

SHOAL LAKE BAND NO. 40

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PRESS RELEASE
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Shoal Lake #40 First Nation Position Upheld: International Joint Commission Rejects Winnipeg's Water Sale Scheme

Chief Erwin Redsky of Shoal Lake #40 First Nation expressed satisfaction today in releasing a letter from the IJC to Winnipeg that confirms his First Nation's position that Winnipeg does not have the legal authority to enter into water sales agreements with neighbouring municipalities. The letter, dated April 18th, is in response to the City's lengthy written submissions to the Commission made as late as February 12th of this year seeking an 'expedited' decision. Signed by both the American and Canadian Secretaries, the letter states that their "assessment is that the City would be in non-compliance with the IJC Order should it transfer Shoal Lake water beyond the City of Winnipeg's municipal limits."

While the finding is described as "preliminary", it would be highly unusual for the IJC Board to overrule a joint determination of their secretariat.

"For there to be any change from this opinion, it can only get more complicated for Winnipeg," said Chief Redsky. "After meeting with us, the Kenora City Council also wrote to the IJC requesting hearings before Winnipeg is allowed any change in water usage."

"It's disappointing that Winnipeg has not taken up our continuing offer to discuss their plans for economic development. If Canada, Manitoba and Winnipeg want to use our land and resources to undertake a major initiative such as CentrePort then we believe we can work together to find a reasonable accommodation. However, all three of these governments apparently need to be reminded that the days of ignoring us and taking whatever they want, whenever they want are over."

"Winnipeg put Prime Minister Harper in a particularly uncomfortable position because he has been a big supporter of CentrePort and Winnipeg tried to play on that political support. I was forced to remind Prime Minister Harper that his constitutional obligation is to uphold Treaty and Aboriginal rights, not advance municipal or political interests.** Canada simply can't participate in a project that would violate our rights."

Shoal Lake #40 First Nation interceded with the IJC last December when Winnipeg administration attempted to make a political "end run" around the legal objections that had been raised in a judicial review filed by Iskatewizaagegan #39 First Nation and joined by Shoal Lake #40.

For more information contact:

Chief Erwin Redsky - 204-891-1765

**<http://www.theglobeandmail.com/news/national/winnipeg-native-band-battle-over-water/article7206899/>

International Joint Commission
Canada and United States



Commission mixte internationale
Canada et États-Unis

April 18, 2013

Aikins, MacAulay & Thorvaldson LLP
360 Main Street, 30th Floor
Winnipeg, Manitoba
R3C 4G1
Attention: Thor Hansell

Re: City of Winnipeg's Proposed Water Service Sharing Agreements

Dear Mr. Hansell,

Thank you for your letter dated February 12, 2013 in which you respond to our September 20, 2012 request for information.

We understand that through a series of administrative and legislative steps the authority and responsibilities of the Greater Winnipeg Water District has been subsumed into what is now the City of Winnipeg. Our preliminary assessment is that the City would be in non-compliance with the IJC Order should it transfer Shoal Lake water beyond the City of Winnipeg's municipal limits.

We have brought this matter the attention of the governments of the United States and Canada.

Yours truly,

Camille Mageau
Secretary, Canadian Section, IJC

Dr. Charles A. Lawson
Secretary, U.S. Section, IJC

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cc: Desk Officers, Department of Foreign Affairs and Trade Canada and
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Town of Kenora