

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)

Winnipeg, Manitoba
May 20, 1976

PROCEEDINGS AT COMMUNITY HEARING

Volume 57

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

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1 | Winnipeg, Manitoba

2 | May 20, 1976

3 | (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

4 | THE COMMISSIONER: Ladies and
5 | gentlemen, I'll call our hearing to order this
6 | afternoon.

7 | The Mackenzie Valley Pipeline
8 | Inquiry is taking its hearings to the main centers of
9 | southern Canada to consider the views of people like
10 | yourselves who have indicated in large numbers that
11 | they wish to make representations to this Inquiry. We
12 | are here to give you that opportunity because we
13 | Canadians have some important decisions to make,
14 | decisions for which all of us will share a measure of
15 | responsibility.

16 | As you know, two pipeline
17 | companies, Arctic Gas and Foothills Pipe Lines, are
18 | competing for the right to build a gas pipeline to
19 | bring natural gas from the Arctic Ocean to southern
20 | Canada and the United States.

21 | The Government of Canada has
22 | established this Inquiry to see what the social,
23 | economic and environmental consequences will be if the
24 | pipeline goes ahead and to recommend what terms and
25 | conditions should be imposed if the pipeline is built.
26 | So, we are conducting an Inquiry about a proposal to
27 | build a pipeline along the route of Canada's mightiest
28 | river, a pipeline costlier than any in history, a
29 | pipeline to be built across our northern Territories, a
30 | land where four races of people, white, Indian, Metis

1 and Inuit live, where seven different languages are
2 spoken, the first pipeline in the world to buried in
3 the permafrost.

4 The pipeline project will not
5 consist simply of a right-of-way. It will take three
6 years to build. It will entail hundreds of miles-of
7 access roads over the snow and ice. It will mean that
8 6,000 workers will be needed to build the pipeline and
9 1,200 more to build the gas plants in the Mackenzie
10 Delta. It will mean 600 crossings of rivers and streams
11 in the north. It will require 30 million cubic yards of
12 gravel which will necessitate the establishment of 98
13 gravel mining operations. It will mean pipe, barges,
14 wharves, trucks, machinery, aircraft, airstrips In
15 addition, it will mean enhanced oil and gas exploration
16 and development in the Mackenzie Valley, the Mackenzie
17 Delta and the Beaufort Sea.

18 Now, the Government of Canada
19 has made it plain that the gas pipeline .s not to be
20 considered in isolation. In the expanded guidelines
21 for northern pipelines, they have laid it down that
22 this Inquiry is to proceed on the assumption that if a
23 gas pipeline is built, an oil pipeline will follow.
24 So, we must consider the impact of an energy corridor
25 that will bring gas and oil from the Arctic to the mid-
26 continent.

27 Now, it isn't for this
28 Inquiry to decide whether a pipeline should be built
29 and an energy corridor established. That is for the
30 Government of Canada and it is a question that they

1 will have to decide when they have my report and the
2 report of the National Energy Board dealing with gas
3 supply and gas requirements. Then the government will
4 have to determine whether we should go ahead with the
5 project and these are questions of national policy to
6 be determined by those elected to govern.

7 My task and the task of this
8 Inquiry is to make sure that we understand the con
9 sequences of what we are doing to enable the Government
10 of Canada to make an informed judgment.

11 The Inquiry began its
12 hearings on March 3rd, 1975 in Yellowknife. Since then
13 we have held many months of formal hearings listening
14 to the evidence of engineers, scientists, biologists,
15 anthropologists, economists, listening to the people
16 who have made it the work of their lifetime to study
17 the north and northern conditions.

18 The environment of the Arctic
19 has been called fragile. That may or may not be true.
20 Arctic species certainly are tough. They have to be in
21 order to survive but at certain times of the year
22 especially when they are having their young, they are
23 vulnerable. If you build a pipeline from Alaska along
24 the Arctic coast of the Yukon, you will be opening up a
25 wilderness where the Porcupine caribou herd calves on
26 the coastal plain and in the foothills every summer.
27 This is one of the last great herds of caribou in North
28 America.

29 Then it is proposed that the
30 pipeline from Alaska should cross the mouth of the

1 Mackenzie Delta where the white whales of the Beaufort
2 Sea have their young each summer. Millions of birds
3 come to the Mackenzie Delta and the coast of the
4 Beaufort Sea each summer from all over the western
5 hemisphere to breed and to store up energy for their
6 long journey south in the fall. Can we build pipelines
7 from the north under conditions that will ensure the
8 survival of these species? These are some of the
9 questions that this Inquiry is wrestling with.

10 But it is the people of the
11 north that have the most at stake here because they
12 will have to live with whatever decisions are made.

13 That is why the Inquiry has
14 held hearings in 28 cities, and towns, villages,
15 settlements and outposts in the north, to enable the
16 peoples of the north to tell me to tell the government,
17 and to tell all of us what their life and their own
18 experiences have taught them about the north and the
19 likely impact of a pipeline and energy corridor.

20 The Inquiry has been from
21 Sachs Harbor to Fort Smith, from Old Crow to Fort
22 Franklin and has heard from 700 witnesses in the north
23 in English, French, Loucheux, Slavey, Dogrib, Chipewyan
24 and Eskimo. Our task is to establish constructive
25 approaches to northern development. If we are to do
26 that, we have an obligation to canvass all of the
27 questions before us.

28 Some of these questions are:
29 Should the land claims of the native peoples of the
30 north be settled before a pipeline is built? If it is

1 built and the native people want to participate in its
2 construction, how can we ensure that they are given an
3 opportunity to work on the pipeline? Can they develop
4 skills on the pipeline that will be of some use to
5 themselves and to the north after the pipeline is
6 built? Can we provide a sound basis for northern
7 business to obtain contracts and sub-contracts on the
8 pipeline?

9 What about the unions? We
10 are told they have an awesome measure of control over
11 pipeline construction in Alaska. Should they have the
12 same measure of control over pipeline construction in
13 the Mackenzie Valley?

14 What about the local taxpayer
15 in the larger centers in the north such as Yellowknife
16 and Inuvik? If you have a pipeline boom, you will have
17 to expand your schools, your hospitals, your police
18 force, you local services. What measures ought to be
19 taken to enable the municipalities and other institutions
20 of local government to cope with the impact?

21 We Canadians think of
22 ourselves as a northern people so the future of the
23 north is a matter of concern to all of us regardless
24 where we live. In fact, it is our own appetite for oil
25 and gas and our own patterns of energy consumption that
26 have given rise to proposals to bring oil and gas from
27 the Arctic. It may well be that what happens in the
28 north and to northern peoples will tell us something
29 about what kind of a country Canada is and what kind of
30 a people we are. That is why we are here today to

1 | listen to you.

2 | I should add that we have
3 | some visitors from northern Canada with us. The CBC
4 | established at the beginning of this Inquiry a northern
5 | broadcasting unit which travels with the Inquiry
6 | throughout the north and broadcasts each evening over
7 | the northern network of the CBC in the Northwest
8 | Territories-, and the Yukon to all of the peoples of
9 | the north in English and the native languages, and the
10 | CBC's broadcasting unit is accompanying the Inquiry on
11 | its tour of southern Canada and is broadcasting each
12 | evening from our hearings in the south, reporting what
13 | is being said to people who live in northern Canada.

14 | Those broadcasters who are
15 | with us today include Whit Fraser who broadcasts in
16 | English, Jim Sittichinli who broadcasts in Loucheux,
17 | Louis Blondin who broadcasts in Slavey, Joe Toby who
18 | broadcasts in Chipewyan and Dogrib and Abe Okpik who
19 | broadcasts in Inuktitut.

20 | I'll ask Mr. Goudge of
21 | Commission counsel to outline our procedure today.

22 | MR. GOUDGE: Yes sir. I
23 | should begin by saying that these procedures have been
24 | agreed to by all the full-time participants that have
25 | been appearing before you in Yellowknife and they are
26 | obviously designed to facilitate the full and fair
27 | participation on the part of all those who wish to make
28 | submissions in Winnipeg.

29 | The Inquiry advertised in all
30 | the major newspapers across southern Canada and asked

1 | that written briefs be submitted to the Inquiry office in
2 | Ottawa by May 1st. That was done in order to facilitate
3 | our planning of our time in southern Canada and Mr.
4 | Waddell, who is seated on my left, has scheduled those
5 | who replied from Winnipeg to present their briefs to you
6 | this afternoon and this evening. Any who did not submit
7 | their briefs to the Ottawa office by May 1st and who
8 | still wish to make submissions should see Mr. Waddell and
9 | if possible if time permits, I know he will do his best
10 | to fit them into the schedule.

11 | The procedures we propose,
12 | sir, are very simple. First of all, we proposed that
13 | there be no cross-examination at these hearings but if
14 | further questioning of those who give briefs to you
15 | today should appear useful or is desired by any of the
16 | full-time participants, we will undertake to do our
17 | best to arrange that that be possible at a mutually
18 | convenient time and place.

19 | Secondly, we've agreed. that
20 | all full-time participants will have the opportunity at
21 | the end of the session to respond briefly to what has
22 | been said to you today in Winnipeg.

23 | Thirdly, sir, we will ask-each
24 | witness to take the oath or to affirm. That is the
25 | procedure we have followed in the north and that's
26 | indicative of the importance that the Inquiry places on
27 | what is said here. Those are the procedures we propose,
28 | sir and Mr. Waddell will proceed, I think, to call the
29 | witnesses.

30 | MR. WADDELL: Mr.

1 Commissioner the first brief is from the Anglican
2 Diocese of Ruperts Land and I would call upon the Right
3 Reverend Barry Valentine, the Bishop, to present that
4 brief.

5 REV. BARRY VALENTINES sworn:
6 THE WITNESS: Your honor, It
7 is a privilege for me to be allowed to be here and an
8 additional privilege to be the first. You'll forgive
9 me if I wondered if that was a non-religious equivalent
10 of opening with prayer.

11 Perhaps you'd allow me to
12 desert the written submission for a moment simply to
13 indicate that the diocese of which I am the head was
14 originally the diocese which covered the whole
15 territory of the west and north and for many centuries
16 has had a deep concern about the interpenetration of
17 the social, religious and commercial life of the
18 community. It might very well be suggested that the
19 necessity for this Inquiry is an illustration of our
20 failure but at least our continuing concern is present
21 and historical.

22 The Synod of the Diocese of
23 Ruperts Land supports the following statements on
24 native land claims and northern development contained
25 in a brief presented to the Prime Minister and members
26 of the Federal Cabinet by Canadian church leaders on
27 the 2nd of March, 1976.

28 "The Canadian north has become center stage
29 in a struggle to gain control of new sources of
30 energy and minerals on this continent. Corpora-

1 | tions and governments continue to plan the con-
2 | struction of power plants, pipelines, railways,
3 | highways and mining projects without the direct
4 | participation of native peoples in the north and
5 | before" a just settlement has been reached on
6 | their land claims.

7 | We believe that the Federal Government has a ma-
8 | jor responsibility to insist that colonial pat-
9 | terns of development do not prevail in the Cana-
10 | dian north. We therefore urge the Federal Gov-
11 | ernment to introduce a moratorium on major re-
12 | source development projects in the Northwest
13 | Territories to allow sufficient time to achieve
14 | the following objectives:

- 15 | 1. A just settlement of native land claims,
16 | 2. Adequate safeguards to deal with environ-
17 | mental problems.
18 | 3. Adequate programs to regulate domestic con-
19 | sumption and export of energy resources.

20 | We also urge the Federal Government to
21 | provide assurances that no approval will be
22 | granted for the building of a Mackenzie Valley
23 | Pipeline until the Berger Commission has submit-
24 | ted is final report."

25 | The Synod recognizes that the
26 | satisfaction of the just claims of the native peoples
27 | for protection of their lands and way of life is not
28 | without implications for other Canadians. Without the
29 | assets of exportation of the resources of the
30 | Northwest, the people of the southern part of the

1 | country will have to live less prosperously than they
2 | do now. To this extent, the needs of southern and
3 | northern Canadians are in conflict with regards to
4 | developing these resources.

5 | This conflict, we believe
6 | should not be settled by serving the interests of the
7 | people in the south at the expense of those of the
8 | people in the north. Rather, it seems reasonable to
9 | ask southern Canadians to make as great a sacrifice for
10 | the good of northern Canadians as the northerners will
11 | have to make for those of the south.

12 | The Synod perceives in the
13 | community which it represent a growing willingness to
14 | modify the lifestyle of its members as part of the just
15 | solution of a problem which is national in character.
16 | It acknowledges a responsibility to strive for a wider
17 | acceptance of this attitude among its own constituency
18 | and in the wider community.

19 | It might be argued that as
20 | these resources are in the north, the interests of
21 | northerners alone should be considered. However, in a
22 | country with our cold winters, there would be a point
23 | at which life would be impossible without a reliable
24 | and fairly priced source of heat. Just as it is
25 | immoral to serve the needs of the southerners at the
26 | risk of making the north uninhabitable, so it would be
27 | immoral to protect the north by making the south
28 | uninhabitable but there is a considerable range between
29 | the present relative luxury of life in the south and an
30 | austerity so severe that life would be impossible.

1 As Christians, the members of
2 the Synod feel that there is a pressing need for a
3 change in our relationship to nature and to each other.
4 We are aware that to exploit others is to be in
5 conflict with the commandment to love our neighbors.
6 Circumstances are now reminding us that we were not
7 given this world to destroy and exploit by wastefulness
8 but to care for as life tenants. We are the stewards of
9 the earth rather than its owners and as such we have an
10 obligation to husband its resources and to leave it for
11 future generations, not impoverished but enhanced.

12 Thank you, your honor.

13 (SUBMISSION OF THE ANGLICAN CHURCH OF CANADA, DIOCESE
14 OF RUPERT'S LAND MARKED EXHIBIT C-404)

15 (WITNESS ASIDE)

16 MR. WADDELL: Mr. Commissioner,
17 our next brief is from the city of Winnipeg, their brief
18 to be presented by Councillor W. M. Norrie.

19 W. M. NORRIE sworn;

20 THE WITNESS: My lord, may I
21 at the outset say that I really appear as a surrogate
22 for the mayor who was not able to be present. and
23 normally in those circumstances perhaps the deputy
24 mayor would have appeared, and he was also unable to be
25 present, so I am making the presentation.

26 I would like to say as well
27 that perhaps it's significant that the City of Winnipeg
28 should be following his grace, having heard the
29 spiritual side of the matter, perhaps we move to the
30 temporal concerns.

1 Mr. Commissioner, the Council
2 of the City of Winnipeg welcomes this opportunity to
3 appear before the Mackenzie Valley Pipeline Inquiry to
4 make its views known to you. The Council-Of the City
5 of Winnipeg speaks on behalf of some 575,000 residents
6 of this city, the third largest civic corporation in
7 Canada and at the last census, the fifth largest census
8 metropolitan area in Canada

9 The latest available
10 population projections indicate that the population of
11 the city of Winnipeg will reach some 624,000 persons by
12 1901 and 676,000 persons by 1986, The City of Winnipeg
13 therefore has a serious interest in energy matters.
14 itself being a supplier of energy through its own.
15 utility, Winnipeg Hydro. The City of Winnipeg has.
16 been and is being served excellently by its own
17 electric utility, Winnipeg Hydro and also by Manitoba
18 Hydro. Both utilities supply hydro-electric power to
19 the residents and industry of Winnipeg in an efficient
20 and dependable manner. As well, for many years a
21 Winnipeg hydro steam generating plant has provided
22 steam heating to commercial users within the downtown
23 core area of the city.

24 In spite of the excellent
25 service, however, offered by the hydro-electric
26 utilities, and in spite of hydro electricity rates-which
27 are the lowest in Canada, natural gas still is much less
28 expensive as a heating fuel and for this reason is much
29 desired for heating in the city of Winnipeg.

30 Recent estimates of the

1 annual cost of heating in an average Winnipeg home by
2 three different energy sources are as follows: natural
3 gas, \$205 - \$250 per year; oil, \$300 - \$374 per year;
4 and electricity, \$450 - \$555 per year.

5 Winnipeg was one of the first
6 centers of major size in Canada outside of the
7 producing areas to be supplied with natural gas nearly
8 twenty years ago. In the past twenty years, a pattern
9 of heavy reliance upon natural gas as a heating and
10 industrial fuel has developed in the Winnipeg area.

11 Some indication of the degree of dependence of Winnipeg
12 upon natural gas relative to
13 all of Manitoba and the rest of Canada is given by the
14 following table extracted from the 1961 - 1971 Census
15 of Canada and the table is set forth, Mr. Commissioner,
16 and it's expressed in thousands, and just as an example
17 I would point out that in 1971 there were 631,000 of
18 households. The percentage in that year heated by
19 natural gas 30.9 percent. That's in all of Canada.

20 In Manitoba, the
21 corresponding figure in '71 was 53.3 percent and in the
22 City of Winnipeg census, metropolitan area which is
23 generally the City of Winnipeg with a few additional
24 areas,, 75.9 percent. Now, that had jumped from the
25 1961 figure which was 28.7 for the city of Winnipeg, a
26 substantial increase.

27 Today, sir, there some
28 119,000 residential natural gas consumer customers in
29 the City of Winnipeg representing 87 percent of the
30 residences in the city other than apartments. Whilst

1 figures on industrial usage are not available for the
2 city of Winnipeg, data for Manitoba may provide some
3 indication of the reliance of industry in Winnipeg on
4 natural gas.

5 In 1971, natural gas had
6 secured only 32 percent of the industrial market in
7 Canada but had 47 percent of the industrial market in
8 Manitoba. Because of the greater availability of
9 natural gas in Winnipeg than in all of Manitoba, the
10 penetration of the Winnipeg industrial market is in all
11 probability much higher than 47 percent.

12 In 1971, natural gas supplied
13 30.3 percent of the overall energy requirements within
14 the Province of Manitoba; oil, 49.9 percent;
15 electricity is 15.7 percent and coal 4.5 percent.
16 Again, while figures are not available for the City of
17 Winnipeg, it is safe to assume that because of the
18 greater availability of natural gas in Winnipeg than;
19 in the province as a whole, natural gas would supply a
20 significantly greater proportion of the total energy
21 requirements of the City of Winnipeg.

22 Projections of energy and by
23 the Manitoba Energy Council indicate that in 1990.
24 Manitoba still will be dependent on petroleum products
25 for 50 percent of its energy needs in spite of
26 continued development of hydro sites and consideration
27 of a nuclear electric generating program as well as the
28 examination of new technology. Thus, our heavy
29 reliance upon oil and gas will continue well into the
30 future.

1 A natural gas shortage is
2 something that is viewed by most Canadians as a
3 possibility at some time in the next ten to twenty
4 years. In Winnipeg, a severe natural gas shortage has
5 existed for two years. In May 1974, after failing to
6 obtain export permits from the Province of Alberta for
7 additional volumes of natural gas, the local
8 distributor of natural gas, the Greater Winnipeg Gas
9 Company, was unable to take on new customers of any
10 kind. As there are some 3,000 to 5,000 single family
11 and duplex dwelling units constructed in Winnipeg
12 annually, nearly all of which become natural gas
13 customers, and as some 300 to 400 new commercial and
14 industrial natural gas customers are added annually as
15 well as a number of conversions to natural gas, this
16 action caused considerable disruption to the house-
17 building industry in particular., and to new business
18 in general.

19 In August 1974, the Greater
20 Winnipeg Gas Company resumed extended service to new
21 residential customers. However, in 1974, the freeze on
22 new residential customers was reimposed. This
23 condition existed until August, 1975. From August 1975
24 to date, new residential customers have been accepted.
25 There is no assurance however that natural gas will be
26 available next year or the following year for new
27 residential construction.

28 The Greater Winnipeg Gas
29 Company has been unable to accept new commercial
30 industrial accounts since May of 1974 and even existing

1 accounts were unable to increase their usage of gas
2 from May of 74 until May, 1976. In May, 1976
3 applications from existing commercial industrial users
4 who wish to increase their consumption began to be
5 processed. Once these applications have been filled,
6 the gas company will begin to service the backlog of
7 some 900 new commercial industrial applications which
8 have been received since May 1974. It is estimated
9 that with no further interruption it will take some two
10 years to clear up the backlog.

11 New firms making applications
12 for service today can be given no assurance that they
13 will be accepted as customers in two years time.
14 Commercial industrial firms that are considering
15 Winnipeg as a possible location for a plant or factory
16 can be given no assurance that they will be accepted as
17 natural gas customers at some time in the future. This
18 condition of uncertainty surely is a substantial
19 detriment to Winnipeg as a possible location for new
20 industry and as an impediment to the growth of industry
21 and employment in this city.

22 Since May, 1974, the Greater
23 Winnipeg Gas Company has not been able to accept
24 residential or commercial conversions. This situation
25 has had a direct effect on the operations of the City
26 of Winnipeg as this is a factor which complicates any
27 plans for the phasing out of the steam generating plant
28 operated by Winnipeg Hydro. Thus, shortages of natural
29 gas already are acting to slow the-industrial growth of
30 Winnipeg and have caused severe disruptions in the

1 | house-building industry. This situation can only
2 | worsen as Alberta gas supplies start to decline in
3 | terms of deliverability by the late 1970's or the early
4 | 1980's.

5 | While expedients such as
6 | storage facilities in Manitoba or reduction in exports
7 | to the United States or a reduction in hold-back of
8 | natural gas for future Alberta use may provide & few
9 | more years of supply to Winnipeg and the south in
10 | general, these are only stop-gap measures and not a
11 | long-range solution to the supply problem. The Only
12 | long-range solution to the supply of natural gas with
13 | the necessary immediacy which now is available is
14 | natural gas from the Mackenzie Delta by pipeline via
15 | the Mackenzie Valley.

16 | The City of Winnipeg realizes
17 | that this Inquiry must take into account the possible
18 | adverse effects of any such pipeline on the fragile
19 | environment of the north and upon the economic and
20 | social well-being of the inhabitants of the north; and
21 | further the city urges that great effort be extended to
22 | safeguard the former and to improve the latter.

23 | In light of what has been
24 | said the Council of the City of Winnipeg on May 5th,
25 | 1976 adopted the following resolution:

26 | "In view of the present and future needs of the
27 | residents of Winnipeg for energy for residential
28 | and industrial uses, your Executive Policy Com-
29 | mittee recommends..."

30 | This was a recommendation, Mr. Chairman, to the council,

1 "...that council make a presentation to the
2 Mackenzie Valley Pipeline Inquiry headed by Mr.
3 Justice Thomas R. Berger in support of the
4 Mackenzie Valley Pipeline."

5 Now, Mr. Chairman, I might
6 say in parenthesis in addition to this that we realize
7 that you will of course be taking into account the many
8 facets and technical matters which will be presented
9 before you. This brief is not intended to be a
10 technical presentation. It is not intended to enter
11 into the arguments, one pipeline versus the other or
12 into the engineering problems or possibilities that
13 present themselves to the builders of the line.
14 However, we are very conscious and I would want to
15 underline this that in whatever line is built or
16 whatever method is used to transport this needed
17 natural resource, that we would hope that those in
18 authority would be very conscious of the concerns of
19 the people of the north and would be very conscious of
20 the ecological problems that will be encountered. It
21 is in that context having said all of the things that
22 we have said concerning the needs of the City of
23 Winnipeg, and other southern cities that we would hope
24 that whatever recommendations you see fit to make would
25 be developed in that particular context.

26 Mr. Chairman, we appreciate
27 the opportunity of making this presentation to you and
28 we thank you for your patience in listening.

29 THE COMMISSIONER: Thank you.
30 (SUBMISSION OF THE CITY OF WINNIPEG MARKED

1 | EXHIBIT C-405)

2 | (WITNESS ASIDE)

3 | MR. WADDELL: Mr.

4 | Commissioner the next brief is from the Manitoba
5 | Naturalists' Society and Karen Johnson will give that
6 | brief, sir.

7 | KAREN JOHNSON sworn;

8 | THE WITNESS: Mr.

9 | Commissioner, the Manitoba Naturalists Society is a
10 | volunteer organization with interests in the field of
11 | natural history. We are grateful for the opportunity
12 | to present this brief outline of our views regarding
13 | the proposed Mackenzie Valley Pipeline.

14 | We are aware of the detailed
15 | and technical presentations which have been made before
16 | you already and wish to emphasize only a few general
17 | points, those specifically related to the objectives of
18 | the society.

19 | We as a society have several
20 | objectives and chief among them are the fostering of an
21 | awareness and an appreciation for the natural
22 | environment and the preservation of undisturbed natural
23 | areas for future generations. This presentation is
24 | therefore in support of these objectives on a national
25 | rather than a regional scale.

26 | If it is ultimately decided
27 | or demonstrated that a gas pipeline is necessary, we
28 | would urge the implementation of the following
29 | recommendations:

30 | 1. That a land use plan be developed for the region

1 | under consideration before construction of any
2 | pipeline, gas processing plants, or other developments
3 | are permitted in the Mackenzie Valley, Mackenzie Delta,
4 | northern Yukon and Beaufort Sea regions. Such a land
5 | use plan should incorporate land claim settlements
6 | agreed to in advance of any development between the
7 | native people and the Federal Government. It would
8 | designate areas best suited for various kinds of
9 | development and those best suited for the preservation
10 | of existing ecosystems or natural landscape units.

11 | We consider such a land use
12 | plan vital in order to avoid the same mistakes in the
13 | north which were made a hundred years or more ago here in
14 | the west. In the west, explorers, settlers and railway
15 | interests perceived the prairies as a vast unending and
16 | inexhaustible area. Bison grazed. Indians hunted. The
17 | prairies bloomed and the migrating passenger pigeons
18 | darkened the skies. Now, the passenger pigeon is
19 | extinct. Bison occur only in small captive herds and
20 | most of the prairie has disappeared under the plow.

21 | Canada still does not have a
22 | grasslands national park or preserve. Even if one is
23 | now established, it will contain only marginal
24 | remnants, not the miles of rolling prairie once found
25 | in the west. As it was with the west, the north now
26 | too is seen as a vast, unending and inexhaustible area.
27 | Our society hopes that we as a people have finally
28 | learned from the past. We at least are no longer
29 | willing to settle for a captive herd of caribou and a
30 | tamed flock of snow geese in the Assiniboine zoo as our

1 | legacy from the north.

2 | We want healthy areas set
3 | aside, of sufficient size to contain each of the major
4 | northern landscape units with self-sustaining population
5 | of their plant and animal communities: Such areas must
6 | be inviolate. No development must be allowed.

7 | The areas to be affected by
8 | the proposed gas pipeline are unique in the diversity
9 | of northern plant and animal communities which they
10 | contain. Rather than see intensive development of this
11 | area, we recommend instead protected status for the
12 | northern Yukon and much of the Mackenzie Delta.

13 | 2. We recommend that if a gas pipeline is built, it
14 | not be the sole determinant of an energy transportation
15 | corridor across the northern Yukon and Mackenzie Delta,
16 | We understand that, at this point, your terms of
17 | reference include that proposal.

18 | Evidence for and against the
19 | construction of a gas pipeline has been presented to
20 | this Commission in exhaustive detail. While a case can
21 | be made for the necessity of a gas pipeline, most
22 | testimony has opposed the broader energy transportation
23 | corridor. If construction of a gas pipeline route will
24 | set such a potential oil pipeline road and so on,
25 | route, we are vehemently against this construction.

26 | The gas pipeline could only
27 | be acceptable to our society if it does not determine.
28 | such a wide corridor. In order to ensure that it will
29 | not do so, we would want a commitment to this effect
30 | from the Federal Government and we would want the

1 remainder of the area closed to any further development
2 and zoned as an inviolate area in the land use plan.
3 3. We recommend that if a gas pipeline is built, the
4 strictest environmental standards be drafted and
5 enforced during its construction.

6 The Commission has heard
7 detailed testimony regarding specific recommendations
8 for achieving environmental protection and for
9 regulating pipeline construction. We as a society lack
10 the resources and knowledge for making such detailed
11 evaluations and suggestions but we wish to urge that
12 the strictest standards are drafted and enforced.

13 Construction must not be
14 permitted until effective project controls and
15 contingency plans are available and until there is an
16 effective mechanism, a Control Board, to enforce them.

17 In conclusion, we would like
18 to congratulate the Federal Government for setting a
19 new standard in public involvement and participation in
20 the decision on a major issue, one which will affect
21 the entire country, not just the north. We hope that
22 the government has learned from these hearings are that
23 similar public participation will be encouraged in
24 decisions on other such major issues affecting the land
25 and people of Canada.

26 Thank you,
27 (SUBMISSION OF MANITOBA NATURALISTS SOCIETY MARKED
28 EXHIBIT C-406)

29 (WITNESS ASIDE)
30 MR. WADDELL: Mr.

1 Commissioner. the next brief is from the Winnipeg
2 Chamber of Commerce to be presented by Mr. Norman L.
3 Coglan. It's Mr. Coglan, sir.

4 NORMAN L. COGLAN, sworn;

5 THE WITNESS: Mr. Justice
6 Berger, as the newly elected president of the Winnipeg
7 Chamber of Commerce, I welcome this opportunity to
8 appear before the Mackenzie Valley Pipeline Inquiry and
9 just as a comment, this submission has been approved by
10 the Winnipeg Chamber of Commerce 30-member governing
11 council who are elected to represent the some 3,000
12 members of the Winnipeg Chamber of Commerce and are
13 elected in essence to approve policy of the Winnipeg
14 Chamber of Commerce. So, it is in that light that I
15 present this submission.

16 The Winnipeg Chamber of
17 Commerce is an association of 3,054 members
18 representing 1,236 firms that is broadly representative
19 of the business and professional communities of the
20 City of Winnipeg. Of these 1,236 member firms,
21 slightly over 90 percent of them employ less than 100
22 individuals. The Chamber has, over the years, sought
23 to promote the common good of the citizen of Winnipeg,
24 in particular, and of Manitoba and Canada in general.

25 It is not always totally
26 concerned with just the practical aspects of the.
27 situation since it is made up of individuals who feel a
28 responsibility to address themselves to those concerns
29 which affect the citizens of this community and the
30 province in which it is situated.

1 In light of its
2 representative background, the Winnipeg Chamber of
3 Commerce welcomes this opportunity to appear before
4 your Inquiry which has been given a mandate by the
5 Government of Canada to bring out various viewpoints of
6 concerned parties with respect to the social,
7 environmental and economic impact regionally of the
8 construction, operation and subsequent abandonment of
9 the proposed pipeline in the Yukon and the Northwest
10 Territories, as well as to inquire and to the report
11 upon the terms and conditions that should be imposed in
12 respect to any right-of-way that might granted across
13 Crown lands for the purpose of the proposed Mackenzie
14 Valley Pipeline.

15 The City of Winnipeg is a
16 large user of natural gas for domestic, commercial and
17 industrial purposes. Although this province is
18 fortunate in that it is well endowed with rivers that
19 provide excellent hydro generating sites, hydro-
20 electric power only provides 18 percent of our energy
21 needs. The balance of our energy demand is supplied by
22 coal, natural gas and oil, most of which is imported
23 into the province.

24 Manitoba has no coal or gas
25 resources and only a small declining production of oil.
26 Our supply of oil and natural gas which comprises 50
27 percent and 30 percent respectively of Manitoba's
28 energy requirements is therefore dependent on the
29 dwindling supplies of the western Canada Basin.

30 In spite of continued

1 development of our remaining hydro sites, the
2 consideration of a nuclear electrical generating program
3 as well as examination of other areas of new technology
4 projections of energy demand indicate that Manitoba will
5 still be dependent on petroleum for approximately 50
6 percent of its energy needs by 1990 because of the
7 inability of hydro generated electricity to meet that
8 demand and because of the long lead time needed to
9 develop nuclear generated electricity.

10 The dependency of the city on
11 natural gas was brought sharply into focus in 1974 when
12 Winnipeg suffered a temporary curtailment of additional
13 natural gas supply. House-building programs were
14 disrupted, commercial projects delayed, and industry was
15 required to switch to alternate fuels at substantial
16 cost. While industry is receiving some natural gas
17 supplies, there is still not an adequate supply to
18 provide for sustained commercial growth. At the present
19 time, there is not a shortage of natural gas which would
20 seriously affect new housing construction. However, it
21 is not possible to forecast the extent to which this
22 area will ultimately be affected.

23 All levels of government and
24 many sectors of the community such as the Winnipeg
25 Chamber of Commerce are working on long-range planning
26 a secure, usable supply of energy as an integral part
27 of any planning process and this, in turn, bears
28 directly upon the ability to create the new jobs over
29 the next 15 years that are necessary to absorb those
30 entering the work force for the first time.

1 It is clear from the recent
2 study by the Federal Government entitled "An Energy
3 Strategy for Canada", that this country is approaching
4 a crisis of supply in the foreseeable future and that
5 by 1990, new technology such as solar energy or tide
6 generated power would add up to only one percent of the
7 total primary energy demand of this country. Without
8 the ability to tap the substantial supplies from
9 Canada's frontier areas, the economic impact of such a
10 situation, in our view, would be critical for the
11 country, certainly for Manitoba and Winnipeg, and an
12 energy weak south would ultimately affect the people of
13 the north who, in many ways, are dependent upon a
14 healthy economy in the rest of Canada.

15 The Winnipeg Chamber of
16 Commerce therefore hopes that this Committee will
17 recommend the construction of a gas pipeline that will
18 ensure security of supply of the most economical gas
19 possible and in 'the earliest delivery possible, that
20 all due consideration be given to the problems of the
21 northern people in those territories this development
22 takes place by protecting their way of life to as great
23 a degree as' possible. -- We hope that the well-being
24 of 23 million Canadians will be carefully considered
25 when seeking to protect the interests of approximately
26 31,000 people living in northern areas.

27 Recognition should be given
28 to the fact that no development ever takes place
29 without some modification of the environment. In this
30 decision as well as others, there must be a way to

1 achieve a proper balance between environmental change
2 and the overall economic advantage to all Canadians.

3 The Winnipeg Chamber of
4 Commerce wishes to thank your Inquiry, sir, for the
5 opportunity to present these opinions today. Thank you.

6 THE COMMISSIONER: Thank you
7 very much sir.

8 (SUBMISSION OF THE WINNIPEG CHAMBER OF COMMERCE MARKED
9 EXHIBIT C-407)

10 (WITNESS ASIDE)

11 MR. WADDELL: The next brief
12 Mr. Commissioner, is from Mr. Siegfried Kuehn. That's
13 spelled K-u-e-h-n.

14 SIEGFRIED KUEHN sworn;

15 THE WITNESS: It's a
16 privilege to appear before you, Mr. Commissioner. Mr.
17 Commissioner members of the Inquiry, ladies and
18 gentlemen, my name is Siegfried Kuehn and I am here
19 today not as a representative of any specific interest
20 group but as one Canadian citizen who is concerned with
21 the pipeline proposals and with the nature and pace of
22 northern development.

23 My remarks will be brief as
24 you have had so many words already. I speak not as an
25 instant northerner but as the southern Canadian I am.
26 Some points raised may not strictly fall within the
27 Inquiry's terms of reference but I believe are
28 necessary as a backdrop to the issues. Raising the
29 consciousness of the issues in the minds of southerners
30 is one very vital function of the southern swing your

1 Inquiry has undertaken.

2 In the early part of this
3 year, as my interest in these issues grew, I found that
4 information presented in a balanced and coherent
5 fashion was difficult to come by. Much that was coming
6 out of the press and media was in the realm of the news
7 release and what could be termed "propaganda". Too few
8 were the times when facts were related and issues
9 placed in larger perspective. I therefore decided to
10 see for myself and in March and April, spent a month
11 travelling in the Yukon and the Northwest Territories.
12 I spoke with as many people as possible and was able to
13 sit in on several sessions of your Inquiry in
14 Yellowknife, specifically those hearings concerning the
15 cross-delta pipeline route.

16 This brings us to consideration
17 of environmental impacts, none of which I venture to say
18 will be beneficial. Even with present levels of
19 activity, wildlife patterns have been disrupted. The
20 integrity of the individual environmental experts is not
21 questioned. However, they did appear locked into a
22 particular industry perspective. I am concerned that
23 their function was to pacify opposing opinion and to
24 provide a public relations offensive.

25 These developments in pipeline
26 projects are after all not undertaken primarily for
27 social benefit or out of concern for the husbandry of
28 resources and wildlife but for private profit. So often
29 did the experts dodge behind their narrow terms of
30 reference and refuse to make obvious inferences. What

1 | difference after all is there between 40 percent and 60
2 | percent disruption of a migratory or breeding pattern.
3 | The difference of course is 20 percent but it is the fact
4 | of disruption which remains and which is vital.

5 | The gas pipelines and other
6 | elements of the transportation corridor will alter the
7 | face of the Mackenzie Valley. The Environment
8 | Protection Board, however, has expressed concern about
9 | cumulative effects of development and finds many
10 | aspects of the proposals unacceptable. The Board
11 | recommended a ten year monitoring period to assess the
12 | first line before subsequent development. It also
13 | urged comprehensive land use and game management plans
14 | and regulations before development and then an
15 | independent monitoring group to ensure compliance.

16 | Mr. Carson Templeton of the
17 | Board is from Winnipeg and if he is present, he may
18 | wish to comment later; and Mr. Tempelton is present.

19 | At any rate, the
20 | environmental impact must be thoroughly assessed and we
21 | must ensure that environmental and social costs are not
22 | assumed solely by society while profits go to private
23 | interests and are then transferred to whatever foreign
24 | corporate head office is involved.

25 | The economic impact of such
26 | large-scale projects on Canada, both north and south,
27 | is difficult to assess beforehand but again it would
28 | appear safe to say that the disruption would be
29 | considerable. From the northerner's point of view, the
30 | effects would be immediate and plain to see. Further

1 integration into the wage economy for original peoples
2 would result and most would disagree with Mayor Sykes
3 of Calgary that this is desirable.

4 Both northern native and
5 northern white will get onto the seesaw of the boom -
6 bust cycle and be caught up in the whirlwind of hyper
7 growth. For an example of the instability this sort of
8 forced growth can foster, one need only look at the
9 economy of Alberta and the City of Fort McMurray.
10 Housing costs have sky-rocketed and below the surface
11 gloss one senses serious structural weaknesses. Though
12 it may go against conventional wisdom, I predict
13 Albertans will shortly be in for many surprises.

14 For the southern Canadian the
15 effects are more subtle but I suggest no less
16 disruptive. The Arctic Gas proposal would tie us into
17 the straight-jacket of a continental energy policy at a
18 time when many Canadians are questioning the wisdom of
19 such a policy. Existing proven reserves are between
20 five and six trillion cubic feet in the Mackenzie Basin
21 and yet the National Energy Board has allowed the
22 contracting of upwards of ten trillion cubic feet to
23 our southern neighbors. Exactly for whom is this
24 pipeline to be built?

25 It would seem that the NEB
26 has consistently traded away our bargaining position,
27 any bargaining position we might have had with respect
28 to our own natural resources. It is difficult not to
29 believe that either the NEB was tragically inept or
30 that figures provided to it by industry were

1 | deliberately misleading.

2 | One other conclusion might be
3 | that industry expertise is not what we have been led to
4 | believe. Whatever the true situation is, it is amazing
5 | that the media and press have not seen fit to pursue
6 | this matter more vigorously and to turn over some
7 | stones.

8 | At a time when it is the
9 | stated government aim to control inflation and when
10 | working Canadians are asked to restrain their demands
11 | on the economy, the benefits of such a multi-billion
12 | dollar spree are dubious. A likely result would be
13 | that Canadians would be subject to a further inflation
14 | spiral and erosion of spending power. Interest rates
15 | and the cost of essentials such as housing would be
16 | sure to inflate as the result of large scale demands on
17 | our capital markets.

18 | Mr. Commissioner, you at one
19 | point quoted F. R. Scott (and that's Robert Falcon
20 | Scott I believe) as saying about the north:

21 | "An arena large as Europe, silent, awaiting the
22 | contest."

23 | I would like to quote to you
24 | a paragraph from a story by Jack London written in 1902
25 | entitled, "The League of Old Men".

26 | "The white men come as a breath of death, all
27 | their ways lead to death, their nostrils are
28 | filled with it and yet they do not die. There
29 | is the whiskey and tobacco and short-haired
30 | dogs. There is the many sicknesses; the small-

1 | pox and measles, the coughing and mouth bleed-
2 | ing. There is the white skin and softness to
3 | the frost and storm and there is the pistols
4 | that shoot six times very swiftly and are
5 | worthless. Yet they grow fat on their many
6 | ills-and prosper and lay a heavy hand over the
7 | world and tread mightily upon its peoples and
8 | their women too are soft as little babes, most
9 | breakable and never broken, the mothers of men.
10 | Out of all this softness and sickness and weak-
11 | ness, comes strength and power and authority.
12 | They be gods or devils as the case may be. I
13 | do not know."

14 | Mr. Commissioner, the Inuit,
15 | Metis and Indians' of the Territories have made their
16 | position quite clear. No land claims settlement, no
17 | pipeline. If this position poses a problem for the
18 | Department of Indian Affairs and Northern Development,
19 | I could only urge that they begin to negotiate in good
20 | faith and leave off the inflammatory rhetoric and
21 | confrontation tactics.

22 | As far as the native groups
23 | are concerned, their bargaining positions may well be
24 | stronger than we presently know. There have recently
25 | been rumors of internal Justice Department memos
26 | government suggesting that it may not be in as strong a
27 | position as it believes regarding northern sovereignty
28 | and the constitutionality of its presence in the north.

29 | I am here thinking also of
30 | the work of Mr. Bill Smith of Old Crow, Yukon Territory

1 | and the matters presently before the courts on behalf
2 | of wife, Tabettha Smith.

3 | Native groups would be well
4 | advised not to hurry settlement if it appears that it
5 | is not to be in their interest to be rushed.

6 | My comments have all been
7 | very general so I would like to outline what I consider
8 | some minimum conditions for any proposed pipeline
9 | and/or transportation corridor construction.

10 | 1. That land claims of northern natives be settled to
11 | their satisfaction.

12 | 2. Public control of any pipeline or related projects.

13 | 3. Development only as part of a general and
14 | comprehensive energy policy which gives equal weight to
15 | the urgent need for conservation and the development of
16 | alternate energy sources.

17 | 4. Accurate identification of Canadian energy needs
18 | and if necessary, the repatriation of energy supplies
19 | already contracted.

20 | 5. The satisfactory development of ways and means to
21 | reduce potentially harmful environmental consequences.

22 | Mr. Commissioner, your Inquiry
23 | provides a focus for many opposing points of view and for
24 | many varied philosophies. Emotions run high. Compromise
25 | is often difficult. The stakes are high and I am not
26 | referring to dollars and profits. This may be the last
27 | chance we have to deal honorably with the peoples of the
28 | north. This may be the last chance we have to consider
29 | the consequences of unchecked and careless development
30 | policies. This may be the last chance we have to

1 | determine the path that we wish to take as one nation,
2 | independent both culturally and economically.

3 | The Honorable Hugh Falkner,
4 | in a speech given here in Winnipeg last week on the
5 | disrepair of our national identity and lack of cultural
6 | self-knowledge stated:

7 | "I challenge each of you to start a private in-
8 | quiry. If we in government are to govern we
9 | need to know your mind in this matter,"

10 | Mr. Commissioner, I do not
11 | feel it an exaggeration to say that your Inquiry has
12 | given Canada a breather, a chance to decide and to make
13 | its mind known. We wish courage to you and; wisdom as
14 | you prepare your report. We trust also that the
15 | Canadian Government will make its decision wisely and
16 | only when all information is available to it and if I
17 | might add to the submitted brief, I am surprised that
18 | the Province of Manitoba did not see fit to present its
19 | position with regard to this pipeline.

20 | The Polar Gas group, which
21 | would at some future date access the Arctic Islands
22 | reserves, has considered a pipeline route down the
23 | Boothia Peninsula and through Manitoba's north to
24 | southern markets. Surely many issues and concerns are
25 | identical. It's difficult indeed to believe that the
26 | Provincial Government has no ideas or plans regarding
27 | this possibility. This again might be something the
28 | local press has an interest in pursuing.

29 | Respectfully submitted, thank
30 | you.

1 THE COMMISSIONER: Thank you.
2 (SUBMISSION OF SIEGFRIED KUEHN MARKED EXHIBIT C-408)
3 (WITNESS ASIDE)
4 MR. WADDELL: Is Mr. Hill
5 here from Dominion Malting Limited, Dominion Malting?
6 R.F. HILL sworn;
7 THE WITNESS: Mr. Commissioner,
8 I have come to present a very short brief on behalf of my
9 employer, Dominion Malting Company Limited. This one
10 company in Canada who is a manufacturer.
11 Dominion Malting Limited is a
12 Canadian owned company engaged in the processing of over
13 five million bushels of western Canadian barley annually.
14 In order to maintain the existing level of our
15 operations, we require the equivalent of 400 million
16 cubic feet of natural gas per year. This gas is supplied
17 by the Greater Winnipeg Gas Company on an interruptible
18 basis, with propane gas used as a standby fuel.
19 Our company began a forced age
20 expansion program in 1972 but the viability of continued
21 and expanded operations requires continuing fuel
22 supplies. For our purposes, natural gas is the most
23 suitable fuel.
24 We are not in a position to
25 comment specifically on the impact of a gas pipeline on
26 the Yukon and Northwest Territories but we believe that
27 these northern areas will suffer along with the
28 remainder of the country if this fuel is not made
29 available to continue and to increase the processing of
30 grain and other manufacturing activities in Canada.

1 (SUBMISSION OF DOMINION MALTING LIMITED -- R.F. HILL -
2 MARKED EXHIBIT C-409)

3 (WITNESS ASIDE)

4 MR. WADDELL: Mr.

5 Commissioner, I would call now the brief from Bestlands
6 Group Limited, Jack Willis, the general manager.

7 JACK WILLIS sworn;

8 THE WITNESS: Mr. Commissioner,

9 I wish first to thank you for the privilege of appearing
10 before you today. The brief I have is very short and I
11 may say it is not our intention to comment as to the
12 social, economical or environmental aspects of the
13 proposed pipeline except as it affects our company.

14 Bestlands Investments Limited
15 has been developing real estate in and around Winnipeg
16 for the last several years. The company has completed
17 two high-rise apartment blocks and office tower in
18 downtown Winnipeg. Our growth and plans have been
19 restricted for expansion purposes owing to the inability
20 of the Greater Winnipeg Gas Company to commit themselves
21 about the initial and continued supply of natural gas
22 for our projects.

23 To give you some specific
24 examples of our problems we would like to submit that the
25 gas supply for the Bestlands building, 191 Pioneer was
26 refused originally and was not committed until the
27 commencement of the piling for the building. It is very
28 expensive to plan alternate mechanical systems for
29 different kinds of fuel and sources of energy.

30 We are the co-developers

1 along with the Markfor Properties Limited for a
2 centennial garden project, n integrated development
3 with office buildings, residential apartments, retail
4 and commercial hotel and parking facilities. The
5 project is located on a six acre site north of Ellis
6 Avenue between Balmoral and Kennedy Street. In
7 October, 1974, we approached the Greater Winnipeg Gas
8 Company for a commitment to supply natural gas for the
9 project. Until today, the Greater Winnipeg Gas Company
10 had not been able to make such a commitment. Their
11 inability to do so has been a factor in delaying the
12 commencement of the project.

13 To highlight the impact of the
14 lack of availability of natural gas, we would bring to
15 Y' attention another instance where the company had
16 decided to diversify its operations. We explored the
17 possibility of setting up a dinnerware manufacturing
18 plant in Winnipeg. Extensive market and technical
19 feasibility studies were undertaken in cooperation with
20 the Manitoba Department of Industry and Commerce and the
21 results were favorable. However, the whole project had
22 to be abandoned because of the non-availability of
23 natural gas.

24 We believe that the lack of an
25 adequate and continuing supply natural gas is
26 restricting the growth of the province and is causing
27 industry to locate elsewhere.

28 We wish this Inquiry success
29 sir. We hope that it will be able to make
30 recommendations which will enable the Government of

1 Canada to take steps which will augment the present
2 supply thus assuring a continued availability of natural
3 gas on a long-term basis.

4 Respectfully submitted.

5 (SUBMISSION OF BESTLANDS GROUP LIMITED - J. WILLIS
6 - MARKED EXHIBIT C-410)

7 (WITNESS ASIDE)

8 MR. WADDELL: Mr. Commissioner
9 at this point I am going to call an additional brief
10 that we have had and it's from the Easterville it's
11 called the Easterville brief and I wonder if the
12 presenter of that brief could come forward. Perhaps
13 they are not available at the moment Mr. Commissioner.

14 I'd call then Dr. Allen
15 Lansdown of the Manitoba Environmental Council.

16 ALLEN LANSDOWN sworn;

17 THE WITNESS: Thank you Mr.
18 Commissioner. The Manitoba Environmental Council, an
19 advisory organization to the Manitoba Minister of Mines,
20 Resources and Environmental Management and I as its past
21 chairman are grateful to have the opportunity to present
22 our views today on the subject of the construction of
23 the Mackenzie Valley Gas Pipeline and more generally on
24 the ramifications of oil and gas exploration and
25 development in Canada's north.

26 This brief was prepared by the
27 Energy Committee of the Manitoba Environmental Council.
28 Unfortunately, time constraints permitted only the
29 acceptance in principle by the council as a whole.
30 Therefore, I speak today for the Energy Committee.

1 The Manitoba Environmental
2 Council, as I mentioned, is an advisory citizen's
3 organization to the honorable Sidney Greene, Minister of
4 Mines, Resources and Environmental Management. For the
5 purpose of identifying, collecting and presenting
6 information on environmental issues, problems and
7 priorities, is a legally constituted body under the
8 clean Environment Act and has clear authority to react
9 or respond on any matter concerning the environment.

10 In addition to its advisory
11 role, the council has a public role. Under the auspices
12 of this public role, the council has conducted seminars
13 on many topics ranging from population to nuclear energy
14 to rural land use. It has published a number of studies
15 on a variety of topics and has presented briefs to
16 inquiries, commissions and hearings both in the United
17 States and Canada.

18 Members of the council are
19 appointed by the Minister and are drawn from various
20 sectors of the Province of Manitoba,, both rural and
21 urban. The council's membership currently is 82, 44 are
22 individual members and there is one member each from 38
23 organizations. There is a great number of disciplines
24 represented in these citizens on the council which are
25 mentioned in the brief.

26 The Manitoba Environmental
27 Council is concerned about the Cumulative effects of
28 northern petroleum exploration and development on,
29 Canada energy policies. We recognize that your terms of
30 reference are to examine the environmental, economic and

1 | social. consequences of the proposed pipeline and
2 | associated developments on the Yukon and Northwest
3 | Territories, but in our view these are. Closely related
4 | to-Canada's energy policies.

5 | It is our view that Canadian
6 | energy policy should be directed more toward the
7 | conservation of energy and the development of alternative
8 | renewable forms of energy such as solar, wind and bio-ma;
9 | than toward increasing exploration and development of
10 | frontier petroleum resources, particularly in the north.
11 | We are concerned that if, petroleum exploration and
12 | development is given high priority by the Canadian
13 | Government and if vast quantities of money are channeled
14 | toward a multi-dollar billion dollar project such as the
15 | Mackenzie Valley Gas Pipeline, in the short term there
16 | may be a shortage of investment dollars and expertise for
17 | research and development programs aimed at reducing
18 | energy demand and substituting the use of renewable
19 | energy sources of the use of petroleum.

20 | I might mention here for
21 | example a possibility such as trading, spillage energy
22 | in Manitoba during the simmer for gas now being burned
23 | in Alberta for the production of electricity as one of
24 | these sorts of things among many.

25 | Thus, we may be contributing
26 | toward the consumption - exploration cycle rather than
27 | making a real attempt toward reversing the direction of
28 | traditional energy policies in Canada. We deem the next
29 | decade to be a critical one, one in which we should make
30 | a concentrated effort toward reducing our energy demand.

1 We believe that our existing conventional natural gas
2 reserves if properly managed will be sufficient for at
3 least this ten year period. Recent National Energy
4 Board estimates place conventional proven gas reserves
5 at about 53 trillion cubic feet compared to the current
6 domestic consumption of about 1.3 trillion cubic feet
7 per year. I am taking figures from the 'Science Council
8 1975 Study". This gives a life index of somewhere
9 around 40 years.

10 This indicates to us that we
11 really have time as an ally , time in which to change
12 the emphasis from exploration and development of
13 frontier gas resources to the development of
14 conservation and alternate energy programs. We would
15 like to make it clear that we are not advocating a
16 complete curtailment of frontier exploration and
17 development. Rather, we are urging a shift in emphasis
18 in Canadian energy policy toward reducing energy demand.
19 A shift, which in our view, should become more viable as
20 the rate of exploration and development of frontier
21 petroleum resources is slowed down.

22 I think many of us here are
23 aware of the consequences of scrambling in large
24 technological projects in this country. Haste is not an
25 ally to viable solutions when we are dealing with
26 billions of dollars.

27 There is another pervasive
28 reason for deferring construction of the Valley
29 Pipeline. There are presently insufficient gas reserve
30 in the Mackenzie Delta to justify in a Canadian context

1 the construction of a Mackenzie Pipeline. Recent
2 estimates place proven reserves in the delta at three
3 trillion cubic feet and probable reserves at 6.5
4 trillion cubic feet, far from the minimum threshold
5 necessary to justify the pipeline. Yet the Canadian
6 Government is facing strong pressures to make a quick
7 decision on this issue, pressures that in our opinion
8 are being applied by U.S. petroleum interests who are
9 anxious to move Alaska gas through Canada.

10 We believe a compromise can be
11 reached in this issue, a compromise that would allow
12 Canada to exploit the gas reserves in the Mackenzie
13 Delta if and when it is ready and also allow
14 transportation of Alaskan gas southwards along the route
15 which would have less impact than the prime route being
16 proposed by the Canadian Arctic Gas Pipeline Limited.
17 While we are not in a position to recommend how Alaskan
18 gas should be transported to southern U.S. markets, one
19 route which we feel should be more closely examined is
20 the Fairbanks corridor, a corridor which parallels the
21 Trans-Alaska Oil Pipeline in Alaska and then follows the
22 Alaska highway through the Yukon.

23 The Fairbanks corridor would
24 avoid the environmentally and socially sensitive areas
25 along the northern Yukon coastal plain, the Old Crow
26 flats area, the Mackenzie Delta and the Mackenzie
27 Valley. Testimony before the Inquiry has indicated the
28 Fairbanks corridor would be less damaging to the
29 porcupine caribou herd, mention of which was made
30 earlier and that it would pass through an area where

1 | wildlife has already been disturbed and had adapted to
2 | disturbances, that it offers the least threat to
3 | archaeological resources and that it would not cross
4 | areas in dispute due to the lack of native land claims
5 | or due to the native land claims issues. Or at least
6 | those areas where the level of these claims is the same
7 | in intensity as the Mackenzie Valley route.

8 | In addition, the State of
9 | Alaska, Sin, testimony before this Inquiry has gone on
10 | record as favoring the Fairbanks route as it would
11 | result in preserving the North Slope as a wildlife area
12 | and would make maximum use of already disturbed
13 | transportation corridors.

14 | The Manitoba Environmental
15 | Council concurs with this preliminary evidence which
16 | indicates the Fairbanks seems to have less environmental
17 | and social impacts than the prime route proposed. We
18 | therefore recommend that no Alaskan gas be transported
19 | through Canada via a corridor through either the Yukon
20 | coastal plain, the Old Crow flats, the Mackenzie Delta
21 | or the Mackenzie Valley. Further, we recommend that the
22 | Fairbanks corridor and other alternative routes for the
23 | transportation of Alaskan gas be comprehensively
24 | studied.

25 | If Canada determines that
26 | Mackenzie Delta gas is needed at some point in the
27 | future after substantial efforts. have been made to
28 | reduce energy consumption and develop alternative energy
29 | resources, and if there are sufficient gas reserves in
30 | the Mackenzie Delta to justify transportation of this

1 gas, then a pipeline could be built to bring Mackenzie
2 Delta gas to southern markets. At that time, the
3 decision could be made after a comprehensive evaluation
4 of alternatives, whether this gas should be transported
5 via an all Canadian Mackenzie Valley Pipeline or whether
6 a lateral should be built from the delta to link with
7 the pipeline carrying Alaskan gas south.

8 In summary, the Manitoba
9 Environmental Council recommends that a pipeline to
10 transport Mackenzie Delta gas to southern Canadian
11 markets be deferred until that gas is required in
12 southern Canada and until the threshold level of proven
13 reserves has been discovered in the delta, Further, we
14 recommend that if this pipeline is eventually given
15 approval, it should be built according to the conditions
16 specified in the remainder of our submission.

17 The next part on socio-
18 economic implications. The exploration, development and
19 transportation of Mackenzie Delta gas will have a
20 significant socio-economic consequence for the Yukon and
21 the Northwest Territories. Here is a summary of our
22 concerns in this regard.

23 1. Since native peoples of the Northwest Territory are
24 presently seeking to establish their claims on lands
25 they have traditionally inhabited, the question of
26 native land claims should be settled to the satisfaction
27 of both native groups and the Canadian Government before
28 pipeline developments proceed in those lands under
29 contention. To do otherwise would, in all likelihood
30 result in bitterness and conflict and would perpetuate

1 | traditional southern policies and attitudes toward
2 | northern peoples and resources.

3 | The Manitoba Environmental
4 | Council therefore recommends that the land claims of the
5 | Dene and Inuit of the Northwest Territories be settled
6 | to the satisfaction of both native groups and the
7 | Canadian Government before any pipeline developments
8 | proceed in those lands under contention.

9 | 2. The western Arctic is currently experiencing 'an
10 | unprecedented increase in on-going and proposed land use
11 | activities including transportation corridors, pipeline
12 | corridors, petroleum exploration activities and
13 | development of service facilities such as airstrips and
14 | communication sites. Many of these activities are or
15 | will be in conflict with native people's traditional
16 | hunting, trapping and fishing, areas and with areas,
17 | that should be set aside as wilderness areas, ecological
18 | reserves and parks.

19 | This points to the urgent need
20 | for the initiation of a comprehensive land use planning
21 | process in the western Arctic and for the completion of
22 | a land use plan before any pipeline development
23 | proceeds.

24 | The Manitoba Environmental
25 | Council therefore recommends that a land use plan for
26 | the western Arctic be completed before any pipeline
27 | development proceeds.

28 | 3. The development of a pipeline and its associated
29 | support services will increase the inflow of labor from
30 | the south. Although a considerable part of this inflow

1 of labor will be controlled by the pipeline companies,
2 there will be others attracted by high wages. This
3 inflow of labor will inevitably lead to adverse social
4 consequences in northern communities and will contribute
5 to local inflation in these communities, consequences
6 which can be anticipated by examining the effect of
7 Alaska's communities -- on Alaska's communities caused
8 by the construction of the TransAlaska Oil Pipeline.

9 In the longer term this influx
10 of southern workers may result in changes in the ethnic
11 mixture with the proportion of non-natives becoming
12 larger. I needn't remind you, sir, of the situation in
13 the Alberta Oil Sands area already alluded to by Mr.
14 Kuehn where wages of the in-group are 80 high and prices
15 so high that the outgroup, mostly native or Metis, are
16 put in effect in double jeopardy.

17 The expansion of opportunities
18 for wage employment will inevitably lead to significant
19 increases in the proportion of local incomes of resident
20 of the Territories being generated by wages. This will
21 cause lifestyle changes which could result in some small
22 communities experiencing decreases in population and a
23 deteriorating quality of life. It will also accelerate
24 the decline of traditional activities, hunting, trapping
25 and fishing which have already declined during recent
26 decades.

27 Since pipeline and related
28 activities will provide for cash availability, trapping
29 may be more strongly affected than other traditional
30 activities because its main rationale is the acquisition

1 of income. Hunting and fishing may continue to be
2 important much longer than trapping.
3 5. Pipeline development and the resultant increase in
4 oil and gas exploration activities may damage habitats
5 of highly sensitive-northern ecosystems where many
6 native support their lifestyle and cultures and obtain
7 physical sustenance from the land and the sea. A recent
8 example of an activity which concerns us is the decision
9 by the Canadian Government to allow Dome Petroleum to
10 conduct offshore drilling in the Beaufort Sea.

11 To paraphrase testimony given
12 to this Inquiry at the Old Crow community hearings, we
13 can only concur with the view that:

14 "If the natives sincerely believe that develop-
15 ment will adversely affect their land and thus
16 their lifestyles, then for all intents and pur-
17 poses, it will."

18 Environmental implications.
19 In our opinion, the major environmental implications of
20 the proposed pipeline will not result from the
21 environmental effects of the pipeline itself. A comment
22 was made on this earlier, but rather from its role as
23 the first step in what we whites called "northern
24 development", development that may well have severe
25 consequences in terms of both short and long-term
26 destruction or alteration of the northern environment.

27 However, in our testimony
28 today. I would like to summarize our environmental
29 concerns in terms of the pipeline development.

30 1. The detrimental effects on terrain may include such

- 1 factors as slope instability, ground subsidence, frost
2 heave and drainage disruption..
- 3 2. Vegetation will be destroyed for the pipeline right
4 of-way, compressor stations, borrow sites, etc. In
5 addition, pipeline development may increase the
6 potential for forest fires.
- 7 3. Ecological reserves such as the International
8 Biological Program sites may be disrupted and
9 archaeological resources may be destroyed.
- 10 The latter is particularly
11 serious unless the opportunity for archaeological
12 surveys and research is utilized and unless an adequate
13 archaeological salvage plan is implemented.
- 14 4. Effects on key species of mammals such as grizzly
15 bear, wolverine, Polar bear,, whale, wolf and muskox may
16 occur in areas in close proximity to the pipeline, Also
17 effects on the porcupine and bluenose caribou herds may
18 occur, depending on which of the proposed or, alternate
19 pipeline routes is chosen.
- 20 5. Effects of bird populations may occur due to habitat
21 destruction, pollution and direct mortality. The
22 pipeline could disrupt the staging and nesting of swans,
23 geese and ducks along the route.
- 24 6. Anticipated impacts of the pipeline on fish and fish
25 habitats include such factors as increased human access
26 to fishing sites; for example, an increase in sports
27 fishing; increased siltation, reduced oxygen levels and
28 the possible addition of toxic chemicals to fish
29 habitats.
- 30 7. The above environmental impacts of the pipeline will

1 | be reduced if strict environmental controls are enforced
2 | on all construction activities. These controls should
3 | include the strict enforcement of existing environmental
4 | legislation, the formulation and strict enforcement of
5 | an environmental code placing restriction and
6 | prohibitions on certain project activities and the
7 | designation of a structure so that government agencies
8 | can effectively monitor, supervise and control all
9 | pipeline development activities.

10 | The Manitoba Environmental
11 | council therefore recommends that an environmental code
12 | be formulated before pipeline development proceeds.
13 | Further, we recommend that a mechanism be established to
14 | affect, monitor, supervise and control all pipeline
15 | development activities and to strictly enforce the
16 | existing environmental legislation and an environmental
17 | code.

18 | A summary of our
19 | recommendation concludes our submission, The Manitoba
20 | Environmental Council recommends that:
21 | 1. No Alaska gas be transported through Canada via a
22 | corridor either - - through either the Yukon coastal
23 | plain, the Old Crow flats, the Mackenzie Delta or the
24 | Mackenzie Valley.
25 | 2. A Fairbanks corridor and other alternate routes for
26 | the transportation of Alaska gas southward be
27 | comprehensively studied.
28 | 3. A pipeline to transport Mackenzie Delta gas to
29 | southern Canadian markets be deferred until that gas is
30 | required in southern Canada and until the threshold level

1 of proven reserves have been discovered in the delta.
2 4. If this pipeline is eventually given approval, it
3 should be built according to the followings conditions:
4 A. The land claims of the Dene and Inuit should
5 be settled to the satisfaction of both native
6 groups and the Canadian Government before any
7 pipeline developments proceed in those lands un-
8 der contention
9 B. A land use plan for the western Arctic
10 Should be completed before any pipeline develop-
11 ment proceeds
12 C. An environmental code should be formulated
13 before pipeline development proceeds, and,
14 D. A mechanism should be established to effec-
15 tively monitor, supervise and control all pipe-
16 line development activities to strictly enforce
17 existing environmental legislation and an envi-
18 ronmental code.

19 Mr. Commissioner, just in
20 concluding a personal note, wouldn't it be a damn shame
21 if our grandchildren looked back on us and our decision
22 saying.

23 "And in haste they tore up this land, its fauna,
24 its flora and its people for such niggardly rea-
25 sons as a few quick bucks and a relatively short
26 burst of rather frivolously consumed energy."

27 Thank you Mr. Chairman.

28 (SUBMISSION OF THE MANITOBA ENVIRONMENTAL COUNCIL A.
29 LANSDOWN - MARKED EXHIBIT C-411)

30 (WITNESS ASIDE)

1 MR. WADDELL: The next brief,
2 sir, is from Central Plains Incorporated, the general
3 manager, Mr. R. N. Roteliuk. Mr. Roteliuk?

4 R.N ROTELIUK sworn;

5 THE WITNESS: Mr. Justice
6 Berger, on behalf of my Board, I wish to thank you for
7 the opportunity to present this brief.

8 Central Plains Incorporated is
9 a regional development corporation founded cooperative
10 by municipalities in the central plains region which is
11 located to the west of Winnipeg and which includes the
12 city of Portage La Paine. We are attending this hearing
13 today as customers in the energy market. Although we
14 realize that your Inquiry has been established basically
15 to assess the social, environmental and the economic
16 impact on the construction and operation of the
17 Mackenzie Valley Pipeline in northern Canada, we are
18 here to speak directly to these items.

19 We do not live in the north
20 and we do not have the resources to travel to the north
21 to investigate and assess these concerns for ourselves.

22 We therefore do not feel
23 qualified to comment on these areas.

24 We intend to comment on the
25 impact of this project on our region and our communities
26 in southern Manitoba. To our area's 50,000 residents,
27 the matter of the Mackenzie Valley Pipeline is of a
28 critical importance. Natural gas is an important source
29 of energy to the region and plays a very significant
30 role in the region's economy. It is vital in the

1 heating of homes and offices but it is even more
2 important to the major industries of the area and to the
3 continued growth of this region.

4 When we talk of industry in
5 our region, we are basically talking of one very
6 important industry to all of Canada, agriculture and
7 food production. The majority of the region's residents
8 are in some way connected with agriculture from growing
9 to processing. In recent years, the great potential of
10 our region for supplying a wide variety of food products
11 has been recognized and all efforts have been made to
12 exploit this potential resource. The first step in this
13 direction took place over twenty years ago with the
14 location of the Campbell Soup Company.

15 Other major developments have
16 taken place both in the region and adjacent to it since
17 then and more are scheduled for the future. Changes are
18 taking place in the region which will make the
19 processing of agricultural products as important to the
20 economic basis of the region tomorrow as is the growth
21 of the crops today. However, this growth will not take
22 place without a sufficient supply of natural gas energy.

23 Natural gas has been proven
24 the most desirable form of energy in food production
25 where efficiency and costs are an important
26 consideration in keeping the cost of food products at a
27 minimum. Unavailability of natural gas will mean the
28 substitution of other less economic fuels which will add
29 to the financial costs of production which in turn will
30 be passed on to the food buyer.

1 In discussing the impact of
2 the Mackenzie Valley Pipeline, let's talk briefly of
3 attitudes. Recent indications of energy shortage have
4 had a significant impact on the economy of the whole
5 country. Talk of shortages has created a very negative
6 attitude in the market place. With the quantities of
7 gas held in reserve in northern Canada there is no need
8 to speak of shortage. Any indication that these
9 resources will become available will have a positive
10 effect, on the attitudes of investors and will ensure
11 that these areas such as ours will not disappear because
12 of lack of economic and social opportunities.

13 As we have indicated
14 previously, we are not qualified to make comments and
15 recommendation on the impact of the pipeline on northern
16 Canada we can only share in the concerns which have been
17 expressed by northern Canadians and hope that these
18 concerns can be satisfactorily resolved. At the same
19 time, we hope that our concerns and our needs can be
20 shared and appreciated in return.

21 Whether or not our communities
22 will have enough energy to meet future needs will have a
23 substantial impact on our future development and if the
24 Mackenzie Valley Pipeline will ensure future Canadians a
25 supply of energy secure from foreign political and
26 economical influence, then it must be developed.

27 I thank you.

28 (SUBMISSION OF THE CENTRAL PLAINS INCORPORATED - R. N.
29 ROTELIUK MARKED EXHIBIT C-412)

30 (WITNESS ASIDE)

1 MR. WADDELL: Mr.
2 Commissioner, I ask if Sister Frances Bonokoski is here.
3 Is she still here? Mr. Commissioner, she is on the list
4 to appear tonight, 24th on our list and she can't appear
5 so I am going to ask her if she would give her brief
6 now.

7
8 SISTER FRANCES BONOKOSKI sworn;
9 THE WITNESS: Mr. Commissioner,
10 I thank you for this opportunity of being able to express
11 our support for your Inquiry and the work you are doing
12 in terms of the proposed Mackenzie Valley Natural Gas
13 Pipeline.

14 Our concern about the northern
15 development includes the situation in Manitoba and the
16 way large scale development marches forward without any
17 just settlement of land claims or prior consultation
18 with the native people.

19 The Lake Winnipeg-Churchill-
20 Nelson River hydro-electric project which intends to use
21 these waterways more efficiently to harness the maximum
22 hydro-electric potential by diverting the Churchill
23 River into the Nelson is flooding out communities
24 without prior land settlement being reached. As
25 Manitobans in the south, we question the immediacy of
26 the need for hydro-development just as we question the
27 immediate development of the oil fields in the Mackenzie
28 Delta.

29 It is for this reason that we
30 strongly urge governments, both Federal and Provincial,

1 to halt all major resource development in the north and
2 listen. Listen to the people, Canadians in the south as
3 well as in the north. Our concern is the same as that
4 expressed by the Canadian Catholic Conference of Bishops
5 in their Labor Day Message of 1975 entitled "Northern
6 Development At What Cost?"

7 We ask to be able to act:
8 "In solidarity with the native peoples of the
9 north in a common search for more creative ways
10 of developing the last frontier of this coun-
11 try."

12 This cannot happen unless
13 public discussions, land settlements, participation of
14 native people and environmental considerations are made
15 before projects like the Mackenzie Valley Pipeline are
16 carried out.

17 Mr. Commissioner, we also
18 share in the church 's concern for all of life people,
19 wildlife and the ecological balance of nature which
20 sustains that life. The native peoples of the north
21 have always had a deep respect for Mother Earth and
22 perhaps we have much to learn from them about
23 stewardship of resources. We support the creative
24 activities of northern people engaged in the struggles
25 of northern development.

26 Lastly Mr. Commissioner, we
27 question the value system that is at the base of the
28 decisions about development in the north. The Canadian
29 church is beginning to recognize its past mistake and is
30 not willing to bend to the social economic order of the

1 day with its consumer profit oriented patterns.' The
2 question of social justice and the rights of people to
3 participate in their own lives are coming into the
4 consciousness of more people. We, as a body of sisters.
5 are committed to re-examining our value system and
6 lifestyles and support a change of social priorities
7 among all Canadians according to gospel values.

8 The issue is more than a legal
9 land claim. It is a moral issue and we cannot avoid it.
10 We take this opportunity to pledge to stand with the
11 Dene and Inuit of the Mackenzie and with the native
12 peoples of northern Manitoba in their struggle for
13 justice.

14 Thank you, Mr. Commissioner,
15 for being open to hear our views,
16 (SUBMISSION OF THE CONGREGATION OF OUR LADY OF TH
17 MISSIONS - SISTER F. BONOKOSKI - MARKED EXHIBIT C-413)

18 (WITNESS ASIDE)

19 MR. WADDELL: Mr.
20 Commissioner, We haven't taken a coffee break. We've
21 tried to go through as many of these briefs as possible
22 and I think with your indulgence we'll continue to 5
23 o'clock if we might.

24 On the original list, there's
25 a Kenneth Emberly. I have a note from his that he's
26 working today and he can't come and he'd like to be on
27 this evening so we are going to put him on this evening.
28 I have some additional people that have approached me to
29 present briefs and I don't think I can call all them
30 now. I'll call a couple, now and maybe we can hear from

1 | the rest this evening if possible. I'll call them in
2 | the order they approach.

3 | The first one is the U.N.
4 | Association. Romy Turner? Well, then I would call is
5 | she here? Is Mrs. Turner here? I'd call then John
6 | Mackenzie.

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JOHN MACKENZIE sworn;

THE WITNESS: Honourable
Commissioner, I am honoured to be here this afternoon
on behalf of my wife and children. I commend the
Canadian government for its overt expression that
justice needs to be done in the development of the
north, particularly in planning the energy developments
in the Mackenzie Valley Pipeline.

They have established a
renowned person, such as yourself, to perceive these
plans.

From what we have been
hearing in the southern papers, what little news there
is, that you've been making extra efforts to go to the
more isolated north to hear local voices and this is
commendable.

However, I'm frequently
haunted by the people doing the right things for the
wrong reasons, as well as what one does as what one
says. It's very confusing to me and to many others to
hear the Minister of Indian Affairs and Northern
Development, the honoured Judd Buchanan, to be publicly
acting contrary to the good faith expressed in the
establishing of the hearings by the Federal Government.

Mr. Buchanan granted 68
drilling permits in the Northern Sea while your
hearings were going on. It resulted in the people
saying; how can the Federal Government do one thing and
say another. That is why we have such a mistrust of

1 governments today and of corporations. The
2 discrepancies in their words and their actions are
3 becoming so obvious, when the Honourable Judd Buchanan,
4 Minister of Indian Affairs also spoke in such contempt
5 for the northern natives when they submitted their Dene
6 Nation presentation.

7 Native people frequently use
8 the word 'forked tongue' to express such discrepancies.
9 Why is he attempting to undermine the good works that
10 you're proceeding to do. Mr. Berger, I ask you to
11 exert all powers to correct this injustice. I call you
12 to hear and to respond to what the northern native
13 people are saying. Let's not have our children and our
14 children's children paying for the poor and ineffective
15 'plans that responded to the grieves of the exploiters
16 who cared the least for the monster that they created.

17 Today the energy crisis in the
18 industrialized world is posing a serious problem on
19 people and resources in the north. Due to the vested
20 interests of the energy suppliers, the search for new
21 supplies of oil and gas on this continent largely focus
22 on the untapped energy resources in the Canadian north.
23 Exxon, Shell, Gulf, Mobile and SOHIO are giants who call
24 the shots, not only in the business energy world, but
25 also in the government back rooms. They have, through
26 their Canadian subsidiaries, led the way in initiating
27 plans to build a Mackenzie Valley Pipeline in the north
28 part of Canada, to bring the natural gas from Alaska and
29 the Canadian Arctic to southern Canada and the United
30 States, a polar gas pipeline designed to bring natural

1 gas from the high Arctic to the Maritimes and the U.S.
2 and the Syncrude project to develop the Athabasca Tar
3 Sands in northern Alberta.

4 The north is again the
5 frontier. The crucial question in our history today is
6 who will influence the decisions in northern
7 development. It's how these northern energy resources
8 are to be developed and by whom are they going to be
9 developed and for whom. My concern that we have not
10 learned from our past and our present exploitation
11 patterns of development, wherein a powerful few end up
12 controlling both people and resources, and all they are
13 concerned about are the profits.

14 I do not want my children or my
15 children's children to be haunted by the terrible
16 miscarriage of justice for future industrial developments
17 of Canadian north. I request that you exercise all in
18 your power to stop industrial development in the north
19 until the native land claims are settled.

20 It is not a matter of
21 stopping industrial development in the north from
22 happening at all because it's going to happen, but it's
23 a matter of directing it; directing the developments to
24 ensure that it responds to the views of the northern
25 residents.

26 Canadians and Americans, as
27 we are all aware, rank the highest users of energy in
28 the world today. We have less than 6.5% of the world's
29 population, however, yet we consume 43% of the energy
30 supplies of this planet. This energy is used to

1 produce and run countless numbers of machines to which
2 we have become enslaved. Our system is placing
3 exorbitant demands on limited supplies of resources.
4 Our society, unfortunately, has the principle of
5 maximum consumption and profit and power. These same
6 values operate on the drive to gain control of northern
7 energy resource. These are the gods that result in
8 turning man against man to get what they want. We in
9 Canada, as well as Americans, will have to face the
10 reality sooner or later. Our planet is limited in
11 resources. It's going to be difficult for all of us to
12 adjust to a new order, yet that is what a small number
13 of people are starting to do.

14 We have to become responsible
15 citizens. Our government is the landowner of these
16 resources. They have to begin to exercise their
17 responsibility. Let us realize the situation as it
18 presently exists. The effect of the past, let's
19 correct what needs to be corrected and proceed.
20 Honourable Mr. Berger, I call on you to provide service
21 to correct these situations and I suggest some ideas.

22 I recommend to you that you do
23 not contribute to further the southern naivete but help
24 us confront the reality of our present lifestyle, ,
25 necessity to alter it, to respond to the future. We have
26 limited resources and we're presently however, overusing
27 them. I ask you, my family asks you, to really hear what
28 the native people are saying. Support their request for
29 just land settlement first. I ask you to ensure that
30 native people should be in control of directing northern

1 | development, to ensure that northern resources are
2 | continued to be used for northern needs and the benefits
3 | of northern people, to provide an economic base for them
4 | and to ensure that the resources are used as well to
5 | establishing processing industries.

6 | I request that you examine
7 | new structures and processes needed to design to
8 | maximum responding to the northern values, the northern
9 | views and to ensure maximum participation at all
10 | levels, to reverse colonialistic practices. I
11 | request that you proceed to set up and recommend
12 | adequate controls to regulate the extraction of energy
13 | resources from the north, ensuring their responding to
14 | these guidelines in achieving and meeting northern
15 | needs.

16 | I ask you to be cautious and
17 | avoid being caught in a trap of accepting the
18 | principles and values of large exploiters. Their
19 | values and principles are based upon maximizing profit
20 | and power in the hands of a few and promoting maximum
21 | consumption of resources. I request that you examine
22 | the setting up of a percentage for hiring northern
23 | people in all positions of government and business,
24 | particularly at the managerial and middle management
25 | level and the values of northerners be in their
26 | management style and structures of these organizations,
27 | and that government and business proceed to set up
28 | their supports to achieve and ensure that this is done.

29 | In closing, I would like to
30 | just tell you of a short trip I had to Houston in

1 | January. When I got on the plane in Minneapolis, I was
2 | placed in the first class, due to the fact that all
3 | seat were used in the economy section. Anyway, over
4 | dinner, I got to talk to a man across the aisle. He
5 | indicated he was coming from a place in Canada, up
6 | there in Ottawa. He was attending a hearing on oil and
7 | gas development for the north. He went on to say how
8 | naive people up in Canada were. He claimed that he
9 | knew where it was all at. He explained how he showed
10 | the panel where it was all at as well. He claimed that
11 | there's some radicals in the-world today, are out to
12 | stop development and they'll never get anywhere because
13 | he and people like him are well organized. He went on
14 | to say his mother owned a southern slave and how
15 | delightful it was for him. I was getting sicker and
16 | sicker as he was speaking. Eventually, I stopped
17 | listening to him. Due to his attitude, I concluded
18 | that it would be impossible to talk to him.

19 | I became sicker, however,
20 | when I realized he's the sort of person who's going to
21 | make the real policy in northern development. Unless
22 | someone is able to stop him and people like him.

23 | Today, Mr. Berger, you're,
24 | establishing history. I trust you will respond to the
25 | concerns that you hear to ensure that my grandchildren
26 | will not carry the shame of their forefathers. I thank
27 | you for hearing me.

28 | (WITNESS ASIDE)

29 | MR. WADDELL: Mr.

30 | Commissioner, I think those are all the briefs we have

1 | time for this afternoon. I might say that I have
2 | received written briefs as additional briefs from the
3 | following people this afternoon: from the Canadian
4 | University Service Overseas, Winnipeg Committee, from
5 | Professor Brian Katz at the University of Manitoba, from
6 | Jack McLaughlin from Carman, Manitoba, from Joe
7 | Borowski, and from the Winnipeg Economic Development
8 | Board. Now, I'll keep these briefs and if we have time
9 | tonight, we can hear these people. If they can't come
10 | back or we don't have time, we have a big list tonight,
11 | Mr. Commissioner. We have about fifteen briefs to hear.
12 | If we don't get a chance to hear them, I will, file
13 | these briefs with you so you can read them.

14 | THE COMMISSIONER: All right,
15 | well, do any of the participants wish to make a
16 | statement?

17 | MR. GOUDGE: I canvassed,
18 | sir, and they've indicated they don't.

19 | THE .COMMISSIONER: Well
20 | ladies and gentlemen , I thank you very much for taking
21 | the time and trouble to attend r hearing this attending
22 | and let ins thank especially those persons and
23 | organizations, who presented briefs to the Inquiry. I
24 | appreciate very much the views expressed and they will
25 | be taken into consideration in the work of this Inquiry
26 | of that you can be sure. We will adjourn until 8
27 | o'clock this evening when we will hear those who wish
28 | to speak at that time, and the movie, the infamous film
29 | about the work of this Inquiry in the north will be
30 | shown at 7 o'clock tonight and it's a treat, I'm told.

1 | So, we may see some of you then. We stand adjourned.

2 | (PROCEEDINGS ADJOURNED TO 8 P.M.)

3 | (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

4 | THE COMMISSIONER: Well,
5 | ladies and gentlemen, I'll call our hearing to order
6 | this evening

7 | The Mackenzie Valley Pipeline
8 | Inquiry has been holding hearings in Northern Canada in
9 | cities and towns and villages and settlements in the
10 | Northwest Territories and the Yukon for some 14 or 15
11 | months, and we have been considering the proposal that
12 | has been made to build a gas pipeline from the Arctic
13 | to the mid-continent, and the views of people who live
14 | in Northern Canada about that. So we have been to 28
15 | communities in the Canadian Arctic to listen to what
16 | people who live there say their own life and experience
17 | tell them will be the impact if we go ahead.

18 | Now, we decided that it was
19 | only right in view of the multitude of letters that we
20 | received from people who live in Southern Canada that
21 | we should spend a month holding hearings in the major
22 | centres of Southern Canada, and that's why we're here
23 | in Winnipeg today. We held a hearing this afternoon.
24 | We will hold a hearing this evening, and tomorrow we're
25 | gone and will hold a hearing in Toronto on Tuesday.

26 | The questions that we're
27 | dealing with are laid down by the terms of reference in
28 | the order-in-council establishing this Inquiry. The
29 | order-in-council says that we are to examine the social
30 | environmental and economic impact of the construction

1 | of a gas pipeline from the Arctic to Southern Canada
2 | and the United States.

3 | The Government of Canada has
4 | said that we are not to stop there, that we are assume
5 | that if we build a gas pipeline from the Arctic an oil
6 | pipeline will follow. So we are examining the impact
7 | there will be if we establish an energy corridor from
8 | the Arctic to the mid-continent.

9 | So we have been, as I say, to
10 | all of these communities in the north where the people
11 | live, the Indian people, the Metis people, the Inuit
12 | people, and the white people who live in Northern
13 | Canada We have also been holding what we call formal
14 | hearings at Yellowknife, and there we have been
15 | considering the evidence of the experts, the
16 | economists, the scientists the biologists, the
17 | engineers, the anthropologists, the people who have
18 | made it the work of their lifetime to study northern
19 | conditions and northern people.

20 | So the job that this Inquiry is
21 | trying to do is simply this, to gather the evidence to
22 | discover the facts, and then to report to the Government
23 | of Canada about what the impact will be if we proceed
24 | with a pipeline and an energy corridor Northern Canada,
25 | so that the Government of Canada will be in a position to
26 | make an informed judgment on these questions of
27 | fundamental national policy. That is the way it must be
28 | in a democracy; the people elected to govern the country,
29 | the people who have the confidence of Parliament must
30 | make these decisions in the final analysis.

1 We are here to listen to what
2 you have to say because it is our own appetite for oil
3 and gas and our own patterns of energy consumption that
4 have given rise to proposals to bring oil and gas from
5 the Arctic. I think that we all realize that what
6 happens in Northern Canada in the years to come will
7 say something about what kind of a country Canada is,
8 about what kind of a people we are.

9 So we are here tonight to
10 listen to you, and I'll ask Mr. Goudge of Commission
11 counsel, to outline our procedure.

12 MR. GOUDGE: Yes sir, Very
13 briefly, I should say that the procedures that we
14 propose to follow tonight have been agreed to by all
15 the full-time participants who are appearing before you
16 in the formal hearings in Yellowknife, and needless to
17 say they're designed to facilitate a full and fair
18 participation on the part of all those who are here
19 tonight and who will be delivering briefs to you.

20 The Inquiry advertised in the
21 major newspapers in Southern Canada and asked for
22 written briefs to be forwarded to our office in Ottawa
23 by May 1st. That was in order to facilitate our
24 planning of the time that we had available to spend in
25 Southern Canada, and Mr. Waddell, who is seated on my
26 left, has scheduled those who replied from Manitoba to
27 present their briefs to you this evening, those who
28 weren't able to do so this afternoon. Any who are here
29 tonight who did not supply written briefs to our office
30 by May 1st, ought to make themselves available to Mr.

1 | Waddell and I know he will make every effort to fit
2 | them in, if time permits.

3 | The procedures we propose, sir,
4 | are relatively simple. In the first place we propose
5 | that of course there be no cross-examination at these
6 | particular hearings. However, if it should appear that
7 | further questioning of the witnesses who appear here
8 | tonight would be useful, or if the participants request
9 | that, we will undertake to make that a possibility at a
10 | mutually convenient time and place.

11 | Secondly, the full-time
12 | participants will have the opportunity at the end of
13 | this evening session, if they wish to avail themselves
14 | of it, to comment on and reply to these submissions
15 | that are made to you tonight.

16 | Finally, we will ask that
17 | each witness who appears before you take an oath or
18 | affirm.

19 | This is the procedure we have
20 | followed in the north and is consistent with our view
21 | that what is said here tonight is of very substantial
22 | importance to the Inquiry.

23 | Those are the procedures,
24 | sir.

25 | And Mr. Waddell will be calling the witnesses.

26 | MR. WADDELL: Mr. Commissioner.
27 | I should say before I begin that we have -- begin calling
28 | the witnesses, that is -- that we have something like 15
29 | briefs on our list to hear, and I've had numerous other
30 | people -- 9 to be specific -- come up and ask if we could

1 | hear them. I can only say to those people that I will
2 | try to fit them in, but it looks difficult at this point.
3 | So I should say that at the outset of the evening. We
4 | hope, though, that we will move thoroughly and rapidly
5 | through the briefs that are to be given. So I'll call
6 | the first brief, Professor John Ryan, who is with the
7 | Department of Geography at the University of Winnipeg.
8 | Professor Ryan?

9 |
10 | JOHN RYAN , sworn:
11 | THE WITNESS: Justice Berger.
12 | in the course of conducting
13 | this Inquiry you have travelled thousands of miles and
14 | you have heard evidence presented by hundreds of people
15 | representing a great variety of interests. By now the
16 | Inquiry must have thousands of pages of material - much
17 | of it extremely well-documented and eloquently
18 | presented. However', because the bulk of the material
19 | was presented by either supporters of the pipeline or
20 | opponents of the pipeline, the Inquiry must have an
21 | incredible amount of conflicting evidence. Yours will
22 | be a Herculean task to sort out the material, to weigh
23 | the arguments and the evidence, and then to report on
24 | the impact of the pipeline and its full ramifications on
25 | the north, and to recommend the terms and conditions
26 | under which it should be built, providing it is to be
27 | built.

28 | On the one hand, after spending
29 | millions of dollars accumulating evidence, to back up
30 | their position, the pipeline companies have assured the
31 | Inquiry that the project is necessary, that it is

1 feasible, that it will not unduly disrupt the
2 environment, and that it will not have a serious
3 disruptive effect on the lifestyle of the indigenous
4 northern people. On the other hand, with the substantial
5 funds provided by the Federal Government through the
6 Inquiry, the northern people, and the opponents of the
7 pipeline have accumulated equally valid evidence which
8 challenges the conclusions of the pipeline companies and
9 their supporters. In addition, there is one other issue
10 -- the land claims of the indigenous northern people.
11 These people want a land settlement and., a new political
12 structure in the north before any further development
13 take place in their land.

14 How is the Inquiry to truly
15 resolve these problems? Given the nature and the
16 seriousness of these conflicts, it would, seem to me that
17 in addition to reporting on the impact of the pipeline,
18 and the terms and conditions, under which it should be
19 built, the Inquiry has the authority .under its frame of
20 reference to recommend that the actual construction of
21 the pipeline should be postponed for a 10 to 15-year
22 period. Although the Inquiry could serve a very useful
23 purpose by providing an assessment of the pipeline's
24 impact, as well as a formulation of proper guidelines for
25 its construction, I feel that the Inquiry's greatest
26 service would be to recommend the postponement of
27 pipeline construction.

28 There are several crucial
29 reasons why the pipeline should be postponed. First of
30 all, the land claims issue will probably take years to be

1 | resolved. And before this is done, we have no right to
2 | proceed with the pipeline. The northern indigenous
3 | people have lived there for thousands of years and they
4 | are still in the majority in that region. Without a
5 | proper political settlement with these people, what right
6 | have we to almost unilaterally tell them what kind of
7 | future, what the future must hold for them? What right
8 | have we to exploit the resources of the land where they
9 | live? The days of colonialism are over and Southern
10 | Canadians should wake up to this fact. They should
11 | become familiar with certain features of the United
12 | Nations Charter which has relevance to the Canadian
13 | scene. This issue is reason in itself for recom-
14 | mending the postponement of the construction of the
15 | pipeline.

16 | But there is another reason.
17 | It is commonly recognized that science and technology
18 | increase geometrically through time. Many of the
19 | present construction and environmental problems have
20 | only partial solutions at this stage. However, if the
21 | construction of the pipeline were delayed for another
22 | decade or more, we may very well by then have the
23 | answers or at least better solutions for many of the
24 | present technical and scientific problems. If we are
25 | truly concerned about the possible disruption of the
26 | fragile northern ecology and environment, and the
27 | resulting socio-economic consequences of the people,
28 | we can ill-afford technological or scientific errors.
29 | So here, too, there is a valid reason for postponement
30 | of the pipeline.

1 There is a third reason, and
2 although it may appear that this issue is not strictly
3 within the frame of reference of the Inquiry, and that it
4 should perhaps be better directed to the National Energy
5 Board hearings, it is an inter-related issue and aspects
6 of it do fall under the Inquiry's frame of reference.
7 The third reason for the postponement of the pipeline is
8 that Canada does not really need northern frontier gas
9 now or in the near future, and that the pipeline at this
10 stage is unnecessary. This is complex issue and I feel
11 that it is essential background information which the:
12 Inquiry should take into consideration in its
13 recommendations.

14 To place the issue of the
15 Mackenzie Valley Pipeline in proper perspective I would
16 like to briefly review some of the history behind the
17 project. This will give us some idea why the issue of
18 the northern gas has come up at all , why the pressure to
19 build the pipeline, why this Inquiry was established and
20 why we are here tonight.

21 I'll go back to only 1970. At
22 that time the Canadian Petroleum Association, that is the
23 oil and gas companies in Canada, assured us that we had
24 enough natural gas to last us well into the 21st century.
25 On the basis of that information, the National Energy
26 Board that year recommended the export of 6.3 trillion
27 cubic feet of natural gas to the U.S.A. in long-term
28 contracts. This was in addition to outstanding export
29 contracts of 12 trillion cubic feet, which meant that we
30 were exporting 41.5% of our natural gas production at'

1 | that time. In response to the National Energy Board's
2 | decision to allow export of 6.3 trillion cubic feet, the
3 | gas companies were publicly indignant because this was
4 | only two-thirds of what they, had wanted. We were told
5 | that our potential reserves were 725 trillion cubic feet,
6 | and the National Energy Board was being totally
7 | unreasonable. In the fall of 1971 the gas companies
8 | applied for further exports, but the National Energy
9 | Board rejected their proposal. Once again the companies
10 | were highly indignant, and the Alberta Government was
11 | greatly put out as well. As late as June, 1973, the
12 | Federal Government's Energy Report assured us that we had
13 | sufficient gas to last us into the 1990s. And then
14 | suddenly at the end of 1973 the Canadian Gas Arctic Study
15 | Group, that is the same corporations who form the
16 | Canadian Petroleum Association, warned the Federal
17 | Government that Canada could run short of natural gas by
18 | 1980. In fact, they told us that we'd be short of 1% of
19 | Canadian demand by 1979, and about 15% short by 1987.
20 | But they had a solution, and I quote:

21 | "Fortunately, Canada has frontier regions which
22 | have vast natural gas potential."

23 | According to them, Canada had no time to lose, and the
24 | Mackenzie Valley Pipeline had to be approved immediately.
25 | That, of course, started off the whole chain of events --
26 | and here we are tonight.

27 | What about these vast reserves
28 | in the northern frontier? So far the oil and gas
29 | industry has reported proven reserves of only 6.5
30 | trillion cubic feet in the Mackenzie Delta; and to get

1 | this gas they are proposing a 2,600 mile pipeline through
2 | incredible terrain at a cost of about \$7 billion; but to
3 | make the venture viable, the pipeline has to extend to
4 | the Alaska North Slope reserves of 24 trillion cubic
5 | feet, which are to be shipped to the U.S.A. In addition
6 | to all the problems that this pipeline will create, this
7 | gas will be two or three times as costly to produce as
8 | southern prairie gas. Is this our only way out? Do we
9 | really need this gas in the immediate future?

10 | In actual fact, Canada does not
11 | lack in reserves of natural gas to last us to the 1990s.
12 | We have this gas in the prairie regions which is
13 | relatively inexpensive to produce, but because we have
14 | committed ourselves to large exports of long-range --
15 | because we have committed ourselves to large amounts of
16 | long-range exports to the U.S.A., we are indeed faced
17 | with shortages. We continue to export close to 40 % of
18 | our natural gas production, and we have outstanding
19 | export contracts for about 13 trillion cubic feet. This
20 | should be compared to the 6.5 trillion cubic feet of
21 | expensive gas in the Mackenzie Delta.

22 | How is it that we committed
23 | ourselves to these exports? We are committed because of
24 | the manipulation of the oil and gas industry, When they
25 | wanted export contracts, they assured the National
26 | Energy Board that these amounts were surplus to our
27 | needs. They now have investments in the north and
28 | naturally they want to get the gas out of there, and to
29 | do this we are being told that Canada faces shortages in
30 | the immediate future. We can rightfully ask the

1 question: Were they lying then or are they lying now?
2 When pressed on this issue, the industry claims that it
3 is all a matter of the interpretation of "reserves".
4 Eric Kierans was a Member of the Cabinet in 1970, and he
5 claims that the gas industry presented their data in
6 such a way that the National Energy Board and the
7 Cabinet were misled and deceived, and that it was on
8 this basis that they approved the exports. And that is
9 why we are now short.

10 So what should we do? Build
11 the Mackenzie Pipeline and bring in the 6 1/2 trillion
12 cubic feet of gas from the north? Or do we have another
13 option? Yes, we do have another option. Canada's energy
14 policy, such as it is, states explicitly that we will
15 export only excess or surplus reserves, and the U.S.A. is
16 fully aware of this.

17 Secondly, Section 17 of the
18 National Energy Board Act states:

19 "The Board may review, rescind, change, alter or
20 vary any order or decision made by it."

21 The U.S.A. is fully aware of this too.

22 The U.S.A. should also be made
23 aware that its oil and gas branch plants in Canada
24 submitted false or misleading information in support of
25 export applications, and this is cause for revoking the
26 licence. On this basis and simply because Canada does
27 not have surplus supplies of gas, we should phase out and
28 terminate our exports to the U.S.A. We should at least
29 reclaim that last 6.3 trillion cubic feet that was
30 committed to export under very dubious circumstances, and

1 that would be the equivalent of the present proven
2 frontier gas. This also means that we would not need the
3 pipeline for 10 or 15 years.

4 Knowing this situation, the
5 Inquiry should not have any qualms about recommending a
6 delay of 10 to 15 years in the construction of the
7 pipeline. This could force the Federal Government to
8 cancel some of its export contracts, and it would allow
9 us to make use of the prairie's low-cost gas supplies
10 ourselves. Delaying the pipeline should not create any
11 hardships for Canadian people or industrial operations.
12 In fact, such a decision should not create hardships for
13 the U.S.A. either. Once the Americans would know that
14 we are not going to build the pipeline for some time,
15 they would undoubtedly immediately proceed with the
16 construction of a gas pipeline paralleling the Alaska Oil
17 Pipeline. The million cubic feet of North Slope gas
18 could then be shipped to Valdez and from there by
19 liquefied natural gas tanker along the west coast to
20 California.

21 I find it totally astonishing
22 that more questions are not being asked about Canada's
23 natural gas export contracts to the U S and the fact
24 that we do, have sufficient cause and the actual right
25 to revise, rescind, phase out or terminate these
26 exports. Not just the right, but given the
27 circumstances to look after Canada's best interests, the
28 Federal Government should have the obligation to re-
29 examine these export agreements. Instead, the Federal
30 Government has adopted a position which actually aids

1 | and abets the oil and gas industry in its campaign to
2 | create fear and dismay about impending natural gas
3 | shortages, while at the same time we continue to export
4 | close to 40% of the production day in and day out. Even
5 | in the government's most recent policy statement, the
6 | option of cancelling exports is not even mentioned. In
7 | fact, nowhere in this publication do they even list the
8 | total amounts that we are committed to export. It seems
9 | that it's almost classified information; and of course
10 | the oil and gas industry studiously avoids any comments
11 | about Canada's rights to limit or terminate export
12 | commitments. In fact, just the other day it was brought
13 | home to me in no uncertain terms that one does not even
14 | mention the issue in polite company, if you'll pardon
15 | the expression "company". I will relate this particular
16 | incident because inadvertently it brought out a
17 | rather chilling undertone to the Mackenzie Valley
18 | negotiations.

19 | Last week at the Winnipeg
20 | Convention Centre, there was a high-level Canadian
21 | American Conference, whose theme was,

22 | "Sharing of a Continent,"

23 | In reply to a question that I posed to Mr. Urbain Chaput,
24 | the Corporate Manager of Imperial Oil Limited (in
25 | parenthesis I should add that he really evaded the
26 | essence of my question) he stated that Canada needs the
27 | pipeline, and that he felt that the majority of northern
28 | people actually want the pipeline too, and then he made
29 | the following statement (and I am quoting his remark just
30 | from memory):

1 "But after all, there are only 15,000 natives in
2 the north, whereas there are 23 million Canadi-
3 ans in the south."
4 The implication of that statement was clear to everyone
5 at the Conference -- or at least it should have been.
6 The implications of that statement should be spelled out,
7 that when it really comes down to it, the northern people
8 are dispensable. That from the mouth of a corporate
9 manager of Imperial oil who spoke here in Winnipeg last
10 week before an audience of hundreds of people. To me, it
11 is a callous, cavalier, arrogant attitude that is typical
12 -- that somehow slipped out in an unguarded moment, and
13 it's typical of the humanitarian concern of the
14 multinational corporations. I attempted to point out to
15 Mr. Chaput that the true measure of a nation's democracy
16 is how democratically its minority peoples are treated,
17 but before I could elaborate on the issue I was shouted
18 down by his supporters in the audience. I thought ,l
19 would bring this to the attention of the Inquiry, because
20 to me this was a very revealing exchange. Naturally, Mr.
21 Chaput will attempt to weasel himself out of the
22 implications of his statement, but that might be just
23 difficult to do because this time I think we've got him
24 by the short hair.

25 How is it possible for
26 Canada to have a rational energy policy if we do not
27 have effective control over oil and gas exploration
28 and development, and if we do not have a knowledge o
29 the true extent of our oil and gas reserves? How is
30 it possible for Ottawa to come out with a long-range

1 | rational policy when they don't know what the oil
2 | companies are going to tell them tomorrow? And
3 | that's almost no exaggeration. For example, in 1973
4 | the oil companies told us that Canada had enough oil
5 | reserves to last us for the next 80 years. In 1974,
6 | they told us that Canada would face domestic oil
7 | shortages in a matter of only eight years. This is a
8 | revolution of geological scholarship, but Ottawa
9 | accepted it. Neither the government nor the National
10 | Energy Board are equipped to make an independent
11 | thorough inventory of the nations reserves. The
12 | petroleum companies have a monopoly on this
13 | information and they are not obliged to reveal it,
14 | and their top level decision-making is located
15 | outside of Canada -- American or European offices.
16 | When the oil companies wanted greater exports, they
17 | assured us that we had vast supplies; but when Canada
18 | adopted a two-price system, and this hurt them, they
19 | immediately settled to destroy the system and they
20 | felt that this could best be accomplished by making
21 | us believe that we were faced with imminent
22 | shortages. The strategy worked because the two-price
23 | system was destroyed and we will soon be paying world
24 | prices for oil, and our gasoline prices should soon
25 | be about \$1.25 a gallon. When that happens, I have
26 | no doubt that the oil companies will announce that
27 | Canada once again has vast reserves and there is
28 | plenty for export. Just wait and see.

29 | Energy is a crucial issue and
30 | no self-respecting country should allow itself to be

1 manipulated by foreign-owned multinational
2 corporations In fact, if Canada is to survive as an
3 independent country, it must assume control over its
4 energy resources. Due to limitations of time I cannot
5 elaborate on the full rationale, but under the United
6 Nations Charter of Economic Rights and Duties of
7 States, Canada has every justification for
8 nationalizing the entire oil and gas industry in this
9 country. It is critical for us to know exactly and
10 precisely what our oil and gas reserves are. Energy
11 is a vital key factor in our survival as an
12 independent country.

13 Almost everywhere in Canada we
14 have come to accept the principle of public ownership of
15 hydro operations. Electricity in this country is sold at
16 prices that are almost at cost of production, and it is
17 not sold at some type of world price or at prices
18 determined by foreign-owned multinational corporations.
19 We have arrived at a stage in history where not just
20 electricity, but all energy should be publicly owned and
21 controlled.

22 If our total energy supplies
23 were publicly owned, we would know the true extent of
24 resources, we could direct certain, types of energy into
25 certain sectors of the economy, for conservation purposes
26 we could ration certain types of energy if need be, and
27 we would have the option o setting prices at cost of
28 production for domestic consumers and charging world
29 prices for exports. The time has surely come for us to
30 be in control of our energy resources.

1 As for the Mackenzie Valley
2 Pipeline, for the reasons I have stated, I would urge the
3 Inquiry to recommend a ten to 15-year moratorium on its
4 construction. Respectfully submitted.

5 (SUBMISSION BY J. RYAN MARKED EXHIBIT C-414)

6 (WITNESS ASIDE)

7 MR. WADDELL: Mr. Commissioner,
8 I'd like to table two briefs. One is from the Native
9 Brotherhood organization o the Rockwood Prison, and I'd
10 like to table that with Miss Hutchinson, the secretary.

11 (SUBMISSION OF NATIVE BROTHERHOOD FROM ROCKWOOD
12 INSTITUTION MARKED EXHIBIT C-415)

13 MR. WADDELL: The other one is
14 from the Winnipeg Economic Development Board, and they
15 have given us a brief and I'd like to table that.

16 (SUBMISSION OF WINNIPEG ECONOMIC DEVELOPMENT BOARD MARKED
17 EXHIBIT C-416)

18 MR. WADDELL: Is there a
19 representative here from the C.J.L. Foundation?

20 THE COMMISSIONER; You better
21 repeat that, I don't know whether you're being heard'

22 MR. WADDELL: Well, I'll say
23 that a little louder, Mr. Commissioner. Is there a
24 representative here of the C.J.L. Foundation?

25 I call next upon Mr. P.S.
26 Young, who is the vice-president of the Ladco Company
27 Limited. Mr. Young?

28
29
30

PHILIP S. YOUNG, sworn:

1 THE WITNESS: Mr. Commissioner.

2 I represent the Ladco Company. We appreciate the
3 opportunity to appear before this Inquiry, and express
4 our views regarding natural gas supply in this area.

5 The Ladco Company Limited is a
6 fully integrated development company engaged in the
7 construction of over 300 residential housing units
8 annually, including single detached, multi-family and
9 high-rise units. We also construct for our account
10 commercial and industrial properties such as shopping
11 complexes, hotels and warehousing facilities.

12 We in Winnipeg are perhaps
13 unique as we have already experienced shortages of
14 natural gas and are extremely conscious of the problems
15 both social and economic, that arise from the disruption
16 and non-availability of a basic component necessary to
17 the well-being of our community.

18 A major problem that we have
19 had to face during the past two years has been the
20 sporadic availability of natural gas service. The
21 residential construction industry had experienced two
22 interruptions of seven months and five months
23 respectively within an 18-months period. The initial
24 termination of supply came with no advance warning and
25 as over 90% of all new housing units had utilized
26 natural gas service, this interruption created
27 considerable confusion.

28 THE COMMISSIONER: That's new
29 units?

30 A That's right. In many

1 cases hardware and equipment for alternative heating
2 systems was not readily available in this area. This
3 added further delays resulting in a significant decrease
4 in completed housing units available to this market.

5 The commercial construction
6 industry has been even more severely affected during the
7 past two years. There has been a total embargo of
8 natural gas services for both new construction and
9 additional load use which has only been partially lifted
10 within the last few weeks.

11 Here are three examples of how
12 our firm has been affected:

13 On September 5, 1974, we
14 applied for gas for a shopping centre addition. It was
15 approved finally on May 10, 1976. The construction was
16 delayed and we have just started that particular project.

17 On December 5, 1974, we applied
18 for gas for a warehouse project. That too was approved
19 in May, 1976, and that however is up and operating on
20 propane at this time.

21 On September 23 of 1975 we
22 applied for a additional load for a hotel and oh May
23 10,1976 that, too, was approved, and that caused a
24 complete re-design of our mechanical requirements at
25 quite some cost.

26 Because of this erratic supply
27 of natural gas, the inevitable delays have increased
28 construction costs immeasurably. Long-term planning is
29 virtually impossible and last-minute adjustments for
30 alternative energy sources create additional costs in

1 design and production. The total uncertainty of the
2 energy picture, particularly in regard to commercial
3 construction, has done nothing but add to the
4 inflationary spiral already rampant in the construction
5 industry.

6 We are mindful of the necessity
7 to conserve energy, and consequently for the past several
8 years the insulation requirements in our projects have
9 been higher than existing standards and other
10 requirements. Winter heating during construction is kept
11 at a minimum and wherever possible, construction
12 techniques implementing energy conservation are used.

13 The foregoing on the surface
14 is a local supply problem, which is slowly sorting
15 itself out. However, we, have experienced a drastic
16 withdrawal of a prime energy source and are most aware
17 of future potential problems as marketable natural gas
18 reserves continue to shrink. The timing of any under
19 taking to bring frontier gas to the southern markets is
20 of utmost importance if there is to be no disruption in
21 the social and economic situation of our citizens.
22 Winnipeg is in many ways similar to the communities in
23 Canada's north. It is isolated. It is an exporter of
24 raw materials. It is an importer of manufactured
25 products. The potential for growth exists, but only if
26 Winnipeg has the same basic advantages as are available
27 in other like centres.

28 Without assured supplies of
29 natural gas in time to meet the needs of just normal
30 growth, the social and economic outlook for Winnipeg is

1 not the brightest.

2 There is no doubt in our minds
3 that if this community and those engaged in business here
4 are to maintain their viability, then adequate and
5 assured supplies of natural gas in time to avoid further
6 embargoes must be made available. These reserves of
7 natural gas are to be found in our frontier areas such as
8 the, Mackenzie River Delta and we strongly urge the
9 Commission, while safeguarding our northern environment,
10 to consider the needs of the areas of this country whose
11 potential well-being is endangered by impeding shortages
12 of natural gas.

13 In the light of the aforesaid,
14 we wish to go on record in support 10E the Canadian
15 Arctic Gas Pipeline Limited and Foothills Pipelines Ltd.
16 proposals to bring natural gas from Alaska's North Slope
17 and the Mackenzie Delta along the Mackenzie River Valley
18 to markets in Canada.

19 Thank you, sir.

20 (SUBMISSION OF LADCO COMPANY LIMITED P.S YOUNG - MARKED
21 EXHIBIT C-417)

22 (WITNESS ASIDE)

23 MR. WADDELL: Mr. Commissioner -

24 -

25 THE COMMISSIONER: Ladies and
26 gentlemen, we are going to be here for a while this
27 evening listening to a variety of points of view, and
28 I don't know how you feel about it, but I want to hear
29 all, points of view. I suggest that you consider the
30 views of people who speak here presenting briefs

1 | tonight with the same seriousness as you'd consider
2 | the views of people who happen to agree with the views
3 | you hold. In this inquiry I have sought to make sure
4 | that people who want to speak receive a fair hearing.
5 | We have gone to great pains to make sure that that
6 | occurs, and that is because we Canadians are serious
7 | people, and we try to determine questions of national
8 | policy in a serious, rational way, without hysteria,
9 | and without being driven by the forces of unreason.

10 | I urge you, I urge you to give
11 | everybody who wishes to exercise his right as a citizen
12 | of this country to speak tonight, I urge you to give him
13 | a fair hearing.

14 | I know feelings are strongly
15 | held on all sides. I've been to 28 communities in
16 | Northern Canada, I've heard people speak who feel' that
17 | their identity as individuals and as a people are
18 | threatened, and they have been willing to listen to the
19 | views of people with whom they disagree, and they haven't
20 | interrupted them, and they've considered those views;
21 | people whose own lives were, to their mind, far more
22 | seriously affected than the lives, I think, of any of
23 | those here present tonight.

24 | So forgive me for presuming on
25 | your time in this way, but I think that we'll get " along
26 | better and we'll learn from each other and perhaps
27 | understand each other a little better if we show the same
28 | courtesy to the people that we disagree with, the same
29 | courtesy that we would extend to those that we happen to
30 | agree with.

1 So call the next brief, Mr.
2 Waddell.

3 MR. WADDELL: Mr. Commissioner.
4 our next brief is from the Inter-Cultural Development
5 Education Association Incorporated, I believe they're
6 here in Winnipeg, and the spokesperson is Marvin Haave,
7 that's spelled H-A-A-V-E.

8 MARVIN HAAVE, sworn:

9 THE WITNESS: Mr. Berger,
10 before beginning I would like to express our gratitude,
11 for the opportunity to appear before this commission. It
12 is to the credit of this Inquiry that residents of
13 Southern Canada are permitted to present their opinions
14 and concerns. We sincerely hope that this is not the
15 last opportunity for such dialogue.

16 I am speaking on behalf of the
17 Intercultural Development Education Association, known
18 here as "The IDEA Centre". Our Association; seeks to
19 provide the local community with information relating to
20 the problems, needs and aspirations of the peoples of the
21 so-called Third World. That part of the globe that is
22 subject to poverty, exploitation, and an increasingly
23 uncertain future. In our studies we are constantly faced
24 with the evidence that the Third World is not necessarily
25 in some distant part of this planet. Rather, it is
26 anywhere that people suffer from poverty, degradation,
27 and exploitation. Popular mythology has it that the
28 Northwest Territories constitute Canada's last frontier.
29 We suggest that this area is more accurately described as
30 a part of Canada's Third World. The Done and the Inuit

1 | peoples of the Northwest Territories are oppressed
2 | peoples, and that is why we are here presenting this
3 | brief.

4 | In our brief we deal with four
5 | general areas, none of which can be dealt with adequately
6 | in isolation, but which must be separated in order to
7 | facilitate clarity. Therefore we shall examine the
8 | application to construct a pipeline in the Mackenzie
9 | Valley with regard to the impact such activity would have
10 | upon the following:

11 | 1. The rights of the native peoples of the region

12 | 2. The environment of the region

13 | 3. The economic futures of both northern and southern
14 | Canada.

15 | 4. We shall express our concern about the manner in
16 | which decisions are being made by our government
17 | officials concerning the Mackenzie Valley Pipeline. We
18 | shall suggest what we feel are some of the implications
19 | of the government's approach for this Inquiry, and for
20 | future development in the north.

21 | First, native rights. To open
22 | our discussion of the rights of native peoples in the
23 | Northwest Territories, we should like to express our
24 | unequivocal support for the position taken by them which
25 | simply stated says:

26 | "No pipeline before a land claims settlement,"

27 | In addition to this, we feel
28 | it is necessary to state that we are in general
29 | agreement with the nature of the land claim settlement
30 | being sought by the Dene of the area. We agree with

1 | them that ownership of the 400,000 square miles of
2 | Territory they are claiming is rightfully theirs, is
3 | essential to their future as a people. We are
4 | convinced that the cultural, economic, social and
5 | political self-determination within the Canadian state
6 | that is implied by the Dene Declaration is the only
7 | acceptable and just result of the negotiations that
8 | are taking place between them and the Government of
9 | Canada. We are anxious to see an end to what can only
10 | be characterized as colonial rule in the north. We
11 | desire that the peoples of the area be permitted, for
12 | the first time in many years, to have free and
13 | democratic control over their futures. We are
14 | disturbed by reports of increased activity in the
15 | north on the part of the oil corporations. There are
16 | striking similarities between the positions of the
17 | natives of the Northwest Territories and the natives
18 | of Northern Quebec, who were forced to negotiate with
19 | a bulldozer in their back yard.

20 | Native leaders have again and
21 | again echoed the sentiments very eloquently expressed by
22 | James Wah-Shee, former president of the Northwest
23 | Territorial Indian Brotherhood, He said,

24 |
25 | "We are not interested in compensation for loss
26 | of a way of life, but for the freedom to con-
27 | struct our own alternatives for development on
28 | the bedrock of our past. The destruction of
29 | our way of life in return for compensation and
30 | a menial role for native people in outside ini-

1 tiated development by and large irrelevant to
2 our needs, cannot be assumed by the government.
3 Arctic Gas, or any proposed settlement of our
4 claims. The shape of northern development can-
5 not be decided without the essential input of
6 our people. Our claim to such a role rests
7 both on our ownership of the land and on our
8 rights as Canadians.

9 The land settlement model put forward by the
10 Indian people of the north is based on a devel-
11 opmental principle firmly rooted in the ex-
12 pressed needs of a region, and a distinct peo-
13 ple. At this crucial time in Canadian history,
14 we feel it represents an opportunity for this
15 country to adopt a development policy which
16 will more closely approximate regional and na-
17 tional interests than the policies implicit in
18 the choices of the past."

19 As our preceding remarks have
20 indicated, and our following comments will make clearer,
21 we are in full sympathy with the desire expressed by
22 native spokespersons for such a settlement.

23 Second, environmental impact.
24 We are disturbed by the apparent unwillingness of the gas
25 consortium, and the Federal Government, to take
26 environmental impact studies seriously. We believe the
27 strong likelihood of significant environmental damage, if
28 the pipeline is rushed through before there is sufficient
29 time for adequate impact studies relating to the final
30 route.

1 Natives and other
2 environmentalists have expressed strong concern over the
3 types of ecological damage that might result --
4 disruption of migratory routes, feeding, staging and
5 reproductive areas are feared results. These would pose
6 a serious threat to the future existence of northern
7 wildlife, improved access roads that would accompany the
8 pipeline would place wildlife under unprecedented hunting
9 pressures that would endanger several species.

10 Land that is permanently frozen
11 is particularly susceptible to severe erosion. In one
12 case of which we are aware, a bulldozed seismic line west
13 in the Mackenzie Delta eroded into a gully 23 feet wide
14 and 8 feet deep in just four years. The effects on
15 permafrost of large-scale use of, heavy equipment
16 necessary for pipeline construction are as frightening as
17 they are incalculable.

18 As well, given the relatively
19 long decomposition rates for materials discarded in the
20 north, our long-demonstrated propensity for what we
21 politely characterize as littering, and the enormous
22 quantities of materials that would be discarded in a
23 construction project of this magnitude, we view waste
24 disposal as a major problem that would be encountered.

25 Three, economic impact. As
26 previously stated, we favor development that properly
27 reflects the needs of the region and the nation We do not
28 feel that the needs of the people of the Northwest
29 Territories and those of the rest of the Canadian people
30 are in conflict. While some of the problems of the

1 | people in the Northwest Territories may differ from those
2 | in the south, we feel that the basic needs for adequate
3 | food, housing, education, medical care and cultural and
4 | political self-determination are the, same. We feel
5 | strongly that the proposed construction of a pipeline
6 | with all of the many economic pitfalls that we shall
7 | outline poses a serious threat to the abilities of
8 | Canadian people, native and non-native, whether in the
9 | north or the south, to realize the basic needs that have
10 | been listed above.

11 | The economic impact of the
12 | Mackenzie Valley Pipeline relates to a number of unique
13 | characteristics of the project. The development involves
14 | a massive amount of investment, at least \$4.5 to \$10
15 | billion depending on which of the two bids are accepted.
16 | The project is capital-intensive, generating relatively
17 | few long-term jobs for the enormous amount of money
18 | invested. The project is associated with a
19 | disproportionately large amount of external cost, such as
20 | environmental damage and government expenditure on roads,
21 | communications, and other infrastructure. The
22 | construction of the pipeline will also occur in an
23 | underdeveloped economy in the north. Finally, the
24 | pipeline construction is to be extremely rapid, involving
25 | large numbers of transient workers, high wages, and large
26 | capital expenditures over a short period of time.

27 | The gas consortium has
28 | ,suggested that the positive effects would be:
29 | (a) a major contribution to national income during
30 | construction;

1 (b) a long-run stimulation of employment in Alberta and
2 the north

3 (c) the generation of a trade surplus through exports.

4 It has been further suggested
5 that shipment of Alaskan gas and the export of delta gas
6 are necessary to make the project economically feasible
7 and that deferral of the project would result in loss of
8 the opportunity to ship Alaskan gas. As well, it has
9 been suggested that we would face gas shortages in the
10 1980s. We see the effects of the pipeline in quite
11 different terms.

12 The massive amounts of
13 investment (4.5 billion dollars) to be expended on the
14 pipeline is clearly inflationary. The inflation that
15 this expenditure will produce will have several
16 detrimental effects. Living costs in the Northwest
17 Territories and the rest of Canada will rise. Most
18 affected will be those on fixed incomes, but the living
19 standards of working people everywhere will be steadily
20 undercut. Because of the increase in value of the
21 Canadian dollar, our trading position in the World market
22 will be seriously undermined, Interest rates will in all
23 likelihood climb, sufficiently high to make it
24 unprofitable to invest money in job-producing industries.
25 In return for a short period of relatively high
26 employment of migrant workers in the north, we shall be
27 sacrificing the opportunity for the creation of more
28 durable and widely spread employment across the country.

29 Unemployment will be further
30 aggravated by the so-called "trade surplus" that we are

1 | to expect from our export of natural gas to the United
2 | States. This trade imbalance will necessitate the import
3 | of goods made in the United States that could, well be
4 | manufactured by Canadian workers in Canadian factories,
5 | It is the familiar story of exporting our, raw resources
6 | in return for lost jobs. Additionally, it seems unlikely
7 | that Canadian industry is at this time capable of
8 | providing the material backup for the pipeline project.
9 | The capital invested will, as a result, flow to foreign
10 | industries. In this way, we shall export not only
11 | capital but jobs as well.

12 | This project, because it is
13 | capital-intensive, is a socially irresponsible investment
14 | for a country that has chronically high unemployment.
15 | Comparable investment in industry would produce many more
16 | jobs. An investment of this magnitude will involve heavy
17 | borrowing. As it is extremely unlikely that this amount
18 | of capital can be raised in this country, we can only
19 | assume that the funding will come from foreign sources,
20 | primarily in the United States. This can only serve to
21 | strengthen the economic and political dominance of the
22 | United States over Canada, and as such can only serve
23 | to weaken the possibilities for self-determination
24 | that we feel are essential for the people of this
25 | country.

26 | Yet another impact of the
27 | pipeline will be the diversion of the wealth of the
28 | country away from desperately required social
29 | expenditures, in the areas of health care, education,
30 | housing, and mass public transit, to mention only four.

1 | We can only feel that the recent cutbacks in these areas
2 | and the Federal Government's wage controls program are
3 | the beginnings of dangerous trends that are calculated to
4 | facilitate the financing of the pipeline at the expense
5 | of ordinary Canadians.

6 | The effects upon the native
7 | people of the Northwest Territories will be disastrous.
8 | Among the problems created will be the transfer of.
9 | natives from their present pursuits to a wage economy
10 | with no guarantee of employment after the project is
11 | completed. The damage to the environment might well
12 | destroy their traditional livelihood, and when the jobs
13 | are gone, leave them with nothing but welfare and broken
14 | dreams, dependent upon the Department of Indian Affairs
15 | for the bread they eat, and with no hope for dignified
16 | lives. Because most of the natives do not have the
17 | necessary skills, they are relegated to the lower paying
18 | menial jobs. It does not appear that sufficient time is
19 | being allowed to train the natives to hold the higher
20 | paying jobs, and these will no doubt go to southern
21 | workers who will have no ties with the local community,
22 | and no real interest in contributing to its development.
23 | The inflation that will cause severe difficulties in the
24 | south, will cause grave hardships in the north. As well,
25 | it will make it correspondingly more difficult, for
26 | natives to obtain the funding necessary to initiate local
27 | projects of a more durable and beneficial nature for the
28 | local community.

29 | Finally, and most significantly
30 | in the long run, by rushing into this costly venture we

1 government if a pipeline is to be built. However,
2 statements made by top-ranking officials and the very,
3 structure of the Ministry responsible for northern
4 development and the welfare of the native people
5 suggests that decisions have already been made. Our
6 remarks in this area are in no way to be construed as
7 criticisms of you, Mr. Justice Berger, or your, staff
8 for the way in which you have conducted yourselves.
9 We have no reason to doubt the sincerity or integrity
10 of you or your staff.

11 If we accept the premise that a
12 key concern for this Inquiry is the impact of a pipeline
13 upon the native inhabitants of the region, we must focus
14 upon the immediate conflict that arises when one section
15 of a government department is promoting a development
16 that threatens the people that are ostensibly protected
17 by another section of that same department. When there
18 is tension and conflict between these two
19 responsibilities, as often there must be, these, must be
20 internalized and cannot be fully expressed. The analogy
21 could be drawn to the effects of deep conflict within a
22 single person -- in its more extreme forms,
23 schizophrenia. When the conflict involves an issue like
24 energy policy, the risk is high that because of the
25 desperation for new energy sources (a falsely engendered
26 desperation, we believe), the interests of native peoples
27 are less likely to receive their due attention within the
28 department.

29 The policies which the
30 Department of Indian Affairs & Northern Development

1 | administers are inherited from the British colonial era,
2 | and are-,best summarized in the term "assimilation". But
3 | assimilation if it ever seemed appropriate, is
4 | inappropriate for native peoples in Canada today and we
5 | maintain that the structure and policy of what is called
6 | "Indian Affairs" must reflect that reality. We support
7 | the replacement of the present Indian Act by one written
8 | by the native peoples themselves, as they have been
9 | demanding since 1969.

10 | What is the policy of the
11 | government toward native demands that the land claims
12 | question be settled fairly before a pipeline is to be
13 | built? Historically the Canadian Government has only
14 | shown interest in negotiating with northern natives when
15 | the presence of valuable resources was established,.
16 | 1899 marked the signing of Treaty No. 8 and the gold
17 | rush; 1921 marked the discovery of oil and the signing of
18 | Treaty No. 11. Speeches by former Minister of Indian
19 | Affairs, Jean Chretien, suggest that the notion that land
20 | claims will be settled before a pipeline is built is an
21 | accepted principle. But there is much contradictory
22 | evidence.

23 | Mr. Judd Buchanan, the present
24 | Minister of Indian Affairs, has threatened to cut off
25 | research funding to native groups, saying that the native
26 | claims are "unrealistic". We understand that attempts
27 | have even been made to restrict. the significance' of
28 | this Inquiry by cutting back on funds. In a speech to
29 | oil industry executives in Calgary on April 21st of' this
30 | year, Mr. Buchanan assured the executives of the

1 government's very high priority on incentives favoring
2 their investments. He went on to say that: "Pipeline
3 development would not be delayed over claims.
4 settlements."

5 Mr. Digby Hunt, Assistant
6 Deputy Minister of Northern Development, told the
7 Canadian Mining Association last June that a pipeline in
8 the Mackenzie Valley could be built before land claims
9 were settled, and that it could start in 1976, despite
10 the fact that this would involve Indian land. Mr. Hunt
11 sits on the Boards of Pan-Arctic Oils and the Northern
12 Canada Power Commission, clear conflicts of interest with
13 his public service position.

14 Finally, the National Energy
15 Board, which is responsible for ruling on the need, for a
16 pipeline in the Mackenzie Valley, chaired the Pipeline
17 Committee of the Task Force on Northern Oil Development
18 and prepared the material that persuaded Cabinet to
19 endorse the Mackenzie Pipeline in 1970. The decision in
20 favor of the pipeline appears to have been made prior to
21 public discussion, prior to satisfactory negotiation with
22 native organizations, and despite promises to safeguard
23 both native rights and the environment.

24 Both the structure of the
25 Department of Indian Affairs & Northern Development and
26 the actions of the various government officials outlined
27 above pose serious implications for the future" of
28 northern development and for this Inquiry, Why 'was this
29 Inquiry not initiated prior to 1970? If this Inquiry
30 makes recommendations that conflict with decisions

1 | already, apparently already made in secrecy, will the
2 | recommendations be considered seriously? Is this the
3 | model for future development of northern resources, a
4 | model that allows for consultation with the people most
5 | affected only at the last possible moment?

6 | With the foregoing in mind, we
7 | offer the following recommendations:

8 | 1. That no pipeline be constructed before the land
9 | claims made by the natives of the Northwest Territories
10 | are met. Implicit in this recommendation is our support
11 | for the Dene demand for an agreement that allows for
12 | their self-determination in development of the region.

13 | 2. That detailed, independent studies of the
14 | environmental, economic and social impacts of a Mackenzie
15 | Valley Pipeline upon the Northwest Territories and the
16 | nation as a whole be conducted, openly and with provision
17 | for adequate public participation.

18 | 3. That substantial funding be given research into energy
19 | conservation and the development of an alternative
20 | sources of energy.

21 | 4. That a moratorium of ten years be imposed upon
22 | northern resource development to allow for the
23 | implementation of the above recommendations.

24 | 5. That the Indian Act and the Department of Indian
25 | Affairs be subjected to thorough review with the
26 | intention of establishing legislation consistent
27 | with the wishes and aspirations of the native peoples of
28 | Canada.

29 | We are not prepared to
30 | recommend that a pipeline never be built. But we do

1 state in no uncertain terms that we are in opposition to
2 a development that is pushed forward without the advice
3 or consent of those most directly affected, in this case
4 the native people of the Northwest Territories As
5 previously indicated, we view the pipeline project as a
6 threat, not only to the native people but also to the
7 well-being of millions of ordinary Canadians. We view
8 the fate of the people of Canada as being more important
9 than profits of multinational petroleum corporations,
10 and therefore we are opposed to this project as it is
11 presently constituted.

12 This brief is a group effort
13 and eight or ten of the people who helped work on this
14 brief are also here and would be happy to answer any
15 questions, if you have them. Thank you.

16 (SUBMISSION BY INTERCULTURAL DEVELOPMENT EDUCATION
17 ASSOCIATION INC. - M. HAAVE MARKED EXHIBIT C-418)

18 (WITNESS ASIDE)

19 MR. WADDELL: Mr.

20 Commissioner, I call next on Mr. Austin Rathke, who is
21 the president of the Greater Winnipeg Gas Company. Is
22 Mr. Rathke here?

23

24

25 AUSTIN RATHKE sworn:

26 THE WITNESS: Thank you very
27 much, Mr. Commissioner. The Greater Winnipeg Gas Company
28 very much appreciates the opportunity to appear before
29 this Inquiry. We fully support the concept of the
30 Inquiry and feel that it's serving a truly useful

1 | purpose.

2 | The Greater Winnipeg Gas
3 | Company is a company incorporated in the Province of
4 | Manitoba with its head office in Winnipeg. It is a gas
5 | distribution utility operating in and around Winnipeg,
6 | and supplies natural gas for domestic, commercial and
7 | industrial purposes to more than 128,000 customers in
8 | this area.

9 | All such gas so distributed and
10 | sold is supplied from Canadian gas fields. Greater
11 | Winnipeg understands that this Inquiry has been
12 | established to recommend terms and conditions which may
13 | be embodied in the granting of a right-of-way across
14 | Crown lands for the purpose of the proposed Mackenzie
15 | Valley Pipeline. Greater Winnipeg is concerned with and
16 | h an interest in the above-mentioned hearings to the
17 | extent that the recommendations rendered could have a
18 | direct influence on the cost and timing for delivery of
19 | the Mackenzie Delta gas to the Canadian market, thereby
20 | affecting the availability to Greater Winnipeg of
21 | adequate supplies to serve its present and future market
22 | requirements.

23 | The dominant reason for an
24 | Arctic Gas Pipeline is to provide much-needed natural gas
25 | supplies for domestic use from the untapped Mackenzie
26 | Delta region. It is a well-documented fact that the
27 | supply and deliverability of natural gas from presently
28 | producing areas is, and will continue to be, insufficient
29 | to meet the needs of the attached Canadian and export
30 | market. In our own distribution area as early as 1974

1 Greater Winnipeg found it necessary to cease adding
2 customers, including residential customers, because of
3 the non-availability of additional gas supplies. This
4 situation has been somewhat ameliorated at least for the
5 short term, through purchases of supplies directly from
6 producers, and through gas storage and re-delivery
7 arrangements. However, at the present time -- that is
8 today -- there are several hundred commercial
9 establishments in Winnipeg waiting for us to buy gas for
10 them so they can be served. On a Canada-wide scale the
11 National Energy Board concluded after hearings held in
12 1974 and 5 -- and I quote:

13 "The current inability of supply to meet all
14 requirements for Canadian natural gas, li-
15 censed exports, plus growing domestic demand,
16 is likely to continue, at least until sup-
17 plies from the frontier areas become avail-
18 able. Without substantial supplies from Can-
19 ada's frontier areas, growing domestic re-
20 quirements could not be satisfied beyond
21 1984, Even if all exports were diverted to
22 domestic markets, as required. Without sub-
23 stantial further development of the conven-
24 tional producing areas, they --(that is the
25 domestic market)-could not be satisfied be-
26 yond 1979, even with exports diverted to do-
27 mestic markets as required to meet domestic
28 deficiencies."

29 From these observation's two
30 points become clear.

1 | 1. The long-term domestic supply problem is real.
2 | 2. This problem cannot be resolved by simply diverting
3 | to the Canadian market supplies now being exported,
4 | whereby accelerating deliveries of Alberta gas.

5 | On the other hand, presently
6 | discovered Mackenzie Delta reserves are adequate to
7 | effect a significant increase in the deliverability of
8 | gas to the Canadian market. With continued exploration
9 | the chances for the discovery of further delta gas
10 | reserves are excellent. It is mandatory that a pipeline
11 | system be constructed to make available these Mackenzie
12 | Delta supplies to the Canadian market.

13 | Now, Greater Winnipeg recognize
14 | the necessity and the importance of terms and conditions
15 | which might be imposed on a developer of such an Arctic
16 | pipeline, in order to ensure the protection of the
17 | environment, the society, and the economy of the north.
18 | However, we caution that these terms and conditions must
19 | be reasonable and constructive. For example,
20 | unreasonable terms that call for delays in the start of
21 | construction could cost Canadians the opportunity of
22 | building a pipeline to transport both Alaskan and
23 | Mackenzie Delta gas, By by-passing this opportunity,
24 | Canada would lose the advantage of minimizing unit costs
25 | for the delivery of their own gas, as well as lose the
26 | potential of earning substantial foreign exchange
27 | revenues.

28 | Unnecessarily restrictive
29 | regulations for monitoring construction work could
30 | stretch out the construction period, delaying the arrival

1 of delta gas to Canadian markets, and increasing project
2 costs.

3 Unrealistic restrictions on the
4 manner in which the pipeline is to be built and operated
5 could undermine the overall feasibility as to whether
6 such a pipeline can be built at all.

7 We therefore urge that in the
8 drafting of terms and conditions a proper balance be
9 struck between precautionary measures, taken to minimize
10 any adverse effects an Arctic pipeline might have on the
11 north and its people, and the expediency with which
12 Arctic supplies are required for all Canadians

13 In conclusion, Greater Winnipeg
14 believes that the highest priority must be placed on an
15 Arctic pipeline system which will make Mackenzie Delta
16 gas supplies available to Canadian markets at the
17 earliest possible date. In this regard Greater Winnipeg
18 is supporting Canadian Arctic Gas and its application
19 before the National Energy Board to construct the
20 pipeline and connected works. It is our belief that that
21 caution has the greatest probability of being
22 economically and environmentally feasible sooner than any
23 other.

24 Furthermore, Greater Winnipeg
25 believes that such a pipeline will be good for all
26 Canadians. For the people of the north, an Arctic
27 pipeline offers the opportunity to strengthen and
28 diversify their economy through a fair and equitable
29 resolution of land claims, and through the creation of
30 long-term employment. For the people of the south, an

1 Arctic pipeline will provide access to new supplies to
2 heat our homes and fuel our industries.

3 Thank you very much, sir,
4 (SUBMISSION OF GREATER WINNIPEG GAS COMPANY A. RATHKE -
5 MARKED EXHIBIT C-419)

6 (WITNESS ASIDE)

7 MR. WADDELL: Mr.
8 Commissioner, I'd like to call one brief before coffee.
9 Would that be permissible? Perhaps I could jump down a
10 bit, Is Mr. Henry Spence here? Mr. Spence?

11 HENRY SPENCE sworn:

12 THE WITNESS: Mr. Berger, I'd
13 like to thank you for the opportunity to make a
14 presentation. I'd like to talk on the same issue which
15 is development in the north, but I would like to bring it
16 a little closer to home here in Manitoba, in Northern
17 Manitoba in particular.

18 I am a Treaty Indian. I come
19 from a reserve that is called Nelson House in Northern
20 Manitoba, It's a small reserve, the population is about
21 1,500. We recently found out that we are going to be
22 severely affected by not a pipeline, but a massive hydro
23 development project. So I think that I can see a
24 parallel. with what is going on in the Northwest
25 Territories concerning the pipeline issue, with our own
26 here in Manitoba.

27 I think I would just like to
28 give a brief background on the -- our own situation. The
29 planning, the construction has been going on for more
30 than ten years, and it was not until the spring of '74

1 | that we knew that it was going to affect not. only my
2 | reserve in the north, but four other reserves in Northern
3 | Manitoba. The five bands got together to form their own
4 | organization, and the five chiefs of the north, including
5 | my chief, head and run this organization, which is called
6 | the Northern Flood Committee.

7 | The mandate that was given
8 | to the committee was to try and stop the vast
9 | destruction of what we considered was our last
10 | sanctuary, and to find out what is going on, what the
11 | plans are, what will be happening after everything is
12 | set in operation. My reserve, Nelson House, stands
13 | to be the one which is most affected by flooding
14 | because of its location, it's close to the hydro dam.
15 | I don't know how the pipeline is affecting Indian
16 | communities in the north, but I seem to sense a
17 | parallel that is similar to ours. In our case,
18 | however, the water that comes from the dam does not
19 | go around the community, it goes right into the
20 | reserves. Anyway, we feel that most of our land will
21 | be severely damaged by the flooding and the erosion.
22 | We fear that much of our natural food and our means
23 | of livelihood will also be destroyed. We still do
24 | not)now what other impacts are going to emerge. We
25 | understand now that the water on my reserve may go as
26 | high as 30 feet. It's a good thing that we're on
27 | high ground, or the whole reserve would be under
28 | water.

29 | I'm also sure that the
30 | shorelines are going to be affected in the north by

1 | this development and by the fluctuation of the water,
2 | and we also understand that the surplus power that
3 | will brought by this project will be sold to the
4 | United States.

5 | In 1875, Mr. Commissioner, our
6 | forefathers signed a Treaty No. 5 in good faith with the
7 | government of this country, in the hope that we could
8 | live peacefully and pursue our traditional life. As a
9 | result we were moved to reservations, and in my case,
10 | Nelson House.

11 | Now that little piece of land
12 | we call our homeland is being threatened to be destroyed
13 | by this development. Mr. Commissioner, we are told that
14 | it's for the common good. It was for the common good
15 | that we gave up this country of ours. It was also for
16 | the public interest that our forefathers signed the
17 | treaty with the government. It is again in the common
18 | interest that we allowed the developers into the land
19 | where we get what we consider our only remaining Source
20 | of food and livelihood. Our rights to hunt, to trap and
21 | fish on lakes and rivers, and these lands may just as
22 | well be non-existent. What will then be left to hunt,
23 | to trap, or to fish?

24 | Mr. Commissioner, millions of
25 | dollars have been spent on studies regarding the
26 | project, It is now 1976 and ten years after the
27 | agreement was signed to precipitate this major
28 | development, and, we at Nelson House still do not have
29 | the facts. We have never been involved in the planning.
30 | The problem with studies is that they're too late and

1 | done by government for their own purposes.

2 | These massive developments,
3 | the failure to tell the people frankly, fully and early
4 | what the consequences will be for them, this failure
5 | creates alarm, hostility and confusion which and does
6 | become a major impact in itself, even to the extent of
7 | creating a breakdown of the communities, especially the
8 | leadership in the decision-making process.

9 | Mr. Commissioner, I would like
10 | to quote one of the chiefs from the north, when asked of
11 | his view on this issue, and I quote:

12 | "Our land and our rights are not for sale."

13 | As an individual person
14 | experiencing this kind of development, I would like to
15 | recommend that your Inquiry first of all would recommend
16 | that the government of this country and also the
17 | Provincial Government, and I guess in this case the
18 | Northwest Territories Government, recognize the rights
19 | of Indian people, in the country. Also that no future
20 | development in the north, whether here in Manitoba or in
21 | Quebec or in Northwest Territories, be allowed until
22 | there is full disclosure, until the people that are
23 | affected will also be involved in the planning.

24 | Lastly, I would like to go on
25 | record as being in total agreement with my fellow Indian
26 | people in the Northwest Territories with regard to this
27 | Mackenzie Pipeline..

28 | Thank you very much, Mr..
29 | Commissioner.

30 | (SUBMISSION BY H. SPENCE MARKED EXHIBIT C-420)

1 (WITNESS ASIDE)
2 MR. WADDELL: Mr.
3 Commissioner, I wonder if we could break now for ten
4 minutes, just a short break, for a cup of coffee, and
5 we'll try and get as many cups of coffee as we can.
6 THE COMMISSIONER: Ladies and
7 gentlemen, before we break, I think I should tell you that
8 the C.B.C. has established a broadcasting unit that
9 travels with this Inquiry wherever it goes, and broadcasts
10 each evening for an hour on the C.B.C.'s Northern Network
11 to all the peoples who live in the Northwest Territories
12 and the Yukon. That broadcasting unit has travelled with
13 the Inquiry now for 14 months in the north, and is
14 accompanying the Inquiry on its tour of the major centres
15 of Southern Canada this month, and the members of that
16 broadcasting unit are with us tonight and they are
17 broadcasting to the north the things that are said by
18 Southern Canadians at these hearings in the south. Those
19 broadcasters include Whit Fraser, who broadcasts in
20 English; Abe Okpik, who broadcasts in Inuktitut, the
21 Eskimo language of the Western Arctic; Louis Blondin, who
22 broadcasts in Slavey; Jim Sittichinli, who broadcasts in
23 Loucheux; and Joe Toby, who broadcasts in Dogrib and
24 Chipewyan. I mention that because I think it is important
25 that you should realize that this inquiry is a public
26 Inquiry in the fullest sense of the word, and what is said
27 is being transmitted to the people most vitally concerned,
28 the people who live in the Mackenzie Valley, the Mackenzie
29 Delta, on the perimeter of the Beaufort Sea, and the
30 Northern Yukon.

1 So take a break for coffee and
2 then we'll hear from as many of you as we can. I
3 apologize for the fact that it doesn't appear we can
4 hear from all of those who wanted to present their
5 briefs at the hearing tonight, but I will undertake to
6 you, as I have in the other cities we visited, that the
7 briefs that don't -- that are not presented tonight, if
8 you file them with Mr. Waddell at the table at the front
9 here, I will undertake to read them in the -- in my
10 spare time. So we'll break for coffee now.

11 (PROCEEDINGS ADJOURNED FOR TEN MINUTES)

12 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

13 THE COMMISSIONER: Well,
14 ladies and gentlemen, we'll call our hearing to order
15 again, and let me suggest to you that what I think we
16 ought to do for the remainder of the evening, is
17 consider the rest of the briefs of the people who were
18 first in line, so to speak, and perhaps we will be able
19 to complete our evening's work soon after 11, and as I
20 say, those who filed -- who wish to file briefs may do
21 so and I promise you that they will be examined.

22 Let me just say that the
23 Inquiry has spent 14 months in Northern Canada hearing
24 evidence and we must return there by June 15th to
25 complete our work, and we will be in Northern Canada
26 from June 15th for the remainder of this summer, at
27 least, and so we are only in a position to spend a month
28 in Southern Canada, and that is why we could only spend
29 one day here in Winnipeg. I may say that we split the
30 time, so many days in each city, we split the time up

1 | according to the number of briefs received in advance
2 | from each city, and that's why we are here today and
3 | that's why we have to leave tomorrow.

4 | When I introduced the reporters
5 | who are broadcasting to Northern Canada, I neglected to
6 | add that we have a reporter here tonight, Jorger-Bent
7 | Kistorp, who is with Radio Greenland, and is reporting to
8 | Greenland regarding the proceedings of the Inquiry.

9 | So Mr. Waddell, we'll carry on
10 | with the briefs.

11 | MR. WADDELL: Mr. Commissioner,
12 | before I call the next witness who will be Mr. Ahab
13 | Spence, the President of the Manitoba Indian Brotherhood,
14 | I propose to -- I'd like to read in a telegram, read into
15 | the record a telegram which we received here. It reads
16 | as follows:

17 | "At, the Symposium on Native Employment of the
18 | three Prairie Provinces (Manitoba, Saskatchewan,
19 | Alberta), being held in Saskatoon, May 19th and
20 | 20th, the following resolution was passed:

21 | 'BE IT RESOLVED that there be no major develop-
22 | ment in the north until aboriginal rights(land
23 | claims) are settled.'

24 | Symposium delegates would like the Berger In-
25 | quiry to understand that until native people
26 | have control of their land, they will not have a
27 | foundation for economic, social and cultural de-
28 | velopment. The Symposium also feels that as long
29 | as these claims are not settled there will only
30 | be menial employment for native people as they

1 | will not have any bargaining power."

2 | This is signed by the chair person, Ivan Ahenakew,
3 | that's spelled A-H-E-N-A-K-E-W.

4 | I also, Mr. Commissioner,
5 | brief 19 on our list for this evening is from Lakeview
6 | Properties Limited and I have received a letter from
7 | them and I'd like to read that letter. This is from
8 | Lewis L. Landa, L-A-N-D-A, the vice president, and the
9 | letter is as follows:

10 | "The writer wishes to, acknowledge with thanks
11 | your letter of May 14, 1976 and the enclosed
12 | synopsis of the Mackenzie Valley Pipeline In-
13 | quiry material. After careful examination of
14 | same, we wish to withdraw our request to appear
15 | before the Inquiry. It would appear that our
16 | concerns should really be expressed to the Na-
17 | tional Energy Board, since it is they who will
18 | be considering the question of Canada's need
19 | for gas in the future. The shortage of gas or
20 | a delay in bringing frontier gas to the market
21 | would, in our opinion, have a very detrimental
22 | effect - - have very detrimental effects on the
23 | construction industry, since we do not believe
24 | that the hydro energy is available in suffi-
25 | cient quantity to maintain an adequate pace of
26 | construction, which is the country's largest
27 | single employer."

28 | Signed by Mr. Landa. I'd like to file those two, the
29 | telegram and the letter, Mr. Commissioner.

30 | (TELEGRAM FROM SYMPOSIUM ON NATIVE EMPLOYMENT MARKED

1 | EXHIBIT C-421)
2 | (LETTER FROM LAKEVIEW PROPERTIES LTD. MARKED EXHIBIT C-
3 | 422)

4 | MR. WADDELL: Then call Mr.
5 | Ahab Spence, the president of the Manitoba Indian
6 | Brotherhood. Is Mr. Spence here?

7 |

8 |

9 | AHAB SPENCE sworn:

10 | THE WITNESS: Mr. Justice
11 | Berger, I welcome this opportunity to speak to the
12 | Mackenzie Valley Pipeline Inquiry. Somehow, the
13 | knowledge that the Indian people of Manitoba have been
14 | down this road before causes a grave emotional feeling
15 | inside my heart, and alerts my mind and soul as to the
16 | seriousness of this hearing. First of all, I want to
17 | tell you that in spite of appearances, I am a Treaty
18 | Indian. and I represent 42,000 Treaty Indians in
19 | Manitoba. We have associations with all the Indian
20 | organizations in Canada on a national level, and we are
21 | speaking in support of the people of Northwest
22 | Territories.

23 | Mr. Justice Berger then in your
24 | duty to the government to report on the social.
25 | environmental and economic impact of the proposed natural
26 | gas pipeline in the Yukon and Northwest Territories, I
27 | know that I need not remind you, because you are a man
28 | with a social concern and intelligence. that you share a
29 | concurrent obligation to the Indian people and non-Indian
30 | natives in the north to state their position or stands as

1 | their own advocate. If have learned anything in my life-
2 | long commitment to the Indian movement in Canada, it is
3 | the realization that a powerless people have few friends;
4 | indeed, no friends of any position of power. We have
5 | also learned that in this country, big corporations find
6 | a willing and good friend in the Provincial and Federal
7 | Governments. It is beyond my comprehension how the
8 | Government of Canada can work hand in hand with big
9 | corporations to exploit a resource without benefit to the
10 | people, destroying the environment and ignoring and
11 | neglecting and even in some cases identifying the Indians
12 | as an obstacle to development.

13 | Mr. Justice Berger, we realize
14 | that the terms of reference for your Inquiry do not
15 | stipulate that you act as an advocate of the northern
16 | people, but we expect, because it is morally right and
17 | just, that you be the friend and advocate of the people
18 | of the north.

19 | Yes, we the Indian people of
20 | Manitoba have been in the Mackenzie Valley Gas Pipeline
21 | road to destructive development many times -- and each
22 | time we emerged conquered and defeated. And it seems
23 | that we can only manage to get back on our feet when the
24 | government and its partner, the corporations, introduce
25 | a new burden on our people. Indeed, at this very moment
26 | my people are frustrated, anxious and afraid about the
27 | hydro developments in Northern Manitoba. It almost
28 | appears that hydro officials, with government approval,
29 | are at liberty to do anything they like and want, even
30 | to dishonor the treaty obligations by flooding reserve

1 | lands. We speak with authority and experience when we
2 | protest against developments which destroy the way of
3 | life of our people For example, in the year 1875, the
4 | Government of Canada made treaty with Chemahawin Band on
5 | Cedar Lake. In surrendering their ownership of the land
6 | the Indian people received in turn certain benefits
7 | including assignment of a reserve. In less than 100
8 | years (that is 1960), the Government of Canada, the
9 | Province of Manitoba via the Manitoba Hydro,
10 | expropriated that reserve for the purpose of hydro
11 | development. Our experience has been, sir, that the
12 | reserve lands we were left with after the treaty was
13 | concluded, have been and are still subject to being
14 | expropriated for the benefit of other Canadians at the
15 | pleasure of the government of the day.

16 | The Indians, the Chemahawin,
17 | were not informed of these plans ahead of time. They
18 | were simply told that their reserves would be flooded,
19 | that they would be relocated to a different area.

20 | The result has been painful to
21 | the Crees of Chemahawin. In their new settlement called
22 | Easterville -- if there are any brethren o the cloth,
23 | they know what "Easter" means, this is the opposite to
24 | what "Easter" should mean -- they have not been able to
25 | transfer their former lifestyle. It is difficult to
26 | grow gardens in rock. It is difficult, in fact
27 | impossible, to live along the shore of a lake which
28 | still has not found a permanent shoreline.

29 | In addition to the loss of a
30 | lifestyle, many of the people of Easterville are con

1 | fronted with new social problems. There is an increase
2 | in alcoholism, violence, family breakups, juvenile
3 | delinquency; there is greater dependence on welfare. In
4 | the original settlement, such problems were practically
5 | non-existent.

6 | Manitoba Hydro developed a
7 | plan to harness the Saskatchewan River near its mouth at
8 | the point where the most beautiful and mighty rapids
9 | used to be.. Instead of harnessing the power of the
10 | rapids in its natural state, the officials of Hydro and
11 | their super-- so-called super engineers choose to dry up
12 | the rapids and create a man-made lake or Forebay
13 | Reservoir which flooded the Chemahawin Cree Reserve.

14 | As a more recent example of
15 | thoughtless hydro development, which ignores and
16 | neglects the human side of development, the Indian
17 | people of Nelson House, which you had a younger
18 | representative of the reserve just make a presentation
19 | before coffee break, stand to have a large area of their
20 | Indian Reserve land flooded. Commercial fishing,
21 | hunting and trapping would be put in jeopardy, causing
22 | the people to experience greater economic dislocation
23 | and hardship, Affected also by these hydro developments
24 | are our legal rights with respect to the lands reserved
25 | by treaty and our hunting, and fishing rights. Mr.
26 | Commissioner, we have and continue even today to travel
27 | the Mackenzie Gas Pipeline road which only lads to our
28 | loss and misery.

29 | I believe it is a basic human
30 | right for people to live in freedom from oppression. I

1 | believe that no human being should be oppressed by
2 | government or big business, I believe that Indian people
3 | have certain aboriginal rights and a fundamental one is
4 | the survival and continuance of Indian culture.

5 | We, the Indian people of
6 | Manitoba, support the Dene people and their Declaration.
7 | We urge that a final settlement to their aboriginal and
8 | land claims be made before the construction of the Mac-
9 | kenzie Valley Pipeline. We are in complete support for
10 | their demand for a decree of sovereignty, never allowed
11 | to other Indians in Canada. We are in complete support
12 | with the Dene that such a settlement be one of land and
13 | political authority over that land, not money,
14 | compensation for extinguishment as was done in the James
15 | Bay Agreement.

16 | Many Canadians look to the
17 | Northwest Territories as the last frontier. We agree
18 | that it is the last frontier where humanity will
19 | prevail over profit, where justice will prevail over
20 | wrong, where freedom will prevail over oppression and
21 | where bath Indian and white society can cooperate, co-
22 | exist and interact in harmony and dignity.

23 | In this last frontier, sir,
24 | the Canadian public can do justice by not allowing
25 | their government to repeat the mistakes and
26 | exploitation of the past. The dislocation and
27 | disorientation of the Indian people in their homeland
28 | must not go unchallenged Their independence and self-
29 | determination within the country of Canada can only be
30 | brought about by a just land settlement.

1 The Indian people of Manitoba
2 ask as sincerely as it is possible, ask of the Mackenzie
3 Valley Pipeline Inquiry and the Canadian public this.
4 Let freedom and justice be done in the last frontier.

5 Thank you very much.
6 (SUBMISSION OF AHAB SPENCE MARKED EXHIBIT C-423)

7 (WITNESS ASIDE)

8 MR. WADDELL: Mr.
9 Commissioner, I would like to file with you at this
10 point three briefs. The first one is from Easterville,
11 the place that Mr. Spence referred to and there is a
12 brief from the native people there.

13 The second one is from
14 Professor Brian J. Katz of the Faculty of
15 Administrative Studies, University of Manitoba and the
16 third is a letter from four people from Morris Manitoba
17 and I will file these with you now.

18 (SUBMISSION FROM EASTERVILLE MARKED EXHIBIT C-424)

19 (SUBMISSION FROM BRIAN J. KATZ MARKED EXHIBIT C-425)

20 MR. WADDELL: I would call as
21 our next brief Father Bryan Teixeira of the Interchurch
22 Task Force on Northern Flooding, Archdiocese of
23 Winnipeg. Father Teixeira?

24
25 FATHER BRYAN TEIXEIRA sworn;

26 THE WITNESS: Mr.

27 Commissioner.

28 I would like to share with you what the interchurch
29 Task Force has learned from northern hydro development
30 in this province as these learnings relate to the

1 | Mackenzie Valley Pipeline.

2 | The Interchurch Task Force on
3 | Northern Flooding is a local ecumenical venture that
4 | claims the direct involvement of the Anglican,
5 | Mennonite, Roman Catholic and United Churches. Other
6 | local churches are also aware of our work and support
7 | us from time to time on specific matters.

8 | Our Task Force began in the
9 | autumn of 1973 in response to some residents of South
10 | Indian Lake who stand to bear the brunt o f the damage
11 | of the Lake Winnipeg - Churchill - Nelson Rivers hydro-
12 | electric project. This project intends to more
13 | efficiently use the water flowing north from Lake
14 | Winnipeg to the Nelson River as well as divert
15 | southwards the Churchill River into the Nelson River in
16 | order to harness the maximum hydro-electric potential
17 | of this latter river.

18 | Our Task Force soon learned
19 | that while some 100 studies of this project were
20 | commissioned by the Government of Manitoba and the
21 | Government of Canada, the vast majority of these
22 | studies were classified confidential. In the midst of
23 | our struggle to gain release of this data, the Northern
24 | Flood Committee was born. This is a committee of the
25 | chiefs of the reserves that will be adversely affected
26 | by the project. Our joint efforts finally met with the
27 | release of these studies which however, were
28 | reclassified unofficial.

29 | Our national church leaders
30 | became increasingly involved. This helped to further

1 | he general moral and ethical concern for all life that
2 | continues as one of the perennial values of :the church
3 | in our modern world and a more specific concern that
4 | the native peoples of this country be treated at least
5 | according to the law but also according to valid
6 | principles of social justice.

7 | We wish to share with you Mr.
8 | Commissioner at least four major areas of learning. 1.
9 | Conflicting ministerial portfolios. In the Manitoba
10 | situation while both Federal and Provincial Governments
11 | have certain joint agreements regarding the project
12 | referred to, serious disagreement exists at least in the
13 | public forum as to the precise limits of jurisdiction of
14 | these governments and those elements of project that
15 | touch on federal reserve lands. This disagreement has
16 | served to focus the conflict of interest in the
17 | portfolios of the two ministries that are at the
18 | forefront of this issue, namely, the Minister of Mines,
19 | Resources and Environmental Management and the Minister
20 | of Indian Affairs and Northern Development, the former
21 | being in Manitoba and the latter in Ottawa.

22 | This is of special concern to
23 | us in what pertains to the Federal Minister. The
24 | federal department concerned has stated in writing to
25 | our Task Force that the Province of Manitoba has no
26 | rights to flood reserve lands. The Premier of this
27 | province who also happens to hold the portfolio of
28 | Manitoba Hydro had his lawyer appear before our panel
29 | of public inquiry. This lawyer admitted then that the
30 | Provincial Government has no mandate to effect reserve

1 | lands, but no Court action has yet occurred.

2 | This says to us that because
3 | of conflicting portfolios, the public in general and
4 | the native people in particular must be very wary of
5 | trusting that our governments will indeed work in their
6 | best interests. It also difficult to believe that
7 | serious ethical reflection is involved in resolving the
8 | inevitable conflicts of interest. This matter, to our
9 | knowledge, is also at issue along the Mackenzie Valley
10 | Pipeline route and in the work of your Inquiry.

11 | 2. Cheap energy. The compartmentalization of
12 | finances. allows Manitoba Hydro to say its process of
13 | hydro development is cheap, but on the overall of the
14 | province, this project will incur damages which will be
15 | suffered mainly by northern native peoples. There will
16 | also be other calculable and incalculable losses in
17 | terms of wildlife and general ecology.

18 | To the extent that losses are
19 | calculable, they. may appear in one way or another in
20 | some other set of government accounts, for example,
21 | welfare, health and social development. Meanwhile,
22 | Manitoba Hydro itself can continue to boast of cheap
23 | power, but cheap power according to whose books? This
24 | consideration can certainly apply in the discussion of
25 | the Mackenzie Valley Pipeline. According to whose
26 | books is this project economically feasible? To what
27 | extent does long-term social and environmental damage
28 | enter into a cost benefit analysis of the pipeline?

29 | Our experience in Manitoba
30 | lead us to believe that the importance of these matters

1 | is severely underrated by the planners and economists
2 | who work for the developers.

3 | 3. A lack of adequate prior public participation. The
4 | intangible interdependence of governments and
5 | developers is highlighted in our situation where
6 | Manitoba Hydro is a Crown corporation. This linkage
7 | produced the heightened sense of secrecy and
8 | confidentiality in the planning of the project.

9 | The Manitoba Government even
10 | succeeded in side-stepping the already minimal
11 | requirements of public debate and disclosure by passing
12 | Manitoba regulation 207-72 under the Water Power Act,
13 | The public, outside of our brief public inquiry, has
14 | had little access to any alternative overall scientific
15 | or legal opinions on the project. The final report of
16 | our panel underlined the inadequacy of written and
17 | English communication with native people especially
18 | when such communication is seen primarily as an
19 | informational monologue. It also stressed that no
20 | consultation occurred that duly respected the rights of
21 | the native people involved in a way that allowed their
22 | inputs to inform the planning of the project.

23 | In this regard we are
24 | grateful Mr. Commissioner for the work of your Inquiry
25 | and especially for your holding hearings in southern
26 | cities like Winnipeg. We sincerely hope that the many
27 | presentations made to you will have an effect on our
28 | governments, but from our experience in this province,
29 | we would like to say that this has not always been the
30 | case, nor is there adequate assurance that governments

1 are indeed listening to the people prior to making
2 decisions on major energy developments such as the one
3 with which your inquiry is mainly concerned. 4. Land
4 settlement prior to development. Very closely related
5 to the need for prior public participation is that of
6 ascertaining who owns the land to be affected by energy
7 developments. In our province, in a situation where
8 because of Treaty Five and the Federal Government's
9 constitutional responsibility to uphold that treaty,
10 one would think that land settlements are as clear as
11 they can be, but even here there is dispute because of
12 a Federal - Provincial agreement in 1966 which the
13 Provincial Government interprets as allowing them to
14 impinge on the land settlement of Treaty Five.

15 Mr. Lesaux, the Assistant
16 Deputy Minister of Indian and Eskimo Affairs has stated
17 in a background brief to our Task Force that:

18 "Canada's position is that the 1966 agreement
19 does not in any way give Manitoba the authority
20 to flood federal reserve lands, and that the
21 province must seek and obtain prior approval
22 from the Federal Government before any flooding
23 of such lands is legally permissible."

24 Yet, reserve lands are being
25 adversely affected already. The Federal Government
26 has, to date, not moved in any effective way to
27 counteract this situation and the native people are
28 unsure if, they can take a Court action in their own
29 name or whether it must go via the Federal Minister who
30 also holds the purse-strings of any such action.

1 This leads us to lend all
2 possible support to the call of the native people, of
3 the Northwest Territories for clear land settlements
4 prior to development. We also believe this should be
5 done in a way that ensures those native people of
6 effective control of their lands and allows them to act
7 in their own stead for the good of their own people.

8 Before moving to our
9 conclusion we feel it is important for us to also share
10 some theological reflection on how we see the matter Of
11 your Inquiry in the context of the future of Canada.
12 We believe that energy developments serve as a critical
13 focus of several major Canadian issues. For example,
14 national sovereignty, federalism, resource management
15 and government accountability.

16 The matter of your Inquiry is
17 then not of secondary importance to us southerners.
18 especially since it is in our name that projects such
19 as the Mackenzie Valley Pipeline are being proposed.
20 We feel that the touchstone or key to whether we
21 respond ethically to these issues however, will be seen
22 in how we deal with the native people of this country.

23 The Judeo-Christian
24 scriptures, especially the prophetic tradition recognize
25 the value of the poor for a society. It is the poor who
26 serve as a social conscience. They highlight by their
27 sufferings the seeds of destruction within a social
28 system that other citizens have come to live with or
29 ignore. The prophet then comes on the scene speaking on
30 behalf of the poor, for because their presence is a

1 | salutary challenge to the society as a whole, also earn
2 | the title of the poor of Yahweh or the "poor of God".

3 | The prophet Habakkuk phrased
4 | it this way:

5 | "Trouble is coming to the man who grossly ex-
6 | ploits others for the sake of his house to fix
7 | his nest on high and so evade the hand of misfor-
8 | tune, you have contrived to bring shame on your
9 | house. By making an end of many peoples you have
10 | worked your own ruin."

11 | The prophet Amos cried out
12 | against his society by underlining the fact that the
13 | comfortable life of so many of his contemporaries was
14 | based in crushing the poor. Amos said:

15 | "Trouble for those who turn justice into worm-
16 | wood, throwing integrity to the ground and hate
17 | the man dispensing justice at the city gate and
18 | detest those who speak with honesty. Well then,
19 | since you.- have trampled on the poor man, ex-
20 | torting levies on his wheat, those houses you
21 | have built of just stone, you will never live in
22 | them, and those precious vineyards you have
23 | planted, you will never drink their wine."

24 | European society is aware of
25 | how the Jewish race has been a sign of contradiction
26 | functioning in the scriptural sense to highlight the
27 | seeds of destruction among us. On the international
28 | level, the poor of Yahweh, of the aboriginal peoples of
29 | the world, the Indians, Metis and Inuit of Canada are
30 | the poor of Yahweh, clearly warning us of the

1 | destruction among us. Lending even the darker color of
2 | their skins, they make the injustices in our midst more
3 | visible to our white eyes. To fail to recognize this
4 | would be a great tragedy for the future and integrity
5 | of this country.

6 | All the above may be
7 | summarized in two practical conclusions:

8 | 1. Land settlement prior to development. We firmly
9 | believe that if the whole matter &f the proposed
10 | Mackenzie Valley Pipeline is to be dealt with justly,
11 | then ownership of the lands to be affected must be
12 | clarified prior to final decisions on the proposal,
13 | This will allow for the effective control of those
14 | lands that belong to native people by those same native
15 | people It will also all Canadians to reassess their
16 | values towards a more just and sustainable socio-
17 | economic systems in view of the total world scene and
18 | the need for more equitable management of the earth's
19 | limited resources.

20 | It should be noted there's
21 | another way of phrasing land settlements prior to
22 | development is to call for a moratorium of ten years.
23 | This Mr. Commissioner was also a suggestion of the
24 | final report of our panel of public inquiry in regards
25 | to the Churchill River diversion phase of our northern
26 | hydro-electric development.

27 | 2. And secondly, need for a process of participation.
28 | The final report of our inquiry also made the following
29 | recommendation in regards to public participation which
30 | we feel could be of value both to the governments of

1 | the Northwest Territories and Alberta and indeed to all
2 | provinces.

3 | "We recommend that a permanent body be estab-
4 | lished by the Manitoba Government whose function
5 | would be to investigate and advise upon all pro-
6 | ject from which it may be anticipated that there
7 | will be injurious impacts upon the environment
8 | or upon persons or particular groups of people.
9 | It would be appointed by Order-in-Council under
10 | statutory authority and would report directly to
11 | the Executive Council, not to a particular Min-
12 | ister sin its investigations might related to
13 | any one or more of a number of government de-
14 | partments,"

15 | The final report recommended
16 | that this body could hear from all persons desiring to
17 | speak including persons whose only direct concern is
18 | the protection of the environment or of the rights of
19 | minority groups like Indians and Metis. This body was
20 | also understood to cover projects of private
21 | corporation or persons. as well as those of a
22 | government agency or of the government itself.

23 | We suggest that such a body
24 | is a necessary part of legally ensuring public
25 | participation in large scale development. We recognize
26 | your Inquiry Mr. Commissioner as something of a
27 | forerunner of such an institution. We trust that this
28 | sharing of what we are learning in Manitoba is of value
29 | both to yourself and the native people who stand to be
30 | adversely affected by a precipitous development of the

1 Mackenzie Delta.

2 Mr. Commissioner, we thank
3 you for what you are doing and for coning to Winnipeg.
4 (SUBMISSION OF THE INTERCHURCH TASK FORCE ON NORTHERN
5 FLOODING MARKED EXHIBIT C-426)

6 (WITNESS ASIDE)

7 MR. WADDELL: Mr.
8 Commissioner, before calling the next brief, I'd like
9 to table with you some further briefs. The first one
10 is from the CUSO -- The Canadian University Service
11 Overseas, the Winnipeg Urban Committee, Michael R.
12 Angel - A-n-g-e-l Chairman.

13 The second one is from
14 Alliance Against Abortion, Joseph P. Borowski, Chairman.

15 The third one is from Frank
16 Cserepy, a private citizen and it's entitled "The
17 Spiritual Significance of Land".

18 The fourth one is from Ms.
19 Heather Menzies of Winnipeg, Manitoba and I'd like to
20 table those with you.

21 (SUBMISSION OF FRANK CSEREPEY MARKED EXHIBIT C-427)

22 (SUBMISSION OF CUSO URBAN COMMITTEE, WINNIPEG MARKED
23 EXHIBIT C-428)

24 (SUBMISSION OF ALLIANCE AGAINST ABORTION MARKED EXHIBIT
25 C-429)

26 MR. WADDELL: Mr.

27 Commissioner, I next call Mr. Ken Emberly.

28 KEN EMBERLY sworn;

29 THE WITNESS: Mr.

30 Commissioner, I wonder if that Bible is the same one

1 that was used by the people that gave testimony on the
2 oil and gas reserves in public hearings in Ottawa in
3 1971-72. I would humbly suggest sir that you ask your
4 researchers to produce for us a very simple chart, just
5 on one sheet of paper showing the estimated gas
6 reserves which have been officially produced by the oil
7 companies and accepted by the Government of Canada
8 during the last 15 years. Put it on one sheet of paper
9 and then follow it during the next ten years and see
10 how interesting a story it makes. I'm sure it will be
11 fascinating reading.

12 One thing that I wish to make
13 tonight that I hadn't thought of before. We wonder why
14 they have to develop the Mackenzie Valley Pipeline, a
15 pipeline they tell us that is going to be as long as
16 from Fort William and Port Arthur to Vancouver. Every
17 country wants to control the natural resources that
18 their lives depend on. Canada wants to control her
19 natural resources. The United States wants to control
20 their natural resources. When you use up the natural
21 resource in your own country, you have to go out and
22 buy the resources available at the cheapest possible
23 price under the best possible terms from a pliant,
24 friendly, easily bullied government and you look for an
25 organization or a country that you can influence
26 politically, economically and militarily.

27 There is only one reason why
28 the United States loves Canada as a source of resources.
29 They can get them quickly and easily because it's on the
30 same continent. We have had a government led by

1 distinguished businessmen and financial leaders who have
2 always been very willing to sell Canada out to the United
3 States cheerfully and happily and they can dominate
4 Canada politically, economically and militarily. The
5 gentleman suggested that we should cut off gas exports to
6 the United States, is a very nice, completely impractical
7 suggestion.

8 Dr. Henry Kissinger would
9 never accept it. But we have a right in our own
10 country to try and reduce the amount of exports in a
11 reasonable amount over a reasonable period until they
12 do reach a low level so that the no gas line isn't
13 necessary at all. But to make a ridiculous proposition
14 to shut them off completely we would have the military
15 forces besides the economic forces here tomorrow. So
16 it's totally impractical.

17 The other suggestion that we
18 should have our natural resources operated by the
19 government to me this is sort of an ideal suggestion.
20 If we could have Manitoba Hydro and the Manitoba
21 Government controlling all our resources, our troubles
22 would be over. No, no, maybe that doesn't sound right
23 Mr. Chairman. No, that's not at all. That's the whole
24 reason we are in trouble.

25 This is a life and death
26 fight simply for the things that we were told we were
27 fighting for in the Second World War, democratic
28 government, freedom of information, intelligent
29 economical operation of business organizations in
30 government and the fact that it doesn't operate that

1 | way speaks very poorly for our country. The people
2 | that argue and fight for a democratic government
3 | shouldn't be made to feel ashamed that they're standing
4 | up-and fighting for a democratic government. It should
5 | be a thing that's accepted in the nation.

6 | My brief Mr. Chairman
7 | consists of a number of items that I've collected over
8 | the years that I feel have value for you. I have from
9 | the United States Information Service the magazine
10 | "Dialogue", an article on alternative technologies.

11 | "The high technology industry that is the basis
12 | of any gas pipeline is based on the intensive
13 | use of capital and machinery. They need a sum
14 | of money equal to almost 40 times the average
15 | annual earning of a person to provide and fi-
16 | nance a job."

17 | This is the whole purpose of
18 | capital intensive, machine intensive industry. It is
19 | the best way to provide unemployment. It is the best
20 | to create financial troubles for our country. We have
21 | on record in the magazine "Business Week" which last
22 | year published a special article on the capital crisis,
23 | a United States record that they will require \$4,500
24 | billion in the next ten years to finance their capital
25 | projects, and it suggested that even if they sell one
26 | quarter of the ten largest companies to the Arabs to
27 | get cash, they still won't have all the money they
28 | need.

29 | Tonight in the newspaper we
30 | have the Minister Don Jamieson saying that "Well,

1 | Canada only needs \$800 billion in the next ten years to
2 | finance growth and jobs and natural resources." For a
3 | country one-tenth of the United States to require one-
4 | sixth as much money as the richest most advanced
5 | technology nation in the world, it doesn't make very
6 | good economic sense sir. I suggest that when they are
7 | planning on spending two to three hundred thousand
8 | dollars to finance each job in the north country for
9 | building pipelines, they are not thinking about the
10 | little, poor, ordinary white man or Indian or Metis or
11 | Eskimo that lives in the north country. These are only
12 | advanced technology jobs that southern Canadian and
13 | southern Americans will use.

14 | The analysis of the economic
15 | consequences of these developments is staggering beyond
16 | imagination. It doesn't make any rhyme or reason the
17 | method of operation, and this why I suggest Mr.
18 | Chairman that the native peoples demand for a right to
19 | control some their own country is the same essential
20 | demand southern Canadians are fighting for in our own
21 | cities. There have been well documented stories in
22 | Toronto, Vancouver, Edmonton and in Winnipeg of local
23 | communities fighting a life and death struggle against
24 | giant developers moving out into small communities with
25 | outrageously large developments that are out of human
26 | scale, that make no economic common sense, except to
27 | the developer's chance to make a fast buck.

28 | Environment impact studies do
29 | not cost money. All they do is show the final total
30 | cost of the project and allow you to redistribute the

1 | costs among the different people that are going to
2 | benefit. So many times the little people pay the
3 | outrageously large price for the benefit and the
4 | developers reap the outrageously large profit.

5 | One of the things that
6 | consumes so much of our energy and causes our energy
7 | problems in this country Mr. Chairman is the hopeless
8 | inefficiency of our North American agriculture. 45%
9 | of the world's resources and energy are used in the
10 | North American continent by 6% of the world's
11 | population Going on the scale of development that is
12 | planned by the United States and Canadian Governments
13 | working hand and glove together on the continent, it
14 | is planned that before twenty years has gone by,
15 | another five to ten percent of the total energy
16 | resources in the world will be needed by this six
17 | percent of the population. The rest of the people in
18 | the world are going to be satisfied with what's left.
19 | Except by then there will be twenty countries with
20 | nuclear bombs and if you think we're going to get
21 | away with it Mr. Chairman -- I know you wouldn't
22 | probably think that, but there's is all kinds of
23 | people in the business world who just want to wash
24 | this under the chairs and not even think about it.

25 | North American agriculture is
26 | one of the largest consumers of energy, and 80% of the
27 | energy consumed in North American agriculture is used
28 | in the packaging and transportation of the products.
29 | The average civilized North American consumes in his
30 | life-time 30 times as much energy, minerals and natural

1 | resources and six times as much land and food as the
2 | average primitive African, Indian or Chinese.

3 | The impact on the world's
4 | environment of the 250 million advanced technology
5 | North Americans is equal to the impact of 7 billion,
6 | 500 million primitive natives in the hinterland on
7 | other continents, including Canada.

8 | The blight on the landscape
9 | of our planet is not the primitive natives but the
10 | highly civilized, high technology, big city machine
11 | farming North Americans. Every analysis of agriculture
12 | indicates that the primitive, ignorant peasant in, a
13 | local situation in China or Africa plowing his own
14 | simple field of one or two acres, hoeing it, working
15 | with a bullock produces a profit 15 times what he
16 | consumes in the production of his grain crop. For
17 | every 15 calories of energy he produces in his grain
18 | harvest, he only needs -- he and his animal only need
19 | to eat one calorie of energy in the straw and the grain
20 | that they raise themselves.

21 | North American agriculture,
22 | for every 15 calories of energy we produce in our grain
23 | harvest, we consume 16 calories of energy in the
24 | production of fertilizer, natural gas, oil and energy.
25 | Mr. Chairman, we're not doing the world a favor.
26 | The world can't even afford to have us doing them a
27 | favor.

28 | Our Garrison Diversion
29 | Project in the United States is the most unbelievably
30 | ridiculous thing. One of the great benefits that they

1 | plan to do is take a dry grain farming area which
2 | during the last forty years made an adjustment of
3 | reducing its population 100,000 to reach a level at
4 | which they could survive in the economy. Dry land
5 | farming was very successful. By the expenditure of \$1
6 | billion on hydro-electricity projects, the destruction
7 | of the environment, the cutting through of the natural
8 | divide, the purchasing of Canadian electrical energy at
9 | low cost so they can pump dirty, contaminated water
10 | into Canada, they are going to produce sufficient
11 | business, profitable business and intensive feed lot
12 | operations that they can support an additional 100,000
13 | population in the province.

14 | The feed lots take the grain
15 | and for every 100 pounds of grain, for every 100 rounds
16 | of protein and calories in the grain they feed to a
17 | beef cow they produce seven pounds of calories in grain
18 | and 93 pounds of manure, and we're going to get the
19 | manure up here.

20 | Now, this is the basis of the
21 | operation of our economy that tells us we need more
22 | energy for the good of the world. It goes into it in a
23 | little more depth, Mr. Chairman, in my article but it
24 | makes your hair stand on end sir to see the absolute
25 | childish, ridiculousness of the arguments. They're not
26 | based on fact at all.

27 | On the other hand, violence.
28 | We've heard a lot of talk about violence, even the filthy
29 | headline in that thing we call the news media. Violence
30 | is already there in the north country, sir. Explaining

1 | problem the in the north to most of the leading political
2 | and legal great people is like explaining how a rocket
3 | goes to the moon to a stone-age aborigine. They just
4 | can't understand, because mainly they know so little and
5 | care less. At least three kinds of violence exists in
6 | the north today on a large scale; the long other
7 | established violence of people to each so often caused or
8 | made worse by alcohol, and now gasoline and snuffing.
9 | This will steadily worsen as the programs of hydro and
10 | governments to turn them into white people proceed in the
11 | accelerated rate. Only now, are competent people
12 | beginning to attempt to solve some of these problems in
13 | our north country in Manitoba.

14 | A second example of violence
15 | is the large scale violence against nature. The native
16 | people with their ancient religion so deeply involved
17 | with the land, water, trees and wild creatures are
18 | enraged at this sacrilege. & see the ripping up, the
19 | tearing down and the large scale uglifying of the land
20 | affects the Indians just as good Catholics would be
21 | affected by the bulldozing of the Vatican to make room
22 | for a shopping center and a hotel.

23 | The callous disregard, Mr.
24 | Chairman, of any conservation of fish, wildlife,
25 | valuable timber was well documented in briefs to the
26 | Inter-Church Hearing on Northern Flooding. Even the
27 | possibility of the loss of the great trout in the
28 | plentiful north country. Complete loss of the trout in
29 | the biggest river left in the north country is an
30 | accomplished fact. We have the government -- the

1 government of the people for the people against the
2 people. They announced a program, the only seaport in
3 the center of a continent 2,000 miles away from the
4 sea coast, the only sea port. The Manitoba Government,
5 the day after the Federal Government announced a
6 program to think about enlarging the terminal
7 facilities at the airport, the Manitoba Government
8 announced a program to drain the Churchill
9 River.

10 They get through with that,
11 now along comes the colonial administrators from
12 Ottawa. They made a mistake and for one year they had
13 an intelligent man running the port of Churchill and
14 it began to build up a little bit. Now, the colonial
15 administrators have decided that the port of Churchill
16 will be administered from southern Ontario and there's
17 a possibility at the closing of the port. This, sir,
18 is absolute stupidity, criminal stupidity and our
19 country can't afford the cost. It's because of the
20 lack of any intelligent local control and people used
21 to call that democracy.

22 If you can't control your
23 government, it's not democratic and the people do not
24 have to tolerate it. Violence against a man, home, his
25 job, his place of business and his lifestyle is the
26 third kind of violence and it's well established in the
27 north country.

28 The Prime Minister and the
29 Premier and Chairman of Manitoba Hydro acting for all
30 of us greedy southern Manitobans, they send in their

1 | smartly dressed lawyers with smooth and polite forked
2 | tongue they say: "Get out of your house. Get off the
3 | trapline land. It's mine now. I'm taking this water
4 | and for 200 years this lake is ruined for fishing.
5 | We're bringing whites to hunt the moose and if you're
6 | hungry, too bad. If you want your home, if you want
7 | your trapline, your hunting and your fishing replaced,
8 | send your lawyer to see my lawyer and maybe in a few
9 | years, we'll replace them if you can prove your legal
10 | title and can prove we have to."

11 | That's the way the Manitoba
12 | Government operates. That's the way the Manitoba Hydro
13 | operates, Mr. Chairman and I beg of you, don't let them
14 | get away with it in your Inuit land.

15 | Let's be honest. This
16 | present Manitoba Government has tried harder to help
17 | our northern native people than any other but they have
18 | done some dreadful things in the course of bringing the
19 | good life to southern Manitobans, they are doing awful
20 | things in the north with the massive modern technology.

21 | They say the Indians are
22 | threatening violence in the north. What a stupid.
23 | lie. We live in the world's greatest democracy and our
24 | Indians are following the white man's teaching to
25 | participate in shaping the policies that will bring the
26 | white man's lifestyle into the north. These dark
27 | skinned men and ladies in wind-breakers and parkas
28 | coming into our hearings are doing just what they; were
29 | told to do, work within the system. Use the tools
30 | provided to effect peaceful change.

1 | if the aim of the government is to drive all the
2 | violent Indians back to the United States and that
3 | should be the aim of our government, there's only one
4 | way to do it. Treat the Indians who are elected
5 | democratically to run the Indians' affairs for the
6 | Indian people, treat them like they were decent human
7 | beings. Deal with them in fairness and in good faith
8 | and if that isn't done, we will reap what we sow.

9 | There will likely rise up a
10 | new generation, a fair number of disillusioned,
11 | embittered people who have tried and tried and tried to
12 | make peaceful change and Mr. Sykes and the people from
13 | the development companies will say "We've got to take
14 | guns and kill off these violent people", but the only
15 | violence that will ever come will be a reaction to the
16 | violence put into the north country by the big
17 | developers especially the government.

18 | Sir, if you want to hear the
19 | most disgusting and revolting thing that ever happened
20 | to us, at our dialogue conference here that was held
21 | last week at our Convention Center which was mentioned
22 | by the geography professor, I had to sit in the room
23 | and listen to three developers say, "Well you know, if
24 | we come across a natural resource and it looks like
25 | it's going to be used up in 25 or 50 or 100 years, go
26 | ahead and use it up. It's ours. Use it. You've
27 | nothing to worry about. The scientists will develop a
28 | substitute before it's all used up." There isn't one
29 | shred of evidence to indicate that foolish confidence
30 | in the scientists.

1 Do you know who made that
2 statement? The dearly respected Monsieur Chaput of the
3 Imperial Oil Company, the beloved leader of our
4 Manitoba Government Environment Department. He said
5 the very same thing because he's a developer, and Dr.
6 Nickel, the head of our Natural Resources Environment
7 Institute of the University of Manitoba said exactly
8 the same thing. "If you find a resource and can get
9 your hands on it, use it up". What about the next
10 five, ten, twenty, thirty generations of peoples?

11 Man has been on this planet
12 for almost two million years. I ask you, Mr. Chairman,
13 in the evidence of that kind of violence, that is the
14 kind of violence that we have to fight against, not the
15 violence of our Indian people who are the most peace-
16 loving and gentle people that you would generally come
17 across. You know that six, having lived in the north
18 country. Except when they're drunk.

19 Democratic government and
20 native land rights, sir, is the whole key to your
21 problem. I ask you to consider this sir. The
22 government and big companies say that they have the
23 political, economic and military power to make
24 primitive people accept a new lifestyle.

25 Yes sir. The other people
26 only took twenty minutes. I'll try and make sure I
27 only take twenty minutes.

28 Let us look at a parable sir.
29 Take the Town of London, Ontario and its hinterland of
30 farm land. Let the government decide on a new

1 cooperative, friendly lifestyle like in the Hutterite
2 communal colony where no one owns any private property,
3 no private homes, cars, snowmobiles, cottages or
4 buildings. Now let us develop a new world lifestyle of
5 hunting and fishing and logging, replace the' factory
6 and farm economy. The city will be dispersed and
7 villages of wooden buildings will replace it. The
8 farms will be replaced by forests and traplines.
9 Daily our day will be replaced by a variable zero to
10 twenty hour day depending on the season and the,
11 weather.

12 The main power of the city and
13 rural councils will be replaced by a council of brown-
14 skinned people appointed by Ottawa and the trapping,
15 fishing and logging companies. Children will be kid-
16 napped 500 to 2,000 miles away and raised in dormitories
17 to keep them free of family influences and love and to
18 educate them in the new lifestyle. Alcoholism and
19 prostitution will multiply five times.

20 I ask you, sir, would white
21 people accept change as peacefully that you demand of
22 the northern peoples? Nobody in their right mind in
23 southern Canada would put up with that kind of
24 nonsense. We have probably one of the finest
25 hypocritical Federal Governments in the world
26 establishing price and wage guidelines for the working
27 people but exempting the 40% of the economy controlled
28 by the governments, Federal and Provincial. The
29 Government of Canada is asking trade unions to organize
30 a general strike just at a time when most of the people

1 | in Canada are so fed up with trade unions, they'd do
2 | anything. But the government, by their stupid
3 | policies, is splitting the country apart and carrying
4 | on an outrageous -- outrageous program.

5 | But the people will not put
6 | up with it. The working people, the respectable trade
7 | unions, working people are organizing a general strike
8 | to smash the Government of Canada and I ask you, sir,
9 | is that not violence?

10 | They talk about the violence
11 | in the north country but the Indian and the Eskimo
12 | people are not bringing violence to the north country.
13 | There are a number of other parts to my brief sir. The
14 | most important part, but I only have two minutes left,
15 | Mr. Waddell. Thank you, sir.

16 | I wrote one for our National
17 | Parks on saving our last river valley. Now you want to
18 | build something - not you but the people want to build
19 | something close to the Mackenzie River valley sir. I
20 | ask you in the name of God, think how in fifty or a
21 | hundred years there will be anything left of our
22 | Mackenzie River valley if they're turned loose full-
23 | tilt, full scale.

24 | Barbara Ward has a little tiny
25 | article, she made a beautiful speech at our university of
26 | Winnipeg on the environment, the destruction of our
27 | natural resources. We do not need to concern ourselves
28 | with the development of a new gas pipeline. We have to
29 | concern ourselves with conservation, prudence, economy,
30 | thrift. Every serious study documents 50% of the energy

1 | burned in North America is wasted. 35% of the energy
2 | burned in an apartment block that have one meter is
3 | wasted. People just leave their lights and their heat
4 | on.

5 | Our own companies that
6 | produce cement wastes 70% of the energy they burn to
7 | manufacture cement because they won't use the European
8 | method of recycling the heated products that are in the
9 | cycle. All we need to do is refuse to allow these
10 | outrageous project and we may save our company
11 | economically -our country. We may save our country
12 | natural resourcewise and we may make our country
13 | sufficiently economically competitive and efficient
14 | that we can compete in the modern world. That is my
15 | suggestion sir.

16 | Thank you for your courtesy.

17 | (WITNESS ASIDE)

18 | MR. WADDELL: Mr.

19 | Commissioner. I'd like to call as the next brief -- I'd
20 | like to jump down a little bit on the list and call Mr.
21 | Roy Johnstone of the Prairie Environmental Defence
22 | League and I wonder if I could speak t Dr. William
23 | Close? I'd like to know if Miriam Nixon's here,.

24 | ROY JOHNSTONE sworn;

25 | THE WITNESS: Mr.

26 | Commissioner, I'd like to thank you for giving me the
27 | opportunity to present this brief on behalf of the
28 | Prairie Environmental Defence League.

29 | I'd like to start off with a
30 | quotation:

1 "The Canadian frontier has been the source of
2 romantic vision and attachment throughout or
3 history; the fur trade, the timber trade, the
4 immigrant farmers, the building of the railways.
5 But each new frontier created its victims as
6 well as its heroes and the greatest victims have
7 been the native people of Canada."

8 It is the my brief to
9 present supporting evidence for that statement and to
10 question the policies that have contributed to the
11 victimization of native peoples in Canada.

12 The migration from western
13 Europe had a very detrimental effect on the lives of
14 the indigenous people of Canada. The development of
15 the fur trade was the initial onslaught of a profit,
16 orientated, exploitation of native people and their
17 land. The previously independent native economy was
18 systematically undermined and incorporated into a
19 larger world mercantile economy and native trappers
20 became dependent on foreign goods for their survival.
21 The decline in the fur prices in the 1930's and 1940's
22 brought disaster to northern natives. This was
23 followed by the pulp and paper industry, mining, and
24 later oil and natural gas.

25 Each resource demand from
26 various corporate groups such as the Hudson's Bay
27 Company, the Churchill Forest Industry, Falconbridge,
28 Exxon and many others have been supported by government
29 policy. The pattern of resource exploitation and the
30 signing of treaties is proof that only when there was a

1 | valuable resource to exploit was a treaty signed., The
2 | treaties are written evidence of their intentions and
3 | I'd like to quote a clause from Treaty #8:

4 | "And whereas the said Indians have been notified
5 | and informed by Her Majesty 's said commission
6 | that it is her desire to open up for settlements,
7 | immigration, trade, travel, mining, lumbering,
8 | and such other purposes as to Her Majesty may
9 | seem met."

10 | The treaty supposedly
11 | guarantee the native people rights to their traditional
12 | way of life and I'd like to quote again from Treaty #8:

13 | "And Her Majesty, the Queen, hereby agrees with
14 | the said Indians that they shall have the right
15 | to pursue their usual vocation of hunting, trap-
16 | ping an fishing throughout the tract surrendered
17 | as heretofore described, subject to such regula-
18 | tions as may from time to time he made by the
19 | government of the country, acting under the
20 | authority of Her Majesty and saving and except-
21 | ing such tracts as may be required or taken up
22 | from time to time for settlement, mining, lum-
23 | bering, trading and other purposes."

24 | What rights? What a
25 | hypocrisy. The treaties also established reserves
26 | which place an impossible burden on the food resources
27 | in the immediate area.

28 | (SUBMISSION OF N. RANCE MARKED EXHIBIT C-430)

29 | (SUBMISSION OF PRAIRIE ENVIRONMENTAL DEFENCE LEAGUE
30 | MARKED EXHIBIT C-431)

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1 This created dependency on
2 government assistance. Schools were built and housing
3 and welfare and health care programs were established.
4 From this point to the present, native peoples in the
5 north have been forced to undergo a rapid change from a
6 seasonally migratory lifestyle based on hunting,
7 fishing, and trapping to a town-based ,bust-boom, wage,
8 labour economy. Although some of the conveniences of
9 modern living are available, and I don't use the word
10 "modern" necessarily synonymously with "progressive",
11 native northerners have become increasingly more
12 dependent on agents of southern based institutions for
13 virtually every aspect of their life. While wide-
14 spread disease and malnutrition have been reduced,
15 native independence has been continually eroded.

16 Social disintegration,
17 cultural genocide, disease, alcoholism are the specters
18 of our intrusion into the north. It is obvious that it
19 is not the native people who have benefited from
20 northern development.

21 Northern development is the
22 responsibility of the Department of Indian and Northern
23 Affairs, but development for whom? By whom? Who
24 benefits? Who controls? These are the critical
25 questions that must be asked. The recent discovery of
26 oil and gas at Prudhoe Bay in Alaska in 1968 created a
27 sudden new interest in northern resources. Oil
28 companies flocked north to carry out seismic
29 exploration and to drill on native-occupied lands.

30 The Canadian Government,

1 | accepting the oil and gas reserve figures from the
2 | Canadian Petroleum Association, met behind closed doors
3 | with representatives from the oil and gas industry and
4 | collaborated to develop resources in the north for the
5 | U.S. energy market.

6 | The wishes of the native
7 | people were never considered seriously when development
8 | decisions were made. The rapid exploitation of
9 | northern gas and oil reserves will only serve to
10 | accelerate the social disintegration of native
11 | communities unless they have some control over its
12 | development. They are not opposed to development, but
13 | the development must serve the needs of the people in
14 | the north as well as the south.

15 | High consumptive habits
16 | created by profit-orientated interests have encouraged
17 | wasteful, polluting, and exploitive uses of energy
18 | resources. The implications of this on northern
19 | development policies and the tragic effects on native
20 | people are obvious. It is imperative to question
21 | present resource development policies and the decisions
22 | regarding their realizations. Public participation in
23 | those decisions must be facilitated and encouraged.

24 | The Dene and Inuit people
25 | have made their position very clear. No pipeline
26 | should be constructed until their land claims have been
27 | settled. This land claim should not extinguish their
28 | aboriginal rights; it should preserve them. The Dene
29 | Declaration requests self-determination, the right to
30 | govern themselves through institutions of their own

1 choice, guaranteed long-term political, security,
2 assurance of a and base sufficient to allow some degree
3 of control ver future political and economic
4 development in the north, economic self-reliance. The
5 Dene and Inuit people realize the necessity of adequate
6 control of economic resources is necessary to make
7 their political ill effective. Lastly, cultural
8 survival, recognition f the Dene and Inuit people as a
9 culturally distinct people, free to determine their own
10 cultural developments.

11 This is not a separatist
12 statement; it should be their democratic right. I
13 would hope that one of the purposes of this Inquiry
14 would be to draw parallels between northern development
15 regarding the Mackenzie Pipeline and developments n
16 other parts of Canada. Along this vein, I would like o
17 explore a resource development which could potentially
18 affect native people in northern Manitoba and the
19 Northwest Territories.

20 Polar Gas Company has been
21 exploring oil and natural gas reserves in the Arctic
22 Islands north of Hudson Bay. Pan-Arctic Oils Limited
23 as formed by Polar Gas Company to conduct a major oil
24 and gas exploration in this area and over 240 million
25 dollars have been committed to date. Already, a
26 proposal has been made to the Manitoba Government to
27 support he construction of a pipeline to transport
28 these reserves from the Arctic Islands. Again, we are
29 witnessing the decision to exploit resources without
30 consultation with the people who will be most directly

1 affected, the Dene and the Inuit. In a recent
2 Statement by John D. Holding, president and chief
3 executive officer for Polar Gas Company, he stated that
4 the project had emerged from the "go, no go stage". Be
5 Stated that the choice is "go". But whose choice? Not
6 the native people who will be affected. They don't
7 even know about the proposal

8 This massive project, estimated
9 seven and a half billion, will have similar social,
10 economic and cultural implications as those of the
11 proposed Mackenzie Valley Pipeline. The grim irony of
12 this is that one of the communities that will be affected
13 have already been heavily victimized by external
14 institutions

15 For nearly three centuries the
16 Done of what is now called northern Manitoba, produced
17 fur trade profits for the Hudson's Bay Company. In,
18 return, their basis for self-reliance and. independence.
19 was consistently undermined. In the late 1950's, the
20 Duck Lake Band Was relocated to Churchill in a decision
21 involving the Federal Bureau of Indian Affairs,
22 provincial biologists and the Hudson's Bay Company. The
23 operation was typical of the Indian Affairs policy at
24 that time: centralization and integration of native
25 people into the southern economy. Within a decade, the
26 social and economic. setting at Churchill had almost
27 totally devastated the remaining social independence of
28 he Duck Lake Band. By the early 1970's, about one-third
29 of the community, approximately one hundred people ad
30 died violently in shootings, fires, from alcohol,

1 disease, and a host of other tragic accidents. In about
2 1969, individual families began an exodus from Churchill.
3 posed by Indian Affairs, the Dene initiated a move to
4 Tadoule Lake to preserve the remaining fragments of their
5 lives. As a result, these people have been able to
6 develop some real economic and social independence.

7 With proposed developments
8 like Polar Gas on the horizon, the renewed strength and
9 pride this community may be undermined. How many
10 millions ill be spent on Arctic resource development
11 before an enquiry process such as we are witnessing
12 here tonight is established? Are we going to see the
13 same victimization of the Dene repeated with northern
14 development and with the development of Arctic gas and
15 oil reserves?

16 The history of northern
17 development is ample evidence that the policies and
18 procedures in the past must be changed. These are not
19 issues of white versus native. They are not just
20 economic and political issues. They are questions of a
21 moral and ethical nature, questions which all of us
22 must answer, , therefore, demand a moratorium on
23 resource development in the Northwest Territories until
24 the native land claims have been justly settled.

25 Thank you very much.

26 (WITNESS ASIDE)

27 MR. WADDELL: Mr.

28 Commissioner, I have two or three short briefs that
29 will conclude our list. We call on Miriam Nixon.

30 MIRIAM NIXON sworn:

1 THE WITNESS: Mr.
2 Commissioner I'd like to suggest that you might make
3 your fortune when this is all over by writing a book on
4 the art of listening. Who am I? I am a Canadian
5 citizen whose conscience prompts me to present a short
6 brief to your Commission.

7 I am a Canadian citizen who
8 is not an expert on what we are doing to the
9 environment our country but I am concerned about it. I
10 am a Canadian citizen who is not an expert on the
11 history d culture of the native peoples but I am
12 concerned out what Canadian people have done to the
13 native people of Canada. lam concerned about how we
14 have contributed to the destruction of the culture of
15 Canada's native peoples. Because of these concerns, I
16 am a Board member of the Canadian Association in
17 Support of the Native Peoples. In that position, I
18 have listened many native people from the north discuss
19 their fears about the damage the pipeline could do to
20 their rid and to their life. Like us in the south,
21 they sire to control their land and their life.

22 You have spent many months
23 listening to these people and many others, so you are
24 very well informed about the desires of the Dene people.

25 After I read the synopsis of
26 the Mackenzie Valley Pipeline Inquiry, I had a great
27 deal of difficulty in deciding on what to say that
28 would be of any value to Commission. However, it
29 should be of some value to know that there are people
30 in the southern part Canada who are questioning the

1 | long-range value of pipeline.

2 | We have heard many
3 | conflicting reports. Many people in the south are
4 | indeed wondering whether we need a pipeline at all.
5 | Many of us in the south have seen what the white man's
6 | progress has done to the native peoples. Many native
7 | people have come to Winnipeg from northern Manitoba
8 | because their way of life in the north has been
9 | destroyed by our progress again in the north. We have
10 | seen how difficult it is for these northerners to learn
11 | to live in our society. We have seen what it cost these
12 | people in loss of identity. We have seen what it costs
13 | us in social services to attempt to remedy the
14 | situation.

15 | Even if the Commission
16 | concludes that a pipeline is necessary to the
17 | development of Canada and that the ecological and
18 | socio-economic damage will be negligible, the pipeline,
19 | should not be built until the land claims of the Dene
20 | people are first resolved. It is up to the inhabitants
21 | of the Mackenzie Valley to decide for themselves, given
22 | all the facts, whether the pipeline could be compatible
23 | with their way of life.

24 | The interests of the native
25 | people of the north, as well as the people of the rest
26 | of Canada, cannot be met until the land claims of the
27 | Dene people have been settled. We can build a pipeline
28 | after or we can build another method to transport gas,
29 | but to rebuild a culture and a society is much more
30 | costly in time and dollars and I'd like to close with

1 he words of Ella Wheeler Wilcox:

2 "Why build these castles glorious if man un-
3 builded goes. In vain we build the world, un-
4 less the builder also grows."

5 (WITNESS ASIDE)

6 MR. WADDELL: Mr. Commissioner.

7 I call upon Brent Stearns, representing the Winnipeg
8 Civil Liberties Association, While he's coming up, I'd
9 like to file a statement from Sperling, Manitoba, it
10 says" from a group of rural residents' I'll file that
11 with Miss Hutchinson.

12 BRUCE STEARNS sworn:

13 THE WITNESS: There are a
14 variety of questions of morality, social policy, law
15 and human relationships bound up with the Mackenzie
16 Valley proposed project. As a representative of the
17 Winnipeg Civil Liberties Association, I want to
18 concentrate on our specific concerns with respect to
19 the Inuit and Dene peoples. Strictly speaking, we do
20 not see civil liberties issues at stake here. The
21 rights of property are not absolute. Under certain
22 conditions a pipeline may be laid across my back yard
23 without violation of my civil liberties. As we see
24 it, the question has more to do with human rights,
25 quite apart from civil guarantees of freedom and due
26 process. And the specific right is that of being
27 fairly dealt with before major action is taken which
28 will have the effect of disrupting one's home and
29 livelihood.

30 Now what we are dealing with

1 at least in the case of the Dene people, is a group of
2 people who claim cultural identity and even nationhood
3 in some sense, a group of people who deny that the
4 Canadian government is their government. These people
5 regard themselves as alien to us in some ways and wish
6 to be treated a having all the rights of alien peoples.
7 One of the features of liberal democracy that we want
8 to preserve a that government must be by consent of the
9 people. It is not important that people make an
10 explicit agreement to obey the state. But it is
11 important that people recognize the legitimate
12 sovereignty of the state so bat they can obey the laws,
13 not simply because they are compelled to do so by the
14 state's powers of enforcement, but because they see the
15 government as having legitimate authority over them.
16 Now in the case of the Dene people at least, this sense
17 of legitimacy attaching to the Canadian government, a
18 sense that we have, is lacking. As they see it, they
19 are faced with superior power alone, a power they
20 realistically acknowledge, but not a power that carries
21 with it amoral claim to their obedience. They too have
22 a right to government by consent, a right asserted for
23 all peoples by the United Nations, and a right that
24 Canada should take seriously and sympathetically.

25 It is arguable at this time
26 that the Dene people have aboriginal rights to the land
27 in question. There are precedents for the recognition
28 aboriginal rights in international law and in Canadian
29 law, It is arguable that the Dens people have ever ceded
30 their land by treaty to Canada. I should think, then,

1 that the reasonable course would be to reach some
2 agreement with the Dene people on these points before any
3 pipeline is built through their territory, which I
4 believe is essentially what they are requesting.

5 We, in the Civil Liberties
6 Association admit to a great deal of uncertainty as to
7 how literally to take the Dene Declaration. The
8 Declaration seems to assert nationhood but not
9 statehood. Canadian authority over the Dene people and
10 lands recognized de facto but not de jure. I wonder
11 how consistent the Dene people are in rejecting Canadian
12 legitimate sovereignty over them. Would the accepting of
13 benefits from Canada constitute implicit consent to
14 Canadian Government? I am inclined to think that
15 accepting benefits would not be tantamount to consent,
16 and might be reasonably regarded by the recipients as a
17 kind of foreign aid. Do the Dene people claim a civil
18 right to welfare benefits? If so, they would not be
19 consistent in denying the legitimate sovereignty of
20 Canada. But that is a subtle point. I should think an
21 impoverished people might claim a human right, to
22 assistance from their wealthy neighbours without
23 committing themselves to obeying their neighbours.

24 But it is a mistake to press
25 these subtleties very far with a people who do not share
26 our moral and legal traditions. Even if the substance of
27 the Dene Declaration with regard to sovereignty be
28 ejected, it is still vital to provide for the native
29 residents of the Mackenzie Valley sufficient self-
30 determination and political representation. We must view

1 | these people as worthy of respect, people with whom we
2 | wish to share the planet in terms of moral relation-
3 | ships, not power relationships,. To be treated in such a
4 | way is a human right of every person. It stands at the
5 | root of all morality and all legitimate sovereignty. The
6 | Winnipeg Civil Liberties Association calls for the
7 | understanding and respect that are due all peoples in
8 | virtue of their humanity alone. That is what we stand
9 | for, and it is our reason for being concerned about the
10 | proposed pipeline. Fairness requires that the Canadian
11 | government proceed to settle the relevant land claims
12 | prior to authorizing construction of the pipeline.

13 | I do want to add in the way of
14 | comment that when we talk about government by consent, we
15 | do not mean that an individual must consent to each law
16 | before he has the moral obligation to obey that law, that
17 | is, we in the Winnipeg Civil Liberties Association re not
18 | anarchists. We are saying that being faced with superior
19 | power is not, in itself, sufficient reason for obedience.
20 | That is, if somebody comes down the street with a gun and
21 | demands that I give him five dollars, I may, out of
22 | prudence, give him the five dollars, but there is no
23 | moral reason why I should do so, since he as no
24 | legitimate authority to require it.

25 | Now, these conditions of
26 | legitimacy are what we mean by the conditions of
27 | consent, Conditions of consent can be fulfilled in a
28 | variety of ways, end we in the Civil Liberties
29 | Association are not greed as to what constitutes
30 | consent, but we are almost unanimous in our view that

1 | the conditions of consent have not been fulfilled with
2 | respect to the Mackenzie Valley Indian people, that
3 | they are right in claiming to be an historically and
4 | culturally alien people and that they should be
5 | negotiated with in an appropriate way. I have heard it
6 | said that we should say to the native people of the
7 | north: "We have won, you have lost, now do what we
8 | say." But the Civil Liberties Association believes that
9 | that kind of resolution of the problem is unjust, a
10 | violation of the human rights of a conquered people.
11 | Thank you.

12 | (SUBMISSION BY WINNIPEG CIVIL LIBERTIES ASSOCIATION -
13 | B. STEARNS - MARKED EXHIBIT C432

14 | MR. WADDELL: Mr. Berger,
15 | earlier today I talked with a Mr. John McLaughlan from
16 | Carman, Manitoba and I believe he left a brief with our
17 | staff. I don't have a copy of that, but I will get a
18 | copy and we'll file that as a brief, sir. He wanted
19 | you to see it. And I'd like to call now Dr. William J.
20 | Close, who is with the Social Action Committee of Fort
21 | Garry United Church.

22 | WILLIAM J CLOSE sworn:

23 | THE WITNESS: Thank you, sir.
24 | Our committee recognizes that there are many legal and
25 | technical questions involved in the Mackenzie Valley
26 | pipeline debate and we prefer to leave these to the o-
27 | called experts. We suspect that the Commission might
28 | actually welcome a brief which does not seek to
29 | overwhelm the Commission with yet another battery of
30 | statistics. As well, we're going to summarize some

1 points, giving you a brief brief, so that there might
2 be an opportunity for Mr. Head of the Metis Association
3 to address you.

4 Without minimizing the legal
5 and technical ramifications of the Mackenzie Pipeline.
6 Our committee contends that the issues are essentially
7 political in nature and that their resolution will be y
8 political decision about moral and social values.

9 We are concerned that the
10 political process is generally preoccupied with the
11 technical questions, rather than with the broader value
12 questions relating to resources exploitation. Our
13 brief addresses itself to these broader issues in
14 northern planning which the proposed Mackenzie Pipeline
15 has made the subjects of urgent public debate

16 The issues are these: With
17 regard to native land claims, we insist that there be
18 no development until all claims are settled because, if
19 native claims are upheld judicially, then natives have
20 right, both to set limits to the extent and type of
21 development in order to preserve the environment, and
22 heir way of life, and also to receive just compensation
23 or the use of their lands But to proceed with
24 development prior to settlement of the native claims,
25 could rid most probably would, drastically restrict the
26 umber of ways natives might influence the alteration of
27 northern lands by construction work. Only the right to
28 compensation remains unjeopardized by interim
29 development. The right to determine the future of the
30 and in question is,, in our opinion, a fundamental and

1 ore important right. In other words, it is not just a
2 case of simple expropriation.

3 From that, we extract a
4 political principle, a principle for northern planning,
5 that he bias in northern planning ought to be in favour
6 of he native claimants.

7 There area number of
8 environmental considerations. So much has been said
9 tonight in that regard and I'm sure you've heard it
10 across the country. I shall leave those matters out,
11 only to insist that, I think our experience shows that
12 the more we study the environment the more we learn
13 that the natural resources exploitation which has been
14 undertaken as a detrimental impact Ton the environment
15 always far greater, far in excess of what was
16 previously suspected. So, from that, we extract the
17 principle that the bias n northern planning ought to be
18 in favour of an ecologically sensitive development.

19 Political considerations: We
20 maintain that gas and oil. development ought. not to
21 be he sole or even primary component of northern
22 policy. Northern policy in this country is a very
23 haphazard thing historically. We're going to suggest
24 Canadian sovereignty in the north, if that's what's in
25 question, s better preserved by a clearly stated and
26 energetically defended foreign policy than by the so-
27 called presence of questionably Canadian multinationals
28 in our north. We want to maintain too that northern
29 development is inherently discriminatory, heavily
30 weighted in the interests of the industrial south.

1 | Minor and probably questionable benefits to the north
2 | re purely coincidental.

3 | We insist too that northern
4 | development has this character of being "myth-laden".
5 | e hear so much about pioneer spirit, and about the
6 | subjection of the elements, and taming the land and the
7 | description of oil as the life-blood of our way of life
8 | and so on. It's all so nationalistic conjuring up
9 | mages of the true north, strong and free" and as such,
10 | northern development easily functions as a diversion
11 | from pressing political, social and economic problems n
12 | the south, thereby delaying the day when these issues
13 | must be dealt with politically.

14 | The exploitation of northern
15 | resources perpetuates expectations of unlimited fossil
16 | fuels and patterns of wasteful consumption among
17 | southern consumers. As a short term solution,
18 | development of Arctic reserves of oil and gas merely
19 | makes the long term solution of developing alternate
20 | energy sources, limiting industrial growth, and
21 | conserving ii for petrochemicals more difficult to
22 | implement politically.

23 | From these, we extract the
24 | principle that the bias in northern planning ought to e
25 | in favour of long term and quality of life policies or
26 | all regions of Canada.

27 | There are some economic
28 | considerations and I'll just list these: northern
29 | development, in our opinion, is too costly and we
30 | explicitly make that a political decision of value) and

1 | it gives me great pleasure to address the Mackenzie and
2 | Pipeline Inquiry on behalf of the 85,000 Metis non-status
3 | Indian people that I represent.

4 | I suppose your job and the
5 | briefs that my people and the Indian people have given
6 | you probably are tiring but it's also tiring to us. I
7 | think, if you look at the history of the Metis and non-
8 | status Indians in this country, it's a prime example of
9 | my pulling the tail-end of the presentations in this
10 | assembly. I also say to you, Mr. Commissioner, that
11 | one has to address itself to the aboriginal rights of
12 | the native people in this country. My people have been
13 | recognized by the government of this country in 1763,
14 | gain in 1885. It was reaffirmed. Mr. Commissioner,
15 | the last time our aboriginal rights were reaffirmed was
16 | in 1901.

17 | We are not asking the
18 | Canadian people for aboriginal rights; we're telling
19 | them that we have aboriginal rights. The reason it's
20 | taking 80 long for the Canadian people and governments
21 | to make a decision on the land claim settlement is
22 | probably because they themselves, do not understand the
23 | very agreement they made with the Indian people. I do
24 | not think, in this decade, the Canadians and government
25 | will be able to make a just decision for my people.
26 | nevertheless, we have sat across the negotiation table
27 | as an organization for the past nine years to continued
28 | to hammer away at the kind of treatment society has
29 | given the Metis and non-status Indians. I say again, I
30 | am not here to beg for aboriginal rights; I am here to

1 | tell he Canadian people and you, Mr. Commissioner, that
2 | we have a very legitimate claim.

3 | I think a lot of people, Mr.
4 | Commissioner, have blamed alcohol and frustration of my
5 | people, the kind of things that they face in the remote
6 | north and isolated communities, but one has to look
7 | round and see the claim of the half-breed in this
8 | country, 1 million- 400 thousand acres around the very
9 | city that we're sitting in.

10 | Today, my people are pushed
11 | back to the last frontier and that was mentioned by the
12 | Indian Brotherhood, the Metis people are there. They
13 | no longer have anything anymore behind them, but water,
14 | and that's the frustration that we feel. We probably
15 | see the violence that the society at large is throwing
16 | the environment that my people need to survive, the
17 | very culture that the Metis people are striving to
18 | keep, hose of us that are die-hards in this society.
19 | Only a just decision of our land in this country are we
20 | ping to maintain that culture. Like I said, I know
21 | this decade that the Government of Canada and, Manitoba
22 | will not have a just settlement for the Metis id non-
23 | status Indians because they cannot determine the Indian
24 | claim and so, therefore, the half-breed claim is very
25 | vague and I quote from Dr. Lloyd Barber, who said:

26 | "without question, that the Metis and non-status
27 | Indians have a very legitimate claim but Cana-
28 | dian society does not understand it".

29 | I'm not going to take much of
30 | your time. I only want to point out to you that I came

1 | here the same as I went to the legislative grounds and
2 | asked the government to recognize my people, to
3 | recognize the leaders, as we recognize your leaders, to
4 | respect you, when I go into your homes, I respect you.
5 | respect people no matter where I go. I would like hat
6 | same respect back for my people at the community level.

7 | We have gone through the
8 | democratic system of electing our people to represent
9 | each and every respective community. I want that same
10 | respect back for my people. 7e respect you in all
11 | levels, municipal, local, regional, provincial and
12 | federal Governments. We respect that democratic
13 | process hat you go to elect your governments. We are
14 | also saying that we have to have that respect.

15 | We were once a proud nation
16 | that controlled the economy in this country. We are
17 | now the minority in this country. Nevertheless, we are
18 | till proud people. Only after a hundred years have we
19 | begun to flex the muscle of the half-breed in this
20 | country. There is 750,000 of us in this country, and I
21 | think it's time that the Canadian public understands
22 | the Metis and non-status Indians in this country and I
23 | thank you.

24 | (WITNESS ASIDE)

25 |
26 | MR. WADDELL: Mr.
27 | Commissioner, I have another brief I'd like to file by
28 | the Manitoba anti-apartheid Coalition and it's filed by
29 | Leslie Curry. he Commissioner is filing her brief, too.
30 | You've heard n one day in Manitoba 23 briefs, 23 people

1 | rather, and 9 briefs have been filed, which I think is
2 | 42. If people wish to file other briefs or write to
3 | you, Mr. Commissioner, they can do so by writing to:
4 | Judge Berger, Yellowknife, Northwest Territories. I'm
5 | sure, as you've said before, you'll consider those
6 | submissions That's all I have, then.

7 | THE COMMISSIONER: Do any of
8 | the parties to the Inquiry want to take advantage of
9 | the opportunity to say something at this stage?

10 | MR. WADDELL: I've canvassed
11 | them, sir, and none of them except Dr. Pimlott have
12 | anything they wish to say. Dr. Pimlott's indicated to
13 | me that he would like to react briefly on .a single
14 | point made in a number of briefs.

15 | THE COMMISSIONER: Dr.
16 | Pimlott is with the Canadian Arctic Resources Committee
17 | which heads a coalition of environmental groups, which
18 | appears on a continuing basis at the Inquiry when the
19 | Inquiry is dealing with environmental questions. Go
20 | ahead, Dr. Pimlott.

21 |

22 | D. PIMLOTT resumed;

23 | THE WITNESS: Thank you, Mr.
24 | Commissioner. Three of the groups you've mentioned
25 | worked very hard in attempting to develop interest and
26 | understanding in alternative energy sources and in the
27 | conservation of energy in Canada, and I think I'm sure
28 | you recognize that the hearing today, that you've held
29 | today in Winnipeg, has been a very different hearing
30 | than some of those which have been held in other parts

1 of western Canada. One of the significant differences
2 was that 9 of the briefs have dealt with the problem
3 which, if not gas shortage, at least the limitation of
4 the expansion of gas supplies, have caused or are
5 causing to the City of Winnipeg.

6 These briefs have been given:
7 One by the city, two by gas corporations, two by public
8 groups, and four by development or industrial
9 corporations. It seemed to me in sitting and listening
10 to them that the Winnipeg problem epitomizes a
11 situation which virtually every city in Canada will be
12 facing at some time during this century. That is, the
13 problem of shortages of petroleum products which will
14 develop and the needs to develop alternative energy
15 sources, the needs to reduce demands on energy, and the
16 need to adjust to these changing situations.

17 Perhaps the most frightening
18 aspects of the 9 briefs was that there was no
19 recognition in any of these briefs that there was any
20 way of approaching this problem other than by developing
21 frontier sources so that traditional patterns of
22 development could continue. There seemed to be no
23 thought that possibly there could be a movement towards
24 the use of energy sources from wind or from solar or the
25 use of weight energy or a massive concentration on the
26 part of citizens of the city to reduce demands on gas
27 supply. It seemed to me in thinking about it that here
28 in Winnipeg represents a very challenging opportunity
29 for the Federal Government, the Provincial Government,
30 the Municipal Government, and the private industry

1 | sector of the province and the city to take innovative
2 | approaches to meeting and to looking for options and
3 | alternatives to meeting these energy needs >f the area
4 | and it seemed to me that it's very worthwhile that there
5 | should be very concentrated thinking about these
6 | possible options and alternatives before very hard
7 | pressure is placed on the development of frontier
8 | resources. Thank you.

9 | (WITNESS ASIDE)

10 | THE COMMISSIONER: Ladies and
11 | gentlemen, let me thank you for attending and let me
12 | specially thank those of you who presented briefs and
13 | et me also thank those of you who wished to present
14 | briefs but could not because this is, I am afraid, an
15 | imperfect world and there simply isn't time in the
16 | evening for that.

17 | The Inquiry is, as I say,
18 | concerned about gathering the evidence, finding the
19 | acts, and enabling the Government of Canada to make an
20 | informed judgment on these questions that relate so
21 | loosely to the future of the north, whether there
22 | should be a gas pipeline and an energy corridors if
23 | here is to be a gas pipeline, what terms and conditions
24 | should be imposed in relationship to its construction,
25 | hen it should be constructed, what route it ought to
26 | follow, the other matters that are of great importance
27 | in that respect.

28 | The Inquiry, let me say,
29 | because of the suggestion that was made by a number of
30 | persons and organizations who presented briefs; the

1 suggestion was made that the Inquiry, that the
2 Government of Canada may not consider the
3 recommendations of this Inquiry. Let me simply remind
4 you that this enquiry established by an order-in-council
5 passed by the Government of Canada, an order-in-council,
6 which if you read it, confers a wider mandate upon this
7 enquiry than perhaps on any inquiry we have known in the
8 past. This is the first time that any government know
9 of anywhere in Canada or anywhere else in any other
10 country in the world has commissioned an Inquiry to
11 examine the consequences of a large-scale frontier
12 project before and not after the fact. I think we
13 should remember that it was the Government of Canada that
14 passed the order-in-council, established the pipeline
15 guidelines, put this Inquiry into business, and provided
16 the funds to enable this Inquiry to carry out its
17 mandate, gave this Inquiry the power to issue subpoenas,
18 supplied thousands of studies and reports in the
19 possession of various government departments to this
20 Inquiry, and on the recommendation of this Inquiry, as
21 provided funds to the native organizations,
22 environmental groups, northern municipalities, and
23 northern business, to enable them to participate at the
24 hearings in the Canadian north on an equal footing, so
25 far as it is possible, with the pipeline companies of
26 the industry. It was the Government of Canada that did
27 all of that and that is worth bearing in mind when
28 considering the whole question relating to the outcome
29 of the Inquiry.

30 Our job is to determine so

1 far that is possible what the consequences will be if
2 we build a gas pipeline and establish an energy
3 corridor from the Arctic to the mid-continent and it
4 will be then this Inquiry has submitted its report and
5 the National Energy Board has submitted its report
6 dealing with gas supply and gas requirements, it will
7 be for the Government of Canada, the people elected by
8 the electorate to make these decisions, to make these
9 choices, it will be for them to make these same
10 decisions and to make these same choices. I am here
11 today to enable you to participate, so far as we can in
12 country of more than 20 million, one by one in that
13 decision-making process.

14 I am grateful that I have
15 been able to hear you and I can assure you that the
16 inquiry will be taking your views into consideration in
17 its deliberations and that the Inquiry's own views will
18 be submitted in a report to the Government of Canada in
19 due course and I have no doubt that when that occurs,
20 you will be hearing something about it. I thank you
21 for your gain and I'm going to adjourn the Inquiry until we
22 reconvene next week in Toronto. Thank you very much.

23 (MANITOBA ANTI-APARTHEID COALITION SUBMISSION MARKED
24 EXHIBIT C-434)

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26 (PROCEEDINGS ADJOURNED TO MAY 25, 1976)

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