



Edmond Decontie
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Maniwaki, Quebec J9E 2P6
24 April 2008

Madam Line Beauchamp
Minister of Sustainable Development,
Environment and Parks,
675 boulevard René-Levesque East, 30th floor,
Quebec, Quebec G1R 5V7

*re: Hydro-Quebec Plans re a Transmission Line
on Algonkin Territory*

Dear Madam:

It has recently come to our attention that Hydro-Quebec plans to build a transmission line beginning this year in a region where Algonkin rights and title remain to be addressed by the Crown.

By this letter, we are putting the Crown on notice that there has been a failure to consult with Algonkin leadership regarding our unextinguished interests in our territory.

A series of rulings by the Supreme Court of Canada have confirmed our right to challenge any intrusion or interference with aboriginal rights or title that requires consultation. Our preference, if possible, is to seek a less adversarial approach. We want a clear picture of the impacts that a planned construction will have specifically on the socio-economic circumstances and well-being of the Algonkin people. We also want an accommodation between the interests of Hydro-Quebec and the Algonkin Nation that shall result in benefits to both parties.

We appreciate that as a Crown corporation, Hydro-Quebec is not bound by a duty to either consult or to seek an accommodation with the Algonkin Nation. Consultation is a constitutional obligation which rests with the Crown. It is a duty that belongs to the province of Quebec as a licensing body. It also is a federal responsibility which has a fiduciary responsibility to ensure that our section 35 constitutional rights are respected. In anticipation that Hydro-Quebec shall receive a mandate from Crown authorities to seek an accommodation with the Algonquin Nation, we suggest that a bilateral process between our respective representatives be started as soon as possible.

We understand that the construction of the transmission line shall have economic, environmental, and possibly other consequences. This is of special concern to Algonkin people for the following reasons:

1. According to your information the construction requires the clearing of wooded areas. It is acknowledged that this will reduce nesting areas for birds and presumably affect the bird population. We are concerned that much the same effect can be expected on fur-bearing animals. Many members of the Algonkin Nations supplement their livelihood by operating trap-lines in the region and hunting for food.

2. A further concern is that our territory has grave sites that can be dated long before Samuel de Champlain reported in his account of his 1603 voyage that he met members of the Algonkin Nation at Tadousac. We would not want to see any of these sites disturbed by construction. There also are special places of significance for our people as well as sacred sites which we would like to see respected.

3. Public information offered by Hydro-Quebec states that the transmission line can be expected to produce direct economic spin-offs with benefits to municipalities and counties affected by the project. Our Algonquin communities do not fit into any of these categories. They are covered by special constitutional provisions, specific federal legislation, and various Supreme Court of Canada judgments clarifying the obligations of the Crown on issues concerning aboriginal rights and title. Our proprietary interests in the Algonkin territory are collective in nature. This means that if only one part of the region is affected by construction, the interests of all nine Algonkin communities are affected, a fact reinforced by our constitutional and legal status. The issue, therefore, of economic spin-offs for all Algonkin communities assumes special and paramount importance and cannot be ignored.

4. We note that you are prepared to compensate farm production losses resulting from the construction of the transmission lines. This concession seems to be primarily to non-aboriginal farmers because few if any Algonkin people engage in this enterprise off-reserves. In the exercise of our aboriginal rights, we derive benefits from the whole traditional territory, including the affected region. This includes not only the operation of traplines, hunting and fishing, but also the harvesting of trees for personal use and nature's produce for medicinal purposes and other uses. Our territory has always been our larder and our pharmacy and compensation is indicated to the extent that these will be affected by construction.

We recommend that pending action by the appropriate federal and provincial authorities, an agreement be reached between Hydro-Quebec and the Algonkin Nation to develop a protocol establishing an ongoing relationship between these two parties. A successful outcome would be mutual agreement on the impacts the construction would have on the collective interests of Algonkin communities in their territory. The agenda would also provide for discussion and agreement on two additional issues. Economic benefits which Hydro-Quebec identified as one outcome of construction has to be applied to Algonkin people in the form of jobs, contracts, joint ventures, equity, etc. Compensation for losses which also is part of Hydro-Quebec's package has to be extended to the Algonkin Nation because we depend on the productivity of our traditional territory.

We shall put off any further action based on our unextinguished aboriginal rights and title until we have your response. It is our hope that a fruitful working relationship with the parties concerned shall define our immediate future.

Yours Sincerely,

A handwritten signature in cursive script that reads "Edmond Decontie". The signature is written in black ink and has a long horizontal flourish extending to the right.

Edmond Decontie
(819) 449-1838