



AN INDEFENSIBLE PRIVILEGE:

WIPING OUT THE BETSIAMITES RIVER SALMON
TO LIGHT UP CITIES

Pessamit Innu First Nation
September 29, 2010



THE FINAL COUNTDOWN

Pessamit Innu First Nation
September 29, 2016

THE PESSAMIULNUT WERE DISPOSSESSED AT THE PROFIT OF HYDRO-QUEBEC



THE GOVERNMENT'S REMARKABLE EFFICIENCY IN OVERSTEPPING PESSAMIT'S ANCESTRAL AND TREATIES RIGHTS TO PROMOTE ECONOMIC DEVELOPMENT

1973: It was strictly forbidden for First Nations to hire lawyers to defend their rights in court.

1997: Aboriginal rights to fish for food and for cultural purposes were finally recognized by the Supreme Court of Canada. Infringement of aboriginal rights could be justified if:

- The least amount of harm is done.
- Fair compensation is paid to the aboriginal group.

THE GOVERNMENT OF QUEBEC AND HYDRO-QUEBEC HAVE NEVER MET THESE CONDITIONS. MOREOVER, QUEBEC REGARDED THE JUDGMENT AS NOT RELEVANT TO THE PROVINCE.

THE GOVERNMENT'S REMARKABLE EFFICIENCY IN OVERSTEPPING PESSAMIT'S ANCESTRAL AND TREATIES RIGHTS TO PROMOTE ECONOMIC DEVELOPMENT

6: The Supreme Court of Canada contradicted Quebec's historical position and confirmed that First Nations possess ancestral rights in the Province.

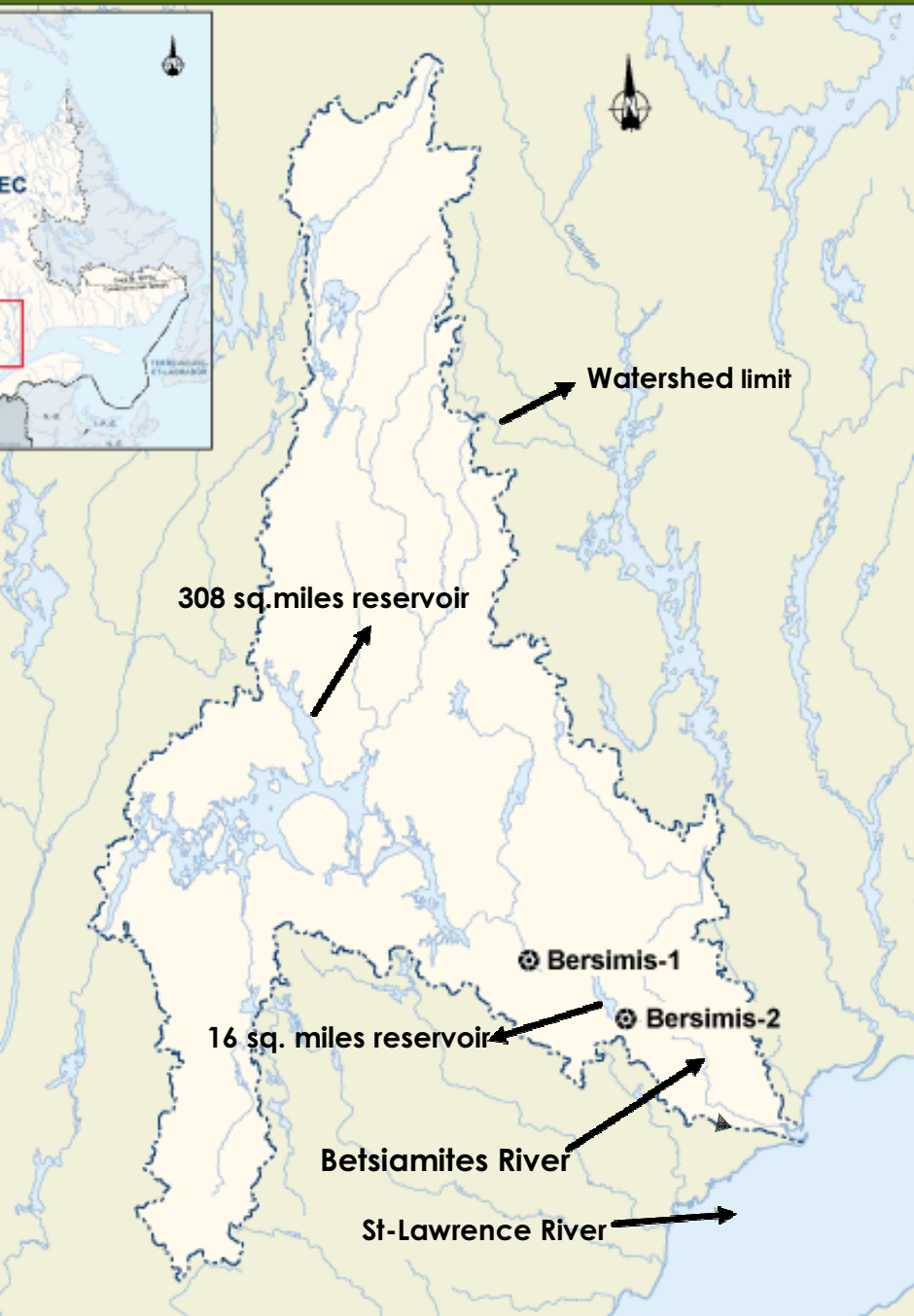
6: Quebec's chronic reluctance to negotiate a fair-minded settlement.



THE BETSIAM RIVER:

*A former renowned
productive
salmon river*

*Salmon has been
Pessamiulnt's
traditional source of
food since time
immemorial*



THE BERSIMIS HYDROELECTRIC COMPLEX –HQ

- Bersimis -1 completed in 1956: 1178 MW
- Bersimis -2 completed in 1959: 869 MW

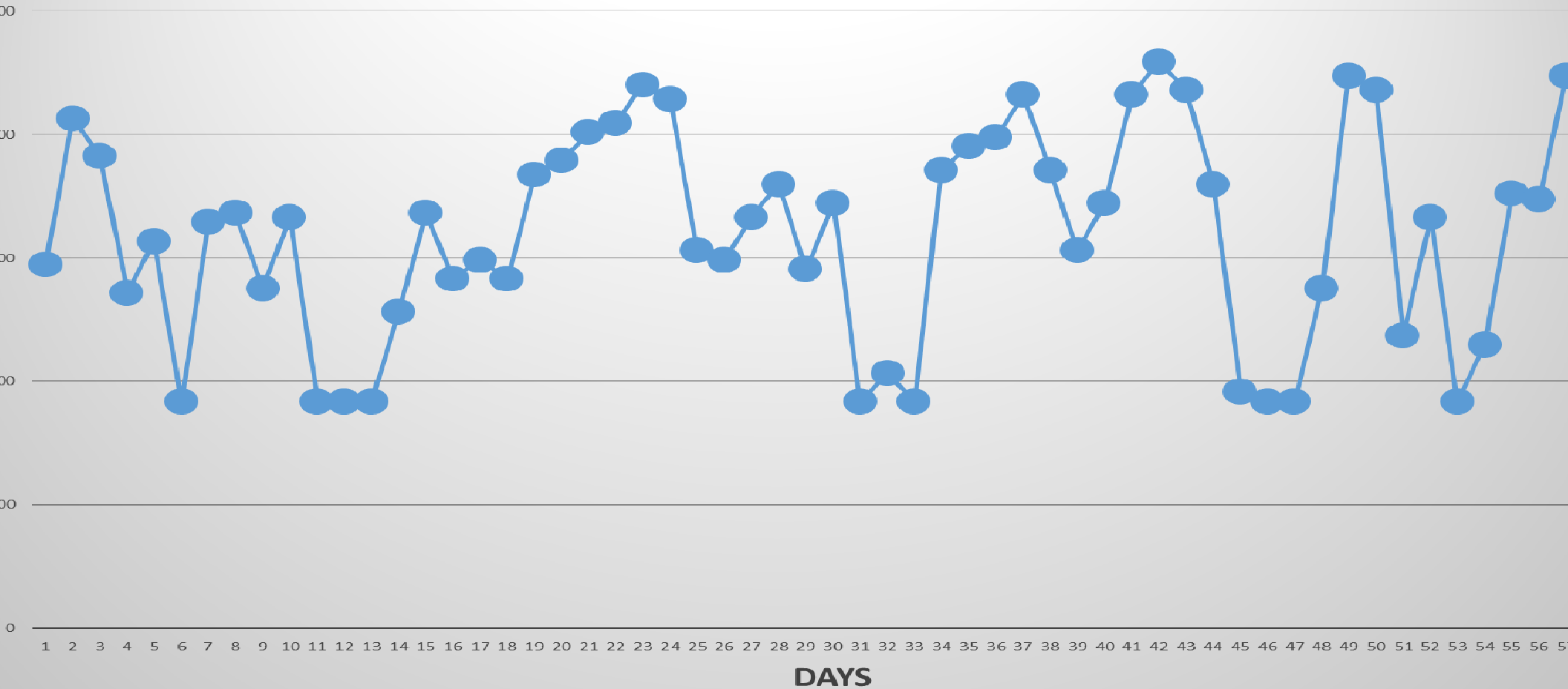
BOTH FACILITIES BUILT:

- Without impact assessment studies.
- Without Pessamit's consent.
- Without compensation.
- Flooding 168 miles² of hunting grounds.
- Disrupting 43.5 linear miles of prime salmon habitat.
- Causing loss of sustainably exploited traditional food.
- Infringing Pessamit's cultural values.
- Beaching constitutional obligations and treaties.



**BERSIMIS
POWER STATION
AND DAM
MILE 43.5
BETSAMIT
RIVER**

BETSIAMITES RIVER : MEAN DAILY WATER FLOW (CU.F./SEC.) - JANUARY, FEBRUARY 2014



**MEAN DAILY WATER FLOW VARIATION:
TOTAL INCOMPATIBILITY WITH BASIC SALMON HABITAT REQUIREMENTS**

BETSIAMITES RIVER: MEAN HOURLY WATER FLOW

JANUARY, FEBRUARY 2014



**A SALMON RIVER EXCLUSIVELY MANAGED FOR PEAK LOAD PRICING:
SPRING FLOOD TO WINTER LOW FLOW CONDITIONS IN A SINGLE DAY**

BETSIAMITES RIVER, WATER FLOW REGIME:

SALMON PRECARIOUS SURVIVAL CONDITIONS - JANUARY, FEBRUARY 201

river flow variation occurrences: 1 to 7 times / 24 hrs.

mean frequency of river flow variation: 4.03 times / 24 hrs.

five turbines and their related pre-established surging flow range:

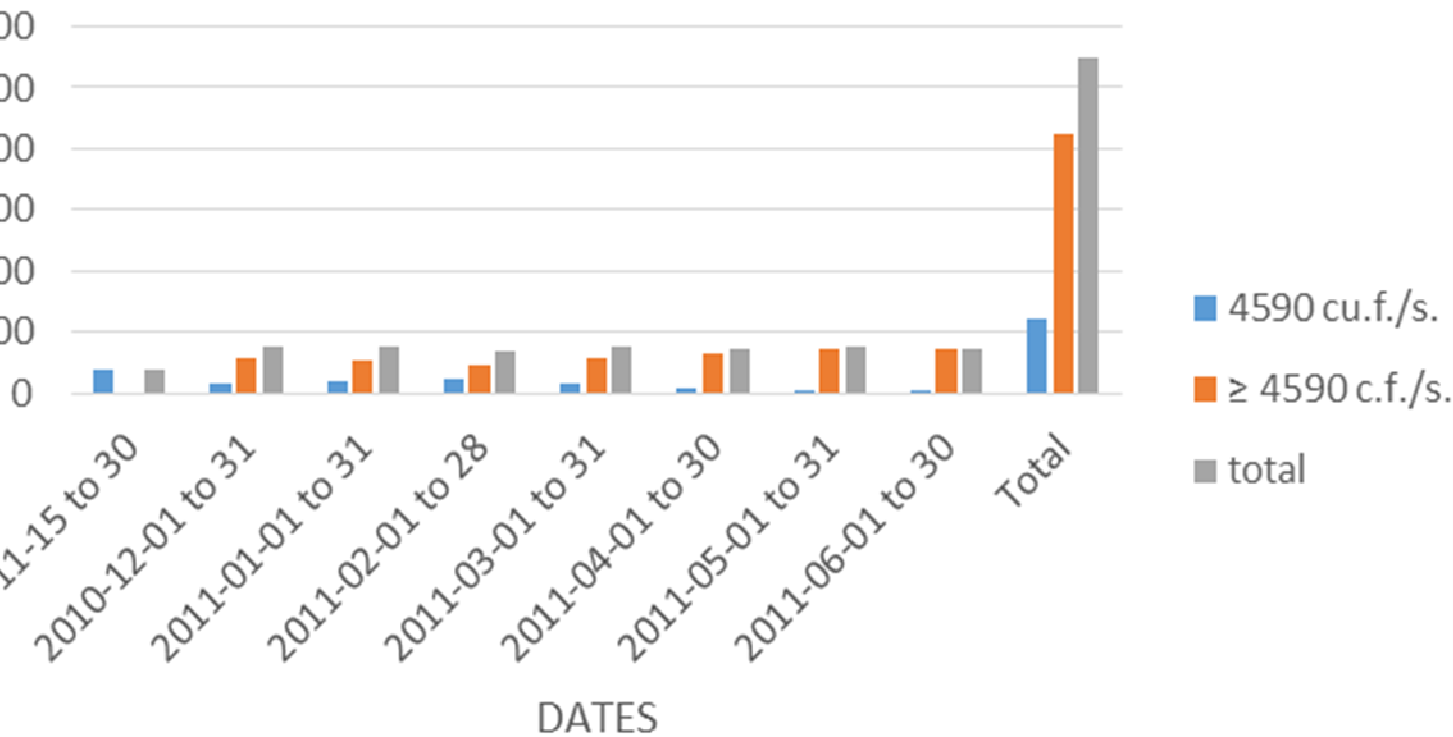
- ▶ 4 590 cu.feet / sec
- ▶ 9 180 cu.feet/sec
- ▶ 13 770 cu.feet/sec
- ▶ 18 360 cu.feet/sec
- ▶ 22 950 cu.feet/sec



five different water levels varying from 1 to 7 times daily (± 5 feet).

current velocity varying from 1 to 7 times daily.

Salmon Sensitive Life Stages : Spawning, Egg, Alevin, Fry (Nov. 15 to June 30)



Nov. 2010 to June 2011: Occurrence of 4590 cu. feet/sec.

Water flow: 22% of salmon's most sensitive life period

590 CU. FEET/SEC: 40% OF THE SPAWNING GROUNDS

ARE DRIE



ACTIVE EROSION PROCESS ON RIVER BANKS CAUSED 5 FEET
FLUCTUATION OF THE DRAWDOWN ZONE MANY TIMES DAILY



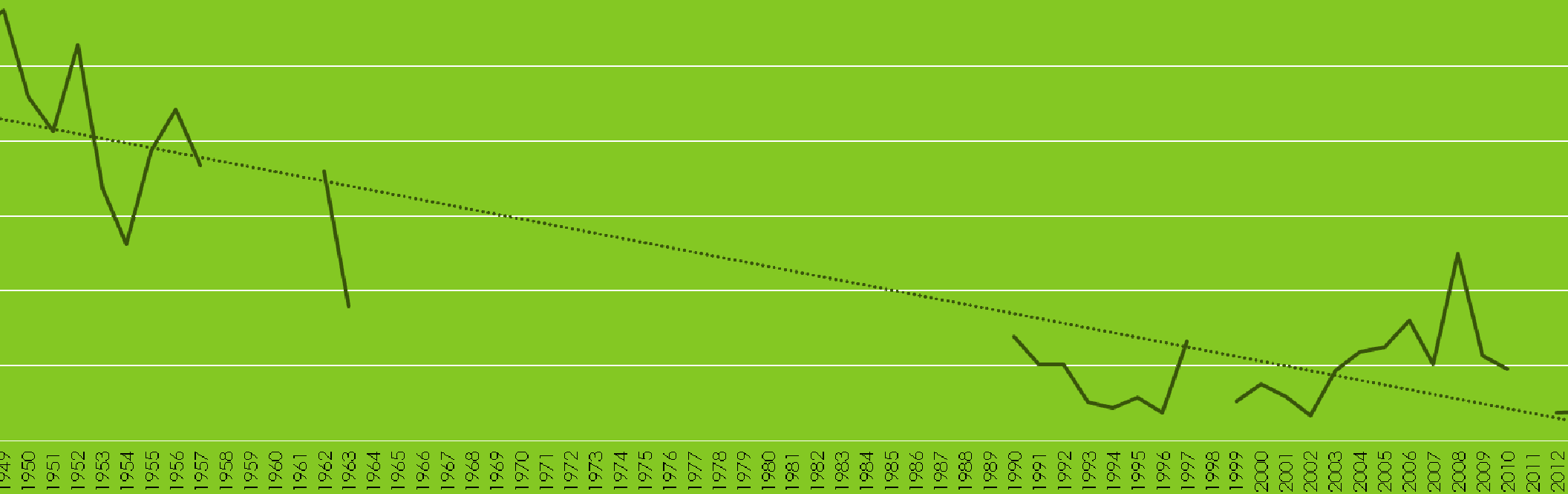
**DESTRUCTION OF THE RIVER SHORE ECOTONE:
ACTIVE CLAY BANK SLUMPING INTO BETSIAMITES SALMON RIVER**



CLOGGED SALMON SPAWNING GROUND

STABLE CLAY CLIFFS CREATED BY 5 FEET FLUCTUATION OF THE DRAWDOWN
MANY TIMES DAILY

ANNUAL CATCHES



YEARS

BETSIAMITES RIVER: SALMON CATCHES FROM 1948 à 2015

UNAFFORDABLE LEGAL BATTLE TO SAVE THE BETSIAMITES RIVER SALMON IDEAL STATUS QUO SCENARIO FOR QUEBEC & HYDRO-QUEBEC

*predicted length and cost of legal proceedings against Quebec & Hydro-Quebec:
beyond Pessamit's financial capacity.*

Pessamit's budget imperatively bound to population's first line services .

Pessamit & Quebec socioeconomic development indexes: -8.07 vs 0.

Pessamit & Quebec unemployment rates: 47.5% vs 7.2%.

Pessamit & Quebec adults on social security programs: 37% vs 7.4%.

Pessamit & Quebec available income per capita: 12 214 CAD\$ vs 27 444 CAD\$.

UNAFFORDABLE LEGAL BATTLE TO SAVE THE BETSIAMITES RIVER SALMON
AL STATUS QUO SCENARIO FOR QUEBEC & HY

QUEBEC

young population: 50 % < 25years old experiencing a suicide rate 5 times higher than Canadians from the same age group.



HOPE FOR OUR CHILDREN MUST TAKE ROOT IN SOCIAL FAIRNESS

BETSIAMITES SALMON: NATIONAL & INTERNATIONAL STATUS (1 OF 2)

CANADA SPECIES AT RISK PUBLIC REGISTRY

ec's western North Shore Atlantic salmon population is designated as a special concern. The population may become threatened or endangered due to a combination of biological factors and identified threats.

BETSIAMITES SALMON: NATIONAL & INTERNATIONAL STATUS (1 OF 2)

CONVENTION FOR THE CONSERVATION OF SALMON IN THE NORTH ATLANTIC OCEAN & NASCO

In addition to the United States, Canada is signatory to the Convention. Performance of member countries is, among other things, assessed according to the following criteria:

- Measures taken and other factors, both inside and outside the commission area, that affect the salmon stocks concerned.
- Efforts of states of origin to implement and enforce measures for the conservation, restoration, enhancement and rational management of salmon stocks in their rivers and streams within their respective jurisdiction.

BETSIAMITES SALMON:

NATIONAL & INTERNATIONAL STATUS (2 OF 2)

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

ARTICLE 61 – CONSERVATION OF LIVING RESSOURCES :

Such measures shall also be designed to maintain and restore populations of harvested species at levels which produce the maximum sustainable yield, as qualified by relevant environmental and economic factors, including the economic needs of coastal fishing communities...»

ARTICLE 66 – ANADROMOUS STOCKS :

States in whose rivers anadromous stocks originate shall have the primary interest in and responsibility for such stocks. »

BETSIAMITES SALMON:

NATIONAL & INTERNATIONAL STATUS (2 OF 2)

WITTE OPINION OF CANADIAN EXPERTS AND INTERNATIONAL AGREEMENTS

Hydro-Quebec and its sole shareholder, the Quebec Government, pay absolutely no regard to the risk of salmon and literally trample two international conventions.

Through Hydro-Quebec and Quebec's complacency, Canada's performance stands well below its international commitments.

CANADA'S INTERNATIONAL COMMITMENTS IN REGARD TO PESSAMIT ANCESTRAL RIGHTS

UNITED NATIONS DECLARATION OF THE RIGHTS OF INDIGENOUS PEOPLES

ARTICLE 8 (EXCERPT) :

States shall provide effective mechanisms for prevention of, and redress for : any action which has the aim or effect of dispossessing them of their lands, territories or resources.»

ARTICLE 20 (EXCERPT) :

Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.»

CANADA'S INTERNATIONAL COMMITMENTS IN REGARD TO PESSAMIT ANCESTRAL RIGHTS

FROM NOW ON, SUSTAINED INTERNATIONAL ACTION IS IMPERATIVE TO CHANGE
COURSE OF HISTORY

Pessamit's societal relationship with Quebec, based on common aspirations and shared values since the XVIth century, fell into unilateralism by the mid XIXth century.

Since then, Pessamiulnut collective rights are considered as an historical mistake by Quebec.

WWW.NORTHERNPASS.US (1 OF 2)

WWW.HYDROFORTHEFUTURE.COM:

THE MISSING LINK

The Northern Pass website has recently been changed.

The link that was created with Hydro-Quebec, entitled www.hydroforthefuture.com disappeared into cyber space.

In it, Hydro-Quebec had made the following remarkable statements:

Hydro-Quebec does not build a hydropower project unless it is favorably received by the communities. In addition the company takes all the necessary steps to ensure that the host communities, including original communities, are involved in development and benefit from economic spinoffs in all stages of projects.»

Hydro-Quebec endeavours to develop mutually beneficial partnerships with Aboriginal communities through formal agreements.»

WWW.NORTHERPASS.US (2 OF 2)

Hydro-Quebec is among the Canadian companies that maintain particularly close ties with the original communities. The Company ensures that they participate in even the first phases of its projects, and considers them to be front-line players. This approach is based on relationships that respect the interests, values and culture of the various aboriginal communities. Fulfillment of commitments and ongoing dialogue are also essential for mutual understanding.»

For over 50 years, Hydro-Quebec has harnessed and developed this potential (hydropower resources) with a view to profitability and with due respect for the environment and the communities.»

Hydro-Quebec's withdrawal of their questionable statements coincides
strangely with Pessamit's new media positioning

CONSIDERING THAT: The Betsiamites river has been and still is the subject of illegal, repeated and harmful actions with total disregard to Pessamit's rights and international conventions;

CONSIDERING THAT: The Betsiamites river is exploited by Hydro-Quebec to meet short term peak demand needed for exportation despite anticipated extinction of salmon population;

CONSIDERING THAT: Neither the Government of Quebec and Hydro-Quebec are taking into consideration the anticipated and undeclared aforementioned impacts on the exportation project;

THE PEPPASMIT INNU FIRST NATION REQUIRES: The respect of its rights, the str
ervance of related international conventions and confirms its firm opposition to
Quebec – New Hampshire Interconnection Project».

*... duty of remembrance to our ancestors and our moral obligation to give hope back to our children,
... allows us to accept the prevailing party's detrimental decision.*

Chief René Simon September 29, 20

THANK YOU FOR YOUR ATTENTION

TSHINASHKUMITIN

ALL QUESTIONS ARE WELCOME, PARTICULARLY
THE MOST DIFFICULT ONES

PESSAMIT INNU FIRST NATION

