

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)

**Detah, N.W.T.
August 25, 1976**

PROCEEDINGS AT COMMUNITY HEARING

Volume 76

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

Prof. Michael Jackson, for Mackenzie Valley
Pipeline Inquiry

Mr. John Steeves, for Canadian Arctic
Gas Pipeline
Limited;

John Burrell, for Foothills
Pipelines Ltd.;

Witnesses:

Chief Joe Charlo	8351
John Steeves	8353, 8368
John Burrell	8353, 8369
Antoine Liske	8364
Isadore Tsetta	8370
Michel Noel	8373
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1 Detah, N.W.T.

2 August 25, 1976

3 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

4 THE COMMISSIONER: Well,
5 ladies and gentlemen, I'll call the hearing to order.

6 I am Judge Berger, and this
7 is the last place that the Mackenzie Valley Pipeline
8 Inquiry is visiting and we're here to listen to what
9 you people who live in Detah have to say about the
10 proposal to build a gas pipeline along the Mackenzie
11 Valley. If the pipeline project goes ahead, there will
12 be six thousand men needed to built it and it will take
13 three years to build it. The Government of Canada has
14 said, that if a gas pipeline is built, that an oil
15 pipeline will be built along the Mackenzie Valley after
16 that.

17 So that we are asking you to
18 consider the impact of the great construction project
19 in the north.

20 We've been told that if a gas
21 pipeline is built and then an oil pipeline, there will
22 be increased oil and gas exploration activity
23 throughout the Mackenzie Valley.

24 The pipeline will provide an
25 opportunity for jobs, for people who live here in the
26 north. I'm not here to tell you that it's a good thing
27 or a bad thing. I'm here to find out what you think
28 about it, because the Government of Canada has said,
29 that they don't want to decide whether to build a
30 pipeline or not until they know what the people who

1 | live here in the north have to say about it.

2 | So, I want to know what you
3 | people, who live here in Detah think and even though it
4 | looks as if half of Yellowknife came here with me,
5 | tonight, I hope you'll feel free to speak up and tell
6 | me what's on your mind, just as if there were only
7 | yourselves and myself here tonight.

8 | Let me just add that our
9 | representatives here tonight from both of the pipeline
10 | companies, Arctic Gas and Foothills and they're here to
11 | listen to what you have to say, but later on, if you
12 | have any questions you want to ask them or if you want
13 | then to explain their projects to you, we'll ask them
14 | to say something.

15 | I'd like to hear from those
16 | of you who wish to speak and Chief, if you wish to make
17 | a statement now, or any members of the Council?

18 | (JOE TOBIE SWORN AS INTERPRETER)

19 | CHIEF JOE CHARLO sworn:

20 | THE INTERPRETER: Like you
21 | said, that there's two representatives from the
22 | pipeline. Who are they?

23 | THE COMMISSIONER: Oh, this
24 | is Mr. Steeves, with the -- he's got his hand up there,
25 | with the green.

26 | MR. STEEVES: Everybody says
27 | it's a life preserver. It's really a jacket.

28 | THE COMMISSIONER: And Mr.
29 | Burrell there is from Foothills. Mr. Steeves from
30 | Arctic Gas, Mr. Burrell from Foothills.

1 THE INTERPRETER: Just before
2 I start, I talked to the guy last night --that was
3 Michael Jackson there. I told him that maybe lots of
4 people want to speak, because this is the last Community
5 Hearing. We might sit till 12 o'clock tonight and if
6 some more people want to speak, then we could sit again
7 tomorrow night, but tonight just till 12 o'clock, but
8 tomorrow night I won't mention the time, because that's
9 the last time. And I want you to know that this is the
10 last Community Hearing and I want you people who want to
11 speak, we'd like to hear from you.

12 Right now, a few people
13 are missing yet, so maybe they're waiting for
14 tomorrow.

15 Talking about a pipeline, the
16 Inquiry probably visited 25 communities and the people
17 who speak, they swear by the Bible.

18 We love our land and the
19 people on it, white and native. We are all friends,
20 all the people on the land. How many months the people
21 have been asked to say things about their land. Well
22 the way the people see this, these things we're talking
23 about might destroy our land. I hope all the people
24 that live on this land, white and native, I hope the
25 government listens to the people.

26 Like there's, is there a pipe
27 has been stored in the delta? This is what I'd like to
28 ask.

29 THE COMMISSIONER: Do you
30 want to answer that Mr. Steeves or Mr. Burrell? Is

1 pipe being stored in the delta for the pipeline, is
2 that the question?

3 MR. STEEVES: Well I can
4 speak for Arctic Gas, sir. Arctic Gas has no pipe for
5 a pipeline stored in the delta. Are you thinking of
6 something you read in the press or heard on the radio
7 about pipe?

8 THE INTERPRETER: He wants
9 to know, like, is the pipe stored already and then
10 after the pipe was stored and this Inquiry went on.

11 MR. STEEVES: No.

12 THE COMMISSIONER: Mr.
13 Burrell.

14 MR. BURRELL: Foothills has
15 no pipe in the delta or anywhere in the Northwest
16 Territories.

17 THE INTERPRETER: What size
18 is the pipeline and how thick is the pipeline I want to
19 ask you?

20 THE COMMISSIONER: Do you
21 want to go first Mr. Burrell?

22 MR. BURRELL: The pipeline
23 which we are proposing is 800 miles long and it runs
24 from Mackenzie Delta along the river to Mackenzie River
25 to the 60th Parallel. That pipeline is 42 inches in
26 diameter and about half an inch in thickness.

27 THE COMMISSIONER: I think
28 you should add that your pipeline has laterals that
29 come as far as. Yellowknife around Great Slave Lake.

30 MR. BURRELL: Yes in addition

1 | to the line which runs along the Mackenzie Valley, we
2 | are also proposing to run small diameter lines from
3 | three inch in diameter to 10 inch, to serve,-provide
4 | natural gas service to some 11 communities in the
5 | Northwest Territories. One of those communities is
6 | Yellowknife.

7 | THE COMMISSIONER: Mr. Steeves?

8 | MR. STEEVES: The pipe for
9 | Arctic Gas scheme is 48 inches, about there, and about
10 | 7/8's of an inch thick.

11 | THE COMMISSIONER: Chief,
12 | maybe I should just say something. You asked whether
13 | there -- these companies had stored pipe in the Delta?
14 | I've been all over the Delta and I haven't seen any
15 | pipe. They -- I think it's safe to say that they don't
16 | -- they don't have the pipe stored in the Delta to
17 | build the pipeline and I think we can take their word
18 | for that. It would e pretty hard to hide it in any
19 | event, so I think we can accept what they say about
20 | that. I certainly accept it and I think you should
21 | too.

22 | I think I should add this,
23 | Arctic Gas has ordered the pipe from the Steel Company
24 | of Canada, but, if the government doesn't let them go
25 | ahead, with the pipeline, then the Steel Company
26 | won't go ahead and make the pipe. Okay, I hope that's
27 | clear.

28 | MR. STEEVES: Well, I'd like
29 | to make sure that's clear, sir. You know, my idea as a
30 | lawyer, what it means to order something is --

1 THE COMMISSIONER: Well you
2 go ahead and add to it.

3 MR. STEEVES: I don't want to
4 correct a judge, you should never correct a judge. I
5 think, but Arctic Gas has said to the Steel company
6 "If, the government says, go ahead, we want you to make
7 the pipe for us," and that's all they've said.

8 THE COMMISSIONER: That's
9 fair enough.

10 MR. STEEVES: Okay.

11
12 THE INTERPRETER: I am just
13 asking about the size of the pipeline and how thick the
14 pipeline is. I'm not only I'm not the only one that
15 wishes to know, it's all the people in, the ball here
16 that wanted to know how thick it's going to be and how
17 big the pipe is going to be. This is why I just ask.

18 This half an inch pipe; will
19 it last until the end of the world? In this cold
20 weather, like in the north here, it's really cold, so
21 one of these days, the pipe might break.

22
23 THE COMMISSIONER: Do you
24 want to say anything about that?

25 MR. BURRELL: The pipe which
26 will be installed will be designed especially for the
27 cold weather and the ground temperatures in which it
28 will be installed and that's a fact that has been taken
29 into consideration. Now as far as how long it will
30 last, there's been experiences in Alberta where they've

1 | been moving gas now for over sixty years and the pipe
2 | that was put in then, at that time is still
3 | transporting gas and it's in very good condition and
4 | they expect that they'll be using that pipe for some
5 | time to come.

6 | MR. STEEVES: Yes, there
7 | could be a break.

8 | THE INTERPRETER: Like you
9 | see, the rocks around here, some rocks are thicker than
10 | the half an inch but yet they crack. If they crack
11 | they crack till about ten feet deep. And the gas is
12 | real y strong, it's really, it's a natural gas, it's
13 | real strong, and on the cold weather, maybe some day,
14 | the rocks will crack and also the pipe might crack with
15 | it too.

16 | We know this pipe -- the
17 | pipeline will spoil our land, not only land, whatever
18 | lives on that land, the one we live on, like the
19 | animals. Like all the people in communities, we hear
20 | them that nobody wants, nobody that we heard that they
21 | want a pipe to go through because we know it's no good
22 | for us, not only the things that live on the land, also
23 | the fish in the lake, that's why we wanted our land not
24 | a pipeline.

25 | Like this pipeline we are
26 | talking about, one of these days it might break, not
27 | only in the Northwest Territories, but across
28 | Canada, north and south and if it breaks, it will
29 | spoil our land and which is what we don't want to
30 | see that our land spoiled. We're talking about a

1 pipeline that we live on this land or live on this
2 earth. The native and the white, we are all cousins
3 and we are supposed to love each other, That's why
4 we are talking about this pipeline.

5 One of these days, maybe the.
6 pipeline will catch on fire and everybody will be gone,
7 which we don't want to see this. This is why we love
8 each other and love our land.

9 We're talking about the
10 pipeline. All the native people don't want the
11 pipeline because we know it might it's going to spoil
12 our land.

13 It might be easy for a white
14 man to open a tap and get gas but someday might be very
15 bad. This is why we don't want to see that.

16 Talking about a pipeline for
17 so many months and the way we think about this
18 pipeline, we really don't go for it because we know
19 it's no good for, the people because you know it's been
20 talked about so many months, but still we really don' I
21 agree to have a pipeline.

22
23 Like we know if we lose an
24 axe, as most of you know how thick the axe is, like if
25 we lose the axe in the water, If it stays for three or
26 four months, it gets all rusty and you know how thick
27 the axe is and the thing spoils in the water. What if
28 the pipeline goes through some places like a swamp and
29 the pipes will get rusty too. It might not only get
30 rusty by the connections like all that's bolted, and it

1 | might get rusty between the bolts between connections.

2 | Like we're talking about a
3 | pipeline that's going to go to the south and how long
4 | will that pipe last if gets there and if the pipes
5 | spoil with water, well how soon will the -- how often
6 | will the pipe be changed? And I understand some places
7 | it would go underneath the river. Right now, like the
8 | governments spending how many millions of dollars on
9 | the pipeline on this pipeline Inquiry and if the pipes
10 | spoil, it breaks, and it would be fisted again. Like
11 | if you had to fix all the pipes all the way along, how
12 | many miles, and how much will the government spend
13 | again?

14 | Even though they change the
15 | pipes every so often, it will still spoil.

16 | We talk about the pipeline.
17 | If. there is a pipeline, it will not be changed every
18 | year and the water will spoil the pipe and it will
19 | spoil, if the oil or gas spill, then it will spoil all
20 | the land. Everything on the land and everything in the
21 | water.

22 | Like this Mackenzie River is
23 | a strong river in the winter and in the springtime
24 | there's always water and you see there's creeks, around
25 | the river, that all the creeks run into Mackenzie River
26 | and if the pipe breaks, gas or oil will go on the land,
27 | then it will run into a lake and the river and whatever
28 | lives in the water, stays in the water, will get
29 | killed. And we know all that, this is why we are
30 | against the pipeline.

1 We talk about the -- you
2 always talk about a pipeline in the hearing. The
3 government must know or they want to know what the
4 native people of the north think about a pipe. He
5 must know that something -- he must know something else
6 besides a pipeline which the natives think about.

7 All the people on the land in
8 the north talk about the pipeline and that I just
9 mentioned that the people must think about something
10 else that I wanted to say now. If the government
11 really want the gas or oil in the south, like all the
12 people are against the pipeline, so what I want to say
13 is why not build a railroad and have a train road so it
14 can ship the gas south, you know, so it would be just
15 as good as the pipeline and then the gas might go as
16 fast as the pipeline.

17 Like I said, maybe we should
18 have a railroad instead of pipeline because the
19 railroad might not be as dangerous as the pipes, like
20 if the train carries the gas or oil and then if there
21 is something wrong with the rail, then you could stop
22 right there and wait until the not wait until, but it
23 might be a good idea to have a railroad. The people
24 have mentioned lots of things but this is one thing I
25 haven't heard anybody mention about a railroad. But a
26 pipeline will spoil our land and then it might spoil
27 all the people.

28 If we -- not if we, but we
29 live on the rocks here and like I mentioned that
30 sometimes the, or we heard that the pipe will be buried

1 in about eight feet deep and on the cold rocks or in
2 cold weather, the rocks will crack and if the pipe is
3 there, it might not last very long in the winter,
4 because it's only half an inch pipe, which is
5 dangerous in the rock country. It will break for
6 sure.

7
8 When we think about that.
9 Well, this is what I think about anyways, a least, So,
10 the railroad might be okay for a pipeline, well I mean
11 the railroad might be okay, but a pipeline is no good.
12 This is what we, the native people think, because we
13 live off the land and if the pipe ever breaks, it might
14 not break only in one little place.

15
16 The white people are okay
17 because they got money and they can buy things from the
18 store, and we the native people, we live off the land.
19 This is why we are concerned about the land. If the
20 pipeline ever pits in and never goes through, then we
21 won't live like our ancestors, like our fathers and
22 their fathers and then their fathers and that would be
23 so pitiful if a pipeline comes in.

24 When the first government got
25 to this lake, this Great Slave Lake, and came here with
26 money Sand which they made a treaty with the native
27 people, we didn't know what we signed the treaty for.
28 We didn't know that we signed a treaty for our land.
29 When the treaty was signed it was for the white and the
30 native people to be friends and work together, this is
what we -- this is what we've been told. This is why

1 | we got the money at that time.

2 | And then we thought that
3 | there won't be any la like we live off the land and
4 | hunt for what-we want and fish anytime we want, The fur
5 | we catchy there was no certain season or made any law,
6 | this is why we had the money, but, now if the pipeline
7 | comes through then it would be just like -- just like
8 | we're in jail or just like the law, the law is broken,
9 | then how can we live off the land if all our fish,
10 | animals and fur all got killed with the pipeline.

11 | When we have a meeting like
12 | this and we talk about things that we want to discuss
13 | about the things that we got on our mind. Now that
14 | we're here and then talk about this pipeline 4 AU the
15 | people have spoken about a pipeline, and what they
16 | think about a pipeline, probably young people, older
17 | people, old women, and little kids. I'm pretty sure
18 | they spoke about their own land, what they think about
19 | their own land in the north. Like we're a native
20 | people and the white people who all live together, we
21 | are cousins and if something happened to the pipeline,
22 | it's not going to only, happen to the native people, it
23 | will happen to our cousins, like the white people.
24 | This is why we don't want to see our land to be
25 | spoiled, this is why all the native. People are
26 | against the pipeline.

27 | Well we haven't got very much
28 | time left, like we said only till 12 o'clock and then
29 | we will talk. There's lots of people who wants to
30 | speak, I think there's lots of people who want to

1 | speak, so that's all for me tonight, but I will be
2 | speaking again probably tomorrow night if we're sitting
3 | again tomorrow, but for you. people like he said, you
4 | are not going to run away, so we'll probably meet again
5 | anyways, so it will be all for me tonight.

6 | I'd like to get the
7 | councillors if they want to say their speech.

8 | THE COMMISSIONER: Chief,
9 | we'll come back tomorrow night if there are more
10 | people that want to speak tomorrow night. That's
11 | okay. Before we hear from the councillors I think I
12 | should tell you that there are people in Southern
13 | Canada, who agree with what you said about a
14 | railroad, as a way of bringing the gas from the
15 | Arctic to the south. The Department of Transport
16 | carried out a study which said, that you could build
17 | a railroad and you could bring the gas out in
18 | railroad cars and there are there is a group called
19 | the Institute for Guided Ground Transport at Queens
20 | University in Ontario, that agrees with you too, but
21 | the companies that want to take the gas out, they
22 | want to build a pipeline, so that's why we're
23 | looking at the proposal to build a pipeline.

24 |
25 | None of the railroads have
26 | come forward and said, we want to build a railroad to
27 | the Arctic to bring the gas out and though people agree
28 | with you that not everybody, but there are some people
29 | who agree with you, that a railroad is a way of
30 | bringing the gas out. The railroads aren't prepared to

1 | go ahead and build a railroad and they're the
2 | only people who are in the business of building
3 | railroads.

4 | The National Energy Board has
5 | the job of looking at the question whether a railroad
6 | is a better way of transporting the gas than a pipeline
7 | is and the National Energy Board will be holding a
8 | hearing in Yellowknife on October 4th and it may be
9 | that they will consider that idea of a railroad then.

10 | I know this must sound
11 | terribly complicated, but that's the way these things
12 | are considered and, it's really not my job to consider
13 | whether a railroad is the best means.

14 | THE INTERPRETER: He's just
15 | asking me that will there be another inquiry like this,
16 | you know, just to translate the -- what they say like
17 | native language?

18 | THE COMMISSIONER: Well I got
19 | to tell you I don't know. I'm sorry, But I lm, sure
20 | they will. I think what I should do Chief, to be, so
21 | that there's no, *I will have the what you said about a
22 | railroad has been taken down on tape and will be typed
23 | up, so that it will be in a, there'll be a record of
24 | what you've said and I will send that to Mr. Stabback
25 | who is chairing the Energy Boards panel and make sure
26 | that it comes to his attention. I've said enough and I
27 | can hear from the other members of the Council.

28 | THE INTERPRETER: He says I've
29 | said enough too.

30 | (WITNESS ASIDE)

1 ANTOINE LISKE, Sworn:

2 THE INTERPRETER: Counsellor

3 Antoine Liske.

4 I'd like to speak a little of my
5 mind. We are talking about a pipeline and, we the native
6 people, we know the land and we live in the rock country
7 here. We like to know whether it's going to be in the
8 Rockies or amongst the mountains, which side of the
9 mountains and what kind what kind of a land it is going to
10 go through, if the pipeline is going to come through.

11 THE COMMISSIONER: Well, the
12 pipeline will come dawn the east side of the Mackenzie
13 River but it will be on the west side of the mountains
14 that that are beyond the river. It will cross the
15 river south of Fort Simpson under the river. They
16 intend to bury the pipeline under the river, and one of
17 the companies, Foothills, intends to build a pipeline
18 that will come around the north side of Great Slave
19 Lake to bring gas to Yellowknife and Rae. The main
20 pipeline will proceed into Alberta and it won't go
21 through the Rockies, it is on the east side of the
22 Rockies and then it goes across Canada, across the
23 Prairies and across Ontario. Is that where these
24 pipelines are going?

25 MR. BURRELL: Yes.

26 THE INTERPRETER: What about
27 the creeks? Will they go underneath the creeks or go
28 over the creeks? Because in the winter-time in the
29 north, there is lots of overflow, like creeks and if
30 it's cold weather in the winter-time and those ice

1 | cracks too, so if the ice cracks, probably the pipe
2 | will crack too.

3 | What about if the pipe comes
4 | if it's going to come through if it meets a long lake
5 | how will they cross it, will they ,go around it or
6 | across it? Because in the cold weather, you know, the
7 | lakes freeze too, but it doesn't freeze over all the
8 | way to the bottom, it freezes so many down and there's
9 | always water underneath to the ground. So how are they
10 | going to do this?

11 | And then when we think about
12 | this pipeline, you know, then, when we think about a
13 | pipeline we know it's dangerous for us, all the native
14 | people know that it's dangerous for the people. This
15 | is why we -- (Power Failure)

16 | THE COMMISSIONER: Okay.

17 | THE INTERPRETER: Yeah,
18 | excuse me, I thought -- I think I went as far as the --

19 | MR. STEEVES: I think he's
20 | talking about lakes.

21 | THE COMMISSIONER: Crossing
22 | lakes.

23 | THE INTERPRETER: Yeah, well
24 | like you said, the -- what about the long lakes, how
25 | will they cross it, will they go around it and then
26 | will they go right through, because in the cold even
27 | though its a cold weather, the lakes, they only freeze
28 | so many feet and then it's water underneath. Well he
29 | wants to know how will they cross it? So we know we
30 | live in the cold weather, this is why we don't want to

1 | see the pipeline come through because it will spoil our
2 | land but, we agree that we like to see the railroad
3 | instead of a pipeline.

4 | THE COMMISSIONER: Do you
5 | want these gentlemen to answer about the creeks now or
6 | do you want to wait until you're do you want them to
7 | wait till your finished?

8 | THE INTERPRETER: When we
9 | talk about this pipeline we don't know because never on
10 | our land has this pipeline ever built, so this is why
11 | we want to know and this is why we're asking questions.
12 | Whether the pipeline will be above the ground or will
13 | it be buried. This is why we are asking questions.

14 | We live on the rocks here and
15 | there's some animals live on the land too. What will
16 | happen if you meet the rocks or the mountain and some
17 | animal lives on the mountain? What will happen if the
18 | pipelines going to go through the mountain or how are
19 | you going to go through the mountain? This is what we
20 | wanted to know also.

21 | Like the lands are not all
22 | the same, some places there's rocks, some places
23 | probably good soil, but some places there's lots of
24 | swamps, what will happen if they go through the swamps?
25 | Like you see the poles, like the light poles some place
26 | they're in the swamps and like in the wintertime, it.
27 | freezes and then it thaws again -- and you probably
28 | notice that the poles get leaning to one side, like now
29 | because of the land freezing in the wintertime and then
30 | it heaves up you know so like the pipes, if they go

1 through the heaves like that, and then in the
2 wintertime probably moves the ice or the land and then
3 if the pipe moves, they could probably break the pipe
4 there, too.

5 In the spring time or like
6 when you cross the river, there is always the strong
7 water and the water is really strong, so if you have
8 the pipe underneath or somehow you cross it you know,
9 you probably break the pipes too --

10 Like we know the land, that
11 they're not all level, some places you know get higher,
12 some places gets low, that's why we, you know, this is
13 why we talk about land and this is why all the people
14 that talks about the pipeline that they don't want to
15 see the pipeline go through. That's why we know that
16 land and then this is why we talk about it.

17 So he says there's some
18 people who has to speak, so this is all I want to say.

19 THE COMMISSIONER: Thank you
20 councillor. Let me just say something about this, and
21 then we'll ask these two gentlemen to say something
22 too.

23 You said that this is a cold
24 country and the ground heaves when it freezes. Well
25 that's something that the engineers who work for these
26 two companies have spent a lot of time studying and
27 they are very good engineers and they've come to the
28 Inquiry and they have said, the ground will heave but
29 that it won't cause the pipeline to break. The --
30 that's the view that the pipeline companies and their

1 | engineers have expressed. There has been a man who has
2 | cane to the Inquiry who has told us, that the heave
3 | will be much greater than the companies predict; that
4 | is Dr. Williams of Canton University and the Scott
5 | Polar Institute. He says, the ground will heave five
6 | times more than the pipeline companies predict and if
7 | that happens, they won't be able to build this pipeline
8 | and bury it beneath the ground.

9 | I just want you to know sir,
10 | that the Inquiry is considering the problem that you've
11 | raised, relating to the heave that is caused by
12 | freezing in this northern country.

13 | Maybe you'd translate that
14 | Mr. Tobie and then we'll see if you gentlemen want to
15 | add anything. I'm summarizing Mr. Burrell, the
16 | evidence that was given in phase 1. I should add that
17 | this will be the --'if it is built, it will be the
18 | first pipeline buried in permafrost anywhere in the
19 | world.

20 | Before we go on, Mr. Steeves
21 | and Mr. Burrell, if you want to add anything, please go
22 | ahead, I'm --

23 |
24 | MR. STEEVES: I want to say
25 | this, you speak of two concerns, you say river
26 | crossings and you say frost heave. Arctic Gas agrees
27 | with you, that those are very special problems and very
28 | difficult problems and they accept that Arctic Gas must
29 | understand as much as you or other people of the north
30 | understand about frost heave and about rivers and

1 | crossing them, but must understand more, they must
2 | understand how to build a pipeline through them, before
3 | they can go ahead. That's one of the things Mr.
4 | Justice Berger has to decide, whether or not the
5 | pipeline understands and that's one the things as well,
6 | that the N.E.B, the National Energy Board must study on
7 | and decide. Does the pipeline know enough about river
8 | crossings? Does the pipeline know enough about frost
9 | heave?

10 | THE INTERPRETER: He's, just
11 | asking a question about the land, because the land is
12 | not al the same level and there not the same like some
13 | rocks and swamps and some other -- this is why we just,
14 | wanted to tell the crowd, to let the crowd knows what
15 | kind of a hearing we're having here.

16 | THE COMMISSIONER: Did you
17 | want to add anything about those problems Mr. Burrell?

18 | MR. BURRELL: Well, as the
19 | councillor said, they were concerned about, and as Mr.
20 | Tobie was saying, that concerned about a crossing of
21 | creeks and how they'd avoid lakes or going through
22 | mountains and swamps and the pipeline company when it
23 | looks at building a pipeline, not only here but
24 | everywhere, looks at how it can avoid these areas
25 | because the pipeline company wants to put the pipeline
26 | in a location that it will be as safe as possible Now,
27 | it means though that it can't avoid all these areas and
28 | it's necessary for it to cross rivers occasionally and
29 | when they do cross rivers, there's a special design
30 | made o the pipeline and the pipe line is buried well

1 below the surface of the river bottom, so that the
2 strong flow of water won't wash the pipeline out and
3 it's put in, in a safe manner.

4 Now as far as going through
5 swamps, you mentioned that it could rise up and there
6 are weights put on the pipes to keep the pipe stable
7 and you mentioned earlier about corrosion or rusting of
8 the pipe. The pipe is coated with tar and a special
9 coating to keep the water away from the pipe, so that
10 it doesn't rust, but the pipeline has the same concerns
11 that you have. It wants to put the pipe in as safe a
12 location as it's possible to do and those areas where
13 it's difficult it makes special provisions to minimize
14 those difficulties.

15 THE INTERPRETER: He's just
16 saying that we'd just like to know about these
17 questions that we ask.

18 THE COMMISSIONER: Well
19 that's fine.

20 (WITNESS ASIDE)

21 ISADORE TSETTA, Sworn

22 THE INTERPRETER: This is
23 Isadore Tsetta. You probably had the community
24 hearings in 24 other communities and now this is the
25 last one, here.

26 You probably heard all the
27 people in communities and I don't think anybody told
28 you yes, we agree with he pipeline because it's going
29 to be good far us. When those people don't agree the
30 pipeline we don't agree -- we don't -- we think the

1 same thing, we don't agree with the pipeline.

2 If the pipeline comes
3 through, we know, like we're sitting here, we know how
4 many things are going to be destroyed.

5 When the pipeline will come
6 through or if it gets in construction, sure there will
7 be lots of money, but, and also there will be lots of
8 problem with it.

9 When all the people say that
10 we don't want a pipeline, once a person say, they all
11 agree with a problem they see, it shouldn't be broken,
12 their talks.

13 If the pipeline goes on
14 construction, it will go, someplace and then may be
15 someday it will come to our land here too.

16
17 Like you see in town here in
18 Yellowknife, there isn't that much of jobs here but
19 there's lots of people, lots of people got problems,
20 not only by disease.

21 When we, the native people
22 say something, not only one town or not only in one
23 village, all the Northwest Territories. If they know
24 like they say, there's going to be a problem, if one
25 person says that and we know it and then we-agree with
26 one person about a problem, and the pipeline when it's
27 finished construction and sitting there, it's not going
28 to sit free without catching fire.

29 We know and we see that the
30 forest fire gets in, like on the land, it doesn't only

1 burn one area every summer, it burns so many different
2 areas every year.

3 We know that the fire and the
4 gas, even though if the fire gets the gas, we know how
5 it's going to spoil and how big of a destroy it's going
6 to make. This is what we knew, this is why we know,
7 this is why we've been talking about that.

8 Even right now I see Con mine
9 right across here and then even though there's no pipe
10 here you know, if we catch a fish in a lake there,
11 there's always oil taste.

12 THE COMMISSIONER: There's
13 always what?

14 THE INTERPRETER: Oily. That
15 s why all the native people and the people that live in
16 the north here, they talk about this pipeline, what
17 kind of a problem it will give, so this is why we got
18 that on our mind too.

19
20 Like I said, if anybody want
21 to speak about the pipeline, I don't think anybody will
22 tell you the pipeline is good. It might be a better
23 idea to get the train or railroad instead of a
24 pipeline. We think that might not be much problem
25 then.

26 Like now across the lake to
27 Hay River, there's a railroad from the south which is
28 along so many miles that they went through and from
29 here to here to Yellowknife it's not that far from --
30 it's not the same length from where they built it.

1 When we talk about the
2 pipeline, one of these days if it breaks, it will spoil
3 or kill our fish, our fur, our animals that lives out
4 in the bush and which we don't like to see that happen.
5 That's why we talk about this so many times.

6 On this earth, he says.
7 everything you see, one of these days, it will spoil.

8 The forest fire has been
9 through the bush, we know for sure that the caribou
10 doesn't go back there to feed, so once the bush is
11 burned, then it's just as good as waste. And if the
12 pipe breaks and if the oil or gas flow on the land, all
13 around how far the gas flows or oil flows, we don't
14 think the animals will go to there and live there.

15 That's all I want to say for
16 now, but, so some other people want to say something,
17 so that will be all for me.

18 THE COMMISSIONER: Thank you sir.
19 (WITNESS ASIDE)

20
21 MICHEL NOEL: Sworn

22 THE INTERPRETER; As he's been
23 travelling on the native land, and probably government
24 said to find out what about the native people on the
25 land that live in the north, so this is why the
26 government probably hired you, that's why you come to
27 listen to all the native people in the north.

28 As native people, we are not
29 the rich people, that's why we depend on the land,
30 whatever is on the land, we live by it. That's why

1 | so there's other people that want to speak anyway, so
2 | that's all I have to say.

3 | THE COMMISSIONER: Thank you
4 | Mr. Noel.

5 | (WITNESS ASIDE)

6 | PETER LISKE: Sworn

7 | THE WITNESS: Ladies and
8 | gentlemen, I'll do it in English and then I'll
9 | translate it myself.

10 | Mr. Berger, my name is Peter
11 | Liske, I have lived in Yellowknife for eight years. I
12 | was born in the settlement of Fort Rae. Raised at Fort
13 | Rock, went to school in Fort Smith and Fort Simpson and
14 | have worked at variety of jobs here in Yellowknife.

15 | I am close to my people. I
16 | know their ways, how they think, what their feelings
17 | are about the idea of the pipeline and land claims and
18 | resource development, and how these things will affect
19 | us. I have listened to the statements made by the
20 | people along the Mackenzie River for the past two years
21 | in the context of Dene -- history, past, present and
22 | future.

23 | We are now in the last stage
24 | of the Inquiry and this is the last chance for the
25 | people to express their views. I would like now to
26 | express my views on the Dene people and the pipeline.

27 | The Dene people are all
28 | saying, "This is our land, this is our home."

29 | The pipeline has not even
30 | been built in the Northwest Territories and already

1 | development has affected the people in this area. What
2 | the Dene people are saying is, no development like the
3 | proposed pipeline until a land settlement is made with
4 | the native people.

5 | The pipeline will destroy the
6 | natural environment for our people. They are living
7 | off the land, along the Mackenzie River. Everyone
8 | knows that caribou and birds will change their complete
9 | migration-route rather than go near any manmade
10 | obstacle.

11 | Mr. Berger, you must be aware
12 | that the people of Detah Village and Latham Island,
13 | what you call Rainbow Valley, are already affected by
14 | the arsenic coming from the two mines operating in this
15 | area, on and Giant Mine.

16 | Although the native people
17 | are living near the capital of the Northwest
18 | Territories, and in the vicinity of two of the richest
19 | gold mines in Canada, people of this area are not
20 | receiving any benefits, nor are they able to sit down
21 | and discuss the problems created .by the two mines
22 | over the years. The people of Detah have no jobs,
23 | other than hunting, fishing and trapping for their
24 | living.

25 | Before the white man came the
26 | old people have said, we live by hunting and trapping,
27 | but now there are too many promoters and developers
28 | seeking riches from our land. Much has changed and
29 | will continue to change unless, we the Dene, prepare
30 | ourselves for education, social and economic

1 development and political control.

2 Too often in the past, we
3 have been forced to adjust to change that was beyond
4 our control, but now more and more of our people are
5 saying, enough is enough.

6 This situation has been
7 allowed to exist and there have been no plans for co-
8 operation with and compensation to the local native
9 people and I feel that the same situation will occur in
10 the Mackenzie Valley should a pipeline be allowed to be
11 built before land claims are settled.

12 The young people are becoming
13 aware of what has happened in the past to their parents
14 and grandparents and what has been lost to them and
15 what they have to fight to gain back that control.
16 Even today, the native people have very little
17 understanding of the situation. They do not understand
18 development and its effects on the people, nor can they
19 express their feelings of frustration and our fear of
20 what we'll do to their way of life.

21 At this time, I would like to
22 say, that you have played an important role as a good
23 listener and hopefully your recommendations will be of
24 great value to all people of the north but, I urge you,
25 Mr. Berger, to caution the people in Ottawa to think
26 very carefully to weigh the effects of a pipeline, to
27 seek consultation with the native people, to take their
28 advice on all matters before making any decision. Our
29 existence could very well depend on whatever Ottawa
30 decides.

1 The Dene people are saying,
2 no development like the proposed pipeline until a land
3 settlement is made with the native people.

4 I will support this statement
5 until such time that the Government of Canada sits dawn
6 with the Dene leaders to discuss their land claims.

7 I would like to thank you,
8 Mr. Berger, for giving me the opportunity to make my
9 presentation.

10 (WITNESS ASIDE)

11 THE COMMISSIONER: Thank you,
12 Mr. Liske, I wonder if you'd let us keep your written
13 statement so it will be part of the permanent record of
14 the Inquiry?

15 (STATEMENT MARKED AS EXHIBIT C-661)

16 JOE MARTIN Sworn:

17 THE INTERPRETER: This is Joe
18 Martin. Tonight we gather here. In the past we used to
19 gather and have a small meeting, talking about problems
20 like laws, and about the hunting and all this, but
21 tonight we're sitting here and talking about our
22 feelings, what we feel about a pipeline, and this is very
23 important. This is a big meeting now, we're having.

24 When we think about, when we
25 Dene people, we don't think the same, we don't talk the
26 same and this pipeline we're talking about is, it's
27 very dangerous. It's like when you think about it, we
28 know that's it's very dangerous, but, yet, if you put
29 it through, it's just like murdering the people. Like
30 he said, if you know a person who wants to murder you

1 | used to shoot caribou, just right at the point here.
2 | That was before the mine came. I remember when I
3 | was young. Lots of things to live on. I see this
4 | Giant mine, there's -- there used to be a good
5 | blueberry picking, so there's a couple of old ladies
6 | that told me that well they told me a story about
7 | how they found that gold there. So one time they
8 | were picking berries, so they were down there and
9 | one old lady, her name was Liza, she said that she
10 | found a good rock, so she showed it to one of the
11 | white men. So the white man asked her, where did
12 | you get this rock from? Well, the old lady told him
13 | that if I tell you where I found this, would you
14 | give me something and the white man said: something.
15 | Well the old lady said, okay, I need three stove
16 | pipes. So the old lady got three stove pipes. So
17 | the old lady got three stove pipes and the white
18 | man, they got mine here, how many millions of
19 | dollars they are making out of that mine there now?

20 | Like this old lady, she's
21 | our cousin. Now she gives this rock to a white man,
22 | it's a big mine right now, and which the mine is
23 | getting rich and now this old lady, she died, when she
24 | was about 100 years old when she died, and she's
25 | buried over here. Now those mines, they should think
26 | about these three stove pipe and then like she is
27 | buried here but she hasn't got not even a fence around
28 | her grave. When you think about this three stove pipe
29 | and the gold, those mines they should give this old
30 | lady a gold fence on her grave, which maybe they don't

1 know where she is buried, that's why, maybe that's
2 why, but, we're here tonight not to talk about gold,
3 but yet we have to mention about what we think.

4 In the past, we know that and
5 then we heard that some people ask us Dene to ask the
6 mines, why don't you ask them for money? We don't want
7 money, all we want is what things is on our land, we
8 don't want our land to be spoiled, which we like to
9 live on our land. This is why we don't really want
10 money from the land.

11 When we talk about our land,
12 we love to live off the land; that is why we talk about
13 our land. Even though I got a bus about since 1973.
14 Last winter I went out trapping because I know it's a
15 good country for where used to go and that's where I
16 went back last winter. There two lakes there, every
17 winter caribou used to go over there and when I got
18 there, the one lake there, there was only just green
19 all around, but now one of them has just been burned,
20 the forest fire has been there. So when I was there
21 last winter, the further lake that I used to see
22 caribou, that was the one that burnt, around that lake
23 there, so when I was there last winter, below that
24 lake, there was another lake there. That's where I got
25 some caribou last winter.

26 So this forest tire, the
27 fire-fighters don't really care to put a fire out,
28 which is not like last summer or the summer here, you
29 can hardly see from the smoke sometimes. In the past I
30 used to be a fire-fighter and that's a few years ago.

1 | I think it was 1973.

2 | One time I was fighting fire,
3 | I saw two moose got killed by a fire and one of them
4 | was still alive and when we got near it, we saw that
5 | the moose was still alive but the eye was burned. It
6 | was cooked. And one time I saw a young moose that's
7 | been through a fire and just sitting in the burn and
8 | the mother got away, so the mother swam away. Then
9 | another time there's some fire-fighters, they saw a
10 | couple of martens that were sitting on a tree and the
11 | tree got fire, so both of them got killed. No, one of
12 | them got killed and the other one was -- one eye
13 | burned, so the other one was still alive. And one time
14 | there was a squirrel, a squirrel just came right out
15 | and then while it came out -- the ground was burning
16 | when it came out, so half the body was just all cooked
17 | and that's how it's killed.

18 | Not only the one we know what
19 | about the other forest fires, that the forestry don't
20 | put it out?. What about all the animals that's all
21 | been killed?

22 | After that, we fought a
23 | fire again for about a month that's past the
24 | Taltheilei Narrows and that was muskeg that has been
25 | burning for one whole month. And we know it burned
26 | about 8 feet deep, so we stayed there for one whole
27 | month but yet we couldn't put it out. So what we
28 | did is, there was rocks around it, it's a long ways
29 | around, so it's only mostly rock, so we cleared all
30 | the rocks around it and then there was three other

1 | people went there and then we told them to look
2 | after it, not to get the fire jumped to the other
3 | place again.

4 | Now talking about the
5 | pipeline, if the pipeline goes ahead, I don't exactly
6 | know how deep the pipe will be in the ground but, if
7 | the pipe gets on the muskeg like that, and if the fire
8 | doesn't go out for a month, like it did, well every
9 | day, the pipe will get hot and then hotter every day
10 | and some day, it might just bust. Like I know this
11 | summer that we didn't have no rain for at least a month
12 | and if a fire gets near the pipeline and gets on top of
13 | the pipe and then it will be really dangerous, so I'm
14 | just telling you about this, how deep the fire was
15 | burning when the, ground was burning, it's about 8 feet
16 | deep.

17 | This is all I want to say is,
18 | that what I saw in the past about a forest fire is what
19 | I wanted to tell you, that's why, so this is all I have
20 | to say.

21 | (WITNESS ASIDE)

22 | THE COMMISSIONER: Thank you
23 | Mr. Martin. Chief, I'm -- if there are quite a few
24 | more people that want to speak, then maybe we should
25 | adjourn now and come back tomorrow night, that's
26 | whatever you and the other people want to do but, I
27 | have to, these people have to take all their equipment
28 | back to Yellowknife so we can hold a hearing there in
29 | the morning, so maybe it would be better if we stopped
30 | now and came back tomorrow night at 8 o'clock.

1 THE INTERPRETER: Yes, maybe
2 there's lots of people that wants to speak, but it's
3 kind of late now anyway, so I agree with you.

4 THE COMMISSIONER: Okay, well
5 let me just thank you, the people who spoke tonight,
6 because I learned something from each one of you and
7 we'll come back tomorrow night at 8 o'clock and hear
8 from the rest of the people in Detah that and the
9 people from Latham Island too that want to speak at
10 this hearing.

11 We'll adjourn then and be
12 back at 8 o'clock tomorrow night.

13 (PROCEEDINGS ADJOURNED UNTIL AUGUST 26, 1976)

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