community
- 1.3.3.4 Develop First Nation issues package
- 1.3.3.5 Work with other First Nations where interests overlap
- 1.3.3.6 Direct independent consultants

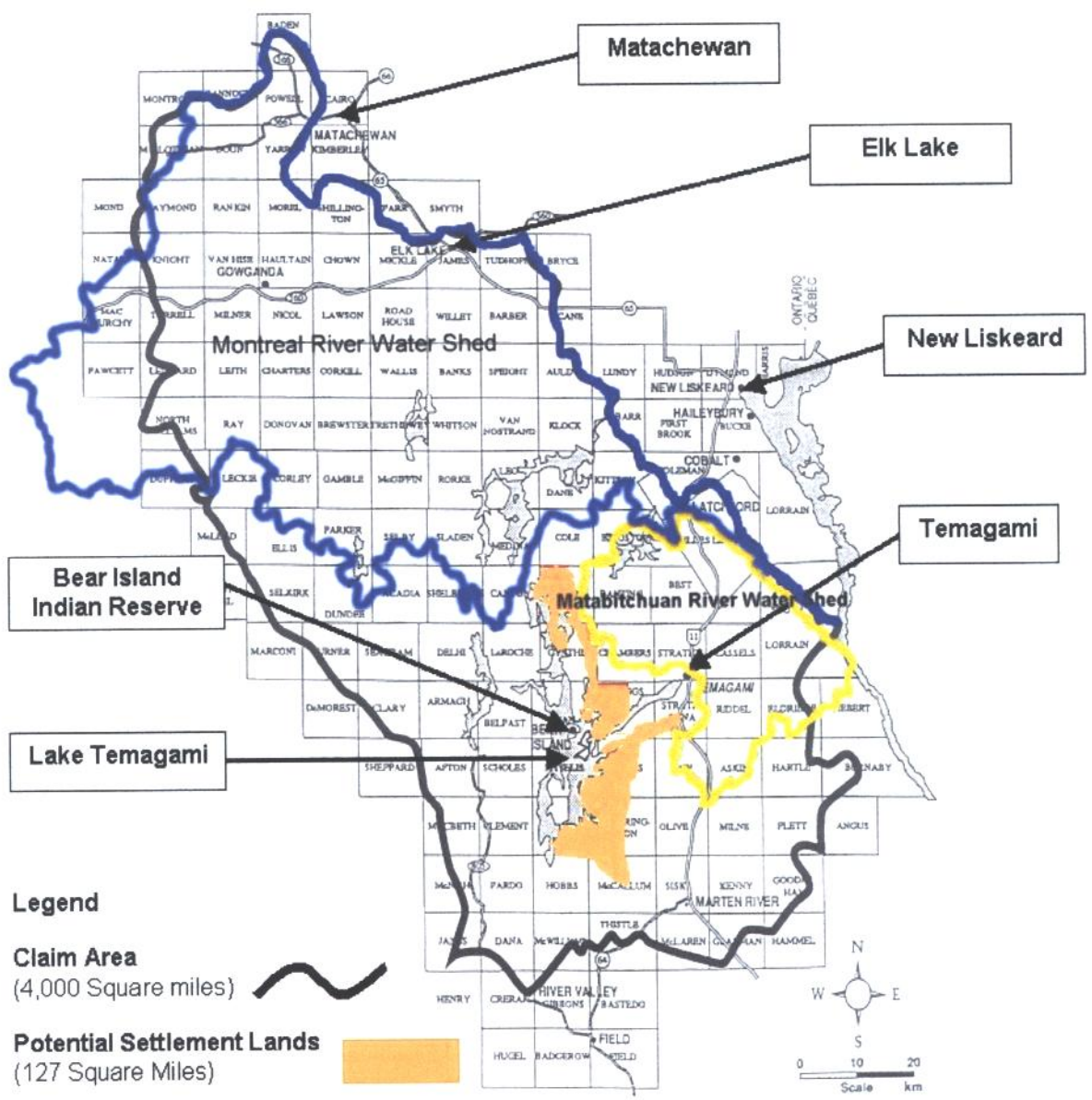
## **1.4 Budget Submission/Proposal**

There are basically **two levels** of funding required to fulfill “meaningful participation” in the consultation process.

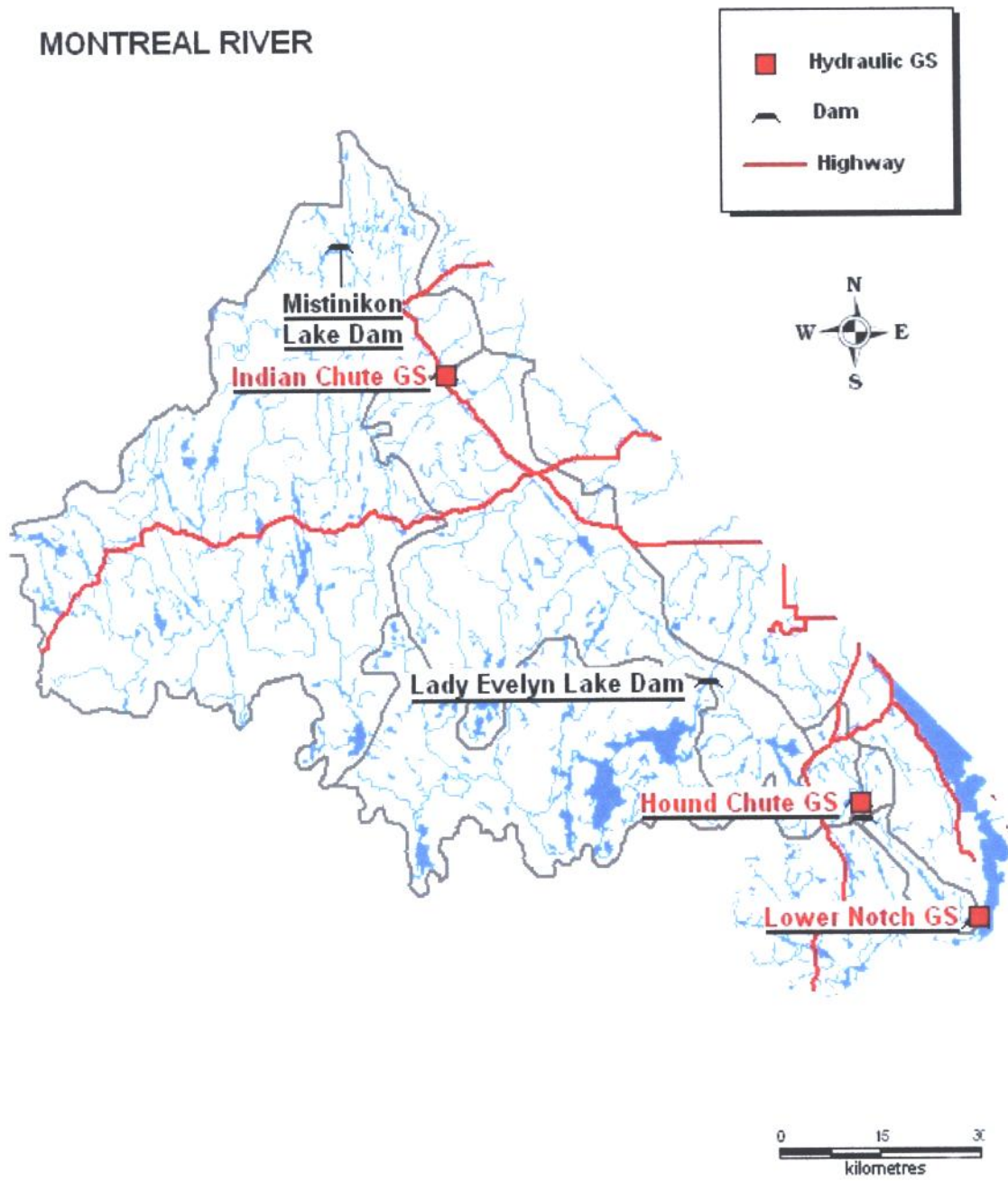
The **first level** of funding would account for **basic scoping and consultation** expenses incurred while gathering and disseminating information for the 03 /04 consultation period.

Figure 1

## Montreal & Matabitchuan Water Sheds On Daki Menan



**Figure 2**





**Figure 3**

