

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)

Calgary, Alberta
May 14, 1976

PROCEEDINGS AT COMMUNITY HEARING

Volume 53

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1 Calgary, Alberta

2 May 14, 1976

3 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

4 THE COMMISSIONER: Well

5 ladies and gentlemen, welcome to Calgary. The Inquiry
6 is completing its two days of hearings in Calgary today
7 and before we hear this morning's presentations, it may
8 be appropriate if I say something about why we are
9 here.

10 This Inquiry is about a
11 proposal to build a pipeline to bring natural gas from
12 the Arctic to the south and the pipeline is one that
13 would be built across our Northern Territories where
14 four races of people; white, Indian, Metis. and Inuit
15 live and where seven different languages are spoken. I
16 said yesterday that it isn't just a question of a
17 right-of-way. You'll have to have hundreds of miles of
18 roads -- access roads -- built over the snow and ice.
19 6,000 workers will be needed to build the pipeline,
20 1200 more to build the gas plants in the Mackenzie
21 Delta.

22 You'll have to double the
23 capacity of the fleet of tugs and barges on the
24 Mackenzie River system. There will be aircraft,
25 airstrips, trucks, machinery and equipment and if we
26 build a gas pipeline, it will mean enhanced oil and gas
27 exploration and development in the Mackenzie Valley,
28 the Mackenzie Delta and the Beaufort Sea.

29 The Government of Canada has
30 made it plain that the gas pipeline that Arctic Gas and

1 | Foothills want to build is not to be considered in
2 | isolation. They have laid it down that we are to
3 | proceed on the assumption that if we build a gas
4 | pipeline, then an oil pipeline will follow, so what we
5 | are considering is the impact on northern Canada of an
6 | energy corridor bringing gas and oil from the Arctic to
7 | the mid-continent.

8 | Now this Inquiry isn't going
9 | to decide whether a pipeline is to be built. That's a
10 | matter for the Government of Canada. The people
11 | elected to govern our country will make that decision.
12 | It's a question of high national policy and those who
13 | have the confidence of Parliament are those who must
14 | decide.

15 | My task and the task of this
16 | Inquiry is to make sure that we understand what the
17 | impact from a social, environmental and economic point
18 | of view will be on the Canadian north if we go ahead
19 | with the pipeline and the energy corridor. My task is
20 | to gather the evidence, establish the facts, report to
21 | the government to enable the Government of Canada to
22 | make an informed judgment on this fundamental issue.

23 | So, this Inquiry has been
24 | considering at its formal hearings in Yellowknife, ever
25 | since March 3, 1975, some 14 or 15 months ago -at our
26 | formal hearings there we have been listening to the
27 | experts from the pipeline companies who've been
28 | discussing the engineering questions, the construction
29 | questions, the environmental questions and the Inquiry
30 | has not been content merely to listen to the experts

1 | from the industry. We have wanted to hear the other
2 | side, that is, from the experts who disagree with the
3 | industry so we have provided funds to the native
4 | organizations, the environmental organizations,
5 | northern municipalities and northern business so that
6 | they can be represented with lawyers and experts at the
7 | hearings we are holding in Yellowknife.

8 | I think that that is the best
9 | way of getting at the truth, the best way of sorting
10 | out these complicated, difficult, but fundamental
11 | questions of social, environmental and economic impact.

12 | You see, the industry has
13 | spent something like \$50 million studying the
14 | engineering and construction of the pipeline, reviewing
15 | the environmental considerations. The Government of
16 | Canada has spent something like \$15 million on a series
17 | of reports relating to what the impact of development
18 | will mean in the Mackenzie Valley and the Mackenzie
19 | Delta and the Beaufort Sea. Our universities all
20 | across the country have been studying northern
21 | conditions and northern peoples for years.

22 | Now, you can let all of those
23 | reports sit on the shelves in Ottawa, Toronto, Calgary
24 | and in the university libraries or you can bring the
25 | people who have written those reports to Yellowknife,
26 | put them on the witness stand, have them explain their
27 | point of view and where others disagree, confront them
28 | with the views of those others and then put the others
29 | who disagree on the witness stand themselves.

30 | Now that, you may say, is a

1 kind of confrontation and it is. It's confrontation of
2 evidence, a confrontation often of theory, a
3 confrontation of principle, a confrontation of ideas
4 but that is the kind of confrontation that will enable
5 us to figure out who knows the most about the north,
6 who is most likely to be right about the impact of
7 development on the north.

8 So, that's what we've been
9 doing in Yellowknife. In addition to that, we have.
10 taken this Inquiry to virtually all of the communities
11 where the people live in the north. The majority of
12 the people who live in the Canadian north are native
13 people, Indian and Metis people who call themselves
14 Dene which is an Indian word meaning "people" and the
15 Eskimo people who call themselves the Inuit which is an
16 Eskimo word meaning "people".

17 We've taken this Inquiry to
18 the villages and settlements where those people live to
19 find out what they think about the proposal to build a
20 pipeline and establish an energy corridor across the
21 land where they have lived for thousands of years.

22 The Government of Canada,
23 when it established this Inquiry, said that this
24 Inquiry was to do just that, to hear the views of the
25 people who live in the Canadian north, the people whose
26 lives will be most affected by a pipeline and an energy
27 corridor if a pipeline is built and an energy corridor
28 established.

29 We have also been concerned
30 about the environment of the north. In the northern

1 Yukon, we have one of the last great herds of caribou
2 in North America. Can we build a pipeline across the
3 north coast of the Yukon to bring gas from Prudhoe Bay
4 into Canada and down the Mackenzie Valley and still
5 enable the caribou herd to survive?

6 There are 5,000 white whales
7 that are found in the Beaufort Sea and each summer
8 they come into the warm waters of the Mackenzie
9 Delta to have their young. Can we build pipelines
10 across the Mackenzie Delta and still enable the whales
11 to survive?

12 There are millions of birds
13 that come to the Mackenzie Delta in the perimeter of
14 the Beaufort Sea each summer to breed and to store up
15 energy for the long journey to the south. We are
16 examining the question whether we can develop terms and
17 conditions under which pipelines could be built and the
18 birds enabled to survive.

19 These are some of the
20 environmental question we're wrestling with and I think
21 they're important questions. Important not only to the
22 peoples of the north who still in considerable measure
23 depend upon the land and the sea for their livelihood
24 and which still forms in considerable measure, part of
25 their diet, but important to us as Canadians because we
26 in a sense are the guardians for mankind of those
27 species in the north.

28 Now, everybody connected with
29 this Inquiry understands the importance of the work
30 that we are doing. The two pipeline companies have

1 given this Inquiry their full cooperation from its
2 beginning. The oil and gas industry has given us their
3 full cooperation. The native organizations, the
4 environmental groups, northern municipalities and
5 northern business have all cooperated. The Government
6 of Canada has supplied to the Inquiry all the studies
7 and reports that the Inquiry has sought because we are
8 engaged in trying to determine what the impact will be
9 of a large scale frontier project, not after the fact,
10 but before the fact. We are seeking to determine what
11 the consequences will be if we go ahead so that the
12 Government of Canada, the people that have been elected
13 to make these choices can make an informed choice about
14 the future of the north.

15 I said before we had been to
16 virtually all of the communities where the people of
17 the north live in the Mackenzie Valley, the Mackenzie
18 Delta, on the rim of the Beaufort Sea and the northern
19 Yukon. We've heard from over 700 witnesses, people who
20 live in the north who've spoken to this Inquiry in
21 English, in French, in Loucheux, in Slavey in Dogrib
22 and Chipewyan and in Inuktitut and they've told me and
23 they've been telling you through this Inquiry what
24 their life and their own experience have taught them
25 about the north and the likely impact of a pipeline and
26 energy corridor.

27 Our task is to establish
28 constructive approaches to northern development. If
29 we are to do that, we have an obligation to canvass
30 all of these questions. We've been listening now for

1 | 14 or 15 months to the peoples of the north. I think
2 | that southern Canadians have an interest in this
3 | Inquiry and have the right to present their views to
4 | this Inquiry because it is our own appetite for oil and
5 | gas and our own patterns of energy consumption that
6 | have given rise to proposals to bring oil and gas from
7 | the Arctic)and the Canadian north is comprised of two
8 | territories that are under the jurisdiction of the
9 | Government of Canada elected by all Canadians to govern
10 | those territories.

11 | So, with that preamble, I'll
12 | simply tell you that those of you who are to give
13 | briefs this morning will be sworn in or asked to affirm
14 | That is the procedure we have followed in the north and
15 | we think it is worthwhile to do that because it will
16 | mean that you will understand that what we are doing is
17 | important not just to the peoples of the north but to
18 | all Canadians.

19 | So Mr. Waddell, would you
20 | tell us who we shall hear from first?

21 | MR. WADDELL: Our first brief,
22 | Mr. Commissioner, is from Mr. Wayne Getty. Mr. Getty?

23 | WAYNE GETTY sworn;

24 | THE WITNESS: Mr.

25 | Commissioner, ladies and gentlemen, I think you find
26 | that the tone and the viewpoint of today's leadoff
27 | presentation will be considerably different than the
28 | tone and viewpoint of yesterday's leadoff presentation.

29 | I would like to start by
30 | establishing the basis upon which I am making this

1 presentation. The points that I will bring to your
2 attention are based upon my personal knowledge,
3 understanding, interests and concerns as a private
4 citizen who cares about the national character of
5 Canada as a democratic society.

6 I represent no group or party
7 who have any vested interest in the outcome of your
8 Inquiry other than the interest that all Canadians
9 should have in participating in a democratic process of
10 expressing one's personal concerns and beliefs.

11 My educational qualifications
12 are an M.A. in cultural anthropology and an M.Sw. in
13 community organization. My work experience has been
14 that of a social worker, a teacher and a community
15 development worker. For the period from 1967 to 1975,
16 I worked with and for Indian people on the Indian
17 reserves near Rocky Mountain House and at Morley. I am
18 presently employed as an instructor at Olds College.

19 To whatever extent my
20 education and practical experience haven given me an
21 insight and an understanding into the socio-cultural
22 problems dependent upon economic development,
23 especially as it relates to minority cultural groups, I
24 want to share with you the knowledge I have gained and
25 the concerns I now feel.

26 I want to express my
27 appreciation for the opportunity your honour has given
28 us southern Canadians to appear before your Inquiry,
29 thereby allowing us to express our concerns and our
30 interests in the construction of the Mackenzie Valley

1 Pipeline. Some people may well argue that the probable
2 social and economic consequences of the proposed
3 construction for the people of the north should be of
4 no concerns to those of us living in the south as we
5 will not be directly affected. Personally, I cannot
6 subscribe to such a concept.

7 I believe very strongly that
8 in a democratic society and especially one with a
9 Judeae-Christian heritage, we are all our brothers'
10 keepers and what happens to other Canadians regardless
11 of where they live in Canada, must be of concern;-.to
12 all' of us not only as a humanitarian gesture, but as a
13 cornerstone of a truly democratic society.

14 The character and integrity
15 of a country that's molded by the broad range of
16 actions, interactions and structures found throughout
17 the whole country. No region or area within Canada is
18 an independent entity nor is any particular region
19 representative of Canada. As a nation, Canada has
20 encouraged the development of a heterogeneous society
21 and as Canadians, our strength and pride lies in the
22 very fact that we have maintained our cultural, social
23 and economic diversity while forging the bonds that
24 have drawn us together to form a nation. The very
25 concept of independence to create diversity which is
26 then held together by interdependence seems to be
27 almost contradictory but it is the working of this
28 unique system which makes Canada what it is today.

29 If we treasure what we have
30 made of this country, then we must nurture this

1 | delicate balance embodied in these concepts. This
2 | interdependence of one region on another does not give
3 | a region the right to dominate or to force its needs or
4 | desires on any other region just because it has the
5 | strength or the means to do so. We must recognize the
6 | integrity of all regions and support their right to
7 | determine their own destiny. However, because we are a
8 | country, each region must weigh its rights and
9 | responsibilities towards the other regions within the
10 | country. This is where the problem of balance arise.
11 | At just what point do the rights of the country as a
12 | whole override the rights of a particular region?

13 | Unfortunately, there is no
14 | simple solution and as a concerned Canadian, I can only
15 | trust that this Inquiry, under your leadership will be
16 | able to identify this point of balance with respect to
17 | the construction of the proposed pipeline.

18 | The strength of a democratic
19 | society does not lie in a too often misused and
20 | misunderstood concept of majority rules. The
21 | significant implementation of a democracy lies in the
22 | ability of a society to recognize and to maintain the
23 | rights of minority groups within that society.

24 | The real challenge of your
25 | Inquiry is not in identifying these rights, a job which
26 | you have done most admirably, but rather in somehow
27 | ensuring that the rights of minority groups are
28 | protected, thereby demonstrating that democracy as
29 | practised in Canada is a thriving reality and not just
30 | an empty platitude. The callous disregard of the

1 | rights of those with whom one differs can lead to the
2 | eventual destruction of one's own rights. If this
3 | occurs with respect to the construction of a pipeline,
4 | then it would be a real tragedy for all Canadians and
5 | not just for those people who live in the north.

6 | One cannot deny the reality
7 | that the outcome of your Inquiry will have an impact on
8 | some of the cherished institutions of our society,
9 | thereby directly affecting all Canadians.

10 | The tremendous impact of
11 | economic development on socio-cultural patterns as
12 | experience by almost every country in the world is a
13 | phenomena that has been closely studies by many social
14 | scientists. All too frequently, the consequences of
15 | so-called development have been destructive and
16 | detrimental to indigenous populations. This kind of
17 | development may well have positive effects for some
18 | people, but repeatedly, it has also had negative
19 | effects for other groups of people.

20 | The idea that development
21 | must be balanced between economic and social
22 | considerations was clearly pointed out by the Canadian
23 | Council on Rural Development in their fifth report
24 | where they state:

25 | "Economic development and social development are
26 | inextricably interwoven. Together they consti-
27 | tute one single indivisible development process
28 | aimed at serving fundamental human purposes."

29 | Unfortunately, the concept of
30 | a balanced approach has been given only lip service and

1 Government and industry must become committed to the
2 meaningful implementation of innovative programs and
3 policies which will allow native people to evolve at
4 their own pace and with a minimum of social and
5 cultural upheaval.

6 The Canadian Council on Rural
7 Development, in their recent sixth review suggests
8 that:

9 "Such a new strategy would have to focus on a
10 process of indigenous people being involved in
11 identifying their own needs, interests and po-
12 tential; people developing their own skills, so-
13 cial institutions, economic enterprises and cul-
14 tural pursuits, people learning how to manage
15 these developments, people modifying their value
16 systems and social philosophy to incorporate
17 this process of change into a stable and coher-
18 ent social system."

19 While I recognize that the north is a unique area
20 which will have to develop its own particular means and
21 ways of dealing with the problems that arise, I would
22 also feel that much can be learned by looking at
23 development situations that have occurred in the south
24 to identify the processes and the problems that have
25 occurred.

26 As a result of working with
27 the Stoney Band and the Big Horn people for a period of
28 over seven years, I am familiar with the problems
29 created by and the eventual effects resulting from the
30 construction of the Big Horn Dam on the North

1 | Saskatchewan River west of Red Deer. By examining this
2 | particular development, I hope to shed some light on
3 | the kinds of problems being experienced by native
4 | peoples when they are caught up by the thrust of
5 | development.

6 | Many Indians do not trust
7 | white society or its representatives of Federal and
8 | Provincial Governments. Many Indian people do not
9 | believe that the Department of Indian Affairs whom they
10 | see as a trusted of Indian lands and treaty rights acts
11 | in the best interests of protecting and preserving the
12 | rights of native people. This mistrust has arisen as a
13 | result of many situations in which native people have
14 | experienced the government's promotion of non-Indian
15 | interests at the expense of Indian people and their
16 | rights.

17 | The Big Horn group of Stoney
18 | Indians were at the signing of Treaty Number Seven in
19 | 1877 promised a separate reserve which they were led
20 | to believe would be located in the area of the
21 | Kootenay Plains. Promoting the interests of the
22 | Methodist mission, the government established only one
23 | reserve at Morley, thereby enabling the church to more
24 | effectively carry out its educational and mission work
25 | amongst the Indian people. By 1910, the Federal
26 | Government had acknowledged their responsibility to
27 | provide a reserve to the Big Horn people. The
28 | government had agreed to establish a 23,000 acre
29 | reserve and had instructed a surveyor to set out the
30 | boundaries. Unfortunately, coal was discovered in the

1 | area and the railroads became interested in building
2 | new lines along the Saskatchewan River valley and into
3 | B.C. The surveyors were sent home and the promised
4 | reserve was conveniently forgotten. Again, the
5 | interests of mining companies and railroads took
6 | precedence over the rights and interests of the Stoney
7 | people.

8 | For over thirty years, the
9 | Federal Government ignored the continued requests of
10 | the Big Horn people for land. During the 1940's, work
11 | started on the possibility of building a dam on the
12 | North Saskatchewan in the area inhabited by the Stoney
13 | people. This, combined with the fact that the forest
14 | wardens had become concerned about their lack of
15 | control over the free-roaming Big Horn people resulted
16 | in the Alberta Government's offering to provide land on
17 | a lease basis only so that the Big Horn people could be
18 | confined to a limited area which would not be affected
19 | by the contemplated dam . Without even consulting the
20 | band members, the two governments agreed upon the lease
21 | area and the Indians were forced to abandon their
22 | cabins, ranches, corrals, garden plots and were
23 | relocated onto this inadequate and unwanted area. The
24 | last holdout, Norman Abraham who still is alive today
25 | had a fence built around his cabin by Forestry
26 | officials. They shot his horses and his family was
27 | threatened and he was generally intimidated until he
28 | too had to move onto the new reserve.

29 | Once again, the interests of
30 | government and development won at the expense of native

1 | people. In 1968, the Alberta Provincial Government and
2 | Calgary Power started construction on the Big Horn Dam.
3 | project. The Stonies were neither informed nor
4 | consulted before work was begun even though this darn
5 | was to be located less than three miles from Indian
6 | homes and a newly created lake would flood an area
7 | being actively used by the Big Horn people for sun
8 | dances, religious activities, cultural activities,
9 | recreational activities, trapping, grazing; hunting,
10 | and which contained the marked graves of their
11 | forefathers.

12 | The Stonies, led by Chief
13 | John Snow who addressed your Commission yesterday,
14 | protested the construction of the darn only to be
15 | informed that the possible negative effects for the
16 | well-being of a small group of Indians could not be
17 | allowed to prevent this project in view of the benefits
18 | that thousand of Albertans would derive from the
19 | project. However, now that the darn is completed, it
20 | has been found that many of the benefits forecasted in
21 | those days are either non-existent or unrealistic.

22 | Much of the rationale used to
23 | justify the need for construction has proved to be
24 | fallacious.

25 | The Provincial Government
26 | informed the Stonies that if the Big Horn people could
27 | prove their claim to the land in the area, then they
28 | would be only too happy to meet any claim obligations.
29 | Under the leadership of Chief John Snow, Chief Bill
30 | McLean and Chief Frank Powderface of the Stoney people

1 | undertook a research project to prove their claim to
2 | land in the area to be flooded. The research findings
3 | were submitted to the Federal Government in the spring
4 | of 1972, Finally in the spring of 1974, the Federal
5 | Government acknowledged the Big Horn land claim and
6 | requested that the Alberta Government make available
7 | the needed land as provided for under the terms of the
8 | 1930 Natural Resources Transfer Act.

9 | In the fall of 1974 in spite
10 | of earlier promises by government officials, Premier
11 | Lougheed refused to meet the Province's legal
12 | obligations stating:

13 | "The Government of Alberta cannot give away any
14 | land which it holds as trustee for all Albertans
15 | to any group. To do otherwise would violate the
16 | trust Albertans have given that government to
17 | protect the property and rights of Albertans."

18 | Apparently Indians are not citizens of Alberta as the
19 | Provincial Government states that if feels it has no
20 | obligations to protect Indian rights.

21 | Almost two years later this
22 | matter is still being prepared so that it can be taken
23 | before the courts for settlement. Once again, Indian
24 | people are experiencing extreme difficulty in having
25 | their rights acknowledged and maintained. These are
26 | but a few examples of what native people interpret as
27 | government profundity and duplicity. Is it any wonder
28 | that native people do not trust what the government
29 | says or promises to do and that they are requesting
30 | action by the government on land claims before

1 apathetic and bitter group of individuals. Why has this
2 occurred? Some people have argued that change is
3 inevitable for a semi-isolated group as were the Big Horn
4 people Change would have occurred whether the dam had
5 been built or not. I would agree that change would have
6 occurred and in fact has already occurred within the
7 reserve. However, the important aspect to recognize is
8 that the Big Horn people have been able to stay on top of
9 the changes up until 1969, making sure that changes were
10 selective and not disruptive to their socio-economic
11 patterns.

12 Furthermore, even with the
13 sudden impact and rapid change brought about by the Big
14 Horn Dam project, the negative consequences and
15 detrimental changes could have been minimized if only
16 the governments involved had been sensitive to the
17 problems and needs being created for the Big Horn
18 Indian Band. In briefs presented to the Provincial
19 Government in March of 1969, March of 1970 and April of
20 1972, Chief John Snow warned the government about the
21 possible negative consequences that could arise as a
22 result of the development and he asked the government
23 for their cooperation and assistance in preventing
24 these problems. Copies of these briefs were also given
25 to the Federal Government and similarly they too failed
26 to respond in any meaningful way other than the
27 provision of a grant to enable the Stonies to research
28 their land claims.

29 Both levels of government
30 have chosen to ignore Chief Snow's requests and to date

1 have done absolutely nothing to alleviate the problem,
2 using pending land claim; as their excuse for
3 inactivity. In fact, the Provincial Government during
4 this period passed new legislation which served only to
5 increase the problems being faced by the Big Horn
6 people.

7 The governments have demonstrated
8 their concern for defining their legal responsibility while
9 at the same time they have demonstrated their total lack of
10 concern for meeting their legal and moral responsibilities
11 towards the Big Horn people.

12 The many irresponsible
13 actions or lack of actions by government with reference
14 to the Big Horn dam can be well documented as follows:
15 I have a number of things; I've been given a note that
16 I should try to finish off in a hurry and I still have
17 a few more pages. Maybe I'll quickly just go over some
18 of these.

19 The first one is traplines
20 were flooded and no compensation or alternative
21 traplines were offered to the people. Graves were
22 bulldozed and lost before the Stoney Indians were
23 able to prevent their destruction. The government
24 agreed to relocate the graves, however, when -- and the
25 Stonies agreed to certain land being provided, and
26 initially the government had agreed that the land
27 would be given the status of an Indian reserve.
28 However when it came to turn over title to the
29 land, the government refused to give it the status of
30 an Indian reserve and it was given to the Stonies with

1 | a caveat imposed upon the title.

2 | The detrimental effects of
3 | the increased development activity in the area is
4 | well documented and gain was forced back into more
5 | remote areas. Traplines were destroyed. Hunting
6 | areas were destroyed. The business that the Indian
7 | people had built up in terms of guiding and
8 | outfitting was destroyed because the game was just
9 | no longer available for them to carry on that
10 | economic activity.

11 | The government passed
12 | legislation which restricted the Stoneys ability to
13 | kill bears and cougars. Also they passed legislation
14 | which protected wild horse herds. Both of these things
15 | were things which the Stonies had been dependent upon
16 | and it took away another aspect of their economic base
17 | and again, no compensation or assistance was provided
18 | to them when this was done.

19 | There are Stonies who asked
20 | for a grazing lease to replace the traditional
21 | grazing areas and the Provincial Cabinet Ministers
22 | at first promised they would provide a grazing lease
23 | but then later, in response to pressure brought by
24 | Forestry officials in the name of proper land
25 | management, the government refused to provide the
26 | agreed upon lease.

27 | I'd like to read just one
28 | point because I think it's important. Chief Snow
29 | pointed out to the government that in past native people
30 | had not been given the opportunity to participate in and

1 to benefit from developments that occurred within the
2 areas in which native people live. He asked the
3 government to provide the Big Horn people with the
4 opportunity to develop their recreational service
5 and business opportunities that would be created
6 within the development area. Instead the government
7 has assisted an outside non-Indian to come into the
8 area and to develop a motel, gas station, restaurant,
9 camp ground and riding stable complex. Once again,
10 the Indian's economic base was destroyed and they
11 were not even given the opportunity to create an
12 economic base. Instead, this opportunity was given to
13 white man.

14 The Stonies asked for
15 training so that they could get jobs on the completed
16 dam Neither the government nor Calgary Power would
17 provide any kind of assistance or training to the
18 people and now none of them are working on the
19 completed dam project. They asked for assistance in
20 helping band members adjust to the social and cultural
21 changes. The only response has been the increased
22 visitation to the reserve by police and child care
23 workers in response to the problems that have arised.

24 Chief Snow asked for a
25 logging permit so that his people could cut timber off
26 the reserve as there is no more timber within the
27 reserve up there. Initially his request was ignored.
28 He told his people to go and cut the timber anyway.
29 They cut it and then the saw mills would not buy it.
30 The government told them they couldn't buy so that

1 | which I raise a number of question which I think need
2 | to be asked but unfortunately, I've been told I must
3 | conclude so I would like to just read my concluding
4 | comments here.

5 | In ending this presentation,
6 | I want to make a comment regarding Indian leadership.
7 | Most of our native leaders have attempted to follow a
8 | responsible attitude in negotiating issues and conflict
9 | with the government. However, as government fails to
10 | respond in meaningful ways to legitimate complaints,
11 | then the band members grow frustrated and restless,
12 | putting pressure on their leaders to do something.
13 | Government insensitivity and stupidity is destroying
14 | moderate leadership either by their being forced to
15 | become militant or by their being replaced by new
16 | militant leaders.

17 | Younger band members are
18 | educated, knowledgeable and concerned about what will
19 | happen to them and their families. Many Indian people
20 | are no longer prepared to do nothing while their future,
21 | their social system, their history and their land is
22 | destroyed by a dominant white society. There is a great
23 | potential for violence within Indian communities.

24 | A lot of Indian people are
25 | looking towards this Inquiry as their last hope for
26 | justice. Once individuals have lost hope, then they
27 | have reached a position where they feel they have
28 | nothing more to lose by resorting to violence as one
29 | cannot take away something from someone who feels they
30 | have nothing.

1 Si Kahn, an organizer who has
2 worked in a number of poor communities during the past
3 two decades states:

4 "In many poor communities the most effective
5 power tactic has proved to be violence."

6 To state this is not to advocate violence as a means.
7 The fact is however that violence is seen today by
8 large numbers of the poor as the only possible
9 alternative.

10 Poor people have tried all
11 the other alternatives without success and as a
12 consequence they have become increasingly willing to
13 try violence as a last resort. The only real answer to
14 violence is to prove that the other alternatives can
15 get poor people some place to provide the resources
16 through which poor people can achieve economic equality
17 through nonviolent means.

18 Thank you for listening to
19 this brief and I turn over a copy of this brief to your
20 Inquiry and I will include a copy of my M.Sw, thesis
21 entitled: "The Effects of Citizen Participation, a
22 Lesson in Government Perfidy and Indian Frustration"
23 This is a detailed case history of the interaction
24 between the Stoney Band and the government with respect
25 to the construction of the Big Horn dam and it can be
26 used by your Inquiry as a resource if-you want more
27 details about the information I have presented in this
28 brief.

29 Thank you.

30 (SUBMISSION BY WAYNE E. A. GETTY MARKED EXHIBIT #C-307)

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(WITNESS ASIDE)

MR. WADDELL: Mr.

Commissioner I am changing the order somewhat on the list and call next Mr. Kazuo Iwaasa please. I believe that Mr. Iwaasa spells his last name I-w-a-a-s-a. Mr. Iwaasa?

THE COMMISSIONER: Yes sir.

KAZUO IWAASA sworn;

THE WITNESS: Mr.

Commissioner, I thank you for this opportunity to be heard. I speak as a concerned citizen. I was prompted to appear before you today because of your statement, "what happens in the north will tell us what kind of people we are". I would like to begin with a few lines of poetry by T. S. Eliot. It is a religious poem but having sworn on the Bible, I think it is not out of order for me to do so.

"Oh weariness of men who turn from God to the
your grandeur of your mind the glory of your ac-
tion

To arts and inventions and daring enterprises
To the schemes of human greatness thoroughly
discredited Binding the earth and the water to
your service

Exploiting the seas and developing the mountains
Dividing the stars into common and preferred
Engaged in devising a perfect refrigerator
Engaged in working out a rational morality
Engaged in printing as many books as possible
Plotting of happiness and flinging empty bot-

1 | tles.
2 | Where is the life we have lost in living?
3 | Where is the wisdom we have lost in knowledge?
4 | Where is the knowledge we have lost in informa-
5 | tion
6 | Where is the information we have lost in data?
7 | Where is the data we have lost in profit?"

8 | The last two lines are my
9 | own. I exercise poetic license to make the poem fit
10 | the context of this hearing and if I may be permitted,
11 | I would like to make it a reply to some of the things
12 | Mayor Sykes said yesterday but this is by the way.

13 | I have a story about Chicken
14 | Little. This Chicken Little is not the bird that went
15 | into a flap about the sky falling on its head, Rather
16 | this Chicken Little falls from the sky as a monstrous
17 | visitor from outer space. It is found by the roadside
18 | as a harmless looking glob of pulsating material that
19 | keeps growing and growing.

20 | What is first a curiosity
21 | comes an object of fear with the discovery that Chicken
22 | Little is indestructible. Fire, chemicals bullets or
23 | bombs, nothing phases Chicken Little because it feeds
24 | on pure energy. The more it is attacked, the more it
25 | grows grows. Before long, half North America is
26 | enveloped.

27 | Scientists calculate that
28 | within the decade, the whole world would be consumed.
29 | What is to be done? The ending in the original story
30 | is so preposterous that I will not disclose it to you

1 but I think the story poses a problem that is facing us
2 today.

3 Kenneth E. Boulding, in his
4 "Economics as a Science", makes this observation that
5 "... growth at a constant rate cannot go on
6 forever or even for very long. Otherwise, there
7 would soon be only one thing in the universe."

8 I submit that Boulding and Chicken Little both show the
9 logical outcome of uncontrolled growth and over
10 concentrated power. Our undue trust in the economies
11 of scale as it is known - economies of scale and
12 technological rationalization have made us all over-
13 dependent on big institutions foremost of which is our
14 transnational corporations. The aggregate power of the
15 transnationals dominate practically every enterprise we
16 undertake these days. So any deliberation that does
17 not take this fact into account is bound to miss the
18 mark.

19 The Bryce Commission on
20 Foreign Ownership should give us a better picture of
21 how Canada is affected by the transnationals but the
22 real context of our concern should be worldwide and we
23 should not be so self-centred that we just dwell upon
24 ourselves.

25 Central to the United
26 Nations' discussion on the new international economic
27 order which is now going on in Nairobi right this
28 moment is the place of the transnationals in the scheme
29 of things. The forthcoming Habitat Conference will
30 have to deal with the same problem and our Price and

1 Wage Control Act is probably a good example of how not
2 to go about the business.

3 My personal fear is that the
4 Chicken Little factor is being too lightly regarded by
5 our government in our present deliberation as well as
6 in others.

7 With consideration to the
8 foregoing, I respectfully suggest that we make haste
9 slowly, a moratorium is not out of order.

10 2. That we honor the rights of the native people in
11 every possible way.

12 3. That we develop alternate sources of energy.

13 4. That we consider the welfare of the rest of the
14 world by supporting such proposals as the new
15 International Economic Order.

16 5. Lastly, that we make feasible equal time
17 advertising to counter the trend of pamper yourself
18 consumerism.

19 I consider my last suggestion
20 fundamental in that it calls into question our wasteful
21 way of life, which compels us to devour our resources
22 beyond prudence.

23 Thank you again for the
24 privilege of taking part in this rare exercise of
25 finding out what kind of people we are.

26 Thank you.

27 (SUBMISSION OF KAZUO IWSA, MARKED AS EXHIBIT C-308)

28 (APPLAUSE)

29 (WITNESS ASIDE)

30 MR. WADDELL: Mr.

1 Commissioner I'd like to tell you that we here today in
2 the hearings, students from St. Anthony's School at
3 Drumheller with their teacher Mr. Sam Grandy. The
4 students are applauding themselves.

5 THE COMMISSIONER: I thought
6 they were applauding their teacher.

7 MR. WADDELL: Apropos to
8 that, Mr. Commissioner, I'm going to go again out of
9 order on our list and ask that we hear now Gregory M.
10 Mayer who is from a Bishop Grandin -- that's G-r-a-n-d-
11 i-n, Bishop Grandin High School biology class.

12 GREGORY M MAYER sworn;

13 THE WITNESS: Mr. Berger.

14 I represent a group of
15 concerned high school students from Bishop Grandin High
16 School here in Calgary. As Canadians, we strongly
17 protest the proposed Mackenzie Valley Pipeline project.
18 The people of Canada should be first and foremost in
19 the hearts and minds of the Canadian Government.

20 The general well-being of the
21 land and the people should far exceed the prodding of
22 greedy leaders, the haunting of a phony energy crisis
23 and the glory seeking of oil companies.

24 The northern natives exist
25 and have existed for a thousand years in a very fragile
26 socio-economic system. They share a day-to-day simple
27 way of life. The rapid influx of construction,
28 construction workers and their influences from the
29 south would reek havoc among their lifestyle. The jobs
30 created and take by the northern people would be.

1 short-term. Few satisfying careers would remain after
2 the psychological and social damage has been done. The
3 northerners would be reluctant to return to their
4 ancestral way of life if it still existed after the big
5 money and booming business.

6 Their taste of the southern
7 ways will have left them bitter, distraught and
8 betrayed. The robbing, alienation and destruction of
9 our northern natives is the most ridiculous move the
10 Canadian Government could make.

11 If the proposed pipeline is
12 to be profitable, it will likely be a combined effort.
13 Both Governments of Canada and the United States as
14 well as oil companies will have a hand in what they call
15 "the development of the north". We refer to the
16 destruction and polluting of the environment as
17 desecration and label the infiltration of crime and the
18 demoralization of a people as decadence. To transport
19 this sickness of our southern society to our northern
20 frontier would be an inconsiderate and blunderous
21 gesture.

22 The United States announced
23 that a healthy and clean environment was a luxury that
24 they could little afford. We as Canadians must realize
25 that our northern frontier, with its people, splendor
26 and beauty is priceless. To rape and plunder our
27 northern mother earth would be criminal.

28 We now realize that our oil
29 and gas supplies are finite. The rejection of the
30 proposal would encourage the prompt conservation of

1 existing petroleum energy and also promote the rapid
2 development of alternate energy sources. The final
3 decision rests with our government. We ask them to
4 listen and hear what the people say. Leave our
5 northern frontier free and easy.

6 Thank you for listening.

7 (APPLAUSE)

8 THE COMMISSIONER: Thank you
9 very much.

10 (SUBMISSION OF BISHOP GRANDIN HIGH SCHOOL MARKED AS
11 EXHIBIT # C309) (WITNESS ASIDE)

12 MR. WADDELL: Mr.

13 Commissioner I'm going to call upon now Mr. H. Cordon
14 Pearce who's the vice-president of the Calgary Chamber
15 of Commerce. It's Mr. Pearce.

16 H. GORDON PEARCE, sworn;

17 THE WITNESS: Justice Berger,
18 my name is Gordon Pearce as indicated by the previous
19 gentleman. I appear before you in my capacity as vice-
20 president of the Calgary Chamber of Commerce. On
21 behalf of the Calgary Chamber I would like to thank you
22 for giving our organization an opportunity to appear
23 before you.

24 The Calgary Chamber of
25 Commerce is a 2700 member body of businesses and
26 professional men and women in the Calgary area.
27 Indirectly, it is the voice for some 55,000 Calgary
28 citizens employed by the Chamber membership.

29 It is our concern Mr.

30 Commissioner that in spite of the long and important

1 | association of the oil and gas industry with this city,
2 | most Calgarians are not aware of the significance of
3 | the current Mackenzie Valley Pipeline deliberation now
4 | before the National Energy Board and before this
5 | Inquiry, This lack of awareness must be even greater in
6 | other regions of our country where the oil and gas
7 | industry is not directly involved.

8 | Most Canadians probably view
9 | the public pipeline debate in terms of a "will a
10 | Mackenzie Valley Pipeline be built and if so, under
11 | what conditions?" Canadians should, however address
12 | themselves to the fundamental issue, "will Arctic
13 | reserves be developed and available in time to meet
14 | generally predicted shortages?".

15 | Media coverage has been
16 | extensive but much of the reported testimony before the
17 | N.E.B. is difficult for the general public to fully
18 | understand and the Chamber is concerned that the
19 | northern hearings before this Inquiry may be viewed by
20 | the public as simply a fight between the oil and gas
21 | operators and northern residents. This is not the
22 | Chamber's view however.

23 | We support your stated
24 | concern for adequate time and opportunity to hear the
25 | viewpoints of Canadians particularly those living in
26 | the north in order to properly assess the regional
27 | impacts of a Mackenzie Valley Pipeline.

28 | Our concern is the impact on
29 | all Canadians, including northerners. If Canada ten
30 | years from now is faced enormous purchases of foreign

1 oil to offset oil and gas shortages, the economic
2 impact will be felt by all Canadians, including
3 northern residents who are dependent on Canadian
4 manufacturers and distributors for a wide range of
5 consumer goods including food, clothing and essential
6 hard goods.

7 It is from this viewpoint
8 therefore that we felt that the Chamber should appear
9 before this Inquiry and speak to the needs of the
10 millions of Canadian who have a critical interest in
11 the expeditious consideration of and practical
12 solutions to the many issues and uncertainties related
13 to the construction and operation of the Mackenzie
14 Valley natural gas pipeline.

15 Effect on Canada of predicted
16 oil and gas shortages. It has been established by the
17 National Energy Board that, based on present supply and
18 demand projections, Canada soon will be facing a
19 natural gas shortage if supplies from the western
20 provinces are not supplemented. If this situation is
21 allowed to occur, Canadians will feel the effect in
22 several ways.

23 Canada is a country where the
24 consequence of a shortage of energy would be far more
25 serious than a matter of inconvenience and personal
26 discomfort. As we all know, Canada is a large country
27 with a relatively small and unevenly distributed
28 population. We need fuel for the transportation of
29 people, raw materials and finished products.
30 Furthermore, because of the seasonal harshness of the

1 Canadian climate, Canadians need oil and gas as fuel in
2 order to survive.

3 At work or at home, Canadians
4 are not equipped to withstand prolonged fuel shortages
5 and we do not have the capability to quickly convert to
6 an alternative energy source even if such were
7 available.

8 Additionally, without the
9 security of domestic oil and gas supplies, Canada will
10 have no means of holding down fuel costs that are an
11 important cost element in products and materials
12 produced for export markets. Loss of ability to
13 compete in world export markets would mean increased
14 unemployment and higher consumer prices.

15 The situation with respect to
16 anticipated oil and gas shortages was summarized
17 recently by the Honorable Alastair Gillespie, Minister
18 of Energy, Mines and Resources:

19 "Canada today, like the U.S., is a net importer
20 of oil. Just two years ago, we were a net ex-
21 ported. Natural gas prospects are almost as
22 bleak. Spot shortages are predicted starting
23 late in this decade. By early in the 1980's a
24 gap will appear between domestic demand and con-
25 ventional gas supplies so in terms of easily ac-
26 cessible oil and gas, our best years are obvi-
27 ously behind us. We're turning now, as you
28 know, to the Arctic and offshore, our frontier
29 areas."

30 We believe sufficient has

1 | been said about these forecasted needs, but that not
2 | enough has been said to the Canadian public about the
3 | impact on our country if this shortfall is permitted to
4 | occur and continue.

5 | The United States, England and Italy are examples of
6 | countries which are significantly or totally dependent
7 | on foreign oil imports and which were dealt severe
8 | economic blows as a result of oil embargoes.

9 | The development of Arctic oil
10 | and gas reserves offers Canadians the choice of energy
11 | independence or of being at the mercy of producing
12 | countries for supplies on whatever terms they may
13 | dictate for internal economic or political reasons. It
14 | should be clear to everyone that alternative energy
15 | sources will not provide a solution to oil and gas
16 | shortages in the early 1980's. The time will come no
17 | doubt, when large-scale use of solar energy, tidal
18 | power, coal and nuclear plants will be acceptable and
19 | economical but within the time period we are concerned
20 | with, the cost and lack of technology are prohibiting
21 | factors. Therefore, the choice is clear, develop
22 | Arctic oil and gas reserves or buy increasing volumes
23 | of foreign crude.

24 | Consider the effect of
25 | increasing dependency on foreign imports even if
26 | offshore crude prices should remain at current levels.
27 | By 1985, the value of oil imports necessary to offset
28 | domestic shortages of oil and gas will be about \$7
29 | billion with a total value over the ten year period of
30 | about 40 billion. This is a staggering amount and its

1 | affect on consumer prices through balance of trade
2 | deficits will be felt by all Canadians regardless of
3 | where they live.

4 | Regional impact. The Chamber
5 | supports the position taken by the Federal Government
6 | of having established this Commission to consider the
7 | concerns and opinions of northerners on a Mackenzie
8 | Valley Pipeline. The development of Arctic reserves
9 | will have and affect on the people of the north and no
10 | doubt individual northerners or representative groups
11 | already have expressed legitimate concerns. We all
12 | realize however Mr. Commissioner that there is always
13 | some cost to any kind of development. IN the case of a
14 | Mackenzie Valley Pipeline, we hope the cost associated
15 | with the development of delta reserves can be
16 | minimized.

17 | We must recognize that all 23
18 | million people in Canada will be seriously affected if
19 | no compromise can be reached between regional and
20 | national interests.

21 | Environmental impact. We
22 | accept the statements of experts on the Arctic
23 | environment that the ecology of this region is
24 | different. It is unlike the rest of Canada. We
25 | believe that your Commission and the Federal
26 | Government, through the National Energy Board and
27 | appropriate departments should satisfy yourselves that
28 | the oil and gas industry has the experience, capability
29 | and corporate responsibility to conduct its operations
30 | in a manner that will permit the development of

1 northern hydrocarbon reserves with minimal
2 environmental damage.

3 We recognize that the
4 environment will be modified. We must however achieve
5 a proper balance between environmental change and the
6 overall economic advantages.

7 Economic impact. We believe
8 that northerners directly affected by the construction
9 and operation of a Mackenzie Valley Pipeline should be
10 concerned about the economic impact of both the
11 pipeline and related development facilities in the
12 delta. We feel that individual northerners must be
13 able to participate in opportunities generated by the
14 project. We believe that permanent and temporary job
15 opportunities must be offered to all northerners and
16 that assistance should be provided in order for them
17 to train and qualify for skilled and semi-skilled
18 jobs.

19 The job opportunities from
20 the pipeline project and the related development
21 activities need not prevent those northerners now
22 engaged in fishing, hunting and trapping activities on
23 a full or part-time basis from continuing to do so,
24 Instead, the increased number of full and temporary job
25 opportunities will enable many northerners to choose
26 their means of earning income. They will have the
27 choice of full employment, full-time employment, living
28 off the land or some combination in between.

29 It is our understanding that
30 the exploration and producing companies and both

1 pipeline applicants are committed to provide employment
2 for those northerners who want to work on these
3 projects. We endorse this commitment as being
4 fundamental to northern participation.

5 To date, the oil and gas
6 industry has spent over \$500 million in exploration in
7 the delta and Beaufort Sea area -- risk dollars spent
8 with the knowledge that the reserves soon would be
9 needed by Canada and under the reasonable assumption
10 that necessary approvals would be granted. Oil and gas
11 activity in the north has provided considerable
12 employment for northerners. In the year ending April
13 30th, 1975, 761 northern residents were employed by the
14 industry for varying lengths of time. The number of
15 jobs will increase substantially with approval to
16 construct and operate the pipeline.

17 Postponement or lengthy delay
18 in pipeline approvals for whatever reasons will force
19 the oil and gas operators to severely reduce or halt
20 their activities. For example, if a two year
21 moratorium were imposed on the start of construction,
22 the overall delay in start-up could be in the order of
23 eight years. If such were to occur, all of Canada
24 would suffer. It also would mean fewer jobs being held
25 by northerners and less opportunities of permanent and
26 temporary work that the northerners may choose from,
27 depending on the lifestyle they wish to follow.

28 We should also remind
29 ourselves the delay will be mean escalated cost which
30 will be passed on to the consumer. A point could be

1 | reached when the project would be cancelled because of
2 | having become economically unsound. That would be
3 | tragic for all Canadians and possibly an unanticipated
4 | economic blow to the native people of the north who
5 | expect to share in revenues from resource development.

6 | The pipeline is essential to
7 | hydrocarbon development. Without it there will be
8 | neither gas nor revenues to share.

9 | Social impact. We believe
10 | that considerations should be given to regional
11 | social impact of the construction and operation of a
12 | Mackenzie Valley Pipeline and related development
13 | facilities. There will be social impact of course but
14 | we believe there will be positive values that will help
15 | the Inuit, Indian and Metis adjust to the impact of
16 | many other social forces, some new, some long
17 | established.

18 | Cultural integration in the
19 | delta has been a continuing process for over a hundred
20 | years; the visit of the early whalers, the introduction
21 | of the gun, early establishment of churches and
22 | schools, government programs of housing, health care
23 | and education, and modern transportation in the form of
24 | snowmobiles and aircraft. The process is continuing
25 | with a daily window on the world, televised via
26 | satellite and before long a highway that will link the
27 | delta with southern tourists.

28 | We certainly do not suggest
29 | that northerners should be denied any social
30 | advancements or programs available to other Canadians.

1 | Instead we believe they should have the economic
2 | opportunities that will enable them to participate in a
3 | changed society on an equal basis with other Canadians.

4 | We believe Mr. Commissioner,
5 | that the individual economic opportunities of a
6 | pipeline and of the development that will follow for
7 | years to come will assist the northerners to adjust to
8 | the social changes that have taken place.

9 | Abandonment. Finally, may we
10 | refer to the Commission's terms of reference in
11 | particular to the suggested consideration of the
12 | regional impact of the abandonment of a Mackenzie Valley
13 | Pipeline. Not everyone realizes Mr. Commissioner, that
14 | a pipeline of this magnitude, built to service a high
15 | potential natural gas area such as the Mackenzie Delta
16 | and the Beaufort Sea would not go into operation one
17 | year and cease operations 20, 25 or even 30 years later.
18 | Pipeline approval will be the key to more exploration,
19 | more development and more job opportunities.

20 | Exploration in the delta now
21 | is at a point that properly may be called an
22 | opportunity threshold, a situation that has been
23 | experienced in dozens of areas around the world. The
24 | formula is basically the same. First, substantial risk
25 | dollars are spent by the oil industry in an area that
26 | has good potential but as yet is unexplored. Then
27 | after many years, the results may be discouraging as in
28 | the case of Canada's west coast offshore area or may be
29 | encouraging as in the case of the Mackenzie Delta.

30 | Where the results were

1 encouraging and a transportation system develops, the
2 industry moves into a second phase of activity. Proved
3 reserves are developed and produced. The assured
4 transportation system provides economic motivation for
5 a new round of exploration, which adds more reserves
6 and further development activities. The widening
7 circle of exploration and development work which stems
8 from a transportation system creates a diverse range of
9 contract opportunities for the industry's service and
10 supply and new opportunities for the residents.

11 This second phase of activity
12 creates not only more jobs, but a more diverse range of
13 job opportunities for which local residents can be
14 trained and qualified. A few such jobs would be
15 battery operator, gas plant operator, welder, mechanic,
16 various clerical positions, carpenters, painters,
17 drivers and so on.

18 This ripple effect will also
19 reach the supplier and local distributor of consumer
20 goods and will help stabilize the regional economy.
21 This is what happened in Alberta in the past twenty
22 years or so. In the 1950's major pipelines linked
23 Alberta's proved reserves to distant markets and
24 generated the revenues for companies to reinvest in the
25 second phase of exploration and development. More jobs
26 were created with the growing of existing companies and
27 the formation of new companies.

28 Today, in the mid- 70s we
29 hear no talk of abandoning these pipeline systems. Oil
30 and gas activities are continuing in this province,

1 providing employment for thousands of people.
2 Albertans have benefited and so have all
3 Canadians.

4 It is reasonable to assume that
5 the Alberta experience in terms of continuing social and
6 economic benefits may be repeated in the north.

7 Thank you, Mr. Commissioner.

8 THE COMMISSIONER: Mr.

9 Pearce, let me first of all thank you for that
10 exposition of economic impact because the point you
11 made so forcefully is one that we should bear in mind
12 that in which I alluded to in my opening remarks that
13 if you do develop a pipeline and energy corridor, that
14 will in itself create greater exploration and
15 development activity in the industry in the delta and
16 the Beaufort Sea and throughout the valley.

17 Don't comment on this if you
18 don't wish to, but has the Chamber of Commerce taken
19 any position regarding which of the two pipeline
20 proposals ought to be --

21 A Not to my knowledge sir.

22 THE COMMISSIONER: All right.

23 Well, thank you again sir.

24 A Thank you. (APPLAUSE)

25 (SUBMISSION OF THE CALGARY CHAMBER OF COMMERCE MARKED
26 AS EXHIBIT # C-310)

27 (WITNESS ASIDE)

28 MR. WADDELL: Mr. Commissioner,
29 I'm going to call next upon a brief from the Calgary
30 Branch of the Committee for an Independent Canada and the

1 | person giving the brief is Dr. Gary Donovan.

2 | DR. GARY DONOVAN sworn;

3 | THE WITNESS: Mr. Commissioner,
4 | ladies and gentlemen, I would like to commend you first
5 | of all and our government for instituting this
6 | Commission. I think that in fact, the results of this
7 | study and this Inquiry will be very important for Canada;
8 | important in many ways because for the first time in
9 | Calgary we hear some of the words about the Indians in
10 | the north, the Inuit in the north and the Metis.

11 | Canada is a country of regions
12 | but it's a country that doesn't know itself very well
13 | and is not aware of its regions or of the diversity of
14 | the institutions within the various regions.

15 | The Committee for an
16 | Independent Canada has been conducting over the past
17 | year a major study on regionalism in Canada and they
18 | are carrying out even the next month in Winnipeg -
19 | continuing to carry out their study and their
20 | discussions on regionalism. I think that this study
21 | and these ideas will have great impact in making
22 | Canadians aware of what we are as a nation and I thank
23 | you for the beginning words of your talk.

24 | I am representing the
25 | Committee for an Independent Canada, the Calgary
26 | Branch. Many of the points that I would have liked to
27 | make have already been made and I will submit some of
28 | them in a written brief, but I do not wish to take the
29 | time of the audience to repeat them all here.

30 | Many people have talked about

1 | the environmental issues and they have spoken with
2 | great eloquence on this. They have spoken of the
3 | danger that Canadian gas will in fact not be used for
4 | Canada but it be exported to the United States directly
5 | without stopping here at all. I do not care to get
6 | into that problem.

7 | They have also discussed at
8 | length the claims of the Inuit and the Indians in the
9 | north. I simply would make one point that has not been
10 | made. In the 16th century, the Spanish Government
11 | asked the leading jurist of the time for an opinion.
12 | The problem that they asked him to discuss was whether
13 | the Spaniards of the time having what they considered
14 | to be an advanced society and a more civilized society
15 | based on Christian principles, whether, given that fact
16 | and given the fact that the Indians and the people of
17 | South America were pagans and uncivilized, whether the
18 | Spanish Government then had the right to take over
19 | their lands without compensation.

20 | The jurist, after a great
21 | deal of difficulty and consideration put forth his view
22 | that in no could that happen. That in fact, the people
23 | who lived on the land owned the land and had the claim
24 | to it and that you could only take over that land by
25 | making a proper settlement with them. I simply refer
26 | this opinion to you and request that when we make this
27 | settlement, that we agree with the Inuit that their
28 | claims must be met because if the Spanish Government of
29 | the 16th century can consider that that was important,
30 | I think the Canadian Government of 1976 should consider

1 | the same.

(APPLAUSE)

2 | THE COMMISSIONER: Was the
3 | opinion heeded by the Spanish Government?

4 | A No.

5 | Q Not altogether, is that --.

6 | A Partly. From a legal
7 | point of view, it was because from a legal point of
8 | view what they did was say, "We will give you two
9 | dollars for your land, including the gold that is on
10 | it" and they took it that way but legally, there is, in
11 | fact a document which shows that they heeded the
12 | judgment of their jurist. I hope that we will heed it
13 | in a moral way and not just in a legal way.

14 | Nor do I wish to say very
15 | much about the difficulties that this development will
16 | pose for the various societies in the north. These
17 | have been documented and the first speaker today was
18 | extremely explicit and profound and I think that the
19 | study that he has carried out will be of great
20 | significance to us in the north and I think we should
21 | heed that. I do not care to add any more to that.

22 | I simply wish however to
23 | mention two points. Number one. The Mackenzie Valley
24 | Pipeline cannot be considered in a vacuum.. We are not
25 | considering only a Mackenzie Valley Pipeline. There
26 | are I think three or four alternatives.

27 | The largest reserves of
28 | natural gas in Canada in the north actually have been
29 | proven to be at the present moment in the Arctic
30 | islands. If we build a Mackenzie Valley Pipeline, it

1 | means that we will have had to raise an amount of
2 | capital and go through an economic exercise that I
3 | think will preclude us for a long time to come, perhaps
4 | for a number of years, that we cannot name, ever
5 | building a pipeline from the polar gas regions.
6 | Therefore, in fact, if we rush into this proposal
7 | simply because the United States is very short of gas
8 | because we at the moment are not short of gas, if we
9 | rush into this proposal, it seems to me that we are
10 | saying to ourselves that we cannot and will not build a
11 | pipeline for the polar gas area.

12 | Secondly, it seems to me that
13 | we must consider other alternatives of transportation
14 | if the United States requires gas and I believe they
15 | do) and since they are good neighbors of ours, and
16 | since we believe that they are good neighbors and we
17 | wish to be good neighbors in return and I say that as a
18 | member of the Committee for an Independent Canada who
19 | has always taken that stand, they are partners of ours
20 | -- perhaps the alternative is to have them build a
21 | pipeline down the Alaska Highway that will not in fact
22 | use Canadian gas to cease exporting our own gas to the
23 | United States, to conserve our supplies, to cease using
24 | extremely large cars and leaving our lights on all
25 | night and in fact, to conserve the energy that we do
26 | have to delay building a pipeline and to build a
27 | pipeline from the polar gas regions when we need it.

28 | Those are the alternatives
29 | and I do not think that we must make our decision with
30 | respect to the Mackenzie Valley Pipeline without having

1 the companies were in no position whatsoever to prevent
2 people from taking advantage of the large amounts of
3 material that were pouring in. They could not risk
4 alienating any of the workers at all. They could not
5 risk having them go on strike. Therefore, they were
6 prepared to turn a blind eye and allow the people
7 working there and the people within these companies to
8 take huge amounts of material and to walk away with
9 them and to take them home.

10 I would submit to you that if
11 we build a pipeline in Canada, that we cannot allow
12 that to happen because it is not appropriate that
13 thousands or several thousand young people from the
14 south of Canada go into the north and take their first
15 job under such circumstances. I think that the social
16 cost to the south would be great when those people came
17 back, having learned that violence and theft are a way
18 of life and I think that we must be prepared to
19 properly police this operation and prepared to pay the
20 social costs that will be involved both to our own
21 young people and to the people of the Inuit.

22 In closing, I can simply say
23 to you that I thank you for giving us a chance to speak
24 on these issues and that I trust that this presentation
25 of ideas will do great deal to hold the country
26 together, to make us aware of the regions and to
27 prevent us building hastily the Mackenzie Valley
28 Pipeline that we may well regret.

29 The Committee for an
30 Independent Canada is not opposed to development. It

1 | is not opposed to a pipeline. It is not opposed to the
2 | development of energy. It simply says that we must go
3 | into this not as we went into the development of dam on
4 | the Columbia River, not knowing what the cost will be,
5 | but that we go into this knowing full well what our
6 | costs will be and that we are prepared to pay them as
7 | they come to us. Thank you sir.

8 | (APPLAUSE) (WITNESS ASIDE)

9 | MR. WADDELL: Mr.

10 | Commissioner, I have a letter brief to you. I wonder
11 | if I could read it into the record. It's short. It's
12 | from Gordon Firth, who is a minister of Knox
13 | Presbyterian Church here in Calgary.

14 | " Dear sir: I sincerely hope
15 | that this short letter will be acceptable in the terms
16 | laid down for your bearings. I write because I will be
17 | absent from the City of Calgary on May the 13th and
18 | 14th next. I write also because my concern over the
19 | development in the north and specifically the oil and
20 | gas pipelines can be expressed in one short statement.
21 | I would respectfully request that your main
22 | recommendation to the Government of Canada be that no
23 | development takes place in the north that is
24 | detrimental to the rights and privileges of the native
25 | people of the Territories or before their land claims
26 | have been satisfactorily settled.

27 | I am well aware that this is
28 | a complex issue. However, it does seem to me that all
29 | too often when we convince ourselves that an issue is
30 | complex, we tend to overlook the simple, fundamental

1 core issue. Surely the fundamental issue at stake here
2 is the native people themselves. It does seem to me
3 that out of your hearings we Canadians have a
4 glorious opportunity of making the future development
5 of Canada one of genuine partnership.

6 I regret not being able to
7 attend your hearings which I have followed with a great
8 deal of interest, previous plans to not permit. Yours
9 sincerely, Gordon Firth."

10 Mr. Commissioner, I wonder if
11 we could break for coffee now. I should say that after
12 a short coffee break, we'd like to hear from Mr. Stan
13 Jones of the Association of Oil Well Drilling
14 Contractors, Miss Lorraine Alison, Mr. R.O. Jonasson,
15 the general manager of Dominion Bridge, Mr. Danseur, of
16 the United Brotherhood of Carpenters and Joiners, Mr.
17 Nickle who's the president of ConVentures Limited and
18 if time, from Steve Tyler and Deanna Greyeyes of the
19 Southern Support Group and from Professor Dixon
20 Thompson.

21 THE COMMISSIONER: All right,
22 we'll take a break for coffee then.

23 (PROCEEDINGS ADJOURNED FOR A FEW MINUTES)

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1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

2 THE COMMISSIONER: Ladies and
3 gentlemen, let's call our hearing to order again and
4 see how we get along between now and lunch time, and

5 MR. WADDELL: I call upon,
6 Mr. Commissioner, Mr. R.O. Jonasson, who is the
7 general manager of Dominion Bridge Company Limited.
8 Mr. Jonasson?

9

10

11

R.O. JONASSON sworn:

12

13 THE WITNESS: Good afternoon,
14 Mr. Commissioner. Mr. Commissioner, ladies and
15 gentlemen, this submission is brief to the point, and
16 is respectfully presented to outline certain of the
17 views of the Dominion Bridge Company with respect to
18 the question of the need and the advisability of
19 proceeding with the pipeline to transport gas from the
20 Mackenzie Delta and Prudhoe Bay to markets in Canada
21 and the U.S.A.

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The Dominion Bridge Company
with head offices in Montreal, Quebec, is a Canadian
company, which had its beginnings in Toronto in 1879.
We followed the C.P.R. to the west and we built their
bridges for them. It has grown to become an
international company with manufacturing facilities
located across Canada, the U.S.A., and the Bahamas.
Our product lines are mostly
of a capital goods nature, ranging from heavy cranes
ruling platforms, oil pump jacks, to components for

1 nuclear reactors. The products manufactured by
2 Dominion Bridge are now in service in 50 countries
3 throughout the world. In Alberta our plants in
4 Edmonton and Calgary fabricate structural steel, plate
5 work, and mechanical products.

6 Our primary market is the oil
7 and gas industry, but spending by this industry is the
8 prime mover for a large percentage of all of the
9 activity generated in our two Alberta operations. In
10 fact, recent major capital expenditures and product
11 development by Dominion Bridge have been geared to
12 expectations of further growth in the oil and gas
13 industry, and in related industries in Alberta, and in
14 regions which are now being serviced by industry in
15 Alberta.

16 The Dominion Bridge, Alberta
17 Branch, is presenting this short brief as a concerned
18 Canadian company which is very close to the oil and gas
19 scene in Alberta. Briefly the two points that we would
20 like to emphasize are as follows: 1. We subscribe to
21 the premise that it should be an objective for Canada
22 to become less dependent on foreign sources of energy
23 and as close to self-reliance as is practically
24 possible.

25 Energy and feed stocks for
26 the petrochemical industry at competitive world cost
27 promotes the manufacture of goods in Canada for export
28 at competitive world prices. The promotion of Canada
29 as a world trader, especially of manufactured goods,
30 provides employment opportunities for Canadians and

1 | highly skilled work force and for technical backup have
2 | been enhanced thereby, and have enabled Dominion Bridge
3 | to expand their capabilities, create further job
4 | opportunities for Canadian workers, and more important,
5 | to reduce the dependence of the Canadian oil and gas
6 | industry on foreign sources of supply.

7 | Mr. Commissioner, as our
8 | business is essentially to supply facilities and
9 | equipment to the cross-section of Alberta operations,
10 | our activities are probably indicative of the health of
11 | the Alberta economy. A significant volume of our
12 | business both directly and indirectly results from
13 | activity in the oil and in the gas industry. We feel
14 | therefore that a healthy, vigorous and expanding oil
15 | and gas industry is of benefit to all industry in
16 | Alberta, and indeed to all of Canada.

17 | I thank you.

18 | THE COMMISSIONER: Thank
19 | you, sir. I just wonder, one thing -- and this is the
20 | centre of the oil and gas industry in Canada, this
21 | city -- the whole question of the extent of reserves
22 | in the Mackenzie Delta and Canada's requirements for
23 | gas, the possibilities of export, those are all
24 | questions for the National Energy Board and not for
25 | me. But in other centres people have -- and you said,
26 | sir, that there was a case for immediate construction
27 | of the pipeline because of impending shortages of gas.
28 | The other argument has been put to us, and no doubt
29 | will be put to the National Energy Board and they will
30 | have to sort this out, but people have said -- that

1 | come before the Inquiry -- that in the early '70s the
2 | industry told us that we had an abundance, in fact a
3 | super-abundance of gas. We were told that there were
4 | hundreds of years' supply of deliverable gas available
5 | to us; and upon the strength of those predictions of
6 | abundance we agreed to export virtually one-half of
7 | our daily production of gas to the United States, Now
8 | the same people who predicted an abundant supply for
9 | hundreds of years are predicting shortages of gas and
10 | urge that the pipeline must be built immediately to
11 | overcome those shortages.

12 | I'm simply saying to you as a
13 | representative of the Calgary business community that
14 | the people who question the predictions of shortages
15 | are coming before this Inquiry and putting it to us in
16 | that way. They are saying that the people who
17 | predicted abundance, and on the strength of whose
18 | predictions we agreed to export vast quantities of
19 | natural gas to the United States are telling us that
20 | now because of those exports we made and are still
21 | making we are in a position of imminent shortages and
22 | they are asking, "Are we in a position to rely upon and
23 | to act upon the predictions of those very same people?"

24 | I only put this to you
25 | because one of the functions of this Inquiry is to make
26 | sure that we understand each other's point of view.
27 | The people here learn from you and you learn from
28 | others who have spoken.

29 | A I don't think that was
30 | the point I was trying to make, Mr. Commissioner. It

1 | was the point that if we transport our gas from up
2 | north along with let's say American gas, that there is
3 | a cost factor, and I think I speak for industry in
4 | Canada when I say that cost of energy is a concern for
5 | all industry in Canada.

6 | Q Oh, I see. Yes.

7 | A That was the point I
8 | wanted to make.

9 | Q You made the point
10 | that an early decision by Canada on the pipeline and on
11 | the Arctic Gas proposal in particular, where you have
12 | the gas of both countries being carried in the same
13 | system, is essential so that our decision-making can be
14 | dove-tailed with U.S. decision-making, I appreciate
15 | that.

16 | A It was the economics of
17 | it that I was alluding to.

18 | THE COMMISSIONER: All right.
19 | Well, thank you very much for your presentation.

20 | (APPLAUSE)

21 | (SUBMISSION OF R.O. JONASSON MARKED EXHIBIT C-311)

22 | (WITNESS ASIDE)

23 | MR. WADDELL: Is Lorraine
24 | Allison here? Stan Jones here? Or someone from the
25 | Canadian Association of Oil Well Drilling Contractors?
26 | Danzer here of the United Brotherhood of Carpenters?

27 | THE COMMISSIONER: I don't
28 | know whether that means we'll get an early lunch or
29 | not. Or get our lunch on time.

30 | MR. WADDELL: We call upon then,

1 | Mr. Commissioner, Mr. E.E. Cudby of Calgary, Mr. Cudby?

2 | THE COMMISSIONER: Yes, sir?

3 | E.E. CUDBY sworn:

4 | THE WITNESS: Thank you, Mr.

5 | Commissioner, for this privilege of speaking before

6 | this Inquiry. I propose to show that -- my name is

7 | E.E. Cudby, and I'm a citizen of the City of Calgary.

8 | I propose to show that I believe that the ownership

9 | right to which the natives claim have not been

10 | appropriately elaborated to date, and I would also hope

11 | to be able to show that there should be no conflict

12 | between the decisions to be made with respect to the

13 | pipeline and the decisions with regard to the native

14 | claims. They are mutually -- they are independent of

15 | each other.

16 | I am quite aware, sir, that

17 | in your speech to the Corry lecture at Queen's

18 | University on November 25, 1975, you alluded to several

19 | public inquiries and Royal Commissions which had a

20 | profound effect on changing Canadian history, and I

21 | respect very much the impact that this particular

22 | Inquiry might have on what decisions are in fact will

23 | be made in the future. I suspect that in your bringing

24 | this Inquiry to Calgary, it's because you're extremely

25 | interested in the depth of our concern and the range of

26 | our perspective, and I certainly hope my contribution

27 | will be worth your time.

28 | It is therefore with respect

29 | and humility that I approach this Inquiry as a Canadian

30 | born citizen representing no one else but myself, in

1 | respect to a part of our great and awesome country to
2 | wit, the Northwest Territories and the Arctic, to which
3 | some natives are saying, "It is ours," meaning natives,
4 | while I am here to say, "Yes indeed, it is ours, but as
5 | Canadians, all of us."

6 | As a Canadian citizen who has
7 | undoubtedly reaped the benefits of northern development
8 | both directly and indirectly, and as a person whose
9 | career as a professional engineer has evolved and brought
10 | him to this place at this time, and truly conscious of
11 | the highly charged emotional confrontation that the
12 | Mackenzie Valley Pipeline debate has raised between the
13 | various sectors of our society, and I am sorely afraid
14 | that the people's perspectives on all sides are being
15 | warped by natural biases and will not be too helpful in
16 | the final analysis, and that's why I'm here.

17 | Certainly by any yardstick I
18 | am not here as an expert, but simply as a member of the
19 | society that hopes that the decisions that will
20 | eventually accrue from the debate will be humanely
21 | just, reasonable and acceptable, and serving the mutual
22 | best interests of us all, not just a few of the natives
23 | and the whites who live in the vast and sparsely
24 | inhabited regions of the north.

25 | Since the natives in the
26 | north have made this Inquiry their forum to espouse
27 | their land claims settlement -- land settlement claims
28 | -using the theme that a pipeline should not be built
29 | until their claims are settled, then it seems to me
30 | that there is room to rebut their position. Neither

1 | these One of experts from out of town.

2 | A That's correct, He lived
3 | in Rome and looked out, and the point being that it
4 | would have been very nice if he could have elaborated
5 | on what he thought the ownership rights were, as to
6 | what land; he had no concept of it. Secondly, of
7 | course, it was in the hope that maybe he could have
8 | dealt with the native people as equals. **That/may not
9 | have the; hopefully we can now.

10 | If, however, the rational
11 | native speaks of his land as that modest portion. on
12 | which he has settled as a home, then undoubtedly his
13 | reference to ownership right has great validity and his
14 | ownership therefore should be unquestionably
15 | established. However, if the native speaks of using or
16 | walking on the huge land area of the great Mackenzie
17 | River Valley in the terms of ownership, then he should
18 | instantly recognize that simply walking on the land
19 | does not make it his, and no amount of legal gobbledygook
20 | as Harold Cardinal so well expressed the laws of native
21 | rights to be, will change that fact. Notwithstanding
22 | the fact that the law may do just that, that is
23 | interpret the land use in the aboriginal sense as land
24 | ownership; but that's not to say it's right, and we
25 | should make no mistake about that.

26 | I join with Mr. Wah-Shee in
27 | his condemnation of the shameful leading astray of a
28 | great people's concern for their future by certain
29 | white advisors who profess to be the native Indian's
30 | friend, friendship that will probably end when the

1 | advisory fees are paid. These advisors, I contend have
2 | made and continue to make political and financial hay
3 | out of such an issue as this, and in doing so obscure
4 | the morals established, or natural state of things to
5 | which we might turn our attention for just a moment.

6 | History records that this
7 | country's pioneers, whether they were government
8 | representatives or missionaries, did in fact allude to
9 | lands not covered by treaties as being Indian land and
10 | such lands were often referred to as lands owned by the
11 | natives to be purchased from him, in days of my
12 | observation of the term "ownership" as used by the
13 | earlier Canadians was simply a term that had no
14 | significance in our current commercial and industrial
15 | sense, unfortunate as that may be.

16 | In fact, the reality is that
17 | treaties were signed only as needed to advise the
18 | natives that the lands that he had freely used prior to
19 | the white man's coming were no longer available to them
20 | as they were before, and that such accommodations as
21 | were made in regard to this situation can rightly or
22 | wrongly be argued insofar as their fairness is
23 | concerned and I suggest this issue appears worthy of
24 | further investigation and rationalization. As scholars
25 | have delved into the legality of the native rights
26 | position, they discovered all sorts of anomalies, all
27 | of which were man-made, and clearly demonstrate how
28 | inadequate we often are in dealings with our fellow
29 | man.

30 | An example might be the Rand

1 formula developed from an earlier Royal Commission on
2 union shops which might not necessarily have been right,
3 as when they were first recommended in (inaudible) more
4 right today. They were simply just convenient.

5 I would guess that the Indian
6 or native person, particularly those of the plains, were
7 upset at the white man settling on land where he once
8 freely roamed. I believe they had every right to be
9 upset, as I would have been. I would also note,
10 however, that whereas the government never treated with
11 the Indians for more land than the government needed,
12 wanted or could control, and that the Indian territory
13 was always one step beyond the white man's demand for
14 space which was used for settlement and railroad
15 building. The Indian was not so much upset by the white
16 man's intrusions as he was upset by the inadequacy of
17 the accommodation, the unkept promises either spoken or
18 implied in writing, and perhaps the Riel Rebellion is
19 perhaps an example of a violent protest against such
20 inadequacies.

21 In law, nations agree that the
22 discovery nation had sovereignty and therefore title to
23 the discovered land, Sovereignty was maintained by the
24 sovereign nation's ability to provide protection
25 Sovereignty was protected, gained or lost through wars
26 or sale, and there are a number of examples that can
27 show this up. The treaty per se, in spite of the legal
28 connotations, were simply a device to inform the native
29 in writing that in return for the relative freedoms he
30 lost, he would be protected by the sovereign nation, and

1 I such a trade-off often included payments in money or
2 goods or land. Examples are the Indian Reservations.

3 Our historical record notes
4 that we can call Indian lands, that is untreated
5 lands, as lands owned by Indians, does not necessarily
6 make it so, particularly in view of the fact that
7 native people did not view the land they inhabited as
8 belonging to them in the ownership sense. If this
9 sounds like mumbo-jumbo, let me say it another way.

10 The natives today talk of not
11 only talk of land ownership, but also of natural
12 resources below the ground. There is no way that they
13 can claim ownership to natural resources below ground
14 because they didn't exist in truth. Natural resources
15 only become a resource when they are discovered and
16 have economic or social utility. We know that surface
17 and sub-surface resources exist today is one thing, but
18 that they were not known 100 years ago is another.
19 This is a very important consideration.

20 Therefore ownership is not a
21 viable concept unless there is a document in the
22 western sense to show it that. Saying it does, does
23 not make it so. Not in any Court of law. If one says
24 it and we are to believe it, it can be equally unjust.
25 The sum and substance of these observations over Canada
26 from the moment of discovery had sovereignty over
27 settled land and derived sovereignty over treated
28 lands simply because it chose to protect those lands
29 and its inhabitants, and by treaty indicated to the
30 natives what they received in return.

1 | to sign treaties, but the Indians did want to have
2 | treaties signed, not so much as settling any land
3 | claims, but as a matter of ensuring themselves federal
4 | protection from starvation, marauding miners and
5 | trappers, and inexcuseable trespass on their homestead
6 | land. One should note that our intrusion of the native
7 | habitat was at first mutually acceptable in that our
8 | forebearers, the traders and the voyageurs, etc., came
9 | in peace and were accepted. This was a mutually
10 | acceptable arrangement. There was something in it for
11 | each, both for the native and the European alike, A
12 | shared experience mutually beneficial to each, and no
13 | government welfare was expected or needed. I suspect
14 | that the reason for this was the fact that the Indian's
15 | traditional way of life was not seriously interfered
16 | with at that time, and the treaty arrangement simply
17 | complemented it. That the Indian became more and more
18 | dependent upon the white man was perhaps the real
19 | tragedy from the Indian's point of view, and certainly
20 | from ours, too.

21 |
22 | However, as time went on
23 | white man's impact was more highly visible and without
24 | so much as a "by your leave", the white man simply
25 | moved in and he simply took and used what the
26 | government would allow, and as I understand it, the
27 | government did not make treaty with the northern
28 | natives because treaty was essentially assumed to be a
29 | financial burden without national benefit. That is in
30 | return for giving Indians title for a homestead or
 | whatever, and at that time it wouldn't have been very

1 | much, the government had to be responsible for the
2 | natives' welfare, a position that the central
3 | government in Ottawa didn't feel was justified at that
4 | time, in spite of the pleadings from missionaries and
5 | Territorial agents alike to the contrary. Ottawa's
6 | position was, "Why saddle the nation with the
7 | responsibility if it didn't have to?"

8 | Interestingly, the natives
9 | wanted a treaty and the government didn't, and in my
10 | opinion the government policy was economically
11 | oriented and therefore inhumanely despicable, to say
12 | the least, much to our discredit today, and this is
13 | a wrong that must be righted, and it's very easy to
14 | look back in hindsight at this time from this
15 | perspective.

16 | The native, however, states
17 | that the north is harsh and he needs considerably more
18 | land than his southern cousin does to live on, or than
19 | I do, and although I concede that since his background
20 | is pastoral, compared to my urban background, and that
21 | space and surface land values in the north should not
22 | really be an issue in the human settlement context, I
23 | recognize that certain other accommodations may be
24 | necessary. I therefore suggest that if a section of
25 | land is home to a family unit, then the family
26 | should be granted title to it, as we have title
27 | to the land our southern homes are on. If the
28 | native's lifestyle and conditions for alternate
29 | means of survival require that he maintain control
30 | over the lands and waters where he traps and fishes

1 and hunts, then, such control should perhaps be
2 assured; but certainly not in perpetuity. Whether
3 exclusively or not is a negotiable item it turns on
4 for as long as his lifestyles require it, and so long
5 as the control and use is neither abused nor provides
6 for unreasonable discrimination against his fellow
7 Canadians, no matter where he lives.

8 Again, I reiterate every man
9 is entitled to a home and a plot of ground that can be
10 called his own. He is entitled to have access to the
11 means of survival, hopefully in accordance with his
12 desires. Not all of us, of course, are so fortunate in
13 reaching this goal, not the least of them being our
14 native Canadians.

15 I hope we can provide for
16 them not only the means to alternate lifestyles but
17 also the opportunity to make decisions based on their
18 choices, not ours, But I suggest that publicly accepted
19 regional democratic processes and land use control are
20 the key, not regional, land ownership. Such land
21 access in' the traditional sense would be to establish
22 areas for hunting, fishing and trapping under
23 stewardship tight control of the natives, subject to
24 government native-inspired regulations based on natural
25 laws, to ensure that no part of the environment
26 including the wildlife and fish resources is
27 negligently diminished or inexcusably destroyed for
28 lack of understanding and conservation.

29 I am not opposed to the
30 concept of an Inuit territory or a Mackenzie Valley

1 | territory, for that matter, in which there would be a
2 | Commissioner and a Council truly representing the
3 | majority, and if that majority be native, so be it.
4 | The important thing is that such territorial
5 | constitutions that may be developed for this
6 | accommodation must parallel other similar Canadian
7 | federal or provincial systems and in no way should a
8 | publicly unacceptable advantage enure to the native
9 | Canadian on an individual basis. An accommodation
10 | might have to be made for a few years for such
11 | communities as Inuvik and Yellowknife to be differently
12 | administered until such time as such new
13 | administrations as may be appropriately derived for the
14 | region are functioning as well as the native people and
15 | other northerners could hope for.

16 | I would see it as true that
17 | the real native issue in the north is essentially the
18 | same as ours, and that is ensuring that we have some
19 | control over our joint destinies in the place where we
20 | live. Inasmuch as the provinces have some control
21 | over their natural resources, and therefore regional
22 | control, so too one must believe that these same
23 | control factors must, to a proportionate degree at
24 | least, be available to the people of the north natives
25 | and white alike. What funds and by what means should
26 | be available is a matter for negotiation. The Inuit
27 | proposal of 3% of revenues from the sale of natural
28 | resources seems to be a reasonable starting point,
29 | and in order to prevent abuses, perhaps there
30 | should be a floor and a ceiling that is reviewable

1 every few years and such revenues should accrue to the
2 Territorial People's Government through their Regional
3 Council, not as individual natives or whites, but as
4 citizens in the same context as with the provinces,
5 such that as the people come or go, the revenue
6 remains with the administration for regional, not
7 individual, use. In this way then the native people,
8 consistent with their deigned prerogative to control
9 their destiny, through democratic institutions will be
10 able to meet their needs within the larger framework
11 of a united and integrated Canada having the same
12 responsibilities, rights and privilege as the rest of
13 us, and please note the word "responsibilities", the
14 word too often missing from the native claims
15 dialogue.

16 We Southern Canadians have
17 no special rights to the use of natural resources of
18 the north any more than from any other province, and
19 only in the sense that the natural resources are
20 exploited and transported out of an area with
21 beneficial returns to the people of the area of
22 origin, and to the nation as a whole, through the
23 various levels of responsible government is the right
24 to resources defensible.

25 I submit that the land
26 ownership claims on the grand scale submitted by the
27 native groups of the north is grossly unrealistic,
28 position perpetrated on the native people by some
29 self-serving advisors, It is tragic and disquieting
30 that the consequences of which should the native

1 | people's claims be believed, countenanced or in
2 | actuality written into binding legal treaties or
3 | agreements, shall surely haunt us all the days of our
4 | lives. In my opinion, the native people have an
5 | indisputable grievance, and ,I would hope that every
6 | treaty ever made or not made, implied but not
7 | exercised, should be reviewed, and that the proper
8 | type of accommodation be made in the light of 20th
9 | century wisdom and man's believe in man's humanity to
10 | man. It would be in this context that I see a
11 | meaningful settlement that could possibly be fulfilled
12 | and this would not necessarily require that the land
13 | settlement claims precede the routing of the pipeline
14 | which, if it is to be in the general public's
15 | interest, will be built in spite of anything to the
16 | contrary. Land claims should not be a deterrent to
17 | this decision, and the native concern that we don't
18 | need the pipeline may be valid but certainly has no
19 | place in the land claims debate. The pipeline issue
20 | is in the same context as the Toronto-Spadina Freeway,
21 | and the people of the Spadina Freeway -- and for the
22 | people of the Spadina Freeway, the freeway was
23 | essentially proposed to serve. It was they who were
24 | to be served that made the decision not to have the
25 | freeway built.

26 | The pipeline issue should be
27 | settled by the people it is destined to serve, provided
28 | it has dealt with the proper safeguards for all
29 | concerned. In summation, sir, then in my mind there
30 | is no question there is a land ownership entitlement

1 issue to be settled with northern native peoples, and I
2 hope we can get on with the job as quickly as possible.
3 Let it also be understood, sir, that the native
4 peoples, treated or untreated, never really owned
5 land prior to any treaty representation. It was a term
6 originally applied to the early North American
7 situation and hopefully we can begin to understand what
8 lands they do in fact own.

9 The native request for total
10 control over his destiny, whether it be cultural or
11 economic, is a valid one, in my estimation, and
12 hopefully too this can in fact be corrected and taken
13 care of. The time for negotiation is now, and further
14 rhetoric is probably pointless.

15 Finally, sir, the conflict
16 between the native land claims issue and the northern
17 development visions, the latter is currently being
18 crystallized in the proposed Mackenzie Valley Pipeline
19 should and can be resolved whether the pipeline
20 construction gets under way first or not. I say this
21 having regard and respect for the native fears who says
22 "We cannot trust the white man." I say that whether or
23 not the pipeline is built before or after the land
24 claims are settled, his fears will not diminish.
25 Therefore there is in fact no advantage to the native
26 one way or the other.

27 I maintain that the native in
28 the light of 20th century sophistication will get the
29 best deal he is entitled to, with or without
30 development, and for the native to maintain that this

1 | would not be so is an illusion. I suggest that if we
2 | propose to take advantage of the native, we will do it
3 | one way or another in the negotiations for the land
4 | settlement or following in terms of northern
5 | development.

6 | I further suggest that we
7 | will not take advantage of the native, I believe that
8 | whatever the settlement will turn out to be, it will be
9 | more than most rational Canadians citizens believe that
10 | they are entitled to; but I will not quibble if the
11 | gains are modest, and the dignity of man, northerner
12 | and southerner alike, is assured and preserved insofar
13 | as humanly possible. At the same time, the agreement
14 | that will finally accrue will undoubtedly not be
15 | satisfactory to all natives simply because their ideas
16 | of entitlement, consistent with their preconceived
17 | notion, will not be met entirely. That is life and we
18 | cannot go on and on blaming someone or something else
19 | for past wrongs.

20 | The need will be, once the
21 | agreement is consummated, to bend every effort to make
22 | it work, and it has been said before (and I should
23 | repeat it again) that this nation -- what this nation
24 | desperately needs unfortunately, because we can't cope
25 | without policy, is a native people's policy designed
26 | to ensure and preserve the dignity of man, an energy
27 | and northern policy to serve the nation, a human
28 | settlement policy designed to serve humanity, and
29 | perhaps then one can have some assurance that the
30 | decision-making process of these related

1 | issues will be as credible as can be expected under our
2 | democratic system, troubled as it is.

3 | So let's get on with the
4 | process before we run out of support systems whether
5 | they be social, financial, or resource-based.

6 | Thank you very much, Mr.
7 | Commissioner.

8 | (APPLAUSE)

9 | (SUBMISSION BY E.E. CUDBY MARKED EXHIBIT C-312)

10 | (WITNESS ASIDE)

11 | MR. WADDELL: Mr.

12 | Commissioner, our next brief is from Mr. Terry Lusty,
13 | that's L-U-S-T-Y, and he's with the Metis Historical
14 | Society. Mr. Lusty?

15 | TERRY LUSTY sworn:

16 | THE WITNESS: Mr. Justice
17 | Berger, will you forgive my hat if I wear it?

18 | THE COMMISSIONER: Well, I
19 | hadn't even noticed it.

20 | THE WITNESS: Thank you. I
21 | feel comfortable this way and I think you can
22 | understand yourself, having been in the north and
23 | amongst the people up there.

24 | I thank the Commission for
25 | this opportunity and special allowance to get up here.
26 | I have to leave for Edmonton shortly, but I would like
27 | to express my sincere gratitude for the opportunity to
28 | present this brief as a concerned native southerner who
29 | has tremendous love, respect and concern for nature,
30 | human life, and the impact that development would have

1 | if forced upon my brothers and sisters in the north
2 | country. I am Metis by birth, of which I am proud, and
3 | shall be so until such time as there is no tomorrow.
4 | For the past dozen years I have been intensely involved
5 | with many native organizations, am currently president
6 | of the Metis Historical Society, and come from not only
7 | an urban background but also a rural one. I have lived
8 | on both sides of the fence. I've been on colonies, I
9 | lived six years on the outskirts of Calgary here on the
10 | Sarcee Reserve, I've travelled widely in Canada amongst
11 | many of the Metis and Indian communities, as well as
12 | having been in the Territories. I would like to point
13 | out that in this brief I have taken the liberty to use
14 | the term "we" in place of "I" for I know that many
15 | natives feel and think as I do, with regards to the
16 | following statements.

17 | For many decades the dominant
18 | society of Canada has dictated what they deem to be a
19 | proper way of life. This has been arbitrarily inflicted
20 | with little, if any, respect and concern for native
21 | values and customs. White society, government, and big
22 | business all have been an imposition, of course, and
23 | adversive elements, values and societal structure
24 | whereby their ways are right while those of the native
25 | are held to be inferior, primitive and antiquated.
26 | This, of course, is from a non-native perspective. This
27 | attitude in terms of denial of one's individual right to
28 | live as they wish to without interference from outside
29 | influence, I think it unnecessary to further elaborate
30 | that native people have not been adequately accorded

1 equality in the decision-making processes in the north,
2 which directly and indirectly affect their daily and
3 future lives, culture, subsistence patterns and
4 technology. It is beneath the dignity of the native
5 people to be asked to forsake that way of life which has
6 been cherished for so many centuries, centuries long
7 before the white man came to this land, and before they
8 even knew of the existence of native people We are a
9 people whose ancestors backdate since time immemorial in
10 this country and are desirous that our presence be
11 rightfully acknowledged and respected.

12 When the white man came to
13 this country, my native ancestors welcomed them,
14 intermarried with them, had children by them, and
15 succumbed to their governmentation. We have asked
16 little in return. We have been socially and
17 politically submissive. However, such a situation
18 cannot perpetrate itself infinitely. Just how long are
19 we expected to pursue an atmosphere of tolerance? We
20 asked not for those burdens which were thrust upon us.
21 We asked not for your language, your religion, your
22 liquor, or your vices. When treaties were effected our
23 forefathers knew' not the consequences. However, the
24 same is not totally true today. Native people know
25 what is going on in the here and now. We are not as
26 readily susceptible to deception, to empty words, to
27 ambiguous promises some which were verbally promised
28 but never recorded, especially in the treaties. But
29 those times are now past. We are more intellectually
30 equal and familiar with institutional games and are

1 cognizant that we are still the first citizens of this
2 land. As such, we expect to be treated accordingly, in
3 fair and just terms.

4 We are not questioning the
5 cessation but rather the postponement of development in
6 the north. Our very lives are at stake, as are those
7 of all future generations. In light of this
8 development must be a careful and a cautious step also
9 not just for ourselves butt for our children unborn.
10 We ask to be participatory in controlling and deciding
11 to a much greater degree our destiny. What has become
12 of those Puritan ethics? Where are the humanitarians
13 who would first see the issue of aboriginal rights
14 honored, respected and fairly dealt with? Where lies
15 the true conscience of Canada? Money and technology,
16 they can never rebuild, they can never replace nor
17 compensate for that irreparable damage which native
18 people and the land would realize from development. It
19 would be devastating for development to occur overnight
20 when it is instituted and it must not happen before
21 settlement of aboriginal claims. If such were to
22 transpire, native people of the north country would
23 very likely never know a fair and just settlement.

24 It is the native person who
25 sees what is happening to his brothers, his sisters,
26 and his land. It is not the white southerner or the
27 Ottawa bureaucrat. It is the native who is aware of
28 nature's scheme of things and the purpose of life. We
29 know that we must live in harmony with nature and not
30 upset its delicate balance. We also know that man's

1 | quest for resources from our great Mother Earth run
2 | contrary to the maintenance of this harmony of life.
3 | It is understood that the land is for the use, not
4 | abuse, and benefit of all mankind. This privilege must
5 | be respected and looked upon not in terms of dollars
6 | and cents, but with a view to the future of the land,
7 | the plants, the animals, and the native people who must
8 | live with it and benefit from it on a day to day basis.
9 | Development of the land must not be too swift, if it is
10 | to be preserved for future use. To destroy it is to
11 | not only destroy native life, but also non-native, for
12 | they too are reliant upon plants and animals. I refer
13 | not only to present and near future, but also to the
14 | distant future. The long-range impact which could
15 | disrupt nature's scheme of things and which, if abused,
16 | will see man destroy himself.

17 | We must respect the work of
18 | the Creator. We must not pollute the soils or the
19 | which sustain plant and animal life upon which we in
20 | turn must subsist. We must not poison the air that not
21 | only people must breathe, but which plants and animals
22 | must also absorb. We must not tear up Mother Earth nor
23 | destroy her vegetation. These gifts of Manitou we
24 | respect and do not defile for we are the guardians
25 | of these invaluable gifts as were our forefathers
26 | before us. These gifts of the Great Spirit must be
27 | respected by all humans if they are to share in the
28 | bounties and life-giving richness of nature. We have
29 | always allowed for a sharing of the land. We have
30 | always acknowledged the right of other men to maintain

1 They must also heed the repetitions of history and those
2 lessons which history displays. As but one of many
3 examples, let us look briefly at the case history of the
4 Metis in Canada, who in 1816 reacted to nonnative
5 oppression at the Battle of Seven oaks in which the Metis
6 leader, Cuthbert Grant, defeated the aggravative Governor
7 Semple and his Selkirk settlers. Look also at the Red
8 River situation of 1869 to '70, in which Riel's
9 Provisional Government took and held Fort Garry to bring
10 to the attention of the Canadian Government land concerns
11 of the Metis; and again in 1885 when Riel. and Gabriel
12 Dumont participated in the Northwest Rebellion at
13 Batoche, Saskatchewan after 12 years of petitions,
14 numerous petitions, which government went on to ignore.
15 is this what history will repeat again? Do other
16 Canadians want to coerce and corner the native populace
17 to a point where once again they will see no recourse
18 other than violence? Is it to be war again? I hope not,
19 but it is up to you, it is up to Canada which direction
20 history is to take. When will society learn that
21 colonialism, suppression rid impositions cannot but
22 facilitate and trigger malcontent and ultimate violence?
23 How catastrophic could imposed development of the north
24 become? These questions I leave with you to ponder, Mr.
25 Justice Berger, and to all other Canadians, and even
26 Americans, especially those who have their fingers in the
27 "oil pie".

28 Mr. Justice Berger, I should
29 like to wrap up by emphasizing seven points:
30 1. As the native people are the true aboriginal

1 | people of Canada, and the Northwest Territories,
2 | development of the north should not proceed until such
3 | time as settlement of native claims are finalized in a
4 | fair and equitable manner.

5 | 2. Business and industry should exhibit greater
6 | respect for Mother Earth and all of her children,
7 | whether plant, animal, or human.

8 | 3. If Canadians are to derive any continuous
9 | livelihood from Mother Earth, consideration and
10 | conservation of a balanced ecology must be maintained.

11 | 4. It is imperative that this Inquiry and its
12 | resultant findings and recommendations not be shelved
13 | in the government's File 13, and ignored as was the
14 | Hawthorn Report of 1967 and 1968. An example of this
15 | is Dr. Joan Ryan from the University of Calgary, whom
16 | we heard speak yesterday. She worked for four years on
17 | the Hawthorn Report, and now today, en years later, not
18 | one single recommendation has been implemented to
19 | accommodate the changes which were predicted and are
20 | now occurring, such as the intense migration of native
21 | people the city.

22 | 5. The time is long overdue for Canada to think in
23 | terms of human and natural life forms as having
24 | priority over and above the pursuit of "finer frills"
25 | which this capitalist society incessantly seeks.

26 | 6. One cannot and must not overlook the possibility as
27 | documented in past history of violence as a last resort
28 | to unwelcomed development and governmental neglect of a
29 | grave situation.

30 | 7. I have personal doubts and seriously question

1 | whether there is a real and pressing need to tap
2 | resources of native lands anywhere which calls for big
3 | business aggressiveness.

4 | As a final note, I would like
5 | to thank this Commission for hearing me out, and I am
6 | grateful to have shared these words with you. True, I
7 | am not a Dene, nor am I an Inuit, or a status Indian
8 | for that matter. But I am a native person by birth who
9 | can readily share and whose heart is with the northern
10 | native people in their pursuit of happiness,
11 | spiritualness and retention of a meaningful culture. I
12 | trust and commend what appears to me to be a sincere,
13 | competent and studious Mr. Justice Berger and
14 | Commission. Where my only anxieties really lie is on
15 | that skepticism I feel, doubts I must wrestle with when
16 | I know of past failings of the bureaucratic structure,
17 | the "monster machine".

18 | I hope that at least in this
19 | instance my apprehension is unfounded. However, if the
20 | dragon is to try to devour my people, I have yet the
21 | strength to wield high my sword, if need be; and
22 | believe me, I would not stand alone for I am but one of
23 | many who have little else left to lose if stripped and
24 | raped of final remains.

25 | In conclusion, if Canada has
26 | ever had the golden opportunity to exhibit its notion
27 | of fairness and justice, now is that time. Let her
28 | heed the words of the natives of the north. Let her
29 | show other countries that Canada, among all world
30 | nations, can live compatibly alongside its native

1 | population.

2 | I thank you.

3 | (APPLAUSE)

4 | (SUBMISSION OF T. LUSTY MARKED EXHIBIT C-313)

5 | (WITNESS ASIDE)

6 | MR. WADDELL: Mr.

7 | Commissioner, is Steve Tyler here? Mr. Commissioner, I
8 | would call upon Steve Tyler and Deanna Greyeyes to give
9 | the next brief.

10 | STEPHEN TYLER and

11 | MISS DEANNA GREYEYES, sworn:

12 | WITNESS TYLER: Mr.

13 | Commissioner, this brief has been prepared by Calgary
14 | members of the Southern Support Group for Native Land
15 | Claims. For your information, this body is a loosely
16 | organized group of citizens whose interest in the
17 | pipeline project centres primarily on its effect on the
18 | indigenous people, of. the north, the Dene and the
19 | Inuit.

20 | We recognize that there are
21 | many serious environmental and economic questions
22 | associated with the proposed pipeline, but wish to
23 | concentrate our attention on the point of the native
24 | people and how we all as southerners are involved in
25 | this issue. Our fundamental position is that the
26 | native people of Northern Canada should have the
27 | opportunity to resolve land claims satisfactorily
28 | before the Mackenzie Valley Pipeline project can
29 | proceed. We believe that if the pipeline proceeds
30 | before land claims are settled, the associated

1 development and growth would take place entirely
2 independently of any real control, planning and
3 involvement by native people, and would destroy those
4 very institutions and values which they want to
5 preserve through their land claims. We must emphasize
6 here that we do not speak for the native people of the
7 north, they are their own spokesmen and we think it's
8 very important that they get full recognition,
9 attention and respect from all other Canadians.

10 We are very pleased and
11 grateful to be able to address the Mackenzie Valley
12 Pipeline Inquiry in Southern Canada because we want to
13 point out that the pipeline is not a northern project
14 but a southern one. It has been created by Southern
15 Canadians for Americans j multinational industry, and
16 government. It has been created to meet Southern
17 Canadian and American needs -- and I say "needs" in
18 quote, as these are seen by multinational industry and
19 government.

20 The problems which have been
21 highlighted by much debate in recent months are focused
22 on the north where pipeline construction would take
23 place; but the problems in Southern Canada are the ones
24 which gave rise to the pipeline proposal and encouraged
25 its development in the first place. These problems
26 include wasteful energy consumption patterns, over-
27 zealous resource exploitation for the sake of short-
28 term economic gain, short-sighted planning in
29 government and industry, and a federal policy vacuum
30 for rational utilization of all Canada's energy

1 damage it may cause in the north. Even setting aside
2 the debatable moral and ethical premise that this
3 argument is based on, there is question that the
4 pipeline is needed for the benefit of Southern
5 Canadians. So far, finds of gas in the Mackenzie Delta
6 area have been only marginal compared with reserves in
7 Alberta. By undertaking a program of increased
8 deliverability and reducing export commitments, which
9 currently accounts for one-third Canadian gas
10 production, gas could be made available from existing
11 fields at higher rates.

12 Government agencies also
13 report that renewable energy sources have shown
14 considerable potential in meeting many household energy
15 needs, and strict conservation measures can reduce all
16 energy consumption very substantially. There is thus
17 conflicting evidence at best that the pipeline is
18 immediately or ultimately necessary as the best option
19 for supplying Southern Canadian needs for energy. We
20 think it is time to ask some very direct and pointed
21 questions about irresponsible consumption, and
22 irresponsible management of Canada's energy resources.
23 The answers to these questions are not found in the
24 form of the Mackenzie Valley Pipeline.

25 The moral and ethical question
26 posed by the whole atmosphere of development in Northern
27 Canada bears serious consideration by all of us
28 southerners. In general terms, we must ask ourselves
29 bluntly if we really have the right to maintain and
30 expand a wasteful and extravagant lifestyle at the

1 | expense of the world's underprivileged peoples and the
2 | planet's biological systems We must ask if it is ethical
3 | to take the land and life of Canada's northern native
4 | people from them, their values, their concern for the
5 | land for their children and' for each other should serve
6 | as alternatives and examples for the rest of Canada.
7 | They should not be extinguished by a powerful but
8 | narrow-minded pressure from the south. We must listen
9 | to what they are saying to us. It is to the credit of
10 | this Inquiry that the native people have been listened
11 | to for virtually the first time.

12 | But there is a need for real
13 | political power for the native people to allow their
14 | aspirations to gain fruition.

15 | At present the native
16 | peoples, although a majority in the Northwest
17 | Territories, have no real control over what happens
18 | to their lives and their livelihood. Their
19 | priorities and decisionmaking procedures are ill-
20 | served by a Parliamentary system and bureaucracy
21 | which is virtually incomprehensible even to most non-
22 | natives brought up in a culture and language which
23 | gave rise to the system in the first place.

24 | The minister of Indian Affairs
25 | has claimed that there will be substantial benefits to
26 | southern Canadians who need the gas from the Mackenzie
27 | Delta. He has said that native people should be willing
28 | to part with some of the land and resources of the north
29 | for the greater public good. His southern analogy was
30 | with the expropriation of 20 feet on your privately

1 | owned lot if your community wants to build a road; but
2 | if we could express this analogy in terms of what the
3 | native people are saying rather than what the Department
4 | is saying, we think it might be more appropriately
5 | illustrated by the expropriation of your entire lot,
6 | house, yard and garden, and its replacement by a high-
7 | rise apartment block and concrete parking lot. Instead
8 | of compensation for expropriated land, you are offered a
9 | small apartment with a balcony overlooking the parking
10 | lot. This is what the native people of the north
11 | have been offered so far -- a place, albeit a
12 | secondary place -- in the rape of their land and
13 | life by southern interests that are completely foreign
14 | to their own.

15 | WITNESS GREY EYES: I'd like
16 | to just speak a few words on colonialism and
17 | paternalism, and Mr. Berger, if you'll forgive my
18 | initial nervousness, the last time I spoke to a judge
19 | was under considerably different circumstances.

20 | For too long the bureaucrats,
21 | technocrats, and industrialists of the south have
22 | decided at arm's length what is best for the north and
23 | its people. The colonial mentality involved in making
24 | decisions in the south about the resources of the
25 | north, without regard to the wishes of the majority of
26 | the people in the north, has led to the confrontation
27 | we now see. The policies of the Federal Department of
28 | Indian Affairs & Northern Development have alienated
29 | people with paternalism, destroyed self-worth and
30 | initiative and helped to create high rates of suicide,

1 | alcoholism and family breakdowns. The very nature of
2 | the ministry presents a dichotomy of somehow promoting
3 | northern development while in theory at least acting as
4 | the guardian of native people, whose interests are
5 | being threatened by that same development. This
6 | ridiculous situation places the ministry in the
7 | manipulative role as an adversary to its own reluctant
8 | legal wards. It is as if I went into Court as the
9 | accused and had to face a man who in turn is the
10 | policemen who arrested me, my defence attorney, the
11 | prosecutor, and the judge who will hear my case.

12 | Who then is working for my
13 | interests? And how is justice possible? Paradoxically
14 | the Minister of Indian Affairs' political constituency
15 | has always been white, southern, and strongly influence
16 | l by powerful development interests. The result has
17 | been that natives have been shunted aside in favor of
18 | those interests by people who are supposed to be the
19 | legal guardians of their rights.

20 | The Mackenzie Valley Pipeline
21 | or any other major development undertaken without the
22 | control and direct involvement of native people
23 | throughout all phases of planning and operations (an
24 | only serve to entrench and support such southern
25 | colonialism at the expense of the natives.

26 | We have seen the pattern
27 | before, and we can see it happening again. The weak
28 | and powerless, the poor and the uneducated are
29 | generally disregarded in development projects here in
30 | the south. Government and industry have worked hand in

1 hand in an effort to further their own narrow interests
2 of public interest without -excuse me, I'll start that
3 again. Government and industry have worked hand in
4 hand in an effort to further their own narrow ideas of
5 public interest without consulting the public whose
6 interests they claim to serve. Historical precedents
7 can be drawn from annals of the early development of
8 the prairies, as documented by James Grey. Increasing
9 gambling, alcohol abuse, and prostitution in Alaska
10 followed the exploitive pattern Grey has outlined.

11 Recently massive projects
12 along James Bay and on the Churchill River in Manitoba
13 were planned and started before local residents were
14 even notified. In Alberta we have the example of the
15 Syncrude project, where the natives living in the area
16 have not been included in the employment plan for
17 Sycrude. As in the words of one Northern Alberta
18 native, "Why should we take jobs only as laborers?"

19 Syncrude has been operating
20 in Fort McMurray for years but why aren't they running
21 programs to train native workers? There is no
22 compensation and people cannot participate in decisions
23 which affect their survival. The great fear, as with
24 the Dene and the Inuit, is that industry and white
25 people will move in and they will be pushed aside and
26 left behind.

27 The natives in the south,
28 where they are in the minority, are forgotten peoples
29 who are not considered in the plans for industrial growth
30 and development. The influx of native people to the

1 cities was predicted ten years ago by the Hawthorn
2 Report, but was not acted upon by the Department of
3 Indian Affairs. There was no preparation or planning
4 made by the Department for this urban movement, and
5 consequently there has been further degradation and loss
6 of work suffered by the native people in our cities.

7 As an example, in 1913 a
8 group of Indians in Calgary were determined to help
9 their people to cope in the city, and the Calgary Urban
10 Treaty Indian Alliance was formed under provincial
11 charter. The Treaty Indian Alliance had their own
12 counsellors so that experienced natives were helping
13 inexperienced natives to orient themselves to city
14 life. From the Indian's standpoint, the project was
15 completely successful, with excellent liaison occurring
16 between social service personnel of Indian Affairs and
17 the Treaty Indian Alliance. However, the Department
18 decided to discontinue funding so that this worthwhile
19 supportive and co-operative program has been lost.

20 This is an example of a program
21 conceived and implemented by Indians, and of benefit and
22 value to them, but was considered by administrators to be
23 of little value. Surely if this paternalistic attitude
24 by the Department still persists in the south, there is
25 little chance of a better attitude developing in Indian
26 Affairs for programs to alleviate the upheaval the
27 pipeline will cause in the north.

28 The type of colonialism and
29 paternalism in relation to Canada's Indians is long
30 past. We must make a public search for alternate

1 policies for northern development, and the first step
2 is the achievement of a just land settlement with the
3 northern people, both Dene and Inuit, including
4 hunting, fishing, and trapping rights, as well as fair
5 royalties in return for extraction of valuable
6 resources from their lands. This must begin with
7 effective control over their own future, regional and
8 economic development.

9
10 We have given some of the
11 reasons for our support of the land claims of the
12 northern native people, and some of the questions we
13 have in regard to the pipeline. Without political
14 self-determination and control of their land, who uses
15 it, how and when, these people will be swallowed up
16 with their resources by a greedy and thoughtless
17 southern community consumer society. That is why it is
18 essential that land claims of both Dene and Inuit reach
19 a fair and just settlement before there is any further
20 exploitation of northern resources. The principles of
21 human justice and individual equality upon which this
22 country is based may thus be served to the ultimate
23 benefit of all citizens.

24
25 As a native of Southern
26 Canada I want to express my fears that the hardships,
27 deceit and injustices we in the south suffered in our
28 dealings with the Canadian Government will be allowed
29 to occur again in the north with the Dene. In the
30 300 years since the first white man set foot on
Canadian soil, the native people have been subjected
to the deceit of government and the abuse of

1 | industry. Evidence of this can be found by
2 | travelling through any reserve in Canada. If the
3 | conditions visible on the reserves are any indication
4 | of the Canadian Government's concept of just
5 | treatment of native people, the Dene of the north
6 | have reason to fear the white man's justice.

7 | Here in the south promises
8 | of fair treatment were repeatedly broken in the better
9 | interests of an expanding country. The fight of
10 | native people today in the south is to get the
11 | government to honor its long-standing treaty of
12 | promises, and indicate the good faith on which the
13 | government entered these agreements. If the
14 | government had as much good faith as they said they
15 | did at the signing of the treaties, there would not be
16 | a struggle today to get them to honor these treaties
17 | because they would realize that all that we ask is
18 | just what was promised to us.

19 | The Dene, upon looking at
20 | their southern brothers' experience, have reason to
21 | doubt government promises. Development here in the
22 | south has benefited only big business, certainly not
23 | the natives. Development to native people in the south
24 | has meant exploitation, extinguishment of aboriginal
25 | title, degradation, social isolation, and ultimately
26 | ostracization. Development in the better interests of
27 | Canada has meant that we have been stripped of our
28 | pride, dignity and selfworth. Development has meant
29 | that if your people are starving, the government will
30 | not assist you unless you have land, gold, oil or furs

1 | to give up in trade. Development has meant that once
2 | you have given up everything, the government is no
3 | longer interested in keeping the promises it made.
4 | Government, in concert with-industry, or progress as
5 | some call it, will merely give you a smaller piece of
6 | land to starve and die on. "Out of sight, out of
7 | mind," as the expression goes.

8 | This is what 300 years of
9 | Canadian Government development and progress have meant
10 | to the native people in the south. Must our brothers,
11 | the Dene, suffer for the next 300 years? And they will
12 | suffer unless their request for land is respected
13 | before development goes ahead.

14 | I thank you.

15 | THE COMMISSIONER: Thank you
16 | very much, and thank you, Mr. Tyler.

17 | (APPLAUSE)

18 | (SUBMISSION BY S. TYLER AND D. GREY EYES MARKED
19 | EXHIBIT C-314)

20 | (WITNESSES ASIDE)

21 | MR. WADDELL: Mr. Commissioner
22 | Mr. Carl Nickle , who is the president of ConVenture
23 | Limited, and is on our list for this morning, has kindly
24 | agreed to be the first speaker this afternoon.

25 | I apologize to Mr. Dixon
26 | Thompson and Mr. Alan Carter, are both scheduled for
27 | this afternoon, and who asked me if I could get them in
28 | this morning. I'm unable to do that and I can tell
29 | them that we still want to hear from them this
30 | afternoon, if that's possible, for them. If not, we

1 | can take their written brief and file it in the record.

2 | This afternoon, as well as
3 | hearing from those two people and from Mr. Nickle, we
4 | hope to hear from the Canadian University Service
5 | Overseas, from Arnav Marine, from the Blackfoot
6 | Reserve, numerous native people representing the
7 | Calgary Urban Treaty, the Calgary Urban Treaty Indian
8 | Alliance, the American Indian Movement of Canada, and
9 | soon. We hope to hear a couple of additional briefs as
10 | well, Mr. Commissioner, but that's all for this
11 | morning, and before asking Mr. Ryder whether anybody
12 | wants to -any participants wish to comment, if any
13 | people are interested we'll make an attempt to show a
14 | film on the Inquiry at approximately 1:30.

15 | THE COMMISSIONER: Well, I
16 | promised Mr. Grandy and his students that the film
17 | would be shown at 1:30, so it had better be shown.

18 | Right, Mr. Ryder?

19 | MR. RYDER: Dr. Pimlott has
20 | some remarks but because of the hour he's agreed kindly
21 | to let us have our lunch now and he'll make them later
22 | on in the day.

23 | THE COMMISSIONER: O.K. Well,
24 | we'll adjourn, the film at 1:30, and we'll return here
25 | to two for further representations.

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

27 |
28 |
29 |
30 |

1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

2 THE COMMISSIONER: Well
3 ladies and gentlemen, I'll call our meeting to order
4 this afternoon and welcome those of you who have not
5 been with us until now.

6 We have heard a great many
7 representations here in Calgary already. We began
8 yesterday afternoon, continued yesterday evening and
9 carried on again this morning. We'll hear as many
10 briefs as we can this afternoon and then I'm afraid we
11 will have adjourn so that we can turn this room over to
12 a local rock group and so that we ourselves can on to
13 Edmonton where we will be holding hearings commencing
14 on Monday a two o'clock in the afternoon.

15 I just want to say that you
16 will understand that when we scheduled the number of
17 days we were to spend in each city in this southern
18 tour, we did so on the basis of the response that we
19 had gotten to that point -- the number of briefs that
20 had been sent in and so forth and we find now that we
21 are getting an avalanche of requests to appear at these
22 hearings and I simply ask those of you that we will not
23 be able to reach to file your briefs with Miss
24 Hutchinson, the secretary of the Inquiry and if you
25 have anything further to add, just send a letter to me
26 in Yellowknife. That'll reach me if you simply send it
27 to me at Yellowknife and I promise you that the view
28 you express in writing will be examined. I will be
29 reading all of these briefs myself and so those of you
30 that we do not get a chance to hear today, I want you

1 know that the representations you make will not go
2 unconsidered.

3 So, I think you all know what
4 the pipeline Inquiry is about and I will not bore you
5 with a repetition of my opening remarks. We'll save
6 those for Edmonton on Monday afternoon and we'll ask
7 Mr. Waddell simply to let us know who is going to lead
8 off now.

9 MR. WADDELL: Yes, Mr.
10 Commissioner. I should say I don't know if you knew
11 that we were followed by Count Bassey in Vancouver.
12 Maybe the Count's following us around.

13 I would ask that we hear,
14 from a short brief first before we get to Mr. Nickle.
15 I did say we'd hear from Mr. Nickle but there is one
16 short brief and I would call Mr. Alan Carter who is
17 spokesperson for the Committee for the Responsibility
18 in Science. Mr. Carter?

19 ALAN CARTER sworn.;

20 THE WITNESS: Mr.

21 Commissioner, ladies and gentlemen, entrepreneurs and
22 those who identify with entrepreneurs, particularly
23 bureaucrats and government and some people in
24 universities and particularly bureaucrats, those
25 faceless men or some them **o4/who are faceless men who
26 for American dollars sell their country to the highest
27 bidder. I'll try to be brief. I don't have much time,
28 I have to make up the time today I took off my
29 temporary job and work tomorrow.

30 I want to thank you very much

1 | for giving us this opportunity to present our views. I
2 | should say I'm a spokesperson for the Committee for
3 | Responsibility in Science, a local group which includes
4 | people from Edmonton as well as Calgary but we're not a
5 | bunch of academics in that sense. There people with
6 | permanent jobs in universities but some of us
7 | unemployed Ph.D.'s, or underemployed Ph.D.'s and
8 | Masters and others as well as non-academic staff and
9 | people in the outside community and we have particular
10 | priorities and I suppose particular biases because of
11 | the job situation. We often can't get work in industry
12 | and particularly work in government because the
13 | government apparently is not very concerned about
14 | social and environmental things so they don't take on
15 | biologists with Ph.D's or without Ph.D.'s, not to any
16 | great extent anyway.

17 | THE COMMISSIONER: Maybe we
18 | could come to the brief sir.

19 | A We strongly oppose the
20 | Mackenzie Valley Pipeline project or any other
21 | development project, for instance, drilling in the
22 | Beaufort Sea which would precede settlement of native
23 | land claims. We most strongly support the Inuit and
24 | Dene claims based on aboriginal rights.

25 | As members of a southern
26 | support group our support is founded not only on
27 | feelings of concern and solidarity for the Inuit, India
28 | and Metis of the north and south in their fight for
29 | self-determination and cultural survival, but are also
30 | on our experiences of the biases of Federal and certain

1 Provincial Governments and entrepreneurs through rapid
2 development regardless of social and environmental
3 consequences.

4 Various members of our
5 committee have been involved in struggles in the past
6 against the proposed Village Lake Louise project, the
7 (inaudible) and the Federal Government Green Paper on
8 Immigration and Population. I won't go into the detail
9 of our own experiences that are presented in the
10 written brief which will be handed to the commission
11 but I would like to summarize our feelings about
12 priorities and biases of governments in relation to
13 development and also in relation to colonization.

14 Now members of our committee
15 were also involved in opposition to the Federal
16 Government immigration policy. The racist nature of
17 passing *() and indeed Canadian Immigration policy is
18 described in detail elsewhere in the references in the
19 written brief and I won't go into this now but we do
20 believe that there is a link between the nature and
21 purposes of past and present immigration policy on one
22 hand the exploitation by colonial governments and
23 entrepreneurs of native peoples and their surroundings
24 in the past the treatments of Indian, Metis and Inuit
25 peoples in the latter day of the twentieth century on
26 the other hand.

27 The colonization of this part
28 of North American now known as Canada was effected by
29 British colonial governments through the fur trading
30 companies, the railway and mining companies and

1 colonial government in Canada. For the expansion of
2 capital, it was necessary for this transportation
3 system to be built up. Now until recently, Canadian
4 Government officials and big entrepreneurs, the latter
5 as most people I think know, initially were
6 predominately British and now mainly American and big
7 businessmen, were content to leave and certain areas in
8 the south to natives and white traders and merchants
9 but today predatory forces are looking to the non-
10 renewable resources of the north and are determined to
11 extract those such as oil and gas regardless of what
12 natives, officials of DINA, may say. Now the, the
13 Department of Indian and Northern Affairs may claim
14 that they're willing to negotiate with the Inuit, Metis
15 and Indian there but unfortunately the treatment of
16 native peoples in the past does not indicate that the
17 Federal Government has acted or will act in good faith.

18 It may ask for input but as
19 often as not it proceeds a predetermined course, that
20 is of cooperation with entrepreneurs and exploitation
21 and development in the north.

22 Thus we think the issues
23 involved in northern development go beyond economic
24 concerns and go beyond protection of the environment
25 which are surely important but fundamental political and
26 ethical principles are involved. Colonization is
27 involved. At the very least we feel Federal and
28 Provincial Governments must be persuaded to disassociate
29 entirely from corporations such as Cominco, a subsidiary
30 of Canadian Pacific; Dome Petroleum, which is shortly

1 going to drill in the Beaufort Sea area, Imperial Oil of
2 Exxon and Brascan to name but a few of the major forces
3 of predation operating in the north and elsewhere in
4 Canada.

5 Several of these companies
6 are also involved, we note in exploitation of resources
7 and the people of Third World countries. Instead of
8 working along side such companies as the Federal
9 Government is doing in the PanArctic Oils Consortium
10 where it has a 45% share, the government should boot
11 these people and boot these corporations out of the
12 north and give the natives a chance to determine their
13 own futures, the alternative involves forcing natives
14 into towns and cities or onto reservations where they
15 be kept economically and politically dependant on the
16 native ruling circle. This practice we feel is
17 analogous and indeed amologous to the (inaudible) of
18 Southern African.

19 Lastly, we would like to
20 recall the words of the Prime Minister of Canada when
21 he recently visited Cuba when he said there, we believe
22 that the natives are asking for their land back and
23 some day we may give it to them. I don't think the
24 Government of Canada is going to give the land back
25 willingly to the native people

26 Thank you.

27 THE COMMISSIONER: Thank you
28 sir.

29 (THE SUBMISSION OF THE COMMITTEE FOR RESPONSIBILITY IN
30 SCIENCE MARKED AS EXHIBIT #C-315)

1 (WITNESS ASIDE)
2 MR. WADDELL: Mr.
3 Commissioner I'd call as the next brief Mr. Carl Nickle
4 who's the president of ConVentures Limited which I
5 believe is a Calgary company.
6 CARL NICKLE sworn;
7 THE WITNESS: Mr. Justice
8 Berger, first of all may I thank you for the
9 opportunity of appearing before you and I also want to
10 congratulate you on your patience and understanding
11 during 14 months of hearings similar, comparable to
12 what you've been putting up with here in Calgary the
13 last two days.
14 Now I am purposely cutting
15 out part of what I planned to say in order to emphasize
16 a few other points which have not been discussed yet in
17 detail which I think are important to your full
18 understanding of the matters before your Commission.
19 Now there are a very few
20 Canadians without bias of some kind or another when
21 talk or though turns to energy development of the
22 Canadian north. At one extreme are those who claim
23 there should be no northern development for that would
24 destroy the lifestyle of northerners or critically
25 upset balance of nature of animal, bird or sea life.,
26 would cause environmental damage so vast as to damage
27 life of all kinds everywhere.
28 At the other extreme are the
29 few who say energy supply is a most vital thing and
30 damn any other considerations. Sir, neither side is

1 right. I am not extremist but I do have a bias and
2 I'll fully define that in the course of my remarks.

3 I have a warm appreciation
4 of the need for equitable treatment for all those
5 hardy souls who, whether native or immigrant, live and
6 work in the Arctic. That does not mean full
7 endorsement of the proposals recently made on behalf
8 of northern natives prepared in several years of
9 research paid for by Canada's taxpayers. I regard
10 these as I would one side starting position in a
11 business or diplomatic negotiation. I trust that
12 reasonable people on behalf of native organizations
13 and government will achieve a reasonable negotiated
14 settlement of the claims.

15 I hope agreement in
16 principle can be reached before a final government
17 decision on the Mackenzie Valley Pipeline. However,
18 because of the urgency to all Canadians of getting
19 northern energy onstream early in the 1980's,
20 requiring, sir, a pipeline decision by early 1977, I
21 cannot endorse the proposition that there must be a
22 detailed completion of settlement agreements in
23 advance of pipeline approval.

24 I appreciate the need for
25 environmental protection. I recognize however that
26 total environmental protection whether in the north or
27 in the areas of human settlement in the south is an
28 impossible dream. Wherever there is human or any other
29 form of animal life there is some degree of
30 environmental damage and pollution. We humans are

1 | capable of minimizing but not of eliminating
2 | environmental damage, if we have the will and/or
3 | governments require it.

4 | Incidentally, it is
5 | inevitable that humans including Canadians will finally
6 | accept that energy needs require some modified
7 | environmental protection standards. There will be a
8 | price tag attached in terms of consumer costs. For
9 | example, much of the garbage in human or animal wastes
10 | have now created a growing environmental problem, can
11 | be converted in the future into heat for electricity
12 | generation and into methane gas and synthetic oils.
13 | There would be gain in terms of environment but the
14 | cost of conversion to energy with existing technology
15 | would probably double or more the energy cost to which
16 | Canadians and Americans have become accustomed.

17 | Mining of our huge coal
18 | reserves create some environmental hazards and whether
19 | coal is used in original form or is converted to gas or
20 | oil, cost to consumers will be much higher than we are
21 | now paying. The same is true of mining of Athabasca
22 | Tar Sands or U.S. Oil Shales, both in regard to some
23 | environmental hazards and higher costs. There are
24 | environmental hazards too in the expansion of nuclear
25 | power production and even in such long-range permanent
26 | energy developments as hydrogen from sea water and
27 | solar power.

28 | Now I firmly believe that
29 | those who are now engaged in Canada's northern
30 | development and those who hope to expand such development

1 and provide transport links are very fully environmental
2 conscious. Their acceptance of a high degree of
3 environmental protection is not only because government
4 and the public require it but also because simple
5 economics put a much higher price tag on the clean-up of
6 environmental damage than on adequate measure to minimize
7 such dangers.

8 Now I ask myself the
9 question, "why is there urgency for decisions on
10 northern development?" First let me present a simple
11 set of facts.

12 First, Canada's north
13 contains a vast potential of such energy resources as
14 oil, gas, coal, oil shales and sands, uranium and
15 hydro-power generating capacity. The economic future
16 of Canada and the energy security of all Canadians
17 depend in a large degree upon the massive development
18 of that potential.

19 Secondly, mere potential as
20 of energy such oil and gas under the Mackenzie Delta or
21 under the Beaufort Sea or under lands and waters of the
22 Arctic islands can do nothing sir to heat a home in
23 Ontario, fuel a family car in Quebec, generate
24 electricity in Nova Scotia, provide fuel or raw
25 material for industry across the nation or fuel all
26 forms of transport in Canada, or protect Canadians from
27 costly dependence on foreign energy.

28 Even when long and costly
29 efforts of men transform potential into oil and gas
30 fields in the Arctic as has been done over recent years

1 the energy discovered can do nothing to meet the needs
2 of humanity and that brings me sir to the third simple
3 fact.

4 Potential must become usable
5 -- energy with the means in place to deliver it to
6 places of need as much as 1500 to 3000 miles distant
7 from the energy source. Achieving the means to deliver
8 northern energy takes both time and money. For example
9 if favorable decisions for a Mackenzie Valley gas
10 pipeline are reached early in 1977, late 1981 would be
11 the earliest date by which the system could be
12 financed, built and put into operation.

13 Now sir, you did raise the
14 question earlier today of -- which was in line with
15 certain questions that had been raised by other
16 speakers here and in other communities Did the
17 Government of Canada, Energy Minister Joe Greene, the
18 National Energy Board or the oil and gas industry lie
19 to the Canadian public in 1970 when according to the
20 people who use the figures for our potential in that
21 year say that they were "led down the river" as
22 Canadians by super optimistic statements on Canada's
23 energy resources?

24 First of all sir there was no
25 lying. The figures presented by the government and by
26 the industry consisted of several packages. One was a
27 figure of potential and I outlined the difference
28 between potential and crude reserves and usable energy
29 in the earlier remarks. The potential in 1970
30 consisted of the possible or potential reserves

1 of oil and gas attached to each of the frontiers of
2 Canada in the Arctic, the Atlantic Seaboard, Hudson's
3 Bay, offshore Labrador, west coast as well as the
4 potential still in many to be discovered in western
5 Canada.

6 It included also the very
7 large amount of potential reserves which still exist in
8 the Athabasca Tar Sands. Now, that huge potential has
9 been altered somewhat by results of drilling good and
10 bad in the years since but the mass of that potential
11 still exists in Canada but it is not deliverable
12 energy. The reserves found in the Arctic won't become
13 usable energy until the means exist to deliver that
14 energy to consumers.

15 The huge potential of the
16 Athabasca Tar Sands has been placed far behind the
17 schedules of production that were seen a few years ago
18 because of the very rapid escalation of costs, of
19 materials, labor, and by new and tougher environmental
20 standards that have actually quadrupled the cost of
21 producing a barrel of synthetic oil from the Athabasca
22 Tar Sands. So that Canada, of necessity, now has to
23 look only at the reserves -- provable reserves -- which
24 can actually be delivered over the next few years ahead
25 until we can reach in to reserves in the frontiers or
26 the Tar Sands which hopefully can come onstream if we
27 have the economic climate that will support the funding
28 for that kind of development.

29 Now sir I will be happy if
30 you have any further questions on that subject, I'd be

1 | happy to answer them now or at the close of my remarks.

2 | Now, the question of the
3 | rights and responsibilities of all Canadians. In my
4 | view, the rights and responsibilities of all Canadians
5 | is to define, develop and transport northern energy as
6 | fast as humanly possible. That means a speed-up of the
7 | rate at which decisions on the north are made. There
8 | must be a speed-up of attraction to huge amounts of
9 | risk capital that will literally stagger the
10 | imagination of most, including me.

11 | Money must come from small
12 | investors and large, from Canadian and foreign sources
13 | alike to accomplish the task of getting usable energy
14 | from the north by the early 1980's. The recently
15 | published "Energy Strategy for Canada" has set as one
16 | target a minimum doubling the \$700 million a year,
17 | exploration and development activity in Canada's north
18 | within three years under, says the report, "acceptable
19 | social environmental standards".

20 | Now that target does not
21 | include the many billions of dollars needed to provide
22 | transport facilities but certainly without reasonable
23 | assurance of transport and markets the exploration
24 | money targets haven't got a hope in Hades of being
25 | achieved. I might say that in Ottawa today, there
26 | seems to be growing realism about the urgency of
27 | frontier development.

28 | Now I noted earlier sir that
29 | I have a bias and here are the reasons. For two-thirds
30 | of my life, since 1937, I have been an editor and a

1 | America rather than Canada alone because the economics
2 | of geography and major population centers long have
3 | dictated that Canadians could minimize their energy
4 | costs and improve the national economy by having United
5 | States markets carry a major share of energy
6 | development and transportation burdens. That has
7 | applied to Alberta and other western oil and gas over
8 | the past quarter century. It is at least equally
9 | applicable to northern energy.

10 | Western Arctic and Arctic
11 | islands energy can be delivered to Canadians for
12 | hundreds of millions of dollars less per year if the
13 | unit transportation costs are kept at a minimum b y
14 | access to American markets. In the western Arctic,
15 | Canada must by speedy decision-making win the right to
16 | carry the huge gas reserves of Alaska's Prudhoe Bay via
17 | the Mackenzie Valley to American markets across the
18 | continent if it is to have an economically viable means
19 | of connecting Mackenzie Delta - Beaufort gas to
20 | southern Canadian markets.

21 | Indeed, sir, I seriously
22 | question whether any Canadian Arctic gas energy could
23 | become usable energy if all the costs had to be
24 | absorbed solely by Canadians as consumers or by the
25 | levying of a heavy subsidy burden upon Canadians as
26 | taxpayers.

27 | Over two decades ago, I
28 | began putting my personal financial resources which are
29 | then and now only a tiny fraction of 1 percent of the
30 | total capital needs into energy exploration and

1 | development in Canada's west. 16 years ago sir, I
2 | joined with others in the long-range and high risk task
3 | of geological and drilling exploration in the Arctic
4 | islands. That was at a time sir when if Canadians
5 | thought of the high Arctic at all, it was as a remote,
6 | frozen buffer zone between the Soviet Union and
7 | North America. Accept for a very few hundred
8 | hardy souls, even Eskimo found the high Arctic north
9 | of the Northwest Passage too severe for permanent
10 | living.

11 | Several years ago sir, I gave
12 | up publishing to head a Canadian owned public and
13 | independent energy company called ConVentures. It is a
14 | shareholder of PanArctic Oils Limited, the government
15 | industry consortium exploring the Arctic islands. It
16 | also has a stake in the proposed gas Arctic pipeline to
17 | link Alaska - Mackenzie gas to North American markets
18 | via the Mackenzie Valley.

19 | Much of that stems from major
20 | investments ConVentures made in the company called
21 | Alberta Natural Gas Company back in 1972, an action
22 | which led subsequently to that company joining Gas
23 | Arctic. I might add that as fast as funds can be
24 | generated or borrowed, ConVentures is risking it in oil
25 | and gas projects in western Canada and the Arctic.

26 | Now let me be frank sir. I
27 | explore and develop partly because I have long realized
28 | that our Canada faces energy problems and I cannot
29 | reasonably expect my fellow Canadians to do something
30 | about it unless I myself demonstrate a willingness so

1 | I do.

2 | Now I would like at this
3 | point sir to comment off the cuff on the very fine
4 | address delivered by Chief John Snow of the Stoney
5 | Indian Reserve at Morley. I have known Stonies for
6 | many years. Forty years ago incidentally I worked for
7 | 20 a day for 15 months on and off that reserve in the
8 | old days of the famous relief camps in the early
9 | '30's, conditions I never want to see return to
10 | Canada. But Chief Snow pointed out very eloquently
11 | something of the problems of his particular Indian
12 | band, but there is one point that I regret that he did
13 | not point out so I would like to point it out to you
14 | now.

15 | Several years ago a
16 | subsidiary of Canadian Pacific began large scale
17 | exploration under lease on the Stoney Indian Reserve.
18 | That exploration led to the discovery last year of a
19 | large natural gas well containing condensate and
20 | sulphur as well as gas. Early this year, Canadian
21 | Pacific drilled a second well following up the first
22 | and has now established a major gas field on the Stoney
23 | Indian Reserve. In recent days, arrangements have been
24 | made between the Indian band and the Indian Affairs
25 | Department and this Canadian Pacific unit called
26 | PanCanadian for a lease upon which will be built a
27 | major gas extraction and liquid processing plant which
28 | will not only generate opportunities for new kinds of
29 | employment long-term for members of the reserve but
30 | perhaps more important, will generate a source of

1 revenue for the members of the Stoney Band that will
2 exceed under the existing royalty and tax and rental
3 arrangements, will exceed the ultimate net profits that
4 would be derived by the company which sought for,
5 drilled for, discovers and will now develop at its own
6 expense this gas field on the Stoney Reserve.

7 For one, I am happy that the
8 Stonies have a much brighter future to look forward to
9 than has been the case for this particular band in
10 recent years.

11 I might say also one point in
12 passing and this happened only a few weeks ago and its
13 a sharp contrast of what some of things you have
14 experienced in your hearings in the north and here.
15 The head Chief of the Indian band at Saddle Lake
16 Reserve in central Alberta appeared before an Alberta
17 Government, Surface Rights Board a few weeks ago to
18 protest very strongly and eloquently that his Indian
19 band were being deprived of the revenues they should be
20 earning from the gas field found by my company and
21 others on their reserves six years ago but could not be
22 marketed despite the fact that gas plant, pipelines,
23 everything else were hooked up ready for last fall
24 simply because there was opposition from certain white
25 owners along the proposed pipeline route from the
26 Saddle Lake gas plant into the main line of Alberta Gas
27 Trunk.

28 His appeal was a valid one.
29 He told that government hoard that he and the members
30 of his Saddle Lake Indian Band felt that they were

1 | entitled (and they were and are)to start deriving the
2 | revenues as royalty and rent that have stemmed and will
3 | stem in the future from the gas fields found under
4 | their Indian reserve by private enterprise companies.
5 | There again an Indian hand is going to reap large
6 | resources, large benefits in the future. I hope that
7 | both plus all other Indian bands and Eskimo bands and
8 | others who may share in royalty and other returns from
9 | natural resources will recognize the same kind of
10 | wisdom that is now being recognized by the Alberta
11 | Government and that is that a portion of the revenues
12 | gained from resources which are depleting should be set
13 | aside as a heritage of future generations in order that
14 | the capital and the income thereon can go on extending
15 | its benefits to the natives of Canada in one case, the
16 | people of Alberta, the other people of Alberta in the
17 | other, for generations to come.

18 | Well now to come back to my
19 | own brief, the ultimate objective of investment is of
20 | course to make a profit and without that incentive
21 | neither I nor you nor any other commonsense person
22 | would gamble his assets in high risk ventures. The
23 | profit motive is a key factor in the risking so far of
24 | over \$25 billion in western Canadian energy projects
25 | and in the spending to date of over 11/2 billion
26 | dollars in the northern areas of Canada in exploration
27 | by big companies and small by foreign investors and
28 | Canadians.

29 | It is a factor also sir in
30 | the spending so far that more than \$100 million by the

1 Gas Arctic consortium of Canadian and American
2 companies and engineering, ecological, environmental,
3 and economic studies for a Mackenzie Valley Pipeline
4 and a presentation of its case at governmental hearings
5 in two countries. Governments in Canada and elsewhere
6 also are assuming a greater role in energy including in
7 Canada, the accepting of part of the high risk
8 investment. I have no strong objections to governments
9 sharing in risks provided they do so in terms
10 comparable to that/individual investors. But
11 governments must either tax to pay for their part in
12 energy projects or more likely borrow against future
13 income and leaving citizens to pay both the principal
14 and interest in future taxes.

15 Put bluntly, there is no
16 panacea for Canadians in having governments take over a
17 major part of the role of future energy development
18 since it cannot match the efficiency in risk taking
19 willingness of a host of competing private sector
20 corporations.

21 Now oil and gas had been
22 discovered in the Canadian Arctic but none has yet been
23 produced to generate revenue. Mackenzie Delta shallow
24 waters nearby so far come up with possibly seven
25 trillion cubic feet of natural gas in the form of
26 crude, probable and possible reserves in existing
27 structures but not yet enough to support either a gas
28 pipeline serving Canadian markets from the delta, oil
29 reserves at the moment roughly one billion barrels, not
30 enough to support an oil pipeline. More drilling and

1 testing of known structures is needed to more price
2 precisely determine reserves just as much more drilling
3 of other structures including those in the Beaufort Sea
4 is needed to determine the ultimate potential for oil
5 and gas.

6 Arctic islands have so far
7 indicated up to 15 trillion cubic feet of gas proved
8 probable possible and possibly 200 million barrels of
9 oil according to PanArctic Oils. These are not yet
10 enough to support transport systems but the potential
11 for much more reserves exist. Some time in 1977,
12 PanArctic and other sponsors of a polar gas line from
13 the islands hope to have sufficiently advanced L
14 engineering economic environmental planning and the
15 size of gas reserves to apply for approval of a costly
16 pipeline system and then start the kind of rounds of
17 hearings that have been involved in the Mackenzie
18 Valley.

19 Many more billions of dollars
20 must be attracted and spent before the first dollar of
21 cash flow can come, before a northern potential can
22 become usable energy. Risk dollar flow into the north
23 will drastically cut down or dry up, leaving the Arctic
24 to resume its role of centuries past or to become a
25 target for other nations such as those across polar ice
26 unless there is soon some assurance that production
27 cash flow can be achieved within the next few years.

28 Now I'd like to close off my
29 remarks sir with a few points that have not been
30 brought before you before. That is that over the past

1 deficit of about \$5 1/2 billion, three times larger
2 than ever before in any year. This year the deficit is
3 now forecasted still larger. I am hopeful that Canada
4 will bite the bullet sufficiently to improve the
5 nation's chances of successfully competing in foreign
6 markets with enlarged Canadian exports of foodstuffs,
7 manufactured goods and ally but unless we take steps
8 fast to expand energy development and get northern
9 energy flowing before the end of 1982, meaning
10 decisions and start of the Mackenzie line in '77,
11 Canada's oil and gas balance of payments alone will
12 rise to as much as \$5 billion per year putting the
13 whole Canadian economy in a grave position.

14 Internally, Canada's
15 government is bearing a heavy burden because of its
16 decision to try and insulate Canadians from the impact
17 of OPEC oil price boosts. Now Ottawa and the provinces
18 have accepted the principle that there's a heavy price
19 tag for all Canadians from the kind of moves made in
20 haste after the 1973 OPEC action, Internal gas and oil
21 prices are being allowed to gradually over a term of
22 several years advance to world levels. Canadians will
23 pay at the pump for gasoline and to their utilities for
24 natural gas instead of the present system of
25 subsidizing oil imports through the taxpayers and
26 through the incentive reducing net price levels left
27 for oil and gas explorers.

28 Excessive producing profits
29 and federal royalty and tax levies that cream off
30 75 percent or more of oil and gas price increases

1 | allowed are being gradually modified. Governments are
2 | beginning to realize sir that costs of replacing
3 | present oil and gas reserves with new supplies in the
4 | west, the north, from tar sands, coal conversion and
5 | other means are all far higher than costs of the past.
6 | That means that production must net more exploration
7 | dollars per barrel of oil or cubic foot of gas and
8 | billions of dollars of new capital must be attracted to
9 | start a reversal in the early 1980's of the present
10 | unhappy energy outlook.

11 | Now, my time has run out,
12 | sir I still have more to say but I'll close without
13 | reading through the rest with one comment, that over
14 | the decade ahead through 1985, Canada will be forced
15 | to go into external debt by many billions of dollars
16 | to pay for imported energy. My estimate sir is that
17 | Canada will go in the hole on energy account alone
18 | at least \$25 billion between now and 1985 and that
19 | if we try to stretch out our reserves by delaying
20 | delivery of Arctic supplies, that deficit sir for
21 | the next decade could run as high as \$40 billion and
22 | that \$40 billion external payments deficit sir I'm
23 | afraid that your country and mine will be going down
24 | the same road to national bankruptcy that has been
25 | the grievous problem of Britain and Italy in recent
26 | years.

27 | That is something I do not
28 | want to see all of my fellow Canadians and my country
29 | go through the lack of wisdom, the lack of willingness
30 | to make decisions in this year, 1976.

1 Thank you sir for listening.

2 (APPLAUSE)

3 THE COMMISSIONER: Thank you
4 Mr. Nickle. Thank you very much.

5 MR. WADDELL: Mr. Nickle, if
6 you have a copy of brief, the secretary would
7 appreciate it. Thank you Mr. Nickle.

8 (SUBMISSION OF CARL NICKLE MARKED AS EXHIBIT #C-316)

9 (WITNESS ASIDE)

10 MR. WADDELL: Mr.
11 Commissioner, I have a brief that was handed to me.
12 Perhaps I could file it and if you like, I could give a
13 short summary of it.

14 THE COMMISSIONER: All right.

15 MR. WADDELL: Its from the
16 Alberta Plura, P-l-u--r-a-, a provincial arm of the
17 National Plura Association which is an inter-church
18 association to promote social justice in Canada. The
19 brief was filed by Sister Freda Gatzke, G-a-t-z-k-e who
20 is a chairperson for the Alberta Plura.

21 In her brief she says that
22 there five participating churches in this organization,
23 the Presbyterian, Lutheran, United, Roman Catholic and
24 Anglican. The Alberta Plura is in agreement with the
25 statements made by the Canadian Catholic Conference of
26 Bishops in September 1975 and that statement made by
27 the General Synod of the Anglican Church of Canada in
28 June 1975 and the Department of Church and Society
29 Division of Mission in Canada, United Church of Canada
30 in September 1975.

1 That's the brief and I'll file that.
2 (THE SUBMISSION OF THE ALBERTA PLURA ASSOCIATION MARKED
3 AS EXHIBIT # C-317)
4 THE COMMISSIONER: Fine.
5 MR. WADDELL: I would call
6 upon Alan Wolfleg, who is from the Blackfoot Reserve
7 and will speak for the Blackfoot Reserve.
8 On our list, we have the
9 Calgary Urban Treaty. That's wrong. It's the
10 Blackfoot Reserve and Mr. Commissioner this is Mr.
11 Wolfleg.
12
13 ALAN WOLFLEG sworn;
14 THE WITNESS: Thank you for
15 the opportunity to appear before you. On behalf of the
16 Blackfoot Reserve and this brief was supposed to be
17 given by Chief Leo Pretty Man of the Black Reserve but
18 he's on a call to Edmonton.
19 The proposed Mackenzie Valley
20 Pipeline reflects different notions in this Inquiry
21 from various segments of the Canadian society, When
22 economic or, social ventures occur such as this
23 proposed project, people try to interpret the possible
24 effects such as such ventures would have on their
25 lives. In short, we all to a certain degree explain
26 economic and social phenomena in the light of our own
27 personal standing in the economy of Canada.
28 It is easier for a poverty
29 stricken person to be sympathetic with the poverty
30 problem than the rich man. It is much easier for the

1 conservative to be concerned with pollution,
2 preservation than will the metro urban dweller. It is
3 easy for an Indian to be protective of his environment
4 which is nature, economically, socially, culturally,
5 spiritually than a body of giant corporations.

6 Looking at our own experience
7 on the Blackfoot Reserve, looking at the settlement of
8 the west, development of the west, the economic process
9 that these reserves enjoy has been paid for in terms of
10 human lives. Not only is it a struggle against the
11 elements of nature but a social, political and
12 economical struggle in nature too.

13 The offshoots of hunger for
14 energy, oil, gas and other products we get from the
15 earth, the over-riding and basic problems in all its
16 varying degrees of intensity confronting these people
17 is poverty and underdevelopment with all its relevant
18 and attendant symptoms, high rate of employment, low
19 rate of education achievements in terms of levels,
20 inadequacy of education, cultural disorganization in
21 terms of destruction and social crippling of a whole
22 community in terms of families in the community units,
23 alienization from a non-Indian society, conflicts with
24 the law, alcohol and drug abuse, moral decay,
25 overcrowding and deteriorating housing, substandard
26 preventative medical service, frustration and one very
27 important prevailing social attitude which must be
28 changed if an effective development of the environment
29 where any exploitation or exploration are taking place
30 is one of apathy.

1 | As a result of these symptoms
2 | the potentials, abilities and self-reliance of Indian
3 | people remain largely undeveloped and as a group have
4 | alienated remained and virtually non-participated in
5 | the surrounding of larger Canadian society social and
6 | economic life. These realities are hard to visualize
7 | that they do exist on the relentless prairie horizon
8 | which is prosperous and picturesque.

9 | Looking at it from the
10 | southern Alberta point of view, there are five reserves
11 | in southern Alberta. You look at these reserves and
12 | you wonder whether you are a layman, a lawyer or a
13 | politician, from what perspective you look at it, you
14 | have your own opinion but when you look at it from this
15 | point of view even since the days of Turner Valley,
16 | Calgary has been know and been associated with oil.
17 | Through some reports, Calgary hosts a large number of
18 | major companies who are in the oil and gas business and
19 | by assets and sales, Calgary places third in Canada
20 | when they accommodate some companies in terms of office
21 | location.

22 | Even an Arctic Institute of
23 | North America which was formerly located at McGill
24 | University in Montreal is located now in Calgary at the
25 | University of Calgary as a logical location for a
26 | Canadian Arctic Research Center, The list goes on and on
27 | why Calgary is important as an administrative financial
28 | service center of oil, gas, sulphur, service and supply
29 | industries. In short, Calgary is a vibrant, bustling
30 | and big league and big star in Canadians' economic

1 | galaxy but what is happening in the surrounding Indian
2 | communities at its doorstep and that includes the
3 | prairie communities, including farms, small towns?

4 | The situation being
5 | experience by these communities is somewhat in a small
6 | scale especially on the reserve in comparison with the
7 | Canadian society we have a very disorganized culture
8 | which have levels -- let's say progress and a part of
9 | this progress level is the affluent well-to-do family
10 | and at the bottom is the affluent poor, welfare who are
11 | actually -- we talk about poverty. The money is there
12 | but still these over-riding basic problems I've just
13 | mentioned exist.

14 | Somebody asked that he's
15 | confused about culture. Today, that evidence I gave in
16 | social problems and economic problems is the culture
17 | that's been developed through contact with the white
18 | society and I think sociologists call it "born from
19 | another culture". Indian people borrow it but they
20 | don't know how to utilize. In one hundred years, what
21 | can you learn?

22 | There is when we talk about
23 | Indian culture, we talk about in terms of the whole
24 | total sum of the way of life but when we look at it
25 | closely we look at it as the modern way of life that
26 | you see today that we are talking about today that's
27 | going to be affected. There is another base to that
28 | and that's the ancestral cultural which has a strong
29 | link with the natural life and this is the link that
30 | links the Indian people wherever they are with

1 | their environment. This is the only environment they
2 | know through generations and they're very much a part
3 | of it.

4 | Looking at it from the
5 | Blackfoot Reserve, we do support the Dene people in the
6 | north in their fight for a land settlement before a
7 | permit is issued. We often answer a question or answer
8 | a question on one hand, the government is looking after
9 | us but then we ask another question on the other hand.
10 | Why are they permitting leases for exploration to
11 | corporations which conflicts with desolvment of
12 | aboriginal rights in parts or partially?

13 | I want to leave you with one
14 | area in this brief. The brief will be sent to Mr.
15 | Berger. I'm just reading the outline. We could
16 | harness nature. We could harness nature and its forces
17 | but there is something we could never be free of and
18 | that's the laws that control nature and man.

19 | Thank you very much.
20 | (APPLAUSE) (WITNESS ASIDE)

21 | MR. WADDELL: Mr.
22 | Commissioner I call next Roy Littlechief, who is with
23 | the Calgary Urban Treaty Indian Alliance.

24 | ROY LITTLECHIEF sworn;
25 | THE WITNESS: Thank you very
26 | much. I guess first of all you know I'd like to you
27 | know, welcome Berger to Treaty Seven, southern Alberta.

28 | This paper is an expression of
29 | deep humanitarian concern for the northern indigenous
30 | plus people whose legal, political, socio-economic and

1 | cultural will be forever destroyed through the ulterior
2 | motive of the crass insensitive commercial pursuit by
3 | the Department of Indian Affairs and Northern
4 | Development and the large corporations.

5 | This hundred years is
6 | characterized by the so-called orderly development in
7 | the following areas: economic, Indian environment,
8 | geographic location of reserves and very limited
9 | natural resources creates economic stagnation and in
10 | turn creates a welfare state perpetuating social
11 | regression. As we all know since that time the
12 | southern Indians have not the political cloth nor the
13 | word to have any say or any social economic
14 | circumstances. Why because it is the carry over of the
15 | neo-colonial totalitarian bureaucratic mentality of
16 | Ottawa, namely the Department of Indians Affairs and
17 | Northern Development all at the harsh expense of the
18 | Indians with no regard but the promotion of the Federal
19 | Government and big business self-interests.

20 | Therefore, an extensive
21 | revamping and evaluation of the approaches that they
22 | both partly employ must be preceded prior to dangling
23 | anymore carrots to the Indian people. By that we mean
24 | that they given immediate recognition to our aboriginal
25 | and treaty rights and living up to them through the
26 | concrete and positive action on their part. Federal
27 | Government, Department of Indian Affairs and big
28 | business must take care to nurture the social and
29 | economic factors of the indigenous plus people on a
30 | slow and careful base otherwise the same harsh bitter

1 | lessons that occurred in the south will surface again,
2 | cultural breakdown, self-destruction, alcoholism jails,
3 | despair, high rate of racial division, erosion of
4 | spiritual life and values, urban dislocation,
5 | polarization of culture rather than fitting into the
6 | Canadian mosaic, intercultural division and suspicion
7 | and negative self-image.

8 | The most hideous fact of this
9 | is that the Department of Indian Affairs is supposed to
10 | be the guardian and trustee for the original people of
11 | this country then they turn around against their
12 | mandate practising malphesians and non-phesians
13 | (?)which means the Minister is liable to answer in the
14 | courts of this country and to the people of Canada by
15 | practising the above too. This is done under the guise
16 | of improving the lot and lives of the Indian people.

17 | We sincerely hope that the
18 | Berger hearing is not an exercise in futility on our
19 | part. When your findings have been written,
20 | opportunity to read it, discuss it in order that no
21 | misunderstandings or misinterpretations will be
22 | present. This will mean true and faithful consultation
23 | in turn, this will create some semblance of
24 | credibility, trust and confidence on your part. The
25 | onus is now up to the Parliament of Canada.

26 | Briefly, you know, I'd like
27 | to say that, you know, we have a lot of problems as
28 | far as, you know, what some of the things that were
29 | brought out by some of the previous speakers is that
30 | a lot of our people lived under welfare state and

1 | also high unemployment, low education and so on.
2 | It's pitiful you know, to have leadership making
3 | statements of such people as the leader of Calgary.
4 | Rut I think as far as you know, the mayor can have
5 | lunches with oil people in the city all time but he
6 | forgets that are five reserves surrounding Calgary.
7 | I think these are some of the things -- (APPLAUSE)

8 | THE COMMISSIONER: Thank you
9 | very much sir.

10 | (WITNESS ASIDE)

11 | MR. WADDELL: Mr.
12 | Commissioner I'm calling as the next brief, Miss
13 | Claudette Crouteau who is with the Canadian University
14 | Service Overseas, CUSO, at the University of Calgary.
15 | Miss Crouteau?

16 | MISS CLAUDETTE CROUTEAU sworn;

17 | THE COMMISSIONER: Yes, go
18 | ahead.

19 | THE WITNESS: I'd like to
20 | make the following presentation on behalf of the member
21 | of the CUSO local committee of the University of
22 | Calgary and it shall be very brief.

23 | CUSO is an independent
24 | development agency which provides technical and
25 | professional assistance to Third World countries who so
26 | request it. We support specific development project
27 | initiated and directed by Third World governments,
28 | groups or individuals through volunteer participation
29 | or financial and material contributions.

30 | CUSO's experience in the

1 Third World has led to a clearer understanding of the
2 relations between the rich and poor nations and of the
3 international process of development. Development as
4 we understand it and as stated in our charter includes
5 the freeing of people not just from the constraints of
6 poverty, hunger and disease but also from constraints
7 which inhibit a person's control over his destiny, the
8 pursuit of dignity and social equality.

9 CUSO's aims are to
10 participate in the global struggle for justice,
11 equitable development and human progress. The
12 struggles of Canada's native people is very similar
13 to that of the Third World in that both are seeking
14 to be mettez chez nous. The Dene and Inuit people
15 of the Northwest Territories are now asking that
16 they be given the right self-determination in having
17 control over development which will affect their
18 daily lives.

19 We southern Canadians feel
20 both the moral and ethical responsibility regarding the
21 issues of northern development. The Mackenzie Valley
22 Pipeline is a vehicle for encouraging wasteful North
23 American consumption patterns. Will this greed for
24 northern resources prove so overpowering that people
25 will be put second to economic growth and profit

26 What the Dene and Inuit
27 peoples are asking is the same as what French Canadians
28 were granted historically, the right to govern their
29 own affairs, The Dene Declaration asks for no more than
30 did Louis Riel in his Bill of Rights of 1870. This

1 | Bill of Rights was later accepted by Parliament
2 | as the Manitoba Act and became the founding document
3 | for that province.

4 | If we are truly to be a just
5 | society then how can we refuse the demands of the
6 | flatly people? Although Canada does not have a history
7 | of being a colonial master such as Britain or France,
8 | in trying to subdue the native people of this country,
9 | we are guilty of perpetuating a colonial mentality. By
10 | denying native peoples the right of self-determination
11 | are we not following the same policy as the white
12 | minority government of South Africa which denies the
13 | basic human rights of the native blacks?

14 | A pipeline without control
15 | and direct involvement of native people throughout all
16 | phases of planning and operation can only serve to
17 | reinforce southern colonialism at the expense of the
18 | native people.

19 | There are countless occurrence
20 | in which the native people in the south have suffered
21 | which have taught northern natives that they must have
22 | control over the development of their land. An example
23 | of such an occurrence was the construction of the well-
24 | known, W.A.C. Bennett Dam in 1967. This dam was built
25 | without consultation of the people whose lives were
26 | drastically affected by it. The environmental and
27 | sociological implications were not considered. The
28 | building of this dam and its water reservoir drastically
29 | reduced the natural outflow of the Peace River into the
30 | Peace Athabasca Delta of northern Albert. In the

1 delta, thrived a community largely composed of Cree,
2 Chipewyan and Metis people whose livelihoods were
3 derived from traditional hunting, trapping and fishing
4 activities.

5 The economy of Fort Chipewyan
6 largely depended on the annual inundation and silt
7 deposits of the Peace River for the survival of its
8 rich water and animal life. Consequent consecutive low
9 water years which followed had detrimental effects upon
10 the community. A once proud, self-sufficient people
11 were forced to depend on government assistance as a
12 means of support.

13 Are we also to rob the native
14 people of the north of their self-dignity?

15 To conclude, we strongly
16 support the native land claims of the Dene and Inuit
17 people of the north. Thank you.

18 (THE SUBMISSION BY CUSO MARKED AS EXHIBIT # C-318)

19 (APPLAUSE)

20 (WITNESS ASIDE)

21 MR. WADDELL: Is there a
22 representative of Arnav Marine Limited here? No, there
23 isn't.

24 I'm sorry apparently Arnav as
25 I have on the list, is the parent of Lindberg Transport
26 of Fort Simpson, the parent company that is and so I
27 would call Albert Irye, I-r-y-e and he can explain
28 which company he is appearing for. Mr. Irye?

29 ALBERT IRYE sworn;

30 THE WITNESS: Mr. Commissioner,

1 | my credentials and accomplishments are not nearly as
2 | impressive as those of others who have preceded me,
3 | particularly Mr. Nickles, and although we do share
4 | the same anxieties and concerns, I with my partner
5 | Edwin Lindberg operate a tug and barge operation,
6 | Lindberg Transport Limited, and this company was
7 | started by Edwin Lindberg out of Fort Simpson and
8 | during the peak of the excitement and interest in
9 | 1973 and '74, in the hope that the pipeline would get
10 | approval fairly rapidly, we were able to seek and
11 | obtain financial assistance from other companies in the
12 | south and were able to undertake a program of expansion
13 | in equipment and also go into other types of marine
14 | construction such as dredging and the building of
15 | artificial islands.

16 | Edwin Lindberg of course is a
17 | native northerner and by his own description having
18 | been born under a willow bush on the Liard River and
19 | I've worked in the north since 1945 and during that
20 | time, I have maintained fairly cordial relations with a
21 | lot of the local northerners. I cannot be persuaded
22 | that all residents along the Mackenzie Valley are
23 | against the development of the petroleum industry and
24 | the pipeline.

25 | I think there is a solid
26 | majority of northern natives who are quite willing to
27 | see development and they are of course concerned with
28 | the problems of the environment and the social aspects
29 | but I think, you know, there has been such a delay
30 | and in presenting I don't whether" demands is the

1 | right word -- their demands for a land settlement and
2 | it -- I'm sure I speak for a lot of the small
3 | businessmen in the north, it has a very detrimental
4 | effect on business as a whole.

5 | For instance, in our own
6 | organization where during that peak period of '73-74,
7 | we employed a minimum of a hundred people and,
8 | compared with today's payroll of ten and I think
9 | companies that we're working beside in Hay River and
10 | Fort Simpson and other parts of the north are
11 | experiencing the same cutbacks and further than that,
12 | our ability to raise funds for expansion and up-
13 | grading of equipment has been just cut off. Our
14 | investors are not willing to advance monies now that
15 | you know, conditions are so disruptive and there are
16 | so many uncertainties.

17 | Mostly companies operating in
18 | the north work on a time-off basis which fits in quite
19 | well with the traditional hunting and fishing habits of
20 | the natives. A lot of this is due to the seasonal
21 | nature of our work and the disruptions of break up and
22 | freeze up and I think it really fits in with the way of
23 | life of the northerner.

24 | The delays we've
25 | experienced so far and at least reaching an agreement
26 | in principle regarding the pipeline have caused fears
27 | in our
28 | group that the pipeline will be driven right out of
29 | the Mackenzie Valley, particularly so now that
30 | Northwest Pipelines has announced the intentions of

1 | filing their proposal by July the 9th as well as the
2 | pending Polar Gas application and El Paso. We think
3 | that unless some fairly rapid decisions are reached,
4 | the people -in the Mackenzie Valley will lose out
5 | completely on development.

6 | I think that about covers
7 | what I have to say.

8 | THE COMMISSIONER: Mr. Irye,
9 | are you living in Fort Simpson today?

10 | A In Hay River.

11 | Q One thing that you
12 | should understand is that our National Energy Board Act
13 | has always provided that no one could build a pipeline
14 | without a certificate of public convenience and
15 | necessity from the National Energy Board so that as I
16 | understand the law of our country, it is in the final
17 | analysis for the National Energy Board to decide
18 | whether they believe it is in the public interest for a
19 | pipeline to be built and you must understand that when
20 | this Inquiry has finished its work, my job is to tell
21 | the government what I think the impact will be in the
22 | north and to recommend the terms and conditions under
23 | which a pipeline should be built if one is to be built,
24 | to examine the long-term impact of gas pipeline
25 | followed by an oil pipeline.

26 | Now, the matter still has to
27 | be determined by the National Energy Board. They are
28 | not a rubber stamp. They are there to consider whether
29 | they should grant either Arctic Gas or Foothills, a
30 | certificate of public convenience and necessity so that

1 | even when the work of this Inquiry is completed, you
2 | and those businessmen in the north and I've heard from
3 | many of them who are depending on this pipeline to
4 | enable your business to prosper, you'll still have to
5 | await the judgment of the National Energy Board and
6 | then of the Government of Canada, and those are the
7 | facts of life.

8 | Another point you raised that
9 | perhaps is worth commenting on, I appreciate your
10 | taking the trouble to appear here sir. You see, this
11 | is a public Inquiry and we conduct our business in
12 | public and that's why you are here, to tell us publicly
13 | what you think. When we went to the villages and
14 | settlements in the north where the native people live,
15 | we asked them to tell the Inquiry what they thought and
16 | we stayed for a day, two days, three days, four days,
17 | five days until everyone who wanted to speak had had an
18 | opportunity to do so.

19 | In many of those villages
20 | we heard from I am certain, the majority and in some
21 | villages, virtually all of the adult persons, men and
22 | women in the village and we wanted them to tell us
23 | what they thought. Not what they might think you and
24 | I would like them to tell us but what they had
25 | decided in their own hearts and in their own minds
26 | they must say. So, we tried in that way to find out
27 | what the attitudes of those people who live in the
28 | Mackenzie Valley, the Mackenzie Delta and on the
29 | perimeter of the Beaufort Sea really were and they
30 | told me with virtual unanimity that they wanted their

1 | land claims settled before any major development such
2 | as a pipeline took place.

3 | Now, there are businessmen
4 | in the north like yourself who say to me just as you
5 | said, you said, "I cannot be persuaded that these
6 | people are really against the pipeline". We have to -
7 | - it seems to me we have to regard what these people
8 | say to us -- the native people say to us as what they
9 | really think, what they really want us to know in the
10 | same way as I accept what you say as what you have
11 | decided you must say to me. I want you to understand
12 | that- I have tried to make sure that those people who
13 | live in the north had every opportunity freely to tell
14 | me what was really going on in their heads and that's
15 | why we went to virtually every community. That's why
16 | we give people the opportunity to speak in their own
17 | languages as well as in English and occasionally in
18 | French.

19 | I think that I'm trying to
20 | say to you that I am going to have to rely upon what
21 | they told me to determine what their attitudes and
22 | their beliefs and their hopes and their fears are. I
23 | think if we adopt that attitude toward each other,
24 | we'll begin to learn and to understand each other.

25 | At any rate, I just want you
26 | to know I appreciate your coming forward and I've heard
27 | from your colleagues in the business community in the
28 | north and I have on more than one occasion reminded
29 | them that notwithstanding whatever this Inquiry report
30 | may say, you'll still have to await the judgement of

1 | the National Energy Board and then of the Government of
2 | Canada on this whole pipeline question.

3 | Anyway, thank you very much.

4 | A I know there's a great
5 | reluctance on the part of some of the native people to
6 | appear at your hearings because of a natural shyness
7 | and the reason I'm here is because my partner Ed
8 | Lindberg expressed or told me that you know he would be
9 | too embarrassed to come and I'm sure there's a lot of
10 | these people who have not spoken out because of just
11 | sheer shyness.

12 | Q Well, I think you're
13 | right but many people are very shy but I think we
14 | overcame that in the villages. In Old Crow, virtually
15 | every adult person and many of the teenagers spoke. In
16 | a village with something like 200 people, 80 spoke in
17 | Old Crow. That experience was more or less repeated in
18 | every village. Not to the same extent but -- and
19 | because we stayed till two and three in the morning and
20 | then stayed overnight and then another night and then
21 | another night if that should be necessary I think
22 | people did feel free to speak to me and to those who
23 | accompanied me.

24 | So, I'm sorry if Mr. Lindberg
25 | didn't take advantage of that when we were in Hay River
26 | but we heard from the white community in Hay River and
27 | then to make sure that the native people of Hay River
28 | felt free to come forward, we held a meeting in the Hay
29 | River Indian village so that they wouldn't feel that
30 | they had to step forward in the presence of people that

1 | in whose presence they might feel shy.

2 | At any rate --

3 | A Thank you very much.

4 | THE COMMISSIONER: Thank you.

5 | (APPLAUSE) (WITNESS ASIDE)

6 | MR. WADDELL: Is Leo

7 | Littlebear here? Is Reverend Glenn Willms? Reverend
8 | Willms is present his brief now.

9 | REVEREND GLENN WILLMS sworn;

10 | THE WITNESS: You honor, I am

11 | the chairperson for a church and energy Conference
12 | which was held February the 11th called by the Church
13 | and Society Committee of the United Church of Canada
14 | serving in this area. There are representatives of
15 | that committee here this afternoon and perhaps you'd
16 | like to see them stand to indicate their support of
17 | this short brief.

18 | THE COMMISSIONER: Thank you
19 | very much ladies and gentlemen.

20 | A In a concillator church
21 | such as ours, it is not possible for one person to
22 | speak for the whole church but about 80 representatives
23 | of the churches met in this city to have dialogue with
24 | those of high calibre and advanced knowledge concerning
25 | the Mackenzie Valley.

26 | We sought to raise and
27 | deliberate upon the ethical issues involved in the
28 | construction of the proposed pipeline and our
29 | consultants were a social scientist, Professor James
30 | Frideres, a geologist consultant, Mr. Murray MacDonald,

1 an environmental scientist Professor Larry Bliss,
2 petroleum engineer with responsibility for frontier
3 explorations Mr. Douglas Brown', native student social
4 worker with experience in the Northwest Territories,
5 Deanna Greyeyes and an ethicist Professor Karen
6 Penelhum.

7 In making this brief
8 presentation, we do so with commendation for your
9 openness, your thoroughness and your obvious concern
10 for justice.

11 First under social science
12 factors. Development of any region has to destroy part
13 of the culture of the land so there must be interplay
14 of the relevant factors. There are only a few northern
15 pockets where nothing is happening and most Inuit have
16 acquired similar tastes and customs to those of whites
17 and the psychology of their culture has switched. It
18 is no longer pragmatic to try to recapture the
19 primitive.

20 In addition, there is a great
21 diversity of ethnic origins, color shades and cultures
22 in the north as well as a complex of color bars.
23 Native people are not opposed in our understanding to
24 development but want a piece of the action. They don't
25 all have the skills to qualify for work in mineral
26 exploration and development and are opposed only
27 because they feel left out.

28 Geologist consultant, the
29 Beaufort Basin in the Mackenzie Delta appears to be the
30 only frontier area from which oil or gas can be made

1 available in time to meet the 1985 demand. Attempts to
2 restore domestic self-sufficiency must start with a
3 demand curve. Canada is the second highest petroleum
4 consuming nation in the world despite its steady
5 downward trend in both reserves and productability.
6 Frontier development costs will be so high that demand
7 must be reduced in the future to the extent of even
8 drastic changes in lifestyle.

9 Environmental factors. The
10 northern challenge is to determine how much we can
11 develop with minimum damage. We all live in a time
12 scale in which we try to do more than we can.
13 Historically, native northerners have always lived
14 close to water because it provides more food than the
15 land, important for people who have to get by on their
16 own.

17 Mainly the landscape is
18 devoid of animals especially in winter but specific
19 concentrations of certain edible types makes it
20 possible for people with no agricultural potential to
21 live off the animals which live off the vegetation
22 which is not suitable for people. However there is a
23 limited base for support of large numbers of people
24 unless there is significant hydrocarbon energy resource
25 development.

26 However, the native land
27 claims must be settled as a key issue and terms for
28 petroleum development must be spelled out before any
29 thing starts. There must be adequate education of
30 field workers. Pipelines can be built in an

1 | environmentally sound manner and are essential as the
2 | base for many related projects.

3 | Energy resources and the
4 | relativity of the north. We have to do something
5 | quickly about the energy growth rate. Zero growth is
6 | essential as a target and conservation an absolute
7 | necessity. We cannot continue a five percent
8 | exponential growth rate of finite sources. Half of our
9 | total energy use is wasted but much can be saved by
10 | application of existing efficiencies to reduce the
11 | demand drain but the largest potential future reserves
12 | so heavily in the Arctic, there should be emphasis on
13 | conversion to alternatives including those other than
14 | coal which at present is the most abundant energy
15 | resource with an estimated 100 billion tons.

16 | Native concerns, Land is the
17 | life. That seems to sum up the native outlook as we
18 | heard it. We are not against development but we want
19 | to be part of it. This is the basis for the primary
20 | concern about land settlement to determine who are the
21 | rightful owners so the developers can deal directly
22 | with them, The Inuit and Dene do not want to be
23 | dependent on the Federal Government in the future and
24 | see ownership of land as the basis for a new autonomy.
25 | The desire for a piece of the action is felt to be
26 | their right, "We also want to be able to they say
27 | adapt, to changing conditions in our own speed to us.

28 | Now are the ethical aspects.
29 | Ethical aspects of northern development can be
30 | summarized as the search for rational and reasonable

1 | compromise between significant but temporary alleviation
2 | of energy needs and the inevitable cost in terms of
3 | disruption of a way of life and possible permanent
4 | disturbance to the landscape and wildlife. The utility
5 | approach creates the problem of whether this will bring
6 | the greatest benefit to the majority or violate rights
7 | of minority groups which should be protected. It is
8 | difficult to determine the proper priorities between
9 | them. However, if industrial society can't come to
10 | terms with a. supportable growth rate and reduce the
11 | concept of continuous expansion, its way of life will
12 | fall apart anyway.

13 | In conclusion, our dialogue
14 | brought out the following issues.

15 | 1. The concept of a need to research further energy
16 | supplies and a warning to the public that nonrenewable
17 | resources are rapidly diminishing.

18 | 2. That the automobile consumption requiring 15% of
19 | all non-renewable resources be curtailed and that a 50-
20 | mile-an-hour speed limit on highways be established.

21 | 3. That attention be given the Berger Commission
22 | findings and that the church participate in informing
23 | itself and the public.

24 | From our conference, there
25 | were these five resolutions passed unanimously: that
26 | this conference recommend establishment of guidelines
27 | for northern energy reserve development which will
28 | recognize the following principles:

29 | 1. Settlement of native land ownership and
30 | compensation before any development may proceed.

- 1 2. Extraction of the resources at a rate which will
2 not be excessive in relation to the best estimate of
3 domestic requirements and the rate of export necessary
4 to maintain and develop viable and economic conditions.
5 3. That administration be structured to provide for
6 participation by people who understand the local
7 problems.
8 4. Orderly development reflecting the results of
9 sufficient research to ensure an understanding of what
10 is to be done and why.
11 5. A long-range program for self-development of the
12 native people with a view to achieving a useful and
13 helpful degree of education and integration while
14 retaining the right to enjoy the native way of life at
15 their own initiative.

16 Thank you.

17 THE COMMISSIONER: Thank you
18 very much. Please convey my thanks to the members of
19 your delegation too sir.

20 A Thank you.

21 (SUBMISSION OF REVEREND GLENN WILLMS MARKED
22 EXHIBIT C-319)

23 (WITNESS ASIDE)
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30

1 MR. WADDELL: Mr.
2 Commissioner. We'd like to call as our next brief a
3 brief from the American Indian Movement. I'd call upon
4 Ed Burnstick and Nelson Small Legs. While they're
5 coming up. I wonder if Mr. Stan Jones is here, or a
6 representative from the Canadian Association of Oil
7 Well Drilling contractors, or Lorraine Allison, or Mr.
8 R.J. Danzer? If they're here, could they come up?

9
10 ED BURNSTICK and
11 NELSON SMALL LEGS unsworn:
12 WITNESS BURNSTICK: First of
13 all, I'd like to welcome Berger to Calgary, Alberta,
14 guess you've heard the for and against the development
15 of the north on the Mackenzie Pipeline, I think it this
16 time you've heard a lot of facts and different things
17 that have happened across Canada on development.

18 I want to take just a little
19 it of your time to present the three areas the last,
20 the present, and the future of Canada.

21 We talk about a society,
22 Canadian society. We talk about ourselves as
23 Canadians, and yet in the past, in the past I don't
24 know how many hundred years, the Canadian Government
25 has failed the people of Canada native people of
26 Canada. They have failed them in education, they have
27 failed them in social adjustment, they have failed them
28 in education of opportunities, in every field you can
29 think of, in the last 20 years.

30 People say, "That is the past,"

1 | but the past -- the scars of the past are still here and
2 | we're still suffering from those scars.

3 | When we talk about failure,
4 | when Mr. Buchanan himself does not recognize that, when
5 | they have failed the native people of Canada and of the
6 | States that the Dene Declaration was done by a Grade 10
7 | student, what does he expect? Those red-necked
8 | attitudes should not come out to the press because I
9 | think the native people of Canada and of the north have
10 | tried to be part of this society, and have been
11 | terribly failed by the government and society itself.

12 | The past in different areas
13 | of Canada there has been development which is affecting
14 | us today. The mercury poisoning in Kenora; in the
15 | James Bay where there's 150 families homeless, have
16 | nowhere to turn; in different areas where people have
17 | expressed what has happened to them as a result of
18 | development. I feel that in speaking for some of the
19 | American Indian Movement people across Canada and
20 | United States that these things should be considered
21 | today as to where the native people stand in society.
22 | Are they accepted as part of the society, or will the
23 | Canadian Government walk all over them again?

24 | In the present, the
25 | understanding and co-operation of all groups of people,
26 | Indian and non-Indian, can only help the Dene people in
27 | what they want, from what I understand that they want,
28 | apart and be part of the development of the north and
29 | have some say. I think that we cannot look at the
30 | development of the north to be developed rapidly. We

1 cannot look at it in dollars and cents. We have to
2 look at it in human rights. The human rights of the
3 native people of the north and not only Indian people
4 but non-Indian people also; we have to look at this
5 area so where we're going to be developing non-
6 recyclable energy, and I feel that if the government,
7 oil companies and privileged groups force the native
8 people to violent action, it's not going to benefit
9 anybody, Indian people or non-Indian people.

10 I feel that when it gets down
11 to things such as this, as being a country, that we have
12 to look at it in the moral, human, and civil rights. I
13 feel that the Dene people have come a long way to make
14 Canadians across the country try and understand what they
15 are trying to say. There have been many people in the
16 past who have dealt with the government and have never
17 been given a fair shake by the government. An example are
18 treaty rights. According to myself, all our treaty
19 rights have been violated by the government.

20 When we see native groups
21 like the Dene people and people of the north, when they
22 are forced to take violent action, when I say that will
23 not benefit anybody; but as the American Indian
24 Movement, if these people are forced to take violent
25 steps, then the American Indian Movement will have to
26 back them. We will back them in any way that we know
27 how, and the best way possible.

28 I feel that when we talk
29 about being part of a society I question a lot of
30 things: how many people are on that National Energy

1 Board, how many native people are on that Board? How
2 many native people are on different Boards where people
3 decide on the future of their children, their
4 grandchildren, the future of their culture, the future
5 of their traditions, the future of their lifestyle?

6 I feel that when we get right
7 down to areas where things where people like Mayor Rod
8 Sykes, Judd Buchanan -- do not care about a group of
9 people their red-necked attitudes towards the native
10 people does not help the native people, it does not
11 help their community, it does not help the Canadian
12 people of Canada. When you get right down to the whole
13 hearing as it is going across Canada, which is a
14 positive thing, people can come and express their views
15 on the Mackenzie Pipeline, it's something positive that
16 is going on. But when I see a person presenting his
17 brief and then walking out on the others, that means he
18 has his own interests and nothing else.

19 (APPLAUSE)

20 We must remember the American
21 Indian Movement supports the Dene people, and we have
22 chapters across Canada, and if anything should happen
23 in the north, the Mackenzie Pipeline comes right
24 through Alberta and we will deal with it if we have to
25 back up the Dene people in every way we can.

26 I'd like to thank Berger for
27 taking this time and listening to us and hope that you
28 understand the native people of the north and have a
29 fair representation in Parliament when you present the
30 whole thing.

1 WITNESS SMALL LEGS: First of
2 all, I'd like to welcome Commissioner Berger to
3 Southern Alberta, and I'd like to welcome the rest of
4 the oil people to this hotel.

5 For the past couple of hours
6 I've been sitting here, sitting back there listening to
7 people making their briefs about for and against or
8 half-way, or whatever, for the Mackenzie Valley
9 Pipeline One fellow said there are two extremes. It
10 seems to me that there are only two answers, either do
11 it or you know, scrap the thing. If you go ahead and
12 do it, Like I can only talk from my area of Southern
13 Alberta, can only talk about the five reservations.

14 If they proceed with the
15 Mackenzie Valley Pipeline, all I can see is corruption.
16 Have you people ever seen 7-year-olds, 6-year-olds, 5-
17 year-olds melting down an L.P, record so they can get
18 the alcohol out of it to forget their misery? Have you
19 seen 7-year-olds melt down polish and get alcohol out
20 of it? have you seen that? Any of you oil people,
21 have you seen that? This is true. This is basic
22 grassroots truth. This is what the dominating society
23 has done to native people all across Canada, and if it
24 goes through, that Mackenzie Valley in the Northwest
25 Territories, I see the same corruption. Booze,
26 alcohol, what our former brothers have stated.

27 It seems to me that the exec-
28 utive of the oil companies do not think of their children
29 children's children. When the native people get up here
30 to speak, we speak for generations. Our forefathers

1 signed a treaty for generations to come. Your
2 forefathers didn't sign for you guys, they just signed
3 for themselves so they could get the land away from us.
4 Truth, that's what the American Indian Movement speaks.

5 Talk about the laws of
6 nature. This is the law of nature, the peace pipe or
7 your Bible. That is the law of nature. This rock
8 represents the earth, the stem represents what grows on
9 the earth. If you violate the laws of nature, you
10 violate your internal selves, where materialism is
11 hired and everything else. I see some people
12 snickering back there. Well, snicker all you want.

13 If it does go through, like
14 Ed says here, it's going to come through Southern
15 Alberta and very close to the five reservations. We
16 will back the Northwest Territories Indians up in
17 whatever their decision is. We do not condone violence
18 but if we are threatened with it, we'll use it. We're
19 not trained like our brothers to the south across the
20 border, where they're trained in guerilla warfare and
21 trained in the art of killing a human being, The
22 Canadian Indian is unpredictable. They will take
23 anything up to defend themselves -- our children, our
24 wives, our culture, our spirtualism. So it's a
25 decision of whether or not it will go through. You're
26 either in the water or you're out of it.

27 Thank you very much,
28 (APPLAUSE)

29 MR. WADDELL: Mr.
30 Commissioner, I should have told you that Mr. Burnstick

1 spoke first, I think as you gathered, and Mr. Small Legs
2 second.

3 (WITNESSES ASIDE)

4 MR. WADDELL: I call upon Mr.
5 Dixon -- Professor Dixon Thompson from the Faculty of
6 Environmental Design, University of Calgary. I think
7 Professor Thompson, if he's here I know that he was
8 going to try and make it back this afternoon, Is
9 Professor Thompson here?

10 A VOICE: No.

11 MR. WADDELL: Well, I think
12 he indicated to me that he would send in a written
13 brief.

14 There are - we've covered
15 everyone now that has indicated to us previous to May
16 1st that they would want to make a brief, and we've
17 heard something like 39 briefs, Mr. Commissioner, so I
18 would ask that the remaining people that do have
19 anything to say, or as a result of some of the briefs
20 here today feel that they wish to submit a brief to the
21 Inquiry, to send their briefs in written form to
22 Yellowknife, to you, sir, in Yellowknife, Northwest
23 Territories, and we'll file them with the Inquiry and
24 make sure that you get them to read.

25 I should say that the
26 transcripts of our hearings have been deposited in the
27 Calgary Public Library and Mr. Commissioner, we'll make
28 sure that the transcripts of these hearings are
29 available there, just as soon as we have them.

30 Now Mr. Ryder, I believe, has

1 something.

2 MR. RYDER I have nothing to
3 add, Mr. Commissioner. I believe Mr. Blair is here and
4 has a few words to say, if that may be done?

5 Before Mr. Blair begins, I
6 should advise people here that Mr. Blair is speaking to
7 the Commission as part of our rules, our procedures
8 that we have laid down whereby all, the regular
9 participants at the Inquiry, including the two pipeline
10 companies, have agreed that they won't cross-examine
11 any people who come here to present their submissions
12 to you, but instead the participants will be offered an
13 opportunity to say -- make a statement to you at the
14 conclusion of each session, and that is what I rather
15 Mr. Blair is here to do.

16

17 ROBERT BLAIR, resumed:

18 THE WITNESS: Mr.
19 Commissioner, it's Robert Blair speaking, as the
20 president of the Alberta Gas Trunk Line Company of
21 Calgary, and part-time as the president of Foothills
22 Pipe Lines, an applicant before your Inquiry.

23 With other witnesses from
24 Foothill I have appeared already considerably at our
25 hearings, Mr. Commissioner, in the communities and at
26 Yellowknife, and will again, and won't stretch even
27 our renowned patience by repeating today about our
28 work on the Maple Leaf project in any sort of
29 technical way.

30

Nevertheless, there have been

1 | some suggestions raised in the hearings in the province,
2 | including in Calgary, to which we react strongly, and so
3 | our company is **Q& rather medium size in international
4 | terms, it's still one of the larger Canadian-owned and
5 | controlled companies and therein I do claim to represent
6 | one of the major and responsibly informed points of view
7 | in the gas pipeline industry in Canada.

8 | First, as to the charge made
9 | most directly and sometimes in rather extreme and
10 | derogatory language before you, the charge that this
11 | regulatory and judicial process of review is already
12 | holding up connecting of additional gas supplies to
13 | Southern Canadians, I've heard enough of that to want
14 | to testify through your record that such charge is
15 | false or misinformed, and deserves to be contradicted,
16 | I believe, in flat language.

17 | The only frontier gas
18 | available for early connection for Canadian purposes is
19 | the gas in the Mackenzie Delta on the Arctic Islands.
20 | No gas from Alaska has been offered for Canadian use.

21 | In the Mackenzie Delta the
22 | producers, which have developed a significant gas
23 | supply there, have said clearly on their own behalf
24 | that their plans are for first production in the fall
25 | of 1981, and e see that they have conditioned those
26 | forecasts in terms which suggest that more likely the
27 | first production will occur in the fall of 1982. The
28 | reserve quantities there are deserving of pipeline
29 | connection and we believe that the additional potential
30 | of the area over and above the reserves proven so far,

1 | will in the next few years justify the choice of 42-
2 | inch pipeline, which is the size which would achieve
3 | comparatively low unit costs for such connection.

4 | In Alberta Gas Trunk Company
5 | our day to day business, our bread and butter, meat and
6 | potatoes business is the connecting of new sources of
7 | gas supply. We do it every year. We know that in
8 | order to have a pipeline connection through the
9 | Mackenzie Delta in operation in the fall of 1982 it
10 | would be desirable, if possible, to start some
11 | preliminary field construction work during 1977, To do
12 | that we should ideally, if we had everything our way,
13 | we should ideally finance in 1978, and in order to
14 | complete all the construction planning with the optimum
15 | economy and convenience, it would be desirable to
16 | receive authorization of the properly designed project
17 | by about the end of 1977, more or less.

18 | Now that's laying out an
19 | ideal schedule as seen by experienced pipeline
20 | construction management. If it should be necessary, we
21 | could make the in-service time in the fall, of 1982
22 | with later regulatory action and government decision
23 | and still experience no real delay.

24 | Now the point to this
25 | analysis is that there is simply no way at all that a
26 | process f regulatory and judicial and Parliamentary
27 | review luring all of '76 and all of 1977, if necessary,
28 | no way that such timing could possibly contribute delay
29 | to the time at which the frontier gas begins to flow,
30 | looking at this situation as a Canadian project. But

1 don't believe, the reason I asked to get in here today,
2 I don't believe that this hearing and its participants
3 should be left with the bad taste of some of the
4 statements and charges about urgency and delay which
5 have been made to you.

6 We know on the factual basis
7 that I've just described that there is substantial time
8 available in terms of Canada's interests to properly
9 evaluate the impact of the pipeline on the peoples of
10 the north. We know that there's time to negotiate and
11 hopefully make much progress towards settling the
12 Indian land claims. We know that it's time to take
13 steps to minimize the impact of development on the
14 north, the native peoples and other interested parties
15 along the route; and we know that there is time to
16 choose carefully, among various alternatives of gas
17 sources and schedules and projects, designs in Canada.

18 Some of the statements about
19 urgency may have been from misinformation, and some
20 have had to do, no doubt, with the urgency which is
21 attributed to the transport of Alaskan gas to United
22 States markets. We're quite aware in Foothills of that
23 United States urgency and as had some press attention
24 the last couple of weeks, our own companies are
25 presently involved in the proposed Fairbanks corridor -
26 Alaskan Highway alternative, which might, in its
27 separate way, come to do something really practical to
28 relieve that American problem. Possibly the Alaskan
29 Highway medium-sized kind of project proposed would in
30 the end provide -- even provide the promptest relief

1 | of the American problem. But I think what's
2 | important here is to identify that as an American need
3 | and to recognize that whatever may be done to relieve
4 | that American need, that that be done, recognized and
5 | weighed as a concession and an accommodation of
6 | American interests and not as a development urgent for
7 | Canadian purposes to the point of overriding other
8 | local objectives which may get in its way.

9 | Our own companies have a lot
10 | of operating and construction responsibility from day
11 | to day, and we like efficiency and speed of action at
12 | least as much as anyone else does. I'm sure everyone
13 | in the room, in their own way, and for their own
14 | reasons, would like to get on with their assignment.
15 | But we get uneasy if we see components of an industry
16 | or of any other component trying willfully to get their
17 | own way by demanding urgent decision before the facts
18 | and the public attitudes are considered.

19 | Now to be practical, I do
20 | acknowledge that there is the one case which could need
21 | more urgent decision in Canada, that is the Arctic as
22 | group whose project has to, by its nature, meet United
23 | States purposes and schedules which seem to have a more
24 | advanced and arbitrary deadline situation because
25 | perhaps of the complexity of the jurisdictional and the
26 | governmental reviews involved there. But what we
27 | perceive is that real anxiety for decision in '76 or
28 | for very early '77 is for the very individual
29 | objectives of that one particular project, and not for
30 | the increasing as supply in Canada as a general aim.

1 A second issue which has been
2 raised before your hearings is the manner of
3 participation by northern residents particularly
4 suggesting by Indian residents in the ownership and in
5 the Board of Directors as well as in direct participation
6 on the Board of Directors, as well as in supervisory and
7 management and operational jobs of the pipeline company
8 which eventually accomplishes these projects which Canada
9 predictably will need, and I notice this has been raised
10 in respect of the Yukon Brotherhood recently, and since
11 the subject is so timely I'd like to confirm again in
12 this forum that from the other side of the table, that's
13 from the company's side, we do happen to endorse and
14 believe in such an arrangement, and are continuing
15 currently to in private discussions with government
16 authorities and with representatives of the northern
17 peoples, continuing to plan the practical implementation
18 of such arrangement within any project sponsored by
19 Foothills, whether they be in the Northwest Territories,
20 mainline and community delivery operations, or for a
21 corresponding operation in the Yukon Territory.

22 Finally, and there's a third
23 subject, I'd like to respond in a way to some of the
24 expressions of anxiety that have been put before the
25 hearings. The Foothills organization is not interested
26 at all in crashing through a project over the protests
27 against the interests of the residents. The company
28 sponsoring this project have as part of their routine
29 responsibility the job of operating pipelines under
30 lands occupied by other parties, in the case of Alberta

1 Gas Trunk in Alberta there's about 5,000 such
2 landowners **whether the ranchers, farmers, Hutterite
3 communes, Indian Reserves, National Parks, Provincial
4 Parks, whoever holds the lands, and part of our
5 business day to day is getting the pipelines into the
6 ground with their acquiescence and living with them,
7 and that's the nature of this business. We do know
8 also that there are sufficient reserves of gas in
9 Alberta to meet the going requirements of the Canadian
10 market for some years, as was demonstrated by the
11 Energy, Mines & Resources recent publication of their
12 energy study.

13 The position of our Foothills
14 organization is simply to keep ready and prepared to
15 proceed with construction of the pipeline at such time as
16 it may be that the Government of Canada determines after
17 careful review by this Inquiry and by the National Energy
18 Board and by Parliament itself that the construction of a
19 Mackenzie Valley Pipeline may be required for the best
20 interests of all the people concerned, including
21 northerners, southerners, producers, consumers r
22 whatever. Until the next time when a community hearing
23 somewhere else, I thank you for your attention.

24 (APPLAUSE) (WITNESS ASIDE)

25 THE COMMISSIONER: Ladies and
26 gentlemen, any other participants who wish to make a
27 statement, Mr. Ryder?

28 MR. RYDER: No, Mr. Commissioner.

29 THE COMMISSIONER: Well,
30 ladies and gentlemen, I want to thank you for your

1 attendance here during these past two days, and to say
2 that I have listened carefully to the contribution that
3 each one of you has made, and I repeat the thought that
4 it seems to me to be useful, that all points of vie are
5 expressed at this Inquiry and that the people in the
6 industry, the people representing the native
7 organizations, the people with environmental concerns,
8 the representatives of the religious committees that
9 have taken an interest in the moral and ethical
10 dimensions of the Inquiry's work, I think it's
11 important that all of you have taken the trouble to be
12 here, not only to express your own points of view but
13 to listen to the points of view expressed b' others
14 with whom you may, and in some instances clearly do not
15 agree.

16 I think that that's the way
17 the democratic process ought to function. It means that
18 in a country of many millions of people there is a
19 forum for you who wish to do so to express your point
20 of view and for me to consider your point of view and
21 to make my own report to the Government of Canada and
22 to make my own recommendations which naturally in due
23 course will be made public.

24 So thank you again, and I
25 think that I should simply adjourn the Inquiry now
26 until we reconvene in Edmonton on Monday at two o'clock
27 in the afternoon. Thank you.

28 (APPLAUSE)
29 (PROCEEDINGS ADJOURNED TO MAY 17, 1976)

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