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Powering a future

Cashing in on Wuskwatim's billion-dollar generation project

By: **Staff Writer**

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THE Wuskwatim Project Development Agreement (PDA) negotiated by the Nisichawayasihk Cree Nation (NCN) with Manitoba Hydro is not a "surrender of the weak" but a demonstration of strength and independence -- contrary to what Peter Kulchyski believes (The Surrender of the Weak, May 14).

The PDA, finalized on March 30 between NCN and Manitoba Hydro, is an agreement to jointly develop a 200-megawatt, hydroelectric generating station at Taskinigahp Falls on the Burntwood River in the Nelson House Resource Management Area. Our First Nation will have the opportunity to own up to 33 per cent of the estimated \$1-billion generation project.

NCN has been involved in this project from the beginning and influenced the choice of the smaller, low-impact design that will cause less than one-half square kilometre of flooding. The traditional knowledge of our elders and resource users was used in the development of the project -- a first for our people. NCN members will have the last say, as we will only proceed with the PDA if our members vote in favour of the agreement on June 7 and 14.

The opinion piece takes issue with one line from the over 1,300-page PDA to suggest our treaty rights might be compromised. But, First Nations people should not be alarmed. The PDA doesn't contain any legal language to suggest their treaty rights are at risk, according to Bryan Schwartz, an independent legal adviser to NCN.

Schwartz is a respected constitutional law expert who has written extensively on treaty rights and has appeared before the Supreme Court of Canada on these issues. He is also a professor at the University of Manitoba law school. I trust Schwartz's judgment on these matters.

The PDA details the specific treaty rights that will be affected. For example, conservation and safety measures will be applied to the proposed access road to the dam and the transmission line right-of-way. It will no longer be possible to hunt on the access road or to fish at the precise location of the proposed dam. In any case, all matters relating to treaty and aboriginal rights have been carefully considered by the federal and provincial governments.

The opinion piece also talks about the effort spent on "propaganda" and I suppose this refers to the objective consultation material we have prepared to keep our members informed and involved and to help them gain an understanding of the PDA. These materials for the ongoing consultative process can be downloaded from our website at www.ncncree.com.

Kulchyski, a University of Manitoba native studies professor, is the one who is propagandizing with made-for-media theme lines like "legacy of hatred" and "surrender of the weak" and his insistence that somehow the Quebec Peace of the Braves Agreement would be a better type of agreement for us.

He claims he first brought the Peace of the Braves agreement forward for consideration. But our

advisers had already examined that agreement. We rejected it because it wasn't considered to be a valid model for Wuskwatim, which is a far smaller project than the Peace of the Braves projects.

For example, the two new hydroelectric projects referenced in the Peace of the Braves affect nine communities and involve five dams with anticipated flooding of over 600 square kilometres. It addresses outstanding issues associated with past projects and an array of existing resource development initiatives, including mining and forestry. The agreements are so fundamentally different that meaningful comparison can't be made. This issue is a red herring.

The bottom line is that we have negotiated a good agreement. Early in our negotiations we explored many different options for the business arrangement, but our First Nation chose to pursue an equity ownership position because we concluded this offered the best long-term arrangement for our people.

For projects of equivalent scale, the PDA provides us with as good a level of guaranteed payments as the Peace of the Braves would. In addition, we have the opportunity to earn many millions of dollars from our ownership position and we have ensured measures are in place to minimize our risk in making this investment.

If approved by our members, Wuskwatim will provide many immediate short-term benefits for our members and our community. These include training and job opportunities, contracts for NCN businesses and wages for our workers. It represents not a handout, but an economic opportunity that strengthens our independence and builds our capacity to provide for our children and the well being of our community.

Kulchyski says, "it is time to do something better, more respectful for the Cree", as if we are unable to negotiate a fair agreement for ourselves. In fact, we have had a lifetime of first-hand experience with unfair agreements, negotiated by others.

Your readers can rest assured that we are well able to manage our own affairs, without the paternalistic advice of a native studies professor who would prefer we live in teepees and keep our young and fast-growing population dependent on a traditional economy, which became unsustainable a long time ago. We are entitled to use our resources in modern ways for the benefit of our people, something the professor refuses to acknowledge in his narrow-minded vision of our future.

The Wuskwatim Project Development Agreement reflects the experiences of the past and our commitment to secure a brighter future for our people -- especially our children. It will be the people of NCN who will determine if this is the right choice for NCN.

*Jerry Primrose is chief of the
Nisichawayasihk Cree Nation.*

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