

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)

**Tuktoyaktuk, N.W.T.
March 10, 1976.**

PROCEEDINGS AT COMMUNITY HEARING

Volume 45

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1 Tuktoyaktuk, N.W,T.

2 March 10, 1976.

3 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

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

6 (MRS. ROSE ALBERT RESUMED AS INTERPRETER)

7 MR. CARTER: I'd like to deal
8 with a matter that was raised yesterday. You asked me
9 a couple of questions arising out of Dr. Schwartz's
10 brief, and in that brief Dr. Schwartz has suggested
11 that a 1973 whale study by a Paul Brodie had been
12 suppressed by Slaney and you wondered whether Arctic
13 Gas sponsored the Slaney studies at that time and
14 whether we, that is whether Arctic Gas, had a copy of
15 such a report by Brodie.

16 I got together with Mr.
17 Horsfield of Imperial Oil this last evening and this
18 morning and we spoke by telephone with Mr. Slaney, the
19 president of the Slaney Company, and also Mr. Webb, who
20 was the project manager in charge of the Slaney studies.
21 They advised us that their 1973 mammal studies were headed
22 up by Dr. D. Fisher. He was designated the senior
23 mammalogist, and Dr. Fisher is a member of the Faculty of
24 Zoology at the University of British Columbia.

25 Paul Brodie was a mentor of
26 Dr. Fisher's study team, and he had been hired to
27 conduct studies on the whales. This was in 1973, sir,
28 and at that time Arctic Gas was not a sponsor of the
29 studies, and I believe from speaking with Mr.
30 Horsfield, Imperial Oil was the only sponsor at that

1 We're going to be pursuing this whole question at the
2 hearings next week in Yellowknife, and the week after,
3 and I think that you can leave it to Commission
4 counsel, who is the Inquiry's lawyer, Mr. Scott, and to
5 Mr. Bayly, who represents COPE at those hearings, to
6 pursue the matter if they think it should be pursued
7 further. I think Mr. Carter has done very well to find
8 out all of this since last night, and I appreciate it.
9 If Commission counsel or Mr. Bayly decide that they
10 think it's appropriate to compare Mr. Brodie's original
11 report to Slaney with the report prepared for Imperial
12 Oil -- that's your point -- then I think they will
13 arrange for that to be done.

14 So I think that we can expect
15 that we'll have the full co-operation of Arctic Gas and
16 Imperial Oil in getting to the bottom of this one way
17 or the other.

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

20 THE COMMISSIONER: Here we
21 are again then and I think that this will be our last
22 day in Tuktoyaktuk because we agreed to go to Paulatuk
23 tomorrow, so the people who still have something to say
24 should be prepared to speak today. So anyone who does
25 wish to, just step right up and --

26
27 WILLIAM NASOGALUAK sworn:
28 THE INTERPRETER: William
29 Nasogaluak.

30 THE COMMISSIONER: Go ahead,

1 | confusion and misunderstanding between people, oil
2 | companies, and the government. If people complain to
3 | the government about these things, the government don't
4 | understand. How can they? They don't depend on these
5 | things for survival. Every complaint we make just
6 | expand the department and the government and create
7 | more confusion and the spending of the tax dollar.

8 | If there is gas gathering
9 | station established at Parsons Lake and Taglu, there
10 | will be more activities around the mouth of the
11 | Mackenzie and I am afraid by that time the geese will
12 | be taking a different route altogether. This means
13 | that we will not be depending on this renewable
14 | resource as much as we used to. This geese-hunting has
15 | been one of the treasures that nature has provided for
16 | years. Nobody will understand it except us who have
17 | been doing it over the years.

18 | Gulf Oil, which has a base at
19 | Swimming Point, has been established for a few years.
20 | It has hired a very small amount of work force from
21 | Tuk, and I believe that most of their native workers
22 | come from Coppermine area. These bases for oil
23 | companies that are established in the mouth of the
24 | Mackenzie have had a positive effect on migration of
25 | geese which only the native hunter would know.

26 | I am using this positive
27 | effect noticeable by people that live and hunt in Tuk
28 | as an example. Even if we tell our government these
29 | things that are going on, we are shrugged off as just
30 | another complaint from us. How are we going to depend

1 THE WITNESS: I am Jimmy
2 Komeak, born at Cambridge Bay in 1928, in Victoria
3 Island, N.W.T.

4 I'm going to tell you a
5 picture of myself and mostly about the Tuk area.

6 After I finished school at
7 Aklavik for three years, I went back home one year, and
8 that's when I was 15 years old. I never went to get
9 home to my parents, and I started to work for the
10 R.C.M.P. there. There were few people that speak
11 English at the time in 1941, and I just have to work
12 for them guiding them for one year.

13 By next summer I go right
14 back to Western Arctic, that was 1942, and I started to
15 work for reindeer herd that time as Northern Affairs,
16 NANNR, and I work with them for 13 years. That's how I
17 learned the Tuk area and Western Arctic, part in the
18 delta area, and I learned this, most of the Tuk area by
19 foot, by skis, by boat, by dog team. Most of my life
20 those was with my own power, and later on just a few
21 years on the skidoos, for the last few years. That's
22 how I learned this area.

23 Not very many settlements
24 like this area, like in Tuk itself. I think this is a
25 rich area, that's what I thought, because I been
26 through right along the Arctic coast in Canada, part
27 of it in Alaska, Hudson's Bay site, I been to all the
28 settlements all along the Dew Line sites, and I know
29 what's going on quite a bit. That's what I learned
30 from here and there.

1 I'm going to tell you about
2 a picture of Richardson Island itself, that's where most
3 of my spending years I've been to, by walking,
4 by skis, by dog team, it was a hard life that time but
5 it's happy life. I tell you this is the best country I
6 ever saw. When you want to get some meat, some kind of
7 animal, different kind of animal, you could get it, you
8 could name it. If you want to get some moose meat,
9 rabbits, anything you could think of you could get it a
10 little bit here and there, especially the Fish Lakes in
11 the Richardson Island. That Richardson Island is not
12 very big, about 60 miles long and 30 miles wide, and I
13 pretty know every lake without a map, because it' in my
14 mind every hill I've been walking through on that island
15 for eight years. Part of it from Inuvik and down and
16 across the Husky Lakes, Eskimo Lake, that's where we
17 spend the summer and winter, the winter we move back to
18 inland. At summertime we keep the herd at Richardson
19 Island, that's how we learn the country, and that's
20 where the wild animal is.

21 I think it's just like you
22 have to go out from your door, from your house and you
23 name it, you go and get it. Not very many settlements
24 along the Arctic coast are like this place, like in the
25 delta, and some places in the Arctic coast you just get
26 very few seal, maybe fish at the most, and when you
27 want to get some caribou meat you have to go a long way
28 to get it; and here you just have to, if you want it,
29 maybe the caribou is quite a ways but you always get it
30 on certain months.

1 I think the way I feel if we
2 had to leave this area, the way it is and if it is
3 going to destroy, if we let it go too quick, we're
4 not going to see the same country again in the near
5 future.

6 I was talking to an old man
7 at Edmonton, I forget about from the south from here.
8 I been into the Indian Village, quite a few villages
9 from here on south and some cities, like a little bit
10 here and there. That's how I make a living and I'm not
11 really expert on hunting and trapping, but I make a
12 part-time trapping and hunting. That's most of my
13 life, and I'm working for wages. Not very much money,
14 but that's what I start out with and I think the Tuk
15 area is the best place in the delta area.

16 I been working for the
17 R.C.M.P, at Aklavik for one year and I learned a little
18 bit about the delta area because I been travelling
19 through with a dog team too, and that's how I learn
20 about it. I know everything along the Arctic coast and
21 what they eat. That's how I learned my life. I think
22 that Tuk and this Western Arctic, you name it, you get
23 it.

24 I think that's about all. I
25 been passing through since I was 15 years old to now.
26 Thank you.

27 THE COMMISSIONER: Thank you,
28 Mr. Komeak.

29 (WITNESS ASIDE)
30

1
2 VINCENT STEEN, resumed:

3 THE INTERPRETER: This is
4 Vincent Steen.

5 THE WITNESS: Mr. Berger,
6 before I go any further I would like to introduce
7 myself a little better than I've been doing. I
8 represent COPE and I will be speaking for COPE right
9 now.

10 THE COMMISSIONER: Excuse me,
11 Mr. Steen, I'm having a little trouble hearing you, and
12 maybe some of these people are too. I guess your voice
13 is kind of low. Is that microphone close enough to
14 you? Can you people hear at the back?

15 THE WITNESS: I would like to
16 introduce myself a little better. I represent COPE.
17 However, I'm a trapper, I make my living in the winter
18 trapping, and I operate a boat in the summer. I've
19 spent -- I'm 35 years old and I've spent about roughly
20 most of my adult summers and winters on the sea. I say
21 this because I would like to make some comments and
22 point some things out concerning Gulf and Dome's and
23 Imperial's answers last night.

24 First of all, concerning the
25 oil blowout and the spreading of the oil over the ocean
26 and how they say they're going to control it, I would
27 like to be able to walk up to your map and if I may,
28 speak from there.

29 THE COMMISSIONER: Sure, go
30 ahead.

1 up. If for instance, you get a calm period of a week,
2 that ice might reach a foot and a half thick. But the
3 next good wind either east or west or south, would
4 just pile that ice up wherever it sent it, wherever it
5 -- till it couldn't push it any more.

6 Now what I am saying is that
7 if this oil here, for instance, is coining to the
8 surface steady, it cannot be controlled, it won't shut
9 itself off. The skin that forms on the water, because
10 you have maybe an air temperature of 25 below in
11 November, plus a wind chill which might bring it down
12 to about 60 below, now you have a steady skim on top
13 of the water, sort of a slush, and if this doesn't
14 succeed in putting out the fire, it would surely
15 succeed in picking up all that oil and bringing it
16 with it wherever the wind was going at that time.

17 Now Mr. Hnatiuk says that the
18 oil that is contained in the ice will be trapped from I
19 would question that, or else he's -- because from what
20 I have said here and pointed out it would stand to
21 reason that by the time spring came, you would have oil
22 right from east of Banks Island to west of Herschel
23 Island, wherever that ice felt like to take that oil,
24 and it would not be in big enough quantities in any
25 chunk that would actually be worthwhile marking unless
26 he marked the whole ocean.

27 As far as drilling -- I mean
28 digging the trench on these pipes, like I said last
29 night he says ten feet in 40 feet of water, and he also
30 says that the feasibility study for a pipeline has been

1 | we'll take a five-minute break. Then you can translate
2 | that and we'll hear from Mr. Norberg.

3 | (PROCEEDINGS ADJOURNED AT 4 P.M.)

4 | (PROCEEDINGS RESUMED AT 4:05 P.M.)

5 |

6 | THE COMMISSIONER: Come to
7 | order, ladies and gentlemen, and our interpreter can
8 | interpret what Mr. Steen said and then we'll hear from
9 | Mr. Norberg.

10 | (INTERPRETER TRANSLATES)

11 | JOHN NORBERG resumed:

12 | THE WITNESS: Last night I
13 | was at the table here but after listening to all the
14 | speakers at the microphone, I'll just make a short
15 | resume.

16 | When I first come in the
17 | country in 1925 I distinctly remember coming. to Tuk
18 | with my dad and my sister. We got caught in a storm
19 | out here, we had to head for the harbour, and that time
20 | there was only one little log building up on the hill
21 | here, there was, not a -soul even in it. Since then
22 | went to Coppermine, the same way, there wasn't a soul,
23 | there wasn't a building there either. That was the
24 | same year -- next year.

25 | Well, after that I've been
26 | sailing the ocean since, I've got a captain's ticket,
27 | I'm also a J.P. for the last 14 years, that's why I
28 | wouldn't touch the Bible last night. The other ones
29 | have touched it instead of me.

30 | Anyway, like I said, I've

1 | been sailing the Arctic Ocean, I've seen ice up here
2 | right from here to Coppermine and east of that where a
3 | seagull couldn't even have room to land, and that's
4 | polar ice, real heavy polar ice, and I want to show you
5 | on the map the drift of the ice we've encountered in
6 | the last 50 years. As we all know, like Mr. Steen
7 | said, with the polar pack the average thickness -
8 | anyway, I know, I've seen ice grounded out here in ten
9 | fathoms of water and that's 60 feet of water, over
10 | here, and we all know too about 1/8th -- 8/8ths of ice
11 | is underneath underwater, and 1/8th above water.

12 | Anyway you're talking about
13 | oil spills and the drift of the ice. One year a good
14 | ship, the "Lady of Lords", I believe Father Lemeur, he
15 | was around that time but he wasn't on it. Just to show
16 | you the drift of the ice, the maps are too small here,
17 | they left Paulatuk, got out on the ice, and they
18 | drifted 400 miles, 7 miles off Coppermine River, stuck
19 | on a chunk of ice with 40 tons of freight on. They
20 | couldn't move, they couldn't move until the good old
21 | Hudson's Bay ship reached them through and put a rope
22 | on them and yanked them off, load and all. So that
23 | explains how the ice can go through, in the summer, the
24 | drifts.

25 | Another time I was on a ship,
26 | first mate on the "Banksland" over here now, there was
27 | the "Banksland", two L.S.T.s, the "Pinabog" and the
28 | "Icebreaker". Off Cape Parry we got caught in the ice
29 | coming behind us. 27 days we drifted through there,
30 | drifted 350 miles to Dolphin and Union Straits way up

1 | here. So you see --

2 | THE COMMISSIONER: What time
3 | of year?

4 | A In the summertime, July
5 | and August.

6 | MRS. ALBERT: What year?

7 | A So you see if you got a
8 | big oil spill you're not only going to be concerned
9 | about around here, you're going to be concerned 300
10 | miles away, and who in the heck is going to catch all
11 | that oil 300 miles away in the ice?

12 | So that's wind and current.
13 | Even when there's no wind, there's no wind, that
14 | current rolls in, rolls in, and you're just drifting
15 | with it, you can't go, you can't do nothing with it.
16 | That's only one-year old ice. Just think what you're
17 | going to do when you get up in that big stuff.

18 | One year, too, we come out of
19 | Tuk, three freighters, left 20th of July. We finally
20 | got east 27th of October, a whole summer just fighting
21 | that ice. But we couldn't get in if we tried from
22 | Baillie Island, Pearce Point, we have to come back to
23 | harbour, so that's the drifts and it depends on the
24 | drift, too; sometimes all that ice, that bad ice here,
25 | real bad ice here by fall time it's all drifted. Once
26 | the ice gets moving nothing will stop it, even it goes
27 | right against the ice, you could just see it bucking
28 | the ice and the whole field move, nothing will stop it.
29 | That's why you get that northern pack, that heavy ice
30 | coming down.

1 Thanks very much. That's
2 all.

3 THE COMMISSIONER: Thank you,
4 Mr. Norberg.

5 (WITNESS ASIDE)

6 VINCENT STEEN resumed:

7 THE WITNESS: Mr. Berger, I
8 would like now to show how the seals and the polar
9 bears and the whales, as we know them, their movements,
10 compare to the -- well, I want to show how they move in
11 that area, that same area that's proposed for this oil
12 rig drill.

13 First of all I will point at
14 whales here, both the bowhead whales and white whales -
15 - the movement of. the bowheads as we know them, the
16 earliest that I've know that they come is not
17 necessarily the earliest they do come. People have
18 seen them earlier than ,I've actually seen them. I've
19 seen bowheads only in the summer around Hershel Island
20 at Cape Point, not far off the beach, maybe roughly two
21 or three miles off of Cape Point, and in a straight
22 line to Herschel Island. But this does not necessarily
23 mean that's when the bowhead whales come.

24 I'm just stating where I've seen
25 them. I've seen bowhead whales over on -I've seen
26 bowhead whales three miles off of Toker Point, which
27 would be about here, and I've seen bowhead whales at
28 Atkinson Point, or roughly five miles off Atkinson Point
29 in August, and I've seen bowhead whales at Cape Dalhousie
30 in August and September. I've seen bowheads off of

1 oil. They have no way of protecting themselves or
2 cleaning themselves of this oil.

3 Mr. Berger, before I close, I
4 would like to point out in all fairness that there are
5 roughly one-third of Tuk population work for --
6 have permanent jobs, either for the oil companies or
7 for the government, or for themselves. One-third might
8 work seasonally, trap all winter and work in the summer
9 on the ships or on the land loading and unloading
10 ships, construction work; and the other third of the
11 people live completely off of the land.

12 I would say that all of them
13 at one time or another either on their weekends r. on
14 the off-seasons of the oil companies, they use the
15 land, they live off, they hunt seal or they hunt whale,
16 or they hunt polar bear, or they hunt birds and caribou
17 at some time or other, all of them use the land.

18 That is all I have to, say,
19 Mr. Berger. Thank you.

20 THE COMMISSIONER: Thank you,
21 Mr. Steen. Thank you, Mr. Norberg. I certainly:
22 appreciate your discussion of the movement of the ice
23 and the currents in relation to the sea mammals.

24 (WITNESS ASIDE)

25
26 THE COMMISSIONER: We still
27 have some more time, if anyone else wishes to speak
28 they should come up. Sit down, please, sir.

29
30

1 THE COMMISSIONER: Thank you
2 very much, Mr. Anderson.

3 (WITNESS ASIDE)

4 THE COMMISSIONER: Well, we
5 still have time this afternoon to hear from one or
6 two more people, if anyone would like to say anything.

7 MRS. ETHEL TOWNSEND sworn:

8 THE WITNESS: I'm wondering,
9 since I am not from the Community of Tuk and I'm
10 bilingual, I am fluent in Slavey, if it would be
11 possible for me to speak in Slavey first? I realize
12 it's out of context because of the people here, they
13 speak Eskimo, but I did not present myself in my own
14 home community and I want to take this opportunity to
15 do so.

16 THE COMMISSIONER: All
17 right. What is your home?

18 THE WITNESS: Slavey, Fort
19 Norman.

20 THE COMMISSIONER: Fort Norman?

21 A M-hm.

22 Q Well, I think that's
23 all right.

24 A I could give a speech
25 in Slavey, make my presentation in Slavey and then I
26 could translate it into English. It won't be word for
27 word because I have not written down a speech as such.
28 I have my notes but that's it.

29 Q O.K., sure, that's
30 fine. Maybe you could just give us your name first.

1 | there is a great need for informing the people. I
2 | feel that the people are not informed enough. I feel
3 | that when the Inquiry comes into a community people
4 | more or less come and listen and then when they find
5 | out what it is all about, they will speak. It takes a
6 | lot of time because there is a barrier there.

7 | I myself was very uninformed
8 | about exactly the workings of the Berger Inquiry, even
9 | a simple thing like how much did it cost the
10 | government for the whole Inquiry, you know. These are
11 | things that I had to find out myself. Information
12 | from the oil companies.. I am not well versed and
13 | chaptered on environmental impact and that sort of
14 | thing. I am just not but I have a feeling because I
15 | was born in the north I know how the people feel and
16 | my travels have taught me a lot.

17 | I know down south when I
18 | lived in Edmonton for instance, there was a lot of
19 | sensationalism about the pipeline. There was a
20 | stirring in the north that was happening before the
21 | Berger Inquiry even happened. In fact I remember the
22 | excitement over a judge that was picked to head the
23 | Berger Inquiry.

24 | It is very different being
25 | up here and speaking and seeing things from down
26 | there. It is very very different. Now, I feel that
27 | there will be a pipeline and yet something inside me
28 | the tie that binds my language, the life that I have
29 | lived says "Please no, no, we do not want it!" Perhaps
30 | this is because I have such a reverence for the older

1 I think that we need to
2 train people and my main concern is we do not have
3 enough time. We need more time to train our people. I
4 think people that come from the south to live here have
5 to be accountable -- their goals have to be more
6 defined. So that if progress is made, it can be visible
7 we can say "there is progress." They have to be
8 accountable for what they are doing here.

9 In the same way I feel we
10 northerners who are holding responsible positions
11 which affect the people, our goals have to be defined
12 too. Not only that, we should have some.. say in
13 what happens and things are beginning to happen.

14 People are beginning to fill
15 positions that are important, not only in education.
16 I am not taking an educational stance on this. I am
17 speaking from many many different -- in different
18 areas and I think just as an example, there are many
19 more people on the Territorial Council that are native
20 than there used to be. But the one thing that I
21 wondered about and that I asked aside from the
22 translators, the native translators on the Berger
23 Inquiry, I don't see one single native on the whole
24 Inquiry as to the ins and outs of the Inquiry as far
25 as public relations and that is a question I have for
26 you. I was wondering if you could answer it and I was
27 told part of the reason for this is that C.O.P.E. and
28 the Native Brotherhood are integrated into the
29 workings as far as their Inquiries and collecting data
30 and that is concerned.

1 THE COMMISSIONER: Well, I
2 should say that I thought about that when we started
3 the Inquiry)and I felt that the best thing would be
4 for the native people who were able to act as advisors
5 and in other positions to work with the Indian
6 Brotherhood of the Northwest Territories, with
7 C.O.P.E., with I.T.C. and with the Metis Association
8 and the Council of Yukon Indians. All of those were
9 funded by the Inquiry so that they could go out and
10 get legal advice and experts to help them because I
11 wanted them to participate in the Inquiry on an equal
12 footing with the pipeline companies and the oil and
13 gas industry.

14 I felt at the time that it
15 would be better if the native people)and you have made
16 the point that there aren't that many of them who are
17 educated, that those who were educated would be able
18 to work with their own organizations, make their own
19 presentations to the Inquiry and that's the reason for
20 that and I think that's all I can say about it.

21 THE WITNESS: M-hm. Well,
22 this just goes to prove that timing -- the timing is
23 bad. We do not even have our own expertise -- I'm not
24 saying that we will ever will. We do not even have our
25 own expertise to advise the native organizations, you
26 know. Things are beginning to happen and it is really
27 really hard for me to accept the fact that why rush, you
28 know. The people are finally getting to realize --

29 THE COMMISSIONER: I am not
30 rushing.

1 THE WITNESS: Yes, I know,
2 but other people are very anxious, you know, and it is
3 a very sad thing and another -- I think an advantage
4 of the pipeline would be the job creation. It will be
5 at its highest peak but to what extent will we
6 participate? The adaptability of our people will be
7 stretched to its limits and there is a breaking point.

8 The whole working ethic of the
9 pipeline will be new to most of the people. It will be
10 a new thing that they will -- if they are in a
11 responsible position -I am not saying they are not
12 responsible and can't hold their own but it's a whole
13 new different thing. And people will have to adapt and
14 the northern people as you know have been the greatest
15 people for adapting. They have had to. They have had
16 no choice but to adapt in many different circumstances.
17 I think that whatever happens if the pipeline goes
18 through and if it doesn't I am an eager participant and
19 my heart goes with the northern people -- the people
20 that are born here. I intend to stay in the north for
21 the rest of my life and I share the same feelings as
22 they do and I just hope that it all turns out for the
23 best either way. That is all I have to say.

24 (WITNESS ASIDE) THE COMMISSIONER: Thank you
25 very much. I'm glad you decided to speak here. Well,
26 we can hear you, sir, before supper if you like or we'll
27 come back at eight o'clock and you can speak then.
28 Excuse me, is Mr. Bayly here? Do you think that there
29 are many others who wish to speak, Mr. Bayly?

30 MR. BAYLY: I expect it is

1 | worth coming back at 8:00, sir. There are a lot of
2 | people working who may want to make their presentation
3 | this evening.

4 | THE COMMISSIONER: Is it all
5 | right if we come back at eight o'clock sir and we can
6 | hear you at that time.

7 | MR. VOUDRACH: I have got to
8 | think it over anyway.

9 | THE COMMISSIONER: Okay, we
10 | will all think about it and be back here at 8:00.

11 | (PROCEEDINGS ADJOURNED AT 5:25 P.M.)

12 | (PROCEEDINGS RESUMED AT 8:30 P.M.)

13 | THE COMMISSIONER: Ladies
14 | and gentlemen, we will come to order then and invite
15 | those of you who wish to speak to do so this evening.

16 | ALPHONSE VOUDRACH sworn:

17 | THE WITNESS: Well, sir, the
18 | last time you hear from the lady here who was speaking
19 | here before supper, she took pretty well everything from
20 | my mouth there, I guess. So I got to fill it in, I
21 | guess. Well, originally I am from Norman Wells. My
22 | mother is from Norman Wells and my dad is from Arctic
23 | Red River. I was born up here living amongst the Eskimo
24 | so I can't concern myself in Eskimo or Indian. I just
25 | get caught in between. I hope you guys excuse me for
26 | that. Since then I was living on the land. I was
27 | living on the land all these years. I never been to
28 | school. I can talk English. I can understand Loucheux,
29 | a little bit of Slavey, broken Slavey, and for English
30 | I think I pretty well can talk anything you want in

1 | been to school because they never been to school because
2 | they was brought up right from there. So I don't know
3 | what to say about the pipeline. I know it is going to
4 | hurt the country. I was watching this wildlife. I was
5 | working for wildlife. I was working for fisheries. I
6 | was working for Imperial Oil. I was working for every
7 | company. And I still -- like I say -how I'm going to
8 | say before I see it built -- I have got to see it first.
9 | Well, I guess that is about all I have got to say.

10 | (WITNESS ASIDE)

11 | THE COMMISSIONER: Thank you
12 | very much. That's helpful for me to know about the
13 | things you have discussed with us tonight. Thank you
14 | very much.

15 |
16 | DR. HERBERT SCHWARTZ

17 | resumed:

18 | THE WITNESS: Mr. Berger, my
19 | name is Herbert Schwartz and I made a submission. I
20 | would like to refer to some of the statement I made in
21 | the submission concerning the whales. The movements
22 | of the whales in the Beaufort Sea.

23 | Now, if you recall, I took
24 | an exception to the statement made by the Slaney
25 | Research Associates in which they state that by the
26 | 20th of August whales move out of the area and because
27 | of that it is perfectly safe for the seismic
28 | activities to continue and because of that the seismic
29 | activities cannot do any harm.

30 | Now, for anybody at all

1 familiar with this country knows that this statement
2 is not true. In case of a late summer and lots of ice
3 in the bay, in the Beaufort Sea and Kugmallit Bay, the
4 whales will not come in July; they may come early in
5 August or even as late as the middle of August and if
6 the seismic starts around the 20th, the people here
7 have hardly any time at all to catch these whales
8 which are essential for their survival.

9 Sir, I am not an expert of
10 the land, I am just a witness. I have been here long
11 enough to watch the people and I would very much like
12 if some of the people in the audience, the people who
13 every summer go hunting whales, if they could comment
14 on this movement of the whales and the fact that
15 apparently, according to this report, whales disappear
16 from Kugmallit Bay by the 20th of August. So I invite
17 all of you who have any experience at all to state
18 your views because you are the experts of this land
19 and nobody else is.

20 THE COMMISSIONER: Thank
21 you, Dr. Schwartz.

22 (WITNESS ASIDE)

23

24 MARK NOKSANA resumed:

25 THE WITNESS: Well, I just
26 heard what Dr. Schwartz was saying about the whales. I
27 want to make a statement, it's not true about the 20th
28 of August. Last fall I was one of them out hunting
29 whales all the time every summer and last summer I was
30 whaling around until late in August. I was there after

1 | whales. I had them lastly, saying at Shallow Bay
2 | they're coming on on the west side. I hunted beluga
3 | whales quite a bit with my boats. I even supply people
4 | that are working and that don't have little boats to go
5 | out whaling, I supply a whale for them for a price.
6 | Usually about \$50.00, \$75.00 a whale, which is very
7 | cheap.

8 | I found that the whales will
9 | come in from Shallow Bay side by into the Kugmallit Bay
10 | side as soon as the ice will let them come in. The ice
11 | if it is sitting right on Pullen Island and they cannot
12 | come in then they will stay on the west side in Shallow
13 | Bay side. I will go up if you don't mind -- if you
14 | don' mind I will go up.

15 | THE COMMISSIONER: Yes, sure,
16 | go ahead.

17 | THE WITNESS: This is Pullen
18 | Island here and the whales are definitely on the west
19 | side first, maybe sometime even two weeks ahead of Tuk
20 | side. Maybe they would have whales here in Shallow
21 | Bay-Kendall Island area. Say on the first of July
22 | where if the ice won't permit them to come by Pullen
23 | Island because there is deep water right to Pullen
24 | Island, the ice will sit there and Kugmallit Bay could
25 | be open because the river would open it but they cannot
26 | get past Pullen Island on account of the ice As soon as
27 | the ice moves off to let them through they will come
28 | into Kugmallit Bay. Not all of them leave Shallow Bay
29 | to come here but more than likely what I have seen of
30 | them, they seem to travel back and forth between the

1 left it out at the start.

2 (WITNESS ASIDE)

3 THE COMMISSIONER: Thank you
4 very much, Mr. Steen. Anyone else who wishes to say
5 anything may do so.

6 ANNIE NOKSANA sworn:

7 THE WITNESS: Mr. Berger, I
8 just want to, myself, what I write down what I think.
9 My name is Annie Noksana. I was born in Sachs Harbour
10 in 1938. I have 5 children to think about. I hear
11 about the pipeline a year and I have been thinking
12 about the Inuit land.

13 THE COMMISSIONER: Excuse me,
14 I'm sorry. I am not able to hear you. I think it is
15 mostly because of this machine that is running over
16 here Okay, but maybe you should pull the microphone a
17 little closer and just relax.

18 THE WITNESS: But so close.
19 My name is Annie Noksana. I was born in Sachs Harbour
20 in 1938. I have 5 children to think about. I hear
21 about the pipeline for a year and I have been thinking
22 about the Inuit land. I do not want to see the
23 pipeline to come up because there will be no more games
24 in our land. I don't want that to happen because I
25 have children to think about. Not only that, for the
26 whole community I am concerned about. And about the
27 offshore drilling, I don't want that to happen. There
28 will be no more polar bears, seals and fish or any
29 other games left. I don't want that to happen because
30 I myself like to fish and hunt. I have been fishing

1 (PROCEEDINGS ADJOURNED AT 9:30 P.M.)

2 (PROCEEDINGS RESUMED AT 9:40 P.M.)

3 THE COMMISSIONER: Ladies and
4 gentlemen, is there anyone else who wishes to say
5 anything before we close the hearings tonight?

6 SILAS KANGEGANA sworn:

7 THE WITNESS: I can't speak
8 in English, I have to speak in Eskimo.

9 THE INTERPRETER: Silas
10 Kangegana said I am an Eskimo and I was asked to speak.
11 I don't have very much to say but because I am an
12 Eskimo, I am going to say a few words.

13 I do not want to see an,
14 offshore drilling because there will be a *blowout and
15 the oil will go all over the ice, not only will it kill
16 our wildlife of the sea but it will go all over the
17 ice, the water.

18 Because we Eskimos like to
19 have our wildlife from the sea like fish and the ducks
20 and the whaler, and whatever comes from the sea. I am
21 against the offshore drilling but I do not want to say
22 stop the development. I really liked what Mark Noksana
23 said a while ago because we Eskimos like to have our
24 muktuk just as the white men like to have their
25 potatoes.

26 The reindeer like to go out
27 wading and swimming in the heat of the summer and if
28 there is a blowout and the oil goes on the water, on
29 the top of the water, they will get it in their fur and
30 their skin and they would go up inland and drop the oil

1 all over the moss where they eat and get it all over
2 themselves and this oil would be so hard to get it off
3 the reindeer. I do not want to see the pipeline come
4 through because we hear sometimes that there is war
5 going on or something anyway and if something should
6 fall or drop on the pipeline, the oil would spill all
7 over the land and because I am a herder and look after
8 wildlife on the line of reindeer. I do not want to see
9 the pipeline come through. This is all I have to say.

10 Silas Kangeana is a chief
11 herder and he is the co-owner of the reindeer herd
12 around Tuk.

13 (WITNESS ASIDE)

14

15

16 THE COMMISSIONER: Thank you
17 very much, Mr. Kangeana. Anyone else.

18 HELEN GRUBEN resumed:

19 THE WITNESS: I shall say it
20 in English and I shall also translate what I say in
21 Eskimo.

22 These past three days we
23 have heard about wildlife and what seismic does to our
24 land and wildlife and we have talked about the
25 pipeline and offshore drilling. Offshore drilling,
26 there is a question mark. Why does it have to be
27 done? If there is a blowout, how will we get rid of
28 all the oil that will go all over the coast? It would
29 come up through seal holes. It will go all over the
30 leads and affect our seals and our fish and whatever

1 | is in the sea.

2 | I feel that there should
3 | be more research done and we should learn more before
4 | we go into these -- before we consent to these things
5 | to happen.

6 | The other thing that has been
7 | bothering me is the land claims. We all heard that
8 | land claims-- about land claims being handed to Prime
9 | Minister Trudeau, the proposal. On the news, we heard
10 | that Inuvik was excluded. It wasn't included in the
11 | land claims and I thought of a friend there. I have a
12 | very good friend at Inuvik and I thought, boy, she sure
13 | will be upset and she was.

14 | Now, if they want to be
15 | included in the land claim, they have to move out of
16 | Inuvik in order to be included and these people have
17 | made their home at Inuvik and have put down their
18 | roots at Inuvik and why are they excluded in this land
19 | claim?

20 | I thought of my friend and I
21 | also thought I have a son there and I have a daughter
22 | there and I have a brother and my sister. Boy, that's
23 | really bad, my own flesh and blood and they are not
24 | included in the land claim when I am.

25 | In order : for. them to get
26 | this, I said they will have to move out. Where would
27 | my friend go. She is a Metis. If she tried to go to
28 | the Eskimo side, they would say go away, you are a
29 | Metis. And where would I find my friend if she had to
30 | move somewhere else because she couldn't be included in

1 | have previously stated my position as far as the I.T.C.
2 | proposal, land claim settlement in full agreement with
3 | it. I sincerely hope and would urge that a land claim
4 | settlement would be forthcoming that we altogether and
5 | the people of the north with the people of the south
6 | may build a better society for all those who live in
7 | the north and in the south. Thank you, sir.

8 | (WITNESS ASIDE)

9 | THE COMMISSIONER: Thank you,
10 | Pastor Freeman.

11 | SAM RADDI resumed:

12 | THE WITNESS: I want to refer
13 | this -- I will make it very brief though. My name is
14 | Sam Raddi and I am with C.O.P.E. I also work very
15 | closely with the land claim negotiators, Nellie
16 | Cournoyea who is well known in the Western Arctic. She
17 | is the land claim negotiator for the Western Arctic.
18 | She will be coming to all the settlements the next few
19 | weeks to explain the whole land claim proposal.

20 | There is some
21 | misunderstanding, I guess, right now because she has
22 | not been to the settlements yet to explain this land
23 | claim proposal. A while ago, Helen Gruben mentioned
24 | about land claims that Inuvik is not participating in
25 | land claims and I live there myself and so does Nellie.
26 | She is an Eskimo and there is a lot of Eskimos living
27 | there. My sisters are there and I have a lot of very
28 | close relatives living there also. There is a
29 | misunderstanding there, Helen, it is not that they will
30 | not be included. Every native that is born in the

1 Territories will be included in these land claims when
2 it is settled.

3 I guess what you didn't
4 understand is that the Nunavut Territory had excluded
5 Inuvik from participating in this Nunavut Territory.
6 And the people, the Inuit, if they want to, if they so
7 desire, they can move out of Inuvik and create another
8 settlement if they want to but whoever want to live in
9 Inuvik, it is their prerogative. It is up to them.
10 They can live there and still have claims, whatever
11 there is in the land claims proposal. They will be
12 part, partakers so there will be nobody excluded from
13 any land claims even the Dene land claims or Metis land
14 claims or Inuit land claims, they will all be taking
15 part.

16 So if Nellie Cournoyea
17 comes here, Helen, she will be travelling to all the
18 settlements and explain to all the Eskimos, we call
19 in communities in the Western Arctic and she will
20 explain the whole proposal to every home and she
21 will be doing that for the rest of this next year, I
22 suppose.

23 Next week, starting on the
24 22nd of March, the Inuit Tapirisat of Canada will be
25 holding a conference. There will be about 115 people
26 coming in and all the people in Tuk are invited to
27 listen to and ask questions if they want to ask
28 questions then. They will be holding it here in Tuk so
29 if anybody here has any questions or wants to take part,
30 they are welcome to take part in this conference. It

1 | will start on the 21st and if there is anymore questions
2 | from anybody in Tuk, like I said, Nellie Cournoyea will
3 | be here to explain the whole land claims issue, that
4 | is her job. Is that clear enough, Mr. Berger?

5 | THE COMMISSIONER: Well, I
6 | think it is and it is clear enough to me but I am it
7 | sounds like I am not eligible so

8 | THE WITNESS: Well, you may
9 | be eligible, Mr. Berger, if the people so desire, if
10 | they want to give people the first five years, the
11 | first five years of the settlement, the people in each
12 | settlement can include anybody, whoever they want to.
13 | They have five years to decide who they want to be, who
14 | they want to have involved in the land claims. If you
15 | live in Tuk and if they want, if the people of Tuk want
16 | you to take part, you will be welcome to.

17 | THE COMMISSIONER: So, even
18 | if you are a white person, it might occur.

19 | THE WITNESS: Right.

20 | THE COMMISSIONER: I follow you.

21 | THE WITNESS: If the people
22 | of Tuk want you to take part they will ask you to. So
23 | you have got a chance.

24 | MRS. HELEN GRUBEN: That
25 | answers my question and I will wait until the
26 | conference comes around to bring up more. Thank you.

27 | MR. RADDI: Mr. Berger, a
28 | little while ago I listened to Mr. Vince Steen talking
29 | about the bowhead whales and the bow-- the white whales
30 | the polar bears and so forth. I think I mentioned

1 before in Inuvik that I lived and trapped all over
2 almost every settlement in the Western Arctic. I have
3 seen bowhead whales and beluga whales in the month of
4 April and May in Sachs Harbour so I have seen them
5 myself with my own eyes and I even shot one. I didn't
6 kill it though. It was too big. It didn't even feel
7 the bullet. So that is all I have got to say. Thank
8 you.

9 (WITNESS ASIDE)
10 THE COMMISSIONER: Thank you,
11 Mr. Raddi.

12 Just one little postscript on
13 this subject of whales, Imperial Oil gave me their
14 report on the observations they made on whales, white
15 whales in 1972 and this was the year that Dr. Brodie
16 participated with Slaney Research Associates in the
17 observation of the whales. We will go into this in
18 detail when we get back to Yellowknife and sort it all
19 out but I just thought I would read this to you.

20 According to Slaney's report, it says,

21 "By early August, small groups of whales appear
22 to begin a general movement back toward the
23 west. This trend continues through mid-August."

24 Then they conclude,

25 "No whales were sighted, no whales were seen in
26 the area by F.F. Slaney and Co. personnel after
27 August 15, 1972."

28 All that they seem to be saying is that the people that
29 work for Slaney didn't see any whales after August 15th
30 in that year. They are not suggesting that there were-

1 n't any there. They just say they didn't see them. At
2 any rate, we will look into that in detail. I just
3 thought I would mention that because it may be helpful
4 in sorting this out.

5 Well, I think that we e had a
6 useful three days of hearings here and it getting on
7 and I think that everyone is looking award to the drum
8 dance so I am going to close the hearing here in
9 Tuktoyaktuk now and just thank all of a for
10 participating.

11 I have listened carefully
12 what each of you has said and I have learned something
13 from each of you. That's my job, to listen to you I to
14 listen to people throughout the north as I have my
15 doing now for over a year.

16 We have been to 26 villages,
17 have heard 700 people come forward and say what they
18 think and this is a country where we believe in
19 democracy, we believe that people should have their say
20 in their own future and this Inquiry is here in
21 Toyaktuk to make sure that you have a say. You, the
22 people that were born here, who will spend your lives
23 here and will die here, to make sure that you have a
24 say in what's going to happen here in the north.

25 It is an important decision
26 my job is to make sure the government has the facts ore
27 it to make sure the government understands the
28 sequences, to make sure that the government is in a
29 situation to make an intelligent choice. It is an
30 important decision for Canada but it is a decision that

