

MACKENZIE VALLEY PIPELINE INQUIRY

IN THE MATTER OF THE APPLICATIONS BY EACH OF

(a) CANADIAN ARCTIC GAS PIPELINE LIMITED FOR A
RIGHT-OF-WAY THAT MIGHT BE GRANTED ACROSS
CROWN LANDS WITHIN THE YUKON TERRITORY AND
THE NORTHWEST TERRITORIES, and

(b) FOOTHILLS PIPE LINES LTD. FOR A RIGHT-OF-WAY
THAT MIGHT BE GRANTED ACROSS CROWN LANDS
WITHIN THE NORTHWEST TERRITORIES
FOR THE PURPOSE OF A PROPOSED MACKENZIE VALLEY PIPELINE

and

IN THE MATTER OF THE SOCIAL, ENVIRONMENTAL
AND ECONOMIC IMPACT REGIONALLY OF THE CONSTRUCTION,
OPERATION AND SUBSEQUENT ABANDONMENT OF THE ABOVE
PROPOSED PIPELINE

(Before the Honourable Mr. Justice Berger, Commissioner)

**Aklavik, N.W.T.
February 23, 1976.**

PROCEEDINGS AT COMMUNITY HEARING

Volume 40

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Ph: 604-683-4774 Fax: 604-683-9378
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APPEARANCES

Mr. John Bayly, Esq. Peter Usher, Esq.	For Aklavik Hunters, Trappers & Fishermen;
Mr. Doug Rowe, Esq.	for Canadian Arctic Gas Pipeline Limited;
Mr. Rempel, Esq.	for Gas Consortium;
Mr. Glen Bell, Esq.	for Northwest Territories Indian Brotherhood, and Metis Association of the Northwest Territories.

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1 Aklavik, N.W.T.

2 February 23, 1976.

3 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

4 THE COMMISSIONER: Ladies and
5 gentlemen, well call the meeting to order. We were
6 here in April last year for three days to listen to
7 what you, who live in Aklavik, had to say about the
8 pipeline, and we promised then that we would come back
9 before the Inquiry was over to hear if you had anything
10 else that you wanted to say.

11 We'll start again. I am
12 Judge Berger and I am in Aklavik again to hear what you
13 have to say about the pipeline. I was here for three
14 days last April but at the time I said that I'd come
15 back and listen to you if you wanted me to, and you
16 have asked me to return.

17 Since we met in April last
18 year the route of the pipeline has been changed. Last
19 year Arctic Gas wanted to build the pipeline from
20 Alaska around the west side of the delta past Aklavik
21 and Fort McPherson and Arctic Red River, Now instead of
22 bringing the pipeline that way, they want to bring it
23 across the mouth of the Mackenzie Delta.

24 The Federal Government has
25 said that if a gas pipeline is built then they expect
26 that an oil pipeline will be built after that.

27 The pipeline companies have
28 told us that if these pipelines are built, there, will be
29 more and more oil and gas exploration and development in
30 the Mackenzie Delta, and we are here today to see what

1 | you have to say about these things.

2 | Mrs. Albert will translate
3 | what is said into the Eskimo language, and Mr. Koe into
4 | Loucheux.

5 | (MRS. ROSE ALBERT AND
6 | MR. JIM KOE SWORN AS INTERPRETERS)

7 | THE COMMISSIONER: We have
8 | people from Arctic Gas here today. We have people from
9 | Foothills here today. Foothills is the other pipeline
10 | company; they weren't here last April because they
11 | hadn't gotten into the race then. But Foothills wants
12 | to build a pipeline on the east side of the Mackenzie
13 | Delta. It's the Arctic Gas Pipeline that you may be
14 | chiefly concerned with here today, and we have people
15 | from Imperial Oil here as well. They're here to listen
16 | to what you have to say, but later on if you wish, you
17 | can ask them questions.

18 | So I think I'll ask the first
19 | witness to proceed, but you can just translate, Mrs.
20 | Albert.

21 | (MRS. ALBERT TRANSLATES)
22 | LAZARUS SITTICHINLI resumed:
23 | INTERPRETER KOE: He was born
24 | in 1890 and he said whatever
25 | you people do, he said in time it might come handy to
26 | us, but he said he didn't want to -- he just wanted to
27 | say a few words.

28 | If I'm not mistaken I think
29 | he's about 86 years old now, so we'd like to see what
30 | he has to say.

1 He says he was in Fort
2 McPherson, he was brought up there and he spent most of
3 his young days up there. But in 1960 he said he moved
4 down to this area, to Aklavik area. Ever since then
5 he's been here. The government figures they know this
6 country but as far as he's concerned he knows this
7 country just as good as the government, because he has
8 made his living around the area of Fort McPherson and
9 he made his living here all that time, and he's still
10 here in the Aklavik area.

11 He says a lot of government
12 people come down this country and they actually don't
13 ask us nothing and they just do what they want around
14 here. When he first came down to this area here he
15 said there was lots of game and lots of caribou. He
16 says he made a good living down here, but he says it's
17 a little different now.

18 He says his trapping area is
19 up the Husky River, which is about 12 miles from here,
20 and he says one winter the oil companies came in there
21 and they worked around there. They done a lot of
22 seismic work around there. Now today he says there's
23 not even mousetrap up there.

24 When it come summertime he
25 goes down here, he says about eight miles, and does his
26 winter fishing there , makes dry fish for the winter,
27 and he says every year he goes there.

28 He said about three years ago
29 or less or more, the oil companies went down there and
30 they were blowing up dynamite on the river. He says

1 | since that time the fish are not the same, it's not
2 | that the fish are less, he says the fish are very poor,
3 | sometimes not even fit to eat. We have a run of Arctic
4 | char up here, he says all them fish are not the same.

5 | He said last summer the fish
6 | are getting a little better but on the other hand he
7 | say the boys go down here after open season and hunt
8 | geese or ducks, he says the ducks are very poor and so
9 | are the geese. Also he said there used to be lots of
10 | rabbits. There's no rabbits to be seen now, he says.

11 | So he said, I know the changes
12 | that have taken place in our country down here. He says
13 | that's all he's got to say about what he know about the
14 | country down here, but he says one thing he'd like to ask
15 | is, he says he wants to talk for the benefit of my
16 | children and my grandchildren about land claims.

17 | He says since a long time the
18 | white people came down here, he said we don't bother
19 | them and they don't bother us. But lately he said they
20 | came down here and started working for oil, and he said
21 | this is where big talk is going on mw. They find oil,
22 | different kinds of oil that we don't know nothing
23 | about, but he says the only thing they didn't know that
24 | all this talk was going to come about until just
25 | recently it started. He says now if they ever push
26 | that pipeline through, he said he heard that every 50
27 | miles there's going to be a camp.

28 | He said all we wish for now
29 | if the pipeline ever come through and you start taking
30 | oil out of our country we want something out of it.

1 That means to say we want certain percentage out of
2 that oil that's taken out of here, and that will be for
3 the future of our children.

4 The first time we heard that
5 the pipeline was going to come through, that the
6 pipeline was going to come from Alaska all the way up
7 the foothills, all the way up, which they really didn't
8 want. He said because there's many rivers flowing from
9 the river, from the mountains that goes into this river
10 here, and the fish goes up that river. This is why, he
11 said, we didn't like the pipeline along the foothills
12 all the way up. But now he says, you told us that the
13 pipeline might cross the mouth of the river. So we
14 don't mind that because the river down there is not
15 that deep and he says I don't think it will do too much
16 harm. But another thing, he says, if the pipeline goes
17 across any river up the river, he says this is where
18 we're thinking twice again, because in the springtime
19 the rivers are pretty swift and when the ice goes, he
20 says anything that's in the road, he says the ice will
21 push it and this is what we're afraid of, the pipeline
22 might break. This is one of our big worries now.

23 He wants to tell you a little
24 story about when gold was discovered in Dawson. He said
25 I'd just like to let you know what happened there. He
26 said as soon as the Mackenzie River ice went he said
27 there was people coming down, but he said the Peel River
28 had gone already so he said many white people landed
29 around McPherson. Most of them came down the river, he
30 says some went up the Peel, I guess they wanted to make

1 | it cross-country over to Dawson. Then some of them went
2 | up the Rat River and went down the Porcupine, and he
3 | says some of them went even across the portage, from
4 | McPherson over to LaPierre House. That's how they
5 | travelled them days.

6 | He says when the white people
7 | came down here for that Gold Rush they travelled all
8 | over, but he says them days there was no engines. He
9 | said everybody had to work or paddle down or whatever.
10 | He says the caribou was coming up this route here, but
11 | he says so many people working summer and winter, he
12 | say the caribou took another route and went down across
13 | the other way towards Old Crow. He said there were
14 | people were up the river and then there were some on
15 | the Porcupine River, he said there was no caribou to be
16 | seen that winter but it just happened he said there
17 | was one person, them days he says they used to make
18 | corrals for caribou, and they would chase these caribou
19 | into this big corral and they would set snares or kill
20 | them with bow and arrows, or whatever what-not, if they
21 | got guns they used guns; but he says there was this one
22 | person he had lots of meat and the people heard of it,
23 | and he's the guy that help out the people that winter.
24 | He says he still remembers that.

25 | That's all I have to say just
26 | now. But he says them days I was a young man, no rifles
27 | them days but he says they had some gun they called
28 | muzzle-loader, which you load yourself. He says I shot
29 | caribou with that and I've shot moose with that. But if
30 | the young people say they done that, I wouldn't believe

1 | them, he said.

2 | THE COMMISSIONER: Neither
3 | would I.

4 | A Thank you for listening
5 | to me.

6 | THE COMMISSIONER: Thank you,
7 | sir. Thank you very much.

8 | (WITNESS ASIDE)

9 |

10 | MRS. MARY HUSKY resumed:

11 | INTERPRETER KOE: Mrs. Mary
12 | Husky just wanted to say a few words. She say when you
13 | people first came down here -- she means especially the
14 | oil companies -when they came down here why didn't they
15 | ask us or why didn't they tell us this is what they
16 | were planning to do? She say if they told us, maybe
17 | they would think a little different. But they just
18 | went ahead without asking us nothing and now I guess
19 | this is why there's a big talk down among us around
20 | here.

21 | Exploration started working
22 | down here, she said our livelihood is decreasing. She
23 | said in the springtime there's all kinds of ducks
24 | around here, we never see that no more. Many kind of
25 | our livelihood we live on has disappeared.

26 | She said we're not like the
27 | young people of today who make a little different
28 | living. What she means is that most of the young people
29 | live off the stores. But she said us, we were brought
30 | up old-timers with meat, fish, and any game at all in

1 | season, she said that's what we're brought up on.

2 | This is why she said they're
3 | worried about the younger people yet. I think, she
4 | said, or I know we dislike the oil pipeline. We want
5 | our land be left alone.

6 | We know that there is no
7 | caribou here this winter. She said there used to be no
8 | caribou, there was lots of rabbits. We snared rabbits
9 | and that's what we would live on. If not rabbits, she
10 | said we live on ptarmigan, we snare ptarmigan or shoot
11 | them. But this winter there's nothing to be killed and
12 | what the heck we going to do?

13 | She want now, she said many
14 | of us want land settlement. She said that's our wish
15 | today. All they want, she said, is we want our land
16 | and we don't intend to give up our land, and the
17 | quicker we get the land settlement she said that will
18 | protect our future children and ourselves today.

19 | So therefore she said we
20 | would be very happy if they can tell us, "Now, this is
21 | our land."

22 | That's all I have to say, and
23 | she wants to thank you all for listening.

24 | THE COMMISSIONER: Thank you
25 | very much.

26 | (WITNESS ASIDE)

27 |

28 | TOM ELANIK resumed:

29 | INTERPRETER ALBERT: This is
30 | Tom Elanik, and Tom Elanik lived in the delta all his

1 life, and he's going to be 75 this year. He said most
2 of the time he lived in the delta long ago there used
3 to be a lot of people living in the bush all over in
4 the delta there was people, and all these years they
5 lived there, he never ever remembered running short of
6 any kind of animals to eat or to hunt. He says even
7 though people got a lot of rats in spring, or killed
8 all kinds of animals, they always come back. He said
9 he brought up all his kids living out in the bush, but
10 since the oil companies started coming he know that
11 himself, things are really changing, especially since
12 they started blasting all along the rivers and he know
13 that there is even no muskrats in some lakes.

14 He said he brought up all his
15 kids living out in the bush by hunting and trapping,
16 but since over five years ago he was forced to leave
17 his home out in the bush and move to Aklavik, where he
18 could make a living, because there wasn't anything else
19 more to hunt. He said he sure hope that the oil
20 company quit blasting soon because if they keep it up,
21 there will be no more animals left for sure.

22 He said if the pipeline kill
23 all animals and the birds that are living here in the
24 north especially in the spring, there will be nothing for
25 them to eat or nothing to live on, because he said the
26 Indians and Eskimos have no money. He said most of them
27 now, because they have no place to hunt or trap, the
28 government is looking after them, and this year
29 especially with no food around, he said people are giving
30 them fish to eat, a little bit here and there. He said

1 | how many years he lived all this time in the delta he
2 | never ever had any problems until the oil company came,
3 | so he said himself, he sure hope that they quit blasting
4 | soon. But he said he heard also that they were going to
5 | put the pipeline through by Shallow Bay. He said he
6 | thinks that OK. but he's worried about if they put the
7 | pipeline in anyway, that it might, something might happen
8 | because he said the water is strong and that, and if it's
9 | around somewhere it will ensure something to happen.

10 | But he said down there in
11 | Shallow-Bay it's shallow and there is hardly any kind
12 | of animals there, except maybe foxes. So he said the
13 | last thing he said again is he sure hoped they quit
14 | blasting soon because he don't want to see the whole
15 | delta without any kind of animals at all that anybody
16 | could hunt. He said again that the Eskimos and Indians
17 | have no money so they will be poor if all the animals
18 | ever leave the north and the delta.

19 | THE COMMISSIONER: Thank you
20 | very much.

21 | (WITNESS ASIDE)

22 | THE COMMISSIONER: I think
23 | we'll ask the Hunters & Trappers Association to present
24 | the evidence of the traditional hunting and trapping
25 | areas that we see on these maps. Maybe Mr. Bayly,
26 | these witnesses could come forward now.

27 | MR. BAYLY: The presentation
28 | that is about to be made is in response to your request,
29 | sir, that evidence be led regarding the native land
30 | claims and the areas that are used in the traditional

1 | these men's land use. The maps also include the land
2 | use of people who lived in the area at some time in the
3 | past, but were resident in one of the other western
4 | Arctic communities at that time. Thus there is
5 | information for somewhat more than 51 men on these maps.

6 | In the same way, activities of
7 | those Aklavik residents who have lived in other places
8 | such as Tuk or Banks Island are recorded on the maps for
9 | those communities. These maps here show the activity of
10 | people who have lived in the Mackenzie Delta itself or
11 | along the coast between the Alaska boundary and the
12 | mouth of the East Channel of the Mackenzie River.

13 | Two maps were compiled for
14 | the purpose of this hearing, one showing land use from
15 | 1955 to the present time, and the other showing land
16 | use before 1955, which is that one.

17 | 1955 was chosen as the
18 | dividing date because in that year construction of both
19 | Inuvik and the Dew Line began, and this as well as
20 | other events, led to altered patterns of land use. Due
21 | to the complexity of land use in the modern delta
22 | itself, land use for that area has been portrayed
23 | separately on larger scale maps, that's those two
24 | smaller maps up there.

25 | There is also a map showing
26 | land use for the entire Western Arctic region. That is
27 | all the communities, which is over on that wall there.
28 | The report which accompanied these maps entitled:
29 | "Eskimo land use and occupancy in the Western Arctic"
30 | dated 24th of September, 1974, and written by me, has

1 | listed as a document with this Commission. A summary of
2 | that report, as well as the first draft of these maps,
3 | were presented to a meeting of Aklavik residents on the
4 | 30th of July, 1974. Those attending verified the report
5 | and maps, as an accurate representation of their land use
6 | and occupancy, subject to minor corrections based on
7 | their knowledge which they advised me about on that
8 | occasion, and which I subsequently incorporated into
9 | these final maps.

10 | I should say one more thing.
11 | We are going to mark on these plastic sheets here more
12 | or less the way people marked on their individual maps
13 | two years ago, and the people who will do this today
14 | are Andy Kayutak, Jacob Archie, Frank Elanik and Andrew
15 | Archie .

16 | MR. BAYLY: The first one to
17 | put information onto the maps will be Frank Elanik, Mr.
18 | Commissioner.

19 |
20 | FRANK ELANIK resumed:
21 | THE WITNESS: My name is
22 | Frank Elanik and I was born in, 1927. My birth place
23 | is here and I was pretty young them days when we moved
24 | to Tununik, in 1927-31 we were down here, we wintered
25 | here for several years, then one summer there we went
26 | up around Liverpool Bay and up to Stanley's Cabin.

27 | MR. BAYLY: Can you mark that
28 | route that you took on that piece of plastic, Frank?

29 | A Pardon me?

30 | Q Can you mark that route on

1 | that piece of plastic with your pencil? Could you mark
2 | some of it on there?

3 | A The plastic doesn't go
4 | far enough. It was 1935 we went to Kendall Island, and
5 | from Kendall Island we went to Tuk, and then from Tuk
6 | we got our supplies -- I was pretty young, I was only
7 | about eight years old when we made this trip around to
8 | Gold Bay and up these fingers and up to past Stanley's
9 | Cabin. He was with us that year, Frank Calkny was .

10 | We wintered there and from
11 | there we went back: to Tununik and then from there I
12 | went to school at Aklavik and I was in school for three
13 | years at Aklavik, and then after three years -- '39, I
14 | believe -- we were, I was there again, and then from
15 | there we wintered at Shingle Point, Canning River, and
16 | Abe Allen was with us that time we were down there.
17 | Was it '39 or 1940, Abe?

18 | MR. ALLEN: 1940-41.

19 | A '41. Then from there we
20 | wintered only one year and we went to Marcus Place
21 | Marcus River an I was old enough to trap with my dad.
22 | We had a trapline -I'll just mark it roughly here -from
23 | our camp we go to Louis' place and from Louis' place we
24 | go down to Tununik and down the Kookgyak River we
25 | follow the Kookgyak and from here we used to cut across
26 | to Yaya Lake, and we cut across here and we had a camp
27 | at Yaya Lake, and from there we go back home.

28 | Then we also had a line from
29 | here by this route and across Shallow Bay over here,
30 | and then down to old Harry's place. I guess Victor

1 remembers those day when we used to camp down there.

2 From there we would go home
3 by Shallow Bay, across Shallow Bay by Hansards place
4 and by Shitnik and then home again.

5 From there we had another
6 line across to east branch This was before they
7 registered traplines. We had a line from our camp
8 across Mackenzie River and up through the lakes and
9 then up to the Reindeer Station, and up by the
10 foothills. We come back down and then back by -- we
11 follow this river and back home again.

12 Then seven years later when
13 they registered, our rat camp was moved down here. I
14 should have my glasses, that would be this spot here.
15 We're not allowed to go outside of our lines when we
16 had the registered trapline, we stay inside the
17 boundary.

18 In 1950 from Aklavik I had a
19 trapline all the way down to Herschel Island. We go
20 over and then down to Ptarmigan Bay and then across to
21 Herschel Island. That was in 1950 or '51, I believe.

22 Then I went to work for Dew
23 Line, I worked at Tununik and Inuvik, I lived in Inuvik
24 for 12 years and came back here in '68. In '68 I,
25 Jacob and I and Harry Gordon we had a trapline from
26 Aklavik by Canoe Lake and over to Fish Hole and we
27 followed Big Fish River out to Arnold's cabin, I think
28 it was here; and from there we just had a short line
29 that went out to Shallow Bay and back to Arnold's cabin
30 and from these we made another line out this way by old

1 Harry's and dawn back up here, and from there we
2 followed the channel. I can't see very good here. We
3 followed Adams Channel and back to Aklavik.

4 MR. BAYLY: Do you want to
5 draw in your caribou hunting areas, all the area you
6 use for caribou hunting?

7 A Yes. We mostly get our
8 caribou -- there's caribou in the winter up in here.
9 In summertime we get our caribou down in from Fish
10 River down to Shingle Point. That's our -- we do our
11 hunting down here, we get our caribou, geese in the
12 fall, geese go there the last week in August, and feed
13 ox berries up in this part here. Then we get our
14 whales in Shallow Bay and we get our Arctic char in Big
15 Fish River. That gives our main valuable piece of
16 ground down here where pipeline route is going in.

17 I believe if they ever put
18 the pipeline from Alaska we won't be able to get our
19 caribou and geese and whales and char after the
20 pipeline is put in.

21 Q Do you want to say
22 something about bears?

23 A No, I'm afraid of bears.
24 (WITNESS ASIDE)

25
26 MR. BAYLY: The next person
27 will be Jacob Archie, Mr. Commissioner.

28
29 JACOB ARCHIE resumed:
30 THE WITNESS I am Jacob Archie

1 | from Aklavik. I was born in 1932 at Phillips Bay in
2 | the Yukon. From Phillips Bay we came to Aklavik in
3 | 1946-47-48 and I've lived there ever since. Here is my
4 | camp here and I trap around here and up in here, Fish
5 | River. From Allen's little house to Fish River all the
6 | way up to here and back to Aklavik.

7 | MR. BAYLY: Do you have any
8 | other) old ones?

9 | A I used to trap here when
10 | I was young.

11 | Q Can you mark that on
12 | there, where you were when you were young? I

13 | A Yes. Where's Dew Line?
14 | Shingle Point, we used to trap through here,

15 | Q Could you help narrate
16 | where these lines are going to, for the record?

17 | A Oh, O.K., is it all
18 | right if I just mark on that the blue lines are trap
19 | lines? Or do you need it on the record as opposed to
20 | this?

21 | THE COMMISSIONER: I think
22 | you should describe those lines for the record.

23 | MR. USHER: These lines are
24 | going from Phillips Bay up to Herschel Island and then
25 | back down this way, and then there's a trapline from
26 | Shallow Bay to Shingle Point. Any further than this?

27 | A Yes, to here,

28 | MR. USHER: To King Point,
29 | and these ones on the west side of the delta and up
30 | Fish River are traplines also.

1 This is a trapline from
2 Aklavik to Canoe Lake and Fish Hole and down Fish River
3 to the mouth here and back to Aklavik.

4 There is muskrat trapping all
5 through this area here just north of Aklavik here.

6 MR. BAYLY: Do you want to
7 mark on here your hunting areas, caribou hunting areas?

8 A All the way down here,
9 from Moose Channel all the way down.

10 Q How long is that line?

11 A Oh, five or six miles.

12 Q Where do you hunt geese?

13 A Here.

14 Q Do you want to mark
15 anything else on? A That's all, I guess.

16 MR. USHER: The caribou hunting
17 is here in the Richardsons and also down by Blow River,
18 and geese hunting here toward the mouth of Shallow Bay on
19 the south side, and whale hunting at Nahannic?)

20 (LAND USE MAP OF F. ELANIK MARKED EXHIBIT C-241)

21 (LAND USE MAP OF J.ARCHIE MARKED EXHIBIT C-242)

22 THE COMMISSIONER: Well,
23 that's underneath, is it?

24 MR. USHER: Yes, the black
25 ones are underneath.

26 (WITNESS ASIDE)

27 MR. BAYLY: Do you want to
28 mark the route you came from Alaska on?

29 ANDY KAYUTAK resumed:

30 THE WITNESS: My name is Andy

1 | Kayutak and I'm from Aklavik .
2 | THE COMMISSIONER: Can you
3 | talk louder?
4 | MR. USHER: Where were you born?
5 | A At Demarcation.
6 | Q AT Demarcation?
7 | A Yeah.
8 | MR. USHER: Andy was born at
9 | Demarcation, which is here, and where did you go from
10 | there when you were young with your parents?
11 | A Clarence.
12 | Q How old were you then?
13 | A Not too old, 11.
14 | Q 11 years old. Were you
15 | trapping then?
16 | A Yes.
17 | Q Whereabouts did you have
18 | your trapline?
19 | A I don't know how far it
20 | go.
21 | Q Do you want to mark it
22 | on with this?
23 | A O.K.
24 | Q From here to Herschel
25 | Island, or -- and where did you live after that?
26 | A At Ptarmigan Bay.
27 | Q And where did you trap
28 | from there?
29 | A All the way from here to
30 | here and all the way up to here.

1 Q Firth River, you went by
2 Firth River up here?
3 A M-hm.
4 Q And through this, which
5 way did you go?
6 A I don't know.
7 Q But you crossed the
8 mountains eh?
9 A M-hm.
10 Q From Firth River
11 somewhere around here.
12 A Yeah, right down to Old
13 Crow Flats.
14 Q Right down to Old Crow
15 Flats.
16 A M-hm .
17 Q And you had a trapline
18 here to Nahannic? O.K., right.
19 A What about the caribou?
20 Q O.K., sure, mark that
21 on. Where did you hunt caribou?
22 A All the way along.
23 Q All along this coast?
24 A Yeah.
25 Q How far inland would you
26 go hunting caribou in those days?
27 A About 20 miles, right up
28 to the mountain.
29 Q You would hunt caribou
30 inland about 20 miles right up to the mountains, and

1 Q All through here to
2 Napoiak?
3 A Yes.
4 Q Out this way too, or
5 just there?
6 A No, I trapped down here
7 along here.
8 Q Down the West Channel?
9 A M-hm
10 Q This is a trapline all the
11 way down the West Channel and out through here and along
12 the coast to Stokes Point, which is right there, eh?
13 A Yep.
14 Q Oh, inland by Deep Creek?
15 A M-hm.
16 Q Where does this one go
17 from here?
18 A Shingle Point.
19 Q Join it up at Shingle
20 Point and come back the same way, O.K. Whereabouts do
21 you hunt moose?
22 A Right around here, all
23 along here.
24 Q O.K., this is moose
25 hunting here, Deep Creek, in that area. Blow River also?
26 A Yeah.
27 Q Do you hunt caribou
28 there too?
29 A Yeah.
30 Q All along this right here?

1 A Yes.
2 Q And where else do you hunt
3 caribou?
4 A In here, that's between
5 here and Canoe Lake.
6 Q Do you ever go down toward
7 Rat River, that area to hunt?
8 A Yes.
9 Q How far?
10 A Right there.
11 Q Do you have any traplines
12 in here in the mountains?
13 A Here.
14 Q Which way? Fish Hole?
15 A Right there.
16 Q Along this way more or
17 less, m-hm. That's a trapline from Canoe Lake to Fish
18 Hole, Do you fish there at Fish Hole?
19 A Yes.
20 Q Everybody fishes there.
21 That's Shallow Bay being marked on. And geese?
22 A Yes.
23 Q Along the coast , Tent
24 Island, in that area.
25 A Yes.
26 Q That's Fish Hole right
27 there up the Babbage River.
28 A That's good enough.
29 MR. USHER: O.K., thanks.
30 (WITNESS ASIDE)

1 (LAND USE MAP OF A. KAYUTAK MARKED EXHIBIT C-243)

2 MR. BAYLY: What is shown on
3 the maps here is a sample of the are used by the people
4 of Aklavik for hunting and fishing and trapping, and I
5 understand that Frank Elanik was one of the people at the
6 meeting that Peter Usher was talking about where these
7 maps were shown to the people, the Hunters & Trappers
8 Association of Aklavik, and the Association agreed that
9 they were correct except for a few changes that Peter
10 made afterwards. Do you remember that, Frank?

11 NE. ELANIK: Yes.

12 MR. BAYLY: Can you tell me
13 when you look at these maps that these maps show the
14 areas that were used by those people the way Peter drew
15 them?

16 MR. ELANIK: Yes.

17 MR. BAYLY: Now, any of you may
18 want to answer some of these questions that I'm going to
19 ask you now, and if you do, just take the microphone over
20 to yourself. I gather from this and from what you have
21 told me before some places are places that you go to
22 pretty well every year to do certain things.' There's
23 some places where you go to get geese, for example.

24 MR. ELANIK: Yes.

25 MR. BAYLY: And other places
26 where you go whaling.

27 MR. ELANIK: Pardon?

28 MR. BAYLY: And you go whaling
29 at certain times of the year in certain places.

30 MR. ELANIK: Yes.

1 | The first week in July and maybe the last week in June
2 | sometime if they come early.

3 | THE COMMISSIONER: Into
4 | Mackenzie Bay?

5 | MR. ELANIK: Yes .

6 | MR. BAYLY: And there are
7 | certain places where you go trapping because you know
8 | that either the foxes or muskrats likely to be there at
9 | certain times of the year.

10 | MR. ELANIK: Yes.

11 | MR. BAYLY: And you've pointed
12 | out on the maps here that there are certain special spots
13 | where you do your fishing.

14 | MR. ELANIK: Yes.

15 | MR. BAYLY: They are called
16 | Fish Holes and they are on the some of the rivers that
17 | have been marked.

18 | MR. ELANIK: Yes.

19 | MR. BAYLY: Now, as I
20 | understand from what we have talked about before, people
21 | from Aklavik think of themselves as people of the delta.
22 | Is that right?

23 | MR. ELANIK: That's right.

24 | I feel very strongly about this. In Aklavik we haven't
25 | got very many jobs, very few of us got jobs and we
26 | mostly depend on trapping and hunting, and that is why.
27 | I think everybody, most people in Aklavik don't want the
28 | pipeline from Alaska to come down by coast, and this is
29 | -- it's like I say, it's like a deep freeze to us in
30 | summertime, we go down and get our haies and in summer,

1 | we get our caribou, in the fall we get our geese, in
2 | August we go down to Fish River and get Arctic char. I
3 | believe if they ever put the pipeline down by there there
4 | won't be as many game as there used to.

5 | MR. BAYLY: O. K. now, are
6 | there some areas that the animals are that you may not go
7 | but might still be important to you?

8 | MR. ELANIK: Yes. Well, for
9 | instance now this winter there's no caribou up in the
10 | Richardson Mountains, I think there are about 20 at the
11 | most killed down that way from Fish River down to Babbage
12 | River.

13 | MR. BAYLY: So that's an
14 | important area.

15 | MR. ELANIK: That's a really
16 | important part there, like from Fish River down to say
17 | Babbage, all the geese been there from last week in
18 | August, all the geese spend their time until they go
19 | south, eating berries, fattening up.

20 | MR. BAYLY: When do you get
21 | your geese, in the fall?

22 | MR. ELANIK: Yes, in September.

23 | MR. BAYLY: Now, in the old
24 | days I've been told that the people had certain rules,
25 | they weren't written down like the rules that the white
26 | man brought from the south, but you had certain areas
27 | where you knew you could go and certain other areas where
28 | you knew perhaps that there were other people that you
29 | might visit but you wouldn't live in. Can you tell us
30 | something about how you felt there ere boundaries to

1 | the areas that you went to, even if there were no fences
2 | or anything like that?

3 | MR. ELANIK: Maybe you could
4 | answer that question.

5 | MR. ARCHIE: Well, there were
6 | certain things, an unwritten law amongst the Eskimo
7 | customs and we go to these people to visit them but then
8 | we won't interfere with their trapping grounds. We each
9 | had our own trapping territory, like, and they had
10 | theirs, and so we go there and visit them. Also we know
11 | the right time of the year to go hunting, either caribou,
12 | moose, or ducks, or muskrats. We follow these rules
13 | because our fathers and our grandfathers and their
14 | brothers and cousins, they all taught us since were
15 | small, to go by these unwritten rules. So that way we
16 | know that it's the right time of the year to get it, we
17 | don't go them when the bull is in, you know, and so we go
18 | from year to year following these rules. That was our
19 | unwritten law, like.

20 | MR. BAYLY: Can you tell me
21 | something about some of the places that have been marked
22 | on the map here where people used to go and perhaps where
23 | there aren't very many people living any more? Andy
24 | Kayutak, you marked on the map Herschel Island as a place
25 | around which you used to live. Can you tell us whether
26 | you feel that is still an important area to have
27 | available for people?

28 | MR. ARCHIE: Mr. Bayly, well
29 | especially the whaling territory, we go there each
30 | summer and even if we don't go there for a couple of

1 vibration will certainly make a noise and that could
2 scare the fish and whales and other animals away.

3 You all know that when an oil
4 truck comes they haul out the hose there and bring it to
5 the house, and they start the engine and start vibrating.
6 Well, that pipeline to us, it will be like that hose
7 there from a big truck to the house there.

8 MR. BAYLY: Now, perhaps you
9 could tell the Commissioner something about the
10 importance of the land to you and the food that you get
11 from it, and what your thoughts are about that. Can you
12 tell us about living off the land and getting the food
13 from it, and whether that's something that's important to
14 you as people?

15 MR. ELANIK: I think the most
16 important is the caribou and the fish we get here, and
17 the muskrat. We in Aklavik have, like I said, most of
18 us don't have jobs and can't afford meat from the
19 store. Here one little salmon that big would cost you
20 \$1.27, only about, I don't know how many ounces is that
21 You go out in the river and get your fish you get a big
22 fish for \$1.27. Then we mostly depend on game, caribou
23 and as a matter of fact I 'still got caribou meat from
24 last year which I put away, and fish, and muskrat. The
25 whole delta area is just like our bank book, when we
26 want to harvest muskrats in spring that's when we make
27 a few dollars.

28 This is what the government
29 gave me back last fall, they gave me -- they're only
30 allowed to pay you 15% on your fur.

1 MR. BAYLY: This is a letter
2 that Mr. Elanik has asked me to read into the record, Mr.
3 Commissioner. It's from the Government of the Northwest
4 Territories, from R.B. Hall, Supervisor of Trapline
5 Management, Fish & Wildlife Service.

6 "Dear Frank Elanik, Sr.:
7 The trappers incentive grant or fur subsidy
8 cheques are now being distributed for fur that was
9 sold during the last trapping season. The
10 percentage being paid this year is 15%, and anyone
11 who sold more than \$400 worth of fur has qualified
12 to receive a payment. Again we are able to pay a
13 subsidy on all sales up to 2,000. The records of
14 fur sales are obtained from the Northwest
15 Territories Fur Traders. Furs sold through
16 southern auction is included if the trapper
17 provides us with a copy of his sales receipt or
18 grade sheet. Fur sold to persons other than
19 traders may also be included, if signed and
20 itemized receipts are provided.

21 We would like to remind you that the
22 purpose of this money is to assist you with the
23 purchase of any trapping equipment or supplies
24 you may need for this trapping season. Before
25 issuing these cheques, we have checked our
26 records to see if you had any trappers loans
27 that were not repaid, or if there were any over-
28 payments on fur shipments you sent to the
29 auction. If you had any outstanding debts
30 there were deductions made, and this will be shown

1 below."
2 Then it says:
3 "Records
4 Recorded fur sales - \$4,676.50
5 Maximum allowed - 2,000.
6 Amount of grant 15%- 300."
7 Then a list of deductions, none of which apply here, and
8 amount of your cheque, \$300.
9 MR. ELANIK: The other one is
10 what my wife sold.
11 MR. BAYLY: And there's an
12 identical letter for Winnie Elanik, Frank Elanik Sr.'s
13 wife, in the amount of \$249.02.
14 MR. ELANIK: We actually made
15 6,700 last year trapping.
16 MR. BAYLY: And that's what you
17 mean by saying that the land is your bank that way.
18 MR. ELANIK: Yes. It's like
19 our bank book to us, that fur we get from the land.
20 MR. BAYLY: O.K. now, were
21 there any questions that the Trappers Association would
22 like to ask of either Foothills or Arctic Gas? I think,
23 Andrew, you said there might be some questions you wanted
24 to ask.
25
26 ANDREW ARCHIE resumed:
27 THE WITNESS: Well, they going
28 across Shallow Bay with 48-inch pipe, how are they going
29 to keep it from floating up? I'd like to know .
30 THE COMMISSIONER: Right. We'll

1 ask them to answer that, Mr. Rowe. We'll ask Arctic Gas
2 to answer that. Foothills isn't intending to cross
3 Shallow Bay with its pipe., so Mr. Rowe -this gentleman
4 is with Arctic Gas.

5 MR. ROWE: The pipeline where
6 it will cross the Shallow Bay or any water crossing will
7 be covered with a concrete or cement coating on the
8 outside of it, which will serve to hold it from floating
9 up to the surface.

10 THE COMMISSIONER: He says it
11 will be covered with concrete, so that it will stay down.
12 We at the formal hearings we are going to find out more
13 about that from Arctic Gas because we're very concerned
14 about that too, that is the Inquiry.

15 THE WITNESS: Perhaps I could
16 ask Arctic Gas if they put the pipeline down in the
17 bottom, is there any chances of any flow of mud forming
18 up on both sides, or will it change the currents or any
19 -- we're interested if any mud piles up.

20 MR. ROWE: We don' t think so.
21 The people who do those studies have been working on
22 Shallow Bay this past summer to measure the currents and
23 to take samples of the soil along the bottom of Shallow
24 Bay, and they feel that the soil is of such a nature
25 there that it will spread out very evenly on top of the
26 pipeline. The pipeline will be many feet underneath the
27 bottom of the channel, and the soil is very fine there so
28 it will, they feel, spread out very evenly along the
29 bottom and won't leave any mound or any berm over top of
30 the pipeline.

1 (WITNESS ASIDE)
2
3 FATHER ADAM resumed:
4 THE WITNESS: I have a
5 question. The length under the water, will you have some
6 expansion joint?
7 MR. ROWE: No, there will not
8 be expansion joints in the pipeline, not the same sort of
9 things you would see in an oil line, in a heated oil
10 line.
11 THE WITNESS: I understand you
12 don't need that for a hot pipeline but for the gas
13 MR. ROWE: I'm sorry, sir,
14 could you repeat that, please?
15 THE COMMISSIONER: The gas is
16 going to be chilled, Father Adam, that's I take it why
17 they say they don't need expansion joints.
18 MR. ROWE: That's correct,
19 there will be no change in temperature.
20 THE COMMISSIONER: The gas is --
21 THE WITNESS: There will be no
22 change in temperature?
23 THE COMMISSIONER: That's what
24 they say.
25 THE WITNESS: O.K., that's
26 fine.
27 (WITNESS ASIDE)
28
29 ANDREW ARCHIE resumed:
30 THE WITNESS: Perhaps I could

1 ask Arctic Gas if they have this concrete will it be on
2 top of the pipeline to keep it from

3 MR. ROWE: Yes, on Shallow Bay
4 it will be a coating which goes all the way around the
5 pipeline several inches thick, all the way around the
6 pipeline; but in some areas where the soil is soft, then
7 they put weights on top of it sometimes, but not under
8 Shallow Bay or under major river crossings, it's always
9 coated all the way around the pipe on those.

10 (WITNESS ASIDE)

11

12 FRANK ELANIK resumed:

13 THE WITNESS: When they dredge
14 across the Shallow Bay, how will they keep the sand from
15 going back in and filling the dredge?

16 MR. ROWE: They plan to dredge
17 a fairly wide hole with banks that slope back at a very
18 shallow angle so that it wont fill in before the pipe
19 goes in.

20

21 (WITNESS ASIDE)

22

23 MR. ARCHIE: Mr. Commissioner,
24 at the moment here there are four of us here are Eskimos,
25 but however we like it to be known that for the Trappers
26 Association, this includes the Metis and the Indians
27 Association, it's not only the Eskimo who feel that this
28 is for everybody --

29

THE COMMISSIONER: Yes.

30

MR. ARCHIE: -- we are asking

1 | these questions.

2 | THE COMMISSIONER: I understand.

3 | MR. ROWE: Mr. Berger, Andrew
4 | asked a question a little while ago or he made a point I
5 | guess, about the noise that the pipeline would make going
6 | under the river, and I might just mention something to
7 | him about that, if that's all right.

8 | THE COMMISSIONER: Go ahead.

9 | MR. ROWE: This summer we tried
10 | to measure the noise on a pipeline in the south where it
11 | goes under a river, and we tried to find a line which had
12 | roughly the same flow of gas, the same speed and so on, and
13 | one that would be very close to the one that is proposed
14 | for Shallow Bay and we took some very sensitive microphones
15 | and held them down near the bottom of the river to measure
16 | the noise that was going through this pipeline, and the
17 | noise that we did measure was very very low, you certainly
18 | couldn't hear it, the human ear couldn't detect it, and we
19 | sent the results to some people who have done studies on
20 | whales, the hearing of whales and so on, and they answered
21 | us that they thought the noise was lower than a whale could
22 | hear. It was below the level at which a whale could
23 | perceive noise. I think that report has been submitted to
24 | the hearing as evidence.

25 | THE COMMISSIONER: We have
26 | already heard from some biologists and scientists about
27 | the whales, and the problems that they would have in
28 | Shallow Bay if a pipeline were built across, and if oil
29 | and gas development continued in Mackenzie Bay. We're
30 | concerned about that too and looking into it, and we did

1 | look into this question that Mr. Rowe has mentioned that
2 | is disturbance to their sense of hearing. I thought I'm
3 | not saying we necessarily agree with what he said, but
4 | we're looking into it.

5 |

6 |

ANDY KAYUTAK resumed:

7 |

THE WITNESS: If they built a

8 |

pipeline there --

9 |

MR. ROWE: Where?

10 |

MR. ELANIK: He wants to know

11 |

what if it starts leaking how you going to stop it from
12 | leaking out?

13 |

MR. ROWE: Under Shallow Bay?

14 |

MR. ELANIK: Yes.

15 |

MR. ROWE: If there was a leak

16 |

in the pipeline we would have to go in and dig away the
17 | soil from the bottom of it and repair it. It would be
18 | very difficult to repair under water.

19 |

THE COMMISSIONER: Well, in

20 |

fact you want to build two pipelines under Shallow Bay so
21 | that if you spring a leak in one you can continue to send
22 | gas through the other one while you're repairing the
23 | first one; is that it?

24 |

MR. ROWE: That is correct.

25 |

THE COMMISSIONER: If you look

26 |

the map you will see they want two pipelines under

27 |

Shallow Bay and they told us that's because they're

28 |

concerned about what would happen if there were a leak.

29 |

Where they're crossing the Mackenzie River south of Fort

30 |

Simpson, they have two pipelines because they're

1 | concerned about what will happen if there were a leak.
2 | If the river were frozen or if it were during breakup
3 | you'd have an awful time ever getting in there to repair
4 | it.

5 | (WITNESS ASIDE)

6 | THE COMMISSIONER: Would Mr.
7 | Koe and Mrs. Albert do your best to translate some of
8 | these things that have been discussed?

9 | (INTERPRETERS TRANSLATE)

10 | THE COMMISSIONER: I understand
11 | that Mr. Bell wanted to present some maps. Would it be
12 | appropriate for him to do that now?

13 | MR. BAYLY: Certainly, sir. I
14 | understand there are just a couple more questions.

15 | THE COMMISSIONER: Oh, fine.

16 | MR. ELANIK: Last year and the
17 | year before we were approached by Arctic Gas and
18 | Foothill' and we asked them about who was going to have
19 | the first priority for getting jobs, and Arctic Gas said
20 | native people would have the first priority.

21 | I understand in Alaska they're
22 | all unions and having this is going to create problems
23 | with the natives and union people; and I also understand
24 | the union controls everything.

25 | I also understand you got to
26 | join the union and pay up to 100 or \$300 to join a union
27 | and I also understand there is no Union Hall in the
28 | Northwest Territories.

29 | THE COMMISSIONER: Well, I'll
30 | say something about that. One of the jobs I'm supposed

1 | pipelines happened to have a leak in them and we were
2 | right in the midst of our whaling or fishing, how soon
3 | will they be there to clean up? Certainly the fish and
4 | the whales won't volunteer to clean up.

5 | MR. ROWE: Well, as the judge
6 | mentioned earlier, there would be two pipelines that
7 | would go under the water so that if one started to leak
8 | we would turn it off and use the other one to pump the
9 | gas through.

10 | The other point, I guess, is
11 | that the pipelines would have natural gas in them which
12 | would just bubble to the surface and then be diffused in
13 | the air. It's not like oil that would spread on the
14 | water. It's hard to describe. I suppose it's a little
15 | bit like propane, when it's vaporized you can't see it in
16 | the air, it disappears, merges into the air so there
17 | would be nothing to clean up. It wouldn't dissolve in
18 | the water or float on top of the water, it would just
19 | disappear.

20 | THE COMMISSIONER: I won't ask
21 | Foothills to answer. You're not building a line under
22 | Shallow Bay.

23 | I think maybe we should adjourn
24 | now for supper. I think we'll stop now for supper and
25 | we'll come back here at eight o'clock tonight and at
26 | eight o'clock tonight here in the hall we'll ask Mr.
27 | Bell and Chief Greenland to present the maps regarding
28 | some of the hunting areas used by the people of Indian
29 | descent. Then I understand Chief Greenland and some
30 | others wish to make statements to the Inquiry. So we'll

1 | reserve this evening for that, and we'll come back at
2 | eight o'clock tonight to the hall here.

3 | (PROCEEDINGS ADJOURNED AT 5:10 P.M.)

4 | (PROCEEDINGS RESUMED AT 8:20 P.M.)

5 | THE COMMISSIONER: Ladies and
6 | gentlemen, I think we'll come to order again. Mr. Bell?

7 | MR. BELL: Yes, I'm going to
8 | ask Fred, Greenland to assist with the land use maps that
9 | we see on the wall here.

10 |

11 | CHIEF FRED GREENLAND resumed:

12 | MR. BELL: I'd like to ask you,
13 | Fred, if you could explain to us your connection with the
14 | maps that are on the wall?

15 | A First of all, Glen, I was
16 | hired by the Indian Brotherhood to do land research for
17 | the I delta region here, and as you see the maps on the
18 | wall here, the major concentration place or major use is
19 | right in the delta here. You see these little lines?
20 | These are copies of the original maps that's in the
21 | headquarters of the Brotherhood office right now. If a
22 | person comes up and looks at it closely he will see the
23 | map code that we use. This represents the type of fur
24 | that's caught in these areas.

25 | Q Fred, perhaps I could ask
26 | you just, so people at the back can understand what
27 | you're talking about, perhaps you could just point out
28 | where Aklavik is and --

29 | A Aklavik is right here and
30 | the Richardson Mountain Range is up in here. It's

1 | unfortunate that we don't have a map for Blow River, It
2 | wasn't sent to me from headquarters, so that's missing
3 | here .

4 | Q Can you recall what would
5 | have appeared on that section of the map?

6 | A Yes, You see little lines
7 | here going into the Richardson Mountains. That's where
8 | the trappers, and hunters go for caribou hunt, and then
9 | it extends all the way down to Blow River. There again,
10 | like on the map coding we use here, like "B.C. is used
11 | for barren land caribou; you'll see the letter "5" that
12 | represents mountain sheep; and then there's certain
13 | places where there's moose killed, etc.

14 | Q Approximately how many
15 | trappers does this map represent?

16 | A This represents 18 trappers,
17 | consisting of Metis, treaty Indians and non status.

18 | Q And can you tell us what
19 | percentage of that group of trappers these 18 would be?

20 | A Oh, I'd say roughly about
21 | 30%.

22 | THE COMMISSIONER: Q Are they
23 | just from Aklavik? You're talking about from Aklavik, not
24 | Arctic Red or McPherson?

25 | A No, just Aklavik., I'm
26 | just talking about Aklavik.

27 | MR. BELL: Q Could you tell
28 | why you have these maps here with you in Aklavik?

29 | A The reason these are
30 | copies of the original, like I said earlier, these were

1 | sent back so that I could show it to the people, and I
2 | just received them recently and I haven't had a chance to
3 | show it to them so in case they want to expand on it, in
4 | case they forgot something or some areas.

5 | If you take a close look at
6 | this map you will notice that some trappers and hunters
7 | have been gone all the way up to Herschel Island and on
8 | the other side, the east side of Kittigazuit Bay, and some
9 | has been across the Anderson River -- that's on your
10 | right-hand side there -- and it goes all the way down to
11 | the Yukon towards Dawson .

12 | THE COMMISSIONER: And to the
13 | west as far as Old Crow, I guess.

14 | A Yes.

15 | MR. BELL: Is there anything
16 | else you would like to add?

17 | A Not at this time right
18 | now.

19 | MR. BELL: Those are all the
20 | questions I have then, sir, unless Mr. Berger wants to --

21 | THE COMMISSIONER: No, I think
22 | I should say that we've seen these maps prepared by the
23 | Indian Brotherhood and by COPE in other communities
24 | showing traditional hunting, trapping and fishing areas.
25 | They're very useful and helpful to the Inquiry so that we
26 | can understand the extent to which people used and still
27 | use the land.

28 | MR. BELL: I should say, sir,
29 | that I don't propose to offer these as exhibits at this
30 | time. I'll do that after they've reached their final

1 form.

2 THE COMMISSIONER: Thank you,
3 sir.

4 (WITNESS ASIDE)

5 THE COMMISSIONER: Let me just
6 repeat that these maps are helpful to the Inquiry because
7 we do want to know where people used to hunt and fish and
8 trap, and where they are still hunting and fishing and
9 trapping, and it's helpful when we hear the kind of
10 evidence we've heard today on that subject.

11 Now, if anyone wishes to say
12 anything or to ask any questions, they're certainly
13 welcome to do so. Did you want to say anything, chief?

14 CHIEF GREENLAND: If someone
15 wants to say something right now, I'll wait.

16 THE COMMISSIONER: Well, we'll
17 see. If anyone wishes to say anything or ask a question
18 this is your opportunity. Yes, ma'am?

19
20 MRS. BESSIE AYRISH sworn:

21 INTERPRETER ALBERT: Mr. Berger,
22 she wants to talk for a while because maybe you might
23 think that only men are trappers around here. She says
24 most women are trappers here too.

25 She said that women around here
26 never keep still when it's any time for hunting. She
27 said she started trapping and hunting even before she got
28 married. That's why she said she wants to talk, because
29 when it's hunting time the women never stay still, they
30 always hunt too, even when it's time to go whaling

1 | they help all along helping their men when they work with
2 | the whale.

3 | Long ago she said the old
4 | people always used to tell them to try to be quiet as
5 | much as they can so they don't disturb the animals.
6 | That's why they used to use sail boats long ago.

7 | Most of the reason she wanted to
8 | come up was mostly because one summer they went whaling
9 | and while the boats were working around coming towards
10 | Herschel Island they end up getting no whale at all.

11 | THE COMMISSIONER: Thank you.
12 | (WITNESS ASIDE)

13 |
14 | LAZARUS SITTICHINLI resumed:

15 | INTERPRETER KOE: He said 1968
16 | when I first arrived here at that time there was only one
17 | old man at this place here. He mean to say the old man
18 | had his trapping area here, and he said he told me lots
19 | after I came here about this country.

20 | After he moved here most of the
21 | time he used to go up in the mountains and hunt caribou,
22 | but he say he's not alone. He says many Eskimo old people
23 | come with him and in the evenings they tell me the story
24 | about this country down here. That's where he used to
25 | make his living, up in the mountains up here, especially
26 | for meat. Now he says I haven't been up there for four
27 | years, in other words he's getting too old to hunt.

28 | But he says my children go up
29 | there yet today, and that's where they make a living for
30 | me.

1 | In them days I was quite young
2 | and he says many a time I used to work for different
3 | white people but he said I have a big family, so
4 | therefore he said I didn't care too much for work. He
5 | said I would rather go out hunting and get something to
6 | eat for my children.

7 | He says I was asked to tell a
8 | short story about how I travelled with two white women
9 | through the Rat River. I'd like to tell you that I
10 | wasn't alone.

11 | (LAUGHTER)

12 | He said Jim Koe was a young man, he said he was with me,
13 | and we went up the Rat River with these two white women.
14 | They were tourists. He said I used to go with them in
15 | swift water and he said well, Koe used to be scared of
16 | water, but when he tells me to jump in the water I have
17 | to do it. We took them two ladies through the Rat River,
18 | through the pass, and then we got into the Bell River.
19 | From there we paddled them down to just a little bit
20 | below LaPierre House, where they call Signal Rock, and
21 | that's where we left the two ladies.

22 | From where we left the ladies,
23 | from there they kept on going with their canoe down to
24 | Old Crow, and then from there we had to walk overland to
25 | McPherson, which was about 80 miles, and we made that in
26 | one day. The following day -in them days there was no
27 | outboard motors or nothing, he borrowed a canoe and we
28 | paddled from McPherson to Aklavik in one day also.

29 | From there on sometimes he
30 | worked and sometimes he'd go out hunting; but he says.

1 | he remember one time that he worked with the R.C.M.P.
2 | and he worked there with them, he said, for a whole
3 | month. On time there he said he went out manhunting
4 | also.

5 | All that is over. He said I
6 | don't want for nobody, he said I just make my living in
7 | the bush and he said I kept that up until now, I'm too
8 | old to go out and hunt like I used to.

9 | He says that how it is in this
10 | country here. He says we have to work to try and make a
11 | living and he said I done a lot of that during my
12 | lifetime; but now he says he's just settled down and he
13 | can't go no place and he can't do any more hunting, and
14 | he wanted to say that I guess that's the last he's going
15 | to tell you his little story.

16 | THE COMMISSIONER: Thank you.
17 | Thank you, sir.

18 | (WITNESS ASIDE)

19 | CHARLES FURLONG resumed:

20 | THE WITNESS: Mr. Berger, it's
21 | been a long time since your
22 | last meeting with the people. You have heard a lot of
23 | evidence during that time. It seems to me that the Delta
24 | of the Mackenzie Valley are all saying the same thing .

25 | "No pipeline until land settlement."

26 | I would like to talk about what
27 | those few words mean to me. Most people believe that all
28 | the problems that go with building of a pipeline will be
29 | solved-once our land claims are settled. I believe that
30 | once we get our land claims, we will need a lot of

1 | time to work out our claims in order to get out of the
2 | present system the government has for us today.

3 | The Dene are living in a
4 | government system today where they become dependent on
5 | government subsidies, on government programs, Most of the
6 | Dene living in low rental houses where they pay low rents
7 | and don't want their own houses where they will have to
8 | pay their own fuel and light. Also since there are no
9 | jobs for. everyone during the winter, a lot of people
10 | got on welfare. Most people in the end don't leave the
11 | system, and end up being wholly dependent on it.

12 | I can go on and on describing
13 | the government system, but I will use these two
14 | opportunities of the government to point out to you how
15 | the government is spoiling the people.

16 | We speak of self-determination
17 | in the Dene Declaration, but as long as the Territorial
18 | Government system exists, the Dene cannot achieve their
19 | goal. When I say,

20 | "No development until our land claims,"
21 | I mean that the government should not give the oil
22 | companies the immediate O.K. to build a pipeline once
23 | the land claims is settled.

24 | Once the land claims is settled
25 | the Dene need about ten years to develop their claims and
26 | to set up systems that the Dene can introduce to the
27 | future generations as a direct step to self-determination

28 | Mr. Berger, I would like very
29 | much if you will include in your report that the
30 | Government of Canada give at least ten years to the native

1 | people to develop their land claims. This is the only way
2 | that the native people will be prepared for the pipeline
3 | and continue to exist as a proud race within Canada.

4 | Thank you.

5 | THE COMMISSIONER: Thank you
6 | very much, Mr. Furlong. Mr. Furlong's statement will be
7 | marked as an exhibit of the Inquiry.

8 | (SUBMISSION BY C. FURLONG MARKED EXHIBIT C-245)

9 | (WITNESS ASIDE)

10 |

11 | MRS. CAROLINE CARMICHAEL resumed:

12 | INTERPRETER KOE: Mrs.

13 | Carmichael wants to say a few words.

14 | First of all, I want to thank
15 | you for listening to us, and she said the rest of the
16 | boys like Jim Edwards and all those that travel around
17 | with you. She says I know how it is when you talk a
18 | little while, even that takes time. But she says in my
19 | heart I thank you all, and she says I hope God will bless
20 | you in your work, all of you.

21 | First of all, she said I would
22 | like to thank you again for coming back to us to listen
23 | to what people want to say to you. She said all of us
24 | are friends here - white people, Eskimos, Indian, we're
25 | all friends. She says even though there's no caribou
26 | here, she say everybody try and help one another. But
27 | she says when there's lots of meat, well then, she says,
28 | us old people we're given meat for nothing. It just
29 | happened that there's no meat this year, but she said
30 | we're still making a living anyway.

1 When she was young she made
2 her living in hunting snaring rabbits and doing
3 anything, trapping; but now she says she's getting old
4 herself, she can't do that no more. But she said one
5 of her sons is a trapper and she says that's the boy
6 that looks after me now. She said she's got two boys.
7 The other one he's got his own plane and whenever he
8 comes around she says sometime I want to go some place,
9 well the boy take me down there with the plane. She
10 said this is what I thank God for.

11 She said I want to thank most
12 of the younger people for trying so hard to get our
13 land claim. She says when I was quite young, there
14 weren't too many white people, and she said we didn't
15 even have a clock. We used to get up by watching the
16 flipper. That was our time.

17 I'm very happy, she said,
18 that the young people of today are trying so hard to
19 help us, and she says I hope when you get back out you
20 will make a good report for us.

21 She says this is all I've got
22 to say.

23 THE COMMISSIONER: Thank you,
24 Mrs. Carmichael, thank you very much.

25 (WITNESS ASIDE)

26 THE COMMISSIONER: Well, ladies
27 and gentlemen, I'm going to break for about five minutes
28 to let you collect your thoughts, and to remind you that
29 this is the last evening that we will be in Aklavik and
30 so we'll just stop for five minutes and you can consider

1 | what you want to say and then we'll carry on after that.

2 | (PROCEEDINGS ADJOURNED AT 9:15 P.M.)

3 | (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

4 | THE COMMISSIONER: If anyone
5 | wishes to say anything they may do so now.

6 |

7 | MRS. MARY KENDI resumed:

8 | INTERPRETER KOE: This is Mary
9 | Kendi. She said she was born here at Aklavik and she
10 | consider this is her country right here. But then later
11 | on she said her parents went back to McPherson for a
12 | while. In the meantime they sent her to school; but
13 | then she said they wanted me right back again, and this
14 | is why, she said, she didn't have, too much education.
15 | Although she says she can understand English, she can't
16 | explain herself very good.

17 | She says she been to quite a
18 | few meetings and she understand quite a bit what the
19 | talk is about when it comes to meetings. She wants to
20 | make clear that not only men trap or make a living, she
21 | says she's a widow and she work just as hard to make a
22 | living as any man. She said she raised quite a few
23 | children, they worked hard, they don't trap very much
24 | now but they're still working for a living wherever
25 | there's work.

26 | She want to say one thing
27 | about the people, she says us always we're worrying
28 | about our children. She said we understand that there's
29 | going to be a lot of people come down this country. She
30 | says - we don't want our children to be destroyed.

1 us down here. She say you take the hide, she say we
2 make deerskins out of it, hand deerskins, and lots of
3 useful things. The meat part, she say we make all
4 kinds of different ways of preparing caribou for
5 eating, and she said very useful to us down in this
6 country.

7 Now she said there's no
8 caribou up here and we don't make very much. If we go
9 hungry we have to go to the store and she says we're
10 lucky if we get a meal out of a few dollars. This is
11 what is worrying us right now.

12 I guess that's all I have to say
13 about the caribou. Now she wants to say a few words about
14 fish. As much as we live on caribou meat, we live on fish
15 just the same. She say we take the fish, it's got eggs in
16 it, and that's young fish going to grow up in future. She
17 said all that is safe, but sometimes we go on a trip like
18 for instance she said one time her parents went way up the
19 Peel River, right up the Snake River, she said that's where
20 these fish was, or fish eggs came handy, because they keep
21 them frozen and it's very good eating.

22 All that, she said, I'm
23 thinking about way back and I'm thinking about it today.
24 She went down to Hay Rive School when she was just a
25 young girl. She see at that time in Great Slave Lake
26 the people depend on fish mostly, like us down here.
27 But now, she says, she hears over there there's not
28 enough fish in Great Slave Lake, and most of that fish
29 is not even fit to eat.

30 She says down around Herschel

1 | Island, she says my uncles used to tell me how to travel
2 | around the coast there down to Herschel Island, how to
3 | fish and what they done. She says not long before my
4 | husband was going to die, she says she went down to that
5 | same country with her husband. She says she went down
6 | towards Herschel Island. She said the coast is not very
7 | easy country to make a living. The people have to work
8 | real hard, she said, I seen it myself. She says she
9 | seen this when hunting the seal and the whales, and she
10 | said everybody, we have to work to make a living, and
11 | she always think -- this is not what she sad -- she
12 | figure we make easy living but we have to work, in other
13 | words, "No work, no eat."

14 | In the olden days the parents
15 | used to talk to the children, and their children's got
16 | to obey them immediately. Wherever the parents go,
17 | like anywhere in the delta or in the mountains, they
18 | kids like to play outside but the older people, they
19 | always on the look-out for caribou.

20 | Today she said we talk to our
21 | children, they wouldn't even listen. What can we do?
22 | She said when we're in the mountain in the evening we
23 | make too much noise and the parents would tell us,
24 | "Come on in the house and stay quiet." And we would
25 | have to do that.

26 | She say she just work for a
27 | living now and she says sometimes she wised to go out
28 | back in the bush, although she's still young, she says,
29 | it's pretty hard for her to do now. But my wish is
30 | always there, to get back, back in the bush where she

1 | can make her living like she used to do.

2 | Our children getting a good
3 | education, they read and write good. She says why don't
4 | they keep that up? It would be for their own good, for
5 | their own benefit some day; but they don't do that. She
6 | says what I would like to see is all children get
7 | education which will do them good some day.

8 | She said there's a lot of
9 | things she would like to say. She said she would like
10 | to see all the children get all the material so they can
11 | learn how to play or learn how to do anything as far as
12 | sports is concerned. She said we want more material for
13 | them children because if we don't do that al l they
14 | learn is just play outside and sometimes they get into
15 | mischief.

16 | That's all she's got to say
17 | right now. She says I don't know what will happen but
18 | she wants to thank you for giving her the privilege to
19 | talk here. She says hunting season's going to open
20 | pretty soon, she says she hopes she'll set at least one
21 | trap and then she feel better.

22 | THE COMMISSIONER: Thank you.
23 | (WITNESS ASIDE)

24 | MR. KOE: Mr. Berger, talking
25 | to you this evening is Chief of the Aklavik Band.

26 | CHIEF FRED GREENLAND resumed:

27 | THE WITNESS: Our position is
28 | still the same on our land.

29 | "No development before land claims."

30 | Now, we've been saying this since your first visit in

1 | Aklavik, first hearing in the Northwest Territories, and
2 | since then there's been more exploration work going on
3 | in the delta and the Beaufort Sea.

4 | What the native people is
5 | trying to get across to you is that the proposed
6 | pipeline route is a very sensitive area and it seems to
7 | me like even if you had experts, so-called experts as
8 | the oil companies have, and the Federal Government, they
9 | still don't know too much about our north country. Once
10 | the damage is done, it's going to take years, a number
11 | of years before the vegetation grows again and also I'd
12 | like to comment on the -- in case of an oil spill.

13 | If there is any oil spills in
14 | the lakes, around the Beaufort Sea, it would be a disaster
15 | to the people and to the animals, and the water, marine
16 | life. Once this happens, we'll be lucky if any of this
17 | marine life or vegetation returns within 50 to 200 years.
18 | Even now there is simple evidence of the physical damage
19 | from thousands of seismic blast-holes and lines cleared by
20 | track vehicles. In addition there is eye-sores of the
21 | abandoned oil barrels and buildings.

22 | I don't think the government
23 | and the oil and gas companies are thinking of the effect
24 | on the northern, people. They are giving the pipeline
25 | first priority. The government gave promises about
26 | treaties way back in 1921 to the native people; until
27 | this day to date they haven't kept any promises.

28 | Now as far as I understand the
29 | information that I hear on the radio, etc., everything is
30 | word go now, with the oil companies, the Federal

1 Government. Now they're all ready, regardless of what
2 the native people say in the Mackenzie Valley here,
3 they're going to go ahead and build this pipeline, So I'd
4 like to recommend that you put in your report that the
5 Federal Government should look back on their promises to'
6 the native people and seriously, and be honest with the
7 people, to be sure with their experimental works and not
8 if's and but's as they've been doing to us all along,
9 before they commence in starting to build this line.

10 Now as far as I'm concerned,
11 this land belongs to the native people, and the Federal
12 Government doesn't recognize this. Now the native
13 people know they own this land but the Federal
14 Government is just ignoring it and by-passing the
15 people. They're looking towards the almighty dollar
16 that they're going to get out of this pipeline that
17 they're going to build, which is only going to last, if
18 they're lucky, maybe ten years, and that's going to
19 leave the north with nothing. The native people will be
20 worse of than they ever were.

21 In the back of my mind I see a
22 picture like once all this so-called development, as they
23 call it, comes through the north here and all the gas and
24 oil is pumped 'out, all that's going to be left is
25 something like -- I don't know if you've seen any forests
26 where a forest fire's been through, after everything is
27 burned out there's just quietness, you don't even hear a
28 bird or anything; everything is just destroyed.

29 This is what I picture in my
30 mind is going to happen here in the Territories.

1 Earlier today in the hearing
2 here I heard the question asked, I believe by Andrew
3 Archie to the Gas Arctic representative, talking about
4 whales. Now, a whale or even caribou, has got a very
5 sensitive hearing. Now the answer the Gas Arctic
6 representative gave to the question is that they done
7 experiment out south and according to the answer he gave,
8 he says it didn't affect the whale. I don't believe
9 this. When I heard him give that answer I it just
10 reminded me of what Mr. Diefenbaker said on the T.V. the
11 other night. Me said, "The saying used to be, true or
12 false." He said "Now the saying is true of Trudeau."

13 So that's the phrase I'm using
14 to show that I don't believe that answer at all.

15 It's clear to me what the native
16 people are saying today. They're discussing not their
17 future but the future of their children and grandchildren
18 and if the government continues to refuse or neglect in
19 any satisfactory way, I think the natives would just stop
20 their effort and discussions and the opportunities for a
21 peaceful settlement would be lost. We must choose wisely
22 and carefully because there will be a future generation
23 of Canadians who will live with the results.

24 I'd like to comment on another
25 thing here, what's been happening since the beginning
26 of the New Year here, It's the way the Federal
27 Government and Territorial Government combined is trying
28 to the way they are trying to work in the different
29 communities. They've come up with a committee insisting
30 of their federal representative and their Territorial

1 Government representative and they also put on a couple
2 of business men, one from Inuvik and one from
3 Tuktoyaktuk, and to make it look good they put a couple
4 or one or two native people on the committee, and the
5 name they gave themselves is the Delta Regional Planning
6 Committee. It really saddened me to see what they were
7 trying to do to the native people when they came to
8 Aklavik here. They had slides that they drew up by hand
9 that they show to the people that attended their
10 meeting, drawn up by hand, and they had five options on
11 these slides, from No. 1 to 5.

12 No. 1 showed if there was no
13 development, there would'-be no jobs; and as you continue
14 on into 4 and 5 of these slides of the presentation they
15 gave, it showed 4 and 5 of development, and they had
16 little drawings of little men in there. I don't know if
17 you've seen these slides or --

18 THE COMMISSIONER: I saw the
19 drawings in the booklet or newspaper.

20 A They were using a slide
21 projector at this time here in Aklavik.

22 THE COMMISSIONER: Oh, I think
23 I know the slide you're speaking of. So many little men
24 lined up.

25 A Yeah, and this really hurt
26 me, my feelings, you know, because they were trying to --
27 what I'm trying to say here is they were trying to pull
28 the wool over the people's eyes. They were trying to
29 make them to decide that development would be their only
30 way out, and I don't think the Federal Government and

1 Territorial Government at this stage we're at right now
2 should be pulling these kind of stunts because I told
3 them flat in their meeting that I didn't recognize them
4 and I didn't want to have nothing to do with them, or any
5 of my people, and I also said that you were our
6 representative.

7 Then the same thing occurred on
8 this Gas-Water Advisory Committee. They were here in the
9 beginning, the first week in February, and here again
10 their meeting wasn't advertised, most of our elderly
11 people were out of Aklavik attending a workshop in Fort
12 McPherson. Well, the majority of people were out, and
13 when one of their companions who was travelling with them
14 came to my house, this is Friday evening right after
15 supper, February 5th, she said this committee was in to
16 have a meeting with the people.

17 I told her travelling companion
18 that -- just what I said earlier, there wasn't enough
19 people here to have a meeting, our elderlies were out and
20 I knew that this was an important meeting because it was
21 dealing with the offshore drilling, Beaufort Sea off
22 drilling, offshore drilling, I'm sorry, and I sent word
23 back to the committee saying that they should return back
24 to Inuvik. I said it wasn't a good time to hold a
25 meeting, due to there weren't enough of our elderly
26 people and most of them was out.

27 Even following this request I
28 found out later that they still had a meeting, they still
29 went ahead and had their meeting in this Community Centre
30 here.

1 So I seen the lights was on that
2 evening here, I came to check to see what was going on.
3 When I entered the building their spokesman -- I forget
4 what his name was -- said that they were just summing up on
5 their meeting, and all they had was no more than half a
6 dozen people. I don't know really what they talked about.
7 But anyways I expressed my views on it and here again I
8 told them they were dealing with a very, very sensitive
9 area, the Beaufort Sea off-shore drilling, and I mentioned
10 to them that the Beaufort Sea was our main distributing
11 centre for fish and marine wildlife due to the fact -- the
12 reason I mention this is that if they do ever have a
13 blowout in drilling offshore, my understanding of it is
14 that to top the blowout it would take between six months to
15 a year, and my understanding up to date now, it will take
16 up to two years to put it under control.

17 Now during that time, if this
18 is oil, that's going to pollute the whole -- the main
19 outlets from the Beaufort Sea to our region up into
20 Aklavik here, the delta. Once that's polluted, if that
21 water is polluted with oil, I mean that's it. That's the
22 end of everything for us. We wouldn't have our fish and
23 then on the Beaufort Sea itself the people wouldn't get
24 the whales, the seals, and all marine life will be
25 destroyed.

26 Now the reason I'm saying this
27 to you Mr. Berger, is because these people seem to me like
28 they're just playing games. The native people know what
29 they're talking about. The Inuits and the Indians, they
30 lived in this country, our grandfathers great grandfathers

1 Inuits, we've got a mixed community here, it's Inuits,
2 the Metis, and the Indians living altogether, we make our
3 living the same way, we hunt, we all hunt together. When
4 we go hunting into the Richardson Mountains, a lot of us
5 travel together hunting caribou, and we all make our
6 living the same way. In the month of September we all --
7 a good part of us go hunting the snow goose down on the
8 Shallow Bay area, and there again I've heard some
9 comments of people saying that they prefer a pipeline
10 going across the Shallow Bay area, Well there again,
11 that's going to interfere into our hunting grounds..

12 Now all these things should be
13 considered. My understanding now is that the Minister of
14 Indian Affairs, Judge Buchanan, is the man that's going
15 to give the go-ahead. I don't think that all this power
16 should be lying in one man's hands because it can be a
17 terrible, disastrous mistake made, I think this is what
18 my people is trying to get across to you, Mr. Berger the
19 older people that's been talking today.

20 One more thing that I'd like to
21 bring up to your attention here is that last week we had
22 a Hunters & Trappers Association meeting here in this
23 same hall, and to our surprise we found out that -- what
24 do they call themselves here? I'm just looking for the
25 name -- Shell Canada Limited has been given the go ahead
26 to drill three spots, to drill three different spots on
27 the western side, that's on our side here of the
28 Richardson Mountains. It came as a surprise because we
29 weren't notified, nobody told us about this, not one of
30 the hunters and Trappers members in this Association knew

1 about it. Now the places that they're going to be
2 drilling -- my understanding of it now to date is that
3 they've already, their work is already in progress and
4 what I'm trying to say here is how come the people here
5 wasn't notified about it?

6 There's a little map here
7 attached to this report here. This is what was presented
8 to us at, I believe,, last Thursday at hunters & Trappers
9 Association meeting, and if you would like to look at it
10 I could show it to you.

11 THE COMMISSIONER: I'd like to
12 see it.

13 A Those three spots that's
14 marked on the map there, Mr. Berger, is there's three
15 channels or three rivers that come from the Beaufort Sea
16 and the fish come up there, you see, and they will be
17 drilling, according to that information there, they will
18 be starting to work from January 1st to June 30th of
19 this year, and there are some people that do some
20 trapping in there too for muskrats during March, from
21 March to June. So I'm just wondering not wondering, but
22 what I'm trying to say here is it's going to interfere
23 with whoever is trapping or hunting down there at that
24 time.

25 So earlier when I started
26 speaking I said everything is word "Go" now, and it
27 doesn't matter, they don't even consult people any more,
28 or they never did to begin with, and I don't think that
29 this should be -- I don't think that they should carry on
30 with this procedure. Right now, I mean the delta has

1 I just thought I'd bring this
2 to your attention. That's all I have to say now. Thank
3 you.

4 THE COMMISSIONER: Could we --
5 could you let us keep this land use application by Shell
6 to drill three exploratory wells on the west side of
7 Shallow Bay, and we'll photostat it and make sure it's
8 returned in the mail to you sometime later in the week?
9 Would that be all right?

10 A Yes.

11 THE COMMISSIONER: And maybe
12 you could let us have the slides because I would like to
13 look at them. Are they the kind that you have to sort of
14 hold up like that?

15 A I even brought the viewer
16 if you want to look at it.

17 THE COMMISSIONER: All right,
18 well let's do it that way. Well, give it to me and I'll
19 look at it while the translators are -- I think that
20 we'll ask the two translators to summarize the main
21 points of your presentation and that will take a few
22 minutes, I guess. The slides that the chief presented to
23 the Inquiry will be marked as an exhibit, too.

24 (LAND USE APPLICATION BY SHELL MARKED EXHIBIT C-245)

25 (SLIDES OF CHIEF GREENLAND MARKED EXHIBIT C-246)

26 (WITNESS ASIDE)

27 (TRANSLATORS TRANSLATE)

28

29 ANDY KAYUTAK resumed:

30 INTERPRETER ALBERT: This guy

1 | wants to talk about he's got a trapping area down at West
2 | Channel below here. He says he's got a trapping area
3 | there, and that's where the oil company is right now.

4 | THE COMMISSIONER: Is that
5 | Shell?

6 | A Yes. He said that's where
7 | he goes to hunt and trap, and when they are down there
8 | there's oil all over the place where his area is, and he
9 | even has to look after his kids so they don't go where
10 | there's been oil spill where they been working, and he
11 | said while they are spending spring when it starts
12 | raining, even some of that oil that's been spilling
13 | around there from the barrels and stuff like that flows
14 | down to the river and the water even gets shiny from it.

15 | When the oil companies are
16 | working around the delta every time they do a cleanup job
17 | the dirt that they pick up from the ground they throw it
18 | into the water. Not very far where the Shell Company put
19 | up their big tanks, his house is close by there, his
20 | trapping area. He's worried about what will happen when
21 | they take those big tanks off this area and they will
22 | just leave, you know, he doesn't know what's going to
23 | happen if they ever take them off, what's going to happen
24 | to this land that they destroyed where his area was.

25 | What he was telling me he was
26 | concerned about, even if the camp is there and if they
27 | even move out of there now, that land will never be good
28 | for anything. If they take the tanks off and stuff like
29 | that he's wondering where all the stuff from the tanks
30 | will go to; it will probably., turn into a lake or

1 | make some kind of a river, you know, and it will all be
2 | going to the river. He's wondering what will they do
3 | about that?

4 | If they take the tanks out of
5 | there, he's wondering if they could bury it with some
6 | more ground or he's worried about he doesn't know what's
7 | going to help the land, whether they should bury it
8 | before they leave or what will they do with it.

9 | THE COMMISSIONER: Well, Mr.
10 | Rempel from Imperial is here. There's no one here from
11 | Shell, but if you want to say anything about that problem
12 | Mr. Rempel, you're welcome to.

13 | MR. REMPEL: Thank you, sir.

14 | THE COMMISSIONER: Excuse me,
15 | sorry, Mr. Rempel. I think we've just about run out of
16 | tape. We'll adjourn so the official Court reporter can
17 | put a new tape on. We'll just stop for a moment.

18 | (PROCEEDINGS ADJOURNED FOR A FEW MINUTES)

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1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

2 THE COMMISSIONER: We'll come
3 to order again, ladies and gentlemen, and I was just
4 going to ask Mr. Rempel to discuss the question that had
5 been raised so--

6 MR. REMPEL: Thank you Judge
7 Berger. I can't of course speak for Shell Oil Company.
8 however, I will let my friends in Shell Canada know some
9 of the problems that have been brought out here tonight
10 on the question of fuel spills at a place that I think is
11 Camp Farewell. I'm sure Shell would be as concerned
12 about leaving any oil on the ground as we would be if it
13 were to occur in some of our operations.

14 I know that our practice is
15 recently all our fuel dumps include what I think are now,
16 adequate dyking. To contain any leaks or spills from, the
17 tanks, we take special precautions of course, when we're
18 loading from barges particularly and I think our
19 experience at least in the last few years has been pretty
20 good in that regard.

21 Now there are spills, there
22 are! ways of cleaning it up, particularly the smaller
23 spills or the type that I think has occurred at some of
24 the installations mentioned here.

25 THE COMMISSIONER: O.K.

26

27 INTERPRETER ALBERT: He would
28 like to ask, when you are cleaning up the place, how
29 would you clean it? Would you keep putting.. it all
30 together like a lake and then cover it?

1 MR. REMPEL: Not an oil spill.
2 An oil spill, we have other ways of cleaning it up. We
3 can use various types of absorbent material for instance,
4 even peat moss will do that sort of thing. There are
5 other commercial substances that we have at our base camps
6 and I'm sure Shell has as well, and they can pick up small
7 spills quite easily, and if the spill-- if the oil does
8 get into the ground there are also methods of
9 rehabilitation that have worked fairly successfully in
10 other parts of the north. Some experimental work has been
11 done at both Tuktoyaktuk and Inuvik on the use of
12 fertilizers and other additives such as that to help to
13 restore the area to close to what it was before the spill.

14 Now, this does take some time,
15 perhaps a year or two.

16 INTERPRETER ALBERT: He said
17 he's glad to hear that because he was really worried
18 about it because if they ever move out of there, he don't
19 want his land to be left like that without cleaning it
20 up. He said his house is right where the oil camp is.
21 There's about 15 big oil tanks there and his house is
22 right close by and he's wondering maybe they will move
23 his house away when they start cleaning it up and he's
24 got no way to move his house.

25 MR. REMPEL: Andy, I will be
26 sure to tell the people at Shell Canada what your concern
27 are. That is all I can do.

28 INTERPRETER ALBERT: Mostly
29 he's concerned about now too is he said he's living down
30 there right now, if there ever happened to be a fire or

1 | anything he would be losing out on all his stuff, and
2 | where he lives.

3 | THE COMMISSIONER: Mr. Rempel
4 | said he'd pass that on.

5 | INTERPRETER ALBERT: He said
6 | he'd like you to tell them right away and let him find
7 | out how soon they'd be cleaning it up or anything because
8 | that's where he's going to go back to living again.

9 | MR. REMPEL: I will tell Max
10 | Wopnford of Shell Canada, as soon as I get back, and if
11 | he isn't there-- he's on holidays right now-- I will tell
12 | whoever is in command.

13 | INTERPRETER ALBERT: In
14 | Inuvik?

15 | MR. REMPEL: Yes, in Inuvik. I
16 | can do that tomorrow. I do have the name of the man in
17 | Inuvik. If he's there I will tell him. Other than that
18 | I have to tell his boss in Calgary.

19 | INTERPRETER ALBERT: He says
20 | his most concern was that he'd be very glad if they could
21 | let him know as soon as possible because it's going to be
22 | ridding soon and he'll be going back there again for
23 | muskrat hunting time, that's first of March, and then he
24 | stay there till June 15th.

25 | THE COMMISSIONER: Thank you.
26 | (WITNESS ASIDE)

27 |
28 | SAM SALAMEO sworn:

29 | THE WITNESS: Mr. Berger, I was
30 | listening all afternoon to stories from different people

1 a problem that everybody should be thinking about--the
2 government, the pipeline companies, and you, the people
3 that live here, because there will be a lot of jobs
4 building the pipeline, but what we should be concerned
5 about is what's going to happen after that. So, we're
6 thinking about it you're quite right to raise it.

7 THE WITNESS: And I think that
8 if they do build that pipeline, I think it going to leave
9 this place in quite an awful place to live in, and I
10 strongly feel that, on your formal hearing outside
11 wherever it's going to be held, to consider all these
12 matters from different peoples, and I strongly feel that
13 this pipeline-- I would like to sort of support Charlie
14 Furlong on this and Mr. Greenland because if they
15 build the pipeline, we're going to have nothing after
16 they're finished. After so many years of working, like
17 that union thing they talking about, there's a lot of
18 native people don't know about it and I talked to
19 different peoples and different-- all different answers I
20 get.

21 Some say they're working on it,
22 and how long will that take' I like to make this
23 considered on your last hearing and I think the people of
24 Aklavik and myself feel that when I don't work around
25 Inuvik or the oil companies, I always come home and trap
26 rats, and shoot rats, and hunt whale and go fishing every
27 now and then.

28 THE COMMISSIONER: Well, all
29 those things sir, will be taken into account --
30 considered. Anything else you want to add?

1 THE WITNESS: It's pretty hard.
2 I don't have any more to say.

3 THE COMMISSIONER: Thank you
4 very much, Mr. Salameo.

5 (WITNESS ASIDE)

6 THE COMMISSIONER: Does anybody
7 else wish to say anything? Yes.

8

9 MRS. ROSIE JANE STEWART resumed:

10 THE WITNESS: I just wanted to
11 say a few words.

12 THE COMMISSIONER: Go ahead.

13 THE WITNESS: Last time you
14 came in I was telling you, I said it was true, I mean I
15 just wanted to tell you that that time you came here I
16 speak to you and my words were true. I just don't like
17 the pipeline, all that's going on. That's all I wanted
18 to say.

19 THE COMMISSIONER: Thank you.

20 THE WITNESS: Most Eskimos and
21 Indians trap and these young kids they have school and
22 they don't even go out and trap, and when they're
23 finished, they go to Inuvik and go to high grade, then
24 they come back and they do some kind of job and they make
25 their own living that way. To see these Indians and
26 Eskimo travelling on their areas always, and I don't like
27 their country to be spoiled.

28 Last year I set some snares,
29 can snares, and I get one ptarmigan and these crows,
30 I guess they get hungry and they chew at wolves and
they got nothing to eat. That means they're spoiling

1 | the land, I think badly.

2 | The way you white people are
3 | talking, it's just like you are scaring our life away,
4 | like the animal. This year, as you know, we've seen no
5 | rabbit, and when you set a net for hare there's quite a
6 | few but not much and when we go hooking, we just get few
7 | (inaudible) and coneys a little bit, and jackfish. We
8 | have to go a long ways to get them; when they come back
9 | they get tired and they put their meat away and sometime
10 | give some of the people have got no meat.

11 | Long ago when I used to stay up
12 | Nauyat River around Lang's place, it was good to trap and
13 | hunt and all that. Then when I moved down to Aklavik it
14 | was still good, and then after this mentioned I didn't
15 | hear about the pipeline those days, and I just say that
16 | much first.

17 | Now I've got two kids in school
18 | and all they do is make school and me, I stay home and
19 | look after the house. Only way I get money is by
20 | allowance, and I don't work and sometimes I get sick and
21 | just be home.

22 | INTERPRETER KOE: She said
23 | whatever little she makes, the other day she got her T-4
24 | slip. She says how do I know about it? She says I don't
25 | know how to fix it up. So she says one of the ladies
26 | told me to hold off a while and maybe somebody else can
27 | try and help me out on it.

28 | THE WITNESS: People coming to
29 | our north, they just look and laugh, and that's all they
30 | do, and they don't even -- they just spoil our land,

1 | that's look to, and they just have money in their
2 | pockets.

3 | THE COMMISSIONER: Thank you,
4 | Mrs. Stewart.

5 | (WITNESS ASIDE)

6 | THE COMMISSIONER: I think it's
7 | getting late and I think we're all getting a little bit
8 | tired. If there is anyone who hasn't spoken before, then
9 | I'd be happy to hear from you now. But I think I
10 | understand the position of the people who live here as
11 | expressed earlier.

12 | MRS. IRENE AREY sworn:

13 | THE WITNESS: My name is Rene
14 | Arey. Last year the Shell Oil Company made a road on
15 | Calais Channel and I had a trap on the ice, and they made
16 | road six feet away on the other side, and on the other
17 | side they made a tractor-trailer about four feet away,
18 | and they had a dog that step on the side of the trap;
19 | also I had a trap up the bank and one of them been going
20 | up to see.

21 | Also last year before they made
22 | a airstrip without letting us know, it was a good muskrat
23 | bay. Now there is hardly any pushups because of the
24 | airstrip, because there was so much noise from the
25 | aircraft landing, and I would prefer that the airline
26 | company shouldn't make airstrip on good muskrat lake and
27 | make airstrips on rivers.

28 | THE COMMISSIONER: If we could
29 | keep that written statement for the Inquiry, we would
30 | like to do that.

1 A Yes.
2 THE COMMISSIONER: Thank you
3 very much.
4 (SUBMISSION BY MRS. R. AREY MARKED EXHIBIT C-248)
5 (WITNESS ASIDE)
6 MR. BAYLY: Mr. Commissioner,
7 Annie Gordon wanted me to ask her some questions that she
8 wanted to respond to about Alaska, and she's been sworn
9 when she appeared the last time.
10 THE COMMISSIONER: Yes.
11 MRS. ANNIE GORDON resumed:
12 MR. BAYLY: Annie, can you tell
13 judge Berger whether you had gone to Fairbanks in Alaska
14 before they started to build the Alyeska Pipeline?
15 THE WITNESS: Yes, I've been
16 there two times before, that's about three or four years
17 ago.
18 Q Go ahead.
19 A And I was there a week
20 ago. I was there curling for three or four years in a
21 row with the Curling Team, and I found that Fairbanks was
22 a really nice clean place when I went there the first
23 time, and there was hardly any traffic even though there
24 was a lot of people. Fairbanks was nice and clean and it
25 was something like Yellowknife.
26 This time we went there last
27 week, it was Saturday, and I found Fairbanks -- going to
28 the place from the airport downtown, it seems like it was
29 a long trip because there was so many cars and all the
30 stop signs were on and you know, you have to wait in line,

1 | there was a lot of cars, a lot of traffic.

2 | The next day we went uptown and
3 | do a little bit of shopping. I found that Fairbanks was
4 | a really messy place. We walked around and thought it
5 | looked strange, you know, it wasn't very clean, not like
6 | it used to be. We tried to find a telephone booth but we
7 | didn't find any. There was some telephone booths but the
8 | phones were out, so I don't know where we went, I think
9 | to a store or somewhere. We looked anyway all over.

10 | THE COMMISSIONER: You mean the
11 | telephones were pulled out of the booths?

12 | A Yes, the telephones were
13 | pulled out right from those little boxes where you phone
14 | outside, you know.

15 | Q Someone didn't get his
16 | change back, I guess.

17 | (LAUGHTER)

18 | A I found that Fairbanks was
19 | a really changed place. I talked to some natives there
20 | and they said that Fairbanks is really different now.
21 | You know, there is a lot of people, a lot of accidents, a
22 | lot of riots, somebody getting killed every night, you
23 | know, a lot of these affairs going on. They said it
24 | wasn't really safe any more and people -you know, it
25 | wasn't the same any more.

26 | They mentioned that Anchorage
27 | was worse than that, you know. I could see how, the way
28 | I looked at Fairbanks I could imagine that Anchorage was
29 | a pretty bad place too. They say Anchorage would be
30 | worse because they go through Anchorage to Fairbanks

1 THE WITNESS: My name is Peter
2 Thrasher. I am 47 years old and I lived in this country
3 all my life. I went to school in Aklavik. I was raised
4 in this country with my grandfather. My grandfather was
5 one of the best story-tellers in this country. I don't
6 carry on much of his stories but I could say some of the
7 things that I know about them and the people that are
8 living today.

9 Sometime, about 1910, I think
10 the Anglican Mission was around the Mackenzie Delta,
11 either at McPherson or at Arctic Red, and that's where at
12 least a dozen Eskimos went up to the Anglican Mission and
13 got baptized. They were living in this country during
14 that time, but they also had parents who were here
15 before, just to show you how long we've been in this
16 country, and my grandfather remembers seeing Lazarus as a
17 young man living in this country, and Tom is related
18 somehow from the same -- Tom Elanik -- from the same
19 tribe as my grandfather's, and the Trappers Association
20 (the ones you've seen them talking today) are somehow
21 related to me. There's one whose grandmother is sister
22 to my grandmother, so you could see how we've lived in
23 this country for generations.

24 There many of us, even some of
25 us who were talking to you today, related to each other .
26 There's one there, Abe's also from the same tribe as we
27 were in. I've seen him as a young man driving a dog
28 team, Victor Allen, Frank Elanik. They work hard, I
29 know. I work too myself.

30 How we were taught was from our

1 | parents or grandparents. That's the only way we made our
2 | living. As Tom said, he raises children out of this
3 | country, he really did, that's really true. All the old
4 | people, the Indians and Eskimos lived together in this
5 | country, that's true, because we are interbred now,
6 | there's some of us half-Eskimo, half-Indian, and we've
7 | got along together for a long, long time.

8 | I know what the older people
9 | want is to keep their country for sure. The younger
10 | generation would like to keep it, but they seem to want
11 | something for the, future of their children. So if there
12 | is something that's going to be for the future, it will
13 | have to be for the children, the younger generation now
14 | that are growing, not us. I think maybe we're O.K., yet,
15 | but the generation -- the first generation was our
16 | ancestors and grandparents. Now that's for the second,
17 | and the third generation the children will have to have
18 | something to go by, to live by. I don't think they will
19 | be able to go and live outside and take the best jobs
20 | from the outside. They'll have to have jobs in this
21 | country, which ,I think they'd like to do, live in their
22 | own country. I'm pretty sure about that.

23 | Now I'd like to see a good part
24 | of that also in the land claims settlement, that the
25 | people get the best education, and through that the first
26 | priority of jobs right in their own country, in business
27 | matters and also in job matters, it doesn't that in
28 | matter what. I'd like to see that in the land claims
29 | settlement included also as much as possible because I
30 | know how it is. Already I've got one daughter outside,

1 she's working her way through college actually, not
2 really all the way through but the government is helping
3 her along but on her off-school limits she's working for
4 herself, and she's working outside. So you see how it
5 is. Some will work in this country but not all of them.

6 As for the pipeline myself, I
7 don't know, I'm not really against it myself. In some
8 ways I am, in a lot of ways I really am against it for
9 the old people. But I don't know how the younger
10 generation is going to think when they grow up. They'll
11 be thinking differently. They'll have to have something
12 to show what they have in their own country, which was
13 out from their country. So I think maybe even the people
14 who are presently making a living off the land should
15 have a share in whatever comes out of this country, it
16 doesn't matter, but the share of it should be that the
17 land they want to protect be protected. If there's some
18 of the land they have to lose, well if they are going to
19 lose that they've got to be compensated for it. It will
20 have to be -- compensation will have to last as long as
21 they're living.

22 If there is any -- well, there
23 must be some way too that they'll get some royalties.
24 That's how they should benefit from that anyway, I think
25 they should because if there's going to be any loss, the
26 loss is going to be big. Now the competition for that
27 will have to match the loss, whatever it is. A person's
28 full livelihood, his daily life -- I could give you an
29 example.

30 What I seen quite a while ago

1 -- I was just a young kid yet -- when I seen old Tom went
2 to my parent's place coming into town to Aklavik to sell
3 his fur, the toboggan was at least 10 or 15 long anyway,
4 and it was loaded with fur, it was at least two feet
5 high, I guess, and all that was fur trapped in the
6 winter. I don't know how many thousand dollars worth
7 of fur was in there, but I know there was lots.
8 That's how the people were making their living in those
9 days.

10 Another example, me and my
11 brother used to work together lots on the trapline making
12 our living. There's one of them here now. We'd go out
13 on our trapline and stick our pushups in the fall time,
14 same time we're trapping for mink, lynx and getting some
15 fish. When we stake pushups in one day sometimes we take
16 about, if it's a very good season we stake up to about
17 500 to 1,000 per day.

18 Now from all that you can
19 imagine how much muskrat we can get, and here is another
20 example. My father said when I asked him, "What are you
21 going to do this summer?"

22 "Well, I'm going to buy a
23 boat."

24 "How much is it going to cost?"
25 I says.

26 "Oh, 4,000, that is for my
27 hunt, for my yearly hunt."

28 That's just a year, you know.
29 Now that's an example right there of how we used to
30 make our living. We used to be able to make our living

1 | and this is what the old people like to defend as much as
2 | possible, even us, and if we're going to lose some of it
3 | we'd like to be compensated for it.

4 | THE COMMISSIONER: All right.

5 | A The people aren't talking
6 | for nothing. Really they're very serious.

7 | There's a lot of things I'd
8 | like to say but I can't say it, I know, because everybody
9 | is getting tired.

10 | I'd like to thank you for
11 | coming, though, very much, on behalf of those people who
12 | can't say their thanks in English as good as I could to
13 | you. I'm glad you came, very glad. I'm glad you're here
14 | again.

15 | I haven't got much more to say
16 | except that I hope that when you bring your presentation
17 | to the government that you have someone also from this
18 | country to go along with you, like maybe some members of
19 | the Trap Association, maybe some members of whoever is --
20 | like the I.T.C. or the COPE or whoever is going to be
21 | representing a community. I hope that there will be
22 | somebody from the communities to go along with you when
23 | you make your presentation. If it can be done, I'd like
24 | to see that done too, also.

25 | That's all I've got to say, and
26 | thanks very much.

27 | THE COMMISSIONER: Thank you,
28 | Mr. Thrasher. I'll take those matters into
29 | consideration.

30 | (WITNESS ASIDE)

1 MRS. DORA MALAGANA resumed:

2 THE INTERPRETER ALBERT: This
3 is Dora Malagana. She says she doesn't live like she
4 used to before, she said when I first came to the delta
5 my husband had good eyes, but after I stayed here only
6 one year he lost his eyesight.

7 I used to live in the Arctic
8 before I came to the delta, and after he lost his
9 eyesight I didn't know how to trap, but I had to try
10 because that was them days you had to try or you had
11 nothing. She said she used to go trapping, she put all
12 her kids in a toboggan packing them, and even pack a baby
13 on her back. She said that was along where they
14 expecting to put the pipeline now. That's where she used
15 to hunt, down that way.

16 She said long ago even when her
17 husband lost his eyesight people used to help her all the
18 time when her kids were small and she had nobody to hunt
19 for her. She said that's one thing she will never
20 forget, and she said that people always help one another,
21 no matter who they are, because she said after her
22 husband went blind, when she first came to live in
23 Aklavik there was hardly anybody here and she didn't now
24 no one. There was just the white people and a few Indian
25 homes. But most of the people, all the Indians and
26 Eskimos used to go out trapping. There was hardly
27 anybody here. So she said them days that's how it was,
28 people lived in the bush, but now it's so different,
29 because there's nothing to hunt and hardly any game
30 around.

1 She said that after they used
2 to live in the bush, when she come to town her kids
3 started going to school, and even then the people from
4 out in the bush that got any kind of food or anything
5 that they got to share, they always shared it with her.
6 She said she'll always be thankful for that, and she will
7 never forget it.

8 But now she said her kids are
9 grown up. She's got two boys that would be able to work
10 but there is no jobs also, and even if they go out
11 hunting there is nothing to catch.

12 She said now she's working in
13 the old Folks Home in order to survive but she say the
14 people keep talking about the land and what's going to
15 happen. She say she just hate to see that time come
16 because she don't want her children and her grandchildren
17 to suffer after her.

18 THE COMMISSIONER: Thank you,
19 Mrs. Malagana.

20 (WITNESS ASIDE)

21 THE COMMISSIONER: Well, I
22 think I'll call our meeting to a close and thank all of
23 you for attending, both the three days that we were here
24 last April and again today. It's been very helpful to
25 me, your telling me how you live and what the land means
26 to you, and I will be thinking about the things that
27 you've told me.

28 We'll be going to hear people
29 in other communities next week. We'll be going to Sachs
30 Harbour, Holman Island, Tuktoyaktuk, Paulatuk, and

1 Arctic Red River, and then we'll head back to Yellowknife
2 to hear the evidence of some of the experts that we
3 haven't had a chance to hear from yet.

4 After that we're going to go to
5 Southern Canada to hear what people in the big cities in
6 Southern Canada have to say, and sometime after that I'll
7 be sending my report into the government. Then you'll --
8 I'm sure you'll hear about that too, so translate that.

9 (INTERPRETERS TRANSLATE)

10 (APPLAUSE)

11 (PROCEEDINGS ADJOURNED TO MARCH 2, 1976)

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