

NEW ENGLAND STATES' ENERGY VISION
EQUITY AND ENVIRONMENTAL JUSTICE

WRITTEN COMMENTS OF THE INNU NATION OF LABRADOR

May 13, 2021

COMMENTS OF INNU NATION OF LABRADOR

Innu Nation is the elected government of the Innu of Labrador, an Indigenous people of Canada (the “Innu”). Innu Nation submits these written comments following the New England states’ “Engage with New England Energy” presentation held March 18, 2021.

The New England states are in the process of envisioning how their energy capacity, transmission and governance can be made more equitable and just.

This conversation is informed by the movement towards renewable energy sources. As the Undersecretary for Energy for Massachusetts stated during the presentation, New England states are transitioning into more “clean” energy sources, including hydro imports from outside New England – presumably from Hydro-Québec.

The issue of whether imported hydro energy should be considered as “clean” energy was raised by two participants at the March 18th presentation. Both raised concerns about the destruction of Indigenous lands caused by Hydro-Québec’s massive hydro-electric dams. The Innu Nation of Labrador is one of the Indigenous nations whose lands have been destroyed and to whom Hydro-Québec has never paid compensation. For the reasons outlined below, any energy coming onto the New England grid generated by Hydro-Québec’s dams is not “clean” energy and is contrary to the principles of equity and environmental justice that the New England states wish to have reflected in their energy policy.

Hydro-Québec’s energy will not be clean or ethical power until Hydro-Québec makes right the ongoing destruction caused by their operations to the Innu and other Indigenous peoples in Canada.

I. Background

The Innu have lived on the Québec-Labrador Peninsula for millennia. There is evidence of Innu presence in this area, known as Nitassinan in Innu-aimun, going back at least 6,000 years. The traditional territory of the Innu is in the Northeast portion of mainland North America, shown in yellow in the maps below (Figures 1A and 1B).

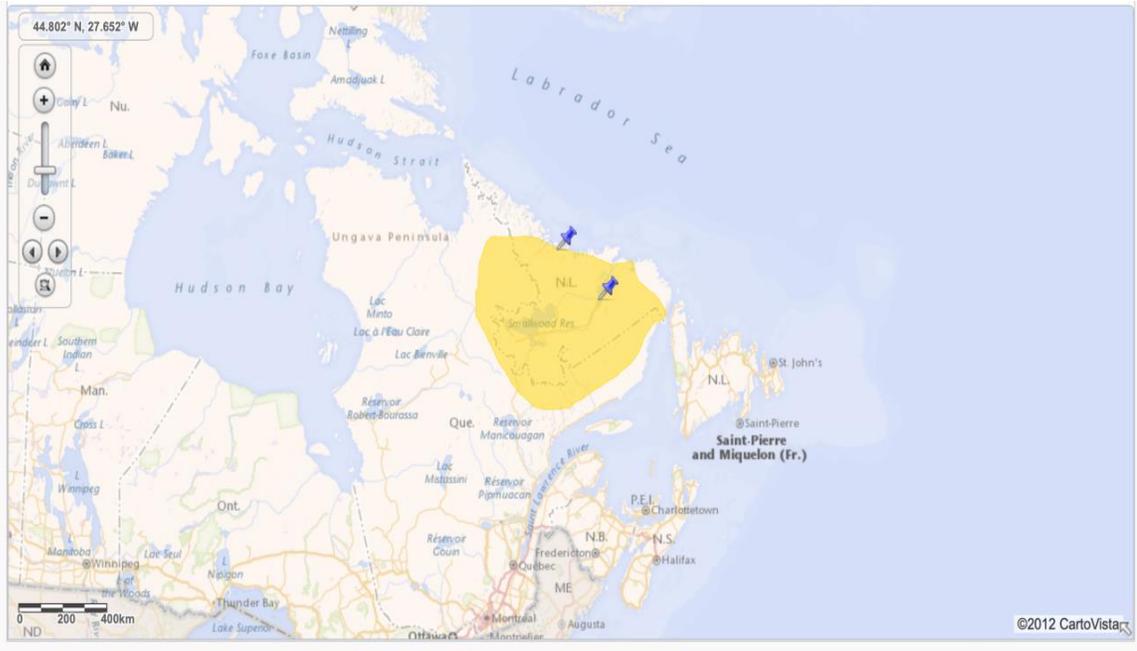


Figure 1A and 1B: Maps of the territory of the Innu of Labrador

The Innu are hunters who travelled over Nitassinan in family groups until the middle of the 20th century, using time worn travel routes to hunt, fish, gather and trade. Travelling was central to the Innu identity, since through travel they maintained their social and ceremonial connections with other Innu, neighbouring peoples, and the land. Innu gatherings at central locations for trade and cultural events, including near what is now the Churchill Falls Generating Station (“CF Generating Station”) (marked with a red pin in Figure 1B), have been integral to the Innu way of life.

Innu territory is a harsh environment for those not skilled in living on the land, and this protected them from state interference with their way of life and self-governance for much of the colonial period. However, in the mid-20th century, when the Province of Newfoundland and Labrador (the “Province”) joined Canada, resource developers started looking in earnest at the Innu’s lands and the Innu were pressured to cease travelling across their territory and forced to settle in hastily-constructed communities that lacked basic infrastructure. The Innu faced a school system later condemned for rampant child physical and sexual abuse and discrimination. The Innu also lacked training opportunities for employment in the mainstream economy. Today the Innu reside primarily in two communities, Sheshatshiu and Natuashish, marked by blue pins in Figures 1A and 1B.

The Innu have been fighting for many years to undo the damage caused by these events and actions but still suffer the consequences. Poverty, substance abuse, high rates of suicide, low rates of higher education and other social ills continue to affect the Innu.

A major source of the disruptions and disconnection from their lands was the construction and operation of the CF Generating Station.

II. The Churchill Falls Generating Station

The CF Generating Station is a massive hydroelectric dam in Western Labrador that is powered by the immense, man-made Smallwood Reservoir. It was constructed by the Churchill Falls (Labrador) Company (“CF(L) Co.”) about fifty years ago. Hydro-Québec was and remains one of two shareholders of CF(L) Co. A huge area known to the Innu as Meshikamau and the countless lakes around it were flooded in 1971 with the creation of the Smallwood Reservoir.

Before the Smallwood Reservoir destroyed it, this area was a gathering place for the Innu from across the Québec-Labrador Peninsula. The area was rich in fish and wildlife and was on the migration path of two herds of caribou, which are integral to the Innu diet and cultural and spiritual identity. It was also the location of an important Innu spiritual site, Petshishkapushkau. Meshikamau was a place where the Innu buried their dead.

The river flowing through and from Lake Meshikamau is called the Churchill River in English and Mista-Shipu in Innu-aimun. It was an important travelling route for the Innu and had a significant waterfall. The Meshikamau-Shipu Travel Route has been designated as an Historic Site by Parks Canada in recognition of its historic and ongoing importance to the Innu.

III. Destruction of Innu Land and Way of Life

The Smallwood Reservoir covers an immense area of approximately 2,566 square miles – larger than the State of Delaware. The catchment area of the CF Generating Station is about the size of the State of Maine, and the generating capacity of the is almost three times that of the Hoover Dam. Figure 2 below shows the area flooded by the Smallwood Reservoir, and Lake Meshikamau’s location within that area.

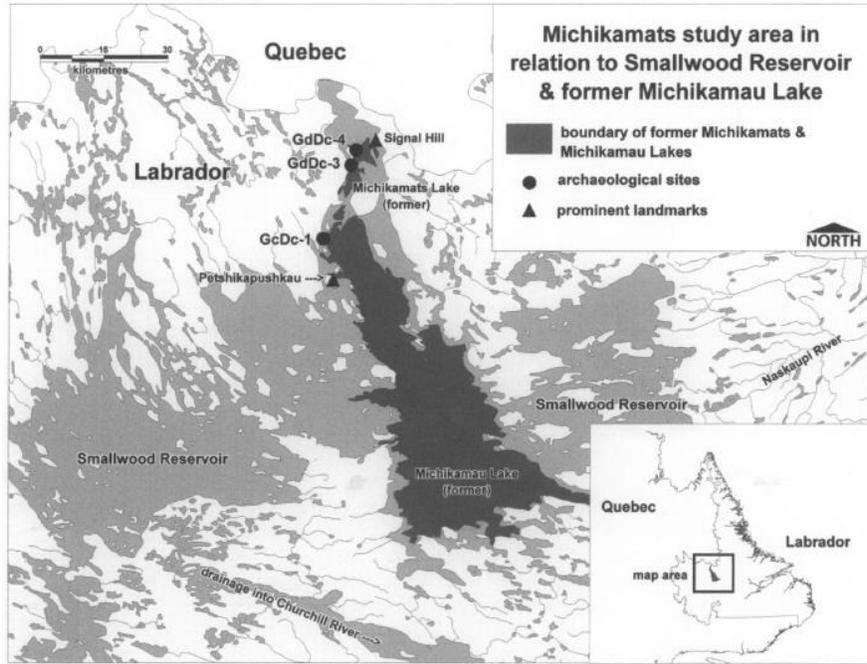


Figure 2 Map showing area of the Smallwood Reservoir overlain on the previous Lake Meshikamau shoreline

Figure 3 below depicts the area flooded by the reservoir together with the Innu travel routes and camps that existed prior to the flooding.

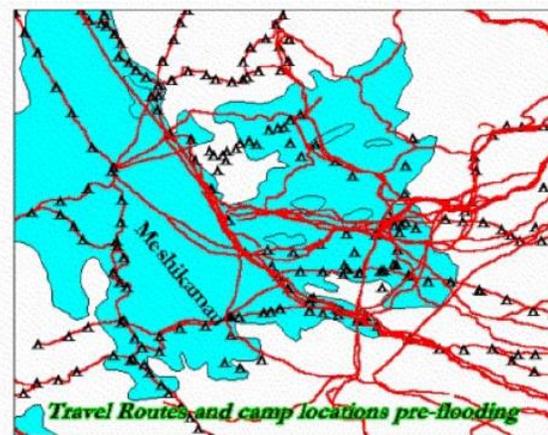


Figure 3 Map showing travel routes and camp locations overlaid by flooded lands.

Damming the Falls and flooding the area above them had devastating impacts. The flooding destroyed the Meshikamau area's waters and lands, and with them the habitats of animals living there. Beaver in the headwater ponds froze to death because of reduced water

levels. Salmon spawning grounds were destroyed. Fish living in the reservoir have been poisoned with methylmercury. Caribou calving grounds and waterfowl nesting areas were drowned.

The flooding also eliminated the Innu's ability to use the land. Historic hunting and trapping lands were inundated, and Innu whose families had hunted in the region for generations lost their canoes, traps, caribou-hide scrapers, and other tools that they stored in caches along the river's edges. Innu burial grounds surrounding the waterways were also destroyed, as bones were washed away, burial grounds eroded, and ancestors' graves permanently flooded. The images below show some of this destruction.



Figure 4 Skeletal remains from an Innu cemetery eroding due to flooding.

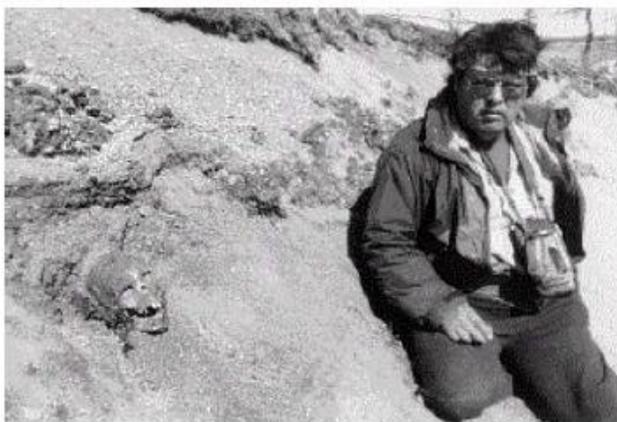


Figure 5 The Late Daniel Ashini on the bank of an eroding Innu cemetery.

The Innu were not consulted about the construction of the CF Generating Station or the flooding resulting from the creation of the associated Smallwood Reservoir. Their consent to these profound, destructive alterations of their lands and waters was neither sought nor obtained. The water level in the reservoir is controlled to maximize the profitability of Hydro-Québec's production of energy at the CF Generating Station, taking no account of the impact and continued destruction of Innu lands and waters, or the environment.

Innu lands and waters, and their plants, animals, and burial sites, remain underwater to this day. It would be difficult to overstate the profound anger, dismay, and sadness that the Innu feel about the flooding of the Meshikamau area, and the destruction the CF Generating Station caused to the plants and animals with whom the Innu shared the lands and waters.

IV. Innu Nation Attempts to Engage Hydro-Quebec

The Innu made repeated attempts over many years to meet with Hydro-Québec to address the destructive impacts of the CF Generating Station on the Innu and the environment. Hydro-Québec has responded with indifference and disrespect. This stands in sharp contrast to Nalcor Energy, a Provincial utility, that acknowledged the profoundly harmful impact of the CF Generating Station on the Innu and entered a redress agreement.

Notably, Hydro-Québec is entitled to nearly all the output of the CF Generating Station until at least 2041. Hydro-Quebec's annual report lists the CF Generating Station as part of its generation capacity, which represents about one-sixth of Hydro-Québec's total generated energy. That is coincidentally the approximate amount of energy that Hydro-Québec exports.

The CF Generating Station has yielded close to \$28 billion in profits for Hydro-Quebec, according to a report by Canada's national broadcaster in 2019 (other reputable estimates by academics put the number in the range of CDN\$80 million). Despite these huge profits - obtained at the expense of the destruction of Innu lands - Hydro-Québec has steadfastly denied its responsibility to compensate the Innu for that harm.

V. Hydro-Québec's Energy is Not Clean Energy

The Innu are confident that when the New England states talk about the need for equity and environmental justice in their energy policy, the states do not mean justice, equity and consideration only for New Englanders and the complete disregard of the impact of those plans on its neighbors. The project of building equitable and environmentally responsible power and distribution systems cannot be built on underlying injustices. Such projects cannot be built on power generated by a goliath that continues to shirk responsibility for the harms that were and continue to be imposed on clearly disadvantaged communities.

While the Innu recognize that the New England states' focus in the Engage with New England Energy process is on the citizens of New England, and on ensuring equity and environmental justice for those citizens, the overarching goals of equity and environmental justice for disadvantaged communities are certainly applicable to the Innu's situation as well.

The Innu are a disadvantaged community, as they continue to face low income, low levels of educational attainment, and high unemployment. The Innu have also historically

experienced and continue to face discrimination on the basis of race and ethnicity. The Innu have also suffered decades of environmental discrimination and injustice at the hands of Hydro-Québec.

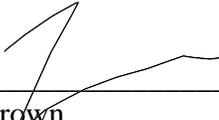
These injustices and inequities may not be taking place on New England soil, but they are powering New England's homes and businesses and need to be taken into account by the New England states.

VI. Conclusion

Hydro-Québec paints itself as a provider of clean, environmentally responsible energy. It is not. The energy exported by Hydro-Québec comes from generation facilities that destroyed vast areas of Innu lands. The waters generating the power that Hydro-Québec exports to the New England states killed countless animals, poisoned lakes, and flooded important trade routes, cultural locations and burial sites in the Innu's homeland. It is not clean energy.

Innu Nation respectfully requests that the New England states consider this when engaging in their energy planning and policy making, and that the states do not increase energy supply from Hydro-Québec until Hydro-Québec acknowledges its responsibility for the damage caused by the Churchill Falls Station and reaches an appropriate redress agreement with the Innu.

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