

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)

Vancouver, B.C.
May 11, 1976

PROCEEDINGS AT COMMUNITY HEARING

Volume 50

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Mr. Russell Anthony and pro. Alastair Lucas	for Canadian Arctic Resources Committee
Mr. Glen Bell, ries	for Northwest Territories Indian Brotherhood, and Metis Association of the Northwest Territories.

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1 Vancouver, B.C.

2 May 11, 1976.

3 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

4 THE COMMISSIONER: Ladies and
5 gentlemen, we'll call the hearing to order this
6 morning.

7 Let me welcome you to this
8 hearing of the Mackenzie Valley Pipeline Inquiry. We
9 began our Vancouver hearings last night, and we'll be
10 carrying on this morning and then again this afternoon
11 at two o'clock, and again this evening at eight o'clock
12 and we'll be carrying on again tomorrow at ten o'clock
13 in the morning and then two o'clock in the afternoon.
14 I think that most of you who are here are well
15 acquainted with the work of the Inquiry, and I won't
16 repeat the opening remarks that I made last night.

17 I think instead we'll simply
18 turn to the people and the organizations that with to
19 deliver briefs this morning and Mr. Waddell, perhaps
20 you'd let us know who we are going to begin with.

21 MR. WADDELL: Mr.
22 Commissioner, we'll begin with representatives of the
23 Native Brotherhood of British Columbia Mr. Lonnie
24 Hindle, Mr. Gilbert Cook and Mr. Steve Carpenter, and I
25 believe Mr. Gilbert Cook will be presenting the brief.
26 Will these gentlemen come forward?

27 GILBERT COOK, STEVE CARPENTER and

28 LONNIE HINDLE sworn:

29 WITNESS COOK: On behalf of
30 the Native Brotherhood of British Columbia, I welcome

1 strength which we are giving to our brothers in the
2 Northwest Territories.

3 Rather than document at this
4 time how the proposed Mackenzie Valley Pipeline would
5 affect our members living in Southern Canada, we would
6 rather at this time not cloud the issue and simply say
7 for the record that the Native Brotherhood of British
8 Columbia supports the position taken by the native
9 people of the Northwest Territories.

10 The Native Brotherhood
11 supports the position that a land settlement, not
12 extinguishment, should precede construction of the
13 pipeline. It must be emphasized that the direction
14 that the native people wish to take during and after
15 the land settlement in the Northwest Territories must
16 be recognized.

17 THE COMMISSIONER: Thank you
18 very much, sir. Thank you, gentlemen.

19 WITNESS COOK: We don't have
20 any further remarks at this time and I would like to
21 again thank the Inquiry for the time available to us.
22 Thank you.

23 (APPLAUSE)

24 (WITNESSES ASIDE)

25 MR. WADDELL: Mr.
26 Commissioner, our next brief is from Mr. Daniel O'Brien
27 from the Co-Operative Christian Campus Ministry, I
28 believe of Vancouver. Mr. O'Brien?

29

30 DANIEL O'BRIEN sworn:

1 THE WITNESS: Good morning.
2 I should explain that the three people who wrote this
3 brief couldn't be here today because they have summer
4 jobs and I don't. We're a student organization.

5 I'll be reading from the
6 brief and also consulting notes in an impromptu
7 conversation we had about the brief after looking at it
8 and after Elaine and Bev and Catherine did all the work
9 on it.

10 We, the Co-Operative
11 Christian Campus Ministry (the Anglican, United, and
12 Student Christian Movement on the Campus at U.B.C.),
13 would like to express our deep concern and support for
14 the native people in their struggle for a just land
15 claims settlement. We oppose any development or,
16 decisions on the Mackenzie Valley Pipeline project
17 before an agreement between the government and the
18 native people is reached. We believe that the pipeline
19 cannot proceed until the land claims issue is settled.

20 As Christians, we believe that
21 the issue is both one of justice and responsible
22 stewardship of land. We cannot support a decision that
23 condones our consumptive lifestyle through the exploit-
24 ation of our non-renewable natural resources. We cannot
25 support a decision which gives priority to economic gain
26 and ignores the needs of the people most affected.

27 To be Christian in our society
28 means to be sensitive to the powerlessness and the
29 alienation of many in our society. There is a real need
30 to be sensitive to the powerless and alienation of some

1 | which is good for all.

2 | The native people are being
3 | threatened with the loss of their culture and in fact
4 | their existence. The Mackenzie Valley Pipeline project
5 | is considering the south's needs ahead of the needs of
6 | the northern people. We cannot ask that one group
7 | suffer for the sake of the other, but we must share the
8 | suffering and share our power. Because of the south's
9 | ever-increasing need -and "need" in quotation marks --
10 | of non-renewable resources, we create an unequal
11 | distribution of wealth. To meet our consumptive style
12 | of life, we demand a sacrifice on the part of those who
13 | have no power. We cannot destroy one group of people
14 | in order to support the lifestyle and corporate profits
15 | of another group. This is what the south's demand for
16 | resources is doing.

17 | Stewardship -- and I think
18 | that's the key word for our Christian response here --
19 | Stewardship is the responsible use of the created order,
20 | human and environmental. The Mackenzie Valley Pipeline
21 | reflects the south's basic goals and current lifestyle.
22 | It is a project which will allow us to continue living
23 | the so-called "good life". Our life and work is
24 | structured towards gain and good. Obviously this means
25 | we have to expand and develop in order to keep up to our
26 | ever-increasing and consumptive needs. We as Christians
27 | do not believe that continual expansion means we are
28 | able to live more humanly in our world. We must take a
29 | serious look at the consequence of all development such
30 | as the Mackenzie Valley

1 MR. WADDELL: Mr. Peter
2 Holmes here? Mr. Holmes. Our next brief, Mr.
3 Commissioner, is Mr. Peter B. Holmes, who represents
4 the White Pass & Yukon Corporation Limited, which I
5 believe is a company in Vancouver.

6
7 PETER B HOLMES sworn:
8 THE WITNESS: Mr. Justice
9 Thomas Berger, the White Pass & Yukon Corporation Ltd.
10 is a Canadian company which through its subsidiaries
11 dates its presence in Northern Canada back to the
12 earliest development of the Yukon, the Klondike Gold
13 Rush days of 1897-1898. The White Pass therefore has
14 been associated with northern economic and social
15 development for more than 78 years.

16 From its beginning in 1898
17 with the commencement of the construction of the
18 railroad from Skagway to Whitehorse and despite much
19 adversity, White Pass has steadily expanded its road
20 and service into the north.

21 White Pass has been described
22 as an innovator, a northern transportation pioneer, and
23 has received credit as the first company in the world
24 to offer its customers door to door delivery by means
25 of an integrated ocean, rail, highway container
26 transport system between Vancouver, British Columbia
27 and centres in the Yukon.

28 Today White Pass has expanded
29 that road to include common carrier and contract
30 carrier transportation within and between the Yukon and

1 | brief, and I stand with it and: am proud to be
2 | associated with this brief. I come here with no
3 | particular expertise. On the other hand, Mr.
4 | Commissioner, I am what you call a line worker and
5 | have, worked for some considerable time in the Downtown
6 | Eastside, and have listened to and talked to a great
7 | number of the people that this brief describes, and
8 | particularly the native people of whom there are in
9 | excess probably 2,000 in the Downtown Eastside. Th
10 | brief talks about the handicaps suffered by these
11 | people, and this certainly in my mind is a very
12 | measurable consideration. I would hope in your
13 | deliberations and your recommendations, in that these
14 | handicapped people to a very great extent have been
15 | victims of industry and are foisted on the Downtown
16 | Eastside, they are not very often younger people but
17 | middle-aged people, and they're really handicapped
18 | without being able to establish any claim to rightful
19 | compensation, living on welfare of 160 a month does not
20 | provide for the basic needs because of the high rents,
21 | and consequently they're ire or less imprisoned living
22 | in smaller rooms and without any hope of a decent diet.

23 | I do feel very strongly, as
24 | our brief indicates, that in your recommendations to
25 | the government that these very important aspects should
26 | be carefully, weighed and put forward.

27 | Thank you again, sir.

28 | (APPLAUSE)

29 | THE COMMISSIONER: Thank you.

30 | (WITNESSES ASIDE)

1 MR. WADDELL: The next brief,
2 Mr. Commissioner, is Terry Simmons, Mr. Commissioner,
3 in response to something that Miss Obedkoff said, I'm
4 informed by Mr. Don Gamble of Indian Affairs, that
5 there are briefs or rather summaries of our hearings up
6 north that have been prepared and published by the
7 Department of Indian Affairs, and they can be -- if
8 anybody wants them they can write to Ottawa, to the
9 Department 4t.400 Laurier Street and get a copy of
10 those summaries, so Mr. Gamble informs me. He should
11 know, he prepared them.

12 TERRY SIMMONS sworn:

13 THE WITNESS: Good afternoon,
14 Mr. Commissioner. Good afternoon, ladies and
15 gentlemen. My name is Terry Simmons. I'm a geographer
16 and anthropologist by training. I have been a
17 university professor where I have taught natural
18 resource policy and management and so forth. I am
19 presently Director of the Share Club Office of
20 International & Environmental Affairs in Vancouver.
21 However, today I --

22 THE COMMISSIONER: Mr.
23 Simmon, would you mind pulling the microphone closer?
24 It's a little tricky to hear you.

25 THE WITNESS: O.K., better?

26 THE COMMISSIONER: Fine.

27 THE WITNESS: OK. However
28 today I speak as an individual, perhaps as primarily an
29 informed journalist who purports to have no special
30 expertise in the matters at present,

1 | however, that the only thing it will not bring is the
2 | time or opportunity which the north must have if we wish
3 | to avoid visiting further irreparable disaster upon the
4 | cultures and lifestyles of our northern native people.
5 | The mere fact that we need to do it for our comfort and
6 | convenience is not reason enough. Might is not right,
7 | and as a nation we seem to need. reminding of the fact
8 | with dismaying frequency. Time, if we care to use it,
9 | could bring such a host of advantages, not only to the
10 | north and northerners, but to all Canada, that we are
11 | often puzzled not by the cries for haste which come
12 | chiefly from those with selfish interests, but by
13 | governments that seem to listen so intently but keep
14 | nudging us all to press on and throw aside both human
15 | concerns and common sense. We would like to suggest in
16 | the following some of the advantages of a slowed pace --
17 | a decade for decision.

18 | 1. It would provide the opportunity to find out with some
19 | degree of assurance -- greater degree of assurance than
20 | prevails at present just what the physical implications
21 | are for the northern ecology, measured in decades rather
22 | than in years -- just how long is "fragile"?

23 | 2. We could have a better measure of the economic
24 | impact on Canada when the flood gates are opened and
25 | eight to \$10 billion are dumped upon us. Experience
26 | indicates that sudden and uncontrollable wealth have
27 | never failed to produce disaster for individuals. Are
28 | nations, especially small ones, really any different?

29 | 3. We would have a chance to settle the claims that
30 | native people have upon the northern lands in a

1 | manner which would enable them to preserve those
2 | features of their culture which mean so much and which
3 | are viable only if their land rights are maintained.
4 | These claims are so obvious and so valid and their
5 | resolution so fair that thousands of Canadians who have
6 | never even seen the north are saying, "Let's get them
7 | settled; it's only fair."

8 | 4. Opportunity would come for northern native people
9 | especially the older adult people t really understand
10 | what this is all about. At present they are confused
11 | and fearful because white men are talking at them, not
12 | with them, seldom listening in a veritable avalanche of
13 | words, words that most of them appreciate only dimly if
14 | at all. True understanding of one culture by another
15 | is far more than the interpretation of words. It has
16 | to be lived with, talked about, and intellectually
17 | absorbed before it can be understood. Such a process
18 | takes education, and education takes time.

19 | 5. The present stages of technology dictate that
20 | extraction, not development, would be the overriding
21 | practice in any major industrialization which might be
22 | attempted in the north. Certainly the proposed pipeline
23 | is a prime example of this. In countless meetings and
24 | seminars and conferences held during the years for
25 | senior government officers in the north, if there was on
26 | message that came through with stark clarity to me, it
27 | was that the business interests, national and
28 | multinational had absolutely no intention of following a
29 | course of action designed to make the wealth of e north
30 | available to the north. Every time we raise the

1 | of southern Canadians known to us personally are planning
2 | to make the north their home. This is a significant
3 | change in the process marking the creation of a new land
4 | and a new nation. In our opinion it marks one of the
5 | most striking differences between the State of Alaska and
6 | the Territories of Canada. When I visited Alaska a few
7 | years ago to see what they were doing in native educa-
8 | tion, I quickly became conscious of the fact that most of
9 | the people there had a strong sense of belonging. Alaska
10 | was their home, they were first and foremost Alaskans who
11 | had no intention of going anywhere else. People must be-
12 | gin to think and feel that way before they can embark on
13 | the business of long-term planning and development for
14 | their homeland. We are all just beginning to develop it
15 | in the Northwest Territories among southerners. Natu-
16 | rally the native people have it, and that explains why
17 | the two groups are so often at odds and why native people
18 | are so much more concerned about plans for "rapid north-
19 | ern development" than those of us from the south. Given
20 | time to establish their lives as northern people who have
21 | a great pride in their land, for what it is as much as
22 | for what it gives, and Canada will find a new nation in
23 | its northern frontier just as it ha done with the settle-
24 | ment of the west. Hopefully the Indians, Inuit and Metis
25 | people will be an integral part of that nation in a way
26 | that we have failed to develop in the west. We believe
27 | such is possible if the right circumstances are permitted
28 | to exist, but such circumstances do not lie along the
29 | route being
30 | exhorted by those who read "exploitation" where we

1 read "development".
2 7. Above all, the educational system of the north needs
3 the time to serve its purpose, time in a relatively
4 stable social environment, not time in a period of
5 dislocation and upheaval such as is bound to prevail if
6 present plans for some massive program -- be it a
7 pipeline, a railroad, a highway, or all three are
8 allowed to proceed. Formal education for northern
9 native people is a new venture barely 20 years old.
10 Getting it under way has been a massive job and
11 unfortunately much that has been done might have been
12 done far more successfully with a different approach.
13 Nevertheless, worthwhile accomplishments have been
14 provided, and many young people have gained some
15 conception of the education requirements for those who
16 choose to leave the old ways to share something of the
17 alien culture which prevails in many places. We believe
18 that the northern system -- I am now referring to the
19 northern system of education -- has now evolved a plan
20 within the last five years which provides special
21 opportunities for the native people to follow a program
22 of cultural rejuvenation and restoration. It features
23 such innovations as teaching in the early years in the
24 native language, using curriculum materials rooted in
25 the native culture, injection of a high percentage of
26 native teachers into the schools, use of native people
27 for a wide variety of activities within the school,
28 and development of a system of local control of the
29 schools and their program. If given the opportunity, it
30 could go a long way toward meeting the goals and

1 | founded in 1971 in Stockholm to prepare for the United
2 | Nations Conference on Human Environment. It is a
3 | planetary organization. I speak as a planetary
4 | citizen. My background is for 21 years I lived in the
5 | north. I began living in Alaska in 1955.

6 | THE COMMISSIONER: Excuse me,
7 | Mr. Dobyms.

8 | A Yes.

9 | Q Take your time, but
10 | maybe you'd move the microphone, whichever one it is
11 | that I am listening to, a little closer to you and --
12 | sorry, I didn't mean to interrupt you.

13 | A All right. I began
14 | living in Alaska in 1955. My father was personnel
15 | manager for the Public Health Service, during the
16 | changeover between Bureau of Indian Affairs
17 | Administration to the Public Health Service, and for
18 | the last decade I've been in exile from the United States.
19 | I've lived in Canada, Norway, Denmark and Sweden,
20 | predominantly in the north. I studied and taught in
21 | the University of Sweden and in the college for the
22 | Samer. The Samer are known in our language as the
23 | Lapps. It's not a courteous way to give them their
24 | name. Quite simply, I believe that the pipeline, is an
25 | issue which needs to be considered in depth and we'll
26 | have to take many more years of consideration.

27 | I attended a conference in
28 | Sweden in 1971 which title was

29 | "Ecological Problems of the Circumpolar Area,"
30 | the contents of the conference are in this book. It

1 | of all the people who are interested, but I thank all
2 | of the people who have spoken and especially all of the
3 | native people who have allowed me to listen over the
4 | many times that I have, to their arguments and their
5 | beliefs, and to the truths which I think they are
6 | holding for all of the rest of us.

7 | Thank you.

8 | (APPLAUSE)

9 | (WITNESS ASIDE)

10 | MR. WADDELL: Mr.

11 | Commissioner, Mr. Dobyms has given me a chart entitled
12 | "BUCKMINISTER FULLER, THE WORLD GAME."

13 | Perhaps that could go in as an exhibit.

14 | (CHART "BUCKMINISTER FULLER, THE WORLD GAME" MARKED
15 | EXHIBIT C-276)

16 | MR. WADDELL: Perhaps we
17 | could have one brief, one final brief before our
18 | morning break. This is from the B. C. Confederation
19 | of the United Church of Canada, the Reverend Jack
20 | Shaver and Reverend Art Anderson. Will they come
21 | forward, please?

22 | REV JACK SHAVER and

23 | REV ART ANDERSON sworn:

24 | WITNESS SHAVER: The

25 | following brief was authorized by the executive of
26 | British Columbia Conference of the United Church o
27 | Canada which instructed its Outreach Department and its
28 | Ad Hoc. Committee on Indian Land Claims to prepare it.

29 | We make no pretensions to
30 | expertise regarding the north, or the energy crisis, or

1 | Respectfully submitted on behalf of the B.C. Conference
2 | of the United Church of Canada, by t B.C. Conference
3 | Outreach Committee, and the C. Conference Ad Hoc
4 | Committee on Indian Land Claims.

5 | (APPLAUSE)

6 | THE COMMISSIONER: Thank you
7 | very much, gentlemen

8 | MR. WADDELL: Mr.
9 | Commissioner, I think that was Reverend Shaver that was
10 | speaking. Am I correct?

11 | WITNESS SHAVER: Yes.

12 | (WITNESSES ASIDE)

13 | MR. WADDELL: Perhaps we
14 | could take a morning break for 15 minutes, Mr.
15 | Commissioner. I wonder if Dr. Echo Lidster is here and
16 | Mr. John Daly? I wonder if they could come up and see
17 | me?

18 | THE COMMISSIONER: All right.
19 | Well, we'll break for coffee. I think there's coffee
20 | available and you re all invited to join us for coffee,
21 | and then we'll come back here and carry on until our
22 | noon hour.

23 | (PROCEEDINGS ADJOURNED FOR A FEW MINUTES)

24 |

25 |

26 |

27 |

28 |

29 |

30 |

1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

2 THE COMMISSIONER: Well,
3 ladies and gentlemen, will call our hearing to order
4 again.

5 MR. WADDELL: Mr.
6 Commissioner I have a document entitled "Survey of
7 Education, Northwest Territories", 1972 which we
8 received from Mr. Gillie. I'd like to file that as an
9 exhibit please. It's a big document. I don't think
10 Dr. Lidster here. Is she here? Dr. Lidster? Well
11 then we call upon for our next brief, Mr. Commissioner,
12 Richard Stace-Smith who represents the Federation of
13 British Columbia Naturalists.

14
15 RICHARD STACE-SMITH, sworn;
16 THE WITNESS: Good morning
17 Mr. Commissioner. I feel a little guilty this morning
18 in when I prepared this brief, I can truthfully say I
19 had no experience in the north and as I listened to
20 Mr. Gillie give his brief, I realized how valuable it
21 is to have had the personal experience, but I can't
22 claim it. I can claim however to have discussed this
23 issue with a lot of people who have lived in the
24 north and worked in the north and are very familiar
25 with it. I'm speaking on behalf of the Federation of
26 British Columbia Naturalists. Normally, we address
27 ourselves to issues within British Columbia only,
28 however, we feel that issues of national significance,
29 we should be prepared to speak out on and this is one
30 of those issues that I think get a great deal of

1 I'd like to speak briefly on
2 the impact on the birds in the north and the
3 construction of pipeline will conflict with birds by,
4 1. Disturbing by aircraft sounds or construction
5 activities at concentration points of the spring and
6 fall migrations of nesting and moulting birds.
7 2. Alteration of water levels in wetland breeding
8 areas will be detrimental to all waterfowl, which is an
9 important Canadian resource.
10 3. Access roads, airfields and highways resulting in
11 increased hunting and harassment of birds is especially
12 hard on species living in these remote areas because of
13 their inability to coexist with man, for example, the
14 whooping crane.
15 4. Oil and chemical spills are real possibilities
16 which must be reduced. These would affect the birds by
17 harming their food supply, harming nests, and reducing
18 flying abilities.

19 A large number of birds will
20 be affected including; scoters, scaup, mallards,
21 pintails, canvassback, widgeon, eider, lesser yellow
22 legs, golden eagles, peregrine falcons, gyrefalcons,
23 Arctic tern, ptarmigan, long-tailed pomarine, parasitic
24 jaegers, Canada geese, snow geese, whistling swan,
25 trumpeter swan, snow bunting, Hudsonian godwit,
26 whooping crane and the white crowned sparrow.

27 Hunters, photographers and
28 many people who enjoy birds are all concerned at
29 disturbance of this resource if it is not absolutely
30 necessary. Is it worth it?

1 Over the past decade, the
2 Federal Government has grossly miscalculated Canada's
3 energy resources. You may recall in 1968 we were,
4 actively promoting a more rapid export of our oil and
5 gas reserves. It is now obvious that we do not have as
6 much oil and gas as we were led to believe, that what
7 we have is going to be more difficult and costly to
8 recover, that we are continuing to squander what we
9 have with little thought for the future.

10 Naturally, it is not in the
11 interest of the large oil companies to preach
12 conservation of energy. The main thrust for this must
13 come from governments, both federal and provincial. We
14 cannot accuse them of doing nothing but certainly the
15 effort is minimal at the federal level.

16 At the provincial level, I
17 haven't really looked into other provinces but I have
18 looked into the situation in British Columbia and
19 probably British Columbia is typical. Virtually no
20 effort goes into energy conservation, with the result
21 that B.C. Hydro estimates that power demands in the
22 province will increase at the rate of 9.2 percent for
23 the next eleven years. We are of the opinion that as
24 much effort should be directed towards ways and means
25 of conserving energy as is directed towards finding and
26 exploiting new sources of energy.

27 Thank you Mr. Commissioner.

28 THE COMMISSIONER: I might
29 just comment on one or two points you raised. The whole
30 question of the impact of pipeline construction and oil

1 power concerns. We have watched the strong tribal
2 nations reduced to bureaucratic entities known as
3 Indian reserves.

4 We have seen our children
5 painstakingly grapple with the white educational
6 system, trying to become white people only to see their
7 own being shattered and to be condemned to a life of
8 unemployment, welfare and penal institutions.

9 At one time, the tribal
10 culture was supported by the strong extended family
11 units. Now, there is hardly a trace. Superimposed
12 divisions have reduced the families to individuals who
13 really have no place in white society and cannot longer
14 rely on their mother culture.

15 Your worship, we have offered
16 Canada our total being but we have received so little
17 in return. We ask in this hearing that you hear our
18 pleas and make it known to the authorities just how
19 serious we are about our future and more particularly,
20 those of our people in the north.

21 Indian land claims is
22 important to the Indian people of the north and to all
23 the Indian people in Canada. Without a total and free
24 relationship with the land, Indian culture will
25 inevitably die. When the culture dies, the people
26 will become extinct and when there is no longer a place
27 for Indian people to survive in this country, it will
28 only be a matter of time for the, rest of the
29 population.

30 Therefore, the consideration

1 a good hearing. I hope that the government listens to
2 your advice when the hearing is concluded, for I know
3 you will listen to the wisdom of our people who have
4 spoken to you.

5 For the good of Canada and
6 indeed the entire continent, I hope that the Canadian
7 Government will make the right decision and not build
8 the proposed Mackenzie Valley pipeline. Thank you.

9 I don't have any further
10 statements but to support the verbal statements I have
11 made, Mr. Commissioner, I would like to table a booklet
12 called "The History We Live With -- Indian Land Claims
13 in British Columbia" for your perusal.

14 THE COMMISSIONER: Fine.
15 Thank you very much Chief Paul. May I say that it's
16 nice to see you again and you made one mistake. You
17 brought the White and Bob case to me 13 years ago, not
18 ten years ago. You and I are growing older faster than
19 you had thought.

20 Thank you very much.

21 A Thank you very much.

22 (WITNESS ASIDE)

23 MR. WADDELL: Mr.

24 Commissioner we have time for one more brief before the
25 luncheon break and I'd call upon Mr. John Daly. I
26 believe Mr. Daly is a fisherman from Lund but perhaps
27 he can

28 THE WITNESS: Pender Harbor.

29 MR. WADDELL: Pender Harbor,

30 British Columbia. It's D-a-l-y.

1 JOHN DALY sworn;

2 THE WITNESS: I'd like, Mr. Commissioner, first
3 of all to congratulate you on the method that you have
4 conducted this and in the north particularly.

5 My wife subscribes to "New of
6 the North" from Yellowknife and followed it very closely
7 on that, and through Witt Fraser on the C.B.C. when I'm
8 out fishing and at other times, and I think it's a
9 wonderful example that should be followed much more often
10 federally and provincially of going to the people and I
11 want to thank you. I'm listening and I've been a poor
12 listener all my life and I hope I can learn.

13 This is the short brief I
14 have, As a fisherman and primary producer of protein
15 who has made the major part of my livelihood from the
16 Pacific Ocean since 1935, I wish to see the same
17 opportunity left for coming generations of Canadians
18 for as good a living as I have had, he it from salmon
19 from the Pacific, or seals and fish from the Beaufort
20 Sea, or caribou from the barrens.

21 I am particularly interested
22 in seeing that our native Indian and Eskimo retain
23 their proper place in society and survive as producers
24 of protein. I believe there is no more proud and vital
25 occupation than protein production in 1976 and
26 thereafter. I oppose the dangerously conceived
27 pipeline plans as it is obvious that the oil companies
28 are far more concerned with their investments than in
29 what their rush, rush pressure plans may do to this,
30 our land and in particular to our two original and

1 | brilliant native people, Indian and Eskimo.

2 | I believe native land claims
3 | must be settled before a foot of pipe is laid. I
4 | further believe that the granting of drilling permits
5 | for the Beaufort Sea is a criminal act based entirely -
6 | - based on entirely misleading statistics drawn from
7 | world-wide drilling experience rather than statistics
8 | of specific ice-pack drilling. This is a case of using
9 | statistics like the drunk uses the lamp post, to prop
10 | up a decision which would not otherwise hold up.

11 | We cannot eat oil and the oil
12 | companies do not really care about the ocean and the
13 | river and the environment upon which humanity's
14 | survival depends. We cannot eat the oil that would
15 | poison and therefore devastate our delicately balanced
16 | protein food chain in the more than likely event of an
17 | oil spill or accident. The oil monopolies have been
18 | allowed to rape Mother Earth already for far too long.
19 | Let's wait, and if we Canadians decide we must bring
20 | out this oil, then let it be done with the joint
21 | management of the native peoples after their land
22 | claims are settled.

23 | Before white men taught them
24 | the rip-off system, they practised a mode of life that
25 | preserved rather than exploited and destroyed and I
26 | firmly believe in their innate ability to manage
27 | wisely. If we believe that there's a great oil
28 | shortage and I don't necessarily believe that it wasn't
29 | manufactured but if we believe, there are many areas of
30 | oil and fuel wastage to be explored. We should tackle

1 MR. WADDELL: Mr.
2 Commissioner under our procedure there may some
3 comments from the major participants in the hearings.
4 I'm going to ask Mr. Roland whether there are any
5 comments and after that, I will go through the list of
6 briefs that will be presented this afternoon and then
7 maybe we can adjourn for lunch.

8 (WITNESS ASIDE)

9 MR. ROLAND: Yes, Mr.
10 Commissioner, I've canvassed counsel and we have one
11 comment to be made this morning on the evidence that
12 we've heard, and I will turn the mike over to Mr.
13 Lutes, the counsel for Foothills Pipe Line.

14 MR. LUTES: Mr. Commissioner,
15 although the question of gas reserves in the Mackenzie
16 Delta is not a matter before the Inquiry, I would like
17 to have Mr. Littedale of Foothills Pipe Lines state
18 for, the record the position of Foothills with respect
19 to the available reserves in response to the comments
20 by Mr. Richard Stace-Smith of the Federation of B.C.
21 Naturalists.

22 JOHN LITTTLEDALE, resumed:

23 THE WITNESS: Mr.
24 Commissioner with reference to the comments of Richard
25 Stace-Smith concerning gas reserves --

26 THE COMMISSIONER: Excuse me,
27 Mr. Littedale, maybe it would be helpful if just before
28 you go on I made it clear to people that there are
29 two companies that want to build a pipeline; one,
30 Arctic Gas -wants to build a pipeline that would carry

1 | the possibility of a public inquiry format to look into
2 | the question of drilling in the Beaufort Sea. Now, Dr.
3 | Pimlott is very familiar to you. He may not be to
4 | other people but he's a member of the Canadian Arctic
5 | Resources Committee and he's somewhat of an expert on
6 | drilling in the Beaufort Sea.

7 | DOUGLAS PIMLOTT resumed:

8 | THE WITNESS: Mr.

9 | Commissioner, my comments are I think perhaps more by
10 | way of elucidation of the remarks that have been made
11 | by persons and organizations who have presented briefs
12 | last night and today and have referred to offshore
13 | drilling and to which you spoke a few moments ago.

14 | I simply wanted to point out
15 | that the whole question of offshore drilling is an area
16 | that has been of great concern both to native
17 | organizations and to those organizations that have
18 | primary concerns in the environmental area and the
19 | Canadian Arctic Resources Committee has been very
20 | pleased to the fact that you have been looking at
21 | offshore drilling and with the from the point of view
22 | that you referred to earlier, we and the Committee for
23 | the Original People's Entitlement, have persistently
24 | made the point that the whole question of offshore
25 | drilling in the Canadian Arctic is of equal
26 | significance in environmental and social terms to the
27 | whole question of building gas pipelines.

28 | There are many other initi-
29 | atives in the north that people may not be aware of;
30 | the fact that three wells have been drilled in Hudson

1 MR. ROLAND: Mr.
2 Commissioner. that concludes the comments on evidence
3 heard this morning.

4 (WITNESS ASIDE)

5 MR. WADDELL: Mr.
6 Commissioner, this afternoon, we'll hear from Celia
7 Koval, representing the Native Law Students Association
8 of the University of British Columbia; from Harry
9 Burrow, Joan St. Dennis, and Grace Solly, representing
10 the concerned Citizen's Group from the Christian Church
11 in Chemainus, British Columbia.

12 We'll hear from the West
13 Coast Environmental Law Association, from Ms. Lillie
14 D'Easum of the Voice of Women, from Beatrice Geddes,
15 from Bill Hennessy of the First United Church here in
16 Vancouver, from Terry Simmons, from Vicki Obedkoff,
17 also from the First United Church, from Brian Loomes
18 representing the International Development Education
19 Resource Association, from Harry Antonides, from the
20 C.J.L. Foundation, from Lorne Clark who is from
21 Churchill Secondary School and from Sister Joan
22 McCall.

23 I hope if Miss Crosby can
24 find our film, we can get it back from B.C.T.V. and
25 we'll show it tonight to those people who are
26 interested in seeing something of the "Inquiry working
27 up north. We'll show it at 7:15 here. I don't see Mr.
28 Scott. I'm sure he'd be surprised to know that we
29 finished again on time.

30 THE COMMISSIONER: Well, he

1 | had such great confidence in you, he left for Toronto
2 | an hour ago.

3 | Well, we'll adjourn then
4 | until 2 o'clock. Two o'clock then.

5 | (SURVEY OF EDUCATION, N.W.T., 1972, MARKED EXHIBIT C-
6 | 277)

7 | (SUBMISSION BY FEDERATION OF B.C. NATURALISTS MARKED
8 | EXHIBIT C-278)

9 | (THE HISTORY WE LIVE WITH, INDIAN LAND CLAIMS IN B.C.,
10 | MARKED EXHIBIT C-279)

11 | (PROCEEDINGS ADJOURNED TO 2 P.M.)

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1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

2 THE COMMISSIONER: Ladies and
3 gentlemen, we'll call the hearing to order this
4 afternoon and give our attention to those who are
5 presenting briefs this afternoon. I'll ask Mr. Waddell
6 to let us know who is going to be speaking to us now.

7 MR. WADDELL: Mr.
8 Commissioner our first brief is from Celia Koval who's
9 a representative of the Native Law Student Association
10 of the Faculty of Law at the University of British
11 Columbia here in Vancouver. Miss Koval?

12
13 MISS CELIA KOVAL sworn;

14 THE WITNESS: I'd like to
15 thank the interest that's been shown this Inquiry and
16 if that's the proper word to call it -- an inquiry, I'd
17 like to thank the presentation of people who are
18 interested in the cause of native people because it is
19 a very, very close thing to the heart of any person who
20 is part native and it should be very, very close to the
21 hearts of anyone who calls themselves a Canadian. That
22 the rights that are given to the native people are
23 settled in a justifiable manner that does not destroy
24 their life -- way of life -- or take away their
25 religion AND their tradition of life and their racial
26 memory which will exist forever no matter what you do
27 to us.

28 Mr. Berger I'd like t thank
29 you for the efforts that you put forth in regard to the
30 Inquiry in the northern country for my people because

1 | it's quite, quite important to us and perhaps there's
2 | something you'd like to ask me directly.

3 | THE COMMISSIONER: Not right
4 | off the bat but you carry on and let me consider what
5 | you say.

6 | A Well basically, I'm here
7 | representing an organization called the Native Law
8 | Students Association of Canada. Prior to three years
9 | ago, there had been only five native law students,
10 | native lawyers representing our native people. We have
11 | still the problem of people coming from the north and
12 | having to be re-educated in Vancouver schools before
13 | they can go to high schools, before they can go to
14 | universities.

15 | We have now created an
16 | organization which has grown over the last three years
17 | and no longer is there a history of five lawyers
18 | representing the whole history of Canada since the
19 | white man came here -- native students, native lawyers.
20 | Now we have at the present time about 29 law students
21 | attending from here across Canada to Quebec and it's a
22 | marvelous, marvelous thing to be a part of that. We
23 | would like to have more involvement with these
24 | judiciary decisions made about native property and
25 | native lands across Canada. At the present time it is
26 | not merely environmental problems that we have to
27 | consider. It's a way of life of the people.

28 | James Bay area was a typical
29 | example of the way people were forced out of their
30 | homes, out of their lives.

1 I had an Englishman for a
2 father and that's my worst half. My better half is my
3 native mother but we **act shoved off a property in
4 North Vancouver during the Second World War when they
5 put in a naval base that they never used. I can
6 rightly see the need for some sort of division of right
7 or sharing of rights, but I cannot see people
8 absolutely, deprived of rights and by the appearances,
9 if what the government says -- I was a representative
10 of native women at the United Nations meeting in Mexico
11 last year and I was told by a member of Parliament -- a
12 representative, supposedly of native people as well as
13 white people that as soon as you, you know, "as soon
14 you Indians start agreeing among yourselves, then we'll
15 talk to you". I have yet to meet a group of white
16 people who agree among themselves and I refuse to take
17 that answer.

18 There is justice and the
19 basic laws of justice are there. It's a sharing of
20 rights but not a giving up and a trampling down of a
21 people. Do you agree?

22 Q Well, I accept the force
23 of what you say. I wonder if I could just ask you a
24 couple of questions that occurred to me. You said that
25 there were 29 native men and women now studying law in
26 Canada?

27 A That's correct.

28 Q How many native people
29 have been called to the bar in Canada so far? You said
30 it was five a few years ago. It's a few more than that

1 | come through that school myself. I owe it merely to a
2 | great deal of assistance from Mr. Michael Jackson helping
3 | me into law school. I did have my degree prior to going
4 | to law school.

5 | Q Well, I think we're all
6 | pleased to see that the native law students are
7 | concerned about what's happening in the north and
8 | sufficiently concerned to come down today to say
9 | something about it.

10 | A I think it's very
11 | largely, too, in regard to the professors that we've
12 | had out at University of British Columbia. We have
13 | been given a very good education in regard to Indian
14 | rights and native rights, and we are understanding our
15 | problems in a legal sense which is something that we
16 | didn't have before and from now on, you re going to be
17 | having to deal with lawyers who are native people and
18 | for that I'm very grateful and very proud. Thank you
19 | very much.

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

22 | (WITNESS ASIDE)

23 | MR. WADDELL: Mr.

24 | Commissioner our next brief is a group called the
25 | Concerned Citizens Group from the Christian Churches in
26 | Chemainus, B.C. Harry Burrow, Joan St. Dennis and
27 | Grace Solly. Would the come forward please?

28 | HARRY BURROW, JOAN ST DENNIS,
29 | GRACE SOLLY sworn;

30 | MR. WADDELL: I'd ask you,

1 depletion of our natural resources and conflicts with
2 our responsibility to act as just stewards of all
3 creation. We believe the resources of the north should
4 benefit all Canadians, including those generations that
5 are to come after us.

6 We are confused by
7 conflicting reports regarding our oil and gas reserves.
8 In 1971, The Honourable J. Greene, then Minister of
9 Energy, Mines and Resources, told us we had nearly
10 1,000 years supply of oil and 400 years supply of gas.
11 In 1974, the National Energy Board told us that an oil
12 and gas shortage was just around the corner. We feel
13 we do not yet have the facts we need to make
14 responsible decisions about the extraction of our
15 natural resources. Until we have the information
16 needed to intelligently participate in the decision
17 making process, we feel a moratorium on pipeline
18 construction and offshore drilling should be enforced.

19 WITNESS SOLLY:
20 Fundamental social change. Above all, we have become
21 aware in the course of our study of issues of social
22 justice that we are not innocent bystanders in the matter
23 of international and national justice. We have come to
24 realize that in the final analysis, what is required is
25 nothing less than a fundamental social change.

26 We, as citizens of the south now
27 question our right to consume such a disproportionate
28 share of the earth's resources. We recognize that our own
29 lifestyle is a critical issue and we intend to cut back on
30 our exorbitant consumption of energy.

1 | Mr. Burrow and Miss St. Dennis and Miss Solly.

2 | Maybe I should tell you that
3 | some of the environmental questions that Miss St.
4 | Dennis raised are -- you raised some of them. We've
5 | been looking at what I hope must be all of them over
6 | the past 15 months, there can't be anymore than those
7 | we've looked at but you might be interested in the way
8 | we approach this.

9 | I said something this morning
10 | to Mr. Stace-Smith of the Federation of B.C. Naturalist
11 | about our examination of the question of the impact on
12 | birds. The impact on caribou is a very important
13 | question for the native people of Old Crow, Aklavik,
14 | Arctic Red River and Fort McPherson because all of those
15 | people still to a great extent depend on the Porcupine
16 | caribou herd which consists of about 115,000 animals
17 | that range throughout the northern Yukon.

18 | The pipeline companies
19 | brought forward a number of witnesses, some of the most
20 | eminent men in that field in the world and we listened
21 | to them and over a period of two months, we listened to
22 | I think, every leading mammologist in the field in
23 | North: America, from Alaska, from all over Canada and
24 | elsewhere. We made, what I think was a most concerted
25 | and intensive effort to discover as best we could what
26 | the impact of a pipeline and energy corridor would be.

27 | Let me just add that we went
28 | to the villages where the people live who depend on
29 | that herd and we listened to them and we adopted the
30 | point of view when we went to those villages that the

1 | people who live there and had lived with the herd all
2 | their lives were experts too, and in that way I think
3 | we managed to get as comprehensive and complete a view
4 | of the likely impact on caribou as we could and that is
5 | the approach we've tried to take in respect of each
6 | environmental issue and that phase of our work is in a
7 | sense behind us. I hope I'm not speaking too soon when
8 | I say that.

9 |
10 | Let me just say that to have
11 | your point of view to assist us as well is something I
12 | appreciate.

13 | So, thank you very much.

14 | WITNESS SOLLY: I think that
15 | we want to say how much we appreciate the thoroughness
16 | **.;it, - which you have done all this. We have been
17 | keeping track of this and realize that you have gone
18 | into to great efforts to get the best opinions you can
19 | on this Commission. Thank you.

20 | MR. WADDELL: Mr. Burrow,
21 | before you leave, I have a copy of your brief and I
22 | notice in the back of it there's what appears to be a
23 | petition signed by about 100 signatures. I wonder if
24 | you could explain that and maybe we could file that.

25 | WITNESS BURROW: Well, these
26 | are the signatories of the 100 concerned citizens over
27 | 100 concerned citizens that we spoke about. At the
28 | beginning of the brief, I stated:

29 | "This submission comes to you from a group of more
30 | than 100 concerned citizens and Christians from
31 | Chemainus on Vancouver Island".

1 This is the list of these concerned citizens.

2 MR. WADDELL: They've signed
3 this have they?

4 A That is correct.

5 MR. WADDELL: Perhaps we
6 could table that as an exhibit. Thank you Mr. Burrow.

7 A Thank you again.

8

9 (CONCERNED CITIZENS GROUP OF THE CHRISTIAN CHURCHES OF
10 CHEMAINUS MARKED EXHIBIT # C-280)

11

12 (WITNESSES ASIDE)

13 MR. WADDELL: Mr.
14 Commissioner, I just want to change the order just
15 slightly. I would ask Ms. Lille D'Easum of the Voice
16 of Women to make her presentation now and then we'll
17 hear from the West Coast Environmental Law Association.

18

19 Is Ms. D'Easum ready?

20 LILLE D'EASUM sworn;

21 THE WITNESS: Mr. Justice
22 Berger, members of the Inquiry and visitors. I'm
23 speaking for the Voice of Women which is a national
24 organization of women and we have some men members too.
25 It was founded in 1960 to work for world peace and
26 survival.

27

28 As Mr. Justice Berger has
29 said, this Inquiry is not just about a gas pipeline but
30 relates to the whole future of the Canadian north.
Since time is short and we've already submitted a

1 First of all is to curb the prodigal waste of energy;
2 war, the most wasteful of all and the number one
3 polluter. Use less energy. We don't need to increase
4 our energy by 9.2 percent every year. Sweden, for
5 example, a highly industrialized state with a cold
6 climate and the standard of living as high, if not
7 higher than ours, uses less than half the energy per
8 capita that we do.

9 Does our high standard of
10 living make us happy and contented? Does it improve
11 our quality of life? The gas and oil beneath the
12 Arctic have been there for millions of years.
13 There's an excellent case for leaving them there
14 where they won't destroy the wilderness and wildlife
15 of the north, nor pollute the ecosystems of the
16 south. There are many renewable less polluting
17 alternatives; solar, wind, tidal, geothermal and sea
18 thermal power, M.H.D., heat pumps, waste wood,
19 methanol and alcohol, methane from sewage, animal
20 and vegetable wastes and algae.

21 The technologies are all
22 well-known and as Ralph Nadar says: "If the petroleum
23 companies had a lease on the sun, and the depreciation
24 allowance, we d have been using solar power long ago."
25 But little or no public funding or research is devoted
26 to their development. Why not use the billions of
27 dollars proposed by the Mackenzie gas AND oil pipelines
28 to develop the renewable and non-polluting sources of
29 energy.

30 Now, for a little commercial.

1 Amory Lovins, head of Friends of the Earth in London
2 and Energy Consultant for U.K., M.I.T. in the U.S.,
3 Sweden, France, the U.N. and the Science Council of
4 Canada on whose behalf he is lecturing in Canada at the
5 moment, will speak in the Instructional Resources
6 Center at U.B.C. on Thursday, May the 20th at ,.8:00
7 P.M.

8 Please don't miss this
9 opportunity to hear him. Thank you.

10 THE COMMISSIONER: Thank you,
11 Miss D'Easum. I think I should tell you that Dr.
12 Calef, who is an authority on caribou who you mentioned
13 in your submission, was a witness at the Inquiry in
14 December and spent a week I think testifying along with
15 others who shared his point of view on caribou. So,
16 we've had the benefit of his knowledge in some detail.
17 Thank you. (WITNESS ASIDE)

18 MR. WADDELL: Mr.
19 Commissioner, our next brief is from the West Coast
20 Environmental Law Association and it will presented by
21 Mr. Alan Moyes.

22 ALAN MOYES sworn;

23 THE WITNESS: Mr. Commissioner,
24 ladies and gentlemen, this Mackenzie Valley Pipeline
25 Inquiry has been unprecedented in terms of both the
26 wealth of information gathered about the north and the
27 manner in which the material has been gathered.
28 Recognition of the dearth of knowledge about the northern
29 lands and its peoples produced a fairly wide frame for
30 the terms of references and has resulted in the extensive

1 public in the matter of the pipeline.

2 I am just getting over a bit
3 of a cold so you'll excuse me if I drop into the water
4 there.

5 The notion of a watchdog was
6 brought up earlier in evidence I believe by the E.P.B.
7 in January and when they discussed the notion of an
8 environmental auditor. Our presentation will concern
9 itself with some aspects of this notion which were not
10 fully explored and in particular will look at the
11 creation of a watchdog, the important factor of its
12 independence, the requirements it would have, for
13 reporting to the public and the general theme of public
14 participation.

15 Looking first to the creation
16 of a watchdog, a watchdog agency is a monitor of
17 persons and activities charged with providing an
18 objective accounting of their dealings and
19 transactions. In the case of the proposed Mackenzie
20 Valley gas pipeline, the watchdog would concern itself
21 with examining the conduct of the parties, and
22 evaluating their performance in terms of both the
23 environmental standards set by government regulation
24 and by contract. This audit of the practices employed
25 by the participants would then be conveyed back to the
26 persons in charge as well as to the public at large.

27 Although this gives an idea
28 generally of the task to be performed, various alterna-
29 tives present themselves according to the degree of
30 involvement the watchdog could take in pipeline operations.

1 | reporters and scientists. What this means is that
2 | there often just isn't the opportunity for media to
3 | carry as much as they would like to be able to carry.

4 | It is thus clear that neither
5 | of these alternatives is a sure-fire method and it. I
6 | hoped that some alternative, perhaps combining both of
7 | these two will evolve. Possibly a shortened version
8 | authorized by the watchdog sent out by the newspaper.
9 | This is a procedural problem which I think that you
10 | should be aware but which we have not attempted to
11 | solve at this point.

12 | I'd like to turn to the
13 | underlying theme of public participation upon which
14 | this submission has been based, I've referred
15 | throughout to public participation and involvement in
16 | environmental affairs, but the discussion of what it is
17 | and why we need it, has been left to the end because it
18 | is something which applies not only to the Mackenzie
19 | Valley problems but applies generally to problems
20 | facing society. In that sense, the discussion of
21 | public participation is made within a broader context.

22 | If and when the need to form
23 | watchdog agency arises, care must be taken to avoid
24 | what has been referred to as the rhetoric of citizen
25 | participation. The involvement of the public in the
26 | establishment of a watchdog must be substantive and
27 | without pretense if it is to succeed on a practical
28 | level and on a philosophical level. It must be
29 | understood that there is a valuable contribution to
30 | the process which the public is capable of making and

1 public interest or accommodate the public convenience
2 and necessity. This is the most valid reason for
3 public participation."

4 A related reason goes to the notion of feedback:

5 "Rational decision making is impeded by the absence
6 of individuals and groups affected by : programs and
7 by organization blocks which isolate governmental de-
8 cision makers from their public."

9 It should he stated that there are no
10 hard and fast rules for success and indeed, there is a
11 large latitude for experimentation. I quote again

12 "Achievement of the necessary participation is not
13 without difficulties. The achievement requires a
14 new level of understanding of people, of human ecol-
15 ogy, of the formal and informal structure of the
16 community, of the lines of communication, of democ-
17 ratic processes. It calls for patience, understand-
18 ing and extraordinary sensitivity. It demands in-
19 ventiveness and the trial of new systems and their
20 continued adaptations."

21 By way of conclusion, of my
22 submission -- to the submission of the Association, I would
23 like to say that this Inquiry has set many precedents in
24 its examination of the impact of the proposed gas pipeline,
25 not the least of which has been the conduct of the Inquiry
26 itself. The degree of openness and the efforts to involve
27 the public has been important in the level of success
28 measured by the Commission.

29 In making this submission, it
30 is the hope of the West Coast Environmental Law

1 Association to demonstrate the need to continue this
2 decree of openness should the pipeline go ahead. It is
3 our hope that a monitoring group would be established
4 and that every attempt would be. made to maximize the
5 involvement of members of the Canadian public.

6 Thank you.

7 THE COMMISSIONER: Thank you
8 Mr. Moyes. I should say that the subject you've raised
9 is one that the Inquiry and its staff are concerned
10 about and your very thoughtful and complete exposition
11 of the matter is one that I think will be most useful
12 to us.

13 So let me thank you again.

14 (WITNESS ASIDE)

15 MR. WADDELL: Mr.

16 Commissioner we have a short brief perhaps we could
17 hear before we adjourn for coffee. It's a brief of a
18 Mrs. Beatrice Geddes. It's spelled wrong on our list.
19 It's spelled G-e-d-d-e-s and it's going to be read
20 today by her daughter a Miss Ann Geddes.

21 ANN GEDDES sworn;

22 THE WITNESS: Mr.

23 Commissioner and members of the Inquiry, I thank you
24 for this opportunity to speak on my mother's behalf.
25 She really does regret that she's not able to speak her
26 opinions about her concerns for the people of the north
27 country.

28 My mother first became
29 interested and involved with the people of the Arctic
30 in particular in 1927 when she went there as a nurse at

1 | the hospital in Aklavik. My father had gone in there
2 | in 1920 to work as an Anglican missionary. So, in our
3 | family we've had great connections and very fond
4 | connections with the people, particularly the Eskimos
5 | and Indians of the north country.

6 | I think mother's main concern
7 | is what results the development particularly economic
8 | development and the development of the resources will
9 | have on these people and that they be included in the
10 | decisions that are made about their country.

11 | When my mother and father
12 | were in that country, they learned very greatly how to
13 | live with the land. They learned to work with the dogs
14 | and the animals, and in particular there were some :cod
15 | health lessons that my mother learned from the Eskimos
16 | in dealing with infected waste material, which she
17 | hadn't been able to do on the outside so that she has
18 | great respect for these people and how they adapted to
19 | their, country and she would really regret that any
20 | kind of development doesn't include these abilities of
21 | these people.

22 | At the end of her very brief
23 | she says that she would like that this Inquiry and
24 | whenever we do development, we look at the reasons for
25 | needing more energy or whatever is the demands that
26 | create, saying that it's not necessary to supply these
27 | demands but look at why we are having to have these
28 | demands.

29 | The other thing she said was
30 | that she felt, that the development of the Arctic has

1 | to proceed on a course that includes input from Indians
2 | and Eskimos as well as from knowledgeable and concerned
3 | people from the south. She recognizes that when she
4 | was in that country that she Made decisions that, in
5 | looking back, she wished she hadn't, that affected the
6 | people in a way that wasn't satisfactory and she trusts
7 | that in the years to come, Canadians will not look back
8 | in hindsight and say "Why did we do that now?"

9 | Thank you.

10 | MR. WADDELL: Mr.

11 | Commissioner, before we adjourn for coffee, I shall say
12 | that --

13 | THE COMMISSIONER: Excuse me.
14 | Miss Geddes please convey my thanks to your mother for
15 | her brief and I am grateful that you were able to come
16 | today to deliver it on her behalf. Thank you.

17 | (WITNESS ASIDE)

18 | MR. WADDELL: Mr.

19 | Commissioner, I was going to say that before we adjourn
20 | for coffee I should tell you that one of the witnesses
21 | this morning, a Mr. Daly the fisherman from Pender
22 | Harbor has left us a salmon. I don't propose to mark
23 | it as an exhibit. I think we'll eat it.

24 | Could we adjourn then for 15
25 | minutes for coffee?

26 | THE COMMISSIONER: Fine.
27 | Coffee then.

28 | (SUBMISSION OF BEATRICE GEDDES MARKED AS EXHIBIT #
29 | C-281)

30 | (PROCEEDINGS ADJOURNED OR A FEW MINUTES)

1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

2 THE COMMISSIONER: Well,
3 ladies and gentlemen, We'll come to order again.

4 MR. WADDELL: Mr.
5 Commissioner, the next brief will be a joint one, Bill
6 Hennesy and Vicky Obedkoff from the First United Church
7 here in Vancouver.

8 THE COMMISSIONER: Well, go
9 ahead whenever you re ready.

10

11 BILL HENNESSY AND
12 MISS VICTORIA OBEDKOFF sworn:

13

14 WITNESS OBEDKOFF: Mr.
15 Commissioner, my name is Victoria Obedkoff, and I work
16 as a community worker at First United Church. I am
17 here to present our church staff's position with regard
18 to the proposed Mackenzie Valley Pipeline, and We would
19 like to, thank you for this opportunity to present our
20 concerns. We also commend you for the participatory
21 style of your unique Inquiry and particularly for its
22 accessibility to the general Canadian public as well as
23 to directly implicated people in the N.W.T. Certainly
24 we hope that your Inquiry will act as a sorely needed
25 precedent for more government commissioned Inquiries
26 into prospective resource developments.

27 Our purpose at First United
28 Church is to stand with the residents of Vancouver's
29 Downtown Eastside Community in their struggle to
30 challenge and humanize the systems which condition

1 | then spending your hard-earned pay seeking company in
2 | the many pubs which are there to collect money from a
3 | lonely rooming house community.

4 | It means injuries, especially
5 | back injuries common to laboring men, going
6 | unrecognized by the company and by Workmen's
7 | Compensation.

8 | It means the loss of
9 | livelihood through such injuries.

10 | It means the loss of
11 | livelihood through advancing technology or company
12 | decisions to look elsewhere for its labour needs.

13 | It means being left to spend
14 | the rest of your existence on a Skid Road because you
15 | are too young for an Old Age Pension and too old to be
16 | retrained with any hope of viable employment.

17 | It means being stuck on
18 | welfare, trying to exist on \$160 a month when common
19 | sense tells us that many should be receiving the
20 | Handicapped Person's Income Allowance. The Social
21 | Service authorities, however, inexplicably continue to
22 | class them as employable.

23 | These men, with due respect, are
24 | the end products, the has-beens of the kind of development
25 | that B.C. has encouraged. These men, after having built
26 | and opened up the province, wait out the rest of their
27 | lives with their few resources spent on survival.

28 | Mr. Commissioner, look in any
29 | construction, logging, mining, or other camp; you will
30 | find that most of the men are under 40. Is there any

1 | alleviating desperate financial situations, but the
2 | abuse inherent in this exploitation will take its toll
3 | as it has with some in the Downtown Eastside.

4 | Native Indians live in our
5 | community, perhaps more here than in any, other
6 | Vancouver community. They have been dispossessed of
7 | their land-based or sea-based economies due to the
8 | coming of the white person; we have relegated native
9 | people to non-economic reservations which do not
10 | sustain their youth. Partly because of adventure,
11 | partly because there's no work back home, native
12 | people come to the inner city. Alcohol, drugs and
13 | depression are a part of the inner city way of life.
14 | Most are forced to become dependent on welfare or
15 | minimal work.

16 | In contrast stand the Dene
17 | and Inuit nations of the Northwest Territories. Here
18 | are a people who still have a viable, land-based
19 | economy which should be nourished rather than
20 | threatened. Here are a people who are very aware of
21 | their identity and the great resources they possess as
22 | a culture. Here are a people who are articulating
23 | their needs and who have plans to develop their
24 | economies, culture and society according to their own
25 | values. Will the Northwest Territories youth be lured
26 | away from traditional economies and into the boom and
27 | bust cycle of short-term labor because, of fast cash?
28 | Against the will of the Northwest Territories
29 | indigenous people, will we soon have created a welfare
30 | and U.I.C. nation and then complain afterwards about

1 redevelopment of Gastown, a longtime rooming house
2 community. As housing stock was diminished to make way
3 for boutiques and restaurants, the men who previously
4 lived there could only move eastwards into an already
5 crowded area. And we suggest that it is developers
6 interests again; the consortiums competing to build the
7 pipeline whose interests will be best served by a pro-
8 pipeline decision. They will make the profits while
9 both the indigenous people and the taxpayers of Canada
10 will pay the price and bear the loss. Not only
11 domestic developers but foreign capital will
12 increasingly figure in both the Downtown Eastside and
13 the Northwest Territories. Since 1970, when the
14 Federal Government Industry, Trade Commerce Department
15 announced a policy of strengthened trade between Canada
16 and Asian Pacific Rim nations, several aldermen at
17 City Hall have expounded upon the benefits of a
18 Vancouver role in the Pacific Rim Trading Community.
19 When a blue collar neighborhood adjoining our
20 community complained to council about increasing
21 |volume and size of trucks lumbering through
22 their narrow streets and endangering their children
23 they were told that in the name of Vancouver's
24 advancing role in the Pacific Rim Trading Community
25 they would have to accept the noise, the pollution,
26 the disruption, and the danger of heavier trucking so
27 that Vancouver's standard of living could benefit
28 overall.

29 What is the cost of the
30 Northwest Territories becoming an investment ground for

1 • We also recommend that the portfolio of northern
2 development is contradictory to concern for native
3 affairs, given our present development mentality, and so
4 we urge that northern development concerns be formally
5 separated from those of native affairs.

6 Thank you, Mr. Commissioner,
7 for hearing us. We hope that you will carry our
8 recommendations to the Federal Government in your
9 judgment. We also hope that you will make the findings
10 of your Inquiry available to the public so that this,
11 process of public involvement can continue. We have
12 only begun, and we frankly had to scratch to get
13 information down here in Vancouver. We've been
14 fortunate, however, to be visited by people from the
15 north as it's been difficult to filter through the
16 pipers. All we hear about is an energy crisis.

17 We trust that the findings
18 of your Inquiry and the interest thus far raised
19 aroused by the hearings are both too valuable to e
20 forgotten by the Canadian public. We pledge our
21 continuing active interest in this issue and would
22 appreciate a copy of your final report to the Federal
23 Government.

24 (APPLAUSE)

25 THE COMMISSIONER: Thank you,
26 Miss Obedkoff. Do you have anything to add, Mr.
27 Hennessy?

28 WITNESS HENNESSY: I don't
29 think I have too much, Mr. Commissioner. I would just
30 like to repeat thanks for your having heard this brief,

1 | and I stand with it and am proud to be associated with
2 | this brief. I come here with no particular expertise.
3 | On the other hand, Mr. Commissioner I am what you call
4 | a line worker and have worked for some considerable
5 | time in the Downtown Eastside, and have listened to and
6 | talked to a great number of the people that this brief
7 | describes, and particularly the native people of whom
8 | there are in excess of probably 2,000 in the Downtown
9 | Eastside. The brief talks about the handicaps suffered
10 | by these people, and this certainly in my mind is a
11 | very measurable consideration. I would hope in your
12 | deliberations and your recommendations, in that these
13 | handicapped people to a very great extent have been
14 | victims of industry and, are, foisted on the Downtown
15 | Eastside, they are not very often younger people but
16 | middle-aged people, and they're really handicapped
17 | without being able to establish any claim to rightful
18 | compensation, living on welfare of 160 a month does not
19 | provide for the basic needs because of the high rents,
20 | and consequently they're more or less imprisoned
21 | living in smaller rooms and without any hope of a
22 | decent diet.

23 | I do feel very, strongly, as
24 | our brief indicates, that in your, recommendations to
25 | the government that these very important aspects should
26 | be carefully weighed and put forward.

27 | Thank you again, sir.

28 | (APPLAUSE)

29 | THE COMMISSIONER: Thank you
30 | (WITNESSES ASIDE)

1 MR. WADDELL: The next brief,
2 Mr. Commissioner, is Terry Simmons. Mr. Commissioner,
3 in response to something that Miss Obedkoff said, I am
4 informed by Mr. Don Gamble of Indian Affairs, that
5 there are briefs or rather summaries of our hearings up
6 north that have been prepared and published by the
7 Department of Indian Affairs, and they can be -- if
8 anybody wants them they can write to Ottawa, to the
9 Department at 400 Laurier Street and get a copy of
10 those summaries, so Mr. Gamble informs me. He should
11 know, he prepared them.

12 TERRY SIMMONS sworn:

13 THE WITNESS: Good afternoon,
14 Mr. Commissioner. Good afternoon, ladies and
15 gentlemen. My name is Terry Simmons. I in a
16 geographer and anthropologist by training. I have been
17 a university professor where I have taught natural
18 resource policy and management and so forth. I am
19 presently Director of the Sierra Club Office of
20 International & Environmental affairs in Vancouver.
21 However, today I --

22 THE COMMISSIONER: Mr. Simmon
23 would you mind pulling the microphone closer? It's a
24 little tricky to hear you.

25 THE WITNESS: O.K., better?

26 THE COMMISSIONER: Fine.

27 THE WITNESS: O.K. However
28 today I speak as an individual, perhaps as primarily an
29 informed generalist who purports to have no special
30 expertise in the matters at present.

1 | about the resources are being debated, whether they be
2 | debated by natives, petroleum corporation executives"
3 | Southern Canadian WASPS, or whatever.

4 | The principal issue here is
5 | change; change which is cultural, social, economic,
6 | physical, biological change; change as it relates to a
7 | region and its people, native and European.

8 | This major disruption in the
9 | character of the north, right or wrong, : good or bad,
10 | is what, we must cope with today and in the future.
11 | What we are looking at is a process which started
12 | several years ago in Prudhoe Bay, which was
13 | simultaneously greeted with great cheer from some,
14 | sectors, and with a groan of dismay from others, who
15 | saw the land being opened up either as a great source
16 | of energy for the future or being opened up in order to
17 | violate the wilderness and the great natural heritage
18 | of this area and to violate the habitat of the
19 | traditional culture.

20 | Thus we are talking about the
21 | cost of cultural change and, the cost of change to the
22 | natural landscape. Both are high, both cannot be
23 | measured necessarily, in dollars. Rather we are
24 | talking about people s lives, the collective conscious
25 | ness of our society and of smaller populations within
26 | our society. We are talking about energy resource
27 | policy. We are, talking about cultural, and social
28 | policy. Also we are talking about the natural
29 | environment. In this respect we are looking at
30 | ourselves as our landscape changes, as our sense of

1 | an indication of where we're going in the future.

2 | Blue-eyed Arab or dark-eyed
3 | Arab, we will run out of oil and gas in the Gulf of
4 | Arabia, they are now presently re-introducing
5 | agriculture and are in the process of pushing very hard
6 | to retrieve from the ashes of Beirut the financial
7 | district which has gone out with the Civil War, In Iran
8 | they are buying nuclear power plants. I suggest that
9 | Alberta and the Northwest Territories will in time do
10 | the same.

11 | Further, Arctic oil and gas
12 | like the North Sea, the Labrador Coast, Greenland, and
13 | a number of other rather exotic places, represent the
14 | last attempts to gain marginal supplies. We are no
15 | longer going out into the prairies and punching a hole
16 | in the ground. We have very difficult terrain indeed.

17 | I submit that the Mackenzie
18 | Valley Pipeline should be delayed to preserve our
19 | energy resource option. This is based on the
20 | assumption to deal with the reserve as present,
21 | assumptions which deal with the economics of the
22 | situation, and also on the assumption that we will very
23 | soon have to opt for different energy strategies
24 | overall, which will largely disregard oil and gas.
25 | This is where I come back to my earlier point that the
26 | Mackenzie Valley Pipeline buys time as much as it buys
27 | petroleum and gas.

28 | I would suggest that perhaps
29 | in the long run it may be cheaper to not build the
30 | Mackenzie Valley Pipeline for this very reason. I

1 suggest also in the overall considerations of the
2 impact of the pipeline and its related activities that
3 we may find it is more beneficial not to construct it.
4 I leave as an analogy the collective consensus in
5 British Columbia that one ought not build the Moran Dam
6 on the Fraser River.

7 I turn now to the question of
8 social change. In all matters of large-scale
9 development like the Mackenzie Valley Pipeline, there
10 will be major social and cultural impacts, both
11 directly and indirectly, whether they be on native
12 people or on the transportation and economic
13 infrastructures are on the social activities of
14 construction workers or, whatever they might be. These
15 are, as I said, coming with many large projects.

16 The native land claims issue
17 of course, must be settled, but I suggest that the land
18 claims issue itself should be settled because it is a
19 past debt which the Canadian society owes previously to
20 the natives of the north, and for that matter natives
21 in a variety of other places in Southern Canada. This
22 is a price that we will pay for the development of the
23 north, just as we have paid that price in the James Bay
24 region and the same price has been applied in the
25 settlement of the Alaskan native claims issue. But
26 to settle the native land claims issue in fact is
27 not enough. To settle the land claims issue begs
28 the real question. The real question has to do with
29 the way of life of the people who were there on the
30 ground in the Mackenzie Valley, whether they be native

1 | or European.

2 | I suggest the only way to
3 | adequately solve the problem of social change is not
4 | only to solve the land claims question but also to give
5 | the Northwest Territories and the Yukon local control,
6 | self-determination. If that means having a settlement
7 | similar to the -- what the natives call the Dene nation
8 | so be it.

9 | However, sending the
10 | Department of Indian Affairs Mandarins home to Ottawa
11 | is also not enough, it is not the answer in itself.
12 | Settling the native claims issue and providing local
13 | determination simply means that the native people and
14 | the indigenous Europeans must cope themselves with
15 | development. They must put their own house in order,
16 | and that, I think, is as much as anyone in the south
17 | can ask. But in the end, whether they do a good or a
18 | poor job, it is the people who live there who must do
19 | it and live with the results, whether we in the south
20 | like it or not.

21 | I'd like to turn now to the
22 | question of cultural change. Much has been said about
23 | native claims issues, and they alternately resolve
24 | around the acculturation of the natives in their
25 | ability to cope with European traditions and
26 | institutions. I suspect that there are many natives
27 | who are quite able to handle European traditions and
28 | institutions, perhaps better than many Europeans.

29 | But nonetheless they are
30 | there to cope with it and I think they will cope very

1 Q In the Disneyland case?

2 A Mineral King.

3 In addition, for your
4 information there is a recent case filed having to do
5 with mining in Death Valley national monument where
6 Death Valley was named as a claimant by itself.

7 Anyway, to move on, in sum I
8 think we should delay --

9 Q Excuse me. We have
10 provided funds to the Canadian Arctic Resources
11 Committee to represent the environment.

12 A Yes.

13 Q Now, it's up to them
14 to talk to the caribou and then to come back and
15 tell us what position they take on these questions.
16 I assume their primary interest is survival, and we
17 expect the Canadian Arctic Resources Committee to
18 speak to that issue, and they have over many months.
19 I may say that I think that the article by Stone and
20 the judgments of dissenting judges in the King
21 Valley case who included not only Mr. Justice
22 Douglas but Mr. Justice Blackman, as I recall, those
23 were part of the thinking that went into the
24 procedure we adopted here. We can't go quite to the
25 length that you have urged upon us, but we've gone
26 as far as we can.

27 A Yes.

28 Q Anyway, carry on. I
29 have the feeling that you re going to get another note
30 soon.

1 | like to make a few words.

2 | MR. GENEST: Mr.

3 | Commissioner, with your leave, sir, we have heard a day
4 | and a half of briefs now, and we would like, with your
5 | leave, to have Mr. Horte step up to the witness stand
6 | and make some comments which I think might be useful to
7 | you, sir, and to the people who have presented the
8 | briefs on which they've worked so hard.

9 | THE COMMISSIONER; O.K.

10 | MR. GENEST: So could Mr.

11 | Horte take a few moments now?

12 | THE COMMISSIONER: Certainly.

13 | MR. GENEST: Thank you. Mr.

14 | Horte is the gentleman whose face appeared prominently
15 | on the moving picture you saw last night, and who is
16 | the president of Canadian Arctic Gas Pipeline Limited.

17 | THE COMMISSIONER: All right,
18 | go ahead, Mr. Horte.

19 | VERNON L. HORTE resumed:

20 | THE WITNESS: Thank you, sir.

21
22
23
24
25
26
27
28
29
30

1 | you will hear a good deal more in this area during the
2 | phase of your hearing now coming up and our
3 | presentations with respect to those issues dealing with
4 | the people aspect of the project in the north.

5 | You know, as you listen to
6 | the submissions and the -- I would be the first to
7 | agree that the submissions you have heard here are
8 | given in a very sincere -- they are a very sincere
9 | submissions. I think the people that have presented
10 | those submissions do so with the best of intention and
11 | with great sincerity and honesty. I do think however
12 | that we do hear a lot and we -- I must say I put a
13 | great deal of it in the perspective of an idealistic
14 | Utopian kind of a philosophy, that I think in many
15 | instances, most of us can subscribe to. And we. must
16 | subscribe to these very laudable objectives but I have
17 | heard very little, sir, about when we talk about these
18 | very laudable objectives as to how we go about
19 | attaining those objectives.

20 | You know, we haven't
21 | developed the society we have with all its wrongs but
22 | with many things that are right in the social area-
23 | medical care, the various things that we have in this
24 | country that most of us take for granted. Those are
25 | not available in most countries of the world that
26 | haven't been able to conduct their affairs, their
27 | economic well-being in a manner that's made it
28 | possible for those good works and good things to be
29 | done.

30 |

1 Energy in this country is a
2 situation whereas as example by 1985 and I think you
3 can talk to anybody knowledgeable in this area that we
4 are going to have to. between now and 1985 import
5 something like \$20 billion worth of energy at in
6 annual rate in 1,985 of something like \$5 billion
7 annually on top of what are very sizable current
8 account deficits in the country today. Now, that
9 doesn't make for the kind of an economy that we need
10 in this country to do the things that many of us here
11 would like to see done.

12 Another thing, sir, that
13 occurred to me is that we heard last night and
14 today a good deal of discussion about oil spills,
15 tankers, environmental concerns in many areas, but
16 nobody -- the need to delay projects such as this
17 in Canada, but nowhere did I really hear anybody
18 really talking about what they propose to do in the
19 alternative having regard to our energy needs in
20 Canada.

21 Now, let me just give you a
22 few examples. For instance, when we talk about
23 environment and let's put it in environmental terms
24 for a moment. When we talk about the environment
25 and you recognize that to the extent that we don't
26 develop our own sources of energy, our alternatives
27 become such. things as importation of oil which we
28 are doing on a large scale, the fact that those
29 imports are brought by huge tankers across our
30 oceans with the inherent risks that are involved.

1 | run on till five o'clock, and I would ask Brian Loonies
2 | of the International Development Education Resource
3 | Association to come and present his brief on behalf of
4 | that organization. Mr. Loonies? Perhaps you could
5 | introduce yourself.

6 |

7 |

JOE TANENBAUM sworn:

8 |

THE WITNESS: Yes, my name
9 | is Joe Tanenbaum, and M. Loonies could not be here
10 | so I'm going to read his brief.

11 |

Mr. Commissioner, my name
12 | is Joe Tanenbaum, and I'm representing the IDERA
13 | Council which is made up of several Development
14 | Education agencies in British Columbia.

15 |

We wish to take this
16 | opportunity to express our support for the land,
17 | claims of the Dene and Inuit peoples; with all due
18 | respect to the members of this Inquiry, we are not
19 | under any illusions that the Canadian Government is
20 | genuinely prepared to respect the rights of native
21 | people. We think the decision about northern
22 | resource exploitation has been made. Statements by
23 | government Ministers, the prospecting permits
24 | granted, the exploration taking place in the
25 | Beaufort Sea, the conflicts of interest surrounding
26 | the National Energy Board's decision on the
27 | pipeline, and the flurry of this Inquiry to report
28 | upon terms and conditions that ought to be imposed in
29 | respect of any right-of-way granted for pipelines
30 | indicate that the basic decision has been made.

1 (PROCEEDINGS ADJOURNED PURSUANT TO ADJOURNMENT)

2 THE COMMISSIONER: Ladies and
3 gentlemen I ask that we come to order. We began our
4 hearing in Vancouver last night and continued all day
5 today, and we've heard representations now from a number
6 of people and organizations. We're appreciative of the
7 thought and consideration that has done into the briefs
8 that we've heard so far and we're looking forward to
9 briefs that are to be presented this evening.

10 I think I should just say
11 for the benefit of those of you who may not have been
12 here last night that we are holding hearings regarding
13 the Mackenzie Valley pipeline project and the
14 establishment of an energy corridor from the Arctic to
15 mid-continent. We're holding hearings across the
16 provinces of Canada over the next month.

17 We've been holding hearings
18 in the Mackenzie Valley, the Mackenzie Delta and the
19 villages on the perimeter of the Beaufort Sea and the
20 northern Yukon over the past year and we've been
21 holding formal hearings at Yellowknife for many months
22 where we've heard the evidence of the experts; the
23 biologists, the engineers, the economists, the
24 anthropologists, the scientists. We've been to 28
25 settlements, villages in the Northwest Territories and
26 the Yukon to hear from the people of all races who
27 live in the Canadian north and we felt that since the
28 future of the north will be shaped in large measure by
29 the pipeline project and the energy corridor and the
30 decisions that we make with respect to the pipeline

1 religion, and I use that word advisedly, of materialism
2 and of economic growth which seeks to reduce all persons
3 and groups to one common denominator; in such a system
4 there's no room for variety whether that be racial,
5 cultural religious or any other way. The result is an
6 oppressive leveling and homogenizing which attempts to
7 squeeze all people into the same mold.

8 Another bi-product of this
9 approach is the creation of minority groups who
10 because they do not have access to the level of power
11 are shoved aside and trampled under in the mad rush
12 for power and wealth.

13 The native people know a
14 great deal about that but they're not alone although
15 they might be in the worst possible position of all of
16 us. There are other minority groups whose place in
17 society is precarious because they refuse to join the
18 majority and the powerful. We favor a recognition of
19 and respect for the different beliefs and lifestyles
20 present in our society. In other, words, we advocate
21 a pluralistic rather than a monolithic society so that
22 people with different convictions can yet live
23 peacefully Side by aide in the one Canada.

24 We're convinced that the
25 issue of closed versus an open society has much to do
26 with the matter before this Commission, because the
27 kind of Canada that, will emerge will at least to a
28 great extent depend on our decisions regarding the
29 development of the northern resources.

30 Via research and interaction

1 with its members and with others in the political,
2 business, academic and professional worlds, C.J.L. seeks
3 to develop political, economic and social policies and
4 action programs based on the Christian principles of
5 justice, stewardship, love and compassion. Via
6 publications, educational meetings and participation in
7 public hearings such as those conducted by the National
8 Energy Board, C.J.L. seeks to make its public
9 contribution to the ongoing formulation of political,
10 economic and social policy in Canada.

11 Since 1973, energy research
12 was our first major project. Our participation as an
13 intervenor in the National Energy Board hearings on
14 the Mackenzie Valley gas pipeline is based on that
15 research.

16 The matter of the proposed
17 pipeline is critical for the future of Canada because
18 it involves much more than building a pipeline.
19 Crucial issues such as the rights of native Canadians
20 and the preservation of the fragile environment of
21 Canada's north are at stake. Decisions on these
22 matters will either reaffirm a high energy consuming
23 economic growth maximizing way of life, or point
24 toward a new set of values geared to human growth as
25 opposed to economic growth for its own sake.

26 The most critical point we
27 wish to make in this presentation Mr. Commissioner is
28 that you should urge the Cabinet to declare a ten year
29 moratorium on a decision with respect to the Mackenzie
30 Valley natural gas pipeline and on all other proposals

1 | between supply and demand. In its April 12, 1976
2 | statement to the N.E.B. Mackenzie gas pipeline hearings
3 | Alberta Gas Trunk Line said and I quote from the
4 | transcript page 117 and 118, at April 12, 1976:

5 | "We shall be giving evidence in phase four to show
6 | that the whole supply picture in Alberta has
7 | changed dramatically over the past year. As a re-
8 | sult of increased deliverability from Alberta, the
9 | emergency need for gas from the Beaufort Basin has
10 | vanished."

11 | We further advocate the following measures which we
12 | believe could stretch out the available supply another
13 | 17 years to a total of 34 years; by conservation, by
14 | waste elimination in the first place, which we believe
15 | could add four years to the supply. Furthermore,
16 | conservation by a reduction in domestic use increased
17 | from 2.2 times to 1.5 times by 1988 which could give us
18 | another three years; export cut-back of ten trillion
19 | cubic feet which would give us seven years, an
20 | acceptance of the Alberta swap proposal which would
21 | give us an additional three years, for a total of
22 | available non-frontier gas of 34 years.

23 | We respectfully suggest that the
24 | adoption of this package is a much more responsible
25 | solution to Canada's gas needs than a panic motivated
26 | decision to immediately construct a Mackenzie Valley
27 | natural gas line. We believe it would be a serious
28 | abdication of governmental responsibility if this solution
29 | did not receive the careful attention we suggest it merits.

30 | Accordingly, we advocate the

1 I think we should take that sentiment very seriously.

2 B. Furthermore, we believe
3 that the moratorium period should be used to examine
4 the relative merits of proposed oil and gas pipeline
5 from both the Mackenzie Delta, Beaufort Sea and the
6 Arctic island areas.

7 C. Determine the effects of
8 pipeline and related construction on all aspects of
9 plant animal, bird and fish life in the north.

10 D. Develop a new national
11 energy policy. Perhaps of most importance from C.J.L.
12 advantage point, is that the ten year moratorium
13 should be used for the development of a new national
14 energy policy for Canada. We believe that the
15 question of the need for frontier gas must be decided
16 on the basis of an energy policy which expresses
17 conserve rather than consumption values. The question
18 of public necessity and convenience can no longer be
19 answered in terms of the economic growth values that
20 have governed Canada since World War II.

21 It must be answered in terms
22 of human growth values. We believe Canada's national,
23 energy policy should emerge with the following
24 objectives:

- 25 1. A substantial reduction in the increase in the per
26 capita growth of energy consumed in Canada through
27 both waste elimination and demand reduction
28 programs.
- 29 2. A concerted national effort to develop alternative
30 sources of energy.

- 1 3. Honoring the rights of native Canadians with
2 respect to the involvement of their lands and
3 culture in projects designed to provide fuel for
4 southern consumption.
- 5 4. Full satisfaction that ecosystems will not be
6 adversely affected prior to the commencement of
7 any energy project and
- 8 5. A setting of just royalties provisions to ensure
9 that private companies develop public resources,
10 for public rather than private benefits.
- 11 6. The equitable use of natural resource revenues to
12 enhance total human well-being.
- 13 7. Rapid curtailment and eventual stoppage of oil and
14 gas exports. to the United States.
- 15 8. The export of energy at below international prices
16 to struggling Third World countries.

17 We believe this energy
18 policy expresses a firm determination to engage in the
19 stewardly management of Canada's natural resources and
20 while, as reaction to the Prime Minister's recent
21 remarks about the need for new values confirms, it
22 would be erroneous to claim that human growth values
23 have replaced the economic growth ideal, it would be
24 as fallacious to suggest that there is unwavering
25 faith in uncontrolled economic growth.

26 Discussion about the need for
27 conserver values and activity designed to implement
28 those values has been underway in Canada for several
29 years. For some two years now, the C.J.L. Foundation
30 has advocated the need for a full public discussion

1 | by an ever increasing consumption of our natural re-
2 | sources, we will have missed perhaps the last chance
3 | open to us. Have we the wisdom? Have we the cour-
4 | age?"

5 | The question put by Premier
6 | Campbell is an urgent one and cannot be shirked by any
7 | one of us. It is our hope, Mr. Commissioner, that
8 | your unique work in this Inquiry will assist all of us
9 | and especially those who are called upon to engage in
10 | important policy decision making to make wise and
11 | courageous decisions leading to a change in lifestyle
12 | I and the discovery of new ways of growing as a
13 | people. A people to be sure who are different in many
14 | ways, yet who together constitute the one nation of
15 | Canada. We are a nation to whom our creator has
16 | entrusted an abundant storehouse of natural
17 | resources,. We can continue to squander them and
18 | abuse them to the detriment of the weak and the
19 | powerless in our midst or we can begin to use them
20 | wisely and justly for the benefit of all the people.

21 | We must take the time to
22 | reflect on the present and to determine our future
23 | lifestyle, and time requires a moratorium on massive
24 | projects like the Mackenzie Valley pipeline which are
25 | based on the very values that are now being questioned
26 | by so many people.

27 | Accordingly, we urge you Mr.
28 | Commissioner to recommend such a moratorium to the
29 | Government of Canada. Thank you very much.

30 | (WITNESS ASIDE)

1 MR. WADDELL: Mr.
2 Commissioner, our next brief is from Lorne Chark,
3 that's C-h-a-r-k. It's not Clark as it's set out in
4 our lists. Lorne Chark from Churchill Secondary
5 School. Mr. Chark?

6 LORNE CHARK, sworn:

7 THE WITNESS: Before I
8 present my brief, Justice Berger, I would like to
9 comment in a few short paragraphs on the Arctic Gas
10 Company's representative and his brief presentation to
11 you this afternoon.

12 The company's representative
13 things that thinks that seem black and white is wrong.
14 I believe I am quoting him when he said:

15 "If a pipeline is to be built everyone must be a
16 winner."

17 This is not true. We have here an issue, a debate, so
18 there must be a winner; there must be a loser. An
19 issue can't be grey unless a compromise is reached.
20 Arctic Gas Company's representative obviously presented
21 a profit-based monologue. He is a profit motivated
22 person representing the same kind of company. There is
23 nothing wrong with this. I don't object to profit.
24 What I do object to is that this profit is being derived
25 from a corporate rip-off to use a coined phrase invented
26 by David Lewis; not just resources but a land that is as
27 yet unspoiled, our northern, frontier.

28 Canada is a nation. We are
29 a society of many people. Our land is important to
30 us, especially in a resource area like the northern

1 part of Canada, the Northwest Territories and the
2 Yukon. We must preserve this part of our heritage
3 because so much of our heritage is going to pot. We
4 are losing a great deal of our history. We are losing
5 a great deal of our culture and this is really what
6 this Inquiry is about. It's not about the proposed
7 Mackenzie Valley pipeline.

8 This Inquiry is dealing
9 directly with whether we should exploit the resources
10 of the north. In other words, whether we're going to
11 exploit the people who live in the north.

12 Now, getting to the brief.
13 Before I present the brief, I'd like to have a brief
14 respite. I think you people here will get a kick out
15 of it, and you too Mr. Commissioner.

16 I have a cartoon reproduced
17 on the title page of this brief. It shows you Justice
18 Berger in your judicial robes listening to a native
19 petition against the pipeline. All around you, while
20 you're listening to this petition against the pipeline,
21 development of the north is taking place. You can see
22 there is Justice Berger working inside a little piece
23 of piping.. There is the crane that is getting ready
24 to take away all the permafrost and getting ready to
25 desecrate the land. There are the Indians. There is
26 the Inuit. The caption reads simply:

27 "As far as this northern development is con-
28 cerned, make it snappy."

29 That is obviously an unfair comparison.

30 Arctic Gas and Foothills Pipe

1 she seems to think is more likely, the value of our
2 dollar could rise drastically and this would affect, the
3 price of our exports, making them uncompetitive with the
4 result that imports would be favored over domestically
5 produced goods. The manufacturing sector would then have
6 to let workers go producing more unemployment. It would
7 be unprofitable for them to have too many workers if they
8 not going to be producing as many goods.

9 If our economy stands a
10 chance of being damaged, why is the Canadian Government
11 giving serious consideration to the pipeline? I think
12 that the answer to this is that Canada is very
13 important to the U.S. as far as resources are
14 concerned. Some 90 percent of our resource based
15 industries are controlled by American corporations. It
16 is no wonder that development, of this pipeline is
17 being pushed to the extent it is.

18 Due to this, Canada has been
19 a continental supplier of resources instead of a
20 national one. Canadian resource development has met
21 the needs of the U.S., more than it has met the needs
22 of Canada. James Laxer as quoted by, Ms. Bailey,
23 stated:

24 "In the reality, it is not the needs of Canada
25 met: which are being by the Mackenzie Valley
26 pipeline. It is the demand of the U.S."
27 We're meeting the demands of the United States need for
28 oil, not Canada's. How much of our resources are going
29 to stay in this country?

30 In conclusion, from the

1 Thank you. Thank you sir,
2 (WITNESS ASIDE)

3 MR. WADDELL: Mr.
4 Commissioner, I believe that there was one other brief
5 from this morning. Yes, Sister. Mr. Commissioner, I
6 forgot to mention it is Sister Joan McCall.

7 SISTER JOAN McCALL sworn:

8 THE WITNESS: Thank you.

9 Good evening Commissioner.

10 I'd like to speak first that I do represent a group of
11 Sisters -- a large group of sisters in the greater
12 Vancouver area and the brief I have to give in their
13 name is rather a simple one but I believe in its
14 simplicity there is much truth.

15 Mr. Justice Berger, we as
16 like religious Sisters of Vancouver would to thank you
17 for accepting this submission and for the effort you
18 have made to hear the cry of the peoples of the north
19 and to seek public opinion on the issue of land
20 settlements for native peoples.

21 We wish to indicate our strong
22 support for the native people's need/ for their need of
23 and their right to justice, dignity and responsible
24 stewardship. We have heard the concerns of the native
25 peoples of the Northwest Territories, especially during
26 the week of March 7th to the 13th through lectures and
27 meetings, radio and television programs, through
28 proposals and personal appearance of Nellie Cournoyea of
29 the Inuit, Charles Furlong of the Metis and John Blake of
30 the Indian Brotherhood. we are also aware that

1 and Fundamental Freedoms, affirmed that the Canadian
2 nation is founded upon principles that acknowledge the
3 supremacy of God and the dignity and worth of the human
4 person. Again, that is found in its preamble.

5 It further states and I
6 quote:

7 "It is hereby declared that in Canada there have
8 existed and shall continue to exist without
9 discrimination, the right of the individual to life,
10 liberty, security of the person and enjoyment of
11 prosperity and the right not to be deprived thereof
12 except by due process of the law."

13 Thus, the citizenship as well as the humanity we share
14 with the native peoples of our north call us to voice
15 our support, for the adjust claims.

16 Concerning Christian
17 responsibilities. Even more compelling for us as
18 Christians are the biblical demands which urge us --
19 demands for brotherhood and I quote from the Book of
20 Leviticus:

21 "I am the Lord, your God, you shall not steal nor
22 deal falsely nor lie to one another."

23 And from the Book of Phillipians:

24 "Always think of the other person so that nobody
25 thinks of his own interests first but everyone thinks
26 of others instead."

27 Here too, we find demands for justice, from Micah the prophet:

28 "Because it is in the power of their had, they
29 covet fields and seize them and houses and take them
30 away, They oppress a man and his house -- a man and

1 his inheritance

2 And Habakkuk warns us:

3 "Trouble is coming to the man who grossly exploits
4 others for the sake of his house, to fix his nest on
5 high."

6 And the demands for responsible
7 stewardship. In the first letter of John we are told:

8 "But if anyone has the world's goods and sees brother
9 in need, yet closes his heart against him how does
10 God's love abide in Him?"

11 The Bishops of Canada in the
12 1975 Labor Day message sum it up well:

13 "The living God calls in us to respond to these
14 demands for justice. Christian love of neighbor and
15 justice cannot be separated in the development of
16 people for love implies an absolute demand for
17 justice, namely a recognition of the dignity and
18 rights of one's neighbor. The living God calls
19 us to a life of caring, sparing and sharing the
20 limited resources of this planet, this, is no longer
21 simply a moral imperative, it has also become a
22 practical necessity for the survival of our common
23 humanity."

24 In considering proposals.

25 The earth was given to man as a gift, not to some men
26 to use at the cost of other men. It is to the native
27 people of the north whose life is one with the land to
28 see to the development of the north. They, themselves
29 state the practical demands which flow from the
30 recognition of their need of and right to justice,

1 asking that no further development project be initiated
2 until land settlements are satisfactorily concluded.

3 We know you will consider
4 deeply both the rights of the native peoples and our
5 responsibility as Canadians to help effect a just
6 resolution of the crucial issues of northern
7 development.

8 In conclusion, we heartily
9 agree with Dr. Lloyd Barber and I quote:

10 "We do indeed have a significant piece of unfinished
11 business that lies at the foundation of our country."

12 Thank you Commissioner.

13 THE COMMISSIONER: Thank you
14 Sister. Thank you very much.

15 (WITNESS ASIDE)

16 MR. WADDELL: Now Mr.
17 Commissioner, I would call next upon the representative
18 from CUSO -- The Canadian University Service Overseas,
19 the U.B.C. branch. I believe that's Bev McDougall and
20 would Mr. Hodgkinson come up and get a phone message?

21

22 MISS BEV McDOUGALL sworn:

23 THE WITNESS: Mr. Berger, when
24 I was first trying to write this brief for the U.B.C.
25 CUSO Committee, I had a terrible time. There has been so
26 much expert opinion detailing the possible effects of the
27 Mackenzie Valley Pipeline that I felt that anything I had
28 to say about it would be either redundant or presumptuous
29 but as the debate proceeded, it became clearer to me and
30 other members of the committee that I don't need

1 control over their lives and they want time. Time to
2 look further into what their needs are before their
3 culture and lands are destroyed in the name of somebody
4 else's idea of development.

5 Mr. Berger, we have to agree
6 with them. The Mackenzie Valley Pipeline must be
7 postponed until all Canadians have a chance to reflect
8 on why they should be told and expected to believe that
9 a few years supply of gas which will probably be
10 exported anyhow could possibly justify the expenditure
11 of vast sums of money, the destruction of large areas
12 of land and its wildlife and most importantly justify
13 the destruction of cultures and people who have never
14 harmed us, and from who we could learn so much. It
15 must be postponed until we have an energy policy
16 directed to meet the needs of Canadians and their
17 obligations to the rest of mankind.

18 Northern Canada is our last
19 frontier, our last chance to show what we want to be as
20 Canadians, as human beings. If we destroy that land
21 and those people, our own destruction is ensured. We
22 urge that no action be taken on the Mackenzie Valley
23 Pipeline until the legitimate land claims of the native
24 people of northern Canada are settled to their
25 satisfaction.

26 Thank you.

27 THE COMMISSIONER: Thank you
28 very much.

29 (WITNESS ASIDE)

30 MR. WADDELL: Mr. Commissioner,

1 | our next brief is from Mr. Dick Hodgkinson.

2 | DICK HODGKINSON sworn;

3 | THE WITNESS:. Mr.

4 | Commissioner, ladies and gentlemen. I'll read my short
5 | brief first, and make a few comments following.

6 | Exploration, development and
7 | related activities in the Northwest Territories and the
8 | Yukon should be curtailed until the northern people
9 | have established responsible provincial and municipal
10 | governments in the molds of their own cultures. It is
11 | clear that appointed administrators have not served the
12 | native people in the agricultural and industrial parts
13 | of Canada well at all.

14 | By the thousands, these people
15 | from a diversity of rich and viable cultures find
16 | themselves living impoverished lives in the midst of an
17 | affluent society, established on land that was once
18 | theirs. The people of the two northern territories are
19 | now asking if this historical event will be repeated
20 | again in their land or if the 20th century Canada is more
21 | enlightened and more compassionate.

22 | All the provisions of the
23 | treaties and the Indian Act determined that the loss
24 | would overwhelmingly outweigh the gains. There were
25 | provisions and procedures designed such that Indians
26 | who adopted the white way of life might find prosperity
27 | and equality. The attitudes of the greater society
28 | denied them even that.

29 | Government agencies and
30 | corporate boards cannot be expected to provide a good

1 are not, yet sophisticated in the complexities of
2 government and resource development, that these things
3 must be done. on their behalf. But should not
4 government and development wait for the people, if and
5 when necessary? Injury and loss are just as painful to
6 the unsophisticated and more damaging when they have no
7 optional resources to turn to. Guileless is not
8 mindless. Canada is richer for the contributions of its
9 diverse people than from the advantages that might be
10 taken by one element of the society of another.

11 I make this argument in favor
12 of responsible provincial and municipal governments
13 throughout the Yukon and the Northwest Territories to
14 emphasize the basic right, of all people to be
15 represented by an elected representation in real
16 legislative bodies. Representation at only the federal
17 level is not enough. Further checks and balances are
18 needed as our system recognizes.

19 We have seen in the past that
20 multinational corporations can influence governments to
21 a very great degree. Three levels of government,
22 particularly government closer to the people most
23 affected, tends to reduce incorrect influences and
24 establish the best balance of various interests. I am
25 not strongly suggesting the nature or form of
26 responsible government because the range of cultural
27 expression possible in formulating the structures, of
28 government.

29 Northern development can be
30 either an economic asset or a social catastrophe for the

1 original people of the north. Through the greatest
2 possible democratic participation can they be assured
3 that the best decisions will be made. No further
4 efforts should be made in the direction of opening up
5 the north until northerners feel confident in extending
6 the welcome.

7 I was in the north from 1964
8 to 1974 and like Mr. Gillie this morning and some other
9 people, I feel I have some valid observations, although
10 I don't pretend to be a northern expert.

11 In seeing the development of
12 advisory school committees and settlement councils, it's
13 very evident that northern people can cope with their
14 problems and do a better job. Yet, native people in the
15 employment of government, in corporations and so on,
16 haven't been very successful. It isn't a lack of
17 ability. It's a lack of orientation.

18 I saw native advisory school
19 boards where they were given the power to hire people
20 that would be by-passed by government and other people,
21 and these were the right people for the job, even though
22 they may have had personal problems and so on. In other
23 words, they know their people and they know who can do
24 it and such jobs -- such work, tends to have a cultural
25 expression that makes the work done go beyond just the
26 job itself.

27 When I taught in Inuvik, I had
28 several sociology classes actually, that did various
29 surveys of work being done and so forth --
30 employment. Some of our findings were that northerners

1 | were not hired in occupations anywhere near the extent
2 | that they might, that there were a lot of people being
3 | brought in. A lot of this had to do with perceptual
4 | differences as to the capabilities of northerners and
5 | yet I saw northern employers such as Reindeer Air
6 | Service and C.B.C. Inuvik both managed, one by the son
7 | of a trapper from Aklavik, one by the daughter of a
8 | trapper from Aklavik, who were good employers, heavy
9 | employers, successful employers with very successful
10 | employees. Northerners have this capability/** and for
11 | all the good intentions of outside corporations and so
12 | on, it just hasn't worked out and I don't have the
13 | confidence that it will until these people have a great
14 | deal of control of it.

15 | I think provincial status is
16 | extremely important. Crown land, apart from the land
17 | settlement galls under provincial jurisdiction by and
18 | large and these people, being a majority within their
19 | own provincial government would do things with Crown
20 | land that would be far to the benefit of the north red
21 | to what. administrators could do. They just couldn't
22 | possibly have the same perceptions. I don't hear any of
23 | the Premiers at Federal - Provincial conferences
24 | representing the colonies. Who is to represent the
25 | point of view of people of the Northwest Territories and
26 | the Yukon? It isn't done.

27 | Municipal by-laws are
28 | important and I said municipalities might, in the north,
29 | look very strange to southerners. To the Inuit, the ice
30 | is an extension of the land. It is used the same way.

1 | Will there be any examination of the social cost of
2 | having so much industrial production tied up in meeting
3 | the short-term demands of the pipeline?

4 | Experts try to assure us that
5 | there will be minimal environmental damage, that the
6 | native people will be able to continue to live as before
7 | and that their culture will not be destroyed. They tell
8 | us that we will all benefit from the pipeline.

9 | We ask, who are these experts
10 | and who pays their salaries? In 1971 we were told by
11 | Joe Greene that Canada's total petroleum reserves
12 | represent 923 years supply for oil and 392 for natural
13 | gas. Who determines the amount of reserves and how?

14 | In 1973 we were told there are
15 | billions of gallons of oil in the Athabasca Oil Sands.
16 | Who made those predictions and in whose interests were
17 | they made? Are we expected to believe today what our
18 | politicians and experts tell us about tomorrow which
19 | brings us to a basic question or perhaps having to ask
20 | this question is an answer in itself. Do we have
21 | control over our decision making process?

22 | Let us put our democratic
23 | system which so far has not been democratic to all to
24 | the test. Is our government strong enough to sit down
25 | and listen to the people about land settlements and the
26 | necessity of an energy corridor or will the government
27 | dictated to and intimidated by the oil companies
28 | give the go ahead to rain the pipeline through the
29 | north.

30 | Thank you very much.

1 THE COMMISSIONER: Thank you
2 much.

3 MR. WADDELL: Mr. Commissioner
4 before we break for coffee, I wonder if we could have
5 one more brief because these people have to catch a boat
6 -I understand. If we could hear from the Ladysmith
7 United Church, Jim Manly and Rod Paine appearing for the
8 Sam Guthry Club.

9 JIM MANLY, RODNEY PAINE sworn;
10 MR. WADDELL: Mr. Manly's name
11 has no "e" in it as printed in the list.

12 WITNESS MANLY: Mr.
13 Commissioner, the Board of Management of the First United
14 Church, Ladysmith thanks you for the opportunity to
15 appear before this Commission and to present our views on
16 proposals for a pipeline in the Mackenzie Valley.

17 We are aware of the Inquiry's
18 potential importance to all of Canada. We appreciate
19 the broad range of concerns which we are allowed to
20 bring before you and we hope that the Government of
21 Canada, before it makes any decision regarding the
22 proposed pipeline will pay close attention to the views
23 of ordinary Canadian people like ourselves.

24 Like other Canadians, we try
25 to balance concern for our own economic future with our
26 concern for protection of the environment, protection of
27 our national independence, the economic and social
28 future of our children and justice for native
29 Canadians. Such a variety of concerns does not admit
30 simplistic answers to complex problems.

1 4. Some of the native peoples of Canada have a saying
2 that the real owners of the land are not yet born. This
3 is a truth which we, along with other people of Canada,
4 are slowly beginning to recognize. Much of the rhetoric
5 in favor of the pipeline speaks of the need to develop
6 the Arctic natural gas if we are to preserve our
7 standard of living. However, this thinking merely
8 postpones the day of reckoning. The resources of our
9 world are limited. At present, we in North America are
10 using non-renewable resources at a rate which will
11 seriously jeopardize the economic future of our children
12 and grandchildren. Fuel reserves which are not
13 developed by our generation can be used by future
14 generations which we hope will have solved some of the
15 economic technological, social and political problems
16 which attend the current pipeline proposal.

17 5. As people from southern Canada, we have long been
18 accustomed to looking at maps of our nation and
19 marvelling at the expanse of land which it contained.
20 We have rejoiced in the fact that Canada has the
21 second largest land mass of any nation in the world
22 but we really know very little about our nation except
23 for those parts closest to the United States. Now, we
24 are being told by the peoples of the Northwest
25 Territories that we have, in effect, treated their
26 area in which they are a majority, like a colony. The
27 native peoples of the north are telling us that they,
28 have been treated in the same manner as people of the
29 Third World. In the south, we have regarded the north
30 as our last frontier: We have looked on it as a

1 | original transcript at the Vancouver Public Library
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1 | pipeline project will be financed primarily with foreign
2 | capital, and because of this the Canadian people may
3 | well lose control of what is happening in the north. We
4 | are pleased that the northern people have had an
5 | opportunity to voice their demands, but we can hear the
6 | cranes and the bulldozers rumbling impatiently. We hope
7 | that our government will have the courage and wisdom to
8 | say "No" to the present pipeline plans, and that the
9 | northern people will be granted the right of self-
10 | determination. All Canadians will be happier and more
11 | self-respecting if justice is done.

12 | THE COMMISSIONER: Thank you.

13 | (WITNESS ASIDE)

14 | MR. WADDELL: Mr.

15 | Commissioner, our next brief comes from Sister Giovanna.
16 | The address is Oakalla Prison, Burnaby. I trust that
17 | she will explain that. Sister Giovanna.

18 |

19 |

20 | SISTER GIOVANNA sworn:

21 | THE WITNESS: Mr. Justice

22 | Berger, I am a teacher at the Lower Mainland Regional
23 | Correctional Centre. It's known as Oakalla. I have
24 | worked there for four years. I have known the Indian
25 | people most of my life. It took my contact with Indian
26 | inmates at Oakalla to open my eyes to the depth of
27 | suffering we have inflicted on this people by our
28 | colonial policies. These policies have left man: of
29 | our native people with a legacy of drunkenness,,
30 | delinquency, brutality, poverty and aimlessness.

1 Territories but our government has already allowed oil
2 and gas drilling to happen in the Beaufort Sea this
3 summer, an how can it do this when these hearings
4 haven't even finished? How well has the government and
5 the oil companies who are already sitting in the
6 Beaufort Sea studied Inuit land use and occupancy
7 studies that Professor Freeman, of McMaster University
8 directed? it is an in-depth study of the use of every,
9 square mile of land used in the Northwest Territories;
10 it's a monumental work and I'd like to quote a paragraph
11 from the native land settlement magazine about this
12 study.

13 "In a room on the fourth floor of the McMaster
14 University Building you can see the research.
15 It's all there, everything from the answers in-
16 dividual questions by individual hunters, names
17 of the people interviewed are even recorded to
18 composite computer printouts to tablicized maps
19 land use throughout the time periods which were
20 researched" he said, (Freeman said) we divided
21 the Northwest Territories up into pieces of
22 land 3 miles by 3 miles square,"

23 he remarked casually,

24 "and if you consider we're talking about a mil-
25 lion and a half square miles, that's one hell of
26 a lot of land that we want to be able to say for
27 each piece of land that went on there at what
28 time. The Inuit land use and occupancy study is
29 expected to be ready for release this month,
30 and it says it all."

1 Treaty 8 was not extended to the Mackenzie Valley
2 because in the words of Indian Commissioner Forget in
3 1898,

4 "Beyond these points the government would not be
5 justified in undertaking negotiation of treaties
6 which would involve a very heavy outlay of funds
7 for comparatively inadequate returns insofar as
8 the value of the Territory is concerned."

9 The heavy outlay for treaty
10 payments for just under 2,200 Indians under Treaty 8 in
11 1898 was \$261974. So much for the great concern for
12 native rights.

13 The purpose of the treaties
14 was to open the land. The purpose of this Inquiry is to
15 clear the way for further development.

16 For some years before the
17 signing of Treaty 11 in 1921 church officials had urged
18 a treaty for the Indians in the Mackenzie Valley. The
19 felt these Indians might receive government benefits
20 which would help relieve desperate conditions caused by
21 famine, and disease. Despite these pleas and despite
22 activities of mineral exploration companies development
23 in the area, the government did not feel the potential
24 justified the expense of a treaty until 1920.

25 Coincidentally in 1920
26 Imperial Oil drilled its first successful well in the
27 Norman Wells oil field. The next summer the treaty
28 party was in the field to secure adherence to Treaty 11
29 and transfer the land to the Crown.

30 Treaty 11 followed Treaty 8

1 | this Inquiry, both of the Federal Government and of the
2 | native and environmental groups. This figure now runs
3 | to a sum of over \$4 million. The only possible
4 | beneficiary of this Inquiry and of the pipeline
5 | development are these very pipeline companies and they
6 | should bear it's costs, not the public of Canada.!

7 |

8 | 2. I would ask that you recommend that there are no
9 | terms and conditions possible that would allow the
10 | building of the Mackenzie Valley Pipeline as proposed.
11 | No set of promised benefits are worth the risk of
12 | destruction of the land and people of the north.

13 |

Thank you.

14 |

15 | THE COMMISSIONER: I wonder,
16 | Mr. Potts, you stated a passage from the report of the
17 | Pipeline Application Assessment Group about population
18 | trends. If you d just go back to that for a moment I
19 | think you know the passage I mean.

20 |

21 | I can find it.

22 |

23 | Q Well, leaving it aside
24 | for the moment, you considered the question of
25 | population trends. Where the Inuit live, that is in the
26 | land that they claim, Nunavut, above the tree line.
27 | beyond the tree line, they are clearly today a majority
28 | and may be elected to remain a majority for the
29 | foreseeable future. In the territory claimed by the
30 | Dene -- that is the Indian and Metis people -- they are
today a majority. You said that the Assessment Group

1 | had predicted that even if a pipeline were not built the
2 | Dene would soon cease to be a majority. I just wanted
3 | to know whether you agreed with that. You have looked
4 | at these statistics and birth rates and so forth, and do
5 | you have any comment on that?

6 | A Has someone told you
7 | what my position was in the Northwest Territories?

8 | Q No.

9 | A I was for two years the
10 | Deputy Registrar of Vital Statistics in the Northwest
11 | Territories, Superintendent of Treaty Indian Band
12 | membership.

13 | Q I see. Well, we've got
14 | the right man here, I guess.

15 | A For the foreseeable
16 | future I doubt that there is any possibility that
17 | the native people in the Mackenzie Valley section
18 | will become a minority. Part of the problem depends
19 | on who is to be counted as a native person, what
20 | definitions of "native persons" are to be adopted by
21 | the government. The Federal Government has adopted
22 | a fairly consistent position in the past of counting
23 | only registered Indians who number some 7,000 at
24 | present in the Mackenzie Valley. There are no
25 | reliable estimates at this point on the numbers of
26 | Metis people. I would personally expect, that their
27 | numbers are equal to or greater-than the registered
28 | Indian population. But until such time as
29 | enumeration was done there is no way that anyone
30 | could have reliable figures.

1 Q Yes, that's the great
2 difficulty we have, but what you say about the Metis
3 population is very interesting. You take the view that
4 their numbers are at least equal -

5 A At least.

6 Q -- to the treaty Indian
7 population.

8 A Right. We can arrive at
9 this figure merely by taking the settlements which have
10 a vast majority of white population, which would be
11 Yellowknife, Inuvik, Hay River, Fort Smith and Pine
12 Point. If you add these together the total population
13 is somewhere in the neighborhood of 9,000 people, which
14 leaves, taking aside some 14,000 in the Nunavut or north
15 of the tree line, 23,000, subtract that from the
16 estimated population from Statistics Canada of
17 40,000 and you're left with approximately 17,000 Dene
18 people, which is about twice the white population at
19 this point.

20 Q So that you dispute the
21 view expressed by the Assessment Group -

22 A I do. There is a second
23 revenge of the cradle in operation.

24 Q Thank you.

25 A The birth rate is double
26 the Canadian average, about 38.8 per thousand population
27 as opposed to 17, which is the white birth rate in the
28 north, and also in the south.

29 Q Do you live in Vancouver
30 now?

1 A Yes, I do. I'm in
2 the University of British Columbia, Department of
3 History.

4 Q Even if a pipeline were
5 built, do you -- what do you say regarding the
6 demographic future of the Mackenzie District, where the
7 Dene live?

8 A The estimated number of
9 jobs of a permanent nature created in the north has got
10 around 100, and --

11 Q Well, it's more than
12 that, but --

13 A O.K., directly on the
14 pipeline, and it's most likely that all of these
15 positions will be filled from the south as this has been
16 the pattern in the past. But you're dealing with a
17 difference of some 2 to 1 of native people to white, and
18 a difference of some 9,000 people, it would take an
19 influx equal to the total immigration that will last
20 approximately 10 to 20 years, to overcome this. So I
21 can't say that in the near future there's any
22 possibility of the native people becoming a minority.
23 The Inuit people are in somewhat of a more fortunate
24 position because white people do not seem to covet their
25 land and can't seem to live where there aren't any
26 trees.

27 THE COMMISSIONER: Well, thank
28 you and you might before you go just speak to Miss
29 Falls, who is seated there. She was a member of the
30 Assessment Group and I don't hold her responsible for

1 | those statistics, but they might want to stay in touch
2 | with you. Certainly, thank you very much for your
3 | views.

4 | (APPLAUSE)

5 | (WITNESS ASIDE)

6 | MR. WADDELL: Mr.

7 | Commissioner, we have a brief from the Canadian
8 | University Service Overseas, (CUSO) again, this time
9 | from Metro Vancouver.

10 | MIKE SAKAMOTO sworn:

11 | THE WITNESS: Mr.

12 | Commissioner, we represent a rather unique Canadian
13 | constituency, a constituency composed of Canadians most
14 | of whom have had the opportunity to live, work and learn
15 | in the so-called under-developed countries of the world.

16 | THE COMMISSIONER: Sir, could
17 | you give me your name? I missed it.

18 | A Mike Sakamoto.

19 | Q Thank you. Go ahead.

20 | A We are part of the over
21 | 5,000 CUSO, Canadian University Service Overseas, return
22 | volunteers and have served with CUSO in Third World
23 | countries. We, the members of CUSO Vancouver Metro
24 | Local Committee, represent the in Canada CUSO
25 | volunteers, who assist CUSO in its recruitment,
26 | volunteer selection, fundraising, development, public
27 | education, pre-orientation, project and general
28 | information programs throughout Canada. One of the
29 | manifestations of stepping into an alien setting
30 | is culture shock. CUSO recognizes that there is a

1 shock to a person's system when placed into a foreign
2 environment and spends much time and effort in
3 orientation programs, familiarizing the prospective
4 volunteer with the physical, economic, social and
5 cultural conditions in that person's country of
6 placement.

7
8 Furthermore, CUSO in its
9 development charter, stresses that volunteers should
10 reflect the sensitivity and respect for the values and
11 cultures of their hosts by their lifestyles and work.
12 By serving overseas, we have the opportunity in to live
13 and learn from another culture, to observe life from
14 another viewpoint, to see the results of the inequitable
15 global development, and to see the detrimental effects
16 of this development on those people whom it most
17 affects, and are not included in the planning and
18 decision-making process. It is in this context that we
19 support the native people of Canada in their concern not
20 only for the pipeline issue, but also for their overall
21 appeal to control the decision-making process of
22 northern development.

23 The Honourable Allan
24 MacEachern Secretary of State for External Affairs of
25 Canada, in a speech to CUSO, prior to its 1975 Annual
26 General Meeting, stated:

27 "A country's foreign policy can never be more
28 nor less than a re-election and an extension of
29 its domestic policy."

30 In the same speech he also urged us as people who
31 have been abroad to channel our experiences into Canadian

1 society. We would like at this time to take on Mr.
2 MacEachen's challenge by sharing with you some of our
3 experiences which we feel have parallel significance to
4 the Northwest Territories and this Inquiry.

5 Mr. Berger, for the next few
6 minutes we would like you to join us for a quick tour of
7 the world.

8 Welcome to my classroom in
9 Nimo, a small town in Nigeria, where now my physics
10 class where I'm dealing with the properties of water.
11 Today I have to explain why the water in the lake
12 freezes from the top down, rather than from the bottom
13 up. Mere we are, just a few hundred miles from the
14 Sahara Desert, and I'm teaching an irrelevant topic from
15 a curriculum which was designed for Britain I wonder how
16 Inuit children feel when being taught about Dick, Jane,
17 Sally, Puff and Spot.

18 We're now on a beach in
19 Accra, Ghana, meeting some Ghanian friends. Talk turns
20 to the subject of South Africa and the right of majority
21 rule for blacks in that country. I feel quite
22 comfortable in the discussion and have made an effort to
23 acquaint myself with the subject. But someone has just
24 pointed out the similarities between South Africa's
25 treatment of non-white and Canada's treatment of the
26 native people I'm not sure how to cope with this. Can
27 you help me?

28 Mr. Berger, welcome to the
29 home of the big yellow garbage truck, a gift from the
30 people of Canada. Canadians are kind to the people of

1 Thank you.
2 (APPLAUSE)
3 THE COMMISSIONER: Thank you
4 very much.
5 (WITNESS ASIDE)
6 MR. WADDELL: Is anyone here
7 from the South African Coalition Association?
8 Is there anyone here from
9 Outreach School?
10 Is there anyone here from
11 Tamahnous Theatre Workshop?
12 Well, Mr. Commissioner, you
13 might hear from some of these groups tomorrow morning or
14 afternoon, but those are all the submissions we have
15 this evening.
16 Perhaps Mr. Roland had
17 something to add about participants commenting.
18 MR. ROLAND: Yes, Mr.
19 Commissioner, as you are aware, the procedure adopted
20 at these southern hearings permits each of the
21 applicants that is Arctic Gas and Foothills Pipe Lines
22 Ltd., as well as, each of the major participants, to
23 comment on the evidence heard this evening. I've
24 canvassed counsel here present and asked them if they
25 wished to respond to anything heard here tonight, and
26 Mr. Glen Bell has indicated to me that he wishes to
27 introduce Chief Jim Antoine of Fort Simpson, who wishes
28 to make a few comments.
29 MR. BELL: Mr. Commissioner,
30 Chief Antoine is no stranger to you. Perhaps the

1 | Territories.

2 | I'd like to thank all of you
3 | for your support, and on behalf of the Dene people I
4 | would like to say that we need your support, we need
5 | your moral support; we got southern support people down
6 | here you could contact with if you want to know more
7 | about what's going on up in the north.

8 | I came up here mainly to let
9 | the southern people know that we have representation
10 | down here from the Dene people listening to what has to
11 | be said here, and with what I hear I'll go back and tell
12 | the leaders and the people what I hear in Southern
13 | Canada. Thank you for listening to me. Masee Chok.

14 | (APPLAUSE)

15 | (WITNESS ASIDE)

16 | MR. ROLAND: Mr. Commissioner,
17 | that concludes the evening.

18 | THE COMMISSIONER: Well,
19 | ladies and gentlemen, I want to thank you for your
20 | attendance this evening and I want to thank all of those
21 | who presented briefs, and I want to thank Mr. Horte of
22 | Arctic Gas and Chief Antoine of the Indian Brotherhood
23 | for their contributions this afternoon and this evening.

24 | I just think I should say
25 | that from the point of view of the Inquiry I think that
26 | it has been an unexpected dividend that we have heard
27 | from people like Mr. and Mrs. Gillie this morning, and
28 | Mr. Hodgkinson and Mr. Potts this evening, people who
29 | have lived and worked in the north and have come out to
30 | give us the benefit of their knowledge and experience

