

## James Bay hydro project – agreement in principle

Compensation of \$150 million will be paid to native people of the James Bay area under the terms of an agreement signed on November 15 by the Federal Government, the Quebec government, the James Bay Cree Indians and the Inuit (Eskimos) of Quebec.

The agreement in principle, which provides for completion of negotiations by November 1, 1975, allows the James Bay Energy Corporation to construct Quebec Hydro's power development project without threat of further legal action by the native people (see issues of *Canada Weekly* dated November 28, December 5, 1973 and January 9, 1974).

The mammoth program, now estimated at \$12 billion, involves the diversion of three rivers, construction of four dams, power-houses, three airports and 600 miles of highway to harness the energy of La Grande River flowing into James Bay. The native people objected on the grounds that it was damaging the ecology, curtailing their hunting and fishing sources and violating property rights.

If final agreement cannot be reached by the time stipulated, legal action against the project may recommence.

### Summary of agreement

In return for \$75 million in cash over ten years beginning with the signing of the final agreement, and \$75 million in royalties on the hydro project, some 10,000 Inuit and Crees of northern Quebec would surrender their interest to some 400,000 square miles of land – roughly all of Quebec north of the 52nd parallel, plus a portion lying between the 49th and 52nd parallels.

Canada is contributing \$32.75 million of the \$75-million cash settlement on the basis that it is in part responsible for compensating the native people for the extinguishment of their interests in that area of Quebec ceded to the province by the 1898 Boundaries Extension Act.

Contemplated in the agreement in principle is a final settlement that will include:

*Land* – 5,250 square miles (Category I lands) will be given to the native people, of which 1,274 square miles will be Indian reserve land and the remaining lands will be held under some form of community ownership, subject

to provincial jurisdiction. The amount of land to be held as Indian reserve land is based on 640 acres for a family of five – this amount relates to the treaties.

Another 60,000 square miles will be granted as exclusive hunting, fishing and trapping areas for native people (Category II lands).

Native people will have exclusive trapping rights and exclusive use of certain species over the whole of the territory outside of Category I and Category II lands.

*Hunting and fishing* – In addition to exclusive use of certain species and certain lands, native people will participate equally with government representatives in administering and controlling a hunting, fishing and trapping policy through a co-ordinating committee.

*Compensation* – In addition to the \$150 million mentioned above, which will be tax free, native people will receive 25 per cent of the royalties on any development begun in the territory within 50 years of the date of settlement. This latter payment would continue for 20 years in respect of each development.

The province retains mineral and subsurface rights, but must negotiate compensation for any development on Category I lands.

A program is contemplated by the province to ensure an annual minimum income for those who wish to continue hunting, fishing and trapping as a way of life.

### Temporary injunction overturned

The Quebec Court of Appeal on November 21 overturned a temporary injunction granted November 15, 1973 to halt the James Bay hydroelectric power project. The injunction had been suspended to allow work to continue while further judgment was being sought by the developers.

The November 21 judgment, which followed the signing of the agreement in principle by the parties involved, stated that the temporary injunction was not legally justified owing to lack of proof that the native people held clear rights to the territory they claimed.

*Programs* – Federal and provincial programs and funding, and the obligations of the federal and provincial governments, will continue to apply to the natives, subject to criteria established from time to time for the application of such programs.

*Local government* – Local and regional governments will be controlled by the native people, who will be given additional responsibilities for programs.

*Native development and economic measures* – The native people will have priority regarding certain project contracts. The Quebec government will also finance programs of job training, placement services, economic development of the trapping industry and tourist facilities.

*Future development and environmental protection* – It is contemplated that the final settlement will provide statements on the effect of the environment on any future developments in the territory with native participation in the decision-making process about whether projects should go ahead and under what conditions.

In addition to these terms, which relate to the extinguishment of native title in the territory, it is contemplated in the agreement that extensive modifications and remedial measures to the Hydro project will be made, estimated at more than \$200 million, to minimize as much as possible the impact on native communities and the native way of life.

## Montreal Military and Maritime Museum open all year

Montreal Military and Maritime Museum, built between 1820 and 1824, will stay open all year because of the installation of a new heating system located in the Old Fort on St. Helen's Island, Montreal.

Winter plans include two special exhibits. One is a unique collection of firearms, including guns and related artifacts from all over the world. Others, made in Canada, were used by the military and for hunting.

The other is a large collection of swords on loan from John Woodman Higgins Armoury Museum in Worcester, Massachusetts.

This well-known collection illustrates a comprehensive history of edged weapons since the time of the Roman Empire.