

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)

**Halifax, Nova Scotia
June 8, 1976**

PROCEEDINGS AT COMMUNITY HEARING

Volume 67

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APPEARANCES

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Mr. Pierre Genest, Q.C. and Mr. Darryl Carter,	for Canadian Arctic Gas Pipeline Limited;
Mr. Alan Hollingworth and Mr. John W. Lutes	for Foothills Pipelines Ltd.;
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 Halifax, N.S.

2 June 8, 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 holding a series of hearings. A series of
9 month long hearings in southern Canada to give people
10 like yourselves an opportunity of expressing your views
11 on the fundamental questions of national policy that
12 confront us all. I say that because we in Canada stand
13 at our last frontier, and we have some important
14 decisions to make, decisions for which all of us will
15 share a measure of responsibility.

16 There are two pipeline
17 companies, Arctic Gas and Foothills Pipe Lines
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 We are conducting an Inquiry
27 then about a proposal to build a pipeline along the
28 route of Canada's mightiest river, a pipeline costlier
29 than any in history. We are told that the Arctic Gas
30 Pipeline, if it were built, would constitute in terms

1 of capital expenditure, the largest project ever
2 undertaken by private enterprise in the history of the
3 world a pipeline to be built across our northern
4 Territories, across a land where four races of people;
5 white, Indian Metis and Inuit live and where seven
6 different language. are spoken. This would be the
7 first pipeline in the world to be buried in the
8 permafrost.

9 Now the pipeline project will
10 not consist simply of a right-of-way. It will take
11 three years to build. It will entail hundreds of miles
12 of access roads over the snow and ice. It will mean
13 that 6,000 workers will be needed to build the pipeline
14 and 1,200 more to build the gas plants in the Mackenzie
15 Delta. It will mean that 98 gravel mining operations
16 will have to be established to provide 30 million cubic
17 yards of borrow material. It will mean 600 river and
18 stream crossings north of the 60th parallel. It will
19 mean pipe, barges, wharves, trucks, machinery, aircraft,
20 airstrips and in addition it will mean enhanced oil and
21 gas exploration and development in the Mackenzie Valley,
22 the Mackenzie Delta and the Beaufort Sea.

23 Now, the Government of Canada
24 has made it plain that the gas pipeline is not to be
25 considered in isolation. In the Expanded Guidelines
26 for Northern Pipelines tabled in the House of Commons.
27 the Government has laid it down that we are to proceed
28 on the assumption that if a gas pipeline is built, then
29 an oil pipeline will follow. So, we must consider the
30 impact of an energy corridor that will bring gas and

1 oil from the Arctic to the mid-continent.

2 Now, it isn't for this
3 Inquiry to decide whether there should be a pipeline or
4 whether an energy corridor with gas and oil pipeline;
5 should be established. It will be for the Government
6 of Canada to decide that, when they have my report and
7 the report of the National Energy Board because, of
8 course, the National Energy Board, under its Statute,
9 must determine questions relating to gas supply, gas
10 requirements for Canada and questions relating to
11 Canada's capacity to export gas and other forms of
12 energy.

13 These are questions of
14 national policy that ultimately must be determined by
15 the Government of Canada. My job and the job of this
16 Inquiry is to make sure that we gather the evidence,
17 that we find the facts, that we understand the
18 consequences of what we are doing in the north to
19 enable the Government of Canada to make an informed
20 judgment.

21 Now this Inquiry began its
22 hearings on March 3rd, 1975 in Yellowknife. That's 15
23 months ago. Since then, we have held many months of
24 formal hearings listening to the evidence of engineers,
25 scientists, biologists, anthropologists, economists,
26 listening to the people who have made it the work of
27 their lifetime to study the north and northern
28 conditions. Let me just say to you that the Government
29 of Canada has spent \$15 million on research and studies
30 into the likely impact of gas pipeline and other

1 | developments on northern ecology and northern peoples
2 | in the Mackenzie Valley and the Mackenzie Delta. The
3 | industry itself the oil and gas industry - has spent
4 | over \$50 million on studies and reports into the impact
5 | that pipeline construction and pipeline development
6 | would have in the Mackenzie Valley and the Mackenzie
7 | Delta, Rather than allow these studies and reports to
8 | sit on the shelves, we've brought their authors to
9 | Yellowknife where they can be examined and cross-
10 | examined where, if they disagree, one author can
11 | challenge the other so that we can, in the most
12 | thorough fashion possible, discover what the likely
13 | impact will be if we proceed with the pipeline and
14 | corridor development in the Mackenzie Valley and the
15 | Mackenzie Delta.

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

27 | Then it is proposed that the
28 | pipeline from Alaska should cross the mouth of the
29 | Mackenzie Delta where the white whales of the Beaufort
30 | Sea come to have their young in the warm waters of the

1 | delta each summer. Millions of birds come to the
2 | Mackenzie Delta and the coast of the Beaufort Sea each
3 | summer from all over the western hemisphere to breed
4 | and to store up energy for the long journey south in
5 | the fall. Can we build pipelines from the north? Can
6 | we establish an energy corridor from the north under
7 | conditions that will ensure the survival of these
8 | species? These are some of the questions that the
9 | 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 this Inquiry has held hearings in 28 cities
14 | and towns, villages, settlements and outposts in the
15 | north, to enable the peoples of the north to tell me,
16 | to tell the government and to tell all of us what their
17 | life and their own experience have taught them about
18 | the north and the likely impact of a pipeline and
19 | energy corridor.

20 | So, the Inquiry has been from
21 | Sachs Harbour on Banks Island to Fort Smith near
22 | Alberta border, from Old Crow in the northern Yukon
23 | to Fort Franklin on Great Bear Lake and we have heard
24 | from 700 witnesses in these northern communities in
25 | English, French, Loucheux, Slavey, Dogrib, Chipewyan
26 | and Eskimo.

27 | Our task is to establish
28 | constructive approaches to northern development. If we
29 | are to do that, we have an obligation to canvass all of
30 | the questions before us. Some of these question are:

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

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

15 What about the local taxpayer
16 in Yellowknife and Inuvik, the main centers of white
17 population in the western Arctic? If you have s
18 pipeline boom, you will have to expand your schools,
19 your hospitals, your police force, your local services
20 What measures ought to be taken to enable the municipal
21 ties and other institutions of local government to cope
22 with the impact?

23 Now, the job of this
24 inquiry is to consider the social, economic and
25 environmental impact of the construction of a gas
26 pipeline and the establishment of an energy corridor
27 from the Arctic to the mid-continent, and the mandate
28 of the Inquiry is to consider that impact in our
29 northern Territories in the Northwest Territories and
30 the Yukon. Those are territories under the

1 administration of the Government of Canada.

2 Now, the Mackenzie Valley is
3 a long way from Halifax, but the concern that we have
4 found about the future of the extends throughout
5 Canada. We have received a multitude of requests from
6 every region of Canada, including the Maritimes for an
7 opportunity to be heard. I think this has happened
8 because we Canadians think of ourselves as a northern
9 people, so the future of the north is a matter of
10 concern to all of us. In fact, it is our own appetite
11 for oil and gas and our own patterns of energy
12 consumption that have given rise to proposals to bring
13 oil and gas from the Arctic to southern Canada and the
14 United States.

15 It may well be that what
16 happens in the north and to northern peoples will tell
17 us something about what kind of a country Canada is,
18 and what kind of a people we are. That is why we are
19 here to listen to you today.

20 We have some visitors from
21 the Canadian north with us this afternoon. 15 months
22 ago, when the Inquiry began its hearings in the
23 Canadian north, the CBC established a northern
24 broadcasting unit that travels with the Inquiry
25 wherever it goes throughout northern Canada and
26 broadcasts in English and the native languages each
27 evening for an hour over the northern network to people
28 throughout the Northwest Territories and the Yukon.
29 Those broadcasters are with us today because they are
30 accompanying the inquiry on its month long swing

1 | through southern Canada and they are reporting to
2 | people in the north what you who live in southern
3 | Canada are saying.

4 | Those broadcasters include
5 | White Fraser who broadcasts in English, Joe Toby who
6 | broadcasts in Dogrib and Chipewyan, Jim Sittichinli who
7 | broadcasts in Loucheux, Louis Blondin who broadcast in
8 | Slavey and Abe Okpik who broadcasts in the Eskimo
9 | language of the western Arctic. They are reporting
10 | each evening that we are in the cities in southern
11 | Canada in English and the native languages what you
12 | are saying to this Inquiry each evening here in the
13 | south.

14 | I'll ask Mr. Roland to
15 | outline our procedure this afternoon.

16 | MR. ROLAND: Yes sir, the
17 | procedure which will be followed at this hearing and
18 | which has been followed in all other cities in southern
19 | Canada is one recommended by Commission Counsel and
20 | accepted by counsel for the two applicants and all
21 | formal participants.

22 | It is designed to be as
23 | informal and as relaxed as possible with a view to
24 | allowing all those who wish to make submissions to do
25 | so conveniently and comfortably.

26 | Prior to coming to southern
27 | Canada, the Inquiry published an advertisement setting
28 | out its hearings dates in a number of newspapers
29 | including newspapers in the Maritimes. In that
30 | advertisement, persons who wished to make submissions

1 | were invited to write or telephone us by May 1st,
2 | indicating their desire to do so. This request was
3 | made so that the Inquiry would be able to gauge the
4 | time required in southern Canada to hear submissions
5 | and so that our timetable in each community could be
6 | carefully mapped.

7 | Persons who responded in
8 | writing or by telephone to our advertisements were
9 | given appointments to make submissions before you, and
10 | it is that process that we are beginning here in
11 | Halifax this afternoon. I should emphasize that any
12 | other person or organization who did not respond to our
13 | advertisement by May 1st, but wishes to make a
14 | submission is entitled and encouraged to do so.

15 | This may be done in one of
16 | two ways. A submission in writing may be made any time
17 | by writing to the Mackenzie Valley Pipeline Inquiry,
18 | Yellowknife, Northwest Territories. There is no
19 | necessity that a written submission meet any particular
20 | requirements, A simple letter setting out the matters
21 | that you want to bring to the Inquiry's attention will
22 | be quite satisfactory.

23 | If persons who did not
24 | respond to the advertisement wish to make an oral
25 | submission at this hearing, it would be much appreciate
26 | if you would speak to me or to Mr. Waddell as soon as
27 | possible and an effort will be made to provide a time
28 | for you to make your submission within the *****

29 |
30 |

1
2 I should add that in order to
3 encourage informality, counsel for the two applicants
4 and the participants have agreed that there will be no
5 cross-examination of those making submission unless it
6 is specifically requested. In place of cross-
7 examination counsel for each of the applicants and each
8 of the participants will be allowed, at the conclusion
9 of each session, to make a statement not exceeding ten
10 minutes about the submissions that have been heard
11 during that session.

12 You will notice that persons
13 making submissions are asked to give their oath or
14 affirm. This is a practice that the Inquiry has
15 followed, not only in the formal hearings in Yellowknife,
16 but at the community hearings in each of the 28
17 communities in the Mackenzie Valley and Delta. The
18 purpose of the oath or affirmation is recognition of the
19 importance of the work in which the Inquiry is engaged.

20 Sir, Mr. Waddell will call
21 the first witness.

22 MR. WADDELL: Mr.
23 Commissioner, I am going to call the Maritime
24 Conference of the United Church of Canada and then I'll
25 be calling Mr. Jim Lotz, then Leonard Kasdan,
26 representing the Dalhousie Faculty Association, then
27 Ken Steele, Mr. Richard Rohmer and then Miss Kathy
28 Skerrett, then we'll deal with the rest of the briefs
29 after that.

30 I would like, Mr. Commissioner,

1 | to call the Maritime Conference of the United Church of
2 | Canada. I wonder if you give your name sir, please?

3 | CLINTON MOONEY sworn:

4 | THE WITNESS: My name is
5 | Clint Mooney of the United Church of Canada. I am
6 | Minister in Gagetown, New Brunswick, chairman of the
7 | Church in Society Committee of our conference.

8 | You've spoken already of the
9 | issues in the north as being the last frontier, and
10 | important decisions to be reached. Here it sounds to
11 | many Maritimers I'm sure and to many Maritimers in our
12 | church -- the United Church Maritimers as something
13 | that's rather remote from us; something far off,
14 | something "up there" that we can easily ignore and we
15 | debated about whether we should come before you at all.
16 | But we were re-assured by our understanding of the
17 | purposes of the hearing to be not so much whether we
18 | could pose solutions for the development of the north,
19 | as rather your asking us to say where we stood in
20 | relation to the sensations that were emerging from your
21 | northern hearings themselves. We thought that was a
22 | very important thing for us to come here and speak to
23 | today.

24 | Because although the people
25 | of the north certainly have a very important stake in
26 | the development patterns that take place there, we
27 | think that the people in the south do too. Perhaps the
28 | -- well not the confrontation -- the focus on northern
29 | development then and the pipeline question in
30 | particular has brought to our attention more forcefully

1 | than anything else could, the level of consumption at
2 | which we've been operating and the sort of breakneck
3 | speed at which we've been developing and utilizing our
4 | own resources. Certainly the transition in 1973 from
5 | the prospect of unlimited resources to very short-term
6 | reserve projections made by the oil companies has made
7 | us all very much aware that we live within the limits
8 | to growth so to speak. So, we're asked to determine a
9 | question of lifestyles here. We're also asked to
10 | determine whether the if there are limits to be
11 | imposed on development - on our potential for
12 | development.

13 | Whose lifestyles are going to
14 | be changed? Who is going to be immediately affected
15 | Are we more willing to have the people of the north
16 | affected drastically in the first instance, or are we
17 | more willing to allow ourselves to be affected
18 | moderately, so that they can continue perhaps
19 | traditional lifestyles and ease into the development
20 | patterns that they would like to follow.

21 | Much of what we would say in
22 | a prolonged brief you've already heard. You've heard
23 | it from the -- yes, you smile. I'm sure you've heard
24 | it many times. You've certainly heard it from the
25 | inter-church group Project North which our church
26 | participates inland we support the brief that they
27 | presented wholeheartedly. What they have called a
28 | moratorium, we call a delay.

29 | The important points we would
30 | certainly emphasize, the idea that we have time to make

1 a rational decision. We have time certainly to allow
2 the native peoples' land claims to be settled. We
3 adopt the Committee on Justice and Liberty's time
4 tabling, 34 years of proven gas reserves. We accept
5 the need for investigation of alternative energy
6 sources.

7 The brief that we present
8 then is very short and it's in the form of a letter.
9 I'd just like to read it.

10 It says that our 52nd Annual
11 Meeting of the Maritime Conference of the United Church
12 of Canada which was held in Sackville, New Brunswick,
13 at the end of last month, May 27th to 30th, the
14 following resolutions were passed.

15 Skipping the whereases, there
16 was one resolution following extensive discussion there
17 was one resolution concerning the Mackenzie Valley
18 Pipeline itself and it states:

19 "Be it resolved that the Maritime Conference of the
20 United Church of Canada urges a delay in the develop-
21 ment of the Mackenzie Valley Pipeline until the native
22 land claims are settled and until definite measure to
23 protect the environment are established."

24 Further, we passed another
25 resolution having to do with the Mackenzie Valley
26 Pipeline Inquiry itself, and we thought this was very
27 important to be said. To be said to your Commissioner
28 and also to be said to the Government:

29 "Be it resolved that the Maritime Conference of
30 the United Church of Canada supports the, Berger

1 Commission in its efforts to give a complete
2 public hearing to these issues and urges that
3 its final report be the basis for further direc-
4 tions of northern development."

5 Now, formal notification of
6 these motions is being sent to your office in
7 Ottawa, also to government offices and to members of
8 the opposition who have an interest in northern
9 development and Indian affairs, We though it
10 important however not just to send these off, but to
11 make an appearance here at these hearings to
12 reinforce our commitment to the perspectives
13 expressed. The 800 delegates to Conference from all
14 over the Maritimes have committed themselves and
15 their church to stand behind the priorities of
16 native land settlements. It's a question of
17 fairness and human rights, and also the priority of
18 environmental safeguards which is surely a question
19 of responsible stewardship. We say this, 800
20 delegates. There are 800 delegates representing
21 every pastoral charge of the United Church
22 throughout the Maritime area and in standing behind
23 this, we're saying that we will support these
24 resolutions and stand behind them as discussion goes
25 forward.

26 Furthermore, we endorse most
27 emphatically the philosophy and procedure which has
28 guided the conduct of this Inquiry itself. We commend
29 the openness and the broad participation that has been
30 encouraged by this forum. We hope that future

1 | government inquiries will adopt this style. If
2 | participatory democracy is to mean anything, surely
3 | they must. It will be with continuing interest that we
4 | await the report of this Inquiry and will watch its
5 | reception and utilization.

6 | We certainly hope that it
7 | will not be ignored and we'll watch to see that that
8 | doesn't happen.

9 | Thanks very much.

10 | THE COMMISSIONER: Thank you
11 | very much.

12 | (SUBMISSION OF THE MARITIME CONFERENCE, UNITED CHURCH
13 | OF CANADA - C. MOONEY MARKED EXHIBIT C-608)

14 | (WITNESS ASIDE)

15 | THE COMMISSIONER: Let me
16 | just say ladies and gentlemen that you shouldn't be
17 | troubled in any way by the presence of photographers
18 | and other people with various kinds of machines. We
19 | welcome the media and the press to our hearings,
20 | because this Inquiry is public business and the media's
21 | business is to let the public know what is going on
22 | here. So, we're used to them. Perhaps you're not, but
23 | it doesn't take long to get used to them, just a matter
24 | of a few months.

25 | At any rate --

26 | MR. WADDELL: Mr.

27 | Commissioner the next brief is from Jim Lotz. Mr.
28 | Lotz?

29 |

30 | JAMES LOTZ sworn;

1 THE WITNESS: Mr.
2 Commissioner, ladies and gentlemen, my name is Jim Lotz
3 and I work for myself and I speak for myself.

4 I am a freelance research
5 worker and writer. In 1955 and 1956, I was in Labrador
6 trying to grow things while other people were ripping
7 the earth out. I think some of the things that you may
8 hear today may upset some of the people present. I
9 hope they do.

10 In '57 - 60, I was involved
11 in Arctic expeditions. '60 - 66 I worked for the
12 Federal Government in Community Planning and Research
13 and was a member associated with the Carruthers
14 Commission,
15 the inquiry into government of the Northwest
16 Territories.

17 Since 1971 - 1976, I've been
18 carrying out research on the human aspects of
19 development in the northern Canada, Atlantic Canada,
20 Scotland and Alaska. I've written one book, "Northern
21 Realities" and over a hundred papers, articles, reviews
22 and the usual sort of academic stuff. I have an
23 interest declared, that is, that I was a resource
24 person and consultant with the Inuit Tapirisat on their
25 proposal for Nunavut.

26 THE COMMISSIONER: Let me
27 interrupt you by saying that I read "Northern
28 Realities" and enjoyed it very much.

29 A Thank you. One of the.
30 things that bothers me is that everybody thinks the,

1 | problems start north of 60. The reaction to this
2 | Commission and the reaction to the north is having very
3 | heavy overtones of fear and guilt. Some people think
4 | just because they're uncomfortable, they're moral.

5 | About a year ago, I was a
6 | resource person at a teach-in on the impact of oil on
7 | Peterhead. I was an expert on that area the way that
8 | many people are experts on the north. I had seen it
9 | from a fast car thirty years ago.

10 | The pipeline is coming ashore
11 | at Peterhead, the oil and the gas from the North Sea
12 | and the situation was chaotic. I provided some
13 | material on this to you. Unions, local government
14 | people, social workers and conservationists all came
15 | together on a Saturday afternoon saying in effect,
16 | "What do we do?"

17 | Why was this so chaotic? Two
18 | reasons. One. There was little power or awareness of
19 | power at the local level. The people in Peterhead
20 | said, they make all the decisions in Aberdeen. The
21 | people in Aberdeen said they make all the decisions in
22 | Edinburgh, and the people in Edinburgh they make all
23 | the decisions in London.

24 | Secondly, there was a lack of
25 | confidence and a lack of pride in that area. Peterhead
26 | is the sort of place where you build a prison as the
27 | main sort of economic base, and you establish
28 | industries to pay low wages to women.

29 | I didn't get a chance to
30 | visit Shetland. I understand the Inuit Association of

1 | Labrador have visited Shetland but there they are not
2 | avoiding the rapid cost of development, but they are
3 | doing something about it. First of all, the local
4 | council which is elected has special powers for getting
5 | engaged in economic activity and secondly, the people
6 | are confident. They know who they are. They have a
7 | sense of pride and they said to the oil companies:
8 | "Look, we don't need you. You need us," Now let's
9 | contrast this with the north. The problems of the
10 | people of the north have always been defined in terms
11 | of people outside the north. There's always been an
12 | expert around with a little bit of knowledge, and any
13 | time any native people's group has got ahead, in comes
14 | the expert. Their confidence has been so completely
15 | undermined that they've become a plaything to any nut
16 | who wanders up north of 60.

17 | I remember the cry of an
18 | Indian woman at a conference:

19 | "Why is it when we Indians try to do something
20 | some white man comes along and tells us how to
21 | do it right?"

22 | There is a structural
23 | problem in the north which I hope the Inquiry can do
24 | something about and that is that there appears to be
25 | little power at the Territorial Council level or
26 | little awareness of power at the Territorial Council
27 | level. The local councillors are 88% native people
28 | but between the Territorial Council and the local
29 | councils, there's a soggy level of bureaucracy and
30 | the concept of Regional Government, elected Regional

1 Government is going to be necessary just to get rid
2 of that soggy middle.

3 Why are the people of the
4 north at least giving indications to the media that
5 they lack confidence? I think the question we have to
6 ask is not that one, but whose needs are being served
7 by northern development? We know from the past that it
8 is not the native peoples who have benefited from
9 development. Development is something that bypasses
10 them or harms them. Their problems are always defined
11 in terms of the needs of outsiders.

12 I haven't come across a crazy
13 scheme in the south of Canada that hasn't been
14 rationalized as a help to northern development. All
15 the way from Anik satellite to the Great Whale Pig and
16 I can't tell you that story because it's a bit every
17 one of these schemes has been rationalized that it's
18 going to help the north and it's going to help the
19 people of the north. What I hear from the north and
20 this is from all northerners is "to hell with it",
21 Right? What happens when native peoples come forward
22 with a proposal as the Inuit Tapirisat came forward
23 with the idea of Nunavut? The Territorial Council
24 immediately hired a southern academic and he said:
25 "This proposal is impossible without the help of the
26 Federal Government".

27 The problem I think is that
28 nothing is possible with the help of the Federal
29 Government, but as soon as any idea comes out of the
30 north it is shot down.

1 One of the suggestions I've
2 made and which I hope I'll -- maybe we need a commission
3 inquiry into Ottawa. I think there's this assumption
4 that somehow outside, that's where the problems begin,
5 but until we know the assumptions, the values the
6 attitudes and who is related to whom in Ottawa.I don't
7 think we'll make much progress in the north.

8 Individuals have gone north
9 over the past 20 years with the assumptions of a
10 segmented, fragmented, materialistic, aggressive,
11 acquisitive society, and they dumped this down and
12 thing have gone wrong and they said:

13 "What's wrong with those native peoples? What's
14 wrong with them?"

15 I am suggesting also that
16 when any southern body gets into trouble, it uses the
17 north and it uses the northerners as a safety valve.
18 If all the energy was spent on helping people who were
19 treated as objects and no time--spent on examining
20 their own assumptions. I first of all think the
21 Federal Government has been particularly notorious
22 about this. If they need a rationalization for scheme,
23 they say "it'll help the north".

24 But there is another group,
25 also the oil companies; the oil and the gas companies
26 and I have a rather disturbing thought here is that, I
27 clipped out from the "Globe and Mail" the page that
28 shows the reports of various companies and one is the
29 Canada Southern Petroleum Limited and it shows the
30 Polar Gas pipeline right down the middle of Canada.

1 I think there may be concern whether this inquiry
2 is just a ploy to take the emphasis off this other
3 Polar Gas pipeline, which, on the basis of the evidence
4 I've heard might be a more probable event in the future

5 I think the oil companies and
6 the gas companies with this country sold cheap and now
7 we're buying dear; I think that, at least I found the
8 oil companies and business in general are honest. They
9 say:

10 "We're in there to make money."

11 Of course a profit is not without honor in
12 this country. What worries me is the way in which the
13 church is using the north and the northerners. I
14 taught missionaries for five years - actually for seven
15 years, and I am taking a degree in theology. What has
16 happened of course, is the churches have lost their
17 leadership in southern Canada. There is a massive
18 indifference to organized religion.

19 They've also lost it in
20 northern Canada and they are worried about the B'hai
21 and the Pentecostal sects.

22 I remember an Indian Anglican
23 minister in Aklavik who went to a Pentecostal services
24 and was rapped over the knuckles by his Bishop.

25 I remember a Catholic priest
26 in an Inuit area who advised the Inuit not to be
27 vaccinated against smallpox, What I want to know is how
28 much land have the churches turned over to native
29 peoples? They own land in the north. How many Inuit
30 and Indian clergy have been trained and how long ago

1 long were they trained? For how has the Anglican
2 church been importing, you know, Englishmen? How many
3 Bishops, how many Eskimo and Inuit and Indian Bishops
4 are there? Is the assumption being made that religious
5 training in the west which comes out of 2,000 years in
6 a particular set of cultural circumstances is the right
7 way to train the native people of the north.

8 I can only compare what is
9 happening in (inaudible) where the churches are
10 encouraging the native peoples there to take positions of
11 power in the churches and they are helping them to set up
12 their own churches without white people present. I think
13 the thing that bothers me is that I've just taken a
14 course in the New Testament and I think the sort of
15 behavior the church is engaging in is Pharisaical in the
16 sense that they are running around, shouting and
17 screaming and I think the objection with this is if you
18 want to do something, do it in quiet corners.

19 Now, I do know the church is
20 doing things in quiet corners but unfortunately their
21 sort of feeling of guilt has washed this all out.

22 The other group that worries
23 me is the universities. Here again, people have gone
24 from universities and pre-empted roles of native
25 peoples. You see, if you're not sort of in a sense
26 leading people along so they can take the leadership
27 role, it's a waste of time, because what happens and
28 it's happened a lot, is other people speak on behalf of
29 the native peoples. I have trouble with my own life.
30 I can't speak on behalf of anybody else.

1 One of my feelings is if the
2 universities have all this knowledge, why don't they
3 use them on their own campuses. Any B.Sc. in biology
4 who goes north is automatically a conservationist or an
5 ecologist, whereas a trapper isn't.

6 A few years ago, a study was
7 done on status in the north -- I'm sorry -- status in
8 Canada and who is at the bottom of the list of status?
9 Trappers. I couldn't trap. It takes a lot of skills
10 and I don't have them. I respect people who can make
11 their living with trapping.

12 Seven years ago, at a
13 conference in Edmonton, I suggested the idea that --
14 there was a whole group of high priced help around
15 there from Alaska and from the Soviet Union, that
16 perhaps we could, you know, get together and organize a
17 training program in conservation for the people of the
18 north and that idea was just sort of shoved on one side
19 because these people were more interested in insulting
20 the government on one hand and saying:

21 "They are a bunch of crazy idiots"
22 and on the other hand, saying.

23 "Give us some money for research".

24 What bothers me also is that
25 the general public seems to be terrified of this
26 attitude about blowing up the pipeline. To me, much
27 more serious damage is being done to the people of the
28 north. You can replace a chunk of pipeline, and this
29 is one of the main thrusts of my argument, is that we
30 need the people of the north. We need their wisdom.

1 | We need their knowledge.

2 | Years ago I was suggesting
3 | "why do we get all our knowledge about Eskimos and
4 | Indians 17-hand from somebody? Why can't we have these
5 | people in our schoolrooms and our universities talking
6 | to our kids about the way it really is?"

7 | There is a whole lost
8 | generation in the north that were educated in 1950 to
9 | 1970 before we realized our mistakes. These people
10 | don't know the old way. God knows I am worried enough
11 | about my own kids. They don't know the old way. They
12 | don't know the land, and they don't know the new way.

13 | I have a list of ads here for
14 | jobs in the north; district supervisors, social
15 | services, journeymen, linemen, plant engineer, plumber
16 | steamfitter, plumber. We're still advertising for
17 | these in Halifax twenty years after going in the north

18 | I taught students from grass
19 | roots areas in new nations and what has struck me is
20 | that these people are proud. If they feel they trust
21 | you, and this takes time and you have to earn that
22 | trust, they will learn from you. They don't give you a
23 | whole kind of barrage of hysteria and this type of
24 | thing. What I am saying is you know, how are we going
25 | to penetrate this kind of barrier of rhetoric and talk
26 | to the real people of the real north? I don't mean
27 | just native peoples. This is happening, you know, with
28 | white northerners too.

29 | A few years ago -- well
30 | actually about ten years ago, I wrote a piece in

1 "Future's" magazine on the fact that maybe the Inuit
2 were more suited to the era of scarcity than we are,
3 that maybe you know middle class white people are
4 obsolete and I've changed my ideas on this. There are
5 two ways of thought in the north, two sets of
6 assumptions and this physiologically, I understand,
7 correct on the basis of some work that's been done a
8 psychiatrist. First of all, there's a linear logical
9 propositional way, the control way. We in the west-in
10 the industrial system say "Do this. Do that. We should
11 do this. We should do that."

12 Then there's the non-linear
13 intuitive propositional way of the traditional peoples
14 who accept, and apparently these functions, although
15 they're not exclusive, they are a part of the way the
16 brain works.

17 I remember for instance Dr.
18 Diamond Jenness, a good friend, who was called in by
19 the Indians in B.C. and they were treating mental
20 illness in their way and they were being harassed by
21 the missionaries and the police. He went in and he
22 listened to them and he talked with them and he
23 explained. He says:

24 "Their way of treating mental illness is just as
25 rational and logical as locking people up in
26 mental institutions",
27 something we are beginning to understand now.

28 In west Africa, psychiatrists
29 and witch-doctors are working together because once man
30 cures a neurosis, another man casts out a devil. Now,

1 | what difference does it make what you call it, so long
2 | a people are returned to a better functioning of human
3 | beings?

4 | I was in west Africa in 1952
5 | and I was told by a West African:

6 | "We'd rather be badly ruled by our own people
7 | than well ruled by you whites"
8 | and you know, that man was right.

9 | I got involved in the special
10 | constabulary in the Congo riots in 1953. I saw one man
11 | carried off a truck in six pieces. What I am saying is
12 | that I think that sort of thing is going to happen
13 | here. I don't think they are going to blow up
14 | pipelines. I don't think they are even going to punch
15 | stupid whites in the nose. I think they're going to
16 | destroy themselves and each other. I'm saying that as
17 | far as I know, you know, the people of the north know a
18 | lot, but I think this Commission is one of the first
19 | formal occasions in which we have said:

20 | "Let's listen to them. Given them a chance to
21 | contribute. Let's draw upon their knowledge be-
22 | cause if this country is to survive we're going
23 | to need both kinds of knowledge."

24 | In the high Arctic, you come
25 | across lichen, and lichen is a symbiosis of a fungi and
26 | algae and one can't live without the other. If the
27 | fungus can't live, the algae can't live. But you put
28 | them together and they bring life as far north as you
29 | can go.

30 | Thank you.

1
2 (SUBMISSION OF JIM LOTZ MARKED EXHIBIT C-609).

3 (WITNESS ASIDE)

4 MR. WADDELL: Mr. Commissioner,
5 I'd like to file with Miss Hutchinson, the Inquiry's
6 secretary some materials that Mr. Lotz has given to us
7 The first is a reprint from the magazine "Arctic"
8 entitled "Northern Alternatives". Secondly, some of his
9 writings on "Community Development and Citizen
10 Participation", thirdly, an article -- a reprint of an
11 article from the "Shetland Times" by Ian Clarke May, 1975
12 re "Impact of Oil and Shetland, Scotland". Next,
13 "Whatever Happened to Community Development" a reprint
14 from the "Canadian Welfare" and finally a brochure about
15 his company.

16 I'll file that with Miss
17 Hutchinson.

18 The next brief Mr.
19 Commissioner is from the Dalhousie Faculty Association.
20 I'd call upon Leonard Kasdan.

21 LEONARD KASDAN, sworn:

22 THE WITNESS: Mr. Chairman,
23 ladies and gentlemen, the Dalhousie Faculty Association
24 wishes to commend this Commission of Inquiry for
25 operating as an excellent medium of public education on
26 a very complex subject. We see your role as similar to
27 the one we play in the universities in educating people
28 to understand the complicated issues of today.

29 There are many parallels that
30 can be drawn between this Inquiry and the educational

1 | the history of federal relationships with people,
2 | ordinary working people in the Maritime provinces does
3 | not make us sanguine about the final decisions. I just
4 | hope that perhaps these hearings are a portent of a
5 | change in these relationships.

6 | Thank you.

7 | (SUBMISSION OF THE DALHOUSIE FACULTY ASSOCIATION - L.
8 | KASDAN MARKED EXHIBIT C-610)

9 | (WITNESS ASIDE)

10 | THE COMMISSIONER: I want
11 | that examination paper marked as an Exhibit.

12 | MR. WADDELL: Is Mr. Hindson
13 | here from Cansteel? I would call next then Mr. Hindson

14 | MR. HINDSON, sworn:

15 | THE WITNESS: Mr. Justice
16 | Berger, I appreciate the opportunity to present this
17 | brief. I will be brief, and I hope very much to the
18 | point.

19 | The Cansteel Corporation is a
20 | statutory corporation created by the Government of Nova
21 | Scotia to provide the vehicle and the means for
22 | establishing a new steel complex in Cape Breton This is
23 | not a "pie-in-the-sky" activity, but a real opportunity
24 | that the changing map of the worlds iron and steel
25 | industry now affords to Cape Breton. Problems of the
26 | past should not cloud the opportunities of the future.
27 | Our greatest concern now is that Canadians will be too
28 | slow to recognize the opportunity that we now have to
29 | establish a major industrial center in Cape Breton.

30 | Cansteel has been successful

1 | in obtaining the active participation of four major
2 | steel producers who are sharing in the work and the
3 | cost of a comprehensive feasibility study now well
4 | underway. So far, things look promising but a lot of
5 | work remains to be done to prove the viability of the
6 | complex. In this regard, the Mackenzie Valley Pipeline
7 | could play a significant role.

8 | Phase I of the Cansteel
9 | project, if it goes ahead, would be for two to 2 1/2
10 | million tons of steel with a cost of close to \$2
11 | billion, Phase II, which would probably follow closely
12 | thereafter, would be for another two to 2 1/2 million
13 | tons of steel in order to obtain the economies of scale
14 | required to be internationally competitive. Further
15 | expansion would take place depending upon the degree of
16 | success obtained on the first two phases and the needs
17 | and opportunities at the time.

18 | How does this relate to the
19 | Mackenzie Valley Pipeline? If this pipeline goes ahead
20 | and we think it would be unfortunate for Canada if it
21 | does not, then the steel requirements will be enormous.
22 | Over two million tons of finished pipe will be required
23 | just for the main 48" line. If one adds to this the
24 | feeder lines and all the other equipment and services
25 | that contain or consume steel, we are looking at a
26 | sudden increase in steel demand of close to three
27 | million tons being placed on the Canadian market and/or
28 | on the export market.

29 | The Canadian Steel Industry,
30 | under normal market conditions will not be able to meet

1 | this demand. They could only do so by depriving their
2 | regular customers of their normal steel requirement or
3 | else contracting to buy steel slabs, skelp or pipe from
4 | foreign sources. If however, the steel demand for the
5 | pipeline happened to coincide with the start-up of
6 | operations at Cansteel, then Cansteel would get a real
7 | shot in the arm. There would be less disruption of the
8 | Canadian steel market and more Canadian steel would
9 | find its way into the project.

10 | For example, if Cansteel
11 | could supply skelp, the raw material for pipe to a
12 | Canadian pipe producer to process into pipe, it would
13 | justify the establishment of a flat rolling facility in
14 | Cape Breton much sooner than would normally be the
15 | case. The ability to produce flat rolled products in
16 | Cape Breton would be the key to industrial development
17 | in that area, just as it was in Hamilton and
18 | surrounding district. It would provide a major
19 | incentive to the development of a major steel complex
20 | in Cape Breton along with the other industries that
21 | such a complex would attract.

22 | Although not as attractive as
23 | skelp, the supply of slabs to another Canadian steel
24 | producer to augment his steel supply is another
25 | possibility during this period of very high demand.

26 | I am not suggesting that the
27 | Mackenzie Valley Pipeline be held up waiting for Cansteel
28 | to go on stream. All I am asking is that the opportunity
29 | that Cansteel, or even Sysco, affords in easing the
30 | burden of steel supply either directly or indirectly, be

1 | given serious consideration. The possibility of
2 | coordinating the planning and implementation of these two
3 | important projects in order to obtain the maximum benefit
4 | for Canada should not be ignored.

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1 In summary Mr. Justice Berger,
2 the Mackenzie Valley Pipeline is a national project. If
3 it were not so, you would not be here in Halifax today.
4 My plea is that it also be national in implementation
5 without prejudice to the project itself, which we believe
6 should go ahead as soon as possible.

7 Thank you for hearing me.

8 THE COMMISSIONER: Mr.
9 Hindson are you in a position to indicate - and if you
10 are not, don't feel obliged to do so -- when production
11 would come on-stream on Phase I and Phase II?

12 A We're planning Phase I
13 for '81.

14 Q Is there any date when
15 you expect that production from Phase II would be
16 coming on-stream?

17 A Phase II, if Phase 1
18 goes ahead as planned for '81, Phase II would start, I
19 think, almost immediately and that would be another two
20 to three years after that.

21 Q I wonder if you have
22 read the brief to this inquiry presented by the United
23 Steel Workers and the brief --

24 A No, I haven't.

25 Q -- by the Steel Company
26 of Canada?

27 A No I have not.

28 Q They deal with the
29 question you referred to, that is, the capacity of
30 Canadian steel manufacturers to provide pipe for both

1 pipelines; the Arctic Gas Pipeline which is a larger
2 project and the Foothills Pipe Lines, It's not a small
3 project but it is smaller.

4 Well, I'll direct Mr. Roland
5 to send you copies of those briefs and if you wish to
6 comment on them, just write me a letter. You don't
7 have to go to any trouble. Just, if you feel --

8 A Well, I'd be very happy
9 to. Thank you.

10 THE COMMISSIONER: Thank you
11 very much, sir.

12 A Thank you.
13 (SUBMISSION OF CANSTEEL CORPORATION - R. HINDSON
14 MARKED EXHIBIT C-611)

15 (WITNESS ASIDE)

16 MR. WADDELL: Mr.
17 Commissioner, I wonder if Mike could help me set up the
18 slide projector as there may be some slides in the next
19 presentation?

20 Mr. Commissioner, while we're
21 setting up the projector, I'd call our next brief.
22 It's Mr. Richard Rohmer.

23 RICHARD ROHMER, sworn:

24 THE COMMISSIONER: While
25 we're waiting Mr. Rohmer, I should say, of your books.
26 I think the one that most
27 closely bears on our work is "Northern Imperatives" and
28 I'm happy to say I've read and enjoyed it very much.

29 THE WITNESS: Thank you very,
30 sir. The "ultimatim" of course is the fictional

1 translation. I'm happy to tell you that "Exoneration" is
2 on sale downstairs.

3 How are we doing with the
4 rest of it? Is the screen ready?

5 MR. WADDELL: We need a
6 screen. sir. We'll just put the screen up now.

7 A I will refer if I may,
8 sir, to the slide is about part-way through because
9 they demonstrate one or two of the points which I wish
10 to make. If we have a sort of --

11 THE COMMISSIONER: Well, I'll
12 you what. I'll just take a seat over here then because
13 -- you carry on when you are ready.

14 A I could have at you from
15 here through there. I'm sure that counsel for the
16 applicants are noting the lines on the map. That looks
17 pretty good.

18 Mr. Commissioner, I preface
19 my remarks by saying that in appearing before you, I
20 represent no corporation, no group and no person. The
21 views I present to you are my own. They are gratuitous
22 and they are worth what you pay for them -- not very
23 much. They are therefore not the opinions of an expert
24 That is a statement with which the multinational oil
25 companies and pipeliners in Canada will not disagree
26 especially after what I want to put forward to you
27 today.

28 I practice law. I write the
29 odd book and I have a high interest in the Arctic and
30 the people there. My purpose in appearing before you

1 | same field will produce approximately two billion cubic
2 | feet of natural gas. As I understand the rule of thumb,
3 | is simply that when you take 500 cubic feet you take
4 | one barrel of oil out of the ground, you take between
5 | 500 to 1,000 cubic feet of natural gas out of the same
6 | hole.

7 | Prudhoe Bay gas can be re-
8 | inserted into the ground as I understand for about
9 | three years. Back, yes. After that, the gas must move
10 | The transportation system, whether it is the El Paso
11 | proposal or a cross-Canada line, must be in place. For
12 | the Americans, time is of the essence in getting the
13 | gas transportation system built because the Alyeska
14 | crude oil line is under construction with a projected
15 | start up date one year from now.

16 | Therefore, 1980 appears to be
17 | the year when the Prudhoe Bay gas will have to move to
18 | its markets. If it is to go by a cross-Canada route,
19 | the approval decisions will have to be taken quickly
20 | and construction proceeded with expeditiously. Aside
21 | from its high cost of construction and operation
22 | because of the main problem with the proposed -- and
23 | because of the need to liquefy the gas, the main
24 | problem with the El Paso system of piping the gas to
25 | the south coast of Alaska, liquefying it and shipping
26 | it down to the western U.S. seaboards is that it does
27 | not place the precious energy commodity where it is
28 | urgently needed and that place is in the intensely
29 | industrialized and populated northern region of the
30 | United States which stretches from Chicago on the west

1 | to the Atlantic Seaboard on the east along the Great
2 | Lakes on the St. Lawrence Seaway.

3 | It is this area of the United
4 | States which is critically short of natural gas, not
5 | the western states. It is noted here that the proposed
6 | Mackenzie Valley route would also put the main pipe
7 | into American territory well to the west of Chicago and
8 | there would have to be a pipe built across in that
9 | sector and you can see on all our maps that that is
10 | intended.

11 | Another point to note is that
12 | it is now being realized in the United States that the
13 | California, Oregon and Washington State markets cannot
14 | absorb all of the Prudhoe Bay crude oil production so
15 | some of it will have to be exported even though the U.S
16 | must import OPEC crude into its eastern seaboard on an
17 | escalating scale. The conclusion to be drawn that the
18 | Prudhoe Bay crude oil pipeline ought to have been built
19 | across Canada. It was not but when naval reserve
20 | number four in Alaska, which I know you are familiar
21 | with, is brought into production, there may be no
22 | choice for an energy starved America or for Canada but
23 | to see such a pipeline built.

24 | As for our nation, there can
25 | now be no doubt that we in Canada south must have
26 | transportation access to the natural gas of both the
27 | Mackenzie Delta - Beaufort Sea area and the Arctic
28 | Islands by the early 1980's, Otherwise, we will also be
29 | into massive shortages of gas just as our American
30 | friends are and like the British, we will be running

1 enormous trade deficits because we will have to import
2 energy on an escalating scale.

3 PanArctic reserves in the
4 Arctic Islands now are about 15 trillion cubic feet.
5 The numbers vary between 12 and 15. Nevertheless, they
6 are still short of the estimated threshold, a
7 requirement of between 20 and 30 trillion cubic feet
8 but close enough to cause the Polar Gas Project route,
9 the intended builders of that pipeline, to prepare to
10 file their application for approval with the National
11 Energy Board early next year.

12 My point is this. Regardless
13 of whether Prudhoe Bay gas moves through Canada, Canada
14 s Arctic Islands gas will move. It must. Furthermore,
15 its route is now well settled and the first slide if we
16 could have the slide switched on. Could somebody do
17 that for me now, please. We'll take it because you
18 know where it goes.

19 Can we have the slide please?
20 Somebody give me a hand.

21 O.K. The route is
22 established and it's across the Northwest Passage and a
23 collector system to Sommerset Island down the Boothia
24 Peninsula and straight along the west coast of Hudson
25 Bay, subject to all approvals having been obtained and
26 that sort of thing. But that pipeline will also be a
27 massive pipeline and it is imminent in terms of
28 consideration of its construction. If you will note
29 its route -- sir, I will refer to it later -it goes by
30 Churchill and then it swings south into northern

1 Ontario and then disappears. It goes into the market
2 which is required.

3 It swings southeast into
4 northern Ontario toward the high intensity demand area
5 of central Canada which parallels that of the United
6 States, the Chicago to the eastern seaboard sector.
7 That region of the United States must be the
8 destination of the American Prudhoe Bay gas, if it
9 follows the Mackenzie Valley route.

10 If the U.S. market, which is
11 in urgent need of the Prudhoe Bay gas, lies immediately
12 to the south of the path of the Polar Gas pipeline
13 which it does as you can see from this map, and if the
14 Mackenzie Valley route also will require and it will,
15 the construction of the extension of that pipeline from
16 its crossing point at the Canada - U.S. border next
17 just to the east of the Rockies -- can I have the
18 slide? Can somebody do that for me?

19 You can see that it comes out
20 the blue line comes out just to the east of the Rockies
21 and well west of the Chicago area, some hundreds of
22 miles.

23 Then it can be argued that
24 rather than follow the Mackenzie Valley with all of the
25 cultural, social, human and environmental consequences
26 of which you have sir, heard so much, the best. route
27 from all aspects, including cost possibly, and
28 therefore economics would be from Prudhoe Bay to the
29 Mackenzie Delta and thence southeasterly across the
30 open unpopulated barrens to Churchill where the flow

1 | would be twinned with the Polar Gas Pipeline with a
2 | combined common corridor southward from that point.

3 | I will call this -- I like
4 | corridors -- I will call this the "Tundra Corridor
5 | Route to Churchill" is across rolling, often flat,
6 | treeless tundra.

7 | Can I have the next slide
8 | please? You can this -- the green area is the -what I
9 | call the mid-Canada sector of the boreal forest, the
10 | northern forest. The light area above is the small
11 | tree sectoral but by and large you can see that the
12 | route would across the open tundra over permafrost,
13 | which is slide four. Continuous permafrost.

14 | The next slide please? This
15 | all merely demonstrates what we all know and that is
16 | that the whole route across would be over a permafrost
17 | area. This a terrain which could readily accept even
18 | an unburied pipeline and there is much of that in this
19 | world, subject of the ability of matter to withstand
20 | intense cold and subject to the ability of the caribou
21 | and other wildlife to cross it and subject to other
22 | environmental considerations.

23 | Furthermore, with such a
24 | system in place, it would ultimately be possible to
25 | dedicate all Canadian Arctic gas to central and eastern
26 | Canada and Alberta's reserves to the western provinces.
27 | Policies of this kind have occurred before in Canada
28 | with the Ottawa River being the dividing line between
29 | oil supplied to Ontario and the provinces
30 | west and the OPEC oil going to Quebec and the Maritimes.

1 This is the main thrust of my
2 argument to you, sir. With the rapid advance of the
3 timing of the Polar Gas Project, there is now good
4 cause to examine the question whether in the national
5 interests of Canada, in the interests of the native
6 people of the Mackenzie Valley, and in the interests of
7 the natural gas-short eastern markets of the United
8 States with Canada close behind, the cross-Canada route
9 from Prudhoe Bay, Mackenzie Delta - Beaufort Sea ought
10 not be the Mackenzie valley but a tundra corridor from
11 the delta across to Churchill, there twinned with Polar
12 Gas and south into the major energy-short urban
13 industrial areas of the United States and Canada.

14 The next one please. This
15 schematically demonstrates the potential route. There
16 is every indication that the Government of Canada --
17 that Canadian taxpayer, will be required to guarantee
18 much of the millions of dollars, probably in excess of
19 ten, which will be borrowed by way of debt money to
20 build the cross-Canada pipeline for the Prudhoe Bay -
21 Mackenzie Delta gas. Even if this were not so, surely
22 there is a duty on the Government of Canada to decide
23 what route will be taken by this largest transportation
24 system ever, constructed by private enterprise and
25 possibly by man instead of simply responding to the
26 question whether or not the government will approve or
27 disapprove of decisions taken by entrepreneurs who, in
28 the majority, have no concern for Canada's national
29 interest or who, even if they are Canadian entrepreneurs
30 and even though they are honorable men, must first be

1 point. There are two of them. You may recall the
2 confrontations over the question of sovereignty and.
3 there is the good vessel "Canada" and the signal being
4 passed to the Captain of the Manhattan is given by his
5 men with his flags on his right and the man is telling
6 the Captain:

7 "They are claiming the right-of-way, Captain".
8 The next slide, we are always concerned about our
9 sovereignty and the United States and Dr. Kissinger
10 have not changed their view of the Northwest Passage
11 one iota.

12 That's the end of the slide
13 sector please. Understanding fully that you as a
14 Commissioner have no power but to recommend, I
15 respectfully ask that you give consideration to
16 recommending that in the national interest there be a
17 full and exhaustive examination by the Government of
18 Canada, not by private enterprise, of the feasibility
19 and desirability of developing the pipeline to carry
20 Alaskan - Prudhoe Bay - Mackenzie Delta - Beaufort Sea
21 fossil fuels - not just the gas, but the oil as well --
22 along a tundra corridor route from the Yukon border to
23 the Mackenzie Delta and southeasterly or Churchill
24 where a common route for fossil fuel pipelines from the
25 Arctic will lead into the major energy markets of North
26 America.

27 That is the end of my
28 submission, sir.

29 THE COMMISSIONER: Could I
30 ask you just one or two questions. I will go back to a

1 | microphone.

2 | There is always a problem
3 | about the line between the mandate of this Inquiry and
4 | the mandate of the National Energy Board but I --

5 | A I understand that very
6 | well,

7 | Q I know you do. I think
8 | I can assure you that the National Energy Board gets
9 | our transcripts so that submissions such as yours, I
10 | know, are brought to their attention in that way.

11 | You suggested that the
12 | Alyeska Oil Pipeline is, in fact, likely to deliver oil
13 | to markets where it is not needed, that they have
14 | built their oil pipeline heading the wrong way, so to
15 | speak.

16 | A There are recent reports
17 | within the last three weeks which confirm that the
18 | western markets -- the lower 48 states cannot absorb
19 | the production once it hits the two to 2 1/2 million
20 | barrels a day and I don't argue that the pipeline -- I
21 | don't say that it went the wrong way. What I suppose I
22 | am saying is it ought have gone after much
23 | consideration -- it ought to have been given to placing
24 | it in Canada but of course the nationalistic arguments
25 | in the United States who -- the people there want to
26 | have security and they are concerned about the flow of
27 | that kind commodity through a country which sometimes
28 | represents "bananaism" if you will.

29 | In any event, they have this
30 | surplus now and so you have the incongruous situation

1 | where the United States will be selling oil probably to
2 | Japan from Alaska while it's importing from the OPEC
3 | countries on the other side.

4 | Q President Ford I think
5 | has asked Congress to open petroleum Reserve Number
6 | Four in Prudhoe Bay and it's not called the Geological
7 | Survey, but the equivalent body in the United States
8 | has been at work there for many years to determine the
9 | extent of those resources.

10 | You're suggesting that if a
11 | corridor were built along the tundra to a point
12 | somewhere near the convergence of the Hudson Bay with
13 | the Manitoba and Ontario border that that would be used
14 | for the passage of Prudhoe Bay gas and oil as well as
15 | Mackenzie Delta Beaufort Sea gas and oil?

16 | A And the Arctic Islands,
17 | because they would all join in the one place. The
18 | market, as I say to you is the Chicago across to the
19 | eastern seaboard. If you take a look at the world
20 | population map, the world population heaviest sector is
21 | in northern Europe. It goes through the U.K. and it
22 | jumps right across the ocean just as if somebody drove
23 | a straight line into that area and that is where the
24 | demand is,

25 | Q Well the Americans have
26 | made it clear that they need gas in the mid-west and
27 | the eastern seaboard. No question about that.

28 | You might be interested in
29 | knowing that one of the routes that was considered by
30 | Arctic Gas, I believe was considered by Arctic Gas If

1 | it was not, it was advanced to us by others was the so-
2 | called "Edge of the Shield Route" which bears some
3 | resemblance to your own proposed route.

4 | At any rate, I am grateful
5 | sir, for your bringing these matters out. It may well
6 | be that Arctic Gas or Foothills will wish at the end of
7 | the afternoon to comment as they have the right to do
8 | on the submission you've made.

9 | Thanks very much.

10 | A Thank you, sir.

11 | (WITNESS ASIDE)

12 | MR. WADDELL: Mr.

13 | Commissioner, I wonder if we could now take a ten
14 | minute break.

15 | THE COMMISSIONER: All right.
16 | We'll break for coffee.

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

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2 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

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

6 MR. WADDELL: Mr.
7 Commissioner, some people have asked me -- some people
8 that are giving briefs tonight from far-away places in
9 the Maritimes like Moncton, have asked if they could
10 get on a little earlier. If they speak to me I'll try
11 to accommodate them, sir.

12 The next brief is from Miss
13 Kathy Skerrett, from Truro, Nova Scotia, Miss Skerrett?

14 MISS KATHY SKERRET sworn:

15 THE WITNESS: Good afternoon,
16 Mr. Berger. My name is Kathy.

17 For many months now you have
18 been travelling across Canada to hear the views of
19 Canadians regarding the proposed Mackenzie Valley
20 Pipeline. I admire your work very much and I am proud
21 of our government for establishing such a Commission.
22 I know you have heard evidence and eloquence supporting
23 both sides of this issue from people who are far more
24 knowledgeable and qualified to speak before you than I
25 am. I come before you as a grass root, a concerned
26 grass root. That is my only qualification. I know
27 that everything I have learned, you are already aware
28 of. I know that everything I can say, you have heard
29 before. The research I did for this brief could be
30 done by anyone. The books and articles I have studied

1 are widely available to the public. They can be read
2 by anyone who cares enough to open them, and that is
3 why I am here, to show that I care. I care about the
4 future of Canadian Indians and Inuit. I care about the
5 way we plan to exploit and utilize our non-renewable
6 resources. The Mackenzie Valley Pipeline will have
7 irreversible effects on both these concerns.

8 From time immemorial, for
9 thousands of years before the white man came to this
10 continent, the native peoples have lived in the
11 northern regions. This is a harsh land. It is too
12 cold, too empty, too cruel white men have preferred the
13 fertile south and forgotten the vast expanses of the
14 sub Arctic, But the native peoples have managed to
15 survive and flourish in the Canadian north. They have
16 developed a lifestyle which is in harmony with the
17 land; they love it and understand it and to them the
18 north yields life. Their culture, their economy,
19 their security and identity are bound up in the
20 character of the land. To native peoples the Canadian
21 north represents not only a home; it is a way of life
22 their, way of life.

23 Suddenly the white man is
24 interested in their homeland. He wants to invade it,
25 rip it open and extract the oil and natural gas that
26 lies below the surface. The large corporations that
27 propose to go into the north will disrupt the delicate
28 balance of the environment. Nature has taken centuries
29 to establish the harmony that permits survival in these
30 regions. The native people live as part of that harmony

1 | and respect their world and the creatures in it.
2 | However, there have been environmental studies made and
3 | reports suggest that the proposed development might
4 | cause irreparable damage to vegetation and wildlife.
5 | HOW will this affect peoples whose livelihoods depend on
6 | trapping, fishing and hunting? The companies exclaim
7 | that construction projects will employ many native
8 | workers, but for the most part these would be temporary,
9 | low-paying jobs. Consider the inter-relationship of
10 | native culture and their traditional economy If a person
11 | derives his security, identity and pride from his skill
12 | as a hunter, will 9 to 5 labor be a satisfactory
13 | alternative?

14 | The invasion of the oil
15 | companies will be accompanies by a sudden exposure of
16 | our culture to the native peoples. Through television,
17 | radio, and a greater influx of southerners, the natives
18 | will be bombarded with strange values and foreign ideas
19 | These people of the north have cared for the land and
20 | its resources. They have shared and co-operated among
21 | each other. Their culture forbids the exploitation of
22 | nature or people. Ours demands the exploitation of
23 | both. Is it morally right to inflict our ideas upon
24 | them and expect acceptance of our ways? Perhaps we
25 | should be seriously considering marry of their
26 | attitudes as vital to survival of the human species in
27 | this world today.

28 | The native peoples are most
29 | alarmed when they consider this threat to their
30 | identity. They have one instrument to bargain with,

1 | their land. Our government recognizes the concept of
2 | aboriginal rights. They must not proceed with the
3 | pipeline until a land settlement has been made with the
4 | native peoples.

5 | If they do not trust the
6 | government, it is understandable. In the past many of
7 | the settlements made between the government and natives
8 | have been most unsatisfactory. Pittance compensation
9 | has been made for enormous tracts of land; promises
10 | have been broken on the government's part; Treaties 8
11 | and 11 are questionable in their validity. Our
12 | government is stained historically with dishonourable
13 | behaviour towards Canadian natives. It is a shameful
14 | blight on our national conscience.

15 | The traditional method of
16 | terminating aboriginal ownership has been through,
17 | treaties made between government and the natives, Look at
18 | the reservations in the south. There can be no doubt
19 | that this has not been a good arrangement for the Indian
20 | We destroyed their way of life as hunters. Now so many
21 | must depend on welfare or unemployment. Their
22 | traditional culture is replaced by a poverty culture.
23 | The high rate of family breakdown, alcoholism, violent
24 | deaths, and crime among Indians indicates that we have
25 | treated these people unfairly, horribly. The Treaty
26 | Indian is often faced with the dilemma of renouncing his
27 | Indian identity in order to share in the white man's
28 | prosperity, or remaining poor and keeping his status, The
29 | treaties have failed to protect the Indian people. Look
30 | at the living conditions on many reserves. Look at the

1 | education statistics, the unemployment statistics.
2 | We have failed these Canadians. The situation of the
3 | Treaty Indians in the south is a tragedy. Surely we
4 | cannot permit this terrible injustice to reoccur in the
5 | north. Unhappily, we cannot repair our past injustices,
6 | but we can prevent future ones. We are now confronted
7 | with an opportunity to recover some of our fallen
8 | honor.

9 | The native people are voicing
10 | their opinions. They are asking for a settlement that
11 | will ensure their cultural and economic development.
12 | In the past we have persisted in telling the native
13 | what he should and will do on the assumption that we
14 | know what is best for him. The tragic situation of the
15 | Treaty Indian is glaring proof that we were wrong. Now
16 | must listen the native peoples. They wish to control
17 | their own growth, and surely that is not an
18 | unreasonable request.

19 | The native people wish to be
20 | involved in northern development. They want to
21 | participate in the decision-making; to be active in the
22 | future of their land. It seems only logical that they
23 | should be included as they know the land so well. A
24 | fair and comprehensive settlement must be made which
25 | will satisfy the natives' requests and alleviate their
26 | fears.

27 | My second concern is for our
28 | own society. We have been warned repeatedly by experts
29 | that this little planet cannot support the terrible
30 | burden the human race casts on it. North Americans are

1 particularly to blame for the over-consumption of its
2 resources. We are a highly industrialized society and
3 enjoy a wonderful standard of living. Our comfortable
4 lifestyle is such that we often mistake luxury for
5 necessity. The international distribution of wealth is
6 grossly unfair. There are many poor countries that
7 suffer from shortages of energy that they need for mere
8 survival. Who will benefit from the development of the
9 northern resources? Most of this energy will be
10 consume by our cities and industries. We are fat and
11 rich. There are millions who are dying for lack of
12 such resources. Is this just?

13 Our government, the oil
14 companies, and many sectors of the industrial community
15 tell us that we need the untapped resources of the
16 north. I think now is a good time to take a very
17 serious look at what we do need. We consume energy at
18 an extravagant rate. Consider the wastage in our
19 country. It is shocking. We have treated our world
20 with tragic irresponsibility.

21 Our culture places great
22 emphasis on profit and money. There is a feeling among
23 us that as long as a person pays for energy he is
24 entitled to squander or waste whatever he has bought.
25 We treat all our natural resources in this manner
26 energy, land, water, food. This is a very dangerous
27 attitude. One cannot eat money. Nature does have
28 limits and we are exhausting her with our exorbitant
29 demands, The resources of the north are non-renewable.
30 We do not seem to understand this, "Non-renewable"

1 means when they run out, that's it, no more. Then it
2 doesn't matter how much money we have or what marvelous
3 profits we have made.

4 There are many who voice the
5 need for haste in the construction of the pipeline.

6 They speak of the energy
7 crisis and everyone panics. But we seem to forget that
8 we caused the energy crisis. Instead of exploiting more
9 resources to feed our industrial appetites, we must
10 begin to change the kind of thinking and behaviour that
11 causes these shortages. We cannot continue to devour
12 energy at the rate we have and are at present. We must
13 change now yesterday. If the pipeline goes ahead
14 without drastic changes in our use of these precious
15 materials, without careful regulation of the speed of
16 their extraction, Mr. Berger, what will be left?

17 Sir, I am a child. This is
18 the world that my generation will inherit. I am sure
19 we will try -- as no doubt you are trying, as no doubt
20 all past generations have tried to leave the world a
21 little better than we found it. But for my generation
22 it is imperative that we do so, or we may be the
23 last.

24 I am beginning to look around
25 myself and I see a world that is full of injustice and
26 misery and filth. I see the selfishness, the apathy,
27 the ignorance -- and it frightens me. It frightens me
28 terribly. But perhaps because I am a child I can cling
29 to my idealism and hope. I believe that justice is
30 greater than profit. I believe that the land and its

1 | abundance are sacred gifts of God. I believe that
2 | people are still more important than money.

3 | The decisions regarding the
4 | Mackenzie Pipeline are among the most crucial facing
5 | our nation today. They will help determine which path
6 | we take to the future. we are at a crossroads. The
7 | path of materialism and greed must end in disaster.
8 | The path of love and respect for human dignity and
9 | concern for our natural environment, this may bring a
10 | better world.

11 | Please, tell the government
12 | that we look to them to choose a path and lead the
13 | way.

14 | (SUBMISSION BY MISS K. SKERRETT MARKED EXHIBIT C-615)

15 | (WITNESS ASIDE)

16 | MR. WADDELL: Mr.

17 | Commissioner, next on our list is the Montagnais Indian
18 | Association of Labrador. Is there someone here to
19 | present that brief? Mr. Commissioner, this is Raphael
20 | Gregoire.

21 |

22 | RAPHAEL GREGOIRE sworn;

23 | THE WITNESS: Well, this

24 | brief is on behalf of the Naskapi-Montagnais Innu
25 | Association of Labrador.

26 | We are Indian people of
27 | Northwest River and Davis Inlet, about 800 in number,
28 | of Nasicapi and Montagnais Bands, and descendants of
29 | those Indian people who for many generations lived,
30 | wandered and died in the territory drained by the great

1 | rivers of the Churchill River, Naskapi River and Red
2 | Wine River, emptying into the headwaters of Lake
3 | Melville and Hamilton Inlet, In historical times our
4 | ancestors, the Montagnais, hunted and later trapped in
5 | the inlands of Labrador. The Naskapi lived off the
6 | land and traditionally followed migrating caribou on
7 | the fringe of the Labrador tundra.

8 | For centuries we have been an independent people,
9 | descendants of the aborigines who occupied the Gulf of
10 | St. Lawrence, the Labrador Plateau, and the Lake
11 | Melville watershed. Throughout our history our
12 | subsistence has been mainly from our knowledge and skill
13 | of hunting, fishing and later trapping the hinterlands of
14 | Labrador.

15 | We, the Naskapi and Montagnais Indians of Labrador,
16 | fully support the position which the natives of the
17 | Northwest Territories have taken in respect to the Arctic
18 | Gas Pipeline.

19 | Although we have never met with our brothers in the
20 | Northwest Territories, we share, as Indians of Northern
21 | Canada, some very basic values upon which our common
22 | history is built. For example, we occupy the same kind of
23 | environment. We too depend primarily on caribou, fish and
24 | small animals. We too live in a close spiritual
25 | relationship with mother earth. We also share our
26 | brothers' fate as a minority group in Canada. We see our,
27 | land as well as our society and cultural integrity
28 | threatened by the Euro-Canadian society. This is not a
29 | new thing. The oppression of our people started as soon
30 | as the traders, the missionaries, and the administration

1 of Euro-Canadian justice entered our territory. The
2 material poverty of our Indian communities in Labrador
3 bear witness to this oppression.

4 We know well the kind of impact
5 the gas line will have on our brothers in the Northwest
6 Territories. In recent years we have seen iron ore towns
7 created in the heartland of our territory, the harnessing
8 of electrical power through the flooding of our
9 traditional hunting territories, the indiscriminate
10 mining of our forests, the massive infusion of military
11 and civilian personnel associated with the Goose Bay Air
12 Base, the creation of sports lodges by outsiders
13 throughout our lands. Not once during all these
14 activities have we been advised, consulted, compensated
15 for losses, or recognized as owners and occupants of the
16 land, even as human beings with the most basic rights of
17 self-determination.

18 There has never even been a pretence of a hearing
19 such as this for any development in Labrador, even though
20 they have caused our water courses to be changed, fur
21 bearing animals to be destroyed, our burial grounds and
22 meeting places to be flooded, our caribou to be
23 decimated. Even the location and design of our present
24 communities have been brought about without consultation.
25 We have been deprived of our human right to steer the
26 course of our own history and development. The powers to
27 shape our own future have been taken away from us.

28 To have powers to shape one's own history, it is
29 necessary to have a viable economy and some real measure
30 of power. Our land and sea are rich enough in resource

1 | for us to make a decent living as hunters and fishermen.
2 | The government has not been willing to recognize this.
3 | They have not been willing to recognize hunting and
4 | fishing as a legitimate sector of the Canadian economy,
5 | They still view hunting and also fishing as an archaic,
6 | out-dated way of making a living essentially belonging to
7 | the Stone Age. They have not been willing to recognize
8 | that we still have our Indian culture and our social
9 | organization with its economic and political systems
10 | intact. Neither do the Euro-Canadians realize that our
11 | Indian heritage and traditions are undergoing changes as
12 | are any other cultural traditions in the world.

13 | Our way of hunting and fishing today is to some
14 | extent different from the ways of our forefathers. The
15 | major differences are in the technology and
16 | transportation that we are using today, and the fact that
17 | we today are linked up in various ways to the market
18 | economy of Canada and the rest of the world.

19 | What all this means is that our hunting and fishing
20 | economy must make adaptations to our modern situation
21 | where we are in contact with the dominant society. Our
22 | modern situation demands that we build infrastructure
23 | that is necessary to deal adequately with the majority
24 | society -- its economy and political system. If the
25 | Government of Canada and the Government of Newfoundland
26 | understood this, they would help us in building the
27 | necessary infrastructure just as they are subsidizing
28 | with millions of dollars each year other sectors of
29 | Canadian economy. Instead, the government continues to
30 | pursue a policy where they are content to put us on

1 | welfare.

2 | Do not misunderstand us, Mr. Berger, we do not want
3 | to turn the clock back, but nor do we want to see a
4 | further and irreversible erosion of our rights of self-
5 | determination.

6 | We understand the importance of development in the
7 | world and in Canada, but we are not sure that Canada
8 | understands the development of our own culture in this
9 | country. The survival of the Indian culture is dependent
10 | upon other factors, other developments taking place than
11 | the factors necessary for the survival of most immigrant
12 | cultures in Canada.

13 | A unique characteristic of the Indian and Inuit
14 | cultures is that they are based on a very special
15 | relationship to the land. The living cultures of the
16 | Indians and Inuit are based on the fact that Indians and
17 | the Inuit are related to the land as hunters so that the
18 | land from which we make a living today must be preserved
19 | in such a state that we can continue to hunt and live as
20 | hunters on this land.

21 | Now, we recognize that our cultures are changing and
22 | that in the future our use of the land may change, and
23 | that these changes of land use may imply some of the
24 | activities which the Euro-Canadians designate or call by
25 | the term "development". But we must demand that the
26 | development of our own culture and the changes occurring
27 | in our society must be in the control of our own people.
28 | And to the extent that these cultural and social changes
29 | lead to changes in our own use of the land, these changes
30 | in the land use patterns entailing technological

1 | developments Wand the extraction of non-renewable
2 | resources must also be in our control.

3 | Today, times have changed
4 | rapidly for the bad of our people. It appears that we,
5 | the Indian people, have suffered the most in our,
6 | helplessness in making way and watching indiscriminate
7 | and uncontrolled industrial ventures such as mining,
8 | hydroelectric projects, pulp and paper forest industries
9 | begin to destroy our homeland and which have already
10 | left the lives of many of our Indian families in ruins.

11 | The Federal Government,
12 | Provincial Governments, large corporations, big
13 | business interests, plan to introduce industrial
14 | developments in the north which will, open up the north
15 | and consequently exploit our people of their valuable
16 | resource, and even destroy it. However, these
17 | developers, in their strange ways and wisdoms, say that
18 | the social impacts will be "very minimal". They view
19 | the north as a vast barren wilderness in whose
20 | watersheds, on whose continental shelf, and within
21 | whose frozen rock lies the answers to the troubled
22 | economy of the south.

23 | Our request is to put forth
24 | recommendations through you to the Federal Government
25 | in the hope that careful consideration of our
26 | recommendations will lead to immediate action.

27 | (1) That the recent announcement by the Minister of
28 | Indian Affairs & Northern Development that native
29 | people be hired as environmental inspectors/specialists
30 | of somewhere in the neighborhood of 60 to 70, be

1 | implemented immediately, and that these inspectors be
2 | distributed right across the country. These native
3 | environmental inspectors should be recruited today from
4 | across the country to ensure an early start in their
5 | respective jobs.

6 | (2) A National Regulatory Council on Natural Resources
7 | should be set up immediately headed by native Indian
8 | and Inuit with specialists in environmental fields
9 | assisting, This National Regulatory Council on Natural
10 | Resources should have duties to:

11 | (a) Issue, renew and/or veto permits for industrial
12 | exploratory projects;

13 | (b) Propose suitable legislation in relation to
14 | industrial explorations in order to minimize and even
15 | extinguish possible environmental damages on natural
16 | resources of the north;

17 | (c) Carry out environmental studies to assess possible
18 | abnormalities, changes and/or damages of the natural
19 | habitat of the north;

20 | (d) Be responsible for the native environmental
21 | inspectors in the direction of their duties,. and
22 | ensuring that these inspectors keep regular
23 | liaison between them, the council, and industrial
24 | developers,

25 | (3) Lastly, the end result of any land claims issue is
26 | an agreement between parties (Federal Government,
27 | native people) that an understanding has developed on
28 | the issue of aboriginal rights of native Inuit/Indian
29 | people. The most important thing that Indian/Inuit
30 | people are seeking is to manage and control their own

1 | affairs, and be independent once again.

2 | It would appear that when
3 | finally the outstanding land claims issues are settled
4 | (not extinguished), Indian/Inuit people will finally take
5 | control of their affairs. We recommend that a Management
6 | Training Program be established immediately so that when
7 | the land claims issues are settled (not extinguished),
8 | native Inuit/Indians will have their own people to manage
9 | their own affairs. If this is not carried out, who
10 | benefits?

11 | Mr. Berger, in those three
12 | recommendations we have attempted, through you, to make
13 | our views known in government corridors, and to urge
14 | their implementation immediately.

15 | Just remember, many, times
16 | the clouds drop tears on the ground, then the flowers
17 | grow, and every tree is green once more. The sun comes
18 | in the morning and the animals do their part to sleep,
19 | to kill and to survive. Because the animals of the
20 | north cannot fight to save themselves of the plans of
21 | the white man, now it's our turn to save them.

22 | Thank you.

23 | (SUBMISSION BY NASKAPI-MONTAGNAIS INNU ASSOCIATION OR
24 | LABRADOR - R. GREGOIRE MARKED EXHIBIT C-612)

25 | (WITNESS ASIDE)

26 | MR. WADDELL: Mr.

27 | Commissioner, the next brief is from Halifax, the
28 | Halifax Federation of Naturalists to be given by Mr.
29 | Paul Keddy. That's K-E-D-D-Y. Mr. Keddy?

30 |

1 PAUL KEDDY sworn:

2 THE WITNESS: My name is Paul
3 Keddy, and I'm representing the Halifax Field Naturalists.
4 Nova Scotia isn't yet big enough to support a Federation of
5 Naturalists.

6 It's a pleasure to be able to
7 speak before your Commission. As we see it, the
8 Mackenzie Valley Pipeline situation the crucial
9 questions regarding native rights, land use policies,
10 as well as things such as government responsibility to
11 citizens, and the role of big business in our society.

12 Now, an earlier speaker has
13 mentioned that southerners have always been using the
14 term "northern development" to justify one harebrained
15 scheme or another, and it seems to me that one of the
16 representatives from industry this afternoon provides a
17 perfect example of that.

18 Sir, it seems to me to be
19 exactly the same problem that has been repeatedly
20 emphasized, that southerners only see the north as an
21 area to exploit for their own benefit, Again I'll
22 overturn that important question that's already been
23 raised several times today: "What about the
24 northerners?"

25 We accept down south that you
26 can't come over into my back yard, bulldoze it and make
27 a profit out of it without the law stepping in. But
28 it doesn't seem the same
29 rules at all apply in the north.

30 Now I would like to deal with

1 | three areas, in our particular brief. This, by the
2 | way, is the official representation of the Halifax
3 | Field Naturalists, this is their official opinion on
4 | the pipeline. I'd like to deal with government
5 | responsibility just briefly; the Arctic environment,
6 | which I'm sure you have already heard a great deal
7 | about; and native rights,

8 | On the topic of government
9 | responsibility, we would emphasize that responsible
10 | government is a Canadian right. Decisions relating to
11 | northern affairs must no longer rest with only a few
12 | civil servants and the resource extraction industries.

13 | Thus far, the almost total
14 | lack of concern shown by the Federal Government over
15 | native rights and northern environment is simply
16 | nothing short of scandalous. Time after time whether
17 | it was the starting of the Mackenzie Valley Highway or
18 | the beginning of oil drilling in the Beaufort Sea, the
19 | Federal Government has demonstrated a virtually
20 | complete abdication of responsibility.

21 | Open, free, above-board
22 | discussion and public input must be a high priority of
23 | the Federal Government, We see your Commission as a
24 | step in the right direction; but at the same time we
25 | are aware that the Federal Government says it may go
26 | ahead with the project even before your Commission
27 | completes its report.

28 | On the topic of protecting
29 | the northern environment, I will be brief. We are
30 | certain your honor has heard repeatedly about the

1 | threat of northern development to the delicate balance
2 | of nature in the Arctic. We wish to register our
3 | concern here as well. But there are several points
4 | relating to this that may not have been adequately
5 | emphasized in previous hearings.

6 | The first is that Canada's
7 | north is a part of our heritage as Canadians; it is an
8 | integral part of the Canadian culture. Now many
9 | Canadians will never see a seal, they will never see a
10 | polar bear, or a caribou, but they'll derive pleasure
11 | from these animals merely by knowing that they continue
12 | to roam free in our north. If these animals decline,
13 | we as Canadians will have lost a little of ourselves.

14 | As well, Canada has global
15 | wildlife responsibilities. People around the world
16 | know of our northern animals. Do we as Canadians have
17 | a right to threaten a wildlife heritage which is global
18 | in its importance?

19 | The International Biological
20 | Program Ecological Reserves in Canada's north are
21 | perfect examples of ecosystems which are of
22 | international significance. They were identified under
23 | United Nations sponsored program. Yet we understand
24 | that three such reserves would be violated by the
25 | proposed pipeline.

26 | Many species of birds which
27 | breed in Canada's north and range throughout the New
28 | World during the rest of the year. Now according to a
29 | study done by the Institute for Northern Studies at the
30 | University of Saskatchewan, Saskatchewan residents

1 estimate that migratory birds provide them with some
2 \$222 million worth of recreational benefits annually.
3 Now this is a result of a study involving 12,000 people
4 randomly selected from the Saskatchewan population, and
5 they were asked to --

6 THE COMMISSIONER: Excuse me,
7 do you want to go back to the beginning of that thought
8 again where you brought the figures in?

9 A O.K. This is a study
10 done by the Institute for Northern Studies, which is a
11 part of the University of Saskatchewan,

12 Q Yes.

13 A It was a study
14 contracted by the Canadian Wildlife Service to attempt
15 to evaluate the monetary value of migratory birds to
16 Southern Canadians, and the study was carried out only
17 in Saskatchewan, and the results of this survey showed
18 that Saskatchewan residents estimate migratory birds
19 provide them with some \$222 million worth of
20 recreational benefits annually.

21 Q That's Just Saskatchewan
22 hunters and photographers and so forth, is that it?

23 A Right, in fact I believe
24 the figure is only 7% of this. money came from actual
25 hunting, and the rest was from non-consumptive use of
26 the wildlife.

27 Q And I don't want to
28 detain you, but was there any apportionment of the
29 migratory bird population that they attributed these
30 values to, was there any apportionment of the bird

1 | population to the Mackenzie Valley flyway and other
2 | flyways, or was it mostly Mackenzie Valley, or do you
3 | know?

4 | A No, I'm not aware of it,
5 | it was just migratory birds and as you are no doubt
6 | aware, only a certain proportion of them will, of
7 | course, come from the Mackenzie Valley; but I cite this
8 | as an example of the sort of value people do place on
9 | wildlife.

10 | Q Oh yes, it's very
11 | interesting, very interesting. Well, carry on.

12 | A O.K. One more thing you
13 | can draw from that, if you don't mind a little bit of
14 | approximation. If you assume that Saskatchewan has a
15 | population of approximately one million people, then
16 | for a very rough estimate of the total Canadian benefit
17 | from migratory birds we can multiply by 20, 20 million
18 | Canadians. Now this gives us a figure of 4 1/2 billion
19 | dollars worth of benefits from migratory birds per
20 | annum. Now although this is only an approximation, it
21 | should serve to indicate the very real importance of
22 | migratory birds to Canadians. We might add that such a
23 | figure is an under-estimate, as 6% of those polled
24 | in the Saskatchewan study said that the value of
25 | birds was simply too great to be expressed in monetary
26 | terms.

27 | While the gas line applicants
28 | have assured us that there will be minimal wildlife
29 | impact, we just remain unconvinced. We know of no
30 | project on this scale which has ever avoided serious

1 Canada's northern peoples
2 have a right to their land and their values, and this
3 includes the right to say, "No" to development.

4 In concluding, we would draw
5 your attention to evidence that the pipeline is not the
6 best answer to current energy problems. I realize this
7 overlaps somewhat with National Energy Board hearings,
8 but as you mentioned earlier, typical.

9 We point to merely ending our
10 exports of natural gas would delay for some years the
11 alleged need for such a pipeline. As well, experts
12 tell us that conservation could cut our energy needs in
13 half without any appreciable change in our standard of
14 living. We would remind you as well that only a few
15 years ago the oil companies assured us that we had
16 enough oil to last over hundreds of years; now they
17 suddenly tell us that we must have rapid development of
18 our north or we will face severe hardships. In light
19 of the accuracy of their first prediction, we seriously
20 question their present assurances that only the
21 Mackenzie Valley Pipeline can now avert disastrous
22 shortages. Is the Canadian public again being misled?

23 When one considers this
24 proposed expenditure of billions of dollars, we
25 seriously wonder whether the money would not be better
26 spent on research into alternative forms of energy
27 rather than merely purchasing a few more years of
28 fossil fuels. These few years of fossil fuel could be
29 bought tragically at the expense of our Arctic
30 environment, and the native peoples which depend upon

1 | it, in spite of the fact that far more acceptable
2 | energy sources re or will soon be available.

3 | In short, your honor we
4 | believe that at very best the Mackenzie Valley Pipeline
5 | can only delay by a few years the day of reckoning for
6 | our conventional energy supplies, at very best. Now at
7 | worst, it could further delay our search for low impact
8 | energy alternatives, and begin the irrevocable
9 | destruction of Canada's great north and her indigenous
10 | peoples. We ask you to carry our concerns to the
11 | Federal Government, and thank you for this opportunity
12 | to speak.

13 | THE COMMISSIONER: Thank you,
14 | sir.

15 | (SUBMISSION BY HALIFAX FIELD NATURALISTS - P. KEDDY -
16 | MARKED EXHIBIT C-613)

17 | (WITNESS ASIDE)

18 | MR. WADDELL: Mr.
19 | Commissioner, I'm going to call next the brief that
20 | appears on our list as the Catholic Social Services
21 | Commission, Mike Marentette. Instead, it's the Roman
22 | Catholic Archdiocese of Halifax and the brief will be
23 | given by Monseigneur Colin Campbell. Mr. Campbell?
24 | This, sir, will consist of some slides.

25 |

26 | COLIN CAMPBELL, sworn:

27 | THE WITNESS: Sir, we have a
28 | short introduction, which was prepared by Mr.
29 | Marentette, and then the slide presentation, if you
30 | will,

1 THE COMMISSIONER: Fine.

2 THE WITNESS: This is the
3 statement of the Roman Catholic Archdiocese of Halifax.

4 As Catholics of the
5 Archdiocese of Halifax, we have recently experienced an
6 extended period of study and reflection of some of the
7 contemporary dilemmas of social injustice. The dignity
8 of life, the distribution of wealth and resources,
9 housing, education and church reform have all been
10 examined with our Bishop's Holy Year Statement on
11 Social Justice acting as our guide. As a result there
12 is a greater overall awareness among our people of
13 injustice in our society.

14 As Christians, we know that
15 there is much more involved in northern development than
16 economic issues for Canada. There are social,
17 historical, cultural, philosophical, moral and
18 theological values at stake. These should all be
19 carefully examined before final decisions are made on the
20 matter.

21 It is not the purpose of this
22 statement to make a detailed analysis of the issues
23 involved in the pipeline proposals. We have neither
24 the expertise nor the acute awareness to do this for
25 the specific issues involved.

26 However, we wish to align
27 ourselves with the clear and thoughtful statement made
28 by the Catholic Bishops of Canada in their Labor Day
29 Statement of 1975,

30 "Northern Development: At What Cost?"

1 We enclose copies of our
2 Bishop's Statement on Social Justice (the red booklet)
3 and the Canadian Bishops' Statement for you, and with
4 your permission we would like to make this audio-visual
5 presentation based on the Canadian Bishops' Statement.
6 We wish to thank you for hearing our presentation.
7 Archbishop Hayes would have been here, but he is out of
8 town for this presentation.

9 Thank you very much.

10 (SLIDE PRESENTATION SHOWN)

11 (WITNESS ASIDE)

12 MR. WADDELL: Mr.

13 Commissioner, the next brief is from Mr. Al Herfst from
14 the Dalhousie Law School. Is Joyce Draper, the
15 Anglican Church of Women here?

16 This gentleman has been sworn
17 in, Mr. Berger, I've been asked to request that if
18 there are any people here tonight that are giving
19 briefs this evening and have copies of these briefs and
20 haven't already given them to us, would they please
21 make sure that Miss Crosby, who is at the door, gets a
22 copy of those briefs?

23 THE COMMISSIONER: Yes sir?

24

25

26 AL HEREST , sworn:

27 THE WITNESS: Mr. Chairman,

28 I'm a law student at Dalhousie University and my
29 interest in the north develops from being a former
30 resident of the Territories. I lived there for

1 approximately three years and throughout my under-
2 graduate work have continued a very active interest in
3 the north.

4 The primary purpose of this
5 brief is essentially to establish from a legal viewpoint
6 that the Inuit have a legally enforceable interest in
7 the land in the Northwest Territories and many of the
8 arguments that are presented in the brief will also
9 apply to the Dene or the Indian people of the remainder
10 of the Northwest Territories,

11 THE COMMISSIONER: Mr.
12 Herfst, where were you in the Northwest Territories?

13 A Inuvik and Yellowknife.

14 Q And were you with the
15 R.C.M.P.?

16 A I was, yes.

17 Q And now you're going to
18 become a lawyer?

19 A That's correct, yes.

20 Q Carry on.

21 A I don't intend to read
22 the brief, as it runs some 50 pages, but I'll just
23 attempt a very rapid summary of it.

24 Essentially the evidence that
25 it draws on is the early recognition of aboriginal
26 rights by the colonizing nations in fact the history
27 for the legal basis of aboriginal rights dates back as
28 early as 1532 when it was espoused by a Spanish
29 theologian by the name of Francisco de Victoria. Since
30 that time pretty well all of the colonizing nations

1 | have a fair amount of jurisdiction writing that the
2 | natives do in fact have some valid legal land claims.

3 | This wasn't simply
4 | philosophizing on their part because it was very rapidly
5 | put into practice by the various colonizing nations in
6 | different aspects. The Swedes, the Dutch, the Belgians,
7 | the Spanish, the Portuguese, the Italians, Germans,
8 | French, and Britain, all of these nations while they were
9 | colonizing, recognized various degrees of native land
10 | rights. Written practices outside of North America in
11 | such divers places as Rhodesia, New Zealand, Fiji, New
12 | Guinea, Bechuanaland, Nigeria, Lagos, and the British
13 | position essentially was that when colonization took
14 | place the Crown essentially got the ultimate title, but
15 | that was all that -- they only took the sovereignty but
16 | the natives still maintained some form of equitable
17 | interest in the land. That varied from place to place.
18 | Often it was often it took the form of what in legal
19 | terminology would be referred to as the usufructory right
20 | which was essentially a right of use of the land based on
21 | their use from time immemorial,

22 | The British have also
23 | consistently recognized that there was it was necessary
24 | to extinguish this right if the land was going to be
25 | put to a use inconsistent with the native use of that
26 | land.

27 | In the United States the,
28 | pattern of development there was very, very similar to
29 | that in Canada, and the Supreme Court of the United
30 | States as early as 1835 in a leading case of Mitchell

1 | vs The United States recognized that well, a very
2 | short quote essentially sums up their whole
3 | judgment.

4 | "Their right of occupancy is as sacred as a fee
5 | simple of the whites."

6 | The Canadian situation is
7 | somewhat parallel to that, The British colonial policy
8 | in North America has been documented as far back as
9 | 1629 where these rights were recognized in various
10 | documents. Despite that the Royal Proclamation of 1763
11 | is usually considered the starting point for any
12 | discussion on native rights. This Proclamation as I
13 | 'in sure you're aware, this Proclamation was
14 | essentially a reorganization of the British colonies in
15 | North America at that time.

16 | But in addition to that it
17 | also proclaimed the British policy in regards to future
18 | development vis-a-vis the native people.

19 | Q It was the B.N.A. Act of
20 | a century before really, wasn't it?

21 | A That's correct, yes. If
22 | I may interject here too, this paper is primarily
23 | directed towards the Inuit land claims and most of the
24 | early references and documents are to Indians.
25 | However, it has been decided both by the Supreme Court
26 | and documented historically that this also refers to
27 | the Inuit people because at one time they were all
28 | lumped together as so-called Indians.

29 | The Royal Proclamation in
30 | essence declared that the land west of the Alleghany

1 Mountains, which is the ridge of mountains just several
2 hundred miles inland from the Atlantic ocean, that all
3 land west of that except that land that the Hudson Bay
4 Company controlled was all reserved to the Indians It
5 also stated that the land could only be ceded to the
6 Crown or purchased by the Crown in proper legal
7 fashion.

8 Legally the development
9 before the Courts in Canada has led to two areas of
10 debate or two areas of doubt in regards to the
11 Proclamation, and one was the geographic limitations of
12 the declaration. In other words, did it apply to B.C.,
13 the remoter areas of Canada, because the argument goes
14 that that was considered terra incognita, in other
15 words territory that was unknown and consequently the
16 Proclamation could not apply to it.

17 The second argument is
18 essentially that whether or not this statement was the
19 sole source of aboriginal rights, or whether it was in
20 fact declaratory of a right which had always existed
21 and always implicitly therefore been recognized by
22 British law, The geographic limits argument was
23 discussed in two recent cases. One was re Paulete and
24 the Registrar of Titles in the Northwest Territories.
25 The case in which a caveat was placed on all land
26 encompassed by Treaties 8 and 11, in other words all of
27 the Mackenzie Valley Delta, the Mackenzie Valley
28 essentially with the exception of the delta region

29 The other case which you're
30 extremely familiar with, of course, is the Calder

1 decision in which the Court - the Supreme Court of
2 Canada split evenly on whether or not the Royal
3 Proclamation applied to the Nishga tribes in B.C. It's
4 interesting to note there too that the majority there
5 relied on Regina v Sikyea, which applied the incognito
6 argument, although that case did no historical analysis
7 and the Paulette decision handed down by Judge Morrow
8 in the Northwest Territories can strongly refute that
9 because he did a very very thorough historical
10 analysis, as did the so-called minority opinion in the
11 Calder decision.

12 Without going into extensive
13 detail, I think it's fairly safe to conclude that as
14 far as this aspect of the argument goes is that the
15 Courts are leaning towards the concept or the doctrine
16 that the geographic limits of the Proclamation are in
17 effect non-existent, that the Proclamation does apply
18 to all of Canada.

19 The second argument, the
20 secondary problem is that the Declaration, whether or
21 not it is the sole source; of course if it is the sole
22 source of right, of the native land rights, the
23 argument that I have just mentioned, the Territorial.
24 argument would become irrelevant because if it was
25 declaratory of British policy or British law that was
26 in existence at all times, it would be irrelevant that
27 the Royal Proclamation did not apply to a given area of
28 Canada because nevertheless that area would still be
29 covered by the fact that it had always been part of
30 British policy to recognize native land claims.

1 Once again I think it's
2 fairly safe, without going into any detail here, I
3 think it's fairly safe to say that once again the
4 Courts are leaning towards the position that the Royal
5 Proclamation was in fact declaratory of rights rather
6 than being a sole source,

7 Q Rights that had their
8 origin in aboriginal use and occupation.

9 A That's correct, yes.

10 Q Not in the Proclamation,

11 A That's right, not in the
12 Proclamation itself. So they in effect exist entirely
13 independent of the Proclamation and therefore are not
14 restricted by it.

15 In following this, the
16 government has itself recognized consistently the
17 rights in various statements. I think one of the most
18 striking recognition of this is the government's need
19 to consistently enter into treaties one after the
20 other, I think it's, you know, fairly obvious to say
21 that if the natives had no rights, why did the
22 government feel it necessary to enter into these
23 treaties?

24 If I can quote a very short
25 passage from the Calder case where Mr. Justice Hall
26 speaks about this. It's on page 27 of the brief. He
27 says:

28 "Surely the Canadian treaties, made with much
29 solemnity on behalf of the Crown, were intended
30 to extinguish the Indian title. What other pur-

1 pose did they serve? If they were not intended
2 to extinguish the Indian right, they were a
3 gross fraud, and that is not to be assumed."

4 In other words, he's saying
5 that these treaties are in fact a recognition of land
6 rights. In addition to that there are a number of
7 Statutory recognitions one after the other. If I can
8 just quote from one very, very short passage, it's from
9 an Act for the Settlement of Certain Questions between
10 the Government of Canada and Ontario respecting Indian
11 Reserve lands. This was a Federal Statute, it's on
12 page 89 of the brief, and there one phrase says:

13 "And whereas except as to such reserves, the
14 said territories were by the said treaties
15 freed...of the burden of Indian rights."

16 In other words, they
17 recognize that some form of extinguishment, that these
18 rights existed and that some form of extinguishment
19 must take place before they are to develop their land
20 in any manner.

21 Applying this to the Inuit
22 areas, one should first point out that the Inuit have
23 never signed any treaties of any sort. There was one
24 very, very minor exception to that, apparently a very
25 remote treaty and hardly heard of was one signed by the
26 Inuit in Labrador long, long ago, and it was only in
27 regards to a very small area; but other than that the
28 Inuit have not at any time signed any treaties. They
29 have not the government, on the other hand, has also
30 not made any unilateral declarations which stated that

1 | these rights were to be terminated and therefore the
2 | only logical conclusion that one can come to is that
3 | these rights do exist and still exist.

4 | As far as the relevance to
5 | this Inquiry goes, I think this can be summed up very,
6 | very briefly in two points. The first is that the
7 | proposal put forward by the Inuit a month or two ago,
8 | the proposal entitled: "Nunavut", in that proposal the
9 | Inuit Tapirisat, speaking for the Inuit stated that
10 | they would prefer to negotiate their land claims rather
11 | than to take Court action, and I feel very strongly
12 | that a decision to build a pipeline would take away,
13 | essentially the government incentive to negotiate the
14 | claims quickly and adequately to the satisfaction of
15 | the Inuit people.

16 | In addition to that, if the
17 | pipeline is built without resolving these land claims
18 | first, the Courts may easily decide somewhere down the
19 | road that this land that the pipeline was essentially
20 | built on land which was not owned by the people who
21 | build the pipeline, which would be akin to building a
22 | house on land that one does not own, and the
23 | ramifications for that, I think, would prove to be
24 | extremely embarrassing for both the government and the
25 | pipeline companies.

26 | I would submit in conclusion
27 | that I feel very strongly that on a subjective basis
28 | that the Inuit residents and the Dene people of the
29 | Northwest Territories have a very valid legal claim as
30 | well as a moral claim, and that that claim must be

1 | settled prior to anything proceeding on a pipeline.

2 | Thank you.

3 | (WITNESS ASIDE)

4 | THE COMMISSIONER: I think I
5 | should say that Mr. Herest's brief is one that will be
6 | circulated to counsel for all of the parties at the
7 | Inquiry, in particular Mr. Bayly, who is counsel for
8 | the Inuit of the Mackenzie Delta and Mr. Bell, counsel
9 | for the Indian and Metis people, and they may find that
10 | of use to them.

11 | Thank you, Mr. Herest. I'll
12 | send a copy to Judge Morrow. He isn't in the Northwest
13 | Territories any longer, but I'm sure he'll be
14 | interested in perusing it. Well, I think that's enough
15 | briefs for this afternoon, Mr. Waddell.

16 | MR. WADDELL: Yes, Mr.
17 | Commissioner. I have a brief here from Mr. Wendell
18 | Poole, P-O-O-L-E. Mr. Poole is from Truro, and I'd
19 | like to file that brief with you so that you can read
20 | it.

21 | (SUBMISSION OF W. POOLE MARKED EXHIBIT C-614)

22 | We had one other brief on our
23 | list, the Coalition for Development, and I wonder if we
24 | could deal with that brief first thing this evening at
25 | 8 o'clock?

26 | Now Mr. Roland may have some
27 | of the participants, I think three of them want to
28 | comment,

29 | MR. ROLAND: Yes sir, as I
30 | indicated at the opening of the hearing this afternoon,

1 | our procedural rules permit each of the two pipeline
2 | companies as well as the major participants to respond
3 | to submissions heard this afternoon for a period not
4 | exceeding two minutes. It has been indicated to me
5 | that --sorry, not exceeding ten minutes. It has been
6 | indicated to me that Mr. John Ellwood, Supervisor
7 | of Socio-Economic Affairs of Foothills Pipe Lines Ltd.
8 | wishes to exercise that right.

9 | THE COMMISSIONER: If it's
10 | Mr. John Ellwood, I'll hear him.

11 | JOHN ELLWOOD resumed:

12 | THE WITNESS: Mr.
13 | Commissioner, for Mr. Roland's sake, I'll try to keep
14 | this within two minutes.

15 | I'd like to take just a few
16 | minutes to respond to some of the matters raised this
17 | afternoon, in particular I would like to respond to Mr.
18 | Rohmer's brief advocating what is sometimes known' as
19 | the Y-line. All of the questions related to this
20 | route, which need answers, cannot be dealt with here.
21 | But there are two major issues which come to my mind and
22 | which I would like to mention.

23 | As you know, our company is
24 | currently advancing the Fairbanks-Alaska Highway route
25 | as the most appropriate way to move Prudhoe Bay gas
26 | to the markets in the lower 48. We have opted for
27 | this route for a number of reasons, including the
28 | following:

29 | · A pipeline across the North Slope of Alaska and
30 | the Yukon would pass through the Arctic Wildlife Range

1 | in Alaska as well as the proposed expansion of this
2 | wilderness area to include portions of the Northern
3 | Yukon. What the impact of a natural gas pipeline and
4 | energy corridor through one of North America's last
5 | great wilderness areas is a matter which you will have
6 | to determine; but we place great emphasis on the impact
7 | of the first intrusion into such areas. The Fairbanks
8 | corridor which we are proposing avoids the necessity of
9 | crossing the Wildlife Range by following along the
10 | existing Alyeska Oil Pipeline route from Prudhoe Bay to
11 | the Fairbanks area, and then following along the route
12 | of the Alaska Highway through the Yukon and into
13 | British Columbia and Alberta.

14 | · The second point that I would like to mention
15 | arises from the fact that our construction staff and
16 | consultants are now of the opinion that it is not
17 | practical to construct a pipeline across the North
18 | Slope or in the Mackenzie Delta area during the
19 | wintertime, due to the extreme cold, the wind, and the
20 | darkness which prevail there during the winter season.
21 | As a result, we have recently announced our intention
22 | to construct the northern 500 miles of our proposed
23 | pipeline system in the summertime by first constructing
24 | a gravel pad to protect the permafrost. It is our
25 | submission, Mr. Commissioner, that any pipeline across
26 | the North Slope will also require a gravel road. This
27 | requirement adds to both the cost and the environmental
28 | impact and in our view makes any pipeline proposal
29 | across the North Slope unattractive.

30 | · Another key element in our proposal to construct a

1 | pipeline both in the Mackenzie Valley and along the
2 | Fairbanks corridor is the use of spare capacity in
3 | existing pipeline systems in Southern Canada. The
4 | network of natural gas pipelines in Canada extends from
5 | Montreal to Northwestern Alberta, and from Vancouver to
6 | the southern parts of the Yukon and the Northwest
7 | Territories. As the existing gas reserves in Alberta
8 | begin to decline, as they inevitably must, the spare
9 | capacity in these pipelines would be put to work under
10 | our proposal to carry gas from the Arctic, thus
11 | avoiding the construction of new pipelines in other
12 | parts of the country. The proposal which Mr. Rohmer
13 | put before you this afternoon would involve many
14 | thousands of miles of pipeline across a land which up
15 | till now has not been opened up by roads, pipelines, or
16 | to other transportation systems -and at a much higher
17 | cost to all Canadians than would be require if we
18 | followed the existing transportation and energy
19 | corridors as closely as possible.

20 | Thank you.

21 | (WITNESS ASIDE)

22 | MR. ROLAND: Sir, counsel for
23 | Canadian Arctic Gas Pipeline Limited have also
24 | indicated to me that Mr. Bud Hollands, general manager
25 | of employee relations and public affairs, will exercise
26 | the right to respond for a period not exceeding ten
27 | minutes.

28 |

29 | BUD HOLLANDS resumed:

30 | THE WITNESS: Mr.

1 Commissioner, as you are well aware, we are not always
2 in agreement with our friends from Foothills, but we'd
3 like, too, to respond very briefly to Mr. Rohmer's
4 paper this afternoon.

5 As you stated, the question
6 of alternative pipeline routes and configurations is a
7 matter to be considered by the National Energy Board
8 during its Mackenzie Valley Pipeline hearings, and Mr.
9 Rohmer's suggested proposal may be considered by the
10 Board at that time.

11 As I will discuss in a few
12 minutes, we fully agree with Mr. Rohmer's assumption
13 that Canadian and United States markets require access
14 to new frontier supplies of natural gas, and in that
15 respect we're in agreement with Mr. Rohmer.

16 Some of the comments I'm
17 going to make, Mr. Berger, you've heard at previous
18 southern hearings as expressed by either Mr. Horte or
19 Mr. Wilder. We think that they bear repeating here in
20 a sum-Sup fashion. Any project or any development in
21 the north, it seems to me, must recognize the
22 aspirations and the concerns of northerners and do
23 everything possible to see that these are met. But it
24 cannot do so, sir, without having regard to the
25 aspirations and concerns of the whole nation.

26 What are these concerns?

27 1. Land claims and the native people of the north.
28 Arctic Gas has repeatedly and public encouraged an
29 equitable and just settlement of native land claims at
30 the earliest possible date, This must be settled, in

1 | our opinion, whether a pipeline is built or whether a
2 | pipeline is not built, The Indians and Metis of the
3 | Northwest Territories plan to complete their proposal
4 | and submit it to the Federal Government this year.
5 | With all parties acting in good faith, it. should be
6 | possible to reach a settlement promptly before
7 | construction of a pipeline.

8 | 2. Energy options and moratoriums have also been
9 | discussed considerably and I would like to comment
10 | on these issues. Let us first look at the energy
11 | options. Conservation must be practiced. We can
12 | reduce the rate of growth in our energy consumption
13 | but we cannot reduce our total consumption. The
14 | fact is that our population is growing in Canada.
15 | The fact is that our labor force is' growing. The
16 | fact is that the number of people wanting their own
17 | homes in Canada is growing. This growth is not
18 | based on excessive lifestyles. It is based on
19 | population statistics.

20 | I can only conclude that
21 | conservation is necessary but it is not an alternative
22 | to the development of additional domestic energy, nor
23 | to our pipeline proposal.

24 | Second, we have been very
25 | impressed by the popularity of renewable energy as
26 | shown in your hearing by a number of speakers. Solar
27 | and wind power will be harnessed some day and we
28 | believe that Canada can benefit from further research,
29 | The fact remains, however, that these forms of energy
30 | are not at this point financially attractive nor are

1 | they feasible for widespread application. Their use
2 | will increase gradually, but again they are no
3 | alternative at this time to conventional energy, nor to
4 | a pipeline.

5 | 3. You have been told by some that Canada should
6 | curtail existing authorized gas exports. Yet the
7 | National Energy Board has shown in its 1975 report that
8 | this would buy very little extra time for gas users.
9 | It is not a 10-year alternative, and regardless of
10 | timing, it is not an action to be taken lightly.

11 | From the foregoing there
12 | should be little doubt as to our views on proposals for
13 | delaying the transportation of Mackenzie Delta gasp and
14 | I would like to make two points in this regard.

15 | First, surely those who
16 | recommend a moratorium are not suggesting that
17 | unemployment and welfare in the north should be
18 | maintained for ten years. Surely they are not
19 | suggesting that the hundreds of northern citizens now
20 | employed directly and indirectly in the industry be put
21 | on a 10-year unemployment program. We know they don't
22 | intend this but these are two obvious consequences.

23 | I'd like to speak very
24 | briefly with what is happening in employment in the
25 | north insofar as the petroleum and natural gas
26 | transmission industries are concerned. As you know,
27 | you had a submission before you in Yellowknife by the
28 | Nortran group, and the Nortran group, I might explain,
29 | is a northern training program, it's a program that's
30 | Sponsored by three petroleum companies, two pipeline

1 | companies, an interestingly enough the two applicants,
2 | Foothills and Canadian Arctic Gas. It is a program to
3 | offer permanent type employment where people can be
4 | trained to the technician and higher levels in both
5 | pipeline operations, in transportation and in producing
6 | operations in the drilling area.

7 | In speaking of drilling just
8 | for a moment, in the '74-'75 season in the drilling
9 | season in the Mackenzie Delta, there were some 750
10 | employments, the majority of which were northern native
11 | people. The Nortran program that I spoke of employs
12 | 200 -- I'm sorry, has had in training some 200 people
13 | in the five years since the program has, been in place,
14 | and these individuals have been trained in not only the
15 | Mackenzie Delta but areas as far away as Saskatchewan
16 | and Southern Alberta. There are 100 people currently
17 | in that program.

18 | The point that I want to
19 | emphasize is that there is an interest in employment in
20 | the north, and there is an interest in employment
21 | largely by our own experience with northern native
22 | people. That experience in that five-year period has
23 | indicated to us that these people potential for
24 | advancement that we found in any other area of Canada,
25 | and it's in the interest of our industry to have
26 | people that are resident in the area to work on
27 | such projects in that, it's an economic decision as
28 | opposed to a social one. It just makes good business
29 | sense.

30 | I'd like to turn now to the

1 point relating to conditions in Canada's populated
2 areas. Few people appreciate that more than half of
3 the natural gas consumed in Canada is consumed by
4 industry, and not in our homes. Jobs are also provided
5 by the commercial sector. Industrial and commercial
6 consumption together equal more than 75% of all the
7 natural gas used in Canada today. Although more than
8 two million Canadian homes are serviced by this fuel,
9 they account for only some 25% of gas consumption.
10 Canadians have been urged to moderate their lifestyles
11 so as to use less natural gas. Such savings would
12 relate primarily to residential consumption since much
13 has already been done to conserve gas in the industrial
14 sector.

15 Further industrial gas
16 savings would necessitate a reduction in employment. I
17 do not know how you can ask people to moderate their,
18 right to be employed, Arctic Gas has said that the
19 single most important benefit of the pipeline is in the
20 use of the energy it would transport. Some 75% of the
21 natural gas used today involves the employment of
22 Canadians. If this employment is undermined by
23 inadequate gas supplies, Canada's economic basis erodes
24 to the detriment of all Canadians regardless of where
25 we live or what we believe.

26 Even assuming that our
27 efforts with respect to conservation and alternative
28 uses are effective, we will by 1980 require the import
29 to close to \$3 billion worth of foreign oil, growing to
30 \$5 billion annually by 1985. Let me add that these

1 | trade deficits in oil are of very considerable
2 | importance to Atlantic Canada, These estimates are all
3 | based on the assumption that the price for OPEC oil
4 | stays at its present level. Let us also consider the
5 | situation if OPEC nations chose to cut off these energy
6 | supplies and let me ask those who from an environmental
7 | standpoint

8 | oppose northern energy development just what
9 | consideration they give to the movement of energy by
10 | ship across our oceans as compared to developing energy
11 | supplies in Canada under our own environmental control?

12 | Let also ask, sir, what the
13 | attitude would e of those whose jobs depend on adequate
14 | energy supplies under circumstances of interruption or
15 | pricing completely beyond our control?

16 | In conclusion, Mr. Berger, our
17 | national well-being require that decision to transport
18 | Mackenzie Delta gas be made promptly. Having said that,
19 | it is imperative that northern concerns be met and
20 | resolved, Arctic Gas believes that the pipeline does not
21 | prejudice the future of native peoples and their claims.
22 | We consider that some of the most important evidence
23 | heard in the southern hearings was that given to you in
24 | Montreal by the native and government leaders most
25 | closely involved in the negotiations leading up to the
26 | James Bay Agreement. This testimony raise a very
27 | fundamental question with respect to the relationship
28 | between development and native land claims.

29 | The question is: Could there
30 | be a settlement if there were no pipeline proposal?

1 Thank you for this opportunity, and this being the end
2 of the southern hearings, we look forward to seeing you
3 in Yellowknife. Thank you.

4 THE COMMISSIONER: Mr.
5 Hollands, we're sitting this evening too and you may well
6 decide to take advantage of your right to respond then.
7 So don't waive it now. But just to make sure that you've
8 said everything that you wished to. At the outset you
9 referred to Mr. Rohmer's proposal and said you agreed
10 with Mr. Rohmer that both Canada and the U.S. were badly
11 in need of immediate deliveries of natural gas from
12 Alaska and the delta. Did you intend to say anything
13 further about Mr. Rohm? You said you were in agreement
14 with Mr. Ellwood and I didn't quite know - --

15 A No, what I said, sir, is
16 that we're often in disagreement with our friends from
17 Foothills, but I did have a couple of comments, or at
18 least that's what I intended to reflect with respect to
19 this, the first being that we were, as you just stated,
20 in agreement that both United States and Canada have
21 ready need for access to the frontier, supplies,
22 whether it be in Alaska or Canada; and secondly, that
23 the matter of his proposal as to whether. it not be a
24 Mackenzie Valley Pipeline but another one would be a
25 matter for dealing with the Energy Boar..

26 Q Oh, well thank you.

27 A Thank you.

28 (WETNESS ASIDE)

29 MR. ROLAND: Sir, Mr. Stephen
30 Kakfwi, who is a Director of the Inquiry Program for

1 | the Indian Brotherhood and Metis Association of the
2 | Northwest Territories, wishes to exercise the right to
3 | respond to evidence heard here this afternoon.

4 | I should add, sir, that for
5 | those present -- for the benefit of those present the
6 | Indian Brotherhood and Metis Association of the
7 | Northwest Territories are major participants in our
8 | hearings in Yellowknife.

9 |

10 | STEPHEN KAKFWI resumed:

11 | THE WITNESS; My reason for
12 | wanting to respond came out of listening to this young
13 | lady that made a presentation this afternoon. I got to
14 | thinking about this is where I guess where Canada
15 | really got its start, and that was quite some time
16 | back. She was sort of wondering, like, what have we
17 | really learned since your people first came over and
18 | ran into my people, and how does that reflect the way
19 | you deal with my people today?

20 | If you really feel you've
21 | learned something, then why doesn't it reflect the way
22 | you're dealing with my people today?

23 | Well, I don't know, like the
24 | gentleman making reference to James Bay northern
25 | development and it's the opinion of the Dene people of
26 | the Northwest Territories that the James Bay settlement
27 | was a sell-out. Now that's just a few years ago and
28 | it's still being straightened out, I believe, But that
29 | doesn't tell me anything about you people learning
30 | anything, from when you first came here, and how

1 | different is your policy from 100 years ago? You're
2 | still trying to buy them out, you're trying to buy me
3 | out, you're trying to buy my people out. You set up
4 | Nortran, a training-program for my people. That's all.
5 | Just a P.R. stunt. You think it will look good to have
6 | native people working on your projects, but actually it
7 | doesn't make any difference because you have trained
8 | people down south already. But what it indicates to me
9 | at least is that you're willing to give us 100 jobs and
10 | in turn destroy us as a people.

11 | What we've been saying is
12 | that we don't want to talk about money as far as the
13 | land claims is concerned. What we want to do is just
14 | have some guarantees economically and politically that
15 | we as Dene people will survive.

16 | Now if you've all learned so
17 | much, then how come the Federal Government doesn't
18 | reflect that? If so many of you believe that you
19 | really should change your policies in dealing with
20 | native people, then why isn't it that the Federal
21 | Government reflect that, and why is it more seemingly
22 | operating in the interests of multi-corporations that
23 | are operating in the north right now?

24 | People have sort of been
25 | popping the question at us on and off last year about
26 | the line in the Dene Declaration saying that the Dene,
27 | the Territorial Government, and the Federal Government
28 | is not the government of the Dene. It's just in
29 | reality that's the way it is. But in theory it's just
30 | pretty hard to accept because it doesn't seem like the

1 | government reflects our interest. I was wondering if
2 | you feel it reflects yours?

3 | Even right now today there's
4 | a lot of things happening up north that give me

5 |

6 |

7 |

8 | group of people, then you're going to do it to us
9 | individually. Nortran just seems to be one small part
10 | of it right now. Thank you. (WITNESS ASIDE)

11 | MR. ROUND: Sir that concludes
12 | this afternoon's discussion. I'm told by the Inquiry
13 | projectionist that the movie will be shown at seven
14 | o'clock and the hearings will reconvene at eight o'clock.

15 | THE COMMISSIONER: All right,
16 | ladies and gentlemen, I want to thank you for your
17 | attendance. It's been a long afternoon, but I think
18 | you will agree with me it's been a most worthwhile one,
19 | I seek to learn something from each one of you who
20 | speaks here, whether on your own behalf or for yourself
21 | and others, and because you do have the opportunity at
22 | these hearings to consider all sides because all sides
23 | are represented and all sides get an opportunity to
24 | speak, I hope that just as I'm learning from each one
25 | of you, that you are learning to consider the views of
26 | each other, because it is important that we consider
27 | not only the views of those with whom we agree, but
28 | that we consider the views of those with whom we
29 | disagree, and I think each one of you has had an
30 | opportunity of sharing from those you agree with and

1 | from those you disagree with this afternoon, and I
2 | think that' s a worthwhile way to spend an afternoon,
3 | for you and for me.

4 | We will adjourn until eight
5 | o'clock this evening, and the infamous Inquiry movie
6 | will be shown at seven o'clock.

7 | (PROCEEDINGS ADJOURNED UNTIL 8:00 P.M.)

8 | (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

9 | THE COMMISSIONER: Well,
10 | ladies and gentlemen, I'll call our hearing to order
11 | this evening.

12 | The Mackenzie Valley Pipeline
13 | Inquiry is holding a month-long series of hearings in
14 | the main urban centres of Canada to consider what
15 | people like yourselves have to say about the important
16 | issues that confront us.

17 | We have two companies, two
18 | pipeline companies, Arctic Gas and Foothills Pipe Lines.
19 | Each wants to build a gas pipeline to bring natural gas
20 | from the Arctic Ocean to markets in southern Canada and
21 | the United States. The Arctic Gas project would carry
22 | Alaskan gas from Prudhoe Bay as well as Canadian gas from
23 | the Mackenzie Delta. The Foothills project would carry
24 | Canadian gas from the Mackenzie Delta. The Arctic Gas
25 | project would deliver the Alaskan Gas to the United
26 | States and the Canadian gas to southern Canada. The
27 | Foothills project would simply deliver the Canadian gas
28 | from the Mackenzie Delta to market in southern Canada.

29 | These are both vast projects.
30 | The Arctic Gas project, if it were built, would be the

1 largest undertaking in terms of capital expenditure by
2 private enterprise in the history of the world.

3 The pipeline project doesn't
4 consist simply of a right-of-way; it would entail the
5 construction of hundreds of miles of access roads over
6 the snow and ice. It would entail the employment of
7 6,000 workers north of the 60th Parallel to build the
8 pipeline; 1,200 more workers would be required to build
9 the gas plants in the delta. There would be 98 gravel
10 mining operations required to be established to provide
11 30 million cubic yards of borrow material. There would
12 be 600 river and stream crossings in the Northwest
13 Territories and the Yukon. There would be pipe, men,
14 equipment, and all range of impact in the north.

15 The Government of Canada has
16 laid it down that this Inquiry is not merely to consider
17 the proposed gas pipeline, vast though that project would
18 be. The Government of Canada proceeds on the assumption
19 that if we build a gas pipeline from the Arctic, that an
20 oil pipeline will follow. So that, what we are doing now
21 then is examining an energy corridor that would bring gas
22 and oil from the Arctic to the mid-continent.

23 The job of this Inquiry is to
24 see what the social, environmental and economic
25 consequences would be if we were to build a gas
26 pipeline and establish an energy corridor from the
27 Arctic along the Mackenzie Valley.

28 The National Energy Board has
29 a statutory function. The Board is to consider
30 question relating to gas supply, Canadian gas

1 requirements and export of gas. The Government of
2 Canada with the report of this Inquiry before it and
3 the report of the National Energy Board will then
4 decide whether a gas pipeline is to be built and an
5 energy corridor established.

6 These are questions which
7 those elected to govern must ultimately determine.

8 The job of this Inquiry is to
9 gather the evidence, to find the facts, to enable the
10 Government of Canada to make an informed judgment on
11 these fundamental questions of national policy.

12 We have been holding hearings
13 in the Northwest Territories and the Yukon since March
14 3rd, 1975. That's 15 months ago. We received a
15 multitude of requests from people in southern Canada
16 wishing to be heard about the proposed development,
17 about environmental questions, about native rights, and
18 so we are concluding this evening a month long series
19 of hearings in the main centres of southern Canada.

20 The Inquiry has heard some
21 700 witnesses in northern Canada. The people who live
22 there are white Indian, Metis and Inuit. They have
23 spoken to the Inquiry in 28 towns and settlements,
24 villages and out-posts in English and 6 native
25 languages. They have told us what their own life and
26 their own experience lead them to believe the impact of
27 a gas pipeline and energy corridor will be on the
28 Canadian north. These are questions that all Canadians
29 are concerned about because it is after all our own
30 appetite for oil and gas, our own patterns of energy

1 consumption that have given rise to calls for pipelines
2 to bring fossil fuels from the Arctic to our homes and
3 our factories here in the middle of the continent.

4 So that is why we are here, to
5 listen to you tonight. We have travelling with us, a
6 group of reporters with the CBC, who accompany, the
7 Inquiry wherever it goes in northern Canada and for one
8 hour each evening on CBC radio throughout the Northwest
9 Territories and the Yukon, whenever the Inquiry is
10 sitting, they report to northern peoples on what has been
11 said at the Inquiry that day. They accompanied is in our
12 14 months of travel through the north and they are
13 accompanying us here in our month-long swing through
14 southern Canada, and each evening for an hour in the
15 northern service, they report to northern peoples that
16 you are saying about these questions. These reporters
17 include Whit Fraser who broadcasts in English, Tim
18 Sittichinli who broadcasts in Loucheux, Joe Toby who
19 broadcasts in Dogrib and Chippewyn, Louis Blondin who
20 broadcasts in Slavey, and Abe Okpik who broadcasts in the
21 Eskimo language of the western Arctic.

22 I'll ask Mr. Roland to
23 outline our procedure tonight.

24 MR. ROLAND: Yes sir, a few
25 short comments on our procedure. We have advertised
26 these hearings in newspapers in the Maritimes, requesting
27 persons and organizations interested in making
28 presentations to indicate their desire to' do so to our
29 office in Ottawa. As a result of the number of responses
30 to our advertisement, we scheduled two hearings here in

1 | Halifax, the second one being this evening. Many people
2 | who did not contact our office have approached us
3 | indicating that they wish to make a presentation to the
4 | Inquiry. We have attempted to schedule some of these
5 | people this evening and as you've indicated, this is the
6 | last hearing we've scheduled for southern Canada those
7 | who are not reached this evening, as well as anyone else
8 | may submit a brief in writing to the Mackenzie Valley
9 | Pipeline Inquiry, Yellowknife, Northwest Territories.
10 | There are no formal requirements to which such a
11 | submission must conform. You may simply write a letter
12 | indicating the matters you wish to bring to the Inquiry's
13 | attention.

14 | I should add that, in order
15 | to encourage informality, counsel for the two
16 | applicants and the participants have agreed that there
17 | will be no cross-examination of those making
18 | submissions, unless it is specifically requested. In
19 | place of cross-examination, counsel for each of the
20 | applicants and each of the participants will be allowed
21 | at the conclusion of tonight's session to make a
22 | statement not exceeding 10 minutes about the
23 | submissions that have been heard this evening.

24 | You will notice that persons
25 | making submissions are asked to give their oath or
26 | affirm. This is a practice that the Inquiry has
27 | followed not only in the formal hearings in
28 | Yellowknife, but at community hearings in each of the
29 | communities in the Mackenzie Valley and Delta.

30 | The purpose of the oath or

1 southern Canadians have the right to demand that the
2 northern Canadians give up their lifestyle, make way for
3 us so that we can satisfy our needs for energy. In that
4 context, we question what our real needs are.

5 I think the fundamental point
6 that one has to recognize is that the oil companies by
7 saying "We need a Mackenzie Valley pipeline," or "We
8 need the northern energy sources," are really saying
9 that if we are to maintain our energy wasteful
10 lifestyle, if we in the south are to continue the way
11 that we have been going, if we will not change, then the
12 native people must.

13 Our feeling as southern
14 Canadians is that a responsible reaction is the problem
15 was created by our lifestyle, the solution should be
16 found by us by seeking alternative supplies of energy,
17 by seeking new energy sources, by putting in realistic
18 conservation policies, by cutting our exports to the
19 U.S., not by demanding that the native people suffer all
20 of the burden or the majority of the burden in order
21 that we can have our way and continue wasting energy.

22 Our conclusion is that, since
23 the Federal Government is unwilling or unable to really
24 protect the interest of the native people, that no
25 further land no further development should occur in the
26 north until there is a settlement of the native land
27 claims. It's vital if there is going to be any form of
28 self-determination in the north, that this be done.

29 The recent decision of the
30 Federal Cabinet to allow exploration drilling in the

1 | that it is up to the people of southern Canada to solve
2 | our energy problems without creating new problems for
3 | the people of the north. It is our responsibility to
4 | see that the north is developed .n a way and at a pace
5 | which benefits the people of the north.

6 | Thank you.

7 | THE COMMISSIONER: Thank you
8 | sir.

9 | (WITNESS ASIDE)

10 | MR. WADDELL: Is there a
11 | representative here of the Union of Nova Scotia
12 | Indians?

13 | STANLEY JOHNSON sworn:

14 | THE WITNESS: Stanley

15 | Johnson, vice-president of the Union of Nova Scotia
16 | Indians. After hearing, listening to everybody here
17 | all after noon, I sort of drew a picture in my mind of
18 | our situation here in Nova Scotia which sort of brings
19 | us back 250 years ago.

20 | In 1725, we signed a peace
21 | treaty where we permitted the European powers to go
22 | ahead and start developing our land. We, at that time
23 | were the majority in the province. We had exclusive
24 | hunting and fishing territories in this province, we
25 | had game and fish in abundance, and we put total faith
26 | in agreements that European powers had drawn up for our
27 | signatures. Right to this date, all of our reserve
28 | lands have been sort of taken away from us, not our
29 | reserve lands, but all our lands and all we have left
30 | right now is reserve* lands and our social situation is

1 far below the Canadian standard. Our housing situation
2 is far below the Canadian standard. Economic
3 development has a long ways to go before up to par with
4 the Canadian system. Education, our system is our
5 standards are way below the Canadian standard.

6 Now in the northern areas of
7 the Yukon Territory where land now is sort of untouched,
8 where there's game and fish in perfect abundance, now
9 the European powers are moving in and sort of just
10 because there's oil and gas and natural resources
11 thereto be exploited, they're sort of moving in there to
12 start as if it wants to start working in harmony with)
13 or, hand in hand with the Indian people. If the Indian
14 people don't get any help right now to stop this
15 intrusion without any legal assistance, things are going
16 to end up exactly the same way we are here in Nova
17 Scotia. We are going to be left totally without our
18 hunting territory, our hunting land, and no game, no
19 fish left at all.

20 In our brief, we have five
21 points that we would like to make and I just made --
22 read our statement and I'll conclude.

23 We, the Indian people of Nova
24 Scotia) insist that the Mackenzie Valley pipeline be
25 delayed until:

- 26 1) Every Indian man, woman and child in the Yukon
27 Territory is given ample time to understand the meaning
28 of aboriginal rights
- 29 2) Until the government is willing to negotiate under
30 terms of supporting aboriginal rights and providing

1 | adequate compensation for loss of way of life rather
2 | than negotiating under terms of extinguishment, or of
3 | terminating aboriginal rights.

4 | 3) Until Indian people are guaranteed involvement and
5 | participation in all planning aspects of northern
6 | development and especially the Mackenzie Valley
7 | Pipeline.

8 | 4) Until the government permits the status Indians to
9 | negotiate separately, because of special status granted
10 | through the B.N.A. Act.

11 | 5) Until all Indian lands, hunting and fishing
12 | territories and its resources, fish and game are
13 | protected exclusively for the use of Indian people.

14 | We, the Indian people of Nova
15 | Scotia, are very concerned over the aboriginal rights
16 | and claims of the Yukon Territory because Nova Scotia
17 | too was never ceded to the colonial powers and we
18 | maintain aboriginal claim over the entire province of
19 | Nova Scotia

20 | Thank you, Mr. Berger.

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

23 | (SUBMISSION OF UNION OF NOVA SCOTIA INDIANS - STANLEY
24 | JOHNSON - MARKED EXHIBIT C-616)

25 | (WITNESS ASIDE)

26 | MR. WADDELL: Mr. Commissioner,
27 | I'd call as the next brief, the brief of the Nova Scotia
28 | Federation of Labour and Mr. Gerald Yetman, the president.

29 | GERALD YETMAN, sworn:

30 | THE WITNESS: Mr.

1 | Commissioner. ladies and gentlemen, my name is Gerald
2 | Yetman and I'm the president of the Nova Scotia
3 | Federation of Labour. I would first of all, Mr.
4 | Chairman, on behalf of the 65,000 Nova Scotians we
5 | represent, to extend to you, the members of your group
6 | and particularly the press from out of the area, extend
7 | you a very warm welcome to Nova Scotia. We hope that
8 | you had time in a very busy schedule I know to see some
9 | of the beauty spots if you will of our area and have had
10 | some time to take advantage of our hospitality which we
11 | claim we're well-known for. Having said that, and
12 | extending that invitation to you, I'd like to say that
13 | the person on my right is Mr. Leo McKay, the executive
14 | secretary of the Nova Scotia Federation of Labour.

15 | Mr. Commissioner, the Nova
16 | Scotia Federation of Labour is a federation of all
17 | local unions in the province affiliated to the Canadian
18 | Labour Congress. The Federation is chartered by the
19 | Congress as well.

20 | Our terms of reference and/or
21 | primary jurisdiction are in the field of matters of
22 | concern provincially; however, we are not confined to
23 | that field.

24 | We hasten to point out that
25 | in matters of national nature and concern, we generally
26 | make our views known to the C.L.C. who in turn speak
27 | on these matters on our behalf. Examples of such
28 | concerns are Canada Pension, Unemployment Insurance,
29 | and all federal labour legislation. The executive of
30 | this federation feel that because of the great national

1 | importance of the Mackenzie Valley Pipeline, if we were
2 | to remain-silent and let Congress make all our
3 | representation it may appear to your Commission and to
4 | the public and perhaps as important as well it may
5 | appear to the Federal Government that we have no views
6 | on this subjects such an assumption would be furthest
7 | from the truth, so we are appearing here in this short
8 | presentation, enumerating some of the points we believe
9 | of greatest importance. By so doing, we will not
10 | conflict with any representation made at a later date
11 | by our parent body, the Canadian Labour Congress. The
12 | representation they make will be more comprehensive
13 | than ours and will speak for the Canadian labour
14 | movement.

15 | The long-standing policy of
16 | Congress has been the national ownership of energy
17 | resources and all modes of transmission of that energy.
18 | That fact will probably permeate any proposal,
19 | suggestion,, or recommendation contained in the points
20 | brought out in this submission.

21 | We believe the first matter
22 | to be considered before any steps can be taken toward
23 | development in the Mackenzie Delta region are the
24 | rights of the native peoples and the settlements of
25 | their claim to their satisfaction.

26 | It would appear that cash
27 | settlement or land purchase are not of prime importance
28 | to the native people; it would appear that they are
29 | more interested in having their lands set aside for
30 | their use for future generations without the

1 | encroachment of the age of technology and the
2 | destruction it brings to virgin regions.

3 | We make no effort to list
4 | their claims or to make any or add any, The native
5 | people in Canada today, unlike their forefathers, are
6 | quite able to make their own case for justice and also
7 | unlike their forefathers, they now have the support of
8 | the vast majority of the white man to see that they get
9 | justice this time around.

10 | That puts this federation in
11 | support of their demands for justice.

12 | As these points are being put
13 | to paper the Canadian Council of Churches made public
14 | their support for the native people and while we have
15 | not had time to explore their position, we believe the
16 | fact that they are speaking out in support of that
17 | position shows the concern among Canadians on this most
18 | important proposal.

19 | We are not convinced that
20 | proper studies have been conducted to determine whether
21 | this is the proper time to tap the resources in that
22 | area. We have been told so many stories by the large
23 | companies operating in Canada and upon whom our
24 | government depended to assess reserves, that we seriously
25 | doubt the figures and proposals now put forth.

26 | Is there such a shortage in
27 | Canada that we now must develop the Mackenzie Delta
28 | area, or is the development being exploited and
29 | developed purely for the profit motive and to serve the
30 | American market?

1 The proposals put forth by
2 the Committee for an Independent Canada are, we
3 believe, worth looking into. Some of the questions
4 posed need answers before we get involved in such a
5 venture.

6 What is known by way of
7 research about the effects of this large development on
8 the ecology of the area?

9 From what we can gather, very
10 little guarantee can be made that the ecology will not
11 be upset.

12 There has been speculation that
13 the heat generated from the transmission through the line
14 will permanently damage the permafrost to the extent that
15 a trough of sludge will be formed that could upset the
16 whole ecology of the area for miles on each side of the
17 pipeline. Such damage will be of a nature that could
18 have effects on all that region of the country.

19 We believe that the grave
20 uncertainty about the effects of such a pipeline are such
21 that this matter alone is sufficient reason to defer any
22 pipeline development until sufficient research, in all
23 that aspect of the development is carried out.

24 There appears some doubt as
25 well as to whether the reserves are sufficient in the
26 area to venture into such a development now when the
27 needs of this country could be in jeopardy before the
28 turn of the century. We cannot afford the luxury of
29 getting rid of our reserves to satisfy present day needs
30 of the United States while they still have adequate

1 | supplies of oil and natural gas capped for future use,
2 | when the less expensive supplies are depleted.

3 | We believe that before any
4 | development begins on the construction of a pipeline in
5 | depth, exploration of all alternate methods of the
6 | transmission of gas should be exhausted.

7 | There may be much safer means
8 | by use of a short pipeline from the source to seaport and
9 | may be indeed far safer than the pipeline.

10 | We would think that the
11 | building of super liquefied natural gas carriers could be
12 | one method which would not only be much cheaper but also
13 | much safer. The threat to environment would be lessened
14 | to a greater extent by such means. There would be no
15 | threat to permafrost such as would be present with the
16 | rupture of any section of a pipeline under the permafrost
17 | of the delta area.

18 | Consider that the proven
19 | reserves in the Mackenzie Delta at 6-7 trillion cubic
20 | feet and the reserves of approximately 20 trillion
21 | cubic feet in the Arctic Islands area could not be
22 | serviced by the proposed pipeline at this time limits
23 | the value of the entire project.

24 | A fleet of 20 large liquefied
25 | natural gas carriers would be sufficient for such
26 | service. The proposed cost of approximately 600 million
27 | would be much more economical and operational costs would
28 | be offset from debt charges of the estimated cost of at
29 | least 6 billion dollars for the pipeline.

30 | If our information is

1 | correct, the United States plan to use liquefied
2 | natural gas carriers at the southern Alaska terminal of
3 | the pipeline from Prudhoe Bay.

4 | A single pipeline of the
5 | larger size pipe would deny Canadian labour content
6 | while the smaller size pipe which we can produce in
7 | Canada will result in a twining of the line with double
8 | the risk to the environment, Not only would we be
9 | supplying natural gas from our reserves for the benefit
10 | of the United States, but to add insult to injury, we
11 | would be giving the major manufacturing work on such a
12 | pipeline to workers in the United States.

13 | Historically, any work in the
14 | north in the past has not gone to native people. The
15 | excuse that they are not qualified for such work
16 | reflect; itself on government and government paid job
17 | training programs and not the native people. We have
18 | already seen therefore, work in the north in the past
19 | very high paid jobs, go to the outside workers while
20 | menial work done by the large go to the native people.

21 | The construction of 20
22 | liquefied natural gas carriers of the type mentioned
23 | above, would be built in Canadian shipyards by Canadian
24 | workers. If the Canadian Merchant Marine becomes a
25 | reality, the ship would be manned by Canadian sailors.

26 | While we recognize that there
27 | are some risks involved in the shipment of natural gas
28 | or crude oil by water transport any accidents occurring
29 | would be limited and confined to a single area and
30 | would be preferable to the potential damage of a major

1 | pipeline disaster.

2 | Such a fleet of liquefied
3 | natural gas carriers would also take advantage of tie
4 | wasted natural gas presently burnt off or allowed to
5 | escape into the atmosphere in offshore wells where
6 | current exploration is now confined to crude oil.

7 | The operating cost of
8 | liquefied natural gas carriers would be offset by the
9 | savings of debt charges on the 6 million or more
10 | pipeline projected cost.

11 | Large capital projects such
12 | as the multi-billion dollar pipeline will divert needed
13 | private and public capital from undeveloped areas such
14 | as the Atlantic region and this could be another
15 | negative contributing factor to our regional economy.

16 | Lastly, we oppose the
17 | Mackenzie Valley Pipeline project on the basis that
18 | this is a extension of the Colonialism policies of the
19 | United States and accepted by high-ranking Canadian
20 | Government and business representatives.

21 | This has resulted in the
22 | giveaway of the waters of the Columbia River, Churchill
23 | Falls Power, Syncrude Tar Sands, the unfair cost sharing
24 | of the Seaway and other resources of our country.

25 | In this age of multinational
26 | influence and the power even national governments find
27 | it difficult to assert national sovereignty and we feel
28 | that the end result f the Mackenzie Valley pipeline
29 | project as currently projected would be another step
30 | along the road to the retainment of our independence

1 | and our national identity.

2 | I'm the worst reader. Thank
3 | you for your attention.

4 | (SUBMISSION OF NOVA SCOTIA FEDERATION OF LABOUR -
5 | GERALD YETMAN - MARKED EXHIBIT C-617)

6 | (WITNESS ASIDE)

7 | MR. WADDELL: Mr. Commissioner,
8 | I'd like to file a brief from a Mr. G. Gibbins, from
9 | Halifax. The next three briefs will be from the
10 | Industrial Cape Breton Council of Churches from Sydney,
11 | Pollution Probe of Moncton, New Brunswick and the Union
12 | of New Brunswick Indians and so I'd call then upon the
13 | Industrial Cape Breton Council of Churches.

14 | (SUBMISSION OF MR. G. GIBBINS MARKED EXHIBIT C-613)

15 | VOICE: No one is here from
16 | the Industrial Cape Breton Council of Churches.

17 | MR. WADDELL: Well, I have
18 | their brief I believe, Mr. Commissioner. I'd like to
19 | file that brief. They've left it with me.

20 | (SUBMISSION OF INDUSTRIAL CAPE BRETON COUNCIL OF
21 | CHURCHES MARKED EXHIBIT C-619)

22 | I'd call then Anne Ottow of
23 | the Pollution Probe, Moncton, New Brunswick.

24 |

25 | ANNE OTTOW sworn:

26 | THE WITNESS: I'm just going
27 | to give some more of what everybody else has given,
28 | This brief is put together by Pollution Probe in
29 | Moncton and it is not an expert brief. You've had
30 | enough of that already. It's our concern for the north

1 | and our commitment in the south to the environmental
2 | integrity of all of Canada.

3 | The proposed construction of
4 | the Mackenzie Valley Pipeline stands as one of the
5 | current examples of the government gone power-mad. In
6 | the midst of an era when modern man has finally come to
7 | see the approaching danger of ecological disruption,
8 | when wise men have long since turned from the growth
9 | ethic, the obsession with technology, our elected
10 | representatives, the technocrats and bureaucrats that
11 | plague our age forge blindly ahead, heedless of the
12 | destruction they sow. While expressing concern for a
13 | healthy environment on one hand and mouthing platitudes
14 | that falsely guarantee safety, they go on with arrogant
15 | disregard for the rights of the native people, without
16 | care for the present environment or the future
17 | resources of coming generations.

18 | The drive towards some
19 | impossible dream of an energy cornucopia forces them on
20 | in the face of all reason, ruins spewing from their
21 | heels. Error accompanies every step. Their
22 | prognostications of limitless resources of gas and oil
23 | three short years ago have proved false. Their
24 | disclaimers of environmental damage caused in the
25 | pursuit of the elusive oil wells is already evidently
26 | way off base and there is now legitimate doubt that
27 | enough resources exist to make the gigantic pipelines
28 | necessary or economic. Yet all these failures throw no
29 | shadow on government and industries, craving to bisect
30 | the north with roadways, pipelines and disaster.

1 Canada's glorious north.
2 That land worshiped by Stefansson, courted by the
3 explorers, and cherished by the native peoples, is in
4 danger of being laid waste so that imprudent
5 southerners can keep their temperatures at 78 degrees
6 and use their electric carving knives for one more year
7 of fool-hardy self-indulgence.

8 To anyone concerned with the
9 real tings of life, it makes no sense, To citizens of a
10 country whose most serious problems are being worsened
11 by the inflationary increase of tax dollars that are
12 being poured into energy schemes from Newfoundland to
13 British Columbia, it makes no sense. To students
14 poorly taught or patients barely cared for because of
15 budget cut-backs, it makes no sense to pour billions of
16 dollars into the grasp for power that has proved to be
17 the Pandora's Box of the 20th century.

18 Environmentalists find this
19 pursuit of power mad in the extreme. Moralists find it
20 obscene, and the native people and those who live in
21 the north because they love it, find it intolerable.

22 Surely we've done enough to
23 the Inuit and Indians in Canada's north. Surely
24 driving them to the point of extinction-does us no
25 credit. Furthermore, now that we are finally coming to
26 see that their way was the right way after all, we need
27 to emulate them, not annihilate them. Their ethics,
28 their. care for mother earth, their innate wisdom that
29 let them live thousands of years in this land without
30 causing it harm should be an example to those of us who

1 | have damaged this country serious within one lifetime.
2 | Now, shouldn't we join them in cherishing the land
3 | before it's too late?

4 | One good thing that seems to
5 | have come from the pipeline hearings is the opportunity'-
6 | -, me a minute -- is the opportunity that we in the south
7 | had to hear the native peoples. We have been impressed
8 | with their grasp of the situation and with their ability
9 | to handle it. The way they reduce complicated problems
10 | down to easily understood basics should be a lesson to
11 | all of us. Their evident solidarity and tenacity are an
12 | example to those of us who are fighting for the
13 | environment of southern Canada. We salute them and
14 | support their cause. Their land must remain inviolate
15 | from expropriation, confiscation or despoilation.

16 | Here in the Maritimes we're
17 | fighting our own battles against the powermongers, the
18 | entrepreneurs of exponential growth, exponential demands
19 | curving ever higher. We believe that there is no need,
20 | no justification for doubling our consumption of the
21 | world's resources in ever-diminishing time spans and we
22 | fight to keep the nuclear power plants, the tankers, and
23 | the refineries from our shores. Nevertheless, we would
24 | not wish these blights on our neighbours, near or far, to
25 | reduce the load on our back. This is one country, from
26 | sea to sea, from north to south. As citizens of it we
27 | are hurt when our environment is hurt wherever the hurt
28 | occurs. We will fight it in small ways or large, however
29 | we can. We've been impressed with Justice Berger's
30 | hearings as we listened in the early days of the Inquiry

1 | and to more recent reports. It must be a wearying task
2 | to be on the side of the angels and yet staring down the
3 | throat of hell. As with other power developments, the
4 | semblance of public involvement may be masking an
5 | exercise in futility and yet it is something to get on
6 | record that no one wants it but the government and
7 | industry empire builders.

8 | We even have reason to doubt
9 | now that money is to be made by such a deal. For the
10 | last several decades, we have been enamored of the idea
11 | that large-size applications of capital, expertise and
12 | production lead to an economic feasibility not found in
13 | small operations, but economic feasibility is now
14 | becoming recognized as a myth. Grants, tax incentives.
15 | often no taxes at all, loans, and favoured conditions
16 | shelter these gargantuans from the vicissitudes of
17 | normal business. We not only shelter them in hothouse
18 | surroundings, but guarantee that these monolithic
19 | enterprises, an electrically driven wheelchair, so they
20 | need never learn to walk, a convenience supplied for by
21 | the government and paid for by the taxpayers of this
22 | country who is in turn exploited on every turn by the
23 | same government that ensures the ease of big business.

24 | Something has gone badly
25 | wrong somewhere that the servants have become master
26 | while we, the electors, stand in fear and trembling of
27 | what they might do to us if we resist and lie in fear
28 | of what they will do to us if we don't.

29 | Transport is a major factor
30 | in today's environmental breakdown. While each region

1 | in nature is self-sufficient for its own needs, mankind
2 | has reached out to take the resources from one area to
3 | another. Were oil drilled and used within a short
4 | distance from its point of origin, the problems would
5 | be small. Were all man's needs supplied from close at
6 | hand, difficulties could be easily handled. It is the
7 | transportation and concentration of things that men use
8 | that causes environmental degradation.

9 | The native people cause no
10 | such degradation. They took and used what they needed
11 | where they were. They did not deplete one area to
12 | benefit another or deny one group to oversupply
13 | another. The land was no worse for their being there.
14 | We cannot say the same.

15 | Our food is trucked thousands
16 | of miles from where it grew and we are told it is more
17 | economical to do so. Oil and gas are transported
18 | thousands of miles in tankers or pipelines vulnerable
19 | to accident or malfunction every inch of the way and we
20 | are told not to worry. Hazardous nuclear materials are
21 | flown secretly across continents and we are not told
22 | about it, while fish is plundered from one side of the
23 | world to feed populations who never saw the oceans from
24 | whence it came.

25 | Transportation is the story
26 | of the inevitable disaster that waits as man struggles
27 | to haul oil, nature's buried skeletons from the depths
28 | of our fragile Arctic Oceans and push it down the tubes
29 | to the gaping maw of industrial man's voracious
30 | appetite.

1 Our most valuable resources.
2 land and water, will most certainly be contaminated by
3 the spill of our vanishing resource under the shielding
4 ice of the ocean or across the white snows of the valley.
5 Even should the spills not happen, the transportation
6 corridors will deface the Arctic and change the lives of
7 the people for the worse. We hope it will not happen.
8 We hope the native people win the struggle for
9 sovereignty. We are prepared to conserve energy and use
10 our mental resources to find environmentally sound,
11 renewable sources of the energy we do need. We will curb
12 our appetite for other people's riches. We have
13 confidence it can be done. We are working to see that it
14 is.

15 (SUBMISSION OF POLLUTION PROBE, MONCTON, NEW BRUNSWICK
16 - ANNE OTTOW MARKED EXHIBIT C-620)

17 (WITNESS ASIDE)

18 MR. WADDELL: Mr.

19 Commissioner, the next brief is from the Union of New
20 Brunswick Indian and the brief will be presented by Mr.
21 Graydon Nicholas, Mr. Graydon Nicholas.

22

23 GRAYDON NICHOLAS sworn:

24 THE WITNESS: Mr.

25 Commissioner. my name is Graydon Nicholas; I'm Chairman
26 of the Board of Directors of the Union of New Brunswick
27 Indians. Mr. Commissioner, Indian reserves are valued
28 by Indians as more than mere possession, use and
29 occupation. Indian lands have been in existence since
30 time immemorial. Indians used these lands for their

1 | very livelihood and survival. The land provided the
2 | Indians with food, shelter, recreation and economy.
3 | These lands have been used not only by the present
4 | reserve members but also for past generations of an
5 | indefinite period of time.

6 | Within the present limits of
7 | today's Indian reserves, the Indians enjoy the absolute
8 | right to hunt, to fish and to develop the lands as they
9 | see fit. These ideas of development maybe social,
10 | economic and recreational. The initiative to develop
11 | and control the lands must be within the grasp of the
12 | Indians.

13 | In the past, loss of Indian
14 | lands has resulted from the need for that land by the
15 | non-Indian, be it individual, government and
16 | corporations. The use of these lands satisfied the
17 | wants and the needs of these different autonomies. But
18 | very little beneficial results were returned to the
19 | reserves. Much of the lands taken or obtained from the
20 | Indians and used for a public purpose, was sold for a
21 | meagre amount of dollars. This money was never used to
22 | extend the other boundaries of the reserves. The
23 | replacement costs were much higher and the government
24 | would not, as a policy, purchase such additional lands
25 | for the benefit of the Indians.

26 | The monies realized by sale,
27 | lease or other use of Indian lands was held in trust by
28 | the Federal Government and the additional revenue
29 | generated by these capital dollars was ridiculously low.
30 | The reserves were then eligible to ply for the

1 | expenditure of the revenue monies. There had to be a
2 | close accountability of the spending of the revenue
3 | monies, The Indians had no control as to the plans for
4 | spending, Budgets were dictated by the Department of
5 | Indian Affairs.

6 | Indians, therefore, saw very
7 | little benefits of the disposal of their lands. With no
8 | growth in land, and a rising rate of population, living
9 | space became a major concern. The housing supply was not
10 | adequate for the demand required by the Indians. Lot
11 | sizes began to be regulated by the planning, development
12 | and implementation of subdivisions, Certificates of
13 | possession were required and each outlined the lot
14 | description, supported by surveyed distances. Indians
15 | realized that possession of so much land was being forced
16 | upon them. There was a limit to how much land each
17 | person could possess.

18 | With the growth and spurt of
19 | economic development, Indian land was further being
20 | jeopardized by conditions attached to loans and
21 | grants. Indians were required to use as collateral all
22 | property owned by them. This included certificate of
23 | possession. Furthermore, the Indian applicant had to
24 | sign a waiver clause which in effect resulted in him
25 | signing away the protective provisions of the Indian
26 | Act. There are no problems created when loans are
27 | being repaid as scheduled. The difficulty arises and
28 | complications appear when there is a default. A
29 | continuous default with no intention or ability to pay
30 | the. loan will leave no recourse to the lender (i.e.

1 Department of Indian Affairs Northern Development) but
2 to realize on the collateral and security of the loan.
3 Hence in this situation, Indian lands can be seized and
4 put to use as deemed necessary by the government.

5 With all eyes and attention
6 focused to the potential development of alleged needed.
7 resources in the north, Indians across this country must
8 denounce the action of major oil corporations, financial
9 institutions, and the governments involved. When the
10 Europeans first made their initial contact and
11 established settlement, the prime concern was the
12 bountiful fur trade. Furthermore, it seemed like there
13 was plentiful land with a friendly host. As this
14 economic fact was exploited and developed further into
15 the interior, the Indians began to realize the objective
16 of the friendly invader. Furthermore, the friendly
17 invader was at times often assisted graciously by the
18 various religious denominations. How much of this has
19 changed since the early 1600's?

20 With the influx of greater
21 numbers of people of every trade, the Indian was
22 quickly outnumbered and soon thereafter forgotten. The
23 law was written in the language of the newcomers.
24 Indians who complained unfair and unjust treatment by
25 the representatives of government, and by the settlers
26 were told to share their land and resources. In fact,
27 the government authorities were even bold and generous
28 enough to write into peace treaties and Royal
29 Proclamations that Indians living in harmony would be
30 guaranteed their lifestyle, i.e., hunting, fishing,

1 | roaming and living off the land. It makes one shudder
2 | to think just how worthless many of these documents
3 | have been as presently interpreted by the Courts, the
4 | governments and other people in the sacred position of
5 | trust. Other than their historical and constitutional
6 | frameworks, to the Indians it is more valuable to have
7 | them interpreted legally in their favor. Surely the
8 | equity must work for us as well.

9 | Today, the Indians, the
10 | Indian organizations, as well as the people who live on
11 | reserve, have every-day contact with the concept of
12 | aboriginal right. This aboriginal right, to me, can be
13 | summed up in this way:

14 | "The Indians long lived here since time immemo-
15 | rial the French came and lived with the Indians.
16 | Next came the English. There were battles be-
17 | tween the two European Sovereigns and eventually
18 | the British Crown defeated the French. Now the
19 | British Crown must settle with the Indians for
20 | their aboriginal rights."

21 | The concept of ownership by
22 | Indians is very much exemplified by today's Indian
23 | reserves. Ownership is communal and not individual.
24 | Indians today benefited from our ancestors and we must
25 | preserve for the future generations. We have the right
26 | to determine not only our present lifestyle but also
27 | what environment will be suitable to our children.

28 | I would wholeheartedly
29 | support the Indian people of the north, the heirs of
30 | their ancestors in their determination of their future.

1 Although I would not impose my standard or values to
2 them, I would suggest that they pose one question:
3 "Who wants this development?" The answer, not an easy
4 one, will surely indicate to them who will be the
5 beneficiaries of development, who will be left behind
6 in guaranteed rights, who will be the forgotten, and
7 who will be the displaced.

8 Indians have adapted in living
9 with the elements that vary from region to region in
10 Canada. Indians have survived because not challenging
11 nor exploiting nature has been a way of life. Develop-
12 ment in the north can only affect Indians and inflict
13 undetermined hardships for many generations. Who will
14 be the responsible parties? Who is willing to share
15 this burden? The governments have in the past admitted
16 to some of this harm, but what happens when money is
17 not sufficient to cover the cost of needed houses,
18 needed medical treatment, needed facilities to
19 encourage education? It has always been the Indians
20 who have suffered the most.

21 I want to thank this
22 Commission for allowing the Indians to voice their
23 concerns, their ideas and their thoughts about the
24 exploitation and development of the north. In the
25 early 1600's, Indians complained and voiced their
26 objections to the government representatives. At that
27 time, they could neither read nor write French and
28 English. They relied solely on the discretion and
29 judgment of the lawmaker. They had to trust that their
30 grievances would be resolved, I will not attempt to

1 list the numerous times that such incidents took place.

2 Today this Commission should
3 not necessarily be given the burden to shoulder and
4 reinterpret the wrongs and misdeeds of past governments
5 A Commission, such as this, with its inherent legal
6 guidelines is merely a vehicle which the government has
7 available for its advice. There is no guarantee that
8 the findings and the recommendations of the Committee
9 will be wholeheartedly endorsed and accepted by the
10 government in Ottawa. Instead, as was very plainly
11 pointed out by you, Mr. Justice Berger, the final and
12 ultimate decision will be political." If the Indians
13 are grieved and disappointed by the government action,
14 their only resort will be to the Courts of law.

15 Indians must not be pressured
16 to the positions where they are required to extinguish
17 their aboriginal rights. The government has already
18 done this to the people of James Bay with present
19 rumors circulating the land issue in the Yukon, This
20 Commission should on record support that Indians must
21 retain their aboriginal rights and also be allowed to
22 develop and live the way that they want. We could not
23 be all that bad because all our ancestors had to do was
24 turn their backs and support the European. Survival
25 would have been a matter of days. Again I want to
26 thank you, Mr. Commissioner, and do not envy the
27 ultimate decision that you must render.

28 THE COMMISSIONER: Thank you,
29 sir. Thank you very much.

30 (SUBMISSION OF THE UNION OF NEW BRUNSWICK INDIANS

1 GRAYDON NICHOLAS MARKED EXHIBIT C-621)

2 (WITNESS ASIDE)

3 MR. WADDELL: Mr.

4 Commissioner. the next three briefs will be in this
5 order: Paul Brodie, the Ecology Action Centre and the
6 Voice of Women. Now, the first brief then, Paul
7 Brodie.

8 PAUL BRODIE sworn:

9 THE WITNESS: Before I make
10 my statement, I'd just like to say that in 1972, I
11 conducted a study of white whales in the Mackenzie
12 Delta area) and Mr. Berger, I would be available to
13 assist you any time you request it.

14 I would just like to present
15 a brief as a citizen.

16 All too often environmental
17 and social impact studies are carried out just slightly
18 ahead of a bulldozer, if not sometimes behind it.

19 I am concerned that we are
20 too eager to maintain a lifestyle that is squandering a
21 nonrenewable resource, in this case the fossil fuel
22 reserves of the Mackenzie Delta and Beaufort Sea.

23 We would be better off if we
24 tightened our belts and emphasized energy conservation
25 measures such as a national programme of housing
26 insulation, in particular, the existing stock of older,
27 uninsulated homes. Through federal-provincial
28 subsidies and complete income tax exemption of
29 insulation costs we could very significantly reduce our
30 energy requirements over the long-term. If the Federal

1 THE COMMISSIONER: In the
2 early '70's, I understand that you were employed by
3 Slaney and Company to do a study of white whales and
4 their, movements in the Beaufort Sea. Your name came
5 up at several hearings because it was suggested there
6 was some controversy about the 3 think the earliest
7 date at which the whales appeared in Kugmallit Bay or
8 the latest date at which they were seen there before
9 they left; and I would like you, if you don't mind, at
10 the coffee break, to speak to Mr. Roland of my staff.
11 He is with Commission counsel. He's the gentleman at
12 the microphone and perhaps since you happen to be here,
13 he could discuss that matter with you and you might do
14 so in the presence of counsel for Arctic Gas, Mr.
15 Roland, since Slaney and Company was, in fact, engaged
16 by Arctic Gas at the time or it may have been by
17 Imperial Oil.

18 A Imperial Oil, I believe.

19 THE COMMISSIONER: Imperial
20 Oil. Well then, certainly invite counsel for Arctic
21 Gas and Foothills to sit in on the discussion, but M.
22 Brodie doesn't belong to them. Well, thank you, sir,
23 Thank you very much.

24 (WITNESS ASIDE)

25 THE COMMISSIONER: I meant
26 nothing by that last remark. These are legal
27 courtesies that are observed and only lawyers and
28 judges can ever sort them out. And we're not very good
29 at it.

30 MR. WADDELL: May it please

1 | your lordship, the next brief is from the Ecology
2 | Action Centre and that's located at Dalhousie
3 | University here in Halifax and Susan Mayo, M-A-Y-O,
4 | Susan Mayo will be presenting the brief.

5 | MISS SUSAN MAYO sworn:

6 | THE WITNESS: Judge Berger.

7 | my, name is Susan Mayo and as coordinator of the
8 | Ecology Action Centre, I wish to submit the following
9 | statement to your Committee -- Commission.

10 | We at the Ecology Action Centre
11 | represent a Nova Scotia citizens environment group base
12 | here in Halifax-Dartmouth area but with membership
13 | throughout the province. The central question that we
14 | wish to address ourselves to, however, is not
15 | environmental impact of the proposed pipeline. Other
16 | environmentalists who have done research in the north,
17 | and the native people in the northlands are better
18 | qualified to evaluate in detail what will happen to the
19 | flora and fauna, the land and the people of the Mackenzie
20 | Valley should the pipeline be constructed.

21 | The questions we wish to address
22 | ourselves to are in broadest terms what are the
23 | implications of the Mackenzie Valley Gas Pipeline for our
24 | own way of life here in the south? What impact will the
25 | pipeline have on Southern Canada? To answer these
26 | questions eventually, we make certain generalization's
27 | and value judgments about our culture's lifestyle.

28 | In general, our society has a
29 | high-energy high-impact way of life. We are using up
30 | depletable resources, notably energy-related resources

1 such as petroleum, metals and minerals at a rate
2 unprecedented in human history. A corollary of this
3 massive consumption has been, and is now, a waste
4 disposal-and., pollution problem of global dimensions.

5 Organizations such as the Club
6 of Rome and the Conserver Society Group within the
7 Science Council of Canada point out that these two
8 physical constraints -- resource depletion and
9 environmental degradation -- will at some point demand
10 serious alterations to our lifestyle. Just when a
11 reversal of over-consumption will become imperative is
12 not clear, but many believe that we are now within sight
13 of these two physical limitations on our own way of life.

14 Judge Berger, it is our
15 position that every further step we take down the road of
16 high energy use a route of which the Mackenzie Valley
17 Gas Pipeline is part and parcel is a step in the wrong
18 direction, a direction which, as the physical constraint
19 are approached, will be increasingly difficult to find
20 our way back from. It is our position that an energy
21 policy for Canada which is sustainable over a long period
22 of time, and which is therefore based on energy sources
23 which are both renewable and have low environmental
24 impact, should be a first priority.

25 In addition, energy
26 conservation must play a significant role in any future
27 strategy. The Science Council Background Report No.
28 33, July 1975, by Dr. Fred Knelman, states that:

29 "More than 50% of the energy supply in Canada is
30 discarded as waste."

1 The report points out that:

2 "Given a serious program of voluntary and manda-
3 tory 'demand management', a saving of 30 %(of
4 that year's projected energy consumption) should
5 be possible by 1995."

6 The Ecology Action Centre
7 endorses the following analyst by Dr. Knelman:

8 "We agree that such a conservation program is not
9 in conflict with economic goals or objectives
10 and is neither for nor against historical
11 growth, We go further and suggest that there are
12 economic benefits both direct and indirect in
13 such a program. Increased efficiencies mean
14 lower production costs while reduced energy con-
15 sumption reduces environmental control costs and
16 capital investment which often means foreign in-
17 vestment.

18 Other analysts have gone further and suggested
19 that employment is negatively correlated with
20 energy-intensive production and that conserva-
21 tion and reduced consumption could increase em-
22 ployment, a major problem in this and other eco-
23 nomically developed countries... We have recom-
24 mended that all our tacit assumptions concerning
25 energy consumption be critically re-examined in
26 order to develop the best national energy policy
27 that also allows adaptations as options and con-
28 ditions change, in other words a clear, flexible
29 national energy policy."

30 We wish to refute the

1 Canadian Arctic Gas Company's contention that we cannot
2 cut back present levels of consumption. Sweden, for
3 example, now uses one third less energy per person than
4 Canada. It is crucially important to examine all our
5 options including the present pipeline proposal. For
6 example, we are today presented with the decision as to
7 how we are to exploit only one of several frontier
8 resources.. There are, however, other frontier
9 resources that can be made available within the
10 foreseeable future, nonrenewable hydrocarbons of the
11 Arctic Islands and those of the Labrador Shelf could
12 potentially be considered. Beyond that we have local
13 petroleum and gas resources in our Sable Island
14 deposits, and in the Prince Edward Island East Point
15 structure.

16 At some point in the future
17 we may wish to exploit all or several of these
18 nonrenewable resources. If all options were available
19 then we could more wisely choose among options on the
20 basis of minimizing environmental and social impact and
21 maximizing societal benefits. If one option is closed,
22 such as the Mackenzie Valley Pipeline and Beaufort
23 Sea/Delta resource, then the others may well become
24 impossible. For example, can Canada afford to build
25 both Arctic pipelines and the Labrador Pipeline?

26 Next we wish to draw
27 attention to an address by Dr. Michael A, Goldberg
28 called, "Energy Supply and Economic Growth" which was
29 presented as part of the H.R. MacMillan Lectures for
30 1971 in Vancouver, British Columbia. Dr. Goldberg

1 makes the point that the cost of deferring a decision
2 in a situation of uncertainty can be calculated, along
3 with the likelihood that the decision could be a better
4 one in the future when we had more information and
5 experience to act upon (that is less uncertainty). I
6 quote:

7 "These ideas relate to keeping our options open
8 and to being willing to pay for the privilege of
9 retaining the possibility of making a decision.
10 There is a value to having alternate decisions
11 open to us now and in the future. I suspect,
12 particularly with investments like large-scale
13 hydro dams (and pipelines), that we do foreclose
14 a large number of options. In a world of rapid
15 population and economic growth I further suspect
16 that these options are worth retaining. The
17 cost of foreclosing these options should be in-
18 cluded in the decision whether or not we build
19 these facilities, and if we do build them the
20 costs of precluding these future decision points
21 should be included in our energy costs,"

22 Indeed, there are
23 uncertainties about the Beaufort gas and oil options,
24 even the Minister of Indian & Northern Affairs has
25 publicly expressed doubt as to whether there is enough
26 gas to fill the presently proposed pipeline.

27 It is our position that this
28 Commission evaluate the costs of closing our options if
29 the Mackenzie Pipeline is built, and that these costs
30 be incorporated in our energy costs, It is our

1 | that the Federal Government has a budget of \$113
2 | million for 1975-1976 for energy research and
3 | development. Only 1.4% of that, or \$1.6 million, is
4 | for renewable energy research and development, a
5 | meagre stun in spite of the great potential of such
6 | technology, This million and a bit spent on renewable
7 | energy research is 1/10,000th of the cost of this
8 | pipeline. Has the choice already been made in favor
9 | of a high energy society?

10 | We conclude our remarks by
11 | emphasizing the desirability of a society based on
12 | values other than the material ones which seem to
13 | dominate so much of our own lifestyle. Values such as
14 | status, speed, comfort and convenience almost always
15 | take priority when they come in contact with other
16 | more traditional values, including simplicity,
17 | diversity, neighborliness, craftsmanship and humility.

18 | Perhaps we as a nation should
19 | develop techniques to assess what is enough or
20 | sufficient in material terms, We strongly advocate
21 | active participation of all citizens in any decision
22 | making process in Canada. A forum such as this is
23 | essential for developing grass roots democracy. It is
24 | concomitantly important to note that information is an
25 | essential factor to any decision-making process. Broad
26 | decisions in an energy policy are partially technical
27 | in nature, It is reprehensible on the part of
28 | scientists and technocrats to say that we, as citizens,
29 | do not have the technical expertise to make decisions,
30 | It is their job to provide us with data on the various

1 | technical decisions which are open to us, and their
2 | interpretation of the consequences. It is our position
3 | that we as Canadians must have access to all technical
4 | information related to Canada's energy policy, and that
5 | we must have direct involvement in the political
6 | decisions about the directions that policy will take.
7 | The people of the north must also be part of this
8 | process. They have values and a society they want to
9 | preserve and determine. It is our position that native
10 | land claims must be settled before pipeline
11 | construction.

12 | Finally, it is our position
13 | that the Federal Government allow for adequate and proper
14 | involvement of the people of the north in determining the
15 | terms under which the oil and gas exploration and
16 | pipeline construction may proceed.

17 | Thank you.

18 | (SUBMISSION BY ECOLOGY ACTION CENTRE -- MISS S. MAYO
19 | MARKED EXHIBIT C-622)

20 | (WITNESS ASIDE)

21 | MR. WADDELL: The next brief.
22 | sir, is from the Voice of Women and it will be given by
23 | Elizabeth Beale, B-E-A-L-E. Elizabeth Beale?

24 | MISS ELIZABETH BEALE sworn:

25 | THE WITNESS: Good evening.

26 | The Voice of Women has over
27 |
28 | the years been an effective tool for the political
29 | education and organization of Canadian women. The
30 | organization originated through the concern of women

1 over the implications of the nuclear arms race and
2 nuclear testing. Early activities included pioneering
3 efforts to promote peace research, and the hosting of
4 an International Women's Conference.

5 Throughout the '60s many
6 members of the Voice of Women were involved in the
7 political arena in elections through submitting briefs
8 to various government agencies, and by publicly
9 questioning many government decisions.

10 Current areas of interest for
11 members of the Voice of Women are concerned about
12 ecology, equality of human life, and the threat posed
13 by the continual emphasis on economic growth, and human
14 rights -- especially the rights of minority groups. The
15 Halifax group has been active in many of these issues
16 over the last year.

17 The Voice of Women in Halifax
18 is concerned about the rights of native women in the
19 Northwest Territories or native people, excuse me, in
20 the Northwest Territories, and the effect that the
21 development of the Mackenzie Valley Pipeline will have
22 on their lives, on the economy of the north, on the
23 environment, on the political climate, and on native
24 culture.

25 As Southern Canadians we are
26 also concerned about the implication that development
27 of the Mackenzie Valley Pipeline will have for the rest
28 of Canada. While we realize that this Inquiry is
29 primarily directed to the effects of the pipeline on
30 the north, we hope that our concern with its effect

1 Mackenzie in Northern Alberta and Saskatchewan
2 gradually came in contact with white settlers and
3 traders. With the discovery of gold in 1896 the push
4 northward began, and hundreds of prospectors travelled
5 up the Mackenzie Valley to the gold fields. Their
6 presence and the exploitation of mineral wealth
7 hastened the signing of Treaty 8 in 1899. This treaty
8 covered the area as far north as Great Slave Lake.

9 Between 1900 and 1920 there
10 were many incidents of starvation and epidemics among
11 Indian tribes. This was partly as a result of the
12 influx of white trappers, who often destroyed Indian
13 traplines and overtrapped the area. During this period
14 many tribes along the Mackenzie Valley wanted to sign a
15 treaty and so receive government assistance. Ottawa,
16 however, felt that the value of the land did not seem
17 to warrant the expense of signing a treaty.

18 However, in 1921 when oil was
19 discovered at Norman Wells, the hesitation of making a
20 treaty was overcome and Treaty 11 was signed, As Rene
21 Fumoleau has outlined in his book.

22 "As long as this land shall last,"
23 many words of the treaty text, their meaning and the
24 consequences were beyond the comprehension of northern
25 Indians. In many areas, no attempt was made to ex-
26 plain the terms of the treaty. In both treaties
27 clause reads:

28 "Said Indians do hereby cede, release,
29 surrender, and yield up to the Government of
30 the Dominion of Canada all their rights,

1 titles, and privileges whatsoever to the
2 land."

3 Indians, however, regarded the treaties as pacts of
4 peace and friendship.

5 In 1973 chiefs representing
6 Indian Bands occupying land in the Mackenzie Valley
7 area presented a caveat or declaration, of prior
8 interest on 450,000 square miles. This caveat was
9 referred to the Supreme Court of the Northwest
10 Territories and after hearing evidence of prior treaty
11 signing Mr. Justice Morrow ruled that Indians of the
12 Mackenzie Valley had established a sufficient interest
13 in the land to file a caveat.

14 Currently the Indian people
15 are engaged in legal proceedings with the Federal
16 Government to establish ownership of this land in
17 question, The Voice of Women feels most strongly that
18 no development of the Mackenzie Valley Pipeline should
19 take place until an equitable land settlement takes
20 place.

21 The Canadian Government's
22 action in settling the claims of native people would
23 indicate their desire to see long-term planning in the
24 north in the future. An equitable land settlement
25 would give Indian people the opportunity to develop
26 economic alternatives that would fit their needs and
27 desires, as well as giving them the freedom from
28 dependence on federal payments for subsistence.
29 It would also ensure their cultural survival of native
30 people. Most importantly, it would encourage increased

1 | the years, it seems that every time there's been some
2 | kind of proposal for energy development, such as the
3 | James Bay project for hydro-electric power in Quebec,
4 | the development has gone ahead despite the objections
5 | of people in the area. In general, it has been the
6 | pattern to put the priority on maintaining economic
7 | growth rather than on such things as human rights or
8 | consideration of the social cost involved, We are most
9 | concerned that the proposed development of the
10 | Mackenzie Valley Pipeline will not follow this pattern
11 | of development.

12 | Thank you.

13 | (SUBMISSION BY VOICE OF WOMEN - MISS E. BEALE MARKED
14 | EXHIBIT C-623)

15 | (WITNESS ASIDE)

16 |
17 | MR. WADDELL: Mr.
18 | Commissioner, could we take a ten-minute break now for
19 | a cup of coffee?

20 | THE COMMISSIONER: Yes,
21 | surely. Just before we do, Mr. Roland, the question
22 | relating to whales and their movements from Mackenzie
23 | Bay to Kugmallit Bay came up at the hearings held in
24 | Tuktoyaktuk in March, and a number of people made
25 | reference to Mr. Brodie's presence there in the early
26 | '70s observing the movement of whales, and a number of
27 | hunters from Tuktoyaktuk spoke on the subject.

28 | Mr. Carter was there and I
29 | think he would have a good recollection of the matter
30 | that arose.

1 At any rate, when you're
2 speaking to Mr. Brodie, see if he's had a copy of the
3 transcript of proceedings at Tuktoyaktuk sent to him,
4 so that if he hasn't we can at least do that much and
5 get his comments.

6 I should say to the rest of
7 you this evening that we do not usually find the time
8 to hear the submissions of all of you who wish. to
9 make submissions. It is unfortunately not possible to
10 hear all of you present your briefs in public at the
11 table at the front of the room; but I think that you
12 should not feel that your views will not be considered
13 because the briefs that you file with us, with Mr.
14 Waddell, will be examined by my staff and myself. many
15 event, it must be apparent to you that in the
16 presentation of these briefs certain themes are struck
17 and it may well be that a good deal of what you had
18 intended to say, had we gotten to you has been said by
19 others, though not in the words you night yourself have
20 chosen.

21 Now we'll take a ten-minute
22 break for coffee and then come back for a little while
23 and bear some further submissions in what remains to us
24 of the evening.

25 Oh, could I see Miss Crosby?
26 (PROCEEDINGS ADJOURNED FOR TEN MINUTES)

27
28
29
30

1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

2 THE COMMISSIONER: Ladies and
3 gentlemen, I'll call our hearing to order and ask Mr.
4 Waddell to let us know who we'll be hearing from first
5 now that we are underway again.

6 MR. WADDELL: Mr. Commissioner,
7 we'll hear from the Halifax Welfare Rights Organization,
8 Gertrude Knight will give the brief.

9 MR. HOLLINGSWORTH: Mr.
10 Commissioner, while Miss Knight is coming to the
11 microphone, I wonder if it might be appropriate to
12 clarify the meeting that was held between counsel and Dr.
13 Brodie at the break for the sake of the record>and Mr.
14 Carter is here to clarify if I get it wrong, but my
15 understanding is this, that Dr. Brodie had an opportunity
16 of reading most of the transcripts where Mr. Webb has
17 testified and where Dr. Schwarz has testified. He hasn't
18 had ,a chance to read Exhibit 507 which was Dr. Brodie's
19 report as filed by Mr. Webb. He is going to be sent a
20 copy of this by commission counsel, and if he has any
21 comment as to the totality of the evidence, including the
22 exhibit, then he will write to Commission counsel who, I
23 presume will put it on the record and then if anyone
24 wishes to cross-examine, arrangements can be made to have
25 Dr. Brodie brought to Yellowknife.

26 THE COMMISSIONER: Excellent.
27 I should say that that's what Mr. Roland said to me
28 privately just before we got underway a moment ago, so
29 I'm glad you put that on the record. Mr. Hollingworth
30 just restated what you told me, Mr. Roland, about Mr.

1 Brodie. No need to say it again.

2 MR. ROLAND: Yes, that's
3 regular corporate efficiency, sir.

4 THE COMMISSIONER: Yes.
5 excuse me, ma'am, we just had
6 a little business to complete here, so you go ahead.

7
8 MISS GERTRUDE KNIGHT Sworn:

9 THE WITNESS: It is not for
10 Halifax Welfare Rights to instruct the Commission on
11 the ecological or economic effects of a transportation
12 corridor in the Mackenzie Valley. The Commission has
13 undoubtedly heard much expert advice on these matters
14 from all sides. We can, however, add our support to
15 the position of the native people of the Northwest
16 Territories, that no pipeline should be built until the
17 land claims of the native people are settled.

18 The building of the pipeline
19 and the development of the Mackenzie Valley
20 transportation corridor must be negotiated with the
21 native people, for they are the people who must live
22 with the results of this development. Until they are
23 guaranteed ownership of their lands, decisions to
24 permit industrial development must not be made.

25 We also add our support to
26 the Dene Declaration. It demands a most basic human
27 right. the right to self-determination. When the
28 native people control their own future, then the
29 problem of gas pipelines and transportation corridors
30 become capable of solution. It will be a matter of

1 | anyone wishing to promote industrial development,
2 | having to negotiate with the native people, and when
3 | they are negotiating from a position of strength, then
4 | the native people can protect their way of life.

5 | While Halifax Welfare Rights
6 | cannot predict the economic, ecological, or social
7 | consequences of pipeline development in the north, our
8 | knowledge of our own history tells us that the effects
9 | of development in Canada had been the enrichment of
10 | developments and the impoverishment and servitude of
11 | those who are developed.

12 | In Halifax, the destruction
13 | of Africaville caused a massive dislocation of a whole
14 | community, which, although it was economically weak,
15 | was nevertheless a viable community in which people's
16 | identities were rooted. Public housing development was
17 | seen as a solution. While the housing itself may have
18 | been physically better, the effect of this development
19 | has been the destruction of a community and the
20 | dislocation and alienation of its members.

21 | It is probably true that one of
22 | the reasons this community could so easily be destroyed
23 | by redevelopment was because it was economically weak.

24 | A just settlement to native
25 | that land claims that gives the native peoples control
26 | over valuable resources, will give them economic
27 | strength in relation to white society, to protect and
28 | maintain their land and their way of life. It is too
29 | late to make amends for the genocide we have committed
30 | against the native peoples in the south of Canada, but

1 | we can and must ensure that we do not repeat these
2 | atrocities against the people of the north.

3 | Thank you, Mr. Berger.

4 | (WITNESS ASIDE)

5 | MR. WADDELL: Mr.

6 | Commissioner, I'd like to file a brief from the Halifax
7 | Citadel New Democratic Party, also a brief from
8 | Development and Peace, Atlantic region, Halifax, and a
9 | brief from the Diocese of Nova Scotia, Anglican Church
10 | of Canada, and that brief was handed to me by Pauline
11 | MacDonald, I'd like to file that. I'd like to call
12 | upon St. Paul's Anglican Church and Dennis Pilkey, P-I-
13 | L-K-E-Y, Mr. Pilkey, to present that brief.

14 |

15 | DENNIS PILKEY sworn:

16 | THE WITNESS: Mr.

17 | Commissioner, this submission from concerned members of
18 | St. Paul's Church and supported by the rector aid
19 | church wardens, is presented in the name of Our Lord
20 | Jesus, to saving activity and caring love for all
21 | people we are committed.

22 | From its inception in 1749,
23 | St. Paul's Anglican Church has actively shown its
24 | interest in the position of native peoples' rights in
25 | Nova Scotia, This interest has gone beyond the bounds of
26 | our own parish, as expressed in the maintenance of a
27 | close contact with the northern situation, through
28 | Bishop John Sperry, former Assistant Curate at St.
29 | Paul's.

30 | In presenting this brief, we

1 recognize the present needs for the development of oil
2 and natural gas resources. We further recognize the
3 complexity of the issues involved. We are not experts
4 with easy answers. The brief, instead, raises a
5 number, of questions that we feel must be adequately
6 and honestly resolved. Our main concern is that the
7 long-term interests of the native peoples in this
8 matter be better dealt with than evidenced through our
9 ancestors' and our own recent actions.

10 Specifically, we would ask
11 that the government:

- 12 1) pioneer innovative, people-oriented ways of dealing
13 with the inter-action between native and development
14 interests;
- 15 2) work jointly with the native peoples to initiate
16 fair land settlements, irrevocable except with the
17 consent of the Indian and Inuit people;
- 18 3) consider organizational changes to minimize or
19 eliminate internal conflicts of interest within the
20 Department of Indian and Northern Affairs;
- 21 4) study the short--term implications of the Mackenzie
22 Valley Pipeline the broader context of our long-term
23 energy needs.

24 Mr. Commissioner, I am
25 thankful for the opportunity to add this small pebble
26 of interest to what is obviously a mountain of common
27 concern. Our brief has already been submitted in more
28 detailed fashion.

29 (WITNESS ASIDE)

30 MR. WADDELL: Mr. Commissioner,

1 I'd like to call next a brief from the Presbyterian
2 Church of the Presbytery of Halifax and Lunenburg, which
3 was on our original list and that brief will be presented
4 by the Reverend Owen Channen.

5 REV OWEN CHANNEN. sworn:

6 THE WITNESS: Mr. Justice
7 Berger, I have mailed copies of this brief to your
8 office in Ottawa and I have plenty more to leave with
9 your people here, so you will be happy to know that I
10 don't intend to read all of this to you tonight. I
11 simply would summarize it by saying that this is
12 resents two things, I think.

13 First, a call for justice on
14 the part of the -- and I don't like to use word "native
15 peoples" because I regard myself as native person as
16 well; I have no other country I can claim to be my native
17 land. However, apart from that, are very much concerned
18 for the rights of these people who have been here for
19 much longer than we have.

20 Secondly, this brief represents
21 a call for repentance. We heard, in fact, everything that
22 is in here, but we, I trust, are couching this in
23 theological terms, and so look upon this as a call for
24 repentance for our prodigality, our prodigious waste of
25 God's gifts to us and to all mankind, and now it seems to
26 me we want to go and squander a lot more, for what
27 purpose, I don't know. But we're concerned with this
28 prodigality and we look upon our present economic
29 difficulties as some sort of a judgment that calls the
30 people to repentance. So, if I might just read the final

1 | statement here: "In this issue now confronting our
2 | nation, we ought to sense God's call
3 | to repentance. What an opportunity for us to respond.
4 | Should not our response be the cancelling of the Mackenzie
5 | Valley Pipeline? If we, as a people, are not prepared to
6 | go that far, then surely in the name of justice, we should
7 | delay any construction until the outstanding issues
8 | surrounding the claims of the first settlers of the
9 | Mackenzie Valley should be resolved, not by any imposition
10 | of will, but by a thorough and just consideration of these
11 | claims."

12 | I thank you, sir. May God
13 | bless you and may God give you the wisdom of Solomon as
14 | you untangle this difficulty. Thank you.

15 | (WITNESS ASIDE)

16 | MR. WADDELL: Mr.
17 | Commissioner. I'm afraid we're only going to have time
18 | for one more brief tonight and there were a couple of
19 | other people that indicated that they wished to present
20 | briefs and I'm going to have to ask them to write to
21 | you, as Mr. Roland said, as anyone else can do, to you
22 | at Mackenzie Valley Pipeline Inquiry, Yellowknife,
23 | Northwest Territories. I know you will get the brief
24 | and read it. One of the briefs that was left with me
25 | I'll file with our secretary, . Miss Hutchinson.
26 | That's a brief from Amnesty International, the Halifax
27 | group, and I'll file that. The final brief, then, this
28 | evening we'll be able to hear from, is from Development
29 | Education Resource Society.

30 |

1 ANITA REYNOLDS sworn:
2 THE WITNESS: Good evening.
3 My name is Anita Reynolds and I represent Development
4 Education Resource Services, which is a small, non
5 profit organization that produces popular education
6 material, does social animation, and researches
7 question o of development and underdevelopment in
8 Atlantic Canada and globally.

9 We have our origins in a
10 group of regional offices of international development.
11 agencies, for example, CCIC, Development and Peace,.
12 OXFAM, YMCA, although we are quite autonomous of these
13 agencies at present.

14 Our experience, in the
15 international development field has brought home one .
16 over whelming perception, that is, that what we look at
17 as underdevelopment in Third World countries, is in fact
18 a. historically determined condition that has resulted
19 in many instances from the extension of economic and
20 political interests of western European powers.

21 V The reorganization of the.
22 globe into a system that makes the majority of the
23 world people peripheral but very much locked in, is now
24 a clearly recognized reality. The evidence also
25 suggests that underdevelopment is progressive within
26 this system and can only be arrested by the complete
27 transformation of the same system.

28 With the very limited
29 information we have on the north, peripheralization and
30 marginalization has long since begun. The magnitude of

1 | the proposed Mackenzie Valley Pipeline intensifies the.
2 | penetration. It cannot possibly be a vehicle for the
3 | development and commercial and political interests. What
4 | began as a trading arrangement with the Indian nations
5 | soon led to the underdevelopment of the peoples and nations
6 | of the hemisphere. In this, the native peoples of Canada
7 | have similar historical experience to the people of Indo-
8 | China, (inaudible), Tanzania, and the rest of the Third
9 | World.

10 | Throughout this period, the
11 | centres may have shifted from London to New York,
12 | Stockholm or Tokyo and some of the peripheries have
13 | begun acting as subcentres to other peripheries, for
14 | example, Rio de Janeiro or (inaudible). But the world
15 | system has largely maintained itself. Traditional
16 | sectors cannot be viewed as separate from the modern
17 | sectors. The former have been reshaped to produce
18 | labour and resources for the centres. So, in Bombay,
19 | women from South India will earn 20 cents a day
20 | carrying cement for the construction of a luxury hotel,
21 | the ownership of which can be traced to IT & T and the
22 | First National Bank and the Oovambu(?) people of
23 | (inaudible) will produce on contract labour for
24 | Falconbridge Nickel of Sudbury, Ontario.

25 | In an excellently
26 | researched article for this magazine, Susan Hyrich
27 | (?) demonstrates how the labour of Indians and Inuit
28 | contributed to the wealth of the Hudson's Bay
29 | Company, the same company that now operates, contrary
30 | to UN sanctions, lucrative fur enterprises in

1 (inaudible) , again with he use of contract labour.
2 Wages for these workers are the lowest in the
3 country, shelter and working condition oppressive.
4 Why do they work for the Bay?

5 "As Africans are increasingly restricted to
6 smaller and smaller areas, areas which are un-
7 able to sustain their present number, let alone
8 a growing population, they are more and more
9 forced to look elsewhere for some means of live-
10 lihood. It is this process which guarantees a
11 steady supply of cheap labour for the white-
12 controlled, economy, while an iron framework of
13 passes, permits, and regulations renders the
14 workforce powerless."

15 We understand that you have
16 already been presented with testimonies regarding the
17 operations of the multinationals in oppressing Third
18 World conditions, We are making reference to them here
19 to emphasize that the knowledge we have bears out the
20 reasons why native peoples of the north want
21 recognition of national rights before further
22 negotiations are carried on.

23 The Chronicle Herald Mail
24 Starr a virtual monopoly of the Dennis family on daily
25 news in Nova Scotia, have recently been publishing, in
26 bold print, with black border on the front page,
27 editorials entitled "The Last Frontier", "A United
28 Front", "Heritage and Trust", "The Fourth World", You
29 might be forgiven with the morassive print you have to
30 pour through if you thought they were talking about the

1 | staff. This has been a very difficult job in such a
2 | short period, especially to Mrs. Shirley Callard in our
3 | Ottawa staff, to our secretary Miss Hutchinson, to our
4 | Commission counsel and to all the participants, to our
5 | Court reporters and to Miss Crosby and Mr. Howe; and to
6 | the public generally for cooperating with us. I suppose
7 | you could say we started with salmon and we ended with
8 | lobster, sir. That's all I have.

9 | THE COMMISSIONER: Mr.
10 | Roland?

11 | MR. ROLAND: Sir, I've
12 | canvassed the two applicants and the major participants
13 | and none wish to exercise their right to reply this
14 | evening.

15 | THE COMMISSIONER: Well,
16 | ladies and gentlemen, I want to thank you for your
17 | attendance tonight and really to thank tonight all of
18 | the people who throughout Canada have attended our
19 | hearings. I want to thank especially those of you who
20 | took the trouble tonight to present your briefs. They
21 | are all considered and all appreciated. This completes
22 | our southern hearings and I want to say that I think
23 | our swing through southern Canada has been a month well
24 | spent.

25 | We have held hearings in
26 | Vancouver, Calgary, Edmonton, Regina, Winnipeg, Ottawa,
27 | Toronto, Montreal, Charlottetown, and Halifax.

28 | The Mackenzie Valley is a
29 | long way from these cities, but the concern we have
30 | found for the future of the north extends throughout

1 (SUBMISSION BY PRESBYTERY OF HALIFAX & LUNENBERG - REV.
2 0. CHANNEN - MARKED EXHIBIT C629)
3 (SUBMISSION BY AMNESTY INTERNATIONAL, HALIFAX GROUP -
4 A. REYNOLDS MARKED EXHIBIT C-630)
5 (PROCEEDINGS ADJOURNED SINE DIE)
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